

**NEW YORK STATE**  
**DIVISION OF HOUSING AND COMMUNITY RENEWAL**  
**ENVIRONMENTAL JUSTICE INTERAGENCY TASKFORCE**  
**DRAFT ACTION AGENDA**

**I. General Recommendations and Agency Actions**

**Recommendation 1: Provide for increased community representation and access to decision making processes**

Action Agenda

- Provide information to tenants on energy reduction measures, recycling, etc. in the form of pamphlets or fact sheets, also in Spanish where appropriate, in the lobby of state-funded properties. Provide awareness training to DHCR staff on environmental justice.

**Recommendation 2: Continue Collaboration with the Environmental Justice Community**

Action Agenda

- DHCR will include members of the Environmental Justice Task Force on the schedule of public hearings for the NYS Consolidated Plan, which is completed every 5 years, and in the public comment process of the Annual Action Plan and Annual Performance Report associated with the NYS Consolidated Plan.
- The NYS Consolidated Plan articulates the state's housing strategy. In the development of the Plan, NYS follows the approved Citizen Participation Plan. DHCR and other agencies and stakeholders solicit input on the development of the draft Plan as well as after the Plan is published by conducting a series of public hearings at four different, geographically dispersed communities across the State. In addition, hearing notices are provided to a minimum of 20 newspapers across the State, including non-English media. The schedule of public hearings is also forwarded to members of several state level task forces such as the Governor's Task Force on HIV/AIDS, members of the Rural Preservation Coalition Task Force, members of the Neighborhood Preservation Task Force, as well as members of the New York State Task Force on the National Affordable Housing Act (NAHA) and its Partnership Advisory Committee (PAC).

**Recommendation 3: Offer Technical Assistance Grant Programs**

Action Agenda

- DHCR will notify its community groups funded under the Neighborhood and Rural Preservation Programs of Technical Assistance Grants available from DEC. These grants can be used as a citizen participation tool for eligible community groups to increase public awareness and understanding of remedial activities taking place in their community.

**Recommendation 4: Develop Environmental Justice and Sustainability Provisions in Permitting**

#### Action Agenda

- DHCR funds affordable housing developments in low-income communities. From our 2008 competitive application funding round, to date, 54 housing developments representing well over 2,000 affordable units statewide have been funded. The majority of these projects will participate in NYSEDA's energy efficiency programs and will decrease energy usage by 20% than if built without energy efficient measures. In addition, new project scoring criteria was added in 2008 to encourage sustainable affordable housing development. Of the 54 projects funded from this round, more than half of the affordable housing developments will be built to DHCR's Green Building standards. These standards can be found in DHCR's Green Building Criteria Reference Manual at <http://nysdhcr.gov/Funding/UnifiedFundingMaterials/2009/GreenBldgCriteriaReferenceManual.pdf> (See Stakeholder Recommendations on Sustainable Development below).

### **Recommendation 5: Give priority to environmental justice communities in relevant RFP requirements, scoring systems for funding, assistance and training programs**

#### Action Agenda

- DHCR will work with the Department of Labor and other agencies and organizations as appropriate to explore the feasibility of encouraging or incentivizing the hiring and training of workers from the local community.

### **Recommendation 6: Prioritize Enforcement Actions and Pollution Reduction Programs and Resources in Environmental Justice Communities**

#### Action Agenda

- DHCR has developed an Energy Efficiency Initiative to encourage developers to incorporate energy efficiency measures into both new construction and rehabilitation of affordable housing projects. We will continue to work with NYSEDA and other agencies to seek additional ways to utilize existing and new funding sources to include energy efficient measures in affordable housing developments funded by DHCR.
- DHCR will review design requirements for development and maintenance of the agency's affordable housing portfolio and include environmentally-friendly landscaping and plantings.

### **Recommendation 7: Diversify and Green the Workforce**

#### Action Agenda

- DHCR will work with the Departments of Labor and other agencies to explore the feasibility of encouraging or incentivizing the hiring and training of workers from the local community, thereby promoting and creating green jobs and instilling a sense of pride in the community.

