



# City Commission Work Session

## Agenda

**December 9, 2021 @ 1:00 pm**

Virtual

### welcome

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"If a person decides to appeal any decision made by the Board with respect to any matter considered at this hearing, a record of the proceedings is needed to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105).

### please note

Times are projected and subject to change.

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**1. Call to Order****2. Discussion Item(s)**

- |   |            |
|---|------------|
| a. Infrastructure Investment & Jobs Act   | 30 minutes |
| b. Capital Plan   | 30 minutes |
| c. Creation of a guidebook or standards that exemplify and create development standards for upholding the character, charm, scale of the Winter Park Vision Statement adopted by the community. | 45 minutes |

**3. Adjournment**



# City Commission **agenda item**

item type Discussion Item(s)	meeting date December 9, 2021
prepared by Michelle del Valle	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

## **subject**

Infrastructure Investment & Jobs Act

## **motion / recommendation**

## **background**

Infrastructure Investment & Jobs Act passed on November 6, 2021. It is a \$550B infrastructure investment to be spent over five years. It is intended to focus on transportation, water & waste water, and energy grants while growing jobs. Currently the outlines for grant opportunities have been shared, but the actual programs and grant processes are still being developed by the individual departments that will oversee the funding allocations. Included in the packet are the general parameters of grants to become available as programs are developed. Staff intends to work closely with Thorn Run to prepare for and meet eligible grant opportunities.

## **alternatives / other considerations**

## **fiscal impact**

### **ATTACHMENTS:**

[Bipartisan Infrastructure Bill Summary Oct 2021 \(002\).pdf](#)

### **ATTACHMENTS:**

[TRP Infrastructure Investment Jobs Act - EPA Water and Wastewater Grants 11.29.21.docx](#)

### **ATTACHMENTS:**

[TRP Infrastructure Investment and Jobs Act - New Transportation Grants.docx](#)

### **ATTACHMENTS:**

[TRP Infrastructure Investment & Jobs Act Energy Grants. 11.30.21.docx](#)

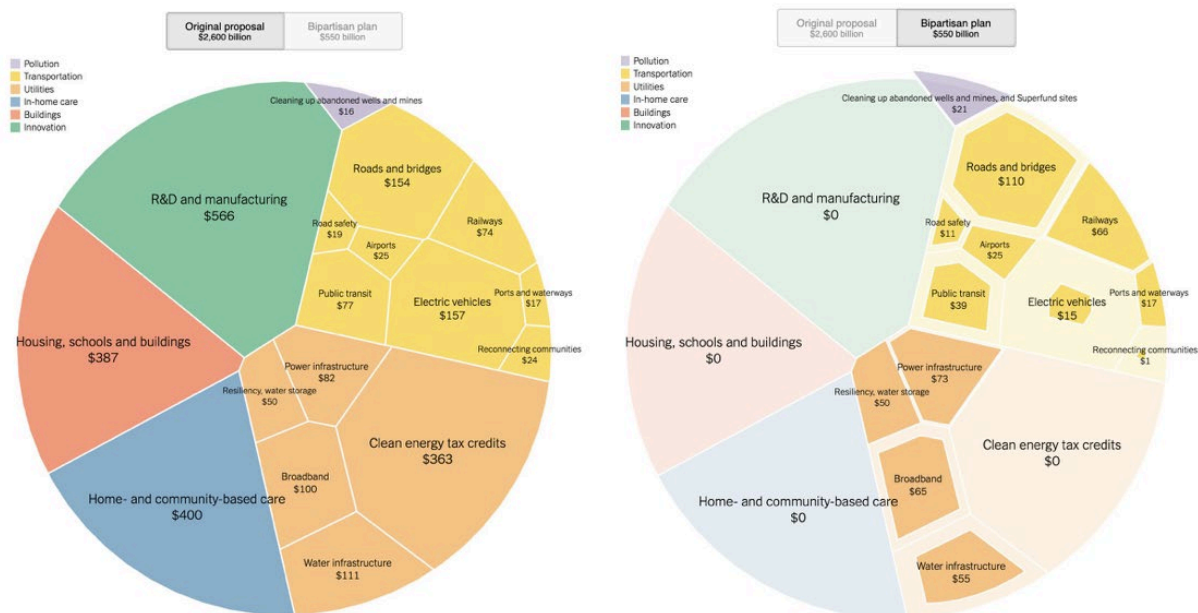
## KEY PROVISIONS IN THE INFRASTRUCTURE INVESTMENT AND JOBS ACT

### EXECUTIVE SUMMARY

In early August, the Senate passed [\[69-30\]](#) the 2,700+ page Infrastructure Investment and Jobs Act ([IIJA](#)) after months of speculation, negotiation, and debate. While the bill has not passed the House, momentum is building for passage in the next 30 days. The roughly \$1.2 trillion measure is split almost in half between two main components:

- 1) A five-year surface transportation reauthorization to continue upon the expiration of the previous authorization known as the FAST Act; and
- 2) Roughly \$550 billion in additional investment in infrastructure, generally intended to be spent over five years, more than half of which will go towards transportation.

You may recall that President Biden initially proposed spending \$2.6 billion on physical infrastructure, whereas the IIJA instead includes \$550 million in new spending above the transportation authorization bill. A visual representation of the broad differences between the two plans follows:



## KEY TAKEAWAYS

Broadly speaking, the IIJA proposes the following in new, above baseline spending above what is proposed as an extension of surface transportation programs, with more than half of the funding going towards transportation:

- **Transportation:** \$284 billion
  - **Roads & Bridges:** \$110 billion
  - **Transit:** \$39 billion
  - **Rail:** \$66 billion
  - **Safety:** \$11 billion
  - **Airports:** \$25 billion
  - **Ports & Waterways:** \$17 billion
  - **Electric Vehicle Chargers:** \$7.5 billion
  - **Electric Buses:** \$7.5 billion
  - **Reconnecting Communities:** \$1 billion
- **Water:** \$55 billion
- **Broadband:** \$65 billion
- **Energy & Power:** \$73 billion
- **Environmental Remediation:** \$21 billion
- **Western Water Infrastructure:** \$8.3 billion
- **Resiliency:** \$46 billion

The Department of Transportation will have a tremendous influence over where a high percentage of the new funding for transportation is spent: more than \$105 million will be provided via competitive grant applications – more than 1/3<sup>rd</sup> of the overall funding.

Within the transportation sector, rail is clearly the big winner, receiving a huge boost to improve service in the Northeast Corridor and elsewhere. Beyond that, roads and transit will both receive significant boosts in funding, but not necessarily in the transformative ways the Administration and some in Congress initially hoped. The IIJA will often maintain the transportation status quo, albeit while providing increased levels of funding.

Following is a discussion of the programs of most interest, but it is not all encompassing. There are additional programs available for a host of other interests, such as investments in grid reliability, supply chain improvements for clean energy technologies, carbon capture, Superfund site cleanup, etc.

## TRANSPORTATION

Given that the IIJA was mostly negotiated in the Senate, it relies on the Senate version of the surface transportation bill to replace the FAST Act. The bill authorizes \$273.15 billion in Highway Trust Fund Contract Authority for highways, roads, and bridges for FY 2022 through FY 2026. This is a significant boost in funding for these programs, as the FAST Act authorized \$226 billion over the same number of years for these programs. Contract authority would be authorized at the following levels over five fiscal years:

- FY 2022: \$52.49 billion
- FY 2023: \$53.54 billion
- FY 2024: \$54.61 billion
- FY 2025: \$55.70 billion
- FY 2026: \$56.81 billion

Funds would be apportioned to states through nine federal-aid highway formula programs, including two new programs:

PROGRAM	5-YEAR TOTAL
Carbon Reduction Program – <b>NEW</b>	\$6.41 billion
Congestion Mitigation and Air Quality Improvement Program	\$13.2 billion
Highway Safety Improvement Program	\$15.56 billion
Metropolitan Planning	\$2.28 billion
National Highway Freight Program	\$7.15 billion
National Highway Performance Program	\$148 billion
Promoting Resilient Operations for Transformative, Efficient and Cost Saving Transportation (PROTECT) Program – <b>NEW</b>	\$7.30 billion
Railway-Highway Crossing Program	\$1.23 billion
Surface Transportation Block Grant Program	\$72 billion (before TAP)

View state-by-state apportionment tables for formula programs [here](#). View an authorization table [here](#).

Among other transportation programs of interest, the bill would authorize and appropriate the following:

- **National Infrastructure Project Assistance Program (NEW):** \$10 billion over 5 years
  - Competitive application
  - To provide single or multi-year grants to carry out projects that would generate national or regional economic mobility or safety benefits:
    - Highway or bridge projects
    - Freight intermodal or freight rail projects with a public benefit, including ports
    - Rail-highway grade separation or elimination projects
    - Intercity passenger rail projects and public transportation projects
  - 50 percent of the funding reserved for projects between \$100 and \$500 million
- **RAISE Program:** \$7.5 billion over 5 years (becoming mandatory funding instead of discretionary)
  - Competitive application
  - Formerly named TIGER and BUILD
  - Grant award amounts limited to \$25 million
  - 50/50 split for urban-rural project selection remains
- **INFRA Program:** \$8 billion over 5 years

- Competitive application
- **Bridge Investment Program (NEW):** \$36.74 billion over 5 years
  - \$27.5 billion via formula and \$9.24 billion via competitive application
  - For large and small bridge projects
- **Reconnecting Communities Pilot Program (NEW):** \$1 billion over 5 years
  - For both planning and construction activities
  - Competitive application
- **Wildlife Crossings Pilot Program (NEW):** \$350 million over 5 years
  - Competitive application
- **Rural Surface Transportation Grant Program (NEW):** \$2 billion over 5 years
  - Competitive application
- **Culvert Removal, Replacement or Repair Program (NEW):** \$1 billion over 5 years
  - Competitive application
  - Eligible projects that replace, remove or repair culverts that would improve or restore fish passage for certain fish, with a priority given those species who are endangered or at risk of becoming endangered, or projects that address fresh-water runoff that impact certain marine life
- **Safe Streets and Roads for All Grant Program (NEW):** \$5 billion over 5 years
  - Competitive application
  - To implement local safety initiatives like Vision Zero plans
- **Strengthening Mobility and Revolutionizing Transportation (SMART) Grant Program (NEW):** \$500 million over 5 years
  - Competitive application
  - To carry out demonstration projects focused on smart city or community technologies and systems

#### Climate-Related Transportation Grant Programs

- **Charging and Fueling Infrastructure Grants (NEW):** \$2.5 billion over 5 years
  - Competitive application
  - Projects that promote the deployment of infrastructure for EVs and hydrogen, propane, and natural gas
- **Reduction of Truck Emissions at Port Facilities (NEW):** \$250 million over 5 years
  - Competitive application
  - Projects that reduce port emissions, including the advancement of port electrification
- **Carbon Reduction Formula Program (NEW):** \$6.42 billion over 5 years
  - A formula program with mandatory suballocation
  - Projects can include public transit projects, trails and other projects to facilitate non-motorized users of the road, the replacement of streetlights with energy-efficient alternatives, purchase or lease of zero-emissions construction equipment, among several others.
- **PROTECT Grant Program (NEW):** \$8.7 billion over 5 years
  - \$7.3 billion via formula and \$1.4 billion via competitive application

- To enhance the resiliency of infrastructure assets, including projects to improve coastal infrastructure and evacuation routes. The program would create four subgrants to distribute the funds:
  - Planning Grants (\$140 million)
  - Resilience Improvement Grants (\$980 million)
  - Community Resilience and Evacuation Route Grants (\$140 million)
  - At-Risk Coastal Infrastructure Grants (\$140 million)
- **Healthy Streets Program (NEW):** \$500 million over 5 years
  - Competitive application
  - For communities with a high percentage of communities of color to install cool and/or porous pavements and the expansion of tree cover

#### Rail Grant Programs

- **At-Grade Rail Crossing Elimination Program (NEW):** \$2.5 billion over 5 years
  - Competitive application
- **Railroad Crossing Elimination Program (NEW):** \$3 billion over 5 years
  - Competitive application

#### Policy Issues

- **Authorizes the Use of Local Hiring Preferences**
  - Federal transportation grant recipients would be authorized to implement a local hiring preference, including through pre-hire agreements.

#### Transit Funding

With regarding to federal funding for transit, the IIJA provides a total investment of [\\$106.9 billion](#), an increase of \$41.1 billion (63 percent) from current levels. This includes:

- Increases for each of the **formula and competitive grant programs** by 35-37 percent compared to current levels.
- Authorizes \$69.9 billion in Highway Trust Fund spending over 5 years, including the following annual levels:
 

○ FY 2022: \$13.36 billion	○ FY 2025: \$14.28 billion
○ FY 2023: \$13.63 billion	○ FY 2026: \$14.64 billion
○ FY 2024: \$13.99 billion	
- Provides \$15 billion of General Fund authorizations over 5 years for the **Capital Investment Grants (CIG)** program
- \$21.2 billion in **advance appropriations** for the 5-year period of the bill (on top of the authorized levels for these programs in the amounts described above):
  - \$8 billion for § 5309 **CIG grants**
  - \$250 million for § 5310 **Seniors and Individuals with Disabilities grants**
  - \$4.75 billion for § 5337 **State of Good Repair grants**
    - Set aside of \$300 million annually to **replace rail rolling stock (NEW)**
  - \$5.25 billion for § 5339 **Low or No Emission Bus Competitive grants**



- \$1.75 billion for **All Stations Accessibility Program Competitive grants (NEW)**
- \$250 million for **Electric or Low Emitting Ferry Competitive grants (NEW)**
- \$1 billion for **Rural Communities Essential Ferry Service Competitive grants (NEW)**

View the Federal Transit Administration's estimated apportionment tables for [urbanized area grants](#) and [state apportionments](#).

### Airports

The bill funds the Airport Improvement Program at \$3 billion annually (in addition to regular appropriations that more than match this level of funding) from FY 2022 through FY 2026. Funding will be distributed annually in the following ways:

- No more than \$2.4 billion through formulas to primary airports
- No more than \$500 million apportioned for general aviation and commercial service airports
- \$20 million for recipients of contract tower program competitive awards

The bill also creates a **new “groundside” airport improvement program**, funded at \$5 billion over 5 years to specifically address on-airport rail access projects or relocate, reconstruct, repair, or improve an airport-owned traffic control towers.

### Ports

The bill increases funding for the competitive Port Infrastructure Development Program, funding it at \$2.25 billion over 5 years. Newly eligible projects (beyond those already authorized) would include:

- Improvements to address sea-level rise, flooding and/or extreme weather
- Port electrification
- Procuring new equipment
- Installing electric vehicle/alternative refueling infrastructure

## **RESILIENCY**

- **Building Resilient Infrastructure and Communities (BRIC):** \$1 billion over 5 years (additional funding above what will otherwise be provided).
  - Competitive application.
  - Formerly known as the Pre-Disaster Mitigation Program.
- Funds the **STORM Act** at \$500 million over 5 years
  - Would allow state and local governments to create resilience revolving loan funds for infrastructure programs.
- **Post-Consumer Materials Management Grant Program (NEW):** \$275 million over 5 years
  - Grants to states to support improvements to local post-consumer materials management, including municipal recycling programs, and to assist local waste management authorities in making improvements to local waste management systems.

