

March 30, 2012

2012 – 2015 Environmental Justice Strategy
U.S. Department of Housing and Urban Development

Message from the Secretary

The ongoing housing and economic crisis has touched every family in one way or another – but for low-income and minority communities, it’s been particularly devastating. Not only have these communities watched as nearly two decades of economic gains were rolled back in a matter of months, but they are also uniquely vulnerable to pollution, unsafe drinking water, and other environmental and public health hazards.

The Obama Administration believes that all communities deserve the same degree of protection from environmental and health hazards, equal access to the Federal decision-making process, and a healthy environment where they can live, learn, and work.

That’s why I’m proud that HUD was one of 17 agencies to recently sign the *Memorandum of Understanding on Environmental Justice and Executive Order 12898*. Built on a 1994 Executive Order that directed a range of federal agencies to make environmental justice central to their missions as part of the Environmental Justice Interagency Working Group, this MOU brings more federal partners to the table, adopts a charter, and provides guidance to help communities achieve better results for families.

This work builds on progress we’ve already made – particularly in areas like childhood lead poisoning, where we’ve reduced the number of children with lead poisoning by 75 percent over the last decade. But the job’s not over. Given that these hazards are most prominent in older housing stock where many low-income communities live, HUD’s engagement on this issue has been essential. That’s why *HUD’s 2010-2015 Strategic Plan* included a commitment to improve health outcomes and promote communities that are healthy, sustainable, affordable, and inclusive.

What makes this MOU unique is that for the first time, it recognizes that keeping our families healthy is not just about the quality of the homes themselves – but where they are located. Indeed, right now we can predict a child’s life expectancy by the zip codes he or she grows up in. Major contributors to this tragedy include higher rates of childhood obesity, increased air pollution, and a lack of open space, to name just a few.

HUD’s Environmental Justice Strategy responds to these challenges by expanding “geographies of opportunity.” Through our Choice Neighborhoods initiative and the sustainability grants we awarded to communities in 2010 and 2011, HUD is already helping to lay the foundation for healthy, inclusive, and more sustainable communities – creating walkable neighborhoods with sidewalks, preserving and protecting parks and other open spaces, and helping metro regions

reduce traffic congestion and commute times by developing comprehensive transportation and housing plans that bolster economic growth.

All this work reflects a core belief: that when you choose a home, you do not just choose a home. You also choose a community and the choices available in that community – including how healthy and safe that community is. With President Obama’s leadership and this Environmental Justice strategy, we’re committing to working together with federal, state, and local partners to ensure that every neighborhood is vibrant, safe, and provides a healthy future for our children.

Shaun Donovan

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Executive Summary

Background and History: The American Dream is that where one lives should not limit one's aspirations, and that everyone should have access to a healthy and sustainable community in which to live, work, and play. This vision animates the work of the Department of Housing and Urban Development (HUD), and is tied closely environmental justice. When HUD was created in 1965, its charter recognized that the agency ought to not only be about housing but also about the cities, neighborhoods, and communities around that housing. To that end, HUD has made great strides in addressing lead hazards, fighting housing discrimination, and strengthening communities.

For HUD, environmental justice (EJ) means equal access to safe and healthy housing for all; mitigating risks to communities in disaster-prone areas; providing access to affordable, accessible, quality housing free of hazards to residents' health; and working to achieve inclusive, sustainable communities free from discrimination. This overlaps with several of the core goals in HUD's 2010-2015 overall strategic plan and builds on a strong history since HUD's initial EJ Strategy, crafted in 1995 in response to Executive Order 12898. That Strategy focused on four areas: empowerment zones/enterprise communities; childhood lead poisoning; brownfields redevelopment; and farmworkers and colonias. One of HUD's greatest environmental health successes is in the area of lead poisoning prevention, primarily through HUD's Office of Healthy Homes and Lead Hazard Control, where programs have contributed to a reduction in childhood lead poisoning cases by 70% between 1992 and 2010, and over 335,000 housing units made lead-safe over the past 15 years.

HUD's 2012 EJ Strategy: The environmental justice strategy described in this document is guided by four key principles: a comprehensive, holistic approach to problem-solving; tribal consultation; fairness, equity, non-discrimination, and equal opportunity; and transparency and accountability. It is strongly influenced by comments received by HUD staff at regional listening sessions organized by the Interagency Working Group on Environmental Justice (IWG), input from HUD staff and stakeholders, and discussions with IWG representatives.

Some of HUD's approaches to environmental justice are carried out at an agency-wide level through statutes and agency regulations. HUD informs potential and successful applicants for funding of their obligations around environmental justice compliance through Notices of Funding Availability (NOFAs), and encourages applicants to pursue environmental justice principles. HUD's Environmental Review policies and *Site and Neighborhood Standards* offer another mechanism by which to promote environmental justice. HUD will review and evaluate the administration of its environmental policies in the next few years, and will develop and deliver special training for HUD and grantee staff on environmental justice. Another agency-

wide mechanism for the Department to promote environmental justice is its commitment to promoting fairness, equity, and non-discrimination, particularly through HUD's statutory obligation to Affirmatively Further Fair Housing. HUD competitive grantees must take steps to affirmatively further fair housing as described in the Department's regulations and NOFAs. HUD formula grantees must also certify that they will affirmatively further fair housing.

As part of the effort to ensure that fair housing policies and practices are consistent with 21st century realities, HUD is currently examining how to improve its guidance and planning requirements to effectively guide grantees toward creating fair housing plans to open up more opportunity-rich housing choices to all families, including families with members who are persons with disabilities and persons with limited English proficiency. Also, HUD's commitment to tribal consultation provides opportunities to act on the environmental justice principle of public participation, particularly on the part of communities that have historically borne inordinate levels of environmental risk. The Office of Native American Programs is leading the charge to ensure that HUD's Tribal Consultation policy is up-to-date and applied across all relevant HUD programs, policies, and actions.

HUD will also continue to advance environmental justice through the efforts of several specific program offices. The Office of Fair Housing and Equal Opportunity works to prevent discriminatory practices that have often relegated minorities to areas of adverse environmental conditions and low opportunity. The Office of Sustainable Housing and Communities works to foster thriving, inclusive, sustainable, economically-vibrant places free of discrimination. This office pays particular attention to historically marginalized groups, both through an emphasis on equity and public engagement and through its upcoming Regional Fair Housing and Equity Assessment Pilot. The Office of Public and Indian Housing – Public Housing Investments, through its Choice Neighborhoods Program, encourages applicants to consider the environment, energy efficiency, and sustainability in proposals for community transformation.

