



**OFFICIAL MEETING OF THE
NATIONAL AND GOVERNMENTAL ADVISORY
COMMITTEES
(NAC/GAC)**

FINAL SUMMARY

April 28, 2022

Via Microsoft Teams Virtual Platform

Note: The U.S. National and Governmental Advisory Committees are federal advisory committees chartered by Congress, operating under the Federal Advisory Committee Act; 5 U.S.C., App. 2. The committees provide advice to the Administrator of the U.S. Environmental Protection Agency (EPA) on the implementation of the Environmental Cooperation Agreement. The findings and/or recommendations of the committees do not represent the views of the Agency, and this document does not represent information approved or disseminated by EPA.

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Thursday, April 28, 2022

Call to Order and Introductions

Oscar Carrillo, National Advisory Committee (NAC) and Governmental Advisory Committee (GAC) Designated Federal Officer (DFO), Federal Advisory Committee Management Division (FACMD), Office of Resources and Business Operations (ORBO), Office of Mission Support (OMS), U.S. Environmental Protection Agency (EPA)

Mr. Oscar Carrillo, NAC/GAC DFO, FACMD, ORBO, OMS, EPA, called the meeting to order and welcomed NAC and GAC members and other attendees to the 54th meeting of the NAC and GAC committees. He thanked the NAC/GAC Chairs and Vice-Chairs for assisting in planning the meeting and Ms. Jane Nashida, Assistant Administrator, Office of International and Tribal Affairs (OITA), EPA; Mr. Rafael DeLeon, Deputy Director, OITA, EPA; Mr. Mark Kasman, Ms. Lisa Almodovar, and Nadtya Hong from OITA for their support of the NAC/GAC. Mr. Carrillo expressed appreciation to Ms. Robbie Young-Mackall, Acting Director, FACMD, ORBO, OMS, EPA, for ensuring that the resources are made available to support the work of the committees. Participants were invited to introduce themselves.

Opening Remarks

Robbie Young-Mackall, Acting Director, FACMD, ORBO, OMS, EPA

Ms. Young-Mackall welcomed the NAC/GAC members and other attendees. She noted that FACMD, located within OMS, manages the NAC and GAC and provides oversight to 21 other EPA Federal Advisory Committees. Ms. Young-Mackall thanked the new members, whom she met during the November 2021 orientation, and returning members for their intellectual investment in advising the EPA Administrator on issues related to the Commission for Environmental Cooperation (CEC). The NAC and GAC provide advice and recommendations to the EPA Administrator on environmental issues, engage with the Agency's partners and stakeholders, and play an important role in helping EPA achieve its mission to protect human health and the environment. She expressed appreciation to Ms. Nashida for her leadership and OITA staff for their support of these committees.

Mr. Carrillo invited Mr. Andrew P. Carey (U.S.–Mexico Border Philanthropy Partnership), Chair of the NAC, and Ms. Marina M. Brock (Barnstable County [Massachusetts] Department of Health and Environment), Chair of the GAC, to provide an overview of the agenda.

Welcome and Overview of the Agenda

Andrew P. Carey, U.S.–Mexico Border Philanthropy Partnership, Chair of the NAC
Marina M. Brock, Barnstable County (Massachusetts) Department of Health and Environment, Chair of the GAC

Mr. Carey welcomed everyone and thanked the NAC and GAC members for their participation. He reviewed and noted some adjustments to the agenda made during the planning phase of the meeting. To maximize time spent during this 4-hour meeting addressing the charge questions from EPA, the NAC and GAC Chairs and Vice-Chairs agreed to reduce the number of guest presenters during the session but not diminish the importance of the information. Written presentations were requested and distributed to the members prior to the meeting. Ms. Brock also welcomed participants and reviewed the breakout sessions occurring later in the meeting.

Update on U.S. Priorities and Guidance

Jane Nishida, Assistant Administrator, OITA, EPA

Ms. Nishida, on behalf of EPA Administrator Michael S. Regan thanked the NAC and GAC for participating and dedicating their time and commitment to advising the Agency as it represents the U.S. government on the CEC Council. She presented an update on the Biden administration and EPA priorities and introduced the advice letter charge.

The Biden administration has three environmental priorities that pertain to the mandate of the CEC: (1) climate change, (2) environmental justice (EJ) and equity, and (3) strengthening the United States' nation-to-nation relationship with tribal nations. Ms. Nishida further elaborated on the third priority, noting that EPA updates later in the meeting will address the other two topics.

Administrator Regan announced five international priorities—

- Combating the Climate Crisis.
- Advancing the Values of Environmental Justice and Equity.
- Addressing Transboundary Pollution in North America.
- Building Environmental Infrastructure, a Green Economy and Green Jobs.
- Strengthening an Environmental Governance.

Some of the outlined priorities fit with the ongoing work of EPA in North America, and the CEC provides a platform to work with partners in Canada and Mexico to address them. The charge questions align with the five international priorities. EPA is requesting the NAC's and GAC's advice on how best to incorporate the priorities of climate change and EJ into the work of the CEC and on the draft project description titled "Air Quality Improvement for Environmental Justice" identified by the CEC.

Ms. Nishida informed the committees that on April 27, 2022, the CEC Alternate Representatives (Alt Reps) met and discussed the July 14–15, 2022, 29th Council Session. Mexico is the chair and host, and the Council Session will be held in Mérida, Mexico, in a hybrid format. The Joint Public Advisory Committee (JPAC) continues to work closely with the CEC Secretariat on preparing the agenda and will hold a public forum prior to the Council Session. JPAC briefed the Alt Reps during this recent meeting. Mexico has set community-led environmental education for sustainable development as the thematic topic, and JPAC will focus its agenda on community-based approaches to environmental education and climate change. Ms. Nishida reminded the committees that the United States is the only one of the three Parties (Canada, Mexico, and the United States) to have a NAC or GAC. She also reminded the committees of the priority that they had advanced to the three governments—the establishment of a Traditional Ecological Knowledge Expert Group (TEKEG), which has now been permanently formed within the Council Session. TEKEG, whose members represent the Parties, and JPAC are providing advice to the CEC. In 2022, a new position, TEK and Indigenous Affairs Officer, has been made a permanent member the CEC Secretariat.

Ms. Nishida explained that the Council Session will begin with an *in-camera* meeting (i.e., private meeting) attended by JPAC and TEKEG. The public session will open with a report by CEC Executive Director, Richard Morgan, who will provide updates on the accomplishments. In 2021, the United States initiated establishment of an Environmental Justice and Climate Resilience (EJ4Climate) grant program managed in the CEC, which was a result of President Biden's emphasis on EJ and climate change. The U.S. government contributed \$1 million to the CEC to fund EJ4Climate, to which the other Parties added another \$1 million, increasing the total to \$2 million. A total of 15 EJ4Climate projects (five per country) were funded in 2022 to help underserved and vulnerable communities and Indigenous communities across North America address climate change, either through adaptation or resilience. EPA anticipates that the

CEC will continue this program past the inaugural grant cycle. In addition, the Youth Innovation Challenge winners were announced at the 2021 Council Session, and this Challenge will continue in the 2022 Session. Ms. Nishida emphasized the importance of engaging future creative environmental leaders in the Council Session. Next on the 2022 Council Session agenda will be the public town hall on community-led environmental education for sustainable development, followed by Council updates on deliverables in progress, after which the Session will close. Canada will assume the chairmanship for the 2023 Council Session.

Question and Answer Period

Mr. Gerald Wagner (Blackfeet Nation), GAC member, on behalf of the National Tribal Caucus (NTC) remarked on the need to ensure that tribal beneficial uses are included in the TEK definition. Mr. Wagner is Executive Committee Chair of the NTC and looks forward to any updates on this topic. Ms. Nishida noted that EPA updates later in the meeting from OITA's American Indian Environmental Office (AIEO) can best address this concern.

