

Environmental Justice Council

October 24, 2024 Meeting Materials

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No written public comments submitted at time meeting packet was posted.	

Consejo de Justicia Ambiental (Consejo de JA)

Jueves 24 de octubre de 2024

De 3:30 p. m. a 6:30 p. m.

Para unirse al seminario web, haga clic en el siguiente enlace:

<https://us02web.zoom.us/j/81747864781>

Id. del seminario web: 817 4786 4781

O únase por teléfono: +1 253 215 8782

Id. del seminario web: 817 4786 4781

Números internacionales disponibles: <https://us02web.zoom.us/u/kd6MgTvTL>

Objetivos de la reunión:

1. Aprender de una organización sobre las preocupaciones, problemas, ideas, soluciones y victorias en materia de justicia ambiental en su comunidad.
2. Debatir y posiblemente aprobar los paquetes de decisión de la agencia que apoyan la implementación de la HEAL (por su sigla en inglés, Ley de Medioambiente Sano para Todos) y las recomendaciones presupuestarias anteriores del Consejo. Debatir y posiblemente adoptar recomendaciones presupuestarias adicionales, si las hay.
3. Debatir y considerar la posibilidad de adoptar las posturas políticas del Consejo de 2025 y el proceso de sesión legislativa.
4. Debatir y adoptar el calendario de reuniones del Consejo para 2025.
5. Escuchar un resumen de los informes anuales de las agencias HEAL al Consejo por parte de los miembros del grupo de trabajo interinstitucional de la HEAL.
6. Revisar y debatir los nueve artículos de orientación y considerar la posibilidad de adoptar cada uno de ellos de manera individual.

Orden del día

A las 3:20 p. m., los invitamos a participar de una presentación sobre cómo activar los subtítulos descriptivos y cómo unirse al canal de interpretación en español.

De 3:30 p. m. a 3:35 p. m.	I.	<p>Bienvenida y repaso de la lista para verificar que haya cuórum</p>	<p>Maria Batayola, copresidenta Miembros del Consejo</p> <p>El honorable Jarred-Michael Erickson</p>
De 3:35 p. m. a 3:40 p. m.	II.	<p>Aprobación del orden del día por parte del Consejo</p>	<p>Aurora Martin, miembro del Consejo</p>
	III.	<p>Aprobación de las notas de la reunión del 26 de septiembre de 2024 por parte del Consejo</p> <p>- Posibles medidas del Consejo</p>	<p>Miembros del Consejo</p>
De 3:40 p. m. a 3:55 p. m.	IV.	<p>Conexión con la comunidad del Consejo de EJ</p> <p>Objetivo: aprender de una organización sobre las preocupaciones, problemas, ideas, soluciones y victorias en materia de justicia ambiental en su comunidad.</p>	<p>Rosalinda Guillen, miembro del Consejo</p> <p>Sierra Red Bow, personal del Consejo</p> <p>Miembros del Consejo</p>
De 3:55 p. m. a 4:05 p. m.	V.	<p>Comentarios públicos</p>	<p>Rosalinda Guillen, miembro del Consejo</p>
De 4:05 p. m. a 4:40 p. m.	VI.	<p>Debate y posible adopción: recomendaciones presupuestarias adicionales, incluida la aprobación de solicitudes presupuestarias de agencias (paquetes de decisión)</p> <p>Objetivo: debatir y posiblemente aprobar los paquetes de decisión de la agencia que apoyan la implementación de la Ley HEAL y las recomendaciones presupuestarias anteriores del Consejo. Debatir y posiblemente adoptar</p>	<p>Sierra Rotakhina, personal del Consejo</p> <p>Comité presupuestario</p> <p>Christy Hoff, personal del Consejo</p> <p>Miembros del Consejo</p>

<p>recomendaciones presupuestarias adicionales, si las hay.</p> <p>- Posibles medidas del Consejo</p>		
<p>Receso de 5 minutos</p>		
<p>De 4:45 p. m. a 5:10 p. m.</p>	<p>VII. Debate y posible adopción: declaración y procedimiento legislativo del Consejo de EJ de 2025</p> <p>Objetivo: debatir y considerar la posibilidad de adoptar las posturas políticas del Consejo de 2025 y el proceso de sesión legislativa.</p> <p>- Posibles medidas del Consejo</p>	<p>Maria Batayola, copresidenta</p> <p>Christy Hoff, personal del Consejo</p> <p>Miembros del Consejo</p>
<p>De 5:10 p. m. a 5:15 p. m.</p>	<p>VIII. Debate y posible adopción: calendario de reuniones del Consejo de EJ para 2025</p> <p>Objetivo: debatir y adoptar el calendario de reuniones del Consejo para 2025.</p> <p>- Posibles medidas del Consejo</p>	<p>Maria Batayola, copresidenta</p> <p>Miembros del Consejo</p>
<p>De 5:15 p. m. a 5:45 p. m.</p>	<p>IX. Presentación: actualización anual de las agencias HEAL al Consejo</p> <p>Objetivo: escuchar un resumen de los informes anuales de las agencias HEAL al Consejo por parte de los miembros del grupo de trabajo interinstitucional de la HEAL.</p>	<p>El honorable Jarred-Michael Erickson</p> <p>Rowena Pineda, personal del Consejo</p> <p>Dana Myers, personal del Consejo</p> <p>Miembros del grupo de trabajo interinstitucional de la HEAL</p> <p>Miembros del Consejo</p>
<p>Receso de 5 minutos</p>		

De 5:50 p. m. a 6:15 p. m.	X.	Debate y posible adopción: borrador de orientación sobre la asignación, medición y presentación de las inversiones HEAL y CCA	Aurora Martin, miembro del Consejo Comité de la CCA Sierra Rotakhina, personal del Consejo Miembros del Consejo
		Objetivo: revisar y debatir los nueve artículos de orientación y considerar la posibilidad de adoptar cada uno de ellos de manera individual.	
		- Posibles medidas del Consejo	
De 6:15 p. m. a 6:25 p. m.	XI.	Comentarios públicos	Rosalinda Guillen, miembro del Consejo
De 6:25 p. m. a 6:30 p. m.	a)	Agradecimientos y levantamiento de la sesión	El honorable Jarred-Michael Erickson Maria Batayola, copresidenta

Información importante:

- El Consejo puede cambiar los asuntos del orden del día el mismo día de la reunión.
- El número de contacto de emergencia durante la reunión es 360-584-4398.
- Si desea solicitar este documento en un idioma diferente o en un formato alternativo, envíe un correo electrónico a Sierra Rotakhina en cualquier idioma a envjustice@ejc.wa.gov o llame al 360-584-4398.

Environmental Justice Council (EJ Council)

Thursday, October 24, 2024

3:30pm – 6:30pm

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81747864781>

Webinar ID: 817 4786 4781

Or Join by Phone: +1 253 215 8782

Webinar ID: 817 4786 4781

International numbers available: <https://us02web.zoom.us/u/kd6MggTvTL>

Meeting Goals:

1. Learn from an organization about environmental justice concerns, issues, ideas, solutions, and victories in their community.
2. Discuss and possibly endorse agency decision-packages that support implementation of the HEAL Act and past Council budget recommendations. Discuss and possibly adopt additional budget recommendations.
3. Discuss and consider adoption of the 2025 Council policy positions and legislative session process.
4. Discuss and adopt the 2025 Council meeting schedule.
5. Hear an overview of the HEAL agencies annual reports to the Council from members of the HEAL Interagency Workgroup.
6. Discuss and possibly adopt two articles of the Council's Draft Guidance on Allocating, Measuring & Reporting HEAL and CCA Investments.

Agenda

Please join us at 3:20pm for a presentation on how to turn on closed captions and join the Spanish or ASL interpretation channel.

3:30 PM – 3:35 PM	I. Welcome and Roll Call for Quorum	Co-Chair Maria Batayola The Honorable Jarred-Michael Erickson Council Members
3:35 PM – 3:40 PM Agenda on page 5 . Meeting notes on page 9 .	II. Approval of Agenda by Council III. Approval of September 26, 2024 Meeting Notes by Council -Possible Council Action	Council Member Aurora Martin Council Members
3:40 PM – 3:55 PM Meeting materials on page 21 .	IV. EJ Council Community Connection Goals: Learn from an organization about environmental justice concerns, issues, ideas, solutions, and victories in their community.	Council Member Rosalinda Guillen Sierra Red Bow, Council Staff Council Members
3:55 PM – 4:05 PM	V. Public Comment	Council Member Rosalinda Guillen
4:05 PM – 4:40 PM Meeting materials on page 22 .	VI. Discussion and Possible Adoption: Additional Budget Recommendations, Including Endorsement of Agency Budget Requests (Decision Packages) Goal: Discuss and possibly endorse agency decision-packages that support implementation of the HEAL Act and past Council budget recommendations. Discuss and possibly adopt additional budget recommendations.	Sierra Rotakhina, Council Staff Budget Committee Christy Hoff, Council Staff Council Members

-Possible Council Action			
5 Minute Break			
4:45 PM – 5:10 PM Meeting materials on page 38 .	VII. Discussion and Possible Adoption: 2025 EJ Council Legislative Statement and Procedure Goals: Discuss and consider adoption of the 2025 Council policy positions and legislative session process.	Co-Chair Maria Batayola Christy Hoff, Council Staff Council Members	
-Possible Council Action			
5:10 PM – 5:15 PM Meeting materials on page 44 .	VIII. Discussion and Possible Adoption: EJ Council 2025 Meeting Schedule Goal: Discuss and adopt the 2025 Council meeting schedule.	Co-Chair Maria Batayola Council Members	
-Possible Council Action			
5:15 PM – 5:45 PM Meeting will be posted as supplemental materials here .	IX. Presentation: HEAL Agencies Annual Update to the Council Goal: Hear an overview of the HEAL agencies annual reports to the Council from members of the HEAL Interagency Workgroup.	The Honorable Jarred-Michael Erickson Rowena Pineda, Council Staff Dana Myers, Council Staff HEAL Interagency Workgroup Members Council Members	
5 Minute Break			

<p>5:50 PM – 6:15 PM</p> <p>Meeting materials on page 47.</p>	<p>X. Discussion and Possible Adoption: Draft Guidance on Allocating, Measuring & Reporting HEAL and CCA Investments</p> <p>Goal: Discuss and possibly adopt two articles of the Council’s Draft Guidance on Allocating, Measuring & Reporting HEAL and CCA Investments.</p> <p>-Possible Council Action</p>	<p>Council Member Aurora Martin</p> <p>Council Member David Mendoza</p> <p>CCA Committee Sierra Rotakhina, Council Staff</p> <p>Council Members</p>
<p>6:15 PM – 6:25 PM</p>	<p>XI. Public Comment</p>	<p>Council Member Rosalinda Guillen</p>
<p>6:25 PM – 6:30 PM</p>	<p>a) Appreciations and Adjournment</p>	<p>The Honorable Jarred-Michael Erickson</p> <p>Co-Chair Maria Batayola</p>

Important Information:

- The Council may move agenda items around on the day of the meeting.
- Emergency contact number during the meeting is 360-584-4398.
- To request this document in an alternate format or a different language, please contact Sierra Rotakhina in any language, at envjustice@ejc.wa.gov or 360-584-4398.

Draft Minutes of the Environmental Justice Council

September 24, 2024

Virtual ZOOM Platform

Due to limited staff capacity, Environmental Justice Council (Council) staff are working to streamline the Council meeting notes. The notes now include only very high-level points and the final decisions made along with voting records. The full meeting recordings can be found on the Council's website: [Environmental Justice Council Meetings | WaPortal.org](https://www.wa.gov/EnvironmentalJusticeCouncilMeetings). However, it is important that meeting notes are useful to the Council Members and the public. Please share feedback with Council staff on how we can make these notes most useful to you by emailing envjustice@ejc.wa.gov or by calling 360-584-4398.

Council Members present:

- Maria Batayola (Co-Chair)
- Tatiana Brown
- AJ Dotzauer on behalf of the Honorable Misty Napeahi
- The Honorable Jarred-Michael Erickson (Interim Co-Chair)
- Running-Grass
- Aurora Martin
- David Mendoza
- Esther Min
- Todd Mitchell
- Faaluaina Pritchard
- The Honorable Monica Tonasket
- Raeshawna Ware
- The Honorable JJ Wilbur
- Maria Blancas

Council Members absent:

- Nichole Banegas
- Rosalinda Guillen

Agency Ex Officio Liaisons present:

- Lea Anne Burke, Puget Sound Partnership
- Michael Furze, Department of Commerce

- Lauren Jenks, Department of Health
- Nicole Johnson, Department of Agriculture
- Eliseo (EJ) Juárez, Department of Natural Resources
- Ahmer Nizam, Department of Transportation
- Millie Piazza, Department of Ecology

Council staff:

- Jonathan Chen
- Angie Ellis
- Christy Curwick Hoff
- Dana Myers
- Rowena Pineda
- Sierra Red Bow
- Sierra Rotakhina

Guests and other participants:

- John Bergin, The Lands Council
- Annie Cooper, The Lands Council
- Cristina González, Latino Community Fund of Washington

I. Welcome and Roll Call for Quorum

Maria Batayola, Council Co-Chair, called the meeting to order. Rowena Pineda, Council staff, facilitated roll call. An initial quorum was established.

16 Members / 0 Vacancies / 0 Leaves of Absence / Current Quorum = 9		
Nichole Banegas	Business Representative	Absent
Maria Batayola (Co-Chair)	Community Representative	Present
Maria Blancas	Community Representative	Absent
Tatiana Brown	Youth Community Representative	Present
The Honorable Jarred-Michael Erickson (Interim Co-Chair)	Tribal Representative	Present
Running-Grass	EJ Practitioner	Present
Rosalinda Guillen	Community Representative	Absent
Aurora Martin	Community Representative	Present
David Mendoza	Representative At Large	Present
Esther Min	EJ Practitioner	Present

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Todd Mitchell	Union Representative	Present
AJ Dotzauer On behalf of The Honorable Misty Napeahi	Tribal Representative	Present
Faaluaina Pritchard	Community Representative	Absent
The Honorable Monica Tonasket	Tribal Representative	Present
Raeshawna Ware	Community Representative	Present
The Honorable JJ Wilbur	Tribal Representative	Present

II. Approval of Agenda by Council

Aurora Martin, Council Member, facilitated adoption of the agenda.

Motion: The Council adopts the agenda.

No objections noted. **The motion passed.**

III. Approval of May 3, July 2, and July 25, 2024 Meeting Notes by Council

Member Martin said the Council had minutes from the past three meetings to adopt.

Motion: The Council adopts the meeting notes for May 3, July 2, and July 25, 2024.

Motion/Second: Todd Mitchell/The Honorable Monica Tonasket

No objections noted. **The motion passed.**

IV. Public Comment

Faduma Fido, People’s Economy Lab, asked for support for Community Assemblies. She said the pilot project kicked off in August. She thanked the Council for its funding recommendation last year. She said the first session is being convened in Walla Walla today. She said because they are just beginning, there are relationships to build, and they want to identify other agencies to engage. They will continue to share updates.

Martha Lucas, Executive Director of WA State Coalition of African Community Leaders, is appreciative of the funding in support of benefitting vulnerable communities and hopes the funding will continue. Their work is multi-generational. She is hoping that it is not just one-time funding.

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David Bulindah, Wakulima USA, said their organization supports East African immigrants. He acknowledged the HEAL Act and the support the community is receiving. He appreciates the outreach being conducted in their own language. They provide resources and information in ways that are relevant to the community. They said the HEAL Act is benefitting their communities.

Howard Greenwich, Research Director, Puget Sound Sage, said they have been helping to build a climate justice movement. They support the budget recommendations, and in particular, the statewide energy assistance pilot program. They know most assistance programs don't reach eligible households. They think investor-owned utilities should support assistance. They agree with a pilot program to see if it can work.

Ruel Olanday Jr., Equitable Recovery and Reconciliation Alliance (ERRA), said their organization is a regional think tank to advance equity and social justice. They said they support the proposal for \$5 million for Community Assemblies, adding that the work is needed and they know it is working. They shared how the work is bringing BIPOC communities from across the state (Spokane and King County) together.

Toshiko Hasegawa, Yonsei Consulting, said she represents a public affairs consulting firm that has been retained by the Washington State Department of Agriculture. They are advising on a green fertilizer grant program, which is not a significant agency action, though the outcome would be the establishment of a green fertilizer program. They have done the analysis of potential health benefits and identified relevant vulnerable populations and overburdened communities. They have a report due in November that will be publicly available. She thanked EJ Council Members for joining office hours that they held to share information about the grant program.

Bea Covington said she works in partnership with the Toshiko Hasegawa (previous speaker) to understand the models that might be employed to support a grant program or other subsidy

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program that might be recommended to the Washington State Department of Agriculture. They will share their contact information.

Jackie Vaughn, Executive Director, Surge Reproductive Justice, said their organization is a Black and Queer led organization and they are a recipient of the HEAL grant. They expressed support for the capacity building grants that allow organizations that work on reproductive justice to connect their work to environmental justice. They said there is a direct connection between health and community resilience and community power. They said the grant has helped them build capacity and contribute their insights. They hope the funding continues to be invested into the community so they can continue to participate and lead.

Ezana, Youth Coach, Washington State Coalition of African Community Leaders, and they have a program called the Evergreen Environmental Justice Warrior Program. They are comprised of youth from 8 to 23 years old to find solutions to climate issues in their communities. They mentioned heat and smoke, soil degradation, lack of trees, and the youth are noticing and challenging these issues. They said the grant from the Department of Health is allowing them to continue with their work. They hope the funding will continue.

V. Discussion and Possible Adoption: 2025 Environmental Justice Council Budget Recommendations

Sierra Rotakhina, Council Staff, said that the draft budget proposals have been available since September 14 and that each Member has had the opportunity to meet with staff one-on-one for a briefing. Sierra asked Members to identify any proposals that they didn't feel were ready for adoption, that needed further discussion, or that required any Member to recuse themselves. The Council first adopted the recommendations where full Council consensus had been reached and where no Members needed to recuse themselves. They next discussed each budget recommendation, made changes as needed, and passed motions adopting the recommendations.

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Motion 1: The Environmental Justice Council adopts the following 2025 Budget Recommendations as submitted on September 26, 2024: **1, 2, 3, 6, 8, 9, and 12**

The Council directs staff to work with Council Members, the Governor’s Office, the Office of Financial Management, relevant agencies, and others as needed to continue to refine the budget estimates and other details while centering the intent of the recommendations adopted today.

The Council directs staff to submit the recommendations to the appropriate committees of the Legislature, the Governor, and the Office of Financial Management to inform the development of the 2025-2027 biennial budget.

Motion/Section: Maria Batayola/David Mendoza

The Motion Passed

A: Yes, I approve.

B: Yes, with reservations.

C: Not voting until we have further discussions.

D: I don't approve, but I won't block.

E: I block, have serious concerns.

F: I stand aside, recuse myself.

16 Members / 0 Vacancies / 0 Leaves of Absence / Current Quorum = 8		
The Honorable JJ Wilbur	Tribal Representative	A
Raeshawna Ware	Community Representative	A
The Honorable Monica Tonasket	Tribal Representative	A
Running-Grass	EJ Practitioner	A
Faaluaina Pritchard	Community Representative	Absent
Todd Mitchell	Union Representative	A
Esther Min	EJ Practitioner	A
David Mendoza	Representative At Large	A
Aurora Martin	Community Representative	A

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Rosalinda Guillen	Community Representative	Absent
The Honorable Jarred-Michael Erickson (Interim Co-Chair)	Tribal Representative	Absent
AJ Dotzauer On behalf of The Honorable Misty Napeahi	Tribal Representative	A
Tatiana Brown	Youth Community Representative	A
Maria Blancas	Community Representative	Absent
Maria Batayola (Co-Chair)	Community Representative	A
Nichole Banegas	Business Representative	Absent

Motion 2: The Environmental Justice Council adopts the following 2025 Budget Recommendations with any amendments agreed to by the full Council on September 26, 2024: **4, 5, and 7**

The Council directs staff to work with Council Members, the Governor’s Office, the Office of Financial Management, relevant agencies, and others as needed to continue to refine the budget estimates and other details while centering the intent of the recommendations adopted today.

The Council directs staff to submit the recommendations to the appropriate committees of the Legislature, the Governor, and the Office of Financial Management to inform the development of the 2025-2027 biennial budget.

Motion/Section: AJ Dotzauer/Tatiana Brown

The Motion Passed

A: Yes, I approve.

B: Yes, with reservations.

C: Not voting until we have further discussions.

D: I don't approve, but I won't block.

E: I block, have serious concerns.

F: I stand aside, recuse myself.

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16 Members / 0 Vacancies / 0 Leaves of Absence / Current Quorum = 8		
The Honorable JJ Wilbur	Tribal Representative	A
Raeshawna Ware	Community Representative	A
The Honorable Monica Tonasket	Tribal Representative	A
Running-Grass	EJ Practitioner	A
Faaluaina Pritchard	Community Representative	Absent
Todd Mitchell	Union Representative	A
Esther Min	EJ Practitioner	A
David Mendoza	Representative At Large	A
Aurora Martin	Community Representative	Absent
Rosalinda Guillen	Community Representative	Absent
The Honorable Jarred-Michael Erickson (Interim Co-Chair)	Tribal Representative	Absent
AJ Dotzauer On behalf of The Honorable Misty Napeahi	Tribal Representative	A
Tatiana Brown	Youth Community Representative	A
Maria Blancas	Community Representative	Absent
Maria Batayola (Co-Chair)	Community Representative	A
Nichole Banegas	Business Representative	Absent

Motion 3: The Environmental Justice Council adopts the following 2025 Budget Recommendations with any amendments agreed to by the full Council on September 26, 2024: **10 and 13**

The Council directs staff to work with Council Members, the Governor’s Office, the Office of Financial Management, relevant agencies, and others as needed to continue to refine the budget estimates and other details while centering the intent of the recommendations adopted today.

The Council directs staff to submit the recommendations to the appropriate committees of the Legislature, the Governor, and the Office of Financial Management to inform the development of the 2025-2027 biennial budget.

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Motion/Section: Lua Pritchard/Esther Min

The Motion Passed

A: Yes, I approve.

B: Yes, with reservations.

C: Not voting until we have further discussions.

D: I don't approve, but I won't block.

E: I block, have serious concerns.

F: I stand aside, recuse myself.

16 Members / 0 Vacancies / 0 Leaves of Absence / Current Quorum = 8		
The Honorable JJ Wilbur	Tribal Representative	A
Raeshawna Ware	Community Representative	Absent
The Honorable Monica Tonasket	Tribal Representative	Absent
Running-Grass	EJ Practitioner	Absent
Faaluaina Pritchard	Community Representative	A
Todd Mitchell	Union Representative	A
Esther Min	EJ Practitioner	A
David Mendoza	Representative At Large	A
Aurora Martin	Community Representative	Absent
Rosalinda Guillen	Community Representative	Absent
The Honorable Jarred-Michael Erickson (Interim Co-Chair)	Tribal Representative	Absent
AJ Dotzauer On behalf of The Honorable Misty Napeahi	Tribal Representative	A
Tatiana Brown	Youth Community Representative	A
Maria Blancas	Community Representative	A
Maria Batayola (Co-Chair)	Community Representative	A
Nichole Banegas	Business Representative	Absent

Motion 4: The Environmental Justice Council adopts the following 2025 Budget Recommendations with any amendments agreed to by the full Council on September 26, 2024: **11**

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The Council directs staff to work with Council Members, the Governor’s Office, the Office of Financial Management, relevant agencies, and others as needed to continue to refine the budget estimates and other details while centering the intent of the recommendations adopted today.

The Council directs staff to submit the recommendations to the appropriate committees of the Legislature, the Governor, and the Office of Financial Management to inform the development of the 2025-2027 biennial budget.

Motion/Section: Lua Pritchard/Tatiana Brown

The Motion Passed

A: Yes, I approve.

B: Yes, with reservations.

C: Not voting until we have further discussions.

D: I don't approve, but I won't block.

E: I block, have serious concerns.

F: I stand aside, recuse myself.

16 Members / 0 Vacancies / 0 Leaves of Absence / Current Quorum = 8		
The Honorable JJ Wilbur	Tribal Representative	A
Raeshawna Ware	Community Representative	A
The Honorable Monica Tonasket	Tribal Representative	Absent
Running-Grass	EJ Practitioner	Absent
Faaluaaina Pritchard	Community Representative	A
Todd Mitchell	Union Representative	A
Esther Min	EJ Practitioner	A
David Mendoza	Representative At Large	F
Aurora Martin	Community Representative	Absent
Rosalinda Guillen	Community Representative	Absent
The Honorable Jarred-Michael Erickson (Interim Co-Chair)	Tribal Representative	Absent
AJ Dotzauer On behalf of The Honorable Misty Napeahi	Tribal Representative	A

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Tatiana Brown	Youth Community Representative	A
Maria Blancas	Community Representative	A
Maria Batayola (Co-Chair)	Community Representative	A
Nichole Banegas	Business Representative	Absent

VI. Briefing and Discussion: 2025 EJ Council Legislative Policy Statement and Procedure

The Council did not have time to discuss this item.

VII. Discussion and Possible Adoption: EJ Council 2025 Meeting Schedule

The Council did not have time to discuss this item.

VIII. Update: Governance Committee Work

The Council did not have time to discuss this item.

IX. Update: EJ Council 2025 Budget Request

The Council did not have time to discuss this item.

X. EJ Council Community Connection

Co-Chair Batayola said the goals of this agenda item are to learn from Tribes and community groups about EJ issues, ideas, and solutions in their communities. Sierra Red Bow, Council Staff, introduced the presenters.

Cristina González, Director of Community Mobilization and Strategic Partnerships for the Latino Community Fund of Washington said they have convened cohorts for wildfire preparedness and leadership development. She provided information about the Latino Community Fund’s mission. They educate community about wildfire resilience and all the cohorts are in Spanish only. Participants receive a stipend and childcare is provided. She provided facts and data about the impacts of wildfires in the state. She also shared community-identified concerns and needs. Raeshawna Ware, Council Member, asked if the program could lead to career opportunities. Cristina González said some participants volunteer and they provide stipends for those services.

To request this document in an alternate format or a different language, please contact Sierra Rotakhina in any language, at envjustice@doh.wa.gov or 360-584-4398.

John Bergin and Annie Cooper from The Lands Council provided background information on the organization. They shared information about a program to build awareness of the Spokane River toxins and the health risks that they pose to economically disadvantaged communities. They shared information on PCBs and heavy metals (e.g., lead and arsenic) and guidance on how community members can fish, where they can fish, and how much fish they can eat safely. They shared information on how to reduce exposure to heavy metals. They shared some results from their surveys. They finished by saying that the health of the river is improving.

XI. Public Comment

No additional public comments were provided.

XII. Appreciations and Adjournment

Co-Chair Batayola thanked participants and thanked Members for their contributions to the discussions.

Environmental Justice Council

Date: October 24, 2024

To: Environmental Justice Council Members

From: Sierra Red Bow, Council Community and Tribal Engagement Supervisor

Subject: Community Connection

Background:

Each Council meeting includes time on the agenda for “Community Connections.” The goals of this agenda item are for the Council to learn from Tribes and community groups about environmental justice issues, ideas, and solutions in their communities. Our staff is working with community groups to determine who is interested and available to join this meeting and subsequent 2024 meetings to connect with the Council during this standing agenda item.

Staff Contact:

Sierra Red Bow, Council Community and Tribal Engagement Supervisor,

Sierra.RedBow@ejc.wa.gov, 564-669-4791

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Environmental Justice Council

Date: October 24, 2024

To: Environmental Justice Council Members

From: Christy Hoff, Council Staff

Subject: 2025 Budget Recommendations

Background and Summary:

[RCW 70A.65.040](#) gives the Environmental Justice Council (EJ Council) authority to provide recommendations to the Legislature, agencies, and the Governor in spending Climate Commitment Act (CCA) revenues. Prior to session, we anticipate that Governor Inslee will release proposed operating, capital, and transportation budgets. In order to be timely in informing Governor Inslee's proposals, the Council approved a set of [13 budget recommendations](#) at its September 26, 2024 meeting. Today, the Council has an opportunity to consider adoption of additional budget recommendations, including:

- Two additional new budget recommendations based on public comment received at the September meeting.
- Endorsement of agency Decision Packages to expand HEAL implementation capacity.
- Endorsement of agency Decision Packages to continue previously funded projects based on past EJ Council Budget Recommendations.
- Endorsement of agency Decision Packages that directly align with EJ Council Budget Recommendations for the 2025-2027 biennium.

The Council's Budget Committee provided direction on which agency Decision Packages would be brought to the full Council for consideration at today's meeting.

Recommended Action:

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The Council may discuss, amend as necessary, and adopt the following motion:

The Environmental Justice Council adopts the 2025 Budget Recommendations as presented on October 24, 2024 with any amendments agreed to by the full Council.

The Council directs staff to work with Council Members, the Governor’s Office, the Office of Financial Management, relevant agencies, and others as needed to continue to refine the budget estimates and other details while centering the intent of the recommendations adopted today.

The Council directs staff to submit the recommendations to the appropriate committees of the Legislature, the Governor, and the Office of Financial Management to inform the development of the 2025-2027 biennial budget.

Staff Contact

Christy Hoff, Policy Advisor, christy.hoff@ejc.wa.gov, 360-688-4699

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Environmental Justice (EJ) Council

DRAFT 2025-2027 Biennial Budget Recommendations

Draft for discussion at the October 24, 2024 EJ Council meeting

This document has not been adopted by the Environmental Justice Council

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Additional New Budget Recommendations

14. Community Assemblies

Background and Rationale: The Just Futures project is a collaborative effort focused on creating a more just and equitable future for all Washingtonians, particularly for those who have been historically marginalized. Through partnerships with organizations like the People’s Economy Lab, Statewide Poverty Action Network (SPAN), Front and Centered (FC), and the Department of Social and Health Services (DSHS), this year Just Futures is piloting the Frontline Community Assemblies across the state as a tactic of Collaborative Governance. These assemblies are bringing together people with shared experiences to co-create solutions that improve and strengthen their communities. For example, Nuestra Casa outside of Yakima is gathering to discuss climate resilient agriculture while Blue Mountain Action Council is convening in Walla Walla to dive into the topic of wellness in the community.

Recognizing the deep connections between economic, environmental, climate, and social justice; climate resilience; and collaborative governance with communities—the Environmental Justice Council recommended (in both their 2024 and 2023 budget recommendations) funding Community Assemblies. The Council recommended this model as an investment in community capacity building to lift up the voices of those often left out of decision-making processes, giving them a real voice in shaping policies and programs that directly impact their lives. The Legislature and Governor funded the Frontline Community Assemblies Initiative through \$2,000,000 provided to DSHS in the 2025 Supplemental Operating Budget (section 208[9]) to elevate community expertise and solutions to budget and policy makers on sustainable investments to create a more climate resilient Washington. The funding in FY 2025 built on the prior work of the Economic Justice Alliance hosted by DSHS, including their development of a community assemblies model co-created by Washington communities. Community Assemblies already underway across the state are demonstrating the transformative potential of this model in realigning power to drive systemic change from the ground up. The impact will be tangible; building a governance structure that is more responsive, equitable, and resilient--

where public resources are allocated in ways that reflect the true priorities of the people. However, to realize that vision the work needs a substantial investment, both in the administration of collaborative governance and resources to support implementation of community driven proposals.

Proposal: Provide \$5,000,000 for the 2025-2027 biennium to the Department of Social and Health Services (DSHS) to continue the Frontline Community Assemblies infrastructure currently being piloted by the Just Futures project. These assemblies center historically overburdened communities and involve vulnerable populations and excluded communities to elevate community-led solutions in state government policy, program, and funding decision-making processes. The continued support of the Economic Justice Team at DSHS is critical in providing administration of pass-through grants and providing technical expertise.

15. Environmental Justice Fund

Background and Rationale: The implementation of the HEAL Act and investments in overburdened communities and Tribes have highlighted the challenges that a two-year budget cycle creates in making sustainable investments that uplift community and Tribal priorities and make meaningful changes on the ground. Community-led solutions and ingenuity rooted in community and Tribal knowledge and expertise are essential to building wellness and resilience to climate change and to realizing environmental, climate, and economic justice. Building capacity for community participatory processes requires time, trust-building, and reliable and sustainable funding—all factors that are not supported by the biennial budget cycle.

For example, based on an EJ Council recommendation, the Legislature provided funding in the 2023-2025 biennial budget for community participatory budgeting. While the EJ Council and communities were so appreciative of this investment, the one-time funding, the biennial timeline, and a requirement that the Legislature approve projects before the Department of Health (DOH) could execute contracts for project funding were all significant barriers for implementation. In FY24, DOH gained internal capacity for this innovative budgeting strategy, convened a community advisory committee to identify and select priority communities, and

conducted Tribal Consultation. Unfortunately, with less than a year left in FY25, there is not enough time for communities to go through the participatory project selection process, the Legislature to approve projects (which would need to happen when the Legislature convenes in 2025), and for DOH to execute contracts to fund project implementation, which could take years to complete, particularly for any capital projects.

These challenges could be mitigated by the creation of an Environmental Justice Fund, which: 1) carves out funding that Tribes and communities can depend on, 2) allows flexibility for spending across biennia so that processes and prioritization can be truly community-led, and 3) allows flexibility in spending (including both operating and capital costs) to ensure investments meet both requirements for state spending and uplift community expertise, priorities, and solutions. Ideally, an Environmental Justice Fund will also include mechanisms to allow smaller community-based organizations to receive up-front costs, rather than relying on a reimbursement model, which is another significant challenge that communities have shared with the Council and state agencies.

Proposal: Develop an Environmental Justice Fund that: 1) supports implementation of multiple forms of community participatory processes to build capacity for meaningful civic engagement, collaborative governance, and community-led prioritization and 2) funds project capital and operating costs identified by Tribes and communities. The Environmental Justice Fund should provide reliable and timely funding, flexible timelines that can span multiple biennia, and flexible spending to ensure investments meet both requirements for state spending and uplift community expertise, priorities, and solutions. In order to support projects across HEAL and other agencies, the Environmental Justice Fund should not be managed by one agency or limited to a single agency's program and should create a more enterprise-level approach.

Staff Note: After consulting with some agencies about this draft Environmental Justice Fund recommendation, there seems to be general support for this concept and acknowledgement of the problem that has been outlined here. It does, however, feel that more work is needed

before finalizing a proposal to determine if agencies have figured out mechanisms to solve some of these problems and how a proposal from the Council could build on existing solutions being developed.

Agency Decision Packages to Expand HEAL Implementation Capacity

See Appendix A on [page 53](#) for full decision packages

16. Environmental Justice Council Staff (Operating)

Background and Rationale: The Environmental Justice Council (EJ Council) and HEAL Interagency Workgroup have significant statutory responsibilities under the HEAL Act, the Climate Commitment Act (CCA), and various budget provisos. The EJ Council also serves as a forum for communities and Tribes. As the EJ Council increases its outreach and as community trust grows, the EJ Council is seeing an exponential increase in the number of issues being brought to its attention that require staff time for research, follow-up, and reporting back to communities and Tribes. The EJ Council's duties under the CCA require highly technical knowledge, raising the need for additional resources to contract with experts to ensure the EJ Council has the information it needs to make thoughtful and well-informed CCA recommendations. The EJ Council has submitted a Decision Package for \$3,564,000 of ongoing funding for an additional ten permanent FTE and personal service contracts for CCA subject matter expertise and language assistance services.

Solution: The EJ Council recommends that the Governor and Legislature fund the "Environmental Justice Council Staff" Decision Package for \$3,564,000 of ongoing funding.

17. Washington State Department of Agriculture (Operating)—Advancing Equity and HEAL Act

Background and Rationale: The Washington State Department of Agriculture (WSDA) currently has a base budget of \$322,000 for HEAL implementation, which is enough to support 1.5 FTE across several programs. These staff are not dedicated to HEAL implementation, but rather

have taken on HEAL related responsibilities in addition to other agency functions. After a thorough review of HEAL Act requirements and several years of coordinating with other agencies and receiving guidance and insights from the Office of Financial Management, the Office of Equity, and the Environmental Justice Council, WSDA has identified key needs for fully implementing the HEAL Act and embodying environmental justice principles and priorities in core agency functions. WSDA has submitted a Decision Package for \$1,376,000 of ongoing funding for an additional four permanent FTE as well as funding for language assistance services and travel costs.

Solution: The EJ Council endorses WSDA’s “Advancing Equity and the HEAL Act” Decision Package for \$1,376,000 of ongoing funding.

18. Department of Ecology (Operating)—Environmental Justice Capacity

Background and Rationale: As Washington’s environmental protection agency, the Department of Ecology (Ecology) has a lead role in addressing environmental justice. Ecology’s current staffing model is not sufficient to comply with the HEAL Act. The agency has ongoing funding for environmental justice leads in only two of their 11 environmental programs and these staff spend roughly only half their time for HEAL Act compliance with the other half dedicated to other work priorities. The agency has identified additional capacity needs for EJ Assessments; budget equity; and strategic planning, metrics, and reporting. Ecology has submitted a Decision Package for \$2,114,000 for 6.0 additional FTE to provide subject matter expertise in programs with the highest environmental justice workloads.

Solution: The EJ Council endorses ECY’s “Environmental Justice Capacity” Decision Package for \$2,114,000 of ongoing funding.

19. Department of Health (Operating)—Healthy Environment for All Act

Background and Rationale: Current staffing levels at the Department of Health (DOH) do not support full compliance with the HEAL Act. In particular, as the agency increases the number of

environmental justice assessments it conducts and identifies additional agency actions that need to comply with HEAL, DOH will need more staff to support the work. Additionally, the Environmental Health Disparities (EHD) map is a key resource for HEAL covered agencies. The agency needs additional information technology staff for EHD modernization, adding additional features, and ongoing maintenance. Additional communication FTE are needed to support EHD map training and educational materials for HEAL agencies Tribes and communities. DOH has submitted a Decision Package for \$2,409,000 of ongoing funding to support 3.7 FTE as well as travel and community engagement costs.

Solution: The EJ Council endorses DOH’s “Healthy Environment for All Act” Decision Package for \$2,409,000 of ongoing funding.

20. Department of Commerce (Operating)—HEAL Act Compliance Staffing

Background and Rationale: The Department of Commerce (Commerce) has received one-time funding for HEAL implementation in each biennium since the HEAL Act passed. However, robust environmental justice assessments, budgeting, reporting, and performance improvement targets are ongoing and require ongoing support. Commerce has submitted a Decision Package for \$3,000,000 of ongoing funding to support 7.2 FTE to embed environmental justice consultants in each division to coach and track compliance with the HEAL Act, to provide environmental justice centered community engagement, and to collaborate with the Interagency Workgroup Group and Environmental Justice Council, as well as costs for community compensation and language assistance services.

Solution: The EJ Council endorses Commerce’s “HEAL Act Compliance Staffing” Decision Package for \$3,000,000 of ongoing funding.

Agency Decision Packages to Continue Previously Funded Projects Based
on EJ Council Recommendations

See Appendix A on [page 53](#) for full decision packages

21. Office of Superintendent of Public Instruction (Capital)—Equitable Access to Clean Air and Improving Classroom Air Quality

Background and Rationale: The Legislature appropriated \$45,025,000 million in the supplemental capital budget to the Office of Superintendent of Public Instruction (OSPI) for the School District Indoor Air Quality and Energy Efficiency program. \$30 million was funded by the Climate Commitment Account (CCA) and does not take effect until January 1, 2025. The CCA funding included \$500,000 for air filtration systems with HEPA filters for schools near the SeaTac airport. OSPI has submitted a Decision Package for reappropriation of the \$45,025,000 in the 2025-2027 biennium.

Solution: The EJ Council endorses OSPI’s “Equitable Access to Clean Air & Improving classroom Air Quality” Capital Decision Package for \$45,025,000.

22. Department of Commerce (Capital)—Clean Energy Community Grant

Background and Rationale: The Legislature appropriated \$50 million in the supplemental capital budget for the Clean Energy Community Grant program aimed at promoting clean energy technologies that reduce greenhouse gas emissions in vulnerable, overburdened, and Tribal communities. The innovative program provides flexible funding needed to create a place-based investments, which is a need identified by communities. Commerce has submitted a Decision Package for \$50 million to continue the program at maintenance level.

Solution: The EJ Council endorses Commerce’s “Clean Energy Community Grant” Capital Decision Package for \$50,000,000.

23. Department of Commerce (Operating)—Clean Energy Ambassadors

Background and Rationale: The Legislature funded the Clean Energy Ambassadors program in the 2024 supplemental budget; however, funding is not effective until January 2025. The

purpose of the program is to create a cohort of local ambassadors to increase access to clean energy resources within Tribes and overburdened communities. The Department of Commerce (Commerce) has submitted a Decision Package for \$10 million to support the full launch and continuity of the program next biennium. The funding will support 1.65 FTE with the majority of funding distributed as grants to a cohort of intermediary organizations and entities that will hire Clean Energy Ambassadors.

Solution: The EJ Council endorses Commerce’s “Clean Energy Ambassadors” Decision Package for \$10,000,000.

24. Department of Commerce (Operating)—Continuation of CCA Dollars

Background and Rationale: The Department of Commerce’s Energy Division was assigned seven new provisos in the 2024 supplemental operating budget containing language prohibiting expenditure of funding until January 1, 2025. One of the provisos was for Energy Navigators and a second was for the creation of a web tool (FundHubWA) to assist grant seekers to identify opportunities for clean energy, clean technology, and climate related funding. These two provisos directly aligned with EJ Council budget recommendations. Because the full scope of work cannot be completed in the six-month period that will remain in the biennium, Commerce has submitted a Decision Package, titled “Continuation of CCA dollars” to complete the work in the 2025-2027 biennium. The Decision Package includes a request for \$2,730,000 for Energy Navigators and \$400,000 in FY2026 and \$100,000 in FY2027 and ongoing for the Grant/Incentive Web Portal.

Solution: The EJ Council endorses Commerce’s “Continuation of CCA Dollars” Decision Package, specifically the \$2,730,000 for Energy Navigators and the \$400,000 in FY26 and \$100,000 in FY27 and ongoing for the Grant/Incentive Web Portal.

25. Department of Health (Operating)—Lower Yakima Valley Safe Water

Background and Rationale: The Lower Yakima Valley Groundwater Management Area is impacted by nitrate groundwater contamination. In the 2024 supplemental operating budget, the Legislature provided an additional \$1 million for implementation of the Nitrate Hazard Mitigation Plan, including education and outreach, well testing, and provision of alternate water supplies. Current funding will allow for the testing of about 4,790 wells by the end of the fiscal year. The Department of Health (DOH) needs additional funding to complete implementation of the plan including testing of the remaining 3,310 wells and provide treatment options for homes that need it. DOH has submitted a Decision Package for \$2 million of one-time funding for 2.0 FTE and contract services for mailing, staffing of call centers conducting home visits, and water testing of wells. This aligns with the Council's 2024 budget recommendation on clean and safe drinking water.

Solution: The EJ Council endorses DOH's "Lower Yakima Valley Safe Water" Decision Package for \$2,000,000.

26. Department of Health (Operating)—Options for Tainted Drinking Water

Background and Rationale: Groundwater in more and more areas of the state is becoming increasingly contaminated with nitrate, PFAS, and other chemicals from industrial, commercial, and agricultural activities. The Legislature provided funding to the Department of Health (DOH) in the 2023-2025 biennial budget to assist with access to safe drinking water for those with individual wells or small water systems. DOH has submitted a Decision Package for \$1,624,000 of ongoing funding to continue the program beyond 2025. The funding will support 0.9 FTE along with costs for testing and treatment for an estimated 800 homes. This aligns with the Council's 2024 budget recommendation on clean and safe drinking water.

Solution: The EJ Council endorses DOH's "Options for Tainted Drinking Water" Decision Package for \$1,624,000.

27. Department of Health (Operating)—Community-led Health Equity Zones

Background and Rationale: The Health Equity Zones (HEZ) Initiative supports communities in implementing participatory decision-making to identify health priorities and solutions to improve health outcomes. The Department of Health (DOH) has convened a HEZ Community Advisory Council, which selected zones for rural communities (Whatcom County), urban communities (South King County), and a process for selecting a zone for Native communities. DOH has submitted a Decision Package for \$1,533,000 to support projects for the first cohort of zones. This aligns with the Council’s 2024 budget recommendation related to the Health Equity Zones Initiative.

Solution: The EJ Council endorses DOH’s “Community-led Health Equity Zones” Decision Package for \$1,533,000.

Agency Decision Packages that Directly Align with EJ Council Budget Recommendations for the 25-27 Biennium

28. Department of Natural Resources (Operating)—Rec Lands/Cultural Resources

Background and Rationale: At its September 26, 2024 meeting, the Council adopted a budget recommendation to support the State-Tribal Recreation Impacts Initiative, including significant investment for Tribal capacity grants, investments to facilitate cross partnership efforts, such as meeting facilitation, and agency funding for technical staffing, natural resource assessments, and recreation use data acquisition and management. The Initiative responds to requests from Tribes to improve management of recreation impacts on natural and cultural resources and on protected Tribal rights. In support of this effort, the Department of Natural Resources (DNR) has submitted a Decision Package for an additional \$637,000 for 1.63 new FTE to advance the work.

Solution: The EJ Council endorses DNR’s “Rec Lands/Cultural Resources” Decision Package for \$637,000.

29. Parks and Recreation Commission (Operating)—Tribal-State Lands

Stewardship

Background and Rationale: At its September 26, 2024 meeting, the Council adopted a budget recommendation to support the State-Tribal Recreation Impacts Initiative, including significant investment for Tribal capacity grants, investments to facilitate cross partnership efforts, such as meeting facilitation, and agency funding for technical staffing, natural resource assessments, and recreation use data acquisition and management. The Initiative responds to requests from Tribes to improve management of recreation impacts on natural and cultural resources and on protected Tribal rights. In support of this effort, the Parks and Recreation Commission (Parks) has submitted a Decision Package for an additional \$818,000 for 1.8 FTE to advance the work, including to complete natural resource and other impact assessments.

Solution: The EJ Council endorses State Park’s “Tribal-State Lands Stewardship” Decision Package for \$818,000.

30. Department of Fish and Wildlife (Operating)—Invest in Lands Stewardship

Background and Rationale: At its September 26, 2024 meeting, the Council adopted a budget recommendation to support the State-Tribal Recreation Impacts Initiative, including significant investment for Tribal capacity grants, investments to facilitate cross partnership efforts, such as meeting facilitation, and agency funding for technical staffing, natural resource assessments, and recreation use data acquisition and management. The Initiative responds to requests from Tribes to improve management of recreation impacts on natural and cultural resources and on protected Tribal rights. In support of this effort, the Department of Fish and Wildlife (DFW) has submitted a Decision Package, “Invest in Land Stewardship,” which supports multiple initiatives, including the State-Tribal Recreation Impacts Initiative.

Solution: The EJ Council endorses the pieces of DFW’s “Tribal-State Lands Stewardship” Decision Package that support the State-Tribal Recreation Impacts Initiative.

31. Department of Fish and Wildlife (Operating)—Expanding Fish and Wildlife Police

Background and Rationale: At its September 26, 2024 meeting, the Council adopted a budget recommendation to support additional enforcement capacity at the Departments of Natural Resources and Fish and Wildlife. The Council supports this increased enforcement capacity to address Tribal concerns about the impacts of illegal activities, such as illegal fishing and hunting, dumping of trash, and vandalism, which destroy natural and cultural resources and impact protected Tribal rights. The Department of Fish and Wildlife (DFW) has submitted a Decision Package for 20 more enforcement officers and six support staff to provide a proactive presence, crime deterrence, and greater natural resource protection statewide.

Solution: The EJ Council endorses DFW’s “Expanding Fish and Wildlife Police” Decision Package for \$17,281,000.

Environmental Justice Council

Date: October 24, 2024

To: Environmental Justice Council Members

From: Christy Hoff, Council Staff

Subject: 2025 Legislative Policy Statement and Procedure

Background:

The Environmental Justice Council (Council) was scheduled to review and provide feedback on an early draft of the 2025 Legislative Policy Statement and Procedure at the September Council meeting. Unfortunately, the Council ran out of time and was unable to discuss. Following the meeting, Council Members had an opportunity to review and provide feedback to staff. At its October 8, 2024 meeting, the Budget Committee reviewed the draft document and the feedback Council Members has provided. The Budget Committee requested some edits, which staff have incorporated into the updated version in the meeting materials (shown in track changes). Today's meeting provides an opportunity for the Council to discuss and consider adoption of the 2025 Legislative Policy Statement and Procedure.

Recommended Council Action:

The Council may wish to consider, revise as necessary, and adopt the following motion:

Proposed Motion: The Council adopts the 2025 Legislative Policy Statement and Procedure as presented on October 24, 2024 with any changes agreed to by the full Council.

Staff Contact: Christy Hoff, Policy Advisor, christy.hoff@ejc.wa.gov, 360-688-4699.

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Environmental Justice Council

2025 Legislative Session Policy Statement and Procedure

DRAFT for Discussion at the EJ Council Meeting, October 24, 2024

1. Purpose and Background

Purpose:

The purpose of this document is to guide Environmental Justice Council (Council) Members and Council staff in their communications with the Governor's Office, Legislature, and others regarding: (1) advocating for inclusion of the Council's budget recommendations in the 2025-2027 biennial budgets and (2) communicating the Council's policy positions during the 2025 legislative session.

Background:

The Healthy Environmental for All (HEAL) Act, [RCW 70A.02.110](#), and the Climate Commitment Act (CCA), [RCW 70A.65.040](#), give the Council statutory authority and direction to make recommendations to the Governor and Legislature in several areas:

- The Council may, in consultation with the HEAL Interagency Work Group, make recommendations to the Governor and Legislature on ways to improve agency compliance with the HEAL Act;
- The Council may make recommendations for amendments to the HEAL Act, proposed laws, or other existing laws to promote environmental justice;
- The Council may recommend funding strategies and allocations to build capacity in vulnerable populations and overburdened communities to address environmental injustices;
- The Council must provide recommendations to the Legislature, agencies, and the Governor on the development and implementation of the cap and invest program established in the CCA (RCW 70A.65.060 through 70A.65.210); and

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- The Council must provide recommendations to the Legislature, agencies, and the Governor on the programs funded by the CCA accounts.

2. Policy Positions

2.1 The Council opposes policies that would alter the Council’s membership, duties, and/or authority in ways that are counter to the intent of the HEAL Act or would significantly disrupt or delay the Council’s work.

