

Environmental Justice Council 2024 Supplemental Budget Recommendations

Adopted by the Council on
September 28th, October 26th, and November 16th 2023

Recommendations are not in any priority order.
The full document includes the background and rationale for each proposal.

Table of Contents

- Amendments to Existing Allocations..... 2
 - 1. Participatory Budgeting..... 2
 - 2. Capacity Grants 4
- Major Areas of Community Investment 5
 - 3. Community Co-Governance Framework Pilot (Community Assemblies) 5
 - 4. Environmental Justice CCA Mitigation Fund 8
 - 5. Community-Led Decarbonization and Energy Resilience 9
 - 6. School Environmental Justice..... 10
 - 7. Infrastructure and Land Reacquisition for Tribal Climate Adaption and Mitigation 11
- Technical Assistance, Studies, and Assessment Programs 11
 - 8. Technical Assistance and Planning for Tribes and Communities for Climate Adaptation 11
 - 9. Reducing Barriers to Grant Programs..... 12
 - 10. All Transportations Systems Study for Commercial Aviation Work Group..... 13
 - 11. Centralizing Communication on HEAL- and CCA-Related Opportunities (Grant Funding, Rulemaking, Public Input, Etc.) 15
 - 12. Community Based Health Assessments and Health Equity Zone Initiative 16
 - 13. Study State Government Administrative Processes that Prevent Rapid Responses to Urgent Issues 16
 - 14. Frequent Accessible Transit 17
- Newly Identified Urgent Community Needs..... 18
 - 15. Clean and Safe Drinking Water 18
- HEAL Implementation Agency Decision Packages 20
 - 16. Environmental Justice Council Decision Package (Submitted through Department of Health) 20
 - 17. Implementing HEAL Act: Department of Health 21
 - 18. Tribal Affairs Liaison: Department of Agriculture 22
 - 19. Strengthening Tribal Relations: Department of Commerce 22
 - 20. Contracts Equity & Data Modernization: Department of Commerce 23

Amendments to Existing Allocations

1. Participatory Budgeting

Background: The Environmental Justice Council (Council) adopted a set of 2023-2025 [biennial funding and budget priorities on January 26, 2023](#). One of those recommendations was for Climate Commitment Act (CCA) funds to be allocated for Community Participatory Climate and Environmental Justice Planning. The Council’s recommendation specified funding to: (1) build community capacity to engage in the participatory budgeting¹ process, (2) provide adequate resources to administer the process, (3) minimize barriers to community participation, and (4) fund the Council to partner with applicable agencies in the work. The recommendation also specified that funding guidelines should not exceed any restrictions already in the CCA.

Proposed Changes to the Operating Budget, ESSB 5187, Section 222(124):

\$38,600,000 of the climate commitment account—state appropriation is provided solely for the department² to develop a grant program to fund projects that benefit overburdened communities as defined in RCW 70A.02.010. Of the amount provided in this subsection:

- (a) \$6,000,000 of the climate commitment account—state appropriation is provided ~~solely for fiscal year 2024~~ for the department and the environmental justice council created in RCW 70A.02.110 to engage in a participatory budgeting process with at least five geographically diverse overburdened communities, as identified by the department, to develop a process to select and fund projects that mitigate the disproportional impacts of climate change on overburdened communities. The process must allow for full community engagement and develop criteria for eligible entities and

¹ Community Participatory Budgeting is a democratic process where community members decide how to spend allocated public funding. Many local jurisdictions, including those in Washington State, have successfully allocated funds through community participatory budgeting. Jurisdictions in Washington such as Seattle and Tacoma are currently working to allocate millions of dollars through participatory budgeting. These processes ensure projects are relevant and informed by community needs and priorities. See, for example, National Association of County and City Health Officials. Innovation Snapshots #4: Participatory Budgeting. <https://www.naccho.org/uploads/downloadable-resources/Innovation-Snapshot-4-Budgeting.pdf>, 2021.

² Department of Health

projects and establish priorities ~~to achieve the greatest gain for decarbonization and resiliency in alignment with 70A.65.260.~~ A report of the outcomes of the participatory budgeting process detailing ~~its recommendations~~ the communities' decisions for funding as well as future improvements to the participatory budgeting process must be provided to the appropriate committees of the legislature by December 31, ~~2023~~ 2024.

