

LGAC -Detailed Comments on *Draft FY2014-2018 EPA Strategic Plan*

- EPA should continue to monitor and integrate climate change information and build local capacity to build more resilient communities.
- The LGAC recommends that EPA consider sharing local climate change adaptation plans, which encourage and support more innovative and resilient communities.
- The LGAC recommends that EPA work with the USDA to cut diesel emissions from agricultural production activities through voluntary programs.

Goal 2- Protecting America's Waters

Findings:

- The LGAC acknowledges and commends EPA's approaches to "protecting and restoring" adequate safe and clean water.
- The LGAC affirms that clean water is the "life-blood" of our communities and is essential to continued quality of life and economic prosperity.
- The LGAC commends EPA's Strategic goal to coordinate with the USDA on the National Water Quality Initiative (NWQI) for water quality improvements in 165 watersheds across the country.
- The Strategic Plan emphasizes the significance of community-based strategies as a foundation upon which to build. Further acknowledging the wide variety of local government capacity and resources sets the stage for customizing programs and solutions that will achieve success within a community's framework. For example, small water systems are a significant provider of public drinking water, and EPA's continued recognition of their importance in the public health realm is commendable.
- The Next Generation Compliance strategy is a laudable approach that uses data and analysis to work towards efficiency and transparency in regulation.

Recommendations:

- The LGAC recommends that EPA aggressively carry out its goal to protect small drinking water systems, which account for 97 percent of public water systems. The LGAC should utilize all of its resources, regulatory tools, technologies and grant programs to strengthen the technical, managerial and financial capacity of these systems.
- The LGAC recommends that EPA work to reduce nonpoint sources of pollution through its goal to update states' nonpoint source management programs and increase its coordination with USDA to strengthen the Clean Water Act Section 319 program.
- The LGAC recommends that EPA focus efforts to identify and create standards for emerging contaminants and control pharmaceutical disposal in drinking water systems.
- The LGAC recommends the Urban Waters Federal Partnership as a great example of interagency partnership that has been beneficial for communities and can serve as a model for further replication by the EPA.

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- Affordability should receive greater consideration in the development and implementation of new drinking water and water quality regulations. Affordability must be considered in establishing new standards, as well as in setting timeframes in compliance schedules to meet them.
- Regionalism is increasingly important in order to provide effective and affordable responses to environmental requirements by local governments. EPA should encourage and reward efforts by communities to regionalize wastewater and stormwater activities, especially on a watershed basis.
- Nutrient regulations are a significant water quality issue. The Gulf of Mexico nutrient issues should be addressed by focusing on non-point sources first, since non-point sources have a much greater impact than municipal wastewater treatment plants.
- Wet Weather Water Quality Standards should be viewed from a scientific and affordability perspective in order to create a viable strategy to bring communities into compliance with the Clean Water Act.
- Stormwater runoff from roads has a substantial water quality impact on our streams. Capturing the 'first flush' runoff from streets and highways should receive priority funding, and EPA should work with USDOT and state transportation agencies to ensure that stormwater 'first flush' capture is required for all roads that receive federal funding.
- The LGAC recommends that EPA escalate its program to ensure that underground sources of drinking water are not damaged by hydraulic fracturing activities. The EPA should work with states, tribes and local governments to obtain maximum coordination necessary to achieve this protection.
- The LGAC recommends that EPA consider recommendations of the Gulf Coast Ecosystem Restoration Task Force to track and mitigate the long-term impacts of the Deepwater Horizon BP oil spill.
- Due to the impacts of climate change that are already occurring, assistance is needed to convert increasingly flood-prone areas to beneficial and appropriate uses, such as productive landscapes, recreational trails, habitat restoration, and outdoor classrooms. The LGAC recommends that EPA coordinate with the U.S. Army Corps of Engineers to assist communities with this challenge.
- The LGAC recommends that EPA work internally and externally with stakeholders and partners to advance innovative technologies to restore and protect waters.

Goal 3- Cleaning Up Communities and Advancing Sustainable Development

Findings:

- Goal 3 emphasizes sustainable infrastructure investments as an effective way to balance economic development and natural systems. The LGAC endorses sustainable infrastructure as a way for local governments to invest wisely in building resilient communities and strong neighborhoods.

