

U.S. Environmental Protection Agency Environmental Financial Advisory Board

Public Meeting Minutes

January 24–26, 2023

Location: In-Person and Virtual

Respectfully submitted by Edward H. Chu, EPA Designated Federal Officer
Certified as accurate by Kerry E. O'Neill, Chair, Environmental Financial Advisory Board

NOTE AND DISCLAIMER: The minutes that follow reflect a summary of remarks and conversation during the meeting. Such ideas, suggestions, and deliberations do not necessarily reflect consensus advice from the Board. Formal advice and recommendations may be found in the final advisory reports or letters prepared and transmitted to the agency following the public meetings. Moreover, the Board advises that additional information sources be consulted in cases where any concern may exist about statistics or any other information contained within the minutes.

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Purpose

The U.S. Environmental Protection Agency (EPA) Financial Advisory Board (EFAB or Board) is an advisory committee chartered under the Federal Advisory Committee Act (FACA) to provide advice and recommendations to EPA on creative approaches to funding environmental programs, projects, and activities. The purpose of the meeting was for the EFAB to provide updates on the Greenhouse Gas Reduction Fund charge and previous EFAB deliverables, consider possible future advisory topics, and receive updates on EPA activities.

The meeting was announced in the Federal Register (see appendix 1).

Please see appendix 2 for the agenda and appendix 3 for EFAB member names and affiliations.

Day 1

Welcome, Member Roll Call, and Review of Agenda

Welcome

Edward H. Chu, EFAB Designated Federal Officer (DFO)
Kerry O’Neill, EFAB Chair

Roll Call

Ashley Allen Jones, present
Courtney L. Black, present
Steven J. Bonafonte, present
Angela Montoya Bricmont, present
Matthew T. Brown, present
Stacy Brown, present
Theodore Chapman, present
Albert Cho, present
Janet Clements, present
Lori Collins, present
Zachary Davidson, present
Jeffrey R. Diehl, present
Sonja B. Favors, not present
Phyllis R. Garcia, present
Eric Hangen, not present
Edward Henifin, not present
Barry Hersh, present
Craig Holland, present

Craig A. Hrinkevich, present
Margot Kane, present
Thomas Karol, present
George W. Kelly, present
Gwendolyn Keyes Fleming, present
Cynthia Koehler, not present
Colleen Kokas, present
Joanne V. Landau, present
Lawrence Lujan, present
MaryAnna H. Peavey, present
Dennis A. Randolph, present
Eric Rothstein, present
Sanjiv Sinha, present
William Stannard, present
Marilyn Waite, present
David L. Wegner, present
Gwen Yamamoto Lau, present
David Zimmer, present

EFAB Member Recognition

Ed Chu said that the following six EFAB members are reaching their six-year term limit this summer: Theodore Chapman, Craig Holland, Eric Rothstein, Edward Henifin, William Stannard, and David Zimmer. Ed Chu noted that nine sets of recommendations and a letter to EPA were delivered in their tenure. He thanked the members for their service and presented them with certificates; they will receive official letters from the EPA Administrator to thank them for their service to public after they formally roll off the Board.

Greenhouse Gas Reduction Fund Charge Update

Kerry O’Neill | EFAB Chair

Alejandra Nunez | EPA Deputy Assistant Administrator for Mobile Sources

Tim Profeta | Senior Advisor, EPA Office of Air Quality Planning and Standards

Alejandra Nunez acknowledged the speed at which committee members deliberated and developed their guidance to EPA on the Greenhouse Gas Reduction Fund (GHGRF) charge. She said EPA enjoyed the

process and learned a lot from the group, and the workgroup provided robust guidance to EPA. In addition to the guidance provided by the EFAB workgroup, EPA had issued a Request for Information (RFI) and received hundreds of comments, which were summarized and considered by EPA staff. She said the process formally concluded at end of the year.

Tim Profeta thanked everyone for what he called an "incredible display of public service." He said that EFAB's input has been merged with RFI input into a robust playbook for EPA. He asked the group for their feedback on the process.

Ashley Allen Jones said that she found the narrowness and explicitness of EPA's charge questions very helpful. It was clear what EPA wanted the group to answer, which facilitated a useful response.

Lori Collins said that knowing they weren't trying to produce formal recommendations eased the pressure and allowed the group to proceed quickly.

Margot Kane appreciated that EPA spent the time and joined in as if they were workgroup members. She said she sensed EPA's support and earnest effort.

Gwen Yamamoto Lau said she appreciated the EPA team's willingness to hear all aspects of feedback.

Kerry O'Neill noted the process of producing a letter and voting on the content prior to finalizing was unusual. She asked Board members if they had any feedback on that.

Lori Collins said she did not have issues with the process; everyone had an opportunity to have input.

George Kelly said that it was helpful under the circumstances to have developed an options analysis and not formal recommendations. He said that the focus provided by Tim Profeta and Alejandra Nunez was helpful and should be considered for future efforts.

David Wegner concurred that EPA's guidance facilitated the process. He asked if this will be issued in the Federal Register and if there will be opportunities for the EFAB to provide additional feedback.

Tim Profeta said the next speakers will address that topic.

Lori Collins asked if Tim Profeta and Alejandra Nunez could stay involved.

Ed Chu said Tim and Alejandra are always reachable. He added that there is a possibility that EPA will follow up with EFAB. He urged EPA and EFAB to stay in touch about GHGRF issues.

Greenhouse Gas Reduction Fund Program Update

Dan Utech | EPA Chief of Staff

Jahi Wise | Senior Advisor to the EPA Administrator and Greenhouse Gas Reduction Fund Acting Director

Alejandra Nunez | EPA Deputy Assistant Administrator for Mobile Sources

Dan Utech thanked the EFAB on behalf of Administrator Regan. He recalled that the charge was finalized in mid-October and EFAB provided input in a matter of months. He thanked Ed Chu, Kerry O'Neill, the workgroup chairs, and EPA staff.

He reiterated that EPA posted an RFI and received hundreds of responses, and the agency facilitated dozens of stakeholder discussions. He thanked members of the public who may have participated in those sessions. He said that the GHGRF program is an unprecedented opportunity for our country to promote clean air and deliver on the promise of the legislation, especially in low-income and disadvantaged communities.

Jahi Wise thanked everyone and said there is a big opportunity to accelerate the decarbonization of the economy and to do it in a way that advances equity and justice.

Regarding what's next, he said EPA is looking forward to rolling out program decisions and coming back to the EFAB to tap their expertise.

Jeffrey Diehl asked if the Board could have done anything differently to be more helpful to EPA.

Dan Utech said, in short, no. He said that because the process was accelerated, EPA may come back to EFAB for additional input. He asked the Board and asked if they wanted to add or amend anything to the document they had submitted.

Jeffrey Diehl noted that the workgroup would have benefited from having conversations with experts outside of the Board.

Jahi Wise said the EFAB's work was incredible and assured the Board that there will be opportunities for EFAB to provide more targeted input.

Kerry O'Neill noted that nuances didn't make it onto the page, and the workgroup could brief the team from EPA on those nuances.

George Kelly said he would have liked to see more of how the guidance would translate on the ground, as well as accountability, measurement, and any options on the contracting side. He said these are important issues the workgroup did not have a chance to explore. He inquired about EPA's next steps. Dan Utech said the EFAB will hear more in the months to come.

Margot Kane added that it is difficult for communities to bring together and manage different pots of funding and that EPA has a unique opportunity to provide complementary funding.

Regarding what projects look like on the ground, Ashley Allen Jones said there is a gap between policy and finance, and there is a big opportunity for the EFAB to weigh in on the finance piece of the puzzle. Next, she asked what it means to fund technical assistance (TA), which means something different in different contexts. She recommended defining the term and examining the value chain of that activity, tracking the dollar all the way through and looking for the return.

Kerry O'Neill asked what it looks like on the ground in communities that have historically been left behind.

Craig Holland said it is a daunting task to find options for getting the money out in a quick but thoughtful way to target disadvantaged communities. Speed is of the essence, but policy must be thoughtful.

Gwen Yamamoto Lau stressed the importance of not locating activities in communities unless the community will actually benefit.

Jeffrey Diehl said that, although there is a need for speed, he hopes this is a sustainable capitalization scheme. He said there must be not only partnerships but also sustainable channels of investment in communities. There must be pipelines and lifelines beyond this particular fund.

Marilyn Waite said there was no silver bullet promoted by the Board, but rather multiple options and recipients with and pros and cons for each. She suggested defining disadvantaged community and clarifying the beneficiaries, leadership, and what community ownership means, as well as what businesses can grow in the green economy.

Lori Collins conveyed the Board's interested in being an ongoing resource for EPA.

Welcome From EPA's Chief Financial Officer and EPA Budget Update

Faisal Amin | EPA Chief Financial Officer

Faisal Amin said this administration is at its midpoint; as Chief Financial Officer (CFO), he is committed to making sure the second half is as successful as the first. He said the next two years will be critical regarding how EPA delivers on investments. It is a challenge to get money out and maintain program integrity. One of his top priorities is ensuring the public trust. He said the Bipartisan Infrastructure Law (BIL) and Inflation Reduction Act (IRA) are very important for our nation and future generations.

He shared figures from the Omnibus Appropriations Act, which was signed into law in December. He said the agency has \$10 billion appropriated, which is a \$576 million increase over Fiscal Year (FY) 22. This includes the largest budget for environmental justice in EPA history, totaling \$108 million in FY23. Among other items, the omnibus appropriations include \$600 million for the drinking water crisis in Jackson, Mississippi, and \$1 billion for hurricane-impacted communities. In addition, the FY23 budget sustains support for state and tribal partners, with \$4.5 billion in state and tribal assistance grants. He said there is \$613 million allotted for enforcement and compliance, which had been stagnant for several years.

Ted Chapman said that TA is a common topic in his circle. Although grant funds are available, communities face barriers pursuing, tracking, and reporting funds. He asked if grant money can be used to pay for TA so that disadvantaged communities can overcome barriers, such as auditing.

Faisal Amin said it is hard to hear from potential grantees that they would rather not apply for funding because of the burdens or barriers associated with it. He said EPA is looking at options to address the issue on the front end and back end. One difficulty is statutory language that limits where EPA can help and at what level.

MaryAnna Peavey asked how EPA will staff up to get the funding out. Faisal Amin said EPA is doing its best to ramp up.

Dave Wegner said there is a huge responsibility to ensure that Congress knows what EPA is doing. He urged EPA to show the American people where the money is going.

Regarding TA, David Zimmer said early TA will be a key component of whether EPA is successful. He suggested that some State Revolving Fund (SRF) grants could be used for TA.

Barry Hersh referred to a media report that EPA is "traumatized and depleted"; he asked about Faisal Amin's concerns about maintaining fiscal controls, noting, "A lot of people want to help you spend the money."

Faisal Amin replied that with unprecedented funding comes unprecedented oversight. He said EPA is enhancing its existing enterprise risk management portfolio and developing new fraud detection techniques, such as using technology to flag potential issues.

Update On Other Recent EFAB Charge Deliverables

Edward H. Chu | EFAB Designated Federal Officer

Ed Chu said the next portion of the meeting will be used to update the EFAB on how EPA has used some of the Board's deliverables.

Opportunity Zones

Jon Grosshans with EPA's Office of Policy said that, since receiving feedback, EFAB's advice on staying true to its mission and doing better outreach has taken off, with TA and engagement with hard-to-reach communities. He said EPA has been acting on the advice provided by EFAB and with partnering with communities early on.

Michelle Madley with EPA's Office of Water iterated that it is an unprecedented opportunity for the agency, allowing an increased focus on capacity building and equitable investments. She said EFAB's lessons will be incorporated in the agency's TA initiatives.

Pollution Prevention

David Widawsky and Allison Thompson from EPA's Office of Chemical Safety and Pollution Prevention provided some background on the charge and the process used by the EFAB Pollution Prevention (P2) workgroup.

He added that the timing of last year's engagement was timely because the P2 program has expanded. He said EPA met with P2 programs grantees shortly after they received EFAB recommendations and incorporated EFAB's insight into a grantee workshop. He said it was a success, so EPA will invest in a series of ongoing activities including developing toolkits and working with grantees to implement EFAB's insights. He said EPA will focus on grants to disadvantaged communities, endeavoring to bridge gaps with insights from the workgroup.

Ashley Allen Jones noted that she had listened in on EPA's call with grantees. She thanked them for being a partner on the charge and said she was excited to see him make the presentation to grantees.

Stormwater Task Force

Ellen Tarquinio with EPA's Water Infrastructure and Resiliency Finance Center said EFAB's stormwater work represented a heroic effort on stormwater funding and financing. She thanked members for their effort to develop the robust report. Following the report's submission to Congress, the recommendations were shared widely.

She noted that one recommendation was for a construction grant program; that is the Overflow and Stormwater Grant program, which is a couple of years old and is seeing a lot of progress.

She said recommendations concerning the Section 319 Grant program has helped EPA; the agency has done community outreach, implemented pilots, and issued a guide on best practices. Another recommendation was to look at restructuring the SRF program. She said that only Congress can restructure the SRF, but stormwater is taking a seat at the table.

