

Focus on: Climate Justice in Washington



Seattle's Duwamish Valley

The 2021 legislature passed historic laws to reduce carbon pollution in Washington state and address environmental justice. The Healthy Environment for All Act, or HEAL Act (E2SSB 5141), made environmental justice considerations a required part of agency decision making for many state agencies, and established an environmental justice council. The Climate Commitment Act (E2SSB 5126) made addressing disproportionate impacts from air pollution in vulnerable communities part and parcel of our state's efforts to reduce carbon pollution. Together, these laws give Washington a path to deliver climate justice by addressing the disparate impacts of climate change on overburdened, underserved, and more vulnerable communities.

Environmental justice and the Climate Commitment Act

Alongside creating a comprehensive carbon reduction plan, the Climate Commitment Act has provisions that make it a powerful tool to advance environmental justice in our state.

Some of the key measures are:

Air pollution monitoring and reduction

- The Climate Commitment Act requires additional monitoring and tracking of air pollution levels in overburdened communities, and requires regulatory agencies to set specific air quality targets for these areas. It also requires regulators to identify the specific sources of air pollution.
- If monitoring reveals air pollution problems, the Climate Commitment Act requires Ecology and local clean air agencies to develop and implement strategies to reduce levels of air pollution in overburdened communities to match levels in surrounding communities.

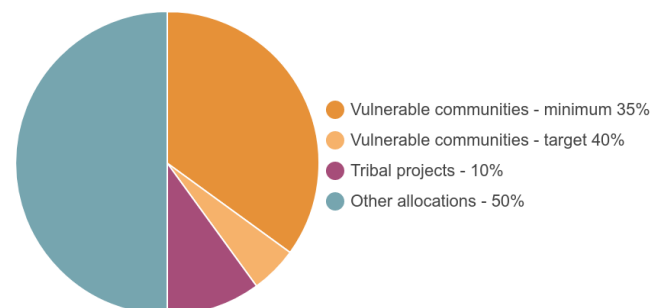
Investments

The Climate Commitment Act requires a minimum of 35% of all funds raised through the auction of emissions allowances to provide direct and meaningful benefits to vulnerable populations within overburdened communities. An additional 10% is dedicated to projects with Tribal support.

Cutting transportation pollution

The Climate Commitment Act also works with the Clean Fuel Standard to tackle the most widespread form of air pollution in Washington: Emissions from vehicles.

Environmental justice investments under the Climate Commitment Act



Support for Washington's Tribal governments

Along with the 10% funding requirement for tribal projects, the Climate Commitment Act allows 3% of covered facilities compliance obligations to be met by offset projects on tribal lands (through 2026, then declining to 2% through 2030). The Legislature also plans to support development of tribal offset projects through \$5 million per biennium, and to dedicate \$50 million per biennium toward climate resiliency programs on tribal lands.

Linking with other carbon cap programs

The Climate Commitment Act allows Washington's emissions cap to be linked to similar caps in other states or nations, thereby promoting large-scale reductions in carbon pollution. However, Washington's law requires those linked reduction programs to ensure distribution of benefits from the program to vulnerable populations and overburdened communities, and to determine that linkage will not yield net adverse impacts to highly impacted communities.

The HEAL Act

With the passage of the HEAL Act, lawmakers took a major step to address environmental and health disparities in communities of color, indigenous communities, and economically disadvantaged communities. The Healthy Environment for All Act puts environmental justice considerations at the heart of decision-making for Ecology and other state agencies. The HEAL Act requires:

- State agencies (including Ecology, Health, Natural Resources, Commerce, Agriculture, Transportation, and the Puget Sound Partnership) to conduct environmental justice assessments.
- Ecology to write procedures to guide these environmental justice assessments, engage with overburdened communities, and establish consultation protocols with Tribes.
- Agencies to incorporate these assessments into their rulemaking decisions, budget requests (including capital requests over \$12 million), new grant and loan programs, and agency-request legislation.

The Environmental Justice Council

The HEAL Act creates an Environmental Justice Council to provide critical input and oversight of environmental justice programs at Washington state agencies. Along with these responsibilities, the Council also plays an important role in the development and implementation of the Climate Commitment Act:

- The Council will provide recommendations to the Legislature and Governor on the design of the cap and invest program, and on investments under the act.
- Ecology will consult with the Council on the air pollution monitoring and reduction program established by the Climate Commitment Act.
- Ecology will consult Council on decisions regarding offset credit limits for emitters that contribute to air pollution in overburdened communities.
- Ecology will report the results of the emission allowance auctions to the Environmental Justice Council.
- Ecology must submit a report to the Legislature and the Council on the implementation of the emission allowance program, and its effects on overburdened communities.



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To request an ADA accommodation, contact Ecology by phone at 360-407-6831 or email at marilyn.turnbow@ecy.wa.gov, or visit <https://ecolillity>. For Relay Service or TTY call 711 or 877-833-6341.