Local Government Advisory Committee

Public Meeting
December 16, 2022

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Local Government Advisory Committee

Public Meeting Agenda -- *All times in Eastern Standard Time*

Friday, December 16

Zoom Access: https://usepa.zoomgov.com/j/16104954896; Meeting ID: 161 0495 4896
Phone: Dial 833 435 1820 (Toll Free); Meeting ID: 161 0495 4896

12:00pm	**Call to Order and Roll Call** *Paige Lieberman, LGAC Designated Federal Officer*
	Opening Remarks *Mayor Leirion Gaylor Baird, LGAC Chair*
12:10pm	**Welcoming Remarks** *Janet McCabe, EPA Deputy Administrator*
12:15pm	**Discussion of Charge: Inflation Reduction Act Climate Pollution Grants and Heavy-Duty Vehicles** *Facilitated by Mayor Satya Rhodes-Conway, LGAC Air & Climate Workgroup Chair* *Jennifer Macedonia, Associate Deputy Assistant Administrator for Implementation*
12:45pm	**Presentation of Recommendations: Inflation Reduction Act Greenhouse Gas Reduction Fund** *Mayor Satya Rhodes-Conway, LGAC Air & Climate Workgroup Chair*
12:55pm	**Discussion and Voting on Recommendations** *Facilitated by Mayor Satya Rhodes-Conway, LGAC Air & Climate Workgroup Chair* *Jahi Wise, EPA Acting Director, Greenhouse Gas Reduction Fund*
1:15pm	**Presentation of Recommendations: Lead and Copper Rule Improvements** *Gary Brown, America's Waters and Infrastructure Workgroup Vice-Chair*
1:25pm	**Discussion and Voting on Recommendations** *Facilitated by Gary Brown, America's Waters and Infrastructure Workgroup Vice-Chair* *Eric Burneson, EPA Office of Water*
1:50pm	**Public Comment** *Facilitated by Lisa Wong, LGAC Vice-Chair*
1:55pm	**Closing Remarks and Next Steps** *Mayor Leirion Gaylor Baird, LGAC Chair*
2:00pm	**Meeting Closed** *Paige Lieberman, Designated Federal Officer*

LOCAL GOVERNMENT ADVISORY COMMITTEE

Member Biographies

June 2022

Leirion Gaylor Baird, Chair

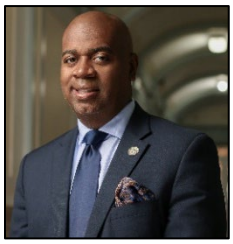
Mayor, Lincoln, NE

Leirion Gaylor Baird was elected Mayor of Lincoln, Nebraska in 2019, after serving two terms on the City Council. The mayor's vision of leading Lincoln toward a more successful, secure, and shared future drives her administration's agenda. That agenda prioritizes public health and safety and maintaining the capital city's low crime rate; enhancing traditional and tech infrastructure to support economic growth and community resilience; increasing access to high-quality, affordable housing; and building a vibrant quality of life for all Lincoln residents. Upon taking office, she launched the Resilient Lincoln initiative and commissioned the development of a Climate Action Plan – a first of its kind in the state of Nebraska. Mayor Gaylor Baird began her professional career as a management consultant, helping Fortune 500 companies become more efficient. She has worked as a city budget and policy analyst and as the director of an innovative after-school and summer enrichment program designed to improve educational outcomes for children from low-income families. She currently serves on the Advisory Board of the U.S. Conference of Mayors and as Chair of their Mayors and Metro Universities Task Force. Mayor Gaylor Baird has been recognized locally and nationally for her work, including the InSpire Award for Excellence in Government Service and a Rodel Fellowship in Public Leadership from the Aspen Institute.

Lisa Wong, Vice Chair

Town Manager, South Hadley, MA

Lisa Wong currently serves as the Town Manager of South Hadley, Massachusetts. Prior to this position she served four terms as Mayor of Fitchburg, Massachusetts, where she was elected as the youngest female and the first Asian American mayor in the Commonwealth of Massachusetts. As Mayor, Wong restored fiscal stability to Fitchburg, notably by increasing the stabilization fund, increasing the bond rating several times, reorganizing city departments, reducing health care costs, and instituting energy efficiency projects throughout the city. She attracted jobs and major investment into Fitchburg through smart growth planning projects, including reinvestment in vacant mills and the $100 million development of an indoor water resort. Wong has a long track record of community service. She served as the Deputy Director of a non-profit providing limited English speaking and economically-disadvantaged people with education, occupational training, and social services, and is also actively engaged in training and recruiting women, youth, and people of color to become politically active. Wong was a member of the LGAC under Administrator Lisa Jackson, during which she chaired the Environmental Justice workgroup.



Ras Baraka

Mayor, Newark, NJ

Ras J. Baraka is currently serving his second term as Mayor of Newark, New Jersey. A Newark native, he has received accolades from grassroots organizations to the White House, for his ability to reduce crime to its lowest levels in five decades, address affordability while maintaining growth, lower unemployment, and nearly complete the replacement of all 23,000-plus lead service lines in the city. As part of

his commitment to strengthen Newark's position in the expanded technology space, the City is working to close the digital divide and also launched a communications network of sidewalk kiosks that provide residents and visitors with free Wi-Fi, mobile device charging, phone calls within the U.S., access to municipal services, maps and directions, and real-time local information on city streets at no cost to taxpayers or users. As the President and Chair of the New Jersey Urban Mayors Association, and through his involvement in the New Jersey DEP Environmental Justice Advisory Council, he is addressing climate change and environmental justice inequities. Baraka is a lifelong educator and previously served as a member of the City of Newark Municipal Council. He is also a published author and successful poet, having appeared on several successful albums.

James Brainard, Air, Climate and Energy Workgroup Vice Chair
Mayor, Carmel, IN

Jim Brainard is the first seven-term mayor of Carmel, Indiana. Under his tenure, Carmel has experienced tremendous growth and prosperity, including a population increase from 25,000 to more than 100,000, and an increase in greenspace from 40 acres to more than 800. He was one of four republicans appointed to President Obama's State, Local and Tribal Leaders Task Force on Climate Preparedness and Resilience, and often argues for more conservatives to be environmental stewards. Brainard has implemented numerous environmental initiatives for the City of Carmel. He has encouraged construction of 140 roundabouts, signed executive orders mandating the use of hybrid or flex-fuel vehicles for city operations when available, and enacted a "No Idling" policy for city employees. Brainard has been a guest lecturer at universities and events around the world and was named one of the "Most Powerful Hoosiers in the World" by Indianapolis Monthly.

Gary Brown, Water Workgroup Vice-Chair
Water and Sewerage Department Director, Detroit, MI

Gary Brown is the Director of the Detroit Water and Sewerage Department (DWSD), which is the largest water and sewerage system in the United States. Service to the community has been a constant in Brown's life. He began his service in the Detroit Police Department and served 26 years as a patrol officer, precinct commander and deputy chief. Since taking the helm of DWSD in 2016, Brown has transformed its operation by focusing on compassionate customer care and addressing the evolving needs of the community. This includes developing the Water Residential Assistance Program, which has helped more than 20,000 low-income residents pay down their bills and repair plumbing leaks. Since 2016 collection rates increased from 77 percent to 93 percent and DWSD has had the lowest annual water and sewer rate increases in decades, at an average of 3 percent. Brown is also leading a comprehensive asset management program to address the City's aging infrastructure, including a goal of replacing all 80,000 private lead sewer lines in the next 20 to 30 years. Brown is also active at the regional level, serving as a board member of the Great Lakes Water Authority, which manages water and wastewater services for southeast Michigan.

Deborah Cherry
Treasurer, Genesee County, MI

Deborah Cherry has served her community with distinction for over forty years, starting as a member of a non-partisan student campaign group when she was a teenager. Since that time, she has been active in the community as a volunteer, a manager of campaigns, and as an elected County Commissioner and member of the Michigan State Senate. In 2010 she was elected treasurer for Genesee County, Michigan. With the county reeling from the housing market crash and unprecedented foreclosures, she has focused on assisting those struggling to pay their property taxes. She also provided leadership during the City of Flint's water crisis by not accepting water liens on property tax bills for lead infested water. As Chair of the Genesee County Land Bank, she is a major partner in the redevelopment of Flint and Genesee County. She is the recipient of numerous awards over her public service career, including the Distinguished Public Service Award from the faculty of the University of Michigan-Flint and the Robert Emerson Service Award for Volunteer Services from the Greater Flint Health Coalition Board.

Melissa Cribbins
Commissioner, Coos County, OR

Melissa Cribbins is serving her third term as a County Commissioner in Coos County, Oregon. Her first job was a wildland firefighter, followed by ten years in the drinking water industry, first as a Water Treatment Plant Operator for a 72 million gallon per day surface water system, and then as the Water Quality Supervisor for a 150 million gallon per day groundwater system. While working for the City of Spokane, Cribbins graduated cum laude from Gonzaga Law School. After law school, she worked as an attorney for Coquille Indian Tribe, assisting with their goal of permanent self-sufficiency. Cribbins was first appointed to the LGAC in 2020. She also serves as vice-chair of the National Association of Counties (NACo)'s Energy, Environment, and Land Use Committee and Rural Action Caucus, President of the Energy Trust of Oregon Board and as the President of the Association of Oregon Counties.

Jose Aponte Dalmau
Mayor, Carolina, Puerto Rico

Jose Aponte Dalmau has served as Mayor of Carolina, Puerto Rico, since 2007. He successfully navigated his community through the recovery of Hurricane Maria in 2017 and has developed innovative solid waste management solutions for his community. Prior to serving as Mayor, he had a successful career as an engineer. He has served on the LGAC and SCAS since 2015.