## **WATER**

The **Drinking Water and Clean State Water Revolving Loan Funds** would be authorized at the following levels:

- FY 2022: \$2.40 billion
- FY 2023: \$2.75 billion
- FY 2024: \$3.00 billion
  - For the Clean Water State Revolving Fund (CWSRF), to the extent there are sufficient applications, a state would be required to use a minimum of 10 percent of CWSRF for grants, negative interest loans, and loan forgiveness, or to buy, refinance or restructure debt for disadvantaged communities as determined by the state. The amount for additional subsidies could not exceed 30 percent.
- FY 2025: \$3.25 billion
- FY 2026: \$3.25 billion

### *Bureau of Reclamation programs*

The Bureau will receive \$8.3 billion spread out over 5 years (\$1.66 billion per year). Within those amounts, Congress set aside the following:

- \$1.15 billion annually for water storage, groundwater storage, and conveyance projects
  - \$100 million annually for small surface water and groundwater storage projects
- \$200 million annually for water recycling and reuse projects
  - \$110 million for previously Bureau-approved water recycling and reuse projects
  - \$90 million for large-scale (more than \$500 million total project cost) water recycling and reuse projects
- \$50 million annually for water desalination projects
- \$80 million annually for WaterSMART grants

## **BROADBAND**

- **Broadband Equity, Access, and Deployment Program (NEW):** \$42.45 billion in FY 2022
  - States eligible to apply for investment in broadband infrastructure.
- Extends the **Emergency Broadband Benefit Program**
  - Targeted at affordability; helps individuals receive subsidized broadband service.
  - Renamed the Affordable Connectivity Program.
  - Reduces the monthly subsidy available to a consumer from \$50 to \$30.

## **ENERGY & POWER**

- \$550 million in FY 2022 for the **Energy Efficiency and Conservation Block Grant (EECBG) Program.**
  - Block grant program that mirrors the CDBG program in funding allocations.
- \$3.5 billion in FY 2022 for the **Weatherization Assistance Program.**
- \$500 million over 5 years for the **Low-Income Housing Energy Assistance Program.**
- \$500 million over 5 years to improve energy efficiency in schools.

- \$1.2 billion over 5 years for the EPA’s competitive Brownfields program.

## **CYBERSECURITY**

- **State and Local Cybersecurity Grant Program (NEW):** \$1.3 billion over 4 years
  - Apportionments made to states by Department of Homeland Security; local governments are subgrantees; 80% of funds received by states must be subgranted.
  - 25% set aside for rural areas.
- **Rural and Municipal Utility Advanced Cybersecurity Grant Program (NEW):** \$250 million over 5 years
  - Competitive application.
  - Eligible applicants include utilities.

## **ARMY CORPS OF ENGINEERS**

*For Projects Authorized by Congress – to be allocated over FYs 2022 - 2024*

- **Investigations:** \$150 million
  - \$75 million for studies
  - \$30 million for Planning Assistance to the States (PAS)
  - \$45 million for Flood Plain Management Services Program (FPMS)
- **Construction:** \$11.615 billion
  - \$1.5 billion for major rehabilitation, construction and related activities for rivers and harbors
  - \$200 million for water-related environmental infrastructure assistance
  - \$1.9 billion for aquatic ecosystem restoration projects
  - \$2.55 billion for coastal storm risk management, hurricane and storm damage reduction projects, and related activities for states that have been impacted by federally declared disasters over the last six years
    - \$200 million for shore protection projects
  - \$465 million for Continuing Authorities Program:
    - Section 14: Streambank and shoreline erosion protection of public works and nonprofit public services
    - Section 103: Beach erosion and hurricane and storm damage reduction
    - Section 107: Navigation improvements
    - Section 204: Beneficial uses of dredged material
    - Section 205: Flood control
    - Section 206: Aquatic ecosystem restoration
    - Section 1135: Project modifications for improvement of the environment
  - \$2.5 billion for inland waterways projects
  - \$2.5 billion for inland flood risk management projects
- **Operation and Maintenance:** \$4 billion

## OTHER ITEMS

- Reauthorizes the **Secure Rural Schools (SRS) Program** for 3 years.
  - Ends annual 5 percent reduction and increase funding over the next three years to FY 2017 levels.

**THORN RUN PARTNERS**

GOVERNMENT RELATIONS

**Infrastructure Investment and Jobs Act (H.R. 3684; P.L. 117-58)**

**EPA WATER and WASTEWATER GRANTS for  
LOCAL GOVERNMENTS**

**November 29, 2021**



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## SEC. 50107. Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability Program

Program Purpose. Grants to increase resilience to natural hazards and extreme weather events and reduce cybersecurity vulnerabilities.

### Eligible Entities

- A public water system that serves a community with a population of 10,000 or more.

### Eligible Projects

- Grants can assist in the planning, design, construction, implementation, operation, or maintenance of a program or project that serves the program purpose through:
  - the conservation of water or the enhancement of water-use efficiency
  - the modification or relocation of existing drinking water system infrastructure that is, or at risk of being, significantly impaired by natural hazards or extreme weather events, including risks to drinking water from flooding.
  - the design or construction of new or modified desalination facilities to serve existing communities
  - the enhancement of water supply through the use of watershed management and source water protection
  - the enhancement of energy efficiency or the use and generation of renewable energy in the conveyance or treatment of drinking water
  - the development and implementation of measures:
    - to increase the resilience of the eligible entity to natural hazards and extreme weather events
    - to reduce cybersecurity vulnerabilities
  - the conservation of water or the enhancement of a water supply through the implementation of water reuse measures
  - the formation of regional water partnerships to collaboratively address documented water shortages

### Grand Award Factors

- The Administrator will consider:
  - natural hazard risks, extreme weather events, or potential cybersecurity vulnerabilities, as applicable, to be addressed by the proposed program or project
  - any recent natural hazards, cybersecurity events, or extreme weather events that have affected the community water system of the eligible entity

### Funding and Cost Share

- \$50 million for each of the fiscal years 2022 through 2026.
- 50 percent of the funds will provide grants to eligible entities that serve a population equal to or great than 10,000 and fewer than 100,000.
- The other 50 percent will provide grants to eligible entities that serve a population equal to or greater than 100,000.

## SEC. 50109. Rural and Low-Income Water Assistance Pilot Program

Program Purpose. Grants to develop and implement programs to assist qualifying households with need in maintaining access to drinking water and wastewater treatment.

#### Eligible Entity

- a local government, tribe, or other entity that:
  - owns or operates a community water system, treatment works, or municipal separate storm sewer system;
  - or as determined by the Administrator, has taken on an unsustainable level of debt due to customer nonpayment for the services provided by a community water system, treatment works, or municipal separate storm sewer system;
- a State exercising primary enforcement responsibility over a rural water service provider under the Safe Drinking Water Act or the Federal Water Pollution Control Act.

#### Eligible Project

- A grant under the pilot program shall not be used to replace funds for any existing similar program but may be used to supplement or enhance an existing program, including a program that receives assistance from other Federal grants.
- In establishing the program, the Administrator may include provisions for:
  - direct financial assistance;
  - a lifeline rate;
  - bill discounting;
  - special hardship provisions;
  - a percentage-of-income payment plan; or
  - debt relief for the eligible entity or the community water system owned by the eligible entity for debt that is due to customer nonpayment for the services provided by the eligible entity or the community water system that is determined by the Administrator to be in the interest of public health.

#### Grand Award Factors

- In establishing the pilot program, the Administrator shall ensure that data from the water services needs assessment (as established in Sec. 50108) directly contributes to the structure of the pilot program by informing the types of assistance and criteria used for priority consideration.
- In addition to this, priority consideration shall be given to entities that:
  - serve a disproportionate percentage of qualifying households with need
  - are subject to State or Federal enforcement actions relating to compliance with the Federal Water Pollution Control Act or the Safe Drinking Water Act
  - maintain or participate in an existing community assistance program with objectives similar to the objectives of the pilot program

#### Funding and Cost Share

- \$30 million for FY 2022; \$35 million for FY 2023; \$40 million for FY 2024; \$45 million for FY 2025; \$50 million for FY 2026
- Not more than 40 grants, of which:
  - not more than 8 shall be to eligible entities that own, operate, or exercise primary enforcement responsibility over a rural water service provider
  - not more than 8 shall own or operate a medium water service provider
  - not more than 8 shall own or operate a large water service provider that serves not more than 500,000 people
  - not more than 8 shall own or operate a community water system, treatment works, or municipal separate storm sewer system that services a disadvantaged community



## SEC. 50202. Wastewater Efficiency Grant Pilot Program

Program Purpose. Grants to create or improve waste-to-energy systems.

### Eligible Entity

- Owners or operators of publicly owned treatment works.

### Eligible Project

- sludge collection
- installation of anaerobic digesters
- methane capture
- methane transfer
- facility upgrades and retrofits necessary to create or improve waste-to-energy systems
- other new and emerging, but proven, technologies that transform waste to energy

### Grand Award Factors

- To be eligible to receive a grant, an owner or operator of a treatment works shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

### Funding and Cost Share

- \$20 million for each of fiscal years 2022 through 2026
- Each grant shall be not more than \$4 million
- No more than 15 recipients annually

## SEC. 50203. Pilot Program for Alternative Water Source Projects

Program Purpose. Grants to develop alternative water source projects to meet critical water supply needs.

### Eligible Entity

- Entities that have authority under State law to develop or provide water for municipal, industrial, and agricultural uses in an area of the State that is experiencing critical water supply needs.
  - State, interstate, and intrastate water resource development agencies (including water management districts and water supply authorities)
  - Local governments
  - Private utilities
  - Nonprofit entities

### Eligible Project

- Grants may be used for engineering, design, construction, and final testing of alternative water source projects designed to meet critical water supply needs:
  - alternative water source project - a project designed to provide municipal, industrial, and agricultural water supplies in an environmentally sustainable manner by conserving, managing, reclaiming, or reusing water or wastewater or by treating wastewater. Does not include water treatment or distribution facilities.
  - critical water supply needs - existing or reasonably anticipated future water supply needs that cannot be met by existing water supplies, as identified in a comprehensive statewide or

regional water supply plan or assessment projected over a planning period of at least 20 years.

- Grants may not be used for planning, feasibility studies or for operation, maintenance, replacement, repair, or rehabilitation
- Projects that have received construction funds under the reclamation and reuse program conducted under the Reclamation Projects Authorization and Adjustment Act of 1992 are not eligible.

#### Grand Award Factors

- Alternative water source projects selected by the Administrator under this section shall reflect a variety of geographical and environmental conditions.

#### Funding and Cost Share

- \$25 million for each of the fiscal years 2022 through 2026.
- The Federal share of the eligible costs of an alternative water source project carried out using assistance made available under this section shall not exceed 50 percent.

### **SEC. 50204. Sewer Overflow and Stormwater Reuse Municipal Grants**

Program Purpose. Grants to intercept, transport, control, or treat municipal combined sewer overflows and sanitary sewer overflows, and to inform the public of combined sewer or sanitary overflows that result in sewage being released into rivers and other waters.

#### Eligible Entity

- Priority is given to an applicant that:
  - is a municipality that is a financially distressed community
  - has implemented or is complying with an implementation schedule for the nine minimum controls specified in the CSO control policy
  - has begun implementing a long-term municipal combined sewer overflow control plan or a separate sanitary sewer overflow control plan
  - is requesting a grant for a project that is on a State's intended use plan
  - or is an Alaska Native Village.

#### Eligible Project

- treatment works to intercept, transport, control, treat, or reuse municipal sewer overflows, sanitary sewer overflows, or stormwater;
- or any other measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water eligible for assistance under section 603(c).
- notification systems

#### Grand Award Factors

- In determining if a community is a distressed community for the purposes of subsection, the State shall consider, among other factors, the extent to which the rate of growth of a community's tax base has been historically slow such that implementing a plan would result in a significant increase in any water or sewer rate charged by the community's publicly owned wastewater treatment facility.
- Financially distressed community - a community that meets affordability criteria established by the State in which the community is located, if such criteria are developed after public review and comment.

- Rural community - a city, town, or unincorporated area that has a population of not more than 10,000 inhabitants.

#### Funding and Cost Share

- \$280 million for each of the fiscal years 2022 through 2026
- The Federal share of the cost of activities carried out using amounts from a grant made under subsection shall be not less than 55 percent of the cost. Types of non-federal share may include, in any amount, public and private funds and in-kind services, financial assistance, including loans, from a State water pollution control revolving fund.

### **SEC. 50205. Clean Water Infrastructure Resiliency and Sustainability Program**

**Program Purpose.** To increase the resilience of publicly owned treatment works to a natural hazard or cybersecurity vulnerabilities.

#### Eligible Entity

- a municipality
- an intermunicipal, interstate, or State agency

#### Eligible Project

- Grants shall be used for the planning, designing, or constructing projects (on a system-wide or area-wide basis) that increase the resilience of a publicly owned treatment works to a natural hazard or cybersecurity vulnerabilities through:
  - the conservation of water;
  - the enhancement of water use efficiency;
  - the enhancement of wastewater and stormwater management by increasing watershed preservation and protection, including through the use of:
    - natural and engineered green infrastructure; and
    - reclamation and reuse of wastewater and stormwater, such as aquifer recharge zones;
  - the modification or relocation of an existing publicly owned treatment works, conveyance, or discharge system component that is at risk of being significantly impaired or damaged by a natural hazard;
  - the development and implementation of projects to increase the resilience of publicly owned treatment works to a natural hazard or cybersecurity vulnerabilities, as applicable; or
  - the enhancement of energy efficiency or the use and generation of recovered or renewable energy in the management, treatment, or conveyance of wastewater or stormwater.

#### Grand Award Factors

- natural hazard or cybersecurity vulnerability risk of the area where the proposed project is to be located
- any recent natural hazards or cybersecurity vulnerabilities that have affected the publicly owned treatment works

#### Funding and Cost Share

- \$25 million for each of the fiscal years 2022 through 2026.
- a grant under the program shall not exceed 90 percent of the total cost of the proposed project if the project serves a community that:
  - has a population of fewer than 10,000 individuals; or

- meets the affordability criteria established by the State in which the community is located under section 603(i) (2)

### SEC. 50207. Small Publicly Owned Treatment Works Efficiency Grant Program

Program Purpose. To replace or repair equipment that improves water or energy efficiency of small publicly owned treatment works, as identified in an efficiency audit.

#### Eligible Entity

- an owner or operator of a small publicly owned treatment works that serves:
  - a population of not more than 10,000 people
  - or a disadvantaged community
- or a nonprofit organization that seeks to assist a small publicly owned treatment works

#### Eligible Project

- Any projects that involve the replacement or repair of equipment that improves water or energy efficiency of small publicly owned treatment works.

#### Grand Award Factors

- not less than 15 percent shall be used for grants to publicly owned treatment works that serve fewer than 3,300 people.

#### Funding and Cost Share

- N/A

### SEC. 50208. Grants for Construction and Refurbishing of Individual Household Decentralized Wastewater Systems for Individuals with Low or Moderate Income

Program Purpose. To improve the general welfare of eligible individuals by refurbishing their household wastewater systems.

#### Eligible Entity

- private nonprofit organizations that provide assistance to eligible individuals
- eligible individual - a member of a low-income or moderate-income household, the members of which have a combined income (for the most recent 12-month period for which information is available) equal to not more than 50 percent of the median nonmetropolitan household income for the State or territory in which the household is located, according to the most recent decennial census.

#### Eligible Project

- the construction, repair, or replacement of an individual household decentralized wastewater treatment system;
- or the installation of a larger decentralized wastewater system designed to provide treatment for 2 or more households in which eligible individuals reside, if:
  - site conditions at the households are unsuitable for the installation of an individually owned decentralized wastewater system;
  - multiple examples of unsuitable site conditions exist in close geographic proximity to each other; and

- a larger decentralized wastewater system could be cost-effectively installed.