Ellen Tarquinio said that EPA is working with the Department of Health and Human Services (HHS) on the Low-Income Household Water Assistance Program (LIHWAP) to advance work on engaging communities; she said there is a significant amount of funding. She said EPA is also educating elected officials about stormwater funding and financing; there is a learning module coming out as well as a workshop series. TA will be front and center; communities and Environmental Finance Centers (EFCs) want TA for their stormwater issues, and they will use EFAB's report as guide. She said the case studies shared in that report are being pulled out and published separately on the website.

Sanjiv Sinha praised the list of initiatives. He offered his perspective from a time prior to his EFAB experience, noting that one challenge is that chief resilience officers typically require wide expertise, but it is often shallow. He said he had seen the report and it made his life easier; people use the reports that EFAB has produced.

David Zimmer said a lot of what was mentioned is already practiced by SRFs in the country. Existing utilities may be able to assume some of the burden of backstopping certain office functions, removing that challenge for communities. He added that while green infrastructure is not a magic bullet, there is a need for more stormwater funding. He asked about the potential to expand the stormwater program. Ellen Tarquinio said that we must ensure stormwater has its fair share of the BIL funding.

Craig Holland warned that, at the state level, more stormwater utilities may open the possibility for lawsuits challenging their existence. He said communities need TA to achieve their goals and defend against legal challenges.

State Revolving Fund Update Briefing

Wendi Wilkes | EPA Office of Water

Michael Deane | EPA Clean Water State Revolving Fund

Joshua Amaris | EPA Clean Water State Revolving Fund

Wendi Wilkes said much new funding is channeled through about 102 longstanding SRF programs. EPA has awarded 60% of FY22 BIL SRF capitalization grants to 47 states and three tribes and territories, totaling \$4.8 billion. She said EPA is focused on helping disadvantaged communities (as defined by states) access funding in the form of forgivable loans. Regarding TA for communities new to SRF, EPA is

focused on setting up TA in Year 1 by directing \$150 million to EFCs for TA. She said TA work already started, such as with Closing the Wastewater Infrastructure Gap initiative. She noted that they will soon announce a pilot project to start lead service line replacement.

In Year 2, they will build on the momentum and share lessons learned. A key focus is improving on how funding is distributed to and impacting disadvantaged communities. They will work on increasing publicly available and accessible information, addressing a broad range of issues, from what is an IUP [intended use plan] to how to provide public comments. Also in Year 2, they will collect more information on state processes to elevate the story of water infrastructure.

Dennis Randolph asked whether all states are sincere about defining "disadvantaged community". He asked if they have seen first-time communities taking part so far. He noted that climate change is making the problem of providing water worse and asked how they will handle the water challenge.

Wendi Wilkes replied that not all states have definitions that need updating, but TA may help those who would benefit from having a new definition. She said it is not a small thing to redefine "disadvantaged community". In Year 1, she said, they published a report on drinking water in disadvantaged communities that shares best practices. Regarding question of first timers, she said it will take time to learn how many of these communities applied and whether they were funded. Regarding climate change, she said all infrastructure they are building should be responsive to climate change. They brought a climate lens to all the funding.

Michael Deane added it is easier for some states than others to redefine terms, and the process is ongoing. Regarding the climate issue, he said it needs to be a part of everything. There is a focus on using the SRF for water supply issues; peer-to-peer support is useful to states, and so is sharing what works. He said there is a lot going on, especially with BIL funds to make sure states hear about good practices.

Sanjiv Sinha said TA is crucial to the success of the BIL but noted that EFCs vary greatly in their sophistication. He suggested ensuring that monitoring and accountability is in place so taxpayers across the country may benefit.

David Zimmer noted that each state's governor can dictate priorities for each state. He asked what happens to funds that aren't disbursed in Year 1. Wendi Wilkes said that for every pot of FY funding, states have that year and the following FY to apply for and receive funds; unallocated funding will be reallocated using the same process as regular SRF monies.

MaryAnna Peavey observed that, because of threshold rates, a lot of new communities now qualify as disadvantaged.

Al Cho said there had been talk in water sector of projects that are not just shovel ready but shovel worthy, and he hasn't heard that phrase recently. He asked how EPA ensures investment in innovative projects. Wendi replied it is a policy priority to bring water systems up to date. She acknowledged that there were standard infrastructure projects that were ready to go. Although standard, they may have innovative components, such as advanced cybersecurity, that isn't necessarily evident through the project description.

Michael Deane said that states can incentivize innovation and it can be encouraged; a lot depends on communities coming forward with these projects. He said there is an opportunity for the TA program to help communities, and he observed that innovation can be high tech or low tech. However, EPA can't mandate through the SRF program.

David Zimmer said innovation is almost impossible. Despite cost\benefit projections, we may not know if an innovation is successful until years in the future. If the innovation is unproven, it likely won't get funded with public monies.

Kerry O'Neill suggested that demonstration programs can help change the dynamic.

Creating Resilient Water Utilities Initiative

Curt Baranowski | Office of Water

Note: Curt Baranowski's slides are in appendix 4.

Curt Baranowski said the Creating Resilient Water Utilities (CRWU) initiative is focused on needs of water utilities from a climate change perspective. He gave some background on the history of the CRWU, beginning with safety concerns that emerged from the 9/11 terrorist event and expanding after Hurricane Katrina. The initiative now includes making climate change data useable and useful for water utilities.

CRWU provides the water sector (including stormwater, drinking water, and wastewater) with an array on online tools. Key resources include a Resilient Strategies Guide, which helps utilities plan for climate change in their specific area and determine priorities depending on where they are in the process. The guide also provides adaptive measures utilities can take, as well as case studies and potential funding sources.

Another key tool is the [Climate Resilience Evaluation and Awareness Tool](#) (CREAT), a true risk assessment tool for water utilities that facilitates in-depth analysis of climate impact. The tool generates a report using climate change projection data for 2023 and 2050. This tool was built in coordination with several water utilities. The tools five modules are

1. Climate Awareness
2. Scenario Development
3. Consequences and Assets
4. Adaptation Planning, and
5. Risk Assessment.

CREAT provides users not with a single solution but with a variety of adaptation scenarios to consider.

Lori Collins asked if utilities use the assessment tool internally or hire consultants. Curt Baranowski said many utilities are simply trying to think through the next year; it's difficult for them to think through several years into the future. EPA has doubled TA efforts this year, and BIL funding may help. But it's a challenge to get people to want to invest time into that effort.

Marilyn Waite asked about the data used to create modeling. Curt Baranowski said they use historical data on storm surge, stream flow, and climate scenarios from National Oceanic and Atmospheric Administration (NOAA), United States Geological Survey (USGS), and other federal agencies. He said most data are from the 2018 National Climate Assessment (NCA), which will be updated based on the 2022 NCA. He noted that they have fully documented the methodology; there is no black box. He noted that, in the past, EPA did not stay in touch with utilities, but going forward they will follow assessments with virtual training and TA to help utilities implement climate-related adaptive measures.

Ted Chapman noted that the vulnerability self-assessment required of most utilities does not include climate change. He asked if it would be helpful to have a recommendation from Board to put teeth into resilience and risk planning. Curt Baranowski agreed on the concept and said the law is agnostic on climate and will not allow EPA to do that.

Jeffrey Diehl said climate resiliency got a lot of attention in Rhode Island in 2010; not just storm surge but riverine flooding, as well. He said the question is how to fund climate resiliency and not on the back of ratepayers.

Angela Bricmont asked if EPA knew why people would go through the assessment and then not take the next step. Curt Baranowski said that utilities are challenged with time, money, pressures of day-to-day responsibilities, and lack of staff. He said they are planning on learning more from utilities about barriers.

David Zimmer said there is a disconnect between growth and resiliency, such as a loss of acreage for development if cities are planning for sea level rise. Without teeth, taking steps is difficult.

Stacy Brown asked if the model considers inland threats. Curt Baranowski said yes, there are relevant data for utilities throughout the country. He added that there is a tremendous amount of data and case studies. Stacy Brown asked if cyber issues are addressed. Curt Baranowski said no, the tool is about climate, but America's Water and Infrastructure Act (AWIA) focuses on natural disasters and terrorism.

Ed Chu reminded the EFAB that the body can make recommendations to EPA outside of a formal charge.

Adjourn

Ed Chu adjourned the meeting.

Day 2

Welcome and Roll Call

Ed Chu opened the meeting and welcomed members back.

Kerry O’Neill conducted the roll call and noted the day’s agenda will be flexible and the public meeting will likely end early to allow time for workgroups to meet.

Roll Call

Ashley Allen Jones, present
 Courtney L. Black, present
 Steven J. Bonafonte, present
 Angela Montoya Bricmont, present
 Matthew T. Brown, present
 Stacy Brown, present
 Theodore Chapman, present
 Albert Cho, present
 Janet Clements, present
 Lori Collins, present
 Zachary Davidson, present
 Jeffrey R. Diehl, present
 Sonja B. Favors, not present
 Phyllis R. Garcia, present
 Eric Hangen, not present
 Edward Henifin, not present
 Barry Hersh, present
 Craig Holland, present

Craig A. Hrinkevich, present
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 MaryAnna H. Peavey, present
 Dennis A. Randolph, present
 Eric Rothstein, present
 Sanjiv Sinha, present
 William Stannard, present
 Marilyn Waite, present
 David L. Wegner, present
 Gwen Yamamoto Lau, present
 David Zimmer, present

EPA FACA Coordination

April Baptiste | Colgate University, National Environmental Justice Advisory Committee member

Rod Snyder | EPA Agriculture Advisor Farm, Ranch, and Rural Communities Committee

Jalonne White-Newsome | Senior Director for Environmental Justice, White House Environmental Justice Advisory Council

National Environmental Justice Advisory Committee (NEJAC)

Note: April Baptiste’s slides are in appendix 5.

April Baptiste said the recent NEJAC recommendations made four primary requests to EPA:

1. A response as to how each of the sections that are provided in the document are being implemented.
2. A roadmap that outlines how EPA implementation of Justice40 objectives will be conducted.

3. A presentation of foreseen challenges or barriers toward ensuring timely prioritization of funding and investments to environmental justice communities across short-, medium-, and long-term timeframes.
4. A consultation with the NEJAC on the ways in which finance and investment opportunities in communities with legacy environmental justice problems will result in environmental and economic improvements for these communities.

She shared the five sections of their letter and key recommendations, which are summarized below.

Section 1. Defining investment and benefits in environmental justice communities. These recommendations emphasized the need to co-create definitions and to keep race and ethnicity central to the definition of disadvantaged communities.

Section 2. Prioritizing investments and benefits in environmental justice communities. This section recommends that funding go directly to environmental justice communities, such as by designating nongovernmental organizations (NGOs) from these communities as principal investigators, as well as developing regional environmental justice advisory councils.

Section 3. Assessing/determining and distributing investments and benefits in environmental justice communities. In this section, the NEJAC recommends that environmental justice communities are equipped to address their own concerns, such as by building capacity and clarifying how the Thriving Communities Technical Assistance Centers (TCTACS) will bolster TA to communities.

Section 4. Measuring and tracking investments in environmental justice communities. The NEJAC wants to see how investments and benefits are measured and tracked, as well as challenges and barriers to create system to creating accountability. Recommendations centered on issuing strong guidelines to states to include environmental justice objectives related to their federal funding, measuring performance for any center meant to build capacity in environmental justice communities, and addressing climate change issue with measurable outcomes.

Section 5. Mapping and reporting investments and benefits in environmental justice communities. Increased transparency was the focus of this section, and recommendations included developing a funding visualization tool and improving current tools.

Dennis Randolph said his concern about TA is that trainers must understand environmental justice concerns. He said TA is a broad topic with a lot of parts. April Baptiste agreed and said they pushed EPA to define TA and recognize the expertise of activists within environmental justice communities.

Marilyn Waite asked if NEJAC had engaged with community banks, credit unions, minority deposit institutions, and other banks providing green loans. April Baptiste said she would bring it up at next meeting.

George Kelly said the group has just analyzed options under the GHGRF, and there are always challenges with how to define low-income and disadvantaged communities. April Baptiste said her workgroup spent a great deal of time thinking about it, and considered incorporating cumulative impacts, health, and other areas. They didn't provide a model definition but pushed EPA to co-create a definition with communities.

Ted Chapman asked for more information about the NEJAC's efforts to push for not just removing a negative but for going beyond the bare minimum. He asked if they defined success factors. April Baptiste said that is the direction the conversation is headed, and they looked at direct, indirect, and cumulative impacts and benefits to addressing environmental justice concern. For example, if states fix lead services lines in the street but can't work from the street to the home, is the benefit actually delivered? She said the community must be included in defining success indicators and noted that NEJAC had more questions than answers for EPA at this stage.

Ashley Allen Jones said NEJAC may be interested in looking at the EFAB's GHGRF workgroup products and would be able to follow up by phone to pass along what they uncovered. April said NEJAC's finance and investment workgroup has been dissolved but the work continues, and the information would be appreciated.

Ed Chu said he will formally engage with NEJAC to follow up on how to work together through formal practices.

Farm, Ranch, and Rural Communities Committee (FRRCC)

Ed Chu noted that Rod Snyder had met the EFAB in the past and that the FRRCC was re-convened just last week.

Rod Snyder said he's excited about the direction the FRRCC is headed. The FACA is in the Agriculture Advisor's office. It has been around for about 15 years; however, last weeks' meeting was the first in-person meeting since 2016. They have recently appointed about 36 members and had a kick-off meeting last week.

