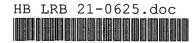
H.B. NO. (350

A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1	PART I
2	SECTION 1. Chapter 341, Hawaii Revised Statutes, is
3	amended by adding a new part to be appropriately designated and
4	to read as follows:
5	"PART II. ENVIRONMENTAL JUSTICE MAPPING AND DATA COLLECTION
6	§341-A Environmental justice mapping . (a) The
7	environmental council, in consultation with the department of
8	health, department of land and natural resources, university of
9	Hawaii environmental center, and relevant stakeholders, shall
10	establish an interactive, transparent, integrated, and statewide
11	tool for assessing and mapping environmental justice
12	communities, based on the cumulative impacts of all indicators
13	selected by the council to be integrated into the tool.
14	(b) In establishing the tool under subsection (a), the
15	council shall:
16	(1) Integrate into the tool indicators that fall into
17	categories including:



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1	(A) Demo	graphics, particularly relating to
2	soci	oeconomic hardship and social stressors, such
3	as:	
4	(i)	Race and ethnicity;
5	(ii)	Low income;
6	(iii)	High unemployment;
7	(iv)	Low levels of home ownership;
8	(v)	High rent burden;
9	(vi)	High transportation burden;
10	(vii)	Low levels of educational attainment;
11	(viii)	Linguistic isolation;
12	(ix)	Energy insecurity or high utility rate
13		burden;
14	(x)	Food insecurity;
15	(xi)	Health insurance status and access to
16		healthcare; and
17	(xii)	Incidence of police brutality complaints;
18	(B) Publ	ic health, particularly data that are
19	indi	cative of sensitive populations, such as:
20	(i)	Rates of asthma;
21	(ii)	Rates of cardiovascular disease;



1	(iii)	Child leukemia or other cancers that
2		correlate with environmental hazards;
3	(iv)	Low birth weight;
4	(v)	Maternal mortality;
5	(vi)	Domestic violence;
6	(vii)	Rates of lead poisoning; and
7	(viii)	Rates of diabetes;
8	(C) Poll	ution burdens, such as pollution burdens
9	crea	ted by:
10	(i)	Toxic chemicals;
11	(ii)	Air pollutants;
12	(iii)	Water pollutants;
13	(iv)	Soil contaminants; and
14	(V)	Perfluoroalkyl and polyfluoroalkyl
15		substances; and
16	(D) Envi	ronmental effects, such as effects created by
17	prox	imity to:
18	(i)	Risk management plan sites;
19	(ii)	Hazardous waste facilities; and
20	(iii)	Sites on the National Priorities List
21		developed by the President of the United



1	States in accordance with section
2	105(a)(8)(B) of the Comprehensive
3	Environmental Response, Compensation, and
4	Liability Act of 1980 (42 U.S.C.
5	9605(a)(8)(B));
6 (2)	Investigate how further indicators of vulnerability to
7	the impacts of climate change, including proximity and
8	exposure to sea level rise, wildfire smoke, fossil
9	fuel infrastructure, flooding, drought, rising average
10	temperatures, extreme storms, and extreme heat, should
11	be incorporated into the tool as an additional set of
12	layers;
13 (3)	Identify and consider the effects of other indicators
14	relating to environmental justice, including:
15	(A) Safe, sufficient, and affordable drinking water,
16	sanitation, and stormwater services;
17	(B) Access to and the quality of:
18	(i) Green space and tree canopy cover;
19	(ii) Healthy food;
20	(iii) Affordable energy;
21	(iv) Transportation;

1		(V)	Reliable communication systems, such as
2			broadband internet;
3		(vi)	Child care;
4		(vii)	High-quality public schools;
5		(viii)	Streets; and
6		(ix)	Health care facilities;
7		(C) Leng	th of commute;
8		(D) Indo	or air quality in multiunit dwellings;
9		(E) Outd	oor air quality;
10		(F) Ment	al health;
11		(G) Labo	r market categories, particularly relating to
12		esse	ntial workers; and
13		(H) Each	type of utility expense;
14	(4)	Identify .	a methodology to account for the cumulative
15		impacts o	f all indicators selected by the council to
16		be integr	ated into the tool to provide environmental
17		justice s	cores for regions that are as small as
18		practicab	le to identify communities, given the
19		identifie	d available data, and not larger than a
20		census tr	act;



