

# Washington Environmental Justice Council

## Climate Commitment Act (CCA)

### Funding & Budget Priorities

Adopted by the Council on January 26, 2023

It is the intent of the Environmental Justice Council (Council) that the below topics are prioritized, even if the funding does not come from the respective account under which the priority is listed.

#### General Recommendations:

- State agencies that allocate funding or administer grant programs using revenue generated by the CCA should go through the Tribal Consultation process outlined in [RCW 70A.65.305](#), regardless of the account.
- The State budget must reflect the legal mandates under [RCW 70A.65.230](#) and provide transparency in meeting those mandates by providing “direct and meaningful benefit to overburdened communities and vulnerable populations.” The funding must be focused and meaningfully targeted to overburdened communities and vulnerable populations and impacts tracked by implementing agencies, guided by a detailed description of the “direct and meaningful benefit” and “the populations/communities benefiting” as a direct result of the proposed investments. The Council will work with the Governor and the Legislature to better define these terms and how best to ensure accountability of investments.
- The Legislature, Governor’s Office, and state agencies (in partnership with the Council) should monitor where CCA funds are going and any potential unintended consequences<sup>i,ii</sup> of the funding, and provide quarterly updates to the Council. The Council also recommends that the Legislature, Governor’s Office, and state agencies work in collaboration with the Council to make adjustments if the Cap and Invest Program or the funding streams create unintended consequences or are not meeting the minimum percentages.

- The Council recommends that the state conduct systems level mapping (see glossary below) and studies, as needed, to plan for and mitigate potential unintended consequences (including but not limited to green gentrification, negative impacts of siting of clean energy infrastructure, etc.), and allocate funds to this purpose.
- The Governor’s Office, the Legislature, and state agencies should continue to work closely with the Council during and after the 2023 legislative session to ensure that a minimum of 45% of CCA funds to go to overburdened communities and a minimum of 20% of CCA funds to go to Tribes.<sup>iii</sup>
- State agencies must ensure that grant processes are structured in a way that they do not replicate inequitable practices and procedures.<sup>iv</sup> State agencies should monitor any CCA-funded grants over time and apply equity-analyses to determine if there are patterns that indicate inequitable outcomes and update the Council on their findings.
- Ensure the eligible entities for CCA-funded programs and/or grants include but are not limited to non-profits, churches, small businesses, government, etc.
- The Governor’s Office, the Legislature, and state agencies should continue to work with the Council where the Council has authority to provide guidance on prioritization of CCA revenues.

## Account-Specific Recommendations:

### 1. Carbon Emissions Reduction Account

- i. The majority of funds should support frequent accessible public transportation services that is statewide, convenient, zero emission, reduces health disparities, and improves health by physically connecting overburdened and vulnerable communities to social determinants/resources such as housing, education, jobs and job training, food systems, health and human services, early childhood development, parks and natural resources, community economic development, and community and public safety. Reduce impact to local businesses in building of this type of transit and do not break up stable neighborhoods or create unsafe conditions while building the

infrastructure. Support education on carbon emission reduction programs to ensure individuals are aware of the availability of transportation services and any incentives.

- ii. Fund an incentive program and technical assistance and support for conversion of heavy and medium duty vehicles from gas to zero emission in overburdened communities.<sup>v</sup> Ensuring that the additional costs of these vehicles do not flow to the largely immigrant workforce of misclassified independent contractor drivers.
- iii. Fund an incentive program and technical assistance and support for conversion to zero emissions vehicles for those who are using a primary vehicle for small business write-offs.

