

## EPA'S Local Government Advisory Committee (LGAC)

**LGAC's Protecting America's Waters Workgroup** -The LGAC is charged to provide advice and recommendations to EPA. The LGAC's Protecting America's Waters Workgroup was established in December 2013 to address the LGAC's need to give input on nation's significant water infrastructure needs and to reinvigorate efforts to improve water quality at the local level. "Achieving these results requires new paradigms including state, tribal, city roles and incentives for local action," as articulated by EPA Administrator McCarthy, and therefore the LGAC's advice is sought to better engage our local, state, and regional stakeholders, including elected officials.

**Background:** Clean and safe water is the lifeblood of our nation's communities. A critical function of federal, state, local and tribal government is managing and oversight of the 152,000 public drinking water systems which provide clean and safe water for over 300 million Americans. Throughout the country drinking water challenges such as outdated water infrastructure are enormous. The water crisis in Flint, Michigan brought to the forefront the challenges many communities have across the country from lead contamination. However, many other threats exist such as industrial chemicals, pharmaceuticals, and other sources that pose risks to public health. Other threats include drought, harmful algal blooms, climate change and many emerging contaminants. Under the Safe Drinking Water Act (SDWA), EPA has established national primary drinking water regulations (NPDWRs) for over 90 compounds which has resulted in improved drinking water quality across the U.S. (since SDWA's enactment forty years ago). Governments working together on actions at all levels of government will be necessary to protect our nation's drinking water for now and in the future. Communication between federal, state, local and tribal government must be also be effective to avert further major public health crises. A major challenge facing communities is the ability to pay to replace or improve water infrastructure, especially for small water systems, disadvantaged and environmental justice communities. According to a 2013 Environmental Protection Agency report, an estimated \$384 billion is needed through 2030 to update water infrastructure (treatment plants, water distribution systems, etc.) on a national level to ensure safe drinking water for its citizens. State, tribal governments will bear most of the cost of this investment for water infrastructure. These infrastructure challenges will be most critical in low-income minority communities where revenues and investments have been largely neglected because citizens lack the resources and information about their water quality to do something about it. Effective partnerships can provide options and advanced innovative solutions to keep our water safe for now and future generations. For example, some localities like the Milwaukee Metropolitan Sewerage District have improved water quality and yielded not only cost-savings to taxpayers but positive economic impact to their local economy. One economic report shows output to the citizens and taxpayers of \$218.3 million, with 1,368 jobs supported, generating \$57.2 million in annual wages and salaries.

Making sure that *all* Americans have reliable access to safe drinking water is essential, and a core task for EPA. EPA announced that they will seek stakeholder engagement to develop a National Action Plan for Drinking Water (Action Plan) which will outline actions necessary to ensure clean and safe source water and drinking water for now and in the future. This charge outlines a role for the Workgroup to play in EPA's process. The Workgroup will develop and transmit its recommendations which EPA should consider in developing the National Action Plan and transmit their recommendations to the LGAC. The LGAC will then discuss and deliberate on the recommendations of the Workgroup in an open and public meeting. The LGAC will ultimately deliver its recommendations to Administrator Gina McCarthy for consideration in the Action Plan.

### Charge to the Workgroup:

- The Workgroup will develop recommendations for the chartered LGAC to consider in developing advice to assist the EPA in identifying and analyzing priority issues related to the National Action Plan for Drinking Water to provide clean and safe drinking water in the US.

