

April 10, 2023

Bruce Binder, Senior Associate Director for Grants Competition
US Environmental Protection Agency (EPA)
1200 Pennsylvania Avenue NW
Washington, DC 20004

Docket ID No: EPA-HQ-OEJECR-2023-0023

Dear Mr. Binder:

On behalf of [Smart Growth America](http://SmartGrowthAmerica.org) (SGA) with input from allied partner organizations, thank you for the opportunity to provide comments on the Environmental and Climate Justice Block Grant Program (ECJ Program) created under the Inflation Reduction Act (IRA).

At SGA, we envision a country where no matter where you live, or who you are, you can enjoy living in a place that is healthy, prosperous, and resilient. SGA believes that climate resilience and adaptation—better preparing for the impacts of climate change such as extreme heat, sea level rise, wildfires, and drought—requires land use strategies that enhance standards for future development and prioritize those who are most vulnerable, supporting communities who are in harm's way. Through advocacy, technical assistance, and research work, we seek to advance policy change to promote equitable development outcomes and land use strategies which will advance climate adaptation. A particular focus for us is supporting underserved communities in advocating for policy change to reverse racist land use and transportation policies, many of which compound exposure to climate hazards by low-income communities and communities of color.

Our organization also convenes a number of practitioner coalitions which inform our advocacy agenda through expertise in real estate development, zoning innovation, transportation, and brownfields redevelopment, including the [National Brownfields Coalition](http://NationalBrownfieldsCoalition.org) (NBC), a non-partisan alliance that advocates for policies that support the responsible cleanup and reuse of underutilized or environmentally impacted land. This letter was prepared with input from staff from partner organizations including the American Society of Adaptation Professionals (ASAP), the Florida Brownfields Association, the Partnership from Southern Equity (PSE) and the Union of Concerned Scientists and the National Brownfields Coalition's Environmental Justice Committee.

In this letter, we will provide comments on the design of the ECJ Program, the types of projects EPA could prioritize, requirements that should be applied to ensure projects are community-driven, and different types of technical assistance that could support the ECJ Program's eligible applicants. This letter does not seek to comment on all aspects of the ECJ Program; SGA has also participated in other sign-on letters covering a broader array of sub-topics relevant to program design and administration.

The ECJ program has the opportunity to support historically underserved communities by providing financial assistance via grants and technical assistance to community-based organizations to combat the impacts of climate change. Ideally, these investments can be paired with other types of support which address the housing affordability crisis and the long-term impact of discriminatory land use policies. In designing the ECJ Program, SGA and partner organizations recommend the following:

Bridging the Housing and Climate Crises

Recognize that climate impacts have been compounded by racist land use, housing, and lending policies:

Discriminatory planning, land use, and housing policies have put low-income communities and communities of color at more risk from climate impacts. Zoning has perpetuated segregation, access to opportunity, and the racial wealth gap,¹ leading to reduced or lack of wealth-building opportunities for BIPOC households.² The siting of hazardous and contaminated industrial uses, now brownfields, has also had harmful health impacts, which can amplify the effects of extreme weather such as heat, and led to a lack of neighborhood investment.

Zoning and lending policy have also directly impacted communities' vulnerability to climate impacts. For example, formerly red-lined areas are significantly more likely to be flood-vulnerable than non-redlined areas,³ and also face greater exposure to extreme heat.⁴ These climate hazards not only impact health, physical property and quality of life,⁵ they also have the potential to further degrade the value of housing in low-income areas, leading to a spiral of disinvestment. The ECJ Program is well-positioned to address these inequities through the identification and support of community-driven climate investments, which can be carried out in tandem with reforms to revise and replace exclusionary zoning and other policies.