- Note: The Council’s positions on alignment with the HEAL Act regarding topics like community engagement and environmental justice assessments can be extrapolated from official Council letters or position statements.

2.2 The Council supports policies that would direct the Department of Labor and Industries, [the Department of Fish and Wildlife](#), [the Department of Archaeology and Historic Preservation](#), and the Energy Facility Site Evaluation Council to comply with environmental justice requirements in the HEAL Act, RCW 70A.02.

2.3 The Council supports policies that both align with the intent of the HEAL Act [and, where relevant, the intent of the CCA](#) to promote environmental justice AND significantly align with the intent of, or would be necessary to implement, any of the 2025 budget recommendations formally adopted by the Council.

2.4 The Council requests that it (the Council) only be added to legislation or budget proposals when the inclusion is directly related to the HEAL Act or CCA and when doing so aligns with the Council’s capacity, authority, and structure as an advisory body of volunteer community members. The Council believes that legislative and budgetary proposals should center free, prior, and informed consent from Federally Recognized Tribes; community engagement; co-governance; and co-design. Therefore, the Council opposes being included in any legislation or

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budgetary proposals when the sole reason for doing so would be for the Council to serve as a proxy for meaningful Tribal Government Consultation and community engagement.

2.5 The Council has adopted a [statement](#) uplifting Tribal Sovereignty; Self Determination; and Free, Prior, and Informed Consent. The Council supports policies that are supported by Tribes that affirm sovereignty and self-determination and that would codify the practice of free, prior, and informed consent into state law.

2.6 [The Council supports policies that would ensure diverse Tribal representation, including but not limited to at least one representative from both Eastern and Western Washington and representatives of overburdened communities, in the membership of the Interagency Clean Energy Siting Coordinating Council created by chapter 43.394 RCW.](#)

2.7 [The Council supports policies that would ensure diverse Tribal representation, including but not limited to at least one representative from both Eastern and Western Washington, to the Energy Facility Site Evaluation Council created by chapter 80.50 RCW.](#)

Staff Note: 2.6 and 2.7 were drafted by staff in response to direction from Council Members. These are currently being reviewed by the Tribal Representatives and the Budget Committee.

3. Procedure

3.1 Advocating for the Council's Budget Recommendations:

- The Council directs staff to advocate for the Council's budget recommendations [to](#) the Governor's Office, the Office of Financial Management, and the Legislature.
- Any Council Member who wishes to advocate for the Council's budget recommendations **on behalf of** the Council must inform and coordinate with the Council Executive Committee first. Council Members must clearly disclose that they are representing the

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Council ([consistent with Article V of the Council's bylaws](#)), and they must be familiar with and stick to sharing the information in the Council's formally adopted recommendations.

- Council Members may also represent their own or any other organization or affiliation in support of the Council's budget recommendations. In these cases, Council Members must clearly disclose to legislators, the Governor's Office, and agency staff that they are not representing the Council but rather their own or any other organization or affiliation ([consistent with Article V of the Council's bylaws](#)). Council Members should inform the Council Executive Committee of their intent to advocate for Council priorities.
- Any Council Member who receives questions from the Governor's Office, Office of Financial Management, legislators, or legislative staff about the Council's budget recommendations may respond, using the information in the Council's formally adopted 2025 budget recommendations [and adopted Policy Statement and Procedure](#) as a guide. [Council Members who do provide responses to questions should inform Council staff for tracking and coordination purposes.](#) Council Members may also refer the inquiry to staff for a response. Where there is no clear response, the Council Member must refer the question to the staff who will share it with the Council Executive Committee for a solution.
- Council staff will set up meetings with legislators serving on relevant policy and budget committees to share the Council's budget recommendations. In doing so, staff will coordinate and include Council Members in those meetings as Member interest, expertise, and availability permits. Council Members and staff who participate in meetings with legislators must file required lobbying reports with the Public Disclosure Commission.

3.32 Sharing the Council's Formally Adopted Policy Positions:

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- As Council staff identify bills that are related to any of the Council’s formally adopted policy positions, they will add them to the tracking list and analyze the bill to determine if Council action is warranted.
- The Council directs members of the Executive Committee to relay the Council’s positions in letters to legislative committees, through written or verbal testimony during public hearings, and/or through meetings with legislators or the Governor’s Office. As needed, Members of the Executive Committee may delegate to other Council Members the responsibility to relay the Council’s positions. Council staff will support the Executive Committee and Council Members in relaying the Council’s positions as needed.

3.23 Routine Staff Activities During Session:

- Council staff will monitor pre-filed bills and bill introductions to identify bills that affect the Council’s membership, responsibilities, or authority or that are directly related to any of the Council’s adopted policy positions.
- Council staff will review budget bills as they are introduced and amended and identify where Council recommendations are included and where gaps remain.
- Council staff will track the progress of any relevant bills as they move through session.
- Council staff will maintain a log of any legislative inquiries to ensure timely response is provided.
- Council staff will complete fiscal notes when assigned. Staff will center environmental justice and equity when estimating costs (e.g., costs for interpretation and translation, Tribal and community engagement and co-creation, community stipends, etc.).
- Council staff will share regular legislative updates to the full Council throughout session by email and during Council meetings, [and the legislative updates will include information on when Council Members coordinate with the Executive Committee to advocate for the Council’s budget recommendations and/or policy positions as outlined above.](#)

To request this document in an alternate format or a different language, please contact Sierra Rotakhina in any language, at envjustice@ejc.wa.gov or 360-584-4398. TTY users can dial 711.

Environmental Justice Council

Date: October 24, 2024

To: Environmental Justice Council Members

From: Sierra Rotakhina, Environmental Justice Council Manager

Subject: Proposed 2025 Council Meeting Schedule

Background and Summary:

[RCW 70A.02.110](#) specifies that meetings of the Environmental Justice Council (Council) are subject to the Open Public Meetings Act ([chapter 42.30 RCW](#)). [RCW 42.30.075](#) requires the Council to file a schedule of regular meetings with the Code Revisor to be published in the Washington State Register. Once the Council has adopted a 2025 meeting schedule, staff will file the schedule with the Code Revisor. The Council can make changes to the meeting schedule, but the changes must be published in the State Register for distribution at least twenty days prior to the rescheduled meeting date. The Council can also call special meetings under [RCW 42.30.080](#) as long as the public is notified at least 24 hours before the meeting. A proposed 2025 Council meeting schedule is this meeting packet on [page 45](#).

Council Staff Recommended Actions:

The Council may wish to consider, amend if necessary, and adopt the following motion:

The Council adopts the proposed 2025 Council Meeting Schedule with any changes agreed upon by the full Council at the October 24, 2024 meeting.

Staff

Sierra Rotakhina, Council Manager, sierra.rotakhina@ejc.wa.gov, 360-584-4398

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Environmental Justice Council

Draft 2025 Meeting Schedule

In accordance with the Open Public Meetings Act (chapter 42.30 RCW), the following is the schedule of regular meetings for the Washington State Environmental Justice Council (Council) for 2025. The Council’s meetings are open to the public. Community access to the meetings and language justice are priorities for the Council. Members of the public can contact staff (see below) to request language interpreters at meetings, translated meeting materials, or accommodations to improve the accessibility of Council meetings and materials.

Agendas for the meetings listed below are made available in advance via listserv and the Council’s website (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the Council reserves the right to change or amend agendas at the meeting. Meeting links, call-in, information and locations (as applicable) are posted here:

<https://waportal.org/partners/home/environmental-justice-council/environmental-justice-council-meetings>

Meeting Date	Location
Thursday January 30, 2025 3:30pm – 6:30pm	Virtual Only
Thursday February 20, 2025 4:30pm-6:30pm Hold to meet only if needed for legislative purposes	
Thursday March 20, 2025 3:30pm – 6:30pm	Virtual Only

Draft for Council discussion at the October 24, 2024 Council meeting.

<p>Date options for the Council to Discuss: Friday May 9, 16, 2025 Friday June 20,27 2025</p> <p>All Day In-Person Retreat and In-Person or Hybrid Business Meeting (exact times to be determined)</p>	<p>Location to be determined</p>
<p>Thursday July 24, 2025 3:30pm-6:30pm</p>	<p>Virtual Only</p>
<p>Thursday September 25, 2025 3:30pm-6:30pm</p>	<p>Location to be determined</p>
<p>Thursday October 23, 2025 3:30pm-6:30pm</p>	<p>Virtual Only</p>
<p>Thursday December 4, 2025 3:30pm-6:30pm – Hold to meet only if needed</p>	

Time and locations subject to change as needed. See [Environmental Justice Council | WaPortal.org](https://www.environmentaljusticecouncil.org/) for the most current information. Contact Council staff at envjustice@ejc.wa.gov or 360-584-4398.

Last updated: September 14, 2024

Environmental Justice Council

Date: October 24, 2024

To: Environmental Justice Council

From: Jonathan Chen, Climate Justice Advisor

Subject: Draft Guidance for Allocating, Measuring, and Reporting Investments for Healthy Environment for All (HEAL) Act and the Climate Commitment Act (CCA)

Background

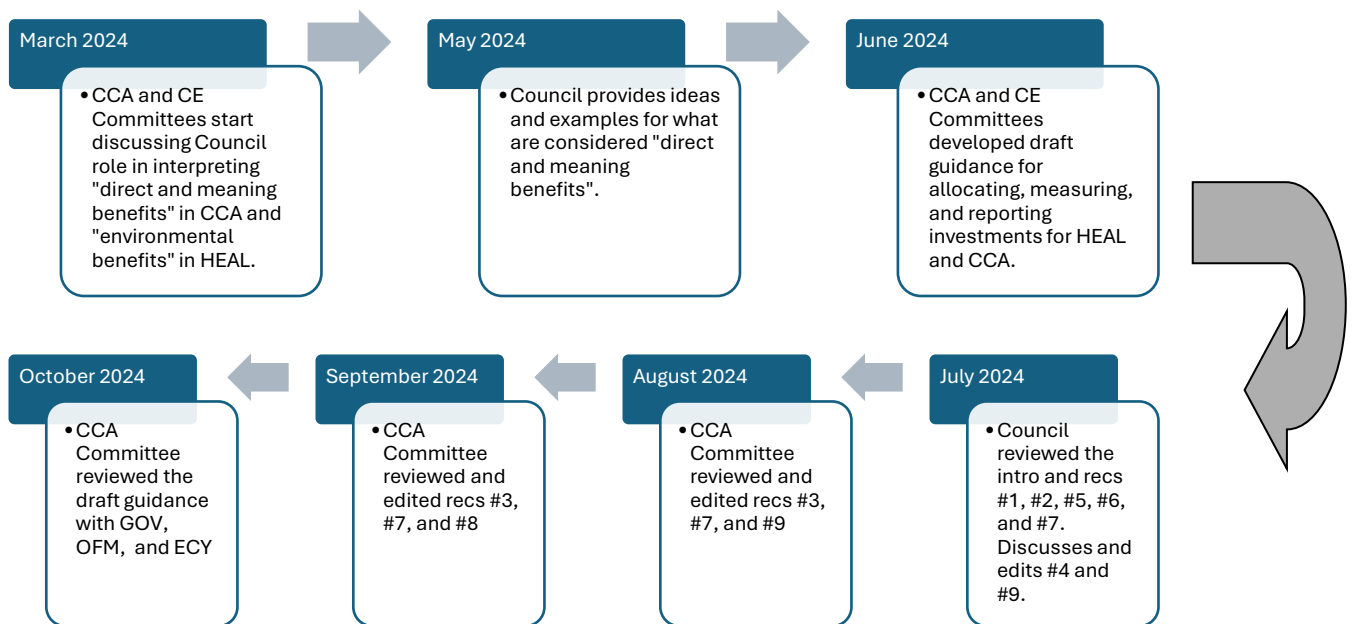
According to RCW 70A.02.110(9)(c)(ii), the Environmental Justice Council (Council) shall make recommendations to HEAL covered agencies on which agency actions may cause environmental harm or may affect the equitable distribution of environmental benefits to an overburdened community or a vulnerable population. Therefore, the Council has a role in clarifying how these various terms in both the HEAL Act and the CCA are to be interpreted and applied.

Developing guidance for allocating, measuring, and reporting investments for the HEAL Act and the CCA has been an iterative process for the Council from the start (please refer to the timeline below). In March, the CCA Committee and Community Engagement (CE) Committee began discussing whether the Council has a role in providing such guidance. At the May Council meeting, Members discussed various ideas and examples for what they considered as “direct and meaningful benefits.” Following that meeting, members of the CCA Committee and the CE Committee incorporated those ideas into a draft guidance document. When the Council convened in July, they reviewed and provided feedback on the draft guidance. The CCA Committee consolidated the information they gathered, refined the list of recommendations, and organized them into four categories: overarching guidance, needed policy changes, developing state budgets, and measuring and reporting on investments.

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At the October CCA Committee meeting, representatives from the Governor’s Office (GOV), Office of Financial Management (OFM), and the Department of Ecology (ECY), reviewed the draft guidance with Committee Members. There was consensus among the group that official Council guidance on recommendations #6 and #7 would be the most helpful to them right now.

Timeline for Developing Draft Guidance



Objective

Although there are currently a total of 9 draft recommendations, the Council’s goal today is to review, discuss, and potentially adopt recommendations #6 and #7. The Council will revisit and potentially adopt the remainder of the draft guidance at a later meeting.

Staff Recommended Actions

Before the Council meeting, please review recommendations #6 and #7 ([page 50](#) of this meeting packet). If you have thoughts or concerns with any aspect of these two

recommendations, To request this document in an alternate format or a different language, please contact Sierra Rotakhina in any language, at envjustice@ejc.wa.gov or 360-584-4398. TTY users can dial 711.

please be prepared to bring that up for discussion. Following discussion, if the Council feels that the document is ready for adoption, the Council may wish to consider, amend if necessary, and adopt the following motion:

The Council adopts the recommendations #6 and #7 of the “Guidance for Allocating, Measuring, and Reporting Investments for Healthy Environment for All (HEAL) Act and the Climate Commitment Act (CCA)” with any changes agreed upon by the full Council at the October 24, 2024 meeting.

Staff Contact

Jonathan Chen, Climate Justice Advisor, Jonathan.Chen@ejc.wa.gov, 564.669.3837

To request this document in an alternate format or a different language, please contact Sierra Rotakhina in any language, at envjustice@ejc.wa.gov or 360-584-4398. TTY users can dial 711.

Environmental Justice Council

Guidance for Allocating, Measuring, and Reporting Investments for Healthy Environment for All (HEAL) Act and the Climate Commitment Act (CCA)

Recommendations #6 and #7

(This is an abbreviated version of the draft guidance. It contains the introduction for reference and only recommendations #6 and #7. The other draft recommendations can be found on page 36 of the [Meeting Materials](#) from the Council’s meeting on July 25, 2024)

The purpose of the Healthy Environment for All Act (HEAL)^{1,2} and an underlying objective of the Climate Commitment Act (CCA)^{3,4} is to prevent or reduce environmental harms and equitably distribute environmental benefits to overburdened communities and vulnerable populations in Washington. Although both statutes have similar goals of distributing funds equitably, they use different language to describe the resulting benefits. The HEAL Act requires covered agencies to establish a goal of directing 40% of grants and expenditures to create environmental benefits to vulnerable populations and overburdened communities where practicable.⁵ The CCA requires a minimum of not less than 35% and a goal of 40% of total investments to provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities and a minimum of not less than 10% of total investments that are used for programs, activities, or projects formally supported by a resolution of a Tribe.⁶ The terms “environmental benefits” in the HEAL Act and “direct and meaningful benefits” in the CCA are closely aligned but have distinct definitions.^{7,8} Having guidance on how to interpret and apply these can establish consistency of implementation and uniformity of measurable outcomes across agencies.

According to RCW 70A.02.110(9)(c)(ii) of the HEAL Act, the Environmental Justice Council (Council) shall make recommendations to HEAL agencies on which agency actions may cause environmental harm or may affect the equitable distribution of environmental benefits to an

overburdened community or a vulnerable population. Therefore, the Council has a role in clarifying how these various terms are to be interpreted and applied, and recommends the state use the following guidance when directing, measuring, and reporting investments in communities.

Recommendations to the Legislature, Governor, and Office of Financial Management when developing the state budgets:

6. Meet CCA required investments for Tribes and vulnerable populations in overburdened communities fully, and fund agency staffing and infrastructure from remaining CCA funds

The Council understands that for agencies to develop and operate programs and projects to promote environmental and climate justice, it is essential that additional agency staffing, and infrastructure are fully funded through the state budgets. However, to meet this need, the Legislature should not diminish the potential for the 10% of CCA funds to go directly to projects supported by a Tribe or the 40% of total investments to fund programs or projects that provide direct and meaningful benefits to vulnerable populations within overburdened communities. Funding these state agency operations and infrastructure should come from the remaining 50% of total CCA investments.

Recommendations to the Office of Financial Management and state agencies when measuring and reporting on investments under the CCA and HEAL Act:

7. Invest in building community capacity first. Then invest in agency staff and or infrastructure if it leads to eliminating environmental health disparities

As noted in recommendation #6 above, funding agency operations and infrastructure to promote environmental and climate justice should come from the 50% of total investments (under CCA) or 60% of spending (under HEAL) that is not reserved specifically for Tribes, overburdened communities, and vulnerable populations. To

enhance community resiliency, independence, and capacity, State agencies should prioritize funding staff and agency infrastructure directly in Tribes and communities. However, funding agency staffing, or agency infrastructure can count towards 40% of total investments in overburdened communities if that agency staffing and infrastructure provides a clear path towards:

- Systemic change in state government;
- Ending the status quo in inequitable agency operations (for example streamlining agency granting processes rather than funding technical assistance to help applicants navigate an overly complex process);
- Long-term planning with Tribes and communities (e.g., co-developing climate adaptation plans, planning for future generations, visioning a water management with community);
- Contingency planning so in the event that investments diminish or stop, communities retain the ability to continue the work (e.g., identifying other long-term reliable funding sources, conveying funding needs in budget requests and to the Council, etc.);
- Agency accountability to Tribes (e.g., to provide free, prior, and informed consent [FPIC] to Tribes and facilitate Government-to-Government Consultation);
- Being open and transparent;
- Sharing decision-making power with communities;
- Making measurable reductions in environmental and health disparities;
- Making measurable improvements in environmental benefits for vulnerable populations within overburdened communities; or
- The operation and administration of grant programs that provide direct and meaningful benefits to overburdened communities or vulnerable populations.

Appendix A: Decision Packages

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Agency Recommendation Summary

The Environmental Justice Council is seeing an exponential increase in the number of issues being brought forward that require staff time for research, follow-up, and accountability to communities and Tribes. This has also increased the need for translation and interpretation services. This funding supports additional staffing for the Council as well as translation and interpretation services.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	13.9	13.8	13.85	13.8	13.8	13.8
Operating Expenditures						
Fund 001 - 1	\$1,802	\$1,762	\$3,564	\$1,762	\$1,762	\$3,524
Total Expenditures	\$1,802	\$1,762	\$3,564	\$1,762	\$1,762	\$3,524

Decision Package Description

Problem Statement

The workloads for the Environmental Justice Council (EJ Council) and the HEAL Interagency Workgroup under the Healthy Environmental for All (HEAL) Act (chapter 70A.02 RCW), Climate Commitment Act (CCA, chapter 70a.65 RCW), and various budget provisos naming the EJ Council are extensive and the team staffing these two groups does not have sufficient capacity to support the Council and the HEAL Interagency Workgroup in meeting their statutory obligations.

The EJ Council is also statutorily required to serve as a forum for communities and Tribes to provide testimony to the EJ Council, assist the Council in understanding environmental justice priorities across the state in order to develop EJ Council recommendations to agencies for issues to prioritize, and to identify which agencies to contact with their specific environmental justice concerns and questions. As the EJ Council increases its outreach and as the community trust in the Council grows, the Council is seeing an exponential increase in the number of issues being brought to the EJ Council that require staff time for research, follow-up, and accountability to communities and Tribes. This has also increased the need for translation and interpretation services. Additionally, the EJ Council’s duties under the CCA require highly specialized and technical knowledge and the EJ Council needs additional resources to contract with experts to ensure their CCA recommendations are well-informed.

Proposed Solution

The EJ Council is requesting ongoing funding for ten additional permanent FTEs as well as \$50,000/year in ongoing funding for contracting for interpretation and translation services and subject matter expertise on the technical issues related to Council’s duties under the CCA.

Operations Manager, 1.0 FTE, WMS 1: Currently the EJ Council Manager handles strategic and policy work and also leads operations for the Council (e.g. managing contracts; EJ Council meeting logistics such as meeting locations, interpreters, translations, and meeting packet development; documenting processes and procedures; website updates and development, etc.). This position would take on the operations tasks to increase Council Manager capacity for policy and strategic work and to allow the Manager to more fully support and lead the rest of the EJ Council team.

Regional Community and Tribal Engagement staff, 6.0 FTE, MA4s: These positions would be Regional Tribal and Community engagement staff for the EJ Council who can be in community building authentic and trusting relationships in their region and be responsive to the environmental justice concerns, ideas, and solutions that Tribes and communities are bringing to the Council. As noted above, as the EJ Council increases its outreach and the trust in the Council grows, the Council is seeing an exponential increase in the number of issues being brought to the Council that require staff time for research, follow-up on, and to be accountable to the communities and Tribes. As a statewide Council these regional staff are needed to ensure equitable statewide engagement. Regional staff also create efficiencies (e.g., decreased travel time and costs and

lower risk of burn out for staff and communities).

Administrative Support Staff, 1.0 FTE, AA4: The administrative workload for the EJ Council (procurement, open purchase orders, Council Member and staff payroll, Member and staff travel, community compensation, securing locations and audio-visual for Council meetings and community meetings, etc.) is extensive. As the Council grows its community and Tribal outreach the administrative work will increase along with additional community meetings and more staff travel. This additional workload cannot be absorbed by the 1.0 AA3 currently staffing the EJ Council.

Federal and cross-jurisdictional environmental justice work, 1.0FTE, MA4: In addition to engaging with the state environmental justice and climate justice laws, initiatives, funding, and programs, the EJ Council and the HEAL agencies try to track, coordinate and collaborate with efforts at the local level, in other states, and at the federal level (e.g. Justice 40, EJ executive orders, federal and local EJ mapping tools, etc.) and the EJ Council must ensure their guidance is consistent with federal laws (e.g. Title VI). This position is needed to increase the Council's capacity for this coordinated work and ensure the EJ Council is building on work happening in other jurisdictions rather than re-creating it.

Additional staff support for the HEAL Interagency Workgroup, 1.0 FTE, MA5: The EJ Council currently has 1.2 FTE dedicated to staffing the HEAL Interagency Workgroup (Workgroup). As liaisons between the EJ Council and the Workgroup that 1.2 FTE is split between staffing the Workgroup and supporting and liaising with the EJ Council. The Department of Health (DOH) has a statutory obligation to staff the workgroup and facilitate information sharing across agencies, develop and provide assessments, technical assistance and training. The current staff have only had capacity to provide a convening/facilitation role for the Workgroup and its various subcommittees with little capacity to provide the other staffing support required by the HEAL Act. This team also provides technical assistance to the non-HEAL agencies who receive CCA funds and that are required by the CCA to create community engagement plans. There are currently 16 non-HEAL agencies receiving CCA funds. These agencies have asked this team to create a forum to convene them and to review their community engagement plans but the team has not had capacity to provide this support. An additional FTE would allow the team to meet these responsibilities.

Personal Service Contracts – \$50,000/year

This assumes \$30,000/year will be needed to contract with subject matter expert(s) on the technical issues related to the Council's duties under the CCA (e.g. technical consultation on Emission Intensive Trade Exposed Industries, offsets, etc.). \$20,000/year would be used to fund the increased demand for interpretation, CART services, and translation services associated with improved and increased community outreach resulting from the hiring of Regional Tribal and Community Engagement staff. This assumes an increase in translation of materials by 100 pages/year (at 500 words/page and \$0.22/word for translation) or \$11,000. This assumes an increase in CART and interpretation costs of \$9,000/year to account for 74 additional hours of CART and interpretation services at \$123/hr average per hour.

Expected Outcomes

A successfully funded decision-package will provide the EJ Council and the HEAL Interagency Workgroup with additional needed staff and contracting support to meet the following objectives:

A statewide EJ Council that has sufficient resources to meet its statutory obligations and to equitably and meaningfully engage with Tribes and communities across Washington to ensure that the EJ Council's guidance and recommendations are developed in partnership with Tribes and communities. In turn this will help ensure that state government decisions where the Council is expected to provide recommendations to the Governor, Legislature, and agencies are rooted in community so that decision-making and policy development benefits overburdened communities and vulnerable populations across the state. The EJ Council's current staff capacity has allowed organic and inequitable statewide engagement and more systematic engagement in only one region of the state (Central Washington). A fully funded decision-package would allow engagement in every region of the state. This will also allow the EJ Council to go beyond just writing community engagement guidance for the HEAL covered agencies and the CCA-funded agencies but also to develop and implement a model for meaningful community engagement that state agencies can look to as they conduct their own engagement.

An EJ Council that has staff capacity to monitor, coordinate, and collaborate with environmental justice efforts at the local level, in other states, and at the federal level so that Washington can both learn from our partners and continue to be a leader in the country in environmental and

climate justice.

A HEAL Interagency Workgroup that is sufficiently resourced to: 1) foster effective coordination across the HEAL agencies, 2) conduct the analysis and research needed to inform the Workgroup's decision-making and deliverables, and 3) support the non-HEAL, CCA-funded agencies who are seeking support and coordination in their community engagement requirements under the CCA.

Meeting each of these objectives is key to achieving the central goal of the HEAL Act, "to reduce environmental and health disparities in Washington State and improve the health of all Washington State residents."

Alternatives

Alternative 1: Partially Funded Decision Package (DP)

An alternative to fully funding this DP would be to partially fund this DP by reducing from 10.0 FTE to 6.0 FTE as follows:

Reduction from 6.0 FTE (MA4s) to 3.0 FTE for Regional Tribal and Community Engagement Staff

Reduction from 1.0 FTE (MA4) Federal and cross-jurisdictional environmental justice work to 0.0 FTE

Partially funding this request by reducing the staff request by 40% would still increase the EJ Council's staff capacity but would limit the Council's ability to:

Conduct Tribal and community engagement statewide. Fewer regional outreach staff would lead to larger geographic assignments for each staff person decreasing their ability to build trusting relationships in their regions, increasing the time spent traveling across their region versus engaging with the community, increasing travel costs, and creating a higher risk of staff burn-out.

Monitor and engage with environmental justice work at the local and federal level as well as in other state slowing down Washington's ability to both learn from and build on the work in other jurisdictions and to continue to be a leader in the nation in this work.

Alternative 2: Maintaining the Status Quo

An alternative to funding this DP would be to maintain the status quo. The status quo means that, (while the EJ Council and the HEAL Interagency Workgroup will continue to strive to meet their HEAL, CCA, and other statutory obligations with existing resources) these groups will be under-resourced to fully meet their statutory obligations and to equitably and meaningfully engage with Tribes and communities across Washington to ensure that the EJ Council's guidance and recommendations are developed in partnership with Tribes and communities. This situation creates a high risk of harm to relationships with Tribes and communities as well as burn out for existing staff.

The status quo would also mean that the EJ Council would continue to be under-resourced to monitor, coordinate, and collaborate with environmental justice efforts at the local level, in other states, and at the federal level so that Washington can both learn from our partners and also continue to be a leader in the country in environmental and climate justice.

Lastly, the status quo would mean that the HEAL Interagency Workgroup would continue to be under-staffed, meaning that they do not have the research and analysis support that HEAL requires DOH to provide.

Assumptions and Calculations

Expansion, Reduction, Elimination or Alteration of a current program or service:

The EJ Council and HEAL Interagency Workgroup team currently sit within the Division of Environmental Public Health (EPH) at the Department of Health. The existing team is 6.2 FTE. While the team is positioned within EPH, the EJ Council is autonomous from the Department of Health and this team’s work is assigned and directed by the EJ Council Members.

Detailed Assumptions and Calculations:

See “Detailed Assumptions and Calculations” tab in “Assumptions and Calculations Workbook”.

Workforce Assumptions:

FTE	Job Classification	Salary	Benefits	Startup Costs	FTE Related Costs
1.0	WMS01	\$108,000.00	\$36,000.00	\$3,000.00	\$9,000.00
1.0	MANAGEMENT ANALYST 5	\$103,000.00	\$35,000.00	\$3,000.00	\$9,000.00
7.0	MANAGEMENT ANALYST 4	\$622,000.00	\$225,000.00	\$22,000.00	\$65,000.00
1.0	ADMINISTRATIVE ASSISTANT 4	\$66,000.00	\$28,000.00	\$3,000.00	\$9,000.00
2.4	FISCAL ANALYST 2	\$127,000.00	\$60,000.00	\$0.00	\$0.00
1.5	HEALTH SERVICES CONSULTANT 1	\$80,000.00	\$38,000.00	\$0.00	\$0.00
13.9		\$1,106,000.00	\$422,000.00	\$31,000.00	\$92,000.00

Agency Indirect: Estimated expenditures include salary, benefit, and related costs for FTE to assist with administrative workload activities. These activities, necessary to manage day-to-day business needs include: policy and legislative relations; information technology; budget and accounting services; human resources; contracts; procurement, risk management, and facilities management.

See “Workforce Assumptions” tab in “Assumptions and Calculations Workbook”.

Historical Funding:

See “Historical Funding” tab in “Assumptions and Calculations Workbook”.

Strategic and Performance Outcomes

Strategic Framework:

Results Washington

This package will directly support the Governor’s goals for sustainable energy and a clean environment, healthy and safe communities, and efficient, effective and accountable government. The HEAL Act and the EJ Council specifically prioritizes the needs of overburdened communities and vulnerable populations and is entirely focused on incorporating environmental justice principles and considerations into agency policies, practices, and procedures.

Department of Health Transformational Plan

This proposal supports DOH’s Transformational Plan Priority I. Health and Wellness, II. Health Systems and Workforce Transformation, III. Environmental Health, V. Global and One Health, in that all Washingtonians have the opportunity to attain their full potential of physical, mental, and social health and well-being. All Washingtonians are well served by a health ecosystem that is robust and responsive, while promoting transparency, equity, and trust. All Washingtonians will thrive in a broad range of healthy environments — natural, built, and social, and that all Washingtonians live in ever-connected environments that recognize and leverage the intersection of both global and domestic health as well as the connections of humans, animals, and the environment.

Agency Activity Funding

A005 Protect Community Environmental Health

Performance Outcomes:

Fully funding this decision package will support statutory compliance with the HEAL Act and the CCA. Performance outcomes specific to the EJ Council and the HEAL Interagency Workgroup include:

Providing needed administrative and staff support for the EJ Council as required by chapter 70A.02 RCW (including sufficient resources for the EJ Council to serve as a forum for Tribes and communities statewide as required by RCW 70A.02.110).

Providing needed administrative, research, analysis, and staff support for the HEAL Interagency Work Group created by chapter 70A.02 RCW.

Supporting the EJ Council in complying with its obligations under the Climate Commitment Act (chapter 70A.65 RCW).

Equity Impacts**Community Outreach and Engagement:**

The original draft outline of this decision-package was built based on the EJ Council's past two years of experience engaging with Tribes and communities as the core of its work and values, which has highlighted that the Council is under-resourced to meaningfully engage Tribes and communities statewide. A large portion of this decision package is focused on increasing the Council's community and Tribal engagement capacity (both outreach staff and the operational and administrative staff and funding needed to support them). EJ Council staff then presented a draft decision-package outline to the EJ Council (whose membership includes Tribal and community leaders) and community members at a public meeting of the Council in May of 2024. Council and community members had an opportunity to provide feedback on the resource-needs that staff presented. There was broad support for this proposal at that meeting.

Disproportional Impact Considerations:

The core value of this decision-package, and the EJ Council's work broadly, is to uplift the voices, concerns, ideas, and solutions of marginalized and overburdened communities. Increasing the Council's resources to do this work will support the Council in outreaching to and uplifting communities most often underserved and marginalized by state government and most impacted by environmental injustices. This funding is needed transform the governmental systems that currently result in environmental injustices and disproportionate impacts.

Target Communities and Populations:

This funding would support the work of the EJ Council and the HEAL Interagency Workgroup whose work is entirely dedicated to improving environmental and health outcomes for overburdened communities and vulnerable populations as defined by the HEAL Act and the CCA. Overburdened communities, as defined by these laws are geographic areas where vulnerable populations face combined, multiple environmental harms and health impacts. Overburdened communities exist across all regions in Washington State. Under the HEAL Act vulnerable populations include (but are not limited to) racial or ethnic minorities, low-income populations, populations disproportionately impacted by environmental harms, and populations of workers experiencing environmental harms.

Community Inputs and Incorporation:

This funding would both directly fund Tribal and community outreach and engagement for the EJ Council and support the Council in ensuring state agencies' community engagement plans align with the Council's Community Engagement Values and Guidance. Improved Tribal and community engagement by both the Council and state agencies helps ensure government decision-making promotes equity and does not exacerbate existing injustices.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

Yes, see attached HEAL questions.

Puget Sound Recovery:

Not applicable.

State Workforce Impacts:

Not applicable.

Intergovernmental:

Tribal Governments: There are seats for four Tribal Representatives on the EJ Council and the Council needs to engage with all Tribes across Washington to inform its guidance and recommendations. Increasing staff capacity for the EJ Council increases the Council's ability to work directly with Tribes to ensure the Council's work is informed by each Tribe. In addition, the Tribal Representatives on the Council will receive better support from staff if the Council increases its staff capacity.

State: Seven state agencies are named in the HEAL Act and are subject to compliance with the law. The EJ Council works in close partnership with these seven agencies as well as one opt-in agency (the Attorney General's Office) and six listen and learn agencies through direct engagement with each agency and through the HEAL Interagency Workgroup. EJ Council staff will be engaging with 16 additional agencies who are now required to develop community engagement plans after receiving CCA funds as outlined above. This budget ask is in direct response to hearing from members of the HEAL Interagency Workgroup that they need additional staff support, so the Council anticipate support from other agencies for this proposal.

Local Government: While the EJ Council and the HEAL Act are focused on state government, we engage with local governments as well. Increasing EJ Council staff capacity will increase the Council's ability to build these partnerships.

Stakeholder Impacts:

Overburdened communities and vulnerable populations will also be positively impacted by this proposal, as without sufficient funding for the EJ Council to meet the statutory obligations of the HEAL Act, the Council and HEAL agencies will be less able to address environmental justice issues. The Council anticipates that community members who see the EJ Council as a partner in elevating and advocating to address their environmental justice concerns will support increasing the Council's capacity to do this work in meaningful partnership with Tribes and communities.

State Facilities Impacts:

Not applicable.

Changes from Current Law:

Not applicable.

Legal or Administrative Mandates:

Not applicable.

Governor's Salmon Strategy:

Not applicable.

Reference Documents

[Assumptions and Calculations_Environmental Justice Council Staff.xlsx](#)

[HEAL QUESTIONS_Environmental Justice Council Staff.docx](#)

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$1,106	\$1,100	\$2,206	\$1,100	\$1,100	\$2,200
Obj. B	\$421	\$418	\$839	\$418	\$418	\$836
Obj. C	\$50	\$50	\$100	\$50	\$50	\$100
Obj. E	\$68	\$69	\$137	\$69	\$69	\$138
Obj. G	\$32	\$32	\$64	\$32	\$32	\$64
Obj. J	\$32	\$0	\$32	\$0	\$0	\$0
Obj. T	\$93	\$93	\$186	\$93	\$93	\$186

Agency Contact Information

Kristin Bettridge

(360) 236-4126

kristin.bettridge@doh.wa.gov



Agency Recommendation Summary

The Washington State Department of Agriculture (WSDA) is committed and deeply invested in advancing equity and reducing disparities. While demanding in terms of time and financial resources, this commitment is a testament to our dedication to serving the Washington public. WSDA has identified core needs in the ongoing base budget to implement the provisions of the HEAL act in three of the prior four legislative sessions, and two of the proposals have been funded at a fraction of the estimated need. After a thorough review of HEAL Act requirements and several years of coordinating with other agencies and receiving guidance and insights from OFM, the Office of Equity, and the Environmental Justice Council, WSDA department has identified key needs for fully implementing the legislation. This proposal requests ongoing funding to fully implement the HEAL Act and embody environmental justice principles and priorities in core agency functions.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	4.0	4.0	4.0	4.0	4.0	4.0
Operating Expenditures						
Fund 001 - 1	\$688	\$688	\$1,376	\$688	\$688	\$1,376
Total Expenditures	\$688	\$688	\$1,376	\$688	\$688	\$1,376

Decision Package Description

What is the problem, opportunity, or priority you are addressing with the request?

The Healthy Environment for All Act (HEAL Act) is a significant step towards a more equitable and just society. This proposal aims to further this progress and bring about positive change. All Act (HEAL Act) requires state governments to fundamentally change how they conduct engagement with the public, implement new practices, and increase the transparency of significant agency actions that will impact Washingtonians. With the compounding pressures of global climate change, reductions in biodiversity, and increasing pressures on existing natural resources to meet more significant needs, building equity-focused systems and environmental justice practices within government are essential.

During the 2021 legislative session, the Washington State Legislature passed E2SSB 5141 (Implementing the recommendations of the Environmental Justice Task Force (the HEAL Act)). Codified in Chapter 70A.02 Revised Code of Washington (RCW), this law requires the Puget Sound Partnership and the Departments of Agriculture, Commerce, Ecology, Health, Natural Resources, and Transportation to use environmental justice assessments during strategic planning, budget development, and rulemaking to ensure significant decisions and actions are made with environmental justice (EJ) as a priority.

The HEAL Act requires WSDA and other covered state agencies to use environmental justice principles to guide agency decision-making to address disproportionate environmental and health impacts by prioritizing vulnerable populations and overburdened communities. The legislation specified multiple requirements, including:

- Continuation of improvement and development environmental justice implementation plan as part of our strategic plan;
- Continuation of development of the community engagement plan on how we will engage with overburdened communities and vulnerable populations;
- Consulting with Indian tribes on all significant agency actions and programs;
- Conducting environmental justice assessments when considering a significant agency action; and
- Incorporating environmental justice principles into decisions related to budget development.

When the legislation was brought forth during the 2021 legislative session, WSDA prepared a fiscal note estimating 0.6 FTEs and \$308,400 GFS for the 2021-23 biennium and 1.2 FTEs and \$502,200 GFS in subsequent biennia to implement the legislation. In the 2021-23 BN enacted budget, WSDA was appropriated \$144,000 and 0.6 FTE. This funding was reduced through carry forward adjustments to \$25,000 per fiscal year, or \$50,000 per biennium in the 2023-25 BN and ongoing.

During the 2022 legislative session, WSDA submitted a decision package for implementing the HEAL Act. The proposal requested authority for 3.0 FTE (a Management Analyst 5 EJ Lead, an Administrative Regulations Analyst 4 to coordinate EJ Assessments, and a Communications Consultant 4 to lead community engagement and outreach), which summed to \$477,000 per fiscal year, or \$954,000 per biennium. This proposal provided 3.0 FTE authority, but was partially funded, and reduced during carry-forward adjustments to \$297,000 per fiscal year, or \$594,000 per biennium.

WSDA's base budget for HEAL Act implementation with the original funding and the 2022 supplemental funding is 3.0 FTE and \$322,000 per fiscal year. The current funding capacity supports 1.5 FTE across several programs who were already dedicated to other agency functions and requirements before the Act passed, because the funding has not been sufficient to hire a dedicated group of specialists to focus on HEAL Act and lead the agency in successful implementation of the Act's requirements.

WSDA needs dedicated funding to ensure these requirements are practiced in all areas of the agency's work that could have environmental and health impacts to disproportionately overburdened and vulnerable populations. This requires organizational change management and coordination. WSDA has learned through participation with and guidance from other covered agencies, the EJ Coordinating Council, and OFM, and these lessons have helped us refine our vision for meaningful and effective implementation of these requirements. This proposal seeks to build upon our base capacity and meet specific needs for areas of expertise.

What is your proposal?

The proposed request would allow WSDA to engage in outreach and communication with those who face barriers to participation in agency programs, especially in the adoption of significant agency rules. These barriers include access through interpretation and translation services to address the needs of people with limited English proficiency. A priority of the HEAL Act is extensive community engagement with overburdened communities.

This requires deep skill building, additional expertise within the agency, data collection, and evaluation with thoughtful assessments while building the systems to help the public be better informed of our work and the work we seek to accomplish. We are requesting funds to turn a far-reaching legislative mandate into capacity and plans that will produce results for Washingtonians and close health, equity, and environmental disparities for overburdened populations. This proposal focuses on increasing staff capacity and skill for environmental justice work, funding research and program design, and thoughtful public engagement and education.

Identify who will be affected by this DP and how? How many clients will or will not be served? Served by whom?

Overburdened communities and communities that have historically been impacted by environmental health disparities will be affected by this DP.

The work funded in this proposal affects all programs at WSDA and fundamentally asks all divisions and workgroups to consider additional practices to address environmental justice outcomes. Additionally, other HEAL agencies as defined in law would be impacted by our ability to partner, coordinate, and participate with this proposal's acceptance. Partners and communities who helped coordinate and inform the HEAL Act, including tribal communities, could immediately benefit from the additional capacity provided by this proposal.

What are you purchasing and how does it solve the problem? What will this funding package buy, reduce, or eliminate?

This proposal asks to fund Environmental Justice staff capacity to focus on HEAL, Change Management, and EJ practice implementation:

1. 1.0 FTE Environmental Justice Manager (Communications Consultant 5) to plan and guide staff work to incorporate environmental justice practices across department programs. Additionally, this position will focus on research, assessments, and skill building and evaluation.
2. 1.0 FTE Community Engagement Specialist (Community Outreach and Environmental Education Specialist 4) to develop and implement the community engagement plan and to ensure interpretation and translation services are provided for agency community engagement opportunities and outreach.
3. 1.0 FTE Environmental Justice Analyst (External Civil Rights Specialist 4) to coordinate with WSDA's environmental programs and complete environmental justice assessments for significant agency actions, specifically rule-making. The department anticipates completing 50-70 environmental justice assessments each biennium.
4. 1.0 FTE Budget Analyst 4 to translate HEAL and EJ spending into public facing trackers, enhance EJ budget literacy, track and budget spending for community compensation, and bring transparency to the public on how we fund the work of WSDA.

This is the only proposed solution for an agency that is 60 percent funded by industry and stakeholder fees. Without this additional funding from GFS and the listed staffing, WSDA will be unable to meet the current deadlines in the HEAL Act and will also fail to properly prioritize the importance of environmental justice and reducing disparities in agency decision making. WSDA conducts significant rulemaking and takes a number of actions each year that have statewide impacts and could be subject to environmental justice assessments. The scope and breadth of our work is one of the many reasons we were a named agency in E2SSB 5141. The potential reach to stakeholders, but also the public is unmeasurable at this time but warrants additional resources to fully address environmental justice.

There is no option to maintain the status quo. WSDA is a covered agency under the HEAL Act and is required to implement the bill within the specified timelines. We have continued to cobble together resources from various teams (Communications, Administrative Regulations, and Policy) to continue the implementation of the HEAL Act to meet the requirements in the bill, because we have not had sufficient ongoing funding to hire dedicated positions with the specialized expertise to ensure successful implementation. Staff committed to other functions are contributing time to support implementation, which is reducing capacity to perform other legislatively required work. This is unsustainable; without dedicated staff to implement the HEAL Act, the lack of continuity in will slow down our implementation of the bill. We have a single point of failure in implementing the HEAL Act with 1.5 FTES, which poses a significant risk to the successful execution of the HEAL Act.

What are the consequences of not funding this proposal?

Without funding this proposal WSDA will be unable to meet the expectations of the legislature, the public, and WSDA's workforce to address the pressing need to incorporate Environmental Justice into the agency's work. With the existing capacity and funding WSDA runs the significant risk of failing to meet statutorily required activities outlined in HEAL and will not be able to conduct robust, meaningful, or statewide outreach to overburdened communities.

Funding this proposal responsibly scales the permanent workforce to meet immediate needs, while leveraging external expertise to set systems and program during this important startup phase of Environmental Justice at WSDA. We expect the work to change frequently, guided by overburdened communities and the pressures of climate change and natural hazards, but this proposal allows the agency to be flexible and

responsive while building for future needs.

Assumptions and Calculations

Expansion, Reduction, Elimination or Alteration of a current program or service:

Actual costs and FTE through FY 2024 and budgeted costs and FTE for FY 2025 are summarized in the tables below. Please note that FY 2024 and FY 2025 costs exceed current ongoing appropriation for HEAL Act implementation (\$322,000 per fiscal year).

Costs/Budget by Fund Dollars in Thousands	Fiscal Years		Biennium	Fiscal Years		Biennium
	2022	2023	2021-23	2024	2025	2023-25
Full Time Equivalents (FTE)	0.40	1.50	0.95	2.10	-	1.05
Operating Expenditures						
001-1 General Fund-State	\$114	\$362	\$476	\$343	\$357	\$700
Total Expenditures	\$114	\$362	\$476	\$343	\$357	\$700

Costs/Budget by Object Dollars in Thousands	Fiscal Years		Biennium	Fiscal Years		Biennium
	2022	2023	2021-23	2024	2025	2023-25
Operating Expenditures						
A - Salaries	\$42	\$132	\$174	\$202	\$170	\$372
B - Benefits	\$13	\$43	\$56	\$52	\$56	\$108
C - Professional Svcs Contracts	\$0	\$51	\$51	\$0	\$0	\$0
E - Goods and Services	\$0	\$49	\$49	\$19	\$37	\$56
G - Travel	\$0	\$5	\$5	\$8	\$37	\$45
J - Equipment	\$0	\$0	\$0	\$0	\$0	\$0
N - Grants	\$0	\$0	\$0	\$0	\$0	\$0
T - Intra Agency Transfers	\$0	\$0	\$0	\$0	\$0	\$0
Agency Admin Overhead	\$59	\$82	\$141	\$62	\$57	\$119
			\$0			\$0
Total	\$114	\$362	\$476	\$343	\$357	\$700

Detailed Assumptions and Calculations:

This proposal requests funding for the four following dedicated positions, to begin FY 2026:

1. 1.0 FTE Environmental Justice Manager (Communications Consultant 5)
2. 1.0 FTE Community Engagement Specialist (Community Outreach and Environmental Education Specialist 4)
3. 1.0 FTE Environmental Justice Analyst (External Civil Rights Specialist 4)
4. 1.0 FTE Budget Analyst 4

Cost estimates for each position include agency standard costs, including central services costs and agency administrative overhead.

Also included is \$15,000 per fiscal year for translation and interpretation services to ensure language accessibility for effective community engagement, and \$20,000 per fiscal year for travel.

Workforce Assumptions:

The staff estimates and associated costs are summarized in the table below.

Workforce Assumptions in FTE				Fiscal Years		Biennium	Annual Total Costs*
				2026	2027	2025-27	
Job Class	Range- Step	Annual costs, 1.0 FTE		FTE	FTE	FTE	
		Salary	Benefits				
COMMUNICATIONS CONSULTANT 5	55-L	\$93,343	\$30,822	1.00	1.00	1.00	\$167,934
COMMUNITY OUTREACH & ENVIRONMENTAL EDUCATIONAL SPECIALIST 4	44-L	\$78,474	\$28,237	1.00	1.00	1.00	\$146,134
EXTERNAL CIVIL RIGHTS SPECIALIST 4	36-L	\$98,040	\$31,639	1.00	1.00	1.00	\$174,820
BUDGET ANALYST 4	30-L	\$91,068	\$30,427	1.00	1.00	1.00	\$164,599
Total FTE/Annual Costs				4.00	4.00	4.00	\$653,487

*Includes agency standard costs, central services costs, and administrative overhead (24.6% of salaries and benefits)

Historical Funding:

The department submitted a fiscal note asking for \$308,400 GFS each year to implement the proposed HEAL Act legislation during the 2021 legislative session. The fiscal note was funded at the level of \$119,000 in FY 2022, and \$25,000 in FY 2023 and ongoing each fiscal year thereafter. WSDA submitted a 2022 Supplemental Operating Budget request (PL-HA Heal Act Funding) for 3.0 FTE and \$477,000 GFS per fiscal year to supplement the funding originally appropriated to implement the law. This request was funded at the level of \$204,000 in FY 2022 and \$452,000 in FY 2023, which has adjusted in carry-forward level to \$297,000 per fiscal year. The base budget for HEAL Act implementation is \$322,000 per fiscal year, and 3.0 FTE per biennium. Requested and appropriated funding is summarized in the table below.

Requested Funding and FTE, 21-23 BN							
Legislative Session	Bill or Line Item Number	Title	FY 1	FY 2	Biennium	FTE FY 1	FTE FY 2
2021 Legislative Session	E2SSB 5141	Environmental Justice Task Force Recommendations	\$308,400	\$308,400	\$616,800	0.90	0.30
2022 Legislative session	PL - HA	Heal Act Funding	\$477,000	\$477,000	\$954,000	3.00	3.00
Total			\$785,400	\$785,400	\$1,570,800	3.90	3.30

Appropriated Funding and FTE, 21-23 BN							
Legislative Session	Bill or Line Item Number	Title	FY 1	FY 2	Biennium	FTE FY 1	FTE FY 2
2021 Legislative Session	E2SSB 5141	Environmental Justice Task Force Recommendations	\$119,000	\$25,000	\$144,000	0.70	0.10
2022 Legislative session	PL - HA	Heal Act Funding	\$204,000	\$452,000	\$656,000	2.00	3.00
Total			\$323,000	\$477,000	\$800,000	2.70	3.10

Carry-Forward Adjustments to 2021-23 Appropriated Funds and FTE							
Legislative Session	Bill or Line Item Number	Title	FY 1	FY 2	Biennium	FTE FY 1	FTE FY 2
2021 Legislative Session	E2SSB 5141	Environmental Justice Task Force Recommendations	-\$94,000	\$0	-\$94,000	(1.00)	-
2022 Legislative session	PL - HA	Heal Act Funding	\$93,000	-\$155,000	-\$62,000	1.00	-
Total			-\$1,000	-\$155,000	-\$156,000	-	-

Appropriated Funding and FTE, 2023-25 BN and ongoing							
Legislative Session	Bill or Line Item Number	Title	FY 1	FY 2	Biennium	FTE FY 1	FTE FY 2
2021 Legislative Session	E2SSB 5141	Environmental Justice Task Force Recommendations	\$25,000	\$25,000	\$50,000	(0.30)	0.10
2022 Legislative session	PL - HA	Heal Act Funding	\$297,000	\$297,000	\$594,000	3.00	3.00
2023 Legislative session	PL - 05	Advancing EJ and PEAR ¹	\$203,000	\$203,000	\$406,000	-	-
Subtotal dedicated to WSDA staff resources for implementing HEAL Act			\$322,000	\$322,000	\$644,000	2.70	3.10
Total, Including new funding for Community Compensation (Advancing EJ and PEAR)			\$525,000	\$525,000	\$1,050,000	2.70	3.10

¹This appropriation is designated for implementing effective community engagement and outreach and providing community compensation to eligible members of the public who share lived experience to inform agency decision making.

