

Pasco County, Florida 2019 Federal Legislative Agenda

Summary

In outlining the Pasco County, Florida 2019 Federal Legislative Agenda, this document focuses on key areas that are of significance to the county. Key areas include: water resources, transportation infrastructure, social services and economic development programs, as well as emergency management. In outlining each key area, the document also includes explanations on how it will affect Pasco County, and the positions involved.



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Pasco County, Florida 2019 Federal Legislative Agenda

Water Resources and Transportation Infrastructure

Infrastructure Investment

Support new federal investment in infrastructure. **Support** all opportunities to secure funding for Pasco County's infrastructure priorities.

Transportation Funding

Support opportunities to secure funding for Pasco County's transportation priorities via grant programs or through the development of an infrastructure package and the reauthorization of legislation to fund federal highway and transit programs.

Ridge Road Extension Emergency Evacuation Project

Support expedited review of the permit for the Ridge Road Extension Emergency Evacuation Project by the Corps of Engineers and U.S. Fish and Wildlife Service so Pasco County can complete final design and construction of this vital emergency evacuation route. **Support** efforts to expedite the National Environmental Policy Act review of the Ridge Road Extension project via President Trump's "Executive Order Expediting Environmental Reviews and Approvals For High Priority Infrastructure Projects."

Water Infrastructure Investment

Support adequate funding of the WIFIA loan program. **Support** additional federal investment for new water infrastructure programs.

National Flood Insurance Program

Support efforts to improve the National Flood Insurance Program for the benefit of all participants and provide for the long-term reauthorization of the program.

Pithlachascotee Anclote Conservation Effort (PACE)

Support efforts to pursue funding for the Pasco County Pithlachascotee Anclote Conservation Effort study through the Corps.

Recreational Trails Program

Support the Recreational Trails Program and any Pasco County applications for funding through Florida's Department of Environmental Protection.

Waters of the United States

Monitor activity related to the new Waters of the U.S. rule.

Environmental Permitting and Regulatory Reform

Support improvements to environmental permitting and further regulatory reform.



RESTORE Act

Monitor federal implementation of the RESTORE Act to ensure benefit to Pasco County. **Support** efforts to secure funding for projects and programs supported by Pasco County.

Social Services and Economic/Community Development Programs

Department of Labor Apprenticeship Programs

Support adequate funding for and the continuation of the *ApprenticeshipUSA* Initiative. **Support** Pasco County applications for these funds and efforts to allow Pasco to apply directly for these funds without having to partner with a college or university. **Support** changes to the definition of registered apprenticeship that provide flexibility for more hours to be achieved through relevant college and workshop classroom instruction, rather than all hours having to be recorded working with a journeyman.

Older Americans Act

Support continued adequate annual funding for Older Americans Act programs that support critical social service programs serving elder persons in Pasco County.

Social Services Grants

Support continued adequate annual funding for the Community Services Block Grant. **Support** continued adequate annual funding for the Social Services Block Grant.

Economic Development Administration

Support Pasco County Economic Development Administration grant applications as applicable. **Support** continued adequate funding of the Economic Development Administration.

Opportunity Zones

Monitor the release of federal rules guidance and regulations for Opportunity Zones, which were created by the 2017 Tax Cuts and Jobs Act to support economic development in distressed communities by providing tax benefits to investors who make new investments in the Zones. Rules Guidance 1 and 2 have been released; with Rules Guidance 3 to be released in the near future. The U.S. Department of Treasury has approved 17 census tracts that are eligible for inclusion in the Opportunity Zone program.

Community Development Block Grant and HOME Investment

Support adequate funding for the Community Development Block Grant and HOME Investment Partnerships programs for future fiscal years because of their critical role in the County's efforts to support those that are least fortunate.

Opioid Addiction

Support appropriations to fund programs created in comprehensive opioid addiction legislation enacted by the 114th and 115th Congress to support County efforts to increase addiction treatment programs, law enforcement activities, and support for first responders. **Monitor** HHS for guidance regarding the allocation of Federal formula funding to the states for these programs. **Support** attempts by entities within Pasco County to secure funding to fight opioid addiction.



Emergency Management

Homeland Security Grant Programs

Support continued funding for DHS grants including Urban Areas Security Initiative grants and the State Homeland Security Grant Program. **Support** maintaining the current number of 29 high-risk urban areas eligible for UASI. **Support** Pasco County's applications for these funds. **Support** reclassification of Public Safety Telecommunicators via the Office of Management and Budget's Standard Occupational Classification revision.

Public Safety Grant Programs

Support continued adequate funding for the wide variety of DOJ and DHS grants, i.e., Community Oriented Policing Services, Byrne Justice Assistance Grants, Emergency Management Preparedness Grants, Assistance to Firefighters Grants, Staffing for Adequate Fire and Emergency Response Grants, and other public safety grants. **Support** any Pasco County applications for these funds.

Federal Emergency Management Agency Disaster Assistance

Support legislation to prohibit the Federal Emergency Management Agency from de-obligating previously awarded disaster funds for projects that have been certified as complete by the state for at least three years. **Support** changes to the Stafford Act to ensure that counties are not denied for an appeal when the state, acting as the grantee, fails to meet the regulatory timeline through no fault of the county. **Support** FEMA Resilience in aiming to build a culture of preparedness through insurance, mitigation, preparedness, continuity and grant programs.

Energy & Environment

Land and Water Conservation Fund

Support an annual appropriation of at least \$110 million in the Land and Water Conservation Fund for the state conservation grant program. **Support** legislation reauthorizing the Land and Water Conservation Fund, including an increased authorization for the state conservation grant program, which would better position Pasco County for acquisition or land preservation improvement opportunities.

5G Mobile Network Towers

Support increased Congressional oversight over the implementation of deployment of 5G mobile network towers. With 5G adding an extra layer on current wireless technology, essentially piggy backing off of 3G and 4G wireless frequencies, communities are worried the already existing radiation will be increased to unsafe levels. Scientists are cautioning and urging the relevant federal and state levels to research the human health effects of 5G to ensure the public is protected prior to any national rollout or hard commitment. **Monitor** the status of the FCC Declaratory Ruling and Third Report and Order, which has the potential to allow the FCC to federally preempt state and local rules and requirements governing access to public right-of-way and publicly-owned infrastructure with the right-of-way, including rates, terms, or conditions of pole attachment agreements for 5G infrastructure.