Seek to pair investment from the ECJ Program with proactive anti-displacement initiatives:

While implementing neighborhood investment projects through the ECJ program or other grant programs, there may be unintended consequences that have an adverse impact on the communities the programs are trying to support. Unfortunately, investment in high-quality green infrastructure, urban heat island mitigation, and other climate investments can lead to "green gentrification" in which increased access to amenities drives up the cost of housing. While many factors can drive neighborhood change, climate adaptation is beginning to play a part in increasing property values alongside more traditional drivers such as investment in parks or transit. Notably, historically low-income neighborhoods based in locations less susceptible to climate impacts, such as "high-ground" neighborhoods in flood-vulnerable coastal communities such as Miami-Dade County or Virginia Beach, have seen rapidly climbing property values. This market change can drive out long-term residents and small businesses, or change the culture of a neighborhood, making long-term residents feel less welcome.⁶

¹ [Exclusionary Zoning: Its Effect on Racial Discrimination in the Housing Market](#) (White House)

² [Build Race Equity into Rezoning](#) (The Brookings Institution)

³ [A Racist Past, A Flooded Future: Formerly Redlined Areas Have \\$107 Billion Worth Of Homes Facing High Flood Risk—25% More Than Non-Redlined Areas](#) (Redfin)

⁴ [Racist Housing Practices from the 1930s Linked to Hotter Neighborhoods Today](#) (NPR)

⁵ [Killer Heat in the United States](#) (Union of Concerned Scientists)

⁶ [Measuring, Mapping & Anticipating Climate Gentrification in Florida](#) (Hultquist, Keenan, Tedesco)

For communities and community-based organizations that are granted ECJ funding and technical assistance, the process should prioritize applicant teams with demonstrated commitment to implementing policies to prevent displacement and to support long-time residents to benefit from potential positive outcomes from ECJ granted projects. For example, partnerships with local governments could indicate their existing or intended future policies and investments to preserve housing affordability, citing existing or new policies such as inclusionary zoning, support of community land trusts, property tax abatement programs, and small business support programs. Tools and policies which will be effective in different locations are likely to differ on account of state enabling legislation and other contextual factors. Approaches such as community land trusts and other models for co-ownership can also help keep wealth creation within a community.

Design the program to be inclusive of small-scale and multi-family housing providers:

Design standards in some municipalities across the U.S. are beginning to recognize both the need for climate mitigation and adaptation, through new energy efficiency standards as well as flood preparedness requirements. However, these problems are easier to address in new construction, as opposed to retrofits, especially of affordable and moderate-income housing, which can be notoriously difficult to fund. In particular, small-scale developers and operators often struggle to obtain the resources for green and climate-adaptive design interventions. Retrofits, considering energy efficiency as well as flood preparedness and grid resilience, should be key areas of interest for the ECJ program. Further, the ECJ program should include pathways for participation for owners and operators of affordable, multi-family housing providers.

Planning for Changing Climate Conditions

Support community-driven climate projects which are prepared for increasingly frequent and intense climate events

Many of the buildings and critical infrastructure in this country are designed using backward-looking data, which does not take into account the changing weather conditions on account of climate change. With most construction anticipating at least a 50-year lifespan, this approach puts people and property at risk and presents poor value for the taxpayer given the likelihood of damages. The EPA should consider mandates regarding planning for future climate impacts and utilizing forward-looking climate data into project planning for the ECJ program. This data is increasingly accessible, including high-quality public data and tools from NOAA, as well as through a range of non-profit and other providers. This acknowledgment and understanding of physical climate risk is increasingly the norm among the investment community. Yet, the approach has not yet been widely adopted by local governments, individual homeowners, or community-based organizations, putting these groups at more risk to the whims of the market if climate risk causes devaluation in the future.

Utilizing forward-looking climate data would increase the likelihood of ECJ investments withstanding future generations of flood vulnerability, extreme heat, drought, and other impacts and potentially protect their property value. The experience of accessing and designing with climate data may also raise awareness among those applying whether or not they receive the funding.

