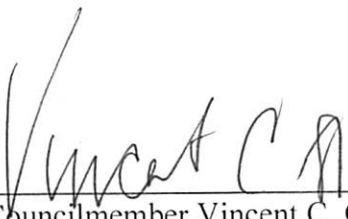



1 
2 Councilmember Vincent C. Gray


Councilmember David Grosso

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5 Councilmember Brianne K. Nadeau


Councilmember Elissa Silverman

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9 Councilmember Anita Bonds

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14 A BILL

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18 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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

28
29 BE IT ENACTED BY THE COUNCIL FOR THE DISTRICT OF COLUMBIA, That
30 this act may be cited as the “Health Impact Assessment Program Establishment Act of 2019”.

31
32 Sec. 2. Definitions.

33 For the purposes of this act, the term:

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

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

37 (3) “Health impact statement” means a written document published by the
38 Department of Health, describing the effects of a proposed project on the health of individuals
39 and populations within an affected community and the impacts of alternatives, as well as a plan
40 to mitigate the adverse health impacts, and certifying that a proposed project has been evaluated.

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

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

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

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

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

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

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

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

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

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

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

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

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

74 Sec. 4. Requirement for health impact statement.

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

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

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

81 (3) Physical activity of residents;

82 (4) Mental health of residents;

83 (5) Accessibility for individuals with disabilities;

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

86 (7) Food and nutritional choices;

87 (8) Green space, parks, recreation centers, and community gardens and farms;

88 (9) Noise levels;

89 (10) Access to public services such as libraries, schools, and child care;
90 (11) Employment and economic opportunities for residents in the affected
91 community;
92 (12) Other factors as determined by the Director of the Department of Health or
93 raised by public comment.

94 (b) Subsection (a) of this section shall not apply to a proposed project that is identified by
95 the Director of the Department of Health as a project that is in response to an emergency
96 declared by the Mayor.

97 (c) The Department of Health shall have 60 days to complete a health impact assessment
98 and issue a health impact statement for each proposed project that is to be evaluated.

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

101 Sec. 5. Violations and penalties for noncompliance.

102 (a) Any person that fails to obtain a health impact statement, prior to beginning
103 construction or development of a proposed project, or fails to mitigate identified adverse health
104 impacts shall be subject to the imposition of a fine, penalty, or fee.

105 (b) The Department of Health shall, by rule, list the fine, penalty, or fee to be imposed on
106 a person for the failure to obtain a health impact statement and the failure to mitigate identified
107 adverse health impacts.

108 Sec. 6. Rulemaking.

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

112 Sec. 7. Fiscal impact statement.

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

116 Sec. 8. Effective date.

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