The Office of Healthy Homes and Lead Hazard Control is building on its remarkable achievements in lead mitigation and is now engaged in retrofitting tens of thousands of housing units for health and energy efficiency improvements. The Office of Policy Development and Research provides crucial research and data, including the provision of geospatial mapping tools around disaster assistance planning and the distribution of opportunity. Finally, the Office of Public and Indian Housing – Office of Native American Programs administers programs that provide housing and community development funds to Indian tribes and works with other HUD offices to familiarize them with the requirements of Tribal Consultation. HUD, through various program offices, also works in a number of interagency collaborations relating to creating more sustainable and equitable communities and improving public health outcomes.

HUD is one of many pieces of a federal solution to EJ issues and is happy to be a part of the Interagency Working Group on Environmental Justice. Part of how HUD sees its role is to

provide access to environmental benefits for all communities, particularly those who have been historically disproportionately impacted by environmental harms. This strategy lays out the general principles of HUD's approach to Environmental Justice but is not intended to be HUD's last word on the subject. Beginning in 2012, HUD will provide an annual report on progress in carrying out this strategy and EO 12898, with meaningful opportunity for public comment and recommendations.

Vision Statement

The American Dream is that where one lives should not limit one's aspirations. But in too many communities, environmental and public health hazards lead to increased disease and mortality rates and poor quality of life. The goal of this Administration is to ensure that everyone has access to a healthy and sustainable community in which to live, work, and play. A primary focus has been to open up new opportunities to people all across America, especially those who are struggling to achieve economic security.

Since 1994, we have learned how to better realize healthy and sustainable communities in places with disproportionate exposure to environmental hazards. In addition to making environments safe and clean from pollution, Federal agencies have improved the coordination of their efforts to provide overburdened communities with access to environmental, public health and economic benefits that contribute to healthy and sustainable communities. Continuing this approach helps ensure that we fully address adverse human health and environmental effects in overburdened communities, legacy pollution problems rooted in historical discrimination, and cumulative impacts. By doing this, we will increase the resiliency of communities across the United States and ensure that all communities participate in, and benefit from, the twenty-first century economy. HUD has a key role to play in addressing these issues and achieving Environmental Justice in the 21st Century.

For HUD, environmental justice means equal access to safe and healthy housing for all; mitigating risks to communities in disaster-prone areas; improving access to affordable, quality housing free of hazards to residents' health; and working to achieve inclusive, sustainable communities free from discrimination.

In order to focus Federal attention on the environmental and human health conditions in vulnerable communities, the Administration has reconvened the Interagency Working Group on Environmental Justice in order to reaffirm its commitment to EO 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, signed by President Clinton in 1994. Under EO 12898, each Federal agency is responsible for making “achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities” on low-income, minority, and indigenous populations.

This document describes HUD's strategy for achieving environmental justice through its policies, programs, and activities.

Introduction

HUD's commitment to communities goes back to the agency's founding. When HUD was created in 1965, its charter recognized that the agency ought to not only be about housing but also about the cities, neighborhoods, and communities around that housing. Since 1970, HUD has implemented *Site and Neighborhood Standards* for HUD-assisted newly constructed and rehabilitated housing, requiring, for example, that such units be located in areas with access to amenities like transportation and educational and health facilities. Site and neighborhood standards are intended to prevent the use of HUD assistance in a manner that perpetuates or exacerbates segregation or that exposes residents to environmental or health hazards. However, that goal has not always been met. Furthermore, while attention is paid to site and location considerations for development of new federally-assisted housing to avoid building new properties in overburdened areas, federal housing investments that were made decades ago remain an important part of the full complement of affordable housing available to meet local housing needs. Recognizing the need to remediate existing cases of disproportionate exposure to hazards and address the lack of access to opportunities for federally-assisted housing residents in overburdened communities are critical aspects of achieving environmental justice. It is part of HUD's mission to ensure that the communities that support and surround those investments are healthy, sustainable, and provide access to amenities, services, and opportunities.

Since the signing of the 1994 Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, HUD has made great strides in addressing lead hazards and contributing to drastic reductions in the incidence of childhood lead poisoning, fighting housing discrimination, and strengthening communities through community development activities. At the same time, it is clear that there is more work to be done to ensure that HUD's programs, policies, and activities not only avoid disproportionately high and adverse human health or environmental effects on minority populations and low-income populations, but seek to achieve environmental justice by supporting and creating geographies of opportunity in the form of strong, sustainable, inclusive communities and quality, affordable homes for all.

HUD's Strategic Plan: Its Connection to Environmental Justice

HUD's mission, *to create strong, sustainable, inclusive communities and quality, affordable homes for all*, clearly reflects principles of environmental justice. For HUD, strong, sustainable, inclusive communities are resilient communities that can weather the impacts of disasters and economic downturns, offer residents access to healthy living and amenities such as transportation, education, jobs, and social services, and are free from discrimination that has historically limited housing choice and relegated minority populations to low-opportunity areas. These principles offer an affirmative answer to the challenges that environmental justice communities face. By encouraging the availability of quality, affordable homes that are both hazard-free and more energy-efficient, HUD is protecting residents and our environment.

The 2010 – 2015 HUD Strategic Plan¹ commits to accomplish the HUD mission through five core goals:

1. Strengthen the Nation’s Housing Market To Bolster the Economy and Protect Consumers
2. Meet the Need for Quality, Affordable Rental Homes
3. Utilize Housing as a Platform for Improving Quality of Life
4. Build Inclusive and Sustainable Communities Free From Discrimination
5. Transform the Way HUD Does Business

The FY 2010–2015 HUD Strategic Plan allows HUD to scale-up local innovations, lead the charge, and set the pace for change leading up to HUD’s 50th anniversary in 2015. Each of these core goals will help HUD move forward in achieving environmental justice. Particular elements provide greater alignment between agency goals and environmental justice.

Strengthening the Nation’s Housing Market (Goal 1) requires HUD to forge new relationships with federal, state, and local agencies across government silos to assist different regions with vastly different housing needs. Likewise, *Meeting the Need for Quality Affordable Rental Homes* (Goal 2) requires HUD to provide people with the choices they need to seize opportunities for their families by streamlining the way HUD delivers rental assistance and by building partnerships that preserve housing affordability near transit and jobs. Under Subgoal 2D, *Expand families’ choices of affordable rental homes located in a broad range of communities*, is Strategy 6: “Remove local barriers to the expansion of the supply of multifamily homes in strong, safe, healthy communities through incentives to state and local governments.” Strategy 6 integrates the values of residential choice and healthy communities, which are central to HUD’s statutory obligations to affirmatively further fair housing under the Fair Housing Act and the equal access and equal treatment requirements under Title VI of the Civil Rights Act of 1964.

