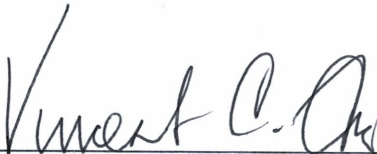
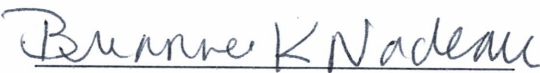


1   
2 Councilmember Vincent C. Gray

  
Councilmember David Grosso

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5 Councilmember Brianne K. Nadeau

  
Councilmember Elissa Silverman

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15 A BILL

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19 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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23  
24 To establish a health impact assessment program within the Department of Health to evaluate the  
25 potential health effects of proposed projects on individuals and communities and to  
26 support healthy communities, healthy community design, and development that promotes  
27 physical and mental health by encouraging healthy behaviors, quality of life, social  
28 connectedness, safety, and equity.

29  
30 BE IT ENACTED BY THE COUNCIL FOR THE DISTRICT OF COLUMBIA, That  
31 this act may be cited as the “Health Impact Assessment Program Establishment Act of 2019”.

32  
33 Sec. 2. Definitions.

34 For the purposes of this act, the term:

35 (1) “Affected community” means any community impacted by a proposed project.

36 (2) “Health impact assessment” means the evaluation mandated pursuant to  
37 section 3 of this act, which informs the health impact statement.

38 (3) “Health impact statement” means a written document published by the  
39 Department of Health, describing the effects of a proposed project on the health of individuals

40 and populations within an affected community and the impacts of alternatives, as well as a plan  
41 to mitigate the adverse health impacts, and certifying that a proposed project has been evaluated.

42 (4) "Proposed project" means a project or activity, such as those relating to new  
43 construction, mixed-use development, use modifications, changes to roadways from two-way to  
44 one-way, traffic calming solutions, and crime prevention through environmental design, that  
45 require an environmental impact statement pursuant to the District of Columbia Environmental  
46 Policy Act of 1989, effective October 18, 1989 (D.C. Law 8-36; D.C. Official Code § 8-109.01),  
47 and any other project the Director of the Department of Health deems appropriate for a health  
48 impact assessment, including at the request of the community.

49 Sec. 3. Establishment of the health impact assessment program.

50 (a) There is established a health impact assessment program within the Department of  
51 Health to eliminate health disparities among communities, mitigate the adverse health impacts  
52 and maximize health benefits of proposed projects, and promote health equity for all District  
53 residents.

54 (b) The health impact assessment program shall include:

55 (1) An advisory committee, appointed by the Mayor, made up of individuals with  
56 specialized knowledge of health impact and environmental impact analysis;

57 (2) Procedures for taking public comment on and appealing a health impact  
58 statement;

59 (3) A procedure for enhanced public notification of and involvement in  
60 developing community health awareness and mitigation options.

61 (c) The Department of Health shall complete a health impact assessment on every  
62 proposed project.

63 (d) The health impact assessment may use a combination of procedures, methods, and  
64 tools to analyze the actual or potential effects of a proposed project on the affected community,  
65 including the distribution of those effects within the population, and shall include:

66 (1) Evidence of the anticipated relationship between the proposed project and the  
67 health of the affected community, including a description of the persons whose health is most  
68 likely affected by the project and the cumulative health effects that may result from the project;

69 (2) The opinions, experience, and expectations of residents of the affected  
70 community;

71 (3) Information and analysis of the potential health effects resulting from a  
72 proposed project; and

73 (4) Any other information the Director of the Department of Health determines to  
74 be relevant.

75 Sec. 4. Requirement for health impact statement.

76 (a) Except as provided in subsection (b) of this section, a person may not begin  
77 construction or development of a proposed project, unless the person has received from the  
78 Department of Health a health impact statement analyzing the positive and adverse health effects  
79 of the project on the following within the affected community:

80 (1) The quality of the air, water, and soil;

81 (2) The quality, accessibility, and affordability of housing;

82 (3) Physical activity of residents;

83 (4) Mental health of residents;

84 (5) Accessibility for individuals with disabilities;

85 (6) Transportation choices, to include access to public transportation and active  
86 transportation;

- 87 (7) Food and nutritional choices;
- 88 (8) Green space, parks, recreation centers, and community gardens and farms;
- 89 (9) Noise levels;
- 90 (10) Access to public services such as libraries, schools, and child care;
- 91 (11) Employment and economic opportunities for residents in the affected
- 92 community;
- 93 (12) Other factors as determined by the Director of the Department of Health or
- 94 raised by public comment.

95 (b) Subsection (a) of this section shall not apply to a proposed project that is identified by

96 the Director of the Department of Health as a project that is in response to an emergency

97 declared by the Mayor.

98 (c) The Department of Health shall have 60 days to complete a health impact assessment

99 and issue a health impact statement for each proposed project that is to be evaluated.

100 (d) The Department of Health shall make all health impact statements available to the

101 public.

102 Sec. 5. Violations and penalties for noncompliance.

103 (a) Any person that fails to obtain a health impact statement, prior to beginning

104 construction or development of a proposed project, or fails to mitigate identified adverse health

105 impacts shall be subject to the imposition of a fine, penalty, or fee.

106 (b) The Department of Health shall, by rule, list the fine, penalty, or fee to be imposed on

107 a person for the failure to obtain a health impact statement and the failure to mitigate identified

108 adverse health impacts.

109 Sec. 6. Rulemaking.

110           Within 180 days of the effective date of this act, the Mayor, pursuant to Title I of the  
111 District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204;  
112 D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this act.

113           Sec. 7. Fiscal impact statement.

114           The Council adopts the fiscal impact statement in the committee report as the fiscal  
115 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
116 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

117           Sec. 8. Effective date.

118           This act shall take effect following approval by the Mayor (or in the event of veto by the  
119 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
120 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
121 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
122 Columbia Register.