

A BILL

To require State of California agencies to support healthy childhood development, prevent injury, illness, and chronic disease, ensure environmental health, and reduce health disparities by providing knowledge, guidance, and resources for public health assessments of land use and transportation system planning.

SECTION 1. SHORT TITLE.

This Act may be cited as the `California Healthy Places Act of 2007'.

SECTION 2. LEGISLATIVE FINDINGS.

The Legislature finds and declares all of the following:

(A) The World Health Organization ranks the United States below all other industrial nations and 37th overall in population-based health outcomes.

(B) On average, the United States spends more than twice as much as all other industrial nations on health care, both per person and as a percentage of its gross domestic product.

(C) According to the Institute of Medicine, improving health in the 21st Century will require new approaches to environmental health, including strategies to deal with waste, unhealthy buildings, urban congestion, suburban sprawl, poor housing, poor nutrition, and environmentally related stress.¹

(D) Optimal health for all people requires healthy environmental conditions, including adequate and good quality housing; access to public transit, schools, and parks; safe routes for pedestrians and bicyclists; safe and productive employment; open space and natural areas; and unpolluted air, soil, and water.

(E) Currently, the environmental resources for good health vary considerably for Californians from neighborhood to neighborhood. These differences have

¹ Institute of Medicine. *Rebuilding the Unity of health and the Environment: A New Vision of Environmental Health for the 21st Century*. Washington, DC; National Academy Press, 2001.

significant impacts on health with life expectancy varying from neighborhood to neighborhood by as much as 28 years for men and 25 years for women. Similar "place-based" health disparities exist for asthma hospitalizations, heart disease, diabetes, and low birth weight births.

(F) Growth in the population of California will require significant land use development and redevelopment, creating the need and opportunity for health assessment of land use and transportation plans.

(G) Research on health and the built environment already provides substantial evidence to inform land use and planning decisions as to how they might create the conditions for better health and reduced health disparities. Some of the key findings of this research include:

- Higher quality housing appropriately located relative to busy roadways can reduce asthma attacks
- Less noise promotes sleep, healthy blood pressure, and school learning
- Sufficient residential density in combination with a diversity of land uses promotes physical activity, reduces air pollution emissions and vehicle injuries.
- Reasonable housing costs can prevent hunger and promote childhood growth
- Access to natural spaces can improve mental health and function
- Calming traffic in residential areas reduces pedestrian injuries
- Public transit and pedestrian friendly environments can promote physical activity
- Neighborhood schools and child care centers reduce traffic congestion, foster community social relationships, and engage students in learning.
- Environmental design that promotes "eyes on the street" can prevent violence.
- Accessible neighborhood grocery stores reduces diet related diseases

(H) Local public health agencies are increasingly investing in strategies to improve the built environment to improve population health and reduce health disparities.

(I) Health Impact Assessment (HIA) is an internationally established policy evaluation practice which aims to inform decision-makers about how public policy can best improve health and the distribution of health.^{2 3}

² Health Impact Assessment Main Concepts and Suggested Approach Brussels: European Center for Health Policy; 1999

³ Health impact assessment: Concepts, techniques and applications. Eds. John Kemm, Jayne Parry, Stephen Palmer. Oxford University Press, Oxford 2004.

SECTION 3. LEGISLATIVE INTENT.

(A) It is the intent of the Legislature to prevent illness and disease, improve health, and reduce health disparities in California by promoting environmental conditions supportive of health.

(B) It is the further intent of the Legislature to have the State of California identify, evaluate, and promulgate valid knowledge and support public health research and practice that supports the design and creation of healthful neighborhoods, cities, and regions.

(C) It is the further intent of the legislature that for the State of California to provide guidance, technical support, training, and grants for local agencies to conduct health assessments of land use and transportation policy and plans. Health assessments conducted using State grants shall be complimentary to existing planning assessments, inform planning efforts as to their consequences on human health and health disparities, both positive and negative, utilize available expertise as well as the experience of community stakeholders, and suggest courses of action that would promote health.

SEC. 4. DEFINITIONS.

In this Act:

(1) DIRECTOR- The term `Director' means the Director of the California Department of Public Health.

(2) HEALTH – Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.