- Further, Goal 3 recognizes the changing composition of waste streams and acknowledges that new and emerging contaminants will be a challenge in the future. The LGAC supports the EPA's efforts to remain at the forefront of this significant evolving issue.
- The acknowledgment of external factors and emerging issues related to cleaning up communities and sustainability are of particular interest to local governments. Several of these issues significantly impact local governments' capacity to improve their environmental stewardship. When local and tribal governments view EPA as a resource partner rather than a regulatory agency, there will be more significant gains in performance.
- Goal 3 also emphasizes sustainable infrastructure investments as an effective way to balance economic development and natural systems. The LGAC endorses sustainable infrastructure as a way for local governments to invest wisely in building resilient communities and strong neighborhoods.
- Further, Goal 3 recognizes the changing composition of waste streams and acknowledges that new and emerging contaminants will be a challenge in the future. The LGAC supports EPA's efforts to remain at the forefront of this significant evolving issue.
- Setting ambitious goals for brownfield activities is commendable, but a 30% increase in assessed sites and a 50% increase in acres readied for reuse over the next 5 years will require substantial increases in funding, especially to local governments.
- The acknowledgement of EPA's role in homeland security is important to our nation. Again, partnering with local government will improve the overall effectiveness of homeland security initiatives.
- The LGAC commends EPA's efforts to promote sustainability and resiliency for small and disadvantaged communities. However, the LGAC concludes that there is a lack of capacity for small municipalities to identify environmental outcomes.

Recommendations:

- The LGAC strongly endorses brownfields clean-ups that enhance neighborhoods in and around brownfield sites. The LGAC further supports priority goal assessing and clean up of brownfield sites.
- The LGAC recommends streamlining grant processes for Brownfield grants; however, in any streamlining of investigative processes at brownfield sites or other contaminated land, care must be taken to ensure all investigations continue to be sufficiently comprehensive to protect the health of nearby populations, including minority and low-income neighborhoods that might be otherwise disproportionately affected.
- Brownfields coordination is needed for vacant properties. The LGAC recommends that assistance from EPA and HUD provide resources and support to local governments in order to strategically manage significant inventories of vacant properties in our cities, in order to minimize negative environmental and social impacts and repurpose the vacant properties into community and neighborhood assets.
- The strategic measure to "Clean Up Contaminated Land" should also include goals for the cleanup of Formerly Used Defense Sites (FUDS), Base Realignment and Closure (BRAC) sites, GSA properties, and other current and former governmental properties scattered through

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cities and towns nationwide. Local governments need technical assistance from EPA when becoming involved with other federal agencies and their complicated bureaucracies and procedures – this includes the evaluation of property transfer proposals that may exceed the capacities of some local governments to monitor or assure compliance with all environmental obligations associated with such property transactions.

- The LGAC supports the concept of enhanced local community engagement in clean up and remediation.
- The LGAC supports expanded web access regarding chemical safety for the public.
- The LGAC supports waste reduction efforts and work on UST systems.
- EPA should, as a part of the National Disaster Recovery Framework, work to include small and disadvantaged community concerns such as provide technical assistance and planning guidance.

Goal 4-Ensuring the Safety of Chemicals and Preventing Pollution

Findings:

- The LGAC applauds efforts by EPA to expand web access to identify chemical information and assessment tools.

Recommendations:

- EPA should focus efforts to identify sensitive populations and protect children and the elderly from hazards of chemicals and increase public awareness of these risks.
- The LGAC highly recommends that EPA expand the public awareness regarding lead safety.

Goal 5

Cross-Cutting Strategies

Findings:

- The LGAC commends EPA for advancing cross-cutting strategies to achieve the highest and most efficient programs and partnerships to promote sustainability, resiliency and protection of the environment by aligning with community objectives.
- The LGAC commends EPA's goal to improve internal coordination, alignment and accountability for community-based programs.
- The LGAC commends EPA's Strategic goal to increase public access to community-based resources to fully engage citizens in problem-solving, understanding and building effective solutions.

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- The LGAC strongly endorses EPA's goal to "launch a new era of state, tribal, local and international partnerships".
- The LGAC fully endorses EPA's efforts to build effective and efficient intergovernmental partnerships.

