U.S. Governmental Advisory Committee
Independent Federal Advisors on the
North American Agreement on Environmental Cooperation

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January 20, 2023

The Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Regan:

The U.S. Governmental Advisory Committee (GAC) to the U.S. Representative to the North American Commission for Environmental Cooperation held its 55th meeting via virtual platform on December 9, 2022. This letter represents our advice resulting from that meeting.

The main objective of our meeting was to provide you with advice on how best to engage key sub-national actors in North America (e.g., at the city level, Indigenous groups, civil society leaders, disadvantaged community representatives, etc.) in shaping the CEC's development of its climate adaptation initiative. This initiative was announced by the Council at the 2022 Council Session in Merida, as a large-scale initiative (projects with budgets of C$1M and with broader scope) and is included in the CEC's 2022 Operational Plan. Our meeting included updates on *U.S Priorities on the CEC* and guidance on the charges we received, from Jane T. Nishida, Assistant Administrator for EPA's Office of International and Tribal Affairs (OITA). The committee also received presentations *on Climate Adaption Goals at EPA* from Joel Scheraga, EPA's Senior Advisor for Climate Adaptation. Jorge Daniel Taillant, CEC Executive Director and Louie Porta, JPAC Chair also gave a brief presentation on behalf of the CEC welcoming back the NAC and GAC Advisory committees. In advance of the meeting, we also received the three charges that the U.S. EPA sought advice on. *1) Facilitate a broader, more inclusive and more effective engagement of key sub-national actors in North America (e.g., at the city level, Indigenous groups, civil society leaders, disadvantaged community representatives, etc.) in shaping the CEC's development of its climate adaptation initiative*, 2) *Develop a better understanding of the barriers and challenges to ensuring national and sub-national early warning systems provide the right level of awareness for disaster preparedness and climate adaptation actions; and* 3) *Stimulate uptake of nature -based climate adaptation actions and community early warning systems at the sub-national level across North America.*

The meeting was opened by a welcome from Federal Advisory Committee Management Division (FACMD) Membership Coordinator, Gina Moore on behalf of Division Director Robbie Young-Mackall, and the Designated Federal Officer, Clifton Townsend, who provided an update on FACMD activities. The GAC deeply appreciates the excellent support provided by the FACMD

California

Kelly C. Wright
Idaho

and thanks Director Young-Mackall, NAC/GAC Designated Federal Officer, Clifton Townsend and all the FACMD staff for their support, before, during and after the meeting. We hope this letter will be useful in your deliberations with your counterparts in the CEC Council.

Sincerely,

Marina Brock, Chair
Governmental Advisory Committee

cc:
Jane Nishida, Assistant Administrator, Office of International & Tribal Affairs (OITA), EPA
Rafael DeLeon, Deputy Assistant Administrator, OITA, EPA
Robbie Young-Mackall, Director, FACMD, OMS, EPA
Matthew Tejada, Director, Office of Environmental Justice, EPA
Felicia Wright, Acting Director, American Indian Environmental Office, EPA
Surabhi Shah, Acting Director, Office of Community Revitalization, EPA
Mark Kasman, Director, Office of Regional & Bilateral Affairs, OITA, EPA
Lisa Almodovar, Deputy Director, Office of Regional & Bilateral Affairs, OITA, EPA
Nadtya Hong, General Standing Committee (OITA), EPA
Clifton Townsend, Designated Federal Officer, FACMD, EPA
Louie Porta, Chair, Joint Public Advisory Committee
Jorge Daniel Taillant, Executive Director, CEC
Members of the U.S. National and Governmental Advisory Committees

Governmental Advisory Committee
(GAC) to the U.S. Representative to the
Commission for Environmental Cooperation (CEC)

The December 9, 2022, meeting of the Governmental Advisory Committee (GAC) resulted in advice that responds in several ways to the priorities of the EPA via the Commission for Environmental Cooperation (CEC).

Advice 2022 – 1 (January 20, 2023)

Three Charge Questions on how to best engage key sub-national actors in North America (e.g., at the city level, Indigenous groups, civil society leaders, disadvantaged community representatives, etc.) in shaping the CEC's development of its climate adaptation initiative:

1) Facilitate a broader, more inclusive and more effective engagement of key sub-national actors in North America (e.g., at the city level, Indigenous groups, civil society leaders, disadvantaged community representatives, etc.) in shaping the CEC's development of its climate adaptation initiative;

The GAC discussed the first area of the charge question and sought clarity on "key sub-national actors," wondering if this included groups working outside the government, particularly whether EPA was seeking mechanisms for inclusion or simply the names of groups or individuals to contact and whether the participants should create a categorized list of potential partners. The consensus was that EPA is soliciting suggestions for inclusion mechanisms and party names and asked for examples of how to coordinate with these various groups (e.g., universities versus nongovernmental organizations [NGOs]) depending on the groups' specific priorities.

