

Local Government Advisory Committee (LGAC) and Small Communities Advisory Subcommittee (SCAS) Public Meeting

See appendix A for meeting attendees.

Welcome

LGAC Designated Federal Officer Paige Lieberman called the meeting to order and introduced the meeting facilitators, LGAC Chair Leirion Gaylor Baird, Mayor of Lincoln Nebraska, and SCAS Chair Christine Lowery, Commissioner of Cibola County, New Mexico.

(LGAC Chair) Mayor Gaylor Baird and (SCAS Chair) Commissioner Lowery welcomed members to the meeting and previewed several EPA leaders that will be presenting throughout the day. Both Chairs reminded members of the discussion that follows EPA presenters and provided guidance on the how LGAC and SCAS can provide meaningful input and recommendations to the Agency and its priorities. Mayor Gaylor Baird then introduced EPA Administrator Michael Regan.

EPA Welcome

EPA Administrator Michael Regan thanked the LGAC Chair for the introduction and her leadership. Administrator Regan welcomed members to the LGAC and SCAS inaugural meeting. Administrator Regan acknowledged the workload of local leaders and thanked members for the willingness to lend time and expertise to working collaboratively with EPA and for the American people. Administrator Regan signaled the critical moment for this country and a whole-of-government approach that is critical to tackling the climate crisis, to advance environmental justice, and to protect Americans' drinking water.

Administrator Regan emphasized that strengthening federal, state, and local partnerships is a top priority and is best achieved through consistent engagement with mayors and local leaders, listening to concerns and finding common ground. He acknowledged that local leaders are well ahead of the curve when it comes to addressing climate change and noted his excitement to learn from them. Administrator Regan uplifted President Biden's ambitious plan to Build Back Better and the opportunity to make communities healthier, more resilient, and more just. Lastly, Administrator Regan concluded his remarks by thanking members for their partnership and underscored their ability to improve lives and create a brighter future for generations to come together.

Mayor Gaylor Baird facilitated questions from members and answers from Administrator Regan.

LGAC Vice Chair Lisa Wong asked about metrics of success that local governments can help communicate to the public, especially those that are aligned with EPA priorities and strategies, so that we can help set a common vision for the public.

- EPA Administrator Regan highlighted his intent to design a new process around grant systems, grant distribution and technical assistance, so that it isn't an academic exercise, but something that resonates with people on the ground. He also noted his intent to choose different grant recipients and different advisors within communities, to broaden EPA's partnership with communities.

Councilmember Kelly King asked if there will be an increase in funding and grants for environmental initiatives with the Build Back Better agenda.

- EPA Administrator Regan noted that President's Biden's FY 2022 budget request includes a 20 percent increase. Additionally, the Build Back Better agenda includes \$55 billion for water infrastructure, and additional funding for brownfields and superfund sites. Regan estimated over 70 percent of this overall funding will flow through EPA to states and local elected officials. We know there is a level of protection we can provide through our regulations, but the implementation of this is critical. That's where technical assistance and resources at the county and local level will be so important.

Mayor Matthew Surrency supported the idea of additional resources and funding to address environmental issues and noted the importance of local governments having dedicated funding sources to address ongoing issues, without unfunded mandates for local communities.

Senator Rachel May asked Administrator Regan about opportunities to collaborate with other members of the Administration, across the federal government?

- Administrator Regan said that he has talked a lot with Secretary Buttigieg about how we work together to ensure that emission standards we are proposing matches his vision for where new roads and highways are built. I'm also spending a lot of time with Secretary of HHS to look at asthma, as well as HUD and indoor air issues. It's great to see so many people across the Administration that want to talk to me about how environmental issues integrate into their work.

Mayor Deana Holiday Ingraham raised the issue of communities being exposed to industrial pollutants and whether there will be an appetite for adaptive reuse of these facilities that enhance the quality of our residents.

- Administration Regan noted that President Biden's Build Back Better agenda includes \$5 Billion for Brownfields projects, to focus on blighted properties in low-income communities and turn them into economic opportunities. In term of exposure, he stated that EPA is currently re-evaluating its statutory authority in terms of taking into consideration the cumulative impacts of multiple polluting sources. He noted that there are debates occurring about how much power EPA has to do this, and we are working with Congress on this.

Mayor Gaylor Baird thanked members, closed the Q&A, and introduced the topic of clean water and drinking water priorities, welcoming EPA Assistant Administrator for Water, Radhika Fox.

Water and Drinking Water Priorities

EPA Assistant Administrator Radhika Fox thanked LGAC and SCAS members for their involvement and future work with EPA.