FEDERAL ISSUE: Infrastructure Investment

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: Traditionally, Congress has invested in infrastructure via a number of methods, primarily through legislation or programs like transportation authorizations, Federal Aviation Administration authorizations, revolving loan funds, through the tax code via bond programs, or earmarks prior to 2009. The last big influx of new investment in infrastructure occurred via the 2009 Stimulus bill, which, among other things provided \$105.3 billion for infrastructure, including \$48.1 billion for transportation, \$18 billion for water, environment, and public lands, and the remainder for government buildings, telecommunications, broadband, and energy infrastructure.

The new House leadership has made the development of a major new infrastructure bill a priority for the 116th Congress. The package may include areas of focus beyond traditional highway and bridge projects to include water infrastructure, broadband deployment, support for education projects, and even medical facilities. The major impediment to this legislation is a funding source.

At the same time, Congress will need to reauthorize the program that supports federal highway and transit programs, before the current legislation expires on September 30, 2020. Congress could decide to roll this legislation into a broader infrastructure bill or consider them as two separate issues.

While it is unclear how both items will progress during the 116th Congress, it is possible that new infrastructure investment opportunities could be created and used to fund projects in Pasco County.

POSITION: **Support** new federal investment in infrastructure and highway and transit programs. **Support** all opportunities to secure funding for Pasco County's infrastructure priorities.

FEDERAL ISSUE: Transportation Funding

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: After the passage of several short-term transportation authorizations following the expiration of MAP-21 in 2014, Congress finally passed, and the President signed, a five-year surface transportation authorization called the Fixing America's Surface Transportation (FAST) Act in 2016. The FAST Act generally maintains many of MAP-21's reforms, but makes a few changes to existing surface transportation programs, as well as slightly increases funding for those programs.

One of the most significant changes within the FAST Act is the conversion of the Surface Transportation Program to the Surface Transportation Block Grant Program, which purportedly allows states greater flexibility in utilizing the funds. Also significant to Pasco County and Pasco County Public Transportation (PCPT), is the reinstatement of the competitive grant program within the Bus and Bus Facilities Program. The grant is designed to provide funds to rehabilitate or replace buses or bus equipment and/or construct bus facilities; it also includes funding for low- or no-emissions buses. PCPT additionally receives over \$1 million in funding annually as a sub allocation of the Tampa-St. Petersburg Urbanized Area 5307 Formula Grant.

Meanwhile, in terms of other competitive grant opportunities that may benefit the County, the Trump Administration has announced changes to the FASTLANE grant program established by the FAST Act. The program has been renamed the Infrastructure for Rebuilding America (INFRA) grant program and now is meant to emphasize projects that support economic vitality, leverage federal funding with non-federal sources, and use innovative approaches to improve safety and project delivery speed. INFRA has placed an emphasis on innovative technologies, which may be a good fit with the City's interest in autonomous transit and connected vehicles. The INFRA program is authorized through 2020 and is not subject to the annual appropriations process. The County recently submitted an application to the INFRA program for the I-75 overpass and road interchange project.

Another transportation grant program, The Better Utilizing Investments to Leverage Development, or BUILD Transportation Discretionary Grant program, is available for communities to support transportation projects of regional significance. Congress funded the BUILD Grant program for Fiscal Year 2019 at \$900 million and the U.S. Department currently is accepting proposals for projects.

Two of the major issues before the 116th Congress is consideration of a major infrastructure package and reauthorization of the federal highway and transit programs.

POSITION: *Support* opportunities to secure funding for Pasco County's transportation priorities via grant programs or through the development of an infrastructure package and highway and transit authorization legislation.

FEDERAL ISSUE: Ridge Road Extension Emergency Evacuation Project

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: Pasco County continues to experience healthy growth in residential and commercial development. A considerable amount of that growth has been concentrated within a few miles of its coast with the Gulf of Mexico. The growth along the coast carries with it an increased need for mobility and additional evacuation capacity from these vulnerable areas. In addition, population growth in adjacent counties places further demand on existing evacuation routes. With Hurricanes Hermine and Irma causing significant in damages in Pasco County and displacing thousands of constituents over the past several years, evacuation routes are more important than ever.

The most critical project in the County’s plans for increasing emergency mobility is a project to extend Ridge Road from its current terminus to U.S. Highway 41. The Ridge Road Extension (RRE) project consists of a four-lane limited access highway. The western portion of the project traverses the Serenova Tract of the Starkey Wilderness Preserve. The RRE project requires a permit from the U.S. Army Corps of Engineers (Corps) under Section 404 of the Clean Water Act.

POSITION: **Support** expedited review of the permit for the Ridge Road Extension Emergency Evacuation Project by the Corps of Engineers so Pasco County can complete final design and construction of this vital emergency evacuation route. **Support** efforts to expedite the National Environmental Policy Act review of the Ridge Road Extension project via President Trump’s “Executive Order Expediting Environmental Reviews and Approvals For High Priority Infrastructure Projects.”

FEDERAL ISSUE: Water Infrastructure Investment

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: Several legislative efforts addressing water infrastructure may be of interest to Pasco County. Of particular interest is stormwater infrastructure which presents a unique financial challenge. Pasco County has an estimated \$300 million worth of needed stormwater projects to help solve flooding challenges. The County has raised local stormwater fees twice in the past three years, but this still does not provide adequate funding for the County's water infrastructure needs. In addition, there may be an opportunity to fund water projects through an anticipated infrastructure plan.

Water Infrastructure Finance and Innovation Act

Water Infrastructure Finance and Innovation Act (WIFIA) was created under the Water Resources Reform and Development Act of 2014 as a low-interest loan program for large drinking water, wastewater, and water reuse projects. When originally written, the law prohibited the use of tax-exempt bonds to pay for the non-federal portions of the project, essentially taking away the most cost-effective tool for local governments that might seek WIFIA loans. However, the five-year surface transportation bill, which was passed by Congress in December 2015, included a provision to lift the ban on using tax-exempt bonds for WIFIA loans.

WIFIA loans may be a beneficial funding mechanism because they have lower interest rates and fees, often times less expensive than municipal bonds, and have flexible financial terms to fit a borrower's unique needs. Some of these flexible terms includes customized repayment scheduled, customized disbursements, longer terms, and no penalty for prepayment of the loan. Congress included \$20 million for the WIFIA program in FY 2017. With these funds, EPA announced a round of funding and accepted letters of interest from jurisdictions seeking funding. A round of funding will be opened again in 2019. The Trump Administration has indicated that the WIFIA program is an important element of infrastructure investment and they plan to increase funding to this and similar programs as a part of their larger infrastructure plan.