(b) \$32,600,000 of the climate commitment account—state appropriation is provided solely ~~for fiscal year 2025~~ for the department to provide grants that benefit overburdened communities. The department must submit to the governor and the legislature a ranked list of projects consistent with the recommendations developed in (a) of this subsection. ~~The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects.~~

Proposed Changes to Funding: The Council recommends that funding continue beyond the 23-25 biennium. As long as the grant program continues, the Department of Health will also need continued funding to administer the program and provide the necessary community and Tribal engagement for program success. In addition, it is likely that the Department of Health may not be able to finish executing all the community contracts in such a short amount of time. Therefore, the Council recommends that any unspent funds from the 2023-2025 biennium be reappropriated to the next biennium.

Rationale for Proposed Changes: The requirement for legislative approval of the project list runs counter to the principles of participatory budgeting. Communities know best what their needs are and what solutions will best meet their needs. To be effective, the Department of Health must radically change how it works with the community. This transformative work takes time to hire specialized community engagement and Tribal engagement staff and to develop trusting relationships and innovative community-led processes. It is not feasible for the Department to finalize work with communities and submit a report by December 31, 2023 that includes a list of projects. Further, the Council finds that the grant program should extend

beyond the biennium to avoid potential harms to community relationships by creating and disbanding a program so quickly. Overburdened communities need sustained partnership and funding. There are also co-benefits to participatory budgeting that will not be realized if the program is quickly disbanded. Building relationships and making connections requires time and sustained commitment.

2. Capacity Grants

Background: The Council adopted a [second set of detailed budget recommendations on February 28, 2023](#). One of those recommendations was for the Department of Health to administer a capacity grant program for Tribes and communities to provide guidance on HEAL Act implementation and updates to the Environmental Health Disparities Map.

Proviso Language in the Operating Budget, ESSB 5187, Section 222(28):

No Proposed Changes to Proviso Language

\$26,355,000 of the climate commitment account—state appropriation is provided solely for the department to administer capacity grants to tribes and tribal organizations and to overburdened communities and vulnerable populations to provide guidance and input:

- (i) To agencies and to the environmental justice council on implementation of the healthy environment for all act; and
- (ii) To the department on updates to the environmental health disparities map.

At least 50 percent of the total amount distributed for capacity grants in this subsection must be reserved for grants to tribes and tribal organizations.

Funding provided in this subsection may be used for tribes and tribal organizations to hire staff or to contract with consultants to engage in updating the environmental health disparities map or on implementing the healthy environment for all act.

The department may use a reasonable amount of funding provided in this subsection to administer the grants.

Proposed Changes to Funding: The Council recommends that these funds continue beyond the 23-25 biennium. Additionally, hiring a team to administer a large grant and setting up that grant in an equitable way with community co-creation and Tribal Consultation takes time. The Council recommends that any unspent funds from the 2023-2025 biennium be reappropriated to the next biennium.

Rationale for Longer Term Funding: Per RCW 43.70.815, the Environmental Health Disparities Map must be evaluated and updated at least every three years. Similarly, agency implementation of the HEAL Act is ongoing as is the EJ Council's work. Because of the ongoing nature of this work, and the need for continual input and feedback from communities and Tribes, the Council recommends that funding for capacity grants continue beyond the 23-25 biennium to enable communities and Tribes to sustain the necessary engagement with the state on these efforts.

Major Areas of Community Investment

3. Community Co-Governance Framework Pilot (Community Assemblies)

Background and Rationale: Climate change is a society-wide challenge that calls for a transition in our economy to regeneration and well-being for people and the environment simultaneously. We must build collective resilience, which requires participation from everyone, especially from communities most historically marginalized and excluded from decision-making and well-being. We can achieve transformative change by: (1) empowering overburdened communities and vulnerable populations to identify measures of human and ecological well-being for state agencies and (2) resourcing overburdened communities and

vulnerable populations to organize and provide leadership, direction, and oversight in the co-creation of solutions to address environmental, climate, and economic injustices.

This work is in alignment with the HEAL Act and Climate Commitment Act, specifically the community engagement requirements. The Economic Justice Alliance (“Alliance”) hosted by the Department of Social Health & Services (DSHS), in collaboration with Peoples Economy Lab, Front and Centered, and Statewide Poverty Action Network, seek an equitable investment of \$3,000,000 to pilot a statewide network of community assemblies centering historically overburdened communities and involving vulnerable populations at the front end of state government decision-making. The creation and resourcing of assembly platforms, hosted by community-based organizations, will elevate community expertise and solutions to inform state policy, program, and funding decisions. When feasible, the Alliance agencies, including DSHS and the Department of Health, should partner on Participatory Budgeting and Community Assemblies to ensure alignment in these complimentary processes.