2025-27 biennium FTE and Funding appropriation after carry-forward is summarized in the table below.

Base Budget	Fiscal Years		Biennium
	2026	2027	2025-27
Includes Carry-Forward Level			
Dollars in Thousands			
Full Time Equivalents (FTE)	2.70	3.10	2.90
Operating Expenditures			
001-1 General Fund-State	\$322	\$322	\$644
Total Expenditures	\$322	\$322	\$644

Strategic and Performance Outcomes

Strategic Framework:

This package aligns with Goal 4, Healthy and Safe Communities as well as Goal 5, Efficient, Effective, and Accountable Government. All Washington citizens will benefit from an analysis of agency decision making that include environmental justice assessments. By providing the proposed resources, WSDA will be able to efficiently and effectively complete a transparent regulatory process that includes environmental justice.

Under the HEAL Act, the department is required to develop and maintain an updated environmental justice implementation plan as part of our strategic plan. The inclusion of an environmental justice assessment in our agency work aligns with the guiding principles of WSDA’s existing strategic plan; these include serving the customer and the public, acting with integrity, consistency, transparency and respect, cultivating partnerships and using science and data to inform decisions.

Performance Outcomes:

Performance outcomes include examining the impact agency programs and services have on overburdened and vulnerable communities and incorporating environmental justice principles in agency decision making. Outcomes include developing an environmental justice implementation plan as part of our strategic plan; developing a community engagement plan on how we will engage with overburdened communities and vulnerable populations; consulting with Indian tribes on all significant agency actions and programs; conducting environmental justice assessments when considering a significant agency action; and incorporating environmental justice principles into decisions related to budget development.

Equity Impacts

Community Outreach and Engagement:

WSDA currently has 1.5 FTEs who are wholeheartedly dedicated to implementing the HEAL Act. These individuals are responsible for ensuring the successful implementation of the Act. However, the agency still needs to overcome significant capacity barriers to conducting robust, meaningful, or statewide community engagement activities.

Disproportional Impact Considerations:

The proposal urgently seeks additional funding to fully implement the Heal Act requirements for equity and environmental justice for overburdened communities. The HEAL Act (E2SSB 5141), which passed during the 2021 legislative session, specifically directed WSDA and other agencies to evaluate their decisions in the context of environmental justice and, when possible, mitigate any and all impacts. Equity is the outcome of environmental justice through implementing the HEAL Act. WSDA will reduce or eliminate identified inequities to protect lower-income and Black, Indigenous, and People of Color (BIPOC) communities that face social, economic, and environmental stressors that disproportionately increase their risk of environmental health impacts.

Target Communities and Populations:

Communities that have historically borne the brunt of environmental health disparities, particularly those in overburdened and lower-income agricultural settings, stand to gain significantly from this proposal. The work funded in this proposal is a crucial step towards a more just and equitable future, involving all programs at WSDA and prompting all divisions and workgroups to consider additional practices to address environmental justice outcomes. Our ability to partner, coordinate, and participate in this proposal's acceptance, as defined in law, would positively impact other HEAL agencies. The partners and communities, including tribal communities, who have been instrumental in coordinating and informing the HEAL Act, could immediately benefit from the additional capacity provided by this proposal.

Community Inputs and Incorporation:

WSDA is steadfast in its commitment to fulfilling the agency's requirements and striving to achieve the full spirit of the HEAL Act. The agency is acutely aware that more community engagement is needed to do justice to the Act. The limited engagement capacity has only reinforced the need for additional FTEs to implement and conduct meaningful engagements with communities.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

Please describe specific likely or probable environmental harms and/or benefits and their associated health impacts to overburdened communities and vulnerable populations.

The proposal urgently seeks additional funding to fully implement the Heal Act requirements for equity and environmental justice for overburdened communities. Equity is the outcome of environmental justice through implementing the HEAL Act. WSDA will reduce or eliminate identified inequities to protect lower-income and Black, Indigenous, and People of Color (BIPOC) communities that face social, economic, and environmental stressors that disproportionately increase their risk of environmental health impacts.

Please describe any potential significant impacts to Indian tribes' rights and interest in their tribal lands.

During the 2024 Supplemental Budget Session, WSDA received funding for a Tribal Liaison position. The additional FTEs being requested will support conducting tribal consultation and assisting with research, assessments, skill building, and evaluation as programs implement the HEAL Act.

Describe how your agency engaged with Tribes in developing this proposal, including offers for tribal consultation, and any direction provided by Tribes through this engagement.

While WSDA did not conduct specific tribal consultation on this proposal, the establishment of Agriculture's new Tribal Liaison position signifies our commitment to actively collaborate and foster strong partnerships with all tribes in Washington.

Has an Environmental Justice Assessment been completed? If so, please submit the assessment as an attachment in ABS.

Because this is a funding request only and is not related to a significant agency action, an environmental justice assessment is not required and has not been completed.

Describe how your agency used the Environmental Justice Assessment process to eliminate, reduce, or mitigate environmental harms and equitably distribute environmental benefits? If your agency determined that you were unable to eliminate, reduce, or mitigate environmental harms and equitably distribute environmental benefits, please provide a justification for not doing so.

Per the response above, the EJ assessment process was not used for this proposal.

Puget Sound Recovery:

NA

State Workforce Impacts:

NA

Intergovernmental:

WSDA does not expect any impacts to tribal, regional, county or city governments as a result of this proposal. If anything, this proposal seeks to build collaborations with other regulatory bodies, including those listed in this section.

Stakeholder Impacts:

Agency stakeholders have expressed concern that implementing the requirements of the HEAL Act may delay agency rule making because of the lack of staff that are able to devote time to conducting environmental justice assessments. The department is requesting additional funds to ensure rules are adopted in a timely manner.

State Facilities Impacts:

NA

Changes from Current Law:

No changes to current law.

Legal or Administrative Mandates:

This proposal is in response to legislation adopted during the 2021 legislative session.

Governor's Salmon Strategy:

NA

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$361	\$361	\$722	\$361	\$361	\$722
Obj. B	\$121	\$121	\$242	\$121	\$121	\$242
Obj. E	\$68	\$68	\$136	\$68	\$68	\$136
Obj. G	\$20	\$20	\$40	\$20	\$20	\$40
Obj. Y	\$118	\$118	\$236	\$118	\$118	\$236

Agency Contact Information

Laura Butler
(360) 810-0320
LButler@agr.wa.gov



Agency Recommendation Summary

This request will help fill capacity gaps to implement environmental justice requirements in the HEAL Act and state and federal environmental justice and equity mandates. In the 2021 Healthy Environment for All (HEAL) Act fiscal note, Ecology identified several unknown fiscal impacts. Now that the workload is better understood, Ecology is working to address those impacts. We have attempted to address workload issues using existing staff and filling gaps with temporary positions. However, this has resulted in job turnover and challenges meeting deadlines and maintaining work quality. Ecology is requesting staff resources to meet current and growing statutory demands and embed expertise within specific Ecology environmental programs with the greatest need. (Multiple Accounts)

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	6.9	6.9	6.9	6.9	6.9	6.9
Operating Expenditures						
Fund 001 - 1	\$264	\$264	\$528	\$264	\$264	\$528
Fund 044 - 1	\$88	\$88	\$176	\$88	\$88	\$176
Fund 176 - 1	\$88	\$88	\$176	\$88	\$88	\$176
Fund 23P - 1	\$441	\$441	\$882	\$441	\$441	\$882
Fund 26B - 1	\$176	\$176	\$352	\$176	\$176	\$352
Total Expenditures	\$1,057	\$1,057	\$2,114	\$1,057	\$1,057	\$2,114

Decision Package Description

Background:

In 2021, the Legislature passed an environmental justice (EJ) law referred to as the HEAL Act (Chapter 70A.02 RCW). The law requires Ecology and other covered agencies to create and integrate accountability to equity and EJ practices in significant areas of agency decision-making and authority. Ecology is mandated through HEAL to ensure people are treated fairly and involved in environmental decisions and actions affecting them. This includes areas such as air and water quality, toxic site cleanup, hazardous and solid waste management, and climate change impacts. This unprecedented step toward more equitable public service has and continues to drive change in our core processes, guidelines, and rules. Developing the infrastructure to accomplish this and working toward implementation is straining our current staff resources.

As Washington’s environmental protection agency, Ecology has a lead role in the state to address EJ, specifically the disproportionate burdens of pollution and environmental hazards across communities. Unlike other covered agencies under HEAL, all of Ecology’s authority and mission are tied to EJ and HEAL Act goals. As such, these obligations directly involve 18 of Ecology’s environmental programs and administrative offices.

HEAL Act requirements include integrating EJ into agency strategic planning, conducting EJ assessments for significant agency actions, developing and following a community engagement plan and a Tribal consultation framework, and implementing wide-ranging procedures and reporting to meet budget equity requirements. All these obligations involve establishing policies, processes, metrics, and reporting infrastructure.

HEAL obligations also add indirect workload tied to state and federal laws that support inclusive participation and prevent discrimination. These existing obligations include EJ and nondiscrimination commitments to federal oversight agencies and compliance with Title VI of the Civil Rights Act, Americans with Disabilities Act (ADA), Lived Experience Compensation (RCW 43.03.220), and initiatives from the state Office of Equity. This request focuses on developing capacity for tasks directly associated with HEAL implementation, but awareness and coordination among multiple associated lines of effort are necessary for success.

For the 2021-2023 biennium, Ecology received 5.1 FTEs ongoing to lead implementation and meet the requirements of the HEAL Act at the agency level. With this funding and staff capacity, Ecology established the Office of Equity and Environmental Justice (OEEJ) to develop foundational processes and guidance and allow Ecology to meet immediate statutory deadlines. This included creating, launching, and training staff on the newly developed EJ assessments; drafting and adopting several required publications, including a HEAL implementation plan and community engagement plan; and creating an agencywide reporting mechanism to evaluate equity in Ecology budget decisions, grants, and expenditures. OEEJ also provides critical leadership for multiple interagency work groups and the Governor’s Task Team on Identifying Overburdened Communities for CCA and the HEAL Act Reporting. Supporting these external efforts continues to be essential to building a

unified and resilient state approach.

Is this request related to any budget items funded in the past two biennia?

Yes, see attached.

Problem/Opportunity:

Our current staffing model does not provide the expertise needed to comply with EJ statutory requirements from within each of Ecology's agency's distinct and specialized environmental programs and offices. To meet HEAL requirements and to advance EJ outcomes, Ecology needs staff embedded in key environmental programs with EJ technical training and expertise related to the programmatic subject matter, legal context, and data to support meeting the requirements.

Currently, Ecology has ongoing funding for EJ leads in only two of our 11 environmental programs. The other programs are without dedicated EJ expertise and capacity, and they rely on temporary positions, existing staff, or assistance from other programs. For the two current environmental program EJ leads, their EJ and equity workload is significant. Roughly only half of their time is available for HEAL Act compliance on EJ Assessments, budget equity, strategic planning, and metrics and reporting combined; the other half is dedicated to other work priorities in their program. Ecology has assessed our efforts to date and determined that we do not currently have the capacity to effectively meet the HEAL Act and related mandates. This shortfall in agency capacity was anticipated in our 2021 HEAL fiscal note. The fiscal note reflected significant unknowns related to novel processes, an undetermined scope of obligation at the agency, and uncertainty around pending guidance from the EJ Council. As such, this request will directly address some of the areas noted as partially indeterminate in the fiscal note for fiscal year 2021, including EJ Assessments, budget and funding equity, and EJ assessment appeals capacity. Information below details gaps for three key HEAL areas: 1) EJ Assessments; 2) Budget Equity; and 3) Strategic planning, metrics development, and reporting.

1. EJ Assessments

The HEAL Act requires staff to conduct EJ Assessments on significant agency actions. Ecology's 2021 fiscal note estimated a minimum of 0.5 FTE per EJ assessment to meet the lowest bar of compliance. In practice, the estimated 0.5 FTE was insufficient to address the complexity of the EJ Assessment process that was subsequently developed. Specific workload challenges include the high number of assessments and the time and resources required to respectfully and meaningfully consult with Tribes and engage with overburdened communities. In the 2023-25 biennium, Ecology initiated 22 EJ Assessments, and we anticipate 37 more by the end of the biennium. Further, the number of assessments is expected to increase in the 2025-27 biennium due to an increase in significant agency actions defined in statute and the potential addition of new categories of significant agency actions. HEAL requires covered agencies to consider additional types of agency actions that will be subject to an EJ Assessment by July 1, 2025. The number of assessments, initiated and anticipated, already outpaces the agency's capacity.

Our current staffing levels may elevate the risk of potential appeals and litigation on activities that receive an EJ Assessment, resulting in longer timelines to complete an assessment and lower-quality assessments. Compressed timelines, limited resources, and inexperienced staff all lead to inadequate external engagement, which has potentially diminished relationships with affected communities, Tribes and/or Tribal staff, and the EJ Council.

2. Budget Equity

Ecology must meet budget equity requirements outlined in the HEAL Act, as well as other state and federal requirements. We have identified 66 covered grant, loan, contract, and voucher programs (representing more than 70% of our budget). Of these 66 covered funding programs, 41 (62%) are in the six environmental programs identified as having the highest EJ capacity needs. Each covered funding program differs in statute, eligibility, scope, size, discretion, and location. As a result, each has unique HEAL equity and reporting obligations and opportunities. Ecology lacks HEAL budget equity implementation expertise for the specific technical and regulatory context of each environmental program. This is needed so the goals, metrics, and engagement are program-specific and align with statutory requirements and agency guidance.

3. Strategic Planning, Metrics Development, and Reporting

Ecology is required to incorporate EJ into strategic planning activities across the agency, set goals to reduce environmental and health disparities, provide annual reports to the EJ Council, and develop various public-facing dashboards that require both policy and technical development. Current agency OEEJ staff lead the higher-level development, but environmental program staff are needed to adjust current data collection processes to align with these agencywide metrics and reporting protocols. Individual environmental programs are also impacted by other reporting requirements, such as the Model Toxics Control Act accounts biennial report of expenditures and Climate Commitment Act reporting, that need to fit with HEAL reporting and planning.

HEAL also underscores the importance of agency accountability to nondiscrimination and civil rights laws and policies, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age

Discrimination Act of 1975. Ensuring access and nondiscrimination in decisions, processes, and outcomes is essential to HEAL strategic planning obligations, community engagement, and public participation in agency expenditure decisions. Ecology continues to evaluate our civil rights compliance and has identified several opportunities for improvement in digital accessibility, language access, and equitable access to information and services. However, shortfalls in expertise and implementation capacity are an expanding challenge for agency programs, especially those with significant HEAL accountability.

Proposed Solution:

This request aims to direct capacity toward current stress points and add 6.0 FTEs to provide subject matter expertise in programs with the highest EJ workloads. EJ research and practice is an established discipline with over 40 years of history, research, data, methodology, and case law. The staff capacity requested will provide some of Ecology's most in-need programs with EJ expertise. Additionally, each program has different rules, guidance, and other unique factors that interact with how they will implement HEAL and EJ requirements. Dedicated staff with both EJ and program-specific expertise will help to ensure appropriate and defensible implementation of HEAL and related obligations according to each environmental program's scientific and legal frameworks.

This request focuses on core compliance obligations in HEAL, but these new positions will also begin to address expertise and workforce gaps for EJ analyses under the State Environmental Policy Act (SEPA), the National Environmental Policy Act (NEPA), the Office of Financial Management and the Office of Equity required equity analyses for budget development and bill analyses, and additional civil rights and accessibility obligations. These activities are ongoing and significant to Ecology's local, statewide, and regional work.

Additional staff capacity will directly address EJ mandates, including:

- Coordinating developing, completing, and tracking EJ Assessments for significant agency actions.
- Creating opportunities for people from overburdened communities, vulnerable populations, and Tribes to meaningfully participate in agency-expenditure decisions and decision-making (status: not yet initiated).
- Establishing, implementing, and reporting on EJ goals and metrics (status: initial stages).
- Assessing a broad scope of grants and contracting opportunities for equity and EJ outcomes, including grants to monitor pollution, build capacity and provide training for community scientists and other staff, increase technical assistance, and support education/work readiness youth programs. These opportunities will further require:
 - Developing budget proposals.
 - Novel collaborations with people from or representatives of overburdened communities and vulnerable populations and engagement with Tribes and Tribal communities.
- Implementing language access and digital accessibility plans in all Ecology programs.
- Incorporating EJ in agency and program strategic plans and partnership agreement planning.

Based on two years of HEAL Act process, procedure, and infrastructure development and initial piloting, Ecology has determined 6 EJ specialists, at the Environmental Planner 4 level are required to address critical capacity gaps and implement the most urgent compliance requirements. We prioritized among Ecology's 11 environmental programs to fill our largest workload gaps and maximize opportunity for addressing environmental injustices. Based on these criteria, the prioritized Ecology environmental programs include:

- Climate Pollution Reduction Program
- Shorelands & Environmental Assistance Program/Office of Chehalis Basin
- Solid Waste Management Program
- Toxics Cleanup Program
- Water Quality Program
- Water Resources Program/Office of Columbia River

This request is aligned in capacity with how other agencies are covered under HEAL Act implementation funding. The Governor's EJ Council endorsed covered agency budget requests in 2023 that were related to HEAL implementation, and we anticipate the Council's support will continue this year.

Impacts on Population Served:

This request will add staff capacity focused on equity and HEAL Act obligations. EJ specialists understand the data, methods, and leading practices for strategically addressing negative or disproportionate impacts on overburdened communities and vulnerable populations. The

populations to be served are those that have been historically marginalized, including communities of color, immigrants, Tribes, and populations who are indigenous, linguistically isolated, low-income, or rural. Trained and knowledgeable EJ staff will support strengthening community access to Ecology information, planning for equitable decision-making and actions, and increasing our internal accountability to civil rights and EJ requirements and goals.

Alternatives Explored:

Ecology attempted to fill HEAL and EJ capacity gaps within programs by creating positions out of temporary funding, repurposing existing staff, hiring temporary staff, and relying on non-experts to lead expert-driven work. This has proven to be unsustainable for Ecology and the individual staff and has resulted in delayed or compromised work products and stretched resources for other critical agency work. Ecology has also tried to scale HEAL deliverables and workload in ways that meet statutory deadlines and requirements. However, these efforts have fallen short of EJ internal and external expectations and have led to concerns expressed by the EJ Council and subcommittees and community-based organizations. HEAL workload challenges exist in other agencies covered by this law, but Ecology's HEAL implementation has particularly high visibility and impact, as the state lead in environmental regulation and protection, EJ, and the Climate Commitment Act.

The new agency workload for HEAL's public processes has also expanded and strained accessibility and inclusion resources and responsiveness. For this reason, in 2023, Ecology completed an in-depth appraisal of our civil rights compliance and developed a plan that identified several opportunities for improvement in digital accessibility, language access, and non-discrimination. The agency has attempted to absorb this workload by strategically scaling efforts; however, resource and capacity barriers remain.

Ecology initially identified a need for additional HEAL-directed staff to address HEAL obligations for conducting EJ assessments, annual reporting, community engagement, Tribal consultation, and budget equity practices. However, recognizing state budget constraints, we are focusing our request on six positions to support the most pressing workload and highest priorities. Ecology will continue to seek efficiencies and assess capacity gaps and will likely submit future requests to address workload growth, such as the HEAL-required expansions of significant agency actions and obligations relating to EJ in budgets and funding.

Consequences of Not Funding This Request:

Without subject matter expert capacity to fulfill obligations from the HEAL Act and related state and federal mandates, we would continue to experience challenges and potentially costly mistakes. These include:

- Legal risks associated with noncompliance, such as:
 - Potential appeals and litigation on covered activities.
 - EJ Assessments that do not meet the legal requirements or intent of the law.
 - Engagement opportunities and agency practices that may not meet state or federal nondiscrimination requirements (including Title VI, language access, and ADA accessibility) because they were developed on tight timelines without adequate support.
 - Potential disruptive federal audits or compliance investigations and accompanied risks to critical federal funding.
- Reputational and relationship risks, such as:
 - Potential harm to and limited meaningful engagement and partnership from Tribes and/or Tribal staff who are not adequately notified of our work or invited for consultation and collaboration.
 - Engagement opportunities that do not meet standards set by the Community Engagement Plan adapted from the Inter Agency Work Group's collaboratively developed plan.
 - Potentially damaged reputation as an agency committed to EJ and the well-being of the environment and communities across the state.
- Risks associated with insufficient staff allocation and expertise:
 - Longer timelines to complete required EJ work and community engagement activities, which may delay the underlying action and project.
 - Missed statutory requirements in work products.
 - Inadequate analyses and missing data about potential project impacts, benefits, and mitigation alternatives.
 - Staff fatigue and over-deployment are contributing to burnout, turnover, and redundant staff hiring and orientation cycles.

Assumptions and Calculations

Expansion, Reduction, Elimination or Alteration of a current program or service:

This request expands multiple activities within six of Ecology’s environmental programs by providing new staff capacity to meet state statutory obligations under the HEAL Act.

Detailed Assumptions and Calculations:

Beginning July 1, 2025, and ongoing, Ecology requires salaries, benefits, and associated staff costs for 6.0 Environmental Planner (EP) 4 FTEs to:

- Conduct and coordinate EJ Assessments for the program’s Significant Agency Actions.
- Serve as programmatic subject matter experts on alignment and implementation of HEAL budget equity obligations and goals with program authority and activities.
- Provide equity and EJ program strategic planning.
- Lead development of EJ goals, metrics, and reporting related to the programs’ activities.
- Support Title VI compliance accountability.

We expect state and federal EJ policies and obligations to continuously change and the expand, and these positions will support program responsiveness and accountability. Positions will be established in the following six (of 11) environmental programs:

- 1.0 FTE EP4 Climate Pollution Reduction Program EJ Coordinator
- 1.0 FTE EP4 Water Quality Program EJ Coordinator
- 1.0 FTE EP4 Toxics Cleanup Program EJ Coordinator
- 1.0 FTE EP4 Shorelands & Environmental Assessment Program EJ Coordinator
 - Will also support the Office of Chehalis Basin
- 1.0 FTE EP4 Water Resources Program EJ Coordinator
 - Will also support the Office of Columbia River
- 1.0 FTE EP4 Solid Waste Management Program EJ Coordinator

Workforce Assumptions:

Expenditures by Object		<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>	<u>FY 2031</u>
A	Salaries and Wages	573,900	573,900	573,900	573,900	573,900	573,900
B	Employee Benefits	195,699	195,699	195,699	195,699	195,699	195,699
E	Goods and Services	36,288	36,288	36,288	36,288	36,288	36,288
G	Travel	13,233	13,233	13,233	13,233	13,233	13,233
J	Capital Outlays	7,716	7,716	7,716	7,716	7,716	7,716
T	Intra-Agency Reimbursements	230,112	230,112	230,112	230,112	230,112	230,112
Total Objects		1,056,948	1,056,948	1,056,948	1,056,948	1,056,948	1,056,948

Staffing

Job Class	Salary	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>	<u>FY 2031</u>
ENVIRONMENTAL PLANNER 4	95,650	6.00	6.00	6.00	6.00	6.00	6.00
FISCAL ANALYST 2		0.60	0.60	0.60	0.60	0.60	0.60
IT APP DEVELOPMENT-JOURNEY		0.30	0.30	0.30	0.30	0.30	0.30
Total FTEs		6.90	6.90	6.90	6.90	6.90	6.90

Explanation of costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 34.1% of salaries.

Goods and Services are the agency average of \$6,048 per direct program FTE.

Travel is the agency average of \$2,205 per direct program FTE.

Equipment is the agency average of \$1,286 per direct program FTE.

Agency Administrative Overhead is calculated at the federally approved agency indirect rate of 29.9% of direct program salaries and benefits and is shown as object T. Agency Administrative Overhead FTEs are included at 0.15 FTE per direct program FTE and are identified as Fiscal Analyst 2 and IT App Development-Journey.

Historical Funding:

	FY2026	FY2027
FTE (direct FTE)	4.5	4.5
Total Funds (rounded to thousands)	\$768,500	\$768,500
Near General Fund (rounded to thousands)	\$100,000	\$100,000
Other Funds (rounded to thousands)	\$668,500	\$668,500

Administrative Overhead related to this program or service is in the agency’s Administration Activity A002, but is not shown in the totals above.

Strategic and Performance Outcomes

Strategic Framework:

This request is essential to achieving the Governor’s Results Washington Goal 4: Health and Safe Communities because it will provide the resources needed to complete the required EJ assessments to identify and mitigate potential environmental and health impacts of significant agency actions.

This request is also essential to achieving the Governor’s Results Washington Goal 5: Efficient, Effective, and Accountable Government and Ecology’s Goal 1: Support and engage our communities, customers, and employees because it will:

- Ensure communities are engaged and Tribes are offered consultation in the EJ Assessment process.
- Ensure community interests and concerns are heard and incorporated into agency decision-making.
- Develop agency protocols to meet HEAL Act reporting requirements to ensure equitable investment toward vulnerable populations and overburdened communities.

Performance Outcomes:

Ecology will be better positioned to conduct, guide, and model effective EJ Assessments, budget equity protocols and reporting, and strategic planning that mitigates environmental and health disparities. The outcomes of this request will be:

- Improved agency capacity to comply with the HEAL Act Implementation Plan, which includes statutory obligations and goals.
- Strengthened community engagement and Tribal consultation practices across the agency to ensure the meaningful involvement of all of Washington in Ecology’s decision-making and policy implementation.
- Improved Title VI and non-discrimination accountability.

Undesirable results include non-compliance with state and federal laws, limited engagement from communities, and insufficient consultation with Tribes, outcomes that are inconsistent with agency, state, and federal interests and priorities on equity and EJ.

Equity Impacts

Community Outreach and Engagement:

This request was developed based on feedback from community partners who have stressed the need for greater accountability to the intent and directives in the HEAL Act. The Governor's EJ Council has also expressed their support for agencies to bolster EJ capacity for the purpose of HEAL Act implementation.

Disproportional Impact Considerations:

There are no anticipated negative disproportionate impacts associated with this request. Expanding our EJ expertise will help us identify and engage with populations most at risk from environmental and health harms and support more informed decisions that avoid negative impacts and promote benefits. Funding this request will enable Ecology to strengthen critical work on addressing environmental and health disparities in Washington and better ensure equitable services to overburdened communities and vulnerable populations.

Target Communities and Populations:

This request will create staff capacity with expertise on advancing Ecology programmatic work to address environmental and health disparities across Washington. New positions will bring analytical, policy, research, and legal expertise to shaping program-specific priorities and practices that can improve outcomes for people from overburdened communities and vulnerable populations. This includes people facing cumulative environmental harms, people disproportionately impacted by climate change, people from low-income populations and communities of color, populations of workers experiencing environmental harms, and Tribes.

Community Inputs and Incorporation:

See Community Outreach and Engagement response.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

Yes, see attached.

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

The HEAL Act directs covered agencies to improve environmental and health disparities for people from overburdened communities, vulnerable populations, and Tribes. This should result in an increase in equitable distribution of resources, improved accountability, and more opportunities to influence agency activities and decision-making. Increased capacity to institutionalize practices that meet HEAL Act requirements is anticipated to benefit other covered agencies, local government, and Tribal governments. There are no anticipated impacts on other state agencies or known opposition at this time.

Stakeholder Impacts:

Ecology expects groups representing overburdened communities and vulnerable populations, EJ organizations, and environmental organizations generally to support this request because it will help us implement Washington's EJ law and is designed to help address environmental and health disparities. The Governor's EJ Council also has endorsed covered agency budget requests in past biennia that were related to HEAL implementation, and we anticipate the Council's support will continue this year.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

This request is a response to HEAL Act requirements that have recently gone into effect and are based on the EJ recommendations in the 2020 EJ Task Force Report.

Governor's Salmon Strategy:

N/A

Reference Documents

[Environmental Justice Capacity-HEAL Act Attachment.pdf](#)

[Environmental Justice Capacity-Historical Funding Attachment.pdf](#)

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$574	\$574	\$1,148	\$574	\$574	\$1,148
Obj. B	\$196	\$196	\$392	\$196	\$196	\$392
Obj. E	\$36	\$36	\$72	\$36	\$36	\$72
Obj. G	\$13	\$13	\$26	\$13	\$13	\$26
Obj. J	\$8	\$8	\$16	\$8	\$8	\$16
Obj. T	\$230	\$230	\$460	\$230	\$230	\$460

Agency Contact Information

Millie Piazza
 (360) 489-2416
 millie.piazza@ecy.wa.gov



Agency Recommendation Summary

This funding is to maintain compliance and support continued implementation of the Healthy Environment for All Act, and to upgrade the Environmental Health Disparities Map infrastructure.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	5.2	5.2	5.2	5.2	5.2	5.2
Operating Expenditures						
Fund 001 - 1	\$1,204	\$1,205	\$2,409	\$1,204	\$1,204	\$2,408
Total Expenditures	\$1,204	\$1,205	\$2,409	\$1,204	\$1,204	\$2,408

Decision Package Description

Problem Statement

HEAL Implementation and Compliance: Current staffing levels at the Department of Health (DOH) will not support full compliance with the Healthy Environment for All (HEAL) act as DOH continues to scale implementation. In addition to continuing to identify actions that meet the current statutory definition of Significant Agency Actions subject to Environmental Justice Assessments (EJA), the agency has completed a preliminary analysis of additional actions and activities that have environmental benefits and potential harms in accordance with RCW.70A.02.060 (2). With further input from agency staff and leadership, the environmental justice council, community partners, Tribal partners, and the public, the agency expects this list to grow, which will subsequently increase the workload for HEAL implementation staff and program staff required to complete EJ assessments.

Since the HEAL Act was passed in 2021, DOH worked first to meet the statutory deadlines within the law. With the initial funding for BIEN 21-23, DOH only had one staff person dedicated to implementation work, which impeded the agency’s ability to do anything beyond meeting the initial statutory deadlines within the law for the first two years of implementation. With additional staff funding in BIEN 23-35, DOH has been able to meet more requirements under the law and begin scaling implementation beyond the pilot phase. As the agency increases the number of environmental justice assessments conducted and identifies additional actions that need to comply with other requirements in the statute, DOH will need more staff to support this work.

Environmental Health Disparities Map Infrastructure Upgrades: The Environmental Health Disparities (EHD) map is a key resource for the covered agencies implementing the HEAL Act to identify overburdened communities and vulnerable populations. In the process of creating an updated version of the EHD map, the department concluded the current host platform is not sustainable for future map updates. Initial funding only provided for one staff person dedicated to developing and maintaining the EHD map. Additional funding provided in the current biennium allowed the department to hire additional epidemiology and engagement staff. The department is creating an updated version of the EHD map, draft initial guidance for state agencies for use of the map and has started implementing a small portion of our community and tribal engagement plans.

The EHD map is currently hosted on a custom-built platform that was designed and launched in the 2010s. The current infrastructure was created by a contractor, and DOH information technology staff are unable to maintain this aging infrastructure. DOH is planning to modernize the EHD map to create more flexibility and sustainability. Additional information technology staff are needed to assist with the transition, add additional features as requested, and assist with ongoing maintenance of the map.

Additionally, current staffing levels will not support compliance with two requirements of the HEAL Act (RCW 43.70.815) to 1) provide support, training and consultation to agencies on the use of the EHD map and 2) fully support community and tribal engagement activities. Additional communication FTE is needed to support the required training and support of HEAL agencies and create educational materials that

can help tribes and communities understand the EHD map.

Proposed Solution

HEAL Implementation and Compliance: Three years into HEAL implementation work, DOH is required to move beyond the pilot phase of meeting obligations and transition to full-scale implementation. This scaling coincides with an expansion of the definition of significant agency actions subject to environmental justice assessments that go beyond those actions listed in statute to include any actions with significant environmental benefits or harms. To support agency staff to integrate environmental justice, community engagement, and tribal engagement into actions and activities subject to the law, DOH requests 2.0 FTE, MA4. The support provided by these positions will help ensure DOH maintain a standard of minimum compliance as implementation is scaled across the agency.

Environmental Health Disparities Map Infrastructure Upgrades: To update and maintain the map, and accomplish the training and engagement statutory requirements, additional staff and other funds are needed:

- One EHD Map IT Developer, 1.0 FTE, IT Application Developer Journey level: This position will work to transition the EHD map from the current platform to the IT selected replacement platform (ESRI) to ensure sustainability for the EHD map on a more modern and robust platform.
- One EHD Map Communication Consultants, 0.5 FTE, Communication Consultant 4: This position will create educational and communication materials and update the EHD map website.
- One Section Manager, 0.2 FTE, Senior Epidemiologist: This position will provide guidance and support to the staff working on the Environmental Health Disparities map.

DOH also requests an additional \$4,000/year for travel to support existing staff.

An additional \$488,330/year is requested to support community engagement for the EHD map including maintenance funding for existing contracts with community and Tribal based organizations to support community and Tribal engagement required by HEAL, translation, printing and mailing of materials, interpreters and translators, costs to host in-person meetings, and community compensation for staff-supported community and Tribal engagement events.

Expected Outcomes

Expected outcomes include:

- Minimum compliance for 18-22 significant agency actions named in the HEAL Act that require EJ assessments each year. This would include EJ assessments on statutory significant agency actions and some of the additional actions identified by the agency after July 2025.
- Minimum compliance for 15-20 grants, loans, contracts and other expenditure actions subject to the budgeting and funding obligation of the law.

Environmental Health Disparities Map Infrastructure Upgrades:

- Expected outcomes include: The EHD map to be transferred to a sustainable, modern and robust platform that will allow additional requested functionality. The HEAL Act requires DOH to track changes in environmental health disparities over time in an interactive, regularly updated display and the new platform and requested staff will facilitate DOH meeting this requirement.
- Revise and maintain the EHD map website to be inviting for different audiences, including community and Tribal members.
- Create educational materials that can help Tribes and communities understand the EHD map, the measures included, and the limitations of those measures.

Alternatives

HEAL Implementation and Compliance: The FTE request detailed above was created in anticipation of both known agency actions and activities that need to be in compliance with HEAL and unknown actions that will come out of future legislative sessions with new laws and provisos,

potential changes to the HEAL act (which are possible every legislative session), and the expansion of significant agency actions requiring EJ assessments beginning in July 2025.

Alternative 1: Maintain status quo:

If DOH receives no additional funding to support HEAL compliance, current staff will only be able to support a portion of the significant agency actions currently defined in statute and identified to have an environmental benefit or harm. It will prove challenging for the agency to achieve HEAL compliance on actions that the agency deems significant in addition to those actions identified in RCW 70A.02.010(12) (a) - (d).

Alternative 2: DOH receives full funding amount of \$1,284,338 annually:

When originally evaluating the full scope of need for DOH to fully comply with every requirement of the HEAL Act, the agency identified seven additional FTE to support HEAL compliance for EJ assessments, budgeting and funding obligations, community engagement, data collection, reporting and analysis, and compliance with RCW 70A.02.110(6) to track population level health outcomes of communities and evaluate agency performance and effectiveness in reducing environmental health disparities. However, with the budget outlook for BIEN 25-27 the agency substantially reduced its request. With full funding the agency would be able to:

- Support every identified significant agency action currently listed in statute, that has an environmental benefit or harm, to complete an EJ assessment as well as all of the additional actions the agency identifies after July 2025.
- Support every identified budget activity with an environmental benefit or harm to comply with the budgeting and funding requirement of the law.
- Conduct robust, proactive and meaningful engagement with more overburdened communities, vulnerable populations, and Tribes across the state for every action and activity subject to HEAL requirements.
- Fulfill our detailed reporting and evaluation requirements for these efforts, increase transparency and accountability, and evaluate if HEAL agencies are impacting population level health outcomes per RCW 70A.02.110. This would help DOH gain a greater understanding of both successes and opportunities to further scale positive environmental and health outcomes across the state.

Alternative 3: Partial Funding:

Partial funding of \$181,535 in SFY 2026 and \$177,586 in SFY 2027 and ongoing would allow the agency to hire 1.0 FTE MA4 to support HEAL compliance. This would allow the agency to support more significant agency actions to comply with HEAL and potentially allow the agency to identify and support EJ assessments for at least some additional agency actions subject to environmental justice assessments beyond those actions already identified in statute.

The impact of no funding or partial funding would ultimately be on the scalability of HEAL compliance across the agency. No additional funding will result in minimum compliance with the law with the risk of noncompliance in some areas. Partial funding will result in compliance to a limited degree. Full funding will allow the agency to prioritize compliance for current significant agency actions that require an EJ assessment and potentially allow for DOH to support at least a few EJ assessments on additional actions with environmental benefits and harms identified by the agency in the future. Embedding environmental justice into agency work has proved to be a complex set of both program management, change management, and organizational change challenges. In order to meaningfully meet the intent of the law, dedicated HEAL implementation staff support and expertise is needed to help agency staff change their behaviors and practices. As DOH scales this work across a large employee organization, additional staff will be required to meet growing and evolving needs.

Environmental Health Disparities Map Infrastructure Upgrades:

Alternative 1: Maintain status quo:

If DOH receives no additional funding, the agency will continue in its current state of not completing HEAL statutory requirements. The EHD map will continue to exist on its current aging infrastructure, which DOH IT is unable to maintain or add additional functionality. DOH will be able provide minimal support training and consultation to agencies on the use of the EHD map and will be unable to produce a summary of the regular updates and revisions to the EHD map, revise and maintain the EHD map website to make it welcoming and accessible to community

and Tribal members, or create educational materials that can help Tribes and communities understand the EHD map.

Alternative 2: DOH receives full funding amount of \$2,765,000 annually:

When originally evaluating the full scope of need for DOH to fully comply with every requirement for the EHD map within the HEAL Act moving forward, the agency identified 5.2 additional FTE needed to support EHD map upgrades, communications and training needs, tribal and community engagement outreach, as well as \$20,000 annually to support travel costs for new and existing staff, and \$1,775,760 annually to support more robust community and tribal engagement. However, with the budget outlook for BIEN 25-27 the agency substantially reduced its request. If the full amount of funding was provided, DOH would be able to fully update EHD map infrastructure and meet the training and engagement statutory requirements, including:

- The EHD map would be transferred to a sustainable, modern, and robust platform with additional functionality requested by HEAL Act partners, communities, and Tribal partners.
- DOH would be fully staffed to fulfill training requirements to support other agencies and meet Tribal Collaboration and Consultation requirements. The additional communication staff would allow DOH to create materials to help train HEAL agency staff, summarize regular updates and revisions to the EHD map, revise and maintain the EHD map website to be inviting for all audiences, and create education materials to help Tribes and communities better understand the EHD map, the measures, and limitations of those measures.
- DOH would be able to increase amounts for existing community engagement contracts and add seven more contracts with community-based and Tribal organizations. DOH would also establish a Tribal partnership agreement, a contract to support incorporating Tribal data into EHD measures, and a facilitator to support the Tribal data workgroup and outreach events.

Alternative 3: DOH receives partial funding of \$205,033 in SFY2026 and \$201,084 in SFY2027 and ongoing:

If partial funding was provided, the EHD map would be able to hire 1.0 FTE EHD Map IT Developer to transfer the map to a sustainable, modern, and robust platform with additional functionality requested by HEAL Act partners, communities and tribal partners.

Assumptions and Calculations

Expansion, Reduction, Elimination or Alteration of a current program or service:

All activities within this DP expands upon are within the Environmental Public Health Division at the Department of Health.

Detailed Assumptions and Calculations:

HEAL Implementation and Compliance:

- \$6,314 for new employee technology packages per DOH standard calculations.
- 5% King County Salary adjustment has been included for all new FTE to assure that if employees are hired from this county they will be compensated correctly.

Environmental Health Disparities Map Infrastructure Upgrades:

Staffing costs:

- \$3,157 for new employee technology packages per DOH standard calculations.
- A 5% King County Salary adjustment has been included for all new FTE to assure that if employees are hired from this county they will be compensated correctly.

Outreach and communication:

- \$2,500/year for printing and mailing educational materials for community and Tribal engagement events.

Community and Tribal engagement activities:

- An additional \$120,000/year to cover continuing existing contracts.
- \$345,566 for SFY2026 and 357,500 for SFY2027 and ongoing to maintain additional contracts to support community and Tribal engagement. This includes amounts for six existing community engagement contracts with accountable communities of health and one community-based organization. \$13,500/year to support community compensation for three community engagement events (\$100/hour for 1.5 hours each for 30 people at each event).
- \$3504/year for ASL Interpreters and non-English translators for 3 community engagement events (Language \$84/hour x 2 hours X 3 events x 2 interpreters = \$1,008; ASL \$416 for 2-hour meeting X 3 events x 2 interpreters = \$2,496)
- \$1,800/year for hosting community events, which includes \$500 for venue rental, \$200 for materials and supplies, \$200 for refreshments for 2 in-person meetings/year.

Agency Indirect: Estimated expenditures include salary, benefit, and related costs for FTE to assist with administrative workload activities. These activities, necessary to manage day-to-day business needs include: policy and legislative relations; information technology; budget and accounting services; human resources; contracts; procurement, risk management, and facilities management. Agency Indirect: Estimated expenditures include salary, benefit, and related costs for FTE to assist with administrative workload activities. These activities, necessary to manage day-to-day business needs include: policy and legislative relations; information technology; budget and accounting services; human resources; contracts; procurement, risk management, and facilities management. Agency Indirect: Estimated expenditures include salary, benefit, and related costs for FTE to assist with administrative workload activities. These activities, necessary to manage day-to-day business needs include: policy and legislative relations; information technology; budget and accounting services; human resources; contracts; procurement, risk management, and facilities management.

See “Detailed Assumptions and Calculations” tab in “Assumptions and Calculations Workbook”

Workforce Assumptions:

FTE	Job Classification	Salary	Benefits	Startup Costs	FTE Related Costs
2.0	MANAGEMENT ANALYST 4	\$187,000.00	\$66,000.00	\$6,000.00	\$19,000.00
1.0	IT APP DEVELOPMENT - JOURNEY	\$113,000.00	\$37,000.00	\$3,000.00	\$9,000.00
0.5	COMMUNICATIONS CONSULTANT 4	\$42,000.00	\$16,000.00	\$2,000.00	\$5,000.00
0.2	SENIOR EPIDEMIOLOGIST (NON-MEDICAL)	\$28,000.00	\$8,000.00	\$1,000.00	\$2,000.00
3.7		\$370,000.00	\$127,000.00	\$12,000.00	\$35,000.00

HEAL Implementation and Compliance:

Included in our FTE cost assumptions are:

- \$3,000 per FTE annually for travel costs. This travel includes in-person meetings for staff that live and work far from agency offices in Tumwater and Olympia, travel to conferences and events, and travel to attend community engagement and Tribal engagement events and meetings across the state.
- \$600 per FTE annually for a Zoom Pro license so these staff can host and support virtual community engagement opportunities for program staff doing EJ assessments and complying with the budgeting and funding requirements of the law. Zoom is the longstanding platform state agencies use with external parties.
- \$600 per FTE annually for Smartsheet licenses. This is the platform the HEAL implementation team uses to manage all of our EJ assessments and budgeting and funding activities, and how the agency tracks quantitative reporting data for OFM and the EJ Council annual reports.

Environmental Health Disparities Map Infrastructure Upgrades:

- \$4,000/year for travel expenses for existing community and Tribal engagement staff.

See “Workforce Assumptions” tab in “Assumptions and Calculations Workbook”.

Historical Funding:

See “Historical Funding” tab in “Assumptions and Calculations Workbook”.

Strategic and Performance Outcomes

Strategic Framework:

HEAL Implementation and Compliance:

- This package will directly support the Governor’s goals for sustainable energy and a clean environment; healthy and safe communities; and efficient, effective and accountable government. The HEAL Act specifically prioritizes the needs of overburdened communities and vulnerable populations and is entirely focused on incorporating environmental justice principles and considerations into agency policies, practices, and procedures.
- This package will support the DOH strategic plan goals around outward mindset; funding; and equity, diversity, and inclusion. The HEAL Act also requires that agencies incorporate environmental justice into their strategic plans, which is included in the 2022 DOH Transformational Plan under Strategy III: Environmental Health.
- Through the incorporation of environmental justice principles into its decision processes, including by complying with the budgeting and funding obligations of the law under RCW 70A.02.080, each covered agency (to the extent allowed by law and consistent with legislative appropriations) must equitably distribute funding and expenditures related to programs that address or may cause environmental harms or provide environmental benefits towards overburdened communities and vulnerable populations. As such, HEAL will have an impact on agency funding and budgeting decisions. These funding requirements would likely affect A005 Protect Community Environmental Health.

Environmental Health Disparities Map Infrastructure Upgrades:

- In addition to the bullets included in the HEAL implementation and compliance section, this package supports Strategy 3.1 HEAL Act Implementation, Strategy 3.2 Environmental Health Disparities Map and Environmental Justice Assessments (HEAL Act) by incorporating data-driven approaches and community engagement strategies by using the EHD map to initially identify overburdened communities and vulnerable populations and supplementing this with community and Tribal engagement strategies to target environmental justice planning and efforts.
- This funding would affect A005 Protect Community Environmental Health by working with public health partners and businesses to protect the community from hazards in the environment by educating the public about how to make and keep their environment safe and healthy and helping communities minimize or eliminate exposure to contaminants in the environment.

Performance Outcomes:HEAL Implementation and Compliance:

By providing funding to support HEAL compliance and implementation, DOH will ensure statutory compliance with the law. Specific performance outcomes will include:

Updating and incorporating the agency's Environmental Justice Implementation Plan into the agency strategic plan (whenever it is renewed or updated). Per RCW 70A.02.040, this must include:

- Agency-specific goals and actions to reduce environmental and health disparities and to otherwise achieve environmental justice in the agency's programs
- Metrics to track and measure accomplishments of the agency goals and actions
- Methods to embed equitable community engagement with, and equitable participation from, members of the public, into agency practices for soliciting and receiving public comment
- Strategies to ensure compliance with existing federal and state laws and policies relating to environmental justice, including Title VI of the civil rights act of 1964, 42 U.S.C. Sec. 2000d-2000d-4, Title IX of the Education Amendments of 1972, 20 U.S.C. Sec. 1681-1683, Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 794, and the age discrimination act of 1975, 42 U.S.C. Sec. 6101-6107
- Specific plans and timelines for incorporating environmental justice considerations into agency activities as required under this chapter.

The number of EJ Assessments initiated and completed each year:

- The number of EJ assessments initiated each year is expected to increase after July 2025 as agencies are able to identify additional significant agency actions (beyond the list in statute) to conduct EJ Assessments on.
- The % of these assessments that include communities and Tribes in the planning stage of the agency action
- The % of these assessments that incorporate feedback and are responsive to the needs of communities and Tribes in the outcome of the action itself.

The % of each applicable expenditure that is directed to overburdened communities and vulnerable populations (RCW 70.02.080 requires agencies to set a goal that 40% of applicable expenditures are directed to these communities).

In order to fulfill these requirements and the related performance outcomes, DOH has requested 2.0 FTE, MA4 to support these efforts.

Environmental Health Disparities Map Infrastructure Upgrades:

Specific performance outcomes include the below.

Transfer EHD Map to Selected Replacement Platform

- Select and transfer the content of the EHD map to replacement platform within two years.
- Increase incorporation of additional functionality requested by the HEAL Act, partners, community and Tribal partners. This will improve the responsiveness to community requests and make it easier for community to use the tool for their needs.
- Streamline the efficiency of updating the EHD map. This will reduce staff time needed for analysis using the map and improve the accuracy of the data.

Communication and Outreach

- Improve educational materials for communities and Tribes about the EHD map in simple, easily understood language, which will increase overburdened communities' knowledge about how to use the EHD map.
- Improve the EHD map website to make it welcoming and accessible to community and Tribal members, which will increase overburdened communities' use and engagement with the EHD map.

Equity Impacts

Community Outreach and Engagement:

HEAL Implementation and Compliance: The HEAL Act explicitly requires that agency staff engage directly and proactively with communities impacted by agency decision-making. To date, DOH has initiated eight EJ Assessments, all of which have included direct community outreach in the form of community meetings, listening sessions, regular check-ins, advisory committees, and public comment. These engagement efforts were focused on the specific subject matter and context of the given agency action being addressed, however overall takeaways from these engagements and feedback from community members was that current efforts are a good start, but insufficient, and that more agency support is needed to expand, deepen, and sustain community relationships long-term. As a result of this, the agency concluded that in order to support more program staff across the agency to conduct EJ Assessments (which require robust community engagement and responsiveness) and comply with other HEAL requirements around community engagement, additional staff is required, which is reflected in this budget request.

Environmental Health Disparities Map Infrastructure Upgrades: The HEAL Act statute for the EHD map RCW 43.70.815 requires DOH to consult with representatives of overburdened communities and vulnerable populations to gather feedback as the agency maintains and updates the EHD map. Overburdened communities are defined in HEAL as a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts, and includes, but is not limited to, ‘highly impacted communities’ as defined in RCW 19.405.020.

In 2023, DOH staff have held Tribal listening sessions, roundtables and a consultation on the EHD map in May 2023. DOH staff have attended meetings with environmental justice communities experiencing environmental contamination and have set up several contracts to conduct community engagement events with accountable communities of health; community engagement events are expected to start in Fall 2024. The input received thus far from Tribes, communities and the accountable community of health staff has made clear that DOH needs to create more and simpler educational materials to explain the EHD map and the measures that are included to date. The agency also needs to include community and Tribal perspective and stories into the map, and to develop measures that are valued by Tribes.

