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BIDEN LAUNCHES "RURAL PLAYBOOK" FOR EXPANDED RELIEF TO AG-AMERICA



By: <u>Richard M. Blau</u>, Chair Nationwide Food Law Group

The Biden Administration recently <u>announced an inter-agency effort</u> to help state, local, tribal, and territorial governments in rural areas access billions of dollars to fund much needed infrastructure for agricultural communities. The government funding is made available through the \$1.2 trillion **Bipartisan Infrastructure Law** – one of the most important bipartisan efforts passed by Congress in 2021.

The "Rural Playbook" provides rural communities with information on the "what, when, where, and how to apply" for infrastructure funds. Infrastructure funding will expand high-speed internet to rural communities, as well as build and repair roads and bridges, install modern wastewater systems, clean up abandoned oil wells, and provide expanded access to electricity and clean drinking water. The playbook identifies and explains over 100 federal programs supported by the Bipartisan Infrastructure Law.

The administration is promoting the initiative with a 30-stop rural infrastructure tour led by President Joe Biden and key cabinet officials, including Interior Secretary Deb Haaland and Transportation Secretary Pete Buttigieg. The first leg of the tour has already begun, starting with President Biden's visit to Iowa on April 12, 2021 to announce \$5 billion in federal grants to the state, including \$400 million to fix a high number of deficient bridges across the state, more than \$600 million to update public water systems, and \$100 million to bring high-speed internet access to rural areas throughout Iowa.

The Rural Playbook tour's kick-off also included Interior Secretary Deb Haaland holding an event in Colorado, along with Colorado elected officials and the U.S. Forest Service chief, focused on wildfires, forest management, conservation programs, and federal support for climate mitigation and ecosystem restoration included in the infrastructure bill. Secretary Haaland and others also discussed progress on the administration's America the Beautiful initiative, a locally led, voluntary land restoration project

In addition to President Biden and Secretary Haaland, the Rural Playbook tour rollout will include:

- Agriculture Secretary Tom Vilsack,
- · Commerce Secretary Gina Raimondo,
- Energy Secretary Jennifer Granholm,
- EPA Administrator Michael Regan,
- Infrastructure Coordinator Mitch Landrieu, and
- Transportation Secretary Pete Buttigieg (along with other senior administration officials as events are planned throughout the next few weeks).

RURAL INFRASTRUCTURE NEEDS PRESENT GREAT CHALLENGES

Across much of rural America, many infrastructure needs have gone unaddressed for years, in large part because rural communities are ill-equipped to deal with the typical federal grant application process.

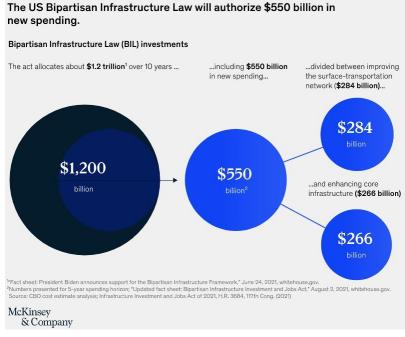
For example, water and wastewater projects often require \$100,000 predevelopment engineering and design documents before they can even apply for federal grants. Likewise, high-speed internet projects, which are desperately needed by rural communities in the South and Mid-West, require expensive mapping and technical diagnostics as prerequisites for submitting viable grant requests.

Rural communities of Florida, including those in the Panhandle (such as Jefferson, Lafayette, and Liberty counties) and predominantly agricultural counties (such as Glades, Highlands, and Okeechobee) generally have limited staff and minimal experience accessing and managing federal resources.

Advocates for farmers and ranchers operating in the least populous parts of Florida and the rest of America face significant challenges in trying to navigate a complex piece of legislation full of opportunities for their communities.

Unlike past initiatives, these grant programs also are backed by serious dollars. Florida is a clear case in point.

For decades, infrastructure in Florida has suffered from a systemic lack of investment. There are 408 bridges and over 3,564 miles of highway in Florida that are in poor condition. Since 2011, commute times have increased by 11.6% in Florida, and on average, each driver in the Sunshine State pays \$425 per year in costs due to driving on roads



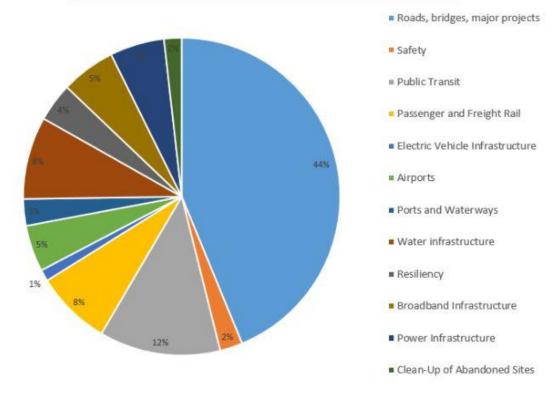
in need of repair. Not surprisingly, the American Society of Civil Engineers gave Florida a "C" on its infrastructure report card.