#### Grand Award Factors

- the Administrator shall give priority to applicants that have substantial expertise and experience in promoting the safe and effective use of individual household decentralized wastewater systems.
- in awarding grants, a private nonprofit organization shall give priority to any eligible individual who does not have access to a sanitary sewage disposal system.

#### Funding and Cost Share

- \$50 million for each of the fiscal years 2022 through 2026
- A private nonprofit organization may use amounts provided under this subsection to pay the administrative expenses associated with the provision of the services

### **SEC. 50209. Connection to Publicly Owned Treatment Works**

Program Purpose. To assist qualified individuals in covering the costs incurred in connecting the household of the qualified individual to a publicly owned treatment works.

#### Eligible Entity

- an owner or operator of a publicly owned treatment works that assists or is seeking to assist low-income or moderate-income individuals with connecting the household of the individual to the publicly owned treatment works
- a nonprofit entity that assists low-income or moderate-income individuals with the costs associated with connecting the household of the individual to a publicly owned treatment works

#### Eligible Project

- Grant programs that provide services to or work directly with qualified individuals for the purpose of the program.
- An eligible entity that is an owner or operator of a publicly owned treatment works may reimburse a qualified individual that has already incurred the costs by:
  - reducing the amount otherwise owed by the qualified individual to the owner or operator for wastewater or other services provided by the owner or operator; or
  - providing a direct payment to the qualified individual

#### Grand Award Factors

- The administrator will consider:
  - Whether the eligible entity seeking a grant provides services to, or works directly with, qualified individuals.
  - Whether the eligible entity seeking a grant:
    - has an existing program to assist in covering the costs incurred in connecting a household to a publicly owned treatment works
    - or seeks to create a competitive grant program
- Before providing funds to a qualified individual, the eligible entity shall ensure that:
  - the qualified individual has connected to the publicly owned treatment works voluntarily
  - if the eligible entity is not the owner or operator of the publicly owned treatment works to which the qualified individual has connected, the publicly owned treatment works to which the qualified individual has connected has agreed to the connection

#### Funding and Cost Share

- \$40 million for each of the fiscal years 2022 through 2026.
- Not less than 15 percent of the funding shall be used to make grants to:
  - eligible entities that are owners and operators of publicly owned treatment works that serve fewer than 3,300 people
  - eligible entities that provide the assistance described in that subsection in areas that are served by publicly owned treatment works that serve fewer than 3,300 people

**THORN RUN PARTNERS**



**Infrastructure Investment and Jobs Act (H.R. 3684; P.L. 117-58)**

**TRANSPORTATION GRANTS for LOCAL GOVERNMENTS**

November 29, 2021



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## SEC. 11118. Bridge Investment Program

**Program Purpose.** To provide financial assistance for eligible projects to improve the safety, efficiency, and reliability of the movement of people and freight over bridges.

### Eligible Entities:

- Metropolitan planning organization
- Political subdivisions of state
- Local government
- Special purpose district or public authority with a transportation function
- Tribe
- Multijurisdictional group of entities

### Eligible Projects

- Projects to replace, rehabilitate, preserve, or protect one or more bridges on the National Bridge Inventory. Requirements as follows:
  - Construction must begin 18 months after the date on which funds are obligated for the projects
  - Entities must provide preliminary engineering results.
- Off System Bridges – Other federal assistance may be used to fund the non-federal share of the cost of a project.

### Grant Award Factors

- Must begin construction 18 months after the date on which funds are obligated for the project.
- Award will be based on the results of preliminary engineering.

### Program Funding, Project Funding and Cost Share

- \$600 million for FY 22; \$640 million for FY 23; \$650 million for FY 24; \$675 million for FY 25; and \$700 million for FY 26.
- For projects with a cost of \$100 million or more:
  - Not less than \$50 million;
  - Not more than 50 percent of the total project cost; and
  - Enough, when combined with other financial resources identified in the application, to fully fund the project.
- For all other projects:
  - Not less than \$2.5 million;
  - Not more than 80 percent of the total project cost; and
  - Enough, when combined with other financial resources identified in the application, to fully fund the project.
- Eligible Project Costs include:
  - Developmental phase activities such as: planning; feasibility analysis; revenue forecasting; environmental review; and preliminary engineering and design work.
  - Construction;
  - Reconstructions;
  - Rehabilitation; and
  - Acquisition of real property.

## SEC. 11123. Wildlife Crossing Safety

Program Purpose. To seek to achieve a reduction in the number of wildlife-vehicle collisions and improving habitat connectivity for terrestrial and aquatic species.

### Eligible Entities

- State highway agency or equivalent
- Local government
- Metropolitan planning organization
- Regional transportation authority
- Special purpose district or public authority with a transportation function
- Port authority
- Tribe
- Federal land management agency
- A group of the above listed entities in this section

### Eligible Projects.

- Projects must be related to initiatives attempting to reduce wildlife-vehicle collisions.

### Grant Award Factors

- In selecting grant recipients under the pilot program, the Secretary of Transportation shall take into consideration:
  - The extent to which the proposed project of an eligible entity is likely to protect motorist and wildlife by:
    - Reducing the number of wildlife-vehicle collisions; and
    - Improve habitat connectivity for terrestrial and aquatic species.
  - The likelihood that proposed project is to accomplish:
    - Leveraging federal investment by encouraging non-Federal contributions to the project. Including projects from public-private partnerships
    - Supporting local economic development and improvement of visitation opportunities.
    - Incorporation of innovative technologies, including advanced design techniques and other strategies to enhance efficiency and effectiveness in reducing wildlife-vehicle collisions and improving habitat connectivity for terrestrial and aquatic species.
    - Provision of educational and outreach opportunities.
    - Monitoring and research to evaluate, compare effectiveness of, and identify best practices in, selected projects.
    - Any other criteria relevant to reducing the number of wildlife-vehicle collisions and improving habitat connectivity for terrestrial and aquatic species.

### Program Funding, Project Funding and Cost Share

- \$60 million for FY 22; \$65 million for FY 23; \$70 million for FY 24; \$75 million for FY 25; and \$80 million for FY 26
- Federal funds granted by the secretary can be redistributed to public-private partnerships by one of the eligible entities.
- At least 60 percent of the funds appropriated for the program each fiscal year must be for projects in rural areas.

## SEC. 11132. Rural Surface Transportation Grant Program

**Project Purpose.** To provide grants to improve and expand the surface transportation infrastructure in rural areas, defined as an area that is outside an urbanized area with a population of over 200,000.

### Eligible Entities

- State
- Regional transportation planning organization
- Local government
- Tribe
- Multijurisdictional group of the above entities

### Eligible Projects

- highway, bridge, tunnel or safety improvement project, including a project to improve a high rural risk road
- a project on a publicly-owned highway or bridge that provides or increases access to an agriculture, commercial, energy or intermodal facility that supports the economy of a rural area
- a project to develop, establish, or 2 maintain an integrated mobility management system, a transportation demand management system, or on-demand mobility services.

### Grant Award Factors

- The goals of the program shall be—
  - to increase connectivity
  - to improve the safety and reliability of the movement of people and freight; and
  - to generate regional economic growth and improve quality of life.
- The Secretary shall consider the extent to which an eligible project will—
  - improve the state of good repair of existing highway, bridge, and tunnel facilities;
  - increase the capacity or connectivity of the surface transportation system and improve mobility for residents of rural areas;
  - address economic development and job creation challenges, including energy sector job losses in energy communities as identified in the report released in April 2021 by the interagency working group established by section 218 of Executive Order 14008 (86 Fed. Reg. 7628 (February 1, 2021));
  - enhance recreational and tourism opportunities by providing access to Federal land, national parks, national forests, national recreation areas, national wildlife refuges, wilderness areas, or State parks;
  - contribute to geographic diversity among grant recipients;
  - utilize innovative project delivery approaches or incorporate transportation technologies;
  - coordinate with projects to address broadband infrastructure needs; or
  - improve access to emergency care, essential services, healthcare providers, or drug and alcohol treatment and rehabilitation resources.

### Program Funding, Project Funding and Cost Share

- Grants not less than \$25 million
- \$300 million for FY 22; \$350 million for FY 23; \$400 million for FY 24; \$450 million for FY 25; and \$500 million for FY 26

## SEC. 11401. Grants for Charging and Fueling Infrastructure

**Project Purpose.** To strategically deploy publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure along designated alternative fuel corridors or in certain other locations that will be accessible to all drivers of electric vehicles, hydrogen vehicles, propane vehicles, and natural gas vehicles.

### Eligible Entities

- States or political subdivision
- Metropolitan planning organization
- Local government
- Special purpose district or public authority with a transportation function
- Port authority
- Tribe
- Territory
- An authority, agency, or instrumentality of or an entity owned by, one or more of entities listed above
- A group of two or more of the entities listed above in this section

### Eligible Projects

- Recipients of this grant will be able to fund projects such as:
  - Making improvements to alternative fueling corridors such as:
    - Converting corridor-pending corridors to corridor-ready corridors.
    - Providing redundancy to corridor-ready corridors.
  - The purchasing and installing traffic control devices to provide directional information to clean fueling stations
  - Considering the extent to which the application of the eligible entity would:
    - improve alternative fueling corridor networks by converting corridor-pending locations to corridor-ready locations;
    - provide redundancy to corridor-ready corridors by:
      - Meeting excess demand for charging or fueling infrastructure; and
      - Reduce congestion at existing charging or fueling infrastructure in high-traffic locations.

### Grant Award Factors

- Recipients can use funds to contract with private entity for the acquisition and installation of publicly accessible green fueling infrastructure.
- For the first five years, a portion of the grant can be used to fund operating assistance from a private entity.
- Cannot use more than 5 percent of the grant funds for educational and community engagement activities.
- Priority given to projects in:
  - rural areas;
  - low- and moderate-income neighborhoods;
  - communities with a low ratio of private parking spaces to households; or
  - communities with a high ratio of multi-unit dwellings to single family homes.

### Program Funding, Project Funding and Cost Share

- \$300 million for FY 22; \$400 million for FY 23; \$500 million for FY 24; \$600 million for FY 25; and \$700 million for FY 26
- Maximum grant amount is \$15 million.
- Federal share is 80 percent of total project cost.
- When Contracting with a private entity, eligible entities must agree to pay the 20 percent share with funds not supplied by the Federal Government.

### SEC. 11403. Carbon Reduction Program

Program Purpose. To provide states with yearly funding to reduce carbon emissions from on-road vehicles and develop carbon reduction plans for their respective States. Funds will be appropriated directly to States, who will in turn distribute the funds to communities in their state.

#### Eligible Entities

- States
- Local Government (through state)
- Metropolitan Planning Organizations (through state)

#### Eligible Projects

- Projects to support the reduction of transportation emissions including:
  - Establish or operate traffic monitoring, management, and control facilities or programs.
  - Public transportation projects that is available for assistance under [Section 142 of 1 U.S.C. 23](#).
  - Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation.
  - Advanced transportation and congestion management technologies.
  - Project to deploy of infrastructure-based intelligent transportation systems capital improvements and the installation of vehicle-to-infrastructure communications equipment.
  - Projects to replace streetlights and traffic control devices with energy-efficient alternatives.
  - The development of a carbon reduction strategy.
  - Project or strategy that is designed to support congestion pricing, shifting transportation demand to nonpeak hours or other transportation modes, increasing vehicle occupancy rates, or otherwise reducing demand for roads, including electronic toll collection, and travel demand management strategies and programs.
  - Efforts to reduce the environmental and community impacts of freight movement.
  - A project to support deployment of alternative fuel vehicles, including –
    - Acquisition, installation, or operation of publicly accessible electric vehicle charging infrastructure.
    - hydrogen, natural gas, or propane vehicle fueling infrastructure.
  - Diesel engine retrofit.
  - Reduces transportation emissions at port facilities, including through the advancement of port electrification.

#### Grant Award Factors

- Within two years of the enactment, states must coordinate with the metropolitan planning organization designated within the state to develop a carbon reduction strategy.
  - Carbon Reduction strategy must –
    - Support efforts to reduce transportation emissions.
    - Identify projects and strategies to reduce transportation emissions, including –
      - Reducing traffic congestion by facilitating the use of alternatives to single-occupant vehicle trips.

- Facilitating the use of vehicles or modes of travel that result in lower transportation emissions per person-mile traveled.
- Facilitating approaches to the construction of transportation assets that result in lower transportation emissions.
- Support the reduction of transportation emissions of the state.
- At the discretion of the State quantify the production of emissions from the production, transport, and use of materials used in the construction of transportation facilities within the state.
- Be appropriate to the population density and context of the state.
- Carbon Reduction Strategy must be updated no less than once every four years.

#### Program Funding, Project Funding and Cost Share

- State cost share is determined by [Section 120 of 1 U.S.C. 23](#).
- Each Fiscal Year, 65 percent of the allocated money shall be obligated proportionate to their relative shares of the population of the state according to these categories —
  - Urbanized Areas with a population greater than 200,000.
  - Urbanized Areas with a population fewer than 200,000 but greater than or equal to 50,000.
  - Urban areas with a population fewer than 49,999 but greater than 5,000
  - In other areas with a population fewer than 5,000
- The other 35 percent of allocated funds can be obligated wherever needed throughout the state.

### **SEC. 11404. Congestion Relief Program**

**Program Purpose.** To reduce highway congestion, reduce economic and environmental costs associated with that congestion, including transportation emissions, and optimize existing highway capacity and usage of highway and transit systems through: (1) improving intermodal integration with highways, highway operations, and highway performance and (2) reducing or shifting highway users to off-peak travel times or to nonhighway travel modes during peak travel times.

#### Eligible Entities

- The following entities are eligible for the grant provided that the projects are in urbanized areas with a population greater than 1,000,000:
  - Metropolitan planning organizations
  - State
  - Local government

#### Eligible Projects

- May be used for a single or conglomerate of projects listed below:
  - Deployment and operation of an integrated congestion management systems.
  - Deployment and operation of a system that implements or enforces high occupancy vehicle toll lanes, cordon pricing, parking pricing, or congestion pricing.
  - Deployment and operation of mobility services, including establishing account-based financial systems, commuter buses, commuter vans, express operations, paratransit, and on-demand micro-transit.
  - Inventive programs that encourage travelers to carpool, use nonhighway travel modes during peak period, or travel during nonpeak periods.

#### Grant Award Factors

- If in accordance with all other laws, the Secretary shall allow the use of tolls on the Interstate System as part of a project carried out with a grant under the program. The toll must not be greater than any other toll multiplied by five.
- Secretary may not approve the use of tolls on the Interstate System under the program in more than ten urbanized areas.
- Projects shall include:
  - An analysis of the potential effects of the project on low-income drivers, if appropriate.
  - Mitigation measures to deal with any potential adverse financial effects on low-income drivers.
- Priority to be given to projects in urbanized areas that are experiencing a high degree of recurrent congestion.

#### Program Funding, Project Funding and Cost Share

- \$50 million for each of fiscal years 2022 – 2026
- Federal cost share must be less than 80 percent.
- Minimum awards are set at \$10 million.