Disproportional Impact Considerations:

HEAL Implementation and Compliance: The HEAL Act requires agencies to identify and include those populations and communities that have been historically and currently excluded from government strategic planning, budgeting and funding decisions, and decisions around agency programs and policies. One potential impact the agency is cognizant of is that staff may inadvertently overburden these communities with increased requests and opportunities to engage with DOH (and the other agencies named and opting-in to HEAL compliance) as staff comply with the obligations in the law all, of which require community engagement. The agency hopes to mitigate against this by building mechanisms to coordinate engagement within and across HEAL agencies and exploring relationship management systems that would prevent multiple state employees from contacting the same communities for different engagement opportunities or, at a minimum, coordinate efforts so that they are not confusing or overwhelming for community members. DOH is actively exploring ways to mitigate undue burden from state agency employees on these populations.

Environmental Health Disparities Map Infrastructure Upgrades: One of the goals of this proposal is to be able to conduct community and Tribal engagement with a broader set of communities than the agency currently has the resources to conduct. It is likely that DOH still won’t have the resources to engage with every marginalized or disproportionately impacted community in the state. The hope is that over time, DOH will be able to engage with more and more communities.

Target Communities and Populations:

HEAL Implementation and Compliance: The HEAL Act defines ‘overburdened communities’ as “geographic area[s] where vulnerable populations face combined, multiple environmental harms and health impacts, and includes, but is not limited to, highly impacted communities as defined in RCW 19.405.020.” In 2024, the Governor’s office identified these geographic areas on [this map](#). Additionally, the HEAL Act requires agencies to focus on ‘vulnerable populations,’ which includes, but is not limited to racial or ethnic minorities, low-income populations, populations disproportionately impacted by environmental harms, and populations of workers experiencing environmental harms.

The specific geographic areas and communities that meet these definitions will be unique and contextual for each agency action and activity but

will collectively span a diverse array of communities and geographic areas across the state.

Environmental Health Disparities Map Infrastructure Upgrades: As described earlier, the HEAL Act statute for the EHD map RCW 43.70.815 requires DOH to consult with representatives of overburdened communities and vulnerable populations to gather feedback as the agency maintains and updates the EHD map. Overburdened communities are defined in HEAL as ‘a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts, and includes, but is not limited to, ‘highly impacted communities’ as defined in RCW 19.405.020.

Community Inputs and Incorporation:

HEAL Implementation and Compliance: This proposal will help address equity and environmental health issues across the state by expanding the agency’s capacity to conduct EJ assessments, engage communities in agency actions and expenditure activities, address environmental harms, and more equitably distribute environmental benefits to overburdened communities and vulnerable populations across the state.

Environmental Health Disparities Map Infrastructure Upgrades: One of the main goals of this proposal is to engage with more marginalized communities through community and Tribal engagement and to incorporate their feedback into the EHD map.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

Yes, see attached HEAL QUESTIONS document.

Puget Sound Recovery:

Not applicable.

State Workforce Impacts:

Not applicable.

Intergovernmental:

HEAL Implementation and Compliance: Seven state agencies are named in the HEAL Act and are subject to compliance with the law. DOH is working in close partnership with these agencies through the HEAL Interagency Workgroup on the agency-specific obligations of HEAL. DOH plays an important role within the Interagency Workgroup given our leadership role within the HEAL Act and additional statutory obligations, such as staffing the EJ Council, the HEAL Interagency Workgroup, and maintaining and developing the EHD map. Without DOH’s leadership, the other state agencies subject to the HEAL Act will be unable to meet their statutory obligations.

Environmental Health Disparities Map Infrastructure Upgrades: State agencies, local governments, community-based organizations, and other partners also use the EHD map frequently to inform funding and policy decisions. Sufficient funding to support maintaining and updating the EHD map and providing support, guidance and technical assistance related to their use of the EHD map is important to these partners as well.

Stakeholder Impacts:

HEAL Implementation and Compliance: Overburdened communities and vulnerable populations will also be impacted by this proposal, for without sufficient funding for DOH to meet the statutory obligations of the HEAL Act, the agency will be unable to prioritize environmental justice and these communities as the law requires. This is likely to result in an undermining of trust between DOH and overburdened communities and vulnerable populations.

Environmental Health Disparities Map Infrastructure Upgrades: Local governments are also anticipating the tools, guidance, and resources that state agencies and the EHD map team will develop to meet their HEAL obligations. Adequately funding this proposal will impact these stakeholders as well.

State Facilities Impacts:

Not applicable.

Changes from Current Law:

Not applicable.

Legal or Administrative Mandates:

HEAL Implementation and Compliance: The HEAL Act was written in response to the [Governor appointed Environmental Justice Task Force’s recommendations](#) in 2020. In 2021, the HEAL Act was passed and is now codified into law as [RCW 70A.02](#). This proposal is designed to ensure DOH is fully compliant with the myriad obligations of the law, many of which are unique and specific to this agency. In May 2024, the Governor issued [Directive 24-11](#) reiterating the obligations of state agencies under HEAL, specifically in regard to directing and tracking investments to overburdened communities and vulnerable populations.

Environmental Health Disparities Map Infrastructure Upgrades: This proposal was written so that DOH could meet the [HEAL Act EHD map statute \(RCW 43.70.815\)](#) obligations.

Governor's Salmon Strategy:

Not applicable.

Reference Documents

- [2025-27 BN IT Fiscal Estimate Workbook_Healthy Environment for All Act.xlsx](#)
- [Assumptions and Calculations_Healthy Environment for All Act.xlsx](#)
- [HEAL QUESTIONS_Healthy Environment for All Act.docx](#)
- [WaTech202527ITAddendumSurvey_Submission_1261708013_Healthy Environment for All Act.pdf](#)

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

Yes

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$450	\$450	\$900	\$450	\$450	\$900
Obj. B	\$167	\$167	\$334	\$167	\$167	\$334
Obj. C	\$466	\$478	\$944	\$477	\$477	\$954
Obj. E	\$67	\$65	\$132	\$65	\$65	\$130
Obj. G	\$10	\$10	\$20	\$10	\$10	\$20
Obj. J	\$9	\$0	\$9	\$0	\$0	\$0
Obj. T	\$35	\$35	\$70	\$35	\$35	\$70

Agency Contact Information

Kristin Bettridge

(360) 236-4126

kristin.bettridge@doh.wa.gov



Agency Recommendation Summary

The Department of Commerce is requesting maintenance-level funding is to support activities required under Washington’s environmental justice law, the Healthy Environmental for All (HEAL) Act, Chapter 70A.02 RCW. In order for the agency to stay in compliance with the statute's requirements, ongoing funding is needed to conduct equitable community engagement, perform environmental justice assessments, track environmental justice in agency budgeting, funding and strategic planning processes and decision-making, and engage and consult with tribal nations.

Program Recommendation Summary

ENG - Energy and Innovation

The Department of Commerce is requesting maintenance-level funding is to support activities required under Washington’s environmental justice law, the Healthy Environmental for All (HEAL) Act, Chapter 70A.02 RCW. In order for the agency to stay in compliance with the statute's requirements, ongoing funding is needed to conduct equitable community engagement, perform environmental justice assessments, track environmental justice in agency budgeting, funding and strategic planning processes and decision-making, and engage and consult with tribal nations.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	7.2	7.2	7.2	7.2	7.2	7.2
Operating Expenditures						
Fund 001 - 1	\$1,500	\$1,500	\$3,000	\$1,500	\$1,500	\$3,000
Total Expenditures	\$1,500	\$1,500	\$3,000	\$1,500	\$1,500	\$3,000

Decision Package Description

The Department of Commerce is required to comply with the Healthy Environment for All Act, [Chapter 70A.02 RCW](#) and since 2021 has been incorporating environmental justice in agency processes and actions. Commerce is required to conduct ongoing compliance activities including, but not limited to, conducting environmental justice assessments for all significant agency actions, incorporating environmental justice into the Agency strategic plan and updating this annually, maintaining a community engagement and public participation plan, incorporating and ongoing monitoring of environmental justice principles into decision processes for budgets and funding distribution, maintaining a tribal consultation framework with federally recognized tribes, tracking Agency environmental justice implementation goals and accomplishments, participating in Environmental Justice Council and interagency workgroup meetings and coordinating with other covered agencies.

The Department of Commerce has received one-time funding in each biennium since the HEAL Act passed, however, the robust environmental justice assessments, budgeting, reporting, and performance improvement targets are ongoing and require ongoing support.

Commerce requests continuity funding for tracking, reporting, and updating statutorily required work to reduce environmental and health disparities across Washington communities. Commerce administers a broad portfolio of programs and acts as a trusted partner to convene stakeholders, develop policy and provide technical assistance across a number of portfolio areas (broadband, affordable housing & homelessness, energy, economic development, growth management, and infrastructure).

Commerce’s environmental justice work requires careful cross-training of Commerce program managers, scaling up community engagement with impacted communities, and developing and implementing engagement and consultation protocols with Washington tribes.

The primary clients who benefit from the heightened focus on environmental justice are communities overburdened by environmental harms, and

populations vulnerable to environmental health impacts. The [Governor’s office map of overburdened communities and vulnerable populations](#) illustrates those geographic communities who are most impacted. More than 2.3 million Washingtonians across the state call those communities, home. At Commerce, the lives, experiences, cultures, relationships, and histories of overburdened and tribal communities are the foundation and pathway forward for achieving just and equitable environmental, health, and community outcomes.

This request will provide the resources needed to comply with the requirements of the Healthy Environment for All Act [Chapter 70A.02 RCW: Environmental Justice](#) . These resources include staff costs for embedding environmental justice consultants in each division to coach and track compliance with the statute, costs for environmental justice-centered community engagement forums across the state, compensation stipends for eligible community members, costs for continued collaboration with the Interagency Working Group and the Environmental Justice Council, and translation and interpretation resources for both live events and print outreach materials.

These investments enable Commerce’s substantive compliance with the statute and progress in integrating environmental justice principles into the bedrock of how the department does its work.

Failure to fund this work would undermine the Department of Commerce’s compliance with [Chapter 70A.02 RCW: Environmental Justice](#) .

Furthermore, given the real costs associated with respectful community-centric engagement, outreach, and partnership development, the programs subject to the statute would be forced to cut back on some of their service delivery.

As programs learn more about their roles in the statutory environmental justice change model, and the legislature continues to mandate progress in this work, funding it out of the general fund ensures that the work can continue with minimal interruption.

Historical appropriations include:

2021-2023 \$3,147,000 – one time, GFS

2023-2025 \$3,096,000 – one time, 26C

Assumptions and Calculations

Expansion, Reduction, Elimination or Alteration of a current program or service:

The department received \$1.555 million for Fiscal Year 2022 of the 21-23 Operating Budget to develop an implementation plan for embedding environmental justice in agency operations, programs and policies.

The department received \$1.592 million for Fiscal Year 2023 in the Fiscal Year 2022 Supplemental Operating Budget for the implementation of the environmental justice plan and HEAL Act requirements.

The department received \$3.096 million for Fiscal Year 2024 and Fiscal Year 2025 for the implementation of HEAL Act requirements.

Detailed Assumptions and Calculations:

To accomplish this work the department estimates the following expenditures.

Staffing per fiscal year:

.20 FTE Exempt Management Services 4 (417 hrs), Assistant Director, to continue expert policy advice, consultation and work directly with the Executive Leadership Team regarding change and project management for this legislation. Serve as the agency ex-officio representative on the

Environmental justice Council.

.30 FTE Washington Management System 3, Managing Director (626 hrs) to continue leadership, oversight, supervision, rules coordination and decision making over all elements of the change management and project management activities. Provide expert policy advice or consultation on a range of issues specific to areas that have agency wide implications. Serve as the agency representative on the inter-agency work group.

1.0 FTE Washington Management System 2, Section Supervisor (2088 hrs) for staffing, implementation planning, leadership, oversight, supervision, and decision making over all elements of program implementation.

.65 FTE Exempt Management Services 2 (1357 hrs) Tribal Energy Specialists supporting Office of Tribal Relations and participating in interagency tribal liaison workgroup for HEAL to develop, update and monitor agency consultation framework, in coordination with tribal governments. Co-lead Commerce Quarterly briefing with tribal nations on HEAL and CCA.

1.0 FTE Management Analyst 5 (2088 hrs) to continue providing subject matter expertise and supervision of Management Analyst 4 and Data Consultant positions. Work collaboratively across the agency to design, develop and perform ongoing tracking of environmental justice metrics and milestones. Supports inter-agency work group subcommittee work.

3.0 FTE Management Analyst 4 (6264 hrs) to continue providing divisional support across the agency on analysis of programs, data collection and visualization support tools, expert consultation on all aspects of compliance with the law: significant agency actions, environmental justice assessments, budget and funding allocations for Overburdened Communities and Vulnerable Populations and community engagement plan. Work collaboratively across the agency to design, develop and perform ongoing tracking of environmental justice metrics and milestones.

1.0 FTE Management Analyst 3 (2088 hrs) to support analysis of programs, data collection and visualization support tools, expert consultation on all aspects of compliance with the law: significant agency actions, environmental justice assessments, budget and funding allocations for Overburdened Communities and Vulnerable Populations and community engagement plan. Work collaboratively across the agency to perform ongoing tracking of environmental justice metrics and milestones.

.05 FTE Administrative Assistant 4 (104 hrs) to provide administrative support for meetings, materials, scheduling, hiring processes, and other related administrative functions.

Salaries and Wages per fiscal year: \$765,000

Benefits per fiscal year: \$238,000

Goods (supplies) per fiscal year: \$150,000

Travel per fiscal year: \$17,000 for outreach, community engagement, stakeholder convening's, interagency workshops and planning meetings, speaking events

Intra-agency reimbursements: \$330,000 per fiscal year

Note: Standard goods and services costs include supplies and materials, employee development and training, Attorney General costs, central services charges and agency administration. Agency administration costs are funded under a federally approved cost allocation plan.

Workforce Assumptions:

Per fiscal year, 7.2 program FTE are budgeted for:

.20 FTE Exempt Management Services 4 (417 hrs), Assistant Director

.30 FTE Washington Management System 3, Managing Director (626 hrs)

1.0 FTE Washington Management System 2, Section Supervisor (2088 hrs)

.65 FTE Exempt Management Services 2 (1357 hrs) Tribal Energy Specialists

1.0 FTE Management Analyst 5 (2088 hrs)

3.0 FTE Management Analyst 4 (6264 hrs)

1.0 FTE Management Analyst 3 (2088)

.05 FTE Administrative Assistant 4 (104 hrs)

Salaries and Wages per fiscal year: \$765,000

Employee Benefits per fiscal year: \$238,000

Total: \$1,003,000

Historical Funding:

The department received \$1.555 million for Fiscal Year 2022 of the 21-23 Operating Budget to develop an implementation plan for embedding environmental justice in agency operations, programs and policies.

The department received \$1.592 million for Fiscal Year 2023 in the Fiscal Year 2022 Supplemental Operating Budget for the implementation of the environmental justice plan and HEAL Act requirements.

The department received \$3.096 million for Fiscal Year 2024 and Fiscal Year 2025 for the implementation of HEAL Act requirements.

Strategic and Performance Outcomes

Strategic Framework:

Results Washington: The HEAL implementation and department strategic plans contribute to a cross-section of Results Washington goals and statewide priorities, in particular: sustainable energy and clean environment; efficient, effective, and accountable government; and building an equitable, inclusive and resilient economy. Several of the KPIs in the Results WA Sustainable Energy and Clean Environment goals are also part of the [Environmental Health Disparities map](#), which is the basis of the Governor's Overburdened Communities of Washington State map,

Agency commitment to equity: Our core mission at The Washington State Department of Commerce is to Strengthen Communities. We are the lead state agency charged with enhancing and promoting sustainable community and economic vitality in Washington and administer a diverse portfolio of more than 100 programs and several state boards and commissions, all focused on helping communities achieve positive growth. To accomplish this mission, Commerce is committed to embedding the values of diversity, equity, and inclusion in all aspects of our work.

In 2023, Commerce's draft Strategic Plan included, for the first time, goals related to Environmental Justice. The Department of Commerce is currently updating the agency's strategic plan and will continue to prioritize and incorporate environmental justice principles and practices in strategic planning processes and resulting plans.

The draft plan presented to agency executive leadership in January of 2023 is available for viewing here:

<https://deptofcommerce.app.box.com/s/ike69w0041410h8otbg22r4bq9bjtlq1>

The plan includes the following agency priorities, in which environmental justice is embedded:

- Help strengthen communities and regional economies through equity and environmental justice
- Partner with diverse and marginalized communities across the state to identify and more deeply understand their barriers to accessing resources and their experiences with environmental harms
- Increase investment in underserved, historically disadvantaged and vulnerable communities state-wide

Performance Outcomes:

The HEAL implementation plan contains a variety of key performance indicators (KPIs) that this funding will support. The plan in full is available here: Commerce's [strategic plan and EJ Implementation plan](#)

Our core KPIs are:

- Number of staff trained on environmental justice principles and best practices
- Number of trained trainers/division environmental justice specialists
- Number and type of significant agency actions
- Number of environmental justice assessments initiated and completed
- % of covered grants, loans and other contracts made to entities in overburdened communities
- \$ amount of grants, loans and other expenditures made to entities in overburdened communities
- % of total grants, loans and other expenditures that create environmental benefits going to vulnerable populations and overburdened communities
- Participation and feedback metrics from the quarterly environmental justice tribal briefings

Tracking these KPIs helps Commerce gauge the efficacy of the environmental justice integration into staff development and practices, as well as the equitable distribution of investments into overburdened communities and vulnerable populations.

The HEAL implementation team regularly reviews the environmental justice training and reporting processes through a Lean lens to identify process improvement opportunities for both agency staff and the communities we serve.

Equity Impacts

Community Outreach and Engagement:

No answer was provided.

Disproportional Impact Considerations:

No answer was provided.

Target Communities and Populations:

The Healthy Environment for All Act ([RCW 70A.02.080: Environmental justice obligations of agencies relating to budgets and funding](#)) explicitly identifies three ways that historically overburdened communities and vulnerable populations must be prioritized in the department's environmental justice work. These are to focus applicable expenditures on creating environmental benefits that are experienced by overburdened communities and vulnerable populations, to create opportunities for overburdened communities and vulnerable populations to meaningfully participate in agency expenditure decisions, and to establish a goal of directing 40 percent of grants and expenditures that create environmental benefits to vulnerable populations and overburdened communities.

To meet these requirements, Commerce has developed tools and training to assist department staff, in collaboration with the Community Engagement Unit, the Office of Equity and Belonging, the Office of Tribal Relations, and increasingly with Information Services and the Central Budget Office. Working with the Healthy Environment for All Act (HEAL) Interagency Working Group, the Tribal Liaisons Working Group, and the governor-appointed Environmental Justice Council, the HEAL team has developed best practices literacy around equitable budget and funding decision-making. Moving forward, the team will prioritize cross-training with programs across the agency to implement the appropriate best practices and track the efficacy of that work in vulnerable populations and overburdened communities.

In the first full year of the HEAL implementation, we have seen programs develop robust engagement strategies with overburdened communities and vulnerable populations who would be directly impacted by program design and investments.

For example, the Energy Programs in Communities unit combined nine related energy budget provisos into a streamlined grant process, rolled out in three phases, that was tailored to community needs and interests, including directing 40% of investments to disadvantaged communities and 10% to tribes. This process was based on feedback received from prospective applicants that a more streamlined application process would be less extractive and, therefore, more accessible to under-resourced community-based organizations. Feedback from the tribes led to the development of the quarterly environmental justice tribal briefing, as a means of best supporting the tribes' situational awareness needs to efficiently track upcoming environmental justice work that may impact their rights, interests, and lands.

Further funding will assist the expansion of community-centered improvements in service delivery across the many programs subject to the performance tracking and process improvements required by the statute. For example, in Fiscal Year 2024, there have been over 30 agency actions – primarily agency requested legislation and new grant and loan programs – that have completed environmental justice assessments. The budget and funding performance outcomes include the Energy Division's commitment to allocate at least 40 percent of grant and incentive programs to eligible applicants from overburdened communities and vulnerable populations. Across the department, we are also seeing increased funding and technical assistance for eligible tribes.

Community Inputs and Incorporation:

No answer was provided.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

The successful implementation of [Chapter 70A.02 RCW: ENVIRONMENTAL JUSTICE \(wa.gov\)](#) requires collaboration across the seven named agencies, the Attorney General’s Office, and the Office of Financial Management. This work also requires deeper coordination with the tribes in Washington state, with assistance from GOIA and the Governor’s office. Commerce also works iteratively with the Governor appointed Environmental Justice Council integrating their feedback in agency plans, processes and practices.

Stakeholder Impacts:

Commerce works with a wide range of stakeholders to improve the environmental health benefits and reduce environmental health harms throughout the state. The Environmental Justice Council supports this work by providing feedback and periodically participating in work sessions with Commerce staff serving on the Interagency Working Group. The Council has expressly prioritized funding for HEAL agencies to integrate environmental justice successfully into their work and has incorporated this priority in their budget request to the Governor.

We do not anticipate opposition to this request.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

In 2021, the legislature passed ESSSB 5141, also known as the HEAL Act (Healthy Environment for All). The legislation advanced recommendations made by the Environmental Justice (EJ) Task Force established in section 221(48), chapter 415, Laws of 2019 entitled “[Report to the Washington state governor and legislature, Environmental Justice Task Force: Recommendations for Prioritizing EJ in Washington State Government \(October 2020\)](#)”. The statute has been codified as [Chapter 70A.02 RCW: ENVIRONMENTAL JUSTICE \(wa.gov\)](#).

In order for the agency to remain in compliance with the statute, continuation funding is required.

Governor's Salmon Strategy:

N/A

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$765	\$765	\$1,530	\$765	\$765	\$1,530
Obj. B	\$238	\$238	\$476	\$238	\$238	\$476
Obj. E	\$150	\$150	\$300	\$150	\$150	\$300
Obj. G	\$17	\$17	\$34	\$17	\$17	\$34
Obj. T	\$330	\$330	\$660	\$330	\$330	\$660

Agency Contact Information

Jennifer Grove
 (360) 763-2213
 Jennifer.Grove@commerce.wa.gov

**350 - Superintendent of Public Instruction
Ten Year Capital Plan by Project Priority**

2025-27 Biennium

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Version: C1 2025-27 Capital Budget

Report Number: CBS001

Date Run: 9/16/2024 3:35PM

Project by Agency Priority

Priority	Project by Account-EA Type	Estimated Total	Prior Expenditures	Current Expenditures	Reapprop 2025-27	New Approp 2025-27	Estimated 2027-29	Estimated 2029-31	Estimated 2031-33	Estimated 2033-35
18	4000070 2023-25 Skills Centers Minor Works									
	113-1 Common School Constr-State	5,135,000		422,000	4,713,000					
18	4000099 Chief Leschi School HVAC									
	057-1 State Bldg Constr-State	15,000,000			15,000,000					
	26C-1 Climate Commit Accou-State	10,000,000		8,653,000	1,347,000					
	Project Total:	25,000,000		8,653,000	16,347,000					
18	4000104 Equitable Access to Clean Air & Improving Classroom Air Quality									
	113-1 Common School Constr-State	15,025,000			15,025,000					
	26C-1 Climate Commit Accou-State	30,000,000			30,000,000					
	Project Total:	45,025,000			45,025,000					
18	91000464 2021-23 Healthy Kids-Healthy Schools: Physical Health & Nutrition									
	113-1 Common School Constr-State	3,000,000	2,552,000	185,000	263,000					
18	91000465 2021-23 Healthy Kids-Healthy Schools: Remediation of Lead									
	057-1 State Bldg Constr-State	3,328,000	358,000	5,000	2,965,000					
	113-1 Common School Constr-State	270,000			270,000					
	Project Total:	3,598,000	358,000	5,000	3,235,000					
18	91000466 Green Schools: Stormwater Infrastructure Projects									
	113-1 Common School Constr-State	300,000	300,000							
	23R-1 MTC Stormw Account-State	575,000		154,000	421,000					
	Project Total:	875,000	300,000	154,000	421,000					

2025-27 Clean Energy Community Grants

Agency Priority	4
Starting Year:	FY 26
Project #	40000665

Agency summary. This is also known as the project summary or Recsum text. Provide a brief, clear and concise description of the project, including the problem or opportunity and how the proposed project addresses it:

The legislature appropriated \$50 million in the supplemental capital budget for this grant program for planning, design, and implementation of capital projects and clean energy technologies that reduce greenhouse gas emissions in vulnerable, overburdened, and tribal communities. Commerce is proposing \$50 million for this program in the 25-27 biennial budget which is equal to maintenance level.

Alternatives in order of preference:

1. Scale down to \$50M – maintenance level; recommended alternative
2. Scale down to \$25M – 50% less than maintenance level

We recommend at least \$25M. Funding below this level will have minimal impact on addressing community needs and diminishing returns when factoring in the cost of administration and technical assistance needed to distribute funds equitably to overburdened communities and vulnerable populations.

Project description. Describe the proposed project. Provide answers to the following questions, which will inform decision makers about the proposed project.

Vulnerable, overburdened, and tribal communities often struggle to navigate and access available funding opportunities to achieve decarbonization. Commerce designed this innovative and flexible investment program to match community-specific clean energy and decarbonization Lumgoals with place-based investments. Commerce will use the environmental health disparities map to identify vulnerable and overburdened communities who are eligible for this program. All federally recognized tribes in Washington will also be eligible for these funds. The Clean Energy Community Grants program will help communities develop and implement holistic decarbonization plans and provide funding for clean energy investments in places with the greatest environmental health disparities.

Qualified communities will be eligible for feasibility studies and design work which will be the first step for many communities in successfully phasing a series of community-scale investments. The program will also fund a range of projects, including energy efficiency, renewable energy, and energy storage designed to improve and decarbonize critical and community infrastructure. This includes promoting sustainable transportation options and demonstrating resilience where projects are visible and beneficial to communities that have not previously experienced these types of investments.

A community could seek investment across all or some of these elements. For example, a community could decide to make all the homes within one area energy efficient, deploy electrify fleets for nonprofits and community service organizations or pursue other clean technologies to decarbonize community facilities.

Collaborative efforts from local government, utilities, and residents are necessary to successfully implement this program, especially in tribal, vulnerable, and overburdened communities. Commerce and eligible third-party administrators will partner with government and community leaders to create and help implement community-driven, place-based decarbonization plans and related capital projects. As established by the legislature, eligible third-party administrators are entities that have sufficient expertise and relationships within the identified community to help plan for, design, or implement capital projects that reduce greenhouse gases or develop clean energy resources for a community.

1. Identify the problem or opportunity addressed. Why is the request a priority? This narrative should identify unserved/underserved people or communities, operating budget savings, public safety improvements, or other backup necessary to understand the need for the request. For preservation projects it is helpful to include information about the current condition of the facility or system.

Commerce currently deploys millions of dollars annually to fund projects that help pursue a more just, clean energy future. These funding opportunities have historically focused on deploying specific technologies and Commerce lacks the flexible funding needed to create a place-based approach as communities have indicated they need. This program presents a unique opportunity to achieve many key objectives in the clean energy transition by broadening the number of communities able to participate and helping them to design solutions on their own terms. Doing so will create broader opportunities for workforce development, distribute the economic and environmental benefits of clean energy initiatives in communities that have not seen direct benefits to them, enhance energy resilience, alleviate energy burden, and move the state closer to achieving its climate goals.

2. What will the request produce or construct (i.e., pre-design or design of a building, construction of additional space, etc.)? When will the project start and be completed? Identify whether the project can be phased, and if so, which phase is included in the request. Be prepared to provide detailed cost backup.

Key elements of community decarbonization could include:

1. Planning for decarbonization and Pre-design Work: This forms the backbone of the Clean Energy Community Grants program. The pre-design stage should involve both community visioning and comprehensive feasibility studies to assess the existing energy usage, infrastructure, and potential for clean energy integration. Community engagement will surface the specific needs, capacities, and preferences of residents. An effective community decarbonization plan should also integrate the community's future growth and consider the broader urban context. Translating these concepts into design guidelines and standards that prioritize energy efficiency and resilience in new construction will ensure the growth of the community fits the new vision.
2. Energy Efficiency Improvements: Improvements to community buildings or a defined community area (e.g., neighborhood) to install measures such as insulation, energy-efficient appliances and HVAC systems, and smart home technologies. Funds could also be used for environmental remediation (oil tank removal or remediation) to remove the cost barrier to converting to more cost-effective and energy efficient technologies.
3. Renewable Energy Sources: Promotion and facilitation of renewable energy sources to help decarbonize the community (or community's energy supply) and potentially generate revenue and reduce energy burden.
4. Increasing affordable, energy efficient housing: Building homes that are developed with energy efficiency at the forefront and potentially come with distributed generation already installed, like rooftop solar.
5. Community Infrastructure: Decarbonizing communal spaces such as schools and community centers. This could involve installing renewable energy sources, promoting energy-efficient designs in new constructions, and creating green spaces that absorb carbon.
6. Transportation: Encouraging the use of active transport (walking, cycling), public transportation, or electric vehicles can help reduce transportation-related emissions. This might involve improving infrastructure for cycling and walking, providing charging stations for electric vehicles, or implementing car-sharing programs.
7. Education and Engagement: The program also includes funding for public education and community engagement to help residents understand the benefits of implementing specific clean energy projects in their community, and to encourage their active participation in the program.
8. Workforce development: Workforce development can be part of any of the eligible elements above. This program also presents an opportunity to connect with local training and workforce

development efforts to bolster place-based opportunities for labor and businesses in the community.

3. How would the request address the problem or opportunity identified in question #1? What would be the result of not taking action?

Developing plans for economy-wide decarbonization that are place-based enables overburdened, vulnerable, and tribal communities to participate and benefit from the clean energy transition. This holistic approach considers community-specific needs and then connects communities with opportunities to fund projects that meet those needs. In other words, this flexible funding helps Commerce engage with communities to develop comprehensive decarbonization plans and provide access to funding to implement those plans. Such a program will help unlock clean energy projects in new communities to more equitably distribute the benefits of the clean energy transition while promoting the state's greenhouse gas emission reduction goals. It will also help leverage state and federal funding sources and bring real, tangible benefits to communities that need them the most.

Without this funding, communities across the state will continue to struggle to participate in the clean energy transition because they are competing for funding in programs not designed for them. These communities could fall further behind in terms of accessing the financial, environmental, and health benefits of decarbonization. This program presents a unique opportunity to meet communities where they are and design solutions that will achieve Washington's bold targets in ways that are responsive to community needs.

4. What alternatives were explored? Why was the recommended alternative chosen? Be prepared to provide detailed cost backup. If this project has an associated predesign, please summarize the alternatives the predesign considered

While it is possible to provide additional funding to existing programs, this approach fails to address the fact that existing programs are still not accessible for many vulnerable, overburdened, and tribal communities. Simply adding additional funding to programs that communities have said do not work for them will not achieve the emissions reductions and community benefits that are possible through a place-based community decarbonization approach. Notably, the Energy Programs in Communities (EPIC) unit has set the stage for this funding to be immediately accessible. In the spring of 2024, EPIC piloted a new approach through the consolidated RFA procurement. EPIC tailored a grant round to meet community decarbonization needs and successfully awarded \$70 million in community-designed projects. Through this procurement \$162 million (representing 162 projects) was requested. EPIC was able to award \$70 million to 68 projects by combining nine different fund sources to match projects with available fund uses. While EPIC was able to successfully execute this approach, a single fund source that is designed to meet community need from the onset will streamline administration and reduce complexity for fund source matching and management.

5. Which clientele would be impacted by the budget request? Where and how many units would be added, people or communities served, etc.

Commerce will prioritize grants providing meaningful benefit to vulnerable populations in overburdened communities as defined under RCW 70A.02.010 (HEAL Act). Nonprofit organizations, local governments, federally recognized tribal governments and tribal entities, state agencies, housing authorities, ports, transit agencies, and research organizations are all eligible for this program. With a \$50 million program, we anticipate being able to award approximately 50 projects to targeted vulnerable populations, overburdened communities and tribal nations.

6. Does this project or program leverage non-state funding? If yes, how much by what fund source, and could the request result in matching federal, state, local, or private funds?

This funding can be braided and leveraged with non-state funding to maximize investment and reduce costs. Programs that we anticipate recipients will leverage with these funds includes federal funding through the Infrastructure Investment and Jobs Act, and the Inflation Reduction Act (rebates, tax incentives, grants for clean energy technologies and energy efficient equipment).

7. Describe how this project supports the agency's strategic master plan or would improve agency performance. Reference feasibility studies, master plans, space programming, and other analyses as appropriate.

This proposal furthers the agency's priorities of funding reliable infrastructure; building a clean, just clean energy economy; and increasing living wage jobs. It is crucial to our economic recovery strategy and aligns with state and agency strategies:

Alignment with the Governor's *Results Washington* goals:

- Goal 2: A prosperous economy, by creating living wage jobs and economic activity
- Goal 3: Sustainable Energy and a Clean Environment, by reducing energy consumption and accelerating clean energy production.

The request supports Commerce's goal to *strengthen communities* by aligning with the outcomes based approaches to the following outcomes:

- Living Wage Jobs – Creating living wage jobs through the construction and maintenance of projects
- Reliable Infrastructure – Updating our energy systems to be reliable, dynamic and innovative
- Clean Energy Future - Reducing energy consumption, increasing clean energy generation, decreasing carbon emissions

8. For IT-related costs:

- Does this project fund the development or acquisition of a new or enhanced software or hardware system or service?
- Does this decision package fund the acquisition or enhancements of any agency data centers? (See [OCIO Policy 184](#) for definition.)
- Does this decision package fund the continuation of a project that is, or will be, under OCIO oversight? (See [OCIO Policy 121](#).)

Not applicable.

If the answer to any of these questions is yes, continue to the IT Appendix and follow the directions to meet the requirements for OCIO review.

9. If the project is linked to the Puget Sound Action Agenda, describe the impacts on the Action Agenda, including expenditure and FTE detail. See Chapter 13 (HEAL Act and Puget Sound Recovery) in the 2025-27 Operating Budget Instructions.

Not applicable.

10. How does this project contribute to meeting the greenhouse gas emissions limits established in RCW 70A.45.050, Clean Buildings performance standards in RCW 19.27A.210, or other statewide goals to reduce carbon pollution and/or improve energy efficiency? Please elaborate.

This project contributes to meeting the greenhouse gas emissions limits established in RCW 70A.45.050 by providing access to decarbonization planning and implementation in communities across the state that have not been equipped to engage with existing funding opportunities. Place-based, holistic planning efforts are needed in tribal, overburdened, and vulnerable communities. Planning is the critical first step for these communities to identify preferred actions through which they can reduce greenhouse gas emissions. Specific efforts include the promotion and facilitation of renewable energy sources, enhancing the energy efficiency and resilience of community infrastructure, encouraging the use of active transport, public transportation, or electric vehicles, and public education and community engagement to help residents understand the importance of decarbonization and energy resilience.

As a key program element, energy efficiency improvements will help manage and reduce energy usage in homes and buildings pursuant to the goals in RCW 19.27A.210. Funding may be used for renovations for better insulation, installation of energy-efficient appliances and HVAC systems, and smart home technologies.

Other goals served by this program include: workforce development opportunities and planning and pre-design work in communities.

11. How is your proposal impacting equity in the state? Which communities are impacted by this proposal? Include both demographic and geographic communities. How are disparities in communities impacted?

Commerce continues to receive feedback from vulnerable, overburdened, and tribal communities that they struggle to identify and access necessary funding to holistically plan for and implement their decarbonization goals within their community. As a result, many communities in Washington may be left out of critical clean energy projects and related benefits such as energy resilience, reducing energy burden, and workforce development opportunities.

As mentioned above, the Energy Programs in Communities (EPIC) unit has set the stage for this funding to be immediately accessible. In the spring of 2024, EPIC piloted a new approach through the consolidated RFA procurement. EPIC tailored a grant round to meet community decarbonization needs and successfully awarded \$70 million in community-designed projects. Through this procurement \$162 million (representing 162 projects) was requested. EPIC was able to award \$70 million to 68 projects by combining nine different fund sources to match projects with available fund uses.

Like the community decarbonization grants EPIC awarded, this program will prioritize serving the most overburdened and disadvantaged communities in our state who have had the least access to benefit from clean energy technologies. By providing grants, Commerce can support under-resourced entities in designing decarbonization projects and securing funding since the competitive grant application process can be burdensome.

12. Is there additional information you would like decision makers to know when evaluating this request?

Expenditure calculations and assumptions – *Display the calculations (e.g., unit costs and formulas) used to arrive at expenditure and workload estimates connected with the Capital Project Request. Clearly identify the factual basis of any policy or workload assumptions and how the cost estimates are derived from these assumptions.*

Estimated Total Expenditures:

***The revised budget below aligns with the recommended \$50M scaled-down alternative. In order to stay within the 3% capital budget admin cap, we eliminated travel—all engagement will be conducted virtually instead of in person—reduced the budget by 50% for community participation and compensation for lived experience, and reduced the staffing level by approximately 50%.**

Account	2025-2027	2027-2029	2029-2031	2031-2033	2033-2035
A - Salaries	741,446	741,446	741,446	741,446	741,446
B - Benefits	243,792	243,792	243,792	243,792	243,792
C - Contracts	22,000	22,000	22,000	22,000	22,000
E - Goods and Services	164,642	164,642	164,642	164,642	164,642
G - Travel	484	484	484	484	484
J - Equipment	3,492	3,492	3,492	3,492	3,492
N - Grants	48,500,000	48,500,000	48,500,000	48,500,000	48,500,000
T - Intra Agency Reimbursement	324,144	324,144	324,144	324,144	324,144
057-1 Total	\$50,000,000	\$50,000,000	\$50,000,000	\$50,000,000	\$50,000,000

FTEs	2025-2027	2027-2029	2029-2031	2031-2033	2033-2035
057-1 FTE	4.0	4.0	4.0	4.0	4.0
057-1 Total	4.0	4.0	4.0	4.0	4.0



Agency Recommendation Summary

The Clean Energy Ambassadors program will create a cohort of local ambassadors to increase access to clean energy resources and education resources for local entities, overburdened communities, vulnerable populations, and tribal nations. Commerce will build upon completed pre-planning and an established partnership with a coalition of community representatives and tribal leaders. \$10 million is requested to fully implement the Clean Energy Ambassadors program. This program was funded in 2024 supplemental budget; however, funding is not effective until January 2025. Due to time limitations, a successful pilot will be difficult to launch and sustain beyond June 30, 2025.

Program Recommendation Summary

ENG - Energy and Innovation

The Clean Energy Ambassadors program will create a cohort of local ambassadors to increase access to clean energy resources and education resources for local entities, overburdened communities, vulnerable populations, and tribal nations. Commerce will build upon completed pre-planning and an established partnership with a coalition of community representatives and tribal leaders. \$10 million is requested to fully implement the Clean Energy Ambassadors program. This program was funded in 2024 supplemental budget; however, funding is not effective until January 2025. Due to time limitations, a successful pilot will be difficult to launch and sustain beyond June 30, 2025.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	1.7	1.7	1.7	1.7	1.7	1.7
Operating Expenditures						
Fund 001 - 1	\$5,000	\$5,000	\$10,000	\$5,000	\$5,000	\$10,000
Total Expenditures	\$5,000	\$5,000	\$10,000	\$5,000	\$5,000	\$10,000

Decision Package Description

The Problem: As Washington implements clean energy policies, such as the Clean Energy Transformation Act, greenhouse gas reduction mandates, HEAL Act, Climate Commitment Act, and others, communities and tribes impacted by environmental injustice and disproportionate energy burdens are asserting their visions for a just and equitable transition. However, communities and tribes that stand to benefit the most from clean energy transitions and who are living the realities of environmental injustice, high-cost energy burdens, and fossil fuel pollution often don't have the time, resources, or governmental support to successfully navigate available resources.

The Clean Energy Ambassadors program directly addresses this problem: It will train and educate people from overburdened communities, vulnerable populations, and tribes to be the critical link between their communities and available clean energy resources.?

This Department of Commerce funding request builds on the existing Clean Energy Ambassadors funding proviso in the 2024 Operating Budget – [sec. 130\(28\)](#). The program is to: “...establish a Washington clean energy ambassadors' program... to offer education, planning, technical assistance, and community engagement across the state. Ambassadors will link local entities with resources and best practices to enable clean energy access for all communities and promote a just transition to a net-zero economy. The department must prioritize providing meaningful benefits to vulnerable populations in overburdened communities as defined under RCW 70A.02.010 (Washington’s Environment Justice Law – HEAL Act).”

Relevant Context: The Clean Energy Ambassadors program was funded in FY25 at \$3 million. However, the funding may not be expended nor obligated until January 1, 2025.. In the 2024 legislative session, this budget proviso was widely supported by overburdened communities,

vulnerable populations, and a statewide Community Energy Ambassador Coalition (Coalition) of primarily by-and-for nonprofits. Due to limitations on when expenditures can begin, there will be less than six months to fully stand up the program, conduct a procurement to issue grants, execute contracts, and complete work by the end of the biennium.

To prepare, the Energy Division has allocated federal funds to support limited staff time in a pre-planning phase, which includes engaging in informal community conversation with community-based organizations and individuals, engaging with tribal citizens, and attending monthly Coalition meetings. In fall 2024, the Energy Division will organize a series of community engagement workshops to ensure Commerce is actively listening to and learning from communities and tribes about their clean energy needs and barriers. These public workshops will deepen Washington's pursuit of an equitable, inclusive, and resilient clean energy economy ([State Energy Strategy-A](#), and [2023 Biennial Energy Report](#)) and inform the Clean Energy Ambassador Program design by keeping us connected to those living the realities of energy and environmental injustice. This pre-planning has shown the need for programs like Clean Energy Ambassadors to address barriers tribes and communities face to access clean energy resources. The pre-planning phase is expected to continue until the first week of November, when we will learn whether funding for this program will be available through the current operating budget.

This budget request will support the full launch and continuity of the program throughout the next biennium. The Energy Division is well positioned to implement the program given the pre-planning work underway, and the relationships established this year with tribes and overburdened communities through community advisory committees, the Coalition, tribal briefings, engagement with the Environmental Justice Council, and beyond. Moreover, the Clean Energy Ambassadors program reflects both the spirit and statutory requirements of key policies like the HEAL Act and the CCA by providing direct investment to those communities living the disparate impacts of environmental and energy injustice.

Why now? This is the opportune time for this funding request because:

1. Commerce is well positioned and ready to launch a Pilot Planning Period from January to June 2025 with the existing allocation. Without the requested funds, we cannot execute the program to its full potential with communities and tribes. The funds requested will provide the staffing and commitment that communities need from Commerce to be able to implement this program to its full potential.
2. There are excellent conditions for this investment to be successful, including existing efforts and significant climate, environmental justice and energy policies. While uncertainty and limitations of the existing allocation have been challenging, the inclusion of this budget proviso in the supplemental session has also generated more awareness and conversation among communities, tribes, and Commerce staff regarding the need for programs to link overburdened communities, vulnerable populations, and tribes with the resources, training, and information they need to pursue a just energy transition.
3. An investment in Clean Energy Ambassadors will build upon the policy momentum and respond directly to community needs, in accord with our mission to strengthen communities. An investment in Clean Energy Ambassadors is a direct investment in our State Energy Strategy and "ensures the availability of financial, technical, and human resources necessary for the meaningful involvement of historically underrepresented communities," as identified in the [2023 Biennial Energy report \(page 9\)](#).
4. Investing in Clean Energy Ambassadors helps Commerce continue to use federal funding through the Bipartisan Infrastructure Law (BIL)/Infrastructure Investments and Jobs Act (IIJA) and Inflation Reduction Act (IRA). Commerce's relationships and trust with overburdened communities, vulnerable populations and tribes have already helped us secure federal dollars through programs like Solar for All.

Communities and tribes can lead and accelerate our clean, affordable, and just energy transition; Clean Energy Ambassadors will provide the necessary tools and supports for communities to assess their energy needs, learn about clean energy resources, and develop strategies for reducing greenhouse gas emissions.

The Energy Division's Energy Programs in Communities (EPIC) unit is in the pre-planning phase and will run the community engagement workshop series from September to December 2024. After the first week of November, Commerce will know whether the funds from FY25 operating budget are available to move the program forward. If they are available, then staff will work, in accord with conflict-of-interest laws and considerations (RCW 42.52, esp. 42.52.10(20), 42.52.020-040), to develop an RFA to be released in the first week of January. The RFA will be informed by the public workshops in the fall and awards will be made in Q1 2025. These awards, in January to June 2025, will be for the Pilot Planning Period. Because six months is insufficient to expect communities to fully onboard, hire, train, and complete an entire pilot, the planning period will instead offer communities and tribes six months to complete planning, education, and preparation for actual implementation and hiring of Ambassadors.

The funds requested in this proposal will then allow the full pilot program to launch:

- Pilot Implementation Phase 1 from July 2025 – June 2026, which will build on the planning, education and preparation completed in the Planning period
- Pilot Phase 2 from July 2026 – June 2027, which will be iteratively developed based on lessons learned and challenges experienced from Phase 1

The \$10M biennium funds requested in this proposal are the only way to ensure we can run a full, sustained, and effective pilot. Communities and tribes continually voice concerns about Commerce's condensed funding timelines; this strategy will give the full time needed to run a planning period (January to June 2025), two pilot implementation rounds (July 2025 to June 2027), gather data, and evaluate successes, barriers, and build a stronger foundation for the future in pursuit of a just, equitable, and inclusive transition, led by the people most impacted by environmental and energy injustice.

During the implementation periods, the program will likely include the following steps:?

1. Commerce will identify a cohort of intermediary organizations to host Ambassadors or pass through dollars to other entities to host Ambassadors, based on community engagement feedback.
2. Host organizations will recruit and train Ambassadors to provide outreach and education. Commerce will collaborate with host organizations to offer Ambassador training.?
3. Ambassadors host community energy and resilience educational events and workshops with tribes, communities, and other entities to listen to community needs, goals, and answer questions.??
4. Ambassadors will provide technical assistance and be a conduit for technical assistance to local governments, community-based organizations, businesses, and communities.??
5. Commerce will evaluate progress, KPIs, program participants, regions impacted, clean energy projects in pre-development, initiated, or completed, and incorporate lessons learned into next implementation period and/or future strategy development.

The program will focus on engaging communities, entities, and tribes with high barriers to clean energy information and resources, including limited-English proficient communities and rural communities, and focus on geographic diversity across awardees. Lessons learned through this program will build towards a broader vision for Clean Energy Ambassadors and other strategies to support communities and tribes in clean energy developments. This funding request of \$10M for the biennium is needed to actually launch the program and ensure the steps and strategies above are possible.

Operating funds would be spent on Commerce staff time and program administration, with the majority of the funding distributed as grants to a cohort of intermediary organizations/entities who will hire Clean Energy Ambassadors. Funds will also support contractual services as needed for interpretation, translation, accessibility services for printed materials and virtual meetings, trainings (in-person and virtual), facilitation services, ongoing community engagement, and other direct program costs.

Desired outputs: A fully funded, staffed, and launched Clean Energy Ambassadors Pilot Program with 2 rounds of implementation; funding awarded to approximately 6 intermediary organizations to hire Clean Energy Ambassadors; approximately 8-10 Clean Energy Ambassadors hired; regionally coordinated community engagement workshops.

Resulting outcomes: Clean Energy Ambassadors linking clean energy resources to local and tribal governments, tribal entities, community-based organizations, businesses, and other entities with outreach, education and community engagement; this generates an increase in overall understanding about clean energy and just transition statewide. Ambassadors may also help eligible entities identify funding opportunities, support grant writing, and provide technical assistance, which leverages an expected outcome of increased dollars going directly into overburdened communities, vulnerable populations, and tribes and satisfies the proviso requirement to “prioritize providing meaningful benefits to overburdened communities.” Finally, Commerce would work with intermediary organizations and/or Ambassadors to monitor and report on community energy planning efforts and GHG emission reductions, which would have the anticipated outcome of expanding Commerce’s understanding and strategic work towards an equitable, inclusive, and resilient clean energy economy ([State Energy Strategy-A](#), and [2023 Biennial Energy Report](#)).

If this proposal is not funded, the Clean Energy Ambassadors program will not be able to move forward. Without \$10M for the 2025-2027 biennium, it is not possible for Commerce or communities and tribes to pilot this strategy or gather information about how to improve it. As a result, diverse communities across the state would face the clean energy transition and complex web of federal funding opportunities on their own – likely resulting in reduced outside funding flowing into the state and reduced community-based and tribal-led clean energy projects. A lack of investment in this program would severely damage established relationships and trust between Commerce, communities, and tribes -- relationships that have been intentionally developed over the last year.

One key alternative explored by the agency was hiring and hosting Clean Energy Ambassadors within the Energy Division. While this may improve access to subject matter experts, community-based organizations, particularly community-based by and for organizations, are trusted messengers who have the local knowledge and background to engage with their communities in culturally appropriate ways from day one. It is in the best interest of this program to have Ambassadors housed at organizations and entities known and trusted among overburdened communities, vulnerable populations, and tribes. The process of developing an internal Energy Ambassador program and staffing it within Commerce would likely end up costing more as a new program and delay implementation even further.

Other programs, like Energy Navigators, were discussed for potential integrations; however, the provisos are significantly different, and with different end users and goals. It is best for the programs to remain separate.

Maintaining the status quo is not an option under the imperatives of our state’s pursuit of an equitable, inclusive, resilient clean energy economy, which, among other things, explicitly calls upon Commerce to break from historical patterns and narratives; ensure public participation and inclusion of historically marginalized voices; and embed equity in the design of clean energy policies and programs.

Commerce’s existing resources include Allocating small amounts of staff time and using a small portion of the federal funds to cover community engagement and coordination efforts. In addition, staff are coordinating with the HEAL Act implementation team in the pre-planning phase to conduct community engagement and continue building community relations across the Energy Division’s work. Current funding cannot expand beyond the pre-planning phase.

In the supplemental budget, one-time funding was appropriated by the Legislature for the Department of Commerce under:

26C Climate Commitment Account Clean Energy AmbassadorsGM0 376-130

\$3,000,000 of the climate commitment account—state appropriation is provided solely for the department to establish a Washington clean

energy ambassadors program. This program will offer education, planning, technical assistance, and community engagement across the state. Ambassadors will link local entities with resources and best practices to enable clean energy access for all communities and promote a just transition to a net-zero economy. The department must prioritize providing meaningful benefits to vulnerable populations in overburdened communities as defined under RCW 70A.02.010.

Funds provided in this subsection may not be expended or obligated prior to January 1, 2025.

