October 23, 2024

Sierra Rotakhina, MPH
Environmental Justice Council Manager
Environmental Justice Council

RE: Recommendation on Defining and Measuring Environmental Benefits and Harms in Washington State Policy and Programs

Dear Ms. Rotakhina,

The Healthy Environmental for All (HEAL) Act establishes a goal of directing 40% of grants and expenditures managed by covered agencies that create environmental benefits to Vulnerable Populations and Overburdened Communities. Additionally, for each significant agency action, the HEAL Act requires covered agencies to identify, maximize, and equitably distribute environmental benefits created by the action to overburdened communities and vulnerable populations, while simultaneously reducing or eliminating any associated environmental harms. As such, Front and Center provides our Recommendation on Defining and Measuring Environmental Benefits and Harms in Washington State Policy and Programs (attached).

We hope the Environmental Justice Council, agencies, and the Office of Financial Management find that document useful for implementing the requirements under the HEAL Act.

Sincerely,

Davin Diaz
Environmental Justice Program Manager
Front and Centered

RECOMMENDATIONS ON DEFINING AND MEASURING ENVIRONMENTAL BENEFITS AND HARMS IN WASHINGTON STATE POLICY & PROGRAMS

SUMMARY

Front and Centered recommends the use of the below "environmental and community health indicators" to measure "environmental benefits" and "environmental harms" in HEAL activities. Environmental benefits are activities that demonstrate a decrease in adverse environmental exposures, impacts, and health complications and an increase in community health indicators. Environmental harms are the converse: they demonstrate an increase in environmental exposures and health complications and negatively affect community health indicators.

HEAL OBLIGATIONS

The Healthy Environmental for All (HEAL) Act establishes a goal of directing 40% of grants and expenditures managed by covered agencies that create environmental benefits to Vulnerable Populations and Overburdened Communities.[1] Additionally, for each significant agency action, the HEAL Act requires covered agencies to identify, maximize, and equitably distribute environmental benefits created by the action to overburdened communities and vulnerable populations, while simultaneously reducing or eliminating any associated environmental harms.[2] Agencies must work with the Office of Financial Management to publish an online dashboard that describes agency progress on meeting such obligations.[3]

"Environmental benefits" are defined in RCW 70A.02.010(4) as activities that:

- prevent or reduce existing environmental harms or associated risks that contribute significantly to cumulative environmental health impacts;
- prevent or mitigate impacts to overburdened communities or vulnerable populations from, or support community response to, the impacts of environmental harm; or
- meet a community need formally identified to a covered agency by an overburdened community or vulnerable population that is consistent with the intent of Chapter 70A.02 RCW.

"Environmental harms" are defined in RCW 70A.02.010(5) as the individual or cumulative environmental health impacts and risks to communities caused by historic, current, or projected:

- Exposure to pollution, conventional or toxic pollutants, environmental hazards, or other contamination in the air, water, and land;
- Adverse environmental effects, including exposure to contamination, hazardous substances, or pollution that increase the risk of adverse environmental health outcomes or create vulnerabilities to the impacts of climate change;
- Loss or impairment of ecosystem functions or traditional food resources or loss of access to gather cultural resources or harvest traditional foods; or
- Health and economic impacts from climate change.

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[1] RCW 70A.02.080(2)(e)
[2] RCW 70A.02.060(6).
[3] RCW 70A.02.090(2)(b).

Front and Centered does not believe these definitions provide the necessary clarity for day-to-day decision making. Instead, through this document, Front and Centered seeks to provide simplified, measurable definitions for "environmental benefits" and "environmental harms" and ensure that communities and agencies can work from a common understanding of what the HEAL Act requires.

PREVENTION OF ENVIRONMENTAL HARMS AND ADVERSE IMPACTS

Environmental benefits derive from programs, funds and services that:
- have positive and measurable environmental, social and/or economic effects on members of Vulnerable Populations and Overburdened Communities;
- are tailored to specifically benefit Vulnerable Populations and Overburdened Communities; and
- are identified and created in conjunction with the Vulnerable Populations and Overburdened Communities.

In order to be considered as providing a benefit, an agency activity should reduce cumulative environmental health impacts and disparities through the prevention, mitigation, and reduction of environmental harms and its impacts on Vulnerable Populations and Overburdened Communities. Such benefits must be tracked and should be measured by a number of Environmental Indicators. While not all indicators will be relevant, every covered program, project, or grant that claims to provide a benefit or reduction of harm should meet at least 1 of the following indicators and should strive to be responsive to more. The recommended indicators, and some potential metrics, follow.[4]

- Environmental Exposure
  - Air Quality: Reducing levels of greenhouse gasses, criteria air pollutants, and hazardous air pollutants
    - Possible metrics: criteria air pollutant levels (PM2.5, PM10, SO2, NOx, Pb, CO2, O3), Ozone concentration, Diesel exhaust PM2.5 emissions, cancer risk from air toxics excluding diesel PM, non-cancer risk from air toxics, quantity of hazardous air pollutants, toxic releases from facilities into air, proximity to heavy traffic roadways, levels of noise pollution
  - Water Quality: Reduction of contamination levels of water sources, including drinking water and bodies of water
    - Possible metrics: drinking water quality, marine water quality, number of fish and shellfish health advisories, wastewater discharge levels, surface water quality, groundwater quality, number of combined sewer overflows
  - Exposure to Toxins: Limit proximity to sources of pollution such as industrial facilities, hazardous waste sites, and transportation corridors.
    - Possible metrics: number of railways, airports, or ports in community; housing stock with lead risk; leaded fuel use; density of or proximity to known contaminated sites and clean-up sites, progress of clean-up for contaminated sites.

