

WASHINGTON STATE DEPARTMENT OF HEALTH

Environmental  
Justice  
Assessment  
Report





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# Environmental Justice Reporting Overview



An Environmental Justice Assessment (EJA) is an opportunity to assess the environmental justice impacts of an agency action. The template is designed to meet all of the requirements established under [Washington’s Environmental Justice Law<sup>1</sup>](#) (also known as the HEAL Act). While it was developed by the HEAL Interagency Working Group, this document has been adapted by the Washington State Department of Health (DOH) to meet agency needs for fulfilling the requirements of completing an EJA.

**EJA Table 1: Environmental Justice Assessment Overview**

1. Primary agency responsible for this action	Washington State Department of Health
2. Primary agency staff contact(s)	
3. Secondary agency contact(s), if applicable	
4. Description of proposed significant agency action	
5. Date environmental justice assessment was initiated	
6. Date environmental justice assessment was completed	
7. Type of significant agency action (check one)	<input type="checkbox"/> The development and adoption of significant legislative rules as defined in <a href="#">RCW 34.05.328<sup>2</sup></a> <input type="checkbox"/> The development and adoption of any new grant or loan program that a covered agency is explicitly authorized or required by statute to carry out <input type="checkbox"/> A capital project, grant, or loan award by a covered agency of at least \$12,000,000 or a transportation project, grant, or loan by a covered agency of at least \$15,000,000 <input type="checkbox"/> The submission of agency request legislation to the office of the governor or the office of financial management for approval <input type="checkbox"/> Any other agency actions deemed significant by a covered agency consistent with <a href="#">RCW 70A.02.060<sup>3</sup></a> if so, please name: _____
8. Link(s) to initial notification with Office of Financial Management	

<sup>1</sup> Washington’s Environmental Justice Law (HEAL Act)  
<https://app.leg.wa.gov/RCW/default.aspx?cite=70A.02&full=true>

<sup>2</sup> RCW 34.05.328  
<https://app.leg.wa.gov/RCW/default.aspx?cite=34.05.328#:~:text=PDF%20RCW%2034.05.328%20Significant%20legislative%20rules%2C%20other%20selected,objectives%20of%20the%20statute%20that%20the%20rule%20implements%3B>

<sup>3</sup> RCW 70A.02.060 <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.02.060>

and/or other postings, such as publicly available results, materials, or reports related to the assessment.	
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## Background Information:

### Section 1

#### Analyze Environmental Benefits and Harms

1. Describe likely environmental benefits<sup>4</sup> for overburdened communities, vulnerable populations, and tribes associated with this action.
2. Describe likely environmental harms<sup>5</sup> for overburdened communities, vulnerable populations, and tribes associated with this action.
3. Describe likely associated positive health impacts for overburdened communities, vulnerable populations, and tribes associated with this action.
4. Describe likely associated negative health impacts for overburdened communities, vulnerable populations, and tribes associated with this action.

### Section 2

#### Identify Overburdened Communities and Vulnerable Populations

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<sup>4</sup> **Environmental benefits** mean activities that: (a) Prevent or reduce existing environmental harms or associated risks that contribute significantly to cumulative environmental health impacts; (b) Prevent or mitigate impacts to overburdened communities or vulnerable populations from, or support community response to, the impacts of environmental harm; or (c) meet a community need formally identified to a covered agency by an overburdened community or vulnerable population that is consistent with the intent of chapter 70A.02 RCW.

<sup>5</sup> **Environmental harm** means the individual or cumulative environmental health impacts and risks to communities caused by historic, current, or projected: (a) Exposure to pollution, conventional or toxic pollutants, environmental hazards, or other contamination in the air, water, and land; (b) Adverse environmental effects, including exposure to contamination, hazardous substances, or pollution that increase the risk of adverse environmental health outcomes or create vulnerabilities to the impacts of climate change; (c) Loss or impairment of ecosystem functions or traditional food resources or loss of access to gather cultural resources or harvest traditional foods; or (d) Health and economic impacts from climate change.

1. **Identify the geographic area(s) where there may be environmental and health impacts as a result of the agency action.**
2. **Describe overburdened communities<sup>6</sup> and vulnerable populations<sup>7</sup> identified within the geographic area(s) where there may be environmental and health impacts as a result of the agency action.**

## Section 3

### Tribal Engagement and Consultation

1. **Summarize tribal engagements and invitations for tribal consultation to date.**
2. **Describe likely impacts to tribal rights and resources associated with this action.**
3. **Summarize how information received from tribes and tribal organizations informed decision-making about this action.**
4. **Describe any plans for ongoing and/or future tribal consultation after the publication of the EJ Assessment.**

## Section 4

### Community Engagement Summary

1. **Summarize engagement with people from overburdened communities and vulnerable populations to date.**
2. **Summarize information received from people from overburdened communities and vulnerable populations.**

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<sup>6</sup> **Overburdened community** means a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts, and includes, but is not limited to, highly impacted communities as defined in RCW 19.405.020.

<sup>7</sup> **Vulnerable populations** means population groups that are more likely to be at higher risk for poor health outcomes in response to environmental harms, due to: (i) Adverse socioeconomic factors, such as unemployment, high housing and transportation costs relative to income, limited access to nutritious food and adequate health care, linguistic isolation, and other factors that negatively affect health outcomes and increase vulnerability to the effects of environmental harms; and (ii) sensitivity factors, such as low birth weight and higher rates of hospitalization.

**Vulnerable populations** includes, but is not limited to:

- (i) Racial or ethnic minorities;
- (ii) Low-income populations;
- (iii) Populations disproportionately impacted by environmental harms; and
- (iv) Populations of workers experiencing environmental harms.

3. Summarize how information received from people from overburdened communities and vulnerable populations informed decision-making about this action.
4. Describe plans for ongoing engagement with people from overburdened communities and vulnerable populations.

## Section 5

### Strategies to Address Environmental Harms and Equitably Distribute Environmental Benefits

1. Which of the following strategies will the agency pursue to eliminate, reduce, or mitigate environmental harms and equitably distribute environmental benefits (check all that apply):

- Eliminating the disparate impact of environmental harms on overburdened communities and vulnerable populations;
- Reducing cumulative environmental health impacts on overburdened communities or vulnerable populations;
- Preventing the action from adding to the cumulative environmental health impacts on overburdened communities or vulnerable populations;
- Providing equitable participation and meaningful engagement of vulnerable populations and overburdened communities in the development of the significant agency action;
- Prioritizing equitable distribution of resources and benefits to overburdened communities;
- Promoting positive workforce and job outcomes for overburdened communities;
- Meeting community needs identified by the affected overburdened community;
- Modifying substantive regulatory or policy requirements; and
- Any other mitigation techniques, including those suggested by the Environmental Justice Council, the Office of Equity, or representatives of overburdened communities and vulnerable populations.

2. Briefly describe the proposed method/approach for each strategy selected in Section 5, Question 1.
3. Describe additional strategies the program has identified to eliminate, reduce, and/or mitigate harms and equitably distribute benefits.
4. If the agency determines that it does not have the ability or authority to eliminate, reduce, or mitigate environmental harms caused by a significant agency action, or does not have the ability or authority to address the equitable distribution of environmental benefits, provide a clear explanation of why it has made that determination.
5. Identify performance measures or indicators (recommended 3-5) that can be used to track the equitable distribution of environmental benefits and/or the elimination, reduction, or mitigation of environmental harms for overburdened communities, vulnerable populations, or tribes.