



DOH 300-022
September 2022

Tribal Nations and the HEAL Act



Consultation

Agencies offer formal tribal consultation throughout HEAL Act implementation.



Engagement

Agencies develop plans to engage tribes throughout HEAL Act implementation.



Leadership

Tribal representatives make up one quarter of voting members on the Environmental Justice Council.

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

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. The Attorney General's Office is not named in the HEAL Act but is opting into implementation of the law.

Within the HEAL Act are specific provisions for how participating agencies should partner and engage with tribal nations. This includes requirements for agencies to offer formal consultation to tribes and engage tribal communities throughout HEAL Act implementation. The HEAL Act also creates dedicated seats on the Environmental Justice Council for tribal representatives.

Tribal Consultation

[RCW 70A.02.100](#) in the HEAL Act requires covered agencies to develop a consultation framework, in coordination with tribal governments, that includes best practices, protocols for communication, and collaboration with federally recognized tribes.

The HEAL Act also requires agencies to offer formal tribal consultation with federally recognized tribes on the following obligations:

- Inclusion or updating of environmental justice implementation plans within agency strategic plans
- Creation or adoption of community engagement plans
- Identification of significant agency actions that affect federally recognized tribes' rights and interests
- Development of the Washington Tracking Network's Environmental Health Disparities Map

Tribal Engagement

Under the HEAL Act, agencies are required to draft and adopt community engagement plans, starting July 1st, 2022. These drafts are currently under revision and future versions will include a tribal engagement plan drafted by a working group of covered and opt-in agency Tribal Liaisons. The tribal engagement plan includes additional information about agency work specific to environmental justice and tribes and will be used to ensure that communication and collaboration happens early and often.

The Tribal Liaisons Work Group members include:

- **Dept. of Health:** [Tamara Fife](#)
- **Dept. of Ecology:** [Tyson Oreiro](#)
- **Dept. of Commerce:** [Michelle Gladstone-Wade](#)
- **Dept. of Agriculture:** [Evan Sheffels](#)
- **Dept. of Transportation:** [Megan Cotton](#), [Lorraine Basch](#)
- **Puget Sound Partnership:** [Melissa Schutten](#), [Lea Anne Burke](#)
- **Attorney General's Office:** [Asa Washines](#)
- **State Board of Health:** [Michelle Davis](#)
- **Dept. of Fish and Wildlife:** [Jim Woods](#)
- **Governor's Office of Indian Affairs:** [J.T. Austin](#)

Environmental Justice Council

The HEAL Act created 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 Council to advise and receive reports on CCA implementation.

The council consists of 16 members appointed by the governor. Council membership includes seats for community representatives, a youth community representative, environmental justice practitioners, tribal representatives, labor, and business. Of these seats, four are reserved for tribal representatives, including:

- **The Honorable Patrick DePoe**, Vice-Chairman of the Makah Tribe
- **The Honorable Jarred-Michael Erickson**, Chairman of the Confederated Tribes of the Colville Reservation, Nespelem District Representative
- **The Honorable Misty Napeahi**, Vice Chair of the Tulalip Tribes
- **The Honorable Sylvia Miller**, Vice Chairwoman of the Puyallup Tribe

The Environmental Justice Council meets regularly, and meetings are open to the public. To learn more, visit the [Environmental Justice Council website](#) or contact Environmental Justice Council staff at envjustice@doh.wa.gov or 360-584-4398.

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