### **Recommendation 8: Provide Environmental Justice Training for Agency Staff**

#### Action Agenda

- DHCR will work with DOL and DEC to provide awareness training to DHCR staff on environmental justice to increase awareness of the issues.

## II. Draft Specific Recommendations and Agency Actions

### Sustainable Development

#### Stakeholder Recommendation

- DHCR should incorporate sustainability in buildings and communities into its mission of preserving affordable housing.

#### Action Agenda

- Two initiatives already exist which begin to answer this recommendation, a Green Building Initiative and Energy Efficiency Initiative.
- One of DHCR's highest priorities is the preservation of affordable housing (preserving affordable units and preventing them from being lost to market rate housing). This sustainability strategy aims to provide the maximum number of units available for low to moderate income populations at affordable rents. In addition, DHCR's Commissioner has made a commitment to expand the agency's focus on sustainable development and align community development and affordable housing investment strategies with environmentally responsible building practices.
- Since early 2007, DHCR has worked to improve the environmental conditions of communities. In November 2007, DHCR introduced a new Green Building Initiative (GBI) which encourages the development of green, sustainable affordable housing by including incentives in the DHCR funding process. Developers who meet DHCR's green building criteria gain a significant advantage in the competitive application process. The GBI includes many criteria to improve the lives of residents in low-income communities. This initiative includes several smart growth criteria such as siting projects near existing infrastructure, existing development, infrastructure and public transit to encourage more walkable communities, re-development of brownfields, use of non-toxic construction materials and practices to promote healthy indoor air quality such as low VOC paints, green carpets, mold-reducing measures, better ventilation and integrated pest management. A *Green Building Criteria Reference Manual* is available on our website at <http://nysdhcr.gov/Funding/> to educate and assist developers in creating sustainable and healthier housing.
- Additionally, in November 2007, to increase energy efficiency in the projects we fund and help and reduce utility costs for tenants and building owners, DHCR introduced a new Energy Efficiency Initiative to encourage developers to incorporate energy efficiency measures into both new construction and rehabilitation of affordable housing projects through participation in NYSERDA's energy efficiency programs. Projects including comparable energy efficient measures located outside NYSERDA's territory are also eligible for incentives.

## **State Environmental Quality Review Act (SEQR) Reform**

### Stakeholder Recommendation

- Evaluate the continued use of the Short Environmental Assessment Form (EAF) for its usefulness to permit analysts. Options include use of only long EAF, expand short EAF to provide more information on community-related issues and environmental justice issues, and review of the Type I activity list. In addition, DEC should issue guidance on filling out and using the EAF.

### Action Agenda

- DHCR will provide input to DEC on recommendations for revisions to SEQR regulations, particularly expansion of the Short EAF, the capacity of lead agencies to conduct a thorough review and the use of SEQR as an avenue for NIMBY-ism (Not In My Back Yard) to stall or defeat an affordable housing project.

## **Brownfields**

### Stakeholder Recommendation

- DHCR should address gentrification that could follow a brownfield clean-up.

### Action Agenda

- Redevelopment of brownfields is included in DHCR's Green Building Initiative where applicants receive a scoring advantage for redeveloping a brownfield. DHCR regulations currently set rents in their funded housing developments at a percentage of the Area Median Income, thus providing low-income residents with affordable rents. To address gentrification of a neighborhood as a result of a brownfield redevelopment, DHCR will review its funding application documents for opportunities to place greater emphasis on creating and promoting mixed income developments to prevent the displacement of low-income residents while encouraging those with higher incomes to invest in the neighborhood.

## **Green Jobs and Green Infrastructure**

### Stakeholder Recommendation

- Sustainable green collar jobs should be made available to residents in environmental justice communities and agency RFPs should explicitly set forth that goal.
- NYS should establish green collar training programs and apprenticeships by working with community colleges, existing training programs and BOCES.
- Community-based agreements for environmental projects that set forth the job-based commitments made to the community should be required.