### **SEC. 11405. Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) Program.**

Program Purpose. To provide for resilience improvements through —

- Formula funding distributed to States.
- Competitive planning grants to enable communities to assess vulnerabilities to current and future weather events and natural disasters and changing conditions including sea level rise, and plan transportation improvements and emergency response strategies to address those vulnerabilities.
- Competitive resilience improvement grants to protect:
  - surface transportation assets by making the assets more resilient to current and future weather events and natural disasters, such as: severe storms, levee and dam failures, drought, wildfires, rockslides, mudslides, sea level rise, extreme weather, including extreme temperature, and earthquakes
  - communities through resilience improvements and strategies that allow for the continued operation or rapid recovery of surface transportation systems that—
    - serve critical local, regional, and national needs including evacuation routes;
    - provide access or service to hospitals and other medical or emergency service facilities, major employers, critical manufacturing centers, ports, and intermodal facilities, utilities, and Federal facilities;
  - coastal infrastructure, such as a tide gate to protect highways, that is at long-term risk to sea level rise; and
  - natural infrastructure that protects and enhances surface transportation assets while improving ecosystem conditions, including culverts that ensure adequate flows in rivers and estuarine systems.

#### Eligible Entities

- Formula funds will be directly appropriated to the states for use

- For Competitive Grants —
  - State or political subdivision of a State
  - Metropolitan planning organization
  - Local government
  - Special Purpose district or public authority with a transportation function
  - Tribe
  - Federal land management agency that applies jointly with a State or group of States
  - Multi-State or multijurisdictional group of entities from the above list

#### Eligible Projects for Competitive Grants

- Planning Grants
  - Developing a resilience improvement plan.
  - Resilience planning, predesign, design, or the development of data tools to simulate transportation disruption scenarios, and vulnerability scenarios.
  - Technical capacity building.
  - Evacuation planning and preparation.
- Resilience Grants
  - Resilience Improvement Grants
    - Funds can be used to complete one or more “construction activities” to improve the ability of an existing surface transportation asset to withstand one or more elements of a weather event or natural disaster, or to increase the resilience of surface transportation infrastructure from the impacts of changing conditions, such as sea level rise, flooding, wildfires, extreme weather events, and other natural disasters.

#### Construction activity includes:

- resurfacing, restoration, rehabilitation, reconstruction, replacement, improvement, or realignment of an existing surface transportation facility eligible for assistance under this title;
- the incorporation of natural infrastructure;
- the upgrade of an existing surface transportation facility to meet or exceed a design standard adopted by the Federal Highway Administration;
- the installation of mitigation measures that prevent the intrusion of floodwaters into surface transportation systems;
- strengthening systems that remove rainwater from surface transportation facilities;
- upgrades to and installation of structural stormwater controls;
- a resilience project that addresses identified vulnerabilities described in the resilience improvement plan of the eligible entity, if applicable;
- relocating roadways in a base floodplain to higher ground above projected flood elevation levels, or away from slide prone areas;
- stabilizing slide areas or slopes;
- installing riprap;
- lengthening or raising bridges to increase waterway openings, including to respond to extreme weather;
- increasing the size or number of drainage structures;
- installing seismic retrofits on bridges;
- adding scour protection at bridges;
- adding scour, stream stability, coastal, and other hydraulic countermeasures, including spur dikes;



- vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, facilitate wildfire control, and provide erosion control; and
- any other protective features, including natural infrastructure, as determined by the Secretary.
- Community Resilience and Evacuation Route Grants
  - Projects can be used for the same tasks as listed above, so long the project is to improve evacuation routes.
  - Provides safe passage during an evacuation and reduces the risk of damage to evacuation routes because of future emergency events.
  - If eligible entity notifies the Secretary, grant funding can be used for installation of: communications and intelligent transportation system; counterflow measures; or shoulders
  - Construction of new or redundant evacuation routes.
  - Acquisition of evacuation route or traffic incident management equipment.
  - Ensure access or service to critical destinations such as: hospitals, emergency service facilities, major employers, critical manufacturing centers, ports and intermodal facilities, utilities and federal facilities
- At Risk Costal Infrastructure Grants
  - Strengthening, stabilizing, hardening, elevating, relocating, or otherwise enhancing the resilience of highway and non-rail infrastructure, including: bridges, roads, pedestrian walkways, bicycle lanes, culverts and tide gates.

#### Program Funding, Project Funding and Cost Share

- \$250 million for each of fiscal years 2022 and 2023; \$300 million for each of fiscal years 2024 – 2026
- Federal Cost share is 80 percent.
  - Able to use other funds not from Section 104 (b)(8) 1 USC 23
  - Can be for a multi-year project, or allocated on a multi-year basis.
- Rural Set-aside must be at least 25 percent for projects outside of urbanized areas with a population of 200,000 or fewer
- Tribal Set-aside must be at least 2 percent.

### **SEC. 11406. Healthy Streets Program**

**Program Purpose.** To mitigate urban heat islands, improve air quality, reduce the extent of impervious surfaces, reduce stormwater runoff and flood risks, and heat impacts to infrastructure and road users.

#### Eligible Entities

- State
- Metropolitan planning organization
- Local government
- Nonprofit organization working in coordination with one of the above eligible entities

#### Eligible Projects

- Deploy cool pavements and porous pavements.
- Expanded tree cover.

- Assessing urban heat islands to identify hot spot areas of extreme heat or elevated air pollution.
- Comprehensive tree canopy assessment.
- Conducting equity assessments of tree canopy gaps, flood-prone locations, and urban heat island hot spots.
  - Compare to pedestrian walkways and public transportation stop locations in:
    - Low-income communities
    - Disadvantaged communities

#### Grant Award Factors

- Priority will be given to eligible entities who:
  - Propose to carry out a project in a low-income community or disadvantaged community.
  - Has entered into a community benefits agreement with representatives of their community.
  - Partner with a qualified youth or conservation corps.

#### Program Funding, Project Funding and Cost Share

- \$100 million for each of fiscal years 2022 – 2026
- 80 percent Federal share
  - May be increased to 100 percent for projects carried out by eligible entities that demonstrate economic hardship to be Determined by the Secretary.
- Maximum Grant Amount \$15,000,000

### **SEC. 11509. Reconnecting Communities Pilot Program**

Program Purpose. To study the feasibility and impacts of removing, retrofitting, or mitigating an existing eligible facility; conduct planning activities necessary to design a project to remove, retrofit, or mitigate an existing eligible facility; and to conduct construction activities necessary to design a project to remove, retrofit, or mitigate an existing eligible facility.

#### Eligible Facilities

- Highways or other transportation facility that creates a barrier to community connectivity including barriers to mobility, access or economic developments due to high speeds, grade separations or other design factors.

#### Planning Grants

#### Eligible Entities

- State
- Local government
- Metropolitan planning organization
- Tribe
- Nonprofit organizations

#### Eligible Projects

- Planning studies to evaluate the feasibility of removing, retrofitting, or mitigation an existing eligible facility to restore community connectivity, including evaluations of:
  - Current traffic patterns.
  - The capacity of existing transportation networks to maintain mobility needs.
  - An analysis of alternative roadway designs or other uses for the right-of-way.
  - Effect of the removal, retrofit, or mitigation of the eligible facility.
  - The cost to remove, retrofit, or mitigate the eligible facility.

- Restore community connectivity.
  - Convert the eligible facility to a different roadway design or use.
- Anticipated economic impact of removing, retrofitting, or mitigating an eligible project.
- Public engagement activities to provide opportunities for public input into a plan to remove and convert an eligible facility.
- Other transportation planning activities required in advance of a project.

#### Grant Award Factors

- The Secretary will prioritize applications from economically disadvantaged communities.
- Applications will be evaluated on:
  - If the facility is likely to need replacement or significant reconstruction within the 20-year period.
  - If the eligible facility
    - Creates barriers to mobility, access, or economic development.
    - Not justified by current and forecast future travel demand.

#### Program Funding, Project Funding and Cost Share

- \$30 million for each of fiscal years 2022 through 2026.
- Federal Share of the Project is 80 percent.
- Planning grants may not exceed \$2 million.

#### Capital Construction Grants

##### Eligible Entities

- Eligible facilities that have already completed all necessary feasibility studies and other planning activities.
- Owner of an eligible facility may partner, for the purpose of applying, with:
  - State
  - Local government
  - Tribes
  - Metropolitan planning organization
  - Nonprofit organization

##### Eligible Projects

- The removal, retrofit, or mitigation of an eligible facility.
- The replacement of an eligible facility with a new facility that:
  - Restores community connectivity.
  - Is sensitive to the context of the surrounding community.

#### Grant Award Factors

- Applications will be based on:
  - Degree to which the project will improve mobility and access through the removal of barriers.
  - The appropriateness of removing, retrofitting, or mitigating the eligible facility, based on current traffic patterns and the ability of the replacement facility and the regional transportation network to absorb transportation demand and provide safe mobility and access.
  - The impact of the project on freight movement.
  - The results of a cost-benefit analysis of the project.
  - The opportunities for inclusive economic development.
  - The degree to which the eligible facility is out of context with the current or planned land use.
  - The results of any feasibility study complete for the project.
- Community Advisory Board

- Grant Recipients may create a community advisory board for the purposes of:
  - Facilitating community engagement with respect to the project.
  - Tracking progress with respect to commitments of the grant recipient to inclusive employment, contracting, and economic development.
- Membership Requirements
  - Must be member of the community.
  - Owners of businesses that serve the community.
  - Labor organizations that represent workers that serve the community.
  - Officials from State and local governments.

#### Program Funding, Project Funding and Cost Share

- \$65 million for FY 22; \$68 million for FY 23; \$70 million for FY 24; \$72 million for FY 25; and \$75 million for FY 26.
- Federal Cost Share
  - Capital Improvement Grant shall not fund more than 50 percent of a project.
  - Total Federal Share shall not exceed 80 percent.
- Minimum Award Amount: \$5 million.

### **SEC. 21201. National Infrastructure Project Assistance.**

Program Purpose. To fund national investment in multimodal transportation infrastructure.

#### Eligible Entities

- States or group of states
- Political subdivision of state
- Metropolitan planning organization
- Local government
- Special purpose districts or public authorities with a transportation function
- Tribe
- Partnership between Amtrak and one or more entities described above

#### Eligible Projects

- A highway or bridge project carried out on:
  - The National multimodal Freight Network.
  - The National Highway Freight Network.
  - The National Highway System.
- A freight intermodal.
- Freight rail project that provides a public benefit.
- A railway-highway grade separation or elimination project.
- An intercity passenger rail project.
- A public transportation project such as:
  - Eligible for assistance under Chapter 53.
  - Part of a project that is listed in this section.

#### Grant Award Factors

- The Secretary will select projects that:
  - Are likely to generate national or regional economic, mobility, or safety benefits.
  - The project needs significant Federal Funding.
  - The project will be cost effective.

- With respect to related non-Federal financial commitments:
  - One or more stable and dependable sources of funding and financing are available to:
    - Construct, operate, and maintain the project.
    - Cover cost increases.
  - Have sufficient legal, financial, and technical capacity to carry out the project.
  - Favorable environmental impacts.
  - Contributes to geographical diversity among grant recipients.
- Grant Seeking Entities must submit a plan for the collection and analysis of data on:
  - The impacts of the projects.
  - The accuracy of any forecast prepared during the development phase of the project.
- Before the Completion of a project, grantees must provide baseline information for the purpose of analyzing the long-term impact of the project.
- Prior to the 6-year mark of completion, grantees must submit a report that compares the baseline information to the information collected over the five years.
- Multiyear Grant Agreements – The Secretary shall require an eligible entity, as a condition of receiving funding pursuant to a multiyear grant agreement under the program, to collect additional data to measure the impacts of the project and to accurately track improvements made by the project
- Eligible Use of Funds:
  - Development-phase activities
    - Planning
    - Feasibility analysis
    - Revenue forecasting
    - Alternatives analysis
    - Data collection
    - Environmental review
    - Preliminary engineering and design work
    - Preconstruction activities
  - Actual Project Costs
    - Construction
    - Reconstruction
    - Rehabilitation
    - Acquisitions of real property
    - Environmental mitigation
    - Construction contingencies
    - Acquisitions of equipment
    - Protection
    - Operational improvements directly relating to this project
  - Interest and other financing costs

#### Program Funding, Project Funding and Cost Share

- \$2 billion for each of fiscal years FY 22 – 26
- Total Grant Share shall not exceed 60 percent of the total eligible project costs.
- Total Federal Share shall not exceed 80 percent of total project cost.
- Secure loans and financing that are repaid with local funds or revenues shall be considered as part of the local share.
- \$2 billion for FY 2022-2026.
- 50 percent of the funds should be reserved for projects with costs between \$100 million and \$500 million.
- Remaining 50 percent should be available for projects with project cost over \$500 million.

## SEC. 21202. Local and Regional Project Assistance.

Program Purpose. To fund projects that will have a significant local or regional impact and improve transportation infrastructure.

### Eligible Entities

- State
- Territory or possession of the United States
- Local government
- Public agency or publicly chartered authority established by one or more states
- Special purpose district or public authority with a transportation function
- Tribe
- Transit agency
- Multi-state or multi-jurisdictional groups

### Eligible Projects

- Highway or bridge projects.
- Passenger rail or freight rail transportation project.
- Port infrastructure investment.
  - Inland port infrastructure.
  - Land port-of-entry.
- Surface transportation components of an airport project.
- Project for investment in a surface transportation facility located on Tribal land.
- Project to rehab or replace a culvert or prevent stormwater runoff for the purpose of improving habitat for aquatic species.
- Any other surface transportation project that the Secretary considers to be necessary to advance the goal of the program.

### Grant Award Factors

- Grants will be given to projects that
  - Improve safety.
  - Improves environmental sustainability.
  - Improves the quality of life of rural areas or urbanized areas.
  - Increases economic competitiveness and opportunity, including increasing tourism opportunities.
  - Contributes to the state of good repair.
  - Improves mobility and community connectivity.
- Secretary will consider:
  - Collaboration with other public and private entities.
  - If the project adopts innovative technologies or techniques.

### Program Funding. Project Funding and Cost Share

- \$1.5 billion for each of fiscal years FY 22 – 26.
- Federal share of the total project cost is 80 percent.
- Other Federal funds can be used to fulfill the remaining 20 percent.
- Appropriated funds must be split equally between rural and urban projects.
- Not more than 15 percent of funds can go to eligible entities in the same state.
- Funding Criteria:

- No more than \$25 million per award.
- Rural: No less than \$1 million.
- Urban: No less than \$5 million.

## SEC. 21203. National Culvert Removal, Replacement, and Restoration Grant Program.

**Program Purpose.** To replace, remove, and repair of culverts or weirs that would meaningfully improve or restore fish passage for anadromous fish and with respect to weirs.

### Eligible Entities

- State
- Local government
- Tribe

### Eligible Projects

- Projects to replace, remove, and repair culverts or weirs.

### Grant Award Factors

- Priority given to projects to improve fish passage and fish stocks.
- Projects that would open more than 200 meters of upstream habitat before the end of the natural habitat.
- The Secretary, in conjunction with the Undersecretary, will provide technical assistance to Indian Tribes and underserved communities to:
  - Assist in project design.
  - Assist in the grant process and procedures.

### Program Funding, Project Funding and Cost Share

- \$200 million for each of fiscal years 2022 – 2026; (\$800 million authorized for each year)
- Federal Cost Share shall not exceed 80 percent.

## SEC. 22305. Railroad Crossing Elimination Program

**Program Purpose.** To eliminate highway-rail grade crossings that are frequently blocked by trains, improve the health and safety of communities, reduce the impacts that freight movement and railroad operations may have on underserved communities, and to improve the mobility of people and goods.