At the kick-off meeting, the committee received presentations on the following:

- EPA's climate adaptation process
- Water and climate co-benefits
- Water reuse
- Biofuels policy
- GHG inventory and data needs
- Methane capture
- Food loss and waste
- Smart growth for rural communities
- IRA funding specific to climate change
- USDA's IRA funding
- Climate-Smart funding

At end of two days, the FRRCC came up with a list of potential areas for their work over the next year. In the next few weeks, the FRRCC will be forming their workgroups, and there may be areas for collaboration with EFAB.

Marilyn Waite recommended the joint work done by Adasina Social Capital and the ETC Group, which covers the climate and agriculture nexus in depth. She asked if there is room in the current work to cover nitrous oxide (N₂O) and parts of the supply chain. Rod Snyder replied that N₂O came up a lot.

MaryAnna Peavey asked if the FRRCC looked at the value of water in agriculture and climate change and how agriculture is changing because of drought. Rod Snyder said emphatically yes; so much water policy

is driven at state level. He said the committee is interested in exploring what EPA can do in the water availability space, specifically repurposing wastewater for irrigation.

George Kelly asked to what extent agriculture falls in the definition of disadvantaged communities. He also asked about the group's potential to weigh in on pesticide regulation and the Endangered Species Act (ESA). Lastly, he asked about crop switching to less water-intensive alternatives. Rod Snyder replied that the FRRCC has not yet delved into how the Justice40 Initiative (J40) affects agricultural regions, but many rural communities would be considered underserved and disadvantaged. On ESA, the committee discussed impacts of climate change; there are stressors and crops will need to be protected. Crop switching didn't come up, he said, but if there's a water workgroup it will likely come up.

Dave Wegner said the Colorado River basin is in its 23rd year of drought, and more than 80% of its water goes to agriculture. Rural communities are stressed. He asked for Rod Snyder's thoughts on smart growth for rural communities; small agriculture in particular is threatened. Rod Snyder said the FRRCC's chair noted that prime farmland can be repurposed for solar but without concern for how that might impact food production. He said an agenda item is how to advance the green economy while ensuring agriculture can thrive. There are a lot of other questions to explore.

White House Environmental Justice Advisory Council (WHEJAC)

Jalonne White-Newsome said this administration has taken on environmental justice in a way never done before and said that the role of the White House Council on Environmental Quality (CEQ) is to advise the president on environmental issues, including environmental justice. Toward this end, CEQ developed the Climate and Environmental Justice Screening Tool (CEJST), which is a geospatial mapping tool to identify disadvantaged communities and ensure they receive the benefits of funding. She said CEQ will also soon release its Environmental Scorecard, which will also provide a baseline understanding of how federal agencies will advance environmental justice. The first iteration of the scorecard will not score agencies but will serve to establish a baseline. She said CEQ will also advance the J40 Initiative and create culture change so that gains are sustainable. Jalonne White-Newsome also mentioned Executive Order 14008 on tackling climate change at home and abroad, which established the White House Environmental Justice Interagency Council (IAC) and WHEJAC.

Jalonne White-Newsome explained that WHEJAC advises IAC and CEQ. There are 25 members, 2 chairs, and 2 co-chairs. CEQ is currently accepting letters of interest to this council of presidentially appointed members. CEQ's role is to connect WHEAJC to the White House and to coordinate with federal partners. WHEJAC has four public meetings a year.

Among its successes, WHEJAC provided recommendations on J40, CEJST, and the Environmental Scorecard. It also engages the public and amplifies the importance of engagement and education. WHEJAC has influence CEQ to undertake activities such as the J40 Week in Action and J40 in Action webinars. WHEJAC also raises issues that continue to be brought to public meetings.

There are three near-term goals for the WHEJAC: (1) expand its membership; (2) provide more opportunities for WHEJAC and IAC to come together; and (3) create new opportunities for partnerships, which includes working with EFAB.

Craig Holland said the GHGRF requires the participation of a lot of stakeholders to get the funding out; CEQ could play a key role in bringing people to the table to think through options, similar to the National Disaster Resilience Competition.

Gwen Keyes Fleming asked if there are plans for CEQ to engage the private sector and regulated community so they can be a part of the solution. Jalonne White-Newsome said we won't find solutions without everyone at the table and will shortly share opportunities.

Gwen Yamamoto Lau asked Jalonne White-Newsome what success looks like for her. Jalonne White-Newsome said her vision is to embed environmental justice in agencies to the degree that it is no longer an afterthought, that there is both sustainability and accountability.

Ed Chu said he will follow up with the WHEJAC DFO for potential collaboration. He asked the group to think about possible dates and locations for the next in-person meeting.

EFAB Chair's Corner

Kerry O'Neill | EFAB Chair

Kerry O'Neill observed that a theme in Board discussions has been how to get funding to under-resourced communities. She asked the members if they felt there was a potential charge to pursue, and if so, who might be the EPA client.

Ed Chu said that there is a protocol to identify the FACA's priorities. If there is a project the group is interested in pursuing, the Board can submit a letter; alternatively, it can develop a charge and find an EPA client. He emphasized that the Board would not want to spend its valuable time working on an issue that is not an EPA priority. Craig Holland shared a bit of his challenging experience working on an issue without an EPA client that ultimately did not result in a charge. Kerry O'Neill noted the benefits of having an engaged EPA client.

Dennis Randolph said the question of how to spread money around is a great idea and he identified a couple technical skills needed to get federal funding, such as determining what specific solution could be engineered and then having the skills to apply for a grant. He said communities need those skills embedded in their communities for sustainability.

Kerry O'Neill added a need for support with compliance and reporting. Craig Holland said that horror stories scare people off, but there are more success stories. He noted that one year his organization faced seven federal audits, but the organization survived.

Bill Stannard said getting money to underserved communities has been discussed regularly in the water space. Given that EPA is conducting needs surveys, he asked if they could find out what is already happening. He suggested looking at regional and state levels, as well, and defining the best data to establish a baseline.

Kerry O'Neill asked if the scorecard discussed previously would measure where dollars are going.

Sanjiv Sinha said that, with leeway, charge #3 [in the Board meeting materials] might be interpreted to include the issue. Ed Chu noted that there are a lot of places in EPA where the charge lands; accountability is cross-cutting.

Margot Kane asked how the flow of funds between EPA and communities would be tracked because there are government intermediaries at the state, government, and utility levels, as well as NGO intermediaries. She said that, because there is no direct line between EPA and a community, accountability means tracking at the intermediary level.

Kerry O'Neill noted that "community" could refer to several types of entities, including a group of citizens, NGO, utility, or city.

Colleen Kokas said there are a lot of places to start to help get first-time applicants in the door. Applying for grants is a difficult hurdle to get over, but existing TA programs are out there that can be tapped.

Gwen Keyes Fleming said the same entities get grants all the time, so incentives must shift to level the playing field.

Ed Chu shared that the GHGRF workgroups discussed how certain grants are treated differently; for instance, research grants are allotted a lot of leeway for overhead, but grants going to communities may be scrutinized on the issue of overhead.

David Zimmer reminded the Board that there are other sources of revenue for communities besides federal grants.

Summary of Other Potential Charges

Kerry O'Neill invited discussion about flowing investment to underserved communities.

Angela Bricmont said it offers a unique opportunity to partner across disciplines.

Kerry O'Neill said a couple items on the table from the last meeting were related to water and would be discussed later. Another tabled issue was engaging with FRRCC; however, they are not ready yet. The issue of environmental risk/cost of capital/environmental, social, and governance (ESG) topic was also tabled and a possible role for the Board could be discussed.

Ted Chapman said an exploratory group had looked into whether risks associated with climate change was appropriately priced into water financing. Maybe the answer is no, but how do you do it? He said finding an EPA client is another challenge.

Kerry O'Neill asked for volunteers to form an exploratory group to look at crosscutting issues related to flowing resources to underserved communities. Craig Holland noted the absolute necessity to think about intermediaries, as EPA has unprecedented amounts of money to get out. Ed Chu said the CFO's office may be an interested client. Kerry O'Neill said Office of Environmental Justice and External Civil Rights (OEJECR) could potentially be a co-client.

Dennis Randolph said there is a nice opportunity to work on the exploratory group look for connections to work with NEJAC.

Sonja Favors expressed interest, as did Margo Kane and Jeff Diehl. David Zimmer will advise.

Introduction to Board Breakout Discussions on Proposed Water Charges

Kerry O'Neill turned the discussion to proposed water charges. Office of Water had proposed the following nine charges in October:

1. SRF subsidies for neighborhoods or households in need
2. Effective utilization of water infrastructure and investments
3. Improving efficiency of implementing EPA funding
4. Sustainable technical assistance
5. Decentralized water systems operation and maintenance
6. Community assistance programs
7. BIL section 50108 needs assessment
8. Rate structuring
9. Municipal bond indebtedness

Tara Johnson reported that exploratory workgroup members are:

- Cynthia Koehler, co-chair
- Dennis Randolph
- Jeff Diehl
- MaryAnna Peavey
- Courtney Black
- Ted Chapman
- Bill Stannard
- Angela Bricmont
- Dave Wegner
- Phyllis Garcia
- Lawrence Lujan
- Janet Clements, co-chair
- Matt Brown
- Margot Kane
- Zach Davidson
- David Zimmer
- Al Cho
- Eric Rothstein

Janet Clements said the group's task is to reduce or synthesize charges and come back to the Board with recommendations about what to pursue. That is their goal for the work in the afternoon.

Kerry O'Neill reminded the exploratory committee that there is a lot of flexibility allowed in crafting charges.

Ed Chu said he will email the standard operating procedures (SOP) on charges to the Board.

Kerry O'Neill said EFAB members who are not on the exploratory committee will have opportunities to join workgroups.

Gwen Yamamoto Lau moved that the EFAB set up an exploratory workgroup on the flow of investments to low-income and disadvantaged communities; Lori Collins seconded. Kerry O'Neill asked for a voice vote, and the motion adopted.

Adjourn

Ed Chu adjourned the meeting.

Day 3

Welcome and Roll Call

Edward H. Chu, EFAB DFO, welcomed members back.

Kerry O’Neil, EFAB Chair, took role call and recapped the previous two days.

Roll Call

Ashley Allen Jones, present
 Courtney L. Black, present
 Steven J. Bonafonte, present
 Angela Montoya Bricmont, present
 Matthew T. Brown, present
 Stacy Brown, present
 Theodore Chapman, present
 Albert Cho, present
 Janet Clements, present
 Lori Collins, present
 Zachary Davidson, present
 Jeffrey R. Diehl, not present
 Sonja B. Favors, not present
 Phyllis R. Garcia, present
 Eric Hangen, not present
 Edward Henifin, not present
 Barry Hersh, present
 Craig Holland, not present

Craig A. Hrinkevich, present
 Margot Kane, present
 Thomas Karol, not present
 George W. Kelly, present
 Gwendolyn Keyes Fleming, present
 Cynthia Koehler, present
 Colleen Kokas, present
 Joanne V. Landau, not present
 Lawrence Lujan, not present
 MaryAnna H. Peavey, present
 Dennis A. Randolph, present
 Eric Rothstein, present
 Sanjiv Sinha, not present
 William Stannard, present
 Marilyn Waite, present
 David L. Wegner, not present
 Gwen Yamamoto Lau, present
 David Zimmer, present

Proposed Water Charges

Cynthia Koehler and Janet Clements | Exploratory Workgroup Co-chairs

Cynthia Koehler reported that the group concurs that the charges should help EPA do something powerful or transformative with the new funding, address the growing national challenge of water affordability, and ensure effective and sustainable TA mechanisms, which are critical to disadvantaged communities. Through those lenses, the group narrowed the nine potential topics to two broad topics:

1. Equitable water affordability measures (Janet Clements, chair)
2. Assessing SRF effectiveness, will address charges 2–4 from EPA's original list (Cynthia Koehler, chair)

Once those charges are more refined, the exploratory workgroups will bring them back to the larger body for a vote.

Regarding equitable water affordability, Janet Clements said the subgroup does not have exact language yet but are looking deeper into EPA's original charges 6 and 8, which are about identifying best practice

for customer assistance programs and looking into how communities fund those programs, as well as funding approaches and potential for SRF financing. This overlaps a little with EPA's charge 1 and will be looked at as a part of affordability. Charge 8 is concerned with rate structures, best practices, and what can be done within the boundaries of state regulations.

Cynthia Koehler believes there will be a proposal within the next couple of months for the larger group to consider. The exploratory workgroup wants to be as engaged as possible with the EPA client. A real focus for EPA client is the BIL money, and EPA will help the group understand BIL requirements.

Kerry O'Neill said there is an art to developing a charge, the give and take, member expertise, and client; ebb and flow takes time. Ed Chu said that this phase is to really ensure that what the client is looking for is compatible with the EFAB's expertise. He said that the next step is to bring the charges to the Board for a vote, and the Board would need to have the document prior to that meeting. Cynthia Koehler iterated that they expect to have a charge in the next few months.

Kerry O'Neill asked for an update from Gwen Keyes Fleming.

