



LGAC Small Community Advisory Subcommittee (SCAS)

**Notes from SCAS Teleconference
Wednesday, November 14, 2018
4:00-4:30 pm (ET)**

SCAS Participants:

Commissioner Robert Cope, Chair
County Administrator Brian Fulton, Vice-Chair
Mayor Bob Dixon
Mr. William Youngblood
Council Member Mervin Wright
Commissioner Libby Szabo
Supervisor Ryan Sundberg
Mr. Tom Willsey
Mayor Jose Carlos Aponte Dalmau
Commissioner Dennis Scott

LGAC Participant:

Ms. Susan Hann, LGAC Water Workgroup

EPA Participants:

Jack Bowles, Director of State and Local Relations
Cristina Mercurio, DFO for SCAS
Maggie Sauerhage, Office of Public Affairs
Chitra Kumar, Office of Revitalizing Communities

Members of the Public:

Miss Brandon Allen, Government Relations Manager, International Association of Fire Chiefs
Evan Branosky, Program Manager, Environmental Policy, National Association of Home Builders
Suzanne Yohannon, Reporter, Inside EPA
David LaRoss, Reporter, Inside EPA
Ariel Wittenberg, Reporter, E&E News
Elizabeth Wefel, Senior Attorney/Lobbyist, Flaherty and Hood, P.A., St. Paul, M
Frank Sturges, Student at the Environmental Law & Policy Clinic, Harvard Law School
Whitney Glaccum, Environmental Analyst, Enterprise Engineering and Environmental Solutions
A. Hope Sheils, Research Professional Public Strategies, Cozen O'Connor



LGAC Small Community Advisory Subcommittee (SCAS)

Notes

4:00 pm- 4:05 pm

Introduction/Welcome

Commissioner Robert Cope, Chair

County Administrator Brian Fulton, Vice-chair

- Chair Cope opened the meeting by welcoming the participants and asking for everyone to introduce themselves. He then proceeded to review the agenda (attached) and conduct roll call.

EPA Updates

Jack Bowles, Director of State and Local Relations

- Chair Cope introduced Jack Bowles, Director of the State and Local Government Relations within EPA's Office of Congressional and Intergovernmental Affairs, to provide an update from EPA.
- Mr. Bowles thanked the SCAS Members for their contribution to the PFAS Report which he described as containing sharp and concise points which are timely in terms of the input to EPA as it develops its approach on PFAS issues. In addition, Mr. Bowles mentioned:
 - Clean Truck Initiative: A multi-year effort announced by Acting Administrator Wheeler to address heavy-duty vehicle emissions for which standards have not been updated since 2001.
 - Water Infrastructure Finance Innovation Act (WIFIA) Loans: EPA announced 39 projects which are invited to apply for \$5 billion in WIFIA loans and will result in \$10 billion investment in projects and the creation of the thousands of jobs.
 - Waters of the United States (WOTUS): Proposal is still under review by OMB and going through interagency review. EPA is eager that this process results in simplified and understandable approach for local governments and other stakeholders.
 - America Recycles Day: Acting Administrator Wheeler will be hosting a range of stakeholders on November 15, 2018, around sustainable materials management issues.



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4:05 pm- 4:10 pm

Draft PFAS Report

Subcommittee Discussion

- Chair Cope opened the discussion by talking about the issue of affordability related to addressing PFAS contamination in small communities. A one-size-fits-all regulatory approach due to the per capita costs does not work.
- Mayor Dixon agreed with Chair Cope's summation of the issues and congratulated his fellow members on the work that the SCAS put into the PFAS Report.
- Mr. Brian Fulton concurred with both Chair Cope and Mayor Dixon's remarks.
- The draft PFAS Report and transmission letter were approved by SCAS as written.

4:10 pm- 4:15 pm

Public Comment

- Chair Cope asked for any comments from participating members of the public. There were no comments

4:15 pm- 4:20 pm

Draft WOTUS Letter

Subcommittee Discussion

- Chair Cope opened the discussion by recounting the feedback that LGAC provided on the Waters of the United States (WOTUS) Rulemaking proposals back in 2013-14 indicating at that stage the LGAC pushed for clarity and the need for understandable definitions, as well as the need to spell out specific exemptions. The LGAC recommendations from 2014 still stand and are reiterated in the current WOTUS letter. If followed, they would eliminate a lot of uncertainty.
- Mr. William Youngblood strongly agreed with the need for clarity.
- Mr. Tom Willsey asked about impacts on construction of ditches to address flooding.
- Mr. Bowles indicated that the WOTUS Rulemaking proposal went to the Office of Management and Budget (OMB) as a part of the interagency review process and confirmed that for many stakeholders the question of how a ditch is defined under WOTUS is a key issue. He was confident that whatever was submitted to OMB addressed the concerns raised around ditches.
- Chair Cope thought that better definitions around these issues will reduce litigation.



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- Ms. Susan Hann, LGAC Water Workgroup, indicated she supported the draft WOTUS letter as it stands.
- Chair Cope requested and received approval from the SCAS to submit the WOTUS letter to EPA as written.

