

WSR 23-14-046

DEPARTMENT OF HEALTH

[Filed June 27, 2023, 11:51 a.m.]

In accordance with the Healthy Environment for All (HEAL) Act (RCW 70A.02.010), the following are the types of agency actions that the department of health (DOH) has determined are significant agency actions that require an environmental justice assessment:

- The development and adoption of significant legislative rules as defined in RCW 34.05.328;
- 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;
- 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; and
- The submission of agency request legislation to the office of the governor or the office of financial management for approval.

As stated in RCW 70A.02.060, actions designated as significant agency actions must be actions that may cause environmental harm or affect the equitable distribution of environmental benefits to an overburdened community or a vulnerable population.

Consistent with RCW 70A.02.060, DOH may deem additional actions significant, in addition to the significant agency actions listed above. Starting July 1, 2025, DOH must begin applying environmental justice assessments to any additional significant agency actions designated by the agency.

DOH is beginning a process to identify additional types of significant agency actions for consideration. To help guide that process, DOH held an informal public comment period from May 5 - June 15, 2023, to identify additional types of DOH actions that would benefit from an environmental justice assessment starting in 2025. A summary of comments regarding additional actions for consideration is below:

Comment Summary: One commenter recommended that DOH expand the list of types of significant agency actions being considered to include issuance of grants and loans under existing programs as significant agency actions.

Response Summary: Due to limited existing capacity, DOH will begin implementation on existing significant agency actions named in statute; however, the agency is also beginning a process to identify additional types of significant agency actions for implementation starting in 2025. We appreciate this comment and will consider including this action for implementation in 2025.

Recommended Action: Explore feasibility of expanding significant agency actions to include grants and loans under existing programs for implementation of environmental justice assessments in 2025.

If you need further information, please contact Leah Wood, Equity and Environmental Justice Consultant, DOH, 111 Israel Road S.E., Tumwater, WA 98501, phone 360-913-2580, email leah.wood@doh.wa.gov, web www.doh.wa.gov.