

Robert Sosnoskie

From: andrew kricun [REDACTED]
Sent: Saturday, September 3, 2022 8:33 AM
To: Jarrod.Loadholt@icemiller.com;rhea.williams-bishop@wkkf.org;Safiya Omari;Fidelis Malembeka;Louis Wright
Cc: George.Hornedo@icemiller.com;Dennis.McCloud@icemiller.com;Tim.Day@icemiller.com;quincy@octagongroup.net
Subject: Re: [EXT] Re: MS Intended Use Plan for IJJA Water Programs

That sounds great, Jarrod, thanks!

Yes, I am definitely available during the coming week to discuss in advance of the September 12 meeting that you referenced. What day would work best for you? Once we land on a day, we can find a mutually convenient time slot.

Thanks,
Andy

-----Original Message-----

From: Jarrod.Loadholt@icemiller.com <Jarrod.Loadholt@icemiller.com>
To: andrew kricun [REDACTED]; rhea.williams-bishop@wkkf.org <rhea.williams-bishop@wkkf.org>; somari@city.jackson.ms.us <somari@city.jackson.ms.us>; fmalembeka@city.jackson.ms.us <fmalembeka@city.jackson.ms.us>; louisw@city.jackson.ms.us <louisw@city.jackson.ms.us>
Cc: George.Hornedo@icemiller.com <George.Hornedo@icemiller.com>; Dennis.McCloud@icemiller.com <Dennis.McCloud@icemiller.com>; Tim.Day@icemiller.com <Tim.Day@icemiller.com>; quincy@octagongroup.net <quincy@octagongroup.net>
Sent: Fri, Sep 2, 2022 11:11 pm
Subject: RE: [EXT] Re: MS Intended Use Plan for IJJA Water Programs

Agreed on all fronts, Andrew. We're aligned!

We'll get an opportunity to sit down with the Governor's team at RGA on September 12th. Would love to prepare materials ahead of that conversation that would address these issues head-on. Can we work on that? Should we connect next week?

From: andrew kricun [REDACTED]
Sent: Friday, September 2, 2022 4:02 PM
To: Loadholt, Jarrod <Jarrod.Loadholt@icemiller.com>; rhea.williams-bishop@wkkf.org; somari@city.jackson.ms.us; fmalembeka@city.jackson.ms.us; louisw@city.jackson.ms.us
Cc: Hornedo, George <George.Hornedo@icemiller.com>; McCloud, Dennis <Dennis.McCloud@icemiller.com>; Day, Tim <Tim.Day@icemiller.com>; quincy@octagongroup.net
Subject: Re: [EXT] Re: MS Intended Use Plan for IJJA Water Programs

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Hi Jarrod,

Yes, you are absolutely right that Jackson can still qualify for the other two priority lists and they definitely should seek funding from these programs for their water infrastructure needs.

. However, I am pretty sure that they are only low interest loan programs. I am a big supporter of low interest loans through the SRF program (and used them a lot during my tenure in Camden, NJ) but it is still unjust for the City of Jackson to be unduly barred from the grant program (the third priority list) because of the 4,000 or less population

qualifying threshold. So, in summary, I think that you and I are both on the same page----that (1) Jackson should be allowed to qualify for the grant program and (2) they should also seek low interest loans for their other priority projects. And, I think that your arguments about why the larger cities should not be disqualified from the grant program are excellent!

And, yes, I agree with you on all of your other points as well. I think that the sooner we engage with EPA and the State about the IUP restrictions, the better. Especially when the issue of Jackson's water infrastructure, and the intertwined issues of environmental justice and basic fairness, are so top of mind nationally.

And, yes, we definitely should work together to ensure that Jackson applies and receives the other pots of money that you mentioned. Especially the ARPA funding as I believe that the funding portal closes on September 30 and it is critical that the City obtain its share of that funding.

Thanks again for this excellent summary. I would be happy to schedule a call with you during the coming week to discuss how we can work together in common cause on these issues!

Sincerely,
Andy Kricun

-----Original Message-----

From: Jarrod.Loadholt@icemiller.com <Jarrod.Loadholt@icemiller.com>
To: andrew kricun [REDACTED]; rhea.williams-bishop@wkkf.org <rhea.williams-bishop@wkkf.org>; somari@city.jackson.ms.us <somari@city.jackson.ms.us>; Fidelis Malembeka <fmalembeka@city.jackson.ms.us>; Louis Wright <louisw@city.jackson.ms.us>
Cc: George.Hornedo@icemiller.com <George.Hornedo@icemiller.com>; Dennis.McCloud@icemiller.com <Dennis.McCloud@icemiller.com>; Tim.Day@icemiller.com <Tim.Day@icemiller.com>; Quincy Mukoro <quincy@octagongroup.net>
Sent: Fri, Sep 2, 2022 12:56 am
Subject: RE: [EXT] Re: MS Intended Use Plan for IJJA Water Programs

Hey, Andrew.

