



FEDERAL UPDATE

Florida Association of Counties, May 2019

FAC's Federal Priorities

As the nation's third largest state, Florida's key issues are more than just state issues – many are nationally significant. Accordingly, the Florida Association of Counties' Board of Directors approved the creation of a Federal Policy Committee in 2013. Participation in this committee is open to all FAC members.

Each year, the committee, through the guidance of the membership, develops a federal advocacy program to share with national leaders and lawmakers. Staffed solely by internal FAC staff, FAC's federal program consists of a limited number of key federal issues affecting Florida county governments.

The FAC membership adopted the following policy areas to focus on in 2019:

- National Flood Insurance Reauthorization and Reform
- Water and Water Infrastructure
- Disaster Recovery and Mitigation Funding
- Offshore Oil Drilling (Opposing Expansion)
- Infrastructure

A more detailed look at each of the policy priorities can be found on FAC's Federal Page [here](#). Each month, FAC will provide a brief update on each of the adopted policy areas.

Federal Budget

The U.S. House has begun its initial mark up of FY 20 spending bills by releasing three of its 12 required appropriations bills this week. They include: Labor-HHS-Education (LHHS); Military Construction and Veterans Affairs; and, Legislative Branch. The LHHS bill is one of the largest spending measures of Congress, covering Social Security, Medicare and Medicaid,

Education, the National Institutes of Health, among others.



Highlights of the bill include \$189.8 billion in discretionary funding, an increase of \$11.7 billion over the 2019 enacted level and \$47.8 billion over the President's 2020 budget request. The Military Construction bill provides \$108.1 billion in discretionary funding – \$10 billion above the fiscal year 2019 enacted level. The bill also provides \$2 billion for disaster recovery needs related to Hurricanes Michael and Florence for military bases in North Carolina and Florida.

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Waters of the United States (WOTUS)

On February 14, the U.S. Environmental and Protection Agency (EPA) and the U.S. Army Corps of Engineers (Army Corps) released the Trump Administration's proposed new "Waters of United States" (WOTUS) rule defining which bodies of water across the United States are subject to federal regulations under the Clean Water Act (CWA). This action represents the second step in the process taken by the EPA and Army Corp to review and replace the Obama Administration's 2015 WOTUS rule. According to the agencies, the new definition is intended to increase CWA program predictability and consistency by creating a definition that is more easily implementable.

The new definition creates six categories of regulated waters and includes 11 exemptions. The six categories of WOTUS include: traditional navigable waters; tributaries; certain ditches; certain lakes and ponds; impoundments; and adjacent wetlands.

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Hurricane Funding

Disaster Supplemental Funding



While two major supplemental funding packages for states impacted by disasters in 2018 passed the House earlier this year, the Senate has not taken up the measure.

To revive the issue, the House plans to take up a disaster relief supplemental on the floor the week of May 6, according House Majority Leader Steny H. Hoyer.

The \$17.2 billion supplemental spending package introduced earlier this month by Congresswoman Lowey would add \$3 billion to respond to the 2019 Midwest floods and Southeast tornadoes. Senate Democrats and Republicans are still in talks about what kind of disaster aid package can get the 60 votes needed to pass that chamber. Movement has been slowed by a dispute over how much aid to provide to Puerto Rico.

For more information, please [click here](#).



National Flood Insurance Program

With the National Flood Insurance Program (NFIP) scheduled to expire on May 31, 2019, the House Financial Services Committee has begun work on the issue by holding its initial hearing on March 13, 2019. The hearing included two panels, with the first slate of panelists being members of Congress, while the second being comprised of flood plain specialists, realtors, insurance and risk specialists, among others. During the hearing, members were introduced to draft legislation that is centered on four priorities: Affordability; Mitigation; Mapping; and, Claims.

With the program shouldering more than \$20 billion in debt, and borrowing capacity capped at \$30 billion, Congress faces numerous challenges to reform the program. With only 30 days to address any significant reform, and no further hearings on flood insurance scheduled, Congress will likely be forced to pass a short-term extension at the end of the month.