To *Utilize Housing as a Platform for Improving Quality of Life* (Goal 3), HUD must make federally subsidized housing a catalyst for investments in education, health, and job training, while also leveraging the private capital needed to expand housing for the growing number of seniors and homeless Americans. With mixed-use, mixed-income tools to transform all housing in a neighborhood and helping communities identify and address longstanding development challenges through targeted assistance, HUD will *Build Inclusive and Sustainable Communities Free From Discrimination* (Goal 4) – supporting and creating geographies of opportunity that result in neighborhoods of choice, affirmatively furthering fair housing laws, and fighting the scourge of concentrated poverty. Under Subgoal 4B, *Promote energy-efficient buildings and location-efficient communities that are healthy, affordable, and diverse*, the Department would promote a healthy and safe living environment. This subgoal is consistent with HUD’s longstanding site and neighborhood standards under the Fair Housing Act and Title VI, which encourage investment of HUD assistance in demographically diverse and healthy areas with good access to jobs, education, services, and recreation. EJ’s emphasis on the participation of

minority and low-income populations in policy making is reflected in strategies under Subgoal 4C, *Ensure open, diverse, and equitable communities*.

To *Transform the Way HUD Does Business* (Goal 5), HUD will not only reform hiring practices and empower local decision-making, but also provide our customers with the information and technical assistance they need to better target resources and build their own capacity – taking the holistic, cross-cutting view of community development required to make the biggest difference on the ground. Goal 5 incorporates many of the dimensions of a revitalized EJ compliance effort – including education and training of HUD’s workforce, establishment of rules and systems that are responsive, open, and transparent, and a renewed focus on the customer: the men and women who experience the impact of HUD’s programs.

HUD’s Past Work to Advance Environmental Justice: the 1995 Strategy Update and 1995-2011 Progress

In response to Executive Order 12898, HUD crafted the agency’s first Environmental Justice strategy in 1995. The 1995 Strategy highlighted four major program areas:

- **Empowerment Zones/Enterprise Communities** – A program that provided needed resources, flexibility, and coordination among Federal, state, and local governments and private actors to correct numerous problems in urban and rural communities, including the range of environmental issues which impede growth and vitality. In line with the goals of environmental justice, the empowerment zone program targeted resources at low-income and minority areas suffering from pervasive poverty, which often includes high incidence of crime, and a lack of jobs, corporate capital, adequate public services, healthy physical environments, strong infrastructure, and affordable housing.
- **Childhood Lead Poisoning** – Programs that sought healthy environments in public housing, lead hazard reductions in low-income and minority neighborhoods, interagency collaboration (particularly with EPA and CDC), aggressive public education, and capacity building in local jurisdictions.
- **Brownfields Redevelopment** – Programs targeted at the remediation, redevelopment, and reuse of contaminated, underused, or abandoned, former industrial or commercial sites. Because many of these sites are in central cities, revitalization would particularly benefit low-income and minority residents who may have suffered the economic and health consequences of living near blighted buildings and contaminated lands. Reuse would also take advantage of existing infrastructure and reduce urban sprawl.
- **Farmworkers and Colonias** – This program focused attention on HUD’s continued commitment to infusing real hope and opportunity for the families in southern border communities. This included a strategy to continue working closely with other federal agencies to formulate a more comprehensive strategy for the families living along the

country's southern border, facilitate existing HUD activities in the colonias, and incorporate colonias initiatives into HUD's reinvention plan.

HUD remains committed to economic development and the 2010-2015 Strategic Plan is a clear reaffirmation of HUD's commitment to serving communities of greatest need. In addition, some of the greatest successes from the 1995 *Proposal for Future Strategies* contained in Achieving Environmental Justice – a Departmental Strategy are related to the elimination of childhood lead poisoning. Nationally, lead poisoning in children has fallen significantly since this report and continues to fall according to the CDC's National Surveillance Data on lead testing and elevated blood lead levels (EBLLs).

The Lead Safe Housing Rule and Lead Paint Disclosure Rule continue to form the foundation for the federal government's role in ensuring that lead paint hazards are addressed in all housing with a particular emphasis on federally funded housing stock. The reduction in the number of children with elevated blood lead levels over the last 40 years is one of the great public health success stories of the last century. HUD's involvement in the creation of guidelines to identify lead hazards and its support for remediation in federal housing stock ensured that this public health success story did not bypass the nation's most vulnerable children.

HUD, primarily through grant programs and other activities of its Office of Healthy Homes and Lead Hazard Control (OHHLHC), has made homes safer and healthier, especially for children. These programs focus their efforts on addressing high-risk communities, including economically-disadvantaged and racially concentrated areas of poverty. The neighborhoods impacted by these grant programs prioritize resources based on the age of the housing stock, household income, and prevalence of health conditions due to poor housing conditions. The programs have a strong track record and have contributed to a significant reduction in lead poisoning cases. The number of lead poisoned children has been reduced from approximately 890,000 in 1992 to fewer than 220,000 in 2008. Other OHHLHC programs have helped reduce overall disparities in the risk of exposure to lead in children based on race, ethnicity, socio-economic status, and degree of urbanization through its grant programs, enforcement of existing lead laws, and collaborative work with other federal agencies and the private sector. Over the past 15 years, over 335,000 units have been made lead-safe directly through program activities.

Further, HUD has broadened the focus of environmental interventions in homes to address other, non-lead poisoning elements such as the rise in the incidence and prevalence of pediatric asthma. This expansion into non-lead hazards and conditions directly addresses environmental justice as most studies of pediatric asthma find higher rates and less access to long-term treatment among minority and/or low income families.

