

Environmental Justice (EJ) Council Projects

10/17/2022

Notes:

- These slides are to serve as a resource to the Environmental Justice (EJ) Council Members as they work to adopt priorities for the next 3 to 6 months
- All of the projects in front of the Council right now are outlined in this document: [2022.09.22_6c_EJC Gantt Chart_All Projects.pdf](https://waportal.org/2022.09.22_6c_EJC_Gantt_Chart_All_Projects.pdf) (waportal.org)
- These slides focus just on the projects that have more immediate deadline

Five Buckets of EJ Council Work

Community
Priorities

Council
Governance

HEAL Act

Climate
Commitment
Act (CCA)

Non-CCA
Climate
Related

Notes:

- There are 5 buckets that the EJ Council work falls into:
 - Community priorities
 - Council governance
 - HEAL Act projects
 - Climate Commitment Act (CCA) projects
 - Non-CCA climate-related projects

Environmental Justice Priorities Brought to the Council by Community Members

To be determined by community members

Community priorities notes:

- The first bucket on the last slide was around community priorities. I wanted to just put this first, because environmental justice centers community voice and community priorities.
- And so the Council really will be looking to the communities most impacted by environmental injustices to help define its priorities moving forward.
- The Council has received public comment from several community members.
- But as the Council is just now forming it's still developing its process for how to be responsive to public comment to really ensure that community voice is informing the Council's priorities, and its work. So we don't have anything on this slide yet.

Environmental Justice Council (EJC) Tasks	Aug. 2022	Sep. 2022	Oct. 2022	Nov. 2022	Dec. 2022	Jan. 2023	Feb. 202	March 2023	April 2022	May 2023	June 2023
Council Governance											
Selection of Co-Chairs											
Development of bylaws											

Council governance notes:

- The next bucket of work is around Council governance.
- This slide shows two pieces of that work. One is the selection of co-chairs, or some sort of leadership structure, and the other is the development of the bylaws.
- The timelines on here show this work happening through December. This is really just staff estimates of how long the work will take.
- The Council is working toward adopting parts of its bylaws at its October 27th meeting. It is focusing on those aspects of the bylaws would set up what the Council leadership structure looks like as well as the process for nominating and electing leadership.

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HEAL Act											
Agency Community Engagement Plans											
Identifying Overburdened Communities and Vulnerable Populations											
EJ in strategic plans						Agency dead- line: 1/1/23					
Environmental Justice Assessments											Agency dead-line: 7/1/23
Environmental justice in budgeting and funding decisions											Agency dead-line: 7/1/23
Providing input on updates to the Environmental Health Disparities Map	Timeline being created										
Metrics on reducing environmental disparities					Agency deadline 1/1/23						

HEAL notes:

- The next bucket of work for the Council is around the HEAL Act
- The first project is community engagement plans. Agencies had a statutory deadline of July for 2022 to adopt their community engagement plan the agencies were able to meet this deadline by adopting a draft by adopting draft community engagement plans. But the Council at that time recommended that the agencies adopt, but not yet implement the plans until agencies had had more time to work with the Environmental Justice Council, and with communities to improve those plans and then also that the agencies need to meet their statutory obligations to offer Tribal Consultation on those plans.
- So while there's no external deadline pushing on the agencies for the community engagement plans, the reality of it is that the agencies really need robust community engagement plans to form the foundation of the other requirements of the HEAL Act that do have deadlines So for example, environmental justice assessments have extensive community engagement requirements, and so, in order to move that work forward, the agencies do need to get guidance from the Council around their community engagement plans so that they can begin implementing other deliverables of the HEAL Act.
- The next project on this slide is identifying overburdened communities and vulnerable population. While overburdened communities and vulnerable populations are both terms defined in the HEAL Act, the law doesn't dictate a process for identifying the specific communities that would meet those definitions. So the agencies need to identify a process or a way of identifying these communities. So the agencies are beginning early conversations on this and the HEAL Act requires the Council to provide guidance around how these communities and populations will be identified.

HEAL notes continued:

- The next project here is integrating environmental justice into agency strategic plans. This is a requirement for state agencies to do, and the Council is supposed to provide guidance to the agencies as they do this. The deadline in the HEAL Act for agencies to integrate environmental justice into their strategic plans is January 1, 2023.
- The next project on this slide is environmental justice assessments. This is a requirement that state agencies have to conduct environmental justice assessments on "significant agency actions." "Significant agency actions" is the term used in the HEAL Act and this includes things like significant rules, agency request legislation, and budget decisions that hit a certain cost threshold. Agencies are required to begin conducting environmental justice assessments on these agency actions by July 1, 2023.
- The next project on this slide is environmental justice and budgeting and funding decisions. This is similar to the work around EJ assessments. It is applying an environmental justice lens to agency budget and funding decisions to ensure that funding is equitably distributed and benefiting over burden communities and vulnerable populations. The deadline for that for agencies to begin doing the work is also July 1, 2023. And again the Council is tasked with providing guidance to state agencies and working in an iterative fashion with the HEAL Interagency Workgroup.
- The next project on this slide is providing input on update to the Environmental Health Disparities Map. The HEAL Act requires the Department of Health to update and maintain the Map with guidance from the Council and with Tribal Consultation. The timeline is being created because the HEAL Act doesn't have a specific deadline for when this needs to happen and the Department of Health has indicated that they understand the huge amount of work that is on the Council's plate. So they want to work in collaboration with the Council to develop this timeline. It is also really important that that there's time built in for Tribal Consultation.
- The last project on this slide is creating metrics on reducing environmental disparities, and the agencies are required to begin develop metrics and begin tracking their progress to addressing environmental injustices by January of 2023.