## **2. Climate Commitment Account (CCA)**

- i. Prioritize and quickly expedite Tribal assistance for addressing impacts of climate change, the pollutants impacting Tribal communities, and the human and natural resources of Tribes with funding at the minimum of \$50M per biennium.
- ii. Community Participatory Climate and Environmental Justice Planning:
  - a. Set aside funds with generalized guidelines on how they can be spent (that do not exceed the restrictions already in the CCA) to develop a community participatory budgeting process that centers racial, social, and economic equity (see “community participatory budgeting” in the glossary below).<sup>vi</sup> Allocate additional funds to: a) build community capacity for participation in planning and budgeting, b) adequately resource the development and administration of a participatory budgeting process, and c) to ensure the participatory process includes resources that minimize barriers to participation (including but not limited to funds for interpretation and translation, community member stipends, food, childcare or adult care costs, and travel expenses).
  - b. Funding for the program should build a partnership with applicable agencies to work with the Council to develop the timeline and process for the community participatory budgeting program and adequately resource the Council to partner in this work.

iii. Support potential expansions of Working Families Tax Credit

iv. Community and Worker Climate Resilience

- a. Develop a grant program for communities to co-design and develop regional urban and rural Community Climate Resiliency Hubs (see glossary below).
- b. Provide worker climate health protections, including: 1) Protective/safety clothing and equipment for climate health threats to impacted community members including, but not limited to, farmworkers, food system workers, forest firefighters, and construction workers and 2) payroll replacement to support worker lost wages due to climate health threats like heat, smoke, and rising waters.
- c. Provide community members highly impacted by climate change (including those who are experiencing houselessness or living in temporary housing) with funding for mitigation, adaptation, and relocation.
- d. Develop an insurance pool or similar permanent financial fund such as a mortgage pool that provide immediate temporary housing and make it possible for people to get back into their own home following loses resulting from climate change.

v. Energy Justice Fund

- a. Full funding for low-income “home weatherization plus health plus clean electrification,” including home repair as necessary, including community scale weatherization being piloted by the Department of Commerce.
- b. Funding to prevent utility disconnection for lower income cost burdened households and to ensure lower income households spend no more than 3% of household income on utilities.
- c. Fund a study on the short- and long-term sustainability of Washington electrical production to meet increased demand towards 100% goal for clean home and business energy given removal of dams and make recommendations which

include complimentary clean energy resources such as solar. The study must engage Tribal leadership.

vi. Food systems/agroecology & green infrastructure identification and implementation funding

v. Workforce

- a. Full funding for a Clean Energy Workforce Study.
- b. Full funding for creating a Statewide Building Trades Apprenticeship Navigation Program for Vulnerable Populations and Overburdened Communities.
- c. Funding for nontraditional & extended hour childcare for the construction industry.
- d. Support a transition to retirement for workers impacted by the transition to clean energy at the end of their careers so that instead of training them for green jobs as they near retirement they get support to transition into retirement.
- e. Identify occupational training and skills already covered in existing training programs and new skills that can be integrated into existing training programs to expand workforce capacity for green storm water infrastructure development.

### **3. Air Quality and Health Disparities Improvement Account (AQHDIA)**

- i. Air Quality and Health Disparities Improvement Account be increased to a minimum of \$50 M per biennium.
- ii. Implement a community driven approach to air quality grants that reflects the priorities of vulnerable populations and builds capacity to advocate for their needs.
- iii. Fully fund air quality monitoring network in in the 2023-25 biennium that provides a block-by-block understanding of air quality impacts facing rural and urban communities statewide.

- iv. Assure that Regional Air Quality Authorities are complying with the State's Air Quality Initiative, regulations and implementation for Overburdened Communities and Vulnerable Populations.

#### **4. Natural Climate Solutions Account**

- i. Equitable urban tree canopy investments
  - a. Funding for coordination of capital projects and roadway construction projects that help fund the cost associated with utility relocation so that trees can be planted on otherwise restricted planting strips.
  - b. Support of local governments development of a full funded tree maintenance program.
  - c. Funding for increasing the size of planting strips and without impact to parking and sidewalk reduction.
- ii. Address threats to communities from climate change, including rising seas/rivers/water, drought, and lack of potable water.
- iii. Identify green infrastructure and implementation.
- iv. Protect and restore natural resources that contribute to the diet and health and medicine of overburdened communities, or in order to assure the continued exercise of tribal treaty rights.
  - a. Protect, restore, and maintain riparian habitat.
  - b. Protect and restore estuaries, fisheries, and marine shoreline habitats.
  - c. Prepare for sea level rise including, but not limited to, making fish passage correction investments, looking specifically into dams and structures that increase water temperature.
  - d. Increase the ability to remediate and adapt to the impacts of ocean acidification.
  - e. Increase the sustainable supply of water and improve aquatic habitat.
  - f. Increase raingardens and stormwater treatment facilities that keep waters cool during treatment before entering into large bodies of water (e.g., outfalls) during the hotter months.