This program must:

- (a) Identify a pilot cohort of intermediary organizations.
- (b) Recruit and train clean energy ambassadors.
- (c) Host community energy and resilience educational events and workshops; and
- (d) Provide technical assistance to help governments, community-based organizations, businesses, and communities obtain clean energy resources.

Assumptions and Calculations

Expansion, Reduction, Elimination or Alteration of a current program or service:

Clean Energy Ambassadors was first funded in FY25 operating budget – sec. 130(28) at \$3M from Climate Commitment Account.

This proposal is an expansion of this funding

Detailed Assumptions and Calculations:

To accomplish this work, the department estimates the following expenditures.

Staffing per fiscal year:

.10 FTE WMS3 Managing Director (208 hours) for policy and program alignment strategy, implementation planning, leadership, oversight, supervision, and decision-making over-all elements of the program.

.20 FTE WMS2 Section Supervisor (417 hours) for staffing, ongoing program oversight, coordination, supervision of the contracts and staffing and to administer overall fund management.

1.0 FTE Commerce Specialist 3 (2088 hours) to develop, solicit, originate, manage and monitor the procurement and grant making process and contracts, and provide evaluation and subject matter expertise on grant program, monitor budget and expenditures, conduct detailed analysis, and provide consultative planning for program established in this bill. This position will also lead the environmental justice assessment and community engagement process required under the HEAL Act (RCW 70A.02).

.30 FTE Commerce Specialist 2 (626 hours) to provide coordination support, contract management, contract monitoring, invoicing, and data

entry.

.05 FTE Administrative Assistant 3 (104 hours) to provide administrative support for meetings, materials, scheduling, hiring processes, and other related administrative functions.

Salaries and Wages per fiscal year: \$156,000

Employee Benefits per fiscal year: \$51,000

Professional Service Contracts per fiscal year: \$10,000 total. \$3,000 for translation services and \$7,000 for community engagement to compensate community participation in program design/implementation efforts.

Goods (supplies) per fiscal year: \$34,000

Travel per fiscal year: \$4,000 for outreach, community engagement, stakeholder convenings, other meetings

Equipment per fiscal year: \$2,000 for computer and monitors to support staff; includes new equipment and replacements

Grants: \$4,675,000 to be passed through as grants

Intra-agency reimbursements: \$68,000 per fiscal year

Note: Standard goods and services costs include supplies and materials, employee development and training, Attorney General costs, central services charges and agency administration. Agency administration costs (e.g., payroll, HR, IT) are funded under a federally approved cost allocation plan.

To accomplish this work, the department estimates the following expenditures.

Staffing per fiscal year:

.10 FTE WMS3 Managing Director (208 hours) for policy and program alignment strategy, implementation planning, leadership, oversight, supervision, and decision-making over-all elements of the program.

.20 FTE WMS2 Section Supervisor (417 hours) for staffing, ongoing program oversight, coordination, supervision of the contracts and staffing and to administer overall fund management.

1.0 FTE Commerce Specialist 3 (2088 hours) to develop, solicit, originate, manage and monitor the procurement and grant making process and contracts, and provide evaluation and subject matter expertise on grant program, monitor budget and expenditures, conduct detailed analysis, and provide consultative planning for program established in this bill. This position will also lead the environmental justice assessment and community engagement process required under the HEAL Act (RCW 70A.02).

.30 FTE Commerce Specialist 2 (626 hours) to provide coordination support, contract management, contract monitoring, invoicing, and data entry.

.05 FTE Administrative Assistant 3 (104 hours) to provide administrative support for meetings, materials, scheduling, hiring processes, and other related administrative functions.

Salaries and Wages per fiscal year: \$156,000

Employee Benefits per fiscal year: \$51,000

Professional Service Contracts per fiscal year: \$10,000 total. \$3,000 for translation services and \$7,000 for community engagement to compensate community participation in program design/implementation efforts.

Goods (supplies) per fiscal year: \$34,000

Travel per fiscal year: \$4,000 for outreach, community engagement, stakeholder convenings, other meetings

Equipment per fiscal year: \$2,000 for computer and monitors to support staff; includes new equipment and replacements

Grants: \$4,675,000 to be passed through as grants

Intra-agency reimbursements: \$68,000 per fiscal year

Note: Standard goods and services costs include supplies and materials, employee development and training, Attorney General costs, central services charges and agency administration. Agency administration costs (e.g., payroll, HR, IT) are funded under a federally approved cost allocation plan.

Workforce Assumptions:

Per fiscal year

- .10 FTE WMS3 Managing Director (208 hours)
- .20 FTE WMS2 Section Supervisor (417 hours)
- 1.0 FTE Commerce Specialist 3 (2088 hours)
- .30 FTE Commerce Specialist 2 (626 hours)
- .05 FTE Administrative Assistant 3 (104 hours)

Salaries and Wages: \$156,000

Employee Benefits: \$51,000

Total: \$207,000

Historical Funding:

In the 2024 supplemental budget, one-time funding of \$3,000,000 was appropriated by the Legislature for the Department of Commerce under:

26C Climate Commitment Account Clean Energy AmbassadorsGM0 376-130

However, funds provided in this subsection may not be expended or obligated prior to January 1, 2025.

Strategic and Performance Outcomes

Strategic Framework:

This request contributes to Results Washington Goal 3: Sustainable Energy & Clean Environment: Washington State government is building a legacy of resource stewardship for the next generation of Washingtonians. Achieving this goal requires the collective work of people in communities across the state, who will together determine how best to support resource stewardship and sustainable energy in their communities. This decision package would build on other efforts and could support a generation of local leaders in deepening their expertise in clean energy and using their community knowledge to accelerate our statewide energy transition.?

This request also contributes to the State Energy Strategy, Chapter A “[Build an Equitable, Inclusive, Resilient Clean Energy Economy](#).” It also pursues the “next steps” identified in the [2023 Biennial Energy Report](#) and is aligns with the HEAL Act requirement for agencies to “prioritize EJ in budget and funding decisions.” Relatedly, this proposal supports Commerce’s [Environmental Justice Implementation Plan](#) (required by the HEAL Act), in particular:?

- Priority 2, which focuses on partnering with diverse and marginalized communities to identify and more deeply understand barriers to accessing resources?
- Priority 3, which focuses on increasing investment in underserved, historically disadvantaged, and vulnerable communities state-wide – including by providing proactive technical assistance and helping build capacity in organizations with trusted messengers.?

Finally, this request supports Commerce’s [Equity Statement](#), which among other actions, calls for “our customers to receive culturally responsive services that promotes partnership,” and for “no one, internally or externally, [to be] left in the margins.”

Performance Outcomes:

If funded, Commerce will seek to fund approximately six intermediaries. This would result in the hiring of up to 12 ambassadors who are embedded in their communities and knowledgeable about clean energy technologies, energy systems and services, and state and federal funding opportunities.

The number of beneficiaries served will vary depending on the type of activity. For example, Ambassadors may work more deeply with a small municipality to develop a comprehensive plan for equitable decarbonization of its energy systems, or work with many different tribes to identify appropriate funding opportunities for pre-identified projects. The full pilot, with two rounds of implementation, will give Commerce a deep understanding of what barriers are preventing communities from access and what strategies work to overcome those barriers. The full pilot will also tell us which clean energy technical assistance services are most needed, what type of education (and in what languages) is needed for communities to successfully plan and develop, and it will inform both future program design and appropriate goals for sustainable growth.

As previously described, Commerce will launch the Pilot Planning Period in January-June 2025 (with CCA funds) and make awards to communities and tribes to support the pre-work they need in order to successfully hire and implement a full Ambassadors program. This funding request will then build on that Planning Period, by funding a full pilot with two implementation rounds from July 2025- June 2027. Through this well-developed implementation model, Commerce will partner with communities and tribes to increase the statewide availability of clean energy knowledge and technical assistance especially among those with the highest barriers to access, thereby increasing the volume and improving distributional equity of viable community-led clean energy projects. This is a critical component of our State Energy Strategy.

Resulting outcomes include:

1. Local and tribal governments, tribal entities, community-based organizations, businesses, and other entities are linked with outreach, education and community engagement. Short/mid-term anticipated outcome: increase in overall understanding about clean energy and just transition statewide.
2. Ambassadors help eligible entities identify funding opportunities, support grant writing and provide technical assistance. Mid-term anticipated outcome: increased dollars going directly into clean energy projects in overburdened communities, vulnerable populations, and tribes, and meeting proviso requirement to “prioritize providing meaningful benefits to overburdened communities.”
3. Intermediaries and/or Ambassadors monitor and report on community energy planning efforts and GHG emission reductions. Short/mid-term anticipated outcome: Expanding Commerce’s understanding and strategic work towards an equitable, inclusive, and resilient clean energy economy ([State Energy Strategy-A](#), and [2023 Biennial Energy Report](#)), and inform strategic program development for mid/long term.

Equity Impacts

Community Outreach and Engagement:

No answer was provided.

Disproportional Impact Considerations:

No answer was provided.

Target Communities and Populations:

Equity is central to the Clean Energy Ambassadors program, and the established proviso sec. 130(28) states that the agency must prioritize providing meaningful benefits to vulnerable populations in overburdened communities.

Commerce will prioritize partnerships that support Ambassadors hosted at by and for, community-based partners with the end goal of ensuring that organizations and individuals offering Ambassador services reflect the communities they serve. Additionally, we will prioritize geographic diversity, rural communities, and organizations serving limited English-proficient communities, as well as tribes, among host organizations when selecting intermediaries. In recognition of the many ways that diverse local leaders strengthen their respective communities, a wide variety of organization types and community groups will be eligible to receive the services offered by Clean Energy Ambassadors.

Communities have been providing input into this program and will continue to do so. The Energy Division, specifically the EPIC unit, has been engaging with the Coalition since November 2023. Commerce attends Coalition meetings at least monthly and continues to listen and learn from the community leaders about the clean energy burdens and barriers to accessing resources.

Staff will lead a community engagement process from September through December 2024, in coordination with the HEAL Act team and other environmental justice-related programs and initiatives. This will be coordinated with Commerce's Office of Equity and Belonging and the Community Engagement and Outreach Unit to ensure coordinated efforts and avoid extraction.

An equitable, inclusive, resilient clean energy economy ensures public participation and inclusion of historically marginalized voices. For a just energy future, it's important to prioritize the experiences of people in Washington who are living the realities of disproportionate energy burdens and environmental injustice. Their participation will help determine the most effective investments to advance our state's clean electricity and greenhouse gas reduction goals, while contributing to the growth of the state's economy. Clean Energy Ambassadors will link them to the information they need to make this possible.

Community Inputs and Incorporation:

No answer was provided.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

Governmental eligible entities to be served by Clean Energy Ambassadors include Washington local governments (including housing authorities, ports, transit agencies, etc.), tribal governments and tribal entities, and anyone else deemed eligible by the department. The program would align

with federal Justice40 Initiative requirements as well as state environmental justice best practices to ensure that benefits flow to overburdened communities and vulnerable populations. ?

Commerce has consistently received feedback that technical assistance is critical for both local and tribal governments. Special attention should be given in program design and procurement of intermediary organizations and consultants to ensure there are services available that are both culturally appropriate and experienced with tribal clean energy deployment. Similarly, it will be important to proactively work with local government and utility planners to ensure that planning support services offered by Ambassadors are complimentary with existing planning efforts.?

Opposition is not anticipated and has not been experienced thus far as a result of the FY25 operating budget proviso of \$3M. Instead, support and expressed desire for ongoing and increased funds has been more common, including sustained engagement by the community-based organizations that compose the Community Energy Ambassador Coalition.

Stakeholder Impacts:

Outreach to eligible entities, with support from Commerce’s Community Engagement and Outreach team, Office of Equity and Belonging, Tribal Relations Office, and other Energy Division programs is planned from September to December 2024, as part of a pre-planning phase. This public and far-reaching outreach will continue to develop a clear program design and expand conversations and education about clean energy to communities and tribes who may have higher barriers to participation.

Prior to the 2024 legislative session, multiple community-based organizations (including Spark Northwest and Emerald Cities Collaborative) asked for a state-led community clean energy ambassadors' program. Once the proviso passed, the Community Energy Ambassador Coalition was enthusiastic and prepared to move forward. Because of temporal CCA funding limitations, the Coalition and other interested entities have understood the need to pause; yet, simultaneously, have remained engaged and ready to implement as soon as possible. Existing stakeholders will continue supporting this program request, and we anticipate more stakeholders will know about and support this work by legislative session 2025. If this request is not funded and the Clean Energy Ambassadors cannot move forward, relationships will be severely damaged between Commerce, communities, and tribes most impacted by energy and environmental injustice.

This request builds on multiple similar requests received by the State Energy Office in recent years, including the priority strategy identified by the [2022 Rural Clean Energy Legislative Report](#) to “expand funding opportunities for technical assistance and capacity building for local governments and rural communities.”

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

This proposal responds to several task force recommendations, including:?

- [2023 Biennial Energy Report](#)
- [2021 Energy and Climate Policy Advisory Committee report to the Legislature?](#)
- [2022 Commerce Equity review of capital grant programs](#)
- [2021 State Energy Strategy Recommendations Rural Clean Energy Legislative Report](#)

Governor's Salmon Strategy:

N/A

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$156	\$156	\$312	\$156	\$156	\$312
Obj. B	\$51	\$51	\$102	\$51	\$51	\$102
Obj. C	\$10	\$10	\$20	\$10	\$10	\$20
Obj. E	\$34	\$34	\$68	\$34	\$34	\$68
Obj. G	\$4	\$4	\$8	\$4	\$4	\$8
Obj. J	\$2	\$2	\$4	\$2	\$2	\$4
Obj. N	\$4,675	\$4,675	\$9,350	\$4,675	\$4,675	\$9,350
Obj. T	\$68	\$68	\$136	\$68	\$68	\$136

Agency Contact Information

Jennifer Grove
 (360) 763-2213
jennifer.grove@commerce.wa.gov



Agency Recommendation Summary

Multiple provisos assigned to the Energy Division from the 2024 supplemental Operating budget contain language prohibiting obligation or expenditure of appropriated funds until January 1, 2025. Because the full scope of work assigned in these provisos cannot be completed between January 1, 2025 and the end of the 2025 fiscal year, the Energy Division is requesting funding in the out biennia for provisos with this limitation.

Program Recommendation Summary

ENG - Energy and Innovation

Multiple provisos assigned to the Energy Division from the 2024 supplemental Operating budget contain language prohibiting obligation or expenditure of appropriated funds until January 1, 2025. Because the full scope of work assigned in these provisos cannot be completed between January 1, 2025 and the end of the 2025 fiscal year, the Energy Division is requesting funding in the out biennia for provisos with this limitation.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	9.2	5.2	7.2	0.0	0.0	0.0
Operating Expenditures						
Fund 26C - 1	\$3,781	\$1,465	\$5,246	\$0	\$0	\$0
Total Expenditures	\$3,781	\$1,465	\$5,246	\$0	\$0	\$0

Decision Package Description

The Energy Division was assigned 7 new provisos in the 2024 supplemental Operating budget for which Commerce may not expend or obligate appropriated funds until January 1, 2025.

Commerce will not be able to complete the required work assigned in the provisos included in this decision package by the end of the 2025 fiscal year on June 30, 2025 if we are unable to start until January 1, 2025.

Individual provisos and related work are listed below. Because Commerce will not be able to complete the assigned work within the required timeframe, if funding is not provided in the 2025-2027 biennia the department will be left with several unfunded mandates and will miss out on the opportunity to fulfil important work desired by the legislature to provide critical programming for individuals and communities.

Supplemental Operating Proviso List: Funding needed in FY 26

Buy Clean Buy Fair - \$843,000;

This funding would buy a database to support required reporting from state building construction projects, and staff resources to implement the provisions of the bill. Commerce can likely spend about \$269,000 of the appropriated \$1,112,000 between January 1 and June 30 2025 to set up the contract with the database provider and pay staff to begin setting up the program between IS staff and a new MA5 position. Commerce will be able to produce an RFP and contract out data base services as well as hire a new MA5 to support this work.

The remaining \$843,000 that Commerce is requesting for the 2025-27 biennium would cover the following:

Consultant contract to develop the database elements:

\$424,000 in FY 26

Staff costs:

Supporting database development required in Section 5 of the bill and supporting the technical work group and legislative reports in Section 6 of the bill will add to the workload of existing staff. To accomplish this work the department assumes the following staff are needed in FY 26

- .1 EMS 3 SEEP director (208 hours)
- 1 MA5 (2088 hours)
- .3 MA4 (627 hours)
- .1 EMS 2 (208 hours)
- .1 Communication Consultant 3 (208 hours)
- .2 IT Business Analyst – Senior/Specialist (417 hours)
- .3 IT APP Development – Senior Manager (627 hours)

Salaries and wages: \$220,000

Employee Benefits: \$69,000

Goods and Other Services: \$28,000

Equipment and Capital Outlays: \$7,000

Intra-agency reimbursements: 95,000

Total Staff Costs – FY26: \$419,000

We would like to note that while not accounted for in the amounts funded in the 2024 supplemental budget, the MA5 is a new position and is intended to be ongoing.

Geothermal – \$149,000

Section 4 of ESSB 6039 directs Ecology to lead a collaborative process to identify opportunities and risks associated with the development of geothermal resources in three locations with the highest geothermal potential in Washington. Commerce is directed to consult with Ecology on

this work. An interim report is due by June 30, 2026, and a final report is due to the Legislature by June 30, 2027.

Per Commerce's fiscal note on ESSB 6039, the Energy Division requires 0.40 FTE EMS2 Senior Energy Policy Specialist (835 hours) in FY26 to engage in the collaborative process led by Ecology to identify opportunities and risks associated with the development of geothermal resources. The Energy Division also requires 0.30 FTE EMPS3 Emergency Management Program Specialist (626 hours) in FY26 to support the identification of risks associated with the development of geothermal resources.

Commerce will not be able to advertise, recruit, and hire for the required positions in the final 6 months of the fiscal year and is requesting funding in the 2025-27 biennium for the following:

Salaries and Wages:

FY26 \$77,000

Employee Benefits:

FY26 \$24,000

Goods and Services:

FY26 \$15,000

Intra-agency reimbursements:

FY26 \$33,000

Thermal Energy Networks – \$160,000

This funding would pay for staff time to establish a TEN pilot project program in which the Department of Commerce may award grants to gas companies according to specified criteria, the Joint Legislative Audit and Review Committee must evaluate and report on the program after three years, and IOU gas companies must ask for pilot projects in requests for proposals.

Commerce can likely spend about \$112,000 of the appropriated \$272,000 in FY 25. Commerce will be able to fund staff time for an existing COM 3 and a COM 2 to begin to set up the pilot grant program.

Funding requested in the 2025-27 biennium covers the following, all for FY 26:

.4 COM3 (835 hours) to coordinate the grant program with the Utilities and Transportation Commission, conduct for each application the multi-factor assessment required under subsection (5), execute grant agreements, monitor budget and expenditures, conduct detailed analysis, and provide consultative planning for program established in this bill.

.3 COM 2 (626 hours) to provide coordination support, contract management, contract monitoring, invoicing, and data entry.

.2 MA4 (417 hours) to lead and monitor the environmental justice assessments, tribal consultation and community engagement process required under the HEAL Act (RCW 70A.02).

.1 EMS2 (208 hours) to provide subject matter expertise and expert policy advice or consultation in coordinating development of the program, and provide expert policy advice.

.1 BA4 (208 hours) to provide or develop the capacity to eventually monitor budget and expenditures, conduct detailed analysis, and provide consultative planning for the grant program established in this bill.

.2 COM 5 (417 hours) for staffing, implementation planning, leadership, oversight, supervision, and decision making over all elements of the program.

Salaries

FY 26 \$120,000

Benefits

FY 26 \$40,000

Total

FY 26 \$160,000

Highway 164 charging stations – \$489,000

This funding would provide a grant to the Muckleshoot Indian tribe for high-speed charging stations for electric vehicles on highway 164 near Dogwood street. Commerce can likely spend \$11,000 of the appropriated \$500,000 in FY 25 to set up a contract with the Muckleshoot tribe. Grant funds will not be spent until FY 26 given the time required to enter into a contract and set up the project.

Funds requested in the 2025-27 biennium are for the contract with the tribe itself after we spend funds in FY 25 on staff time to set up the contract. There are no further workforce needs after FY 25.

Total FY 26 Contract expenses: \$489,000

Ellensburg decarb planning – \$375,000

Funding is provided for a grant to the city of Ellensburg for decarbonization planning and implementation. This grant funding will help the city of Ellensburg develop and implement strategies to comply with requirements of the climate commitment act and decarbonize their natural gas utility. The result is air pollution benefits for gas customers and vulnerable populations living near the facility both indoors and outdoors. Commerce can likely spend \$375,000 of the appropriated \$750,000 in FY 25 to set up a contract and begin monitoring planning activities by the city.

There are no workforce assumptions after FY 25, the remaining \$375,000 in FY 26 will go towards the grant for the City of Ellensburg.

Energy Navigators - \$1,365,000 in FY 26; and again in FY 27

This funding request will support the continued development of a public-facing webtool that helps households and small businesses access the range of rebates, incentives, and tax credits for which they qualify. Users will be able to enter their annual median income (AMI) and zip code, and the webtool will generate a search result of all the federal, state, utility, and local rebates they qualify for based on location and income level. Extension of the funding will allow Commerce to meet the initial intent of the FY24 supplemental budget proviso and ensure energy programs are equitably dispersed throughout the state. Commerce can likely spend about \$770,000 million of the appropriated \$3.5M in the six months between January 1, 2025, and June 30, 2025. Commerce will likely be able to bring on an implementer to design the webtool, conduct outreach, and provide some energy efficiency services as stated under the proviso (for example, funding energy audits)

Funding in the 2025-27 biennium will be spend on staff time to administer the contract and support the work, and for the contract with the implementer themselves.

Commerce would likely need to hire 5.2 FTE to support this navigator work and is unlikely to be able to hire and maintain these positions for a six-month timeframe. These roles are as follows through the 2025-27 biennium and are projected to be funded at differing levels once the website is developed.

2.6 FTE Commerce Specialist 3 (5,428 hours) in FY26-FY27 and ongoing afterwards for contract management, advisory work, assist with the coordination of the webtool development.

1.0 FTE Commerce Specialist 4 (2,088 hours) in FY26-FY27 and ongoing afterwards to provide ongoing technical assistance and quality assurance oversight.

0.7 FTE Administrative Assistant 3 (1,461 hours) in FY26-FY27 and ongoing afterwards to provide administrative support and supporting execution of contracts.

0.3 FTE EMS2 Senior Energy Policy Specialist (627 hours) in FY26-FY27 and ongoing afterwards to ensure policy alignment between the State Energy Strategy, the navigator's functionality, and the rebates on offer across Commerce programming.

0.6 FTE Commerce Specialist 5 (1,253 hours) in FY26-FY27 and ongoing afterwards to maintain the webtool and update the webtool logic with current rebate and incentive listings, and to assist with outreach around the navigator tool.

Salaries and Benefits

FY26-27: \$623,000 per fiscal year

Professional Service Contracts
FY26-27: \$500,000 per fiscal year

Goods and Other Services
FY26: \$27,000
FY27: \$37,000

Equipment
FY26: \$10,000
Assumes two new standard workstations for two new staff.

Intra-agency Reimbursements
FY26-27: \$205,000 per fiscal year

Total Cost:
FY26: \$1,365,000
FY27: \$1,365,000

Grant/incentive web portal – \$400,000; \$100,000 ongoing

This funding would expand upon a website currently under development, FundHubWA, which will provide a listing of state and federal opportunities for clean energy, clean technology, and climate related funding. This funding would support a contractor to expand the functionality and features of this website and ongoing maintenance of the website into the next biennium.

Commerce can likely spend about \$500,000 of the appropriated \$1 million in the six months between January 1, 2025, and June 30, 2025, if Commerce can supplement the existing contract establishing the initial FundHubWA website.

Maintenance funding is anticipated to be supported through a contract, potentially through WATech, rather than the use of Commerce staff. Costs in the 2025-27 biennium are as follows for the contract, there are no workforce assumptions.

Expenditures:

Contract:
FY 26: \$400,000
FY 27-29: \$100,000 annually

Commerce proposes moving the remaining expenditure authority from the 2023-25 biennium into the 2025-27 biennium to ensure that work will continue.

NAVIGATORS:

This funding request will support the continued development of a public-facing webtool that helps

households and small businesses access the range of rebates, incentives, and tax credits for which they qualify. Users will be able to enter their annual median income (AMI) and zip code, and the webtool will generate a search result of all the federal, state, utility, and local rebates they qualify for based on location and income level. Extension of the funding will allow Commerce to meet the initial intent of the FY24 supplemental budget proviso and ensure energy programs are equitably dispersed throughout the state.

BCBF:

Funding to implement the Buy Clean and Buy Fair bill will buy a database to support required reporting from state building construction projects, and staff resources to implement the provisions of the bill.

Geothermal:

There is a Legislative directive that Commerce consults with Ecology on the collaborative process directed in section 4 of ESSB 6039

Web portal:

This funding would expand upon a website currently under development, FundHubWA, which will provide a listing of state and federal opportunities for clean energy, clean technology, and climate related funding. This funding would support a contractor to expand the functionality and features of this website and ongoing maintenance of the website into the next biennium.

Thermal Energy Networks:

This funding would pay for staff time to establish a TEN pilot project program in which the Department of Commerce may award grants to gas companies according to specified criteria, the Joint Legislative Audit and Review Committee must evaluate and report on the program after three years, and IOU gas companies must ask for pilot projects in requests for proposals.

Highway 164 Charging stations:

This funding would provide a grant to the Muckleshoot Indian tribe for high-speed charging stations for electric vehicles on highway 164 near Dogwood street.

Ellensburg Decarbonization Planning:

Funding is provided for a grant to the city of Ellensburg for decarbonization planning and implementation.

NAVIGATORS:

Commerce was appropriated \$250,000 in the 2023-2025 operating budget to strategically plan for and conduct deep engagement work around the concept of an energy rebate navigator tool. This funding must be expended by June 30, 2025, and represents the pre-work for this follow-on proviso.

Commerce was appropriated \$3,500,000 in the supplemental operating budget to stand up the energy rebate navigator tool. This funding cannot be expended prior to January 1, 2025, and is only authorized through June 2025. Commerce estimates only \$770,000 of this funding will be utilized by June 2025.

BCBF

The department has no existing resources dedicated to implementing Buy Clean and Buy Fair and cannot implement this legislation from within existing resources.

The department received one-time proviso funding in the 2021-23 operating and capital budgets to conduct related pilot projects, develop a prototype database, and complete a legislative report. This included \$425,000 in operating budget funding (\$340,000 in FY 22 and \$85,000 in FY 23), and \$150,000 in capital budget funding in FY 22

Goethermal: no funding provided outside the 2024 supplemental begging on January 1

Web Portal: no funding provided outside the 2024 supplemental begging on January 1

Thermal Energy Networks: no funding provided outside the 2024 supplemental begging on January 1

Highway 164 Charging Stations: no funding provided outside the 2024 supplemental begging on January 1

Ellensburg Decarbonization Planning: no funding provided outside the 2024 supplemental begging on January 1

Assumptions and Calculations

Expansion, Reduction, Elimination or Alteration of a current program or service:

This proposal would be a continuation of new programs funded in the 2024 supplemental operating budget past June 30, 2025, and into the 2025-27 biennium.

Buy Clean Buy Fair:

The department received one-time proviso funding in the 2021-23 operating and capital budgets to conduct related pilot projects, develop a prototype database, and complete a legislative report. This included \$425,000 in operating budget funding (\$340,000 in FY 22 and \$85,000 in FY 23), and \$150,000 in capital budget funding in FY 22

Navigators:

Commerce was appropriated \$250,000 in the 2023-2025 operating budget to strategically plan for and conduct deep engagement work around

the concept of an energy rebate navigator tool. This funding must be expended by June 30, 2025, and represents the pre-work for this follow-on proviso.

Detailed Assumptions and Calculations:

Navigators:

Commerce can likely spend about \$770,000 million of the appropriated \$3.5M in the six months between January 1, 2025, and June 30, 2025. Commerce will likely be able to bring on an implementer to design the webtool, conduct outreach, and provide some energy efficiency services as stated under the proviso (for example, funding energy audits)

BCBF:

Commerce can likely spend about \$269,170 of the appropriated \$1,112,000 between January 1 and June 30 2025. Commerce will be able to produce an RFP and contract out data base services as well as hire a new MA5 to support this work.

Geothermal:

Commerce will not be able to advertise, recruit, and hire for the required positions in the final 6 months of the fiscal year.

Salaries and Wages:

FY26 \$77,000

Employee Benefits:

FY26 \$24,000

Goods and Services:

FY26 \$15,000

Intra-agency reimbursements:

FY26 \$33,000

Web portal:

Commerce can likely spend about \$500,000 of the appropriated \$1 million in the six months between January 1, 2025, and June 30, 2025, if Commerce can supplement the existing contract establishing the initial FundHubWA website. Maintenance funding is anticipated to be supported through a contract, potentially through WATech, rather than the use of Commerce staff

Expenditures:

Contract:

FY 26: \$400,000

FY 27-29: \$100,000 annually

Thermal Energy Networks:

Commerce can likely spend about \$111,579 of the appropriated \$272,000. Commerce will be able to fund staff time for an existing COM 3 and a COM 2 to begin to set up the pilot grant program.

Highway 164 Charging Stations:

Commerce can likely spend \$11,417 of the appropriated \$500,000 in FY 25 to set up a contract with the Muckleshoot tribe. Grant funds will not be spent until FY 26 given the time required to enter into a contract and set up the project.

Ellensburg Decarbonization Planning:

Commerce can likely spend \$375,000 of the appropriated \$750,000 in FY 25 to set up a contract and begin monitoring planning activities by the city.

Workforce Assumptions:

NAVIGATORS:

Commerce would likely need to hire 5.2 FTE to support this navigator work and is unlikely to be able to hire and maintain these positions for a six-month timeframe. These roles are as follows through the 2025-27 biennium and are projected to be funded at differing levels once the website is developed.

2.6 FTE Commerce Specialist 3 (5,428 hours) in FY26-FY27 and ongoing afterwards for contract management, advisory work, assist with the coordination of the webtool development.

1.0 FTE Commerce Specialist 4 (2,088 hours) in FY26-FY27 and ongoing afterwards to provide ongoing technical assistance and quality assurance oversight.

0.7 FTE Administrative Assistant 3 (1,461 hours) in FY26-FY27 and ongoing afterwards to provide administrative support and supporting execution of contracts.

0.3 FTE EMS2 Senior Energy Policy Specialist (627 hours) in FY26-FY27 and ongoing afterwards to ensure policy alignment between the State Energy Strategy, the navigator's functionality, and the rebates on offer across Commerce programming.

0.6 FTE Commerce Specialist 5 (1,253 hours) in FY26-FY27 and ongoing afterwards to maintain the webtool and update the webtool logic with current rebate and incentive listings, and to assist with outreach around the navigator tool.

Salaries and Benefits

FY26-27: \$623,000 per fiscal year

Professional Service Contracts

FY26-27: \$500,000 per fiscal year

Goods and Other Services

FY26: \$27,000

FY27: \$37,000

Equipment

FY26: \$10,000

Assumes two new standard workstations for two new staff.

Intra-agency Reimbursements

FY26-27: \$205,000 per fiscal year

Total Cost:

FY26: \$1,365,000

FY27: \$1,365,000

BCBF:

Supporting database development required in Section 5 of the bill and supporting the technical work group and legislative reports in Section 6 of the bill will add to the workload of existing staff. To accomplish this work the department assumes:

0.10 FTE EMS 3 SEEP Director (208 hours) in FY26

1.10 FTE MA5 (2,200 hours) in FY26

0.90 FTE MA5 (1,800 hours) in FY27

0.50 FTE MA5 (1,044 hours) in FY28-FY29 and ongoing

0.40 FTE MA4 (800 hours) in FY26-FY27

0.20 FTE EMS2 (208 hours) in FY26

0.10 FTE Communications Consultant 3 (208 hours) in FY26

0.20 FTE Information Technology Business Analyst Senior (416 hours) in FY26-FY29

0.30 FTE Information Technology Application Developer Senior (550 hours) in FY26-FY29 and ongoing

Salaries and Benefits:

FY26: \$481,426

FY27-29: \$492,927 per fiscal year

Goods and Services, Equipment and Travel

FY26: \$33,715

FY27: \$33,739

FY28-FY29: \$14,488 per fiscal year

Professional Service Contracts

FY26: \$565,000

FY27: \$495,000

FY28-FY29: \$25,000 per fiscal year

Intra-Agency Reimbursements

FY26: \$158,393

FY27: \$162,173

FY28-FY29: \$73,960 per fiscal year

Total Costs

FY26: \$1,238,544

FY27: \$1,138,839
FY28: \$713,839
FY29 and ongoing: \$338,249 per fiscal year

Geothermal:

To accomplish the work required by ESSB 6039, the department estimates the following expenditures.

Staffing:

0.40 FTE EMS2 Senior Energy Policy Specialist (835 hours) to support the work directed in section 4 of ESSB 6039.
0.30 FTE EMPS3 Emergency Management Program Specialist (626 hours) to support the work directed in section 4 of ESSB 6039.

Salaries:

FY26 \$77,000

Benefits:

FY26 \$24,000

Goods and Services (supplies):

FY26 \$15,000

Intra-agency reimbursements:

FY26 \$33,000

Web portal:

None

Thermal Energy Networks:

To accomplish the work required by ESHB 2131, the department estimates the following expenditures in FY 26.

.4 COM3 (835 hours) to coordinate the grant program with the Utilities and Transportation Commission, conduct for each application the multi-factor assessment required under subsection (5), execute grant agreements, monitor budget and expenditures, conduct detailed analysis, and provide consultative planning for program established in this bill.

.3 COM 2 (626 hours) to provide coordination support, contract management, contract monitoring, invoicing, and data entry.

.2 MA4 (417 hours) to lead and monitor the environmental justice assessments, tribal consultation and community engagement process required under the HEAL Act (RCW 70A.02).?

.1 EMS2 (208 hours) to provide subject matter expertise and expert policy advice or consultation in coordinating development of the program, and provide expert policy advice.

.1 BA4 (208 hours) to provide or develop the capacity to eventually monitor budget and expenditures, conduct detailed analysis, and provide consultative planning for the grant program established in this bill.

.2 COM 5 (417 hours) for staffing, implementation planning, leadership, oversight, supervision, and decision making over all elements of the program.

Salaries

FY 26 \$120,552

Benefits

FY 26 \$39,865

Total

FY 26 \$160,417

Highway 164 Charging Stations:

.07 COM 3 (146 hours) for staff to set up and enter into a contract with the grantee in FY 25.

No workforce assumptions after FY 25.

Ellensburg Decarbonization Planning:

.1 COM 3 (208 hours) to establish a contract with the city in FY 25.

No workforce assumptions after FY 25

Historical Funding:

These programs do not have any funding in the 2025-27 biennium.

Navigators: None

BCBF:

Funding provided in the 2024 supplemental operating budget includes \$1,112,000 of climate commitment account-state appropriation.

Geothermal: none

Web Portal: none

Thermal Energy Networks: None

Highway 164 Charging Stations: none

Ellensburg Decarbonization Planning: None

Strategic and Performance Outcomes

Strategic Framework:

NAVIGATORS:

In the Buildings Chapter of the 2021 State Energy Strategy, a combination of efficiency and electrification are identified as the least-cost pathway to achieving the emissions reductions required in statute within the buildings sector. This action directly delivers on the recommendation that buildings improve the efficiency of their performance and electrify, in addition to the following State Energy Strategy findings:

- Meeting 2030 building energy and emissions reductions goals will require a shift to 100% sales of high-efficiency electric equipment by 2030.
- Building electrification and energy efficiency policies and programs should enable equitable outcomes for low-income communities, including improvements in public health outcomes, increases in energy affordability and making homes more comfortable.
- The analysis assumes energy efficiency improvements by technology across all scenarios are the same, where newly installed appliances are highly efficient.

Governor Jay Inslee identifies carbon reduction and energy efficiency as two of the state's top priorities, and this funding proposal directly implements measures which reduce our state's energy use. In addition, the Governor's priorities are focused on an equitable transition that ensures overburdened and marginalized communities benefit from the state's climate investments and programs.

BCBF:

By seeking to address GHG emissions associated with the production of building materials, Buy Clean and Buy fair is tied to the Governor's Climate and Clean Energy priority.

State agencies covered by Executive Order 20-01 (State Efficiency and Environmental Performance) are required to consider embodied carbon in new building construction projects.

Adopting Buy Clean and Buy Fair policy is also identified as a priority action in the 2021 State Energy Strategy

Geothermal:

Geothermal energy could play an important role in our clean energy future if it can be developed economically in WA. As such, the process to identify opportunities and risks associated with the development of geothermal resources aligns with the Clean Energy Transformation Act, the clean energy siting work directed in HB 1216 (2023), and the State Energy Strategy

Web portal:

Governor Jay Inslee has identified carbon reduction as one of the state's top priorities, as well as the equitable transition that ensures overburdened communities benefit from the state's climate investments. Facilitating access to funding opportunities is one key way to ensure that state-allocated funding for climate and clean energy actually reaches the communities it is intended to serve

Thermal Energy Networks:

Network thermal energy systems are a promising alternative to natural gas systems. They offer the potential for greater efficiency by using heat pump technologies, and they provide an opportunity to use some of the same skilled occupations as now employed by gas companies

Highway 164 Charging stations:

This grant funding would support the governors priority to build out the EV charging infrastructure statewide and support the transition to electric vehicles.

Ellensburg Decarbonization Planning:

These grant funds will help achieve the broad mandates in the climate commitment act.

Performance Outcomes:

NAVIGATORS:

The outcome of properly implementing the statewide energy rebate navigator tool over a year is creating efficiencies in residential energy programs by reaching additional consumers, saving consumers money, and ultimately, allowing more consumers to participate in bringing clean energy technologies into their homes and businesses and maximize the impact of federal, state, utility, and local dollars

BCBF:

This Buy Clean and Buy Fair database will contribute to performance outcomes by allowing Commerce to track and demonstrate compliance with reporting requirements in the Buy Clean and Buy Fair bill. The data reported to Commerce will shed light on how our state might reduce embodied carbon in building materials and support good jobs in low-carbon manufacturing.

Geothermal:

With this funding, Commerce will be able to support the collaborative process on geothermal energy envisioned in ESSB 6039 through FY 26. The geothermal resources collaborative process must identify and provide recommendations on, at a minimum:

(a) The potential impacts of geothermal resources development, including impacts to: (i) Rights, interests, and resources, including tribal cultural resources, of potentially affected federally recognized Indian tribes;(ii) State or federal endangered species act listed species in Washington; and (iii) Overburdened communities;

(b) The development of factors to guide the identification of preferable sites for the development of geothermal resources including, but not limited to, geologic suitability, proximity to electrical transmission and distribution infrastructure, and continuity between groundwater and surface water resources; and

(c) The capacity for geothermal resources in Washington to help the state meet its clean energy generation requirements and greenhouse gas emissions limits

Web Portal:

The outcome of properly developing and implementing the funding opportunities web portal is that more eligible entities are aware of state and federal grant and other funding opportunities and able to apply, thus increasing equity in access for this money.

Thermal Energy Networks:

The outcomes of this grant program is to encourage the necessary transition from natural gas to heat pump technologies, and to provide opportunities to use some of the same skilled occupations as now employed by gas companies.

Highway 164 Charging Station:

The outcome of this grant is to expand EV charging infrastructure in the state and provide access to a tribal community that is currently limited in access to EVSE.

Ellensburg Decarbonization Planning:

The outcome of this grant is to expand compliance with the CCA to help the state meet its emissions reductions targets

Equity Impacts

Community Outreach and Engagement:

No answer was provided.

Disproportional Impact Considerations:

No answer was provided.

Target Communities and Populations:

Navigators:

The next year in federal, state, and utility funding represents a critical moment for low- and moderate-income households to access reduced and no-cost clean energy in their homes. Never before has there been this magnitude of funding for residential and small commercial decarbonization and energy efficiency, but sequencing large home technology purchases, navigating complicated rebate requirements, and stacking incentives to get the best deal is complex work. The purpose of the navigator tool is to simplify this process for consumers and help turn programs into projects in communities that have historically been underserved

BCBF:

This legislation could benefit communities throughout Washington state by supporting clean manufacturing and documenting working conditions at facilities that manufacture building materials. This reporting-only bill may not directly reduce GHG emissions from manufacturing facilities, but is an important first step towards convening suppliers, construction industry partners, small and diverse-owned businesses, and government agencies to address the embodied emissions in building materials and promote the growth of low-carbon manufacturing. Manufacturing jobs have historically been stable, high-

paying jobs that do not require a college degree; jobs like this support a strong middle class and can help tackle economic inequality.

This bill has been supported by labor organizations like the Washington State Labor Council, AFL-CIO, International Association of Machinists and Aerospace Workers District 751, Ironworkers Local 86, Association of Western Pulp and Paperworkers, United Steelworkers District 12, Teamsters 117, and United Steelworkers Local 338. These stakeholders believe Buy Clean and Buy Fair to be a proactive step to ensure that the transition to low-carbon manufacturing creates high-road jobs that support communities throughout our state.

After reaching out to the Office of Minority and Women Owned Business Enterprises (OMWBE), the Buy Clean and Buy Fair working group that would be established by this bill was modified to include OMWBE- certified business representatives, in an effort to ensure these businesses can continue to thrive in the transition to low-carbon manufacturing. This working group will provide more insight on how building materials manufacturers engage with and support the communities they are located in and provide recommendations on future policy and program development that can support low-carbon manufacturing and strengthen communities. The working group can also help the department better understand how to leverage public procurement for building construction projects to grow small-medium sized and diverse-owned manufacturing firms and build economic strength through manufacturing.

Historically, heavy industry has been disproportionately located in communities of color and low-income communities. Buy clean and buy fair is a first step toward leveraging public procurement to accelerate industrial decarbonization. That will significantly benefit overburdened communities. Washington's Buy Clean and Buy Fair bill is also the first to include human health and other environmental impacts in the definition of "clean" by reporting on health certifications. This builds on buy clean policies in others states and is in recognition that we cannot pursue carbon without simultaneously addressing community health impacts and environmental justice.

Geothermal:

In leading the collaborative process on geothermal energy resources, ESSB 6039 directs Ecology to engage in meaningful government-to-government consultation with potentially affected federally recognized Indian tribes and seek participation from the department of archaeology and historic preservation, other state agencies as appropriate, local governments, state research institutions, participants in Washington's electrical generation, transmission, and distribution sector, and environmental organizations. The collaborative process must explore the potential impacts of geothermal resources development, including impacts to rights, interests, and resources, including tribal cultural resources, of potentially affected federally recognized Indian tribes and impacts on overburdened communities

Web portal

In 2023, the Governor's Office contracted for a Federal Funding Roadmap Project, intended to provide recommendations to help the state access the unprecedented amount of federal funding available to achieve Washington's climate, natural resource protection, workforce development, sustainable economic development, and equity goals. One of the key findings from this work was that many stakeholders lack awareness of funding opportunities, and the resulting recommendation was that the state create a "one-stop shop" to highlight both federal and state funding opportunities. The original budget proviso for this work specifically noted this portal should target a diverse set of potential applicants including non-profit and community-based organizations, and other entities working to support and benefit tribes, rural communities, and vulnerable and overburdened communities

Thermal Energy Networks:

The UTC must consider whether a pilot project will create public health benefits in areas with disproportionate environmental or public health

burdens and disadvantaged communities and whether the project furthers the climate justice mandates of the HEAL act. Commerce must consider these factors in awarding grants. Commerce also must consider use of the existing natural gas workforce and other labor considerations

Highway 164 Charging Stations:

This grant program will provide additional access to community charging and increased charging options for the tribe and commuters, thereby increasing access to transportation services and reducing transportation costs.

Ellensburg Decarbonization Planning:

This grant funding will help the city of Ellensburg develop and implement strategies to comply with requirements of the climate commitment act and decarbonize their natural gas utility. The result is air pollution benefits for gas customers and vulnerable populations living near the facility both indoors and outdoors.

Community Inputs and Incorporation:

No answer was provided.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

NAVIGATORS

No impacts on tribal, regional, county, or city governments, but we anticipate all of these entities will be supportive of doing this work well. Ultimately, the navigator is meant to make it easier to get money to consumers and maximize the impact of federal, state, utility, and local dollars

BCBF:

This bill applies to state agencies including the Department of Enterprise Services (DES), Higher education institutions as defined in RCW 28B.92.030, the Department of Natural Resources (DNR), State Parks and Recreation Commission, Department of Fish and Wildlife, Washington Department of Transportation, and other state agencies that receive capital budget funding for covered projects contracted directly by the state agency. Agencies covered by Executive Order 20-01 (State Efficiency and Environmental Performance) are already required to “consider embodied carbon” in building construction projects. These agencies have been consulted by SEEP and are generally supportive. Concerns related to cost impacts have been raised by state agencies. However, pilot project participants have indicated required reporting is relatively straightforward and may in some cases be cost-neutral. Also, the bill contains a provision that would suspend reporting requirements if an agency can demonstrate significant cost increases or delays would result from compliance. Also, SEEP is committed to supporting agencies

by providing guidance and technical assistance to project teams that can help streamline reporting requirements and keep costs down (i.e. by providing model language for bid specifications or providing clarity on EPD and other requirements)

Geothermal:

Ecology is directed to include Commerce, the department of fish and wildlife, the department of archaeology and historic preservation, other state agencies, and local governments in the collaborative process. We assume those other entities will be supportive of active engagement from Commerce

Web portal: none

Thermal Energy Networks: None

Highway 164 Charging Stations: None

Ellensburg Decarbonization Planning: None

Stakeholder Impacts:

NAVIGATORS:

Local utilities will be supportive of the continuation of this work – the navigator tool will bring more consumers to their programming and result in more projects and more energy savings. Manufacturers of rebated equipment and large equipment retailers will also be supportive – the navigator tool will result in more equipment sold when rebates are readily able to be stacked, braided, and used

BCBF:

The following stakeholders have indicated support for Buy Clean and Buy Fair legislation: American Institute for Steel Construction, Nucor Steel Seattle, Washington Environmental Council, Sierra Club, Climate Solutions, American Institute of Architects, Magnusson Klemencic Associates, Dave Walsh Consulting, Blue Green Alliance, Washington State Labor Council, AFL-CIO, International Association of Machinists and Aerospace Workers District 751, Ironworkers Local 86, Association of Western Pulp and Paperworkers, United Steelworkers District 12 and Local 338, and Teamsters Local 117. Some stakeholders have a more neutral perspective or are unable to directly support because of organizational policy. Those include the Association of General Contractors, Carbon Leadership Forum, and Building Transparency.

Other stakeholders have expressed concerns, including: The American Wood Council, Washington Forest Protection Association, National Ready Mixed Concrete Association, and the Washington Aggregates & Concrete Association.

All of the stakeholders listed above have been directly consulted about the Buy Clean and Buy Fair bill, and the department will continue to seek their input. Additional details about stakeholder positions is available upon request.

Geothermal:

Ecology is to include a diverse group of non-government stakeholders into the collaborative process. Those groups would likely be supportive

of active engagement from Commerce

Web portal: Stakeholders, including local governments, tribes, ports, non-profits and others, are the focus of this web portal service. No anticipated opposition

Thermal Energy Networks:

The following are key stakeholders impacted by this proposal, all of which are supportive of the new grant program: Energy customers and natural gas utilities, businesses that install and operate thermal energy systems, and clean energy advocates.

Highway 164 Charging stations:

Key stakeholders are the Muckleshoot Indian Tribe and EV commuters statewide. Both are supportive of this proposal.

Ellensburg Decarbonization Planning:

Residents and businesses in Ellensburg will benefit from reduction in carbon emissions.

State Facilities Impacts:

BCBF:

This bill adds reporting requirements for covered projects that include reporting on environmental and social impacts associated with the production of building materials used in state construction projects. Covered projects are state agency new building construction projects over 50,000 SF (reporting is phased in starting at 100,000 SF for the first two years and dropping to 50,000 SF after that). Project teams will report data from Environmental Product Declarations (EPDs), health certifications (if available), and working conditions data at facilities that manufacture steel, concrete, and wood products. In some cases, meeting reporting requirements may be cost-neutral. The bill contains a provision that would suspend reporting requirements for specific projects where these requirements would cause significant cost increases or delays

Changes from Current Law:

BCBF: This bill adds a new chapter and sections to Title 39 RCW, and amends RCW 43.88.0301 (capital budget instructions) to require OFM to include information about Buy Clean and Buy Fair requirements in its capital budget instructions

Legal or Administrative Mandates:

BCBF: This proposal is related to the Buy Clean and Buy Fair bill, which was signed in to law in 2024.

Governor's Salmon Strategy:

N/A

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$884	\$467	\$1,351	\$0	\$0	\$0
Obj. B	\$289	\$156	\$445	\$0	\$0	\$0
Obj. C	\$1,413	\$500	\$1,913	\$0	\$0	\$0
Obj. E	\$70	\$37	\$107	\$0	\$0	\$0
Obj. J	\$17	\$0	\$17	\$0	\$0	\$0
Obj. N	\$775	\$0	\$775	\$0	\$0	\$0
Obj. T	\$333	\$305	\$638	\$0	\$0	\$0

Agency Contact Information

Michael Furze
 (360) 529-9587
 Michael.Furze@commerce.wa.gov



Agency Recommendation Summary

The Lower Yakima Valley Groundwater Management Area is a geographical area impacted by nitrate groundwater contamination. This provides one-time funding to invest in mailing, call centers, home visits, and water testing to impacted well owners and residents.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	2.7	2.7	2.7	0.0	0.0	0.0
Operating Expenditures						
Fund 001 - 1	\$1,000	\$1,000	\$2,000	\$0	\$0	\$0
Total Expenditures	\$1,000	\$1,000	\$2,000	\$0	\$0	\$0

Decision Package Description

Problem Statement

The Lower Yakima Valley Groundwater Management Area (LYV GWMA) is a geographical area impacted by nitrate groundwater contamination. It is located south of Union Gap, north and east of the Yakima River, and east of the Yakima-Benton County Line. It includes portions the Yakama Nation.