### Eligible Entities

- State
- Political subdivision of state
- Metropolitan planning organization
- Local governments
- Tribe
- Port authority
- A group of entities listed above in this section

#### Eligible Projects

- Grade separation or closure, including through the use of a bridge, embankment, tunnel, or combination thereof
- Track relocation
- The improvement or installation of protective devices, signals, signs, or other measures to improve safety, provided that such activities are related to a separation or relocation project
- Other means to improve the safety and mobility of people and goods as highway-rail grade crossings
- A group of related projects listed above in this section

#### Grant Award Factors

- Entities applying for the grant must obtain necessary approvals from any impacted rail carriers or real property owners before proceeding, but this provision is negated when working collaboratively with rail carriers and right-of-way owners

#### Funding and Cost Share

- \$600 million for each of fiscal years 2022 – 2026
- Federal share of a project shall not exceed 80 percent of the total project cost
- Of the funds appropriated in each FY
  - Not less than 20 percent shall be for projects located in rural areas or on Tribal Lands.
  - Not less than 5 percent shall be reserved for projects in counties with 20 or fewer residents per square mile.
  - Not less than 25 percent shall be reserved for planning projects
  - Not more than 20 percent of the grant funds available shall be for one state in a single FY
- Grants shall not be for less than \$1 million except for planning grants

### **SEC. 24112. Safe Streets and Roads for All Grant Program**

Program Purpose. To support local initiatives to prevent death and serious injury on roads and streets, commonly referred to as “Vision Zero” or “Toward Zero Deaths” initiatives.

#### Eligible Entities

- Metropolitan planning organization
- Political subdivision of state
- Tribes
- Multijurisdictional group of entities

#### Eligible Projects

Comprehensive safety action plans that are geared toward prevention efforts for transportation-related fatalities and serious injuries in a locality, commonly referred to as a “Vision Zero” or “Toward Zero Deaths” plan. These plans must include:

- a goal and timeline for eliminating fatalities and serious injuries;
- an analysis of the location and severity of vehicle-involved crashes in a locality;
- an analysis of community input, gathered through public outreach and education;
- a data-driven approach to identify projects or strategies to prevent fatalities and serious injuries in a locality, such as those involving—
  - education and community outreach;
  - effective methods to enforce traffic laws and regulations;



- new vehicle or other transportation-related technologies; and
- roadway planning and design; and
- mechanisms for evaluating the outcomes and effectiveness of the comprehensive safety action plan, including the means by which that effectiveness will be reported to residents in a locality.
  - to conduct planning, design, and development activities for projects and strategies identified in a comprehensive safety action plan; or
  - to carry out projects and strategies identified in a comprehensive safety action plan.

#### Grant Award Factors

- Must significantly reduce or eliminate transportation-related fatalities and serious injuries involving various road users, including pedestrians, bicyclists, public transportation users, motorists, and commercial operators, within the timeframe proposed by the eligible entity.
- Demonstrates engagement with a variety of public and private stakeholders.
- Seeks to adopt innovative technologies or strategies to promote safety.
- Employs low-cost, high-impact strategies that can improve safety over a wider geographical area.
- Ensures, or will ensure, equitable investment in the safety needs of underserved communities in preventing transportation-related fatalities and injuries.
- Includes evidence-based projects or strategies.
- Achieves such other conditions as the Secretary considers to be necessary.

#### Program Funding, Project Funding and Cost Share

- \$200 million for each of fiscal years 2022 – 2026.
- Federal share shall not exceed 80 percent.
- Grant funding shall remain available for use by the public entity for 5 years after the date of award.

### **SEC. 25005. Strengthening Mobility and Revolutionizing Transportation (SMART) Grant Program**

**Program Purpose.** To conduct demonstration projects focused on advanced smart city or community technologies and systems in a variety of communities to improve transportation efficiency and safety.

#### Eligible Entities

- State
- Political subdivision of State
- Tribe
- Public transit agency or authority
- Metropolitan planning organization
- A group of two or more eligible entities above in this section.

#### Eligible Projects

- Coordinated automation – meaning the use of automated transportation and autonomous vehicles while also working to minimize the impact on the accessibility of any other user group or mode of travel.
- Connected Vehicles – vehicles that send and receive information regarding vehicle movements in the network and use vehicle-to-vehicle and vehicle-to-everything communications to provide advanced and reliable connectivity.

- Intelligent, sensor-based infrastructure – the deployment of intelligent transportation systems with other existing systems and other advanced transportation technologies.
- Systems Integration – integration of intelligent transportation systems with other advanced transportation technologies.
- Commerce Delivery and Logistics – innovative data and technological solutions supporting efficient goods movement, such as connected vehicle probe data, road weather data, or global positioning data to improve on-time pickup and delivery, improved travel time reliability, reduced fuel consumption, and reduced labor and vehicle maintenance costs.
- Leveraging Use of Innovative aviation Technology – leveraging the use of innovative aviation technologies, such as unmanned aircraft systems, to support transportation safety and efficiencies, including traffic monitoring and infrastructure inspection.
- Smart Grid – development of a programable and efficient energy transmission and distribution systems to support the adoption or expansion of energy capture, electric vehicle deployment, or freight or commercial fleet fuel efficiency.
- Smart Technology Traffic Signals – improving the active management and functioning of traffic signals, including through:
  - The use of automated traffic signal performance measures.
  - Implementing strategies, activities, and projects that support active management of traffic signal operations including through optimization of: Corridor timing; Improved vehicle, pedestrian, and bicycle detection; or Use of connected vehicle technologies.
  - Replacing outdated traffic signals.
  - For entities with less than 500,000 residents – paying the cost of temporary staffing hours dedicated to updating traffic signal technology.

#### Grant Award Factors

- Entities shall submit a report describing —
  - The deployment and operational cost of each eligible project carried out by the eligible entity, as compared to the benefits and savings from the eligible project.
  - The means by which each eligible project carried out has met the original expectations, as projected in the SMART grant application, including:
    - Data describing the means by which the eligible project met the specific goals for the project, such as:
      - Reducing traffic-related fatalities and injuries.
      - Reducing traffic congestion or improving travel-time reliability.
      - Providing the public with access to real-time integrated traffic, transit, and multimodal transportation information to make informed travel decisions.
      - Reducing barriers or improving access to jobs, education, or various essential services.
    - The effectiveness of providing the public real-time integrated traffic, transit, and multimodal transportation information to make informed travel decisions.
    - Lessons learned and recommendations for future deployment strategies to optimize transportation efficiency and multimodal system performance.
- Reports must start no later than two years after receiving funds and must continue annually through the complete expense of all funds.
- May not use more than 3 percent of the grant for each fiscal year to achieve compliance with applicable planning and reporting requirements.

#### Program Funding, Project Funding and Cost Sharing

- \$100 million for each of fiscal years 2022 – 2026
- Uses of funding:

- No more than 40 percent shall be used to provide SMART grants for eligible projects that primarily benefit large communities.
- Not more than 30 percent may be used to provide for eligible projects that primarily benefit midsized communities.
- Not more than 30 percent shall be used to provide smart grants for eligible projects that primarily benefit rural communities or regional partnerships.

## SEC. 71101. Clean School Bus Program

**Program Purpose.** For the EPA to provide grants for the purchase of clean school buses, which are described as a school bus that the EPA Administrator certifies reduces emissions and is operated entirely or in part using an alternative fuel; or is a zero-emission school bus.

### Eligible Entities

- State
- Local Government
  - Responsible for —
    - providing school bus service to 1 or more public school systems, or
    - the purchase of school buses;
- Eligible contractor
- Nonprofit school transportation association
- Tribe that is providing school bus service to 1 or more Bureau-funded schools or for the purchase of school buses

### Eligible Projects

- Replacement of existing school buses with clean or zero-emission school buses
- Contracts to eligible contractors to provide rebates for the replacement of existing school buses with clean or zero-emission school buses

### Grant Award Factors

- Administrator will prioritize applications that –
  - propose to replace school buses that serve—
    - a high-need local educational agency
    - a Bureau-funded school
    - a local educational agency that receives a basic support payment under section 7003(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(1)) for children who reside on Indian land;
- Serve rural or low-income areas; or
- Propose to complement the assistance received through the award by securing additional sources of funding for the activities supported through the award, such as through
  - public-private partnerships;
  - grants from other entities; or
  - issuance of school bonds.
- All clean school buses and zero-emission school buses acquired with funds provided under this section shall –
  - be operated as part of the school bus fleet for which the award was made for not less than 5 years;

- be maintained, operated, and charged or fueled according to manufacturer recommendations or State requirements; and
- not be manufactured or retrofitted with, or otherwise have installed, a power unit or other technology that creates air pollution within the school bus, such as an unvented diesel passenger heater.

#### Program Funding, Project Funding and Cost Sharing

- \$1 billion for each of fiscal years 2022 through 2026,
- The EPA Administrator may make awards for up to 100 percent of the project costs

### **SEC. 71102. Electric or Low-emitting Ferry Pilot Program**

**Program Purpose.** To provide grants for the purchase of electric or low-emitting ferries and the electrification of or other reduction of emissions from existing ferries.

#### Eligible Entities/Grant Award Factors

- Not less than one grant under this section shall be for a ferry service that serves the State with the largest number of Marine Highway System miles
- Not less than one grant shall be for a bi-State ferry service:
  - With an aging fleet
  - Whose development of zero and low emission power source ferries will propose to advance the state of the technology toward increasing the range and capacity of zero emission power source ferries.

#### Eligible Projects

- Purchase of “electric or low-emitting ferry”, meaning a ferry that reduces emissions by utilizing “alternative fuels” or onboard energy storage systems and related charging infrastructure to reduce emissions or produce zero on board emissions under normal operation.
  - Alternative fuel means:
    - methanol, denatured ethanol, and other alcohols;
    - a mixture containing at least 85 percent of methanol, denatured ethanol, and other alcohols by volume with gasoline or other fuels;
    - natural gas;
    - liquefied petroleum gas;
    - hydrogen;
    - fuels (except alcohol) derived from biological materials;
    - electricity (including electricity from solar energy); and
    - any other fuel the Secretary prescribes by regulation that is not substantially petroleum and that would yield substantial energy security and environmental benefits.

#### Program Funding

- \$50 million for each of fiscal years 2022 – 2026

**THORN RUN PARTNERS**



**Infrastructure Investment and Jobs Act (H.R. 3684; P.L. 117-58)**

**ENERGY GRANTS**

November 30, 2021



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## SEC. 40101. Preventing Outages and Enhancing the Resilience of the Electric Grid

Program Purpose. To provide grants to eligible projects that (1) are supplemental to existing hardening efforts of the eligible entity planned for any given year and (2) reduce the risk of any power lines owned or operated by the eligible entity causing a wildfire or other disruptive events.

### Eligible Entities:

- Electric Grid Operator
- Electricity storage operator
- Electricity generator
- Transmission owner or operator
- Distribution provider
- Fuel supplier
- States
- Tribes
- Any other relevant entity approved by the Secretary.

### Eligible Projects:

- Funds awarded through the grant program may be used for:
  - weatherization technologies and equipment
  - fire-resistant technologies and fire prevention systems
  - monitoring and control technologies
  - the undergrounding of electrical equipment
  - utility pole management
  - the relocation of power lines or the reconductoring of power lines with low-sag and advanced conductors
  - vegetation and fuel-load management
  - the use or construction of distributed energy resources for enhancing system adaptive capacity during disruptive events including:
    - microgrids
    - battery-storage subcomponents
  - adaptive protection technologies
  - advanced modeling technologies
  - hardening of power lines, facilities, substations, of other systems
  - the replacement of old overhead conductors and underground cables
- Projects not permitted include:
  - Construction of new –
    - electric generating facility
    - large-scale battery-storage facility that is not used for enhancing system adaptive capacity during disruptive events
  - Cybersecurity

### Grant Award Factors:

- In addition to an application, eligible entities must also submit a report detailing past, current, and future efforts to reduce the likelihood and consequences of disruptive events.
- For each fiscal year, States and Tribes must submit an application including a plan that:
  - Describes the criteria and methods that will be used to award grants to eligible entities

- Be adopted after notice and a public hearing
  - Describe the proposed funding distributions and recipients of the grants to be provided.
- Eligible Entities may not apply for a grant from States and Tribes and also for a Grant provided by the Secretary.

Funding and Cost Share:

- \$5 billion for fiscal years 2022-2026
- 50 percent of the appropriated funds are to be used to award grants to eligible entities
  - Eligible Entities are required to match 100 percent of the awarded grant
  - Small utilities with less than 4 million megawatt hours of electricity per year are required to match one-third of the awarded grant.
- 50 percent of the appropriated funds are to be used to make grants to States and Tribes
  - States and Tribes are required to match 15 percent of the amount of each grant
- For the funds set aside for State and Tribes:
  - The percentage of the population serviced by Small Utility providers that sell less than 4 million megawatts per year shall be set aside sole for small utility providers

**SEC. 40102. Hazard Mitigation Using Disaster Assistance.**

Program Purpose. To provide financial assistance to the cost of hazard mitigation measures that are cost effective and will substantially reduce the risk of, or increase resilience to, future, damage, hardship, loss, or suffering in any area affected by a major disaster, or any area affected by a fire.

Eligible Entities:

- States
- Tribes
- Local governments

Eligible Projects:

- Projects eligible to be completed with the appropriate funding are:
  - Reseeding ground cover with quick-growing or native species
  - Mulching with straw or chipped wood
  - Constructing straw, rock, or log dams in small tributaries to prevent flooding
  - Placing logs and other erosion barriers to catch sediment on hill slopes
  - Installing debris traps to modify road and trail drainage mechanisms
  - Modifying or removing culverts to allow drainage to flow freely
  - Adding drainage dips and constructing emergency spillways to keep roads and bridges from washing out during floods
  - Planting grass to prevent the spread of noxious weeds
  - Installing warning signs
  - Establishing defensible space measures
  - Reducing hazardous fuels
  - Mitigating windstorm and wildfire damage
  - Installing electrical transmission or distribution utility pole structure with poles that are resilient to extreme wind and combined ice and wind loadings for the basic wind speeds and ice conditions associated with the relevant location



- Removing standing burned trees
- Replacing water systems that have been burned and have caused contamination
- The installation of fire-resistant wires and infrastructure and the undergrounding of wires.

#### Grant Award Factors:

- Shall be a periodic audit, authorized by the President, of the programs administered by the states
- Applicants must enter into an agreement with Administrator that:
  - Any property acquired, accepted, or from which a structure will be removed pursuant to the project will be dedicated and maintained in perpetuity for a use that is compatible with open space, recreational, or wetlands management practices
  - No new structures will be erected on property acquired, accepted or from which a structure was removed under the acquisition or relocation program other than –
    - A public facility that is open on all sides and functionally related to a designated open space
    - A restroom
    - A structure that the Administrator approves in writing before the commencement of the construction of the structure
  - After receipt of the assistance, with respect to any property acquired, accepted or from which a structure was removed under the acquisition or relocation program –
    - No eligible entity shall apply for additional disaster assistance for any purpose.

#### Funding and Cost Share

- May contribute up to 75 percent of the cost of hazard mitigation measures, which the President has determined are cost effective and which substantially reduce the risk of, or increase resilience to, future damage, hardship, loss, or suffering in any area affected by a major disaster.
- Regarding contributions –
  - For amounts less than \$2 billion, no more than 15%; for amounts between \$2 billion and \$10 billion, no more than 10 percent; for amounts between \$10 billion and \$35.3 billion, no more than 7.5 percent.