Ms. Erica Ocampo (The Metals Company), NAC member, asked about educational areas of focus audiences (e.g., communities, schools, colleges) regarding Mexico's theme of environmental education and sustainability. Ms. Nishida explained that this topic is broad from Mexico's perspective, noting that it aligns with the EJ themes of making sure that the community-based organizations have a seat at the table. These organizations play an important role in both school programs and educating the public.

Environmental Justice Goals at EPA

*Dr. Matthew Tejada, Director, Office of Environmental Justice (OEJ), Office of Policy (OP), EPA
JoAnn Chase, Director, AIEO, OITA, EPA*

White House Environmental Justice Advisory Committee (WHEJAC)

Dr. Matthew Tejada, Director, OEJ, OP, EPA, discussed how WHEJAC is integrating EJ into the U.S. government and what the CEC can learn. He noted reviewing prior charge questions the NAC and GAC have addressed regarding climate change, climate justice and air quality that align with priorities of the EJ program.

In April 2022, OEJ released the Equity Action Plan in response to Executive Order 13985. The Plan outlines six different priority action areas that EPA stands to make progress on during the next 2 years, including procurement, citizen science and support to the community, particularly community capacity building. More important, the Equity Action Plan emphasizes understanding how to incorporate cumulative impacts into EPA environmental and public health regulatory efforts. Dr. Tejada remarked that EPA recognizes that this effort is not something that the Agency can solve alone and appreciates that some states are taking the lead on the local level to address issues of cumulative impacts disproportionately affecting communities that are overburdened and excessively vulnerable to any pollution or public health threats. In March 2022, EPA released the *FY 2022–2026 EPA Strategic Plan*, which for the first time includes a strategic goal that specifically addresses EJ.

The EPA Equity Action Plan aligns with the strategic plan in integrating EJ and addressing cumulative impact issues. EPA is working internally and with its partners to implement all aspects of the action plan. The Agency also is committed to identifying 10 indicators of disparity elimination by September 30, 2023. Dr. Tejada highlighted some key focuses of the *FY 2022–2026 EPA Strategic Plan*, including a clear commitment from EPA leadership and the White House to perform the work of equity, justice and civil rights. Regarding air quality and climate justice, EPA has coupled the resources received with how and where those resources are invested and will evaluate what is necessary for those resources to make a

difference for communities that are disproportionately burdened. The Agency will establish accountability measures to track investments from the start to realizable benefits.

Overview of Indigenous Traditional Ecological Knowledge (ITEK)

Ms. JoAnn Chase, Director, AIEO, OITA, EPA, provided an overview of ITEK and discussed the direction that EPA and the Biden administration are moving in to advance this initiative. She briefly touched on some ongoing AIEO activities, such as a grants program and tribal consultation. The White House Council on Native American Affairs (WHCNA) is a vehicle to help AIEO to facilitate its work in tribal consultation. In 2021, the Biden administration prioritized the development of a federal guidance around the inclusion of ITEK. The White House defines ITEK as a body of observations, oral and written knowledge, practices, and beliefs that promotes environmental sustainability and the responsible stewardship of natural resources through relationships between humans and environmental systems. It is applied to phenomena across biological, physical, cultural and spiritual systems. ITEK has evolved over millennia, continues to evolve, and includes insights based on evidence acquired through direct contact with the environment and long-term experiences, as well as extensive observations, lessons and skills passed from generation to generation.

Ms. Chase, a citizen of the Mandan, Hidatsa and Arikara Nation, emphasized that TEK is sacred knowledge and the sacred system of native peoples. It is a body of knowledge that is critical for the future of Indigenous people and needs to be handled with a great deal of care. TEK is very sensitive and is spiritually and culturally significant. Although EPA's intentions are good to involve TEK in federal decision-making, it has to be done in a manner that is culturally competent. EPA is committed to ensuring this aspect, but the challenge is ensuring that the federal family puts in place the necessary safeguards.

The Obama administration hosted the first White House Tribal Nations Summit, which the Biden administration has reinstated. This Summit convenes tribal leaders from across the country and a large number of principals from the federal family. During the November 2021 Summit, the White House Office of Science and Technology Policy (OSTP) and White House Council on Environmental Quality (CEQ) issued a joint memorandum titled "[Indigenous Traditional Ecological Knowledge and Federal Decision Making](#)." This OSTP-CEQ memorandum recognizes the importance of TEK and commits the federal family to elevating the role of TEK in federal science and policy processes. The White House is in the process of developing guidance on the inclusion of ITEK in federal decision-making and policy processes. The date has yet to be announced but is anticipated to coincide with the Second Tribal Nations Summit, which is being held in the fall of 2022. The guidance will include best practices.

Ms. Chase and her office are collaborating with tribal nations and Native communities to achieve mutually beneficial outcomes. Efforts will focus on ways to address the federal government-wide challenges around TEK, such as navigating federal laws and interagency processes and appropriately respecting the knowledge holders' rights to decline participation. The ITEK guidance will complement existing Agency guidance and will build on past efforts. OSTP and the White House Domestic Policy Council convened an Interagency Working Group on ITEK composed of representatives from 25 different federal departments and agencies. Ms. Wenona Wilson, Senior Tribal Policy Advisor, Region 10, EPA, who is a member of the Confederated Tribes of the Colville Reservation, represents the Agency on the Interagency Working Group on ITEK. On behalf of the three countries, the CEC issued a Ministerial Statement on the inclusion of ITEK.

AIEO is conducting training sessions with EPA staff and colleagues across the federal family. Lessons learned are being shared, and the Interagency Working Group on ITEK is seeking input from tribal nations. On April 29, 2022, the day following this meeting, AIEO will host a virtual tribal consultation on ITEK.

Question and Answer Period

Ms. Ann Marie Chischilly, Esq., (Northern Arizona University), Vice-Chair of the NAC, called attention to the Institute for Tribal Environmental Professionals (ITEP) Biennial National Tribal and Indigenous Climate Conference being held in St. Paul, Minnesota, on August 29–September 1, 2022, which the WHCNAA has been invited to attend. She asked how the TEK guidelines will be incorporated into the federal guidelines or across federal agencies and what the timeline for incorporation would be. Ms. Chase commented on balancing the sense of urgency of having TEK with the sensitivities that obviously are not in place. She could not specify a timeline but will follow up with the Interagency Working Group on ITEK for further details. Regarding implementation, Ms. Chase pointed out the challenge of developing a plan that appropriately respects knowledge holders and addresses sharing information among the federal agencies. She also will follow up with the Interagency Working Group on ITEK and the Agency’s internal working group addressing this topic and will reach out to other representative bodies (e.g., ITEP) for their input.

Mr. Wagner requested that NTC be engaged in the discussions and activities on implementation of ITEK in federal policy and emphasized making sure that this transition is seamless without upsetting any stakeholders. Ms. Chase made a note to include the NTC in future discussions and added that the TEKEG, which is composed of representatives (all indigenous people) of the three countries, advises the CEC in these matters as well.

Dr. Vincent R. Nathan (Center for Houston’s Future), NAC member, commented that many of the earlier EPA EJ projects were performed without designated funding. He asked whether the legacy pollution sites will be included in remediation related to the issue of lead exposure in children. Dr. Tejada replied that EPA continues to focus on legacy communities and legacy pollution issues and is addressing recent problems (e.g., per- and polyfluoroalkyl substances [PFAS]) as well. The core policy priorities of the EJ program have always flowed from communities with EJ concerns, which will continue.

Dr. David T. Dyjack (National Environmental Health Association), NAC member, was surprised that the Centers for Disease Control and Prevention (CDC) was not included in the WHCNAA even though health is central to the ITEK initiative. Ms. Chase agreed that the intersection of health in this effort is critical and will verify whether the CDC is represented in the Interagency Working Group on ITEK.

Mr. Erich A. Morales (El Paso County Attorney’s Office), GAC member, sought clarity on the EJ definition. Dr. Tejada clarified that the standard definition of EJ has not been updated from what is currently listed on EPA’s website. He explained that the White House is revisiting Executive Order 12898 from 1994 on federal actions to address EJ in minority and low-income populations, which could potentially update the definition of EJ in the federal government.