## Recommendations for the Operating Budget

- Fund the [Department of Social and Health Services request for the Community Assemblies program](#) (see glossary below) that supports community capacity to identify and advocate for their needs.
- Fund Department of Health's and Tribal participation in:
  - Tribal pre-Consultation activities and statutory-required Consultation on the Environmental Health Disparities (EHD) Map to begin immediately.
  - Additional Tribal and community engagement in all future updates to the EHD map, to include Tribal Environmental Health Disparities. This should occur when consultation is complete on a per Tribe basis and per each community engagement. These updates should be a continuing process and not static in time. It should have a timeframe so this gets accomplished.
  - Development of a guidance document on use of the map that incorporates forthcoming Council guidance on the map.

## Glossary of Terms:

1. **Community Assemblies:** Just Futures' Community Leadership Committee defined community assemblies as: "A participatory democratic platform that brings people together with a clear process/movement/strategy to understand specific community needs and provide solutions and process. It is intentionally convened and inclusive of all stakeholders - a curated space of diversity." Community Assemblies are community-owned processes that build community capacity to engage with government to co-create solutions for economic, environmental, social, and racial justice outcomes. This complements, but does not replace, government engagement practices.
2. **Community Participatory Budgeting:** A democratic process where community members decide how to spend allocated public funding.
3. **Community Climate Resiliency Hubs:** Community centers, schools, libraries, churches, etc. that are easily accessible to community members that meet the climate-resilience

needs identified by the community. A hub could, for example, include smoke relief centers, heating and cooling centers, evacuation shelters, etc.

4. **Systems Level Mapping:** Diagrams that map out how various systems are interconnected to demonstrate and explore the potential pathways for how a policy or funding decision can have impacts in areas that may at first seem unrelated.

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**Recipients:**

Members of the following Legislative Committees and committee staff in care of Secretary of the Senate and Chief Clerk of the House of Representatives:

- Senate Ways and Means
- Senate Transportation
- Senate Environment, Energy & Technology
- Senate Agriculture, Water, Natural Resources & Parks
- House Appropriations
- House Capital Budget
- House Transportation
- House Environment & Energy
- House Agriculture & Natural Resources

Governor Jay Inslee and Governor's Office and Office of Financial Management staff:

- Becky Kelley, Governor's Senior Policy Advisor on Climate
- Carrie Sessions, Governor's Senior Policy Advisor on Environment & Water
- Anna Lising, Governor's Senior Policy Advisor on Energy
- Debbie Driver, Governor's Senior Policy Advisor on Transportation
- David Schumacher, Director, Office of Financial Management
- Jim Cahill, Senior Budget Assistant for Natural Resources, Office of Financial Management
- Erik Hansen, Senior Budget Assistant for Transportation, Office of Financial Management
- Jen Masterson, Senior Budget Assistant for Capital, Office of Financial Management
- Robyn Williams, Senior Budget Assistant for Human Services, Office of Financial Management

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Appointed Environmental Justice Council Members:

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- Co-Chair Maria Batayola



- Council Member Nichole Banegas
- Council Member Maria Blancas
- The Honorable Jarred-Michael Erickson
- Council Member Running-Grass
- Council Member Rosalinda Guillen
- Council Member Aurora Martin
- Council Member David Mendoza
- Council Member Esther Min
- Council Member Todd Mitchell
- The Honorable Misty Napeahi
- AJ Dotzauer, Delegate for the Honorable Misty Napeahi
- Honorable Sylvia Miller
- Dawn Vyvyan, Delegate for the Honorable Sylvia Miller
- Council Member NiRae Petty
- Council Member Lua Pritchard
- Council Member Raeshawna Ware

