



Environmental Council of the States

1250 H Street NW, Suite 850 | Washington, DC 20005
(202) 266-4920 | www.ecos.org

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Dear ECOS Colleagues:

It is a privilege to work with you and to serve as President of a council comprised of such outstanding leaders. Representing every state in our nation, the District of Columbia, and important territories, ECOS members are remarkable both for their diversity and their unity.

Each of us is committed to safeguarding human health and the environment for the citizens of our respective states and territories. We deliver the environmental protection afforded by law while keeping faith with the unique priorities of the people we serve.

The Council's greatest strength is our collective commitment to finding consensus, upon which ECOS has built a record of speaking in one powerful voice on many of the most consequential issues facing environmental regulators. Just as remarkable, in my view, is the strength of this organization when we reach the limits of consensus. We recognize that the end of consensus is not the end of the conversation but a place of continued exchange and learning, that it is not the beginning of zero-sum policy arguments but a place of respect for state and territorial prerogatives and of respect for one another. This understanding is indispensable to the organization we have inherited and intend to keep.

ECOS Presidents traditionally describe their substantive priorities in a letter such as this one. My priorities are, in fact, a collaboration with an exceptional team of officers: Vice President James Kenney, Secretary-Treasurer Brian Rockensuess, and Past President Myra Reece. While ECOS remains a forum for engagement on a wide range of important issues, here are our priorities:

- Meeting State Capacity Needs. States carry the laboring oar in implementing and enforcing the nation's environmental laws. This burden is growing rapidly due to expanding and changing populations, a public that is increasingly engaged with its state regulators, an increasing number of regulated entities, and regulatory programs that are growing in number, scope, and complexity. The challenges posed by PFAS and other emerging contaminants add to this burden, as do increasing deployments in response to disaster. And we have only seen the beginning of a significantly greater demand for permitting of new water and energy infrastructure.

States need the resources to meet these demands. However, for two decades, EPA's categorical grant funding, which supports state regulatory programs, has been stagnant if not in decline. Addressing the imbalance between the burdens on our agencies and agency capacity is mainly a function of securing additional funding. So, ECOS will continue its advocacy to Congress and U.S. EPA to increase state categorical grants – while emphasizing that federal regulatory agendas affect states' burdens.

At the same time, EPA and ECOS must collaborate on ways to reduce these burdens without compromising responsible environmental protection. The Council's advocacy for greater flexibility in the duration of NPDES permits is one such example.

Finally, advancing workforce innovation and productivity may also have a role in addressing the imbalance. While ECOS members are accustomed to operating on lean budgets, there may still be efficiencies to capture by learning from one another, as well as from other public and private sector colleagues. So, ECOS will continue to search for best practices for agency operations, such as those for employee recruitment, retention, and retirement planning, and to seek new efficiencies

Jon Niermann

Texas Commission on
Environmental Quality
ECOS President

James Kenney

New Mexico Environment
Department
ECOS Vice President

Brian Rockensuess

Indiana Department of
Environmental Management
ECOS Secretary-Treasurer

Myra Reece

South Carolina Department of
Environmental Services
ECOS Past President

Ben Grumbles

ECOS Executive Director

through the modernization of business processes, which is the central purpose of the Council's work with E-Enterprise for the Environment and the Exchange Network.

- Accelerating the Circular Economy. Sustainable Materials Management is widely understood to reduce the environmental footprint of the goods and services on which we rely while also presenting opportunities for economic growth. This promises significant benefits for the communities our agencies serve.

ECOS will continue its work on market-based, regulatory, and other approaches to extend the useful life of materials in our production cycles, diverting materials from landfills and closing the loop where appropriate between post-consumer use and supply chains. This work includes enlisting EPA's active collaboration, which is vital to the effort.

- Advancing Water and Energy Infrastructure. Aging infrastructure, deferred maintenance, rapidly growing demand, and a need for diversification, hardening, and resilience all point to an imperative for significant new water and energy assets.

Private and public monies, including funding under the Bipartisan Infrastructure Law and the Inflation Reduction Act, are poised to develop water supply and flood control projects, including projects supporting storage, reuse, and the beneficial use of produced waters; drinking water and wastewater systems to meet demand, conserve water, and address emerging contaminants; additional and diversified generation and transmission capacity and other energy-related assets; and supply chains, including for critical minerals to meet the demand for electric vehicles and power storage.

ECOS members have their own perspectives and priorities for this infrastructure buildout, but there is broad consensus about the urgency of the effort and bipartisan recognition that environmental permitting needs to move faster if we are to see timely benefits from these projects.

ECOS members will help ensure that projects are well-conceived from an environmental regulatory standpoint, but we are also at risk of being a bottleneck to achieving the important public health, environmental, and economic benefits that they offer. This requires the Council's constructive engagement in several facets of this infrastructure challenge.

For example, ECOS will continue advocating for funding to ensure that state permitting teams are appropriately staffed, and that amid all the new spending EPA and Congress not lose sight of the importance of sustaining water infrastructure state revolving funds. ECOS will also be engaged in conversations about permitting streamlining, maintaining a sense of context and proportion in delivering project benefits sooner.

On behalf of ECOS's officers, thank you for supporting an organizational culture that seeks consensus and that is constructive even in the absence of consensus, and thank you for joining your colleagues in these priorities and all of the important work we do to improve the lives of the citizens we serve.

Here's to another great year for ECOS!

Sincerely,



Jon Niermann
ECOS President