Recommendations:

- The LGAC recommends that EPA expand the conversation by engaging and providing enhanced outreach to small communities. The LGAC highly recommends that EPA consider adding a Small Community Liaison in each of the EPA Regions and HQ's to develop information and sources for small communities (through existing programs).
- In addition to noting one of EPA's Cross-Cutting Fundamental Strategies to be "Launching a New Era of State, Tribal, Local, and International Partnerships," the LGAC recommends the Strategic Plan should add "Federal" to the list of governmental tiers. EPA has long been a leader in forging federal interagency partnerships (e.g. the Sustainable Communities Partnership and the Brownfield Showcase Communities), and EPA should continue to encourage similar partnerships with other federal agencies to better serve states, tribes, and local governments. (In many cases the budgets of these other federal agencies [e.g. HUD, DOT, DOE, DOC/EDA, USDA, Treasury, GSA, US Army Corps of Engineers, etc.] are much larger than EPA's, and their programs have profound consequences for the protection of human health and the environment across the nation. EPA's guidance and leadership can have broader impacts in concert with these agencies).
- In addition to the partnerships noted in the draft Strategic Plan, there are other organizations, such as the National Association of Local Government Environmental Professionals (NALGEP) and the Urban Sustainability Directors Network (USDN), who currently share best practices, white papers, studies, and successful strategies that should be included in the Strategic Plan.
- EPA should also collaborate with these and other organizations that are supporting cities in their efforts to mitigate climate change, make our communities more resilient to the impacts of climate change, and promote triple-bottom line approaches that help simultaneously improve social equity, economic vitality, and environmental quality in our cities.
- The LGAC recommends the EPA streamline, simplify, or discard unnecessary administrative requirements associated with its grant and incentive programs whenever possible without compromising environmental quality. (Grant agreements that, only ten years ago, numbered less than 10 pages now include 40-50 pages of terms and conditions. In personnel and professional services, the costs of administrative compliance with cooperative agreements can become onerous in comparison to the federal assistance that is provided. To the degree possible, more of these resources would be better directed toward achieving the actual goals of the grants).
- The LGAC recommends that EPA expand resources that share and promote promising tools and models that communities can use. This should particularly be focused on small, disadvantaged, agricultural, tribal and environmental justice communities.
- EPA should fully seek active community engagement and problem-solving for environmental activities for small and disadvantaged communities.

- To assure environmental justice for all communities and tribes, the EPA should proactively implement concepts that address cumulative risks and impacts. This must be accomplished through a collective action between the Agency, local communities, and private and public partners. The LGAC recommends that the EPA incorporate these concepts along with use of existing chemical and physical risk assessment models as a cross-cutting measure in the Plan.
- The Strategic Plan offers opportunities for local governments to partner with the EPA on significant program areas, such as climate change, air quality, water quality, brownfields, integrated pest management, radon mitigation, and prevention of lead poisoning. The LGAC recommends that the EPA look for opportunities to directly award funding to local governments for activities in these areas. Historically, most EPA funding has been awarded to states, with relatively small amounts trickling down to local governments. In recent years, as budgets have tightened, states have further reduced their funding to local governments for these program areas (including state funding from EPA), even though local governments have proven very effective and efficient in their use of environmental program funding. (An excellent model for direct funding from federal agencies to local governments was the Energy Efficiency and Conservation Block Grants (EECBG) program, whereby the U.S. Department of Energy awarded financial resources directly to local governments for activities that reduced energy consumption and GHG emissions, saved money on utility costs, increased the generation of renewable energy, and created local jobs).
- We also encourage the utilization of the best science on social determinants and multiple stressors for evaluating environmental health impacts, particularly for EJ communities, small communities and those with significant economic and health disparities. Addressing cumulative risks and impacts in the Strategic Plan will help close the health gaps and disparities affecting EJ communities from both short- and long-term environmental risks and impacts. The collective partnerships in this endeavor can also assist communities with sustainability activities that promote wellness, environmental justice and environmental protection leading to a healthier workforce, improved economic prosperity, health wellness and a safer and cleaner environment for future generations.
- The LGAC strongly endorses all of the goals set forth to create stronger intergovernmental partnerships. The LGAC further recommends that the LGAC, as a federally chartered advisory committee, be used more extensively by the agency to convene stakeholder opinions and accelerate coordination with state, local and tribal governments.
- The LGAC highly recommends that the EPA continue its efforts to employ green building and green infrastructure on its facilities. The LGAC further recommends that the EPA showcase these efforts and work on an interagency level for federal agencies and federal lands to be good stewards of the environment through the use of stormwater controls, green infrastructure, reduction of GHG, pollution prevention and sustainability.
- The LGAC should continue and enhance its work with the agricultural community to achieve broad based environmental goals and measures.