Ms. Fox provided an overview of the Biden-Harris Administration's water priorities, including the development of an equity assessment that asks whether there are disproportionate impacts of EPA's programs, including regulations, permitting decisions, funding, and financing programs. She noted the example of including new criteria within the Water Infrastructure Finance and Innovation Act (WIFIA) program to prioritize projects that assist economically stressed communities. She noted that many of

the letters of interest came from those communities, so it's clear that policy decisions made at the federal level ripple into communities.

Ms. Fox also noted that President Biden proposed the largest investment in water infrastructure ever in its FY 2022 budget proposal, and that if Congress makes this \$500 billion available, EPA will want the LGAC's input on how to ensure that communities EPA hasn't reached before have the technical resources available to access this money. Additionally, Ms. Fox noted that the White House selected both state revolving loan funds as pilots of Justice 40 project, and the need to gain input on ensuring that this funding is really going to disadvantaged communities

Ms. Fox highlighted the outreach and public comment effort for EPA's Lead and Copper Rule Revision. Outcomes of this effort will be shared by the end of the year. A few themes expressed by the public included: need for 100% lead service line replacement in both public and private sectors, support for local governments, need for assistance to build an inventory of lead service lines, and to prioritize at risk populations.

Additional activities mentioned included the upcoming announcement of the PFAS Strategic Roadmap, which answers Regan's call to use all the authority EPA has, to make a difference with PFAS in communities across the country. This roadmap has three pillars: researching impacts, restricting future contamination, and remediating community-level contamination. Finally, Ms. Fox noted that EPA will propose part one of a Waters of the United States (WOTUS) rulemaking by the end of 2021 and provide an opportunity for public comment and stakeholder engagement at every step.

Mayor Gaylor Baird thanked Ms. Fox for the EPA updates and facilitated questions and answers from LGAC and SCAS members.

Break

Environmental Justice

Commissioner Lowery reconvened the meeting after a break and welcomed Matthew Tejada, Director of EPA's Office of Environmental Justice, to discuss environmental justice priorities within EPA.

Mr. Tejada thanked Commissioner Lowery and members for accepting the LGAC and SCAS appointments, noting the critical role that the LGAC and SCAS will have in assisting EPA to advance environmental justice.

Mr. Tejada highlighted activities being led by the White House and EPA to advance environmental justice and equity. Mr. Tejada underscored EPA Administrator Regan's commitment to environmental justice (EJ) and returning to enforcement and compliance as part of that. He noted that the philosophical framework of EJ at EPA is to integrate the principle into every single project. More than that, President Biden's Executive Order 13985, to advance racial equity, establishes a new idea where the responsibility and leadership of implementing environmental justice is no longer with EPA. It's now the responsibility of the entire U.S. government, with leadership provided by the White House. Mr. Tejada noted that EPA has completed phase one of the Executive Order, which involved examining practices within the Agency like procurement, grants/contracts, data collection, research and scientific enterprise, community engagement, and policy. EPA is now excited to be in phase two, which requires federal agencies to develop action plans that break through the barriers identified.

Mr. Tejada next discussed Executive Order 14008, Tackling the Climate Crisis at Home and Abroad, and the Justice40 Initiative, which sets a goal of delivering 40 percent of climate investment benefits to disadvantaged communities. He noted that one way this Administration is changing how it addresses environmental justice is how it is measured and tracked. In particular, the White House is developing a mapping tool to determine where there are communities experiencing environmental injustice. This tool would be used early in the process to create a map and label communities as disadvantaged, and then again when determining funding decisions, and finally when evaluating ourselves on how well we are doing via an EJ scorecard. Additional activities mentioned include designating environmental justice as an Agency-wide guiding principle and highlighting environmental justice and civil rights in the Fiscal Year (FY) 2022-2026 Strategic Plan.

Lastly, Mr. Tejada mentioned funding for environmental justice, which includes American Rescue Plan allocations to EPA and approximately \$900 million in the EPA FY 2022 proposed budget which, among other things, would create the first national program office for environmental justice and civil rights at EPA.

Commissioner Lowery thanked Mr. Tejada for the programmatic overview and facilitated questions and answers between LGAC and SCAS members for Mr. Tejada.

Ms. Tina Sablan asked to what extent is EPA committing EJ resources to address environmental and health impacts of military operations in small and disadvantaged communities, including U.S. territories.

- Mr. Tejada shared that his office is working more and more in Pacific Island territories, including ensuring that EJ funding is available. In terms of working with military sites, he is seeing colleagues at DOD showing up for the first time and realizing their role to address EJ.