POSITION: **Support** adequate funding of the WIFIA loan program. **Support** additional federal investment for new water infrastructure programs.

FEDERAL ISSUE: National Flood Insurance Program

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: Congress established the National Flood Insurance Program (NFIP) in 1968 to address the nation's flood exposure. Private insurance companies at the time claimed that the flood peril was uninsurable and, therefore, could not be underwritten in the private insurance market. A three-prong floodplain management and insurance program was created to (1) identify areas across the nation most at risk of flooding; (2) minimize the economic impact of flooding events through floodplain management ordinances; and (3) provide flood insurance to individuals and businesses.

Until 2005, the NFIP was self-supporting, as policy premiums and fees covered expenses and claim payments. Today, the program is roughly \$25 billion in debt due to a number of large storms.

In mid-2012, Congress passed, and the President signed, the Biggert-Waters Flood Insurance Act (BW12), a 5-year reauthorization of the NFIP that attempted to restore the program to firmer financial footing by making a number of changes to the program that impact the County's residents. Then, in early 2014, the Homeowner Flood Insurance Affordability Act (HFIAA), was enacted in an attempt to address some of the so-called unintended consequences of BW12. While HFIAA delayed many of the premium increases implemented by BW12, in the long run, the only real difference between rate increases envisioned by the two bills is that HFIAA reinstated grandfathering. This provision originally ended by BW12 allows property owners to pay flood insurance rates based on original risk, not that which is determined by new community flood maps.

The long-term authorization of the NFIP expired September 30, 2017 but has been continued through 10 short-term extensions since then. The current short-term extension is set to expire on May 31, 2019. The House Financial Services Committee has held a round of hearings on the reauthorization of the program but has produced no legislation yet making it likely that the program will again be extended on a stop-gap basis.

In Pasco County, there are 24,509 NFIP policies for both homes and commercial properties.

POSITION: *Support* s long-term authorization of the NFIP that will the program for the benefit of all participants.

FEDERAL ISSUE: Pithlachascotee Anclote Conservation Effort (PACE)

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: The Pinellas-Anclote (West) Watershed, located in southwest Pasco County, includes the Anclote River and the evacuation routes of State Road 54 and Little Road. This area is very prone to flooding. Over the past fifteen years tropical storms and hurricanes have caused severe flooding, damaged homes, and damaged public infrastructure; impacting thousands of citizens and causing millions of dollars in damages. Pasco County has constructed projects to alleviate flooding from smaller rainfall events, but the most recent storms have shown that previous efforts are insufficient. It is evident that significant storm water retention and conveyance improvements are necessary to provide the necessary flood protection measures for the area.

The Pithlachascotee Anclote Conservation Effort (PACE) could potentially divert flood waters from the Pithlachascotee and Anclote Rivers onto Southwest Florida Water Management District property. The project has multiple benefits from the County's perspective such as flood relief for downstream properties along with water quality improvements.

Congress provides the U.S. Army Corps of Engineers with standing authorization, known as the Continuing Authorities Programs (CAP), to respond to a variety of water resource issues without the need to seek specific congressional authorization or funding for each project. In theory, this decreases the amount of time required to budget, develop, and approve potential projects for construction. The CAP 205 program authorizes the Corps to partner with a non-federal sponsor to plan and construct small flood damage reduction projects. The Corps of Engineers issued a Federal Interest Determination for the PACE study on June 23, 2016 and the County entered into a Feasibility Cost Sharing Agreement with the Corps in December 2016, however, in December of 2017 it was determined that the project would exceed the federal cost share cap of \$10 million and the study was halted.

The Corps is able to partner with local governments on larger studies. The County is assessing potential options moving forward to secure ongoing engagement with the Corps.

POSITION: *Support* efforts to pursue funding for the Pasco County Pithlachascotee Anclote Conservation Effort study through the Corps.

FEDERAL ISSUE: Recreational Trails Program

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: The Recreational Trails Program (RTP) of the Federal Highway Administration provides funds to states to develop and maintain recreational trails and trail-related facilities for both non-motorized and motorized recreational trail uses. Federal transportation funds can be used to benefit recreation, including hiking, bicycling, in-line skating, equestrian use, cross-country skiing, snowmobiling, off-road motorcycling, all-terrain vehicle riding, four-wheel driving, or using other off-road motorized vehicles. Between 1993 and 2016, Florida provided 209 RTP project grants throughout the state; Pasco County received a grant in 2004 for a hiking and bicycle trail in the James Grey Preserve.

The Fixing America's Surface Transportation (FAST) Act signed in 2016 reauthorized the RTP for fiscal years (FY) 2016 through 2020 as a formula set-aside of funds from the Transportation Alternatives set-aside under the Surface Transportation Block Grant Program to states. The 116th Congress will need to reauthorize the FAST Act, which expires on September 30, 2020.

Overall, slightly more than \$80 million is available throughout the country from the program between 2016 and 2020. In the most recent round of funding, Florida received \$2,576,507 for RTP projects via formula. Each state administers its own program; in Florida, the RTP is managed by the Florida Department of Environmental Protection. The application period for Florida's 2018 grant cycle closed in December of 2017.

POSITION: Support the Recreational Trails Program and any Pasco County applications for funding through Florida's Department of Environmental Protection.

FEDERAL ISSUE: Waters of the United States

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: A series of decisions by the Supreme Court over the past decade imposed restrictions on the scope of wetland regulation governed by Section 404 of the Clean Water Act (CWA), which regulates “dredge and fill” activities in navigable waters and their adjacent wetlands. Opponents of these restrictions have urged Congress to redefine Waters of the U.S. (WOTUS), and apply that definition to all aspects of the CWA.

As legislation along those lines failed to pass previous Congresses, the Environmental Protection Agency (EPA) and Army Corps of Engineers (Corps) over the past several years developed a final rule to redefine WOTUS. This effort raised concern in that it may have significantly expanded the definition of WOTUS to include tributaries, ditches, canals, and other water bodies that can potentially drain into navigable waters, interstate waters, or the territorial seas. These water bodies would be subject to new requirements, and some waters currently covered by a permit could be subject to additional monitoring and regulation when those permits are renewed.

