



# National Association of Conservation Districts

May 25<sup>th</sup>, 2022

Dear White House Environmental Justice Advisory Council,

Re: EPA-HQ-OA-2022-0050

The National Association of Conservation Districts (NACD) represents America's nearly 3,000 locally-led conservation districts, working with millions of landowners and operators to help them manage and conserve land and water resources on private and public lands. Established under state law, conservation districts share a single mission: to work cooperatively with federal, state, and local resource and land management agencies, and private sector interest groups to provide technical, financial, and other assistance to help landowners and operators apply conservation to the landscape. Because conservation districts were created to be the link between the federal government's various natural resource agencies and local communities across the country, conservation districts work hand-in-hand with all levels of government to ensure that local resource needs help inform major decisions.

Executive Order 14008 Tackling the Climate Crisis at Home and Abroad, Sec. 223 – Justice40 initiative established the goal of directing 40 percent of certain Federal investments to benefit disadvantaged communities. Executive Order 14008 also established the White House Environmental Justice Advisory Council (WHEJAC) to offer recommendations to the Chair of the Council on Environmental Quality (CEQ) and the White House Environmental Justice Interagency Council (IAC). The WHEJAC advises on how the federal government can increase its support of disadvantaged communities in the areas of resilience, disaster management, conservation, clean water infrastructure and beyond.

On April 13, 2022, the WHEJAC published its intent to hold a public meeting to discuss climate resilience and consider recommendations to better serve disadvantaged communities through federal disaster relief funding. For more than 75 years, conservation districts have served as leaders in locally-led efforts to conserve our nation's natural resources and address local natural resource needs in the face of natural disasters and extreme weather by working with private landowners and other members of the community.

## **Understanding Local Resource Needs**

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NACD supports tailored technical assistance to best fit the unique needs of different communities across the country. Grassroots efforts to engage local community members and leaders is necessary to understand how communities may have been excluded from past funding opportunities and what barriers still exist in that community to access existing programs. Many communities across the United States and its territories are impacted by low-income levels, high unemployment rates, and limited access to state or federal resources. These obstacles, as well as



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other historical barriers, put communities at a disadvantage, and can result in excluding them from participating in programs. For the purposes of cost-sharing requirements, some federal programs have specific parameters to determine if a community is considered to be a disadvantaged community or Limited Resource Area (LRA). To determine the amount of support required for disadvantaged communities to participate in federal programs, and to ascertain how those programs can better serve those communities, outreach and capacity building must be done at the local level. Program parameters and eligibility flexibility is also key to ensuring that local needs can be addressed across unique circumstances. Providing flexibility within program requirements is key to helping each community address their unique environmental concerns.

In addition to recognizing the varying needs of each community, it is also important to consider the barriers that exist for individuals to access these programs, as opposed to larger groups or local governments. Community organizations and governments often do not have the time nor resources necessary to focus on all individual needs. To address this issue, it is important that that community-based organizations, such as conservation districts, are provided the tools and resources necessary to build the capacity needed to meaningfully participate in these programs. Whether individuals lack financial resources, training, or land, it is critical to consider the needs of all stakeholders in order to support the entire community.

Disaster preparedness planning should include the input from all community stakeholders. It is imperative that all stakeholders have a seat at the table when establishing plans for community preparedness to properly account for all available resources in the community, and to avoid excluding groups from project eligibility or future funding opportunities. It is also critical to ensure that a diverse set of stakeholders from across the community are included in discussions to develop program parameters and funding eligibility requirements.

### **Programmatic Barriers**

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The United States Department of Agriculture (USDA) Natural Resource Conservation Service's (NRCS) **Emergency Watershed Protection Program** works to protect vulnerable infrastructure and land from future flood and soil erosion damage and does not require a disaster declaration from federal or state government officials. Through this program, NRCS provides financial and technical assistance for activities such as debris removal and streambank repair.

Rigid project requirements and a lack of resources or funding to meet sponsor requirements can act as barriers to EWPP participation. Increasing the flexibility of project and sponsor requirements could serve to bolster participation and increase access to project benefits for many LRAs. Under current program requirements, sponsors are required to support maintenance and provide match requirements, which is difficult for many sponsors. For communities that have been designated as LRAs, NRCS covers 90 percent of construction costs. However, this support does not cover expenses to submit the application nor maintenance costs after the conclusion of



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the project. More extensive support is required for many LRAs take advantage of EWPP benefits.

Program eligibility requirements also restrict participation under the property requirement by limiting the participation of some rural areas due to lower concentrations of man-made structures. Despite the damage that weather events may inflict on other structures in the area, protection cannot be supported under current EWPP eligibility requirements. Providing additional flexibility for projects would help to protect more watersheds from severe damage.

The **Watershed Rehabilitation Program (REHAB)** supports public health and addresses safety concerns by providing assistance to sponsors to rehabilitate aging dams that are past their designed lifespans. This program also has several barriers that reduce participation, notably among LRAs and other historically underserved communities. Some areas with low incomes, housing values, or high unemployment may not have received funding or resources needed to build eligible watershed infrastructure in the first place. It is important to consider the kinds of communities these projects support explore opportunities for the program to better support disadvantaged communities.