The GAC's first recommendation was to reach out to academic groups, including universities, colleges, and K-12 schools (technical, traditional, and charter). The inclusion of educational institutions can create a broader and more diverse range of contact with many people, groups, and interests within a community. Further, these academic connections can serve in multiple and additional areas helping to facilitate a broader, more inclusive, and more effective engagement of key subnational players. One notable and related example was the successful CEC partnership with Oklahoma University's National Weather Center.

GAC members commented that many important subnational actors need more resources than many state and federal organizations and that it is essential that requests to subnational actors needed to be well considered and communicated in a manner that would not burden these groups further but serve to encourage their inclusion and participation. For example, communication and outreach with these groups should be translated to ***their*** goals, mission, and interests, as well as conveying the capabilities expected from them and ***why*** they would be included in the effort. The GAC members further emphasized crafting collaborative efforts between subnational groups and state and federal actors to encourage the reciprocal and inclusive movement of communication and information in both directions.

Examples from the State of Arizona provide glimpses of possible lost opportunities where Indigenous groups involved in many environmental efforts are often considered hostile to the government and are, therefore, excluded from governmental actions. These include several Indigenous groups protesting mining in the San Carlos Apache Indian Reservation, Oak Flat, and

other locations in northern Arizona, the Alianza Indigena Sin Barreras, a group that works on environmental and immigration issues along the border with Mexico, and lastly, Las Aguas, a group of homeowners and community members working on water contamination in the Tucson area. Facilitating a broader, more inclusive, and more effective engagement of these key sub-national actors could furnish a wealth of local knowledge and community contributions. These inclusions could also facilitate and enrich the CEC efforts. Members also commented that these groups have Tribal Ecological Knowledge (TEK) and other local resources that could greatly benefit EPA efforts in this area. Another example was the Sierra Clubs of various states, an organization with much information about ongoing efforts in every region and whose outreach to community groups would be welcomed warmly and immediately.

The GAC also asserted that certain groups are perceived as adversaries. One example provided involved the National Advisory Council for Environmental Policy and Technology groups illustrating that established decision-makers were often upset by advocacy groups' collecting information and often using it to support proposed policy changes. Including academic groups in the engagement might bridge the gap between more established government and non-government organizations (NGOs) and these advocacy groups. In addition, including academic groups could facilitate connection, engagement, and collaboration between the sometimes diverse and unique personalities and interests of all involved, successfully integrating and connecting the group's previous comment regarding outreach to educational/academic organizations, receiving reciprocal feedback from all levels of community membership, and the importance of clear communication with subnational actors, all of which require fuller respect and understanding of the culture and values of the groups involved.

The GAC also recommended Ms. Laurie Schoeman, appointed by the Biden administration as the Senior Advisor for Climate Resilience at The White House Council on Environmental Quality. Ms. Schoeman—with her experience in San Francisco, New York City, and Puerto Rico—and others in similar positions would be valuable partners in these efforts. In addition, the GAC recommends outreach to investigate engagement and collaborative involvement.
Recent flooding issues in San Francisco have also forced the San Francisco Department of Public Health (SFDPH) to work in conjunction with local partners such as the Port of San Francisco and the San Francisco Public Utilities Commission to collaborate on these issues. Another example is the California Mandatory Recycling Laws, which require supermarkets and restaurants to recycle and compost edible food and direct the donation of edible food to food recovery organizations, although noting that there is a substantial bureaucratic challenge to implementing these laws, which require enforcement by the SFDPH.

The GAC commented that most outreach efforts to Indigenous leadership were often ineffective in reaching the various levels of tribal governance and membership. Suggestions for improving effectiveness in this and other sectors involve designing strategies to bridge the information dissemination and communication gap. For example, methods recommended to the EPA and CEC encourage direct outreach to community organizations and groups, media outlets, newspapers, tribal councils, or any other communication that reaches a more diverse group of stakeholders. One example mentioned necessary community involvement in other environmental actions, such as CERCLA, where interested agents contact each district within the subject area and personally offer to present relevant information and answer questions.