Healthy Communities

Commissioner Lowery invited Barry Breen, EPA Acting Assistant Administrator and Carlton Waterhouse, EPA Deputy Assistant Administrator, Office of Land and Emergency Management (OLEM) to present priorities on land contamination and chemical safety.

Mr. Waterhouse presented updates noting the Agency's commitment to land issues, including its efforts to expand the number of people that benefit from EPA's Brownfield grants programs, add efficiencies to Superfund cleanups to decrease the burden of longstanding pollution, and develop rulemakings to address emergent contaminants and legacy contaminants such as lead.

Mr. Waterhouse noted the Administration's commitment to environmental justice, which is manifested in his office by ensuring equal access to the decisionmaking process, especially related to Superfund remediation. Mr. Waterhouse also mentioned the Agency's efforts, within OLEM, to address the impacts of climate change while designing Superfund removal and remedies, so that after cleanup, vulnerable communities remain protected from climate related effects. Mr. Waterhouse also highlighted changes to the Brownfields Assessment Grant Program, the Revolving Loan Fund program and the Job Training program, including an increase to the community-wide assessment funding for FY 2022 competition year and creation of a new community-wide assessment grant for States and Tribes.

Lastly, Mr. Waterhouse noted EPA's FY 2022 budget request for an increase to the Brownfields program, which would fund the assessment and cleanup of sites in historically overburdened communities while providing technical assistance to stimulate economic development and promote environmental revitalization. OLEM is also working to release an EPA draft strategy to reduce lead exposure and disparities.

Mr. Breen touched on three programmatic focuses within OLEM and provided details relevant to LGAC and SCAS members. Mr. Breen's highlights focused on:

- Disasters and the National Response Center that provides 24-hour on call responders for incidents. Mr. Breen mentioned that EPA has a core staff of 235 on scene coordinators. More information can be found at: <https://www.epa.gov/emergency-response/national-response-center>;
- Recycling efforts and an upcoming announcement of a National Recycling Strategy with a goal for the U.S. to hit 50% of recycling nation-wide; and
- Addressing the backlog of leaking underground storage tanks at gas stations over the coming years.

Commissioner Lowery thanked Mr. Waterhouse and Mr. Breen and facilitated questions and answers between LGAC and SCAS members.

Air & Climate

Mayor Gaylor Baird welcomed Joseph Goffman, EPA Acting Assistant Administrator, Office of Air and Radiation, to present EPA priorities for air and climate issues

Mr. Goffman provided an overview of responsibilities within the Office of Air and Radiation. The programs highlighted included the large portfolio of implementing the Clean Air Act, a Jan 20th Executive Order requesting EPA to undertake a number of activities that focused on revising greenhouse emissions for vehicles, the development of standards for methane emissions from the oil and gas sector, revisiting standards for mercury and toxic air pollutants from powerplants ensuring sufficient protection, and a congressional directive to establish a new program to phase down synthetic chemicals of potent hydrofluorocarbons.

Mr. Goffman talked about EPA Administrator Regan and President Biden's priority for EPA to advance environmental justice within the scope of air pollution and air quality. In doing so, EPA has engaged in many dialogues with underserved and overburdened communities directly impacted. EPA has heard that community members are interested in knowing more about what is in the air that they breathe, what is happening in the facilities in their communities, and how they can conduct emissions and air quality monitoring.

EPA has already started responding by offering early engagement on proposed activities, offering training to individuals on how to effectively advocate with EPA and state governments, building user friendly analytic tools to identify impact of various forms and sources of pollutants on neighboring communities (such as powerplant emissions), and adding a demographic layer to the annual results of greenhouse gas reporting from individual facilities. Additionally, the American Rescue Plan provided funding to expand air monitoring programs, in partnership with state, local and tribal governments.

Public Comment

SCAS Chair Lowery opened the public comment session. No registered participants provided advance notice of public comments.

Carrie Ziegler, resident of East Point, GA, mentioned that there are lots of industry plants in the city, some within EPA guidelines, but fumes are so strong that many residents feel nauseous even inside their homes. She suggested that the LGAC and SCAS revisit regulations of air quality, noting that communities need help monitoring these plants (i.e. explosions with recycling plants have happened in the past), that many facilities are not complying with the Clean Air Act or Clean Water Act, and that the city needs help with cleanup and hotline response.