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- The Workgroup will consider the following:
  - Advancing Next Generation Safe Drinking Water Act Implementation: Identify key opportunities for federal, state, tribal and local government to work together to implementation of Safe Drinking Water Act regulations and programs, including ways to increase communication and public awareness and accountability.
  - Addressing Environmental Justice and Equity in Infrastructure Funding: Identify ways in which federal, state, tribal and local governments, and utilities can work together to ensure that drinking water infrastructure challenges of low-income environmental justice communities and small systems are being appropriately prioritized and addressed, including through increased information, sharing and replicating best practices, and building community capacity.
  - Strengthening Protections against Lead in Drinking Water: Identify opportunities to coordinate and collaborate on implementing the current Lead and Copper Rule, particularly in environmental justice communities and expand and strengthen opportunities for stakeholder engagement to support the development of a revised rule.
- Emerging and Unregulated Contaminant Strategies: Develop and implement improved approaches through which EPA, state, tribal and local governments, utilities and other stakeholders can work together to prioritize and address the challenges posed by emerging and unregulated contaminants such as algal toxins and perfluorinated compounds (PFCs) and increasing public awareness, especially in vulnerable populations.
- The Workgroup will identify issues the agencies could use to help protect local communities' interests in clean drinking water; where public and private sector partnerships have advanced economic solutions; where source water protection saved taxpayers' dollars; and where communities have created jobs and produced public savings by ensuring clean and healthy water infrastructure.
- The Workgroup will also develop recommendations on how the EPA can better work with local governments and engage local governments on issues such as: What additional interactions between EPA and local governments would most effectively help local governments understand and best utilize health advisories for unregulated emerging contaminants? How can EPA best work with local governments to assure effective implementation of drinking water regulations such as the Lead and Copper Rule so that public health improvements are realized? What resources are needed at the local level to assist them with implementation? How can communities enhance economic opportunities while improving water systems? What resources do communities need to achieve protection of water at its source rather than installation of treatment?

**LGAC Proposal:** The EPA 's Local Government Advisory Committee (LGAC)'s *Protecting America's Waters Workgroup* consists of approximately 18 local government elected officials representing parishes, counties, municipalities, and other local political jurisdictions. The Workgroup proposes to convene four Workgroup meetings to engage local officials and to provide expanded input in the development of Workgroup recommendations to the chartered LGAC regarding the Waters on the Action Plan for the agency to consider relating to coordination and intergovernmental cooperation. Local officials are knowledgeable and can provide unique perspectives on issues and concerns relating to providing clean and safe drinking water and water infrastructure. Further, the workgroup meetings will engage local officials in a variety of targeted

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geographic regions with unique valuable on-the-ground perspectives and knowledge. Through this collaborative process, the Workgroup will be able to provide the chartered LGAC with meaningful advice relating to intergovernmental cooperation and coordination.

**LGAC Workgroup Plan:** The Workgroup will seek information from locally elected and appointed officials on local issues relating to drinking water systems for consideration in its development of the Action Plan. The purpose of these meetings (via teleconference) will be to hear from local officials on the LGAC Workgroup Charge questions. Overall, the goal would be to come up with recommendations for the chartered LGAC to consider in developing advice for the EPA to consider on the providing clean and safe drinking water from a local government perspective and how best to improve communication with local officials on these issues.

### Details of the LGAC Workgroup Meetings

**Proposed Meeting(s):** The Workgroup proposes to convene four to five of these meetings via teleconference.

**Summary:** Locally elected officials will be sent notification of the meeting and given the opportunity to speak. The Workgroup will be expanded to include additional elected and appointed officials (as needed) in each of these EPA Regions to gain a wider perspective on issues from large, urban cities; rural counties; and small and disadvantaged communities.

**Deliverable:** The LGAC Protecting America's Waters Workgroup will provide a Draft Letter of Recommendation detailing their findings and recommendations to the chartered LGAC summarizing issues relating to its charge and summarizing what was heard at these public meetings with local officials. The chartered LGAC will discuss and approve or amend its findings and recommendations. The letter containing the LGAC's findings and recommendations will be conveyed to the EPA Administrator with a transmittal letter and it will be published on the EPA's website for LGAC.

### **Preliminary Timeframe:**

**July 28, 2016** – EPA delivers the Charge to the Protecting America's Waters Workgroup discusses charge and develops workplan. Elected officials identified and invited.

**July 29, 2016-** The LGAC accepts and negotiates charge on clean and safe drinking water.

**August 11, 2016-** Workgroup meets to begin deliberation on their charge.

**August 19, 2016** – Workgroup meets to discuss and review Phase I recommendations on their charge and to incorporate the Small Community Advisory Subcommittee and EJ Workgroup's input to the charge.

**September 7-** Workgroup meets via teleconference to review and discuss draft letter of recommendation.

**September 21–** The LGAC meets to via teleconference to deliberate in a public meeting the Workgroup's final recommendations for Phase I input on the Action Plan.

**Week of October 3rd-** Workgroup meets **on Oct. 5** on final Report, LGAC meets to take action.

**November 2-** Workgroup meets to begin deliberation on their Phase II charge to identify local government best practices.

**December 7-** Workgroup meets to discuss Draft Phase II Report to identify local government best practices.

**December 14-**LGAC meets to review and put forward the Phase II Report on Local Government Best Practices.