As a result of this expanded definition, 31 states sued to stop implementation of the rule. Courts blocked the implementation of the rule while the various lawsuits proceeded. The Supreme Court recently ruled that challenges to the rule should be heard by federal district courts, not federal appeals courts. This ruling further complicates the issue of which rule is in effect, however the Administration was already in the process of clarifying the rule prior to the Supreme Court decision. Once President Trump took office last year, he issued an executive order directing the EPA and Corps to reevaluate the Obama Administration’s rule. The definitions of WOTUS directly impacts how local governments maintain stormwater infrastructure such as detention ponds, ditches, flood control structures and drinking water facilities, among other things.

The EPA and Corps announced in late June that they would begin a two-step process to rewrite the WOTUS rule as a part of implementing President Trump’s executive order. The first step rescinds the prior rule from the Obama Administration and reverts to the previous definition. The second step includes a review and redefinition of WOTUS which will consider “Supreme Court decisions, agency guidance, and longstanding practice.” It is anticipated that the new definition will signal a significant change in the government’s legal strategy for deciding which wetlands and streams are protected under the Clean Water Act. For more than a decade, federal agencies have relied on Justice Anthony Kennedy’s opinion in the 2006 wetland-permitting case, *Rapanos v. United States*, in determining where the federal reach over waterways begins. The court ruled in favor of *Rapanos*, but in a 4-1-4 vote, the majority split on what approach to use to define government jurisdiction. President Trump’s executive order specifically asked the agencies to consider the opinion the late Supreme Court Justice Antonin Scalia wrote in the 2006 case, saying the Clean Water Act ought only to cover navigable waters and waterways “with a continuous surface connection” to them — a far more restrictive definition than what the Obama Administration put into its rule. Relying on Scalia’s opinion would likely restrict federal jurisdiction.

The EPA and Army Corps of Engineers are in the process of drafting a new rule. The timetable for this process is uncertain.

POSITION: *Monitor* activity related to the Waters of the U.S. rule.

FEDERAL ISSUE: Environmental Permitting and Regulatory Reform

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: The repeal or rolling back of federal agency regulations and executive orders and actions has long been a topic of legislative debate. Congressional Republicans are exploring ways to reverse numerous regulations and executive orders enacted by the Obama Administration. The Congressional Review Act (CRA), which allows Congress to cast simple majority votes of disapproval for regulations within 60 legislative days of their adoption, is often cited as a way to block executive actions. Prior to 2017, it had only been used once since its passage 21 years ago. In the 115th Congress, it was used to roll back 15 rules issued by the Obama Administration. Those rules included regulations on teacher training, coal mining runoff, and bear hunting in Alaska, among other issues.

With regard to infrastructure, streamlining or eliminating permitting provisions is the most commonly noted goal for regulatory reform. President Trump has repeatedly cited reducing permitting and regulations as a key component of his infrastructure plan. In December 2015, the FAST Act (the most recent transportation reauthorization bill) was enacted. The bill includes the Federal Permitting Improvement Act which aims to improve the permitting process for major infrastructure projects. The law establishes an interagency council to develop permitting performance standards, set deadlines and enable better public tracking of the progress of major federal permitting actions.

The permitting streamlining provisions apply to construction of infrastructure for surface transportation, aviation, ports and waterways, water resource projects, broadband pipelines and energy production and transmission projects. Projects must require authorization or environmental review by a federal agency involving infrastructure that is subject to NEPA and either likely to require an investment of at least \$200 million or likely to benefit from enhanced permitting oversight and coordination.

While the law has the potential to improve infrastructure permitting times, it does not amend any of the substantive laws that provide the basis for requirements for permits and authorizations (like NEPA, the Federal Power Act, Clean Air Act, etc...). It also establishes a process for interagency negotiations through the interagency council versus establishing statutory deadlines to which agencies must adhere.

While Congress has debated regulatory reform within many contexts and has made some strides towards enactment of these reforms, we can expect much more to come from the 115th Congress. The conservative House Freedom Caucus has compiled a list of over 200 regulations it wants to subject to a disapproval vote. These include rules and regulations governing school lunch standards, tobacco regulations, climate change, financial/corporate oversight, and labor laws and practices.

Legislation to streamline environmental permitting will likely be a part of any major infrastructure package to be considered by the 116th Congress.

POSITION: *Support* improvements to environmental permitting and further regulatory reform.

FEDERAL ISSUE: RESTORE Act

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: In April 2010, an explosion at the BP-operated Deepwater Horizon oil rig caused the worst oil spill in U.S. history, with millions barrels of oil spilling into the Gulf of Mexico.

In the summer of 2012, Congress passed the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies (RESTORE) Act, which established the Gulf Coast Restoration Trust Fund and mandated that 80 percent of Clean Water Act (CWA) civil damages from the parties involved in the spill be allocated directly to the five impacted states, including Florida.

A civil trial between BP and the Department of Justice (DOJ) began in 2013, and, in 2014, a U.S. District Court judge ruled that BP was “grossly negligent” in the Deepwater Horizon spill, citing the company’s extreme measures to cut costs despite safety risks. In January 2015, the same judge ruled that BP dumped 3.2 million barrels of oil into the Gulf during the disaster.

Separately, in 2013, DOJ settled with Transocean for their role in the Deepwater Horizon spill. As a result of the agreement, Transocean paid \$1 billion in CWA fines, resulting in the first allocation of funding to be distributed via the RESTORE Act.

In July 2015, BP and DOJ reached a settlement for all federal and state claims in which BP will pay \$5.5 billion in CWA fines. BP will also pay \$4.9 billion in economic claims to the Gulf states, including \$2 billion to Florida; and \$350 million for region-wide claims; and approximately \$600 million to resolve the economic loss claims of local governments. The settlements will be paid out over a period of fifteen years.

These CWA fines will flow to the Gulf States via three channels created by the RESTORE Act: Direct Component, Council-selected projects, and the Spill Impact Component. The Department of the Treasury is tasked with implementing the RESTORE legislation and published a final rule for the RESTORE Act on December 14, 2015, with an effective date of February 12, 2016.

Since the spill, BP and Transocean have also settled with the federal government for \$4.5 billion in criminal penalties. The National Fish and Wildlife Foundation (NFWF) has received \$2.5 billion of these funds, with the remainder being allocated to several other trust funds. To date, NFWF has awarded more than 100 million for 25 projects in Florida. In 2016, the Natural Resources Damage Assessment (NRDA) Trustees released their programmatic restoration plan, which included up to \$8.8 billion from a settlement reached with BP. Just over \$680 million of this settlement has been allocated to Florida.

