HOUSE DOCKET, NO. 4161 FILED ON: 2/16/2023

HOUSE . . . . . No.

The Commonwealth of Massachusetts

PRESENTED BY:

Christopher J. Worrell

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act of improving environmental justice in Black communities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Christopher J. Worrell	*5th Suffolk*	*2/16/2023*

HOUSE DOCKET, NO. 4161 FILED ON: 2/16/2023

HOUSE . . . . . No.

By Representative Worrell of Boston, a petition (subject to Joint Rule 12) of Christopher J. Worrell that the Executive Office of Environmental Affairs be authorized to conduct an environmental audit of environmental justice neighborhoods. Environment and Natural Resources.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act of improving environmental justice in Black communities.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Whereas Black/African American, Asian, Indigenous, Latino/Hispanic, and low-income persons of the Commonwealth have been adversely and disproportionally impacted by environmental burdens posed by living and working in environmental justice neighborhoods, it is the intention of the general court, to authorize meaningful actions to redress said impacts. To achieve the purposes as stated in this section as well as sections 2 and 3, inclusive, this Act shall be known as the Commonwealth GREEN ZONES ACT.

SECTION 2. As used in sections 1 through 4, inclusive, the following words shall, unless the context clearly requires otherwise, have the following meanings:—

"Environmental Audit" means a comprehensive study undertaken by the secretary for the purpose of identifying and quantifying the number and type of environmental burdens as defined herein and shall include but not be limited to public health data, public safety data, energy

burden, transportation access data, and land use where such data is useful in quantifying the environmental burden within an environmental justice neighborhood.

Where clusters of environmental burden and/or opportunity to create environmental sustainability and Environmental resilience exist, those areas will be defined as “Green Zones” for the purpose of planning and funding.

The audit will include determining prior causes of environmental burden, where possible if those conditions still exist, and the ideal future “Green” state.

“Environmental Burdens” means (a) any destruction, damage, or impairment of natural resources that is not insignificant, resulting from intentional or reasonably foreseeable causes, including but not limited to climate change, air pollution, water pollution, soil contamination, improper sewage disposal, dumping of solid wastes and other noxious substances, excessive noise, activities that limit access to natural resources and constructed outdoor recreational facilities and venues, inadequate remediation of pollution, reduction of groundwater levels, impairment of water quality, increased flooding or stormwater flows, and damage to inland waterways and waterbodies, wetlands, marine shores, and waters, forests, open spaces, and playgrounds from private industrial, residential, commercial and government operations or other activity that contaminates or alters the quality of the environment and poses a risk to public health.

“Environmental sustainability” means the ability to maintain an ecological balance in the natural environment and conserve natural resources to support the well-being of current and future generations.

“Environmental resilience” means the capacity of an ecosystem to respond to a perturbation or disturbance by resisting damage and recovering quickly.

“Environmental Justice Neighborhood” means a neighborhood located within a municipality designated as an Environmental Justice Community and which meets one or more of the following criteria: (i) the annual median household income is not more than 65 percent of the statewide annual median household income; (ii) minority individuals comprise 40 percent or more of the population; (iii) 25 percent or more of households lack English language proficiency or (iv) minorities comprise 25 percent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 percent of the statewide annual median household income.

“Green Zone” means an area or areas within a targeted environmental justice neighborhood identified pursuant to an environmental audit in which specific strategies to mitigate, redress and eliminate environmental burdens and the ability to improve and increase environmental sustainability and resilience exists.

"Lack of English Language Proficiency" refers to households that, according to federal census forms, do not have an adult proficient in English.

“Minority” refers to individuals who identify themselves as Latino/Hispanic, Black/African American, Asian, Indigenous people, and people who otherwise identify as non-white.

“Neighborhood” means a census block group as defined by the U.S. Census Bureau but not including individuals who live in college dormitories or individuals under formally

authorized, supervised care or custody, including but not limited to federal prisons, state prisons, or county house of corrections.

"Officer", "officers" and "administrative officers", means, when used without further qualification or description, any person or persons in charge of any department or division of a city.

“Secretary” means the secretary of the executive office of energy and environmental affairs.

“Targeted Environmental Justice Community” means a municipality designated as an environmental justice community that meets two or more of the following criteria: (i) the municipality is comprised of 100 or more block groups; (ii) the percentage of block groups defined as environmental justice block groups is not less than 75% of all block groups located within the municipality; or (iii) the population of individuals residing within environmental justice block groups is not less than 100,000

“Targeted Environmental Justice Neighborhood” means an environmental justice neighborhood within a Targeted Environmental Justice Community in which areas within the environmental justice neighborhood may be designated or otherwise identified as green zones.

SECTION 3. (a) Notwithstanding any general or special law to the contrary, the Secretary of the Executive Office of Environmental Affairs is hereby authorized and directed to conduct an environmental audit of environmental justice neighborhoods located within the Commonwealth.

(b) In furtherance of conducting the environmental audit, the secretary is hereby authorized to create an environmental audit working group, consisting of not less than nine persons who live or work in an environmental justice neighborhood, to provide advice to the secretary on the conduct of said environmental audit. Said members of the environmental audit working group shall serve without compensation but may be reimbursed for expenses necessarily incurred in the performance of serving on the working group.

(c) The secretary upon completion of an environmental audit shall transmit the findings of said environmental audit, in report format, to the officer of the municipality in which the environmental justice neighborhood is located, pursuant to the environmental audit, shall identify and designate within said environmental justice neighborhoods areas to be known as green zones.

(d) Pursuant to subsections (a) and (b) of this section, the secretary shall, bi-annually, not later than October 1, shall report to the clerks of the house of representatives and senate, chairs of house and senate committees on ways and means, and the chairs of the joint committee on environment, natural resources and agriculture the findings of said environmental audit and shall cause said environmental audit to be published on the main webpage of the executive office of environmental affairs.

(e) In addition to conducting an environmental audit, the secretary shall designate green zones within targeted environmental justice neighborhoods; provided that in addition to the working group created pursuant to subsection (c) of this section, the Secretary shall consult and otherwise provide opportunities for input by residents of targeted environmental justice neighborhoods in the process of designating said green zones.

(f) Pursuant to this Section, the Secretary is hereby authorized to enter into an intrastate compact with the officer of the environmental justice community for which an environmental audit was conducted. Said intrastate compact shall be designed to establish and define the levels of cooperation that may be developed in an effort to realize the goals and objectives of green zones, so designated, within a targeted environmental justice neighborhood. Said levels of cooperation may include, be limited to, the designation of agency staff, the provision of other technical assistance, the making of planning grants, and such other means that are otherwise authorized by existing state law.

SECTION 4. Notwithstanding any general or special law to the contrary, this act shall take effect immediately.