Ms. Ocampo commended OEJ for having EJ incorporated into EPA’s Strategic Plan and asked about plans to examine affordability and accessibility (nontraditional EJ priorities) of EJ communities to assess the clean energy transition. Dr. Tejada replied that the National Environmental Justice Advisory Council and other councils are addressing these issues in the context of climate change and drinking water, for example. EPA and other federal agencies have been conveying to the White House the message that the one-size-fits-all model does not work when addressing equity issues.

Dr. Aminata P. Kilungo (The University of Arizona), NAC member, sought clarity on whether water issues, which are relevant to the EJ communities in the border region in Arizona, are being addressed in the EJ program, along with the other areas of focus (e.g., citizen science, community capacity building, climate change). Dr. Tejada clarified that although water is not specifically listed as a priority in the Equity Action Plan or Strategic Plan, the American Rescue Plan Act of 2021 (i.e., COVID-19 Stimulus Package) calls out safe drinking water. This Act allotted EPA \$50 million in EJ funding to work on issues resulting from the

impacts of COVID-19 on overburdened communities. This funding provides OEJ an opportunity to collaborate with EPA's Office of Water and divisions and regions that would include the state of Arizona, to investigate water issues. In addition, the increased funding has allowed OEJ to expand services to other initiatives, including EPA's Circuit Rider Program.

Joint Open NAC/GAC Discussion on Presentations

Andrew P. Carey, U.S.–Mexico Border Philanthropy Partnership, Chair of the NAC

Marina M. Brock, Barnstable County (Massachusetts) Department of Health and Environment, Chair of the GAC

Mr. Carrillo thanked Ms. Nadtya Y. Hong, International Environmental Program Specialist, Latin America and Caribbean Program, OITA, EPA, and CEC General Standing Committee member, for assisting in assembling the advice that Ms. Nishida needed for this meeting. Ms. Hong will be available during the meeting to address any questions. Ms. Lisa Almodovar, Deputy Director, Office of Regional and Bilateral Affairs, OITA, EPA, thanked the NAC and GAC members for their time, efforts and advice, and she looks forward to continuing interactions with the committees.

Ms. Brock asked whether there were additional questions about EPA presentations. The committees reviewed the CEC and JPAC written updates prior to the meeting. Ms. Brock opened the discussion.

Dr. Dyjack, who also is a member of Environmental Health–Profoundly Local & Profoundly Useful group, representing local governmental and environmental health throughout the United States, asked whether the equity, justice and civil rights issues these committees are discussing would be best addressed by a formal office or whether a more distributed leadership model would be more effective. In her own research and experience, Ms. Brock has observed that when the federal government begins to regulate public health in any capacity, some constitutional problems arise. The assumption is that local, regional and state entities know their own capacities and issues better than the federal government could know. She could not provide any insight on the effectiveness of that model but thinks the point that Dr. Tejada made earlier on holding people accountable to investments is a step in the right direction.

Ms. Elisa Arias (San Diego Association of Governments), GAC member, spoke on leveraging the efforts of EPA's Equity Action Plan and Strategic Plan with those on the state and local levels. In the San Diego region, restarting expired projects when additional funding is obtained can be challenging and should be avoided if possible.

Sally Ann Gonzales (Arizona State Senate), GAC member, commented that EJ has been a large part of her legislative work in Arizona, but she has not been able to have those bills passed. She has sponsored bills on lead poisoning in communities of color in Arizona and toxic chemicals from a large plume, now known as the West Van Buren site, that EPA has been working to clean up for several years. Constituents in her district are still becoming ill from the contaminated water and receiving a cancer diagnosis; some do not survive. Her bill would have supported blood testing. Ms. Gonzales relies on colleagues, including Mr. Leonard Drago (Arizona Department of Environmental Quality), GAC member, to provide input on methods to address EJ in her region. Ms. Brock suggested revisiting this issue in the separate GAC meeting.

Although not under the purview of EPA, Dr. Kilungo suggested that the committees also discuss environmental health issues in the context of air pollution and different types of contaminants linked to diseases. She also suggested addressing the burden of disease in EJ communities, as well, and engaging other agencies, such as CDC, in these discussions.

Public Comment Period

Mr. Carey invited Susan Guinn, President and CEO, San Diego Regional Policy and Innovation Center, Vice President and Chief Innovation Officer, The San Diego Foundation, to provide her comments.

Ms. Guinn thanked EPA for this opportunity to participate in the Public Comment Period of the April 2022 NAC/GAC meeting. She acknowledged the November 2021 announcement of the holistic approach to water pollution from the Tijuana River Watershed on behalf of both organizations. The proposed \$300 million investment in the San Diego region will address transboundary water pollution and transform the quality of life and public health protections for residents on both sides of the U.S.–Mexico border region between California and Baja California.

She explained that both organizations are committed to contributing to the ongoing solution to restore the transboundary watershed between the two communities. The Foundation’s environmental program has provided tens of millions of dollars to innovative solutions, including supporting projects and organizations in the Tijuana River watershed. This environment portfolio is one of the more significant engagements the Foundation brings to the community and, thus, the Foundation looks forward to partnering with EPA and its allies to bring real solutions to this challenge.

In September of 2013, the San Diego Foundation collaborated with the U.S.–Mexico Border Philanthropy Partnership on its Public Health and Environment Summit to raise public and private-sector awareness of the issue and challenges facing the cross-border region. Following this event, the San Diego Foundation provided significant grant support to nonprofits in the region addressing the transboundary water pollution problem. Both organizations are encouraged by EPA’s planned investment and, more specifically, support plans to initiate an environmental review of projects to curtail transborder pollution and improve water quality. As EPA completes its assessment of infrastructure options, a National Environmental Policy Act review will move forward to reduce potential negative environmental impacts of the projects that make up the comprehensive solution. This legally mandated review is needed before design and construction can begin.

Ms. Guinn emphasized that these projects will require significant financial and political commitment from the governments of both the United States and Mexico. The United States is bringing substantive resources to the table, and the organizations urge that Mexico be invited to play a crucial role in funding adequate portions of this project as a shared solution to a shared problem. The San Diego Regional Policy and Innovation Center exists to bring resources to the area and build enduring collaborations. It has successfully secured millions of dollars in federal resources to address critical needs in the San Diego community.

Regarding the transborder pollution and water quality issues, the San Diego Regional Policy and Innovation Center has completed a series of high-level dialogues with leaders, partners, stakeholders and official representatives from both sides of the border, including elected and appointed public officials from state governments in both countries—specifically, California, Texas and Baja California—and from federal officials in Mexico City and Washington, D.C. As a result, both organizations are more hopeful about the progress and commend EPA Administrator Regan for his tireless advocacy to identify, develop and implement solutions to this challenge that has plagued the U.S.–Mexico border region for decades.

The San Diego Foundation and San Diego Regional Policy and Innovation Center plan to continue to engage this issue to bring permanent solutions for an improved quality of life for the binational residents of its binational community. In closing, Ms. Guinn, on behalf of the organizations, thanked EPA for its leadership and engagement to bring effective solutions and preliminary financial resources to the San Diego region to solve the pollution of the Tijuana River Watershed and its subsequent impact on this community. Mr. Carey thanked Ms. Guinn for her comments, and she exited the meeting.

Hot Topics Discussion

Mr. Carey opened the discussion to environmental topics of interest relevant to members' geographical regions. He invited NAC and GAC members to present their hot topics.

Gordie Howe International Bridge Air Monitoring Project

Ms. Simone Sagovac (Southwest Detroit Community Benefits Coalition [CBC]), NAC member, reported on an air monitoring project examining black carbon as a key pollutant to identify the effects of future truck traffic. This project resulted from negotiations of the new Michigan/U.S.–Canada border crossing currently under development, the Gordie Howe International Bridge. Located in the Delray community of Southwest Detroit, this is the country's busiest commercial crossing. Delray is an EJ community, in which the majority of residents are Latinx and African American, and it is the lowest income district in the city of Detroit. The immediate area surrounding the bridge has the largest population of children residing in the city and the largest number younger than age 5. The final environmental study completed in 2008 concluded that truck traffic will more than double in the area, but air quality would improve. These data were based on regional ambient admissions but did not account for local impacts.