Direct Component (Bucket 1)

The Direct Component portion makes up roughly 35 percent of the total Trust Fund and is equally divided among the five Gulf States. In Florida, these funds are then distributed to the 23 Gulf Coast counties. The “disproportionally affected” counties receive 75 percent of the state’s share with the remaining 25 percent divided among the other 15 counties, including Pasco, based on a formula that takes into account population, distance from the spill and average tax collection per capita. Pasco County has developed a multi-year implementation plan (MYIP) and has received their first award from Treasury for the Waterfront Restoration Plan on the Pithlachascotee River.

Council-selected Projects (Bucket 2)

The RESTORE Act also established the Gulf Coast Ecosystem Restoration Council (the Council), which is responsible for administering 60 percent of the total funding allocated to the Trust Fund. Thirty percent of the Trust Fund is to be used by the Council to develop and fund a Comprehensive Plan for the restoration of the entire Gulf Coast ecosystem, and the remaining thirty percent is to be distributed under the Spill Impact Component. The Council includes the Secretaries of the Interior, Commerce, Agriculture, the Administrator of the Environmental Protection Agency, Secretary of the Army for Civil Works, the head of the Coast Guard, and the Governors of each state. The Council is projects to receive approximately \$1.6 billion for Council-selected projects as a result of the settlements with BP, Transocean and Anadarko.

Project and program requests for initial funding from the Transocean settlement under the Council's Comprehensive Plan were due in late 2014. In December of 2015, the Council approved the Initial Funded Priorities List (FPL). The FPL funds approximately \$156.6 million in restoration activities and prioritizes 12 additional projects in the future, subject to further environmental and Council review. The Council also reserved \$26.6 million for a future round of funding, that will be subject to a public process.

In December of 2016, the Council adopted an update to its Comprehensive Plan, which included a Ten-Year Funding Strategy for Gulf restoration. The Ten-Year Strategy does not identify specific programs or projects, but does anticipate that the next FPL will have a three-year development period, with all future FPLs also operating on a three-year schedule. According to the update, spacing out FPLs will allow the Council to include much larger projects and programs in future FPLs, as well as explore alternative financing mechanisms, such as public-private partnerships, to support these large-scale projects.

In January of 2018, the Administrator of the EPA became Chair of the Council and Administrator Pruitt announced that Kenneth Wagner would be serving as his designee on the Council. If the Council continues to follow the three-year time frame for the development of the next FPL, they should begin the process at some point this calendar year. This will provide an opportunity for Pasco County to submit projects for consideration.

Spill Impact Component (Bucket 3)

In Florida, the Spill Impact Component is administered by the Gulf Consortium. The Gulf Consortium is tasked with drafting a State Expenditure Plan (SEP) which must then be submitted to the Council by the Governor for approval. Once an approved plan is in place, the Consortium can begin to draw down funding for projects. The Gulf Consortium was created by interlocal agreement in 2012 and has been meeting since that time. The Board of Directors consists of representatives from each of the 23 Gulf Coast counties, including Pasco, and six appointments made by the Governor. The Consortium has agreed to divide their allocation up evenly between the counties. This will result in an allocation for Pasco of just under \$12.5 million. The Consortium has released their draft SEP for public comment, which includes several projects in Pasco County. The comment period will be open for at least 45 days. The Consortium anticipates approving the SEP for transmittal to the Governor in April of 2018.

POSITION: *Monitor* federal implementation of the RESTORE Act to ensure benefit to Pasco County. *Support* efforts to secure funding for projects and programs supported by Pasco County.

FEDERAL ISSUE: Department of Labor Apprenticeship Programs

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: The Department of Labor (DOL) has awarded nearly \$90 million in funding for the *ApprenticeshipUSA* initiative that was established in 2016. The goal of this program is to double and diversify Registered Apprenticeships. The funding includes investments to accelerate and expand state apprenticeship strategies and grow the use of apprenticeships in new industries, while ensuring that these educational and economic opportunities are within reach for more Americans.

The *ApprenticeshipUSA* initiative includes several different types of grants. The State Expansion Grant provided over \$50.5 million to help states develop and implement comprehensive strategies to support apprenticeship expansion. The purpose of the grants is to engage industry and workforce intermediaries, employers and partners to expand and market apprenticeship to new sectors and underserved populations; enhance state capacity to start new programs; and expand and diversify participation through state innovations, incentives and system reforms. Grants were awarded to 37 applicants, including the Florida Department of Economic Opportunity (DEO).

In June of 2017, President Trump signed an executive order entitled “Expanding Apprenticeships in America”. The EO directs the Secretary of Labor, in consultation with the Secretary of Commerce and the Secretary of Education, to propose new regulations that promote the development of apprenticeships by third parties, such as trade groups, industry groups, and non-profits. These rules will seek to reduce the federal role in creating and monitoring apprenticeships and will allow third-party groups to help set their own standards and guidelines for apprenticeship programs

The EO also directs the Secretary of Labor to use available funding to promote apprenticeships. This funding is subject to the appropriations process and the EO does not provide any new source of revenue to the Department of Labor. The Secretaries of Defense, Labor, Education and the Attorney General are directed by the EO to promote apprenticeships among several groups, including, Job Corps participants, high school students, those who have previously been incarcerated, members of the Armed Services and veterans, and community college and four-year college students

Finally, the EO creates a Task Force on Apprenticeship Expansion and directs the task force to make recommendations to the President to promote and improve apprenticeships.

Issues regarding the implementation of the American Manufacturing Skills initiative (AMskills) beyond the definition of a registered apprenticeship, are primarily state and local in nature. AMskills is an industry-led, state and county funded initiative that brings together American and German companies and training partners to build a strong manufacturing future. Education and training centers are located in Pasco, Hernando, and Pinellas counties.

POSITION: **Support** adequate funding for and the continuation of the *ApprenticeshipUSA* Initiative. **Support** Pasco County applications for these funds. **Support** changes to the definition of registered apprenticeship that provide flexibility for more hours to be achieved through relevant college and workshop classroom instruction, rather than all hours having to be recorded working with a journeyman.

FEDERAL ISSUE: Older Americans Act

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: Most federal programs that exist for the delivery of social and nutritional services for the elderly in Pasco County emanate from the Older Americans Act (OAA). These include supportive services, congregate nutrition services (meals served at group sites such as senior centers, schools, churches, or senior housing complexes), home-delivered nutrition services, family caregiver support, community service employment, and services to support the health, and prevent the abuse, neglect, and exploitation, of older persons.