Gwen Keyes Fleming said the exploratory workgroup is taking a stepwise fashion to drafting a charge on how EPA can facilitate getting new and existing funding to communities in need in the most efficient and effective way. They identified possible EPA clients, including the CFO's Office, and expanding discussion to include OEJEER, CEQ, DOE, and HUD. She said they also talked about improving the way the word gets to communities about funding availability, improving community capacity, and addressing accountability barriers. She said the group had several questions that they will raise in discussion with clients. The next step is to draft charge questions and get preliminary feedback before finalizing a charge.

Ed Chu iterated the timeline and is hoping to have a charge ready for a virtual meeting.

Cynthia Koehler said she wanted to be sure exploratory groups are coordinating closely to avoid repeated effort since, in some cases, the workgroups have framed their concerns identically. Gwen Keyes Fleming agreed there would be opportunities to have complementary recommendations. Ed Chu said the scope of the charge questions could be coordinated early on. Kerry O'Neill said coordinating with NEJAC may be possible. Ed Chu said where there is overlap, the Board could narrow its work to what the group's strengths are. He said the CFO's office will have to be involved given the focus on accountability.

Kerry O'Neill said this was an extraordinarily productive meeting and thanked members for their service.

Public Comment

See appendix 6 for written public comments submitted to date. Additional comments will be provided on website.

DFO Final Thoughts

Ed Chu reminded everyone that they hope to have the next meeting outside the Washington, D.C. Beltway to ensure broader participation of the public in other parts of the country. Ideally one of the Board members can host and provide other activities. He asked the group to email ideas.

Kerry O'Neill also asked for dates that don't work for the group. She thanked members and those cycling out.

Adjourn

Ed Chu adjourned the meeting.

Appendix 1. Federal Register Announcement



78106

Federal Register / Vol. 87, No. 244 / Wednesday, December 21, 2022 / Notices

SUMMARY: The Environmental Protection Agency (EPA) is announcing the availability of and soliciting comment on interim guidance and methods for adding efficacy claims to antimicrobial products for use on porous materials, including fabrics, textiles, and upholstered items in non-residential settings. Specifically, EPA is seeking public comment on an interim guidance document that describes efficacy testing for antimicrobial products to support claims for use on surfaces of certain porous materials in clinical and institutional (non-residential) settings and how to prepare an application for registration, an interim quantitative method for evaluating the efficacy of antimicrobial products on porous surfaces against viruses, and an interim quantitative method for evaluating the efficacy of antimicrobial products on porous surfaces against bacteria. The interim guidance does not address residential use sites with surfaces such as upholstered furniture (including backing material/stuffing under the porous surface), carpets, rugs, draperies, etc. In addition to the feedback requested above, EPA is also seeking public comment on proposed carrier materials to represent the surfaces commonly found in residential settings.

DATES: Comments must be received on or before January 20, 2023.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2022-0337, through the Federal eRulemaking Portal at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Marc Carpenter, Microbiology Laboratory Branch (7503M), Biological and Economic Analysis Division, Office of Pesticide Programs, Environmental Protection Agency, Environmental Science Center, 701 Mapes Road, Ft. Meade, MD 20755-5350; telephone number: (410) 305-2927; email address: carpenter.marc@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This document is directed to the public in general; although this action may be of particular interest to those

persons who are or may be required to conduct testing of chemical substances under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit CBI information to EPA through [regulations.gov](https://www.regulations.gov) or email. Clearly mark the part or all of the information that you claim to be CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at <https://www.epa.gov/dockets/commenting-epa-dockets>.

II. Background

EPA received requests to develop interim test methods and an associated registration process for antimicrobial products intended to treat bacterial and viral public health pathogens on the surface of porous materials. There is significant interest from stakeholders and the public in the availability of antimicrobial products with these public health claims, particularly in institutional, clinical, and health-care settings. Currently, most EPA-registered liquid-based antimicrobial products are intended to treat hard, non-porous surfaces.

EPA is making available for comment interim quantitative efficacy test methods for both bacteria and viruses on porous surfaces, in addition to interim guidance for companies wishing to add specific claims to antimicrobial products for efficacy against public health pathogens when used on porous materials in clinical and institutional (non-residential) settings. These materials include non-clothing fabrics, textiles, and/or upholstery that may be laundered on an infrequent (non-routine) basis where surface wiping and spot treatment is the primary means of cleaning and/or disinfection. Examples of non-residential sites include waiting

rooms and offices in clinical settings, hospitals and long-term care facilities, schools, hotels, movie theaters, office buildings, and retail establishments, with a focus on high traffic areas and frequently used surfaces. The guidance does not address claims for porous materials such as clothing, untreated wood, concrete and other hard porous materials, carpet or rugs, and the backing material/stuffing under the porous surface (e.g., beyond what can be visibly observed). The guidance does not address claims for residual antimicrobial product efficacy when used on porous materials.

III. Do guidance documents contain binding requirements?

As guidance, these documents are not binding on the Agency or any outside parties, and the Agency may depart from it where circumstances warrant and without prior notice. While EPA has made every effort to ensure the accuracy of the discussion in the guidance, the obligations of EPA and the regulated community are determined by statutes, regulations, or other legally binding documents. In the event of a conflict between the discussion in the guidance documents and any statute, regulation, or other legally binding document, the guidance documents will not be controlling.

Authority: 7 U.S.C. 136 *et seq.*

Dated: December 15, 2022.

Michal Freedhoff,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

[FR Doc. 2022-27693 Filed 12-20-22; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-10506-01-OW]

Notice of Public Meeting of the Environmental Financial Advisory Board (EFAB) With Webcast

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public EFAB meeting.

SUMMARY: The Environmental Protection Agency (EPA) announces a public meeting with a webcast of the Environmental Financial Advisory Board (EFAB). The meeting will be shared in real-time via webcast and public comments may be provided in writing in advance or virtually via webcast. Please see **SUPPLEMENTARY INFORMATION** for further details. The purpose of the meeting will be for the EFAB to provide updates on the

Greenhouse Gas Reduction Fund charge and previous EFAB deliverables, consider possible future advisory topics, and receive updates on EPA activities. The meeting will be conducted in a hybrid format of in-person and virtual via webcast.

DATES: The meeting will be held:

1. January 24, 2023, from 9 a.m. to 4 p.m. Eastern Time;
2. January 25, 2023, from 9 a.m. to 4 p.m. Eastern Time; and
3. January 26, 2023, from 9 a.m. to 12 p.m. Eastern Time.

ADDRESSES:

In-Person: U.S. Environmental Protection Agency, William Jefferson Clinton East Building, 1201 Constitution Avenue NW, Washington, DC 20004.

Webcast: Information to access the webcast will be provided upon registration in advance of the meeting.

FOR FURTHER INFORMATION CONTACT: Any member of the public who wants information about the meeting may contact Tara Johnson via telephone/voicemail at (202) 564-6186 or email to efab@epa.gov. General information concerning the EFAB is available at www.epa.gov/waterfinancecenter/efab.

SUPPLEMENTARY INFORMATION:

Background: The EFAB is an EPA advisory committee chartered under the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2, to provide advice and recommendations to EPA on innovative approaches to funding environmental programs, projects, and activities. Administrative support for the EFAB is provided by the Water Infrastructure and Resiliency Finance Center within EPA's Office of Water. Pursuant to FACA and EPA policy, notice is hereby given that the EFAB will hold a public meeting with a webcast for the following purposes:

- (1) Provide updates on the Greenhouse Gas Reduction Fund charge and other recent EFAB deliverables;
- (2) Discuss potential future EFAB charges; and
- (3) Receive briefings on environmental finance topics from invited speakers from EPA.

Registration for the Meeting: To register for the meeting, please visit www.epa.gov/waterfinancecenter/efab#meeting. Interested persons who wish to attend the meeting must register by January 10, 2023, to attend in person or by January 17, 2023, to attend via webcast. Pre-registration is strongly encouraged. In person attendees should review EPA's Visitor Guidance at <https://www.epa.gov/aboutepa/visiting-epa-building-access> in advance of the meeting. In the event the in-person component of the meeting cannot be held due to relevant pandemic protocols, the meeting will be conducted fully via webcast.

Availability of Meeting Materials:

Meeting materials, including the meeting agenda and briefing materials, will be available on EPA's website at www.epa.gov/waterfinancecenter/efab.

Procedures for Providing Public Input:

Public comment for consideration by EPA's federal advisory committees has a different purpose from public comment provided to EPA program offices. Therefore, the process for submitting comments to a federal advisory committee is different from the process used to submit comments to an EPA program office. Federal advisory committees provide independent advice to EPA. Members of the public may submit comments on matters being considered by the EFAB for consideration as the Board develops its advice and recommendations to EPA.

Oral Statements: In general, individuals or groups requesting an oral presentation at a public meeting will be limited to three minutes each. Persons interested in providing oral statements at the January 2023 meeting should register in advance and provide notification, as noted in the registration confirmation, by January 10, 2023, to be placed on the list of registered speakers.

Written Statements: Written statements should be received by January 17, 2023, so that the information can be made available to the EFAB for its consideration prior to the meeting. Written statements should be sent via email to efab@epa.gov.

Members of the public should be aware that their personal contact information, if included in any written comments, may be posted to the EFAB website. Copyrighted material will not be posted without explicit permission of the copyright holder.

Accessibility: For information on access or services for individuals with disabilities or to request accommodations for a disability, please register for the meeting and list any special requirements or accommodations needed on the registration form at least 10 business days prior to the meeting to allow as much time as possible to process your request.

Andrew D. Sawyers,

Director, Office of Wastewater Management, Office of Water.

[FR Doc. 2022-27699 Filed 12-20-22; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

[FR ID 119419]

**Open Commission Meeting
Wednesday, December 21, 2022**

December 15, 2022.

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Wednesday, December 21, 2022, which is scheduled to commence at 10:30 a.m. in the Commission Meeting Room of the Federal Communications Commission, 45 L Street NE, Washington, DC. While attendance at the Open Meeting is available to the public, the FCC headquarters building is not open access, and all guests must check in with and be screened by FCC security at the main entrance on L Street. Attendees at the Open Meeting will not be required to have an appointment but must otherwise comply with protocols outlined at: www.fcc.gov/visit. Open Meetings are streamed live at: www.fcc.gov/live and on the FCC's YouTube channel.

Item No.	Bureau	Subject
1	Wireline Competition	<i>Title:</i> Implementing the Infrastructure Investment and Jobs Act: Prevention and Elimination of Digital Discrimination (GN Docket No. 22-69). <i>Summary:</i> The Commission will consider a Notice of Proposed Rulemaking that would take the next step in the Commission's efforts to promote equal access to broadband by seeking comment on potential rules to address digital discrimination of access to broadband, consistent with Congress's direction in the Infrastructure Investment and Jobs Act.

Appendix 2. Agenda

U.S. Environmental Protection Agency Environmental Financial Advisory Board

Draft Final Agenda

[Public Meeting](#)
U.S. EPA Headquarters
and Virtual Platform

January 24-25, 2023

9:00 am - 4:00 pm Eastern Time

January 26, 2023

9:00 am - 12:00 pm Eastern Time

Day One – January 24

9:00 am	WELCOME, MEMBER ROLL CALL, & REVIEW OF AGENDA <ul style="list-style-type: none"> Edward H. Chu, EFAB Designated Federal Officer Kerry O’Neill, EFAB Chair
9:30 am	EFAB MEMBER RECOGNITION <ul style="list-style-type: none"> Edward H. Chu, EFAB Designated Federal Officer
10:00 am	BREAK
10:15 am	DFO NEWS <ul style="list-style-type: none"> Edward H. Chu, EFAB Designated Federal Officer
10:30 am	GREENHOUSE GAS REDUCTION FUND CHARGE UPDATE <ul style="list-style-type: none"> Kerry O’Neill, EFAB Chair Alejandra Nunez, Deputy Assistant Administrator for Mobile Sources Tim Profeta, Senior Advisor, Office of Air Quality Planning and Standards
11:00 am	GREENHOUSE GAS REDUCTION FUND PROGRAM UPDATE <ul style="list-style-type: none"> Dan Utech, EPA Chief of Staff to Administrator Regan Jahi Wise, Senior Advisor to the Administrator and Greenhouse Gas Reduction Fund Acting Director
11:30am	WELCOME FROM EPA’S CHIEF FINANCIAL OFFICER AND EPA BUDGET UPDATE <ul style="list-style-type: none"> Faisal Amin, EPA Chief Financial Officer
12:00 pm	LUNCH ON YOUR OWN
1:00 pm	UPDATE ON OTHER RECENT EFAB CHARGE DELIVERABLES <ul style="list-style-type: none"> Edward H. Chu, EFAB Designated Federal Officer
1:45 pm	STATE REVOLVING FUND UPDATE BRIEFING <ul style="list-style-type: none"> Wendi Wilkes, Office of Water Michael Deane, Clean Water State Revolving Fund Branch Chief
2:30 pm	BREAK
2:45 pm	CREATING RESILIENT WATER UTILITIES (CRWU) INITIATIVE* <ul style="list-style-type: none"> Curt Baranowski, Office of Water
3:30 pm	PUBLIC COMMENT <ul style="list-style-type: none"> Registered Speakers
4:00 pm	ADJOURN

*Discussion and Q&A with the Board will take place after each presentation

*EPA Environmental Financial Advisory Board
January 2023 Meeting Draft Agenda
Page 2*