Megan Dunn
Commissioner, Snohomish County, WA

Megan Dunn is a first-term Councilmember for Snohomish County, Washington. Prior to being elected she spent 20 years working to improve community health through thoughtful policy change. Dunn led the successful campaign to establish city council districts for the city of Everett, which addressed disparities in representation and gave communities greater participation in the democratic process. Working for the Northwest Center for Alternatives to Pesticides, she led efforts to protect communities – especially school children and farmworkers – from harmful pesticides and chemicals. She also secured a city-wide

contract that included the first ever guaranteed sick days, raises for workers, and safer working conditions while working for Service Employees International Union (SEIU). Her commitment to environmentalism started with an internship studying Humpback whales off the coast of Massachusetts. Since then, she has taught sign language to gorillas, organized direct actions and protests to save rainforests, represented her neighborhood on a federal Brownfields stakeholder committee, and studied water quality issues with the Salmon Recovery Council. Snohomish County is leading efforts to address climate change with blue carbon projects, multi stakeholder projects for salmon recovery and protection, and innovative land use changes to address climate.

Mark Fox
Chairman, Mandan, Hidatsa and Arikara Nation

Mark N. Fox, Chairman of the Mandan, Hidatsa, and Arikara Nation is a veteran of the U.S. Marine Corps and earned his law degree in 1993 from the University of North Dakota. First serving as a council member for 8 years he was elected Chairman in 2014, and currently serving his second term. A fierce proponent of tribal sovereignty, Chairman Fox has dedicated his administration to improving the lives of all MHA Nation members. Under his leadership, tribal members have received increased education, addiction, and health services. Chairman Fox has also expanded and enhanced tribal infrastructure and transparency in governmental affairs. He currently serves on two other federal advisory boards (Department of Energy, Department of Interior) and has previously served on advisory boards with the Internal Revenue Service and the National Indian Gaming Commission. He has also served on multiple national and tribal boards, including the Intertribal Monitoring Association on Trust Funds (ITMA) and the National Indian Gaming Association (NIGA) where he served four terms as Treasurer. Chairman Fox is renowned for his work in the areas of taxation, gaming, energy, and economic development.

Brian Fulton
Administrator, Jackson County, MS

Brian Fulton has served as County Administrator of Jackson County, Mississippi, since 2012. In this position he oversees the day-to-day operations of the county and assists in preparation of the budget. Prior to the County, Fulton had a 15-year background in engineering and played a leadership role in disaster response and recovery for communities along the Mississippi Coast after Hurricane Katrina. His experiences also serve to support his work addressing a range of water quality issues, including nonpoint source pollution and harmful algae blooms.

Katherine Gilmore Richardson
Councilmember, Philadelphia, PA

Katherine Gilmore Richardson is serving her first term as Councilmember At-Large for the City of Philadelphia. Gilmore Richardson is the youngest woman ever elected Citywide and the youngest African-American woman ever elected to Philadelphia City Council. She is focused on upskilling and reskilling the local workforce, supporting local, small, and minority-owned businesses, and addressing climate change and environmental justice. Councilmember Gilmore Richardson released the first ever Philadelphia Apprenticeship Guidebook in 2020, which helps Philadelphians learn about the trades. As the Chair of

the Committee on the Environment, she launched the Citizen Environmental Advisory Committee, which works with her to co-create policy solutions to address environmental justice and climate change, and she secured new Environmental Justice funding in the Fiscal Year 2022 budget. Gilmore Richardson previously served for 11 years as a staff member for Councilwoman Blondell Reynolds Brown in roles ranging from Constituent Services to Chief of Staff. A lifelong Philadelphian, Gilmore Richardson is a graduate of Philadelphia High School for Girls and West Chester University. She is a member of Ridge Avenue Church of God of Prophecy and a proud life member of Zeta Phi Beta Sorority, Incorporated.

Nick Gradisar
Mayor, Pueblo, CO

Nick Gradisar was elected as Mayor of Pueblo, Colorado, in 2019. For 65 years the town of 110,000 had no head of government, but Gradisar fought for years to change the system, accomplished it in a referendum, and then ran for the newly created position. Gradisar has been engaged in public service for many years, serving as president of the Action 22 Board of Directors, president of the Greater Pueblo Chamber of Commerce Board of Directors, and as an elected member of the Pueblo Board of Water Works, including six years as president. Prior to his election, Gradisar spent 40 years in the private practice of law, where he was a founding partner of a law firm and served as a Pueblo County Public Trustee. As mayor he is working to address housing, transportation, economic development, education, and neighborhood revitalization within Pueblo.

Evan Hansen
House Delegate, Morgantown, WV

Evan Hansen is serving his second term in the West Virginia House of Delegates, representing Monongalia County. Hansen owns an environmental and economic development consulting firm that strengthen economies, sustain healthy environments, and build resilient communities. Through this work he manages interdisciplinary research teams, performs quantitative and qualitative policy and scientific analyses, and provides litigation support and expert testimony. Before his election, Evan worked with legislators to respond to the Freedom Industries chemical leak, which contaminated the water supply for approximately 300,000 West Virginians, and provided testimony regarding attempts to increase the amount of cancer-causing chemicals in the state's rivers. Hansen's work has also included consulting on water and energy issues across Sub-Sahara Africa, and in China and Egypt.

Chad Harsha
Secretary of Natural Resources, Cherokee Nation

Chad Harsha was appointed Secretary of Natural Resources in 2019, after leading a legal career rooted in tribal government and natural resource issues and serving as Assistant Attorney General and General Counsel to the previous Secretary of Natural Resources. Harsha makes natural resources a fundamental priority, administering the tribe's environmental programs, and its conservation and sustainability initiatives, as well as advising the Chief and Tribal Council on related public policy matters. His legal representation for Cherokee Nation includes natural resources protection, land use practices, environmental protection, general litigation, and matters of public administration. He has successfully negotiated a Hunting and Fishing Compact between the tribe and the state that balances cultural and sustenance hunting and fishing with conservation and outdoor living. He has been instrumental in helping lead the efforts to restore the Illinois River Watershed between the State of Arkansas, State of Oklahoma, Cherokee Nation

and EPA Region 6 that put an end to years of unproductive litigation and is resulting in improved water quality.

Timothy "Zane" Hedgecock
Chief of Staff, State of North Carolina

Timothy "Zane" Hedgecock currently serves as Chief of Staff to North Carolina Agriculture Commissioner. Prior to that he served four terms as Mayor Pro Tem for Wallburg, North Carolina. As a 12th generation farmer and the owner of a tobacco farm in Wallburg, he understands the restrictions and requirements facing farmers today. Agriculture and agribusiness are North Carolina's number one industry and make up 17 percent of the state workforce. Aside from his role as an elected official, he has also served the farmers and citizens of the state of North Carolina for 17 years. His current position is Chief of Staff for the North Carolina Department of Agriculture and Consumer Services. In this position, Hedgecock serves as a conduit of information and support to members of Congress, North Carolina General Assembly, agricultural commodity groups, and other agricultural leaders across the country.

Deana Holiday Ingraham
Mayor, East Point, GA

During her first term as mayor of East Point, Georgia, Deana Holiday Ingraham has championed implementation of livable wages for City employees, financial literacy for youth, developing public arts and agricultural master plans, and using Brownfields grant funding to develop unused land. As Mayor, she championed East Point being designated as a "Welcoming City," an AARP Network of Age-Friendly States and Communities and led the creation of "The Healthy Point Initiative" to increase healthy lifestyle choices of East Point residents, create a more active and connected community and provide greater access to health information and services. Prior to her role as mayor, she had a successful legal career, including serving as a trial court law clerk, managing member of her own law firm, and an advocate for senior citizens. As a child advocate, she also co-founded the One Voice Children's Law Center, a non-profit law firm that provided pro bono legal services to youth who had cases pending in the dependency, delinquency, or education systems. Holiday Ingraham serves on several organizations, including as a board member for the National League of Cities (NLC) and Georgia Municipal Association. In 2018 and 2019, Mayor Holiday Ingraham was named as one of "Atlanta's Top 100 Black Women of Influence."

Ella Jones
Mayor, Ferguson, MO

Ella Jones was elected as its first African-American and female mayor in 2020. A resident of Ferguson for more than 40 years, Jones had served on the Ferguson City Council for one term, also holding the distinction of being the first African-American elected to the position. During her tenure she has championed public safety, neighborhood stabilization (including funding for first-time homeownership), and engaging Ferguson's youth with more job opportunities. After Michael Brown's death, Ferguson was under a federal consent decree from the Justice Department mandating reform of its police department and courts. Under Jones' leadership, the reform has centered on transparency, youth engagement, and new personnel. Prior to public service, Jones was a trained chemist, working for the Washington University School of Medicine and KV Pharmaceutical before becoming a Sales Director with Mary Kay

for 30 years. She is certified by the American Chemical Society as a high-pressure liquid chromatographer and served 22 years as a Pastor in the African Methodist Episcopal Church.

Kelly King
Councilmember, Maui County, HI

Kelly Takaya King is serving her third term on the Maui County Council. King has long been a community organizer and environmentalist and has served as a board member for many energy and sustainability efforts, leading to partnerships at the local, federal, and international level. As a Councilmember, King fought for settlement of a landmark lawsuit brought by the Hawai`i Wildlife Fund and other environmental groups against Maui County, pushing for clean water solutions and to end the taxpayer-funded legal battle. She currently leads the Council's Climate Action, Resilience, and Environment Committee and is Vice President of the Hawai`i State Association of Counties Executive Committee. Last year King was recruited to join the board of ICLEI-USA - Local Governments for Sustainability. In the private sector, King is Vice President of Pacific Biodiesel Technologies, LLC, the nation's longest operating biodiesel producer. She co-founded the company with her husband in 1995 to alleviate the disposal of waste cooking oil at Maui's landfill. The company has built 13 plants in the U.S. and Japan and its community-based biodiesel model has become a standard for the sustainable renewable fuel industry. In 2006, King co-founded the Sustainable Biodiesel Alliance, a national non-profit organization that developed a certification process for sustainable biodiesel practices.