The OAA was reauthorized in April 2016 through Fiscal Year 2019. This marks a major milestone as the programs under the OAA operated without authorization since Fiscal Year 2011. The bill was championed by Senators Alexander and Sanders and ultimately passed both the House and Senate by a voice vote.

The majority of the funding for OAA grant programs goes through the Department of Health and Human Services' Administration for Community Living (ACL), which provides formula funds to state and local agencies designated to provide direct services to the elderly. The ACL also offers some competitive opportunities.

The federal government provides some flexibility for spending allocated OAA funds in areas where there is a greater need. These services are available to all persons aged 60 and older, but are targeted to those with the greatest economic or social need, particularly low-income and minority persons and the elderly who live in rural areas.

POSITION: **Support** continued adequate annual funding for Older Americans Act programs that support critical social service programs serving elder persons in Pasco County.

FEDERAL ISSUE: Social Services Grants

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY:

Community Services Block Grants

The Community Services Block Grant (CSBG) program allocates federal funding to alleviate the causes and conditions of poverty in communities. The funds provide for a range of services and activities to assist the needs of low-income individuals, including those addressing employment, education, better use of available income, housing, nutrition, emergency services and/or health.

CSBG funding is administered by Mid Florida Community Services, Inc. in Pasco County and used to address self-sufficiency initiatives. The program has income requirements, yet is not an entitlement program, thereby allowing the agency to work with clients that are highly motivated to reduce their dependence on public benefits.

Social Services Block Grants

The Omnibus Reconciliation Act of 1981 amended Title XX of the Social Security Act establishing the Social Services Block Grant (SSBG). Each year, the federal government allocates funds to states to support social services for vulnerable children, adults, and families through the SSBG. States receive SSBG funding by formula.

States have broad discretion in the specific services they support with SSBG funds and may tailor these funds over time to reflect changes in the needs of their populations. While states have the flexibility to determine what services and activities are supported, the funds must be targeted at a broad set of goals, including reducing or eliminating poverty, achieving or maintaining self-sufficiency, and preventing neglect, abuse, or exploitation of children and adults.

POSITION: **Support** continued adequate annual funding for the Community Services Block Grant Program and for the Social Services Block Grant Program.

FEDERAL ISSUE: Economic Development Administration

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: The Economic Development Administration (EDA) is primarily a granting agency that funds economic development projects throughout the country. Local governments or non-profits, such as Pasco County are the local sponsors of projects.

Funding from the EDA is used to support private investment and generally funds projects such as road and water infrastructure improvements that can help reinvigorate areas and lead to additional reinvestment in homes and businesses. Successful projects usually leverage roughly 200 new jobs and \$24 million in private investment for every \$1 million of EDA investment.

The EDA is the best opportunity to secure federal funding for potential economic development projects in the County. In addition to an annual appropriation to support EDA grant programs, Congress provides additional EDA funding in response federal storms and other disasters. Florida is eligible for EDA disaster assistance funding whenever the President declares an emergency. The last two Presidential declarations were for Hurricanes Irma and Michael.

POSITION: **Support** Pasco County Economic Development Administration grant applications as applicable. **Support** continued adequate funding of the Economic Development Administration.

FEDERAL ISSUE: Opportunity Zones

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: The Tax Cuts and Jobs Act of 2017 established a new section of the Internal Revenue Code (1400Z1) which created a process for the designation of Opportunity Zones. An Opportunity Zone is defined as an area that 1) has a poverty rate of at least 20 percent; 2) has a median family income that does not exceed 80 percent of the metro area's median income in a metropolitan area; 3) has a median family income that does not exceed 80 percent of statewide median in a rural area; or, 5) be a census tract adjacent to a low-income area as long as the median income doesn't exceed 125 percent of the area median income.

The U.S. Department of Treasury has certified 17 census tracts within Pasco County as being eligible Opportunity Zones.

The purpose of Opportunity Zones is to provide access to capital in distressed communities by attracting private capital investments through tax advantages to investors in Opportunity Funds. The tax incentives to encourage investments are 1) deferral of tax on capital gains that are reinvested in a qualified opportunity fund, and 2) no tax on the capital gains from investments in these funds, if the investment in the fund is held for at least 10 years.

Earlier this year, the Administration released a second set of proposed regulations and rules contained in a guidance document further clarifying details about investment in qualified opportunity zones. The second set of proposed regulations expands qualifications for the program by creating four distinct tests relating to total hours worked by employees, total dollars paid to employees, management and operational staff qualifications, and an all-encompassing facts and circumstances criteria. Furthermore, the 31-month Safe Harbor has now been expanded to included businesses as well as real estate assets.

POSITION: *Monitor* the release of federal regulations for Opportunity Zones.

FEDERAL ISSUE: Department of Housing and Urban Development Formula Programs

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: Pasco County receives direct allocations of funding from three Department of Housing and Urban Development (HUD) formula programs: Community Development Block Grants (CDBG), Emergency Solutions Grants (ESG) and the HOME Investment Partnerships (HOME).

CDBG is a flexible grant program that provides communities with federal funding to address a wide range of unique community development needs. The CDBG program provides annual grants on a formula basis to states and local governments. Pasco County is an entitlement community under the CDBG program and receives dedicated funding each year through the program. In FY 2017, Pasco County received just under \$2.6 million in CDBG funding.

HOME funds are designed to create affordable housing for low-income households and are awarded annually as formula grants to participating jurisdictions, including Pasco County. HUD establishes HOME Investment Trust Funds for each grantee, providing a line of credit that the jurisdiction may draw upon as needed. The program allows local governments to use HOME funds for grants, direct loans, loan guarantees or other forms of credit enhancement, rental assistance, or security deposits. In FY 2017, Pasco County received just over \$833,000 through the HOME program.

The ESG program provides funding to work with the homeless population and those at risk for becoming homeless to provide shelter, rapid rehousing, or intervention to prevent homelessness from occurring. The Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH Act) of 2009 revised the program significantly, placing additional emphasis on permanent housing rather than on emergency or transitional shelters. In FY 2017, Pasco County received just over \$227,000 through ESG.

POSITION: *Support* adequate funding for the Community Development Block Grant, Emergency Solutions Grants, and HOME Investment Partnerships programs for future fiscal years because of their critical role in the County's efforts to support those that are least fortunate.