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[4] The following indicators are inspired by prior Front and Centered reports "Accelerating a Just Transition in Washington State: Climate Justice Strategies from the Frontlines" and "Community Report on Environmental Justice."

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- Climate Resiliency: Increase community ability to adapt to climate change-related hazards and leverage opportunity to transform communities through inclusive efforts that reinforce existing social structures and community cohesion
  - Possible metrics: energy burden by household, average excess energy burden per household, number of resiliency hubs and zones within community, number of communities able to respond to climate change-related hazards, number of residents who have access to emergency power, exposure to wildfire smoke, exposure to rising sea levels, response time for emergency services, number of heat-related deaths and illnesses
  - Possible metrics (state to develop databases for): people's ability to stay in their community and prevent displacement from green gentrification and hazards exacerbated by climate change, energy burden and assistance for households, preservation of culturally important sites and foods from climate impacts, resilience to climate through ecological solutions

To determine what benefits result from relevant activities, agencies must include a description of the project and both a projection (pre-project) and assessment (during and post-project) of the project's impacts and be shared on the online dashboard hosted by the Office of Financial Management. The project assessment should demonstrate the project's estimated ability to eliminate environmental health disparities and health impacts in Overburdened Communities.

The project description reported on the dashboard should confirm that the significant agency action resulted in environmental benefits or a reduction of environmental harms. As such, the indicators proposed should be used as the basis for what is reported in allocating funding for projects and programs covered by HEAL. These indicators must be tracked to assess the long-term effects of projects deemed to create environmental benefits to Vulnerable Populations in Overburdened Communities.

SUPPORTING COMMUNITY-IDENTIFIED PRIORITIES

Agencies will need to engage in an ongoing process of soliciting and listening to communities on their priorities. To identify activities that meet a community need, agencies must create and facilitate participatory budgeting, capacity building, and other engagement opportunities. The process should ensure:

- Enhancement of Grassroots Participatory Democracy
  - Representation in decision-making processes that reflects the diversity of the population, including frontline communities and youth, like Participatory Budgeting and Community Assemblies, suggesting a more inclusive democracy.
- Creation of practices and structures that enable equitable governance
  - People have an opportunity to participate in decisions about activities that may affect their environment and/or health
    - Information is timely, written in a way that is accessible to the average person, distributed specifically in areas that would be impacted by a decision, and translated into languages other than English most commonly spoken in the impacted area
  - Public contributions can influence regulatory agency decisions
  - Community concerns will be considered in the decision making process
  - Decision-makers will seek out and facilitate the involvement of those potentially affected.

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COMMUNITY HEALTH INDICATORS

In addition to activities that create environmental benefits (or reduce environmental harms) as demonstrated by the environmental exposure indicators above, community members may identify activities that improve quality of living. These benefits, though they may not reduce environmental hazards or impacts, contribute to the legislative intent of the HEAL Act to reduce environmental health disparities and realize the right to a healthy environment. To track such benefits, we recommend agencies use the following community health indicators as a starting point. Additional indicators should be identified in collaboration with community members.

- Community Health
    - Physical Well-being: Improving quality of life by reducing rates of chronic diseases (such as asthma or cardiovascular disease), reducing mortality (or reducing disparities in life expectancy at birth), improving maternal and child health, improving mental health, and access to health care
        - Potential metrics: asthma rates, cancer rates, blood lead levels, rates of cardiovascular disease, prevalence of developmental problems, average birth weight
    - Social determinants of health
        - Potential metrics: unemployment levels; educational attainment levels; poverty levels; number of households with limited English language capabilities; housing affordability; proximity to public transit; transportation costs; proximity to food/grocery stores; proximity to social services; percentage of children eligible for free/reduced lunch; number of and access to parks, gardens, or other green spaces within walking distance from housing areas; transit lines running to or near parks, gardens, or other green spaces; size of parks, gardens, or other green spaces
    - Workforce Training and Development: Creating green jobs, providing trainings, and supporting capacity building.
        - Possible metrics: number of jobs created for vulnerable populations within overburdened communities, number of local workers, number of part-time and full-time job per project

By developing metrics to track these indicators, policymakers and communities can identify environmental justice issues, prioritize interventions, and monitor progress towards eliminating environmental health disparities.