

WAC 173-446B-010 Introduction. (1) RCW 70A.65.300 requires the department of ecology (ecology) to submit to the appropriate committees of the legislature an annual report that identifies all distributions of money from the accounts created in RCW 70A.65.240 through 70A.65.280. The department must require by rule that recipients of funds from the accounts created in RCW 70A.65.240 through 70A.65.280 report to ecology, in a form and manner prescribed by ecology, the information required for ecology to carry out these duties.

(2) The annual reporting requirements set forth in this chapter are adopted to comply with RCW 70A.65.300, which requires that the report include, at a minimum:

- (a) The recipient of the funding.
- (b) The amount of the funding.
- (c) The purpose of the funding.
- (d) The actual end result or use of the funding.

(e) Whether the project that received the funding produced any verifiable reduction in greenhouse gas emissions or other long-term impact to emissions.

(3) For projects that produce verifiable reductions in greenhouse gas emissions or other long-term impacts to emissions, RCW 70A.65.300 further requires that the annual report identify:

- (a) The quantity of reduced greenhouse gas emissions.
- (b) The cost of the reduced greenhouse gas emissions, per metric ton of carbon dioxide equivalent.
- (c) A comparison to other greenhouse gas emissions reduction projects.

(4) During the 2023-2025 fiscal biennium, RCW 70A.65.030(4) requires agencies to coordinate with ecology and the office of financial management regarding the allocation of funds from the carbon emissions reduction account, the climate commitment account, the natural climate solutions account, the climate investment account, the air quality and health disparities improvement account, the climate transit programs account, and the climate active transportation account, as needed to achieve the following:

At least 35 percent (and a goal of 40 percent) of total statewide spending from these accounts must provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities.

(5) Beginning in the 2025-2027 fiscal biennium, RCW 70A.65.030(1) requires that each year or biennium, as appropriate, each state agency allocating funds from the carbon emissions reduction account, the climate commitment account, the natural climate solutions account, the climate investment account, the air quality and health disparities improvement account, the climate transit programs account, and/or the climate active transportation account must achieve the following:

At least 35 percent (and a goal of 40 percent) of the agency's total investments from these accounts must provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities.

(6) In RCW 70A.65.230, the legislature stated its intent that each year the total investments made through the carbon emissions reduction account, the climate commitment account, the natural climate solutions account, the air quality and health disparities improvement account, the climate transit programs account, and the climate active transportation account achieve the following:

(a) At least 35 percent and a goal of 40 percent of total investments that provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities.

(b) At least 10 percent of total investments that are used for programs, activities, or projects formally supported by a resolution of an Indian tribe, with priority given to otherwise qualifying projects directly administered or proposed by an Indian tribe.

(7) The state's omnibus operating appropriations act for the 2023-2025 biennium (section 302(13), chapter 475, Laws of 2023), requires ecology to develop and implement a process to track, summarize and report on state agency expenditures from Climate Commitment Act accounts. This process must enable ecology to track and report on the following information, at a minimum:

(a) The amount of each expenditure that provides direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities;

(b) An explanation of how the expenditure provides such benefits;

(c) The methods by which overburdened communities and vulnerable populations were identified by the agency and an explanation of the outcomes of those identification processes, including the geographic location impacted by the expenditure where relevant, and the geographic boundaries of overburdened communities identified by the agency;

(d) The amount of each expenditure used for programs, activities, or projects formally supported by a resolution of an Indian tribe; and

(e) For expenditures that neither provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities nor are formally supported by a resolution of an Indian tribe, an explanation of why.

(8) Ecology must include a summary of the information described in subsection (7) of this section in a report to the appropriate committees of the legislature.

(9) Ecology will make reports to the legislature available to the public on its website. Data contained in ecology's reports to the legislature will be made available through an online data dashboard.

[Statutory Authority: Chapter 70A.65 RCW. WSR 24-21-037 (Order 22-18), s 173-446B-010, filed 10/8/24, effective 11/8/24.]