



Year End Report

January 13, 2023

January 11, 2023

To: Contra Costa County Board of Supervisors

From: Paul Schlesinger
Jim Davenport
Greg Burns

Re: 2022 Federal Year End Report

Despite a horribly partisan Congress immobilized by internal and external factors and marked by the lingering impacts of two impeachment proceedings, the historic events of January 6, 2021, the generational and all-pervasive pandemic, and the prospect of the mid-term elections, we are pleased to report significant progress on several fronts important to Contra Costa County.

Unlike most recent years, all federal funding for the year was finalized in time for this report.

Ongoing Army Corps of Engineers Projects

Funding was provided for water resources projects that have been high on the County's priority list. Funding can be provided for these projects in one of three ways: 1) Work with the Administration to have them included in the Army Corps budget request, whereafter such amounts are routinely approved by Congress; 2) Have them added by Congress in the appropriations bill through an earmark; and 3) utilize 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.

At various times, we have utilized each of these approaches for various of the County's priority projects.

The Administration budget request submitted to Congress in March (later than normal because the FY 22 Appropriations measures weren't enacted until just prior in the calendar year) included \$3.045 million for maintenance dredging of San Pablo Bay and Mare Island Strait, and \$6.293 million for the maintenance dredging of Suisun Bay Channel. No effort was undertaken

to increase these amounts via Congressional earmark. If it is determined that those amounts are inadequate, which we have not understood them to be, such an effort to increase them in the work plan now being developed by the Corps, will be undertaken.

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 regarding the Delta. These efforts have generally been in conjunction with other federal advocates working on behalf of their clients; specifically the other members of the Delta Counties Coalition (DCC).

Of particular note, when some in the DCC sought to focus on promoting the development of new water resources as a top priority, we worked with County staff to try and assure that the DCC keeps as its priority focus its very *raison d'être*; the rejection of a Delta conveyance project.

Implementation of Federal Infrastructure Legislation

The Infrastructure Investment and Jobs Act (IIJA) was enacted very late in 2021 containing a multiyear transportation reauthorization bill, addressed various issues raised in the County's Federal Platform:

- Has a core principle, the utilization of transportation funding to build stronger communities
- Increases funding for freight transportation
- Increases funding specifically for rural roads
- Contains funding for stormwater projects
- Reestablishes a federal assistance program specifically for bridges; with both formula funding and a substantial discretionary account
- Contains various and many provisions intended to address climate change

We worked throughout the year to assure that County staff was current on the implementation of this legislation and in a position to provide input to the Administration on how best to administer the programs, and also aware of all opportunities to seek discretionary funding from the legislation's programs, as those opportunities became available.

Financial Data Transparency Act

The County expressed to us its concern about a provision that was included in the House-passed National Defense Authorization Act, and was said to be set for inclusion in the companion Senate bill as well. As written, this would have required the Municipal Securities

Rulemaking Board (MSRB) to establish new, machine-readable financial data reporting standards for municipal securities market participants separate from the standards established by the Government Accounting Standards Board.

We facilitated the County's engagement with the key Senate office behind this effort; the first such input said to have been received by that office. This led to revisions in the language, to direct the Securities and Exchange Commission (SEC), rather than the MSRB, to set and implement these new data standards; a preferable alternative since the SEC is subject to Congressional oversight and because this doesn't expand the MSRB's authority to prescribe standards for state and local governments as bond issuers.

And while maintaining a two-year time-frame for the SEC to issue these rules, the SEC is also directed to consult with market participants – such as counties – when drafting them. And they are required to scale reporting standards for smaller regulated entities and work to assure that its rules cause minimum disruption.

Congressional Earmarks (Community Project Funding Requests)

2021 (Fiscal Year '22) saw the return of the solicitation of earmarks in appropriations measures. We were pleased to assist the excellent efforts of staff of the CAO's office to help develop a strategy for maximizing our return on earmark requests, prioritizing our various requests, and working with our departments in developing their requests and editing their submissions to our delegation. At the time of last year's annual report, the Appropriations measures – and so the fate of our earmark request – had yet to be finalized.

Once a final Appropriations bill was in place, the County received funding of its following requests:

- \$1 million – Contra Costa Crisis Services Hub
- \$1,061,522 – Mobile Crisis Response Team Expansion
- \$900,000 – Collaborative Care Implementation
- \$750,000 - Just Transition Economic Revitalization Plan
- \$700,000 – Veterans Memorial Building Improvements/DeSaulnier District
- \$300,000 – Veterans Memorial Building Improvements/McNerney District

With the FY '23 Appropriations measures being enacted on December 29, we are in a position of affirming the successful efforts to secure funding for three of our requests in that legislation:

- \$1.18 million – Strategies for Supporting Youth in the Community
- \$1 million – Transition Aged Youth Diversion Program
- \$5 million – Harmful Algal Blooms Demonstration Program

Miscellaneous Advocacy Efforts

In addition to managing the issues on the County's legislative program, 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, worked on at the County's behalf, or simply informed our Congressional delegation about, include:

- Public Charge letter to the State Department
- Emergency Rental Assistance Program letter to the Treasury Department
- Climate Change letter to our Congressional Delegation
- Letter to Federal Highway Administration on the implementation of the Infrastructure and Investment Jobs Act
- Letter to Department of Transportation on Electric Vehicle Charging Infrastructure Development
- Provided Information on the SHORRE Act; Shoreline Health Oversight, Restoration, Resilience, and Enhancement Act
- Letter supporting increased funding for programs under the Older Americans Act
- Support letter for Padilla/Huffman legislation; Post Fire Flooding and Debris Flow Act
- Prepared memo on Federal Behavioral Health Policy Developments
- Support Letter on Congressman DeSaulnier's Housing Innovation Act
- Delegation Letter on protecting access to hospital care because of inadequate payment schedule prepared by the Centers for Medicare and Medicaid Services
- Assisted with preparation for DCC trip to Washington
- Letter to the President regarding EPA implementation of discharge standards for ship ballast water
- Materials related to Senate Mental Health Care Integration
- As previously noted, we provided numerous memoranda on funding opportunities made available pursuant to the IJA
- Provided our daily TRP Tip Sheet
- Provided our regular government-wide grant announcement news letter

Activities such as these certainly contribute to the long-held perception around Capitol Hill and elsewhere in Washington that the County is an active participant in federal affairs and that we serve as the County's office here in town; a place these offices can trust, knowing they are communicating – if through an agent – with appropriate County officials.

As always, it has been a privilege to represent Contra Costa 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 these efforts on your behalf in the year ahead.