The Federal Emergency Management Agency's (FEMA) **Building Resilient Infrastructure and Communities (BRIC)** Program offers support for communities to mitigate hazards and reduce the risks posed by natural disasters. Participants of these programs often experience similar barriers to program access across several different kinds of disasters, including floods and wildfires.

Lack of coordination between all stakeholders during the planning stages of BRIC reduces overall participation in the program. Expanding coordination within the community and across all levels of government can increase the number of stakeholders participating in hazard mitigation planning and ultimately bolster the implementation of mitigation activities. Disjointed coordination among relevant entities restricts eligibility for local stakeholders who may lack capacity or training to support these activities independently, but who offer valuable contributions to the process at large. In addition to expanding coordination between these groups, it may also be useful to develop a disaster plan template or program to help stakeholders develop the expertise required to implement plans independently. Groups that would traditionally lack adequate staffing or training to develop a plan on their own would then be able to develop a template to address resource concerns in their area.

The U.S. Forest Service's **Good Neighbor Authority (GNA)** and other federal programs that address forestry and wildfire related natural disasters can raise barriers stemming from a lack of coordination. The GNA is an important program that allows non-federal stakeholders and partners, such as conservation districts, to conduct forest management and clearing on federal lands. Partners participating in this program can experience low demand for harvested products and insufficient training opportunities for natural resource and forest management professionals. The lack of adequate staffing, training, and demand for forest products requires partners to individually source markets for harvested products and train their own staffs. This places lower-



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income communities at a disadvantage, as they do not have the capacity or financial resources to consistently support these efforts. Large-scale disasters often involve a large influx of management workers, which are difficult to manage without strong structures and plans in place. Additionally, communities with fewer financial resources may be less likely to participate in this program due to the limited availability of timber sales for future GNA activities.

USDA's Forest Service's **Community Wildfire Defense Grants** present a great opportunity to help vulnerable and low-income communities across the country mitigate the many risks posed by wildfires. This program provides funding to communities at high risk of wildfire to develop and begin the implementation of wildfire plans. The testing of prescribed practices is an important part of verifying program effectiveness and ensuring community preparedness, but it can also act as a barrier to community participation. Some communities do not have adequate resources or funding to carry out testing effectively and may need additional support. While testing exercises are critical, lower-income communities may see this as a barrier to participation.

The USDA's Forest Service supports urban forestry through their **Urban and Community Forestry Program**, which provides funding to state agencies to implement projects, sometimes with the help of local partners. To be eligible for funding, states must have a full-time coordinator, provide technical assistance to communities, convene a Community Forestry Council, and create a strategic plan to guide their work. State agencies and their partners should be encouraged to engage with local stakeholders during this process. Activities supported by this program may include landscape scale restoration, invasive species work, education, and outreach. Efforts to support urban forestry can also play a significant role in mitigating the effects of disasters and extreme weather, such as through canopy cover to prevent extreme heat. To fully harness the potential of urban forestry to combat extreme heat, it should be considered in the strategic planning stages at the state and local levels. Underserved areas have a lower percentage of urban canopy cover, which makes their residents more susceptible to health issues caused by extreme heat. Promoting urban forestry practices in underserved areas can provide substantial environmental and health benefits to those communities.

### Conclusion

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In conclusion, there are several areas where barriers repeatedly appear and can impact a sponsoring entity's ability to contribute financially or meet other programmatic requirements. The first area in which overall more focus and support is needed is in staffing capacity and training. Many of these programs include complex application processes and the implementation of funding often requires specialized experience that may not be present in all sponsor offices. More support from the funding agency is needed to support these sponsors by providing training and guidance throughout the application and implementation process. Accessing the resources for these programs often requires substantial dedication of staff time and an understanding of the complicated application systems. Information and program resources should be accessible to



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easily understood by stakeholders from all backgrounds. Historically, long and difficult application forms and convoluted communications have discouraged communities that do not have adequate staff and resources from applying for federal disaster assistance programs. Expanding outreach, education, resources could encourage consistency among regions and make it easier to address common issues. Additionally, more focus is needed to support the training and hiring of a diverse workforce. It is important to emphasize recruiting a diverse and skilled workforce to ensure natural resource management professions are accessible by all communities across the country. Capacity issues also continue to be a concern. Sponsors may not have the resources to dedicate staff to completing program applications or to continue maintenance of projects after completion. We must ensure that all communities, regardless of their socioeconomic standing, have the ability to participate in these important programs.

Due to the broad impact of natural disasters such as floods, wildfire, extreme heat and coastal challenges, actions to decrease disparities cannot be done on a community-by-community basis. These impacts are rarely limited to a single community and it is important that federal programs provide equitable access and support to protect against and prepare for natural disasters. Addressing climate resilience and preparing communities for natural disasters starts at the local level. It is critical that both communities and individuals are provided with equitable opportunities to benefit from federal programs. If individuals across a community are supported and provided with the opportunity to participate in federal programs, the community as a whole will benefit.

Thank you for the opportunity to participate in this process and submit comments on federal support to underserved communities through programs on disaster preparedness and community resilience. We appreciate your consideration and look forward to continuing to work with you to strengthen federal programs.

Sincerely,

Michael Crowder  
President  
National Association of Conservation Districts