



Topic: **Authority Board Agenda Item 2.3**

**2020 May 27**

Subject: **Federal Legislative Priorities**

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**Requested Action:**

Consider acceptance of the 2020-2021 Sites Project Federal Government Affairs Priorities.

**Detailed Description/Background:**

In response to the recommendation outlined in the Organizational Assessment to prepare an analysis and staff recommendation on federal funding pursuits, staff has been working with the Authority Ad Hoc Legislative & Outreach Committee and our Government Affairs Team to identify our near-term Federal government affairs/legislative priorities.

The focus of this effort was to ensure that our Federal Government Affairs/Legislative activities aligns with key project milestones and our project schedule and specifically focusing on near-term federal operational participation and federal funding. These priorities will be the Committee and Team focus through December 2021. Any adjustments would be brought back to the RC and AB before being incorporated and updates will be provided on significant progress.

**Prior Action:**

None.

**Fiscal Impact/Funding Source:**

Sufficient funds exist to support activities associated with these priorities within the Amendment 2 work plan.

**Staff Contact:**

Jerry Brown/Kevin Spesert

**Attachments:**

Attachment A: Federal Government Affairs Priorities Memo

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**TO:** Ad Hoc Legislative & Outreach Committee  
**DATE:** 13 May 2020  
**SUBJECT:** 2020 Federal Government Affairs Priorities

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Staff has been working to identify near-term (2020) Federal government affairs/legislative priorities in an effort to focus our activities to better align with key project milestones and our existing project schedule.

The following represents the staff's proposed Federal government affairs/legislative priorities.

#### **OPERATIONS PARTICIPATION**

- Final completion of Reclamation's Feasibility Report and DOI Secretary determination of feasibility.
  - Complete by **December 31, 2020** which is needed to be eligible for receiving WIIN Act funding and to support the state feasibility report as required by Proposition 1.
  - Reconcile the alternatives included in the feasibility report with the Authority's VP7 alternative.
  - Finalize level of federal participation/investment in the project.
- Pursue development of a CVP Coordinated Operations Plan.
  - Term sheet whereby the parties agree on the key provisions of an agreement by **July 2021**.
- Coordination with Reclamation on the development of the Authority's Water Rights Application.
  - Develop and submit Authority Water Rights Application by **June 2022**.
- Continuing partnership with Reclamation as the NEPA lead agency in developing the Environmental Impact Statement (EIS).
  - Completion of the Recirculated Draft EIS no later than **July 2021** in coordination with the Sites Authority EIR. Completion of the Record of Decision by **May 2022**.

#### **FEDERAL FUNDING**

##### **WIFIA/RIFIA**

- Begin groundwork for submittal of a WIFIA Loan application.
  - The Value Planning Report anticipated a \$1.1 billion WIFIA loan. Application is planned for submittal in **June 2021**.
- Continue to track the development of the RIFIA program and pursue RIFIA funding if available.

##### **WIIN Act**

- Secure funding received from the WIIN Act in 2019. Needed to complete the Phase 2 work plan.
  - **\$6 million secured** from the 2019/2020 Budget deal signed by the President in **Dec 2019**.
  - Authority is developing a Financial Assistance Agreement to access these funds— assume the Authority will receive **\$3 million**.
- Pursue and secure FY2021 WIIN Act funding (current budget cycle) and begin groundwork for a FY2022 WIIN Act funding request.

- Coordination with Reclamation to identify funding needs in FY2021 and FY2022 to advance the project including “post-feasibility” funding.
- Begin groundwork for WIIN Act construction funding request (Pending Reclamation investment decision).

#### **Federal Stimulus & Other funding**

- Support development and secure funding from potential COVID19 related infrastructure stimulus package for priority items that align with early project work (e.g. roads, communications, etc.).
  - Anticipate infrastructure stimulus in Fall of 2020.
- Track and pursue opportunities for appropriations/grants/loans as appropriate
  - Roads/Bridges, Rural Broadband, flood control, infrastructure planning, operations & maintenance, etc.

Other items that do not require legislative action but are administrative in nature are listed below. We will need to keep our legislators informed on progress of these items so that they can step in when/if needed to assist in keeping them on the timeline required to support the project schedule.

**Permitting** - Supportive consultation with federal agencies in securing; USFWS Biological Opinion, NMFS Biological Opinion, National Historic Preservation Act Section 106 Programmatic Agreement.

**Public Outreach** - Engage with Reclamation Public Affairs staff for the rollout of the Feasibility Report. Work to ensure that messaging is consistent and any differences between the Authority’s VP7 alternation and the alternatives included in the feasibility report are addressed. Coordinate with USBR Public Affairs on any public outreach activities associated with a recirculated EIS.