

Environmental Justice Assessment Template

Purpose of the Environmental Justice Assessment

The Environmental Justice (EJ) Assessment process helps assess the environmental justice impacts of Significant Agency Actions (SAAs). The assessment informs and supports consideration of overburdened communities and vulnerable populations when making decisions. This information assists with the equitable distribution of environmental benefits, the reduction of environmental harms, and the identification and reduction of health disparities.

The EJ assessment process aligns with Washington’s Environmental Justice law called the Healthy Environment for All (HEAL) Act ([RCW 70A.02](#)), as well as federal commitments in the [Performance Partnership Agreement](#) with the EPA. The assessment process draws on best practices established in [Technical Guidance for Assessing Environmental Justice in Regulatory Analysis](#) and [Promising Practices for EJ Methodologies in NEPA Reviews](#).

Instructions:

Environmental justice assessments are to be completed for the following actions:

- 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 of at least \$12,000,000 or a transportation project, grant, or loan of at least \$15,000,000
- The submission of agency request legislation to the office of the governor or the office of financial management for approval
- (Covered actions are expected to expand in 2025)

The EJ assessment asks you to describe basic information about the proposed agency action. Complete each question to the best of your knowledge. Not all questions will be relevant to the proposed action. You may need to consult with program and agency EJ specialists.

- Answer “N/A” if the question is not applicable to the action being assessed.
- If you answer N/A, please briefly explain why the question is not applicable.
- Instructions and examples in **dark red**. Please delete the red text when adding your answer.

This assessment is not required to be a comprehensive or an exhaustive examination of all potential impacts of a significant agency action and does not require novel quantitative or economic analysis of the proposed significant agency action. The time and resource investment, and depth of assessment, will be influenced by the reasonable applicability of the questions to the agency action. You are encouraged to consult with OEEJ and the Office of the Attorney General to guide your level of analysis. Ecology plans to update this document and incorporate what we learn through practice, community engagement, Tribal consultation, and any guidance we may receive from the Environmental Justice Council.

Guidance on completing this assessment is in development by Ecology’s Office of Equity and Environmental Justice (OEEJ). Questions can be sent to OEEJHelp@ecy.wa.gov.

Section 1: Background

Important to know

- The outcome of this section will be a public notification that an Environmental Justice Assessment has been initiated.
- This section should be brief and based on information available at hand.
- Do not conduct new quantitative or economic analyses.

Background Information

1. Descriptive title of project/action:
[e.g., title of request legislation, name of grant program]
2. Date EJ Assessment initiated:
[e.g., agency request legislation due date of initial proposal]
3. Ecology Program/Office:
4. Point of contact for EJ Assessment:
[e.g., name of staff]
5. Significant Agency Action type, select one or more:
 - Rulemaking
 - New grant or loan program
 - New capital project, grant, or loan of \$12 million or more
 - Request legislation
 - Other, explain:
6. Write a short summary of the action.
[Instructions: write 1-2 paragraphs. When relevant, include purpose of the action, area of geographic area likely to be affected, intended environmental benefits, intended health benefits, populations expected to be impacted]
7. Identify the method(s) for the public to comment on this proposed action for this assessment.
[e.g., public meetings with community groups, virtual meetings, online public comments]
8. Create/provide an Ecology webpage with information about this proposed action.
Provide link here:

Section 2: Notification that an Environmental Justice Assessment has been Initiated

Notification to OEEJ is required when initiating the Environmental Justice Assessment.

1. Notify OFM so the action can be added to the HEAL Interagency Work Group dashboard. See instructions on the Environmental Justice Assessment SharePoint page for more information.
2. Email your answers to “Section 1: Background” OEEJhelp@ecy.wa.gov

OEEJ will:

- Post information about the action on the agency’s external dashboard of all ongoing and completed Environmental Justice Assessments
- Email a notification of Environmental Justice Assessment initiation through our Environmental Justice GovDelivery system

Section 3: Identify Affected Tribes

Important to know

- Ecology must offer consultation with Indian tribes on significant agency actions that affect federally recognized Indian tribes’ rights and interest in their tribal lands.
- Until otherwise noted, use Ecology’s current practices for offering Tribal consultation.
- Agency Request Legislation (ARL) may have a different process for Tribal consultation. Please check-in with the legislative lead for your program.

Preparing for Tribal Consultation

1. Is the proposed action likely to have any local or regional impacts to federally reserved Tribal rights and resources, including but not limited to, those protected by treaty, executive order, or federal law? Choose one of the following:
 Yes
 No
 Unsure
2. List any federally recognized Tribes that are expected to be affected by the proposed action. If it is determined during consultation that Tribes do not wish to be included, then do not include them.
[e.g., Tribe name: effects...]
3. If it is determined at any other point in the process of the assessment that Tribes have self-identified as being potentially impacted by the action, then include them in the assessment and offer consultation.
4. Describe plans to offer consultation to identified Tribes.

Section 4: Offer Consultation:

- Offer consultation with identified Tribes.
- Summarize consultation in the next section, “Section : Summary of Tribal Consultation & Engagement.”