Environmental Justice Council Ex Officio Agency Liaisons:

- Ex Officio Liaison for Puget Sound Partnership Laura Blackmore
- Ex Officio Liaison for Department of Commerce Michael Furze
- Ex Officio Liaison for Department of Agriculture Nicole Johnson
- Ex Officio Liaison for Department of Ecology Millie Piazza
- Ex Officio Liaison for Department of Ecology Lauren Jenks
- Ex Officio Liaison for Department of Natural Resources Eliseo (EJ) Juárez
- Ex Officio Liaison for Department of Transportation Ahmer Nizam

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<sup>i</sup> “Green gentrification,” the influx of wealthier new residents to previously low-income neighborhoods following greening initiatives and investments in those neighborhoods, has been documented in cities all over the world, including in the U.S. Green gentrification can drive up housing costs and displace low-income residents, especially renters. Research shows that green gentrification has complex interactions with human health and health equity. See Jelks NO, Jennings V, Rigolon A. Green Gentrification and Health: A Scoping Review. *International Journal of Environmental Research and Public Health*. 2021; 18(3):907.

<sup>ii</sup> Resources needed for clean energy, such as mining of lithium for batteries and citing for wind and solar projects, runs the risk of impacting the sovereignty, health, and cultural resources of Indigenous people. For example, the Paiute and Shoshone Tribes have vocally opposed the Thacker Pass lithium mine in Nevada due to concerns about the risk to air and water quality, access to traditional foods and medicines, and the likely impacts to sacred sites. See Native News Online. *Voices From the Tribes: Paiute, Shoshone Elders’ Perspectives on Nevada Lithium Mine Proposal*. Available from <https://nativenewsonline.net/currents/voices-from-the-tribes-paiute-shoshone-elders-perspectives-on-the-nevada-lithium-mine->

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[proposal#:~:text=For%20centuries%2C%20the%20area%20has%20been%20used%20by,Pass%20holds%20an%20important%20history%20for%20the%20tribe. 2021.](#)

<sup>iii</sup> The Council believes that these higher percentage goals are feasible given data from California showing that, conservatively, 48% the California Cap and Trade Program auction proceeds have consistently been distributed to "disadvantaged communities and low-income communities and households, collectively referred to as priority populations." See California Climate Investments. What are Priority Populations. Available at <https://www.caclimateinvestments.ca.gov/priority-populations>. Accessed November 11, 2022.

<sup>iv</sup> Grant programs often inequitably distribute grant funds with funds never reaching the communities that most need the resources. As one example, a recent analysis of Washington State Recreation and Conservation Office grants identified several equity issues such as grants skewing toward places with pre-existing parks and conservation land; underinvestment in Black, Indigenous and Communities of Color by most grant programs; and a lack of granting to areas with low park and green space acreage. The report also includes recommendations to address these granting inequities. Prevention Institute. *Equitable Grantmaking: A Comprehensive Review of Washington State Recreation and Conservation Office Grant Programs*. Available at [https://app.leg.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=Final%20RCO%20grants%20equity%20review%20proviso%20report\\_0e194323-eb36-4a9f-ba0b-881d9602636a.pdf](https://app.leg.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=Final%20RCO%20grants%20equity%20review%20proviso%20report_0e194323-eb36-4a9f-ba0b-881d9602636a.pdf). 2022.

<sup>v</sup> For example, communities near Washington's ports experience high concentrations of air pollutants leading to environmental and health disparities. See Northwest Ports Clean Air Strategy 2020 Progress Report at page 15. [NWPCAS 2020 Progress Report-FINAL .pdf \(portseattle.org\)](#). 2021.

<sup>vi</sup> Many local jurisdictions, including those in Washington State, have successfully allocated funds through community participatory funding. 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. [Innovation-Snapshot-4-Budgeting.pdf \(naccho.org\)](#). 2021; Seattle Office of Civil Rights webpage. Seattle's Participatory Budgeting Process. Available at [Seattle's Participatory Budgeting Process - CivilRights | seattle.gov](#). Accessed November 11, 2022.