CBC formed in 2008 and began organizing efforts that lasted 10 years before the initial community benefits agreements were reached in 2017, totaling more than \$47 million at the time. CBC collaborated with faculty at the University of Michigan School of Public Health to help advise these studies, and data were collected at baseline and pre- and post-construction. The initial health data showed that air pollution and health impacts were highest closest to the freeway, which was the bridge footprint. Funding was secured and allocated to create a comprehensive air monitoring program that included three new state air monitoring stations, a mobile monitoring van fully stocked with reference-grade equipment, and indoor and outdoor residential air monitors. Approximately 30 homes are participating and monitored during four seasons, with weekly deployments to the homes.

Data findings have been documented in a recent report, described later in the presentation, and can be shared with the committees. Other committee benefit funds were allocated to conduct long-term health impact assessments and establish a mitigation program to provide a segment of homes with new windows and air filtration and to support a home-swap program. The Phase One Health Impact Assessment showed that asthma incidence was twice as high in all age groups close to the freeway and three times higher for seniors. Ms. Sagovac highlighted that a priority in designing the monitoring program was to have EPA reference-grade equipment so that data would be rigorous and usable in direct decision-making. Further details can be found in the project report.

Ms. Nazaret Sandoval (Michigan Department of Environment, Great Lakes and Energy), Vice-Chair of the GAC, reviewed the map of monitoring sites in Southeast Michigan and major air emission point sources of the study, noting the EJ communities. She also reviewed some preliminary monitoring data. This project and assessments are ongoing.

San Diego Region Transboundary Water Pollution

Ms. Elisa Arias (San Diego Association of Governments), GAC member, highlighted some environmental issues in her region, some of which she will further elaborate on during the GAC separate meeting. These include transboundary water pollution described in the Public Comment Period, waste tires and solid waste issues that also impact water quality and public health in the California/U.S.–Mexico border region, and air pollution in EJ communities near the port of San Diego and the San Diego–Tijuana border.

Air Quality Improvement for Environmental Justice, EPA Region 6

Dr. Nathan reported that the largest swath of black carbon and fine particulate matter (PM_{2.5}) emissions generated by petrochemical operation the United States lies in the area between Baton Rouge, Louisiana, and Corpus Christi, Texas. Historically, in the same area, wildcat drilling—which has resulted in numerous unplugged wells, massive flaring, waste gas emissions, leaks, and spills, including offshore drilling, and unprecedented fracking operations—have left the southern U.S. Gulf Coast region in a quagmire of pollution and public health disasters. Residents in this region are generally older, poor and an ethnic minority population. The area contains the infamous “cancer alley,” the CDC and U.S. Department of Transportation–designated Mississippi Delta region, and a robust fisheries region. In addition, methane leakage is a significant problem in the same area. The flaring and fracking operations routinely burn excess gas and are regulated by few inspections or enforcement measures. Dr. Nathan recommended generating a public auditable report of emissions data collected from the source and not relying on industry estimates. These data could be combined with satellite observations, regulator reports and other independent data.

Committees Meet Separately to Discuss Charge Questions

Mr. Carey explained that the NAC and GAC would meet separately to deliberate on the EPA charge questions and would reconvene to summarize the discussions.

GAC Separate Meeting

Ms. Sandoval reminded the GAC members of Charge Question #1 and the related project objectives and opened the discussion; the CEC needs GAC’s advice regarding project implementation.

Ms. Gonzales commented that a community of color located near the freeways near the Phoenix capitol area has many of the symptoms and predictors that Ms. Sandoval and Ms. Sagovac presented about regarding the Detroit community. With high levels of asthma in children and elders, she wondered how EPA and CDC will select EJ communities and asked whether GAC would assist in this process.

Ms. Sandoval responded that the GAC would provide advice to assist CEC in making decisions about community selection.

Ms. Sandoval noted that Item #10 in the CEC project plan lists the organizations that will participate in the project. The local communities must be identified. She asked the GAC members for ideas on how the CEC can make the selection (e.g., identify pollution sources near communities).

Ms. Arias has examples of monitoring in the San Diego region, including a [Community Air Protection Program](#) being run by the San Diego County Air Pollution Control District with funding from the state of California. The funding is available as a result of state legislation ([Assembly Bill No. 617](#)) passed to understand sources of pollution in EJ communities. Monitors were installed with input from the community about potential sources of pollution, as well as collaboration with the Port of San Diego and California Department of Transportation. Vehicle modeling also was performed. These sources of information helped the community and steering committee identify sources of pollution (e.g., port activities, traffic on freeways and local streets). A community emissions reduction program was developed with actions to mitigate the pollution from the identified sources. This is one example, but the Community Air Protection Program (CAPP) is statewide, so examples throughout California exist.

Mr. Morales asked Mr. Robert Janecka (Texas Commission on Environmental Quality [TCEQ]), GAC member, how Texas gubernatorial inspection actions affected the international ports of entry in the state. Mr. Janecka responded that a variety of monitors, including stationary monitors, show the effects of commercial activities that have occurred during the past year. He described the low-cost monitoring

space. The Juárez portion of the air shed has not had conventional long-term monitors. The Binational Air Quality Fund allows U.S. state and federal funds, Mexico federal funds, and private funds to be deposited into a North American Development Bank (NADBank)–administered account that provides for long-term monitoring. In terms of low-cost monitoring, TCEQ has a contract with The University of Texas at El Paso (UTEP) to perform upper air studies in the Paso del Norte region on brown and black carbon soot to determine the effects of wildfires on regional air quality. TCEQ’s Quality Assurance Project Plan was used in these studies. Mr. Janecka noted the exciting projects being undertaken by academic and community stakeholders. TCEQ provided the links to the [UTEP air quality research reports](#), information about the [Binational Air Quality Monitoring Fund](#), and a [low-cost air sensor study in the Paso del Norte region](#). TCEQ shared the link to a [YouTube video](#) about the project using low-cost sensors in the shared Ciudad Juárez–El Paso air basin.

Dr. June Weintraub (San Francisco Department of Public Health), GAC member, reiterated that CAPPP is a statewide effort. In San Francisco, trying to precisely identify air pollution sources has been a creative process that relies on the ability to examine reported emissions, make assumptions about which different industry mixes and traffic flows and patterns are contributing, and then extrapolate the information. The San Francisco CRRP focuses on improving transportation because the area does not have a significant number of polluting activities from industry. The topographies, however, can change the locations of air quality issues. The contributions of port activities are estimated, and mitigation is based on assumptions (e.g., changing idling constraints or the fuel mixes of various vehicles). Developing defensible calculations and statistics is complex. Dr. Weintraub cautioned GAC to establish a reasonable set of expectations of about what can be accomplished in terms of meaningful values and statistics. She has experience measuring PM_{2.5} in EJ communities. Mistrust in the instrumentation and its placement exists, so it is important to gain a solid understanding of instrument capabilities and which parameters affect their accuracy (e.g., fog causes anomalous increases). GAC could carefully consider the instrumentation that will be deployed and ensure that a robust educational component is included, particularly in citizen science activities. Citizen participants should have a good understanding of what they are participating in, as well as reasonable expectations about the technologies being employed.

Ms. Sandoval commented that if the source the community is measuring is unknown, it is challenging to determine which technology to use. For example, communities in rural areas, communities with increased woodstove usage, or communities that burn garbage and have increased open fires often engage in activities that produce more PM and black carbon than other sources. Rural communities have unique challenges, and there is a general lack of interest in these rural problems.

Ms. Brock remarked that a common misconception is that one instrument can detect all atmospheric hazards. Actual atmospheric hazards must be examined: gasses, vapors, mists, aerosols and particulates. Further complicating the issues is that diesel exhaust is a combination of all of these. Additionally, cooking odors can increase fine PM. A quality pre-site survey of potential sources is critical. Instruments also have detection limits, and identifying the appropriate specifications will be challenging. Humidity and fog cause significant challenges for some sensors.

