

July 14, 2003

Marianne Horinko
Acting Administrator
U S Environmental Protection Agency
1200 Pennsylvania Avenue, N.W
Washington, D C 20460

Dear Acting Administrator Horinko:

On behalf of the National Advisory Council for Environmental Policy and Technology (NACEPT), I am pleased to present to you the attached advice letter fulfilling the first of our commitments to assist EPA in the roll-out of the Draft Report on the Environment (ROE). The advice letter was developed by the NACEPT Report on the Environment Workgroup, and fully endorsed by the full Council.

The NACEPT Council commends the Agency for its extensive work in providing a national outlook on the state of our environmental quality and human health. The Council also appreciates EPA's proactive stance of involving its stakeholders early in the process. We believe that the Draft Report on the Environment will provide members of the public with a valuable tool to aid their efforts to understand the progress we are achieving in environmental improvement.

The enclosed letter outlines a number of questions and issues that we believe may be of concern to the public during the National Dialogue meetings this Fall. NACEPT believes that EPA will need to address four major themes as part of the public release of the ROE to frame a constructive public dialogue around the report. Potential issues and discussion questions for each of these themes are offered below:

- What is the purpose of the report and who are the intended audiences?
- What is the scope and coverage of the report?
- How will EPA address the findings contained in the report?
- What does EPA hope to garner from public dialogue?

We will begin to address the second portion of our charge, which will provide recommendations on the Draft Report on the Environment. The Council expects to finalize comments at our next NACEPT meeting in September.

Thank you for giving us the opportunity to work with the Office of Environmental Information and the Office of Research and Development on the report, and we look forward assisting EPA further over the coming year.

Enclosure

Sincerely,

**Dorothy Bowers, Chair
National Advisory Council for
Environmental Policy and Technology**

**cc: Tom Gibson, Chief of Staff
Kim Nelson, Assistant Administrator, OEI
Paul Gilman, Assistant Administrator, ORD
Daiva Balkus, Director, OCEM**

**National Advisory Council
for Environmental Policy and Technology (NACEPT)**

**Advice Letter
EPA's Report on the Environment**

July 14, 2003

In its charge dated April 30, 2003, the United States Environmental Protection Agency's (US EPA) Office of Environmental Information (OEI) and Office of Research and Development (ORD) requested the National Advisory Council for Environmental Policy and Technology (NACEPT) to review and comment on the Agency's draft "Report on the Environment" (Report) and to provide advice on the Agency's Environmental Indicators Initiative. OEI and ORD requested that the NACEPT address the following issues related to the Report and the Initiative:

- 1 Provide perspective and input on the types of questions and issues that should be highlighted during the national dialogue meetings that EPA will schedule following the release of the draft Report.
2. Review and comment on the draft Report once it has been released for public comment
- 3 Provide advice on the Environmental Indicators Initiative over the long-term regarding how it could improve the Agency's planning and performance measurement activities (possible action item to be determined by EPA).

A subset of the Council participated in a briefing session hosted by OEI Assistant Administrator Kimberly Nelson and OEI representatives, on May 5, 2003. The preview session focused on the general structure and content of the Report. It should be noted that the briefing session did not include a review of the full Report, which was released on June 23, 2003.

The NACEPT Council believes that EPA will need to address four major themes as part of the public release of the Report, in order to frame a constructive public dialogue around the Report. Potential issues and discussion questions for each of these themes are offered below:

- What is the purpose of the Report and who are the intended audiences?
- What is the scope and coverage of the Report?
- How will EPA address the findings contained in the report?
- What does EPA hope to garner from public dialogue?

Purpose and Audiences

Information regarding the state of the environment is already available to a diverse audience, at differing levels of detail and complexity, through a variety of different media. At release, EPA will need to clearly inform both the intended audiences and the general public why the Report was developed, and what it is intended to convey.

