



Environmental Justice Assessment Checklist

COVER SHEET

An environmental justice assessment (EJA) is an opportunity to assess the potential environmental justice impacts of an agency action. Developed in collaboration with the HEAL Interagency Workgroup and the Environmental Justice Council, this checklist is designed to meet the environmental justice assessment requirements established under Washington’s [Healthy Environment for All \(HEAL\) Act](#). Each agency mandated within the HEAL Act has a version of this template with an accompanying guidance document to specifically address individual agency needs and processes.

1. Primary agency staff contact(s)	Lenny Young
2. Secondary agency contact(s), if applicable	Sam Ramirez
3. Description of proposed significant agency action (SAA)	Authorizes the Commissioner of Public Lands to enter into collaborative law enforcement agreements with federally recognized Tribes.
4. Date EJA was initiated	11/20/2023
5. Type of SAA (check all that apply)	<input type="checkbox"/> The development and adoption of significant legislative rules as defined in RCW 34.05.328 . <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 checked="" 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"/> Programs requiring the labor of vulnerable and/or incarcerated populations. <input type="checkbox"/> Any other agency actions deemed significant by a covered agency consistent with RCW 70A.02.060 , if so, please name: Click or tap here to enter text .
6. Link(s) to initial notification with Office of Financial Management and/or other postings, such as publicly available results,	Notice of this SAA was filed with Office of Financial Management (OFM) on November 20, 2023. An autoreply from OFM stated, “Thank you for your submission. We will review and publish your submission within the next week.” A one-page



materials, or reports related to the assessment.	description of this SAA has been posted on DNR's public website (Tribal Interlocal Agreements - DNR).
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HOW TO USE THIS DOCUMENT

This checklist is intended to guide staff and provide structure for reporting the outcomes of an environmental justice assessment. For more detailed guidance on how to complete each section of this template, see the Environmental Justice Assessment Guidance Document. For detailed guidance on how to engage with tribal governments and tribal communities, see [DNR's Tribal Government Consultation Policy](#).

Section 1: Significant Agency Action Description

1. Describe the significant agency action (SAA) in 3-5 sentences.

This SAA is Agency Request Legislation (ARL). This ARL amends RCWs 7.84.140 and 43.12.065 to authorize the Commissioner of Public Lands to enter into collaborative law enforcement agreements with federally recognized Tribes. This ARL does not require DNR or any federally recognized Tribe to enter into such an agreement.

Section 2: Identify Overburdened Communities and Vulnerable Populations

1. Describe the geographic area(s) where there may be environmental and health impacts as a result of the agency action.

The specific geographic area(s) where there may be positive environmental impacts will depend on which Tribes are interested and capable of entering into collaborative law enforcement agreements with DNR. This SAA does not entail health impacts or negative environmental impacts.

2. Describe overburdened communities identified within the geographic area(s) where there may be environmental and health impacts as a result of the agency action. For a definition of 'overburdened communities' see Chapter [70A.02.010](#) RCW Section 11.

The specific overburdened communities that may experience positive environmental impacts will depend on which Tribes are interested and capable of entering into collaborative law enforcement agreements with DNR. This SAA does not entail health impacts or negative environmental impacts.



3. Describe vulnerable populations identified within the geographic area(s) where there may be environmental and health impacts as a result of the agency action. For a definition of 'vulnerable populations' see Chapter [70A.02.010](#) RCW Section 14 (a) and (b).

The specific vulnerable populations that may experience positive environmental impacts will depend on which Tribes are interested and capable of entering into collaborative law enforcement agreements with DNR. This SAA does not entail health impacts or negative environmental impacts.

Section 3: Analyze Environmental Benefits and Harms

1. Describe likely environmental **benefits** for overburdened communities, vulnerable populations, and Tribes associated with this action. For a definition of 'environmental benefits' see Chapter [70A.02.010](#) RCW Section 4(a)-(c).