FEDERAL ISSUE: Opioid Addiction

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY:

President Trump last year signed into law a comprehensive opioid package, H.R. 6 The Support for Patients and Communities Act. The law aims to combat the opioid crisis by advancing treatment and recovery initiatives, improving prevention, protecting our communities, and bolstering efforts to fight deadly illicit synthetic drugs like fentanyl. This opioid package comes on the heels of \$4 billion appropriated by Congress in the 2018 omnibus appropriations for various opioid programs. The completion of the opioid package marks a process that began in October 2017, when members of Congress shared ideas, and personal experiences regarding opiates. Hearings were then aggressively scheduled, to put together a legislative package which ultimately became H.R. 6.

Specifically, the law will improve and expand access to treatment and recovery services, encourage non-addictive opioid alternatives to treat pain, give law enforcement tool to get dangerous drugs out of communities, crack down on foreign shipment of illicit drugs, address high prescribing rates while enhancing prescription drug monitoring programs and establish comprehensive opioid recovery centers.

Congress will now be called upon to appropriate funding for Fiscal Year 2020 to implement the programs established by this legislation. This will include funding for law enforcement, first responders, health care facilities, drug rehabilitation and treatment centers, and social services providers. Some of these funds will pass through the state on a formula basis, some funding will be available to counties, and some funding will be provided to consortiums including non-profit organizations and local governmental agencies.

POSITION: **Support** appropriations to fund programs in this legislation, and two previous opioid packages. **Monitor** HHS and other federal agencies for funding opportunities for Pasco County. **Support** attempts by entities within Pasco County to secure funding to fight opioid addiction.

FEDERAL ISSUE: Homeland Security Grant Programs & Public Safety Telecommunicators Classification

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: The purpose of the Homeland Security Grant Program (HSGP) is to implement the National Preparedness System by supporting the development and delivery of core capabilities vital to achieving the National Preparedness Goal of a secure and resilient Nation. The HSGP is comprised of three grant programs – the State Homeland Security Program (SHSP), the Urban Area Security Initiative (UASI), and Operation Stonegarden. SHSP and UASI grants are of particular relevance to Pasco County.

State Homeland Security Program

The SHSP supports state, local and tribal preparedness activities that address high-priority preparedness gaps across all core capabilities and mission areas where a nexus to terrorism exists. According to FEMA, “SHSP supports the implementation of risk driven, capabilities-based approaches to address capability targets set in urban area, state, and regional Threat and Hazard Identification and Risk Assessments.”

All states and territories are eligible to apply to FEMA for SHSP funding. In FY 2017, \$402 million was available for the SHSP, level with the last two fiscal years. The allocation methodology for FY 2017 SHSP was based on minimum amounts as legislatively mandated and DHS’ risk methodology. Each state and territory received a minimum allocation under SHSP using the thresholds in the Homeland Security Act of 2002. All 50 states, the District of Columbia, and Puerto Rico received 0.35 percent of the total funds allocated for grants under Section 2003 and Section 2004 of the Homeland Security Act of 2002, as amended. Florida received \$11.02 million in FY 2017 in SHSP funding, a slight decrease from their \$11.04 million allocation the previous two fiscal years.

Urban Area Security Initiative

Also of interest to Pasco County is the Urban Area Security Initiative (UASI) grant program. UASI provides funds to eligible regions to help communities prepare for, prevent, respond to, and recover from potential attacks and other hazards. The grants address planning, organization, equipment, training and exercise needs of high-threat, high-density urban areas. The purpose of the program is to help these areas build capacity to prevent, protect against, mitigate, respond to and recover from acts of terrorism.

Eligible candidates for the UASI program are determined through an analysis of relative risk of terrorism faced by the 100 most populous metropolitan statistical areas in the United States, in accordance with the 9/11 Act. The allocation methodology is based on DHS’ risk methodology. In FY 2017, \$605 million was available for UASI, compared to \$580 million in FY 2016 and \$587 million in FY 2015. The Tampa Bay area received \$2.96 million in UASI funding in FY 2016 and \$2.86 million in UASI funding in FY 2017.

POSITION: **Support** continued funding for DHS grants including Urban Areas Security Initiative grants and the State Homeland Security Grant Program. **Support** maintaining the current number of 29 high-risk urban areas eligible for UASI. **Support** Pasco County’s applications for these funds.

FEDERAL ISSUE: Public Safety Grant Programs

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: Federal grant funding for many Department of Justice (DOJ) and Department of Homeland Security (DHS) programs are provided as block grants with each state receiving a certain amount of funding, generally linked to population. That funding is then passed through to local jurisdictions to help support police, fire, emergency management, and homeland security functions. Examples of these formula programs include the Emergency Management Performance Grant (EMPG) and the Byrne Justice Assistance Grant (JAG).

In other instances, funding from federal programs is made available to local governments via competitive grant solicitations. Competitive program funds can be used to hire police officers through Community Oriented Policing Services (COPS) or firefighters through Staffing for Adequate Fire & Emergency Response Grants (SAFER), and purchase equipment through the Assistance to Firefighters Grant (AFG). There is also another category of grants that are distributed to certain recipients based on specific criteria, such as the Urban Area Security Initiative (UASI), which provides funds to eligible regions to help communities prepare for, prevent, respond to, and recover from potential attacks and other hazards.

POSITION: **Support** continued adequate funding for the wide variety of DOJ and DHS grants, i.e., Community Oriented Policing Services, Byrne Justice Assistance Grants, Emergency Management Preparedness Grants, Assistance to Firefighters Grants, Staffing for Adequate Fire and Emergency Response Grants, and other public safety grants. **Support** any Pasco County applications for these funds.

FEDERAL ISSUE: Federal Emergency Management Agency Disaster Assistance

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY:

The 116th Congress, and the Florida Congressional delegation, will continue to identify ways in which the federal government can more effectively and efficiently support communities in responding to natural disasters and in developing programs to make communities more resilient to future storms.

Earlier this year, FEMA announced that beginning in 2020, it will provide \$400 million to \$600 million a year in grants through an expanded disaster mitigation program that Congress created last year. Acting Administrator Peter Gaynor noted that the National Public Infrastructure Pre-Disaster Hazard Mitigation fund will replace FEMA's long-standing Pre-Disaster Mitigation Grant Program, which has allocated roughly \$50 million a year to states and communities to improve their resilience. The new program was created as part of a major overhaul to federal disaster response that President Trump signed into law last October. The law requires FEMA to set aside up to 6 percent of the money it spends on disaster relief for local projects aimed at improving community resiliency and to reduce the likelihood of damage during future disasters. The law and the expanded pre-disaster mitigation fund were widely praised by state emergency management officials and environmentalists. The new mitigation program has a guaranteed annual funding source. The program it is replacing relies on an annual appropriation from Congress, which fluctuated from year to year.