Ms. Sandoval introduced Objective #2, noting that the most important piece will be a community survey. She cited the example of the Detroit volunteers who performed surveys to determine the health conditions of their community. Ms. Arias thought that the proposed project timeline is ambitious. Time is needed to gather enough data to determine appropriate monitoring sites, obtain permits, set up the monitoring sites, overcome the mistrust of community members, and communicate the implementation plan to the community. Ms. Sandoval agreed, remarking that the Detroit project took 3 years to implement.

Ms. Sandoval introduced Objective #3. Ms. Arias stressed the importance of institutionalizing the funding source for sustainable funding. Which entity will maintain the monitors, perform the data collection and

so forth? A university may volunteer to assist, but universities also have limited funding. Continued support is needed; this is not a one-off situation. It is important to think ahead to the end of the grant. She has seen many instances in which the grant ends, and the researchers abandon the community. Researchers must continue to engage the community. Considering how to maintain a project in a community is a critical step.

Ms. Brock agreed, citing the need for continued maintenance of monitors to ensure that they work over time and that resulting actions are appropriate. She asked whether local universities are stakeholders in California's CAPP effort. Ms. Arias responded that the California Air Resources Board and San Diego Air Pollution Control District are active partners. The community can choose to use part of the available funding to continue monitoring. The emission reduction program is similar to a living document; it will be assessed and updated, and annual reports will be released. She cited a sensor project in the community of San Ysidro in San Diego, run by a community-based organization with support from two local universities, that ran out of funding. Ms. Sandoval cited a similar situation in which a housing department needed to get involved because of the lack of funding.

Ms. Sandoval asked for input on the described post-project expected impacts. Ms. Arias thought that the performance measures seem reasonable, but she does not have much experience in performance measurement because the San Diego project is not at that stage. Perhaps qualitative and quantitative assessment can be performed. Ms. Sandoval agreed it is difficult to assess performance measures when the community's pollution source is unknown at this point.

Dr. Weintraub did not think that it is necessary to wait until 2025 to formulate and implement mitigation measures. The CEC will select communities with problems or perceived problems. A precautionary approach can be applied in which mitigations are implemented and the results measured. This approach will undermine the collection of empirical evidence, but it tracks qualitative measures. Instruments (e.g., community questionnaires) have been validated to determine changes (e.g., real-time information about measurable air quality, understanding of or participation in mitigation measures). These types of changes can improve the community members' quality of life and health. The project can be approached in a sensible, defensible and holistic manner, even if at the end of the project, it is not possible to say, "The mean PM_{2.5} from black carbon was reduced by X percent."

Mr. Orlando Cabrera-Rivera, CEC, noted the asterisk at the end of the post-project table that speaks to Dr. Weintraub's point. The CEC's JPAC just launched the [public consultation](#) for this project, and the deadline is May 19, 2022. Ms. Brock added that the CEC operational plan is not organized as it has been in the past. The operational plan now allows much more flexibility to take short-term (*ad hoc*) action when issues arise. The systematic approach that the CEC is applying is advantageous.

Ms. Arias commented that the project plan indicates that the project addresses only the first strategic pillar of clean air, land and water. She thinks that the project also addresses the pillars devoted to shared ecosystems and species and resilient economies and communities, as well as possibly addressing the pillar devoted to effective enforcement of environmental laws. She cautioned the members not to create silos and to focus on the crosscutting approach mentioned in the plan.

Ms. Brock moved the discussion to Charge Question #2, noting that GAC has more time to consider this question, whereas the GAC response to Charge Question #1 must be completed in a 2- to 3-week period. She encouraged the members not to limit their thinking and instead consider broad topics. She suggested including health and environmental health metrics in the analysis of the charge questions, including those related to climate change, cancer clusters and environmental health issues. Many of these topics can be included in the climate change and EJ issue; GAC members do not have to focus on only air quality and pollution. Many factors affect climate change (e.g., human behaviors).

Mr. Janecka reminded the GAC members about the CEC Strategic Plan's [six strategic pillars](#), which they were asked to review:

1. Clear Air, Land and Water
2. Preventing and Reducing Pollution in the Marine Environment
3. Circular Economy and Sustainable Materials Management
4. Shared Ecosystems and Species
5. Resilient Economies and Communities
6. Effective Enforcement of Environmental Laws

Ms. Gonzales cited the example of the West Van Buren plume, located near a cancer cluster. Additionally, a well needed to be closed recently because of high PFAS levels. Community-based organizations (e.g., Las Aguas) have been working to bring justice to their communities following these contaminations. Such groups as Las Aguas, which have been mobilizing to bring attention to their communities to obtain EJ, can serve as a resource for GAC.

Mr. Morales explained that in El Paso County as well as across the State of Texas, colonias lack drinking water, central sewer and paved roads. Between 1990 and 2010, the State of Texas alone had spent over \$500 million dollars to address these issues, not including local funding. Much more has been spent since then. He suggested putting metrics in place to consider the environmental effects of the efforts to mitigate the problems in colonias.” For example, are mitigation efforts being put in place to improve the quality of life in economically distressed areas instead contributing to long-term environmental issues and potentially placing the burden of climate justice in economically distressed areas? Are mitigation efforts contributing to climate change problems that will have disproportionate long-term effects on these communities? He cited the examples of the many *colonias* that do not have sewage facilities but have septic systems that require a larger area for sewage disposal, which results in less density and significantly increased infrastructure expenses, which, in turn, contribute to additional traffic and air pollution.

Ms. Brock commented that the same and yet opposite issue exists in Cape Cod, Massachusetts. The argument for onsite septic systems and larger lot sizes is to intentionally restrict the density of development, which then restricts infrastructure development. Mr. Morales agreed that Cape Cod is on the opposite side of the spectrum and noted that the genesis of *colonias* has led to the current situation of trying to address infrastructure issues by building additional infrastructure, which leads to increased traffic and air pollution.

Mr. Janecka commented that water infrastructure development across Texas and many of the *colonias* is a unique, sensitive point about overdevelopment in areas that did not meet population growth expectations. As a result, some parts of the state are overpaying for this development. He noted the sharp juxtaposition between low-income areas in El Paso and infrastructure issues in the very different socioeconomic area of Cape Cod. Ms. Brock added that these infrastructure issues contribute to climate change.

Mr. Austin Nunez (Tohono O’odham Nation), GAC member, described a community well on the San Xavier Indian Reservation of the Tohono O’odham Nation in which two PFAS compounds have been detected. EPA Region 9 has reported levels of 3.8 parts per trillion (ppt) of perfluoro butanoic acid and 2.5 ppt of perfluoro butane sulfonic acid. This and other wells in the area will be re-tested and monitored. Ms. Gonzalez thought that San Xavier should be submitted to the CEC as an EJ community. Mr. Nunez added that the community also has been affected by trichloroethylene, which still is being cleaned up. Ms. Brock asked Mr. Nunez and Ms. Gonzalez to provide her with any information on military uses that have contributed to the contamination, so that she can distill this information and include it in the advice letter.

Mr. Wagner described a conversation that he had with farmers and pesticide applicators about his concerns regarding pesticide spray drift, which could result in pesticides in the ground water. Their response was that the small amounts of pesticide mixes will not cause harm. Because pesticides do cause harm, regulators and applicators must be in sync with their actions. Mr. Wagner also noted that the intensity and length of wildfires are changing because of climate change. The increased intensity and length of wildfires also increase the amount of hazardous air that community members breathe. He pointed out the need for studies that examine repetitive exposure to wildfire smoke for a time frame of 6 weeks to 2 months. Black carbon could be entering the lungs of unborn children.

Ms. Brock remarked on the existence of both acute and chronic health impacts. Chronic effects are more difficult to determine because of the longer time frame and potential co-contributors and co-factors. Exacerbation of asthma and similar health metrics could be used for short-term analysis.