This community assembly pilot will:

- Test a concrete, community-developed model for decision-making that could be scaled up to transform state agency community engagement to true partnership and problem-solving with communities.
- Create trusting partnerships and collaborations between community and agencies.
- Develop and track community solutions/resolutions coming out of the assembly efforts; distill and analyze lessons-learned from the pilot; and disseminate those findings so the lessons-learned can be incorporated into any scaling up of Community Assemblies following the pilot.
- Reflect the local leadership, culture, and practices of the participants and organizers.
- Strengthen community institutions and leadership at the grassroots level to play a significant role in implementing the solutions/resolutions.

Assuming this funding will allow for community assemblies on about six state policy, program, or funding decisions—the Council recommends that one of those six topics address a just transition toward sustainable, climate-resilient agriculture in Washington.

Background and Rationale for focusing on a just transition toward sustainable, climate-resilient agriculture in Washington: In 2022, Washington-grown or processed food and agricultural imports totaled \$8 billion. Up to 90% of crops are exported each year. The current climate crisis and the HEAL Act requires the urgent just transition of the agricultural industry towards: 1) promoting sustainable food production to ensure food security; 2) mitigating health risks for farmworkers caused by climate change outcomes such as hotter temperatures; 3) eliminating pesticide use that causes air pollution and that contaminates land and water tables, causing long term health issues to workers and community members as well as wildlife and salmon; 4) mitigating the economic imbalance between large corporate growers and small organic and people of color farmers; 5) practicing environmental protections; 6) respecting Tribal Sovereignty and rights, including those reserved by treaty; and 7) providing equitable return from state investments via subsidies.

Systems change and problem solving of this magnitude requires a holistic revisioning of the industry involving farmworkers, members of agricultural communities, small farms, industrial agriculture, state government, researchers and academics, Tribal Governments, and others.

Proposal: \$3,000,000 over a period of two years to the Department of Social Health & Services (DSHS) to pass through to the Peoples Economy Lab, Front and Centered, and Statewide Poverty Action Network to pilot a statewide network of community assemblies centering historically overburdened communities and involving vulnerable populations at the front end of state government policy, program, and funding decision-making processes. An additional \$371,300 to the Economic Justice Team in DSHS to administer the pass-through grant and provide technical and other support to the community assemblies. One of the topics that must be included as part of this pilot project is convening community assemblies of overburdened

communities and vulnerable populations to recommend climate sustainable, pollution free, and economically equitable agricultural industry just transition elements and recommend mechanisms to achieve this just transition (for example, to assess and confer with community whether a Sustainable Food Industry Council would be a trusted and effective mechanism and potentially co-create means of operationalizing community resolutions). Learnings, findings, and best practices from community assemblies co-governance will be shared with program managers of the previously approved Participatory Budgeting program to provide continuity in practicing community engagement.

4. Environmental Justice CCA Mitigation Fund

Background and Rationale: The Environmental Justice Council has heard from communities about specific environmental justice concerns and requests for remediation for unintended or unavoidable harms that may arise from a transition to a new technology/pollution solutions. For example, digesters can be used to capture and dry manure in Concentrated Animal Feeding Operations (CAFOs); however, trucks that are needed to transport the byproducts add to greenhouse and noxious gasses that pollute the local community. A fund is needed to provide systemic solutions to support environmental justice mitigation of projects intended to reduce carbon pollution.

The fund would be available for community groups, Tribes, tribal organizations, state agencies, and local governments to provide additional funding to already funded projects in order to mitigate unintended environmental harms that may arise from a project whose purpose is to reduce greenhouse gas or criteria pollutants. Projects funded must significantly reduce or eliminate anticipated harm from the carbon reduction project. An application for a grant through this fund must detail the projected carbon reduction of the original project, the specific environmental harm anticipated, a statement on why the anticipated environmental harm cannot be mitigated by other means, and the extent of mitigation of the environmental harm that funding would provide. This program will specifically support tribal, overburdened, rural, and vulnerable communities in Washington. Funding will be used to meet communities where

they are and support them in planning for and executing place-based environmental justice remediation decarbonization projects.

Proposal: Create an \$100,000,000 per biennium Environmental Justice CCA Mitigation fund available to community groups, Tribes, tribal organizations, state agencies, and local governments to provide additional funding to already funded projects in order to mitigate unavoidable environmental harms that may arise from a project whose purpose is to reduce greenhouse gas or criteria pollutants and its downstream impacts. This fund is not intended to displace the responsibility of private entities to mitigate harms from their projects. This fund covers departmental resources needed to administer the grant.

