



STATE OF WASHINGTON

DEPARTMENT OF HEALTH

DIVISION OF ENVIRONMENTAL PUBLIC HEALTH

PO Box 47820 • Olympia, Washington 98504-7890

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November 6, 2023

Greetings Honorable Tribal Leaders and Tribal Partners:

SUBJECT: Definition and criteria of “disadvantaged communities” under Drinking Water State Revolving Fund

In accordance with chapter [43.376 RCW](#), the [Washington State Centennial Accord of 1989](#), and [DOH Consultation and Collaboration Procedure](#), we are writing today to invite collaboration with tribal leaders and tribal environmental and water officers on a rulemaking for chapter [246-296 WAC](#)- Drinking Water State Revolving Fund (DWSRF) Loan Program to develop a definition and criteria for “disadvantaged communities” as required by the federal Bipartisan Infrastructure Law (BIL). A draft agenda of the virtual listening session is attached to this letter.

Monday, November 27, 2023 - 3:00 PM to 5:00 PM

<https://us02web.zoom.us/j/86103994965?pwd=VGxqbzFPMIE3UUY3SFJLMIA4OEpQQT09>

About this Rulemaking

The Washington State Department of Health (DOH) has recently adopted an updated emergency rule, [WSR 23-18-044](#), August 30, 2023. We are evaluating these changes and will consider permanently adopting these amendments to meet BIL requirements. More information about the rulemaking process can be found on [the DWSRF emergency rulemaking website](#).

About the DWSRF

[The DWSRF Loan Program](#) is a federally funded program that provides low-interest loans to help eligible public water systems build, repair, and redesign public drinking water infrastructure. Tribal entities are eligible to receive DWSRF money for drinking water infrastructure projects provided the proposed project has not already received assistance from the national set-aside for Indian tribes.

For additional information and to provide written feedback, contact Mike Means, Capacity Development and Policy Director, Office of Drinking Water at (360) 236-3178 or mike.means@doh.wa.gov. Please contact Candice Wilson, our agency’s Tribal Policy Director, at 260-819-7626 or candice.wilson@doh.wa.gov if you have tribal affairs-related questions.

Sincerely,

Kay Rottell
Deputy Director, Office of Drinking Water

cc: Umair A. Shah, MD, MPH, Secretary of Health, Department of Health
Candice Wilson, Quatz'tenaut (Lummi), Tribal Policy Director, Department of Health
Jessica Todorovich, Chief of Staff, Department of Health
Kristin Peterson, Chief of Policy, Planning & Evaluation, Department of Health
Elizabeth Perez, Chief of Public Affairs and Equity, Department of Health
Kristopher Holiday, Chief of Strategic Partnerships, Department of Health
Lacy Fehrenbach, Chief of Prevention, Safety and Health, Department of Health
Lauren Jenks, Assistant Secretary of Environmental Public Health Division, Department of Health