To address this need, the Bipartisan Infrastructure Law will:

- Repair and rebuild Florida roads and bridges with a focus on climate change mitigation, resilience, equity, and safety for all users, including cyclists and pedestrians. Based on formula funding alone, Florida would expect to receive approximately \$13.3 billion over five years in federal highway formula funding for highways and bridges (on an average annual basis, this is about 26% more than the state's federal-aid highway formula funding under current law).
- Invest \$13 billion over the Fixing America's Surface Transportation (FAST) Act levels directly into improving roadway safety. Over five years, Florida will receive approximately \$100 million in 402 formula funding for highway safety traffic programs, which help states improve driver behavior and reduce deaths and injuries from motor vehicle-related crashes (on an average annual basis, this represents about a 29% increase over FAST Act levels).
- Open to local and tribal governments in Florida eligibility to compete for \$6 billion in funding for a new Safe Streets for All program which will provide funding directly to these entities to support their efforts to advance "vision zero" plans and other improvements to reduce crashes and fatalities, especially for cyclists and pedestrians. Additionally, Florida can expect to receive approximately \$103.7 million over five years in funding to augment commercial motor vehicle (CMV) safety efforts to further reduce CMV crashes through the Federal Motor Carrier Safety Administration's Motor Carrier Safety Assistance Program (MCSAP) formula grant (this represents about a 65% increase in funding compared to FAST Act levels).

- Provide access to funds for modernizing data collection systems to gather near real time data on all reported crashes, including fatal ones, to enhance safety and to allow the Department of Transportation to understand and address trends as they are identified.
- Dedicate funding for community grants to community owned utilities, supporting the repair or replacement of leaky and unsafe cast iron and bare steel natural gas distribution pipelines, some of which are over 100 years old.
- Invest \$1.6 billion in Florida to eliminate 100% of the state's lead pipes and provide clean drinking water to Floridians who lack it. This will not only improve the quality of drinking water throughout Florida, but also generate thousands of good-paying jobs for plumbers and pipefitters.
- Award approximately \$198 million over five years to support the expansion of an Electric Vehicle (EV) charging network in the state, and also provide the opportunity to apply for grants out of the \$2.5 billion available for EV charging.
- Offer Florida the opportunity to compete for \$5 billion for rail improvement and safety grants, and \$3 billion for grade crossing safety improvements.
- Provide airports in Florida approximately \$1.2 billion for **infrastructure development for over five years.** This funding will address airside and landside needs at airports, such as improving runways, taxiways and airportowned towers, terminal development projects, and noise reduction projects.

Infrastructure Spending: \$1.2 Trillion Over 8 Years



Aside from transportation infrastructure, the Bipartisan Infrastructure Bill offers Florida muchneeded help in other areas, such as Everglades restoration. New federal funding includes the largest investment ever, more than \$1 billion, to revitalize and restore the Everglades by combating pollution, rising sea levels, and droughts, providing drinking water supply for over eight million Floridians all of which also will support Florida's tourism economy.

FIND THE DETAILS

Rural Playbook resources include agency-specific fact sheets for rural infrastructure grant programs, as well as documentation of rural set-asides for specific pools of funding or waivers on matching fund requirements. Rural-specific fact sheets are available from the following agencies:

- Department of Transportation
- U.S. Department of Agriculture
- Department of Commerce
- Environmental Protection Agency
- Department of the Interior
- Department of Energy
- FEMA

For additional information, contact GrayRobinson's <u>Nationwide Food Law Group</u> via email at: foodlaw@gray-robinson.com or via telephone at **(866) 382-5132.**



Richard M. Blau leads GrayRobinson's Nationwide Food Law Group, focusing on the laws that govern the production, importation, processing, marketing, distribution, and sale of foods and beverages throughout the United States. Richard works with all levels of the food industry. He has represented international importers and domestic manufacturers, statewide wholesaler trade groups and regional distributors, and retailers (including multistate restaurant and grocery store chains) across the United States. Richard has achieved numerous peer-related accolades for his legal work, including: Chambers and Partners - Nationally ranked as "Band 1" for Food

and Beverage Law; **Best Lawyers in America** - Nationally listed for Food and Beverage Law; and **Super Lawyers** - Elected member.