This SAA may lead to environmental benefits for Tribes through improved protection for Tribal resources on DNR-managed lands, as a result of an increased law enforcement presence.

2. Describe likely environmental **harms** for overburdened communities, vulnerable populations, and Tribes associated with this action. For a definition of 'environmental harms' see Chapter [70A.02.010](#) RCW Section 5(a)-(d).

This SAA does not entail environmental harms.

3. Describe likely associated **positive** health impacts for overburdened communities, vulnerable populations, and Tribes associated with this action.

This SAA does not entail positive health impacts.

4. Describe likely associated **negative** health impacts for overburdened communities, vulnerable populations, and Tribes associated with this action.

This SAA does not entail negative health impacts.

Section 4: Tribal Consultation and Engagement of Indian Country

1. Summarize Tribal engagements and invitations for Tribal consultation to date.

DNR presented this SAA to Tribes gathered at DNR's July 10-11, 2023, Tribal Summit.

2. Describe likely impacts to Tribal rights and resources associated with this action.



This SAA does not entail impacts to Tribal rights. This SAA may provide improved protection for Tribal resources on DNR-managed lands through an increased law enforcement presence.

3. Describe any plans for ongoing and/or future Tribal consultation.

DNR will keep Tribes apprised of progress of this ARL during the 2024 legislative session. Assuming this ARL is passed by the legislature and signed by the Governor, DNR will reach out to Tribes to assess their interest and capability to enter into collaborative law enforcement agreements.

4. Summarize other engagement and feedback from Indian Country.

Click or tap here to enter text.

Section 5: Community Engagement Summary

1. Summarize engagement with people from overburdened communities and vulnerable populations to date.

DNR presented this SAA to Tribes gathered at DNR's July 10-11, 2023, Tribal Summit.

2. Summarize information received from people from overburdened communities and vulnerable populations.

Tribes' response to DNR's presentation at the July 10-11, 2023, DNR Tribal Summit was positive. No changes were requested.

3. Summarize how information received from people from overburdened communities and vulnerable populations informed decision-making about this action.

The positive response DNR received from Tribes at the 2023 Tribal Summit allowed DNR to proceed with development of the ARL.

4. Describe plans for ongoing engagement with people from overburdened communities and vulnerable populations.

DNR will keep Tribes apprised of progress of this ARL during the 2024 legislative session. Assuming this ARL is passed by the legislature and signed by the Governor, DNR will reach out



to Tribes to assess their interest and capability to enter into collaborative law enforcement agreements.

Section 6: Strategies to Address Environmental Harms and Equitably Distribute Environmental Benefits

1. Which of the following approaches 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.
- 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 action DNR will take for each approach selected in **Section 6, Question 1.**

DNR will keep Tribes apprised of progress of this ARL during the 2024 legislative session. Assuming this ARL is passed by the legislature and signed by the Governor, DNR will reach out to Tribes to assess their interest and capability to enter into collaborative law enforcement agreements.



3. Describe additional options the agency has to eliminate, reduce, and/or mitigate harms and equitably distribute benefits.

This SAA does not entail harms. DNR will explore collaborative law enforcement agreements with any Tribe that is interested and has qualified law enforcement personnel.

4. Describe how any environmental benefits will be equitably distributed and the resulting cumulative impacts of the proposed action.

DNR will explore collaborative law enforcement agreements with any Tribe that is interested and has qualified law enforcement personnel. Cumulative positive impacts may result through the synergy of law enforcement activities between DNR and Tribal law enforcement personnel.

5. In the absence of ability or authority, to fully eliminate, reduce, or mitigate environmental harms caused by the significant agency action, or does not address the equitable distribution of environmental benefits, provide an explanation.

This SAA does not entail environmental harms. Distribution of environmental benefits may geographically vary depending on Tribes' interest and capability to enter into collaborative law enforcement agreements.

Thank you for participating in this assessment and for your ongoing work toward equity and environmental justice at Department of Natural Resources. The final version of this document will be posted to the [Office of Equity & Environmental Justice page](#).