4:20 pm- 4:25 pm

Informal Presentation of Draft EPA Community Revitalization Strategy Charge

Chitra Kumar, Director, Federal and State Division, OP/OCR

- Chair Cope introduced Chitra Kumar, Director of the Federal and State Division in EPA's Office of Community Revitalization (OCR), to make a brief presentation on the draft Community Revitalization Charge which was presented to the LGAC/Community Revitalization Workgroup on November 1, 2018.
- Ms. Kumar provided a brief history of OCR which has been in existence for two decades under various names and has allowed EPA to develop understanding and expertise around issues facing local, small communities and rural areas related to health issues and environmental impacts to land, air and water.
 - OCR works together with communities to support locally-driven strategies.
 - She mentioned some of OCR's programs, including those around local food, health centers and recreation/tourism.
 - EPA has worked with the Appalachian Regional Commission and towns in New Mexico.
 - Through the draft Community Revitalization Charge (attached), EPA is asking for feedback on the focus of EPA's community revitalization programs, whether members have suggestions for additional areas of focus, what unique challenges arise for small communities around these approaches and whether there are case studies that SCAS members or their network could provide that demonstrate how to build the economy of small communities while protecting health and the environment.
- Chair Cope thanked Ms. Kumar for her presentation.

4:25 pm-4:30 pm

Wrap Up and Next Steps

Commissioner Robert Cope, Chair



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- In wrapping up, Chair Cope asked the members who would be attending the face-to-face LGAC Meeting on January 10-11, 2019. The following members indicated they would be attending:
 - Chair Cope
 - County Administrator Brian Fulton, Vice-Chair
 - Mr. William Youngblood
 - Council Member Mervin Wright
 - Commissioner Libby Szabo
 - Mr. Tom Willsey
 - Supervisor Ryan Sundberg
 - Commissioner Dennis Scott
- In terms of new topics, Chair Cope raised the issue of forest fires and the environmental impacts on air, water and land and the idea of getting EPA involved in the National Cohesive Wildfire Strategy.
 - Mr. William Youngblood raised the issue of flooding which is a challenge around Pittsburgh, OH, and has caused multiple deaths. He pointed out the challenge of trying to get permits to address the capacity of streams and rivers. It takes ten years to get a permit from EPA and the State Department of Environmental Protection.
 - Chair Cope agreed and advocated the need to get a response to permit requests within 60 to 90 days.
 - Mr. Ryan Sandberg raised the issue of smart growth approaches and how these approaches can make it more difficult to develop rural areas.

4:30 pm

Adjournment

Commissioner Robert Cope, Chair

- Chair Cope thanked all the participants and adjourned the conference call.

Attachments:

- 1) Agenda for SCAS November 14, 2018, Teleconference Call
- 2) Draft Charge for LGAC/Revitalizing Communities Workgroup on EPA's Office of Policy/Revitalizing Communities Strategy



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We hereby certify that, to the best of our knowledge, the foregoing minutes are accurate and complete.

Respectfully submitted:

Dr. Robert Cope Chairman
Local Government Advisory Committee's Small Community
Advisory Subcommittee

Date: 12/12/18

Cristina Mercurio
Designated Federal Officer
Local Government Advisory Committee's Small Community
Advisory Subcommittee
U.S. Environmental Protection Agency

Date: 12/12/18



LGAC Small Community Advisory Subcommittee (SCAS)

**Wednesday, November 14, 2018
4:00-4:30 pm (ET)**

Call in number- 1-866-299-3188, Conference Code- 202-564-3115#

LGAC Small Community Advisory Subcommittee (SCAS) Members:

Commissioner Robert Cope, Chair

Secretary Jeff Witte

Chairman Shawn Yanity

Councilor Andy Beerman

Council Member Mervin Wright

Mr. William Youngblood

Mr. Tom Willsey

Mr. Brian Holter

Mayor Jose Carlos Aponte Dalmau

County Administrator Brian Fulton, Vice-Chair

Supervisor Ryan Sundberg

Mayor Bob Dixson

Mr. Rodney Bartlett

Commissioner Libby Szabo

Ms. Susan Lessard

Commissioner Dennis Scott

Commissioner Carvel Lewis

SCAS Agenda

4:00 pm- 4:05 pm

Introduction/Welcome

Commissioner Robert Cope, Chair

County Administrator Brian Fulton, Vice-chair

EPA Updates

Jack Bowles, Director, State and Local Relations

4:05 pm- 4:10 pm

Draft PFAS Report

Subcommittee Discussion

4:10 pm- 4:15 pm

Public Comment

4:15 pm- 4:20 pm

Draft WOTUS Letter

Subcommittee Discussion

4:20 pm- 4:25 pm

Informal Presentation of Draft EPA Community Revitalization Strategy Charge



LGAC Small Community Advisory Subcommittee (SCAS)

Matthew Dalbey, Director, Office of Community Revitalization (ORC), Office of Policy (OP) or
Chitra Kumar, Director, Federal and State Division, OP/ORC

4:25 pm-4:30 pm

Wrap Up and Next Steps

Commissioner Robert Cope, Chair

4:30 pm

Adjournment

Commissioner Robert Cope, Chair



LGAC Small Community Advisory Subcommittee (SCAS)

EPA's Local Government Advisory Committee's (LGAC) Revitalizing Communities Workgroup

About the LGAC-The LGAC is a federally chartered advisory committee made up of elected and appointed officials of state, local and tribal government. The LGAC provides advice and recommendations on key agency priorities of environmental and public health that impact local government and communities.

