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Advisory Subcommittee only

Paige Lieberman

Designated Federal Officer, EPA

July 6, 2022

Michael S. Regan, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Regan:

With passage of the Bipartisan Infrastructure Law (BIL), the Local Government Advisory Committee (LGAC) has focused on how EPA can ensure this investment both improves the nation's infrastructure and addresses climate change.

In February 2022, the Committee provided cross-cutting recommendations for policy and guidance related to the BIL. In this round of recommendations, the LGAC turns to technical assistance and how EPA can support local governments as they plan for, develop, and build infrastructure that also increases a community's climate resilience.

These recommendations were developed by the LGAC's Air and Climate Workgroup and include some crossover with the LGAC's America's Water and Infrastructure Workgroup, who was also charged with providing input on EPA's technical assistance. It is notable that the two groups independently arrived at some of the same conclusions, and the LGAC asks EPA to give these recommendations due consideration.

In developing these recommendations, the LGAC Workgroup on Air and Climate heard from a range of technical staff at EPA's Office of Air and Radiation and Office of Policy. While there are a few gaps in desired resources, which are noted below, the LGAC was pleased to learn about the myriad of technical assistance resources available to local governments. The list of recommendations are further detailed below.

The LGAC recommends:

1. EPA should prioritize the development of resources to provide direct technical assistance to communities that want to grow in ways that prepare for and adapt to the changing climate, reduce greenhouse gas emissions, and bring other environmental, health, economic, and equity benefits.
2. EPA should develop additional materials to help elected and appointed officials communicate the importance and benefits of addressing climate change.
3. EPA should support communities that want to incorporate climate change and equity into their shovel-ready projects, through direct technical assistance or through materials developed to guide communities.

4. EPA should work with other federal agencies to rejuvenate partnerships with state agencies and to help federal assistance programs build in elements such as community engagement from the start.
5. EPA should ensure that resources that could help local government officials are not only available but are also being marketed and highlighted in ways that allow officials to know about them and use them, including by having regional EPA staff attend statewide and regional conferences for local officials.
6. EPA should work to reduce the barriers to applying for and receiving assistance, particularly in communities that have historically been unable to access federal funds due to capacity issues and, at the same time, ensure that programs and guidance related to those programs emphasize that historically marginalized communities and community members must be part of all decision-making and benefits associated with EPA and other federal agency investments. EPA should explore funding local groups to provide targeted technical assistance.
7. EPA should streamline application processes for all assistance programs as much as possible or, where streamlining is not possible, give local governments more time and support to apply. EPA should also consider working with other federal agencies to develop a coordinated application system for the entire federal family.
8. EPA Regional Offices should support local governments by helping communities facing similar issues learn from each other and engaging educational institutions and other resources.
9. To help municipalities green their fleets, EPA should educate local governments about the value of investing in cleaner fleets, consider ways to help local governments pay for cleaner vehicles, and facilitate peer-to-peer learning about green fleets on a regional or national level.

Specific Technical Assistance Needed

The most effective technical assistance is the kind that is customized to a community. The ideal scenario would be for EPA to connect with every interested community and walk them through the steps of identifying projects, applying for funding, and administering a program. In developing these recommendations, the LGAC heard from staff in the State and Local Climate Branch and the Office of Policy, including Office of Community Revitalization (OCR) and the Climate Adaptation Program, and was impressed with the comprehensive services they provide to communities interested in increasing their climate resilience. The LGAC recommends expanding these offices and the services they provide, including supporting staff in Regional Offices.

In terms of climate-specific assistance, the LGAC recommends providing additional tools to help elected and appointed officials communicate the importance and benefits of addressing climate change, especially in areas of the country that are resistant to this work. This could include plain language explanations of different types of projects, the suite of benefits they provide in addition to the climate-related benefits (e.g., short- and long-term cost savings, pollution reduction and other environmental and health improvements, new economic opportunities, resilience to the economic impacts of climate change), and why climate action is important for helping both a specific community and the planet.

The LGAC also recommends supporting communities that want to incorporate climate and equity benefits into their shovel-ready projects, as these are often the projects selected when federal funding is made available. There are several models for accomplishing this work. One is for EPA to work with communities to help them develop plans that meet their needs and goals and are created through meaningful public involvement. The communities can have those plans ready to go whenever funding – for transportation, water, or other infrastructure – becomes available. For example, a community that has already developed plans to install street trees, rain gardens, bike lanes, sidewalks and crosswalks, and other amenities along a street will be better prepared to propose those plans when the state transportation department does work on that street. Another

option is to revive EPA's support for the Governors' Institute on Community Design, an EPA-funded project that helped governors and their staff make informed decisions about investments and policy decisions that influence the economic health and physical development of their states. By engaging at the state government level, this work cut across sectors and localities to create holistic, regional development policies. The partnerships developed between transportation and environmental departments at the state and local level was particularly beneficial, and the LGAC recommends that EPA work with DOT and other federal agencies to rejuvenate these partnerships.