- Commissioner Lowery referred the commenter to the Mayor of East Point, GA – who is also a LGAC member. She also encouraged her to direct comments to the LGAC email (LGAC@epa.gov)

Andra Samoa, from American Samoa, expressed concern about the tuna industry that provides food for the school lunch and military program in American Samoa, and the diversification on the economy that heavily relies on the industry. Ms. Samoa encouraged private industry and local governments to maintain incentives and partnerships with the federal governments to help with the economy.

- Commissioner Lowery thanked Ms. Samoa for her comment and concern expressed, echoing the significance of members at large to express concerns for the LGAC and SCAS to hear.

Wrap Up and Next Steps

LGAC Chair Gaylor Baird summarized the two-day meeting, thanking EPA leadership for their presentations and LGAC and SCAS members for their active participation. Action items from the two-day meeting were captured, including: members to identify workgroup preference and noted that meeting materials will be posted online within 30 calendar days from the meeting, as well as notices for future public meetings.

DFO Lieberman thanked LGAC and SCAS members, Commissioner Lowery, Mayor Gaylor Baird, and members of the public. Ms. Lieberman reminded attendees that public comments will be accepted at LGAC@epa.gov and officially closed the meeting.

Appendix A – Meeting Attendees

Local Government Advisory Committee Members

Lisa Wong, Town Manager of South Hadley, MA
Ras Baraka, Mayor of Newark, NJ
Kitty Barnes, Commissioner of Catawba County, NC
James Brainard, Mayor of Carmel, IN
Gary Brown, Director of Detroit Water and Sewerage Department
Deb Cherry, Treasurer, Genesee County, MI
Melissa Cribbins, Commissioner of Coos County, OR
Jose Dalmau, Mayor of Carolina, PR
Megan Dunn, Commissioner of Snohomish County, WA
Brian Fulton, Jackson County Administrator, MS
Nick Gradisar, Mayor of Pueblo, CO
Zane Hedgecock, Mayor Pro Tempore of Wallburg, NC
Deana Holiday Ingraham, Mayor of East Point, GA
Ella Jones, Mayor of Ferguson, MO
Kelly King, Councilmember of Maui County, HI
Rachel May, New York State Senator
Melissa McKinlay, Commissioner of Palm Beach County, FL
Julian McTizic, Mayor of Bolivar, TN
Douglas Nicholls, Mayor of Yuma, AZ
Ron Nirenberg, Mayor of San Antonio, TX
Neil O’Leary, Mayor of Waterbury, CT
Cynthia Pratt, Mayor Pro Tempore of Lacey, WA
Deborah Raphael, Director of San Francisco Department of Environment
Victoria Reinhardt, Commissioner of Ramsey County, MN
Satya Rhodes-Conway, Mayor of Madison, WI
Katherine Gilmore-Richardson, Councilmember of Philadelphia, PA
Deborah Robertson, Mayor of Rialto, CA
Michael Scuse, Delaware Secretary of Agriculture
Valinda Shirley, Executive Director of Navajo EPA
Matt Surrency, Mayor of Hawthorne, FL
Sylvester Turner, Mayor of Houston, TX
Lucy Vinis, Mayor of Eugene, OR
Jeff Witte, New Mexico Secretary of Agriculture

Staff participating on behalf of member:

Mark Fox, Chairman of Mandan, Hidatsa and Arikara Nations

Absent:

Alex Morse, Town Manager of Provincetown, MA
Evan Hansen, West Virginia State Delegate
Chad Harsha, Cherokee Nation Secretary of Natural Resources

Small Community Advisory Subcommittee Members

Julian McTizic, Vice-Chair, Mayor of Bolivar, TN*

Rodney Bartlett, Town Administrator of Peterborough, NH
Tom Carroll, Village Manager of Silverton, OH
Jeri DeLange, Councilmember of Hayden, ID
Jose Dalmau, Mayor of Carolina, PR*
Vincent DeSantis, Mayor of Gloversville, NY
Brian Fulton, Jackson County Administrator, MS*
Kwasi Fraser, Mayor of Purcellville, VA
Ella Jones, Mayor of Ferguson, MO*
Joan Lee, Commissioner of Polk County, MN
Ann Mallek, Supervisor of Albemarle County, VA
Dave Glatt, Director of North Dakota Department of Environmental Quality
Daniel Guzman, Councilmember of Oneida Nation, WI
Hattie Portis-Jones, Councilmember of Fairburn, GA
Tina Sablan, Representative of Mariana Islands
Jeremy Stutsman, Mayor of Goshen, IN
Jeff Witte, New Mexico Secretary of Agriculture*

**Also member of the LGAC*