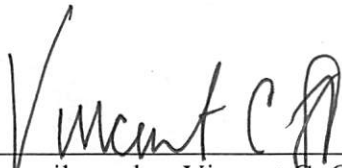
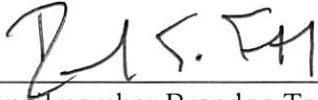


1 

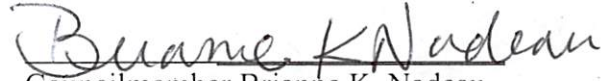
2 Councilmember Vincent C. Gray



Councilmember David Grosso

3  
4 

5  
6 Councilmember Brandon Todd



Councilmember Brianne K. Nadeau

7  
8  
9  
10  
11  
12 A BILL  
13  
14 \_\_\_\_\_

15  
16 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
17  
18 \_\_\_\_\_  
19  
20

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

27 BE IT ENACTED BY THE COUNCIL FOR THE DISTRICT OF COLUMBIA, That  
28 this act may be cited as the "Health Impact Assessment Program Establishment Act of 2018".  
29

30 Sec. 2. Definitions.

31 For the purposes of this act, the term:

32 (1) "Affected community" means any community impacted by a proposed project.

33 (2) "Health impact assessment" means the evaluation mandated pursuant to  
34 section 3 of this act, which informs the health impact statement.

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

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

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

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

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

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

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

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

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

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

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

66 (2) The opinions, experience, and expectations of residents of the affected  
67 community;

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

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

72 Sec. 4. Requirement for health impact statement.

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

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

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

79 (3) Physical activity of residents;

80 (4) Mental health of residents;

81 (5) Accessibility for individuals with disabilities;

82 (6) Transportation choices, to include access to public transportation and active  
83 transportation;

84 (7) Food and nutritional choices;

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

86 (9) Noise levels;

87 (10) Access to public services such as libraries, schools, and child care;

88 (11) Employment and economic opportunities for residents in the affected  
89 community;

90 (12) Other factors as determined by the Director of the Department of Health or  
91 raised by public comment.

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

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

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

99 Sec. 5. Violations and penalties for noncompliance.

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

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

106 Sec. 6. Rulemaking.

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

110 Sec. 7. Fiscal impact statement.

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

114 Sec. 8. Effective date.

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