Nitrate is a chemical found in fertilizers, manure, agricultural runoff, dairy lagoons, and liquid waste discharged from septic tanks. Rain or irrigation can carry nitrate down through soil into groundwater. Within the LYV GWMA, groundwater studies and private well testing results showed nitrate concentrations above the Environmental Protection Agency’s (EPA) Maximum Contaminant Level (MCL) of 10 milligrams per liter (mg/L). It is estimated that approximately 8,100 individual and shared wells provide drinking water for residents within the LYV GWMA, excluding those located on the Yakama Reservation.

The Department of Ecology and the Department of Health (DOH) estimates approximately 21% (or 1,701) of wells in the LYV GWMA have levels of nitrate above the MCL. This can pose health risks to vulnerable populations like infants, pregnant people, and people with certain health conditions. These estimated 1,701 wells with elevated nitrate require filtration units installed within the homes to reduce nitrate exposure.

However not all homes eligible for testing and treatment installation are currently opting into the program. Based on current response rates DOH estimates over the biennium the installation of 470 additional treatment units.

Through a 2024 proviso, the Legislature funded \$1.0M through June 30, 2025, to begin sampling the 8,100 wells in the LYV GWMA. *ESSB 5950, Sec. 222 (134) \$1,000,000 of the model toxics control operating account—state appropriation is provided solely to implement actions provided in the nitrate water hazard mitigation plan to support safe drinking water in the lower Yakima valley. Implementation of this plan includes, but is not limited to, education and outreach, well testing, and provision of alternate water supplies. The department may contract with local governments, local health jurisdictions, and nonprofit organizations to administer the plan.* In addition to the \$1M proviso to implement the Nitrate Water Hazard Mitigation Plan (see Appendix A) to address nitrate contamination in the LYV GWMA: 1) the Legislature allocated \$850,000 in the 2023-2025 Capital Budget; and 2) DOH added approximately \$233,000 from its Alternative Water Program funding to support this work for a total of \$2.0M.

The current funding amount is sufficient for DOH to complete most of the work in Yakima County and result in testing an estimated 4,790 individual wells for nitrate levels and treatment installation at approximately 520 homes by June 30, 2025. Due to the nature of this work and widespread contamination in the LYV GWMA, mitigation efforts will continue indefinitely. Therefore, DOH will need additional funding to complete implementation of the nitrate mitigation plan and conduct testing for the remaining 3,310 wells in the impacted area and provide treatment options to homes that need it.

This work is conducted parallel to work identified in the LYV GWMA Management Plan (see Appendix B) that includes broadscale efforts from

multiple agencies to meet over 64 recommendations that address all sources of nitrate and implement strategies to improve groundwater quality to meet drinking water standards.

Proposed Solution

DOH and local partners agree this is the opportune time to continue to seek options to ensure ongoing funding is accessible so that safe and reliable drinking water is available to residents in this area. This is the best option because it follows the efforts already established between state, local and tribal governments. The Nitrate Water Hazard Mitigation Plan has three major goals:

1. Enable all residents and homeowners in the identified impacted Lower Yakima Valley area with individual or shared wells to screen levels of nitrate in their drinking water well.
2. Collect samples for lab analysis for those wells with screening results above 5 mg/L (half the maximum contaminant level). These homes will have a sample collected for laboratory analysis.
3. Provide residents with nitrate levels above the maximum contaminant level of 10 mg/L an offer for treatment installation to reduce nitrate exposure at no cost to the homeowner

DOH needs additional funding to complete implementation of the Nitrate Water Hazard Mitigation Plan. The following positions and contracts are necessary to meet the goals to of the plan:

Lead Project Manager, 1.0 FTE, Environmental Planner 4: The position facilitates project management of the Nitrate Water Hazard Mitigation plan, provides analysis of program needs and funding, and informs program progress to management, other state agencies, local partners, and EPA. The position also leads the effort to mitigate public health risks to residents of this area, by facilitating, organizing and tracking efforts by many partners. This position will coordinate and facilitate meetings between various agencies committed to address this problem, including the LYV GWMA implementation committee, tasked with implementing the LYV Groundwater Management Plan.

Health Educator, 1.0 FTE, Health Services Consultant 3: This position conducts public outreach and health education activities associated with the implementation of the Lower Yakima Valley Groundwater Management Plan and Nitrate Hazardous Water Mitigation Plan. This position operates as a senior level professional and will assist with the development and implementation of the community engagement plan for the residents impacted by nitrate contamination in the Lower Yakima Valley.

Contracts

Funding will also be used to contract services to conduct mailing, staff call centers for scheduling, conduct home visits and water testing to impacted well owners and residents. Wells with elevated nitrates requiring filtration units installed to reduce nitrate exposure, the agency intends to establish service and maintenance contracts for each filtration unit to ensure proper operation. The agency intends to provide alternative water supplies such as bottled water to household residents prior to the installation of the treatment units which will also come at a cost.

Expected Outcomes

A successfully funded package will benefit all homes located within the LYV GWMA that opt into the program with nitrate contaminated wells. This is especially important for overburdened and vulnerable communities that cannot afford bottled water or testing and treatment options for their wells. The Nitrate Hazardous Water Mitigation Plan summarizes many of the testing, treatment and communication goals. In addition to those goals and with continued funding, DOH expects the following:

Outputs:

- Conduct 1,655 annual mailings to educate and offer nitrate testing
- Conduct 500 annual home health visits to include individual well sampling for nitrate.
- Install 235 treatment units each year at homes with nitrate levels above 10 mg/L.
- Conduct 4 Community Engagement Events each year to educate residents about health impacts of elevated nitrates.

Outcome: The project goal is to contact, test, and provide alternative water to private and joint well users where nitrate concentrations exceed the maximum contaminant level of 10 mg/L. Identify barriers for homeowners that have opted out of the program.

Alternatives

The project goal is to complete this work by June 30, 2027. DOH considered two alternatives to our proposal.

Alternative 1: The first alternative is to reduce staffing levels at DOH that would result in little or no community education and engagement. A community engagement partner will build relationships and trust to ensure residents of the area understand the health impacts of elevated nitrate in drinking water. Without this position the DOH could rely heavily on our local partners to do this work, but they have indicated they are already understaffed to take this on. To date, 96 well owners have already opted out of the program. DOH aims to avoid well owners opting out of the program by building a more robust community outreach and engagement effort. While the program could be maintained without a Health Educator, DOH believes it's important to conduct community outreach and health education to coordinate cultural appropriate community engagement within this community, including the Yakama Nation.

Alternative 2: A second alternative is to fund the project at a lower level during the biennium, reducing the number of homes contacted in the next biennium. A reduction in funding would extend the timeline of reaching all 9,700 homes in the impacted area beyond June 30, 2027. Staff would be restricted to fewer home contacts, based on funding availability for testing, outreach and installation costs. This delay may result in exposure to elevated levels of nitrates in the residents' drinking water for a longer period of time before remediation steps are taken.

Assumptions and Calculations

Expansion, Reduction, Elimination or Alteration of a current program or service:

The program is currently in the Office of Drinking Water at the Department of Health. A portion of the current funding is limited to wells, homes and residents located in Yakima County and funded through June 30, 2025. Continued funding of this program beyond 2025 will ensure the work to reduce nitrate exposure through drinking water in the LYV GWMA continues and includes Benton County and the Yakama Reservation. This funding request represents continuation of important work in this area alongside many local, state and federal partners.

Detailed Assumptions and Calculations:

Initial program results indicate 25% of the homes have responded to the mailing and requested a home test visit. Approximately 39 percent of those homes have lab nitrate test results greater than 10 mg/L nitrate.

DOH estimates that approximately 21% (or 2,037) of the 8,100 individual or share wells have nitrate levels above 10 mg/L and need nitrate treatment units installed. If SFY 2025 targets are met an additional 470 treatment units are planned to be installed over SFYs 26 and 27, under the estimated 695 wells with nitrate above 10 mg/L.

Based on existing data of project activities, the estimated cost for services including:

- Mailings and Outreach is \$11.69 per household.
- Testing and home visit is \$300 per household.
- Providing alternative water and installing water filtration is approximately \$2,054 per household.
- Initial program results indicate 25% of the homes have responded to the mailing and requested a home test visit. Approximately 39 percent of those homes have lab nitrate test results greater than 10 mg/L nitrate.

DOH estimates that approximately 21% (or 2,037) of the 8,100 individual or share wells have nitrate levels above 10 mg/L and need nitrate treatment units installed. If SFY 2025 targets are met an additional 470 treatment units are planned to be installed over SFYs 26 and 27, under the estimated 695 wells with nitrate above 10 mg/L. Based on existing data of project activities, the estimated cost for services including:

- Mailings and Outreach is \$11.69 per household.
- Testing and home visit is \$300 per household.
- Providing alternative water and installing water filtration is approximately \$2,054 per household.

- Total request\$2,000,000 includes staff cost, contracts and travel, and agency indirect.
 Agency Indirect: Estimated expenditures include salary, benefit, and related costs for FTE to assist with administrative workload activities. These activities, necessary to manage day-to-day business needs include: policy and legislative relations; information technology; budget and accounting services; human resources; contracts; procurement, risk management, and facilities management.

"see attached Assumptions and Calculations_Lower Yakima Valley "

Workforce Assumptions:

FTE	Job Classification	Salary	Benefits	Startup Costs	FTE Related Costs
1.0	ENVIRONMENTAL PLANNER 4	\$96,000.00	\$34,000.00	\$3,000.00	\$9,000.00
1.0	HEALTH SERVICES CONSULTANT 3	\$80,000.00	\$30,000.00	\$3,000.00	\$9,000.00
0.5	FISCAL ANALYST 2	\$27,000.00	\$13,000.00	\$0.00	\$0.00
0.2	HEALTH SERVICES CONSULTANT 1	\$11,000.00	\$5,000.00	\$0.00	\$0.00
2.7		\$214,000.00	\$82,000.00	\$6,000.00	\$18,000.00

Agency Indirect: Estimated expenditures include salary, benefit, and related costs for FTE to assist with administrative workload activities. These activities, necessary to manage day-to-day business needs include: policy and legislative relations; information technology; budget and accounting services; human resources; contracts; procurement, risk management, and facilities management.

"see attached Assumptions and Calculations_Lower Yakima Valley "

Historical Funding:

"see attached Assumptions and Calculations_Lower Yakima Valley "

Strategic and Performance Outcomes

Strategic Framework:

The safe water program works to improve health disparities by providing safe and reliable drinking water to overburdened and vulnerable communities in the Lower Yakima Valley, supporting healthy and safe communities in Washington. It supports the agency’s transformation plan’s environmental health priority. This program addresses the health impacts from nitrate contamination of ground water from human activities including both agricultural activities and on-site septic impacts in the area. The program supports underserved communities and the health impacts with a goal of reducing health inequities and promoting community wellbeing. This proposal affects the agency’s funding for Protecting Drinking Water (A003) by providing funding to support individual and shared well owners who’s ground water is contaminated through regional activities. Currently funding for this activity has been limited to public water systems under the Safe Drinking Water Act with limited support to state only regulated public water systems (Group Bs).

Performance Outcomes:

The goal of the project is to contact and inform all homeowners using private wells of the risk of exposure to elevated nitrate levels in the affected areas in western Benton and Yakima Counties. The project will reduce the community's exposure to elevated nitrate from groundwater.

At the end of the project:

- Complete sending outreach and test strips to individual or shared wells owners: 8,100 wells
- Provide home health visits and nitrate testing: 4,000 homes.
- Provide nitrate treatment for all homes with nitrate levels over 10 mg/L in their well.

Equity Impacts

Community Outreach and Engagement:

DOH conducted community outreach such as listening session and information sessions using culturally appropriate outreach methods throughout Yakima County's Lower Yakima Valley GWMA area with support for both local and state partners, Yakima County, Yakima Health Department, Department of Ecology and Department of Agriculture over the last year and half.

Based on feedback from the community, the agency is avoiding conducting canvassing during peak harvest season. Door-to-door canvassing protocol includes at least 2-canvassers with a minimum of one Spanish speaker.

Disproportional Impact Considerations:

DOH is focusing on this area due to EPA's October 21st 2021, Petition for Emergency Action Pursuant to Safe Drinking Water Act Section 1431 calling the State to action to address nitrate contamination of drinking water in the LYV. DOH recognizes the Lower Yakima Valley is not the only location throughout Washington that is impacted by anthropological elevated nitrate levels.

Additional funding is being requested by DOH through a separate decision package to provide a wide range of testing of contaminants such as arsenic and PFAS in individual and Group B wells. That funding, if approved, will provide mitigation for a wide range of contaminants outside of the LYV GWMA area, as state and local health learn of contamination issues present throughout the state

Target Communities and Populations:

The LYV community will benefit from reduced nitrate exposure in their drinking water by providing water testing and providing no-cost water treatment.

Target population for this project are the well owners/residents of the LYV. A large portion of this community is Hispanic (over 50%), with most of the census tracts in the area ranking above 7 on the Washington State's Environmental Health disparities map.

Community Inputs and Incorporation:

The project is specifically designed to reduce equity impacts by providing materials and education in Spanish and English to the LYV community impacted by nitrate contamination from various sources.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

Yes see attached HEAL questions.

Puget Sound Recovery:

Not applicable

State Workforce Impacts:

Not applicable

Intergovernmental:

This project impacts Yakima County, Benton County, Yakima Health District, Benton Franklin Health District, Yakima County Conservation District, and Benton County Conservation District. DOH is working closely with each agency to develop relationships, support community engagement, identify existing resources, and provide solutions for the communities impacted by nitrate contamination.

Current funding is being or has been provided for this work to Yakima County, Yakima Health District, and Benton-Franklin Health District to support the Nitrate Mitigation Plan. Continued funding allows this work to continue to support residents in their communities.

DOH is communicating with Yakama Nation and the EPA on this project. They are supportive and planning to address nitrate contamination in drinking water within their tribal boundaries, by collaborating with EPA. If additional support is requested by the Yakama Nation additional funding will be requested to support these residents.

While this work is separate from the LYV GWMA work our partners at the Department of Ecology and Department of Agriculture are supportive of the project.

Stakeholder Impacts:

Center for Food Safety, Friends of Toppenish Creek, Food & Water Watch – They are supportive of the safe water work but are concerned about the time frame of the project. They also have concerns about identifying and remediating nitrate sources in the area which are part of the LYV GWMA Groundwater Management Plan.

State Facilities Impacts:

Not applicable

Changes from Current Law:

Not applicable

Legal or Administrative Mandates:

This proposal is in response to the EPA's October 26, 2021 Petition for Emergency Action Pursuant to Safe Drinking Water Act Section 1431 to Address Nitrate Contamination of Drinking Water in the Lower Yakima Valley. EPA expects the state and the counties to develop and implement an adequate response plan to address immediate health concerns in the LYV. The Nitrate Hazard Mitigation Plan was developed in response to this request.

Governor's Salmon Strategy:

Not applicable

Reference Documents

- [Appendix A - Lower Yakima Valley Safe Water.pdf](#)
- [Appendix B - Lower Yakima Valley Safe Water.pdf](#)
- [Assumptions and Calculations_Lower Yakima Valley Safe Water.xlsx](#)
- [HEAL QUESTIONS_Lower Yakima Valley Safe Water.docx](#)

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$214	\$214	\$428	\$0	\$0	\$0
Obj. B	\$82	\$82	\$164	\$0	\$0	\$0
Obj. C	\$653	\$653	\$1,306	\$0	\$0	\$0
Obj. E	\$26	\$26	\$52	\$0	\$0	\$0
Obj. G	\$6	\$6	\$12	\$0	\$0	\$0
Obj. T	\$19	\$19	\$38	\$0	\$0	\$0

Agency Contact Information

Kristin Bettridge
 (360) 236-4126
kristin.bettridge@doh.wa.gov



Agency Recommendation Summary

Aquifers in Washington are becoming more widely contaminated with nitrate, PFAS, and other chemicals from industrial, commercial, and agricultural activities. Funding allows the Department of Health to continue to assist homes and businesses on individual wells or served by small Group B public water systems located in areas with contaminated groundwater.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	0.9	0.9	0.9	0.8	0.8	0.8
Operating Expenditures						
Fund 001 - 1	\$813	\$811	\$1,624	\$106	\$106	\$212
Total Expenditures	\$813	\$811	\$1,624	\$106	\$106	\$212

Decision Package Description

Problem Statement

Contaminated groundwater is a growing concern for the state of Washington. The Department of Health (DOH), along with other state, local and federal partners are finding more and more areas in the state with contaminated groundwater. These contaminants are derived from natural occurring sources such as arsenic and uranium, and man-made contaminants such as perfluoro-alkyl substances (PFAS) and nitrate. The impacts to groundwater have been exacerbated by climate change, due to higher temperatures and less rainfall. This has increased the demand for groundwater resulting in lower aquifer levels thus creating greater concentrations of contaminants leaching into the groundwater. Increased pumping on existing aquifers draws in contaminants from other nearby sources.

Understanding the extent of contamination and the associated impacts to well owners require monitoring and testing. While state and federal agencies work to address the contamination sources and causes through studies and project remediation efforts for public water systems covered under the Safe Drinking Water Act (SDWA), the funding options are not available to individual well owners or Group B water systems. This group of water users often rely on groundwater for a safe and reliable water supply. Funding is being requested for the department to continue assisting with access to safe drinking water for homes and businesses with individual wells or small water systems that are contaminated. For more information on the contaminants and their health effects, see Appendix A.

Proposed Solution

In 2023, the Legislature provided funding for the Department of Health to create the Alternative Drinking Water Program through the following proviso: ESSB 5187, Sec. 222(054) Options for Tainted Drinking Water, \$813,000 of the general fund—state appropriation for fiscal year 2024 and \$811,000 of the general fund—state appropriation for fiscal year 2025. The funds were provided solely for the department to assist with access to safe drinking water for homes and businesses with individual wells or small water systems that are contaminated. This program helps individual well owners and small water systems impacted by ground water contamination take necessary steps to obtain safe drinking water. Program specific activities include water quality sampling, lab analysis, water delivery, technical assistance, and the installation of in-home treatment units.

The agency proposes to continue this program beyond 2025 to allow residents to access funding that will result in safe and reliable drinking water regardless of their income or ethnicity while long-term solutions are developed and implemented.

The agency requests \$813,000 for FY 26 and \$811,000 for FY 27 and ongoing, equal to the amount of funding in the 2023 proviso. Program expenses have been based on the varied cost of certified laboratory analysis and treatment methods. Costs will vary by location, contamination

and treatment methods available.

The program is currently administered by 0.5 FTE; however, an additional 0.2 FTE is necessary to fully implement this program. Additional support for local partners is needed to manage contracts and application processing.

0.7 FTE, Alternative Water Program Lead, Public Health Advisory 3: This position develops and manages contracts with laboratories, water treatment service and maintenance providers, and water distributors to implement the program goals. The position evaluates program applications, manages budgets, and prioritizes work to ensure equitable access to safe and reliable drinking water especially for overburdened communities and in compliance with the HEAL Act.

Expected Outcomes

This program provides options for residents to identify, treat and eliminate health risks from the drinking water they rely on. In the first year, we awarded funds for projects in Benton/Franklin area, Chelan/Douglas area, and Yakima County. The proposals for these projects estimated the following activities:

- Benton/Franklin area: Nitrate testing and water treatment devices to approximately 3,000 individuals.
- Chelan/Douglas area: Nitrates testing for small Group B water systems and provide water treatment devices, when needed. The two communities identified have approximately 3,500 residents.
- Yakima County: Nitrate testing and water treatment devices to approximately 533 homes.

As the projects continue, we will track populations impacted as well as number of wells addressed in the program.

Alternatives

One alternative is to not fund the program beyond 2025. Without this program ODW would primarily support public water systems leveraging federal funding.

A second alternative is to use federal funds authorized under federal fiscal year 24 (FFY24) Water Improvements for the Nation (WIIN) Act Small and Disadvantaged Communities Emerging Contaminant (SD-EC) funding. This allows states for this one year to provide services to individual well owners impacted by PFAS. This option, however, would not support any nitrate mitigation and would reduce the amount of funding that would be available for small and or disadvantaged public water systems to address PFAS.

Assumptions and Calculations

Expansion, Reduction, Elimination or Alteration of a current program or service:

The program is currently within the Office of Drinking Water funded in the 2023-2025 biennium. This request is to continue this program at the same cost as it is currently funded by general fund state dollars until June 30, 2027.

The program is currently administered by 0.5 FTE; however, an additional 0.2 FTE is necessary to fully implement this program, therefore it's an expansion of an existing program until 2027. The additional 0.2 would provide needed capacity to support local partners, ensure compliance with HEAL Act requirements, manage contracts, and process applications.

Detailed Assumptions and Calculations:

Monitoring costs for one-time lab fee at a house depending on needed sampling:

- Nitrate: \$45

- Arsenic: \$55
- Uranium: \$55
- Manganese: \$55
- PFAS: \$575

Point-of-Use (POU) Treatment Costs (contaminant and concentration dependent):

- RO Units: \$1,400
- Granular activated carbon (GAC): \$200
- Pitcher Filters: \$80

The current funding proposal would give DOH the ability to conduct testing to an estimated 800 homes and, assuming about 45% positive result from the tests, provide one of the above listed POU's to the homes with contaminated drinking water.

See “Detailed Assumptions and Calculations” tab in “Assumptions and Calculations Workbook”

Workforce Assumptions:

FTE	Job Classification	Salary	Benefits	Startup Costs	FTE Related Costs
0.7	PUBLIC HEALTH ADVISOR 3	\$56,000.00	\$21,000.00	\$2,000.00	\$7,000.00
0.7		\$56,000.00	\$21,000.00	\$2,000.00	\$7,000.00

0.7 FTE, Public Health Advisor 3, This position will develop and manage contracts, implement program goals, evaluate program applications, monitor spending and ensure equitable access.

0.2 FTE, Agency Indirect staff for staff support and contract administration.

Agency Indirect: Estimated expenditures include salary, benefit, and related costs for FTE to assist with administrative workload activities. These activities, necessary to manage day-to-day business needs include: policy and legislative relations; information technology; budget and accounting services; human resources; contracts; procurement, risk management, and facilities management.

See “Workforce Assumptions” tab in “Assumptions and Calculations Workbook”

Historical Funding:

This program was funded by a proviso in FY24 (\$813k) and FY25 (\$811k) with 0.80 FTE. There is no base budget or carryforward level.

See “Historical Funding” tab in “Assumptions and Calculations Workbook”

Strategic and Performance Outcomes

Strategic Framework:

This package directly pertains to Goal 4 of the Governor's Results Washington Healthy and safe communities: Fostering the health of Washingtonians from a healthy start to safe and supported future. Safe drinking water is one of the most important things to ensure the health of Washingtonians.

The package supports the agency's transformational plan's Environmental Health priority vision that Washingtonians will thrive in a broad range of healthy environments - natural, built, and social. This proposal addresses external impacts to individuals and communities through support for reliable and safe drinking water alternatives and access to testing and treatment. Providing alternative water supply options for testing, treatment, education and long-term remediation alternatives, incorporates these key agency strategies:

1. Support systems and policies that promote optimal individual and community health by investing in proactive efforts to advance a broad range of healthy environments and interactions where people live, learn, work, worship, and play.
2. Ensure our policies, planning, and programming incorporate environmental justice principles with the goal of reducing health inequities and promoting community well-being.
3. Incorporate data-driven approaches and community engagement strategies, assets and strengths, into public health and response planning efforts aimed at building resilience against the health and social impacts of climate change and other environmental challenges.
4. Ensure communities likely to bear the worst climate-related and environmental health impacts have resources and support to foster resilient communities that promote true health and well-being.

This activity will maintain levels of funding in A003 Protect Drinking Water. This funding specifically supports individual well users not typically supported by this agency's activity funding which mainly focuses on federally regulated public water systems.

Performance Outcomes:

Providing testing and an alternative water source for individuals with contaminated water supply will reduce health disparities and ensure a safe and reliable water source. This proposal minimizes the equity gap between water systems with access to federal funds and Group B/individual well users that do not qualify for federal funds.

Performance will be measured by:

1. Identify the number of wells impacted by contamination and the percentage of those that participate in the program to access safe and reliable water.
2. Number of laboratory tests conducted.
3. Number of residents receiving safe and reliable water during research and remediation activities.
4. Number of homes provided with treatment devices.

As this project proceeds, ODW intends to use community engagement and data-driven approaches to expand and develop resources to address contaminants. Performance measures will be adapted to measure the activities related to education and outreach, community concerns and requests, and engagement with local and state partners.

Equity Impacts

Community Outreach and Engagement:

- Email and presentation to Washington State Environmental Health Directors.
- Email to WSALPHO list serv.
- Communication through planners to local health drinking water contacts.
- Provided program information on website with links to supplemental and application documents.

Disproportional Impact Considerations:

DOH will continue to provide education and outreach to overburdened communities and vulnerable populations in compliance with the HEAL Act requirements for this grant program. DOH intends to develop publication materials announcing application process in multiple languages will help with equitable distribution. Coordination with non-profit organization and community health services will also broaden awareness. DOH will continue to provide education and outreach to overburdened communities and vulnerable populations in compliance with the HEAL Act requirements for this grant program. DOH intends to develop publication materials announcing application process in multiple languages will help with equitable distribution. Coordination with non-profit organization and community health services will also broaden awareness. DOH will continue to provide education and outreach to overburdened communities and vulnerable populations in compliance with the HEAL Act requirements for this grant program. DOH intends to develop publication materials announcing application process in multiple languages will help with equitable distribution. Coordination with non-profit organization and community health services will also broaden awareness. DOH will continue to provide education and outreach to overburdened communities and vulnerable populations in compliance with the HEAL Act requirements for this grant program. DOH intends to develop publication materials announcing application process in multiple languages will help with equitable distribution. Coordination with non-profit organization and community health services will also broaden awareness.

Target Communities and Populations:

When contaminants are found in drinking water aquifers through either testing of public water supply wells or other contaminant investigations, DOH will focus outreach efforts to households possibly impacted by the same contaminants. If a source of contamination is found, our program will educate nearby individual and group B well owners and their local health jurisdiction or county government on how to apply for funding.

Community Inputs and Incorporation:

As contaminants are identified across the state, residents served by public water systems benefit from regulatory compliance and public notification. Individual and group B well users lack this type of oversight and communication support, and therefore are responsible for safety of their own drinking water. Residents with limited income are less able to address testing and treatment expenses. Continuing the program into future funding cycles will provide us an opportunity to increase outreach activities, which may include offering translated notices and information to communities. As contaminants are identified across the state, residents served by public water systems benefit from regulatory compliance and public notification. Individual and group B well users lack this type of oversight and communication support, and therefore are responsible for safety of their own drinking water. Residents with limited income are less able to address testing and treatment expenses. Continuing the program into future funding cycles will provide us an opportunity to increase outreach activities, which may include offering translated notices and information to communities.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

Yes see attached HEAL Questions

Puget Sound Recovery:

Not applicable.

State Workforce Impacts:

Not applicable.

Intergovernmental:

Local health and county departments support these programs as it provides safe drinking water to community members. Dear tribal leader letters were sent to tribal governments when the new program was developed in 2023. DOH will continue to provide annual updates to tribal partners when funding cycles are open for application submittals. For one project this year, DOH has been coordinating activities with the Washington Department of Ecology and the federal Environmental Protection Agency and plans to continue these collaborative relationships for future applicable projects.

Stakeholder Impacts:

Residents and community service organizations will benefit from this option to address contamination in their communities, outside of public water system oversight. Residents and community service organizations will benefit from this option to address contamination in their communities, outside of public water system oversight.

State Facilities Impacts:

Not applicable.

Changes from Current Law:

Not applicable.

Legal or Administrative Mandates:

Not applicable.

Governor's Salmon Strategy:

Not applicable.

Reference Documents

[Assumptions and Calculations_Options for Tainted Drinking Water.xlsm](#)

[HEAL QUESTIONS_Options for Tainted Drinking Water .docx](#)

[Options for Tainted Drinking Water_Appendix A.docx](#)

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$67	\$67	\$134	\$61	\$61	\$122
Obj. B	\$26	\$26	\$52	\$24	\$24	\$48
Obj. C	\$694	\$694	\$1,388	\$0	\$0	\$0
Obj. E	\$17	\$17	\$34	\$14	\$14	\$28
Obj. J	\$2	\$0	\$2	\$0	\$0	\$0
Obj. T	\$7	\$7	\$14	\$7	\$7	\$14

Agency Contact Information

Kristin Bettridge
 (360) 236-4126
kristin.bettridge@doh.wa.gov



Agency Recommendation Summary

Health Equity Zones are geographically based places where people face social, environmental, and low-resource conditions that negatively impact their health. Funding is for the rural, urban, and Native Health Equity Zone Community Collectives to implement projects designed by local communities to address their identified health inequities.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	1.4	1.4	1.4	1.3	1.3	1.3
Operating Expenditures						
Fund 001 - 1	\$972	\$561	\$1,533	\$358	\$358	\$716
Total Expenditures	\$972	\$561	\$1,533	\$358	\$358	\$716

Decision Package Description

Problem Statement:

Health Equity Zones (HEZ) (RCW 43.70.595) are geographically based places where people face social, environmental, and low-resource conditions that negatively impact their health. The Health Equity Zones Initiative supports community members in implementing a participatory decision-making process to identify health priorities and solutions to improve health outcomes.

2021 SB 5052 established Health Equity Zones at the Department. Currently, the HEZ Initiative is funded through a budget proviso, which allowed DOH to engage with community partners and agencies to support the HEZ Community Advisory Council in developing a plan and process for the selection of the inaugural health equity zones in 2022. In 2023, DOH supported the Community Advisory Council in identifying two health equity zones for rural and urban communities and continues to support Tribal Community Representatives in developing a process for selecting a health equity zone for Native communities in Fall 2024. DOH, in partnership with the HEZ Initiative Community Advisory Council, selected a zone for rural communities (Whatcom County) and a zone for urban communities (South King County) in Washington State using data on health and the social determinants of health. In total, the Community Advisory Council reviewed 43 completed nominations from communities across the state, demonstrating a strong interest in the HEZ Initiative.

Since the rural and urban health equity zones were selected, DOH has contracted with community-based organizations to guide the implementation of this work in collaboration with other partners. In the first year post-selection, the zones developed outreach plans and engaged with the community in their geographic area to raise awareness about the HEZ Initiative. The next step is for each zone Community Collective to identify pressing health concerns and develop projects to address them using a participatory decision-making process. Currently, there is no dedicated funding for each pilot zone Community Collective, community compensation for engagement, or staffing for coordination of the Native Communities zone. Funding that is not tied to categorical restrictions is critical to help for the planning and start up.

Proposed Solution:

The requested funding would support projects for the first cohort of Health Equity Zones. This funding will support meeting a statutory mandate for health equity zones in rural, urban, and Native communities to implement projects designed by local communities to address their identified health inequities. In convening the health equity zones, community compensation is needed for community members engaged in developing focused interventions and implementing place-based strategies. Additionally, staffing is requested to support the Zone for Native Communities and for partnership with federally recognized tribes.

For implementation of zone projects, the Department requests \$600,000 for FY26 for the urban, rural, and Native health equity zones as they convene the zone collaborative to identify health priorities and prioritize local strategies. In FY27, the Department requests \$200,000 for the first year of implementation of the Zone for Native Communities.

Additionally, the Department requests \$205,000 ongoing for community engagement and compensation. This includes engagement and communication materials; translation and interpreter services for meetings; support for outreach, recruitment, and accessible facilitation of meetings; and community compensation for participation in meetings and engagement activities such as surveys and focus groups. These funds are prioritized for stipends to individuals who are low income or otherwise qualify per state law to support their participation.

Staff:

Tribal Engagement Coordinator.1.0 FTE, Health Services Consultant 3: This position will coordinate with the selected Health Equity Zone for Native Communities, including supporting the design and implementation of a participatory decision-making process to identify community health priorities and strategies to improve health outcomes, as well as coordination and engagement with federally recognized tribal governments. The Tribal Engagement Coordinator will lead engagement with Tribal and urban Native partners for the HEZ Initiative.

Expected Outcome:

The expected outcome of funding this decision package is that the selected rural, urban, and Native health equity zones as well as community partners on the HEZ Community Advisory Council see an improvement in 1) health measures and equity in their communities, 2) community capacity to affect both local and systems change, and 3) participation in state government and policy processes.

As a featured initiative in the Department's Transformational Plan, the following performance measures have been identified to determine how much the program did, how well the program did it, and whether anyone is better off.

- How much did DOH do? (Metrics: # of projects funded, # of dollars allocated to zone projects, # of community members engaged in HEZ, # of training sessions or learning opportunities held (future), # of community members who contributed to decision-making on health priorities and strategies, # of opportunities to participate in decision-making)
- How well did DOH do it? (Metrics: % of dollars from diversified sources, % of community members who report increased capacity, % of community members who felt that contributing to decision making was made easy, % of community members who felt they had opportunities for leadership)
- Is anyone better off? (Metrics: # of projects that show improvement in health measures (and equity), % of zones that report improvement in sustainability of their work, % Community Collectives (zone guiding bodies) that are successfully utilizing a participatory decision-making model with community members)

Alternatives:

Current funding has allowed DOH to engage with community partners, tribal and urban Native partners, and agency interested parties in designing the HEZ selection process and identifying the inaugural rural and urban health equity zones and convening the Indigenous Advisory Panel to design the Zone for Native Communities, which will be selected in September 2024.

Other funding alternatives were explored, including meetings with local private foundations, that may be helpful for future project work that is specific to categorical funding. While over time, health equity zone projects may align with categorical grants received by DOH, this initial launch phase requires flexible funding while each zone determines the focus of their projects. The health equity zone work is not eligible for other funding such as Foundational Public Health dollars.

Not acting on this proposal or inadequate funding will impact the community members who have led the development of this initiative and the three communities identified as health equity zones. The consequences of not having secured funding that provides flexibility in spending to identify health priorities and develop projects in each zone will lead to the perpetuation of health inequities and loss of community trust.

The HEZ Initiative currently has 2.0 FTE supporting the rural and urban health equity zones. The zone for native communities requires specialized support by a Tribal Engagement Coordinator, specifically an individual seasoned in partnering closely as a government employee with tribal and urban native organizations. Native communities sometimes experience the greatest health disparities and inequities. Not having a permanent 1.0 FTE to support the Zone for Native Communities may impact on the Department's relationship with Tribal health partners.

Assumptions and Calculations

Expansion, Reduction, Elimination or Alteration of a current program or service:

Currently in FY25, the HEZ Initiative receives \$837,926 through Carryforward Level. Additionally, the HEZ Initiative received one-time amounts in FY24 of \$154,000 from GFS and \$150,000 from the Climate Commitment Act. This proposal is an expansion of the current HEZ Initiative program with an inclusion of the tribal zone staff position. HEZ was also initiated through the support of a budget proviso in 2021 that is ongoing.

The Health Equity Zones Initiative sits in the Division of Prevention and Community Health within the Executive Office of Prevention, Safety, and Health at the Department of Health.

Detailed Assumptions and Calculations:

HEZ Zone Project Funding

\$600,000 for FY26 and \$200,000 for FY27

The next step is implementation of each zone. DOH, in partnership with the HEZ Initiative Community Advisory Council, identified a zone for rural communities (Whatcom County) and a zone for urban communities (South King County) in Washington State using data on health and the social determinants of health. A third zone for Native communities will be identified in Fall 2024. In total, the Community Advisory Council reviewed 43 completed nominations from communities across the state, demonstrating a strong interest in the HEZ Initiative. DOH will support each pilot zone to implement a participatory decision-making process to identify health priorities and place-based strategies with a grant of \$200,000 per zone. The selected zones (urban, rural, Native communities) will each implement community-driven decision-making processes to identify pressing health concerns and develop projects that address the unique needs of the zone. The initiative uses an impacted-led approach, recognizing that those most impacted by health inequities have the best understanding of the needs, strengths, and strategies to improve the health of their community. Each of the selected Health Equity Zones will be led by a cross-sector community collaborative that reflects the diverse makeup of the community and the zone grants support this collaborative and its projects. These collaboratives will lead community efforts to identify health priorities and actions that address these priorities. Each community collaborative will be led by a community organization that will be the recipient of the zone grant. DOH will support the HEZ collaboratives in identifying funding and other resources that allow community-identified strategies to be implemented. Participatory evaluation is being used to assess the impact of HEZ Initiative and make ongoing improvements.

Community Engagement

\$205,000 for FY26 and ongoing

Support meaningful engagement with community members with lived experience to address health inequities. Funds community compensation for participation in meetings and completing qualifying engagement activities such as surveys and focus groups. This is inclusive of individuals who are low income or otherwise qualify per state law to support their participation. Funding includes translation and interpreter services for meetings.

Staffing

\$124,000 for a Health Services Consultant 3 for FY26 and ongoing

The following position is requested in FY26: Tribal Engagement Coordinator, 1.0 FTE, Health Services Consultant 3: This position will coordinate the selected Health Equity Zone for Native Communities, including supporting the design and implementation of a participatory decision-making process to identify community health priorities and strategies to improve health outcomes. The Tribal Engagement Coordinator will lead engagement with Tribal and urban Native partners for the HEZ Initiative. Establishing this position will address historical inequities experienced by Tribal communities and ensure that their needs are prioritized. The rural and urban health equity zones each have an FTE to

support zone design and implementation, but the Zone for Native Communities is not currently staffed. The 2024 session included a budget proviso (ESSB 5950 (142(a)) for the Department to develop a process for a grant program for federally recognized tribes to engage in the Health Equity Zone initiative, this request therefore includes staffing to support the department’s government-to-government tribal relations in coordination with our Zone for Native Communities.

See "Detailed Assumptions and Calcs" tab in the *Assumptions and Calculations* workbook.

Workforce Assumptions:

FTE	Job Classification	Salary	Benefits	Startup Costs	FTE Related Costs
1.0	Health Services Consultant 3	\$80,000.00	\$30,000.00	\$3,000.00	\$9,000.00
1.0		\$80,000.00	\$30,000.00	\$3,000.00	\$9,000.00

See "Workforce Assumptions" tab in the *Assumptions and Calculations* workbook.

Agency Indirect: Estimated expenditures include salary, benefit, and related costs for FTE to assist with administrative workload activities. These activities, necessary to manage day-to-day business needs include: policy and legislative relations; information technology; budget and accounting services; human resources; contracts; procurement, risk management, and facilities management.

Historical Funding:

See "Historical Funding" tab in the *Assumptions and Calculations* workbook. In addition to the funding included in the workbook, the program used FTE resources equivalent to \$75,197 in salaries and benefits from the HEAL/SNAP Ed program, and \$82,506 in salaries and benefits from Special Projects in FY24.

Strategic and Performance Outcomes

Strategic Framework:

This proposal corresponds with the Governor’s Results in Washington Goal 4: Healthy and Safe Communities. The activities in this proposal will systematically promote health equity and improve how communities and government partner together to reduce health disparities. This proposal is also directly tied to the Governor’s 10-year plan to dismantle poverty.

This proposal also aligns with the Department’s Transformational Plan objective of Health & Wellness to develop initiatives that support communities in achieving true health equity and optimal health for all. This proposal not only complements the existing initiatives but also amplifies their impact, thereby accelerating the transformation of the healthcare landscape in the state.

Performance Outcomes:

Expected Performance Outcomes: The Department anticipates an increase in the representation of underrepresented communities in engagement with HEZ zones and other Department programs. Additionally, the selected projects will be designed to target specific health disparities in consultation and under the leadership of affected communities, with progress leading to a reduction in health inequities among underserved populations. This will continue to build trust and collaboration between the Department and local communities, resulting in more effective interventions in health equity and disparity issues.

Equity Impacts

Community Outreach and Engagement:

DOH epidemiology staff has conducted ongoing participatory evaluation throughout the implementation of this work. This proposal includes feedback provided directly by Community Advisory Council members regarding their vision for the HEZ Initiative.

Equity, innovation, and engagement are at the center of the HEZ Initiative as it is focused on developing, expanding, and maintaining relationships between the state and communities, rebuilding trust in communities experiencing persistent health inequities, and shifting power to communities who understand their needs and solutions best. This approach is in line with the Office of Equity's Pro-Equity Anti-Racism framework, which places the community at the center of decision-making when it comes to determining how to develop solutions to improve their health outcomes.

The Department convened a Community Advisory Council, made up of community leaders, tribal community representatives, the Governor's Interagency Council on Health Disparities, local health jurisdictions, and Accountable Communities of Health, who led the process of selecting the zones and identifying the Urban and Rural health equity zones. DOH program staff played a programmatic support role and were not decision makers in the process. Additionally, in response to strong interest from community members to engage with the HEZ Initiative, the Department convened a Community Workgroup. The Community Workgroup was open to community members across the state who were interested in providing guidance and feedback on the process with optional participation. The Community Workgroup worked with the Community Advisory Council to help inform decisions with an active and ongoing feedback loop.

Disproportional Impact Considerations:

Health Equity Zones is a statewide initiative. There are no target populations or communities that are intentionally excluded, marginalized, or disproportionately impacted in a negative way by this proposal. However, both the rural and urban zones are located in Western Washington. By funding this proposal, the Department will have increased capacity to conduct outreach and engage with community members in Central and Eastern Washington to participate in the HEZ Initiative, through support of community compensation in engagement with our Community Advisory Council, Community Workgroup, or Indigenous Advisory Panel.

Target Communities and Populations:

A successful outcome of this proposal would be that DOH strengthens relationships with tribal health partners, maintains relationships with current HEZ Community Advisory Council members, and builds relationships with communities in the urban and rural health equity zones in South King County and Whatcom County, respectively, as well as the anticipated Zone for Native Communities. Communities experiencing inequities will benefit from this proposal by increased investment in community-driven solutions to the disparities most pressing to those zones.

Community Inputs and Incorporation:

This initiative is entirely centered on addressing health inequities, as prioritized by community coalitions in each zone. DOH will ensure continued active community engagement across the state through its Community Workgroup members and state-wide Community Advisory Council to the project to help guide decision making that impacts communities and where Health Equity Zones are implemented.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

Not applicable

Puget Sound Recovery:

Not applicable.

State Workforce Impacts:

Not applicable.

Intergovernmental:

Tribes: Continuation of the HEZ Initiative requires collaboration and partnership with Tribes. The Zone for Native Communities was designed in partnership with a panel of Tribal and Native community partners, who hold decision-making of the selection of the zone. Anticipate support of this proposal.

Local Health Jurisdictions and Accountable Communities of Health: The HEZ Initiative requires coordination and partnership with local health, who have a deep understanding of the needs of their communities. Anticipate support of this proposal.

Governor's Office: Department equity initiatives require coordination with the Governor's Office and Health Disparities Council. Anticipate support of this proposal.

Stakeholder Impacts:

These nongovernmental interested parties participated in community advisory councils, workgroups, and collaboratives the list below is representative larger community categories and is not exhaustive based on their focus and activities. The Department anticipates support of this proposal from partners across these areas of focus

- Indigenous Health and Justice
- Community Support and Services
- Immigrant and Refugee
- LGBTQ+
- Minority Health
- Environmental Justice
- Community Health Coalitions and Alliances
- Emergency Services and Disaster Relief

These groupings are based on common themes and activities that these stakeholder groups engage in, which helps to provide a broader understanding of their contributions to the community advisory councils, workgroups, and collaboratives. These groupings are based on common themes and activities that these stakeholder groups engage in, which helps to provide a broader understanding of their contributions to the community advisory councils, workgroups, and collaboratives.

State Facilities Impacts:

Not applicable.

Changes from Current Law:

Not applicable.

Legal or Administrative Mandates:

Not applicable.

Governor's Salmon Strategy:

Not applicable.

Reference Documents

[Assumptions and Calculations_Community-led Health Equity Zones.xlsx](#)

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$101	\$96	\$197	\$96	\$96	\$192
Obj. B	\$41	\$38	\$79	\$38	\$38	\$76
Obj. C	\$600	\$200	\$800	\$0	\$0	\$0
Obj. E	\$13	\$13	\$26	\$10	\$10	\$20
Obj. J	\$3	\$0	\$3	\$0	\$0	\$0
Obj. N	\$205	\$205	\$410	\$205	\$205	\$410
Obj. T	\$9	\$9	\$18	\$9	\$9	\$18

Agency Contact Information

Kristin Bettridge
 (360) 236-4126
 kristin.bettridge@doh.wa.gov



Agency Recommendation Summary

The Department of Natural Resources (DNR), in collaboration with various state agencies, Tribes, and the Governor's Office of Indian Affairs, is leading an initiative to assess and improve recreation management on state lands and waters. A draft charter outlines a vision, communication principles, and a governance structure, guiding this effort. In the current biennium, DNR will develop standardized resource assessment and adaptive management methodologies for priority areas. A \$637,000 budget increase is requested to support the next phase of this work during the 2025-27 biennium.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Operating Expenditures						
Fund 001 - 1	\$329	\$308	\$637	\$319	\$319	\$638
Total Expenditures	\$329	\$308	\$637	\$319	\$319	\$638

Decision Package Description

DNR's 2023 Decision Package, "Protect Public Lands and Tribal Rights," secured \$3.89 million to hire five Law Enforcement Officers, complete statewide recreation planning, and add two staff to support the Recreation Impacts process. This effort is a partnership with state agencies and several of Washington's federally recognized Tribes, focusing on building trust and developing a steering committee with three workgroups. The current request includes 1.63 FTE for a Natural Resource Scientist and IT Data Manager, essential for advancing this collaborative work during the 2023-25 biennium.

Assumptions and Calculations

Expansion, Reduction, Elimination or Alteration of a current program or service:

This proposal received partial funding in the 2023-25 biennium as part of DNR's Protect Public Lands and Tribal Rights package, securing \$3.89 million of the \$7.8 million requested. DNR used the funds to hire four Law Enforcement Officers, one Sergeant, and complete key short-term projects. The expected \$3.34 million carry-forward for 2025-27 is intended to support the Recreation Program and continue the Recreation Impacts work by adding essential staff for the next project phases.

2023-25 Biennium					
	Law Enforcement	Strategic Plan	First Foods Pilot	Recreation Impacts	Total BN
Total FTEs	5.0	-	-	2.0	7.0
Total Funding	\$2,792,900	\$200,000	\$200,000	\$686,825	\$3,889,725
2025-27 Biennium (anticipated carry forward including this request)					
	Law Enforcement	Strategic Plan	First Foods Pilot	Recreation Impacts	Total BN
Total FTEs	5.0	-	-	3.63	8.63
Total Funding	\$2,137,800	-	-	\$1,199,700	\$3,337,500

Detailed Assumptions and Calculations:

See attached Protect Lands & Tribal Rights Table

Workforce Assumptions:

Current funding supports a total of seven FTE:

Four Law Enforcement Officers; for each:

Salary: \$86,700

Benefits: \$32,000

G&S: 6,900

Travel: 27,300

Start Up costs: none (*paid for in 2023-25*)

One Sergeant:

Salary: \$110,900

Benefits: \$36,400

G&S: \$6,900

Travel: \$27,300

Start Up costs: none (*paid for in 2023-25*)

Environmental Planner 4

Salary: \$95,700

Benefits: \$31,700

G&S: \$2,900

Travel: \$14,000

Start Up costs: none (*paid for in 2023-25*)

Natural Resource Scientist 2

Salary: \$75,100

Benefits: \$28,500

Start Up costs: none (*paid for in 2023-25*)

Requested maintenance funding would support 1.63 new FTE for continued work in Recreation Impacts process:

Natural Resource Scientist 2:

Salary: \$75,100

Benefits: \$28,500

G&S: \$2900

Travel: \$14000

Start Up Costs: \$10,200 (workstation, laptop)

IT Data Manager-Journey (0.63 FTE)

Salary: \$72,400

Benefits: \$21,800

G&S: \$1800

Travel: \$8800

Start Up Costs: \$10,200 (*workstation, laptop*)

Historical Funding:

FY2026

- FTE = 7 FTE
- Total Funds = \$1,350,000
- Near General Fund = \$1,350,000
- Other Funds = none

FY2027

- FTE = 7 FTE
- Total Funds = \$1,350,000
- Near General Fund = \$1,350,000
- Other Funds = none
- FY2026
 - FTE = 7 FTE
 - Total Funds = \$1,350,000
 - Near General Fund = \$1,350,000
 - Other Funds = none

Strategic and Performance Outcomes

Strategic Framework:

This proposal received partial funding in the 2023-25 biennium as part of DNR's Protect Public Lands and Tribal Rights package, securing \$3.89 million of the \$7.8 million requested. DNR used the funds to hire four Law Enforcement Officers, one Sergeant, and complete key short-term projects. The expected \$3.34 million carry-forward for 2025-27 is intended to support the Recreation Program and continue the Recreation Impacts work by adding essential staff for the next project phases.

This package contributes to the Governor's Results Washington in some keyways:

Goal 3: Sustainable energy & a clean environment.

DNR's management plans for recreational areas focus on reducing resource damage, protecting fish-bearing streams, and safeguarding sensitive ecological zones. DNR's uplands are managed under the State Lands Habitat Conservation Plan, which includes strategies to protect threatened species like the Northern Spotted Owl and salmonids. This proposal funds analytical tools to help estimate the carrying capacity of DNR-managed lands, minimizing ecological impacts while supporting the agency's Climate Resilience 2020 strategies. The request aligns with DNR's Strategic Plan goals, including managing recreation responsibly, fostering collaboration with Tribal, local, and federal governments, and building authentic relationships through the State-Tribal Recreation Impacts Initiative.

Other strategies relevant to this request include:

- B3.2: Make DNR's scientific expertise and body of research more readily available for the public
- C1.2: Ensure public lands provide environmental, social, and economic good
- C2.1: Increase our knowledge of forest ecosystems

Performance Outcomes:

Performance outcomes:

This maintenance request supports Recreation's obligations to maintain the more than 130 recreation facilities listed in DNR's performance measures.

Equity Impacts

Community Outreach and Engagement:

This proposal is focused on maintaining the funding resources needed to continue in the important work of being fully engaged and responsive to the Recreation Impacts Interagency-Tribal partnership. An expected outcome of this work is the ability to make decisions regarding recreation management that are based in science and data, so that any policy and management changes to address equitable access for marginalized or vulnerable communities do not exacerbate environmental impacts. Therefore, the intention is to not exclude any communities from the work of recreation management at DNR.

Disproportional Impact Considerations:

This proposal is focused on maintaining the funding resources needed to continue in the important work of being fully engaged and responsive to the Recreation Impacts Interagency-Tribal partnership. An expected outcome of this work is the ability to make decisions regarding recreation management that are based in science and data, so that any policy and management changes to address equitable access for marginalized or vulnerable communities do not exacerbate environmental impacts. Therefore, the intention is to not exclude any communities from the work of recreation management at DNR.

