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**Victoria Ludwig**  
Acting Designated Federal Officer, EPA

January 5, 2021

The Honorable Andrew R. Wheeler  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Dear Administrator Wheeler:

The Local Government Advisory Committee (LGAC) appreciates the opportunity to provide input on community-based environmentalism from the local government perspective.

We commend the EPA for its community-based approach to achieve greater environmental progress. We recognize the EPA's significant progress in cleaning up the nation's air, water, and land. However, many communities have not experienced all these improvements and continue to face a variety of environmental challenges. LGAC members are grateful for the EPA's assistance, but they would find it more helpful if the EPA worked with them more as a partner and not simply an enforcer.

The Committee appreciates the funding opportunities, technical assistance programs, and media-specific programs that the EPA has provided. However, LGAC members believe these opportunities and programs have not been enough. To be more effective at serving communities, the LGAC believes that a far more individualistic approach needs to be taken by the EPA in order to serve various communities.

The LGAC commends the EPA for considering an integrated approach to environmental protection, which may include such efforts as consolidating/streamlining grant programs, fostering more private-public partnerships, and taking a holistic approach to addressing environmental threats at the community level. We agree that input from state and local officials is critical to informing the EPA's next steps in developing a community-based approach to environmental protection.

In order to gain more information on how to better serve communities' environmental needs, we appreciate that the EPA requested the LGAC's involvement. Our specific charge was to offer input and feedback to the EPA on the following questions:

- 1) What actions would you recommend as the most effective means for the federal government/EPA to build upon established programs/strategies in support of community-based efforts to improve local environmental outcomes?
- 2) What current tools and resources do your communities utilize to determine environmental problems?

- 3) Where/how has the EPA succeeded and failed to create partnerships resulting in measurable benefits?
- 4) What are the barriers/challenges to achieving measurable environmental improvement in your communities?
- 5) What are the barriers to receiving or leveraging EPA resources for community revitalization?
- 6) What are the best tools (e.g., information, technical assistance, funding) to meaningfully improve environmental outcomes in communities?
- 7) How have your communities achieved (or failed to achieve) environmental progress after having received technical or planning assistance from the EPA?

In response to the charge, the LGAC submits the following recommendations, observations, and examples from our communities for the EPA's consideration:

- 1) Territorial and tribal governments often have similar challenges and needs as local governments. The LGAC therefore recommends that when working with local governments, the EPA also consider how Native American tribes and U.S. territories could be included in this work. At the same time, however, it's important to recognize that tribes often have unique circumstances and characteristics, and therefore the EPA should tailor its programs accordingly.
- 2) The LGAC recommends that the EPA establish open lines of communication with readily available and approachable staff to work together with localities to identify and resolve problems.
- 3) The LGAC recommends that the EPA focus more on assessment, assistance, and partnership over just enforcement. When communities reach out to the EPA it often brings a hammer (i.e., enforcement action), which makes them reluctant to reach out again. Decreasing the emphasis on enforcement and more on proactive assistance and collaboration will increase the success of EPA regulations. The LGAC recognizes that sometimes violators need to be held accountable, but at this time of COVID-19 compassionate enforcement is in order.
- 4) The LGAC recommends that EPA officials engage directly with local, tribal, and territorial communities in a non-regulatory manner more frequently. The officials could offer technical support to evaluate the status of environmental challenges and inform communities about resources available to address the challenges.
- 5) The LGAC recommends that the process of applying for grants be more streamlined and transparent, as many communities are impeded from applying due to the red tape, lack of awareness of available grants, complexity of application processes, and lack of required matching funds. Many small communities lack the staff, funds, and expertise to apply for grants all together. Training from the EPA on how to fill out grant applications would help increase the likelihood that communities would apply.
- 6) Local, tribal, and territorial governments are often not aware of what funding is available. They are not sure where to go to find this information, or if they do know, the information is often overwhelming and hard to digest (i.e., large websites, blast emails). A clearinghouse or central directory would be very helpful. In addition, the EPA should not rely on just the Internet to disseminate information, as many small, rural, and tribal communities don't have access to broadband.