Guiding Environmental Justice Principles

The HUD 2010-2015 Strategic Plan clearly incorporates environmental justice principles, many of which are reflected in HUD's mission and programmatic activities. Key principles guiding the work of HUD and the development of the HUD EJ Strategy in particular include:

- **A comprehensive, holistic approach to problem-solving:** HUD's internal Environmental Justice workgroup is composed of representatives from across HUD's program offices, including representatives from the field who identify EJ problems as they arise, work across programs to find solutions to these problems, and identify opportunities to collaborate with other federal partners to address local concerns.
- **Tribal consultation:** In 1994, HUD adopted an American Indian and Alaska Native Policy Statement. On September 28, 2001, the Department issued a more comprehensive Tribal Government-to-Government Consultation Policy² that comports with the enhanced consultation and coordination requirements expressed in Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments" (E.O. 13175), which was signed on November 6, 2000, by former President Clinton. On November 5, 2009, President Obama signed an Executive Memorandum on Tribal Consultation (President's Memorandum) directing all Executive Departments and Agencies to engage in regular and meaningful consultation and collaboration with tribal officials of federally recognized Indian tribes when developing Federal policies that have tribal implications. HUD is revising its tribal consultation policy in response to the President's Memorandum, after appropriate consultation with tribal government officials. However, the guiding principles that shaped HUD's 2001 Government-to-Government Tribal Consultation Policy remain viable today. HUD understands the unique legal and political relationship that exists between the United States and Indian tribal governments, as established by the U.S. Constitution, treaties, federal laws, executive orders, and judicial decisions. HUD strives to honor the government-to-government relationship, promote tribal self-determination, and ensure that communication and consultation between HUD and federally recognized Indian tribes are meaningful and occur on a regular basis.
- **Fairness, equity and non-discrimination, and equal opportunity:** An inclusive community is one in which all people – regardless of race, color, national origin, religion, sex, ethnicity, socioeconomic status, age, disability, familial status, socioeconomic status, age, gender identity, or sexual orientation – have access to the same housing, transportation, health, education, and employment opportunities. Through inclusive development, education, enforcement of fair housing laws, and participation of historically underrepresented populations in HUD policies and planning, HUD will affirmatively further fair housing and the ideals of an open society.
- **Transparency and accountability:** As part of the Administration's Open Government Directive, HUD is engaging in efforts to implement the three principles of transparency,

participation, and collaboration that form the cornerstone of an open government. *Transparency* promotes accountability by providing the public with information about what the government is doing. *Participation* allows members of the public to contribute ideas and expertise so that their government can make policies with the benefit of information that is widely dispersed in society. *Collaboration* improves the effectiveness of government by encouraging partnerships and cooperation within the Federal government, across levels of government, and between the government and private institutions.

HUD's 2012 Environmental Justice Strategy

This document was greatly influenced by comments received by HUD staff at regional listening sessions organized by the Interagency Working Group on Environmental Justice, input from HUD staff and stakeholders, and discussions with Interagency Working Group on Environmental Justice representatives. To ensure maximum implementation, care was taken to ensure that this strategy aligns with the 2010-2015 HUD Strategic Plan. The internal review process ensured alignment with relevant HUD guiding statutes, regulations, and policies. The public comment period for the Draft Strategy began on September 30, 2011. Comments received were reviewed, summarized in the Federal Register, and considered in this final EJ Strategy.

Statutes, Regulations, and Practices that Advance Environmental Justice Agency-Wide

The principles of Environmental Justice are carried out on an agency-wide level through various statutes and agency regulations.

A1. Integrating Environmental Justice into Discretionary Funding Opportunities

The *HUD Reform Act*³ requires HUD to publish its selection criteria for assistance under all programs or discretionary funds administered by HUD. In accordance with this statute, HUD uses Notices of Funding Availability (NOFAs), which may require an applicant to submit information for an environmental review or can be used to screen out proposed projects or sites that pose unacceptable environmental risks. The NOFA process also informs potential and successful applicants about environmental justice compliance requirements. In addition, the NOFA rating criteria provide an opportunity for HUD to promote environmental justice principles such as encouraging applicants to offer opportunities for meaningful involvement in decision-making by traditionally underrepresented populations, encouraging applicants to be more energy and environmentally conscious, targeting funds to communities of need, and offering incentives to applicants who compile and disseminate data on disparities across racial or income groups.

For example, in the FY 2011 NOFA cycle, HUD provided the option for discretionary programs to award competitive “policy priority” points for projects that are consistent with HUD’s sustainability goals. Elements of sustainability include energy efficiency, green development, and healthy design. These can also be elements of environmental justice, particularly when targeted to communities that have historically had limited access to environmental benefits. The sustainability policy priority points reflect HUD’s concern for environmental integrity reflected in Goals 3 and 4 of its 2010-2015 Strategic Plan.

A1.1 In FY 2012 and 2013, the Office of Sustainable Housing and Communities and the Office of General Counsel – Fair Housing will work with the Office of Departmental Grants

Management and Oversight and relevant program offices to identify ways to further integrate environmental justice into discretionary funding opportunities. Implementation options include: revising sustainability and other NOFA policy priority points and requirements to better reflect environmental justice concerns; introducing a standard EJ provision in the NOFA General Section; offering information on environmental justice to program offices during the NOFA development process; and using the interagency clearance process to suggest edits that strengthen EJ principles, such as meaningful involvement in decision-making, within individual program NOFAs.

A2. Ensuring Quality of Place

Site and Neighborhood Standards are a cross-cutting requirement authorized by Title VI of the Civil Rights Act and the Fair Housing Act. The general requirement for site selection in conformity with Title VI is found in the implementing regulations for Title VI (at 24 CFR 1.4(b)(3) and particular standards are found in HUD program regulations.⁴ In addition to promoting the expansion of housing opportunities in non-minority areas and the revitalization of under-resourced minority neighborhoods, at minimum these standards prohibit construction and, sometimes, rehabilitation of facilities in neighborhoods that are “seriously detrimental to family life or in which substandard dwellings or other undesirable elements predominate.”⁵ Moreover, all housing sites “must be accessible to social, recreational, educational, commercial, and health facilities and services . . . that are at least equivalent to those typically found in neighborhoods [consisting largely of unassisted housing].”⁶ HUD’s *Site and Neighborhood Standards* are thus a mechanism through which HUD promotes the development and rehabilitation of HUD-assisted housing that maximizes access to opportunity while minimizing the adverse environmental impacts on minority and low-income populations these programs serve.

A2.1 As the *Site and Neighborhood Standards* only affect new construction or rehabilitation, HUD will work with other Federal agencies to identify ways to address EJ issues in areas with existing HUD-assisted housing. (See Interagency Collaboration section.)