Looking at this again, two things come to mind.

First, you're right that the priority scoring for small/low income communities does exclude larger cities, but there are two other priority lists that could include City of Jackson projects – the Green Project Reserve Priority List and the Regular WPCRLF Priority List. So, they're not completely excluded here, but there's a legitimate case to be made that larger cities with acute issues like Jackson should be afforded some special dispensation in IUPs from the state – particularly in light of there being more money in these funds due to the IJJA, the Administration's Justice 40 guidance, etc.

It also looks like the IUP referenced below doesn't include the IJJA ("BIL") dollars, and the plus up that would include IJJA/BIL dollars would likely be included in the FY23 IUP. See here from the Clean Water IUP ("In developing this Intended Use Plan the Department has used the actual FY-22 Title VI Clean Water SRF appropriations of \$1,638,826,000, as well as the FY'22 BIL/IJJA Supplemental General appropriation of \$1,902,000,000, based on EPA's allotment notifications. However, none of the associated funds are being obligated in FY-22, but are being carried over for obligation in FY-23 through the FY-23 IUP."). For the FY22 [Drinking Water IUP](#) (see Appendix K), it's less clear if the IJJA/BIL dollars will be included in this year's IUP or will carry over to next year's (this is something we should confirm with the DPH).

I don't see a IUP for FY23 for either revolving loan fund, so I think we have some time to begin having the conversation with EPA, the Governor's team, DEQ, and DPH about what an enhanced commitment to Jackson would look like from both funds for FY23 in light of the existing crisis and the Justice 40 guidance.

Also, separately in the interim, immediate attention for the City should probably be with expending ARPA funds for projects, securing a state ARPA fund match, securing Hinds County's contribution/match for South Jackson projects, securing as much as possible for the City in the FY22 IUPs (the DPH plan is already approved; the DEQ plan is up before the commission later this month), and working now to shape the FY23 IUPs, as well as identifying other potential resources (WIFIA, private funding) to address the maintenance backlog.

I know that's a lot for 1am on a holiday weekend, but here we are.

Talk soon,

JL

From: andrew kricun [REDACTED]
Sent: Friday, September 2, 2022 12:00 AM
To: Loadholt, Jarrod <Jarrod.Loadholt@icemiller.com>; rhea.williams-bishop@wkkf.org; somari@city.jackson.ms.us
Cc: Hornedo, George <George.Hornedo@icemiller.com>; McCloud, Dennis <Dennis.McCloud@icemiller.com>
Subject: [EXT] Re: MS Intended Use Plan for IJJA Water Programs - Intent to Flag for White House and EPA

EXTERNAL EMAIL WARNING! Use caution with links or attachments. DO NOT provide your credentials!

Thanks very much, Jarrod, for this note. I will defer to Rhea, of course, but if okay with her, I would be happy to meet with you and work together on a strategy to push for a modification of this aspect of the Intended Use Plan in order to eliminate the current restrictions on the City of Jackson.

Also, FYI, as you may be already aware, this restriction also adversely impacts the city of Hattiesburg, the fifth largest city in Mississippi. I am sure other cities are impacted as well but I only had time, currently, to research Mississippi's top five cities by population (the second, third and fourth are also disqualified for population, obviously, but they also exceeded the median household income ceiling as well). I mention that in case it would be helpful to have more allies and partners in the State that would support overturning the current restrictions.

Sincerely,
Andy Kricun

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From: Jarrod.Loadholt@icemiller.com <Jarrod.Loadholt@icemiller.com>
To: rhea.williams-bishop@wkkf.org <rhea.williams-bishop@wkkf.org>; [REDACTED]; Safiya Omari <somari@city.jackson.ms.us>
Cc: George.Hornedo@icemiller.com <George.Hornedo@icemiller.com>; Dennis.McCloud@icemiller.com <Dennis.McCloud@icemiller.com>
Sent: Thu, Sep 1, 2022 11:40 pm
Subject: MS Intended Use Plan for IJJA Water Programs - Intent to Flag for White House and EPA

Good evening, all.

Rhea and Andy – my firm represents the City of Jackson in Washington as its federal lobbyist. Dr. Omari flagged your email regarding Mississippi's Intended Use Plan ("IUP"), and you accurately note that their intended use for the funds they'll receive from the Infrastructure Investment and Jobs Act would exclude Jackson.

First, thank you for flagging. Second, I absolutely agree that both we need to get this matter in front of the Governor's team to change it (my team has reached out to the Governor's Chief of Staff who we have a prior relationship with to raise this concern) ***and*** with the White House and Administrator Regan that absent a clear plan for Jackson in the state's IUP, EPA should reject any plan from the State of Mississippi. The former has already happened, and the latter is in motion.

In an effort to ensure alignment between the various parties working on this issue on behalf of the City of Jackson, this group should touch base next week. Please share your availability, and Dennis can help us schedule time for next week.

Looking forward to working together on this.

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