Include types of projects which address environmental health and climate adaptation alongside energy efficiency and mitigation

The initial list of types of projects which could be supported by the ECJ Program is expansive and includes a wide variety of investments reflective of a range of community needs. However, climate adaptation and resilience are somewhat under-recognized despite the extreme need to support these investments, especially in low and moderate-income communities. Important areas of climate adaptation which are currently under-emphasized include:

- Nature-based stormwater management and coastal installations
- Urban heat island mitigation installations including roofing, landscape-based, and street surfacing with potential for integration into public art⁷
- Wildfire preparedness including landscape interventions and building retrofits
- Resilience hubs

Brownfields redevelopment is also currently not included in the list of types of eligible projects, which is a critical omission. Brownfields remediation and redevelopment offers an important opportunity given the extent of contamination in environmental justice communities, and the potential for transformative projects which can lead to not only environmental but also economic development and health benefits. Increasingly, brownfields redevelopment has also been identified as an opportunity to meet climate mitigation targets and fight the climate crisis, such as through “brownfields to brightfields” initiatives. When assessing projects, the EPA should consider co-benefits and how investments can improve public health, quality of life, and ecological function and should seek to identify projects which could leverage other funds available such as Brownfields grants.

Supporting Community Needs through Program Design

Provide flexibility and recognize the needs and constraints of community-based organizations:

The ECJ Program has been positioned as an opportunity to support community-based organizations in funding and delivering transformative projects addressing climate resilience, air quality, and many more topics. However, many organizations may lack experience managing a capital project or construction process. TA during the grant process may focus on building capacity on the design and development processes as well as provide resources related to design, funding models, and governance models for non-profit site management entities. Entities such as community land trusts may be particularly well positioned to deliver climate justice projects and integrate the work into a larger housing affordability agenda. Partnership teams including a co-ownership model may particularly align with the goals of the ECJ program. In assessing partnerships, screens also need to be incorporated to prevent potential manipulation or exploitation of community organizations.

To truly support community-based organizations, the program’s design needs to offer flexibility, for example:

⁷ [The Inequities of Keeping Cool in Urban Heat Islands](#) (Union of Concerned Scientists)

- Funding should not be for capital projects only; budgets should be able to cover staff time at non-profit organizations, as well as stipends or recognition of volunteer time for community engagement/meetings.
- If construction leads to the need for re-housing community members, funding should support equitable housing opportunities within the immediate community for as short of durations of time as possible.
- Funding may also include training and capacity-building activities. e.g. grant management and reporting.
- Programs should recognize and reduce barriers to engagement including internet access, required engagement during the work day, and grant writing experience.
- Assessment of applications should include representatives from community-based organizations and other groups with stipends or other recognition for time incurred through participation.

Design program TA to incorporate lessons learned on models for long-term partnerships

TA associated with the ECJ Program should address the stated needs of community partners indicated during the application process. With leadership and input from community-based organizations, TA could address:

- Models for public/private partnerships and funding for climate and environmental justice investments;
- Strategies for preserving housing affordability and small businesses in the face of climate gentrification/increased investments or amenities;
- Strategies for using climate data to inform the design of facilities and landscape installations;
- Models for community-led, place-based non-profits, e.g. place management entities including governance and long-term funding models;
- Planning considerations, estimated costs, and operational considerations for small-scale climate adaptation interventions.

Identify synergies with resources from other federal agencies.

The ECJ Program presents opportunities for synergies with numerous other initiatives such as the Thriving Communities program, FEMA's BRIC grant program, the National Coastal Resilience Fund, and more. Upfront TA may help communities determine whether to apply for this funding and whether projects would be eligible for support from other current federal grant programs. This advice could be delivered via the EPA's EJ Technical Assistance Centers.

Thank you for the opportunity to share Smart Growth America and allied partner organizations' perspective on the design of the ECJ Grant Programs. These programs present a vital resource and opportunity for impact to advance climate adaptation and mitigation in communities historically marginalized by land use and transportation policy and infrastructure investments. SGA would welcome the chance to discuss these

recommendations in more detail. For further discussion, please contact Katharine Burgess, Vice President of Land Use and Development at kburgess@smartgrowthamerica.org.

This letter was also prepared with input from staff from partner organizations including the American Society of Adaptation Professionals (ASAP), the Florida Brownfields Association, the Partnership from Southern Equity (PSE) and the Union of Concerned Scientists and the National Brownfields Coalition's Environmental Justice Committee.