A3. Clarifying Environmental Justice in Environmental Review Requirements

The Office of Environment and Energy establishes and enforces environmental review policies and procedures for all HUD programs, ensuring that all HUD programs strive toward achieving sustainability through environmental compliance with the National Environmental Policy Act of 1969 and other federal laws. It is HUD policy that all property proposed for use in HUD programs be free of hazardous materials where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property. Environmental reviews of multifamily housing and non-residential property must include evaluation of previous uses of the site or other evidence of contamination on or near the site to ensure that occupants of proposed sites are not adversely affected by such hazards. HUD’s environmental procedures require

compliance with Executive Order 12898 as part of the environmental review process for HUD-assisted projects. HUD's environmental regulations at 24 CFR Part 50 also state the Department's policy to reject proposals that have significant adverse environmental impacts and to encourage the modification of projects in order to enhance environmental quality and minimize environmental harm.

- A3.1 HUD will review and evaluate the administration of environmental policies found at 24 CFR Part 51, "Environmental Criteria and Standards," and environmental justice policy documents.
- A3.2 In FY 2012 and 2013, HUD will develop and deliver special training materials for HUD and grantee staff on environmental justice. The goals of HUD training on environmental justice are primarily based on assuring compliance with Executive Order 12898. As such, the primary audience is HUD environmental and program staff who evaluate projects. This is extended to state, local, and tribal government staff assuming the Department's environmental compliance responsibilities under 24 CFR Part 58. Current training efforts teach the basics of the 1994 Executive Order, including the basis of authority, the issues covered, the groups that are protected, and how to analyze impacts. This forges shared understanding around essential questions such as the definition of environmental justice and whether a project creates an adverse environmental impact. Future environmental justice training will incorporate HUD's refinement of its EJ policies as part of the Office of Environment and Energy's environmental compliance training.
- A3.3 HUD will initiate research on the effectiveness of existing environmental noise standards.
- A3.4 In FY 2012 and 2013, the Office of Housing will reemphasize its environmental review responsibilities under the Executive Order for all of its project proposals as it has done in FY 2011 for its Office of Multifamily Housing Insured project proposals. When it has been determined that minority and/or low-income populations would be disproportionately affected by identified adverse environmental impacts, or when siting of a project raises such questions, the Office of Housing will advise the applicant of any Environmental Justice concerns including recommendations on their resolution. In most cases, the preferred resolution for which the Office of Housing will work with the applicant to achieve would be to modify the project to eliminate or at least reduce the adverse effects. Examples would be to make special efforts to mitigate noise impacts on a project receiving low-income tax credits or modifying automobile ingress or egress patterns for a project so as to reduce associated impacts on an adjoining low-income neighborhood.

A4. Promoting fairness, equity and non-discrimination, and equal opportunity

It is HUD's mission to promote non-discrimination and ensure fair and equal housing opportunities for all. In an ongoing effort to provide services and activities in a nondiscriminatory manner and to affirmatively further fair housing, HUD is charged by law to implement and enforce a wide array of civil rights laws, not only for members of the public in search of fair housing in the private market, but also for HUD-funded grant recipients and their intended program beneficiaries. HUD is also charged with monitoring particular programs' compliance with these requirements and, when violations occur, engaging in appropriate enforcement actions. The relevant laws, executive orders, regulations, and related issuances are collectively known as civil rights requirements and called "Civil Rights Related Program Requirements (CRRPRs)."

HUD-funded grant recipients are obligated under various laws to refrain from discriminating directly or indirectly on the basis of race, color, religion, sex, national origin, age, familial status, or disability in their programs or activities that include the administration of HUD programs.⁷ HUD rules further require that recipients of Federal financial assistance comply with civil rights-related program requirements (CRRPRs) that affect nearly every aspect of each program. HUD's non-discrimination requirements are compiled from several federal laws designed to protect each individual's right to fair housing and equal opportunity including, but not limited to, the following authorities and their respective implementing regulations: the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974, and Executive Order 11063.

A4.1 Affirmatively Furthering Fair Housing: Under current regulations, the recipients of Community Development Block Grants, HOME Investment Partnership grants, Housing Opportunities for Persons with AIDS grants, and Emergency Solutions Grants are required to conduct an Analysis of Impediments (AI) to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard. Information from the AI must be reflected in Consolidated Plans and Annual Action Plans. Other HUD programs require a certification of consistency with a state or local Consolidated Plan that must reflect housing strategies based, in part, on the AI. In addition, Public Housing Authorities must assess their own programs for impediments to fair housing choice. HUD is in the process of refining its fair housing planning requirements to help grantees improve access to opportunity, create inclusive communities, and foster true housing choice for all. These revisions are consistent with the Department's strategic goal of achieving inclusive communities free from discrimination. At the heart of this updated approach is a more focused incorporation of fair housing principles and data in HUD's planning requirements and policies. This new, more proactive approach will rely more on tailored guidance to localities, including

HUD's provision of relevant data and guidance to inform localities how they may effectively conduct analyses of impediments to fair housing choice

A5. Ensuring Integration of Tribal Consultation into HUD's programs and policies

A5.1 Tribal Consultation Update: President Obama's November 5, 2009, Executive Memorandum on Tribal Consultation directed all Executive Departments and Agencies to engage in regular and meaningful consultation and collaboration with tribal officials of federally recognized Indian tribes when developing Federal policies that have tribal implications. While HUD's Office of Native American Programs (ONAP) administers the programs that provide housing and community development funds to Indian tribes, many other offices within HUD develop Federal policy that affects these tribes. ONAP works with these offices to familiarize them with the requirements of Tribal Consultation and can provide assistance in the execution of meaningful consultation and collaboration.

HUD Program Office Efforts that Advance Environmental Justice

P1. Build Inclusive and Sustainable Communities Free From Discrimination

Office of Fair Housing and Equal Opportunity

Environmental justice is, and has long been, a key part of enforcing civil rights. Discriminatory practices often relegate minorities to areas of adverse environmental conditions and low opportunity. Under the authority granted to it by the Fair Housing Act, the HUD Office of Fair Housing and Equal Opportunity (FHEO) is committed to directly investigating specific instances of such discrimination in the sale, rental, and financing of housing and in other housing-related transactions and services. FHEO also works to affirmatively further fair housing by engaging grantees to analyze their housing and urban development programs to determine their contribution to affirmatively furthering fair housing and adopting plans which will open up more healthy, opportunity-rich housing choices to all people regardless of race, color, religion, sex, national origin, disability, or familial status.

