



October 26, 2023

The Honorable Kathy Hochul
Governor of New York State
NYS Capitol Building
Albany, NY 12224

Re: The Inflation Reduction Act (IRA)

Dear Governor Hochul:

We are submitting this letter on behalf of the Environmental and Energy Law and the Local and State Government Law Sections of the New York State Bar Association and the Environmental Law Committee of the Association of the Bar of the City of New York.

As you are aware, the Inflation Reduction Act (“IRA”) presents enormous opportunities for municipalities, school districts and other local organizations around the State to secure federal grants for projects designed to mitigate and adapt to climate change. These grants could provide significant assistance to our communities in implementing clean energy projects, reducing air pollution, providing cooling centers and developing the infrastructure needed to protect against flooding and other risks posed by the changing climate. Many billions of dollars are earmarked under the IRA for these and other purposes nationwide, including: \$65 billion for clean energy and energy efficiency projects; \$21 billion for remediation and reduction of legacy pollution; and \$55 billion for the development of water-related infrastructure projects. These funding opportunities are particularly welcome because under federal policy a substantial portion - some 40 percent - of the benefit to be derived from the funding is to be directed to disadvantaged communities.

However, major challenges confront our local communities in capitalizing on these opportunities because many do not have the resources or experience needed to assure that they are aware of grant announcements as they arise, or to prepare successful applications and administer grant monies once the projects they propose have been approved.

The Environmental Protection Agency (“EPA”) has taken some steps towards addressing such concerns. For instance, EPA has appointed and provided substantial funding to WE ACT For Environmental Justice (“WE ACT”) to serve as a “Thriving Communities Technical Assistance Center” to assist local entities in our region in navigating the grant programs. However, much of the funding now available will lapse in a few years, so a great deal of information, training and other assistance must be provided to a multiplicity of local entities in a very short time.

Opinions expressed are those of the Section/Committee preparing this letter and do not represent those of the New York State Bar Association unless and until they have been adopted by its House of Delegates or Executive Committee.

The State and City Bar Associations have a long track record of holding events to educate the legal profession and general public on matters pertaining to environmental and municipal law. Drawing on our experience and resources, we would be pleased to work with the involved State officials to organize one or more conferences, webinars or round table events aimed at providing municipal lawyers and local public officials with the information and tools they need to participate successfully in the IRA programs. We have had preliminary conversations with WE ACT and the Association of Towns and they have expressed an interest in co-sponsoring this effort.

If you would like to discuss this further, please contact David Miranda, NYSBA General Counsel, at dmirand@nysba.org or at 518.487.5524.

Respectfully,

Environmental and Energy Law Section – NYSBA
Local and State Law Section - NYSBA
Environmental Law Committee - NYCBA

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