Mr. Wagner explained that the Blackfeet Nation developed a climate change adaptation plan that the tribe has been using for 2 years. He asked about additional resources for implementation for tribes that already have developed adaptation plans. EPA has been behind in providing resources for climate change implementation. Ms. Brock asked Mr. Wagner to send her this information. Mr. Wagner agreed and provided the link to the [Blackfeet Climate Change Adaptation Plan](#).

NAC Separate Meeting

Mr. Carey opened the NAC discussion on EPA Charge Question #1 on the draft description of the CEC project titled “Air Quality Improvement for Environmental Justice.” He explained that the NAC has been asked to provide advice on how EPA can improve or enhance the effectiveness of the project and identify any weak or blind spots in the description that would affect the achievement of the goals and objectives of the project.

Mr. Luis E. Ramirez Thomas (Ramirez Advisors Inter-National, LLC), NAC member, commented on the growing concern of the increase in truck emissions, especially given the regular basis of traffic lines being 4 to 5 miles long. He suggested that EPA work with other federal agencies to create programs that expedite border crossings, such as unified cargo processing and joint U.S.–Mexico inspections. He called attention to a program recently started by the Arizona Department of Transportation for truck safety inspections that involves touchless processing. All permits to operate in the United States and on Arizona roads are required to be secured online, which eliminates trucks from having to park or idle and has dramatically changed traffic congestion and the environment. Last, Mr. Thomas mentioned a collaboration with the NADBank to use more electric vehicles and wondered about the infrastructure at the ports of entry to accommodate these charging stations.

Regarding the project description, Ms. Ocampo recommended refining the focus to be more specific so that efforts will be consistent across countries, as well as narrowing the scope to clearly define next steps and what the study is seeking to accomplish with the air quality monitoring.

Ms. Sagovac commented on how the infrastructure in places such as ports and border crossings have been developed without accommodating the need to mitigate pollution in the community within the design itself. In Michigan, they advocated for a program that offers voluntary relocations for people to move away from the impacted areas because the community was not designed to withstand those effects. Although these types of programs are expensive, they are needed because people should not be left defenseless in the midst of these conditions with no opportunity to have a healthy, clean environment. One example of an approach to justly accommodate and mitigate for the communities in Detroit is the implementation, at the local level, of a truck routing ordinance to divert trucks away from residential streets.

Ms. Sagovac agreed with electrification to reduce emissions and noted that EPA Diesel Emissions Reduction Act grants are great funding opportunities but are superficial to all that is necessary. She emphasized the need for an all-hands approach and large-scale strategies at the federal, state and local levels. She also suggested that EPA map the existing data and target investments to mitigating the problem. For example, EPA should request information from groups currently performing these types of studies to better understand the trends and projected outcomes.

Ms. Chischilly highlighted some of the issues in tribal country. Almost half of the 574 federally recognized tribes in the United States are located in Alaska. This has to be considered when developing new initiatives, especially electrification, which would be challenging in rural parts of the country. She emphasized seeking different ways of supporting EJ issues and to “meet them where they are” regarding their existing infrastructures, rather than mandating a new infrastructure to obtain services. She called attention to the Tribal Air Monitoring Support Center at Northern Arizona University, a resource that has been serving tribes through its equipment loan program and providing training and sensors in the community. She underscored that supporting EJ issues related to monitoring is vital, as is providing communities in the EJ sectors the training, equipment and capability to monitor their own air quality.

Dr. Donna L. Lybecker (Idaho State University), NAC member, agreed that this EJ project is best addressed at the state and local levels (engaging both) and noted some examples of activities of the state of Idaho. She also called attention to other components to consider. Nongovernmental organizations (NGOs) and industry are becoming part of the wider EJ discussion. This project is addressing a topic—air quality improvement—that is tangential, involving other aspects of air pollution (e.g., dust) and extends beyond EJ issues to communities as a whole.

Dr. Dyjack highlighted the need to consider temporal and spatial characteristics as the study progresses. He encouraged the study leaders to understand the distribution of the contaminants, determine the time of day that exposure surges occur, have communities to keep a diary of the exposures, interpret data trends before additional data are collected, and be empowered to act on the findings.

Mr. Carey explained that along the U.S.–Mexico border, nonprofit organizations have taken the lead in air quality issues and have placed air monitoring alarms on roofs of school buildings and businesses to sound the alert when air quality is below normal. He highlighted the need for civic cooperation in EJ issues and the opportune time to seek collaborations and innovative partners to solicit matching funds, leveraging CDC’s funding.

Dr. Antonio A. Rene (Texas A&M University School of Public Health), NAC member, called attention to collaborative effort between the Texas Department of Transportation and Texas A&M University to address improving the infrastructure around toll booths. He pointed out the need to be proactive to perform studies before any infrastructure is allowed in or near impoverished communities and encouraged governmental agencies, universities, and community partnerships to work together to resolve these issues.

Ms. Sara Hopper (Corteva Agriscience™), NAC member, emphasized knowing that the process will work, engaging the community at the local level, maximizing use of the \$1 million investment, identifying effective mitigation approaches and adaptive management, and addressing ongoing monitoring and scalability.

Kelly C. Wright (Shoshone-Bannock Tribes), GAC member, commented that accountability should be primary and called attention to a problem in the state of Idaho. EPA implements the Comprehensive Environmental Response, Compensation and Liability Act (commonly called CERCLA or Superfund) process that will tie into monitoring and environmental regulations. He explained that a facility on the National Priorities Listing from 1991 in Idaho has been a dumping ground for air pollution, but it is not monitored. Mr. Wright will provide his comments to Ms. Brock for input in the GAC discussion.

Mr. Carey moved the discussion on EPA Charge Question #2 on climate change and EJ. The NAC has been asked to provide advice on how EPA can best integrate climate change and EJ concepts into the CEC work through the CEC 2021 Operational Plan while supporting the 2021–2025 CEC Strategic Plan structure and themes. The NAC is to consider which of the strategic priority areas (i.e., the six pillars) are better suited to incorporate climate change and EJ components within potential activities. In addition, the NAC has been asked to provide examples of potential topics and activities that fit within these priorities, as well as the CEC Strategic Plan crosscutting approaches that would address climate change and EJ issues.

Dr. Kilungo emphasized the resilient economies and communities priority as a point of integration. She explained that water security and resilience for water infrastructure and the communities that use them fit well with climate change, especially in the Arizona EJ communities she works with. Climate change also relates to adaptation and building resilient communities. She pointed out the need to engage the private sector along the Arizona/U.S.–Mexico border to address some of these issues.

Ms. Ocampo highlighted two strategic priority areas to incorporate climate change and EJ concepts: (1) circular economy and sustainable materials management and (2) resilient economies and communities. In terms of circular economy, efforts can focus on approaches to deploy waste management and recycling in EJ communities. She also noted the need to consider extraction in terms of sustainable materials management. For example, mining in adjacent communities tends to occur in remote locations belonging to Indigenous communities. This strongly intersects climate change because large amounts of extraction will be required to transition and adopt any new technologies, further exacerbating vulnerabilities in these communities.

Ms. Chischilly suggested that the NAC review ITEP’s [Status of Tribes and Climate Change Report](#), soon to be cited in the *Fifth National Climate Assessment*. This report contains narratives on climate change initiatives, solutions and recommendations of 34 tribes from across Alaska.

Dr. Lybecker spoke on the priority focused on effective enforcement of environmental laws to the point of promoting public awareness beyond the communities affected. She emphasized continuing broader educational campaigns and gaining wider support that engages NGOs and industry.

Susan Robinson (Waste Management Inc.), NAC member, commented that circular economy intersects EJ because those communities are often locations of infrastructure changes. She noted the opportunity to create guidelines to learn how to succeed, particularly regarding measurement. For example, reviewing current efforts in the EJ communities and improving the existing infrastructure to address climate change, sustainable material management and circular economy goals would be beneficial.