- Is the Report intended to convey Agency policies or comment on the success of such policies?
- Is the Report intended to be a “snapshot” of the environment or will it provide trend data to show how the health of the environment has changed over time?
- The EPA should expect to be queried about how the report relates to state and local environmental efforts. To address localized concerns of the Report audience, EPA should concurrently provide references to equivalent information on state and local scales. Similarly, the report should acknowledge international environmental issues, such as climate change and trans-boundary pollution, to provide the appropriate context for judging the health of the U.S. environment.
- As discussed at the briefing session, EPA intends to identify the Report as a “draft” rather than final product. The EPA should be prepared to respond to questions of why this report is a draft. If the Agency wants experts and the public to pay attention, it should clearly indicate when it will release a final version. Candor in admitting the gaps and flaws in existing data, and the complexity involved in understanding the condition of the overall environment, will go a very long way in communicating an honest effort to assess and relay that imperfect information to the public and expert segments of it. EPA will need to make clear its intentions regarding subsequent review and final approval of the Report, if that is the Agency’s intent. If, however, the Agency intends the Report to evolve over time, perhaps issued periodically, it needs to make its intentions clear and identify what types of revisions will be considered.
- EPA will also need to clearly identify the intended audience for the Report. During the preview session, EPA reported that it intends to distribute approximately 1,500 copies of the Report to an audience of environmental professionals rather than to the general public. Additionally, a more detailed technical support document will be available. EPA should assume that the report will be distributed to a much broader audience, including federal, state, tribal and local policymakers, and that the Agency will need to be prepared to address inquiries from both the intended and unintended audiences.

Report Scope and Coverage

Certainly no single report describing the state of the environment can be all-inclusive, addressing every environmental issue and integrating all environmental indicators and data. EPA will need to clearly describe the filtering process used to select information for inclusion in the Report.

- Do the environmental indicators assessed in the Report represent EPA's selected core measures of environmental health? How did EPA validate its indicator selection?
- What was the scope of the data utilized in the Report and the source(s) of the data? If the data came from sources outside EPA, how rigorous was EPA's quality assurance screening? Did EPA consider all available acceptable data in preparing the Report (state, local, international)? If otherwise acceptable data were excluded, what was the Agency's rationale for exclusion?
- What additional environmental indicators for which EPA collected adequate data were excluded from the Report, and why were they excluded? We were advised that data related to global warming issues were not in the report. EPA will need to be prepared to address why the Report does not include global climate change, greenhouse gases, and other major issues.
- What additional environmental indicators would EPA have wished to include in the Report for which adequate data were not available? Does EPA have any recommendations for improving data quality and applicability?
- How will EPA address the data gaps identified in the Report? Does EPA plan to develop a strategy to address the data gaps?

Addressing Report Findings

Regardless of whether EPA includes in the Report any explicit qualitative statements regarding the state of the environment, progress in addressing environmental issues or the efficacy of its policies and programs, the Report's varied audience, - both intended and unintended, - will almost certainly arrive at conclusions supportive of their unique perspectives. EPA will need to anticipate the varied and conflicting conclusions that will be drawn, and be prepared to discuss action items that the Agency is contemplating to address the Report's findings as well as the audience conclusions.

The public will want to know how EPA plans to act on the data it reports. EPA will need to pay particular attention to the content of the Report in relation to its recently released draft Strategic Plan, since the Report will almost certainly contain information that informed, or should have informed, the Agency's Goals and Objectives identified in the Strategic Plan. Potential early criticisms of the Agency will be the perceptions that the Report should have preceded rather than followed the Strategic Plan, and that the Report and the Strategic Plan should have corresponding structures that allow coordinated review of both documents.

Public Dialogue Expectations

To foster constructive public dialogue, EPA will need to clearly identify what types of information and feedback it seeks to garner from the public dialogue. EPA should also consider establishing two independent tracks for the public dialogue. one aimed at environmental professionals, another aimed at policy makers and the general public.

- Will the Agency seek technical peer review of its environmental indicators selection, data management and interpretation?
- Will the Agency invite submittal of measurement data both in support of and contrary to the conclusions stated in the Report?
- Will data be accepted from across the spectrum of stakeholders that perform environmental monitoring?
- Is the Agency including environmental advocacy and environmental justice groups in its definition of environmental professionals? At a minimum, the Agency should provide a formal consultation opportunity for groups/constituencies represented on its various advisory bodies.
- How will EPA communicate to its audiences that it collectively needs to address the data gaps? The Agency should be careful not to allow the discussion of data uncertainties to undermine the remarkable progress that has been attained.
- Will EPA offer a plan or express its intention to work with other agencies/experts on improving data collection for indicators where it has observed gaps or weaknesses and where no process is currently in place to collect future data on what the Report has identified as a significant issue or question?
- The Agency should consider inviting state, local and other federal agencies to participate as co-sponsors of the public dialogue.
- The Agency should prepare a media packet, including charts and bullets addressing the main points of the report. These materials also should form the basis for the report summary presentations during the public dialogue meetings. EPA should not leave it to the media and other interests to determine what is important
- How will the Agency handle the inevitable comments on policy and program effectiveness that will arise during the public dialogue process?