1	(5)	Ensure that the tool is capable of providing maps of
2		environmental justice communities based on
3		environmental justice scores described in paragraph
4		(4);
5	(6)	Implement a method for users of the tool to generate a
6		map and environmental justice score based on a subset
7		of indicators, particularly for the purpose of using
8		the tool in addressing various policy needs and
9		investment goals;
10	(7)	Make the tool customizable to address specific policy
11		needs and investment goals;
12	(8)	Account for conditions that are not captured by the
13		quantitative data used to develop the one or more maps
14		and environmental justice scores comprising the tool,
15		by:
16		(A) Developing and executing a plan to perform
17		outreach to relevant communities; and
18		(B) Establishing a mechanism by which communities can
19		self-identify as environmental justice
20		communities to be included in the tool, which may
21		include citing qualitative data on conditions for

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1	1	which quantitative data are lacking, such as
2		cultural loss in native Hawaiian communities;
3	(9) Consid	der that the tool:
4	(A)	Shall be used across the State in screening state
5	1	policies and investments for environmental and
6	(climate justice impacts; and
7	(B) I	May be used to assess communities for pollution
8	:	reduction programs; and
9	(10) Carry	out any other activities the council determines
10	to be	appropriate.
11	§341-B Hea	arings; updates. (a) In developing the tool
11 12		arings; updates . (a) In developing the tool ction 341-A, the council shall conduct public
	described in sea	
12	described in sea hearings in acco	ction 341-A, the council shall conduct public
12 13	described in sea hearings in acco (b) The co	ction 341-A, the council shall conduct public ordance with chapter 92.
12 13 14	described in sea hearings in acco (b) The co	ction 341-A, the council shall conduct public ordance with chapter 92. ouncil shall update the tool described in section frequently than annually to account for data sets
12 13 14 15	described in sec hearings in acco (b) The co 341-A not less that are updated	ction 341-A, the council shall conduct public ordance with chapter 92. ouncil shall update the tool described in section frequently than annually to account for data sets
12 13 14 15 16	described in sec hearings in acco (b) The co 341-A not less that are updated	ction 341-A, the council shall conduct public ordance with chapter 92. ouncil shall update the tool described in section frequently than annually to account for data sets d annually.
12 13 14 15 16 17	described in sec hearings in acco (b) The co 341-A not less is that are updated (c) Not lo council shall:	ction 341-A, the council shall conduct public ordance with chapter 92. ouncil shall update the tool described in section frequently than annually to account for data sets d annually.

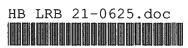


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1	(2)	Reevaluate data submitted by state agencies that is
2		used for the tool.
3	(d)	After the initial establishment of the tool described
4	in sectio	on 341-A and each update under subsection (b) or (c),
5	the cound	cil shall publish a report describing:
6	(1)	The process for identifying indicators relating to
7		environmental justice in the development of the tool;
8	(2)	The methodology described in section 341-A(b)(4); and
9	(3)	The use of public input and community engagement in
10		that process.
11	(e)	The council shall:
12	(1)	Develop virtual training tutorials and sessions for
13		environmental justice communities for the use of the
14		tool described in section 341-A; and
15	(2)	Where practicable, provide in-person training sessions
16		for environmental justice communities for the use of
17		that tool.
18	(f)	The council shall make available to the public on an
19	internet	website of the office of environmental quality control:
20	(1)	The tool described in section 341-A;
21	(2)	Each update under subsections (b) and (c);

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1	(3) Each report under subsection (d); and
2	(4) The training tutorials and sessions developed under
3	subsection (e).
4	§341-C Data gap audits. (a) In establishing the tool
5	described in section 341-A, the council shall direct relevant
6	state departments and agencies to conduct an audit of data
7	collected by the department or agency to identify any data that
8	are relevant to environmental justice concerns, including data
9	relating to:
10	(1) Public health metrics;
11	(2) Toxic chemicals;
12	(3) Socioeconomic demographics;
13	(4) Air quality; and
14	(5) Water quality.
15	(b) The council shall direct a state department or agency,
16	in conducting an audit under subsection (a), to address gaps in
17	existing data collection that will assist the council in
18	establishing and operating the tool described in section 341-A,
19	including by providing to the department or agency:
20	(1) Benchmarks to meet in addressing the gaps; and



