



Evidence and Improvement Division,
Office of Budget and Performance
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
Submitted via EvidenceAndEvaluation@epa.gov

May 28, 2026

Re: Comments on Draft Fiscal Year 2027 Evidence Plan, FRL-13178-01-OCFO

Dear Jacob Simmons:

Public Employees for Environmental Responsibility (PEER) submits these comments on the Environmental Protection Agency's (EPA) Draft Fiscal Year 2027 Evidence Plan ("Draft FY27 Evidence Plan").

While EPA's Draft FY27 Evidence Plan sheds light on the Agency's Learning Agenda priorities, the plan as written does not offer sufficient information to assess how the proposed priority questions and evidence activities will inform EPA policies in practice.

For the reasons described below, EPA must supplement its Draft FY27 Evidence Plan with more concrete information and solicit additional public feedback prior to the Agency producing a final FY27 Evidence Plan and implementing any activities included in it.

Priority Question 1–Evidence Activities A, B, & C

The Agency states that it will focus on evaluating the extent to which EPA grant programs awarded the highest levels of FY26 funding are achieving environmental and human health outcomes and being good stewards of tax dollars.

As the Agency acknowledges in Section III, a “one-size-fits all approach” is not appropriate for assessing this question across grant programs. Specifically, PEER has significant concerns about how EPA intends to quantify “returns on investment” and define “programmatic success” as it relates to environmental and human health outcomes.¹ In Section III, EPA discusses challenges associated with developing its standardized metrics for evaluating environmental and human health outcomes; it remains unclear how EPA intends to address and overcome the nuances in measuring outcomes for varying grant programs.

Furthermore, the evidence plan fails to define “good stewards of tax dollars,” making evaluation

¹ This concern is underscored by EPA's decision earlier this year to abandon consideration of health-related monetary benefits when setting pollution limits.

of the research question and relevant findings murky at best. In multiple sections, the Draft FY27 Evidence Plan refers to information that is not publicly accessible. For example, the Draft FY27 Evidence Plan refers to a definition provided in FY26 evidence-building work, which is not readily available to the public. The same is true for the FY26 literature review that the Agency cites as a launching point for Activities B & C, and the FY26 outreach efforts referenced in Activity A. Without access to this information, it is not possible to properly assess Priority Question 1 or the related evidence activities.

Finally, EPA does not address how it intends to use and apply the refined metrics once they have been developed. For example, if a grant program is not considered a “programmatic success” under a standardized set of metrics, will funding for the program be cut?

Priority Question 2–Evidence Activities D, E, & F

Priority Question 2 focuses on evaluating which permitting improvements merit further exploration, testing, evaluation, and/or broader implementation. To do so, EPA intends to conduct a document review, interview subject matter experts, and convene an internal steering committee.

PEER has concerns about the limited information EPA offers on the “key individuals” it intends to interview for Activity E that EPA deems “Subject Matter Experts”, as well as the members that will comprise the steering committee to “guid[e] future improvements” for permitting.²

Similar to our comment in the section above, Activities D–F reference information collected in FY26 that is not readily available for the public to consult.³

Priority Question 3–Evidence Activities G & H

Priority Question 3 expands on the Learning Agenda priority of how automation and Artificial Intelligence (AI) can be used in EPA operations by examining automation aspects of the Electronic Permitting System (EPS) and the National Pollution Discharge Elimination System (NPDES).

PEER takes issue with EPA presupposing the outcomes and findings of its proposed evidence activities. Rather than evaluating *how*, and whether, leveraging automation would enhance operational efficiencies in permitting, EPA assumes (prior to conducting the proposed analysis) that “increased automation and efficiency can cut years of paperwork down to months or weeks,

² Section III states that the Agency will initially focus on fewer than nine interview participants to address the challenge of obtaining Information Collection Request approval from OMB. The limited set of interviewees emphasizes the need for additional information on who EPA intends to select as subject matter experts.

³ Unlike previous fiscal years, the “FY 2026 Annual Evaluation Plan” is not readily available. The only [document](#) online is 4 pages long and does not include discussion relevant to the Draft FY 27 plan.



reduce mistakes...and make the overall process faster and more transparent to industries and communities...thereby building trust between government and citizens.”⁴

While PEER finds the deployment of AI and automation in the permitting process alarming as a general matter, it is especially concerned with the lack of discussion on potential challenges and oversight mechanisms in the Draft FY27 Evidence Plan. It is implausible that EPA does not anticipate any challenges in assessing and/or enhancing automation in EPS and NPDES permitting systems. As such, EPA must include in Section III any perceived challenges in conducting evidence activities G and H.

Furthermore, additional information should be collected to inform the goals outlined for evidence Activity H. The description for the activity states that automation improvements will “streamlin[e] several regulatory processes and reduc[e] administrative overhead” associated with permitting. Notably absent from this plan is consultation with subject matter experts on automation oversight, impacts to permitting personnel, and identifying areas where using automation is inappropriate. Without this information, EPA cannot reasonably make informed decisions on “further integrating and optimizing automation.”

Conclusion

In sum, the Draft FY27 Evidence Plan offers more words than it does substance. Given that the priorities outlined in the Plan could significantly impact EPA operations and personnel, PEER urges EPA to provide additional clarity and opportunities for the public to weigh in on the proposed evidence activities.

Sincerely,

Joanna Citron Day
General Counsel
Public Employees for Environmental Responsibility
962 Wayne Avenue, Suite 610
Silver Spring, Maryland 20910
www.peer.org

⁴ This assumption is further evidenced by EPA [requesting](#) \$202.2 million to “advance AI capabilities” including “utliz[ing] AI tools to support rulemaking and permitting processes.”