

## ALCALDE &amp; FAY

GOVERNMENT &amp; PUBLIC AFFAIRS CONSULTANTS

January 17, 2017

**To:** David Twa, County Administrator  
Lara DeLaney, Senior Deputy County Administrator

**From:** Paul Schlesinger  
Anne Cullather  
Perrin Badini

**Re:** 2016 Federal Year End Report

---

Despite an increasingly partisan and immobilized Congress, and the continuing restrictions on earmarks, we are pleased to report significant progress on several fronts important to Contra Costa County.

**Army Corps Projects**

Funding was obtained for water resources projects that are high on the County's priority list. In the years since Congress imposed an earmark ban on itself, there are two ways to secure funding for local priorities; work with the Administration to have it budgeted in the Administration's budget request – with such amounts routinely approved by Congress - and utilizing provisions funded in appropriations bills that provide additional, unallocated funding for the Army Corps, with instructions that the Corps itself determine how these additional monies are spent as part of a work plan to be submitted to Congress.

We were pleased to work with you in securing, as part of the Army Corps work plan prepared for FY '16 and released in February, an additional \$810,000 for San Pablo Bay/Mare Island Strait (in addition to the \$1.18 million initially requested by the Administration), and an additional \$1.1 million for the Suisan Bay Channel (in addition to the \$3.25 million initially requested by the Administration).

With regard to FY '17, the federal government is now operating pursuant to a Continuing Resolution (CR) through April 28; with programs operated at generally the same funding levels as in FY '16. While the House and Senate have passed appropriations bills for the Army Corps of Engineers, with funding levels for specific projects reflecting those requested by the Administration, these bills, and the individual project amounts, have not been approved.

For our projects, the amounts included in the Senate and House appropriations bill are as follows:

San Pablo Bay and Mare Island Strait:	\$2.025 million
Suisun Bay Channel:	\$4.031 million

We are working now to secure/increase funding for our Corps projects as part of the FY '17 work plan, as well as having them included in the President's budget request for FY '18. Toward this end, draft letters have been distributed to our Congressional delegation to send to the Army Corps and Office of Management and Budget once the new Administration has been installed.

It is certainly worth noting that while the support of Senator Boxer will be missed, Senator Harris has been assigned to the Environment and Public Works Committee, which has authorizing jurisdiction over the Corps. Also, Congressman DeSaulnier has been successful in his efforts to seek a position on the House Committee on Transportation and Infrastructure, which has this same jurisdictional authority in the House. Hence, they will both become quite immediately important to our efforts with regard to all of our efforts with the Corps.

### **Advocacy related to the Sacramento-San Joaquin Delta**

We have been pleased to work extensively with County officials and staff in advocating before the federal government to achieve the County's objectives with regard to the Delta. These efforts have generally been in conjunction with other federal advocates working on behalf of their clients; the other members of the Delta Counties Coalition (DCC). Moreover, we have assisted the County in playing a lead role within the DCC on developing and implementing Delta strategies as they relate to the Army Corps of Engineers.

During DCC trips to Washington, we have secured meetings with senior Corps officials, in addition to coordinating scheduling for the DCC and arranging for many of the meetings that have been scheduled with Congress and the Executive Branch. We have certainly been the lead among DCC advocates with regard to work not just with the Corps and the Office of Management and Budget, but with the House Committee on Transportation and Infrastructure, the Senate Committee on Environment and Public Works, the Senate and House Appropriations Committees, Senators Boxer and Feinstein, and Congressmen DeSaulnier, McNerney, Thompson, Swalwell, and Huffman.

Related to our work with the County on the Delta, we provided a channel of communication and information between the County and the Hill on the various iterations of drought-related legislation that were moving over the course of the year.

On a closely related issue, we monitored legislation on the Hill related to the San Luis Drain, and worked with County staff to draft correspondence on this matter.

### **Funding for Mount Diablo Mercury Mine Clean-up**

We continued to work this year toward securing federal funding in the amount of \$483,000 for clean-up of the Mount Diablo Mercury Mine. Given the current moratorium on earmarks, we recognized that it would not be possible to secure a line-item appropriation for this important project. But, with the language that we had worked to include in the Statement of Managers accompanying a previous Water Resources Development Act (WRDA), specifically directing the Army Corps to give priority consideration to the Mount Diablo Cleanup when allocating funds made available for the Remediation of Abandoned Mine Sites program (RAMS), we also recognized that any funding made available in Appropriations bills for the general RAMS program is almost certain to be provided for our project.