Christine Lowery
Commissioner, Cibola County, NM

Christine Lowery, a first term Commissioner in Cibola County, New Mexico, views her role on the LGAC/SCAS as spiritual, personal, and purposeful for the people she serves. She is a member of the Pueblo of Laguna and post-retirement, has lived on her ancestral land at the Pueblo of Laguna for over 20 years. Her village of Paguate is also home to the Jackpile-Paguate Uranium Mine, once the world's largest open-pit mine, and now, a Superfund site. Having watched relatives and family suffer multiple health complications, she has a deep passion for environmental justice. She is a member of the Multicultural Alliance for a Safe Environment (MASE), which has successfully hired expertise in mining, hydrology, and mine closures, to build knowledge for all involved and ask penetrating questions that hold parties responsible. Lowery had a successful career as a social worker and finally, an associate professor at the University of Wisconsin-Milwaukee, Helen Bader School of Social Work. Since retiring in 2010, she has served as president of the New Mexico Indian Council on Aging, as a year-long substitute on the Laguna Pueblo Council, on the Laguna School Board, and as an ombudsman for elders at the Rainbow nursing home.

Rachel May
State Senator, Syracuse, NY

Fresh off a career in sustainability education at Syracuse University, Senator May brought a whole systems approach to New York state government when she was elected in 2018. She helped negotiate the nation's strongest climate law in 2019, making sure that upstate forests and farms were considered in crafting solutions. In her approach to the state budget, she has sought holistic decision-making, promoting measures like soil health policies to prevent flooding downstream, or home care investments to help seniors and the state avoid the high costs of nursing home care. A resident of Syracuse, Senator May has

been a consistent advocate for rebuilding the economies of upstate cities through investments in public transportation, complete streets, lead abatement and other environmental justice measures, housing security, and equal access to excellent public schools. She also represents a rural county and has worked on issues like rural broadband, opioid addiction treatment and prevention, and protecting the state's extraordinary freshwater resources. Senator May's overall goal and focus is giving voice to underrepresented and vulnerable populations and ensuring state government is more efficient, equitable, and accessible for all New Yorkers. Now in her second term, she is Chair of the Committee on Aging and the Legislative Commission on Rural Resources.

Melissa McKinlay
Commissioner, Palm Beach County, FL

Palm Beach County Commissioner Melissa McKinlay was first elected to the Board of County Commissioners in 2014 and re-elected unopposed in 2018. She served as County Mayor from 2017-2018 and is Immediate Past President of the Florida Association of Counties, Vice Chair of the National Association of Counties' (NACo) Agriculture & Rural Affairs Policy Steering Committee, and a Member of the NACo Board of Directors. Prior to her election, she spent nearly twenty years advocating on behalf of women, children, and families with the Palm Beach County Legislative Affairs Office, members of Congress, and as a volunteer with several organizations including the Junior League. Her public service involves working at all levels of government, including (former) U.S. Senator Bill Nelson, the U.S. and Florida House of Representatives, the State of Florida, and both Palm Beach and Sarasota (FL) counties. Commissioner McKinlay's district is the largest agricultural production area east of the Mississippi River and the 5th largest in the nation and includes Lake Okeechobee. Promoting environmental justice, giving voice to the underserved, and protecting rural communities, farmers, and farmworkers are top priorities. Additional priorities include infrastructure and economic development, affordable and farmworker housing, and combatting the nation's opioid/heroin overdose epidemic, human trafficking, and the COVID-19 pandemic.

Julian McTizic
Mayor, Bolivar, TN

In 2017 Julian McTizic was elected as the youngest and first African-American mayor of his hometown of Bolivar, Tennessee. Prior to becoming mayor, he served as a city councilman for four years. In 2021, he was re-elected by the largest margin in the recorded history of Bolivar. He is a Paul Harris Fellow in the Bolivar Chapter of Rotary International, a member of the Bolivar General Hospital Healthcare Foundation, the NAACP, and the Joint Economic and Community Development Board. He also serves as the State Director for Tennessee's chapter of Young Elected Officials. Since being elected as mayor, he has stayed true to his campaign promise for transparency in government and putting citizens first. Every council meeting in the City of Bolivar is now streamed live via social media. McTizic's Spotlight on Business, Meet Your Neighbor, and community policing advancements have been a few of his successes during his tenure.

Alex Morse
Town Manager, Provincetown, MA

Alex Morse was first elected mayor of his hometown of Holyoke, Massachusetts as a senior at Brown University in 2012. He served four terms as the city's first openly gay mayor, leading initiatives like offering refuge to thousands of Puerto Ricans displaced by Hurricane Maria, closing Massachusetts' last remaining coal plant and replacing it with the state's largest solar farm and battery storage facility, encouraging legal marijuana businesses, and restoring the city's downtown. He is also responsible for significantly increasing representation of people of color on local boards, and high school graduation rates. These accomplishments led to him being named one of *Forbes Magazine's* 30 Under 30 in Law & Policy in 2019. Morse is also a professor of urban governance at UMass-Amherst. In April 2021, he accepted a position as Town Manager of Provincetown, Massachusetts, where he is working with the community to address climate resilience and maintain water quality standards.

Douglas J. Nicholls
Mayor, Yuma, AZ

Douglas Nicholls is currently serving his second term as Mayor of Yuma, Arizona. Raised in Yuma, Nicholls believes that quality communities provide opportunities for success to all residents through jobs, superior education, and a robust quality of life. His vision to make higher education more accessible culminates in plans for the Yuma Multiversity Campus (YMC), a brownfields redevelopment project that will offer baccalaureate programs in full, utilizing the academic programs and specialties offered by the state universities and local community colleges. Nicholls has also spearheaded efforts to enhance and grow the Yuma community, including founding 4FrontED, an economic development-focused governing board of mayors from binational locations near the U.S.-Mexico border. The group has organized many successful awareness-building events, including a Mayors' Binational Bike Ride that focused on health of the individual and the health of the environment, and a boat trip on the Colorado River, where environmental experts joined Arizona mayors to discuss river management, water quality and the delicate nature of the river system. Nicholls is a successful engineer focused on stormwater and transportation engineering. Through this work, including founding his own firm, he has first-hand knowledge of the many environmental services available.

Ron Nirenberg
Mayor, San Antonio, TX

Ron Nirenberg is currently serving his third term as the mayor of San Antonio, which has the 7th largest population in the United States and is one of the nation's fastest growing cities. Nirenberg is the first San Antonio Mayor of Asian Pacific Islander descent. His mother is Filipino and his paternal grandparents were immigrants from Eastern Europe who passed through Ellis Island. Through his personal experiences, Nirenberg developed a core commitment to civic participation and the universal values of liberty, justice, and equal opportunity for every person. Under his leadership as mayor, the city has adopted an equity framework in budgeting to reduce poverty, improve public health, and overcome historical socioeconomic inequality. He is focused on making key investments necessary to accommodate San Antonio's growth, which is expected to nearly double the city's population by 2040. This forward-looking approach drives the mayor's vision of a compassionate community with a globally competitive economy. Nirenberg is also an environmental advocate, having spearheaded a Climate Action and Adaptation Plan, and joining the Climate Mayors Steering Committee, a group of 24 mayors

who will serve as a leading voice in efforts to further climate action in the U.S. Prior to becoming Mayor, he served two terms on the San Antonio City Council, founded two small-businesses, worked as the general manager of KRTU-FM San Antonio, and served as a program director for the Annenberg Public Policy Center, where he developed and directed award-winning civic engagement programs.

Neil O'Leary
Mayor, Waterbury, CT

Mayor Neil M. O'Leary has dedicated over 40 years to his career, to serve the people of Waterbury, Connecticut. He joined the Waterbury Police Department in 1980 and rose through the ranks, becoming Chief of Police in 2004. In this role, his innovative and aggressive approach to law enforcement has been credited with steadily decreasing the city's crime rate. In 2011, he was elected as Mayor. Under O'Leary's guidance, he revitalized the city's former brass manufacturing industry in a way that not only kept the metal industry, but also used Brownfield programs and other funding sources to remediate contaminated properties and create new opportunities. There are 50 active Brownfield sites in the City of Waterbury. Responding to neighborhood concerns with blighted housing and vacant lots. O'Leary coalesced neighborhood groups and community leaders to launch a comprehensive initiative that has resulted in an aggressive approach to blight and litter enforcement, increased demolition of substandard housing, developed new data collection standards and strengthened community partnerships. He believes that a team-centric approach predicated on input from the community is critically important to successful government and has used this approach to lead multiple regional government coalitions.

Satya Rhodes-Conway, Air, Climate and Energy Workgroup Chair
Mayor, Madison, WI

Elected in 2019, Satya Rhodes-Conway is the second female and first out LGBTQ person to serve as mayor of Madison, Wisconsin. She has extensive experience in local policy and practice, having served three terms on the Madison Common Council, and worked with mayors and organizations across the country to implement innovative policy that promote environmental economic sustainability and build democratically accountable communities. As co-chair of the Climate Mayors, Rhodes-Conway recognizes the need for whole-of-government approach to climate change, including public budgets, capital investments, and a focus on equity. Madison is the first city in Wisconsin to set a goal of 100 percent renewable energy and zero net carbon emissions for municipal operations. Before holding elected office, Rhodes-Conway was the Managing Director of the Mayors Innovation Project and a senior associate at the Center on Wisconsin Strategy at the University of Wisconsin-Madison. She also analyzed state endangered species programs for Defenders of Wildlife, researched and wrote about progressive environmental policy at the State Environmental Resource Center, and taught undergraduate biology and ecology.