(3) ENVIRONMENTAL HEALTH The term environmental health refers to modifiable physical, chemical, or biological factors in the environment external to humans that can affect, positively or negatively, human health. Well established known environmental health factors include

- Pollutants, including chemical or biological agents in the air, water, or soil;
- Noise, UV and ionizing radiation, and electromagnetic fields;
- Occupational hazards;

- Built environments, including homes, schools, workplaces, parks, public plazas, natural areas, open spaces, and transportation systems;
- Agricultural methods and practices;
- The capacity of ecosystems to provide their *goods* (e.g. freshwater, food, pharmaceutical products) and *services* (e.g. purification of air, water, soil);

(5) HEALTH DISPARITIES "Health disparities" refers to avoidable differences in measures of health among specific population groups.

(6) HEALTH IMPACT ASSESSMENT- According to the World Health Organization, Health impact assessment is a combination of procedures, methods and tools by which a policy, program or project may be judged as to its potential effects on the health of a population, and the distribution of those effects within the population.

(8) IWG- The term `IWG' means the interagency working group established under Section 5.

SEC. 5. INTERAGENCY WORKING GROUP ON THE DETERMINANTS OF HEALTH.

(a) Establishment of the Interagency Working Group- The Director, shall establish an interagency working group to evaluate the state of knowledge on environmental health factors and their improvement.

(b) Membership- The IWG shall be composed of a representative from each of the following agencies and organizations:

- (1) the Governor's Office of Planning and Research;
- (2) the California Department of Food and Agriculture;
- (3) the California Environmental Protection Agency;
- (4) the California Resources Agency;
- (5) the Superintendent of Education;
- (6) the California Department of Transportation;
- (7) the Department of Health and Human Services;
- (8) the Department of Housing and Community Development;
- (9) the Division of Occupational Safety and Health;
- (10) such other State agencies, organizations, or experts as the Director determines to be appropriate.

(c) Duties- The IWG shall--

- (1) Identify, evaluate, and disseminate available evidence knowledge, programs, and best practices on environmental health.
- (2) Establish State goals and objectives for improvements in environmental determinants of health;
- (3) Survey State agencies to catalogue strategies and actions are being taken or supported to improve environmental health
- (4) Where appropriate, undertake or facilitate inter-agency review and evaluation of any State supported projects, plans, programs and policies which may impact, intentionally or unintentionally modifiable environmental determinants of health;
- (5) Monitor State progress towards Environmental Health Goals via the annual tracking and dissemination of indicators of environmental determinants of health;
- (6) Develop and disseminate guidance on health impact assessments in cooperation with the Program described in Section 6 Subsection (c).
- (7) Meet at least 3 times each year.
- (8) Sponsor an annual conference on environmental health and health disparities to enhance coordination, build partnerships, and share best practices in environmental health data collection, analysis, and reporting.

SEC. 6. HEALTH IMPACT ASSESSMENTS.

(a) Definition of Eligible Entity- In this section, the term 'eligible entity' means any unit of local government the jurisdiction of which includes individuals or populations the health of which are or will be affected by an activity or a proposed activity.

(b) Establishment of a Health Impact Assessment Program - The Director shall establish a program at the California Department of Public Health ("Program") to guide and support the practice of health impact assessment in California, including:

- (1) Identifying and evaluating international model practices in health impact assessment;
- (2) Developing guidance to conduct health impact assessments for land use and transportation planning in California;

(3) Evaluating needs for research and analytic tools to evaluate and forecast health effects resulting from land use and transportation plans and projects;

(4) Providing training and technical assistance to local agencies electing to conduct health impact assessments;

(5) Establishing a funding program to support the conduct health impact assessments by eligible entities;

(5) Establishing a funding program to develop and validate analytic tools to forecast potential health effects of land use and transportation planning and policy outcomes

(6) Evaluating health impact assessments implemented in California; and

(7) Maintaining a database of health impact assessments conducted in California

(c) California Guidance for Health Impact Assessment of Land Use and Transportation Plans - Not later than two years after the date of enactment of this Act, The Director, in collaboration with the IWG and the Program, shall develop and promulgate guidance for the health impact assessment of land use, housing, and transportation policy and plans. This guidance shall be generally consistent with the principles of Health Impact Assessment as promulgated by the International Association of Impact Assessment (IAIA) in 2006 and shall include:

(A) A definition of health impact assessment

(B) A set of principles for the conduct of health impact assessment

(C) A review of methods for health impact assessment

(D) Identification of existing guidance documents relevant to HIA of land use and transportation planning;