Dr. Dyjack called attention to natural disasters and extreme weather events occurring across the country, noting the opportunities to rebuild in a manner that is sustainable and empowers communities. He reflected that people value the health, safety and financial security of themselves and their communities. Financial security applies across a broad spectrum of society, beyond just doing good to doing right things that benefit all.

Ms. Jennifer J. Ronk (The Dow Chemical Company), NAC member, pointed out that circular economy (i.e., minimizing waste) issues will continue to grow as the demand for more of the products contributing to the problem continues to increase. The plastics industry, in limited markets, will be seeking to reclaim materials and building recycling facilities where the materials are, likely crossing the border. This, Ms. Ronk noted, highlights the intersectionality with air, water and EJ that touches these cross-border issues.

Mr. Carey moved the discussion to general comments. Dr. Dyjack suggested that EPA Administrator Regan consider hosting an event that highlights the success of the Agency and this trilateral agreement with the three Parties. Mr. Carey noted that the NAC and GAC Chairs and Vice-Chairs requested the customary introductory meeting with EPA Administrator Regan, which Ms. Nishida has agreed to arrange.

Ms. Sagovac highlighted mobile source pollution in Region 5 as a topic for EPA to consider more closely. She explained that state agencies do not have the power to regulate mobile sources, which is done through congressional acts to approve new engine standards that EPA recommends. She pointed out that background modeling should be performed.

Hearing no further comments, Mr. Carey noted that following this meeting, the process will be to begin to develop a draft response letter during the next 2 to 3 weeks with the NAC's input on the charge questions. This draft will be shared with Ms. Nishida by the end of May for her to deliver to EPA Administrator Regan. Mr. Carey will create a draft letter and circulate it to the NAC; members will have the opportunity to provide further comments to strengthen any key points. Mr. Carey emphasized that all viewpoints should be represented. He thanked the members for their support and adjourned the separate meeting of the NAC.

Summary and Next Steps

Mr. Carrillo explained that the Chairs will draft the advice letters and circulate them to the members for comments. The finalized document will be forwarded to Mr. Carrillo to submit to the EPA Administrator by May 20, 2022.

Adjournment

The meeting adjourned at 3:01 p.m. EDT.

Action Items

- ❖ Ms. Chase will follow up with the Interagency Working Group on ITEK regarding implementation of ITEK and the timeline and will forward the information to Mr. Carrillo to share with the committees.
- ❖ Ms. Sagovac and Ms. Sandoval will forward the Gordie Howe International Bridge Air Monitoring Project report to Mr. Carrillo for him to share with the committees.
- ❖ Mr. Carey will share his draft advice letter on the CEC's "Air Quality Improvement for Environmental Justice" project and integrating climate change and EJ concepts into the work and Strategic Plan of the CEC with the NAC members for their comments.
- ❖ Ms. Brock will share her draft advice letter on the CEC's "Air Quality Improvement for Environmental Justice" project and integrating climate change and EJ concepts into the work and Strategic Plan of the CEC with the GAC members for their comments.

Summary Certification

I, Marina M. Brock, Chair of the Governmental Advisory Committee, and I, Andrew P. Carey, Chair of the National Advisory Committee, certify that the meeting minutes for the date of April 28, 2022, as hereby detailed, contain a record of the persons present and give an accurate description of matters discussed and conclusions reached and copies of all reports received, issued or approved by the advisory committees. My signature date complies with the 90-day due date after each meeting required by the GSA Final Rule.



Marina M. Brock
Chair, GAC

7/13/2022
Date



Andrew P. Carey,
Chair, NAC

7/13/2022
Date

Appendix A: Meeting Participants

NAC Members

Andrew P. Carey, Chair

Executive Director
U.S.–Mexico Border Philanthropy Partnership

Ann Marie Chischilly, L.M.M., Vice-Chair

Executive Director
Institute for Tribal Environmental Professionals
Northern Arizona University

David T. Dyjack, Dr.Ph., CIH

Executive Director and CEO
National Environmental Health Association

Sara E. Hopper

Federal Government Affairs
Corteva Agriscience™

Aminata P. Kilungo, Ph.D.

Mel & Enid Zuckerman College of Public
Health
Department of the Health Promotion Sciences
The University of Arizona

Donna L. Lybecker, Ph.D.

Professor and Chair
Department of Political Science
Idaho State University

James Marston

Principal
Marston Sustainability Consulting

Vincent R. Nathan, Ph.D., M.P.H.

Consultant
Center for Houston's Future

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Marina M. Brock, Chair

Senior Environmental Specialist
Barnstable County (Massachusetts) Department
of Health and Environment

C. Nazaret Sandoval, Vice-Chair

Environmental Engineer
Michigan Department of Environment, Great
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Erica Ocampo

Chief Sustainability Officer
The Metals Company

Javier Ortiz

Science Policy Fellow
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Marla del Pilar Perez-Lugo, Ph.D.

Professor of Sociology
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Antonio A. Rene, PhD

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Susan Robinson

Senior Director of Sustainability
Waste Management Inc.

Jennifer J. Ronk

Sustainability and Advocacy Manager
The Dow Chemical Company

Simone Sagovac

Project Director
Southwest Detroit Community Benefits
Coalition

Kendra Abkowitz, Ph.D., M.B.A.

Chief Sustainability & Resilience Officer
Office of Mayor John Cooper
Nashville, Tennessee

Patty Acomb

State Representative
Minnesota State Government

Elisa Arias
Director of Integrated Transportation Planning
(Retired)
San Diego Association of Governments

Leonard Drago
Ombudsman/Tribal Liaison
Arizona Department of Environmental Quality

Sally Ann Gonzales
State Senator
Arizona State Senate

Robert “Bobby” Janecka
Commissioner
Texas Commission on Environmental Quality

Debra L. Kring
Council Member
City of Mission, Kansas

Julia S. Moore, P.E.
Secretary
Vermont Agency of Natural Resources

Designated Federal Officer

Oscar Carrillo
Federal Advisory Committee Management Division
Office of Resources and Business Operations
Office of Mission Support
U.S. Environmental Protection Agency

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Erich A. Morales
Division Chief
El Paso County Attorney’s Office

Austin Nunez
Chairman
San Xavier District Council
Tohono O’odham Nation

Gerald Wagner
Director
Blackfeet Environmental Program
Blackfeet Nation

June Weintraub, Ph.D.
Senior Epidemiologist
San Francisco Department of Public Health

Kelly C. Wright
Manager
Environmental Waste Management Program
Shoshone-Bannock Tribes

JoAnn Chase
Director
American Indian Environmental Office
Office of International and Tribal Affairs
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Rafael DeLeon
Principal Deputy Assistant Administrator
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Gwendolyn James
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Other Participants

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Environmental Quality
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Secretariat

Sarah C. Flores
Environmental Cooperation Program
Administrator
U.S. Department of State

Susan Guinn
President and C.E.O.
San Diego Regional Policy and Innovation
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Kristen LeBaron
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Eddie Moderow
Manager
U.S.–Mexico Border Affairs
Texas Commission on Environmental Quality

José L. Palacios
Border Affairs Intern
Texas Commission on Environmental Quality

Appendix B: Meeting Agenda



Official Meeting of the National and Governmental Advisory Committees to the U.S. Representative to the Commission for Environmental Cooperation **AGENDA**

Thursday, April 28, 2022

11:00 a.m. – 3:00 p.m. EDT (10 a.m. Central, 9 a.m. Mountain, 8 a.m. Pacific Time)