Day Two – January 25

9:00 am	WELCOME & MEMBER ROLL CALL <ul style="list-style-type: none"> Edward H. Chu, EFAB Designated Federal Officer
9:30 am	EPA FACA COORDINATION <ul style="list-style-type: none"> April Baptiste, Colgate University, NEJAC member, former Finance Workgroup Chair Rod Snyder, EPA Agriculture Advisor and Venus Welch-White, FRRCC Designated Federal Officer White House Environmental Justice Advisory Council <i>invited</i>
10:45 am	BREAK
11:00 am	SUMMARY OF OTHER POTENTIAL CHARGES
12:00 pm	LUNCH ON YOUR OWN
1:00 pm	EFAB CHAIR’S CORNER <ul style="list-style-type: none"> Kerry O’Neill, EFAB Chair
1:30 pm	PUBLIC COMMENT <ul style="list-style-type: none"> Registered Speakers
2:00 pm	INTRODUCTION TO BOARD BREAKOUT DISCUSSIONS ON PROPOSED WATER CHARGES
4:00 pm	ADJOURN

Day Three – January 26

9:00 am	MEMBER NETWORKING AND DISCUSSION <i>LIVESTREAMING WILL START AT 10:00 AM</i>
10:00 am	WELCOME & MEMBER ROLL CALL <ul style="list-style-type: none"> Edward H. Chu, EFAB Designated Federal Officer
10:30 am	PROPOSED WATER CHARGES <ul style="list-style-type: none"> Cynthia Koehler and Janet Clements, Exploratory Workgroup Co-chairs
11:35 am	PUBLIC COMMENT <ul style="list-style-type: none"> Registered Speakers
11:45 am	DFO FINAL THOUGHTS <ul style="list-style-type: none"> Edward H. Chu, EFAB Designated Federal Officer
12:00 pm	ADJOURN

*Discussion and Q&A with the Board will take place after each guest presentation

Appendix 3. EFAB Members

Ed Chu, Designated Federal Officer Tara Johnson, Alternate Designated Federal Officer

NAME	AFFILIATION	LOCATION	PERSPECTIVE REPRESENTED	CURRENT TERM	ORIGINAL APPOINTMENT DATE
Kerry O’Neill, EFAB Chair	Chief Executive Officer, Inclusive Prosperity Capital, Inc.	Stamford, Connecticut (EPA Region 1)	Environmental/ Non-governmental Organization	July 20, 2021– June 15, 2023	July 28, 2020
Ashley Allen Jones	Founder and Chief Executive Officer, i2 Capital	Washington, District of Columbia (EPA Region 3)	Business – Financial Services	June 21, 2022 – June 15, 2024	July 28, 2020
Courtney L. Black	Deputy Finance Director, City of Kent	Kent, Washington (EPA Region 10)	State/Local Government	June 21, 2022 – June 15, 2025	June 21, 2022
Steven J. Bonafonte	Assistant District Counsel, The Metropolitan District of Hartford	Hartford, Connecticut (EPA Region 1)	Legal	June 21, 2022 – June 15, 2024	July 28, 2020
Angela Montoya Bricmont	Chief Finance Officer, Denver Water	Denver, Colorado (EPA Region 8)	State/Local Government	June 21, 2022 – June 15, 2024	July 28, 2020
Matthew T. Brown	Chief Financial Officer and EVP, Finance and Procurement, District of Columbia Water and Sewer Authority	Washington, District of Columbia (EPA Region 3)	State/Local Government	June 21, 2022 – June 15, 2025	June 21, 2022
Stacy Brown	President and Chief Executive Officer, Freberg Environmental, Inc.	Denver, Colorado (EPA Region 8)	Business – Financial Services	June 21, 2022 – June 15, 2024	July 28, 2020
Theodore Chapman	Investment Banking Analyst, Hilltop Securities, Inc.	Dallas, Texas (EPA Region 6)	Business – Financial Services	July 28, 2020 – June 15, 2023	September 25, 2017
Albert Cho	Senior Vice President, Chief Strategy and Digital Officer, Xylem, Inc.	Washington, District of Columbia (EPA Region 3)	Business – Industry	June 21, 2022 – June 15, 2025	June 21, 2022
Janet Clements	President and Founder, One Water Econ	Loveland, Colorado (EPA Region 8)	Business – Industry	June 21, 2022 – June 15, 2025	June 21, 2022
Lori Collins	Owner and Principal, Collins Climate Consulting	Charlotte, North Carolina (EPA Region 4)	Business – Industry	June 21, 2022 – June 15, 2025	June 21, 2022

NAME	AFFILIATION	LOCATION	PERSPECTIVE REPRESENTED	CURRENT TERM	ORIGINAL APPOINTMENT DATE
Zachary Davidson	Director of Underwriting, Ecosystem Investment Partners	Baltimore, Maryland (EPA Region 3)	Business – Financial Services	June 21, 2022 – June 15, 2024	July 28, 2020
Jeffrey R. Diehl	Chief Executive Officer, Rhode Island Infrastructure Bank	Providence, Rhode Island (EPA Region 1)	State/Local Government	June 21, 2022 – June 15, 2024	July 28, 2020
Sonja B. Favors	Industrial Hazardous Waste Branch Chief, Alabama Department on Environmental Management	Montgomery, Alabama (EPA Region 4)	State/Local Government	June 21, 2022 – June 15, 2024	July 28, 2020
Phyllis R. Garcia	Treasurer, San Antonio Water System	San Antonio, Texas (EPA Region 6)	State/Local Government	June 21, 2022 – June 15, 2024	July 28, 2020
Eric Hangen	Senior Research Fellow, Center for Impact Finance, Carsey School of Public Policy, University of New Hampshire	Danby, Vermont (EPA Region 1)	Academic	June 21, 2022 – June 15, 2025	June 21, 2022
Edward Henifin	General Manager (retired), Hampton Roads Sanitation District	Virginia Beach, Virginia (EPA Region 3)	State/Local Government	July 28, 2020 – June 15, 2023	June 15, 2018
Barry Hersh	Clinical Professor and MSRED Chair, School of Professional Studies, New York University	New York, New York (EPA Region 2)	Academic	June 21, 2022 – June 15, 2025	June 21, 2022
Craig Holland	Senior Director of Urban Investments, The Nature Conservancy	Arlington, Virginia (EPA Region 3)	Environmental/ Non-governmental Organization	July 28, 2020 – June 15, 2023	September 25, 2017
Craig A. Hrinkevich	Public Finance Team – New Jersey Managing Director, Robert W. Baird & Company, Inc.	Red Bank, New Jersey (EPA Region 2)	Business – Financial Services	June 21, 2022 – June 15, 2024	July 28, 2020
Margot Kane	Chief Investment Officer, Spring Point Partners LLC	Philadelphia, Pennsylvania (EPA Region 3)	Business – Financial Services	June 21, 2022 – June 15, 2024	July 28, 2020
Thomas Karol	General Counsel Federal, National Association of Mutual Insurance Companies	Washington, District of Columbia (EPA Region 3)	Legal	June 21, 2022 – June 15, 2025	June 21, 2022
George W. Kelly	Global Client Strategy Officer, Earth Recovery	Denver, Colorado (EPA Region 8)	Business – Financial Services	June 21, 2022 – June 15, 2024	July 28, 2020

NAME	AFFILIATION	LOCATION	PERSPECTIVE REPRESENTED	CURRENT TERM	ORIGINAL APPOINTMENT DATE
	Partners				
Gwendolyn Keyes Fleming	Partner, DLA Piper LLP	Washington, District of Columbia (EPA Region 3)	Legal	June 21, 2022 – June 15, 2025	June 21, 2022
Cynthia Koehler	Executive Director, WaterNow Alliance	San Francisco, California (EPA Region 9)	Environmental/ Non-governmental Organization	June 21, 2022 – June 15, 2024	July 28, 2020
Colleen Kokas	Executive Vice President, Environmental Liability Transfer, Inc.	Lahaska, Pennsylvania (EPA Region 3)	Business – Industry	June 21, 2022 – June 15, 2024	July 28, 2020
Joanne V. Landau	President and Chief Investment Officer, Kurtsam Realty Corp.	Croton-on-Hudson, New York (EPA Region 2)	Business – Industry	June 21, 2022 – June 15, 2025	June 21, 2022
Lawrence Lujan	Executive Director, Taos Public Utility Service	Taos, New Mexico (EPA Region 6)	Tribal Government	June 21, 2022 – June 15, 2025	June 21, 2022
MaryAnna H. Peavey	Grants and Loans Bureau Supervisory, Idaho Department of Environmental Quality	Boise, Idaho (EPA Region 10)	State/Local Government	June 21, 2022 – June 15, 2024	July 28, 2020
Dennis A. Randolph	City Traffic Engineer, City of Kalamazoo Public Services Department	Kalamazoo, Michigan (EPA Region 5)	State/Local Government	June 21, 2022 – June 15, 2024	July 28, 2020
Eric Rothstein	Principal, Galardi Rothstein Group	Montreat, North Carolina (EPA Region 4)	Business – Financial Services	July 28, 2020 – June 15, 2023	September 25, 2017
Sanjiv Sinha	Chief Sustainability Officer, Environmental Consulting & Technology, Inc.	Ann Arbor, Michigan (EPA Region 5)	Business – Industry	June 21, 2022 – June 15, 2025	June 21, 2022
William Stannard	Chairman of the Board, RAFTELIS	Kansas City, Missouri (EPA Region 7)	Business – Financial Services	July 28, 2020 – June 15, 2023	June 15, 2018
Marilyn Waite	Managing Director, Climate Finance Fund	Washington, District of Columbia (EPA Region 3)	Business – Financial Services	June 21, 2022 – June 15, 2025	June 21, 2022

NAME	AFFILIATION	LOCATION	PERSPECTIVE REPRESENTED	CURRENT TERM	ORIGINAL APPOINTMENT DATE
David L. Wegner	Senior Consultant on Water, Climate Change, and Asset Risk Assessment, Water Science and Technology Board, National Academy of Sciences	Tucson, Arizona (EPA Region 9)	Business – Industry	June 21, 2022 – June 15, 2025	June 21, 2022
Gwen Yamamoto Lau	Executive Director, Hawaii Green Infrastructure Authority	Honolulu, Hawaii (EPA Region 9)	State/Local Government	June 21, 2022 – June 15, 2025	June 21, 2022
David Zimmer	Executive Director, New Jersey Infrastructure Bank	Lawrenceville, New Jersey (EPA Region 2)	State/Local Government	July 28, 2020 – June 15, 2023	June 15, 2018

Appendix 4. Creating Resilient Water Utilities Initiative Slides

U.S. EPA's Creating Resilient Water Utilities: Our Mission



From Left to Right: Griggs Reservoir on Scioto River in OH; Water Replenishment District in Southern CA; Water Sanitation Area in Cincinnati, OH; Water Treatment Plant in San Diego, CA

- Provide utilities with the practical tools, training, and technical assistance needed to increase resilience to climate change
- Promote a clear understanding of climate science data and potential long-term adaptation options
- Collaborate with utilities and partners to increase our reach and improve our tools



Resilient Strategies Guide

- Introduction to adaptation planning for those with limited knowledge and/or experience
- Final report documents priorities, vulnerable assets, and relevant strategies to explore during adaptation planning
- Provides financing advice and best practices from other utilities



Climate Resilience Evaluation and Awareness Tool

CREAT 3.0

- **First of its kind** – web-based climate change risk assessment tool for the water sector
- **Flexible and customizable** risk assessment framework
- **Guides users** through identifying impacts, vulnerable assets, and adaptation options to help **reduce risks**
- Built with **significant stakeholder input**
- CRWU **conducts trainings and workshops** to assist utilities

Results Overview – Main WWTP Protection Measures

\$15,877,110 CURRENT MEASURED TOTAL CONSEQUENCES	\$418,000 ADAPTATION PLAN TOTAL CONSEQUENCES	\$15,459,110 TOTAL ADAPTATION TOTAL REDUCTION	\$2,057,500 ADAPTATION BY ANNUAL COST
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Current Measures Total Consequences	Adaptation Plan Total Consequences	Total Monitored Risk Reduction	Adaptation Plan Total Cost
--	---------------------------------------	-----------------------------------	-------------------------------

Climate Resilience Evaluation and Awareness Tool

CREAT 3.0

- **Module-based process** with clearly defined goals and reports
- Presents available climate data at the **regional and local levels**
- Multiple scenarios provided to help **capture uncertainty**
- **Assessment of current resilience** will help inform **adaptation planning**
- Results help utilities compare **risk reduction value and implementation costs**

Trainings and Case Studies

Case Study and Information Exchange Map

- Helps utilities connect with their peer utilities, share experiences, and learn best practices
- 50+ CREAT success stories available
- Trainings and Workshops
 - Webinars available in 7 climate regions across the U.S.
 - Work with our partners to provide training and direct technical assistance to utilities