Target Communities and Populations:

DNR finds itself in a challenging space when it comes to meeting the expectations of Tribal Nations, as well as the broader recreation community. The demand for recreational access, DNR faces challenges in meeting the expectations of Tribal Nations and the growing demand for recreational access, particularly new trails. As federal, state, and local agencies struggle to maintain existing trails, DNR is under pressure to expand recreation opportunities. However, limited resources hinder informed planning that balances increased visitation with landscape protection, Tribal rights, and management obligations. Investment in data collection and analysis will enhance DNR's planning and outreach, ensuring better management and more equitable engagement with underserved populations, including Tribes.

Community Inputs and Incorporation:

N/A

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

Yes

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

Tribes

- The Tulalip Tribes Natural Resources Department (2021). Please see, "Recreation Boom" attachment from February 28, 2021.
- At the 2022, 2023, and 2024 DNR-Tribal summits, Tribes have consistently expressed concerns with the growth of recreation opportunities and risks of irreparable impacts to natural and cultural resources that Tribes have reserved rights to access.
- The requests of Tribes to Governor Inslee to address impacts of recreational use ultimately resulted in the Interagency-Tribes Recreation Impacts process, and continued engagement and investment in this work is critical to the effort's ongoing productivity and success.

State partners:

- The Recreation Impacts work is a collaborative effort between Tribes and state agencies, including State Parks, WDFW, the Recreation and Conservation Office, and the Governor's Office of Indian Affairs. Each agency has staff dedicated to engagement with this effort and most are submitting maintenance-level or expanded funding requests to support this work.

Stakeholder Impacts:

The following organizations supported the 2023 operating request, and their support is anticipated again in 2025.

Non-Governmental Stakeholders	Anticipated Support or Opposition
Backcountry Horsemen of Washington	Support
Conservation Northwest	Support
Evergreen Mountain Bike Alliance	Support
Washington Wildlife and Recreation Coalition	Support
Outdoors for All	Support
Sierra Club	Support
REI	Support
Mountaineers	Support
TREAD	Support
Trek Bicycles	Support
Washington Trails Association	Support
Mountains to Sound Greenway	Support

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

N/A

Governor's Salmon Strategy:

N/A

Reference Documents

- [HEAL Act .docx](#)
- [PL - Protect Lands & Tribal Rights Table.xlsx](#)
- [Rec Impacts Working Charter \(draft 5-3-24\).pdf](#)
- [The Recreation Boom on Public Lands WW.pdf](#)

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$148	\$148	\$296	\$148	\$148	\$296
Obj. B	\$51	\$51	\$102	\$51	\$51	\$102
Obj. E	\$30	\$16	\$46	\$30	\$27	\$57
Obj. G	\$23	\$23	\$46	\$20	\$23	\$43
Obj. J	\$7	\$0	\$7	\$0	\$0	\$0
Obj. T	\$70	\$70	\$140	\$70	\$70	\$140

Agency Contact Information

David Chertudi

(360) 867-8066

david.chertudi@dnr.wa.gov

HEAL Act Questions

If you answer YES to any of the first three questions, please answer the six additional questions and submit them as an attachment with your decision package.

1. Is this DP package part of an agency request legislation that is required to complete an environmental justice assessment (RCW 70A.02.010(12))?

No

2. Is this DP package requesting funding to support another significant agency action that is required to complete an environmental justice assessment (RCW 70A.02.010(12))?

No

3. Is this DP requesting funding for a program/project/activity that may provide environmental benefits or reduce, mitigate, or eliminate environmental harms?

Yes

If you answer YES to any of the above questions, please complete these additional questions.

1. Please describe specific likely or probable environmental harms and/or benefits related to your DP and the associated health impacts to overburdened communities and vulnerable populations.

This request is specifically to maintain ongoing support for DNR's involvement in the State-Tribal Recreation Impacts Initiative. This work is the result of the requests by Tribes to the State to understand and mitigate the impacts of increased recreational use on resources that Tribes have reserved rights to. The expected long-term outcomes include the reduction in impacts to resources from recreational use, benefitting many Tribal Nations.

2. Please describe the estimated percentage and amount of the requested funds that will go towards creating environmental benefits in overburdened communities and vulnerable populations as defined in OFM's OBC map or as determined by the agency. If applicable, please include your methodology for making this estimate, including project/award lists if available.

100% of the funding would indirectly go toward creating environmental benefits for Tribal Nations.

3. Please describe any potential significant impacts to Indian Tribes' rights and interest in their Tribal lands, as well as traditional practices.

This request is specifically focused on Tribal Nations and their interests, traditional practices, and reserved rights.

4. Describe how your agency engaged with Tribes in developing this proposal, including offers for Tribal consultation including timelines, methods for feedback, and mechanisms for Tribes to express concern, opposition, or support., and any direction provided by Tribes through this engagement.

This is a maintenance level request to maintain the expected staffing and engagement DNR has anticipated having in the State-Tribal Recreation Impacts Initiative. DNR and partner agencies meet with Tribes in this effort a minimum of twice a month, and often much more through three sub-workgroups focused on information sharing, the development of technical tools, and budget and policy alignment. Tribes are aware of DNR's level of engagement in this effort and the agency's plans to make this maintenance level request.

5. If the DP is part of agency request legislation or supports another significant agency action that is required to complete an environmental justice assessment under RCW 70A.02.010(12), please submit the assessment as an attachment to your decision package.

NA

6. If the DP is part of agency request legislation or constitutes a significant agency action that is required to complete an environmental justice assessment, please describe how your agency used the environmental justice assessment process to eliminate, reduce, or mitigate environmental harms and equitably distribute environmental benefits. If your agency determined that you were unable to eliminate, reduce, or mitigate environmental harms and equitably distribute environmental benefits, please provide a justification for not doing so.

NA

PL - Protect Lands & Tribal Rights -- ORIGINAL ASK						
LEO's	FY 2024	FY 2025	2023-25	FY 2025	FY 2026	2025-27
Obj A&B Salary & Benefits: Fish & Wildlife Enforcement Sergeant - 1 FTE, LEO - 9	1,143,500	1,143,500	2,287,000	1,143,500	1,143,500	2,287,000
Obj E: General Goods & Services	37,000	37,000	74,000	37,000	37,000	74,000
Obj E: Uniforms/Safety Equip	45,000	6,000	51,000	6,000	6,000	12,000
Obj E: Ammo	-	10,000	10,000	-	10,000	10,000
Obj E: Ticket Books	1,000	1,000	2,000	1,000	1,000	2,000
Obj E: Office Space in Regions (one-time)	70,000	-	70,000	-	-	-
Obj ER: Purchased Services	-	-	-	-	-	-
WSP Radio/Dispatch Usage	42,000	42,000	84,000	42,000	42,000	84,000
Axon TASER Company	37,000	-	37,000	-	-	-
Obj G: General Travel	317,000	317,000	634,000	317,000	317,000	634,000
Obj J: Computers (one-time)	26,000	-	26,000	-	-	-
Obj J: Full Size Pickup Truck (one-time)	430,000	-	430,000	-	-	-
Obj J: Police Build - Lights/Sire/Partition x10 (one-time)	270,000	-	270,000	-	-	-
Obj J: Mobile Radio/Repeater x10 (one-time)	150,000	-	150,000	-	-	-
Obj J: Firearms	26,000	-	26,000	-	-	-
Obj J: Handheld Radios x10 (one-time)	100,000	-	100,000	-	-	-
Obj J: ATV & Trailer x10 (one-time)	150,000	-	150,000	-	-	-
Obj T: Agency Admin	553,500	544,500	1,098,000	541,400	544,500	1,085,900
LEO Total	3,398,000	2,101,000	5,499,000	2,087,900	2,101,000	4,188,900
Rec Plan, Carr Cap & First Foods	FY 2024	FY 2025	2023-25	FY 2025	FY 2026	2025-27
Obj A&B Salary & Benefits: EP4 - 1 FTE, NR Scientist 2 - 2 FTE, IT Data Management - .5 FTE	379,000	379,000	758,000	379,000	379,000	758,000
Obj C: Statewide Recreation Planning Contract	250,000	250,000	500,000	-	-	-
Obj E: General Goods & Services	13,000	13,000	26,000	13,000	13,000	26,000
Obj E: Communications & Meeting Materials for First Foods Workgroup	5,000	5,000	10,000	-	-	-
Obj E: Workstation (one-time)	21,000	-	21,000	-	-	-
Obj G: General Travel	47,200	47,200	94,400	45,900	45,900	91,800
Obj J: Computers (one-time)	7,800	-	7,800	-	-	-
Obj J: Full Size Pickup Truck (one-time)	86,000	-	86,000	-	-	-
Obj N: First Foods Pilot Project 1	-	225,000	225,000	-	-	-
Obj N: First Foods Pilot Project 2	-	225,000	225,000	-	-	-
Obj T: Agency Admin	163,950	163,950	327,900	161,950	161,950	323,900
Rec Plan, Carr Cap & First Foods Total	972,950	1,308,150	2,281,100	599,850	599,850	1,199,700
PL Protect Lands & Tribal Rights DP Total	4,370,950	3,409,150	7,780,100	2,687,750	2,700,850	5,388,600

PL - Protect Lands & Tribal Rights -- REVISED BASED ON SMALLER 23-25 BUDGET						
LEO's	FY 2024	FY 2025	2023-25	FY 2025	FY 2026	2025-27
Obj A&B Salary & Benefits: Fish & Wildlife Enforcement Sergeant - 1 FTE, LEO - 4	588,300	588,300	1,176,600	588,300	588,300	1,176,600
Obj E: General Goods & Services	18,500	18,500	37,000	18,500	18,500	37,000
Obj E: Uniforms/Safety Equip	22,500	3,000	25,500	3,000	3,000	6,000
Obj E: Ammo	-	5,000	5,000	-	5,000	5,000
Obj E: Ticket Books	500	500	1,000	500	500	1,000
Obj E: Office Space in Regions (one-time)	35,000	-	35,000	-	-	-
Obj ER: Purchased Services	-	-	-	-	-	-
WSP Radio/Dispatch Usage	21,000	21,000	42,000	21,000	21,000	42,000
Axon TASER Company	18,500	-	18,500	-	-	-
Obj G: General Travel	158,500	158,500	317,000	158,500	158,500	317,000
Obj J: Computers (one-time)	13,000	-	13,000	-	-	-
Obj J: Full Size Pickup Truck (one-time)	215,000	-	215,000	-	-	-
Obj J: Police Build - Lights/Sire/Partition x10 (one-time)	135,000	-	135,000	-	-	-
Obj J: Mobile Radio/Repeater x10 (one-time)	75,000	-	75,000	-	-	-
Obj J: Firearms	13,000	-	13,000	-	-	-
Obj J: Handheld Radios x10 (one-time)	50,000	-	50,000	-	-	-
Obj J: ATV & Trailer x10 (one-time)	75,000	-	75,000	-	-	-
Obj T: Agency Admin	279,650	279,650	559,300	276,600	276,600	553,200
LEO Total	1,718,450	1,074,450	2,792,900	1,066,400	1,071,400	2,137,800
Rec Plan, Carr Cap & First Foods	FY 2024	FY 2025	2023-25	FY 2025	FY 2026	2025-27
Obj A&B Salary & Benefits: EP4 - 1 FTE, NR Scientist 2 - 2 FTE, IT Data Management - .5 FTE (in 25-27)	178,700	214,500	393,200	379,000	379,000	758,000
Obj C: Statewide Recreation Planning Contract	200,000	-	200,000	-	-	-
Obj E: General Goods & Services	6,200	7,400	13,600	13,000	13,000	26,000
Obj E: Communications & Meeting Materials for First Foods Workgroup	4,000	4,000	8,000	-	-	-
Obj E: Workstation (one-time)	14,000	-	14,000	-	-	-
Obj G: General Travel	22,900	27,200	50,100	45,900	45,900	91,800
Obj J: Computers (one-time)	3,200	-	3,200	-	-	-
Obj J: Full Size Pickup Truck (one-time)	43,000	-	43,000	-	-	-
Obj N: First Foods Pilot Project 1	-	100,000	100,000	-	-	-
Obj N: First Foods Pilot Project 2	-	100,000	100,000	-	-	-
Obj T: Agency Admin	78,225	93,500	171,725	161,950	161,950	323,900
Rec Plan, Carr Cap & First Foods Total	550,225	546,600	1,096,825	599,850	599,850	1,199,700
PL Protect Lands & Tribal Rights DP Total	2,268,675	1,621,050	3,889,725	1,666,250	1,671,250	3,337,500

PL - Protect Lands & Tribal Rights -- DIFFERENCE						
LEO's	FY 2024	FY 2025	2023-25	FY 2025	FY 2026	2025-27
Obj A&B Salary & Benefits: Fish & Wildlife Enforcement Sergeant - 1 FTE, LEO - 4	(555,200)	(555,200)	(1,110,400)	(555,200)	(555,200)	(1,110,400)
Obj E: General Goods & Services	(18,500)	(18,500)	(37,000)	(18,500)	(18,500)	(37,000)
Obj E: Uniforms/Safety Equip	(22,500)	3,000	(25,500)	3,000	3,000	(6,000)
Obj E: Ammo	-	(5,000)	(5,000)	-	(5,000)	(5,000)
Obj E: Ticket Books	(500)	(500)	(1,000)	(500)	(500)	(1,000)
Obj E: Office Space in Regions (one-time)	(35,000)	-	(35,000)	-	-	-
Obj ER: Purchased Services	-	-	-	-	-	-
WSP Radio/Dispatch Usage	(21,000)	(21,000)	(42,000)	(21,000)	(21,000)	(42,000)
Axon TASER Company	(18,500)	-	(18,500)	-	-	-
Obj G: General Travel	(158,500)	(158,500)	(317,000)	(158,500)	(158,500)	(317,000)
Obj J: Computers (one-time)	(13,000)	-	(13,000)	-	-	-
Obj J: Full Size Pickup Truck (one-time)	(215,000)	-	(215,000)	-	-	-
Obj J: Police Build - Lights/Sire/Partition x10 (one-time)	(135,000)	-	(135,000)	-	-	-
Obj J: Mobile Radio/Repeater x10 (one-time)	(75,000)	-	(75,000)	-	-	-
Obj J: Firearms	(13,000)	-	(13,000)	-	-	-
Obj J: Handheld Radios x10 (one-time)	(50,000)	-	(50,000)	-	-	-
Obj J: ATV & Trailer x10 (one-time)	(75,000)	-	(75,000)	-	-	-
Obj T: Agency Admin	(273,850)	(264,850)	(538,700)	(264,800)	(267,900)	(532,700)
LEO Total	(1,679,550)	(1,026,550)	(2,706,100)	(1,021,500)	(1,029,600)	(2,051,100)
Rec Plan, Carr Cap & First Foods	FY 2024	FY 2025	2023-25	FY 2025	FY 2026	2025-27
Obj A&B Salary & Benefits: EP4 - 1 FTE, NR Scientist 2 - 2 FTE, IT Data Management - .5 FTE (in 25-27)	(200,300)	(164,500)	(364,800)	-	-	-
Obj C: Statewide Recreation Planning Contract	(50,000)	(250,000)	(300,000)	-	-	-
Obj E: General Goods & Services	(6,800)	(5,600)	(12,400)	-	-	-
Obj E: Communications & Meeting Materials for First Foods Workgroup	(1,000)	(1,000)	(2,000)	-	-	-
Obj E: Workstation (one-time)	(7,000)	-	(7,000)	-	-	-
Obj G: General Travel	(24,300)	(20,900)	(44,900)	-	-	-
Obj J: Computers (one-time)	(4,600)	-	(4,600)	-	-	-
Obj J: Full Size Pickup Truck (one-time)	(43,000)	-	(43,000)	-	-	-
Obj N: First Foods Pilot Project 1	-	(125,000)	(125,000)	-	-	-
Obj N: First Foods Pilot Project 2	-	(125,000)	(125,000)	-	-	-
Obj T: Agency Admin	(85,725)	(70,450)	(156,175)	-	-	-
Rec Plan, Carr Cap & First Foods Total	(422,725)	(761,550)	(1,184,275)	-	-	-
PL Protect Lands & Tribal Rights DP Total	(2,102,275)	(1,788,100)	(3,890,375)	(1,021,500)	(1,029,600)	(2,051,100)

State Interagency-Tribal Recreation Impacts Management Charter

Draft – May 3, 2024

I. Background and Context

For the past several years, many Washington Tribes have advocated at the annual Centennial Accord and other government-to-government venues for the creation of a collaborative State/Tribal process to develop more sustainable, less impactful, and more culturally sensitive approaches to addressing recreational impacts and management strategies on state lands. These requests were further supported and elaborated upon in a letter sent to Governor Jay Inslee in March 2021 by the Northwest Indian Fisheries Commission on behalf of their twenty western Washington treaty Tribes requesting that he establish a “...special task force to develop solutions to address recreational impacts to tribal treaty rights.”

State Agency Budget Requests

Through the course of the pandemic, as visitors flooded to public lands and numerous examples of overuse were clearly in evidence, it became apparent that a system for understanding the condition of parks and other recreation lands was needed more than ever. Building upon previous cooperation, the Department of Natural Resources (DNR), Department of Fish and Wildlife (DFW), and the State Parks and Recreation Commission (State Parks) worked together to submit complementary operating budget requests to assess the ecological integrity of state-managed lands, develop tools for monitoring resource conditions, and develop a framework for adaptively managing recreation impacts across state lands. The Governor included the three requests in his 2023-25 budget proposal and the Legislature ultimately funded about half of each of the state agency requests. A proviso was also attached requiring DFW, DNR, and State Parks to work jointly to develop the management system and to “...collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.”

Governor’s Letter to Tribal Leaders

In February 2023, the Governor sent a letter to Washington Tribes responding to their requests that he take action to reduce recreation impacts (Appendix 2). The Governor’s letter acknowledged and affirmed the Tribes’ concerns and committed to working together with the state agencies to address them. The letter also invited tribal leaders to meet with State Parks Director Dupuis, DFW Director Susewind, and Commissioner of Public Lands Franz to discuss ways in which the state agencies and Tribes might work together on the issue of recreation impacts. The state and tribal leaders met in April 2023, where they acknowledged shared state agency and tribal interests and committed to working together to improve management of recreation impacts on natural and cultural resources and on protected tribal rights across state lands.

State Interagency-Tribal Recreation Impacts Management Effort

The Governor’s Office of Indian Affairs (GOIA), Washington Department of Fish and Wildlife (DFW), Washington State Parks and Recreation Commission (State Parks), the State Department of Natural Resources (DNR), the Recreation and Conservation Office (RCO) and representatives of federally recognized Tribes with protected tribal rights in Washington have committed to co-creating a system to improve management of recreation impacts on natural and cultural resources and

protected tribal rights on state-managed lands and waters. This is a large and complex undertaking that involves agreeing to a general scope of the effort, organizing communication and joint decision-making of the many independent state agencies and Tribes, and developing the planning and technical tools necessary to objectively assess and manage recreation impacts across millions of acres of state-managed lands and waters.

Charter Development

This charter is a joint and ongoing product of the state agency and tribal representatives engaged in this effort. The charter is intended to describe how work is conducted in furtherance of the purpose and goals of this cooperative effort. Instead of attempting to draft a charter at the outset of this process, work has instead focused on reaching agreement on substance of the elements of the charter (e.g., vision, organizational structure, and processes). Once agreement is reached on substance, elements are then recorded and memorialized in this document as a *working charter*. The working charter is intended to guide this effort for the foreseeable future, but will be continually developed, refined, and updated to reflect evolving circumstances and practices. Regular reports will be provided to keep state agency and Tribal Leadership apprised of progress on developing the working charter.

II. Vision

Tribes and state agencies working together to co-develop recreation management tools and an adaptive management framework that effectively coordinates cooperative stewardship of natural and cultural resources and preserves protected tribal rights on state lands

III. Principles for Communication

Partnership on the Process: The state agencies and Tribes mutually agree to work through the process outlined in this charter to improve communication, collaboration, and policy and conservation outcomes. We commit to working in good faith to make this process productive, respectful, and mutually beneficial. No single agency or Tribe is leading this effort, and collaboration by independent equals is essential to make durable, lasting joint decisions.

Embracing the Challenge: The state agencies and Tribes acknowledge that jointly addressing issues around the recreational use of public lands and waters by the general public will be inherently complicated. We commit to having these discussions because this topic and related issues are important, and state agency and Tribal communication is required to achieve the best and most sustainable policy and conservation outcomes.

Mutual Transparency: The state agencies and Tribes commit to collaboratively increasing communication and transparency among all participating parties. We will share all pertinent information to support the process. Information will be evaluated and where intellectual property is unavoidably impacted, appropriate permissions will be requested and respected.

Respect for Confidentiality of Sensitive Information: Tribes will rely on participating state agencies showing deference to Tribal concerns regarding information security and safeguarding sensitive

Tribal information from public disclosure. Confidential Tribal information will not be entered into the record without the consent of the impacted Tribes. The Tribes are aware of the State's statutory public disclosure responsibilities and will identify confidential information to the State. Tribes will work with the State to navigate those responsibilities in a way that does not unintentionally disclose this type of information.

Acknowledgment of Tribal Standing: Tribes are sovereign governments that have a unique legal and policy standing with the State of Washington as government-to-government partners. Tribes are not stakeholders. Tribes can participate in conversations with non-Tribal stakeholders and the state agencies without diminishing their standing or foreclosing on other communication modes.

Acknowledgment of State Agency Standing: In service to the public, each state agency is accountable to a unique mission, mandate, and set of statutory directions. Each maintains unique government-to-government relationships with Tribes. State agencies can participate in this multi-party effort without diminishing their standing, commitment, and obligations with individual Tribal governments reached through other means.

Unity, Not Division: To the extent possible, we will work on recreation management issues that are recognized and prioritized as critical among Tribes and the state agencies. In addressing issues that cause division and controversy, we are committed to actively listening to each other to understand and address our collective concerns, ensure continued progress, and build trust. This process is a mutual, collaborative process between multiple governments with unique and overlapping interests, and it will take patient, ongoing effort to work together successfully. We will develop a shared process to fully examine areas of disagreement and explore every opportunity for resolution. If the Steering Committee broadly concludes that a disagreement is irresolvable and arresting progress, we will document that issue and agree on a path forward that allows for advancing other priorities.

Follow Through: Significant decisions and agreements will be appropriately documented and the onus will be on each independent entity to act upon them in good faith.

IV. Goals and Strategies

[Under Development – Goals will be developed by the workgroups and advanced to the Steering Committee for consideration.]

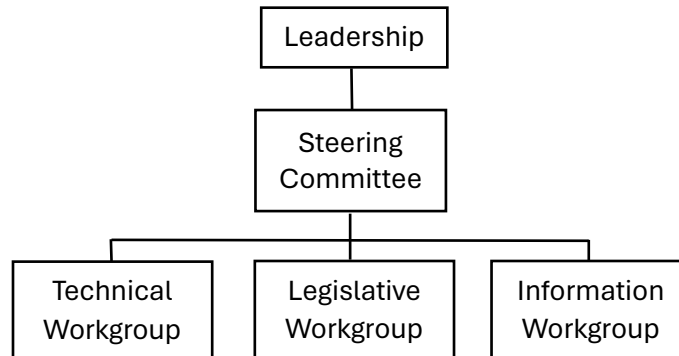
V. Organizational structure, participants, meetings, and assignments

This cooperative effort uses a tiered structure to plan and direct the overall effort, coordinate work tasks, develop recommendations, make decisions, report progress, and otherwise manage the flow of information (Figure 1). The three tiers include Leadership, Steering Committee, and three functional workgroups.

During preliminary discussions, tribal leaders identified a desire for engagement with Tribes on a regional basis to help ensure all have an equal opportunity to participate. The current direction is to

use a centralized approach for initial work to organize the effort and develop tools and processes, and then to provide opportunities for regional engagement as attention shifts to specific geographic areas of concern, selecting demonstration sites and efforts, and conducting site-level work.

Figure 1: Organization Structure



Leadership

Purpose: Sponsor overall effort, authorize participation and work, commit resources, discuss high-level issues, make joint decisions, address areas of disagreement, and provide direction to the Steering Committee.

Participants: Active participants in Leadership meetings include tribal chairs, council members, and elders, together with the Commissioner of Public Lands, and directors of the Governor’s Office of Indian Affairs, Department of Fish and Wildlife, State Parks and Recreation and Conservation Office. Tribal or state agency leaders may designate authorized representatives to participate in Leadership meetings. All interested tribal and state staff may attend or watch Leadership meetings but are typically not asked to participate in discussions.

Meetings: Leadership is anticipated to meet as a group once or twice per year (hybrid in-person/zoom).

Tasks:

1. Hear progress reports, make collective tribal-state agency agreements, weigh alternatives and make joint decisions
2. Consider further action for areas of disagreement (e.g., no decision, remand to Steering Committee, refer for potential G2G consultation)

Steering Committee

Purpose: The function of the Steering Committee is to oversee and help facilitate development of a process for cooperatively managing recreation-related impacts on natural and cultural resources and on protected tribal rights across state lands. Responsibilities include developing a vision,

general scope of work, and policy level guidance for the overall effort; discussing and troubleshooting issues as they arise; and assisting with selecting, contracting, and supporting a professional facilitator. The Steering Committee also establishes workgroups, assigns them tasks, considers their recommendations, and advances their recommendations to Leadership for consideration and decision making as necessary.

Participants: The Steering Committee is a joint group of state agency and tribal leaders and staff that are authorized by their respective state and tribal decision-makers to participate. We anticipate a relatively informal, self-selection of committee members where participation is open and fluid and all are welcome to attend meetings when they are able.

Meetings: The Steering Committee will meet on the first and third Thursdays of each month, from 1pm to 3pm, usually on zoom. Hybrid in-person/zoom meetings will be considered on a case-by-case basis.

Tasks:

1. Develop organization structure, general process, and timeline for the effort
2. Establish workgroups, assign tasks, monitor their progress, and consider and advance recommendations to Leadership for decision-making as necessary.
3. Develop integrated plan and principles to guide state-tribal cooperation on managing recreation impacts on resources and tribal protected rights across state lands.
4. Support selection of an independent consultant to facilitate Steering Committee meetings

Technical Workgroup

Purpose: The principal function of the Technical Workgroup is to develop technical processes and products and complete technical work and analytical tasks to inform and support decision-making by the Steering Committee and Leadership. This primarily includes developing tools and processes to assess and adaptively manage recreation impacts on natural and cultural resources and on protected tribal rights; prioritizing and recommending demonstration efforts in which to apply the developed tools; and guiding and supporting assessment and planning activities in the selected demonstration efforts.

Participants: The Technical Workgroup is a joint group of state agency and tribal technical staff who are authorized by state and tribal decision-makers to participate in the scientific and other technical aspects of this effort.

Meetings: The Technical Workgroup will develop a specific work schedule to suit their work tasks, with periods of higher and lower frequency of meetings thereafter depending on the needs of the project. Meetings will occur mostly via zoom.

Tasks:

1. Coalesce tribal and state agency proposals into a single technical framework for assessing, prioritizing and adaptively managing recreation impacts on natural and cultural resources and on protected tribal rights across state lands.
2. Prepare and maintain an updated scientific literature review regarding assessment and management of recreation impacts on natural and cultural resources.
3. Develop an ongoing glossary of technical terminology used in this effort.

Legislative Workgroup

Purpose: The Legislative Workgroup is intended to develop a legislative strategy, including specific policy and budget recommendations in support of this effort, for consideration by the Steering Committee and Leadership. The workgroup is also intended to coordinate and collaborate with recreation and conservation organizations and other legislative stakeholders to help advance the legislative strategy and broader vision and purpose of this cooperative effort.

Participation: Workgroup participants will typically include tribal policy staff and lobbyists and state agency policy staff and legislative liaisons.

Meetings: The Legislative Workgroup will determine an appropriate meeting schedule. Meetings are anticipated to be more frequent prior to and during legislative sessions and may meet only occasionally during interim periods.

Tasks:

1. Develop a legislative strategy to advance the work of the Steering Committee, including requests for financial support for tribal participation in this effort to improve management of recreation impacts on state lands.
2. Review and assist in coordinating state agency budget requests and agency-request legislation in furtherance of this state-tribal process.
3. Build a coalition to communicate, advocate, and advance the submitted financial request and the ongoing work of the Steering Committee.

Information Sharing Workgroup

Purpose: The principal function of this workgroup is to develop recommendations to improve the flow of information between the state agencies and Tribes concerning expansion of recreation and anticipated impacts to natural or cultural resources or protected tribal rights. The intent is that a regularly updated inventory of recreation planning efforts, projects, programs, and initiatives will provide a complete picture of potential recreation expansion and allow Tribes to assess and direct their attention to where it is needed most. This workgroup also participates in drafting and reviewing documents in support of the facilitator and at the direction of the Steering Committee. Future functions may include coordinating ongoing periodic conferences to which Tribes and state land management agencies bring issues and opportunities for discussion and resolution.

Participants: The Information Sharing Workgroup is a joint group of state agency and tribal policy, program, and administrative staff who are authorized by state and tribal decision-makers to participate in information management and sharing aspects of this effort.

Meetings: The Information sharing Workgroup will initially meet twice per month but may adjust meeting frequency to suit completion of its assigned work.

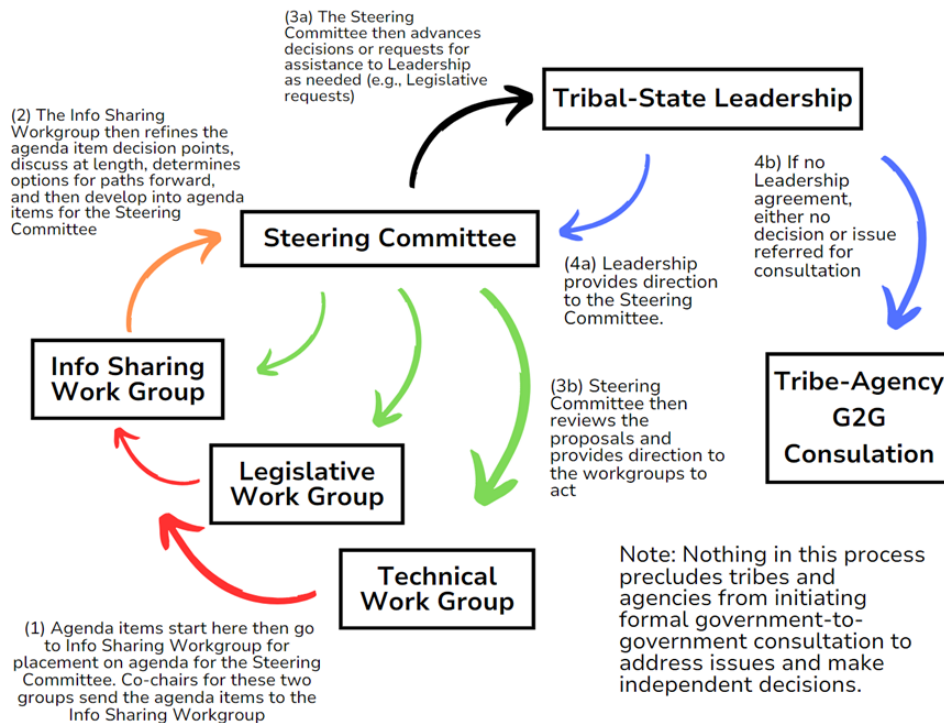
Tasks:

1. Develop recommendations for improving information sharing between state agencies and Tribes.
2. Draft a charter to guide this cooperative state interagency-tribal effort to improve management of recreation impacts across state lands.
3. Prepare and draft meeting agendas for Steering Committee meetings.
4. Draft and review documents (e.g., integrated plan and principles) in support of the facilitator and at the direction of the Steering Committee.

VI. Decision-Making and Agreements

The following flowchart, steps, and caveats will be used to guide decision-making and development of agreements by the Steering Committee and Leadership.

Decision-Making Flowchart



Decision-Making Steps

- *Raise issue or proposal:* Participants encouraged to raise issues or make proposals during all Workgroup meetings.
- *Discuss and debate:* Fully hear facts, perspectives, opinions, and preferences (caucus if necessary) with the intention of reaching agreement. Time limitations on discussion will be avoided, when possible, to allow necessary time for thorough discussion.
- *Reach general agreement:* Decisions do not require unanimous support, but at minimum are acceptable to regular participants. Major decisions involving recreation management on state agency-managed lands and waters, policy or rule development, and legislative proposals may require a more formalized process that will be developed as necessary and appropriate.
- *Record agreement:* Significant decisions are recorded in the form of a resolution, meeting notes, or other appropriate document.
- *Institutionalize agreement:* Responsibility lies with each tribe and state agency to independently act upon decisions in good faith. Enacting decisions may require additional process by tribal governments and state agencies including taking formal policy or rule-making actions and complying with procedures mandated in tribal and state law (e.g., State Environmental Policy Act and Administrative Procedures Act).
- *Agreements become norms:* Decisions will ultimately be incorporated into the way tribes and agencies interact and cooperate.
- *Disagreements:* Any areas of disagreement are fully examined and given every opportunity for resolution. Disagreements that are irresolvable and arresting progress will be documented and a path forward agreed upon that allows other priorities to advance.

Decision-Making Caveats

- This decision-making process is intended for decisions and agreements of the Steering Committee and Leadership. Workgroups are free to settle upon a decision-making process that best suits their work.
- Roles:
 - The Steering Committee determines the sphere of matters that will be considered and directs the appropriate pathway for decision making (e.g., workgroup-steering committee-leadership).
 - The facilitator supports decision-making by creating a safe space for honest discussion, ensures as many participants as possible are included, and gives advice on navigating difficult discussions.
- Decisions made by the Steering Committee and Leadership typically pertain to improving consistency, processes, and communication and reaching agreement among participating Tribes and state agencies. Major decisions involving recreation management on state agency-managed lands and waters, policy or rule development, and legislative proposals may require a more formalized process that will be developed as necessary and appropriate.

- Enacting decisions may require additional process by tribal governments and state agencies including taking formal policy or rule-making actions and complying with procedures mandated in tribal and state law (e.g., State Environmental Policy Act and Administrative Procedures Act).
- Decisions and agreements will be put into practice to try them out, refined as needed, and incorporated into ongoing practices when satisfactory.
- Nothing in this process precludes tribes and agencies from initiating formal government-to-government consultation to address issues and make independent decisions.

VII. Process, Milestones, and Deliverables

[Under Development – This section will include descriptions of the process, milestones and deliverables that will guide work of the Technical, Information Sharing, and Legislative Workgroups.]

Technical Workgroup

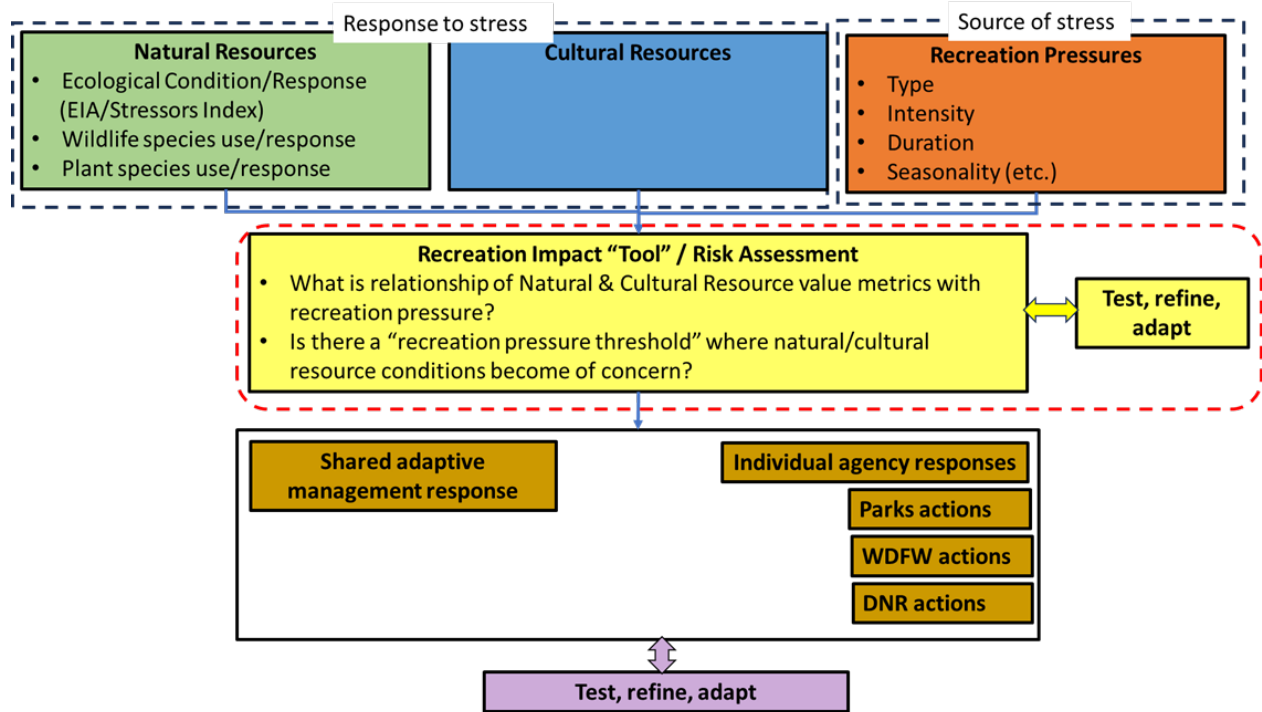
The function of the Technical Workgroup is to support development of tools to assess and adaptively manage recreation impacts on natural and cultural resources and on protected tribal rights; recommend demonstration sites in which to apply the tools; and support application of tools in selected demonstration sites. The framework for this work (Figure 2) describes a general process for data collection, tool development and refinement, and the development of adaptive management actions.

An initial framework for assessing and managing recreation impacts was developed by the Tulalip Tribes and approved by the Tribal Caucus for presentation to the Steering Committee for consideration. The Steering Committee then tasked the Technical Workgroup with coalescing the tribal framework and the approach envisioned by the state agencies into a unified framework.

Data collected will include estimates of recreation pressures, potentially including recreation type, intensity, duration, and seasonality; natural resources, including current and desired future conditions; and cultural resources. A risk assessment will be developed to determine overall relationships of recreation pressures with the natural and cultural resources of concern and identify where high recreation pressure conflicts with natural or cultural resources.

The risk assessment will be used to identify areas to apply adaptive management principles to maintain satisfactory resource conditions and provide sustainable, high-quality recreational experiences, consistent with the respective constitutional and statutory purposes of these lands and authorities of each agency. Risk assessment and adaptive management tools will continue to be modified, refined, and updated to suit specific site and resource needs, and incorporate new data and methods.

Figure 1: Recreation Impacts Assessment and Management Framework



[Milestones and Deliverable under development]

Information Sharing Workgroup

[Process, Milestones and Deliverables under development]

Legislative Workgroup

[Process, Milestones and Deliverables under development]

The “Recreation Boom” on Public Lands in Western Washington: Impacts to Wildlife and Implications for Treaty Tribes

A Summary of Current Literature



The Tulalip Tribes
Natural Resources Department
Treaty Rights Office
6406 Marine Drive
Tulalip, WA 98271

February 28, 2021

“ It’s important that we never lose our right to access our traditional foods and our materials that we gather, our fish and our game, and all those things from the land and the water that our people remain spiritually connected to which defines us and our living culture.”

Ray Fryberg, Sr., Tribal Research Historian, Tulalip Tribes Natural and Cultural Resources Department

Acknowledgements

We wish to acknowledge those who both inspired and contributed directly to this work: Tulalip's ancestors who fought hard to protect the resources that would enable generations that follow to be able to continue tribal lifeways, and who ensured these resources were protected in the treaty; Tulalip Board leadership and staff Ray Fryberg, Jason Gobin, Mike Sevigny, Molly Alves, Ryan Miller, Patti Gobin, Amanda Shelton, Kurt Nelson, and Tim Brewer. We also wish to thank Chris Madsen and Cecilia Gobin of the Northwest Indian Fisheries Commission for their review and contributions to this paper, and Frank Bob, Lummi and Tino Villaluz, Swinomish for their insights on recreation that helped us in our approach to this report. We want to acknowledge and thank Richard Knight and Courtney Larson for steering us toward available research as well as sharing their detailed knowledge on this topic with us at the early stages of our search.

Cover Photo By:

Seb And (2016). Rattlesnake Ridge, Washington [Video]. YouTube.

<https://www.youtube.com/watch?v=FeQI5QqBcAg>

This report was jointly prepared by:

Libby Halpin Nelson
Senior Environmental Policy Analyst
Tulalip Tribes Treaty Rights Office
lnelson@tulaliptribes-nsn.gov

and

David Bailey
Wildlife Biologist
Tulalip Tribes Wildlife Program
dbailey@tulaliptribes-nsn.gov

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Introduction

Recreation across public lands in western Washington is growing rapidly as the population in the Puget Sound Region expands, and as the popularity of outdoor activities among a growing and younger demographic surges (Balk, 2019). Social media is likewise playing a role in introducing and drawing people to natural areas, as well as funneling them to particular areas (Simmonds et al. 2019; Solomon, 2018).

Tribes have witnessed this increasing recreational pressure across the landscape, and its strikingly dramatic growth over the last two decades. The pressures on public lands and waterways were made all too clear this past year (2020) during the COVID-19 pandemic. News sources as well as reports from land managers in our region described extreme crowding and heavy use across all seasons, overflowing parking areas at trailheads and boat launches, litter, human waste, erosion and a near total lack of enforcement. Tribes and many agency staff view last year's large numbers of recreationists less as an anomaly than a *preview* of what the future holds in our region.

Population growth scenarios for western Washington also suggest these challenges will only increase in the future. The expanding volume of recreational users on public lands in recent years across Tribes' treaty areas has been fueled, in part, by rapid growth in the technology industry in the Puget Sound Region (Balk, 2019). This 'tech boom' has led to a significant increase in spending on recreation and associated recreation-related jobs, such that the outdoor recreation industry is a major economic driver in our state (Mojica

2020). Current federal, state, and local policies calling for maximizing recreational opportunities and associated revenue on public lands contribute to these trends (Thomas & Reed 2019). Many federal and state funding programs for restoration and acquisition require projects provide public access, thereby increasing recreational capacity and implying that human use is always appropriate and compatible with restoration and protection goals.

Tulalip and other western Washington tribes are concerned about recreation's impacts on the environment, and in turn, implications for the exercise of treaty rights on public lands and waters, now and for future generations. In responding to this increased demand, land managing agencies have expanded parking lots, added new river and marine access points and launches, increased miles of new trails and improved existing ones, installed more pit toilets as well as other recreation infrastructure. However, we have seen little in the way of agency evaluation of the intensifying human footprint on the health of these public lands in western Washington, and in turn, the impacts recreation may be having on tribal treaty rights and lifeways that depend on healthy and diverse ecosystems.

A mounting body of scientific literature nationally bears out tribal members' concerns locally: recreation, both motorized and non-motorized, can and does have a significant environmental impact. Cumulatively, recreational activities can influence the range and health of fish and wildlife species and habitat, degrade vegetative communities, and result in human presence and disturbance throughout even the most remote areas of public lands and treaty areas, regardless of season. Researchers report that outdoor recreation is a leading cause of species endangerment on public lands in the United States, and on at-risk bird species worldwide (Losos et al. 1995, Steven and Castley 2013). Several recent studies synthesize both national and international research on recreation impacts to wildlife, and outline

the specific impacts of outdoor recreation and nature-based tourism (Larson et al. 2016, 2018, 2019; Miller, A.B. et al. 2020; Naidoo and Burton, 2020; Monz et al. 2013; Sato et al. 2013; Steven and Castley 2013; Hammitt et al. 2015). In light of the already diminished resources and access challenges in our area, and the uncertainty associated with a changing climate, these findings and trends are concerning.

Tribes possess rights reserved by treaties with the United States. As a signatory to the Point Elliott Treaty of 1855, Tulalip and other signatory tribes have reserved rights to take fish and shellfish at usual and accustomed areas, as well as to hunt and gather plants and wildlife throughout open and unclaimed lands, including state and federal public lands. These treaty-reserved rights were upheld in the landmark legal decision, *U.S. v. Washington* (Boldt decision) and numerous other federal cases. In deciding tribal treaty rights issues, the courts have noted treaties are agreements between sovereign nations and are the supreme law of the land. The federal court decisions apply tribal treaty canons of construction and have interpreted the treaties as the Indians would have understood them, giving significant weight to the testimony of elders and the records of treaty discussions. Documentation shows that the continuation of fishing, hunting and gathering was of central importance to the Tribal leaders who signed the treaty (Wilkinson 2006). It is improbable that Tribal signatories to the treaty in 1855 could ever have imagined the widespread conversion of lands, habitat loss, and diminishment of fish and wildlife populations that we see across Western Washington today. The protection of ecosystems and habitat on which the exercise of these off-reservation treaty rights depend is essential to fulfilling the treaty obligations to the Indian tribes. In the absence of research and actions to address recreation's environmental impacts across our treaty areas, which coincide with these same public lands experiencing intensifying recreational pressure, State and federal land-managing agencies are not adequately addressing their obligations to treaty tribes.

Recreational impacts can affect a multitude of natural and cultural resources of importance to tribes, both terrestrial and aquatic. This report focuses on a review of scientific literature of recreational impacts on *terrestrial wildlife*. Other reports have similarly synthesized available research on this topic, on a national or international scale, though our intent is to view this research through the lens of tribal treaty rights, and from a more local and regional perspective. A review of literature and research findings related to aquatic species is needed in order to better understand the broader impacts of recreation on treaty resources here in western Washington.


While clearly not representative of *all* the research that is available on this topic, this report provides a bibliography of key research discovered, and a summary of findings applicable to tribal concerns here in western Washington, highlighting specific impacts to select wildlife species. Examining effects of recreation on wildlife, and conservation of biodiversity more generally, will allow tribes to consider strategic protective efforts needed, and serve as a potential framework for guiding future research in our region.

Outdoor Recreation: Soaring Popularity, Thriving Business

In the United States, the outdoor recreation economy generates \$788 billion in consumer spending, over 5.2 million direct jobs and billions of dollars in federal and state tax revenue, and continues to grow annually (U.S. Bureau of Economic Analysis 2020).


Public demand for outdoor recreation has long been an economic driver and many federal, state, and municipal conservation strategies aim to ensure recreation access to public lands (Cordell 2012; White et al. 2016; Riddle 2019). However, as demand increases, these policies, management programs, and funding initiatives are often at odds with natural resource protection and conservation objectives (Thomas and Reed 2019). While it has often been assumed that participation in outdoor recreation creates a commitment to the environment and can drive conservation of lands, research is inconclusive. Studies have shown that outdoor recreation is only weakly correlated with environmental concern, and that the fact that a person recreates in the outdoors is not a lone predictor of their environmental attitudes (Berns and Simpson, 2009, Dunlap and Heffernan, 1975).

The economic importance of recreation has been well studied, and has informed much of the historical and recent recreation-related legislative and executive efforts (Riddle, 2019). Likewise, studies on human health benefits of recreation and studies to quantify it have also proliferated (e.g. Perrins and Bratman, 2019; Frumkin et al. 2017). Less central to this debate, it appears, is consideration of recreation's *environmental* impacts, particularly those previously considered 'passive' or 'low impact' (Thomas and Reed 2019), or recreation's impacts to tribal treaty and cultural rights.



“The challenge we have right nowis you have marketing strategies pushing to get everybody out to the woods and people trying to manage the woods going, ‘oh my goodness, what do we do with all these people?’”

-Cheryl Friesen, Wildlife Biologist and Science Liaison, Willamette National Forest *in* Kantor et al.. 2019



“The least-studied mammal in Yellowstone is the most abundant: humans....Our own species is having the greatest impact on the park...”

-Dan Wenk, former superintendent of Yellowstone National Park *in* Simmonds et al. 2018

Between 2000 and 2009, the number of participants in outdoor recreation increased nationally by 7.5% and total visitor days increased by 32.5% (Cordell 2012). In 2017 alone, data showed federal lands had an estimated 596 million visits (Riddle 2019). U.S. national parks have been experiencing record high numbers of visitors, and in 2017 there were over 331 million visitors, and some parks, like Yellowstone, have seen over a 40% increase in visitation since 2008 (NPS 2018; Simmonds 2018). Future recreation user projections continue to show a greatly accelerated rate for the next 50 years. For example, the potential number of users at

'developed sites' (e.g., campgrounds, picnic areas, interpretive sites, ski areas, etc. on public lands) is expected to climb from a little more than 190 million in 2008 to between 272 and 346 million by 2060, representing a 40 to 77 % increase (Bowker et al. 2012; White et al. 2016). In light of increasing recreational demand across federal public lands, the U.S. Forest Service recently completed two studies devoted to addressing sustainable recreation through a proposed national research strategy (Cervený et al., 2020) and a collection of perspectives on new research methods, planning tools, and management approaches and paradigms with the intent of linking science and policy (Selin et al., 2020). Both publications give detailed insight into agency approaches to current recreation management challenges on public lands.

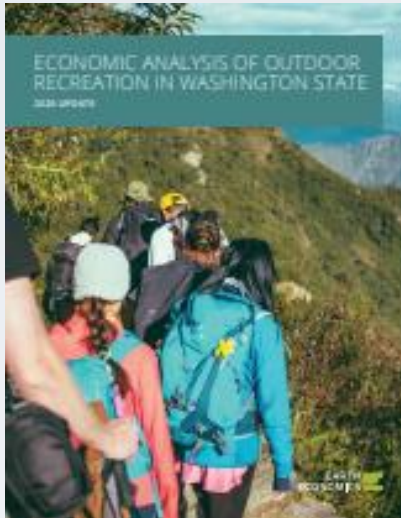
Walking or hiking continues to be the fastest growing form of recreational use on public lands, however many other forms of recreational activities are gaining in popularity too, including wildlife viewing, photography, trail running, rock climbing, biking, off highway vehicle (OHV) riding, skiing, and hunting (Outdoor Foundation 2016). For example, mountain biking grew by 22% between 2006 and 2015 to 8.3 million U.S. riders (Outdoor Foundation 2016). The number of hikers increased even more during the same time period – up 24 percent, to 37.2 million participants. The number of off highway vehicle (OHV) riders reached 36 million in the early 2000s (Cordell, 2012) and is projected to increase 30–60% (to 62–75 million participants) by 2060 (Bowker et al. 2012).