Work with DOT and other federal agencies including HUD and USDA could also help revise federal funding at the source so that it is better tailored to communities' needs and contexts. The LGAC recommends that EPA continue its work with other agencies that provide funding to state agencies and local governments to help them build in elements such as community engagement and the realization of multiple benefits from funded projects.

EPA cannot work directly with every community that wants its assistance, so the LGAC recommends that the Agency develop materials that can guide communities in developing projects. These materials should include guidance on getting meaningful input from all parts of the community, especially those that have been historically left out of development decision-making; incorporating climate change projections to ensure that the project will be suited to climate conditions now and through its lifespan; and striving to get multiple benefits out of every dollar spent on infrastructure and development.

The LGAC heard from EPA staff of two additional resources that help communities adapt to the changing climate. The first is the Adaptation Resource Center ([ARC-x](#)). The ARC-x is impressive in the breadth and depth of information and potentially helpful tools for community leaders looking for climate adaptation approaches across environmental media. The LGAC was especially drawn to the templates and examples of common documents needed, which are helpful for communities starting new programs. The LGAC also learned about land use and development policy strategies local governments can use prepare for and adapt to climate change impacts in [Smart Growth Fixes for Climate Adaptation and Resilience](#). The strategies in this publication can build climate resilience while reducing greenhouse gas emissions and bringing multiple short- and long-term environmental, economic, societal, and health benefits.

EPA has many other good materials on how local governments can address climate change and reduce greenhouse gas emissions. The LGAC would like to see this information shared more broadly and at venues attended by local government officials.

Getting Information to Communities

Where EPA can improve is how it spreads awareness of its resources. Specifically, the LGAC recommends that EPA partner with organizations that work directly with local elected officials at the national and state level. At the national level these include the National League of Cities, the U.S. Conference of Mayors, and the African American Mayors Association. EPA's Office of Congressional and Intergovernmental Relations already has relationships with many of these organizations, and the LGAC recommends that EPA Program and Regional Offices also look to these groups as an outreach resource, particularly when targeting large cities.

For small and medium-sized communities, the LGAC recommends working with state municipal leagues and councils of government. The National Association of Counties has state-level associations working directly with county government staff [in 47 out of 50 states](#) and provides an opportunity for widespread outreach at the county level. Beyond that, each state has a range of associations providing services and information to its local governments. Most of these host annual conferences, which are well-attended by elected and appointed officials from across the state. As a first step, the LGAC recommends that EPA Regional Offices request to speak or set up an information table at these conferences and come equipped with information about a range of available resources. Each state calls these groups by a different name – e.g., Oregon has the League of Oregon

Cities and Oregon Mayors Association, while Indiana has Accelerate Indiana Municipalities – and the LGAC is happy to advise on specific points of contact. The LGAC also recommends that EPA use these groups to share information on available resources via their email listservs or publications. In the long term, EPA may want to request feedback from them regarding how the partnership could better meet community needs.

While the aforementioned groups cover all issues impacting local governments, there are also several organizations that support local governments on climate and environmental issues specifically. The workgroup heard from Urban Sustainability Directors Network, C40 Cities, and Climate Mayors as part of developing these recommendations. The LGAC recommends that EPA engage with these groups as well.

Equity

Any effort to build capacity will improve equity by equipping a local government to advocate for more funding on its own. Similarly, simplifying the processes and requirements related to grant applications and management will result in bringing in more communities who need the funding most. Several LGAC members have noted that their governments have turned down funding simply because the reporting requirements were too cumbersome; the staff time to manage them would cost more than the benefits gained by the grant. The LGAC recommends making reporting requirements commensurate with the complexity of the work being completed by the grant.