### **SEC. 40103. Electric Grid Reliability and Resilience Research, Development, and Demonstration.**

Program Purpose. To provide, on a competitive basis, Federal financial assistance to eligible entities to demonstrate innovative approaches to transmission, storage, and distribution infrastructure to harden and enhance resilience and reliability and to demonstrate new approaches to enhance regional grid resilience, implemented through States by public and rural electric cooperative entities on a cost-shared basis.

#### Eligible Entities:

- States
- Combination of two or more states
- Tribes
- Local governments

- Public utility commission
- For Energy Projects in Rural or remote areas, defined as:
  - City, town, or unincorporated area that has a population less than 10,000.

#### Eligible Projects:

- Funding will be provided to projects that demonstrate:
  - Innovative approaches to transmission, storage, and distribution infrastructure to harden and enhance resilience and reliability
  - New approaches to enhance regional grid resilience, implanted through States by public and rural electric cooperative entities on a cash-shared basis.
- Regarding rural or remote areas, Funding will be provided for the purpose of:
  - Overall cost-effectiveness of energy generation, transmission, or distribution systems
  - Siting or upgrading transmission and distribution lines
  - Reducing greenhouse gas emissions from energy generation by rural or remote areas
  - Providing or modernizing electric generation facilities
  - Developing microgrids
  - Increasing energy efficiency

#### Grant Award Factors:

- An eligible entity shall submit an application to the Secretary that includes a description of:
  - How the federal financial assistance would be used
  - The expected beneficiaries
  - How the proposal would improve regional energy infrastructure
- The Secretary shall select eligible entities to receive Federal financial assistance under the program on a competitive basis.
- The Secretary Shall carry out activities to improve in rural and remote areas that following:
  - Resilience, safety, reliability, and availability of energy
  - Environmental protection from adverse impacts of energy generation

#### Funding and Cost Share:

- To carry out the Energy Infrastructure Federal Financial Assistance Program, \$5 billion is authorized for appropriations between FY 2022 and FY 2026.
- To fund energy improvements in rural or remote areas, \$1 billion is authorized for appropriations between FY 2022 and FY 2026.

### **SEC. 40106. Transmission Facilitation Program**

Program Purpose. To facilitate the construction of electric power transmission lines and related facilities.

#### Eligible Entities:

- Anyone capable to carry out an eligible project shall be able to apply for grants.

#### Eligible Projects

- Financial assistance will be granted to eligible entities seeking to complete projects like:
  - constructing or replacing an existing eligible electric power transmission line

- increasing the transmission capacity of an existing eligible electric power transmission line
- connecting an isolated microgrid to an existing transmission, transportation, or telecommunications infrastructure located in Alaska, Hawaii or a territory of the United States

#### Grant Award Factors:

- The Secretary will enter into capacity contracts to which payments will be:
  - The fair market value for the use of the transmission capacity, to be determined by the Secretary, the comparable value for the use of the transmission capacity of other electric power transmission lines
  - On a schedule and in such divided amounts, which may be a single amount, which may be a single amount, that the Secretary determines are likely to facilitate construction of the eligible project, taking into account standard industry practice and factors specific to each applicant, including:
    - Potential review by a State regulatory entity of the revenue requirement of an electric utility
    - The financial model of an independent transmission developer
- Contracts shall not be for longer than 40 years

#### Funding and Cost Share

- Treasury is authorized to Loan \$2.5 billion in total outstanding repayable balances at any one time.
- Contracts shall not be for more than 50 percent of the total proposed transmission capacity of the applicable eligible project.

### **SEC. 40107. Deployment of Technologies to Enhance Grid Flexibility.**

Program Purpose. To provide financial assistance to Smart Grid investments.

#### Eligible Entities:

- Entities carrying out eligible Smart Grid projects under the Smart Grid Investment Matching Grant Program.

#### Eligible Projects:

- Eligible costs that matching grants can be used for include the following projects to Smart Grid Compatible:
  - Documented expenditures incurred by a manufacturer of appliances associated with purchasing, designing, manufacturing, and installing, for one year, internal devices that allow appliances to engage in Smart Grid functions.
  - The cost incurred by an owner who installs or updates equipment such as motors and drivers, which are installed for industrial or commercial use, to interact in Smart Grid functions.
  - Costs incurred by electric utility system to purchase and install monitoring systems that monitor and communicate transmission and distribution information.

- The cost incurred by the electric utility, distributor, or marketer and its customers to purchase and install metering devices, sensors, control devices, and other devices integrated with and attached to an electric utility system.
- Cost for software to enable devices or computers to engage in Smart Grid functions.
- The installation of equipment that allows Smart Grid functions to operate and be combined or coordinated among multiple electric utilities and between that region and other regions.
- Cost of technology to allow a person or entities, other than electric utilities, that own and operate a generator, to install Smart Grid technology to allow the generator to be integrated into the grid.
- Costs to convert electric and hybrid-electric vehicles to be compatible
- Costs to purchase data analytics
- Costs for devices, software, and their installation in buildings to engage in demand flexibility or Smart Grid functions.
- Operational fiber and wireless broadband communications networks for utility communications
- Costs of advanced transmission technologies such as dynamic line rating, flow control devices, advanced conductors, network topology optimization, or other hardware software, and associated protocols applied to existing transmission facilities.
- Costs of upgrades to power grids that allow the ability to redirect or shut off power to minimize blackouts and avoid further damage.
- All other Smart Grid expenditures related to purchasing and implementing technologies that the Secretary deems necessary.

#### Grant Award Factors:

- Projects must utilize open protocols and standards
- Costs that are not related to Smart Grid utilization, installation, and optimization are not eligible for the grant funds.

#### Funding and Cost Share:

- The grant program offers 50 percent matching grants.
- Authorized to be appropriated \$3 billion for FY 2022 through FY 2026.

### **SEC. 40502. Energy Efficiency Revolving Loan Fund Capitalization Grant Program.**

Program Purpose. To establish a revolving loan fund under which the State shall provide loans and grants.

#### Eligible Entities:

- States may provide loans and grants
  - Loan Program:
    - Regarding Commercial Energy Audit, any business that –
      - Conducts the majority of its business in the State that provides the loan under that clause.

- Owns or operates one or more commercial buildings or commercial space within a building that serves multiple functions.
- Regarding Home Energy Audits, entities such as –
  - An individual who owns a single-family home, condominium or duplex, or a manufactured housing unit.
  - A business that owns or operates a multifamily housing facility.
- Regarding Commercial and Residential Energy Upgrades and Retrofits, eligible entities include:
  - Entities that have completed a commercial energy audit not funded by a loan under this program and meets the requirements for the applicable audit.
- Grant Program:
  - Eligible recipients include –
    - Businesses described eligible in for the loan program that also have fewer than 500 employees
    - An owner of a building who is a low-income individual.

#### Eligible Projects:

- Commercial Energy Audit:
  - Audit shall –
    - Determine the overall consumption of energy of the facility
    - Identify and recommend lifecycle cost-effective opportunities to reduce the energy consumption of the facility through and estimate the energy and cost savings potential of:
      - Lighting
      - Heating ventilation, and air conditioning systems
      - Windows
      - Appliances
      - Insulation and building envelopes
    - Identify:
      - The period and level of peak energy demand for each building within the facility
      - The sources of energy consumption that are contributing the most to that period of peak energy demand.
    - Recommend controls and management systems to reduce or redistribute peak energy consumption.
    - Estimate the total energy and cost savings potential for the facility of the eligible recipient if all recommendations are implemented
- Residential energy Audits:
  - Audits shall –
    - Utilize same evaluation criteria from the Home Performance Assessment used in the Energy Star program
    - Recommend lifecycle cost-effective opportunities to reduce energy consumption within the residential building of the eligible recipient
    - Recommend controls and management systems to reduce or redistribute peak energy consumption

- Compare the energy consumption of the residential building of the eligible recipient to comparable residential buildings in the same geographic area
  - Provide a Home Energy Score, or equivalent score, for the residential building of the eligible recipient by using the Home Energy Score tool.
- Commercial and Residential Energy Upgrades and Retrofits:
  - May provide loans to carry out upgrades or retrofits of building infrastructure and systems that –
    - Are recommended in the commercial energy audit or residential energy audit
    - Satisfy at least one of the criteria in the Home Performance Assessment used in the Energy Star Program
    - Improve, with respect to the building or facility of the eligible recipient:
      - The physical comfort of the building or facility occupants
      - The energy efficiency of the building or facility
      - The quality of the air in the building or facility
    - Are lifecycle cost effective and:
      - Reduce the energy intensity of the building or facility
      - Improve the control and management of energy usage of the building or facility to reduce demand during peak times.
- Grants:
  - A State that receives a capitalization grant under the program may not use more than 25 percent of the grant funds to provide grants or technical assistance to eligible entities.
  - Eligible projects are the same as the projects listed above.

#### Grant Award Factors:

- A loan provided under this subparagraph shall be required to be fully amortized by the earlier of:
  - The year in which the upgrades or retrofits carried out using the loan exceed their expected useful life.
    - In the case of the loan being used for multiple projects, the longest-lived upgrade or retrofit shall be used to calculate the year in which the upgrades or retrofits carried out using the loan exceed their expectations
  - 15 years after those upgrades or retrofits are installed.
- To the maximum extent possible, loans should be granted to eligible recipients that do not have access to private capital.
- Application Requirements:
  - A detailed explanation of how the grant will be used, including a plan to establish a new revolving loan fund or use an existing revolving loan fund
  - The need of eligible recipients for loans and grants in the State for assistance with conducting energy audits
  - A description of the expected benefits that building infrastructure and energy system upgrades and retrofits will have on communities in the State
  - For states seeking supplemental capitalization grant, a justification for needing the supplemental funding.
- Reporting Requirements:
  - Each state that receives a capitalization grant under the program shall, not later than 2 years after a grant is received, submit to the Secretary a report that describes –

- The number of recipients to which the state has distributed loans to, separated by the type of loan the recipient received.
- The average capital costs of upgrades and retrofits across all commercial energy audits and residential energy audits that were conducted in the state using loans provided by the State.

#### Funding and Cost Share:

- All States:
  - Of the amounts made available, the Secretary shall use 40 percent to provide capitalization grants to States that are eligible for funding under the State Energy Program, in accordance with the allocation formula established in 420.11 CFR 10.
  - After applying the allocation formula, the Secretary shall redistribute any unclaimed funds to the remaining States seeking capitalization grants under that subparagraph.
- Priority States:
  - After applying the allocation formula, the Secretary shall redistribute any unclaimed funds to the remaining priority States seeking supplemental capitalization grants under that subparagraph
  - Maximum Amount of supplemental capitalization grant received by a state shall not exceed \$15 million.
- Authorized to be appropriated \$250 million dollars in FY 2022 and is to remain available until expended.

#### **SEC. 40503. Energy Auditor Training Grant Program.**

Program Purpose. To provide states with funding to train individuals to conduct energy audits or surveys of commercial and residential buildings.

#### Eligible Entities:

- States that:
  - Demonstrate a need for assistance for training energy auditors
  - Meets any additional criteria determined necessary by the Secretary.

#### Eligible Projects/Use of Funds:

- Eligible Projects:
  - Funds are to be provided to States to train individuals to conduct energy audits.
- Use of Funds
  - Cover any cost associated with individuals being trained or certified to conduct energy audits
  - Pay the wages of a trainee during the period in which the trainee received training and certification.
    - Limitation –
      - No more than 10 percent of grant funds awarded to an eligible state shall be used for wages.

#### Grant Award Factors:

- In seeking funding from this program, States shall:

- An energy auditor training program plan which shall include –
  - A proposed training curriculum for energy audit trainees
  - An identification of the covered certification that those trainees will receive on completion of that training curriculum
  - The expected per-individual cost of training
  - A plan for connecting trainees with employment opportunities
  - Any additional information required by the Secretary

Funding and Cost Share:

- Total Amount of the grant is to be determined by the Secretary, who will take into account a State's population
- Grant shall not exceed \$2 million
- Authorized to appropriate \$40 million between FY 2022 and FY 2026

**SEC. 41006. Water Power Projects**

Program Purpose. To award grants to institutions of higher learning to conduct research and establish one or more National Marine Renewable Energy Research, Development, and Demonstration Centers. The Centers shall advance research, development, demonstration, and commercial application of marine renewable energy, and shall serve as an information clearinghouse for the marine renewable industry, collecting and disseminating information on best practices in all areas related to developing and managing enhanced marine renewable energy systems resources.

Eligible Programs:

- Institutions of Higher Education
- Secretary can give preference too:
  - Historically black colleges and universities
  - Land grant universities that also meet one of these criteria.

Eligibility Requirements:

- To be eligible to receive funding for the program, Institutions must meet the following criteria:
  - Host an existing marine renewable energy research and development program in coordination with an engineering program at an institution of higher education;
  - Has proven expertise in support environmental and policy-related issues associated with harnessing of energy in the marine environment; and
  - Has access to and utilizes the marine resources in the Gulf of Mexico, the Atlantic Ocean, or the Pacific Ocean.

Grant Award Factors:

- When applying for a grant, an applicant shall include:
  - A description of why Federal support is necessary for the Center –
    - Including evidence that the research of the Center will not be conducted in the absence of Federal support.

Funding and Cost Share:

- For Hydropower and Marine Energy:
  - \$36 million between FY 2022 and FY 2025



- \$70.4 million between FY 2022 and FY 2025
- For National Marine Energy Centers:
  - \$40 million between FY 2022 and FY 2025

## SEC. 41007. Renewable Energy Projects.

### Geothermal Energy Systems

Program Purpose. To support a program of research, development, demonstration, and commercial application for enhanced geothermal systems.

#### Eligible Entities:

- The Secretary in collaboration with industry partners, institutions of higher education, and the national laboratories.

#### Eligible Projects:

- Projects and research for demonstration of enhanced geothermal systems for power production or direct use.

#### Grant Award Factors:

- Projects should collectively demonstrate:
  - Different geologic settings, such as hot sedimentary aquifers, layered geologic systems, supercritical systems, and basement rock systems
  - A variety of development techniques, including open hole and cased hole completions, differing well orientations, and stimulation and non-stimulation mechanism
- Projects should, to the extent practicable, use existing sites where subsurface characterization or geothermal energy integration analysis has been conducted.

#### Funding and Cost Share:

- Authorized to appropriate \$84 million between FY 2022 and FY 2025

### Wind Energy Grants

Program Purpose. To improve the energy efficiency, cost effectiveness, reliability, resilience, security, siting, integration, manufacturability, installation, decommissioning, and recyclability of wind energy technologies, to optimize the performance and operation of wind energy components, turbines, and systems, including through the development of new materials, hardware, and software, to optimize the design and adaptability of wind energy technologies to the broadest practical range of geographic, atmospheric, offshore, and other site conditions, including at varying hub heights and through the use of computer modeling. Furthermore, the purpose of the program is to support the integration of wind energy technologies with the electric grid and other energy technologies and systems and to reduce the cost, risk, and other potential negative impacts across the lifespan of wind energy technologies.

#### Eligible Entities:

- Institution of higher education, including a minority-serving institution;

- National Laboratory;
- Federal research agency;
- State research agency;
- Research agency associated with a territory or freely associated state;
- Tribal energy development organization;
- Tribes
- Native Hawaiian community-based organization;
- Nonprofit research organization;
- Industrial entity;
- Any other entity, as determined by the Secretary; and
- A group of two or more of the above eligible entities

#### Eligible Projects:

- In carrying out the program, the Secretary shall carry out research, development, demonstration, and commercialization activities, including:
  - awarding grants and awards, on a competitive, merit-reviewed basis;
  - performing precompetitive research and development;
  - establishing or maintaining demonstration facilities and projects, including through stewardship of existing facilities such as the National Wind Test Center;
  - providing technical assistance;
  - entering into contracts and cooperative agreements;
  - providing small business vouchers;
  - establishing prize competitions;
  - conducting education and outreach activities;
  - conducting professional development activities; and
  - conducting analyses, studies, and reports.