Interactive Climate Change and Weather Maps

Storm Surge Inundation Map

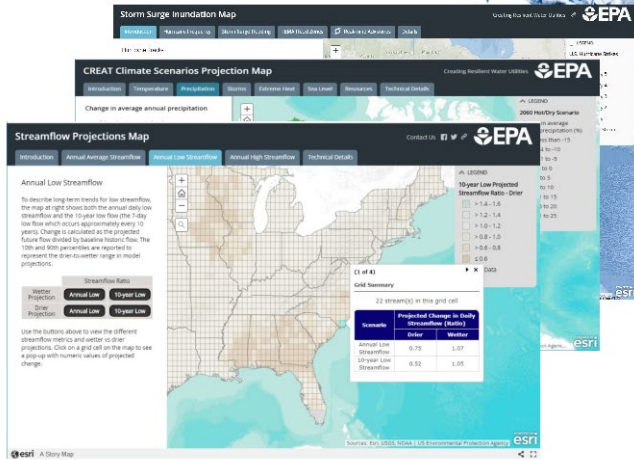
- Displays coastal flooding, hurricane surge models, FEMA flood zones, and more

Climate Scenarios Projection Map

- Displays local scenarios, potential changes in temperature and precipitation, and more

Streamflow Projections Map

- Displays possible changes in flow conditions for U.S. streams and rivers





Contact Us

- Curt Baranowski: Baranowski.curt@epa.gov
- Steve Fries: fries.steve@epa.gov
- Alex Horansky: Horansky.alex@epa.gov
- Wesley Wiggins: Wiggins.wesley@epa.gov
- Klara Zimmerman: zimmerman.klara@epa.gov
- Email: crwuhelp@epa.gov
- CRWU website: www.epa.gov/crwu



U.S. EPA's Creating Resilient Water Utilities



Davis Water Treatment Plant in Austin, TX

Our Mission

- Provide water sector utilities with the practical tools, training, and technical assistance needed to increase resilience to climate risks
- Promote a clear understanding of complex climate science and potential long-term adaptation options
- Collaborate with utilities and partners to increase our reach and improve our tools

Products

- Climate Resilience Evaluation and Awareness Tool (CREAT)
- Resilient Strategies Guide
- Data Services and Maps
 - Storm Surge Maps
 - Climate Scenarios Projection Maps
 - Streamflow Maps
- Case Study and Information Exchange Map
- Trainings and Workshops



Climate Resilience Evaluation and Awareness Tool

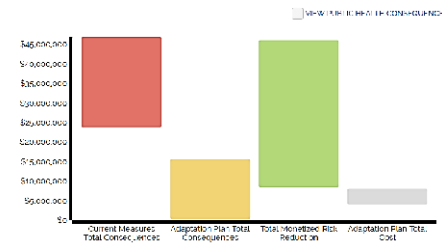


- **First of its kind** – web-based climate change risk assessment tool for the water sector
- **Flexible and customizable** risk assessment framework
- **Guides users** through identifying impacts, vulnerable assets, and adaptation options to **help reduce risks**
- Built with **significant stakeholder input**
- CRWU conducts **trainings and workshops** to assist utilities

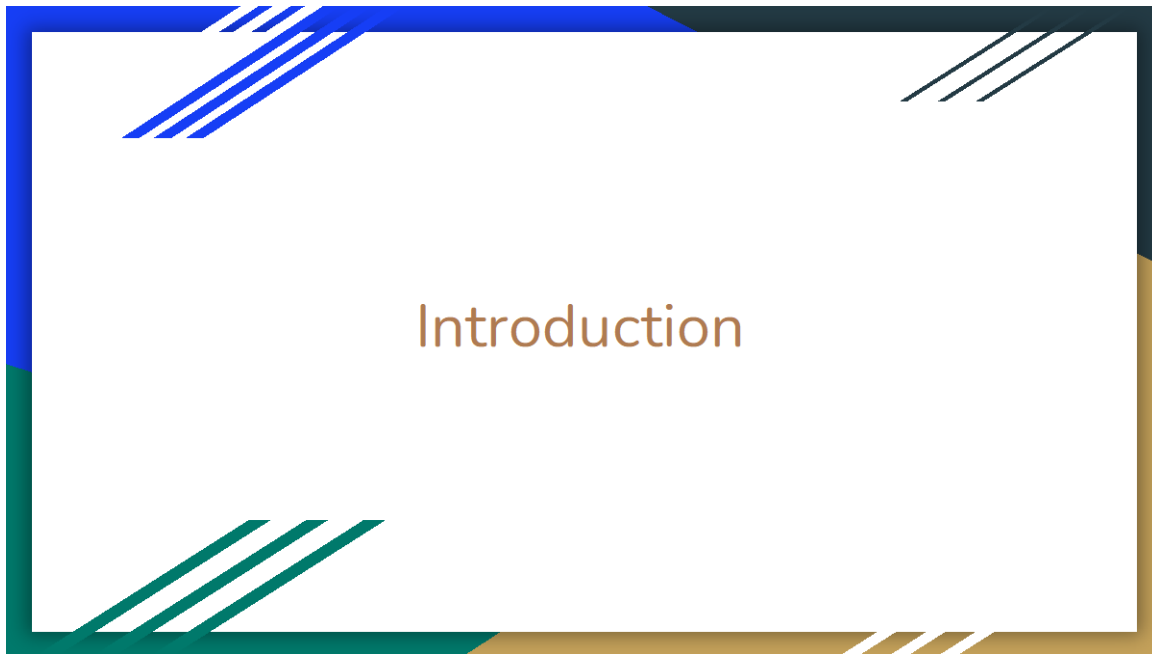
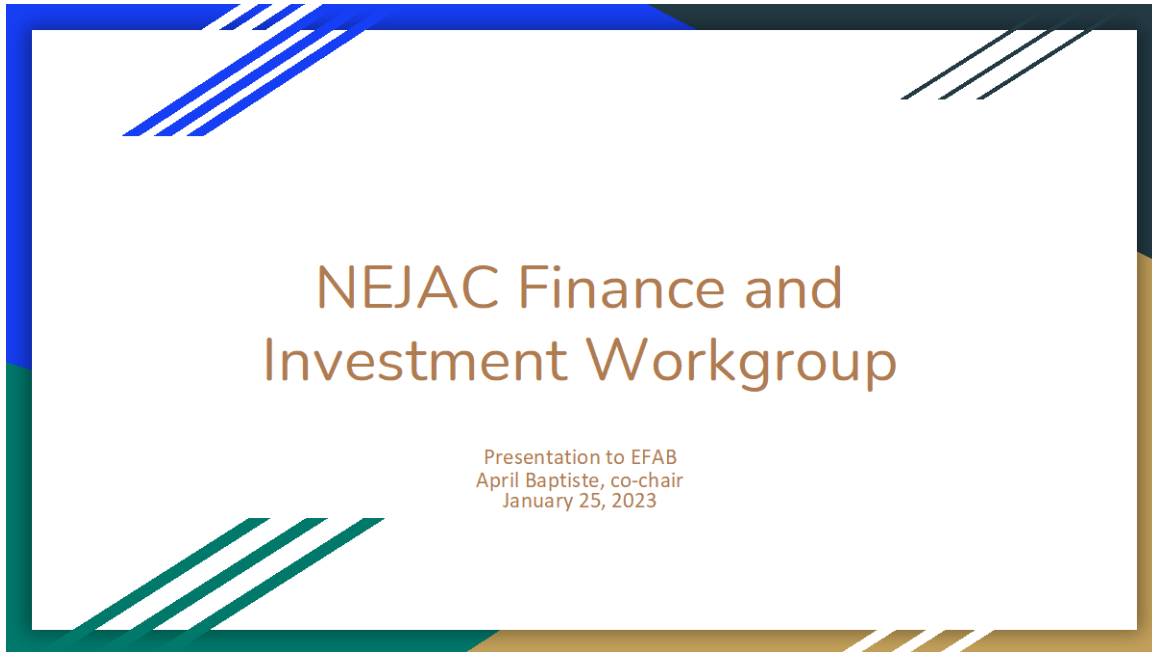


Results Overview - Main WWTP Protection Measures

\$18,787,110 CURRENT RESOURCES CONSEQUENCES	\$418,000 \$12,060,000 ADAPTATION PLAN CONSEQUENCES	\$8,114,000 \$48,065,700 TOTAL ADAPTATION RISK REDUCTION	\$2,017,500 \$8,114,000 ADAPTATION PLAN RISK COST
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Appendix 5. NEJAC Slides



Defining Investments and Benefits in EJ Communities

The NEJAC seeks information on how EPA defines investments and benefits so they can be provided in overburdened and under-resourced communities

Recommendation: Develop a “model” definition of benefits that will be used to determine how benefits will be assessed

- Involve co-creation
- Race/ethnicity should be central

Objectives/General Asks

1. A response as to how each of the sections that are provided in the document are being implemented.
2. A roadmap plan that outlines how EPA implementation of Justice40 objectives will be conducted.
3. A presentation of foreseen challenges or barriers toward ensuring timely prioritization of funding and investments to EJ communities across short-, medium-, and long-term timeframes.
4. A consultation with the NEJAC on the ways in which finance and investment opportunities in communities with legacy EJ problems will result in environmental and economic improvements for these communities.

Assessing/Determining and Distributing Investments and Benefits in EJ Communities

The NEJAC seeks information on how EPA provides avenues to allow for community-based organizations (CBOs) to gain access to funding and overcome barriers that often prevent them from competing with better-resourced non-governmental organizations (NGOs) and academic institutions.

Recommendations

- Communities should be able to address their own EJ concerns
- Building community capacity is central

Prioritizing Investments and Benefits in EJ Communities

The NEJAC seeks to understand how the EPA prioritizes and centers the concerns and needs of communities experiencing EJ problems through financial investments and benefits across the Agency's offices and programs.

Recommendations

- Scope and flow of investments, benefits, co-benefits
- Funds should go directly into EJ communities
- Develop REJACs (Regional Environmental Justice Advisory Councils)

Measuring and Tracking Investments and Benefits in EJ Communities

The NEJAC seeks to understand how investments and benefits are measured and tracked, the method by which the afore mentioned are measured and tracked and how are the challenges and barriers to creating this accountability system might be overcome.

Recommendations

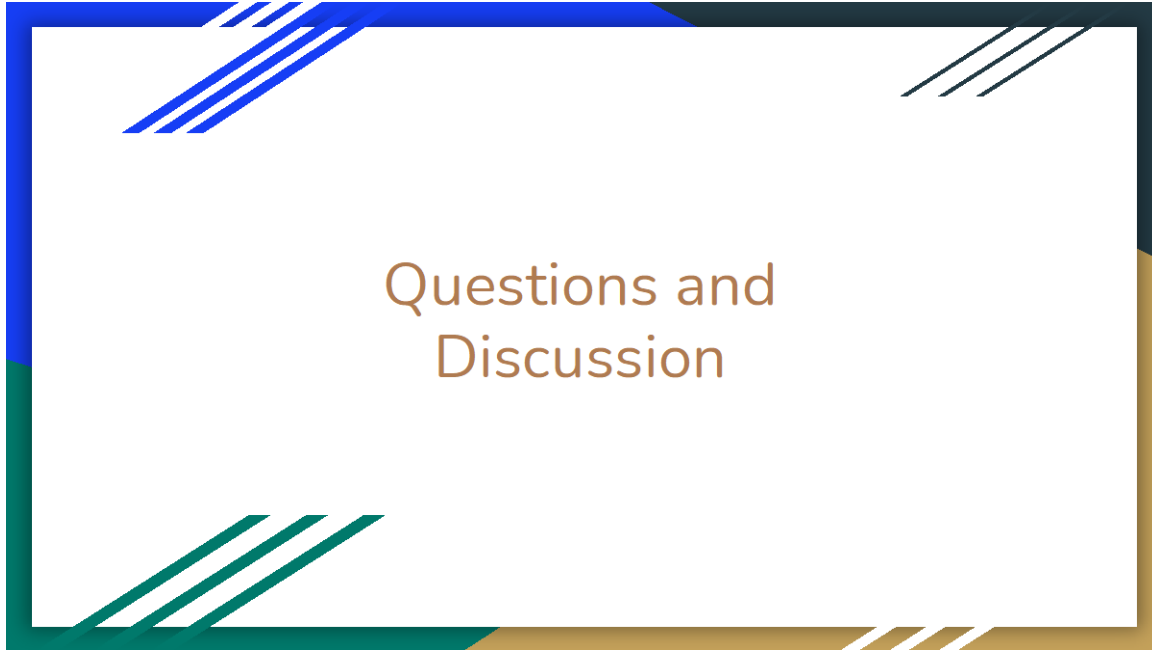
- Strong guidelines for states to include EJ objectives in their federal funding implementation
- Measure performance for any centers that are meant to build capacity in EJ communities
- Address climate change issues with measurable outcomes

Mapping and Reporting Investments and Benefits in EJ Communities

The NEJAC seeks to understand how there will be increased transparency in understanding how funding is distributed by the EPA.

Recommendations

- Develop a visualization tool on funding
- Improve current tools to meet community concerns



Questions and
Discussion

Appendix 6. Written Public Comment

Public Comments Received for Environmental Financial Advisory Board January 24-26, 2023 Meeting

Written Comments

- Growth Opportunity Partners
Michael Jeans, President and Chief Executive Officer
COMMENT: (attached)
- Mike Lehman
COMMENT: (attached)



January 17, 2023

VIA WWW.REGULATIONS.GOV

Andrew D. Sawyers,
Director, Office of Wastewater Management,
Office of Water
Environmental Protection Agency
Mail Code 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: FRL–10506–01–OW Written Statements to the Public Meeting of the Environmental Financial Advisory Board (EFAB)

Growth Opportunity Partners, Inc. (Growth Opps) is pleased to provide comments to the Environmental Financial Advisory Board (EFAB) and Environmental Protection Agency (“EPA” or “the Agency”) pertaining to the design and implementation of the Greenhouse Gas Reduction Fund.