Section 5: Summary of Tribal Consultation & Engagement

Important to know

- Tribal consultation should inform your answers to all questions in this section.
- Additional engagement with Tribal community members is recommended, if appropriate.
- An agency Tribal Consultation framework is in development and will provide additional guidance in the future.

Summary of Tribal Consultation

1. Describe potential impacts (including harms and benefits) to federally recognized Tribal rights and interests in their tribal lands.
 - Do not share sensitive data or location information attributable to individual sites.
 - Do not share any information that Tribes have requested that you not share.

[This includes but is not limited to reservations, off-reservation trust lands, sacred sites, traditional cultural properties, burial grounds, and other tribal sites protected by federal or state law. Include any overlaps identified via tribal consultation.]
2. Describe potential impacts related to Tribal rights and interests that are not in Tribal lands?
[E.g., economic impacts from a specific industry.]
3. Summarize recommendations from Tribes to:
 - a. Mitigate or eliminate potential harms from the action
[Be specific about which Tribe recommendations should be attributed to.]
 - b. Equitably distribute benefits from the action
[Be specific about which Tribe recommendations should be attributed to.]
4. Describe how consultation, engagement, and analyses of impacts to Tribes has informed the development of the action. If it has not, explain why.
[E.g., changes to proposed legislation as a result of consultation]
5. Describe any plans to continue consultation or engagement with Tribes related to this action.

Section 6: Identification of Overburdened Communities & Vulnerable Populations

Important to know:

- This section identifies overburdened communities and vulnerable populations, as identified in the [definitions of RCW 70A.02](#), who will be affected by the action.
- If applicable, attach any relevant maps and graphics to the end of the assessment, and create a reference for them in the answer box [\[Figure 1\]](#).

Identify Overburdened Communities and Vulnerable Populations

1. Identify the geographic area(s) anticipated to be affected by the action.
[\[e.g., list or map specific census tracts, statewide, describe by characteristics like areas within a mile of a specific kind of incinerator\]](#)
2. When applicable, using the [Washington State Department of Health’s Environmental Health Disparities Map \(EHD Map\)](#), identify the EHD Map rankings for all census tracts likely to be impacted by the action.
3. From the rankings identified in question 2, are there any census tracts ranked 9 and 10?
 Yes
 No
If yes, describe.
4. Please describe additional cumulative health considerations relevant to this action.
[\[Answer to this question may be qualitative and/or may include information from additional datasets, tools, etc.\]](#)
5. When applicable, using the [EPA’s Environmental Justice Screening and Mapping Tool \(EJScreen\)](#), identify areas likely to be impacted by the action that are at or above the 80th percentile¹ (in state) for the “People of color” and “Low income” socioeconomic indicators.
[\[The 80th percentile is a starting point for analysis. Depending on the action and potential impacts, you may want to consider different rankings and percentiles. Collect ranking information for each indicator separately.\]](#)
6. Identify other EJScreen “Socioeconomic” and “Health Disparities” indicators at or above 80th percentile (in state) that are most relevant to this action.
[\[To find the “in state” information, generate a printable standard report, and be sure to draw percentages from the “Percentile in State”\]](#)

¹ The EPA identified the 80th percentile as an initial starting point and potential indicator of environmental justice considerations. <https://www.epa.gov/ejscreen/frequent-questions-about-ejscreen>

7. Using EJScreen, identify additional anticipated impacts from climate change in the impacted area, if relevant.

8. Using the federal [Climate and Economic Justice Screening Tool \(CEJST\)](#)², identify if the potentially affected area is considered disadvantaged for climate risks for additional indicators (as relevant).
[This is a national tool, but still may provide relevant information for the purpose of understanding the context of your project.]

9. Identify additional overburdened communities and vulnerable populations that are likely to be affected by the action.
[Consider the following, if relevant:
 - Workers experiencing environmental harms
 - Populations whose cultural resources may be affected
 - Populations whose recreation may be affected
 - Populations whose subsistence activities may be affected
 - Incarcerated people that may be affected
 - Unsheltered people who may be affected
 - Areas and people who will likely experience additional climate risks not captured in the above questions
 - Any additional populations with potentially higher environmental and health risks
 - People experiencing additional climate change impacts who may be affected
 - Other]Consider also using the Identifying [Environmental Impacts and Threats worksheet](#) for specific indicators.]

10. Through community engagement, were additional overburdened communities and vulnerable populations identified who are likely to be affected by the action? Describe additional communities or populations identified, and the reasons they would be considered overburdened and vulnerable.

11. Through Tribal Consultation, were additional overburdened communities and vulnerable populations identified who are likely to be affected by the action? Describe additional communities or populations identified, and the reasons they would be considered overburdened and vulnerable.