Further, under Title VI of the Civil Rights Act of 1964, FHEO is charged with ensuring that programs and activities receiving federal financial assistance do not discriminate on the grounds of race, color, or national origin. HUD's implementing regulations for Title VI stipulate that applicants for, or recipients of, HUD financial assistance may not select sites for housing, accommodations, or facilities with the "purpose or effect of excluding individuals from, denying them the benefits of, or subjecting them to discrimination . . . on the ground of race, color, or national origin."⁸ FHEO's ongoing monitoring and oversight of Title VI – including investigating discrimination claims against recipients of federal assistance and enforcing compliance with Site and Neighborhood standards, and the Fair Housing Act, including investigating discrimination claims in the private market and its efforts to advance concerns relating to the obligation to affirmatively further fair housing – ensures FHEO's role as a pivotal resource for remedying historical discrimination, promoting integration going forward, and limiting the disproportionate impact of environmental harms on low-income and minority populations.

P1.1 In FY 2012 and 2013, FHEO will continue work on their Fair Housing Initiatives Program (FHIP) and Fair Housing Agency Program (FHAP) to incorporate more EJ related compliance and enforcement activity, and will continue to undertake EJ related compliance monitoring and reviews of HUD's housing and community development program participants.

Office of Sustainable Housing and Communities (OSHC)

Sustainable communities provide access to opportunities for all residents. OSHC is working with the HUD-DOT-EPA Partnership for Sustainable Communities to ensure that such communities are thriving, inclusive, economically-vibrant places, free from discrimination. In FY 2010 and 2011, OSHC distributed a total of \$194 million in new funding through the Community Challenge and Sustainable Communities Regional Planning Grant programs to demonstrate how sustainability, economic prosperity and inclusivity are mutually reinforcing. These programs emphasize incorporating the Livability Principles⁹ into proactive plans that lead to cost-effective solutions, better environmental outcomes, and greater access to opportunity for all households.

- P1.2 As part of the Sustainable Communities Regional Planning Grant program, all grantees must complete a Regional Fair Housing and Equity Assessment (FHEA) exercise. The rationale for the Regional FHEA is HUD's recognition that overcoming concentrated poverty and racially segregated communities requires a regional approach to identify and develop coordinated solutions to address unequal access to affordable housing, employment and educational opportunities, and transportation options, among other critical needs. The FHEA will address at the regional scale issues of racial/ethnic segregation, integration, racially concentrated areas of poverty, access to areas of high opportunity, major public investments that implicate equity issues, and fair housing issues, services, and activities. Beyond the FHEA obligation, OSHC will work with other HUD program offices to determine how additional Federal requirements may be satisfied with the completion of the FHEA and the relationship of the findings of an FHEA to how public investments and priorities are rendered.
- P1.3 In each future funding year for Sustainable Communities programs, OSHC will review its Notices of Funding Availability to further integrate environmental justice principles into its Sustainable Communities funding.
- P1.4 OSHC will continue to coordinate HUD's participation in the Interagency Working Group on Environmental Justice, including participation in stakeholder listening sessions, coordinating the HUD internal working group on Environmental Justice, and identifying opportunities for interagency collaboration.

Office of Public and Indian Housing – Public Housing Investments

The *Choice Neighborhoods Program* provides competitive grants to assist in the transformation, rehabilitation and preservation of public and privately owned HUD-assisted housing as part of an overall plan to revitalize neighborhoods of concentrated poverty. Eligible applicants (including Public Housing Authorities (PHAs), local governments, nonprofits, and for-profit developers that apply jointly with a public entity) can apply for a Choice Neighborhoods Planning or Implementation Grant. Planning grants enable communities to build the capacity to undertake a

successful neighborhood transformation process. Implementation grants allow grantees to implement comprehensive neighborhood Transformation Plans. Choice Neighborhoods grantees create or implement neighborhood Transformation Plans designed to address interconnected challenges including housing decay and lack of educational prospects, employment opportunities and crime.

P1.5 The Choice Neighborhood program will continue to encourage applicants to consider the environment, energy efficiency, and sustainability in their Transformation Plans. Eligible uses of Choice Neighborhoods Planning Grant funds include planning for “critical community improvements,” such as the construction or rehabilitation of parks and community gardens or environmental improvements. Implementation applicants are given extra points in the rating process if their proposed developments meet the requirements of recognized green rating programs including Enterprise Green Communities, the National Green Building Standards, Leadership in Energy and Environmental Design (LEED) for Homes (for single family developments) or LEED New Construction (for multifamily developments), or locally preferred rating systems including Earthcraft, Built Green, Green Point for Rated Homes, or Earth Advantage.

Office of Community Planning and Development

The State Community Development Block Grant (CDBG) Colonias Set-Aside was authorized in the Cranston-Gonzalez National Affordable Housing Act in 1990 and made permanent by the Appropriations Act of 1997. The Act allows Arizona, California, New Mexico, and Texas to set aside up to 10 percent of their annual CDBG allocations to be used for eligible activities that meet the needs of the colonias, which are defined as any identifiable community (i.e., with defined boundaries) within 150 miles of the United States-Mexico border in Arizona, California, New Mexico, or Texas that was in existence before November 28, 1990, excluding metropolitan statistical areas with populations exceeding one million. The community must be determined to be a colonia on the basis of objective criteria including the lack of potable water supply, lack of adequate sewage systems, and lack of decent, safe, and sanitary housing. State and Local Government recipients are strongly encouraged to use CDBG Colonias set-aside funds for projects that address the lack of potable drinking water supply, lack of adequate sewage systems, and lack of decent, safe, and sanitary housing.

P2. Promote Healthy Homes Free of Environmental and Health Hazards

Office of Healthy Homes and Lead Hazard Control

Unhealthy and unsafe housing affect the health of millions of people in the United States, and disproportionately impact children, the poor, minorities, people with medical conditions, persons with disabilities, and older adults. HUD’s Office of Healthy Homes and Lead Hazard Control

(OHHLHC) sets programs and policies to reduce health and safety hazards in housing, with a particular focus on protecting the health of children and other sensitive populations in low-income households. A comprehensive Healthy Homes approach takes into account a variety of hazards in the home that can affect health and often disproportionately affect EJ communities. Through OHHLHC, HUD has sponsored research that demonstrated that multifaceted interventions focusing on mold and moisture in existing homes and green construction and improved ventilation in new homes can improve asthma symptoms in children. In addition to lead hazard control and remediation, these approaches include integrated pest management and mitigation of moisture, mold, and other asthma triggers.