(E) A summary of evidence-based causal pathways that link urban planning, transportation, and housing policy and objectives to human health objectives;

(F) Identification of data resources relevant for assessing urban planning, transportation, and housing policy related human health objectives in California

(G) Identification of available quantitative and qualitative forecasting methods to evaluate effects on environmental

health determinants and related human health outcomes;
and

(H) Review of practices for inclusive public involvement in
planning decision-making; and

(I) Guidance for public participation and public review of
Health Impact Assessments

(d) Grant Program for Health Impact Assessment- The Program shall
provide funding and technical assistance to eligible entities to prepare
health impact assessments.

(1) IN GENERAL- To receive a grant under this section, an
eligible entity shall submit to the Secretary an application in
accordance with this subsection, in such time, in such manner,
and containing such additional information as the Secretary may
require.

(2) INCLUSION-

(A) IN GENERAL- An application under this subsection shall
include an initial assessment by the eligible entity of type
and magnitude of potentially significant effects on health
and / or determinants of health potentially resulting from
the applicable activity or proposed activity.

(B) Effects on health analyzed in a HIA may be the direct
result of the activity or mediated indirectly via effects on
any environmental or social health determinants. At this
time, known environmental and social determinants of
health include:

- (i) The quality of air, water, or soil
- (ii) The quality, accessibility, or affordability of
housing
- (iii) The quality or accessibility of public plazas, parks
and natural spaces
- (iv) The availability of transportation choices
- (v) Environmental noise
- (vi) The quality and accessibility of public services
such as libraries
- (vii) The quality and accessibility of public
educational facilities
- (viii) Cultural or historical institutions
- (ix) Community cohesion
- (x) Social networks
- (xi) Diversity and security of income and
employment

(C) FACTORS FOR CONSIDERATION- In making an assessment under subparagraph (A), an eligible entity may take into consideration any reasonable, direct, indirect, or cumulative effect relating to the applicable activity or proposed activity, including the effect of any action that is-

- (i) Included in the long-range plan relating to the activity or proposed activity;
- (ii) Likely to be carried out in coordination with the activity or proposed activity;
- (iii) Dependent on the occurrence of the activity or proposed activity; or
- (iv) Likely to have a disproportionate impact on disadvantaged populations.

(3) PURPOSES- The purposes of a health impact assessment are--

- (A) to evaluate the probable consequences for the health of a population resulting from a proposed activity;
- (B) to facilitate the involvement of State and local health officials in the health assessment of community planning and land use decisions; and
- (C) to identify and evaluate alternatives to a proposed activity with respect to the costs and benefits on health;

(4) REQUIREMENTS AND METHODOLOGY- A health impact assessment prepared under this subsection shall--

- (A) Describe pathways through which the proposed activity may effect health determinants and health;
- (B) Assess, quantitatively or qualitatively, the direction and magnitude of the effects on health determinants and health of the proposed activity;
- (C) Make evidence-based recommendations of the eligible entity with respect to--
 - (i) the mitigation of any adverse impact on health of the proposed activity; or
 - (ii) the achievement of any positive potential impact of the proposed activity;
- (D) identify a means for monitoring of the impacts on health of proposed activity; and
- (E) include a list of each comment received with respect to the health impact assessment under subsection (e).

(F) shall be consistent with guidelines developed by the Director, in subsection (c);

(G) be consistent with the principles of health impact assessment adopted by the International Association of Impact Assessment

(5) REPORT REQUIRED An eligible entity using assistance received under this section shall prepare and submit to the Director a health impact assessment report.

(g) Health Impact Assessment Database- The Program shall establish and maintain a health impact assessment database, including--

(1) a catalog of health impact assessments received under this section;

(2) an inventory of tools used by eligible entities to prepare draft and final health impact assessments; and

(3) guidance for eligible entities with respect to the selection of appropriate tools described in paragraph (2).

Section 7: Funding

In 2007-2008 and each subsequent year the State of California shall appropriate \$2,800,000 to DPH to implement the requirements of this statute, including:

(A) \$400,000 to fund a Health Impact Assessment Program at DPH

(B) \$1,600,000 to fund Health Impact Assessment Program Grants to eligible local entities

(C) \$800,000 to fund inter-disciplinary research to create analytic tools for forecasting health effects of land use and transportation planning