

Environmental Justice (EJ) Council Roles in the Climate Commitment Act (CCA)

Improving Air Quality in Overburdened Communities Initiative (Section 3)

Community Consultation Recommendations

RCW 70A.65.040: The EJ Council must provide recommendations to implementing agencies on meaningful consultation with vulnerable populations including on Ecology's community engagement plan supplement required under RCW 70A.65.020.

Development and Implementation of the Cap and Invest Program

Recommendations on Development and Implementation of the Cap and Invest Program

RCW 70A.65.040: The EJ Council must provide recommendations to Legislature, agencies, and the Governor on development and implementation of the cap and invest program established in the CCA.

Consulting EJ Council on Reducing Offset Credit Limits

RCW 70A.65.170: Offset credit limits can be reduced for a specific entity if the Department of Ecology determines, in consultation with the EJ Council, that the covered entity is likely to contribute substantively to cumulative air pollution burden in an overburdened community (using criteria established by Ecology in consultation with the EJ Council), or to violate any permits required by federal, state, or local air pollution control agency.

Programs Funded by Accounts Created by the CCA

Recommendations on the Development of Investment Plans and Funding Proposals

RCW 70A.65.040: The EJ Council must provide recommendations to Legislature, agencies, and the Governor in the development of investment plans and funding proposals for the programs funded from the Climate Investment Account.

Recommendations on Development and Implementation of Programs Funded by the Accounts Created by the CCA

RCW 70A.65.040: The EJ Council must provide recommendations to Legislature, agencies, and the Governor on development and implementation of programs funded from the Carbon Emissions Reeducation Account and the Climate Investment Account.

Agencies Allocating Funds from the Accounts Created by the CCA

Community Engagement Plans and EJ Assessments

RCW 70A.65.030: Agencies allocating funds from the accounts developed by the CCA must develop community engagement plans and conduct EJ assessments consistent with the HEAL Act even if they are not covered agencies under the HEAL Act. RCW 70A.65.040: The EJ Council is also tasked with providing recommendations to these agencies on issues such as meaningful consultation with vulnerable populations including on these agencies' community engagement plans.

Recommendations on EJ and Environmental Health Goals for Projects Funded from the Climate Investment Account

RCW 70A.65.040: The EJ Council must recommend EJ and environmental health goals for programs, activities, and projects funded from the Climate Investment Account and review agency annual reports on outcomes and progress toward meeting these goals.

Goals, Metrics, and Evaluating the Impacts of the CCA on Environmental Justice and Environmental Health

Forum to analyze policies adopted under the CCA

RCW 70A.65.040: The EJ Council must provide a forum to analyze policies adopted under CCA to determine if they lead to improvements within overburdened communities.

Recommendations for Evaluating Programs, Activities, or Projects

RCW 70A.65.040: The EJ Council must recommend procedures and criteria for evaluating programs, activities, or projects.

Recommendations on EJ and Environmental Health Goals for Projects Funded from the Climate Investment Account

RCW 70A.65.040: The EJ Council must recommend EJ and environmental health goals for programs, activities, and projects funded from the Climate Investment Account and review agency annual reports on outcomes and progress toward meeting these goals.

Co-Pollutant Emissions Reductions Goals

RCW 70A.65.040: The EJ Council must recommend co-pollutant emissions reduction goals in overburdened communities.

Evaluate Funding Levels in EJ Communities

RCW 70A.65.040: The EJ Council must evaluate the level of funding provided to assist vulnerable populations, low income individuals, and impacted workers and the funding of projects and activities located within or benefiting overburdened communities.

Public Participation

Recommendations to Support Public Participation through Capacity Grants

RCW 70A.65.040: The EJ Council must recommend how to support public participation through capacity grants for participation.

Reporting to and Notifying the EJ Council

Department of Ecology Reporting

RCW 70A.65.060: Beginning on December 1, 2027 the Department of Ecology must submit a report each year to Legislature and transmit the report to EJ Council. The report must include a comprehensive review of implementation of the cap and invest program, including outcomes.

Reporting for Agencies Allocated Funds from the CCA Accounts

RCW 70A.65.030: Agencies allocating funds from the accounts developed by the CCA must report annually to the EJ Council regarding progress toward meeting EJ and environmental health goals.

Auction Notices

RCW 70A.65.100: The Department of Ecology must transmit to EJ Council auction notices 60 days prior to each action, and summary results report and post-auction public proceeds report within 60 days of each auction.

Previous Calendar Year Auction Results

RCW 70A.65.100: Beginning in 2024, the Department of Ecology must annually communicate to the EJ Council results of previous calendar years auctions.

Notifying EJ Council of Monetary Penalty

RCW 70A.65.200: An Electric Utility or Natural Gas Utility must notify retail customers and the EJ Council in published form within three months of paying a monetary penalty under RCW 70A.65.200