Building relationships and trust between Indigenous groups would be essential before expecting them to share TEK. This approach is echoed in the JPAC public consultation on the CEC project

to create a Communities for Environmental Justice (EJ) Network, an EJ network across North America. This project is already developing a network of underserved communities with important Environmental Justice (EJ) concerns to increase their local capacities and share community-based expertise, lessons learned, and provide guidance in the area of climate change. Through this developing network, participating communities can engage in the expansion of virtual resources to facilitate learning and information exchange. The GAC sees that effectively connecting and enhancing efforts already undertaken is integral.

Additional suggestions come from the State of Vermont, which has altered its public engagement process. Instead of requesting input on the rulemaking process, the state has asked that the public describe what they require from state and local governments to implement the new rule packages. The solicited feedback has provided insight into these rules' practical impacts on the community—for example, the public's concerns about incentive programs to help purchase electric vehicles. People need helpful information such as where to charge these vehicles when they park on the street or how to make purchases if they lack a credit card. In addition, governments should continually seek to improve their administrative processes, noting that many government agencies operate within silos and do not communicate well with one another to facilitate and coordinate public engagement efforts.

2) Develop a better understanding of the barriers and challenges to ensuring national and sub-national early warning systems provide the right level of awareness for disaster preparedness and climate adaptation actions; and

The GAC clarified the meaning of charge question #2 as ***literal*** early warning systems, (such as sirens, audible alarms, and wider locally based integrated surveillance systems,) and ***the awareness and communication of information necessary for disaster preparedness and climate adaptation actions*** believing that the intent of the charge question lends itself open to both systems, and our response could justifiably be reasonably broad.

Relating to the above, the GAC mentioned some examples involving rural and Indigenous communities that did not have the advantage of more traditional early warning systems or communication networks readily available in larger cities and metro areas. The systems in rural areas have resulted in even more significant challenges concerning the current drought in Arizona. These include communication regarding insufficient water supply dangers and a lack of water conservation efforts to mitigate drought damage.

The CEC work has provided some information to indicate that these communication systems can combine observations and data into models that can generate assistance for rural areas. For example, remote sensors can be beneficially integrated into early warning systems. However, some system barriers prevent people from getting the correct information at the right time. Utilizing lessons learned could help build on work already in progress.

Another example demonstrating sector collaboration was with Arizona's Pinal County Public Health Department. They found that during extreme heat events, the homeless and people between the ages of 19 and 25 were most likely to require emergency medical services and emergency room visits. To reach these vulnerable populations susceptible to extreme heat, the health department engaged with the United Way, already serving this homeless population, reducing the human/health care toll. This type of success suggests that early warning systems

should be connected with local health and social services organizations to reach identified populations most susceptible.

The GAC also discussed a significant barrier to early warning systems in other Indigenous communities, that is the need for widespread electronic and internet capabilities. For example, Fort Hall Reservation, the reservation of the federally recognized Shoshone-Bannock Tribes, is more than 500,000 acres in size yet does not have full access to electricity or cell phone reception. In snowy areas, the weather can make communication more challenging. Currently, messages must be relayed to remote regions in person, as only some residents have landlines. While an emergency management team exists to coordinate emergency responses, the efforts are hindered by the lack of basic technology necessary to communicate important information to one another. At the extreme end of this community's hazard vulnerability is the nuclear reactor located at the nearby Idaho National Laboratory, potentially posing catastrophic destruction capability in the event of a release, all without means to provide widespread early-warning to their population. Finally, the GAC also recommends considering outreach to the Inter Tribal Council of Arizona, a group that represents 21 of the 22 federally recognized tribes in Arizona, to communicate to the tribal community.

Continually embedded in the GAC discussions for all charge questions include the importance of determining how to strengthen the ties between nations, state, tribal, regional, and local organizations that could substantially improve early warning systems. For example, the increase in heat-related injuries in emergency rooms could be communicated to local or regional public health departments. In turn, they inform agencies at the regional and state levels. Although this is foundational public health surveillance, numerous system impediments persist at multiple levels. For example, people tend to stay home during extreme heat rather than visit cooling centers. Public health agencies should determine why community members are hesitant to visit these centers, address identified issues, implement necessary interventions, encourage, monitor center use, and assure improvement. Although these challenges also will vary from community to community, basic public health modeling of assessment, policy intervention, and assurance can assist in determining the types of resources available or needed. Once again, the GAC needs to build trust with Indigenous communities before requesting that they provide information for this surveillance or any management projects.