Growth Opps was created to make capital, professional quality advisory services, and data accessible to communities and groups of people who have been consistently excluded from meaningful investment. We offer community development capital, services and solutions to growing small businesses, primarily located in underserved, low and moderate income (LMI) communities in Ohio and throughout the country.

Our efforts at Growth Opps have been impactful.

- ❖ 84 percent (%) of our capital is deployed to Low- and Moderate-Income (LMI) Communities.
- ❖ 49 percent (%) of our capital portfolio is deployed to Minority and Women Owned Businesses.
- ❖ Post Growth Opps’ investment, jobs increased by 112%.¹
- ❖ Post GO capital infusion, African American clients increased their employee base by 87%.
- ❖ \$3,092,320 worth of Technical Assistance has been donated to entrepreneurs by GO Advisory Services.

¹ Based upon 2019 YTD client survey.



Growth Opps is proud to be owned, led and operated by Black/African American persons joined by allies of all backgrounds. Given the multiplier effect of our impact, particularly in and among communities of color, minority and women-owned entrepreneurs, and in job creation, we believe in the important and effective role of minority-owned and operated financial institutions in the success of their clients.

As such, our comments stress the importance of aligning the design and implementation of the Greenhouse Gas Reduction Fund with the Justice40 Initiative, established by Section 223 of Executive Order 14008.² This will address many of the historic and persistent issues of inequitable investment among green banks and the financial services community writ-large. Two priorities of the EPA’s Justice40 Initiative speak directly to the program and design of the GHGRF:

1. Increase access to low-cost capital in Disadvantaged Communities (DACs).
2. Increase clean energy enterprise creation and contracting (MBE/DBE) in DACs.

As the first African American led Green Bank in the United States and a member of the green bank community through organizations such as the Coalition for Green Capital and the Consortium of Green Banks, Growth Opps is keenly aware of the history of inequitable deployment of capital within our community. We believe that with careful and thoughtful design and implementation, EPA can ensure that communities of color have access to meaningful investment through institutions owned, operated and led by members of that same community. Often, these organizations and the coalitions among them have submitted applications for competitive grants to service their communities, but have lacked meaningful connectivity to decision makers at the administrative level to ensure equitable deployment of competitive grant resources.

Accordingly, our perspective is that EPA should consider the GHGRF as a Covered Investment Benefit to Covered Programs as those terms are defined in the Interim Implementation Guidance (“Interim Guidance”) for the Justice40 Initiative.³

Each of the three funding programs within the GHGRF fall within the scope of the Justice40 Initiative. As listed under the Interim Guidance, a “Covered Program” is a Federal Government program that makes a “Covered Investment Benefit” in specific program areas. A “covered program” refers to a federal government-sponsored investment designed to benefit disadvantaged communities across one or more issue areas including: *climate change, clean energy and energy efficiency*.⁴ The definition of a “covered investment” includes federal financial assistance in the form of federal grants, loans, credit, guarantees, or direct spending/benefits and may include

² Executive Order on Tackling the Climate Crisis at Home and Abroad. The White House. January 27, 2021. <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>

³ Memorandum For The Heads Of Departments And Agencies. Interim Implementation Guidance for the Justice40 Initiative. July 20, 2021. <https://www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf>

⁴ <https://www.energy.gov/diversity/justice40-initiative>. Emphasis added.



fiscal year 2021 enacted appropriations, supplemental appropriations, prior year carryover from unobligated balances, and (when they become available) future fiscal year appropriations.

The statutory definition of a GHGRF Qualified Project under Section 134(c)(3) of the Inflation Reduction Act is

*any project, activity or technology that (A) reduces or avoids greenhouse gas emissions or other forms of air pollution in partnership, and by leveraging investment from, the private sector; or (B) assist communities in the efforts of communities to reduce or avoid greenhouse gas emissions and other forms of air pollution.*⁵

The statutory requirements of a qualified project under the GHGRF - as a project that reduces or avoids greenhouse gases and assist communities with those efforts - fit squarely within the “covered program” definition of the Justice40 Initiative. In addition, the federal funding dedicated to the GHGRF in Section 60103 of the Inflation Reduction Act (IRA) fits squarely within the definition of a “covered investment” under the Interim Guidance for the Justice40 Initiative. As a result, we recommend that EPA institute a process for distributing the funds appropriated to GHGRF in accordance with EPA’s Justice40 Initiative. This means distributing the appropriated funds in a manner that empowers minority-owned and operated green banks and CDFIs to ensure an equitable deployment of GHGRF resources.

Section 60103 of the Inflation Reduction Act appropriates the funding amounts into three GHGRF programs according to the following:

Program	Amount	Minority-Owned Green Banks and CDFIs Set-Asides	Funding Mechanism
Zero-Emission Technologies	\$7 billion		Competitive Grants, Loans, Technical Assistance
General Assistance	\$11.97 billion		Competitive Grants, Loans, Technical Assistance
Low-Income & Disadvantaged Communities	\$8 billion		Competitive Grants

We propose that, in accordance with Justice40, which directs 40% of the overall benefits of certain Federal investments, the EPA should allocate 40% of each of the three funding buckets to minority-owned and operated green banks and CDFIs. Below are the minimum amounts that would be dedicated to such institutions.

⁵ Emphasis added.



Program	Amount	Minority-Owned Green Banks and CDFIs Set-Asides	Funding Mechanism
Zero-Emission Technologies	\$7 billion	\$2.8 billion	Competitive Grants, Loans, Technical Assistance
General Assistance	\$11.97 billion	\$4.788 billion	Competitive Grants, Loans, Technical Assistance
Low-Income & Disadvantaged Communities	\$8 billion	\$3.2 billion	Competitive Grants

Thank you for your time and attention to these comments. Calibrating the design and implementation of the distribution of the GHGRF within the Justice40 Initiative would provide much-needed support to financial service institutions that have historically well-served low-income, disadvantaged and primarily minority communities, but have not had access to federal funds for a variety of reasons. This is especially true for institutions whose built-in mission is to invest in businesses that are founded to reduce greenhouse gas emissions and address or avoid other forms of pollution, such as Growth Opps and other minority-owned and operated green banks.

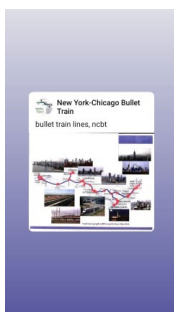
Sincerely,

Michael Jeans
 President & Chief Executive Officer
 Growth Opportunity Partners

From: [mike lee](#)
To: [EFAB](#)
Subject: Fwd: EPA-HQ-OA-2022-0859, RFI GHGRF
Date: Saturday, January 14, 2023 4:05:44 PM
Attachments: [image \(1\).png](#)
[image \(1\).png](#)
[image \(2\).png](#)
[image \(3\).png](#)
[image \(5\).png](#)
[5-22 sustainable solution for HSR.docx](#)

WRITTEN STATEMENT FOR EFAB JANUARY 2023 MEETING; Verified Icon
OA-2022-0859

Docket ID EPA-HQ-



Request for Information: Greenhouse Gas Reduction Fund (RFI GHGRF)

The NCBT network will stop millions of gallons of oil/gasoline/jet fuel from burning every day!, to reduce GHG...(SEE GRAPHICS AND EXPLANATION BELOW)

The New York-Chicago bullet train Network (ICRR row Illinois border to Keystone Corridor-Northeast Corridor~600 miles)

Facebook link email also: https://www.facebook.com/ncbt.org/photos/?ref=page_internal

New York-Chicago Bullet Train Network advocacy/NCBT
Contact: usbulletrain@gmail.com, more info:

An alternative global sustainable solution for HSR(bullet trains) in the USA; prevents burning billions of gallons of oil(transport fuels) yearly. The New York-Chicago HSR Network alignment eventually connects 120 major city pairs and over 100 million people on the Great Lakes & Northeast corridors!

New York-Chicago Bullet Train Network advocacy/NCBT

Contact: usbullettrain@gmail.com, more info:

ECONOMIC REASONS: (only 5% of conventional world oil reserves are in the US, HSR Bullet train transport is all electric using domestic coal and other domestic energy resources)

1. This new electric Great Lakes Acela West important corridor system linking to the Northeast corridor/NEC interconnects more than 20 culture rich cities; 7 of the 10 largest and most important in the US. The new line would travel from Great Lakes cities through the Allegheny Mountains on to Philadelphia, New York City, Washington DC and the rest of the Northeast HSR(NEC/Acela) cities.
2. There would be new job creation generated by construction and then for continual operation and maintenance of the route(also, more good CBD/downtown jobs). Ridership levels should reach and exceed the levels of the similar French TGV bullet train ultimately. The French TGV, with over 50 million annual trips, has revenues of about \$5 billion a year.
3. With possible revenues of \$5 billion or more a year, the large investment in this line's infrastructure and train sets would be paid for realistically within several years' time, similar to the French TGV experience with their revenue streams financing and funding. Sustainable aviation intercity transport fees will be necessary also.
4. This new HSR bullet train route would augment and strengthen AMTRAK abilities and potential elsewhere on complementary routes and that of the Northeast corridor/Acela. Acela/NEC HSR utilization continues to grow and is AMTRAK'S most profitable and popular route.
5. This travel mode would enhance cities' CBDs and integrated rail developments

Proposed Phase 1 connected cities: Chicago, Cleveland, Pittsburg, and Philadelphia have and are expanding upon their own internal transit rail systems-cities not entirely reliant on autos!

SECURITY REASONS (True Bullet train HSR trains could evacuate an entire large city in 1-2 days!)

1. The airline transportation mode is more favored for terrorist attacks(hijackings, bombings, sabotage, poisonings etc.) Assaults are not as likely nor as catastrophic with this rail transportation mode-insurance companies, government and the public would welcome this.
2. This new mode of transport would not call for the necessary extreme expense and trouble of security, TSA, systems and additional equipment like the airline mode requires.
3. In the advent of an airspace shutdown again or bad weather the HSR corridors would serve

as another travel alternative to air/road travel in the northeast US and Great Lakes.

MOBILITY/HEALTH REASONS: (True HSR<10% the energy use of like air travel)

1. Tragically and very costly, in America about 50,000 people die and tens of thousands more are permanently disabled yearly from roadway related accidents (less driving=less deaths in USA). Hundreds more people are killed and severely injured yearly in intercity plane crashes too. In France and Japan, HSR Bullet trains have not had a passenger fatality in over 90 years combined. 100s of people and billions of \$s can be saved by using HSR bullet trains in lieu of personal vehicles and aircraft.
2. Most HSR right of way/ROW-infrastructure could be built adjacent to existing highways and railroad lines for environmental considerations and land use purposes (aircraft and road vehicles are much greater noise, air and land polluters and users).
3. Over 1/3 of all Americans don't like to fly, therefore leaving long, congesting, costly and hazardous auto/bus modes or intricate AMTRAK schedules as their only alternatives.
4. Airport traffic creates more pollutions/carcinogens/congestions around large population centers. There are a total of 8 potential congestion adding auto trips to and from airports to pickup and drop-off a flyer at both destinations per roundtrip. Combination rail/walking travel modes are much healthier and more beneficial rather than the customary airplane/automobile modes combinations.
5. This new dedicated HSR line would travel the 700 mile Chicago to Philadelphia length in 4-5 hours at 186+ mph speeds(which approaches short jet plane trip speeds) with only 3 stops in between (Cleveland, Pittsburg, and Harrisburg and?). Continuing on to DC, NYC or Atlantic City would add another 1-2 hours to the total overall trip departing the Chicago/Gary station eastbound. Sustainable electric HSR Bullet trains are an obvious alternative to new airports and aviation!
6. This mode of travel would be especially relaxing and enjoyable. The ability to personally move about, enjoy sights (especially in Pennsylvania), work, talk, read, eat and rest in a hassle-free, safe vehicle like a bullet train is truly unsurpassed. Indeed, elderly and ADA citizens would prefer this transport option to auto, bus and airplane travel also.

BENEFITS TO INDIVIDUAL STATES: (reduces airports' congestions also) (connected cities CBDs will gain significant tourist, business, and personal trip activity)

Illinois: The west end balance of the bullet train line linking the Chicago central business district (CBD) to 100 million + people. Chicago is positioned to reach another 30 million connecting travelers by all modes from adjoining states to its intercity rail system stations. Moreover, the line reduces the need for airport expansions as well as easing roadway congestions too!

Indiana: Gary, IN; the US geographic transport pinch point that filters most modes' traffic east and west in USA. Gary/Chicago airport/region development and more use of the South Shore/IC Railroad infrastructure. The suburban Gary/Chicago station would have multi-modal connections; airlines, commuter and HSR rail and major interstate highways.

Ohio/Michigan: (HSR has a dual purpose as transit trains in Chicago, Cincinnati and Detroit etc)

The midpoint of the corridor between Chicago and Philadelphia with additional connections originating from Detroit and also Columbus and Cincinnati into Cleveland.

Pennsylvania: Economic development of Pittsburgh and Philadelphia CBDs and connecting through the state capitol of Harrisburg which is also positioned in the state's mountain resort areas along with many other tourist and historic attractions. The advantages of two US HSR systems in the state; NSEW.

