

ALCALDE & FAY

GOVERNMENT & PUBLIC AFFAIRS CONSULTANTS

January 13, 2020

To: David Twa, Contra Costa County Administrator
Lara DeLaney, Senior Deputy County Administrator

From: Paul Schlesinger
Anne Cullather
Perrin Badini
Mackenzie Dobson

Re: 2019 Federal Legislative Program Year-End Report

Despite an increasingly partisan and immobilized Congress, marked by a lengthy and contentious government shutdown at the start of the year, impeachment proceedings toward its conclusion, and the impending Presidential elections a year away – and despite Congress’s continuation of its self-imposed ban on earmarks - we are pleased to report significant progress on several fronts important to Contra Costa County.

Army Corps of Engineers 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 Army Corps funding for local priorities: (1) work with the Administration to have them budgeted in the Administration’s budget request, whereafter such amounts are routinely approved by Congress, and (2) utilizing provisions funded in appropriations bills which 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.

When we reported on 2018 activities last year, the FY ’19 work plan had yet to be released. We were pleased to report last year, and reiterate now, that in addition to funding made available in the legislation making appropriations for the Army Corps of Engineers (reported upon in last year’s end-of-year report), the work plan provided an additional \$3.14 million for maintenance dredging of the Suisun Bay Channel, bringing the total amount of FY ’19 funding for the project up to \$6.804 million.

The Omnibus Appropriations measure funding the government for FY ’20 included \$5.8 million for Suisun Bay dredging, and an additional \$2.88 million for the maintenance dredging of San Pablo Bay and Mare Island Strait.

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).

Of particular note, when some in the DCC seemed to want to focus on promoting the development of new water resources, we worked with County staff to try and assure that the DCC keep as its priority focus its very raison d'être, the defeat of the WaterFix and any unreasonable successor conveyance proposals. We also worked with staff to assure that the DCC continued to vigorously oppose the San Luis Drain settlement.

Funding for Mount Diablo Mercury Mine Clean-up

We continued to work last 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, despite the fact that the Administration failed to recommend any funding for the RAMS program, at the County's request, Congress included \$3 million in its final appropriations bill for FY '20. Senator Feinstein, in her role as ranking Democrat on the Senate Appropriations Subcommittee on Energy and Water Development, has been a 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. And this year, for the first time in several years, the House included RAMS funding in its bill, presumably at least in part because of the support of our House delegation.

Other Advocacy Projects

From the County's extensive legislative program, we were asked to focus particularly on several appropriations issues. The following indicates our request and the outcome for each:

- **Community Development Block Grants (CDBG)**
 - FY '19 Enacted: \$3.3 billion
 - Administration Request: 0
 - Our Request: \$3.8 million
 - Final: \$3.425 million

- **Institute of Museum and Library Services (IMLS)**
 - FY '19 Enacted: \$242 million
 - Administration Request: \$23 million
 - Our Request: \$242 million
 - Final: \$252 million

- **Cooperative Endangered Species Conservation Fund (CESCF):**
 - FY '19 Enacted: \$53.495 million
 - Administration Request: 0
 - Our Request: \$85 million
 - Final: \$54.502 million

- **DOJ Comprehensive Opioid Funding**
 - FY '19 Enacted: \$157 million
 - Administration Request: \$145 million
 - Our Request: \$200 million
 - Final: \$378 million

- **DOJ Byrne Justice Assistance Grants**
 - FY '19 Enacted: \$423.5 million
 - Administration Request: \$405.2 million
 - Our Request: \$500 million
 - Final: \$547.2 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 communication with, or the input of, our delegation.

Some of the diverse issues we have called to the County's attention, or worked on at the County's behalf include:

- National Heritage Area designation for the Delta
- a support letter for Congresswoman Speier's San Francisco Bay Restoration Act
- the Violence Against Women Act
- broadband development legislation
- legislation related to financing with municipal bonds
- the BNSF Railway presence at Miller-Knox Regional Shoreline

- legislation related to women’s nursing rooms at small airports
- legislation related to securing federal elections
- the Long-Term Unemployment Act
- support for Family First Transition Act (H.R. 4980)
- opposition to the proposed revision of the Standard Utility Allowances for SNAP, the Supplemental Nutrition Assistance Program
- opposition to the proposed revisions of Categorical Eligibility in SNAP
- response to a proposed federal rule on eligibility for residency at public housing
- the re-authorization of the FAST Act (Fixing America’s Surface Transportation Act)
- the re-authorization of the Older Americans Act
- support for legislation that strengthens counties’ ability to address health care in jails
- overturning an FCC regulation on local control of rights-of-way, and
- overturning the Public Charge rule.

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.