Deborah Robertson
Mayor, Rialto, CA

Deborah Robertson was elected Mayor of Rialto, California, in 2012, and is currently serving her third term. Her experience in government is extensive and includes more than 20 years on the Council and leadership positions at the Southern California Association of Governments (SCAG) and San Bernardino County Transportation Agency, in various capacities as a member. Robertson retired as the Deputy District Director, External Affairs for California Department of Transportation, Los Angeles and Ventura counties,

after a career of more than 25 years state service. Rialto was home to a military munitions site in the 1940s. Chemicals used for manufacturing created ground contamination, which impacted water wells, eventually leading to a declaration of a Superfund site. Rialto is home to several corporate distribution facilities today, and Robertson, along with Council, have developed several public-private partnerships promoting industrial environmental sustainability. In 2014, Rialto received the first e3p3 grant, along with state and federal recognition for programs and services that simultaneously address environmental sustainability, economic development, and equity. Mayor Robertson has spoken before congressional and regional committees, addressing environmental remediation. She has received recognition from numerous organizations, as a visionary among city leaders.

Michael Scuse, Water Workgroup Chair
Secretary of Agriculture, State of Delaware

In 2017, Michael T. Scuse was reappointed as Delaware's Secretary of Agriculture, having previously held the position from 2001 to 2008. Scuse previously served with the U.S. Department of Agriculture (USDA) as Acting U.S. Secretary of Agriculture, Acting Deputy Secretary of Agriculture, and Under Secretary for Farm and Foreign Agricultural Services. As Under Secretary, he oversaw USDA's Farm Service Agency, Risk Management Agency, and Foreign Agricultural Services. He led initiatives to improve the competitiveness of American products in the global marketplace, created new markets to increase rural economic opportunity, and delivered assistance that helped to keep America's farmers and ranchers in business. He has received numerous awards during his career, including the Medal of Achievement from the Delmarva Poultry Industry, Inc and the Secretary's Award for Distinguished Service to Delaware Agriculture, and also served as the Vice President of the National Association of State Departments of Agriculture (NASDA). He has experience working on a range of water issues and is a lifelong farmer of corn, soybean, and wheat.

Valinda Shirley (LGAC)
Navajo EPA Executive Director, Navajo Nation

Valinda Shirley serves as the Executive Director of Navajo Nation's Environmental Protection Agency. Navajo Nation is the largest tribe in the United States and has the most delegated EPA programs. Before her appointment, she served as the Senior Remedial Project Manager for the Navajo Nation EPA Superfund Program, coordinating on-site environmental cleanup or remediation projects to ensure compliance with Navajo Nation and federal environmental laws, standards, and regulations, and requirements, including Diné Fundamental Law. Previously she served as the Senior Remedial Project manager for the Navajo Nation EPA Superfund Program and School Board Vice President for Rock Point Community School. She has worked closely on a range of environmental issues, including the Abandoned Uranium Mines project, coordinating with the Nuclear Regulatory Commission, and managing water cleanup standards. She is committed to finding a way for the Navajo Nation to address the illegal dumping of refuse.

Sylvester Turner
Mayor, Houston, TX

Sylvester Turner is serving his second term as Mayor of Houston, Texas. Since taking office, Turner has led the nation's fourth-largest city through a range of challenges, including budget deficits, homelessness, the COVID-19 global pandemic, and natural disasters. Mayor Turner's signature priorities include Complete Communities, an initiative designed to revitalize and improve Houston's most under-served neighborhoods by partnering with local stakeholders to leverage resources to create a more equitable and prosperous city for all Houstonians. Serving on the front lines of climate and extreme weather disasters, Turner has also championed many environmental initiatives, including launching Resilient Houston, the City's resilience strategy, and Houston's first Climate Action Plan to reduce greenhouse gas emissions, meeting the Paris Agreement goal of carbon neutrality by 2050, protecting residents from unhealthy air emissions and particulate matter from a planned concrete batch plant, building a large solar farm on a former landfill site, and fostering the development of Carbon Capture, Utilization and Storage (CCUS) and clean hydrogen. Prior to being elected mayor, Turner served in the Texas House of Representatives for 27 years, including as Speaker Pro Tem for three terms. At the national level, Mayor Turner is a trustee of the U.S. Conference of Mayors and serves on the Audit and Finance Committee, Chair of Climate Mayors, Board Chair of the Resilient Cities Network, member of the C40 and Global Covenant for Mayors for Climate and Energy, and Vice President of the African American Mayors Association.

Lucy Vinis
Mayor, Eugene, OR

Lucy Vinis has served as Mayor of Eugene, Oregon for 5 years. She has worked across the government and non-profit sectors to address equity, land use, natural resources, agriculture, housing, and homelessness. Early in her career she worked for the American Near East Refugee Aid (ANERA) organization that supported Palestinian schools, health institutions, and agricultural cooperatives in the West Bank and Gaza. Later, she worked as a consultant in Washington, DC, and co-authored studies on sustainable farming, land use, and development impacts on ground and surface water in the Chesapeake Bay. When she moved to Eugene, she joined the Northwest Center for Alternatives to Pesticides (NCAP), where she authored a report that galvanized the Oregon Legislature's successful adoption of the state's Pesticide Use Tracking law. Her focus as mayor continues to advance those priorities: addressing the dual challenges of climate change and population growth, increasing the supply of housing that people can afford, supporting efforts to stabilize people who are homeless, and encouraging economic development. Vinis is a member of the U.S. Conference of Mayors and a Climate Mayor, bringing Eugene's leadership and experience into the national discussion about the role of cities in responding to climate change.

Jeff Witte

Secretary of Agriculture

Jeff Witte was named New Mexico's fifth permanent Secretary of Agriculture in May 2011, after serving in various capacities in the New Mexico Department of Agriculture since 1994. He has been a member of both the LGAC and SCAS since 2015, including serving as Vice Chair from 2018 to 2020. The bulk of Jeff's time as New Mexico's Secretary of Agriculture is spent on the road, meeting with groups that represent farmers and ranchers across the state. He also works to educate legislators about New Mexico agriculture. During his tenure he has also created the New Mexico Agricultural Leadership Program, represented New Mexico ranchers and farmers on state legislation, and started the Southwest Border Food Safety and Defense Center at New Mexico State University, which brings together law enforcement and the agricultural industry to develop plans that will protect New Mexico agriculture as part of a homeland security strategy. Witte is past president of the National Association of State Departments of Agriculture (NASDA), past president of the Western Association of State Departments of Agriculture, past president of the Western United States Agriculture Trade Association, and past chair of Natural Resources, Pesticide Management & Environment Committee for NASDA. In 2020, Jeff was appointed to the EPA's Farm, Ranch, and Rural Communities Committee and the USDA's Advisory Committee on Agriculture Statistics.

LGAC Charge
Inflation Reduction Act

Overview
Through President Biden's Inflation Reduction Act (IRA), the U.S. Environmental Protection Agency (EPA) has received an historic amount of funding to leverage our expertise and existing programs, as well as to set up and execute new programs. These programs, which include funding for air quality and climate projects addressing clean energy, transportation, methane emissions, and climate super-pollutants, implemented by EPA's Office of Air and Radiation will advance the President's bold agenda to combat the climate crisis, protect public health and advance environmental justice.

EPA is seeking input on a subset of new and existing programs to deliver substantial emissions reductions to tackle climate change, improve public health, and reduce pollution in overburdened communities.

Please note that the EPA has opened several dockets to receive public input on its IRA programming. Based on statutory deadlines, EPA is seeking input regarding the Greenhouse Gas Reduction Fund through December 5 (see details here), as well as its additional nonregulatory programs under EPA through January 18 (see details here).

Part One – Green Gas Reduction Fund
The Greenhouse Gas Reduction Fund, allocates $27 billion dollars to EPA to award grants until September 30, 2024, and includes:

- $7 billion for competitive grants to States, municipalities, Tribal Governments, and eligible recipients, to enable low-income and disadvantaged communities to deploy or benefit from zero-emission technologies, including distributed technologies on residential rooftops, and to carry out other greenhouse gas emission reduction activities

Charge Questions
Please provide recommendations on these questions prior to December 20, 2022.

1. In your experience as elected and appointed officials of local, state, tribal, and territorial governments, how can a public-private partnership effectively benefit a community? What challenges should EPA be aware of as it develops programs?

2. How can EPA develop and implement its program to help state, municipal, and tribal greenhouse gas programs achieve maximum GHG reductions for citizens, government operations, and entities operating within their jurisdictions?

3. What kinds of technical and/or financial assistance should EPA provide to ensure that low-income and disadvantaged communities are able to access IRA funding, particularly the Greenhouse Gas Reduction Fund and Climate Pollution Reduction Grants?

Part Two – Climate Pollution Reduction Grants
EPA received $5 billion to assist states, air pollution control agencies, tribes and local governments to

develop and implement strong, climate pollution reduction strategies. These eligible entities can apply for planning grants and then apply for grants to implement those plans. This is a new program that will be informed by comments received via this request for public comment in addition to other stakeholder engagement activities that the Agency will be conducting consistent with its Grant Competition policy.