5. Community-Led Decarbonization and Energy Resilience

Background and Rationale: Fundamental inequities exist among overburdened populations and vulnerable communities in terms of energy burden, access, and security. Members from these communities are often the ones that know what is needed to correct these inequities, however they often lack the capacity and/or resources to plan, design, and implement the solutions.

Proposal: Fund community engagement, technical assistance, planning, and implementation of community-led (planned, designed, and built) decarbonization/energy resilience for homes, businesses, various elements of community infrastructure (e.g., community centers, libraries, places of worship), and critical infrastructure (e.g., water/wastewater facilities, utility substation upgrades) in overburdened and vulnerable communities. Investments can vary, depending on what a community identifies as a need. Some examples are community renewable energy, supplemental energy, energy efficiency upgrades, battery storage, and electric vehicle charging stations.

6. School Environmental Justice

Background and Rationale: The State Board of Health has authority to adopt rules for environmental health and safety in schools. The Board last updated the rules in 2009, and that same year the Legislature included a budget proviso in the operating budget that prevented the updated rules from being implemented. This means the state is still using school environmental health and safety rules last updated over 30 years ago (in 1991). The Board's [2022 State Health Report](#) notes that climate change will likely worsen indoor air quality and impacts on health, particularly for children with asthma, diabetes, and other pre-existing diseases. The report also notes that schools are community hubs that often provide shelter for surrounding communities during adverse weather events, including wildfire smoke. The report stresses the need to ensure "minimum standards for school environmental health and safety are up to date and reflect the best possible science."

Proposal: Remove the budget proviso that blocks revision and implementation of the school environmental health and safety rules and, in alignment with the recommendations in the State Health Report:

- Fund Local Health Jurisdictions to stand up environmental health and safety programs to assess and inspect schools and to help schools identify, prioritize, and address environmental public health risks.
- Direct the Department of Health to work with local health jurisdictions, Office of Superintendent of Public Instruction, and the State Board of Health to conduct a school environmental health and safety review and needs assessment, including of existing inequities, to inform updates to the K-12 School Health and Safety Guide and future rulemaking and to prioritize schools in need of repair or replacement that serve overburdened communities.
- Fund K-12 school heating, ventilating, and air conditioning system maintenance and necessary upgrades, particularly for schools in overburdened communities.
- Fund the State Board of Health to develop cross-disciplinary partnerships to review the current and suspended school rules and make recommendations for next steps.

7. Infrastructure and Land Reacquisition for Tribal Climate Adaption and Mitigation

Background and Rationale: As traditional stewards of lands and waters, Indigenous Peoples' customs, culture, community, and place are all highly impacted by climate change. The limited geographic scope of reservation lands can restrict a Tribal Nation's capacity to adapt to climate change. When Tribes become displaced or experience a loss of land due to the impacts of climate change, their sovereignty to make decisions for adaptation and resettlement may be challenged because of their limited relocation options.¹

Investments made through the Climate Commitment Act include funding for, "activities to support efforts to mitigate and adapt to the effects of climate change affecting Indian tribes, including capital investments in support of the relocation of Indian tribes located in areas at heightened risk due to anticipated sea level rise, flooding, or other disturbances caused by climate change." RCW 70A.65.260 (1)(m)

Proposal: Fund infrastructure and land reacquisition needs identified within Tribal Nations' climate adaptation plans and or climate vulnerability assessments for the purposes of community relocation, managed retreat, place-keeping, or maintaining Indigenous ways of being.³

Technical Assistance, Studies, and Assessment Programs

8. Technical Assistance and Planning for Tribes and Communities for Climate Adaptation

³ Note: The catalyst for this budget recommendation came from a budget request Shoalwater Bay Indian Tribe sent to the Environmental Justice Council staff for financial assistance to relocate as result of climate change. The Tribe requested \$22,040,000 to complete road construction and housing development for their relocation project. Recognizing that Tribes throughout the state also can benefit from funding to adapt to climate change, the language was modified to be more inclusive/expansive.

Background and Rationale: Low-income communities, people of color, Indigenous people, people with disabilities, and older or very young people are the most vulnerable to the impacts of climate change because of policies that created inequities in healthcare, education, housing, employment, etc. Because these communities are often the first and worst ones to experience the harms brought on by climate change, they are also the closest to the solution and are subject matter experts. However, because a lack of funding, time, capacity, language access and other resources, these communities may be unable to fully develop and implement community-driven climate solutions. For these reasons and more, one of the Council's 2023 budget recommendations was to provide communities highly impacted by climate change with funding for mitigation and adaptation. This continues to be a priority for the Council.