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1	(2) Instructions for consistency in data formatting that
2	will allow for inclusion of data in the environmental
3	justice data repository described in section 341-D.
4	(c) Not later than one hundred eighty days after a state
5	department or agency has conducted an audit under subsection
6	(a), the council shall:
7	(1) Make available to the public on an internet website o
8	the office of environmental quality control a report
9	describing the findings and conclusions of the audit,
10	including the progress made by the department or
11	agency in addressing environmental justice data gaps;
12	and
13	(2) Submit the report to the legislature.
14	§341-D Data collection. (a) The director of
15	environmental quality control shall establish an environmental
16	justice data repository to maintain the data collected by the
17	council through the establishment of the tool described in
18	section 341-A and the audits conducted under section 341-C.
19	(b) The director shall update the data in the data
20	repository described in subsection (a) as frequently as

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1	practicable, but not less frequently than once every three
2	years."
3	SECTION 2. Chapter 341, Hawaii Revised Statutes, is
4	amended by designating sections $341-1$ to $341-6$ as part I,
5	entitled:
6	"PART I. GENERAL PROVISIONS"
7	SECTION 3. Section 341-2, Hawaii Revised Statutes, is
8	amended by adding four new definitions to be appropriately
9	inserted and to read as follows:
10	"Cumulative impacts" means a measure of how multiple
11	environmental harms, such as exposure to different types of
12	pollution, co-occur and then interact with extant population
13	characteristics, such as health, economic, demographic, and
14	social factors, to produce amplified harm.
15	"Environmental justice" means the fair treatment and
16	meaningful involvement of all people regardless of race, color,
17	culture, national origin, or income, with respect to the
18	development, implementation, and enforcement of environmental
19	laws, regulations, and policies to ensure that each person
20	enjoys:



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1	(1)	The same degree of protection from environmental and
2		health hazards; and
3	(2)	Equal access to any state or county agency action
4		relating to the development, implementation, and
5		enforcement of environmental laws, regulations, and
6		policies for the purpose of having a healthy
7		environment in which to live, learn, work, and
8		recreate.
9	"Env	ironmental justice community" means a community having
10	significa	nt representation of communities of color, low-income
11	<u>communiti</u>	es, or native Hawaiian communities, that experiences,
12	<u>or is at</u>	risk of experiencing, higher or more adverse human
13	<u>health or</u>	environmental effects, as compared to other
14	communiti	es.
15	"Rel	evant stakeholder" means:
16	(1)	A representative of a state or county government
17		agency;
18	(2)	A representative of a nongovernmental organization
19		having experience in areas that may include native
20		Hawaiian relations, environmental conservation, county
21		planning, and public health;



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1	(3)	A representative of a labor union;
2	(4)	A representative or member of:
3		(A) An environmental justice community; or
4		(B) A community-based organization for an
5		environmental justice community;
6	(5)	An individual having expertise in cumulative impacts,
7		geospatial data, and environmental justice,
8		particularly an individual from an academic or
9		research institution; or
10	(6)	An advocate having experience in environmental justice
11		who represents an environmental justice community."
12		PART II
13	SECTION 4. There is appropriated out of the general	
14	revenues	of the State of Hawaii the sum of \$ or so much
15	thereof as may be necessary for fiscal year 2021-2022 and the	
16	same sum or so much thereof as may be necessary for fiscal year	
17	2022-2023 for the environmental council to develop and maintain	
18	a tool to identify economic justice communities.	
19	The sums appropriated shall be expended by the department	
20	of health	for the purposes of this Act.



1	PART III
2	SECTION 5. In codifying the new sections added by section
3	1 of this Act, the revisor of statutes shall substitute
4	appropriate section numbers for the letters used in designating
5	the new sections in this Act.
6	SECTION 6. New statutory material is underscored.
7	SECTION 7. This Act shall take effect upon its approval;
8	provided that part II shall take effect on July 1, 2021.
9	
	INTRODUCED BY: his motion

JAN 2 7 2021



Report Title:

Environmental Council; Environmental Justice Mapping; Data Collection; Appropriation

Description:

Requires the environmental council to develop a tool to identify economic justice communities. Defines "economic justice community". Appropriates moneys.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