Please provide recommendations on these questions prior to January 16, 2022.

1. What are the most promising greenhouse gas (GHG) planning and reduction opportunities that could be catalyzed by the Climate Pollution Reduction grants, taking into consideration:
    a. Total potential for GHG reductions and other co-benefits;
    b. Gaps in existing resources, programs, or policies;
    c. Availability of other government funding streams?

2. How should the EPA integrate the needs of underserved communities into the design of this program, taking into consideration:
    a. What equity and justice concerns, opportunities, or priorities are most relevant for this program and how can EPA best help address them?
    b. How can EPA best address the statutory requirement to consider the "degree to which greenhouse gas air pollution is projected to be reduced in total and with respect to low-income and disadvantaged communities"?

3. This program consists of $250 million in state planning grants, $4.607 billion in state climate implementation grants, and $142.5 million for state climate administrative funding. How should EPA implement and coordinate planning and implementation funding to make the greatest impact with the funds as a whole?

4. EPA plans to provide technical assistance to grant recipients.
    a. What technical assistance would be most helpful to eligible entities as they develop climate plans under the Climate Pollution Reduction Program?
    b. What technical assistance would be most helpful as applicants prepare for the implementation phase of the program?

5. How can EPA facilitate coordination and leveraging of other available funding and planning efforts to maximize effectiveness of the program (e.g., timing of implementation grant solicitations, time needed to complete a plan, guidance on program interactions, etc.)?

6. What internal capacity challenges do you face regarding the development and implementation of GHG reduction plans? How can EPA help address those challenges?

7. What metrics should this program use for measuring success and ensuring accountability?

8. How can EPA structure this program to facilitate cooperation and coordination within and across tribal, local, regional, and state agencies to implement climate policies?

9. What should EPA consider in the design of the program to encourage grantees to support high quality jobs and adhere to best practices for labor standards, consistent with guidance such as Executive Order 14063 on the Use of Project Labor Agreements and the Department of Labor's Good Jobs Principles?

10. How could EPA design this program to align with any legal, regulatory, or voluntary obligations state, local and tribal governments – or regional planning bodies -- may have to quantify and reduce emissions including potential requirements from proposed rulemakings?

11. EPA wants to ensure applicants have adequate time and funding to develop their climate action plans before the deadline to apply for implementation funds. In your experience, how much time and funding is required to complete a state, municipal, or tribal climate action plan?

Part Three - Clean Heavy-Duty Vehicles

EPA received $4 billion for two new programs to reduce emissions from the transportation sector. The first program is the Clean Heavy-Duty Vehicle program that will invest $1 billion to help cover the costs of replacing dirty heavy-duty vehicles with clean alternatives, deploy supporting infrastructure, and/or train and develop the necessary workforce. At least $400 million must go to nonattainment areas. The application is open to states, municipalities, Indian tribes, nonprofit school transportation associations, and eligible contractors.

Charge Questions:

Please provide recommendations on these questions prior to January 16, 2022.

1. How do you see this program working in conjunction with the existing Diesel Emissions Reduction Act (DERA), the Bipartisan Infrastructure Law (BIL) Clean School Bus program, and programs at other agencies given the overlap in vehicles that could be funded?

2. For which significant Class 6/7 vehicle sectors should EPA prioritize funding?

3. How can EPA ensure the benefits of this program reach low-income and disadvantaged communities?

4. What should EPA consider in the design of the program to encourage grantees to support high quality jobs and adhere to best practices for labor standards, consistent with guidance such as Executive Order 14063 on the Use of Project Labor Agreements and the Department of Labor's Good Jobs Principles?

5. What metrics should this program use for measuring success and ensuring accountability?

Local Government Advisory Committee
Recommendations on Inflation Reduction Act Greenhouse Gas Reduction Fund
December 16, 2022

Dear Administrator Regan:

The Local Government Advisory Committee (LGAC) appreciates the opportunity and is eager to provide input on how EPA will develop and implement its programs under the Inflation Reduction Act (IRA). The IRA funding provides an unprecedented opportunity to mitigate greenhouse gasses through a variety of government programs. The LGAC challenges the EPA to develop innovative, unprecedented ways of allocating this money so that communities receive the resources they need.

The challenge of tackling the climate crisis is complex and achieving success will require input from all levels of government, as well as the nonprofit and private sector, and community voices. While it is a global crisis, many of the solutions will be local. No one knows the needs, challenges, and opportunities of a community to catalyze action better than local governments. For that reason, **the LGAC recommends that EPA include program guidance that requires recipients to partner with local governments when identifying, designing, and implementing projects in their communities.**

The LGAC provides recommendations and input on EPA's charge questions below and is available to advise on any additional questions as the program is developed.

ADD BULLETED LIST OF FINAL RECOMMENDATIONS

Charge Questions

1. In your experience as elected and appointed officials of local, state, tribal, and territorial governments, how can a public-private partnership effectively benefit a community? What challenges should EPA be aware of as it develops programs?

Public-private partnerships can be an effective way to use private funding to address public issues and create innovation. However, the LGAC is concerned about how the Greenhouse Gas Reduction Fund (GHGRF) will reach its intended beneficiaries. Given our experience, the capacity of municipalities –especially disadvantaged communities targeted by the law –to effectively develop and engage in public-private partnerships varies greatly. The money runs the risk of flowing to larger cities and existing partnerships with established capacity. There is also limited capacity in the nonprofit sector to participate in these partnerships, both from the financing and project perspective. One way to address this is to create incentive structures and a common language, to ultimately build trust among all involved. For example, in 2009 Massachusetts developed a Public-Private Partnership Oversight Commission, whose role is to inform government and business stakeholders on how their cooperation can provide the public with much-needed affordable transportation. This includes the development, facilitation, and promotion of the use of innovative financing, design-build, and other public-private partnership tools. **The LGAC recommends supporting these types of commissions – or ensuring that capacity building of this sort be provided to ensure benefits reach communities.**

Past experience with federal funding allocations offers additional lessons. The purpose of the Volkswagen settlement in 2016 was to fund mitigation actions that replace diesel emission sources with

cleaner technology intended to reduce greenhouse gas emissions. While this funding led to many successful programs, in many instances it was used to purchase vehicles that were used infrequently, providing little to no emissions reduction benefit. A more effective approach would have been to fund the transition of high-mileage municipal fleet vehicles to low or no carbon emissions models. To avoid a similar recurrence, the **LGAC recommends that funding guidelines require recipients articulate clear, measurable targets and outcomes for GHG emission reductions and benefits to communities, as well as explain how they integrate local needs into their project.**

Eligible Recipients

Another concern of the LGAC is that the "eligible recipients" defined in the law allow non-government entities to apply for both the $7 billion portion of the GHGRF [Sec. 134 (a) (1)] and the remaining $20 billion portions [Sec. 134 (a) (2-3)]. To support the involvement of local governments, the **LGAC recommends that local and tribal governments receive priority for the $7 billion funding stream.**

When funding is allocated to "eligible recipients," the **LGAC recommends that EPA route funding through existing mission-driven institutions and platforms, which have demonstrated track records of successfully deploying capital in low-income and disadvantaged communities either directly or through their networks**. This could include Community Development Financial Institutions (CDFIs), established Green Banks, Housing Finance Agencies (HFAs), Public Housing Authorities (PHAs), as well as associations of community-based lenders like Credit Unions and Minority Depository Institutions (MDIs). Another recipient should be state- or utility-funded nonprofit organizations focused on providing energy efficiency and renewable energy services, and which could partner with a state to apply for GHGRF funding. These Public-Benefit Programs are already operational in many states and require investor-owned utilities to collect a surcharge from ratepayers that is used to fund programs such as energy efficiency, renewable energy, or low-income energy assistance. Successful models include the New Jersey Clean Energy Program, Wisconsin Focus on Energy, and the Energy Trust of Oregon.

Specifically, the **LGAC recommends that EPA prioritize "eligible entity" applicants that have: (1) clear client/borrower networks in low-income and disadvantaged communities; (2) an established lending and/or grant-making infrastructure, including prudent lending/grant-making standards and existing products that can be modified to include GHG reduction projects; (3) a specific and credible commitment to modify existing products to drive GHG reductions; (4) existing reporting frameworks that can be used to track performance; and (5) demonstrated organizational accountability mechanisms to the communities they serve.** With access to GHGRF capital and technical assistance, lenders can adjust and complement existing loan products – such as predevelopment, rehab, equipment, construction, and refinance loans – to finance GHG-reducing projects.

Green Banks

Public discussions on the GHGRF have pointed to green banks as the expected funding recipient. The LGAC is concerned about this for many reasons, including the ability to equitably allocate the funding and reach disadvantaged communities. There are currently green banks in 22 states, which excludes much of the country from the expected beneficiaries. While green banks could be established in more locations, the timing of setting one up in a new place and the statutory deadlines of allocating this funding do not align well. The LGAC challenges the EPA to think innovatively about providing opportunities for communities not currently served by a green bank to benefit from this once-in-a-generation funding. One option is to **use a phased approach that both conforms to statutory requirements, but also allows state and local governments the necessary time to plan how to effectively use this funding.** In the first phase, financial and technical assistance could be provided to

help communities unfamiliar with the type of funding in the GHGRF – particularly the disadvantaged communities targeted by the IRA – to establish the robust partnerships needed between local governments, the private sector, and community-based organizations.

