



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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OFFICE OF
INTERNATIONAL & TRIBAL AFFAIRS

Andy Carey
Chair, U.S. National Advisory Committee
2508 Historic Decatur Road, Ste 130
San Diego, CA 92106

Email: andy@borderpartnership.org

Dear Mr. Carey:

On behalf of CEC Council member Administrator Michael S. Regan, thank you for the National Advisory Committee's (NAC) letter of advice dated January 20, 2023. We appreciate the NAC's dedication and commitment to undertaking your charge and providing us with your valuable advice. In particular, we appreciate the NAC's comprehensive advice on the challenges and ways to engage with early warning systems for disaster preparedness and climate adaptation actions, as well as how to facilitate a broader, more inclusive, and more effective engagement of key sub-national actors in North America in shaping the CEC's climate adaptation initiative.

I am pleased to offer the following responses to the NAC's recommendations to the three (3) charge questions:

(1) Engagement of Sub-Actors in North America to shape CEC climate adaptation initiative.

Thank you for your recommendations regarding how we can better engage others to develop CEC's climate adaptation initiative. As you know, this initiative aims to advance the response and adaptive capacities of our three nations to deal with extreme weather and climate events that affect their health, safety, and socio-economic and environmental well-being. We appreciate the recommendation of refining the focus of the climate adaptation initiative to allow an equal implementation of programs across the three countries. CEC's concept notes and projects are developed with input from representatives and pertinent agencies from the three countries with a trilateral scope and aligned with national priorities to advance on a particular North America issue. However, since the three countries are not at the same stage or share the same needs, it is not possible to design projects to be equally implemented in the three countries. The CEC will ensure that the three countries collaborate and provide meaningful input to develop a climate adaptation initiative that will address the needs and improve environmental outcomes in the three countries.

We also agree that mitigation efforts, and tracking of their performance, should be part of infrastructure projects designed to withstand the impacts of pollution from infrastructure development in the U.S.-Mexico Border Region. In developing infrastructure solutions to Tijuana River watershed transboundary pollution, EPA conducted a comprehensive evaluation of environmental impacts, including river data, biological and fish habitat assessments, and emissions calculation, among others, to quantify and prevent adverse public health and environmental impacts resulting from the proposed project. EPA used this

information to mitigate the problems and identify areas that require additional monitoring and/or mitigation efforts.

Thank you for your recommendation to include the Tribal communities needs and challenges when developing these initiatives. As part of EPA's Climate Adaptation Action Plan, we are consulting with tribes in developing a climate adaptation implementation plan to address the impacts of climate change on tribes. Additionally, EPA will continue working with Environmental Justice Tribal and Indigenous Peoples Advisors, and with our counterparts in the CEC, to implement strategies tailored to their specific needs that will protect the environment and public health of Tribes and other indigenous peoples. This has and will continue to be done through the implementation of the principles in the EPA 2014 [Policy on Environmental Justice for Working with Federally Recognized Tribes and Indigenous Peoples](#).

We appreciate NAC's thoughtful and comprehensive list of stakeholders, sub-national groups, and organizations, from five countries, for our consideration and engagement in shaping the CEC's development of its climate adaptation initiative. This list provides opportunities for us to approach state and local communities, Tribal leaders, and officials to help us in sharing best practices and resources to build the climate adaptation initiative. These resources will also support CEC's project to create a Communities for Environmental Justice Network project, to engage directly environmental justice communities in sharing community-based expertise, lessons learned, and guidance in the context of climate change.

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

We agree that engagement of community leaders in education activities is crucial to overcome the barriers and challenges such as lack of community knowledge and misinformation on climate change and adaptation actions. We appreciate the NACs' recommendation to use the North Arizona University's report [Status of Tribes and Climate Change Report](#) as a resource to educate the public on the impacts of climate change and for disaster preparedness. EPA has also prepared tools and resources that may be useful to Environmental Justice organizations and residents about the range of issues communities with existing vulnerabilities, historical patterns of inequity, socioeconomic disparities, and systemic environmental injustices face due to climate change and assist them in developing and implementing equitable solutions to climate change impacts. Sharing resources like the North Arizona University report and EPA resources with trusted community leaders will promote knowledge sharing and increase awareness on disaster preparedness and climate adaptation actions in key communities and amongst vulnerable populations.

We also agree that in addition to education, communities must have the resources needed to implement the solutions that are relevant to them and their communities to reduce the impact of climate change. As a result of the historic Bipartisan Infrastructure Law (BIL) and Inflation Reduction Act (IRA), EPA will be able to provide funding to increase communities' capacity to improve their local environment. This includes EPA assisting communities in developing demonstration projects to be used to help guide the design and implementation of future Environmental Justice projects and for EPA to increase its ability to address local environmental challenges in more effective, efficient, and sustainable ways. For example, BIL appropriated more than \$43.4 billion for water infrastructure programs from FY2022 through 2026, with \$868 millions set aside and dedicated to tribal water projects.

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

The NAC's recommendation to implement Indigenous Traditional Ecological Knowledge (ITEK), or Indigenous Knowledge (IK), initiatives in all federal projects to bridge the cultural divide in support of climate adaptation efforts is a priority for the CEC and the U.S. federal government. Since 2015, the three parties to the CEC agreed to incorporate TEK into CEC initiatives and to create linkages and collaborations with local and indigenous communities across North America in its ongoing projects and public and stakeholder engagement activities. The CEC TEK Expert Group advise the Parties and the Joint Public Advisory Committee (JPAC) on traditional ecological knowledge. More recently, in November 2021, the White House Office of Science and Technology Policy (OSTP) and the Council on Environmental Quality (CEQ) made a commitment in a [memorandum](#) to elevate indigenous knowledge in federal scientific and policy by formally recognizing IK as one of the many important bodies of knowledge that contributes to the scientific, technical, social, and economic advancements of the United States and our collective understanding of the natural world. On December 1st, 2022, an Interagency Working Group published an IK Guidance, titled "[Guidance for Federal Departments and Agencies on Indigenous Knowledge](#)," to be used by the federal government to ensure that Indigenous Knowledge is considered and applied in a manner that respects Tribal sovereignty and achieves mutually beneficial outcomes for Tribal and indigenous communities. EPA is currently defining the process to implement the principles in the Guideline to our EPA-wide programs as well as planning to conduct an EPA internal training on this Guidance.

We also appreciate the multiple strategies to address nature-based solutions and additional topics for consideration regarding climate change mitigation and preparedness.

Thank you again for the thoughtful and comprehensive advice letter. We appreciate your insights and expertise in support of our trilateral work in the CEC to strengthen cooperation on climate adaptation in North America.

Sincerely,



Jane Nishida
Assistant Administrator
Office of International and Tribal Affairs