Ultimately, achieving equity will require new and innovative ways of doing business. One of the most impactful actions EPA can take to promote equity is to make supporting community engagement an allowable cost, including providing oversight and advising on specific projects. The City of Eugene, Oregon, has successfully utilized this model. Understanding that the impacts of climate change tend to disproportionately impact marginalized communities, the City convened a Sustainability Equity Panel comprised of local social justice organizations. The panel looks at climate, transportation and housing policy proposed by the City and advises on whether new projects are sensitive to the needs of marginalized communities. Especially noteworthy is the fact that the City pays panel members for their time and offers free food and childcare. If EPA is serious about improving equity, the LGAC recommends they support this kind of approach, both by including these expenses as allowable costs for grants when possible and encouraging its partners to do the same.

The LGAC supports EPA's commitment to community engagement and equity as reflected in EPA's FY 2022-2026 Strategic Plan. The emphasis in the plan upon making inclusive community engagement a standard practice across EPA is welcomed and will increase the likelihood that the benefits of investments accrue to all residents of a community. In particular, we note our support for Objective 2.2 which calls for all EPA programs that work with communities to do so in ways that are community driven, coordinated, and collaborative.

Applying for Assistance

Local governments often lack the internal capacity and staff expertise to navigate the federal funding landscape – even large cities with robust staffs. The Urban Sustainability Directors Network recently surveyed its more than 2,000 members, who represent 254 communities, and found that only 10 to 15 percent feel very informed and equipped to pursue federal funding. The LGAC knows that this challenge is particularly acute for small and mid-sized communities. For a typical public servant, the task of matching a broad array of project needs or strategies in an action plan with available funding options, and then overseeing grant implementation, is overwhelming.

There are many steps EPA and its federal partners can take to ease this process. Providing an online, coordinated application system for the entire federal family would be transformative for local governments. Being able to pull in federal funding opportunities for all aspects of a project in one centralized place would not only lessen the administrative burden of applying for funding but would also support the fact that most municipal projects cut across different federal authorities. The Free Application for Federal Student Aid (FAFSA),

which is used by students seeking financial support for higher education, is one successful model to consider. The grants.gov website takes a step in the right direction by cataloguing all available federal government grants, but significant administrative burden for communities remains.

An exemplary effort is happening at the U.S. Department of Transportation (DOT), where Secretary Pete Buttigieg has championed a single Notice of Funding Opportunity to manage \$2 billion in BIL funding. Applicants can access funding for multiple programs through one application and a common set of criteria, which streamlines the funding process for state, regional, and local governments.

In 2009, EPA, DOT and the U.S. Department of Housing and Urban Development tried to develop a joint application through the Partnership for Sustainable Communities, but the effort was ultimately unsuccessful. The LGAC recommends pursuing this again and capitalizing on the momentum brought by Secretary Buttigieg, who also championed the idea of a single application for federal assistance as part of his presidential campaign.

Another model to consider is that used by EPA's Office of Community Revitalization, which has strived to simplify the application process for its technical assistance while still getting the information it needs to select recipients. Its [Recreation Economy for Rural Communities technical assistance program](#) uses a Survey 123 form that includes ten open-ended questions about the demographics of the community, the challenges they face, why they believe the assistance will help their community develop, and how they will oversee implementation of strategies developed through the assistance. The LGAC recommends that EPA identify ways to simplify application requirements wherever possible, and to scale reporting requirements to the size of the grant awarded.

Where complex applications cannot be streamlined, the LGAC recommends a few helpful changes. The simplest recommendation is to include points of contact in every funding announcement so that interested applicants can ask detailed questions about the types of projects covered. The LGAC also recommends that each funding opportunity include examples of how past award recipients used the funding and other ways the grant can be used. This information would help staff make the leap from goal to outcome and determine if the funding is right for them. Another recommendation is to offer two rounds for grant applications. The first round would be pre-proposal and would require limited administrative work from applicants. Those who pass this step would then enter a second round, where they would be offered technical assistance to develop their application. This approach would have the potential to bring in new communities and increase the likelihood that if a local government decides to use its limited staff resources on a grant, it will result in a successful and sustainable program.

Finally, the LGAC recommends lengthening application periods for grants, particularly those that are complex and those that reward or require collaboration with partners. The process of getting to a go/no go decision for an application can take months and often involves coordinating multiple partner organizations and funding streams. Providing more time for staff to work through these steps – even if they don't have the full details of the grant from the start – would encourage more communities to pursue them and result in more robust proposals.

Building Regional Capacity

Another way for EPA to address the barrier of capacity is to work at a regional level to convene partnerships and leverage expertise and resources. There is great power in peer-to-peer knowledge exchanges, especially sharing what hasn't worked for a city. EPA Regional Offices are in a great position to connect communities facing similar issues and help them develop mentorships or shared trainings. The LGAC also recommends that EPA think about issues in terms of watersheds and airsheds and consider providing technical assistance to multiple communities at once, rather than having them compete for the same resources.