Another challenge with awarding funding to green banks is that they often cannot lend funds at scale without the support of program and project implementers. Typically, this leads to local organizations developing projects and administering programs. As cities, states, and tribes prepare to utilize this funding, there will be a significant need for technical assistance and capacity building. Yet this need does not necessarily wane once the project is in place; there is an ongoing need for program administration actions like marketing, contract management, and project coordination. **The LGAC recommends allowing a portion of the funding to be distributed as grants throughout the life of the project, to ensure that the programs that generate projects are supported at the same scale as the lending programs funded by the GHGRF.**

2. How can EPA develop and implement its program to help state, municipal, and tribal greenhouse gas programs achieve maximum GHG reductions for citizens, government operations, and entities operating within their jurisdictions?

How to Provide Funding

There are two sides to this question – the "how" and the "what" of implementing programs. For the former, the most impactful way to support state, municipal, and tribal greenhouse gas programs is to include them in the process of allocating funds. As noted above, local governments are uniquely qualified to identify projects in their communities that will meet the goals of the IRA. For that reason, **the LGAC recommends that EPA requires any states receiving funding to include local governments in the decision-making process of allocating funding to direct and indirect recipients.** Additionally, while the LGAC understands that EPA is bound by statutory language, any discretion to **allocate a minimum percentage of funding as a pass through to local governments** would also go a long way to support local governments. Legislation like the American Rescue Plan and programs like Housing and Urban Development's Community Develop Block Grants allow local governments to be direct beneficiaries of much-needed funding. Direct allocations to local governments eliminate a barrier to the efficient and effective achievement of the goals of the IRA.

Another barrier for local governments reducing GHG emissions – indeed for achieving any cross-cutting goal – is the complexity involved in working with multiple federal agencies. **The LGAC recommends that EPA develop ways to standardize access to IRA funding across the federal family, including things like similar applications, similar reporting requirements, and the ability to layer funding so that a comprehensive project can tap into all the federal authorities and funding streams implicated**. For example, if a local government wants to improve energy efficiency in multi-family housing, it is a much lower transaction cost to offer electrification, heat pumps, solar panels and more at the same time, rather than coming to landlords and property owners over and over, with different conditions and additional need to disrupt the living situations of residents. The LGAC sees great value in EPA aiding local governments and other applicants with identifying and layering multiple sources of federal funding to cover different aspects of a single project.

Similarly, by simplifying its own application process, EPA will allow applicants to focus on the development and planning of impactful projects, rather than the administrative tasks of completing a grant application. The LGAC provided recommendations in July 2022 regarding the streamlining of applying for federal assistance. An additional idea is to adopt a national version of something like the

Massachusetts Community Compact Best Practices Program. In this program, municipalities select from a list of identified best practices that outline ways to reach an overarching goal, such as reducing greenhouse gas emissions, protecting public water sources, and increasing recycling rates. This approach allows municipalities to think conceptually about their goals and apply in a matter of minutes for a pre-approved program.

What Types of Projects to Fund

The LGAC recommends several overarching goals for the funding. First, it **should be additive**, meaning that projects would not otherwise be required under federal, state, or local laws, regulations, or court orders. This will help to support innovative projects and unmet needs. Second, it should **prioritize projects that provide co-benefits** by addressing multiple equity, climate resilience, affordable housing, urban redevelopment, brownfields, or other sustainability priorities. Climate is an underlying issue of so many community-level challenges, and there is great value in using this funding to address additional needs. Third, the funding should **prioritize projects that benefit low- and middle-income residents**, particularly those projects that are community-led and benefit individual community members. Fourth, the EPA **should ensure ongoing geographic balance of recycled funds** through regulatory and reporting frameworks.

For many cities that have completed GHG inventories and developed climate action or sustainability plans, the building sector and construction are among the top sources of emissions. Yet, there is a significant need for additional, affordable housing in most parts of the country. The federal government can play a role in creating a path to increase housing stock without causing significant emissions gains. **The LGAC recommends prioritizing decarbonizing the existing building sector and including a pathway for building new housing that is net-zero GHG emissions and affordable.**

For new and existing buildings, EPA should prioritize support for net zero buildings and energy efficiency retrofits, such as weatherization and building envelope improvements (e.g., advanced framing, windows, increased insulation, duct/air sealing, etc), building electrification, on-site renewable energy and energy storage, and microgrid solutions. These types of projects are especially important for public buildings, affordable housing, small commercial spaces, and nonprofits, places of worship, and community centers that may serve as resilience hubs. In these instances, the EPA should be thoughtful about **supporting energy efficiency and electrification broadly in existing buidings and focus support for deep efficiency and/or net zero emissions in new construction**, rather than excluding projects that aren't "zero emission technology." Most communities have older housing stock that requires repairs and efficiency improvements before they can support renewable energy. Additionally, electric heat pumps play an important role in decarbonizing buildings but are not "zero emission technologies" by themselves. However, prioritization should be given to projects that pursue electrification, rather than simply improving the efficiency of fossil-fueled technology, as well as projects that lead to replicable technological gains. Consideration also should be given to the need for safety and redundancy, particularly where significant upgrades may be occuring in low-income communities that lack the reserves to maintain, repair, and defend these new assets.

Additionally, consideration should be given to providing funding to establish or improve emergency heat and cooling centers that are energy efficient and resilient, and to provide efficient, low-carbon heating and cooling technology to households impacted by climate change. This funding would support people in need today and build relationships with areas repeatedly hit with extreme weather.

Another part of the housing emissions solution is solar energy. While the IRA explicitly calls out rooftop solar projects, **the LGAC recommends that EPA prioritize community solar projects (which may be rooftop or ground mounted) that serve low to moderate income households when funding such programs**. To best support disadvantaged communities, funded projects must enable community ownership and the ability for community owners to control long-term pricing. There are many ways to accomplish this, including through a cooperative or partnering with local government. One example to consider is San Antonio. When the city first started offering incentives for rooftop solar panels, incentives were claimed predominantly by single-family households who had the financial means to procure solar panels without support. Once funding shifted to the community solar model, the city was able to reach more disadvantaged communities and individuals who rent their housing, rather than own.

In terms of transportation projects, **the LGAC recommends that EPA prioritize vehicle electrification projects that promote equitable access to both electric vehicles and the needed charging infrastructure**. The LGAC also encourages EPA to use available data to ensure that projects benefitting disadvantaged communities are being prioritized. For example, diesel fuel is used in many rural communities, while concentrated pollution covers predominantly communities of color. Using evaluations from DERA and EJSCREEN could aid in identifying where funding will reach its intended recipients. Charging infrastructure projects must also utilize universal technology that can be used by vehicles of all types, to increase their long-term sustainability.

The **LGAC also recommends that EPA also prioritize natural climate solutions for cooling cities, sequestering carbon, and reducing emissions.** For example, projects that expand urban tree canopy can significantly reduce the urban heat island effect, which reduces the need for cooling in buildings, reduces strain on the electric grid, and cuts emissions. These strategies are especially important in a warming climate where heat waves are becoming more frequent and severe and disproportionately impact disadvantaged communities.

Finally, **providing funding for municipalities to reduce consumption of gas, diesel, electricity, water, and other resources would be one of the most impactful ways to support local governments**. Prioritizing funding for projects like municipal fleet electrification, improving energy efficiency and electrifying municipal building operations, and developing energy storage would reduce future operating expenses of any municipality and appeal to the most liberal or conservative elected official.

3. What kinds of technical and/or financial assistance should EPA provide to ensure that low-income and disadvantaged communities are able to access IRA funding, particularly the Greenhouse Gas Reduction Fund and Climate Pollution Reduction Grants?

Internal Capacity Building

EPA has been allocated $30M over ten years for the purposes of administering the GHGRF activities. Ensuring internal EPA capacity for technical assistance and coordination is critical, as well as the need for EPA to engage with other IRA implementing Agencies. **The LGAC recommends that EPA invest early in hiring staff to manage and coordinate program activities, targeting full program staff by July 2023.** This should include at least one national liaison for local governments and one for community-based organizations, preferably an additional position within each EPA Regional Office as well.

The LGAC also recommends that EPA utilize part of this funding (coupled with administrative appropriation from other sections of IRA) to ensure Interagency coordination. First, the LGAC

recommends that EPA seek support from the White House to mandate cross agency cooperation related to energy and climate funding from the IIJA and IRA. Second, the LGAC recommends that EPA create an Interagency Task Force with U.S. Department of Transportation, the U.S. Department of Energy, Housing and Urban Development and the Department of Commerce. This purpose of this Office would be to provide coordination across agencies in the implementation of IIJA and IRA, with a targeted emphasis to work "at all levels of government" and provide coordination assistance with States, municipalities, and Tribes. This will increase the efficiency and effectiveness of both acts, while supporting deep transformations that go beyond treating "symptoms" and instead address root causes of the challenges we face.

The LGAC recommends setting aside $250,000 million from the General Assistance allocation for Technical Assistance and Capacity Building. EPA could consider utilizing existing technical assistance centers to provide such support, including but not limited to Environmental Finance Centers, Thriving Communities Technical Assistance Centers, Brownfields Technical Assistance Centers, and other similar federal support, to immediately deploy support services to local governments and community groups to coordinate existing financial assistance networks or to create new ones in each of the recognized states, territories, and districts.

External Capacity Building

By targeting green banks and complex financial approaches as the main recipient of grants, EPA will need to provide significant technical assistance to reach low-income and disadvantaged communities. One consideration is how the needed technical assistance will reach these communities. If green banks receive the funding, do smaller communities and organizations know about the funding? If so, do they have the capacity to interact with a green bank, or the necessary legal mechanisms to receive funding? **The LGAC recommends utilizing a range of networks to share information about the new programs and offer needed technical assistance, including through state municipal leagues, the National League of Cities, the National Association of Counties, and more**. **The LGAC's July 2022 recommendations for providing effective technical assistance to local governments are applicable to IRA programs as well, and provide more details. We encourage their integration into these programs.** Again, including local governments in this outreach could be an efficient way to spread the word to those who would be viable beneficiaries.