### Action Agenda

- DHCR will work with the Department of Labor and other agencies to develop a strategy to use our agency's Weatherization Assistance Program to provide "green jobs" employment

opportunities. State agencies plan to work with community groups at the local level to advance this initiative.

## **Transportation Planning**

### Stakeholder Recommendation

- Transportation planning should include provisions for affordable housing for residents displaced by construction of rail lines and highways.

### Action Agenda

- DHCR, as a member of the Governor's Smart Growth Cabinet, will work collaboratively with other state agencies and communities to encourage and facilitate affordable housing development as part of transit-oriented planning. DHCR's Green Building Initiative encourages developers to locate affordable housing projects (urban, suburban and rural) near public transit to reduce dependence on car ownership and reduce related emissions of air pollutants. In 2008, DHCR strengthened this criterion by decreasing the required minimum distance from public transit.

## **Solid Waste**

### Stakeholder Recommendation

- State agencies should tie solid waste issues to green job training and promote composting and zero waste management.
- Assistance should be available for low-income communities to buy composting bags.

### Action Agenda

- DHCR's Green Building Initiative encourages developers to utilize construction waste management and use recycled content material during construction. In the next revision of the Green Building Initiative, DHCR will work to strengthen these criteria and increase the percentage needed to meet construction waste management and recycled content material requirements.

## **Prevent Lead Poisoning**

### Stakeholder Recommendation

- Increase funding for upgrading older housing stock containing lead paint.
- Increase incentives for contractors and landlords and reduce paperwork or increase funding for qualified contractors.
- Enhance the interagency effort led by DOH to prevent lead poisoning. DHCR, DEC, DOH, DOL and others could combine efforts to increase prevention.

### Action Agenda

- DHCR, through its NYS Action Plan 2009, recognizes that the biggest source of lead for children in NYS is older housing stock containing lead-based paint. This document sets forth actions to evaluate and reduce lead based-paint hazards. DHCR will continue to work with DOH and other agencies to address LBP issues. More information on DHCR's key initiatives regarding lead-based paint can be found on page 54 of this plan. The 2009 Action Plan can be found on DHCR's website at <http://nysdhcr.gov/Publications/ActionPlan09/>

## **Eliminate Toxic Materials**

### Stakeholder Recommendation

- NYS should create policies to eliminate toxic chemicals, especially persistent bioaccumulative toxins, and widely promote safe alternatives.

### Action Agenda

- DHCR's Green Building Initiative encourages the use of green building practices and materials to reduce toxic materials and promote a healthy living environment, including use of low VOC paints, primers, adhesives and sealants; formaldehyde-free composite wood; and low VOC or green carpets. DHCR will expand the applicability of the "healthy living environment" criteria to a greater number of tenants and homeowners and seek other ways to reduce or eliminate the use of toxic chemicals at DHCR-funded or regulated affordable housing developments.

## **Community Gardens/Urban Agriculture**

### Stakeholder Recommendation

- Provide incentives for developers if they build community gardens in their developments.

### Action Agenda

- Through the DHCR-funded Neighborhood and Rural Preservation Companies, community gardens are an eligible activity, as long as they are in the company's service area and have the purpose of "assistance to a municipality." DHCR will explore further the feasibility of expanding or promoting the community garden concept. Activities could include hosting informational meetings or providing related literature, assisting groups to locate a site, or be part of a collaborative neighborhood effort to provide residents with healthy food options. More information on the Neighborhood and Rural Preservation Program and Companies can be found at <http://nysdhcr.gov/Programs/NPP/> and <http://nysdhcr.gov/Programs/RPP/>.
- In addition, DHCR will examine incentives for developers who provide space, either onsite or in the neighborhood, for a resident or community garden and explore the feasibility of providing incentives for developers who locate their project within an acceptable distance to a supermarket, co-op or established farmers market providing access to fresh, healthy foods.