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Infrastructure

While there has been a lot of discussion over the last two years regarding a comprehensive infrastructure plan, nothing significant has emerged. However, on April 30, House leaders announced that President Trump had agreed to pursue a \$2 trillion infrastructure plan to upgrade the nation's highways, railroads, bridges and broadband.

No other details were provided, including how the plan will be funded or whether the mandated spending caps will have to be increased.



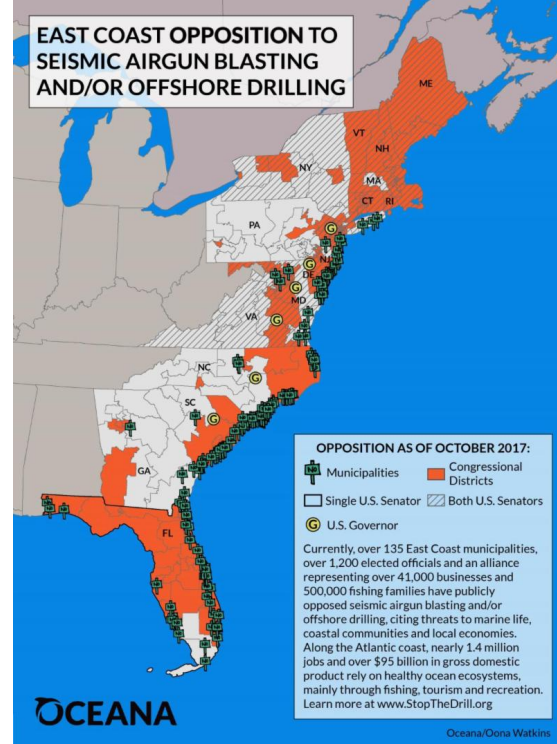
Offshore Oil Drilling

The future of offshore oil drilling near Florida remains unclear. While Florida voters approved a constitutional amendment to ban offshore oil and gas exploration in 2018, the ban applies only to state waters, which extend 3 nautical miles from the coast (nine miles in the Gulf).

The state has no control over 200 miles of federal waters, which are included in a

2017 Presidential Executive Order (13795) directing the Department of Interior to develop a new National Outer Continental Shelf (OCS) program for 2019-2024.

The program proposes to make over 90 percent of the total OCS acreage and more than 98 percent of undiscovered, technically recoverable oil and gas resources in federal offshore areas. By comparison, the current program puts 94 percent of the OCS off limits.



Of concern for Florida is that the Executive Order specifically lists the Central Gulf Planning Area for potential exploration. Currently, this area, along with Easter Gulf Planning Area, is a restricted area under the Gulf of Mexico Energy Security Act (GOMESA), which expires in 2022.

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Federal Grants



Transportation

U.S. Department of Transportation has issued a Notice of Funding Opportunity for \$900 million in BUILD grants. Eligibility and funding information can be found [here](#).



Rural Communities Opioid Response Program

The Department of Health and Human Services is accepting applications for its Rural Communities Opioid Response Program. Applications will be accepted through June 10, 2019. For more information, please [click here](#).



Homeland Security

Fiscal Year (FY) 2019 Notices of Funding Opportunity for eight DHS preparedness grant programs totaling more than \$1.7 billion. The grants reflect the Department's focus on funding for programs that address our nation's immediate security needs and ensure public safety in our communities. For more information, [click here](#).

National Coastal Resiliency Funds



The National Fish and Wildlife Foundation (NFWF) is pleased to announce the National Coastal Resilience Fund for 2019. NFWF will make investments to restore and strengthen natural systems so they can protect coastal communities from the impacts of storms, floods, and other natural hazards and enable them to recover more quickly, while also enhancing habitats for important fish and wildlife populations. To learn more, [click here](#).

Rural Broadband



The U.S. Department of Agriculture (USDA) is accepting applications for rural broadband services. The agency is making available up to \$200 million in grants, \$200 million in loan and grant combinations, and \$200 million in low-interest loans.

The application deadlines are: May 31, 2019, for grants; June 21, 2019, for loan/grant combinations; and July 12, 2019, for low-interest loans. Applicants can request technical assistance from USDA by filling out the contact form [here](#). Online applications are available [here](#).



FAC would like to thank the National Association of Counties (NACo) for providing content for this report!



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