The GAC had additional member input regarding collaboration with the National Oceanic and Atmospheric Administration (NOAA.) In one example, a NOAA colleague provided their counterparts in Mexico with satellite information about soil moisture content before Hurricane Gamma in October 2020. This information proved vital to first responders, who needed to predict areas susceptible to flooding. However, many early warning systems are incomplete as they contain barriers impeding the effective flow of information. The GAC suggests that outreach be considered to subnational stakeholders involved in soil conservation surveys and agricultural and related agencies. Finally, an app has been created in Canada that allows any community member to upload pictures of a flooded area, which can then be compiled with satellite observation data to inform early warning systems.

This flood app was built by Natural Resources Canada and was one of the recommendations recently published by the CEC recommending improving flood collection data throughout North America. Currently, this coordination needs to be enhanced among the three countries. An example illustrating this discoordination was in Mexico where remote communities were not incorporated in official state registers, and any loss of housing due to flooding in these areas is

not captured or recorded. Compounding the problem of sharing flood information is that in Canada and the United States, multiple agencies collect flood damage data, but not all information reaches national levels of government for impact estimations, planning, or action.

The GAC also feels that EPA should prioritize its efforts to coordinate related federal agencies whose missions, work, purpose, operations, and duties in these areas overlap and are shared. The GAC mentioned several examples, including the U.S. Department of Homeland Security (DHS), FEMA, NOAA, and multiple other agencies, which could be encouraged to participate more effectively. Silos at all levels of government only serve to impede progress. Although this is challenging, opening up a compelling dialogue needs to begin.

3) Stimulate uptake of nature -based climate adaptation actions and community early warning systems at the sub-national level across North America.

The GAC commented that snowpack assessments are essential and valuable metrics for flood hazard and water availability planning, like soil moisture evaluations. Although each community needs to perform its unique hazard vulnerability assessment detailing these issues. FEMA has generated software (HAZUS) creating a "living" hazard vulnerability map of the United States, freely available to the public (https://www.fema.gov/flood-maps/products-tools/hazus.) Further proximal geographical regions often share the same or similar hazard vulnerabilities; these should be encouraged to cooperate in hazard planning and mitigation efforts, which would reduce redundancies and strengthen local networks.

Early warning systems should consist of two-way communication between communities and larger organizations and avoid language (e.g., nature-based) that could be off-putting to legislative decision-makers. A model highlighted by the GAC for consideration and reference was Texas A&M University's ***Ike Dike***, a successful climate adaptation solution in Texas. The GAC also feels that early warning systems need to consider the language needs of the intended recipients of these warnings.

Other challenges referenced identified the El Paso water utilities. In this example, this utility supplies water to disadvantaged *colonias*. These water service contracts provide wholesale water but stipulate that during emergencies, their community service may be curtailed or shut off first. However, these same communities are discouraged from developing their own centralized groundwater system, thereby significantly limiting the possibility of autonomy in managing their community water needs.

Finally, concerning the early warning system, the GAC emphasized repeatedly the need to consider the language needs of any intended recipients, such as Indigenous communities and populations that speak English as a second language or speak other languages only, such as Spanish. Many members agreed that, in many areas, landlines are a more consistent, reliable, and valuable component of early warning systems.

Successful collaboration was discussed in Vermont. In the wake of Tropical Storm Irene, the state has worked with FEMA to ensure that the State infrastructure maintenance meets newly adopted codes and standards. For example, Vermont has prioritized transportation investments to enlarge undersized culverts and bridges to prevent flooding. In addition, the state is working on green infrastructure and promoting wetland restoration for the triple benefit of habitat improvement, water quality improvement, and climate resilience. Vermont also recently created

a municipal vulnerability index to help towns evaluate how *climate-ready* they are. The state will also work with smaller communities to help apply the tool directly and apply for grant funds to address their most significant vulnerabilities. Finally, Vermont is also assessing the hazards posed by increasingly hot summers, numerous algal blooms, and an increase in the tick population and tick-borne illnesses. These are all excellent steps that could be captured and shared with other areas.

Some Additional Agencies Recommended for Outreach

1. Frontera Land Alliance

https://www.fronteralandalliance.org

3800 N. Mesa, Suite A2-258
El Paso TX 79902
Executive Director: Janae Reneaud Field
915-351-8352

2. Justicia Fronteriza PAC

https://www.justiciafronteriza.org/
1535 Raphael Circle
El Paso Texas 79936
Principal Contact: Veronica Carbajal.

3. Inter Tribal Council of Arizona

https://itcaonline.com/
2214 North Central Avenue
Phoenix, AZ 85004
Phone: 602-258-4822
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