Charge for LGAC/Revitalizing Communities Workgroup: Review of EPA's Community Revitalization Strategy

Background:

EPA's Office of Policy (OP) under the Office of the Administrator is the primary policy arm of EPA and works to support EPA priorities and enhance decision-making. This office provides multi-disciplinary analysis and special expertise in a variety of areas, including community revitalization. OP's Office of Community Revitalization (OCR) supports locally led, community-driven efforts to revitalize local economies and improve environmental and human health outcomes.

To accomplish this work, OCR collaborates with other EPA programs, federal agencies, regional, state, and local governments, and a broad array of nongovernmental and private-sector partners to bring additional resources to communities and to leverage public and private sector investments. Assistance is provided at the community's request on issues such as reuse and redevelopment of abandoned and underused properties; diversifying economies and revitalizing main streets through local and regional food systems, broadband infrastructure investments, health care organizations, tourism and other community assets; disaster recovery and resilience and green and complete street designs.

Helping communities reuse existing buildings and infrastructure and revitalize neighborhoods brings economic and quality of life benefits while also using resources wisely, preserving undeveloped farmland and open space, and reducing pollution. Over the past 20 years, OCR has supported more than 600 projects in all 50 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands through a variety programs, such as:

- Local Foods, Local Places (<https://www.epa.gov/smartgrowth/local-foods-local-places>);
- Healthy Places for Healthy People (<https://www.epa.gov/smartgrowth/healthy-places-healthy-people>);
- Cool & Connected (<https://www.epa.gov/smartgrowth/cool-connected>);
- Greening America's Communities (<https://www.epa.gov/smartgrowth/greening-americas-communities>);
- Produces tools, research, case studies and other information on a variety of topics;
- Shares examples of community strategies and projects that can be models for other places; and
- Convenes diverse interests to encourage better growth and development.



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Charge:

EPA is seeking the advice and perspective of the LGAC's Revitalizing Communities Work Group and Small Community Advisory Subcommittee on EPA's approach with respect to supporting community revitalization and improving human health and the environment. Areas for LGAC feedback include:

1) **Review and advise on EPA Office of Community Revitalization's programs and strategies** - EPA offers on-the-ground technical assistance, publications, research, and tools that communities can use to set goals and make more informed decisions about how and where they grow and redevelop. OCR's technical assistance program started with local economic drivers like local food, healthcare, and broadband access, and hope to expand to other assets, like tourism and light manufacturing. OCR also works on infrastructure needs and barriers, such as disaster recovery and resilience, green infrastructure, complete streets, equitable development, and reusing vacant properties. Are there additional areas that EPA should consider? Which areas of support are of greatest need/interest? What are key measures of success?

2) **Advise on gaining access to capital to implement community visions**- EPA programs on community revitalization focus on provision of assistance in developing community-driven visions and support planning efforts that help communities diversify their economies. Once communities use this assistance to develop plans, how can they best access capital to implement the actions and projects that emerge? Other than funding, how can the Federal government and EPA be more supportive of overcoming barriers to achieving community goals? Are there good examples of how communities have made significant progress?

3) **Case studies that demonstrate success around community revitalization planning approaches and environmental impacts** – EPA is interested in hearing from local leaders about keys to success in how they have developed revitalization plans around any of our priority areas, and how they were able to successfully access investment to implement those plans, resulting in more vibrant, thriving, environmentally sustainable neighborhoods.

Proposal: The LGAC Revitalizing Communities Workgroup proposes to convene Workgroup meetings to engage local officials in providing recommendations based on their unique perspectives as state, local and tribal elected and appointed officials. This input may include:

- Ongoing and robust dialogue with EPA on programmatic approaches focused on revitalizing communities
- Local government perspective on focus recommendations (above)
- Ideas for working with communities from the perspective of local governments



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Details of the LGAC Workgroup Meetings

Proposed Meeting(s): The LGAC Revitalizing Communities Workgroup proposes to convene a series of workgroup meetings to gather information on a wide perspective of issues from large, urban cities; rural counties; tribal communities; and small and disadvantaged communities. The Workgroup will also convene a face to face public meeting to discuss the charge and outline a strategy for accomplishing it. The Workgroup will convene monthly teleconference calls to provide ongoing consultation as needed.

Deliverables: The Workgroup will participate in ongoing consultations with EPA's Office of Policy/Office of Community Revitalization on individual recommendations of Members detailing their findings and recommendations related to its charge. If consensus advice is desired or needed on issues they can be discharged to the Full Committee to provide consensus advice and recommendations (pursuant to FACA). In addition, either the Revitalizing Communities Workgroup and/or the SCAS will submit a letter of recommendation responding to the charge and the questions therein, including providing case studies on successful approaches.