Regional universities and colleges are another important component of this work. For example, Mayor Jeremy Stutsman worked closely with Indiana University to inventory GHG emissions in his town of Goshen, Indiana, which led to actionable goals for reducing emissions. Faced with chronic flooding, he worked with the Great Lakes Institute of Science to assess what contributes to flooding in his community, what interventions were needed now, and how the city could implement projects that will mitigate flooding for the long term, given climate change projections. Universities are filled with expertise, and examples like this can be found across the country. EPA Regional Offices can support local governments by developing or deepening partnerships with the educational institutions in its area, connecting them with local communities in need, and providing financial support when possible.

Capacity can also be developed through community organizations, nonprofits, and philanthropic organizations which have local expertise, familiarity with local codes and policies, and existing relationships within a community. Technical assistance agreements with the federal government are often awarded to national organizations. While these groups play an important role, the LGAC recommends that EPA explore funding local groups to provide targeted, technical assistance. Supporting these groups would offer multiple benefits, including creating local job opportunities, building capacity in government staff, and strengthening relationships within a community.

Greening Fleets and Equipment

One area where many communities are lacking technical assistance is the greening of municipal fleets and equipment. The transportation sector accounted for more than one quarter of total U.S. greenhouse gas emissions in 2020.* Communities across the country are trying to reduce their transportation emissions by investing in municipal fleets of electric, biofuel, propane, and LNG vehicles. Beyond fleets, municipalities are interested in greening its small equipment with 2 or 4 stroke motors, and its large stationary equipment like compactors. However, many more communities are interested but simply lack the time, understanding, and resources to make this change. The LGAC recommends that EPA launch a campaign to educate local governments about the value of making investments that can reduce greenhouse gas emissions while also improving local air quality and bringing other benefits, including simple fact sheets that compare the lifetime costs of fleets and other equipment using internal combustion engines versus cleaner options. As mentioned above, working through municipal leagues at the local and state level would be effective in reaching a large range of communities, as would trade groups like the National Association of Fleet Administrators, the Municipal Fleet Managers Association, and the Public Fleet Managers Association. Utilities and electric cooperatives can also be good partners and might have incentive programs for greening municipal fleets; the National Rural Electric Cooperatives Association could be helpful in finding coops that are interested in this topic.

One common concern in greening fleets and equipment, particularly in rural areas, is the perception that the goal of supporting cleaner and more innovative technology means can't be combined with the priority of needing reliable vehicles that require limited maintenance. EPA can play a role here by negotiating bulk purchasing discounts for local governments or offering rebates to local governments who make the switch, like the Clean Bus Program. It could be fruitful for EPA to collaborate with DOT and DOE in encouraging municipal fleets to switch to alternatively fueled vehicles.

The LGAC also recommends that EPA facilitate peer-to-peer learning on green technology on a regional or national level. Cities are making impressive strides toward carbon neutrality, and EPA can help spread the technology across the country by connecting interested parties. For example, the City of Madison has set a goal of reaching 100 percent renewable energy and zero net carbon emissions for city operations by 2030. To reach this goal, they are transitioning fleet operation to low-carbon vehicles, with over 60 electric vehicles, more than

* EPA, "Sources of Greenhouse Gas Emissions," <https://www.epa.gov/ghgemissions/sources-greenhouse-gas-emissions>.

100 hybrid-electric vehicles, and the first all-electric fire truck operating in service in North America. The City's fleet team has hosted fleet staff from neighboring municipalities to show these vehicles in action and talk with their peers about the pros and cons. These fleet-to-fleet conversations have been very productive in helping spread the word and adoption. Nongovernmental organizations can often help make these connections; for example, Forth Mobility and the Great Plains Institute are two NGOs that are helping communities support electric vehicles.

Conclusion

Through the BIL, the EPA has an opportunity to support communities through capacity building and developing long-term climate resilience. Elected and appointed officials across the country are eager for this work to begin. The LGAC looks forward to working with the EPA as implementation continues.

Sincerely,

A handwritten signature in black ink, reading "Leirion Gaylor Baird". The signature is fluid and cursive, with the first name "Leirion" being the most prominent.

Leirion Gaylor Baird, LGAC Chair
Workgroup Chair

A handwritten signature in black ink, reading "Satya Rhodes-Conway". The signature is cursive and stylized, with the first name "Satya" being the most prominent.

Satya Rhodes-Conway, LGAC Air and Climate