- 7) The LGAC recommends that the EPA work to decentralize their outreach, such as working through local government associations (i.e., NLC, NACO), state departments of environment, state and local public health departments, regional non-governmental organizations, etc. A system similar to USDA's Cooperative Extension Service model could help disseminate information more effectively. Such regional and decentralized outreach mechanisms should also be used to inform local, tribal, and territorial governments about the EPA's technical assistance programs, research support, assessment tools, training opportunities, and other non-funding resources. In addition, placing notices in community newsletters would help inform the public and local environmental groups about EPA assistance.
- 8) The LGAC recommends that the EPA does not take a one size fits all approach to regulation. A solution that works for one community may not work for another. The EPA should focus on local circumstances rather than make blanket regulations, so more individualized and therefore successful environmental solutions can be created. For example, the region around McCandless Township, PA, has not been able to resolve its flooding issues because of the one size fits all approach. This approach has also resulted in challenges around addressing increased nitrogen levels in Puget Sound.
- 9) The LGAC recommends that communities receive more funding and compliance assistance in order to better comply with EPA regulations, as well as more ways for communities to find out about technical resources for compliance assistance, especially for small and medium-sized cities. Also, to help communities that don't have regulatory compliance staff/departments, the LGAC recommends that the EPA help them stay abreast of new regulations and rules by reaching out directly to the local, tribal, or territorial government, rather than setting up channels that require the communities to contact the EPA.
- 10) The LGAC recommends that the EPA explore ways to partner with community-based organizations. In Puerto Rico, the San Juan Estuary Program involves the private sector, government, and academia. It has been successful in building technical capacity that is vital to solving environmental problems over the long-term. The importance of community leadership, rather than just direct support from public officials, was demonstrated early on in the aftermath of Hurricane Maria.
- 11) Several LGAC communities rely on testing, monitoring, inspections, and public complaints to identify environmental problems that need to be addressed.
- 12) Some LGAC communities have found that establishing subjective indicators to measure environmental progress is just as important as measuring outcomes with data. This helps ensure that considerations important to all community members are taken into account.
- 13) Catawba County, NC, received valuable technical and planning assistance from the EPA's Landfill Methane Outreach Program in the early stages of developing its landfill gas to electricity project. Another example of successful technical assistance from EPA was its help in the implementation of the city of Carolina's (Puerto Rico) NPEDS permit. The International Boundary and Water Commission has helped resolve some water infrastructure challenges involving transboundary water issues along the southern Arizona and Mexico border.
- 14) Small communities need special consideration. For example, the LGAC recommends that the EPA offer programs for state governments that give them responsibilities related to educating their small communities about available EPA support and funding. For many small communities,


it is often difficult to understand important environmental issues, what causes them, how they can be remedied, and how to fund the solutions.

In summary, the LGAC very much appreciates being brought in at the beginning and having a chance to contribute to a new EPA initiative from the outset. Our recommendations can be grouped into the following themes:

- Recognition of the unique characteristics and situations of tribal governments and development of programs and tools that are tailored specifically for tribes.
- More funding.
- Accessible and effective technical support.
- Streamlined EPA resources.
- Transparency of available funds.
- Help applying for grants and less red tape.
- More focus on partnership and less on enforcement.
- Special consideration for small communities and border states.
- Technical resources to assist with environmental compliance, and improved notice of the availability of assistance, especially for small and medium-sized cities.
- Clearinghouse to learn about grants, technical assistance programs, informational resources, training, etc. Streamlined processes and decentralized channels for accessing EPA resources.
- Working with local governments, states, and regional organizations to disseminate information.
- More ways to reach the EPA directly.
- Working with community-based organizations to solve local environmental problems.
- One size does not fit all.

Thank you again for the opportunity, and we look forward to continuing to work with the EPA on this important initiative.

Sincerely,



Commissioner Kitty Barnes  
Chair, LGAC



Commissioner Victoria Reinhardt  
Chair, Revitalizing Communities Workgroup



Administrator Brian Fulton  
Chair, Small Community Advisory Subcommittee (SCAS)