CCA Notes:

- This slide covers CCA projects
- The first project on this slide is around providing input on the cap and invest rules. You'll see here from the timeline that the Department of Ecology had to adopted those rules. Even though the timeline has passed for the first set of rules, Ecology will have future rule-making projects that the Council has the ability to provide feedback on.
- But also looking at the second line in this table, which is that the Council is tasked in the Climate Commitment Act with providing a forum to analyze policies adopted under the CCA. So this provision in the Climate Commitment Act gives the Council authority to continually create a forum for community to analyze these rules. So at any point, the Council can hear from communities and analyze the rules that have already been adopted and provide feedback.
- The next three projects on this slide are all related to spending of the CCA funds, and this slide outlines three mechanisms for the Council to provide guidance.
- The first is the Governor's budget, the second is through the Legislature in the House and Senate budgets, and then the last is through the Washington State Department of transportation grants.
- The Governor Office and the Office of Financial Management (OFM) have reached out to the Council asking for guidance on what the Council's priorities or criteria would be for spending CCA funds created by the cap and invest program.
- The Governor's budget will be introduced sometime in December. We have heard from the Governor's Office that if the Council can provide criteria our priorities for CCA spending by the end of October those priorities can be taken into consideration. That means the Council needs to come to consensus on some set of criteria or priorities at the October 27 Council meeting
- The next area of the budget where the Council has an opportunity to weigh in is with the House and Senate budgets.
- The last mechanism for the Council to provide input on the spending of the CCA funds is through the Washington State Department of Transportation Grant.

CCA Notes Continued:

- In the 2022 legislative session, the legislature (in the transportation budget) allocated CCA funds to transportation grants.
- The Department of Transportation has been on this very short timeline to try to develop a process for granting out the funds.
- The Department of Transportation has to develop a list of projects that it's recommending to fund by November, so that it can submit the list to the Legislature in December. So this is also a short turnaround and Department of Transportation has been very interested in getting the Council's feedback. But the Council hasn't had much bandwidth to get engaged in this because it has been forming and dealing with all the other projects on its plate. This is a cyclical process with grants so, while this first timeline was really fast, this is a process that the Council could engage in much more deeply in future cycles.
- The next project on this slide is providing guidance to Ecology on the Air Quality in Overburdened Communities Initiative which was created by Section 3 of the CCA. This is a section of the CCA that is intended to address some of the potential unintended consequences of a cap and invest program. Section 3 is intended to make sure that as greenhouse gas emissions hopefully come down through the CCA that air quality in overburden communities improves. Section 3 creates requirement for the Ecology to identify communities who are overburdened by poor air quality and put in a network of air monitors to measure changes in air quality in those communities.
- The department of Ecology has developed some indicators to identify those communities and they're currently in their process of getting feedback on those indicators through 11/10/22. In order for the Council to come to consensus and provide feedback by 11/10, the Council would need to do that by its October 27th meeting. This was not one of the things that the Council indicated was a priority for the October meeting. If the Council doesn't come up with feedback at its meeting on the 27th then the Council as a whole can't provide feedback by the deadline. The Council could do help get the word out to communities about this opportunity to provide feedback directly to Ecology. And nothing prevents Council Members from providing feedback as individuals or representatives of your communities or organizations, just not wearing your Council hat.
- The last project on this side is cap and invest program linkages. Ecology is tasked with considering how to link the newly developed cap and invest program in Washington to existing cap and invest programs like the ones in Quebec and California. The Department of Ecology has expressed an interest in engaging with the Council on this, and is planning to begin engagement in the fall. If the Council is interested in prioritizing this we would want to learn more from our partners at Ecology about what the timeline is, and how the Council can engage.

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Non-CCA Climate Projects											
Provide guidance on \$69M for community-based electrical vehicle charging infrastructure to help transition Washingtonians to zero-emission vehicles	Request for Information (RFI)	RFI			Request for Proposals (RFP) in Winter 2023			Projects Selected Spring 2023			Funds must be spent by June 2023
Provide guidance on \$25M for electric vehicle incentives and resources, including charging infrastructure, to help low-income Washingtonians living in overburdened communities transition to zero-emission vehicles	RFI	RFI			Program design complete by end of 2022	RFP/awards timing based on program design					Funds must be spent by June 2023
Provide guidance on \$37M for solar + energy storage projects that will enhance community resiliency and provide services, such as shelter, cooling, plug load, and refrigeration for communities during an outage.		Stakeholder input	Stakeholder input		First funding opportunity by end of 2022						Funds must be spent by June 2023

Non-CCA climate projects notes:

- In the 2022 legislative session the three projects on this slide were created through the budget. While the Council is not given any duties or mandates to engage in this work, the Council is just named as a potential partner.
- It is up to the Council if you want to engage. The Governor's office has reached out multiple times to see if the Council does want to engage.
- The timelines for these projects are quick, so if the Council wants to prioritize these, we would want to go back to the Governor's Office to learn more about the specific timeline and if there is still opportunities for the Council to engage.