H. R. 11

To direct the Administrator of the Environmental Protection Agency to establish a grant program to facilitate the development of climate adaptation plans by certain entities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. Escobar introduced the following bill; which was referred to the Committee on ____________________

A BILL

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Climate Adaptation Plan Act” or the “CAP Act”.
SEC. 2. CLIMATE ADAPTATION PLAN GRANT PROGRAM.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this section, the Administrator shall establish a grant program to award amounts, on a competitive basis, to eligible entities to facilitate the development of a climate adaptation plan by such eligible entities.

(b) GUIDANCE.—The Administrator shall issue guidance regarding the implementation of the grant program established under subsection (a) in consultation with stakeholders, including representatives of youth, farmers, nongovernmental organizations, the scientific and technological community, trade unions, the business and industrial community, Indigenous communities, and local governments.

(c) APPLICATIONS.—To be eligible for a grant under this section, an eligible entity shall submit to the Administrator an application in such form, at such time, and containing such information as the Administrator determines appropriate, including the following:

(1) Information demonstrating that a low-income community is included within the population represented by the eligible entity.

(2) Information demonstrating that the eligible entity either has experience with, or plans to con-
tract the services of an individual or entity who has experience with—

(A) conducting risk assessments with regard to climate change;

(B) hazard mitigation;

(C) program and project finance; and

(D) Federal grant applications.

(3) Demographic information of the population represented by the eligible entity, including—

(A) population size;

(B) average household income;

(C) race;

(D) education level; and

(E) primary sectors of employment.

(4) A statement describing why the eligible entity wants to develop a climate adaptation plan.

(5) Information regarding the negative effects of climate change the eligible entity is, or is at risk of, experiencing.

(6) Information regarding the strategy the eligible entity will use in the development of the climate adaptation plan to engage stakeholders, which shall include, as applicable to the eligible entity, representatives of youth, farmers, nongovernmental organizations, the scientific and technological commu-
nity, trade unions, the business and industrial community, Indigenous communities that will be affected by the climate adaptation plan of the eligible entity, and neighboring jurisdictions.

(7) The identity of the person who will lead the development of the climate adaptation plan.

(8) A statement regarding whether the eligible entity will hire a third party to facilitate the development of the climate adaptation plan.

(9) The expected timeline for development of the climate adaptation plan.

(10) Actions the eligible entity plans to take to ensure that environmental justice communities within the population represented by the eligible entity are informed of the process for developing the climate adaptation plan.

(d) INTEGRATION.—In developing a climate adaptation plan using amounts awarded under this section, an eligible entity shall, to the extent practicable, integrate such plan with other relevant existing plans, including any applicable—

(1) hazard mitigation plan developed pursuant to section 322(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165(a));
(2) land use plan;
(3) economic development plan;
(4) capital improvement plan;
(5) community comprehensive plan; and
(6) emergency management plan.

(e) CLIMATE ADAPTATION PLAN REQUIREMENTS.—
An eligible entity that develops a climate adaptation plan using amounts awarded under this section shall include in such climate adaptation plan the following:

(1) An assessment of the risks posed by climate change to the population represented by the eligible entity, which shall take into consideration demographic and social factors of such population, including—

(A) geographic distribution;
(B) race;
(C) ethnicity;
(D) socioeconomic status;
(E) health; and
(F) historic and ongoing systemic racism.

(2) An assessment of the risks posed by climate change to the natural ecosystems within the jurisdiction of the eligible entity, which shall take into consideration factors including—

(A) geography; and
(B) species present in such ecosystems.

(3) An assessment of the risks posed by climate change to housing, infrastructure, and public buildings within the jurisdiction of the eligible entity.

(4) A description of the actions the eligible entity plans to take to address risks identified under paragraphs (1), (2), and (3), including—

(A) changes in land use, zoning, or building codes and standards; and

(B) restoration and protection of areas within the jurisdiction of the eligible entity and the development of strategies to achieve such restoration and protection.

(f) PRIORITY.—In awarding amounts under this section, the Administrator shall give priority to applications from eligible entities that include an environmental justice community within the population represented by the eligible entity.

(g) MATCHING REQUIREMENT.—There shall be no matching requirement for amounts awarded under this section.

(h) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.
(2) CLIMATE ADAPTATION PLAN.—The term “climate adaptation plan” means a framework for—
(A) measuring, tracking, and reducing greenhouse gas emissions; and
(B) adopting climate change adaptation measures.

(3) ELIGIBLE ENTITY.—The term “eligible entity” means—
(A) a local government;
(B) an agency or instrumentality of a local government;
(C) the governing body of a federally recognized Indian Tribe; or
(D) a federally recognized Indian Tribe or authorized Tribal organization or Alaska Native village or organization that is not a Tribal government or the governing body of a federally recognized Indian Tribe.

(4) ENVIRONMENTAL JUSTICE COMMUNITY.—The term “environmental justice community” means a community that, as determined by the Administrator—
(A) has significant representation of—
(i) communities of color;
(ii) low-income communities; or
(iii) Tribal or Indigenous communities; and

(B) experiences or is at risk of experiencing greater or more frequent adverse environmental or health effects as a result of climate change.

(5) LOCAL GOVERNMENT.—The term “local government” means a county, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), or regional or interstate governmental entity.

(6) LOW-INCOME COMMUNITY.—The term “low-income community” means a census block group within which 30 percent or more of the population are individuals with an annual household income equal to, or less than, the greater of—

(A) an amount equal to 80 percent of the median income of the area in which the household is located, as reported by the Department of Housing and Urban Development; and

(B) 200 percent of the Federal poverty line.