This Disaster Reform and Recovery Act (DRRA) also reforms Federal Emergency Management Agency (FEMA) programs to help communities better prepare for, respond to, recover from, and mitigate against disasters of all types. The DRRA increases focus on predisaster mitigation – actions taken before disaster strikes that will lessen future impacts, reduce disaster costs, help speed recovery, and prevent loss of life. The goal of the legislation is to increase efforts to prepare for natural disasters, thereby, hopefully, reducing the amount of disaster recovery efforts needed in the future.

Specifically, the DRRA:

- Reforms FEMA and the Stafford Act by ensuring that a percentage of assistance provided in the wake of disasters is invested in predisaster hazard mitigation so that states, tribal, and local governments can pre-empt the damage and distress that results from disasters.
- Clarifies what may be eligible for mitigation funding, making sure investments are cost effective and reduce risk.
- Speeds recovery by creating efficiencies in FEMA's programs such as getting structures inspected faster.
- Clarifies federal programs to help expedite assistance for recipients of FEMA aid, resolve issues quickly, and rebuild more efficiently.
- Provides more flexibility in meeting disaster survivors' housing needs.
- Simplifies federal requirements for individuals and state, locals, and Indian tribal governments.
- Helps communities meet the needs of pets in disasters.
- Increases transparency and oversight in the disaster assistance process.

FEMA currently is responsible for assisting local governments, through the state, after disasters with funding for recovery projects. This funding follows a specific process where counties seek reimbursement through the State Division of Emergency Management and FEMA for projects. Once a

project is completed, a close-out process is requested of FEMA by the county and state and a final payment is made. Currently, a county could have its project audited by the Department of Homeland Security's Inspector General's office for up to three years after the closeout of the entire disaster, rather than the closeout of the project. As a result of these audits, the Department of Homeland Security can determine that monies were spent incorrectly and must now be "de-obligated" or repaid to the state and federal government. In recent years in Florida, most of these audits are from storms during the 2004 and 2005 hurricane season, meaning many of these projects have been completed for over a decade.

The Florida Congressional delegation seeks to get FEMA funding to the communities faster, provide greater authority to take actions before and after a storm without prior FEMA approval, and reduce the risk that communities will be asked to recoup federal funding.

POSITION: *Support* legislation to prohibit the Federal Emergency Management Agency from de-obligating previously awarded disaster funds for projects that have been certified as complete by the state for at least three years. *Support* changes to the Stafford Act to ensure that counties are not denied for an appeal when the state, acting as the grantee, fails to meet the regulatory timeline through no fault of the county.

FEDERAL ISSUE: Land and Water Conservation Fund

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: The Land and Water Conservation Fund Act of 1965 was enacted to help preserve, develop, and assure access to outdoor recreation facilities for our nation. The law created the Land and Water Conservation Fund (LWCF) in the U.S. Treasury as a funding source to implement outdoor recreation goals.

The LWCF has been the principal source of monies for land acquisition for outdoor recreation by four federal agencies—the National Park Service, Bureau of Land Management, Fish and Wildlife Service, and Forest Service. The LWCF also funds a matching grant program via the National Park Service to assist states (and local governments as sub-recipients) in acquiring recreational lands and developing outdoor recreational facilities. A portion of the appropriation is divided equally among the states, with the remainder apportioned based on need, as determined by the Secretary of the Interior. The states award their grant money through a competitive selection process based on statewide recreation plans, as well as establish their own priorities and criteria. This state program could offer opportunities for Pasco County to either purchase open space opportunities or for additional public park amenities.

The LWCF is authorized at \$900 million annually. While the fund accrues revenues and collections from multiple sources, the vast majority of the revenues are derived from oil and gas leasing in the Outer Continental Shelf. Congress determines the level of appropriations each year, and yearly appropriations have fluctuated widely since the origin of the program.

On March 12, 2019, President Trump signed into law the John D. Dingell, Jr. Conservation, Management, and Recreation Act (formerly the Natural Resources Management Act). This bill reauthorizes the Land and Water Conservation Fund and also permanently authorizes the fund, which means the fund no longer needs to be reauthorized by Congress in order to receive funding. Congress must still appropriate funds for the program each year during the annual budget process in order for the LWCF to receive funds.

POSITION: *Support* an annual appropriation of at least \$110 million in the Land and Water Conservation Fund for the state conservation grant program.

FEDERAL ISSUE: 5G Mobile Network Towers

BACKGROUND; HOW IT MAY AFFECT PASCO COUNTY: With industry pushing for the rollout of 5G, there are supposed inherent safety risks that many groups, municipalities and scientists have been increasingly concerned about. With 5G adding an extra layer on current wireless technology, essentially piggy backing off of 3G and 4G wireless frequencies, detractors are worried the already existing radiation will be increased to unsafe levels. In fact, over 240 scientists and doctors from 41 nations who have published research in the field have filed an international appeal to the United Nations calling for urgent action to reduce these ever-growing wireless exposures and they wrote the FCC for a moratorium on the roll-out of 5G citing the serious risks that to human health and the environment. Scientists are cautioning and urging the relevant federal and state levels to research the human health effects of 5G to ensure the public is protected prior to any national rollout or hard commitment.

By way of background, the radiation that 5G would emit on a higher level than currently is cellular radiation-radiofrequency radiation – which is what cell towers emit. Scientists are concerned that placing small cell installations 500 to 1,000 feet away from each other all over a city would increase the density of the cellular radiation-radiofrequency radiation, increasing the change people will develop the associated health risks. Essentially, the cumulative daily radiation exposures, concerns scientists, as they believe, and some studies show that it is associated with serious health effects.

Furthermore, the FCC has adopted its Declaratory Ruling and Third Report and Order asserting under sections 253 and 332 of the Communications Act, that it can federally preempt state and local rules and requirements governing access to public right-of-way and publicly-owned infrastructure.

POSITION: **Monitor** Congressional and agency action with regards to 5G Mobile Network Towers. **Oppose** the status of the FCC Declaratory Ruling and Third Report and Order, which has the potential to allow the FCC to federally preempt state and local rules and requirements governing access to public right-of-way and publicly-owned infrastructure.