#### Grant Award Factors:

- The Secretary will prioritize:
  - Projects that –
    - Are located in a geographically diverse range of eligible entities
    - Support the development or demonstration of projects:
      - In economically distressed areas and areas disproportionately impacted by pollution
      - That provide the greatest potential to reduce energy costs, as well as promote accessibility and community implementation of demonstrated technologies
    - Can be replicated in a variety of regions and climates
    - Included business commercialization plans that have the potential for:
      - Domestic manufacturing and production of wind energy technologies
      - Exports of wind energy technologies
    - Are carried out in collaboration with Tribal energy development organizations, Tribes, Tribal organizations, Native Hawaiian community-based organizations, minority-serving institutions, or territories or freely associated States.
  - With regards to professional development, activities that expand the number of individuals from underrepresented groups pursuing and attaining skills relevant to wind energy.

#### Funding and Cost Share:

- Authorized to be appropriated \$125 million each of fiscal years 2022 to 2025.

### Solar Energy Programs:

Program Purpose. To improve the solar energy technology program through performance, design, and efficiency investments in solar energy systems.

### Eligible Entities:

- Institution of higher education, including a minority-serving institution;
- National Laboratory;
- Federal research agency;
- State research agency;
- Research agency associated with a territory or freely associated state;
- Tribal energy development organization;
- Tribes
- Native Hawaiian community-based organization;
- Nonprofit research organization;
- Industrial entity;
- Any other entity, as determined by the Secretary; and
- A group of two or more of the above eligible entities

### Eligible Projects

- In carrying out the program, the Secretary shall carry out research, development, demonstration, and commercialization activities, including:
  - awarding grants and awards, on a competitive, merit-reviewed basis;
  - performing precompetitive research and development;
  - establishing or maintaining demonstration facilities and projects, including through stewardship of existing facilities;
  - providing technical assistance;
  - entering into contracts and cooperative agreements;
  - providing small business vouchers;
  - establishing prize competitions;
  - conducting education and outreach activities;
  - conducting analyses, studies, and reports.

### Grant Award Factors:

- In carrying out activities under the program, the Secretary shall, to the maximum extent practicable, give priority to projects that-
  - are located in a geographically diverse range of eligible entities;
  - support the development or demonstration of projects-
    - in economically distressed areas and areas disproportionately impacted by pollution; or
    - that provide the greatest potential to reduce energy costs, as well as promote accessibility and community implementation of demonstrated technologies;
  - can be replicated in a variety of regions and climates;
  - include business commercialization plans that have the potential for-
    - domestic manufacturing and production of solar energy technologies; or

- exports of solar energy technologies;
- are carried out in collaboration with Tribal energy development organizations, Indian Tribes, Tribal organizations, Native Hawaiian community-based organizations, minority-serving institutions, or territories or freely associated States; and
- with regards to workforce development, activities that expand the number of individuals from underrepresented groups pursuing and attaining skills relevant to solar energy.

#### Funding and Cost Share:

- Authorized to be appropriated \$300 million for each fiscal years 2022 through 2025.

### **SEC. 40541. Grants for Energy Efficiency Improvements and Renewable Energy Improvements at Public School Facilities.**

Program Purpose. To provide financial assistance to develop and implement renewable energy improvements at public schools.

#### Eligible Entities:

- Local education agency
- One or more:
  - Schools
  - Nonprofit organizations that have the knowledge and capacity to partner and assist with energy improvements
  - For-profit organizations that have the knowledge and capacity to partner and assist with energy improvement
  - Community partners that have the knowledge and capacity to partner and assist with energy improvements

#### Eligible Projects:

- Energy improvements such as:
  - An improvement, repair, or renovation to, or installation in, a school that –
    - Leads to an improvement in teacher and student health, including indoor air quality
    - Achieves energy savings
  - Any improvement, repair, or renovation to a school involving the installation of renewable energy technologies
  - The installation of alternative fuel vehicle infrastructure on school grounds for –
    - Exclusive use of school buses, school fleets, or students
    - the general public
  - The purchase or lease of alternative fueled vehicles to be used by a school, including school buses, fleet vehicles, and other operational vehicles.

#### Grant Award Factors:

- Eligible entities must submit an application containing:
  - A needs assessment of the current condition of the school and school facilities that would receive the energy improvements if the application were approved.

- A draft work plan of the intended achievements of the eligible entity at the school
- A description of the energy improvements that the eligible entity would carry out at the school if the application were approved
- A description of the capacity of the eligible entity to provide services and comprehensive support to make the energy improvements
- An assessment of the expected needs of the eligible entity for operation and maintenance training funds, and a plan for use of those funds, if applicable.
- An assessment of the expected energy efficiency, energy savings, and safety benefits of the energy improvements
- A cost estimate of the proposed energy improvements
- An identification of other resources that are available to carry out the activities for which grant funds are requested under this section
- The Secretary will prioritize projects from eligible entities:
  - That have renovation, repair, and improvement funding needs
  - That serves a high percentage of students who are eligible for free and reduced school lunches
  - That leverages private sector investment through energy-related performance contracting.
- Competitive criteria used by the Secretary to award grants under this section shall include:
  - The extend of the disparity between the fiscal capacity of the eligible entity to carry out energy improvements at school facilities and the needs of the partnering local educational agency for those energy improvements, including:
    - The current and historic ability of the partnering local educational agency to raise funds for construction, renovation, modernization, and major repair projects for schools.
    - The ability of the partnering local educational agency to issue bonds or receive other funds to support the current infrastructure needs of the partnering local educational agency for schools
    - The bond rating of the partnering local educational agency.
- Grantees shall submit to the Secretary a report describing:
  - The use of the grant funds for energy improvements
  - The estimated cost savings realized by those energy improvements
  - The results of any third-party investigation and analysis conducted relating to those energy improvements
  - The use of any utility programs and public benefit funds
  - The use of performance tracking for energy improvements such as –
    - The Energy Star program
    - The United States Green Building Council Leadership in Energy and Environmental Design (LEED) green building rating system for existing buildings.

#### Funding and Cost Share:

- Authorized to be appropriated \$500 million between FY 2022 and FY 2026

#### **SEC. 40551. Weatherization Assistance Program.**

Program Purpose. To provide financial assistance to States and Tribes to help the weatherization of dwelling units, particularly those where elderly or handicapped low-income persons reside.

##### Eligible Entities:

- States
- Tribes

##### Eligible Projects:

- Projects that help with the weatherization process such as:
  - Caulking and weatherstripping of doors
  - Furnace efficiency modifications
  - Clock thermostats
  - Ceiling, attic, wall, floor, and duct insulation
  - Water heater insulation
  - Storm windows and doors multiglazed windows and doors, heat-absorbing or heat-reflective window and door materials.

##### Funding and Cost Share:

- \$3.5 billion for FY 2022 to remain available until expended.

#### **SEC. 40552. Emergency Efficiency and Conservation Block Grant Program.**

Program Purpose. Formula funding distributed to help eligible entities implement strategies to reduce fossil fuel emissions, become more environmentally sustainable, and reduce total energy use.

##### Eligible Entities:

- States
- Local governments
- Tribes

##### Eligible Projects:

- Carry out activities to achieve the purpose of the program, including:
  - Development and implementation of an energy efficiency and conservation strategy
  - Retaining technical consultant services to assist the eligible entity in the development of such a strategy, including –
    - Formulation of energy efficiency, energy conservation, and energy usage goals
    - Identification of strategies to achieve those goals:
      - Through efforts to increase energy efficiency and reduce energy consumption
      - By encouraging behavioral changes among the population served by the eligible entity
    - Development of methods to measure progress in achieving the goals
    - Development and publication of annual reports to the population served by the eligible entity describing:

- The strategies and goals
  - The progress made in achieving the strategies and goals during the preceding calendar year
- Other services to assist in the implementation of the energy efficiency and conservation strategy
- Conducting residential and commercial building energy audits
- Establishment of financial incentive programs for energy efficiency improvements
- The provision of grants to nonprofit organizations and governmental agencies for the purpose of performing energy efficiency retrofits
- Development and implementation of energy efficiency and conservation programs for buildings and facilities within the jurisdiction of the eligible entity, including –
  - Design and operation of the programs
  - Identifying the most effective methods for achieving maximum participation and efficiency rates
  - Public education
  - Measurement and verification protocols
  - Identification of energy efficient technologies
- Development and implementation of programs to conserve energy used in transportation, including –
  - Use of flex time by employers
  - Satellite work centers
  - Development and promotion of zoning guidelines or requirements that promote energy efficient developments
  - Development of infrastructure, such as bike lanes and pathways and pedestrian walkways
  - Synchronization of traffic signals
  - Other measures that increase energy efficiency and decrease energy consumption
- Development and implementation of building codes and inspection services to promote building energy efficiency
- Application and implementation of energy distribution technologies that significantly increase energy efficiency, including –
  - Distributed resources
  - District heating and cooling systems
- Activities to increase participation and efficiency rates for material conservation programs, including source reduction, recycling and recycled content procurement programs that led to increases in energy efficiency
- The purchase and implementation of technologies to reduce, capture, and to the maximum extent practicable, use methane and other greenhouse gases generated by landfills or similar sources.
- Replacement of traffic signals and street lighting with energy efficient lighting technologies, including –
  - Light emitting diodes
  - Any other technology of equal or greater energy efficiency
- Development, implementation, and installation on or in any government building of the eligible entity of onsite renewable energy technology that generates electricity from renewable resources, including –

- Solar energy
- Wind energy
- Fuel cells
- Biomass
- Programs for financing energy efficiency, renewable energy, and zero-emission transportation (and associated infrastructure, capital investments, projects, and programs, which may include loan programs and performance contracting programs, for leveraging of additional public and private sector funds, and programs that allow rebates, grants, or other incentives for the purchase and installation of energy efficiency, renewable energy, and zero-emission transportation (and associated infrastructure measures
- Any other appropriate activity, as determined by the Secretary, in consultation with –
  - The Administrator of the EPA
  - The Secretary of Transportation
  - The Secretary of Housing and Urban Development

Funding and Cost Share:

- Authorized to be appropriated \$550 million for FY 2022, to remain available until expended.





# City Commission **agenda item**

<b>item type</b> Discussion Item(s)	<b>meeting date</b> December 9, 2021
<b>prepared by</b> Michelle del Valle	<b>approved by</b> Michelle del Valle, Randy Knight
<b>board approval</b> Completed	
<b>strategic objective</b>	

## **subject**

Capital Plan

## **motion / recommendation**

## **background**

Review the 5 year and 25 year capital plans for alignment with grant opportunities related to the federal Infrastructure Investment and Jobs Act.

## **alternatives / other considerations**

## **fiscal impact**

## **ATTACHMENTS:**

[DRAFT- Non-Recurring Prioritized Project List 9-8-21.xlsx](#)

"Non-Recurring" Project Priorities				
	Total Project	5 Year Plan-	Unfunded in 5	6-25 Year Plan-
	Costs	Costs	Years	Costs
Non-Recurring Project Funding (Excluding FDOT and Utility Funds)				
Total 5 Year Available		66,376,509		58,808,848
Committed		(64,433,358)		(59,659,000)
Balance Available		1,943,151		(850,152)
Subtotal: Non-Recurring Costs (Excluding FDOT, Utility Funds)	126,475,358	66,816,358	2,383,000	59,659,000
Surplus/Deficit of 5 Yr Plan Funds over Unfunded 5 Yr proposed costs			(439,849)	
1.0	Central Park/Post Office Expansion			
	Land- Replacement Combined USPS Facility	15,000,000	15,000,000	0
				0
2.0	Progress Point Park and Parking			
	Park- Phase 1 & Realignment of Palmetto	3,000,000	3,000,000	0
	Connectivity South Phase 1 - Progress Point to Mead to Orland Urban Trail	500,000	500,000	0
	Contingency	400,000	400,000	0
	Additional Park Infrastructure:	1,000,000	1,000,000	0
	Connectivity South Phase 2- Progress Point to Mead to Orlando Urban Trail	0	0	0
	Denning North of Palmetto	0	0	0
	"Activation" Pad Ready Improvements	0	0	0
	Arrival Court	0	0	0
	City Buildings/Stage	0	0	0
	Progress Point Garage	0	0	0
	Commercial/Non-Profit Buildings	0	0	0
3.0	MLK Park (Excl Sports Fields)			
	MLK Park Improvements FY 23/24	3,000,000	3,000,000	0
	Land - On Fairbanks, near Denning	3,000,000	0	0
	Land - Cleaners, Spa Denning at Fairbanks- (Include 250k for Demo)	1,700,000	1,700,000	0
4.0	Other Parks and Land (Swope/Golf Course, Mead, Tree Farm, Ward, Sports Fields)			
	Centralized/Swoope- Maint Facilities	800,000	800,000	0
	Winter Park 9 Lightining Shelter	25,000	25,000	0
	Margaret Square Park Improvements (Meadows?)	50,000	50,000	0
	Howell Branch Preserve	2,000,000	2,000,000	0
	Mead Garden "Advance Funding" Phase 1 - 2021-2031 (563,000 carryover; 500,000 repaid from GF to Water and Sewer)	638,090	638,090	0
	Mead Gardens- Phase 2	495,000	0	0
	Ward Park "Advance Funding" Sports Fields 2021-2031	2,300,000	2,300,000	0
	Showalter, Tennis, Pavillion, Cady Way, Lake Baldwin- 5 yr CIP Plan-	1,540,000	1,540,000	0
	Stadium Lighting - 5 yr CIP Plan	1,000,000	1,000,000	0
	Cemetery - 5 yr CIP Plan	1,600,000	1,600,000	0
	Shady Park Improvements - 5 yr CIP Plan	300,000	300,000	0
	NW Sports Complex (Tree Farm or Multi-jurisdictional facility)	5,000,000	0	0
	Note: Tree Farm 14 acres Value of \$3-5 mill			5,000,000
	Land- Additional Park Space (WP Pines, Killarney)	5,000,000	0	0
5.0	Old Library			
	Old Library Building roof and A/C (Facility Replacement Account)	300,000	300,000	0
	Garage (60 at 25k per space)	1,500,000	0	0
	Building Improvements	6,000,000	0	0
	Note: Value on Sale \$6-10 million			6,000,000

5 YEAR PLAN FY 2022/2026						
CRA- Thru	Amercan	General Funds-	Parks	Other Misc	Borrowed	Notes
2027	Recovery Act	CIP Plan 22/26	Acquisition	Funded Sources	Funds/Sale	
			Fund		of Assets	
35,534,605	15,438,814	6,978,090	2,200,000	6,225,000	0	
(34,984,268)	(14,246,000)	(6,978,090)	(2,000,000)	(6,225,000)	0	
550,337	1,192,814	0	200,000	0	0	

CRA funding allocated for remaining est. cost of Post Office acquisition.

Relabeled as contingency.

Will find \$25k in existing Parks Major Maintenance budget.