Call-in number: TBC

Washington, DC 20460

-
- 11:00 a.m. **Call to Order and Introductions**
Oscar Carrillo, Designated Federal Officer, EPA
- 11:05 a.m. **Opening Remarks**
Robbie Young-Mackall, Acting Director, Federal Advisory Committee Management Division (OMS)
- 11:10 a.m. **Welcome and Overview of Agenda**
Andy Carey, Chair of the National Advisory Committee
Marina Brock, Chair of the Governmental Advisory Committee
- 11:15 a.m. **Update on U.S. Priorities & Guidance**
Jane T. Nishida, Assistant Administrator for EPA’s Office of International & Tribal Affairs
- 11:30 a.m. Question & Answer Period
- 11:40 am **Environmental Justice Goals at EPA**
1) Matt Tejada, Director EPA’s Environmental Justice Office
Focus: How White House Environmental Justice Advisory Committee (WHEJAC) is integrating Environmental Justice (EJ) into U.S. Government & what the CEC can learn
2) JoAnn Chase, Director EPA’s American Indian Environmental Office
Focus: Overview of Indigenous Traditional Ecological Knowledge (ITEK)
- 12:00 pm Question & Answer Period

- 12:10 a.m. **Joint Open NAC/GAC Discussion on Presentations**
Andy Carey, Chair of the National Advisory Committee
Marina Brock, Chair of the Governmental Advisory Committee
- 12:30 p.m. **Public Comments Period**
- 12:50 p.m. **BREAK**
- 1:00 p.m. **Hot Topics Discussion**
Andy Carey, Chair of the National Advisory Committee
Marina Brock, Chair of the Governmental Advisory Committee
- 1:20 p.m. **Committees Meet Separately to Discuss Charge Questions**
Question 1: Review and provide comments on the CEC’s Draft project description on: **Air Quality Improvement for Environmental Justice**
- This is a large scale, U.S. proposed initiative that addresses poor air quality conditions from exposures to high levels of black carbon (BC) and particulate matter emissions in Environmental Justice (EJ) communities. A specific objective is to work with local stakeholders to identify sources of emissions, as well as to formulate, assess the benefits of, and implement emission mitigation strategies.
 - The initiative aims to deploy low-cost air pollution sensors to better document, understand and mitigate PM_{2.5} and black carbon exposures in North American EJ communities, while increasing transparency and access to that information for these communities.
- 2:10 p.m. **Question 2:** Discuss how to best integrate climate change and environmental justice concepts into the CEC work, while supporting the current strategic plan structure and themes.
- More specifically, which priority areas are better suited to incorporate climate change and environmental justice components within potential activities?
 - What are some examples of potential topics and activities that fit within the strategic priorities and cross-cutting approaches within the 2021-2025 Strategic Plan that would address climate change and environmental justice issues? Use six CEC’s strategic plan pillars.
- 2:50 p.m. **Summary and Next Steps**
Andy Carey, Chair of the National Advisory Committee
Marina Brock, Chair of the Governmental Advisory Committee
- 3:00 p.m. **ADJOURN**

Appendix C: Charge Letter for April 28, 2022, NAC/GAC Meeting

CHARGE LETTER: NAC/GAC MEETING

April 28, 2022
Virtual Meeting

CHARGE QUESTIONS: for NAC/GAC April 28, 2022 MEETING

4/19/2022

Dear NAC/GAC Members,

Below are the charge questions for your meeting on April 28, 2022. We have also included a short update on new CEC developments since our last meeting on April 2020. We hope this will provide you a context for the charge questions.

I. NAC/GAC CHARGE QUESTIONS

The U.S. seeks advice from the NAC/GAC on the draft project description called *Air Quality Improvement for Environmental Justice*. This project was announced by the Council, at the 2021 Council Session, as a large-scale initiative (projects with budgets of \$1M CAD with broader scope) and is included in the CEC's 2021 [Operational Plan](#). [In addition, the U.S. seeks advice on how best to integrate climate change and environmental justice into the work of the CEC.](#)

1) Air Quality Improvement for Environmental Justice Project

Description: Black carbon (BC) or “soot”—a component of fine particulate matter (PM)— is an important air contaminant that not only affects public health but also our climate. Sources of these emissions include agricultural burning, domestic wood combustion and fossil fuel combustion from transportation and industrial activities. Our countries’ systems for monitoring air pollution have limited coverage, with millions of people across North America living in communities that have no means of measuring local air quality conditions.

This initiative aims to build partnerships that respond to community-identified poor air quality conditions from exposures to high levels of BC and particulate matter (PM_{2.5}) emissions in communities that potentially experience disproportionate environmental harms and risk and/or have environmental justice concerns.

A specific objective is to work with local stakeholders to identify sources of emissions and monitor air quality, as well as to formulate, assess the benefits of, and implement emission mitigation strategies. The initiative aims to deploy low-cost air pollution sensors to better document, understand and mitigate PM_{2.5}/BC exposures in these communities while increasing transparency and access to air quality information for local populations and decision makers.

Questions: How can we improve/enhance the effectiveness of the project? Do you see any weak points or blind spots in the description that would impact the achievement of the goals/objectives of the project?

This project description will be out for public consultation during the week of April 25th and remain open for three weeks. Therefore, we need your advice on this draft project description **by May 20th**

2) Climate Change & Environmental Justice advice request

- How can we best integrate climate change and environmental justice concepts into the CEC work, via its [Operational Plan 2021](#) while supporting the current strategic plan structure and themes?
- More specifically, which strategic priority areas are better suited to incorporate climate change and environmental justice components within potential activities?
- What are some examples of potential topics and activities that fit within the strategic priorities and cross-cutting approaches within the 2021-2025 Strategic Plan that would address climate change and environmental justice issues? Review the six strategic plan pillars in the [2021-2025 CEC Strategic Plan](#)

II. UPDATE ON CEC DEVELOPMENTS:

At the September 9-10, 2021 CEC Council Session, the Parties launched a new grant program, which will make \$2 million USD available for underserved and vulnerable communities, including Indigenous communities, in Canada, Mexico, and the United States, to address climate-related impacts. The program will directly fund community-based organizations to support community-driven solutions to the challenges of climate change. This program operationalizes the commitment made by the United States during the 2021 Leaders’ Summit on Climate, for EPA to support environmental justice and climate resilience by funding \$1 million USD in grants and cooperative agreements through the CEC. See link: [2022 EJ 4 Climate Change Grant Winners](#)

In addition, the CEC introduced three new large-scale initiatives: (See [Chairs Summary of 2021 CEC Council Session](#))

- working on mitigating ‘black carbon’ for the improvement of air quality and support for environmental justice in a local context.
- addressing ‘ghost’ fishing gear in marine ecosystems; and
- supporting environmental education.

The Council supported the creation of an additional initiative on Indigenous approaches to freshwater management in North America. And the CEC recently launched calls for proposals for a new cycle of the North American Partnership for Environmental Community Action ([NAPECA](#)) community grant program, which supports local and Indigenous communities. This cycle’s theme will support local communities in their efforts to recover from the COVID-19 pandemic.

Furthermore, at the June 26, 2020 CEC Council Session, the Parties approved the 2021-2025 Strategic Plan for the Commission for Environmental Cooperation (CEC), marking a renewed commitment by the U.S., Canada and Mexico to work together on pressing regional and global issues related to trade and the environment within the framework of a new trilateral free trade agreement USMCA—and a new Environmental Cooperation Agreement (ECA).

The [2021-2025 CEC Strategic Plan](#) establishes the CEC’s strategic priorities for the coming five years. The Council identified six pillars for this new strategic plan that will implement the provisions of the new free trade agreement and its supporting Environmental Cooperation Agreement:

1. Clear Air, Water and Land, particularly addressing matters of mutual interest with respect to air quality and protection of the ozone layer;

2. Preventing and Reducing Pollution in the Marine Environment, particularly taking action to prevent & reduce marine litter, including plastic litter & microplastics, and addressing ship pollution;
3. Circular Economy and Sustainable Materials Management, particularly the use of flexible, voluntary mechanisms to protect the environment and natural resources, such as conservation and the sustainable use of those resources;
4. Shared Ecosystems and Species, particularly the conservation and sustainable use of biological diversity and protection of ecosystems;
5. Resilient Economies and Communities, including promoting environmental goods and services, improving environmental, economic and social performance, contributing to green growth and jobs, and encouraging sustainable development; and
6. Effective Enforcement of Environmental Laws, including promoting public awareness of environmental laws and policies, and enforcement and compliance procedures.