Another challenge is how to structure the program so that low-income and disadvantaged communities are in the strongest possible position to participate, knowing that the timeline for distributing this funding is short, and the ability to build meaningful capacity on that timeline is limited. **The LGAC recommends exploring innovative funding structures** such as offering multiple rounds of funding (i.e., round one for planning and capacity building, and round two for implementation), and having tiered access, so that disadvantaged communities and local governments could have access to funding before other eligible entities or receive additional points in scoring of applications. Another idea is to prioritize applications that offer wraparound services (i.e., financial, legal services) to the organizations they end up supporting. Oftentimes local nonprofits that carry out projects receive operational and strategic support from entities working at larger scales and supporting those entities could be a way to leverage sustainable capacity building in communities.

The LGAC also wants to ensure that the EPA is aware of how the market works with these types of programs, specifically the unintended impacts. Often when federal funding specifies a need to support

disadvantaged communities, large organizations and consultants aggressively target these communities, which don't always have the time and legal capacity to protect their own interests. While this doesn't always lead to problems, there are a notable number of examples across the country where disadvantaged communities get mistreated and end up with costly projects that don't support their needs. The LGAC is happy to have more conversations with EPA about this reality. To address this, t**he LGAC recommends that the EPA develop strong accountability metrics for both direct and indirect recipients of funding and, in the case of the GHGRF, strong consumer protections for borrowers.** For example, in designing the GHGRF program, the EPA should develop strong equity criteria that ensures any entity to directly receive funding through Sec. 134 (a) (2-3) have verified experience work with and lending to BIPOC, disadvantaged, and low-income communities as well as familiarity with the types of projects the fund seeks to prioritize, such as community solar with local ownership.

Defining Communities

Finally, the EPA has asked for guidance on defining "low-income" and "disadvantaged" communities for the purpose of the GHGRF and existing definitions or resources for prioritizing these communities. Recent grant solicitations by EPA, such as the Enhanced Air Quality Monitoring for Communities competitive grant, enabled communities to use data from a variety of sources - including EPA's EJScreen; CDC's Social Vulnerability Index (SVI); state and local environmental, health, and sociodemographic data; and third-party reports) to give a more complete picture of the disadvantaged communities and populations projects would benefit. This is especially important when a disadvantaged community is not spatially aggregated in ways that are conducive to certain mapping approaches, such as people with health conditions, disabilities, and when communities have been intentionally broken apart both physically and jurisdictionally by unjust policies and practices. **The LGAC recommends that EPA take a flexible, locally responsive, and data driven approach when defining "low-income" and "disadvantaged" communities that enables consideration of a variety of data sources and measures.**

U.S. EPA Local Government Advisory Committee (LGAC)
America's Waters and Infrastructure Workgroup

The LGAC is charged to provide advice and recommendations to the U.S. Environmental Protection Agency (EPA). The America's Waters & Drinking Water Workgroup was established to identify and help coordinate intergovernmental strategies and information exchange to support EPA's efforts to ensure clean and safe water to all communities.

The Workgroup will not advise the EPA Administrator directly but will transmit its recommendations to the LGAC. The LGAC will discuss and deliberate on the recommendations of the Workgroup. The LGAC will deliver the recommendations to the Administrator.

As required under the Safe Drinking Water Act and other federal Statutes and executive orders, EPA is actively engaging in multiple consultations and stakeholder engagement activities prior to proposing the Lead and Copper Rule Improvements, including with the LGAC.

Issue Description

The Safe Drinking Water Act (SDWA) authorizes EPA to establish regulations for public water systems. EPA first established the Lead and Copper Rule in 1991 to reduce exposure to lead and copper in drinking water. The treatment technique for the rule requires systems to monitor drinking water at customer taps. If lead concentrations exceed an action level of 15 ppb or copper concentrations exceed an action level of 1.3 ppm in more than 10 percent of customer taps sampled, the system must undertake several additional actions to control corrosion. If the action level for lead is exceeded, the system must also inform the public about steps they should take to protect their health and may have to replace lead service lines under their control.

The Lead and Copper Rule Revision (LCRR) was promulgated on January 15, 2021. Subsequently, the agency reviewed the LCRR to further evaluate if the rule protects families and communities, particularly those that have been disproportionately impacted by lead in drinking water. The agency concluded that there are significant opportunities to improve the LCRR, and is developing a new proposed rule, the Lead and Copper Rule Improvements (LCRI).

The agency has determined that there are advancements in the LCRR, and that rule will go into effect to support near term development of actions to reduce lead in drinking water. Specifically, lead service line inventories that will be developed under the LCRR are necessary to achieve 100% removal of lead service lines. EPA intends to maintain the requirements for information to be submitted in the initial lead service line inventory by the current October 16, 2024, compliance date. Maintaining this compliance deadline ensures water systems will make continued progress to identify lead service lines, which is integral to lead reduction efforts.

EPA also identified priority improvements for the LCRI: proactive and equitable lead service line replacement (LSLR), strengthening compliance tap sampling to better identify communities most at risk of lead in drinking water and to compel lead reduction actions, and reducing the complexity of the regulation through improvement of the action and trigger level construct.

EPA plans to propose the LCRI in 2023, which will be finalized by October 16, 2024.

Charge Questions

While EPA is interested in any additional information or concerns that the LGAC would like to share, it has identified the following questions for specific feedback.

Identifying and Replacing Lead Service Lines

What are the opportunities and challenges to State and Local Governments related to identifying and replacing service lines:

- Achieving 100% LSLR
    - How quickly can systems achieve 100% LSLR?
    - What factors impact a system's rate of LSLR?
    - What barriers exist for engaging customers about full LSLR?
    - How can systems ensure equity in replacements?
- What are the most effective and equitable ways for water systems to replace lead service lines?

Tap Sampling and Compliance

What are the opportunities and challenges to State and Local Governments related to tap sampling and compliance:

- Should EPA require systems to collect both 1st and 5th liter samples at lead service line sites and use the higher concentration in the 90th percentile calculation for lead?
    - What potential challenges may systems face when complying with an updated tap sampling protocol?

Reducing Rule Complexity

What are the opportunities and challenges to State and Local Governments related to complying with a revised action level and trigger level construct:

- What potential revisions to the AL/TL construct could reduce rule complexity?
- Should EPA maintain the TL?
- What is a feasible AL lower than 15 ppb?
- Should additional steps be required to be taken to protect public health in systems with sustained levels of lead above the AL?

Small System Flexibility

What are the opportunities and challenges to State and Local Governments related to small system flexibility:

- If the LCRI requires small systems to replace LSLs regardless of their 90th percentile lead level, should the LSLR remain a small system compliance option for small systems exceeding the lead AL?
    - Should other compliance options be added for small system flexibility? If so, what would such compliance options be?
    - Should EPA reduce the small system flexibility threshold from 10,000 (e.g., to 3,300 or fewer) for all or some of the compliance options?

In addition to the above questions, EPA would appreciate any information or data that the LGAC could provide on their experiences with:

- Inventory and lead service line replacement
- Sampling programs
- Public education

- Corrosion control treatment
- Sampling for lead in schools and childcare facilities
- Other aspects of drinking water lead control programs

U.S. EPA Local Government Advisory Committee (LGAC)
December 16, 2022

Dear Administrator Regan:

The Local Government Advisory Committee appreciates the opportunity to provide input on the Lead and Copper Rule Improvements action. Removing lead from drinking water is a priority in local governments across the country, and the work of complying with the new rulemaking will depend on the people working in local governments and water utilities.

We have provided recommendations on the questions provided, as well as a few additional related issues. These include:

- **EPA should consider all reasonable requests for extending timelines related to replacing lead service lines.**
- **EPA should provide more clarity for how lead lines are defined.**
- **EPA should develop a funding allocation that considers the number of lines present and prioritizes municipalities that can quickly put programs into place while they develop full inventories**.
- **EPA should identify a dedicated funding stream for replacing pipes on private property, particularly in disadvantaged communities, that does not come from utility rates or revenue.**
- **EPA should allow significant flexibility in how community engagement funding be used so that communities can manage this task in a way that is effective for their community.**
- **EPA should either provide or encourage communities to use GIS mapping tools when prioritizing equity.**
- **EPA should allow significant flexibility in how funding be used so that communities can manage the task of community engagement in a way that is effective for their community.**
- **In terms of tap sampling and compliance, the EPA should provide states and municipalities with flexibility**.
- **EPA should understand the tradeoff of corrosion control treatment and that any incentive for utilities to add phosphate into water include consideration for the cost of removing it from wastewater treatment plants at the end of the water cycle.**
- **EPA should either make the federal level more restrictive or add a new trigger level, but not both actions.**
- **EPA should consider giving small communities additional time to comply, and should incentivize ways to support communities with limited capacity and resources to complete lead service line replacement**

More details for each of these items is included below. Given the impact this action will have, we ask that EPA continue to work with the LGAC as the rule is finalized over the coming year. We look forward to the continued discussion.

Sincerely,

INSERT SIGNATURES

Summary of Issue

The Lead and Copper Rule Revision (LCRR) was promulgated on January 15, 2021. Subsequently, the agency reviewed the LCRR to further evaluate if the rule protects families and communities, particularly those that have been disproportionately impacted by lead in drinking water.

