
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 . ENVIRONMENTAL JUSTICE MAPPING AND DATA COLLECTION

6 §341-A Environmental justice mapping. (a) The office of
7 planning, in consultation with the department of health,
8 department of land and natural resources, University of Hawaii
9 environmental center, and relevant stakeholders, shall establish
10 an interactive, transparent, integrated, and statewide tool for
11 assessing and mapping environmental justice communities, based
12 on the cumulative impacts of all indicators selected by the
13 office of planning to be integrated into the tool.

14 (b) In establishing the tool under subsection (a), the
15 office of planning shall:

16 (1) Integrate into the tool indicators that fall into
17 categories, including:



- 1 (A) Demographics, particularly relating to
- 2 socioeconomic 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) Public health, particularly data that are
- 19 indicative 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) Pollution burdens, such as pollution burdens
- 9 created 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) Environmental effects, such as effects created by
- 17 proximity 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
2 section 105(a)(8)(B) of the Comprehensive
3 Environmental Response, Compensation, and
4 Liability Act of 1980, P.L. 96-510
5 (42 U.S.C. 9605(a)(8)(B)) as amended;

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) Length of commute;
- 8 (D) Indoor air quality in multiunit dwellings;
- 9 (E) Outdoor air quality;
- 10 (F) Mental health;
- 11 (G) Labor market categories, particularly relating to
- 12 essential workers; and
- 13 (H) Each type of utility expense;
- 14 (4) Identify a methodology to account for the cumulative
- 15 impacts of all indicators selected by the office of
- 16 planning to be integrated into the tool to provide
- 17 environmental justice scores for regions that are as
- 18 small as practicable to identify communities, given
- 19 the identified available data, and not larger than a
- 20 census tract;



- 1 (5) Ensure that the tool is capable of providing maps of
2 environmental justice communities based on
3 environmental justice scores described in
4 paragraph (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



1 which quantitative data are lacking, such as
2 cultural loss in native Hawaiian communities;

3 (9) Consider that the tool:

4 (A) Shall be used across the State in screening state
5 policies and investments for environmental and
6 climate justice impacts; and

7 (B) May be used to assess communities for pollution
8 reduction programs; and

9 (10) Carry out any other activities the office of planning
10 determines to be appropriate.

11 **§341-B Hearings; updates.** (a) In developing the tool
12 described in section 341-A, the office of planning shall conduct
13 public hearings in accordance with chapter 92.

14 (b) The office of planning shall update the tool described
15 in section 341-A not less frequently than annually to account
16 for data sets that are updated annually.

17 (c) No less than once every three years, the office of
18 planning shall:

19 (1) Update the indicators, methodology, or both for the
20 tool described in section 341-A; and



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 section 341-A and each update under subsection (b) or (c),
5 the office of planning 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 office of planning 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 office of planning shall make available to the
19 public on its website:

20 (1) The tool described in section 341-A;

21 (2) Each update under subsections (b) and (c);



- 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 office of planning shall direct
6 relevant state departments and agencies to conduct an audit of
7 data collected by the department or agency to identify any data
8 that are relevant to environmental justice concerns, including
9 data 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 office of planning shall direct a state department
16 or agency, in conducting an audit under subsection (a), to
17 address gaps in existing data collection that will assist the
18 office in establishing and operating the tool described in
19 section 341-A, including by providing to the department or
20 agency:

- 21 (1) Benchmarks to meet in addressing the gaps; and



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) No later than one hundred eighty days after a state
5 department or agency has conducted an audit under
6 subsection (a), the office of planning shall:

7 (1) Make available to the public on its website a report
8 describing the findings and conclusions of the audit,
9 including the progress made by the department or
10 agency in addressing environmental justice data gaps;
11 and

12 (2) Submit the report to the legislature.

13 **§341-D Data collection.** (a) The director of the office
14 of planning shall establish an environmental justice data
15 repository to maintain the data collected by the office of
16 planning through the establishment of the tool described in
17 section 341-A and the audits conducted under section 341-C.

18 (b) The director shall update the data in the data
19 repository described in subsection (a) as frequently as
20 practicable, but not less frequently than once every three
21 years."



1 SECTION 2. Chapter 341, Hawaii Revised Statutes, is
2 amended by designating sections 341-1 to 341-6 as part I,
3 entitled "General Provisions".

4 SECTION 3. Section 341-2, Hawaii Revised Statutes, is
5 amended by adding four new definitions to be appropriately
6 inserted and to read as follows:

7 "Cumulative impacts" means a measure of how multiple
8 environmental harms, such as exposure to different types of
9 pollution, co-occur and then interact with extant population
10 characteristics, such as health, economic, demographic, and
11 social factors, to produce amplified harm.

12 "Environmental justice" means the fair treatment and
13 meaningful involvement of all people regardless of race, color,
14 culture, national origin, or income, with respect to the
15 development, implementation, and enforcement of environmental
16 laws, regulations, and policies to ensure that each person
17 enjoys:

- 18 (1) The same degree of protection from environmental and
19 health hazards; and
20 (2) Equal access to any state or county agency action
21 relating to the development, implementation, and



1 enforcement of environmental laws, regulations, and
2 policies for the purpose of having a healthy
3 environment in which to live, learn, work, and
4 recreate.

5 "Environmental justice community" means a community having
6 significant representation of communities of color, low-income
7 communities, or native Hawaiian communities that experiences, or
8 is at risk of experiencing, higher or more adverse human health
9 or environmental effects, as compared to other communities.

10 "Relevant stakeholder" means:

- 11 (1) A representative of a state or county government
12 agency;
- 13 (2) A representative of a nongovernmental organization
14 having experience in areas that may include native
15 Hawaiian relations, environmental conservation, county
16 planning, and public health;
- 17 (3) A representative of a labor union;
- 18 (4) A representative or member of:
 - 19 (A) An environmental justice community; or
 - 20 (B) A community-based organization for an
21 environmental justice community;



1 SECTION 6. New statutory material is underscored.

2 SECTION 7. This Act shall take effect on July 1, 2050.



Report Title:

Office of Planning; Environmental Justice Mapping; Data
Collection; Appropriation

Description:

Requires the office of planning to develop a tool to identify
economic justice communities. Defines "economic justice
community". Appropriates moneys. Effective 7/1/2050. (HD1)

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