Proposal: Fund technical assistance and planning for Tribes and communities highly impacted by climate change to develop and implement climate mitigation strategies, climate adaptation plans, climate vulnerability assessments, and/or feasibility studies.

9. Reducing Barriers to Grant Programs

Background and Rationale: Many community members and Tribes have voiced the need for changes to the ways that state grant programs are run. For example, in June 2022, a [comprehensive review](#) was conducted of the Washington State Recreation and Conservation Office's (RCO) recreation grant programs. Major recommendations from that review were to:

- Prioritize funding for high-needs areas
- Modify scoring criteria to elevate projects addressing inequities
- Change processes and procedures to support equitable proposal development and review
- Build applicant capacities to attract and support equity-driven sponsors and projects
- Build in structures and criteria to promote community involvement in shaping project proposals
- Fund projects that address intersecting social and economic challenges in communities.

RCO hired an Equity Coordinator (WMS 2) for \$312,000 per biennium and ongoing to implement these recommendations. As HEAL agencies implement Climate Commitment Act (CCA) funded grant programs, they can use the findings from RCO's grant equity review to assist applicants, particularly small community-based organizations.

As another example, Puget Sound Partnership has heard from partners that the different formatting and types of grant applications and reporting requirements across state agencies are very burdensome and consistency across agencies would reduce the burden. Puget Sound Partnership is standing up a Strategic Funding Team to reduce barriers to accessing funds through methods such as supporting state and federal funding alignment and assisting Tribes and local partners with application development and grant package submission. Additional resources are needed throughout state government to center equity in grant programs.

Proposal: Provide funding for each HEAL agency to hire a dedicated staff person to be focused on assessing and addressing equity barriers in their agencies for implementing CCA funded grant programs. These agency staff should begin to explore cross-agency collaboration that will create consistency in application and reporting processes to reduce barriers. It's important that agencies work toward parity in pay for their equity, justice, and community engagement positions and that these positions are highly valued and compensated for their essential expertise.

10. All Transportations Systems Study for Commercial Aviation Work Group

Background and Rationale: ESHB 1791 created the Commercial Aviation Work Group (Work Group) to evaluate the long-range commercial aviation needs of Washington within the broader context of state transportation needs and the specific needs of Western Washington.

The statute requires the Work Group to consider non-aviation multimodal transportation capacities as alternatives to adding aviation capacity in their evaluation.

To move the anticipated research by this Work Group forward, it is best to understand what studies currently exist on state transportation needs and capacities, and where there are gaps of information and then to fund research to fill those gaps in the literature.

Also, during the evaluation process, the Work Group will convene subject matter experts to present on various issues such as environmental assessments, multimodal forms of transportation, and airports. The Work Group does not have the capacity to engage impacted communities. Residents of overburdened communities and community-based organizations impacted by air and noise pollution caused by airports and aircraft are also subject matter experts. However, because of a lack of capacity and resources, these community members and community-based organizations do not often have the means to adequately provide their input and expertise to government entities.

Proposal: Provide \$125,000 to the Washington State Institute for Public Policy (WSIPP) to conduct 1) an independent, non-partisan assessment of the passenger and air cargo forecasts cited in the PSRC Regional Aviation Baseline Study including an evaluation of the underlying data, assumptions, methodologies, and the calculation of the level of uncertainty around the forecast and 2) a comprehensive literature review to identify effective national and international strategies to reduce demand for air travel including diverting it to other modes, to avoid environmental impacts to overburdened communities and vulnerable populations. The WSIPP shall submit a report with findings by December 31, 2024.

\$250,000 for the Commercial Aviation Work Group to address the gaps in the literature and data identified through the comprehensive literature review by conducting a study of the state's transportation needs via alternatives to additional aviation capacity.

\$250,000 for the Work Group to conduct meaningful community engagement and partnership with community to address the state's transportation needs and the environmental justice impact of aviation.