We are pleased that the Senate Appropriations bill, at the County's request, includes again \$2 million for the RAMS program, despite the fact that no such funds were requested by the Administration. Senator Feinstein, in her role as ranking Democrat on Senate Appropriations Subcommittee on Energy and Water Development, has been the champion in securing funding for this program. Her staff has been quite explicit in telling us that the funding is intended to assist with our project. In separate and ongoing discussions that County staff and I had during the year with Corps staff responsible for implementing this program, we understand their intent to make available for our project such funds as might be necessary and timely for its moving forward. So, it would appear that there will be sufficient funds to allow the Corps to provide the \$483,000 we require for Mount Diablo at such time as we are ready to use it.

### **Other Advocacy Projects**

From the County's extensive legislative program, we were asked to work particularly on several appropriations issues. As indicated earlier, appropriations bills for FY '17, the fiscal year which began on October 1, have yet to be enacted. Separate appropriations measures have made various degrees of progress in the Senate and House, and so some pertinent amounts on programs of interest can be identified as follows:

➤ **Defending Childhood/Children Exposed to Violence Program**

Request = \$23 million in the Commerce, Science and Justice (CJS) Appropriations Bill (equal to the President's budget request)

- Senate: The CJS appropriations bill would provide \$8 million for this initiative, which is equal to the FY '16 enacted level but does not include the additional \$15 million requested by the President to expand the program.
- House: The CJS bill approved by Committee does not provide any funding for this initiative, which continues the Committee's recent trend of zeroing out this program in CJS appropriations bills. Democrats on the Committee, as they have also done in recent years, noted their disappointment in the bill's elimination of this program's funding.

➤ **Emergency Management Performance Grant (EMPG)**

Request = \$350 million in the Homeland Security (DHS) Appropriations Bill

- Senate: The DHS appropriations bill approved by Committee would provide \$350 million for the EMPG program, which is equal to the FY '16 enacted level and the President's request.
- House: The DHS appropriations bill approved by Committee would provide \$350 million for the EMPG program, which is equal to the FY '16 enacted level and the President's request.

➤ **Training and Employment Services Grants to States (core formula grants authorized under Workforce Innovation and Opportunity Act)**

Request = \$2.848 billion in the Labor, Health and Human Services, and Education (L-HHS-ED) Appropriations bill

- Senate: The L-HHS-ED appropriations bill approved by Committee would provide \$2.636 billion for these core formula programs, approximately \$73.8 million less than the FY '16 enacted level and \$211 million less than the President's request.
- House: The House L-HHS-ED appropriations bill approved by Committee would provide about \$2.729 billion for these core formula programs, about \$20 million more than the FY '16 enacted level and \$119 million less than the President's request.

➤ **Workforce Data Quality Initiative (WDQI)**

Request = \$40 million in the Labor, Health and Human Services, and Education (L-HHS-ED) Appropriations bill (equal to the President's budget request)

- Senate: The L-HHS-ED appropriations bill approved by Committee would provide \$6 million for the WDQI, which is equal to the FY '16 enacted level.

- House: The House L-HHS-ED appropriations bill approved by Committee would provide \$6 million for the WDQI, which is equal to the FY '16 enacted level.

➤ **Institute of Museum and Library Services (IMLS)**

Request = \$230 million in the Labor, Health and Human Services, and Education (L-HHS-ED) Appropriations bill, consistent with previous year's funding.

- Senate: The L-HHS-ED appropriations bill approved by Committee would provide \$231 million for the IMLS, which slightly exceeds the FY '16 enacted level.
- House: The House L-HHS-ED Appropriations bill, as approved by Committee provides \$230 million

In addition to managing the issues on the County's legislative platform, and given the dynamic nature of events in Washington, we have also brought various matters of interest to the County's attention and assisted the County when new matters surfaced that required attention or communication with our delegation. Below are a few examples that illustrate the breadth of our support for the County:

- Notified County of potential developments related to tax exempt treatment of municipal bonds
- Notified County of developments related to climate change programs
- Assisted County with advocacy on the National Guard bonus issue, a matter which has now been satisfactorily resolved
- Notified County about Rail Safety Infrastructure grant opportunities

Activities such as these certainly contribute to the long-held perception around Capitol Hill and elsewhere in Washington that Alcalde & Fay serves as the County's office here in town; a place that these offices can call, trusting that they will be communicating, if through an agent, with appropriate County officials.

As always, it has been a privilege to represent the County with its efforts as they relate to the federal government. We would be pleased to elaborate on any aspect of this work, and look forward to continuing work on your behalf in the year ahead.