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(Original Signature of Member)

117TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

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.

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IN THE HOUSE OF REPRESENTATIVES

Ms. ESCOBAR introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

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.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Climate Adaptation  
5 Plan Act” or the “CAP Act”.

1 **SEC. 2. CLIMATE ADAPTATION PLAN GRANT PROGRAM.**

2 (a) IN GENERAL.—Not later than 1 year after the  
3 date of the enactment of this section, the Administrator  
4 shall establish a grant program to award amounts, on a  
5 competitive basis, to eligible entities to facilitate the devel-  
6 opment of a climate adaptation plan by such eligible enti-  
7 ties.

8 (b) GUIDANCE.—The Administrator shall issue guid-  
9 ance regarding the implementation of the grant program  
10 established under subsection (a) in consultation with  
11 stakeholders, including representatives of youth, farmers,  
12 nongovernmental organizations, the scientific and techno-  
13 logical community, trade unions, the business and indus-  
14 trial community, Indigenous communities, and local gov-  
15 ernments.

16 (c) APPLICATIONS.—To be eligible for a grant under  
17 this section, an eligible entity shall submit to the Adminis-  
18 trator an application in such form, at such time, and con-  
19 taining such information as the Administrator determines  
20 appropriate, including the following:

21 (1) Information demonstrating that a low-in-  
22 come community is included within the population  
23 represented by the eligible entity.

24 (2) Information demonstrating that the eligible  
25 entity either has experience with, or plans to con-

1       tract the services of an individual or entity who has  
2       experience with—

3               (A) conducting risk assessments with re-  
4               gard to climate change;

5               (B) hazard mitigation;

6               (C) program and project finance; and

7               (D) Federal grant applications.

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

10              (A) population size;

11              (B) average household income;

12              (C) race;

13              (D) education level; and

14              (E) primary sectors of employment.

15              (4) A statement describing why the eligible en-  
16       tity wants to develop a climate adaptation plan.

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

20              (6) Information regarding the strategy the eligi-  
21       ble entity will use in the development of the climate  
22       adaptation plan to engage stakeholders, which shall  
23       include, as applicable to the eligible entity, rep-  
24       resentatives of youth, farmers, nongovernmental or-  
25       ganizations, the scientific and technological commu-

1 nity, trade unions, the business and industrial com-  
2 munity, Indigenous communities that will be affected  
3 by the climate adaptation plan of the eligible entity,  
4 and neighboring jurisdictions.

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

7 (8) A statement regarding whether the eligible  
8 entity will hire a third party to facilitate the develop-  
9 ment of the climate adaptation plan.

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

12 (10) Actions the eligible entity plans to take to  
13 ensure that environmental justice communities with-  
14 in the population represented by the eligible entity  
15 are informed of the process for developing the cli-  
16 mate adaptation plan.

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

22 (1) hazard mitigation plan developed pursuant  
23 to section 322(a) of the Robert T. Stafford Disaster  
24 Relief and Emergency Assistance Act (42 U.S.C.  
25 5165(a));

- 1 (2) land use plan;
- 2 (3) economic development plan;
- 3 (4) capital improvement plan;
- 4 (5) community comprehensive plan; and
- 5 (6) emergency management plan.

6 (e) CLIMATE ADAPTATION PLAN REQUIREMENTS.—

7 An eligible entity that develops a climate adaptation plan  
8 using amounts awarded under this section shall include  
9 in such climate adaptation plan the following:

10 (1) An assessment of the risks posed by climate  
11 change to the population represented by the eligible  
12 entity, which shall take into consideration demo-  
13 graphic and social factors of such population, includ-  
14 ing—

15 (A) geographic distribution;

16 (B) race;

17 (C) ethnicity;

18 (D) socioeconomic status;

19 (E) health; and

20 (F) historic and ongoing systemic racism.

21 (2) An assessment of the risks posed by climate  
22 change to the natural ecosystems within the jurisdic-  
23 tion of the eligible entity, which shall take into con-  
24 sideration factors including—

25 (A) geography; and

1 (B) species present in such ecosystems.

2 (3) An assessment of the risks posed by climate  
3 change to housing, infrastructure, and public build-  
4 ings within the jurisdiction of the eligible entity.

5 (4) A description of the actions the eligible enti-  
6 ty plans to take to address risks identified under  
7 paragraphs (1), (2), and (3), including—

8 (A) changes in land use, zoning, or build-  
9 ing codes and standards; and

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

14 (f) PRIORITY.—In awarding amounts under this sec-  
15 tion, the Administrator shall give priority to applications  
16 from eligible entities that include an environmental justice  
17 community within the population represented by the eligi-  
18 ble entity.

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

22 (h) DEFINITIONS.—In this section:

23 (1) ADMINISTRATOR.—The term “Adminis-  
24 trator” means the Administrator of the Environ-  
25 mental Protection Agency.

1           (2) CLIMATE ADAPTATION PLAN.—The term  
2           “climate adaptation plan” means a framework for—

3                   (A) measuring, tracking, and reducing  
4                   greenhouse gas emissions; and

5                   (B) adopting climate change adaptation  
6                   measures.

7           (3) ELIGIBLE ENTITY.—The term “eligible enti-  
8           ty” means—

9                   (A) a local government;

10                   (B) an agency or instrumentality of a local  
11                   government;

12                   (C) the governing body of a federally rec-  
13                   ognized Indian Tribe; or

14                   (D) a federally recognized Indian Tribe or  
15                   authorized Tribal organization or Alaska Native  
16                   village or organization that is not a Tribal gov-  
17                   ernment or the governing body of a federally  
18                   recognized Indian Tribe.

19           (4) ENVIRONMENTAL JUSTICE COMMUNITY.—  
20           The term “environmental justice community” means  
21           a community that, as determined by the Adminis-  
22           trator—

23                   (A) has significant representation of—

24                           (i) communities of color;

25                           (ii) low-income communities; or

1 (iii) Tribal or Indigenous commu-  
2 nities; and

3 (B) experiences or is at risk of experi-  
4 encing greater or more frequent adverse envi-  
5 ronmental or health effects as a result of cli-  
6 mate change.

7 (5) LOCAL GOVERNMENT.—The term “local  
8 government” means a county, municipality, city,  
9 town, township, local public authority, school dis-  
10 trict, special district, intrastate district, council of  
11 governments (regardless of whether the council of  
12 governments is incorporated as a nonprofit corpora-  
13 tion under State law), or regional or interstate gov-  
14 ernmental entity.

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

20 (A) an amount equal to 80 percent of the  
21 median income of the area in which the house-  
22 hold is located, as reported by the Department  
23 of Housing and Urban Development; and

24 (B) 200 percent of the Federal poverty  
25 line.