"Non-Recurring" Project Priorities				
	Total Project Costs	5 Year Plan- Costs	Unfunded in 5 Years	6-25 Year Plan- Costs
Non-Recurring Project Funding (Excluding FDOT and Utility Funds)				
Total 5 Year Available		66,376,509		58,808,848
Committed		(64,433,358)		(59,659,000)
Balance Available		1,943,151		(850,152)
Subtotal: Non-Recurring Costs (Excluding FDOT, Utility Funds)	126,475,358	66,816,358	2,383,000	59,659,000
Traffic, Multi-Modal and Calming Priorities (Excluding FDOT Funded Projects)				
Misc Traffic Projects				
"Top 6"	New York Streetscape	1,061,120	0	0
"Top 6"	Neighborhood Traffic Calming	500,000	0	0
"Top 6"	Bike and Mobility Plan Implementation (Excluding Progress Point to Mead)	1,000,000	0	1,000,000
"Top 6"	Infrastructure Bill Prep- Conceptual Design and Studies-(for example: Lakemont, Aloma, Glenridge)	750,000	0	0
	Traffic Enhancements	2,000,000	0	2,000,000
	Pedestrian/Bike Bridge/Tunnel alongside SunRail at north 17-92 or Morse Blvd at 17-92	1,000,000	0	1,000,000
	Fairbanks Denning Traffic Improvements -Pedestrian Crossing	1,000,000	0	1,000,000
	Ravaudage Roadway Improvements	400,000	400,000	0
	Hannibal Sq Connectivity	200,000	200,000	0
	Trees and ROW for 17/92 Project	5,185,228	5,185,228	0
	Downtown Circulator	450,000	0	450,000
	Large-Scale Re-bricking Projects (Glenridge, Penn, etc)	500,000	500,000	0
	Falling Intersections: "F.F." (See Also FDOT Projects)			
	Const - North/South Intersection Denning at Fairbanks- See also MLK Park	1,000,000	1,000,000	1,000,000
	Fairbanks /Orange Ave/Pennsylvania at RR track - "Quick Solve" lane reduction	50,000	50,000	0
	Aloma (426) at Lakemont	3,000,000	0	3,000,000
	Note: FDOT Funded Projects are not included. Over \$15 million of projects on Fairbanks, 17-92 and Orange Ave are underway			
	Other Intersections: "C.D"			
"Top 6"	Orange Avenue Traffic Improvements (See also Intersection, below)	1,000,000	0	1,000,000
	Orange/Denning/Minn-Roundabout? (EB is "F"), see also Traffic Improvements on Orange Ave, Above	4,000,000	0	4,000,000
	Lakemont Ave "Complete Streets"	8,000,000	0	8,000,000
	Glenridge Intersection	1,239,000	0	1,239,000
	East/West Intersection Denning at Fairbanks- See MLK Park	3,000,000	0	3,000,000
	Westbound Morse onto 17-92	4,000,000	0	4,000,000
7.0	Parking Expansion			
	CRA-Comstock at MLK Parking Project Carryover 2021	175,000	175,000	0
	Parking Garages (expand for detail)	8,000,000	8,000,000	0
8.0	Fairbanks/Lee Rd Improvement			
	Ravaudage/Killarney Annexation - Fire Station	4,000,000	0	4,000,000
	Park Land and Parking	0	0	0
9.0	"Smart City" -Fiber/Broadband Future Phases			
	Public Wifi	250,000	250,000	0
	Phase 1 Connect Facilities with Fiber	962,000	962,000	0
	Phase 2 Smart City	0	0	0
"Top 6"	Phase 2 Smart City - Traffic Signal Upgrades and Master Plan	1,000,000	1,000,000	0
	Phase 3 - Fiber to the Home- WP Elec Customers	0	0	0
	Phase 4 - Fiber to the Home- Duke Power& OUC Customers	0	0	0

5 YEAR PLAN FY 2022/2026					
CRA- Thru 2027	Amercan Recovery Act	General Funds- CIP Plan 22/26	Parks Acquisition Fund	Other Misc Funded Sources	Borrowed Funds/Sale of Assets
35,534,605	15,438,814	6,978,090	2,200,000	6,225,000	0
(34,984,268)	(14,246,000)	(6,978,090)	(2,000,000)	(6,225,000)	0
550,337	1,192,814	0	200,000	0	0

Moved to long-term and prioritize grant and other funding opportunities as they arise.  
Added \$750k to be funded from ARPA and placed in FY22 budget.  
Moved \$750k, previously allocated from ARPA, in 5-yr costs to longer term. Prioritize for grant and other funding opportunities.  
Moved to long-term and prioritize grant and other funding opportunities as they arise.

\$500k to be allocated in ARPA funds.

Consider grants and other funding sources as they become available.

Moved to long-term.

"Non-Recurring" Project Priorities					5 YEAR PLAN FY 2022/2026						
	Total Project Costs	5 Year Plan- Costs	Unfunded in 5 Years	6-25 Year Plan- Costs	CRA- Thru 2027	American Recovery Act	General Funds- CIP Plan 22/26	Parks Acquisition Fund	Other Misc. Funded Sources	Borrowed Funds/Sale of Assets	Notes
Non-Recurring Project Funding (Excluding FDOT and Utility Funds)		66,376,509		58,808,848	35,534,605	15,438,814	6,978,090	2,200,000	6,225,000	0	
Total 5 Year Available		(64,433,358)		(59,659,000)	(34,984,268)	(14,246,000)	(6,978,090)	(2,000,000)	(6,225,000)	0	
Committed											
Balance Available		1,943,151		(850,152)	550,337	1,192,814	0	200,000	0	0	
Subtotal- Non-Recurring Costs (Excluding FDOT, Utility Funds)	126,475,358	66,816,358	2,383,000	59,659,000							
10.1 General Fund - Programs and Operations											
Offset Revenue Losses & Covid Expenses Yr1 (was \$800k)	1,300,000	1,300,000	0	0		1,300,000					
Offset Revenue Losses & Covid Expenses Yr2	500,000	500,000	0	0		500,000					
2016 Vision and Village Charm Character Design and Survey	100,000	100,000	0	0			100,000				
Vaccine Incentive Programs	75,000	75,000	0	0		75,000					
10.2 Non-Profit Support											
Library Operations- 18 months	600,000	600,000	0	0		600,000					
Recurring Support Non-Profits	300,000	300,000	0	0		300,000					Removed the \$25k for WPI as they returned the funds.
All Other Non-Profits	285,000	285,000	0	0		285,000					Updated for revised nonprofit pool of \$260k. Added \$25k approved for Ideal Woman's Club.
Library- See above		0									
Mead Garden- See above		0									
10.3 Households and Small Businesses											
Household and Small Business - American Recovery Act Allocation (\$7000 by Commission, specifics TBD)											
Humanitarian Support	100,000	100,000	0	0		100,000					
Utility Payment Assistance Program	100,000	100,000	0	0		100,000					
Business Façade Program (One time In addition to "Recurring")	100,000	100,000	0	0		100,000					
Business Recruitment Program	400,000	400,000	0	0		400,000					
CRA Small Scale CIP Improvements- 5 yr CIP (Keep as "Recurring")	0	0	0	0							
CRA Infrastructure Improvements- 5 yr CIP (Keep as "Recurring")	0	0	0	0							
10.4 Tourism, Travel and Hospitality											
Central Park Stage (5 yr CIP had 500k in FY 24)	900,000	900,000	0	0	500,000	400,000					
Downtown Restroom	350,000	350,000	350,000	0							
Dredge Canal - Boat Tour	100,000	100,000	0	0		100,000					
Other	0	0	0	0							Removed, was \$200k
Dinky Dock	154,000	154,000	0	0		154,000					
Library & Event Center Signature Artwork	100,000	100,000	0	0		0			100,000		Revised total funding to \$100k and pursue grants or donations to complete. Was formerly covered by ARPA at \$500k.
11.0 Library											
Amplitheater	750,000	750,000	0	0					750,000		
Library Furnishings	300,000	300,000	0	0		300,000					
12.0 Other Capital Investments											
City Hall Roof (Use Facility Maint Reserves)	0	0	0	0							
Cyber-Security	500,000	500,000	0	0		500,000					
CRA Stormwater Carryover from 2021	562,920	562,920	0	0	562,920						
Station 61 Improvements (Canton)	800,000	0	0	800,000							
Station 62 Improvements (Lakemont)	1,750,000	1,750,000	0	0			1,750,000				
Station 64 Improvements (Howell Branch)	2,175,000	0	0	2,175,000							
Fire Training Facility	550,000	550,000	0	0		550,000					
Sustainability Program- Vehicles and Equipment	350,000	350,000	0	0		350,000					
Charging Stations	20,000	20,000	0	0		20,000					Revised downward from \$100k to reflect need for private charging stations for city vehicles.
Solar Farm/Awning	1,000,000	1,000,000	0	0					1,000,000		
Accelerate Housing Authority Capex	233,000	233,000	233,000	0							
Stormwater Capital Improvements	150,000	150,000	0	0		150,000					Added \$150k to suppliment Stormwater Capital improvements per Commission consensus.
13.0 City Hall											
City Hall- Reimagine/Replace	0	0	0	0							
City Hall - Major Renovation	2,000,000	0	0	2,000,000							

DRAFT FOR DISCUSSION ONLY- The information includes rough approximations and are intended only to facilitate discussions regarding priorities, not project approvals

"Non-Recurring" Project Priorities				
	Total Project Costs	5 Year Plan- Costs	Unfunded in 5 Years	6-25 Year Plan- Costs
Non-Recurring Project Funding (Excluding FDOT and Utility Funds)				
Total 5 Year Available		66,376,509		58,808,848
Committed		(64,433,358)		(59,659,000)
Balance Available		1,943,151		(850,152)
Subtotal: Non-Recurring Costs (Excluding FDOT, Utility Funds)	126,475,358	66,816,358	2,383,000	59,659,000
Subtotal: Non-Recurring Costs (Excluding FDOT, Utility Funds)	126,475,358	66,816,358	2,383,000	59,659,000

5 YEAR PLAN FY 2022/2026						
CRA- Thru 2027	Amercan Recovery Act	General Funds- CIP Plan 22/26	Parks Acquisition Fund	Other Misc. Funded Sources	Borrowed Funds/Sale of Assets	Notes
35,534,605	15,438,814	6,978,090	2,200,000	6,225,000	0	
(34,984,268)	(14,246,000)	(6,978,090)	(2,000,000)	(6,225,000)	0	
550,337	1,192,814	0	200,000	0	0	
34,984,268	14,246,000	6,978,090	2,000,000	6,225,000	0	



## STRATEGIC PLANNING FOR NON-RECURRING PROJECTS

### Next 5 Year Overview "Big Picture"

5 Year Plan- Costs	\$ 66,816,000
Funding Identified	\$ 64,433,000
Unfunded in 5 Years	\$ 2,383,000
Uncommitted Fund Balances	\$ 1,943,151
Surplus/Deficit Over Short Term	\$ (439,849)

"Can Fund Balances in various sources be applied to close the funding gaps?"

### Future Funds Available 2027-2047 For "Non-Recurring" Projects

CRA "Reversion" back into the General Fund	\$ 37,308,000
General Fund	\$ 17,500,000
Potential Bond Referendum- City Hall	\$ 2,000,000
Parks Acquisition and Maintenance Fund	\$ 2,000,000
Total	\$ 58,808,000
Long Term Project Costs	\$ 59,659,000
Surplus/Deficit Over Long Term	\$ (851,000)

## Options to Closing the Gap & Next Steps

- Put off some projects until after 5 years (e.g. Move "unfunded" projects to 2027-2047)
- Reduce the Cost of the Project
  - Simplify/Change Scope
  - Eliminate "Over the Top" elements
  - Add Phasing
- Find More Money (e.g. Borrow, Capital Campaign, Lease to Developer, Grants, State/Federal)
  - Non-Profit Capital Campaign
  - Grants from State or Federal Government
  - Lease or Partner with a User/Developer
  - Borrow Funds
- Next Actions - Address a Series of Questions
  - Can/should surplus be used or allocated now?
    - Can CRA funds be utilized for unfunded projects?
    - Can CRA funds be utilized instead of ARPA funds?
    - Can ARPA funds be used for unfunded projects?
  - Any Projects or Priorities Missing at this Time?
  - Is there Consensus on the Line Item Allocations so Staff can Develop the Scopes?
  - Are there any projects or scopes now that are ready for authorization into the budget at this time?



<u>Major Projects (Central Park, Progress Point, MLK, Other Parks, Old Library)</u>	<u>Total Project Costs</u>	<u>5 Year Plan- Costs</u>	<u>Unfunded in 5 Years</u>	<u>6-25 Year Plan- Costs</u>
<u>1 Central Park/Post Office Expansion</u>	15,000,000	15,000,000	0	0
<u>2 Progress Point Park and Parking</u>	4,900,000	4,900,000	0	0
<u>3 MLK Park (Excl Sports Fields)</u>	7,700,000	4,700,000	0	3,000,000
<u>4 Other Parks and Land (Swope/Golf Course, Mead, Tree Farm, W;</u>	20,748,090	10,253,090	800,000	10,495,000
<u>5 Old Library</u>	7,800,000	300,000	0	7,500,000

	<u>Total Project Costs</u>	<u>5 Year Plan- Costs</u>	<u>Unfunded in 5 Years</u>	<u>6-25 Year Plan- Costs</u>
<u>6-8 Traffic, Parking and Fairbanks Ave</u>	51,510,348	17,821,348	1,000,000	33,689,000
<u>9 Programs and Operations, Small Projects</u>	5,464,000	5,464,000	350,000	0
<u>10 Internet- Broadband, Smart Cities</u>	2,212,000	2,212,000	0	0
<u>11-12 Other Capital and New Library</u>	9,140,920	6,165,920	233,000	2,975,000
<u>13 City Hall</u>	2,000,000	0	0	2,000,000



# City Commission **agenda item**

<b>item type</b> Discussion Item(s)	<b>meeting date</b> December 9, 2021
<b>prepared by</b> Bronce Stephenson	<b>approved by</b> Bronce Stephenson, Michelle del Valle, Randy Knight
<b>board approval</b> Completed	
<b>strategic objective</b>	

## **subject**

Creation of a guidebook or standards that exemplify and create development standards for upholding the character, charm, scale of the Winter Park Vision Statement adopted by the community.

## **motion / recommendation**

Staff suggests bringing forward four (4) design, architecture and planning firms that the City has continuing service contracts with, to explore whether these firms meet the expectations that the Commission has for this project.

## **background**

For the last few months, the Commission has discussed the creation of a set of standards, visual preferences, guidebooks, design criteria or other means of creating an easily accessible, tangible and vividly visual way of expressing the character, charm scale, architecture, site design, community vision and other important pieces of the fabric that makes our community special.

Staff agrees that a firm which specializes in projects such as these is appropriate to partner with, as this process will be very publicly-oriented, design-based, imagery-centric and will require a firm with the skills and personnel to portray our vision, while staff will facilitate the process.

Staff would request the Commission to communicate the specifics of what their vision for the project is, what the final deliverable would consist of, and details such as timeline, opportunities for public involvement, involvement of other Boards or Committees, and any other direction for the City Manager to ensure is provided by the the staff guiding the process.

Once a more specific project/deliverable is defined, staff would request to bring forward two (2) firms who are under General Planning Services continuing services and two (2) firms who have been recently recommended for Urban Design continuing services. Staff

feels that these four (4) firms have the personnel and the professional experience to achieve the goals of the Commission, and will allow the process to start upon firm selection, rather than having to go back out through the bidding process, which will a number of months.

**alternatives / other considerations**

**fiscal impact**