The agency has determined that there are advancements in the LCRR, and that rule will go into effect to support near term development of actions to reduce lead in drinking water. Specifically, lead service line inventories that will be developed under the LCRR are necessary to achieve 100% removal of lead service lines. EPA intends to maintain the requirements for information to be submitted in the initial lead service line inventory by the current October 16, 2024, compliance date. Maintaining this compliance deadline ensures water systems will make continued progress to identify lead service lines, which is integral to lead reduction efforts.

The agency also concluded that there are significant opportunities to improve the LCRR, and is developing a new proposed rule, the Lead and Copper Rule Improvements (LCRI). These improvements include: proactive and equitable lead service line replacement (LSLR), strengthening compliance tap sampling to better identify communities most at risk of lead in drinking water and to compel lead reduction actions, and reducing the complexity of the regulation through improvement of the action and trigger level construct.

Charge Questions

While EPA is interested in any additional information or concerns that the LGAC would like to share, it has identified the following questions for specific feedback.

Identifying and Replacing Lead Service Lines

What are the opportunities and challenges to State and Local Governments related to identifying and replacing service lines:

- Achieving 100% Lead Service Line Replacement
    - How quickly can systems achieve 100% LSLR?
    - What factors impact a system's rate of LSLR?
    - What barriers exist for engaging customers about full LSLR?
    - How can systems ensure equity in replacements?
- What are the most effective and equitable ways for water systems to replace lead service lines?

Tap Sampling and Compliance

What are the opportunities and challenges to State and Local Governments related to tap sampling and compliance:

- Should EPA require systems to collect both 1st and 5th liter samples at lead service line sites and use the higher concentration in the 90th percentile calculation for lead?
    - What potential challenges may systems face when complying with an updated tap sampling protocol?

Reducing Rule Complexity

What are the opportunities and challenges to State and Local Governments related to complying with a revised action level (AL) and trigger level (TL) construct:

- What potential revisions to the AL/TL construct could reduce rule complexity?

- Should EPA maintain the TL?
- What is a feasible AL lower than 15 ppb?
- Should additional steps be required to be taken to protect public health in systems with sustained levels of lead above the AL?

Small System Flexibility

What are the opportunities and challenges to State and Local Governments related to small system flexibility:

- If the LCRI requires small systems to replace LSLs regardless of their 90th percentile lead level, should the LSLR remain a small system compliance option for small systems exceeding the lead AL?
    - Should other compliance options be added for small system flexibility? If so, what would such compliance options be?
    - Should EPA reduce the small system flexibility threshold from 10,000 (e.g., to 3,300 or fewer) for all or some of the compliance options?

In addition to the above questions, EPA would appreciate any information or data that the LGAC could provide on their experiences with:

- Inventory and lead service line replacement
- Sampling programs
- Public education
- Corrosion control treatment
- Sampling for lead in schools and childcare facilities
- Other aspects of drinking water lead control programs

Recommendations

The LGAC appreciates the opportunity to provide recommendations on the Lead and Copper Rule, as it is an issue that impacts local governments across the country.

Identifying and Replacing Lead Service Lines

When it comes to identifying and replacing lead service lines, and the speed at which goals can be met, there are a range of factors for local governments to evaluate. Most importantly is cost, which will inevitably rise over time. Basic economic theory dictates that by putting a large amount of money into the market, with communities across the country attempting to procure the same supplies and workforce to get the job done at once, there will be an imbalance. Some utilities have seen this coming and have been stockpiling supplies, but many will be faced with supply shortages or supply cost increases that lead to spending deadlines being missed. This fact is further exacerbated by the current labor market, which will limit the number of lines a municipality can replace in each timeframe. Overall, community average a need for 15 to 20 years to identify and replace service lines. For the reasons noted above, **the LGAC recommends that EPA consider all reasonable requests for extending timelines related to replacing lead service lines.**

Another factor is how lead service lines are defined. While the goal of every local government is to provide safe drinking water to its residents, it is important to weigh the cost and benefit. That means clearly defining where lines can reach a point of safety by only partially replacing them. For example, some lines have only connections that are lead, and not having to replace these would save significant costs and time. At the same time, other communities have the goal of 100 percent lead removal. **The LGAC recommends that EPA provide more clarity for how lead lines should be defined.** On a related topic, the LGAC recommends that Tier 1 community notification protocol be altered to give communities more flexibility. For example, if a community knows that lead contamination is coming from a homeowner's pipes but that the source water is clean, notifying the community leads to undue concern and an erosion of public trust in the utility.

Funding

For allocating LSL replacement funding, using the drinking water needs study provided by states is not an effective indicator, and requiring complete LSL inventories and cost estimates before obtaining funding will hinder the EPA's goal of removing as many lines as possible in as short a time as possible. Rather**, the LGAC recommends that EPA develop a model that considers the number of lines present and prioritizes municipalities that can quickly put programs into place while they develop full inventories**. Further, the costs in this market as so volatile that any cost estimates created will quickly become irrelevant.

Equity

A third factor is how these replacements are paid for, and this goes hand in hand with the EPA's identified goal of achieving equity. Every community will face instances where they know contamination is coming from the pipes on a homeowner's property. That means that replacing the connected service line will not reach the goal of eliminating lead exposure. However, many individuals simply can't afford to replace their pipes, and once tests indicate high levels of lead, there's an obligation to report it to the health department. Funding through the Bipartisan Infrastructure Law is funneled through the State Revolving Funds, so the loan portion of that would need to be supported by taxpayer revenue or utility fees. In many parts of the country, citizens will be opposed to using city funding to pay for the part of the line that is on a homeowner's property. At the same time, residents of disadvantaged communities cannot manage increased utility rates. One solution is to encourage local governments to work within

their capital improvement plans so that they are placing water mains and lead service lines at the same time. However, few communities have enough funding allocated to those plans to achieve the replacement rates desired by EPA, so additional funding is needed. **The LGAC recommends that EPA identify a dedicated funding stream for replacing pipes on private property, particularly in disadvantaged communities, that does not come from utility rates or revenue.**

Equity also comes into play when determining how to prioritize the replacement of specific lines. The traditional way for a utility to approach this type of effort is to start on the outskirts of a city and work inward. Using GIS mapping allows a community to identify not only where lead service lines are within a jurisdiction, but also how that overlaps with disadvantaged communities. T**he LGAC recommends that EPA either provide or encourage communities to use such a tool.** Prioritization should be considered for places that won't qualify for low income/disadvantaged status, as well as communities that exceed action levels. Ultimately, the goal should be to replace as many lines as quickly as possible; that filter should be applied first in prioritization, before looking to income level or other demographics.

Customer Engagement

As EPA has identified, engaging customers is a necessary but burdensome part of the task at hand. Part of this is logistical barriers. Gaining access to meters and hookups, as well as permission from property owners and/or residents to perform line replacements, are significant barriers.

The larger barrier is the messaging used and the resources needed to share that message. Local governments have been telling their residents for decades that the water is safe, and now we must explain that while it remains safe, there is lead in the pipes, and their streets need to be dug up to replace the pipes. The level of sensitivity needed to maintain trust cannot be overstated. If done incorrectly, the message will be that something wrong, and that local governments cannot be trusted. EPA can look to systems like Flint to see this – despite being on the Great Lakes Water Authority system for years, many still don't believe their water is safe. Significant administrative funding will be needed to build a public relation marketing team that can go into communities and have one-on-one conversations with residents. **The LGAC recommends allowing significant flexibility in how funding be used so that communities can manage this task in a way that is effective for their community.** Additionally, EPA can lessen the overall cost by providing comprehensive toolkits that communities – especially smaller ones – can use to train staff doing the public interface work.

Tap Sampling and Compliance

When it comes to tap sampling and compliance, **the LGAC recommends providing states and municipalities with flexibility**. The reason for this is that the sampling needed varies based on where it is taking place. For example, if a pipe is near the meter, 1st liter sampling is appropriate; for lead service lines 5th liter sampling is appropriate; for a connection to the water main the 10th liter sampling is appropriate.

Since the burden of sampling is on homeowners, any changes to the current procedure may be challenging to implement, especially with seniors, and when water must be turned off for several hours prior to testing. This fact underscores the recommendation for flexibility.

A related element is the requirement for corrosion control treatment when lead is present in water. This is a challenging area for water utilities, as they must balance the cost of taking action with the safety of inaction. **The LGAC recommends that EPA understand this trade off and that any incentive for utilities**

to add phosphate into water include consideration for the cost of removing it from wastewater treatment plants at the end of the water cycle.

Reducing Rule Complexity

In general, the LGAC recommends reducing the complexity of rules whenever possible. While the members generally agree on recommendations, there are a few points of differing opinions, including whether the Lead and Copper Rule should be more restrictive at the federal level. On the one side, members understand that states have the option to add restrictions appropriate for their jurisdictions, and in many instances that approach has been successful, especially in more urban environments. On the other side, many small and rural communities lack the expertise and capacity to develop additional standards, and so they can only rely on the federal levels for protection.

In terms of revising the action level and trigger level construct, there are mixed opinions among members. There is concern that if you add "trigger level" to the lexicon, there will be unnecessary confusion and concern, fueled by sound bites from the media. Managing this communication will pull resources away from the goal of efficiently replacing as many lines as possible. **The LGAC recommends that either the EPA make the federal level more restrictive or add a new trigger level, but not both actions.**

Providing small system flexibility

All the issues identified above are magnified in smaller communities, with the additional benefit of accessing state and federal resources to take action.

The LGAC does not think that population should dictate the safety of water; lead lines should be replaced everywhere. However, places with small populations and limited capacity in local government should be given flexibility in how long it takes them to replace service lines. Providing technical assistance should also be considered for small systems, including offering incentives for smaller communities to combine resources, or for states to offer cooperative buying arrangements that lessen the administrative burden for each community.