*Transportation is the leading cause of accidental and child deaths-each costing millions!

**This system would be a prudent, comfortable and safe mode of essential mobility that half the US could access, utilize and appreciate-a vital investment. The US should embrace developing and engineering this efficient, alternative transportation technology. 100s of millions of tourists visit all these connected cities annually from Chicago to NYC to Boston to Washington DC and in between, which means even more Bullet train passenger potential.

120 Major City Pairs total: combinations or connections of cities below with populations of 500,000 or more MSA (metropolitan statistical areas)

Chicago and New York Philadelphia Washington Boston Detroit Baltimore Pittsburgh
Cincinnati Cleveland Columbus Indianapolis Providence Richmond Hartford Toledo/Ft
Wayne(mi-oh-in station) and also 100< other major city combinations

Top State Population Ranking(2012)

*NCBT network connects 10 of 20 largest USA states

1 California 33,871,648

2 Texas 20,851,820

3 New York 18,976,457

4 Florida 15,982,378

5 Illinois 12,419,293

6 Pennsylvania 12,281,054

- 7 Ohio 11,353,140
- 8 Michigan 9,938,444

- 9 New Jersey 8,414,350
- 10 Georgia 8,186,453
- 11 North Carolina 8,049,313
- 12 Virginia 7,078,515
- 13 Massachusetts 6,349,097
- 14 Indiana 6,080,485
- 15 Washington 5,894,121
- 16 Tennessee 5,689,283
- 17 Missouri 5,595,211
- 18 Wisconsin 5,363,675
- 19 Maryland 5,296,486
- 20 Arizona 5,130,632

Largest US Metropolitan Statistical Areas MSA in USA

(*15 major connected cities after full build-out)

*NCBT network connects 11 of 30 largest USA cities

- 1) New York-Newark-Bridgeport, NY-NJ-CT-PA - 21,976,224*
- 2) Los Angeles-Long Beach-Riverside, CA - 17,775,984
- 3) Chicago-Naperville-Michigan City, IL-IN-WI - 9,725,317*
- 4) Washington-Baltimore-Northern Virginia, DC-MD-VA-WV - 8,211,213*
- 5) Boston-Worcester-Manchester, MA-RI-NH - 7,465,634*
- 6) San Jose-San Francisco-Oakland, CA - 7,228,948
- 7) Philadelphia-Camden-Vineland, PA-NJ-DE-MD - 6,382,714*
- 8) Dallas-Fort Worth, TX - 6,359,758

- 9) Houston-Baytown-Huntsville, TX - 5,641,077
- 10) Atlanta-Sandy Springs-Gainesville, GA-AL - 5,478,667
- 11) Miami-Fort Lauderdale-Miami Beach, FL - 5,463,857
- 12) Detroit-Warren-Flint, MI - 5,410,014*
- 13) Phoenix-Mesa-Scottsdale, AZ - 4,039,182
- 14) Seattle-Tacoma-Olympia, WA - 3,876,211
- 15) Minneapolis-St. Paul-St. Cloud, MN-WI - 3,502,891
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- 25) Cincinnati-Middletown-Wilmington, OH-KY-IN - 2,147,617*
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- 27) Kansas City-Overland Park-Kansas City, MO-KS - 2,034,796
- 28) Indianapolis-Anderson-Columbus, IN - 1,984,644*
- 29) Columbus-Marion-Chillicothe, OH - 1,953,575*
- 30) San Antonio, TX - 1,942,217

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MORE INFO

Release Date

2011

About

Impressum

A new alternative for bullet trains in USA; stops burning of billions of gallons of oil(transport fuels) yearly. The New York-Chicago HSR alignment eventually connects 120 major city pairs and over 100 million people on the Great Lakes & Northeast corridors!

Mission Statement(as the New York-Chicago Bullet Train advocacy)

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1. NCBT Network about summary
2. NCBT Network graphics and geography

RFI GHGRF (Greenhouse Gas Reduction Fund)

DOCKET NO. EPA-HQ-OA-2022-0859

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mike lehman
3639 n pine grove
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An alternative global sustainable solution for HSR(bullet trains) in the USA; prevents burning billions of gallons of oil(transport fuels) yearly. The New York-Chicago HSR Network alignment eventually connects 120 major city pairs and over 100 million people on the Great Lakes & Northeast corridors!

New York-Chicago Bullet Train Network advocacy/NCBT

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ECONOMIC REASONS: (only 5% of conventional world oil reserves are in the US, HSR Bullet train transport is all electric using domestic coal and other domestic energy resources)

1. This new electric Great Lakes Acela West important corridor system linking to the Northeast corridor/NEC interconnects more than 20 culture rich cities; 7 of the 10 largest and most important in the US. The new line would travel from Great Lakes cities through the Allegheny Mountains on to Philadelphia, New York City, Washington DC and the rest of the Northeast HSR(NEC/Acela) cities.
2. There would be new job creation generated by construction and then for continual operation and maintenance of the route(also, more good CBD/downtown jobs). Ridership levels should reach and exceed the levels of the similar French TGV bullet train ultimately. The French TGV, with over 50 million annual trips, has revenues of about \$5 billion a year.
3. With possible revenues of \$5 billion or more a year, the large investment in this line's infrastructure and train sets would be paid for realistically within several years' time, similar to the French TGV experience with their revenue streams financing and funding. Sustainable aviation intercity transport fees will be necessary also.
4. This new HSR bullet train route would augment and strengthen AMTRAK abilities and potential elsewhere on complementary routes and that of the Northeast corridor/Acela. Acela/NEC HSR utilization continues to grow and is AMTRAK'S most profitable and popular route.
5. This travel mode would enhance cities' CBDs and integrated rail developments

Proposed Phase 1 connected cities; Chicago, Cleveland, Pittsburg, and Philadelphia have and are expanding upon their own internal transit rail systems-cities not entirely reliant on autos!

SECURITY REASONS (True Bullet train HSR trains could evacuate an entire large city in 1-2 days!)

1. The airline transportation mode is more favored for terrorist attacks(hijackings, bombings, sabotage, poisonings etc.) Assaults are not as likely nor as catastrophic with this rail transportation mode- insurance companies, government and the public would welcome this.
2. This new mode of transport would not call for the necessary extreme expense and trouble of security, TSA, systems and additional equipment like the airline mode requires.

3. In the advent of an airspace shutdown again or bad weather the HSR corridors would serve as another travel alternative to air/road travel in the northeast US and Great Lakes.

MOBILITY/HEALTH REASONS: (True HSR<10% the energy use of like air travel)

1. Tragically and very costly, in America about 50,000 people die and tens of thousands more are permanently disabled yearly from roadway related accidents (less driving=less deaths in USA). Hundreds more people are killed and severely injured yearly in intercity plane crashes too. In France and Japan, HSR Bullet trains have not had a passenger fatality in over 90 years combined. 100s of people and billions of \$s can be saved by using HSR bullet trains in lieu of personal vehicles and aircraft.

2. Most HSR right of way/ROW-infrastructure could be built adjacent to existing highways and railroad lines for environmental considerations and land use purposes (aircraft and road vehicles are much greater noise, air and land polluters and users).

3. Over 1/3 of all Americans don't like to fly, therefore leaving long, congesting, costly and hazardous auto/bus modes or intricate AMTRAK schedules as their only alternatives.

4. Airport traffic creates more pollutions/carcinogens/congestions around large population centers. There are a total of 8 potential congestion adding auto trips to and from airports to pickup and drop-off a flyer at both destinations per roundtrip. Combination rail/walking travel modes are much healthier and more beneficial rather than the customary airplane/automobile modes combinations.

5. This new dedicated HSR line would travel the 700 mile Chicago to Philadelphia length in 4-5 hours at 186+ mph speeds(which approaches short jet plane trip speeds) with only 3 stops in between (Cleveland, Pittsburg, and Harrisburg and?). Continuing on to DC, NYC or Atlantic City would add another 1-2 hours to the total overall trip departing the Chicago/Gary station eastbound. Sustainable electric HSR Bullet trains are an obvious alternative to new airports and aviation!

6. This mode of travel would be especially relaxing and enjoyable. The ability to personally move about, enjoy sights (especially in Pennsylvania), work, talk, read, eat and rest in a hassle-free, safe vehicle like a bullet train is truly unsurpassed. Indeed, elderly and ADA citizens would prefer this transport option to auto, bus and airplane travel also.

BENEFITS TO INDIVIDUAL STATES: (reduces airports' congestions also) (connected cities CBDs will gain significant tourist, business, and personal trip activity)

Illinois: The west end balance of the bullet train line linking the Chicago central business district (CBD) to 100 million + people. Chicago is positioned to reach another 30 million connecting travelers by all modes from adjoining states to its intercity rail system stations. Moreover, the line reduces the need for airport expansions as well as easing roadway congestions too!

Indiana: Gary, IN; the US geographic transport pinch point that filters most modes' traffic east and west in USA. Gary/Chicago airport/region development and more use of the South Shore/IC Railroad infrastructure. The suburban Gary/Chicago station would have multi-modal connections; airlines, commuter and HSR rail and major interstate highways.

Ohio/Michigan: (HSR has a dual purpose as transit trains in Chicago, Cincinnati and Detroit etc)

The midpoint of the corridor between Chicago and Philadelphia with additional connections originating from Detroit and also Columbus and Cincinnati into Cleveland.

Pennsylvania: Economic development of Pittsburgh and Philadelphia CBDs and connecting through the state capital of Harrisburg which is also positioned in the state's mountain resort areas along with many other tourist and historic attractions. The advantages of two US HSR systems in the state; NSEW.

*Transportation is the leading cause of accidental and child deaths-each costing millions!

**This system would be a prudent, comfortable and safe mode of essential mobility that half the US could access, utilize and appreciate-a vital investment. The US should embrace developing and engineering this efficient, alternative transportation technology. 100s of millions of tourists visit all these connected cities annually from Chicago to NYC to Boston to Washington DC and in between, which means even more Bullet train passenger potential.

120 Major City Pairs total: combinations or connections of cities below with populations of 500,000 or more MSA (metropolitan statistical areas)

Chicago and New York Philadelphia Washington Boston Detroit Baltimore Pittsburgh Cincinnati
Cleveland Columbus Indianapolis Providence Richmond Hartford Toledo/Ft Wayne(mi-oh-in station) and
also 100< other major city combinations

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- 9 New Jersey 8,414,350
- 10 Georgia 8,186,453
- 11 North Carolina 8,049,313
- 12 Virginia 7,078,515
- 13 Massachusetts 6,349,097
- 14 Indiana 6,080,485
- 15 Washington 5,894,121
- 16 Tennessee 5,689,283
- 17 Missouri 5,595,211
- 18 Wisconsin 5,363,675
- 19 Maryland 5,296,486
- 20 Arizona 5,130,632

Largest US Metropolitan Statistical Areas MSA in USA

(*15 major connected citys after full build-out)

*NCBT network connects 11 of 30 largest USA citys

- 1) New York-Newark-Bridgeport, NY-NJ-CT-PA - 21,976,224*
- 2) Los Angeles-Long Beach-Riverside, CA - 17,775,984
- 3) Chicago-Naperville-Michigan City, IL-IN-WI - 9,725,317*
- 4) Washington-Baltimore-Northern Virginia, DC-MD-VA-WV - 8,211,213*
- 5) Boston-Worcester-Manchester, MA-RI-NH - 7,465,634*
- 6) San Jose-San Francisco-Oakland, CA - 7,228,948
- 7) Philadelphia-Camden-Vineland, PA-NJ-DE-MD - 6,382,714*
- 8) Dallas-Fort Worth, TX - 6,359,758
- 9) Houston-Baytown-Huntsville, TX - 5,641,077
- 10) Atlanta-Sandy Springs-Gainesville, GA-AL - 5,478,667
- 11) Miami-Fort Lauderdale-Miami Beach, FL - 5,463,857
- 12) Detroit-Warren-Flint, MI - 5,410,014*
- 13) Phoenix-Mesa-Scottsdale, AZ - 4,039,182

- 14) Seattle-Tacoma-Olympia, WA - 3,876,211
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mike lehman

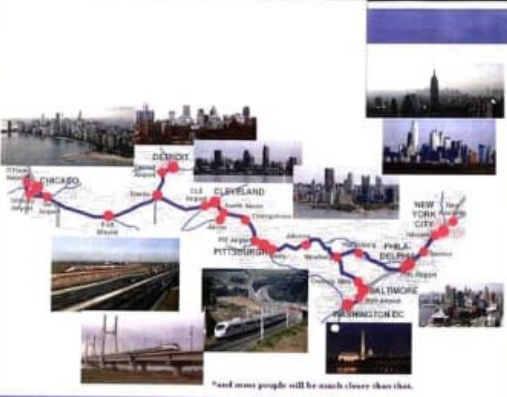
3639 n pine grove

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New York-Chicago Bullet Train

bullet train lines, ncbt



*and most people will be much closer than that.

The image displays a map of the United States with a red line representing the proposed bullet train route from Chicago to New York City. The route passes through major cities including Chicago, Detroit, Cleveland, Pittsburgh, Philadelphia, Baltimore, and Washington DC. Small inset photos of each city are placed along the route. The map also shows major highways and airports. The text 'bullet train lines, ncbt' is written below the title, and a small note at the bottom states '*and most people will be much closer than that.'