- P2.1 Safe and Healthy Homes Investment Partnerships (SHHIP):** In keeping with HUD’s guiding principle of a comprehensive and holistic approach to problem solving, HUD is creating a certification for communities that coordinate home interventions across housing, health, and energy programs. SHHIP communities will advance environmental justice by removing the barriers and programmatic impediments to comprehensive home assessments and citizen-need based coordinated housing interventions. The SHHIP certification will reward participating communities by awarding them bonus points in certain HUD funding competitions.
- P2.2 Green and Healthy Homes Initiative:** OHHLHC continues to support a public private partnership known as the Green and Healthy Homes Initiative (GHHI) pilot. This pilot will perform healthy and green retrofits of low-income housing units by bringing together federal, state and local government, and philanthropic funding streams. Coordinating funding streams allows completion of lead remediation and energy efficiency measures at the same time, and only requires opening the house once. It also allows sufficient scale to work with community organizations to complete retrofits at a neighborhood scale. Consistent with HUD’s commitment to public-private partnerships to improve energy efficiency and quality standards in low-income housing, HUD will remain an active and committed partner, with a goal of 3,500 housing units retrofitted by the end of FY 2012.
- P2.3 Technical Assistance for Grantees and Identifying Opportunities for Effective Advocacy:** OHHLHC is spearheading the development of an interagency website, healthyhomes.gov, which will contain substantial content on lead and lead poisoning prevention. This site is still under development and will be launched in 2012. Combining the resources of five different federal agencies, the “health literacy” information targets low- to moderate-income audiences. Once launched, the site will expand its coverage of lead and lead poisoning prevention information. The site will advance environmental justice with a centralized database of information and resources to address home based health hazards. Further, OHHLHC annually assesses the effectiveness of its multifaceted communications program, designed to educate both stakeholders and the public concerning lead poisoning. Childhood lead poisoning prevention remains the central

focus of the integrated, cross media education and prevention effort, although the outreach effort has expanded over the last several years to a broader healthy homes agenda.

- P 2.4 The Lead Hazard Control and Healthy Homes Programs will continue to provide states and local communities grants to make housing improvements that will yield positive health outcomes for individuals and families.

P3. Use Data Tools to Expand HUD and Public Knowledge about Environmental Justice

Office of Policy Development and Research (PD&R)

PD&R provides research, studies, testing, and demonstrations relating to HUD's mission and programs. Research priorities have differed from administration to administration, with varying mixes of housing studies, housing technology research, demonstrations, HUD program evaluations, and policy reports. PD&R's research activities are designed to have immediate relevance to the policy issues facing the Secretary and his principal staff. PD&R also provides analytical expertise and information resources to help senior HUD staff make informed policy decisions. For instance, PD&R plays a policy advisory role in preparing HUD's regulatory, budget, and legislative proposals, and in other activities such as assessing the economic effect of HUD's regulations and setting performance goals and measures. PD&R provides a valuable service to researchers and the public by expanding the availability of statistics on housing and urban development. In addition to the American Housing Survey and State of the Cities Data Systems, PD&R makes available unique data on the Low-Income Housing Tax Credit; annual publications of fair market rents (FMRs) and estimates of Area Median Family Income, which are used as a standards for determining rent and subsidy levels in HUD and other federal and state housing programs; and a variety of other publications on the characteristics of families assisted under HUD programs.

- P3.1 Disaster Assistance Planning:** In FY 2011 and 2012, as part of a mission assignment from FEMA to HUD to coordinate housing recovery support activities, PD&R is coordinating the preparation of an initial Housing Needs Assessment. This assessment estimates the housing impact of a disaster, especially for minorities and vulnerable populations such as people living in poverty, elderly people, and people with disabilities. The assessment will also identify gaps in funding for the recovery and identify issues that should be considered during reconstruction. PD&R is also collaborating with the Office of the Chief Information Officer (OCIO) to develop a mapping tool to improve planning and response to disasters. The tool will help expedite the assessment of needs and the identification of HUD's clients and units affected, as well as units that are available for rapid re-housing.

P3.2 Geospatial Mapping (GIS): Geocoding, the assignment of geographic coordinates to a street address or any other physical location, is becoming an important support tool in HUD's major initiatives and programs. GIS is enabling the department to address community concerns and implement HUD programs in a more accurate and timely manner, which results in the avoidance or mitigation of undue burdens placed on disadvantaged and vulnerable groups. Benefits include: targeting resources where and when they are needed most; allowing HUD and communities to locate foreclosed, bank-owned properties to better leverage HUD programs and other resources to stabilize affected neighborhoods and housing markets; making HUD more transparent and accessible to constituents by mapping information about HUD investments and making that available to the public; helping HUD and its partners target efforts to expand affordable rental housing opportunities to areas with the greatest need; expanding access to opportunity neighborhoods by households receiving housing assistance; enabling HUD to collaborate with other federal agencies to improve educational, health, economic, environmental, and safety outcomes; allowing HUD to integrate the location of HUD-assisted properties with real-time disaster information which enables HUD to assess the level of damage to HUD assets and to assist in the relocation of client households.

P4. Supporting Tribal Self-Governance and Improving Living Environments

Office of Public and Indian Housing – Office of Native American Programs:

On October 26, 1996, the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) was signed into law. It recognizes the right of tribal self-governance and the unique relationship between the Federal Government and the governments of Indian tribes, established by long-standing treaties, court decisions, statutes, Executive Orders, and the United States Constitution. The first funding year was FY 1998.

P4.1: Indian Housing Block Grant (IHBG): NAHASDA changed the way that HUD provides housing assistance to Native Americans. It consolidated a number of separate assistance programs and replaced them with a block grant, known as the IHBG program. The regulations governing the IHBG program¹⁰ were developed with active tribal participation using the procedures of the Negotiated Rulemaking Act of 1990. NAHASDA authorizes annual formula block grants for eligible Indian tribes or their tribally designated housing entities (TDHEs) for a range of affordable housing activities that primarily benefit low-income Indian families living on Indian reservations or in other Indian areas. The housing must meet the affordable housing requirements of NAHASDA. NAHASDA has been successful because, in the spirit of self-determination, it encourages tribes to develop and operate affordable and innovative housing programs based on local needs. Tribes have the authority to develop new and innovative affordable housing initiatives that were not eligible under the 1937 Housing Act, including down-payment

and other mortgage assistance programs, transitional housing, domestic abuse shelters, and revolving loan funds. NAHASDA is also used in many cases to leverage funds for affordable housing activities. The result has been an increase in housing opportunities for many Native American families.

