
Environmental Justice

Washington State invests in environmental justice through HEAL Act

Environmental justice means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, rules, and policies. Environmental justice includes addressing disproportionate environmental health impacts in all laws, rules, and policies with environmental impacts by prioritizing vulnerable populations and overburdened communities, the equitable distribution of resources and benefits, and eliminating harm.

The passage of the [Healthy Environment for All \(HEAL\) Act](#) in 2021 is a historic step toward eliminating environmental health disparities and more equitably distributing health and environmental benefits among communities of color and low-income households. It is the first law in Washington to create a coordinated state agency approach to environmental justice (EJ).

The law covers seven state agencies: the Washington State Department of Health (DOH); the state departments of Agriculture, Commerce, Ecology, Natural Resources and Transportation; and Puget Sound Partnership. It allows other agencies to opt in.

Major Elements of the HEAL Act. The HEAL Act builds on and implements some of the major recommendations from the [Environmental Justice Task Force](#). Some key elements include:

- Incorporating EJ into agency work such as strategic plans, community engagement plans, tribal consultation frameworks and environmental justice assessments for certain significant actions.
- Promoting the equitable sharing of environmental benefits and investing in communities that have experienced the greatest environmental and health burdens. Agencies must focus expenditures toward creating environmental benefits for overburdened communities and vulnerable populations. The law sets a goal of 40% of expenditures to these communities.
- Creating a platform for disproportionately affected communities to advise state government on how to best address EJ issues across the state. The law creates an Environmental Justice Council and an interagency workgroup to coordinate EJ priorities among agencies.
- Supporting evaluation tools and processes to track progress toward EJ. The law requires the Department of Health to maintain and update the Environmental Health Disparities map for evaluating and tracking environmental health disparities. Agencies and the Council must track, measure and report on environmental justice implementation.

Improving government accountability to communities and Tribes.

The law creates an Environmental Justice Council to provide recommendations and guidance to the state and an interagency workgroup to assist with technical coordination among the state agencies. The [Climate Commitment Act \(CCA\)](#) requires the Environmental Justice Council to advise on several elements of climate programs and receive reports on certain aspects of the implementation of this law.

The council will consist of 16 members appointed by the governor. Council membership includes seats for community representatives, a youth community representative, environmental justice practitioners, tribes, labor and business. One executive-level person from each covered agency will serve as a non-voting liaison to the council.



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Timeline

2022

July: Develop Community Engagement Plan

September: Provide annual report to Council

2023

January: Incorporate implementation plan into agency strategic plan

July: Implement and publish budgeting principles; conduct assessments; and implement reporting

2024

September: Publish dashboard report

Department of Ecology begins reporting auctions summary to the Council

2025

July: Define additional significant agency actions

2027

Department of Ecology begins reporting on implementation of the Climate Commitment Act to the Council

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Agency coordination and requirements. The law gives agencies standards of practice and seeks to accelerate and coordinate work. DOH is required to convene an interagency workgroup to support Environmental Justice Council work and ensure coordination among agencies.

Environmental justice assessments. The law requires covered agencies to conduct environmental assessments when making decisions to inform and support agency considerations of overburdened communities and vulnerable populations. Assessments are intended to assist the agency with understanding disproportionate impacts, equitably distributing environmental benefits, reducing environmental harms, and addressing environmental and health disparities. This process should not delay the timeline nor completion of the action being assessed.

Starting July 1, 2023, these assessments will be performed on:

- Developing certain agency rules (also called significant legislative rules).
- Adopting or developing new grant or loan programs.
- Designing or awarding capital projects, grants, or loans of \$12 million or more.
- Designing or awarding transportation projects, grants, or loans of \$15 million or more.
- Developing agency request legislation.

Role of the Washington Tracking Network. Washington Tracking Network (WTN) is a DOH program focused on making public health data more accessible. This data includes our [Environmental Health Disparities \(EHD\) map](#), an interactive mapping tool that compares communities across our state for environmental health disparities, and provides insights into where public investments can be prioritized. With the passage of the HEAL Act, the EHD map is identified as a resource to agency decision-making and requires DOH to maintain and expand the map. The law also requires the Washington State Institute for Public Policy to conduct a technical review of the map.

Under the new law, WTN will:

- Add functionality to track changes in environmental health disparities over time.
- Further develop the EHD map engaging with communities, researchers, and others.
- Perform a comprehensive evaluation of the map every three years to ensure that the most current modeling and methods are being used.
- Expand online video training on how to use the EHD map.
- Provide support and consultation to agencies on how to use the EHD map.