11. Centralizing Communication on HEAL- and CCA-Related Opportunities (Grant Funding, Rulemaking, Public Input, Etc.)

Background and Rationale: Communities, including those disproportionately impacted by environmental inequities, have an interest in providing input into agency activities to promote environmental justice. Communities also have an interest in learning about opportunities for grant funding. As agencies implement the HEAL Act and administer programs funded by the Climate Commitment Act Accounts, they have a need to reach and seek input from diverse community organizations and individuals. Currently, agency communications about HEAL and CCA related grant announcements and opportunities for public comments, listening sessions, etc., are decentralized. Agencies and programs have their own individual listservs and websites and other mechanisms for sharing information about these opportunities with the general public. This leaves community members scrambling to find needed information across multiple agencies and programs. Therefore, agencies need tools to further support coordination and standardization for how grant funding and public comment opportunities related to environmental and climate justice are communicated and accessed. Currently, under RCW 70A.02.090, the Office of Financial Management has a [webpage](#) that serves as a centralized space for interested parties to learn when HEAL covered agencies initiate Environmental Justice Assessments for Significant Agency Actions.

Proposal: Fund a communication system to collect and share out in a systematic way any opportunity for grant funding (supported by CCA accounts) or opportunities for public comment or input on Significant Agency Actions by HEAL covered agencies (e.g., listening sessions or public comment on agency rulemaking). Community engagement is essential to co-design the communication system to align with community needs, which include but are not

limited to cultural competency, functionality for language, and disability access. The communication system should align with existing requirements under RCW 70A.02.090 such that interested parties have a centralized place to access such communications.

12. Community Based Health Assessments and Health Equity Zone Initiative

Background and Rationale: The Legislature created the [Health Equity Zone \(HEZ\)](#) Initiative through statute in 2021 with dedicated funding for the Washington State Department of Health to stand up the initiative and select HEZs (project Phase 1 and Phase 2). However, funding was not provided for the HEZ's to then identify their health priorities and implement projects to improve health outcomes that are unique to their community (Phase 3). Resources are needed to empower community-led decision-making, prioritization, and project implementation in the selected Health Equity Zones. Health Equity Zones can utilize Community Based Health Assessments, which use a broad range of data sources to assess the health assets and obstacles to health in communities, to identify and implement solutions.

Proposal: Support the budget proposal submitted by Representative Pollet for \$485,000 in FY 2025 and \$1,440,000 for each of the following two years in the 2025-2027 biennium for Health Equity Zone communities to complete Community Based Health Assessments and implement priority health improvement projects chosen by the communities.

13. Study State Government Administrative Processes that Prevent Rapid Responses to Urgent Issues

Background and Rationale: Many administrative processes in state government create barriers to rapid action needed to secure meeting locations to convene groups, establish contracts, transfer funds, procure resources, compensate communities, move money as expenditures, and to build capacity. This often means that urgent work to address environmental and climate injustices are slowed down by administrative processes, communities decline compensation

because of the administrative burden and time delay, and/or state employees are directed toward procurement and contracting processes that are easier and faster but not always the most equitable. There is a need for a study of the administrative processes in state agencies that create barriers to rapid and equitable action.

Proposal: Provide funding to conduct an analysis of state government administrative processes that create barriers to rapid action needed to convene groups, transfer funds, procure resources, compensate communities, move money as expenditures, and to build capacity. Identify short term, intermediate term, and long-term solutions. Addressing these barriers becomes more essential as climate change and environmental injustices create urgency for action that should not be slowed down by administrative processes. The analysis should include recommendations for systems level changes to address administrative barriers in state government.

14. Frequent Accessible Transit

Background and Rationale: The [WSDOT Frequent Transit Service Study](#) finds that “...expanding public transportation would improve the relative performance of the transportation system for vulnerable populations in overburdened communities, decrease carbon emissions, reduce vehicle miles traveled, lower out-of-pocket costs per trip, and improve resiliency.” The Frequent Transit Service study concludes with a list of recommendations for future study on page 14:

- In addition to fixed-route service, research the levels and types of demand-response service and measure access to these services within the state.
- In collaboration with other departments, examine policy options that could integrate land use, energy, transportation, and other expansion requirements.
- Collect data and develop systems to achieve more accurate and precise analysis of disparities in access to fixed-route transit with a focus on accessibility and the inclusion of people with disabilities and other underserved communities.

- Explore funding scenarios that provide stable and long-term funding sources to transit agencies, other municipal entities, and nonprofits to expand fixed-route transit, demand-response transit, Complete Streets, and other accessible infrastructure.

In addition to the recommended studies outlined in the report, there is a need for an analysis of the level of funding needed to ensure statewide frequent, accessible, public transportation.