- P4.2 **Indian Community Development Block Grant (ICDBG):** HUD's ICDBG Program is authorized by Title I of the Housing and Community Development Act of 1974. It provides eligible grantees with direct grants for use in developing viable Indian and Alaska Native Communities, including decent housing, a suitable living environment, and economic opportunities, primarily for low and moderate income persons.¹¹
- P4.3 **Environmental Review:** In accordance with 24 CFR § 58.1, as the responsible entity, Indian tribes can and do typically assume the environmental review responsibilities of the National Environmental Policy Act (NEPA) and other environmental laws and authorities, including Executive Order 12898. This delegation honors HUD's commitment to tribal self-governance and tribal self-determination.

Interagency Collaborations

II. Partnership for Sustainable Communities – Team EJ

In 2010, the HUD-EPA-DOT Partnership for Sustainable Communities established Team EJ, a working group to examine the intersection of sustainable communities and environmental justice. The working group continues its efforts to advance integration of sustainability/livability principles into environmental justice efforts and to advance integration of environmental justice principles into the work of the Partnership for Sustainable Communities (PSC). In 2012 Team EJ will:

- 11.1 Develop and deliver training for environmental justice and sustainability staff and grantees across the Partnership on the integration of sustainable communities and environmental justice work.
- 11.2 Identify and highlight best practice projects that have used federal assistance to address environmental justice concerns using sustainable communities approaches and sustainable communities projects that have targeted environmental justice communities.

II. Addressing Local EJ Concerns that Affect Residents of HUD-Assisted Housing

Recognizing that environmental justice issues affect HUD residents, but that HUD may not have jurisdiction in the areas where problems originate, in FY 2011 and 2012, HUD will initiate work with the IWG at the Headquarters and Regional and Field Office levels to identify interagency and intergovernmental approaches to address these issues.

III. Healthy Homes and Communities

Through OHHLHC and with the EPA, HUD has developed State certification and training programs for Lead Paint Inspectors, Lead Hazard Risk Assessors, Lead Dust Sampling Technicians, and Lead Abatement Supervisors and Workers in the areas of Lead Safe Work Practices and Renovation, Repair, and Painting. HUD funded the “Lead Listing” where consumers could locate certified LBP Inspectors, Risk Assessors, and abatement contractors. After passage of the Lead Safe Housing Rule in 1999, HUD funded and trained forty thousand workers in lead-safe work practices around the U.S.

- 13.1 **Science and Technology:** HUD will work with key agencies to analyze the effectiveness of current lead testing and abatement technology. HUD conducted an evaluation of lead hazard control interventions conducted by recipients of its initial two rounds of Lead Hazard Control grants. The findings demonstrated that the “interim control” interventions were effective in reducing dust-lead levels up to six years after the interventions were

completed. HUD also funded research by the National Institute of Standards and Technology on the performance of spot-test kits. These findings, as well as research on the effectiveness of specific cleaning procedures for lead-contaminated dust, were subsequently used by the EPA in the development of regulations. HUD also coordinated with Department of Health and Human Services/the National Center for Health Statistics to collect dust-lead samples in the homes of participants in the National Health and Nutrition Examination Survey (NHANES). The published results support the need to possibly lower the current federal dust-lead standards.

- I3.2 HUD's Office of Healthy Homes/Lead Hazard Control chairs the federal interagency Healthy Homes Working Group.

I4. Tribal Issues Interagency Working Group

In 2007, a group of federal agencies assembled an Infrastructure Task Force and signed two Memoranda of Understanding (MOU) to achieve the commitments made by the United States in 2002 under the United Nations Millennium Development Goals for improved access to safe drinking water and basic sanitation in Indian Country. Specifically, the United States committed to reduce the number of tribal homes lacking access by 50% by 2015, moving toward the Congressional policy of providing drinking water and sanitation services to all tribal communities and homes. HUD participates with the Indian Health Service (IHS), Environmental Protection Agency (EPA), Bureau of Indian Affairs (BIA), and United States Department of Agriculture (USDA).

The Inter-Agency Infrastructure Taskforce developed a workgroup that has been working to streamline interagency project planning for tribal grantees. A draft MOU is in process and should be executed by HUD, IHS, EPA, and USDA by the end of the Federal fiscal year. The MOU states that the participating agencies agree to work cooperatively to improve interagency coordination on the planning for and funding of tribal infrastructure projects. Agency coordination will focus on:

- I4.1 Project planning and completion of the environmental review process (streamlining for projects that include multiple sources of federal funds);
- I4.2 Selection and timing of projects to be funded, as appropriate (HUD funded projects are selected and managed by the Tribes themselves);
- I4.3 Funding of identified projects (jointly or by one agency).

Reporting and Accountability

Consistent with the 2011 Interagency Memorandum of Understanding on Executive Order 12898 and Environmental Justice (EJ MOU), which HUD is party to, HUD will post this Strategy on its public website and the Interagency Working Group for Environmental Justice website.

Also in accordance with the EJ MOU, beginning in 2012, HUD will:

- Provide a concise report on progress during the previous fiscal year in carrying out the agency's Environmental Justice Strategy and Executive Order 12898; and
- Ensure that meaningful opportunities exist for the public to submit comments and recommendations relating to the agency's Environmental Justice Strategy, Annual Implementation Progress Reports, and ongoing efforts to incorporate environmental justice principles into its programs, policies, and activities.

¹¹ The full 2010-2015 HUD Strategic Plan is available at:
http://portal.hud.gov/hudportal/HUD?src=/program_offices/cfo/stratplan

² 66 F.R. 49784

³ 42 U.S.C. § 3545(a)(3)

⁴ *See, e.g.*, 24 CFR § § 941.202 (public housing construction); 891.125 (Section 202 and 811); 983.57 (project-based vouchers construction).

⁵ *See, e.g.*, 24 CFR § § 941.202(e); 891.125(d); and 983.57(e)(5). (

⁶ 24 CFR 94.202(g); 891.125(e); 983.57(d)(3) and (e)(6).

⁷ HUD's generally applicable nondiscrimination and equal opportunity requirement are found at 24 CFR 5.105(a). Specific statutes, regulations, and Executive Orders apply somewhat differently to different programs. For example, the Fair Housing Act does not apply to nationally recognized tribes that receive or whose tribally designated housing entities receive funding from the Indian Housing Block Grant Program or the Indian Community Development Block Grant Program .

⁸ 24 CFR 1.4(b)(3)

⁹ The Livability Principles can be found at www.hud.gov/sustainability.

¹⁰ 24 CFR part 1000

¹¹ 24 CFR part 1003