² This is a national tool and may provide relevant information and understanding of the climate related context of the action. Learn more about the methodology for identifying if a community is disadvantaged for climate risks here: [Methodology & data - Climate & Economic Justice Screening Tool \(geoplatform.gov\)](#)

Section 7: Summary of Community Engagement

Important to know

- The purpose of this section is to summarize community engagement activities.
- Your engagement should be tailored to specifically reach overburdened communities and vulnerable populations.
- **Community engagement is required for all significant agency actions**, but the engagement methods will vary depending on the size, scope, and topic of the project.
 - The level, type, and form of engagement is based on the likelihood that the actions may cause environmental harm or may affect the equitable distribution of environmental benefits to an overburdened community or a vulnerable population.
- For further guidance on community engagement as it relates to Environmental Justice Assessments, see the [Community Engagement for an Environmental Justice Assessment \(link\)](#) document on the OEEJ HEAL SharePoint.

Summarizing Community Engagement

1. Describe the engagement activities with identified overburdened communities and vulnerable populations.
2. What actions were taken to help address barriers to meaningful engagement?
[Consider including the following:
 - Stipends
 - Transportation reimbursements
 - Per diem reimbursements
 - Caregiving reimbursements
 - Accessibility (disability, language, cultural, economic) strategies]
3. Identify overburdened communities or vulnerable populations potentially affected by the action who were not engaged and explain why not.
4. Summarize recommendations from members of overburdened communities and vulnerable populations to mitigate or eliminate potential harms from the action and/or equitably distribute benefits from the action.
[Consider including the following:
 - Concerns
 - Benefits
 - Methods to reduce, eliminate, or mitigate harm
 - Alternatives
 - Desired outcomes]
5. Describe any plans for ongoing engagement with overburdened communities and vulnerable populations related to this action.

Section 8: Potential Environmental Benefits & Harms from Action

Important to know

- The purpose of this section is to identify any anticipated benefits and harms from the potential action, and to assess impacts on overburdened communities and vulnerable populations.
- The level, type, and form of engagement is based on the likelihood that the actions may cause environmental harm or may affect the equitable distribution of environmental benefits to an overburdened community or a vulnerable population. Answers to the questions in this section may help you strategize your approach to engagement.

Identify Potential Environmental Benefits & Harms from Action

1. Describe the anticipated benefits (direct and/or indirect) from this action.
[Consider benefits that may be related to:
 - Health
 - Economics
 - Environment
 - Social/cultural factors
 - Other]
2. Who will primarily benefit from this action?
3. How is the action expected to benefit specifically overburdened communities or vulnerable populations? If there is no benefit, identify potential barriers to benefitting from the action.
[Consider if there any existing social inequities that would prevent someone from being able to experience the benefits of the action. E.g., incentive rebates for people purchasing luxury electric vehicles worth over \$100K]
4. Describe anticipated harms (direct and/or indirect) from this action.
[Consider benefits that may be related to:
 - Health
 - Economics
 - Environment
 - Social/cultural factors
 - Other]
5. Who will primarily experience the harms?
6. Describe how the action may harm overburdened communities or vulnerable populations? Be as specific as possible.
[Consider if there are existing social inequities that would be heightened by the action, such as gentrification? Or are there specific areas or neighborhoods within the project area that may experience disparate impacts?]
7. Describe how the action would address environmental and health disparities.

[e.g., the action provides environmental data or resources to an unserved or underserved area.]

Section 9: Options to Eliminate, Reduce or Mitigate Harms and Equitably Distribute Benefits

Important to know

- Your answers in this section should be informed by engagement, answers from the previous subsections, and any legislative or regulatory boundaries that limit possible decision making.
- Include relevant information from the “Tribal Consultation & Engagement” and “Community Engagement” sections above.

Identify Options to Eliminate, Reduce, or Mitigate Harms & Equitably Distribute Benefits

1. Describe options to reduce, mitigate, or eliminate the identified probable harms to overburdened communities and vulnerable populations; and options to equitably distribute the benefits.
2. Describe methods chosen for this action to reduce, mitigate, or eliminate the identified probable harms to overburdened communities and vulnerable populations; and methods chosen to equitably distribute the benefits. You must consider the following methods, but are not limited to them:
 - 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 council, the office of equity, or representatives of overburdened communities and vulnerable populations.
3. If the agency determines it does not have the ability or authority to eliminate, reduce, or mitigate environmental harms caused by the action, or address the equitable distribution of environmental benefits, explain why that determination was made.

Section 10: Executive Summary

Provide a plain talked executive summary of the environmental justice assessment. Aim for the summary to be less than 1 page, and under 500 words.

Summary:

At this point, you've now completed your environmental justice assessment.

Section 11: Notification of Completed Assessment

1. Send the completed EJ assessment to OEEJHelp@ecy.wa.gov. See the OEEJ SharePoint for further instructions.

OEEJ will:

- Post the completed assessment on the on the agency's external dashboard of ongoing and completed Environmental Justice Assessments
- Share the assessment over the Environmental Justice GovDelivery list

2. After receiving the weblink from OEEJ to the assessment, share the link with:

- Any affected Tribes (or share the assessment via the methods identified during consultation).
- People who provided contact information through community engagement