MITCHELL WILLIAMS

Little Rock Rogers Jonesboro Austin **MitchellWilliamsLaw.com**

Mitchell, Williams, Selig, Gates & Woodyard, P.L.L.C.

FY 2018 President's Budget/Major Policy and Final Resource Decisions: March 21st U.S. Environmental Protection Agency Memorandum

04/04/2017

U.S. Environmental Protection Agency ("EPA") Acting Chief Financial Officer David A. Bloom issued a March 21st memorandum titled:

FY 2018 President's Budget: Major Policy and Final Resource Decisions ("Memorandum")

The *Memorandum* describes itself as communicating "final resource levels and policy guidance to support the Environmental Protection Agency's FY 2018 President's Budget submission to Congress."

The lengthy document provides minute detail of the funding (or absence thereof) of the various federal EPA programs.

The EPA budget will be submitted at \$5.655 billion. This is stated to be a 31% decrease from the FY 2017 annualized Continuing Resolution level. It also assumes a full time equivalent ceiling of 11,547.6.

The *Memorandum* provides more specificity about the previously released Trump Administration's Budget Blueprint which had been released on March 16th. The introductory portion of the *Memorandum* notes certain general points such as:

- The resource level will require EPA to take a comprehensive look at priorities/think differently about the best ways to accomplish core statutory responsibilities
- The Trump Administration's focus on infrastructure is reflected in funding levels for drinking and wastewater infrastructure and brownfield projects
- The amended Toxic Substances Control Act legislation is provided a \$14 million increase in funding
- EPA's work will focus on what is characterized as "core legal requirements, federal-only and national efforts, providing support to states in implementing environmental laws, and easing regulatory burden"
- Because of reductions to state and tribal categorical grant funding, voluntary programs/certain mature programs are eliminated
- Agency personnel are asked to "think about the work we do and how we do it, the way we are
 organized and the geographic location and spaces we occupy" because of the reduced resource
 levels

As to air related programs, the National Association of Clean Air Agencies notes that air grants (under



Walter Wright, Jr. wwright@mwlaw.com (501) 688.8839

Sections 103/105 of the Clean Air Act) would be reduced from \$228.2 million in FY 2016 to \$159.5 in FY 2018. The organization also states:

- The Diesel Emission Reduction Act grants would be reduced from \$50 million in FY 2016 to \$15 million
- Targeted Air Shed Grants would be eliminated
- The Multipurpose grants would be eliminated

Attachments to the very detailed *Memorandum* include:

- Attachment A Resource Guidance
- Attachment B Eliminated Programs
- Attachment C Categorical Grants
- Attachment D Major Policy Issues Guidance
- Attachment E Templates for Program Activities in FY 2081
- Attachment F Major Milestones

A copy of the Memorandum can be found here.