Proposal: Provide funding for the Washington State Department of Transportation to conduct the recommended studies outlined in the 2023 [Frequent Transit Service Study](#). Also provide funding to analyze the level of funding needed to ensure statewide frequent, accessible, public transportation in order to determine the level of funding that needs to be allocated next biennium. Additionally, the Legislature should pursue a long-term stable and consistent funding source to fulfill the funding needs identified in the 2023 Frequent Transit Service Study for frequent accessible transit statewide. In the interim of a permanent funding source, the Legislature should appropriate CCA revenue to provide transit operating funding where strategic, build accompanying infrastructure that will support the service level frequency identified, and provide accessibility walking and rolling to transit statewide.

Newly Identified Urgent Community Needs⁴

15. Clean and Safe Drinking Water

Background and Rational: Communities across Washington State are experiencing drinking water crises. Many communities do not have consistent access to clean and safe drinking water. According to a 2021 Department of Health update, almost a dozen Group A public water systems and over 200 private wells in five areas of the state are known to have PFAS (per- and

⁴ The Council adopted recommendations #1 through #14 on September 28, 2023. Recommendation #15 was adopted on November 17, 2023. Recommendations #16 through #20 were adopted on October 26, 2023.

polyfluoroalkyl substances) contamination in their groundwater supplies above EPA advisory and state health action levels.¹ While Group B water systems are not required to sample for PFAS at this time, the Department of Health has some funding to support sampling of PFAS and other contaminants in both Group B systems and individual wells. Communities across the State of Washington have experienced drinking water alerts advising them to not drink the water as a result of a variety of contaminants such as nitrates, *E. coli*, and PFOS (perfluorooctane sulfonic acid) and PFOA (perfluorooctanoic acid) (which are members of the PFAS chemical group).² Many additional communities only have access to water with unregulated contaminants causing taste, odor and/or water discoloration issues that make their water undrinkable. While some communities have managerial and financial capacity to access the funding to install voluntary treatment systems, overburdened communities are hit particularly hard by these water quality issues as cumulative environmental contaminants create and exacerbate health inequities. In addition, low-income households are less likely to be able to purchase bottled water and water filters and are more likely to have to sacrifice other essentials in order to purchase clean, safe drinking water.

The lack of access to clean drinking water in many communities across the State of Washington is a pressing environmental justice issue that is being exacerbated by climate change, increasing drought emergencies, and growing demands on the water sources. Current funding levels and sources such as the Drinking Water State Revolving Fund and the Public Works Board Loan Program are meaningful but are not sufficient to address the growing crisis. There is a need for additional funding (similar to the Emergency Rapid Response funding made available through the Washington State Department of Commerce) that can be rapidly deployed and does not require a match or repayment by the local government.

Proposal: Fund a spectrum of immediate, medium-term, and long-term solutions for overburdened communities that do not have access to drinkable water across the state. This funding should have diverse geographic distribution and reach both rural and urban areas; be low-barrier to access; be accessible for Group A and Group B water systems as well as private

wells; and be set up in a way that allows the funds to be administered very quickly when requested by an overburdened community facing a drinking water crisis or when a community shows a need for safe drinking water. The funds should not require a match or repayment by the local government and should be set up to allow for prepayment rather than reimbursement so that communities without resources to pre-purchase needed supplies and be reimbursed later are not prevented from accessing these funds. The funds should be flexible to meet the drinking water needs identified by the community, including, but not limited to, water sampling and testing, installing and purchasing treatment systems, providing bottled water and/or trucked in water, providing water filters, setting up watering stations, improving storage, drilling new wells with oversight by Department of Ecology and Department of Health as long as there is no impairment to existing rights (including instream flows), replacing old pipes, technical assistance and capacity building to apply for grants, and community engagement and education resources. It is important that the funds be not only available to overburdened communities with drinking water contaminants with set maximum contamination levels but also to overburdened communities who are reporting health and other issues (such as contaminants with secondary maximum contaminant levels or organisms determined to create taste and odor problems) that make their water undrinkable. Every community in Washington should have access to clean, safe drinking water. This funding would not displace the responsibility of drinking water systems operators to comply with state and federal laws, regulations, and rules.

HEAL Implementation Agency Decision Packages⁵

16. Environmental Justice Council Decision Package (Submitted through Department of Health)

⁵ The Council adopted recommendations #1 through #14 on September 28, 2023. Recommendation #15 was adopted on November 17, 2023. Recommendations #16 through #20 were adopted on October 26, 2023.

Background and Rationale: Last year the Department of Health submitted a decision package for ongoing funds for work to implement the Healthy Environment for All (HEAL) Act. That decision package was not fully funded. The Environmental Justice Council staff are requesting the funding that was not allocated last year to address unmet need. In addition, the Council staff are requesting funding for a new body of work that Council staff will need to complete as a result of new programs funded in the 2023-2025 biennial budget. Specifically, the budget provided Climate Commitment Act funds for 15 non-HEAL agencies. Per statute, these agencies are now required to develop community engagement plans using Council guidance. This creates a new workload for Council staff to provide technical assistance and to support the Council in reviewing the plans. The decision package would support 2.5 FTE and contracts to fund EJ Council community engagement and facilitation and project management support for the HEAL Interagency Work Group.

Proposal: The Council endorses the Department of Health 2024 Supplemental Decision Package for the Environmental Justice Council for \$444,000 in FY25 and ongoing.

17. Implementing HEAL Act: Department of Health

Background and Rationale: Last year the Department of Health (DOH) submitted a decision package for HEAL Implementation that was not fully funded and DOH has had to prioritize which positions to fill and which to remain unfunded. DOH requires fiscal support to help manage, track, and report on HEAL budget expenditures and support implementation of the budget and funding obligation of HEAL. DOH also requires contract funds for overall implementation efforts. In addition, DOH is planning to: 1) migrate the Environmental Health disparities map to its Enterprise Geographic Information System to create sustainability for the map and will require additional Information Technology support for the transition, 2) add additional features requested by community and tribes, and 3) maintain the map moving forward. DOH also requests support to fulfill its requirement to provide training and consultation to agencies on the use of the map. The decision package would support 3.5 FTE

and funding for personal services and contracts to support the implementation of HEAL obligations.

Proposal: The Council endorses the Department of Health 2024 Supplemental Decision Package for Implementing HEAL Act for \$164,000 in FY24, \$570,000 in FY25, and ongoing.

18. Tribal Affairs Liaison: Department of Agriculture

Background and Rationale: The Washington State Department of Agriculture (WSDA) is requesting funding for a Tribal Liaison position to manage tribal relationships and responsibilities to comply with federal and state regulations, the Centennial Accord, and to support implementation of the HEAL Act and the Pro-Equity Anti-Racism (PEAR) plan. This position would be responsible for ensuring government-to-government relationships with Tribes.

Proposal: The Council endorses the WSDA's 2024 Supplemental Decision Package for a Tribal Affairs Liaison for \$251,000 in FY24, \$257,000 in FY25, and ongoing.

19. Strengthening Tribal Relations: Department of Commerce

Background and Rationale: In a bid to fortify ties with tribal partners, an expansion of the Office of Tribal Relations is proposed. This office will support agency staff in tribal relations and consultations while forging and upholding relationships with tribal nations. The plan aims to ensure:

- Consistent tribal consultation experiences.
- Targeted tribal technical assistance.
- Enhanced unit coordination.
- Opportunities for work experience in state-tribe relations.

The staffing requirements for this expansion are detailed, showcasing the need for various Commerce Specialist roles over the coming fiscal years.

Proposal: The Council endorses the Department of Commerce’s 2024 Supplemental Decision Package for Strengthening Tribal Relations for 1.2 FTE and \$195,000 in FY24 and 4.0 FTE and \$724,000 in FY25 and ongoing.

20. Contracts Equity & Data Modernization: Department of Commerce

Background and Rationale: The proposed plan is to enable Commerce to uphold its equity commitments by enhancing data management. By standardizing demographic and geographic data collection from organizations that benefit from Commerce, either directly or indirectly through grants, informed decision-making becomes feasible. This venture will allow Commerce to evaluate its impact, dissect data to pinpoint opportunities, and pursue equitable investments. Furthermore, this will also promote effective collaboration with other agencies and partners in Washington.

However, there are challenges:

- The existing data practices at Commerce are disjointed and not centralized. This fragmentation means there's no clarity on the demographic and geographic distribution of funds.
- The desire to distribute support equitably across the state is hampered by this lack of clarity.
- The rapid expansion of Commerce – from 300 employees in 2018 to over 550 in 2023 – without a corresponding growth in data governance has exacerbated this issue.
- Data practices have become decentralized without significant agency-wide coordination due to the limited capacity for data governance.

Proposal: The Council endorses the Department of Commerce’s 2024 Supplemental Decision Package for Contracts Equity and Data Modernization for 7.0 FTE and \$2,192,000 in FY25 and 12.5 FTE and \$2,290,000 in FY26 and ongoing.