Across the American West especially, outdoor recreation has long been popular and is a rapidly expanding and lucrative industry. For example, Colorado, with its abundance of public lands, has ranked among the highest in promotion of outdoor recreation. According to a recent report released by Gov. John Hickenlooper (Goodland 2020), outdoor recreation's economic impact in Colorado has more than doubled in just the past four years, adding \$62.5 billion to the state's economy and supporting 511,000 direct jobs. In that time period, the outdoor-recreation sector grew from having a \$28 billion impact to its current \$62.5 billion mark, making it a main economic driver of the state's economy (Bastone et al. 2019). Employment in the recreation sector has jumped 83 percent, from 299,000 to 511,000, comprising 19 percent of the labor force in Colorado (Goodland 2020). It is estimated that 69% of Coloradans log some form of outdoor recreation one or more times per week. Many of the state's 84.7 million annual visitors come to do the same. In Vail, a popular recreation area, trail use has more than doubled since 2009 negatively affecting elk (Peterson 2019). Some trails host as many as 170,000 people in a year and *night* trail use in some areas has increased by 30% in the past decade. People are reportedly traveling even deeper into woods and higher in the alpine areas in part because of improved technology, trail notoriety, and to escape crowds (Colorado 2019 Statewide Comprehensive Outdoor Recreation Plan).

Recreation in Washington

Like Colorado, Washington's outdoor recreation industry is also robust and increasing along with the State's recent and significant population growth, as well as state policies and funding that support its continued expansion. A report by Earth Economics, a Washington-based nonprofit organization, estimated direct consumer spending on outdoor recreation to be \$26.5 billion annually, with associated secondary effects, or multiplier effects, estimated to be \$40.3 billion. This spending supports, directly or indirectly, and estimated 264,000 jobs throughout Washington (Mojica 2020). Based on a comparison

Recreation in Washington is Big Business



According to a recent report analyzing recreation’s economic impact in Washington (Earth Economics, 2020), Washington receives **\$26.5 billion annually from direct consumer spending, supporting 264,000 jobs**

“... Washington is known as a premiere destination for outdoor recreation. We should think strongly about continuing to invest in our outdoor assets -- to maintain our trails, re-design overcrowded boat launches, repair deteriorated campgrounds and build new places to recreate”

— Director, Washington State Recreation and Conservation Office in ‘Outdoor Recreation Generates Big Money in Washington’
July 30, 2020

Office (RCO, 2019) highlighted the economic benefits of trails to the State, by county, and the associated physical and mental health benefits. RCO’s policy recommendations on trails stressed building more trails, especially multi-day trails that bring in more revenue, improving existing trails, and developing more uniformity in permitting requirements to streamline new trail development (*see text box, p. 10*).

with similar data in 2015, the industry has shown strong growth, and places outdoor recreation on par with Washington’s aerospace industry (Briceno and Schundler, 2015; Mojica, 2020).

With recreation having become a major economic driver in our state, and with two thirds of those economic benefits reported to be derived from State and federal public lands and waters

(<https://www.governor.wa.gov/issues/economy/outdoor-recreation>), tribes are concerned about how recreation dollars may affect public lands management and policy choices in Washington. Where outdoor recreation was already very popular, a booming technology industry in Seattle has fueled growth of new users to the landscape.

According to recent surveys, the number of hikers from the Seattle area has doubled in the last eight years (*see text box, p. 11*). Sales of the Discover Pass for Washington state parks and natural areas increased by 55% in the past five years (Balk, G. 2018). In 2018, a pilot public transportation program called “Trailhead Direct,” began shuttling hikers from urban centers to and from state and federal trails. In the second year of the two-year pilot, an additional 18,000 trips annually were made (between 2018 and 2019), constituting a 75% growth in ridership (Lloyd 2019). The vast majority of these trips, nearly 100,000 hikers per year, were to Mount Si on State public lands in the Snoqualmie watershed, one of the region’s most popular hikes (Lloyd 2019).

Research on the benefits of recreational hiking and biking trails commissioned by the Washington Recreation and Conservation

Beyond the rapid growth in recreational use over the last years, a marked increase in visitation and new users to public lands occurred during the 2020 COVID-19 outbreak. In response, limits were placed on social gathering and recreation, and the United States Forest Service (USFS) issued a public notice urging people to stay home. The Mt. Baker-Snoqualmie National Forest was responding to a record number of recreationalists and peak numbers of visitors even during expected low times mid-week (Godwin 2020). Popular hikes were documented to have over 1,500 recreationists on a single day as the USFS struggled to maintain emergency services (Clarridge 2020), trash and human waste removal, and increased negative interactions with wildlife. The pressures across public lands were noted in news articles describing extreme crowding (Frame 2020; Scruggs 2021), environmental degradation (Mapes 2020), and lack of enforcement in many public recreational areas on national forests, state forests, and parks in our area (Connelly 2019).

Research on Environmental Impacts of Recreation in Washington

While the economic and health benefits of outdoor recreation have been well-analyzed in Washington State, research on the environmental impacts of recreation to fish, wildlife, plants and their habitats is very limited. Apart from small, local independent studies and planning efforts that look at habitat requirements for specific species (Snetsinger & White 2009), there remain large data gaps. Washington’s Recreation and Conservation Office (RCO) is the state’s largest public funding source for “outdoor community projects”. Through the RCO, funding for recreation and wildlife conservation are combined into one funding program (Mojica 2020). While highlights from the RCO 2020 report describe outdoor recreation’s large economic contribution to the State, little or no evidence is given to suggest a positive correlation between this this economic contribution and wildlife. Despite their stated responsibility to



Source: *Economic and Health Benefits of Walking, Hiking and Bicycling on Recreational Trails in Washington State*, Recreation and Conservation Office, 2019

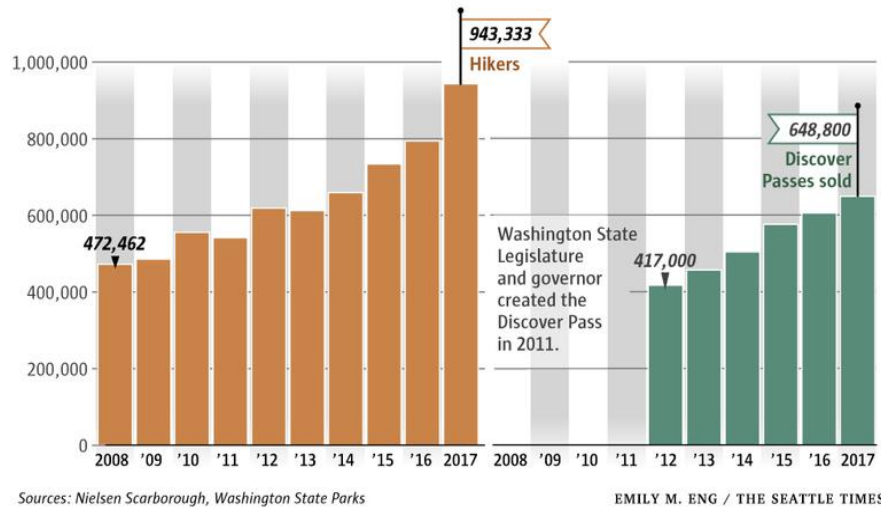
Recreation and Conservation Office (RCO) Recommendations on Trails

1. **Encourage Development of New Trails & Improve Quality of Existing Trails**
2. **Develop more uniform trail building permitting across state to ease regulatory burden for new trail development**
3. **Conduct Comprehensive Planning for Trails**
4. **Encourage Development of Trails that Promote Multi-Day Trips— More dollars spent on overnight trips than on day trips**
5. **Encourage Visitation by Adding New and Improving Existing Amenities**
6. **Use Trails as a Health Intervention Strategy**
7. **Improve Data Collection of Trail Usage and Create Consistency**

work with sovereign nations to ensure areas are preserved and enhanced, the RCO merely asserts that Washington Tribes rely on the recreation economy, with little mention of other potential effects (Mojica 2020). Consideration of treaty rights in recreation studies and planning in Washington has been minimal or absent, even though it is often concentrated in areas where tribes have reserved treaty rights.

Seattle hikers double in 9 years

The number of Seattle-area residents who hike has doubled since 2008, and annual Discover Pass sales for Washington State Parks have increased 55 percent in five years.



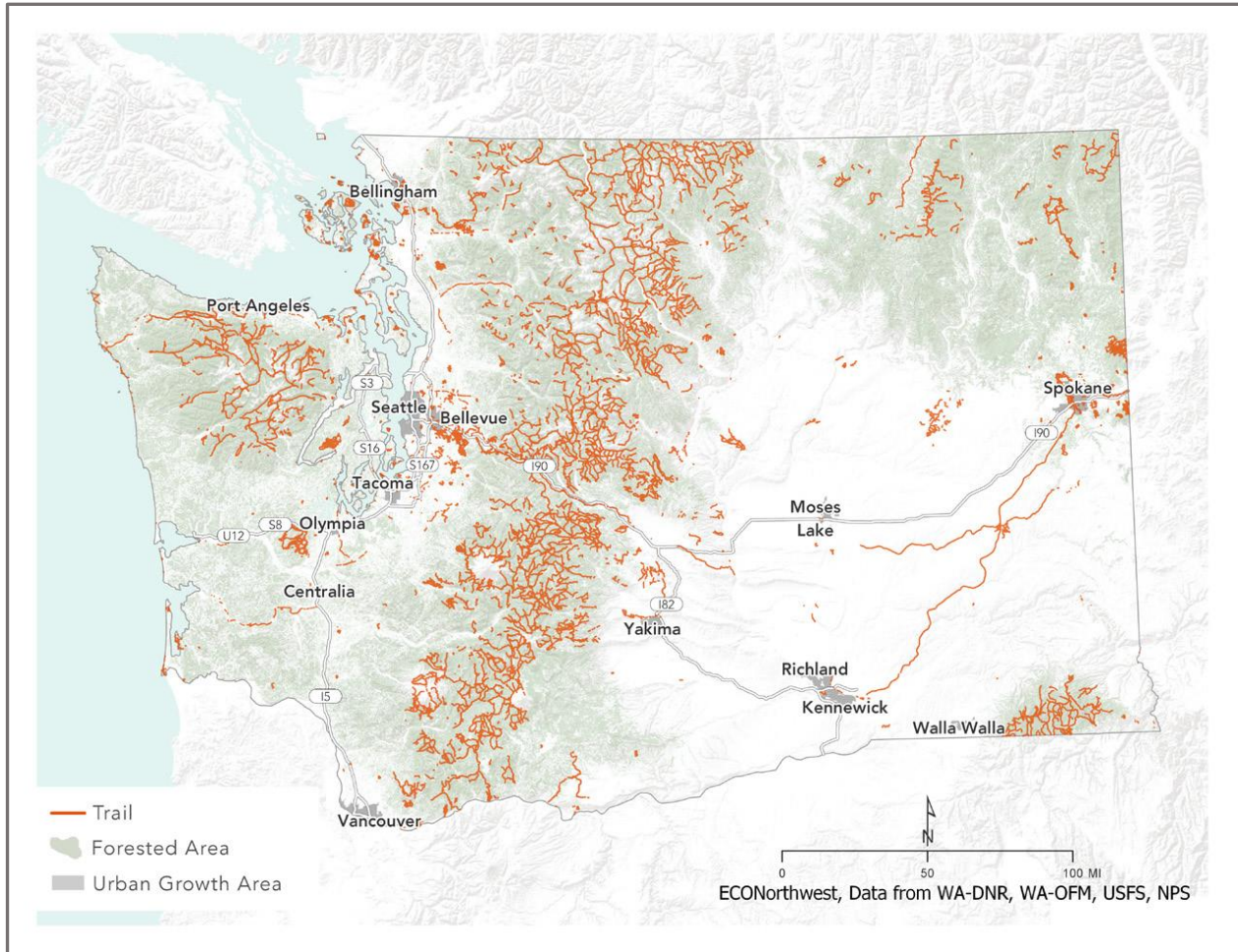
Source: Balk, G. Seattle Times. April 2, 2018.

Washington is home to some of the most popular federal parks, forests and monuments in the country, multi-state trail systems like the Pacific Crest Trail, and an abundance of lakes, ski resorts, and natural areas that are easily accessible to its large urban centers. Visitation to protected areas, like North Cascades National Park, was recently estimated at 8 billion visits per year by local and out of state residents, and boosted by international ecotourism visits (Balmford 2015). Though recreational impacts can be seen across

the landscape, including those from non-consumptive uses like hiking, a recent survey of 640 backcountry trail users showed that 50% of those surveyed felt that their form of recreation (i.e., hiking) was *not* having a negative effect on wildlife and tended to blame other user groups for stress to wildlife (Taylor and Knight 2003; Sterl et al. 2018).

These same Washington federal and state parks and forests that draw large numbers of visitors from the U.S. and abroad constitute the ever shrinking area of remaining undeveloped lands in the Puget Sound basin, critical for wildlife and for tribes exercising their reserved treaty rights. Of the approximately 6.5 million acres ceded by tribes under the 1855 Treaty of Point Elliott, an area stretching from the Canadian border south to Mt. Rainier, vast areas have been converted for agriculture, industry, transportation networks, hydropower projects and reservoirs, and a highly developed and populous retail and residential urban corridor. Consequently, wildlife ranges have been greatly diminished, wildlife habitat fragmented, and wildlife abundance greatly reduced.

While this paper summarizes impacts of recreation on wildlife, based on a broad literature review of existing research findings, our focus is on impacts to Point Elliott Treaty wildlife resources and their habitat, and on the role that research, management, policy and user education might play in addressing them. A thorough understanding of these impacts will enable tribes to advocate more effectively for the protection and recovery of these vital treaty resources, as well as for healthy habitats needed to support and recover them.



Map of Washington Trails. Source: Washington Recreation and Conservation Office (Note: The trails reflected on this map include both motorized and non-motorized trails) IN: Economic, Environmental, and Social Benefits of Recreational Trails in Washington State <https://rco.wa.gov/wpcontent/uploads/2020/01/HikingBikingStudy.pdf>

Wildlife Impacts

Overview

For the past few decades, the popularity of recreational activities on public wild lands has increased substantially in North America (Hammit 1998; Boyle and Samson 1985, Knight and Gutzwiller 1995, Buckley 2004, Naylor et al. 2009). Activities such as wildlife watching, hiking, skiing, mountain biking, and riding all-terrain vehicles (ATVs) often bring people into close proximity with wildlife and can negatively affect sensitive habitats (Miller 2001). These non-consumptive activities have the potential to affect ecological communities by lowering vertebrate richness and abundance (Larson et al. 2019), disturbing, redistributing, and causing animals to actively avoid parts of their native range (Hamr 1988,

Gander and Ingold 1997), decreasing fitness and changes in activity patterns (Ordiz 2013), and reducing the carrying capacity of public lands (Light and Weaver 1973).

Although visiting wild places may help raise awareness of environmental conservation (Buckley 2004), recreational activities in the wild have detrimental effects on wildlife, from individual animals to populations (Duchesne et al. 2000, Boyle and Samson 1985, Knight and Cole 1995, Naylor et al. 2009, Naidoo and Burton, 2020). Recreational activities may have short-term impacts on individuals (Figure 1), such as diverting animals from fitness-related behaviors (e.g., feeding, parental care) and displacing them from safe habitats to areas where they might be more vulnerable to predation (Lima and Dill 1990, Knight and Cole 1995, Papouchis et al. 2001).

Human disturbance, in general, has consequences for wildlife, whether it be direct habitat destruction (Czech et al. 2000), indirect habitat loss through displacement (Bender et al. 1998), or habituation (Geist 1978, Hammit and Cole 1987, Knight 2009). Repeated disturbance may cause animals to avoid affected areas spatially (i.e., animals move to a different area following disturbance), or temporally (i.e., animals avoid an area when the disturbance is occurring and return when the disturbance has ended) (Hamr 1988, Yarmoloy et al. 1988, Lusseau 2004, Wakefield and Attum 2006). Some studies documented that even a small number of visits to an area can have a disproportionate impact (Cole 1995). Displacement of wildlife to less desirable and often ecologically inferior areas may be as detrimental to wildlife populations as harassment or habitat changes (Hammit and Cole 1987) due to reduced foraging efficiency (Knight and Gutzwiller 1995) and increased predation risk (Geist 1978, Lusseau 2004) resulting in overall decreased fitness (Miller et al. 2001). These effects can be difficult to detect, especially at large spatial scales. Unfortunately, the reality is that land managers often lack baseline site-specific formal wildlife surveys to inform their work in development of recreational sites and access.

Researchers continue to develop methods to quantify the impacts of different user groups more effectively, and determine how these effects are seen on the landscape. The U.S. Forest Service reviewed 238 articles on human disturbance of wildlife and found that a high percentage among the almost 400 species studied showed displacement or avoidance (Gaines et al. 2003), and more recently, completed a broad synthesis of research findings and needs (Miller et al., 2020). A review in 2016 investigated over 274 studies internationally on recreation and wildlife with 93% showing at least one effect on wildlife with 59% of those effects negative (Larson 2016). While all forms of recreation impacted wildlife, this study found, counter to public perception, that *non*-motorized activities and snow-based activities overall showed more negative effects than did motorized activities, with effects observed 1.2 and 1.3 times more frequently across all recreation types and seasons (Larson 2016). Researchers have found hiking and biking have the same impact on wildlife responses (Taylor and Knight 2003) because it appears, based on their movement, humans on foot are as threatening as humans associated with vehicles, bicycles, cars, or noise alone (Stankowich 2008). Previous studies have indicated that animals react adversely to spatially unpredictable activities (Schultz and Bailey 1978, MacArthur et al. 1982, Hamr 1988, Miller et al. 2001). On-trail recreation may appear more predictable to wildlife because it occurs frequently and along a particular line of movement, in comparison to off-trail recreation. For example, ungulates flee at greater distances from off-trail hikers compared to on-trail hikers (Knight and Cole 1995a, Whittaker and Knight 1999). Other studies indicate that animals will shift movement patterns altogether by becoming more nocturnal.

In general, research shows that larger animals and larger groups of animals tend to be more sensitive to human disturbance (Stankowich and Blumstein 2005). Studies outline speed and directness of approach as key factors in whether an animal elicits a stronger flight distance response (Knight and Cole 1995).

When animals show no apparent behavioral response, studies have nonetheless shown that they may experience physiological stress (Creel et al. 2002). Increased stress, over time, may cause greater susceptibility of animals to disease, lower reproduction rates, and other negative consequences (Creel et al. 2002). Even though wildlife responses vary across recreational type and spatial extent, different species react differently to recreational infrastructure and users. It is therefore important to understand several key factors that influence wildlife response, such as those identified by Knight and Cole (1992):

- type of disturbance (e.g., hikers, mountain bikers or equestrians)
- timing (e.g., dawn/dusk; during breeding season disturbance may affect productivity; during other seasons it may affect foraging/survival)
- location (e.g., animals avoiding areas where they can easily be seen)
- frequency/volume of recreational users (e.g., more visitors can reduce avian nest productivity; we would also include duration here)
- predictability (e.g., on-trail visitors are less disturbing than off-trail visitors)
- characteristics of wildlife (e.g., habituation or sensitization)

Studies of the local and landscape-wide recreational effects to treaty resources are needed. Understanding wildlife species behavior and spatial distribution is a powerful tool to direct management decisions made by tribes, state, and federal land managers. The next sections will briefly highlight recreation impacts specifically on elk, deer, bear, mountain goat and birds – just a few of the wildlife species of importance to tribal communities in the Pacific Northwest.



TRIBAL IMPACT

In the 90s, when Tulalip Tribal member Jason Gobin was a teenager, he would hunt for elk and black bear off the unpaved, less used Middle Fork Snoqualmie Valley with his family. Today, this easily accessible and now paved valley road has become a popular destination as Seattle's population has grown.



CREDIT: FLICKR PHOTO/MATT KOWALCZYK (CC BY NC 2.0)/[HTTPS://FLIC.KR/P/6UNAK9](https://flic.kr/p/6UNAK9)

Despite treaty-protected rights to hunt and gather across these treaty lands, Jason hasn't hunted in this valley since the 90s. "This is an example of an area that just basically got overrun, and now nobody goes up here and really hunts anymore," he said. "It's become harder and harder to find areas where you can truly hunt."

Elk

Tribal Impact



“Too many people moving around”

Tulalip tribal member, and hunter Amanda Shelton has recently noticed more people recreating in the area where she had hunted for many years - GMU 466 (Lester, WA). She describes the area now as too busy, parking scarce, and crowded with mushroom pickers and others, requiring her to go much farther into the backcountry to find wildlife, and shifting from walk-in hunting to using horses. At first, she changed the days she went hunting, avoiding Thursday through Sunday, but still ran into many hikers and mountain bikers. Noise from cars customized to be extra loud and using nearby Forest Service roads were also a disruption. For these reasons, she recently decided that this area was no longer suited to elk hunting, and did not return this year, as she considers other more suitable areas that are less disturbed.

Elk ($k^wag^wičəd$; *Cervus Canadensis*) are an important cultural and subsistence resource to Washington Treaty Tribes. Elk are one of the largest terrestrial mammals in North America and rely on a wide range of habitat, such as dense forest, wetlands, and grasslands. Non-consumptive recreational effects on ungulates, as described in the literature, are primarily based on negative impacts from direct disturbance. Disturbance levels are often measured in terms of observed behaviors, alert and flight distances, and distance moved (Stankowich 2008). Differences in body condition can also confound these disturbance measures as animals in poor condition, with less energy reserve, may flee at shorter distances than healthier animals (Stankowich 2008). A detailed study by Cook et al. (2013) showed that a strong interaction existed among level of summer nutrition, lactation status, and probability of breeding that was little affected by winter conditions. According to their research, adequacy of summer nutrition dictated reproductive performance and growth of female elk as well as growth and development of their offspring in the Northwest and Rocky Mountains. This study signals the need for greater emphasis on summer habitats in land management planning on behalf of elk. Because non-consumptive recreation greatly increases during the summer, the negative impacts to elk reproduction, fitness and recovery of elk in areas of recreation would be higher.

There have been a number of substantial and robust studies conducted on elk behavior and responses to recreation, with some of the most thorough occurring at the U.S. Forest Service Pacific Northwest Research Station in the enclosed Starkey Experimental Forest and Range, Oregon. Wisdom (et al. 2018) implemented controlled and uncontrolled recreational treatments in large sections of forest and compared observed and GPS-recorded responses to elk behaviors. Early research identified distances at which specific activities result in a flight response. Sensitive reactions (flight responses) are

shown at 650m (2132 ft) for skiers (Cassirer et al. 1992), 1500m (4921 ft) or less for bikers, 500m (1640 ft) or less for horseback riders, and 500m or less for hikers (Wisdom et al. 2004). Using GPS data,

researchers refined these results by showing mean distance avoidance of elk from a nearest trail vs. mean minimum separation distances that elk maintain from recreationists (Wisdom et al. 2018). For example, elk avoid ATV trails at a mean distance of 311m (1020 ft) however, if a recreationist is using the ATV trail, mean separation from that person will increase to 879m (2884 ft) (Wisdom et al. 2018). This research highlights two important findings that elk avoid ATV trails regardless if people are present and when people are present those avoidance distances increase dramatically. Table 1 summarizes literature-supported recreational impact distances, for popular recreation types. It is important for wildlife practitioners to understand these avoidance differences as they pertain to the local landscapes that they manage.

Motorized recreationists often comment that elk populations do not avoid ATVs because elk are observed while riding. However, Wisdom et al. 2018 demonstrated that a large percentage of telemetered elk were present beyond distances at which visual observations were possible, and elk consistently maintained these longer distances. Additionally, they showed elk had a flight or hiding response that persisted temporally after recreation passed. This means recreationists may be able to observe a small portion of the elk in view of trails, but are unable to see the majority of the elk population that remains hidden from view during recreation activities as well as its lasting effects. Mean and median avoidance distances are significantly farther during ATV riding, mountain biking, and horseback riding compared to control periods (Wisdom et al. 2018). While one researcher noted ATV activity alone may not be as impactful as previously thought (Larson et al. 2019), this author noted the cumulative effects may still be higher than non-motorized recreation, because ATVs can impact more

Habitat “Compression”

When elk avoid recreation trails and recreationists, their habitat is compressed. This is a form of habitat loss, similar to the well-documented effects of forest roads and traffic on elk and other wildlife. (Kantor, Wisdom and Johnson 2019)

Resorts vs. Elk Herds

In the resort town of Vail, Colorado, the local elk population numbered over 1,000, but researchers have seen that number fall to a mere 50 with recreation increasing across all seasons. It is estimated that recreation around Vail has more than doubled since 2009 with some trails hosting as many as 170,000 people in a year.

Researcher Bill Alldredge studied this elk herd in the 1980s by deliberately sending people hiking into calving areas until radio-collared elk showed signs of disturbance. This study show that about 30% of the elk calves died when their mothers were disturbed an average of seven times during calving. Additionally, their models showed that if each cow elk was bothered 10 times during calving, all their calves would die (Peterson 2019).

area per unit time due to their faster speeds (Wisdom et al. 2018). Distance responses by elk to recreationists during their study mirrored the general avoidance distances of 0.5-1.5km (~.3 to .9 mi), farther than were documented in many roads studies. Other studies suggest recreation can have adverse effects on elk during critical calving times by increasing starvation, predation, and decreasing a mother's ability to produce milk. One author has shown that females with offspring exhibited greater flight responses from recreational users compared to those without offspring (Stankowich 2008). Additionally, this researcher found that recreation activities often follow elk herd patterns, which can lead to decreased fitness. Recreation at high elevations and in remote areas can affect migrating elk in their summer range as they prepare for the rut, while at lower level elevation in the winter, can affect important feeding areas (Stankowich 2008). Elk have strong olfactory cues that can affect and increase flight response, such as the distinct gasoline scent emitted by ATVs or the scent of horses (Stankowich



2008). Because herd animals exhibit known behavior and social dynamics, the size of group of elk may affect response distances (Taylor and Knight 2003). Researchers have noted that many individuals may feel more protected being part of a larger group (Knight and Cole 1995a), but entire sub-herds may exhibit an area avoidance altogether (Wisdom et al. 2018).

"Photographer getting too close" Source: Deposit Photos. <https://mycoloradoparks.com>

Deer

Black-tailed deer (sqig^wac; *Odocoileus hemionus columbianus*), like elk, are an important subsistence and cultural resource to tribes. While generally somewhat less sensitive to disturbance and typically more abundant on the landscape, there remain noted impacts to deer from recreationists. Managers may need to consider local impacts of high use trails that limit hunting opportunities and create habitat fragmentation. Studies show winter and early spring are critical times of impact because body condition is at its weakest and seasonal activities such as snowmobiling may enhance mobility of deer, forcing unwanted movement, increasing energy demands (Richens and Lavigne 1978 in Boyle and Samson 1985). Researchers in Germany found recreation can shift seasonal and daily patterns in red deer (*Cervus elaphus*), a European ungulate species similar to elk and deer, because of increased avoidance of daytime foraging habitats near high use recreational trails within their core home range (Coppes et al. 2017). Increased recreation may spread noxious weeds into backcountry areas which can lower forage quality for deer and reduce nutritional condition, making animals more vulnerable during winter and other critical times during the year (Canfield et al. 1999).

Researchers Scott Miller and Richard Knight (2001) looked specifically at how deer are affected by on-trail hikers with and without dogs. They found deer became alert at 46 meters (150 feet) and flushed at 34 meters (112 feet) from on-trail hikers without a dog. For hikers with a dog on a leash (on-trail), those distances increased to 85 meters (280 feet) and 49 meters (160 feet) respectively (Miller 2001). Deer activity was noted to be significantly lower within 100m (328 ft) of trails in areas that allow dogs, in comparison to those areas that prohibit dogs (Lenth and Knight 2008). For Mule deer (*Odocoileus hemionus*), researchers have noted similar impacts by looking at the probability of flushing as distance from trail increases. Mule deer showed a 96% probability of flushing within 100m (328 ft) of recreationists located off trails and their probability of flushing did not drop to 70% until perpendicular distance reached 390m (1280 ft) (Taylor 2003). Refer to Table 1 for additional information on known recreational impacts to deer.



Dogs on the trail: Off-leash vs. on-leash Impacts

As might be expected, researchers in Colorado noted that wildlife show high trail avoidance of areas where dogs wander off-leash, likely a result of the unpredictability of the dogs' spatial behavior. Additionally, off-leash dogs are more likely to cause direct impacts to wildlife, such as flushing responses, even if dogs do not give chase. Researchers also noted, however, a high trail avoidance even where dogs were maintained *on*-leash.

Management strategies to minimize dog impacts to wildlife may not be as simple as requiring dogs to be on leash. High trail use, especially with dogs, can create small 'dead zones' on the landscape, by decreasing the density of burrows and dens within 25m (82 ft) of trails, as seen in prairie dogs, bobcats, and red foxes (Lenth and Knight 2008).

Black Bear

Black bears (*sčətxʷəd*; *Euarctos americanus*) are culturally important to many Washington tribes. While populations are sustaining, human population growth, silviculture practices, and recreation impact bear habitat, denning, and behavior (Peyton et al. 1999). Recreationalists are increasing the human footprint (Gore et al. 2006), inhabiting and exploring remote areas and fragmenting bear habitat (Schoen 1990). Bear disturbance can affect energy gain by altering optimal foraging and resting periods, threatening to impose energetic costs (Preisser, Bolnick and Benard 2005).

Researchers have found that bear encounters can affect daily movement patterns by increasing distance avoidance and sporadic behavior. The immediate reaction can cause a 26% increase in distance travelled by bears when compared to a 'normal' day. This increase in travel distance was found to be immediately followed by a 10% reduction in movement, and with continued effects on distance travelled up to two days later (Ordiz et al. 2013). In response to recreation, affected bears may lengthen the period of inactivity during the daytime by relying on cover and shifting movement patterns spatially

and temporally (Ordiz et al. 2013). For example, a study on a newly developed non-motorized pathway in the Grand Teton National Park showed bears did not necessarily shift home ranges or their frequency of the corridor crossing, but instead showed greater selection for steep slopes and for areas farther from the corridor (Costello et al. 2013). Bears may decrease their daytime activity by 35% and increase crepuscular (i.e., twilight) and nocturnal activity by 40% to avoid high human use times (Costello et al. 2013). Researchers also showed that within 500m (1640 ft) of the corridor these areas held the lowest probability of habitat selection and effects were seen beyond 2km (1.24 mi) (Costello et al. 2013). In Sweden, a study showed that bear activity rose substantially with increasing distance from towns and resorts. Additionally, the study documented that, on average, younger bears were more likely to be found within 10km to any major settlement as compared to older, primarily male, individuals further away (Nellemann et al. 2007). Sex and age demographic shifts such as these may lead to increased problem bears and less productive older bears on the landscape.

Spatial shifts in habitat selection and use can also be seen when looking across seasons. Bears may become more active during shorter light days because typical foraging activities are disrupted during peak recreation and hunting seasons, further increasing diurnal behavior (Ordiz et al. 2013). Researchers documented that the presence of roads and trails can affect bear habitat selection across seasons. Black bears avoid habitat within 274m (~900 ft) of open roads in the spring and 914m (~3000 ft) in the fall (Kasworm W.F and Manley, T.L. 1990). Black bears avoid trails (including closed roads) within 122m (400 ft) in the spring and 305m (1000 ft) in the fall (Kasworm W.F and Manley, T.L. 1990). These findings show managers the importance and value of using a road closure system in bear management.

Road use and elevation can affect black bear denning chronology and den site selection in the Cascades. According to a 2003 study, bears selected dens less than 500m (1,640 ft) from nearest open road, 1-2km from human activity (Linnell et al. 2000), and at an elevation of 1500-2000m (~5000-6500 ft) (Gaines 2003). This elevation encompasses a high use area for roads and recreation. Denning disturbance can have large energetic costs and result in den abandonment, especially when activity occurs within 200m (656 ft) of den site (Linnell et al. 2000). Den abandonment may increase cub mortality, however this normally occurs with higher industrial uses, such as seismic shots, drilling, and repeated vehicle noise (Linnell et al. 2000). In Washington, denning occurs primarily through Dec-February during high winter use activity periods. Spatially, denning occurs on north-facing slopes ranging from 30-50degrees with higher average snow accumulations (Linnell et al. 2000), which can conflict with optimal ski runs (Goodrich and Berger 1993).

Even at small scales, recreationalists can impact bear movement. A study of black bear responses to hikers, small power skiffs, kayakers and overnight campsites within coastal salt marsh foraging areas, recommended a minimum approach distance of 116m (380 ft) for hikers to minimize bear displacement by visitors (Smith et al. 2012). Evidence of human activity, especially people with dogs near denning sites has shown disturbance can lead to abandonment and new dens are found within mean 5.1km (~3.2 mi) of old dens (Linnell et al. 2000). In general, bears tolerate passive hikers and maintain a minimum distance between observers of 100m (328 ft) (Table 1), but repeated disturbance will increase their use of covered habitats (Fortin et al. 2016) and increase their minimum distance between observers by four times larger than visible (Ordiz et al. 2013).

Mountain Goat

In Washington, mountain goat (ᵿᵿʷíᵿ'əy? *Oreamnos americanus*) are harvested for ceremonial uses, food, blankets, and other textiles. Harvest opportunity has been extremely limited to tribes over the last half decade. Decreased population numbers across the Cascade Mountains from historic hunting and slow population growth in isolated habitats has led to declines, and mountain goats are no longer harvestable in many cases (Rice and Gay 2010). Recent translocations within the Cascade Range present the opportunity to re-establish groups and boost population numbers over the long term. Land managers should consider the impact of high use recreation and industrial activities in crucial habitat areas. Researchers have demonstrated that mountain goats show strong site fidelity to specific salt licks and game access trails, and demonstrate traditional use over multiple generations (Hengeveld and Caldwell 2004). Their inability or unwillingness to access a lick could result in a deficiency of essential resources, possibly leading to decreased fitness, cardiac responses (Stemp 1983), and eventually decreased population viability (Gosling 2003). Buffer areas of 1.5 km to 2.0 km (.93 to 1.24 miles) have been used to limit the impact of helicopter and industrial activities on mountain goats (Foster and Rahe 1983, Côté 1996, Mountain Goat Management Team 2010, Cadsand 2012). Other research indicates ATVs can cause high levels of disturbance in mountain goats, especially when ATVs approach the animals directly and at high speeds (St-Louis et al. 2012).

High elevation hiking and camping often overlaps with preferred mountain goat habitat which can lead to the habituation of goats to humans and their recreational activities. Habituation occurs when animals are exposed to the same stimuli repeatedly, and eventually stop responding to that stimulus. Habituation can lead to unnaturally close encounters between wildlife and recreational users that pose risk to both. In addition to direct conflicts between people and goats, Mountain Goat habituation may also lead to impacts from a phenomenon known as the 'human shield effect' (i.e., when animals are not as vigilant for predators when they know humans are nearby) making them more vulnerable (Atickem et al. 2014; Berger 2007). More investigation is needed to determine if this effect is, or is likely to be, a future impact to Mountain Goats in the Cascades.

For *non*-habituated goats, strong reactions to disturbance are noted to occur at distances less than 100m (328 ft). Researchers found a similar European mountain goat species avoided areas <100 m (328 ft) from an established trail (Pépin et al. 1996). Richard and Cote (2016) found that in disturbances within 1km (.62miles) of mountain goats, the average goat reaction was noted to be alert, actively seeking cover, or for females to run away and for males to move away slowly.

In another study, mountain goats appear to be able to learn the boundary of high use areas such as ski areas, which can affect their home range selection across seasons. Researchers documented that in winter, when ski activity is high, mountain goats completely avoid areas of high probability of use within the ski area, but continue to use the rest of the mountain (Richard and Cote 2016). During the summer, mountain goats were found within the ski area boundaries, but within high quality habitat areas were seen 2 and 9 times less often than outside the ski area by males and females, respectively (Richard and Cote 2016). Given a range of different mountain goat behaviors in response to recreation, goat research in the Cascades will be needed to monitor potential impacts. Land managers should consider the long-term impacts of high use recreation areas, such as permitted ski areas, as goat populations within the Cascades continue to expand.

Birds

Many avian species are valued by local tribes for cultural, ceremonial, and subsistence uses. Birds also serve as an important indicator species for the overall health of an ecosystem. Recreational birdwatching is a fast growing, multi-billion dollar ecotourism industry (Withrow 2019) and while it may have benefits for local place-based conservation efforts, it is known to have environmental impacts on avian communities (Sekercioglu 2002). From a conservation biology perspective, high-use recreation areas (e.g., rock climbing areas), campgrounds, hiking, and biking can all have negative impacts on birds, including on nesting success (Larson 2016), predator prey interactions (Knight 1988; Delap and Knight 2004), and habitat selection (Knight and Cole 1995). A review of impacts of non-hunting recreation on wildlife showed that 77 of 166 studies found negative effects on birds (Boyle and Samson 1985). In a study in the Netherlands, low-impact activities such as hiking and biking were also found to negatively affect breeding bird densities for 8 of 13 species (Van der Zande et al. 1984).

A recent study across 49 U.S. National Parks demonstrated significant changes in avian vocalizations in response to overhead airplane noise (Fristrup 2019). Other recent research on aircraft noise and birds suggested that noise may affect survivability by causing hearing impairment, diminished ability to attract mates or safeguard territory, or decreased useable energy for important tasks, such as foraging (Wolfenden 2019). In addition to impacts to birds from increases in air traffic, recreational use of drones, and perhaps other 'noisier' forms of recreation on public lands may negatively affect birds, though additional research is needed.

Recreational activities can disrupt the spatial distribution of birds in high-use and mixed-use recreation areas. In Colorado, researchers observed that the nesting success for songbirds was lower within a 100-meter (328 ft) radius of mixed-use trails (Knight 1995). Researcher S.K. Finney (2000) documented golden plovers avoid areas within 200m (656 ft) of a loosely defined footpath during the chick-rearing period. During this period, 30% of people strayed from the footpath and the movement of people was widespread and unpredictable. After resurfacing/defining of the path, 96% of walkers remained on the path. This led to golden plover avoiding these new defined paths within 50m (164 ft) of the footpath, instead of 200m (656 ft), significantly reducing the impact of recreational disturbance.

Management Recommendations in the Literature

This section briefly outlines existing management recommendations and strategies used to reduce recreational impacts documented within the literature. In 2016, researchers conducted an extensive literature review of effects of non-consumptive recreation on animals across all geographic areas, taxonomic groups, and recreation activities (Larson et al. 2016). As part of their review, they categorized and reported on the types of management recommendations that were found, and represented their frequency in the literature as a percentage (of studies):

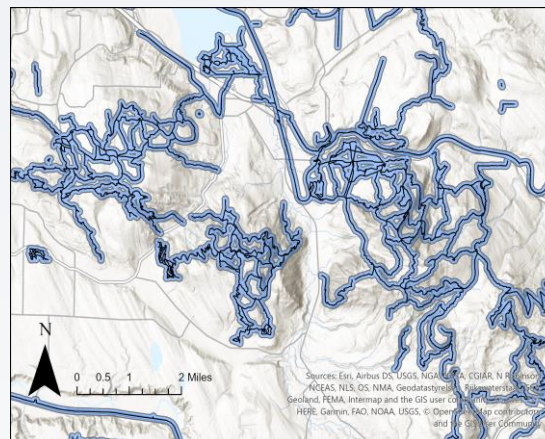
- Spatial restrictions 32.1%
- Visitor education 15%
- Cap visitation 14.2%
- Temporal restrictions 13.1%
- No recommendations 40.5%
- Rule change 9.9%
- Physical improvements 9.5%
- Species translocation 8.8%
- Enforcement 6.9%

Many studies propose spatial restrictions when investigating flight response distances and suggest the ‘area of influence’ around trails is of importance. By creating buffer areas, managers can calculate the amount of area potentially unsuitable for specific species due to current or proposed disturbance from recreation (Taylor 2003). Using buffers provides managers with opportunities to address spatial zonation in conjunction with temporal restrictions and the creation of suitable foraging habitats away from recreation trails and high use areas (Coppes et al. 2017).

Land managers often lack the ecological and trail inventory data to make informed management decisions (Thomas and Reed 2019; Switalski, A. 2018). Researchers highlight the need to identify known species distribution, habitat, and population numbers. As an example, based on a review of literature, Linnell et al. (2000), found that bears in dens respond negatively to human activity within a 1 km (.62 mi) radius. They recommended

Mapping Buffer Distances: Snoqualmie Example

Mapping the affected wildlife distances supported in literature with known trail networks is a powerful tool managers can use to visualize impacted areas. The example below shows how a simple 100m buffer area (**‘area of influence’**) on a network of trails would look in part of our region (area below from Snoqualmie watershed). Highlighting the potential affected habitat and physical barriers that these trails can pose to species like elk, could allow for visual as well as quantitative assessment of the impacts.





Landscape Level Habitat Modeling Approaches

In Oregon, scientists examined forest cover across 66 watersheds regardless of public or private ownership to assess forest conditions and biodiversity (Stanfield et al. 2002). By simulating changes in forest conditions over the next 100 years, Spies et al. (2007) predicted a loss of young, early seral-stage forest on public lands, which could reduce populations of big game species like elk and deer that feed there. Having knowledge of wildlife habitat conditions and projections over time will aid efforts to recover and enhance suitable habitat, and will need to go hand in hand with actions to address recreation's impacts to wildlife.

that bear den concentrations be identified, den trees and structures protected, winter recreational activity and off-road recreation minimized, and recreational activity confined to regular routes, avoiding slopes and restricted to the valley floor.

Understanding local species and their habitats and behaviors will improve managers' ability to assess existing or potential impacts. These actions may require funding to procure up-to-date population numbers for species such as elk and bear as well as for species that pose logistical challenges to study, such as mountain goats.

Another approach researchers recommend is utilizing seasonal/temporal restrictions on high-use recreation areas during critical times for specific species. Knight (1988) advocates closing climbing routes near nesting areas during nesting seasons, in addition to prohibiting access to trails through critical winter habitat. In Colorado, county land managers closed popular trails from one hour after sunset until one hour before sunrise and closed sensitive areas from December

15th through June 30th in order to improve wildlife habitat use (Bastone 2019). Examples of effective local level management decisions to minimize impacts to wildlife can be seen across the literature (Snetsinger and White 2009; Macdonald, S. et al. 1998).

Additional recommendations found in the literature include educating trail users and land visitors of their impact on the environment, including wildlife, in order to help change recreation behavior or timing (Thomas and Reed 2019). Researchers have found signage and education were effective in decreasing off-trail behavior by 25% (Hockett et al. 2010). Increasing user knowledge is a key gap in addressing recreational impacts and improving their acceptance of management strategies (Thomas and Reed 2019). For example, in northwestern Washington, river recreationists demonstrated little support for recreation restrictions, ostensibly because they did not understand bald eagles were affected by their actions (Stalmaster and Kaiser 1998). If broader education efforts were made to ensure recreation users understood their potential environmental impacts, land managers may see greater public support for policies that modify or limit recreation, where it is needed. Engaging and utilizing the public for a citizen science monitoring approach may offer a long-term monitoring protocol for specific protected areas (Kays et al. 2017). Physical alterations to trails, such as re-routing trails around sensitive and high biodiversity areas or increasing trail vegetative cover are strategies noted to significantly decrease wildlife flushing response (Taylor and Knight 2003).

Managers should consider the effects on wildlife of unauthorized user-created trails, which often are created to enable more scenic views, more proximity to rivers, to avoid other users, or to create trails to

accommodate bathroom breaks (Wimpey and Marion 2011; D’Antonio et al. 2016; Van Winkle 2014), or in response to social media postings (Solomon 2017). Trail widening and the establishment of spur trails increases the size of ecological and wildlife impact areas and edge effects, increasing overall negative impacts on wildlife (Hennings 2017).

Understanding and modeling recreational impacts at a variety of scales may be beneficial to managers when considering proposals for continued recreation, or expansion. Establishing and maintaining adequate sampling strategies for monitoring visitation on both large and small scales, and tracking levels of recreation and impacts, can help develop standards for addressing recreation limits (Watson et al. 2000; D’Antonio et al. 2016; Thomas and Reed 2019). For example, researchers in Alaska used the Bayesian Network Model to examine potential impacts of human recreational activities on brown bears (Fortin et al. 2016). This model allows managers to test hypothetical management scenarios and estimate a percent change in the probability of nutritional intake, energetic costs, and bear survival relative to a specific form of recreation (Naidoo and Burton 2020). Similarly, Gutzwiller et al. (2017)

From the literature: Frequently used management tools to reduce or avoid wildlife impacts from recreation

- Develop a solid baseline knowledge of recreational patterns, types, volumes and trends
- Conduct ongoing monitoring of recreation at frequent intervals and modeling of different recreation scenarios (a growing number of methods and models found in the literature presented here may provide more accurate, detailed and less cumbersome tools for use by land and wildlife managers)
- Target user behavior through outreach and education; improve user knowledge of their own impacts on the environment, including to wildlife
- Plan spatial distribution of recreation access points and trails; utilize geospatial analysis tools; make physical trail alterations to limit wildlife visibility
- Introduce spatial and temporal restrictions of recreation and recreation visitor numbers to avoid periods of highest wildlife sensitivity/vulnerability; consider development of “disturbance thresholds” based on visitor monitoring (Thomas & Reed 2019)
- Enforcement to monitor and minimize direct impacts to wildlife and habitat (e.g., enforce permitting conditions, parking, leash laws, camping rules, trail limits, unsanctioned trail making, etc.)
- Understand landscape *scale* when making management recommendations about an area. For example, trail configuration can affect large landscapes with dispersed activities, while smaller areas may be more influenced by proximity to urban development and heavy public access (Taylor & Knight 2003; Reed & Merenlender 2008).
- Use multiple management approaches (e.g., combine strategies of enforcement with user education, capacity limits, etc. for greater effectiveness)
- Analyze research and policy data gaps and inconsistencies due to multiple jurisdictions, and varying responsibilities and authorities

proposed a broad-scale spatial analysis model to demonstrate how metrics commonly measured by landscape ecologists quantify broad-scale patterns of recreation. Closer to home, the University of Washington recently began using social media as a source of data, or ‘proxy’, to evaluate visitor levels, distribution, behavior, and preferences on public parks and forest lands based on recreational users’ postings to online platforms such as Twitter, Flickr and Instagram (Wood et al. 2020). The continued and further development of such models and tools may allow managers to predict how recreation disturbance can affect wildlife responses across larger areas, and contribute significantly to better informed decision-making on public lands.

Wisdom (2018) recommends land managers increase local area data collection, understand impacts to health of individuals within a population, and realize that *unseen* animals can still be negatively affected. As population and recreational demand continues to increase, Farrell and Marion (2002) suggest that land managers apply the concept of ‘population carrying capacity of humans’ in recreational settings. This refers to the amount of recreational users a trail or area can support beyond which excessive environmental and biological damage, social and managerial issues, or decreased visitor experience may occur. Such an approach would identify social and ecological thresholds to trigger specific management actions needed (Leung and Marion 1999; Thomas and Reed 2019). As an example in western Washington, Mount Rainier National Park recently announced that it will shift to a fully-online advance reservation and lottery system for backcountry hiking and camping in order to address the high demand and protect fragile natural resources (National Park Service 2021). Developing models, proposing spatial and temporal restrictions, and experimenting with additional management recommendations outlined in the literature will most often require a multi-agency approach and an adaptable management strategy.



“Given the limited capacity for enforcement of management policies, the most important decision a western land manager can make is whether or not to open a site for recreation in the first place.”

“...land managers report that it is much more challenging to change access or restrict use once a site has been opened.”

(Thomas and Reed 2019)

Summary

As described by many of the research studies cited in this literature review, recreation and nature-based tourism on public lands impacts wildlife, and can be at odds with wildlife conservation objectives. Recreational activities can impact the range and health of wildlife species, degrade habitat, damage vegetative communities, and result in human presence and disturbance across seasons and throughout even the most remote areas of public lands and treaty areas. Increasing volumes of recreational users can be expected to exacerbate wildlife impacts by increasing the number of encounters and resulting disturbance, as well as the extent of wildlife habitat affected.

A growing body of research demonstrates that recreational activities, even quiet non-consumptive forms, have significant impacts to wildlife and biodiversity as a whole. From the literature reviewed, we know:

- Recreation affects wildlife *behaviorally, physiologically, and reproductively*
- The *spatial distribution* of recreation activities and infrastructure is an important determinant in type, degree and extent of direct and indirect impacts to wildlife and wildlife habitat.
- The *predictability* of recreation activities is an important factor in type, degree and extent of impacts to wildlife; in general, animals respond more strongly to less predictable patterns of recreation.
- Recreation *type* and *seasonality* influence the degree of wildlife disturbance
- As the *volume of recreational users* increases, so too does the frequency of interactions and disturbances to wildlife, and the overall impact of recreation on wildlife

With continued rapid population growth throughout the Puget Sound region, impacts from recreation are expected to increase. Tribes recognize the popularity of recreation here in the Pacific Northwest, its health and economic benefits, and its potential to inspire public support for land conservation. However, the *sheer volume* of recreational use in our region threatens to undermine efforts to sustain the health of these same natural areas that are so valued.

Tribes have repeatedly expressed to public land managers concerns over growing recreation and its negative and accumulating effects on wildlife, the environment, and on Tribes' ability to access and exercise treaty-reserved rights. With recreation as a major economic driver in our state, and with two thirds of those economic benefits reported to be derived from State and federal public lands and waters, tribes are also concerned about how recreation dollars may affect public lands management and policy choices in Washington.

As sovereign governments and natural resource co-managers with reserved rights over treaty resources, it is critical that treaty tribes are involved early in the planning, funding, and development of any new recreation opportunities or the expansion or 'improvement' of existing recreational infrastructure, as well as in the development of recreation policy and legislation. Tribes need to ensure that recreation impacts to natural resources, tribal interests and treaty rights are being evaluated holistically, addressing cumulative impacts across public lands and treaty areas on a landscape scale. In addition, Tribes may benefit from working with academic institutions and non-governmental organizations to address research gaps and to conduct needed environmental outreach and education.

Washington State and federal land managers must begin to assess the growing impacts associated with its recreation industry. Understanding and confronting the inherent conflicts between recreation and natural resource conservation, including wildlife, will be an important first step toward actions needed to protect biodiversity on public lands, and honoring obligations to treaty tribes.

Figure 1: Short term and long term effects to wildlife: individuals, populations, and communities (Knight and Gutzwiller 1995).

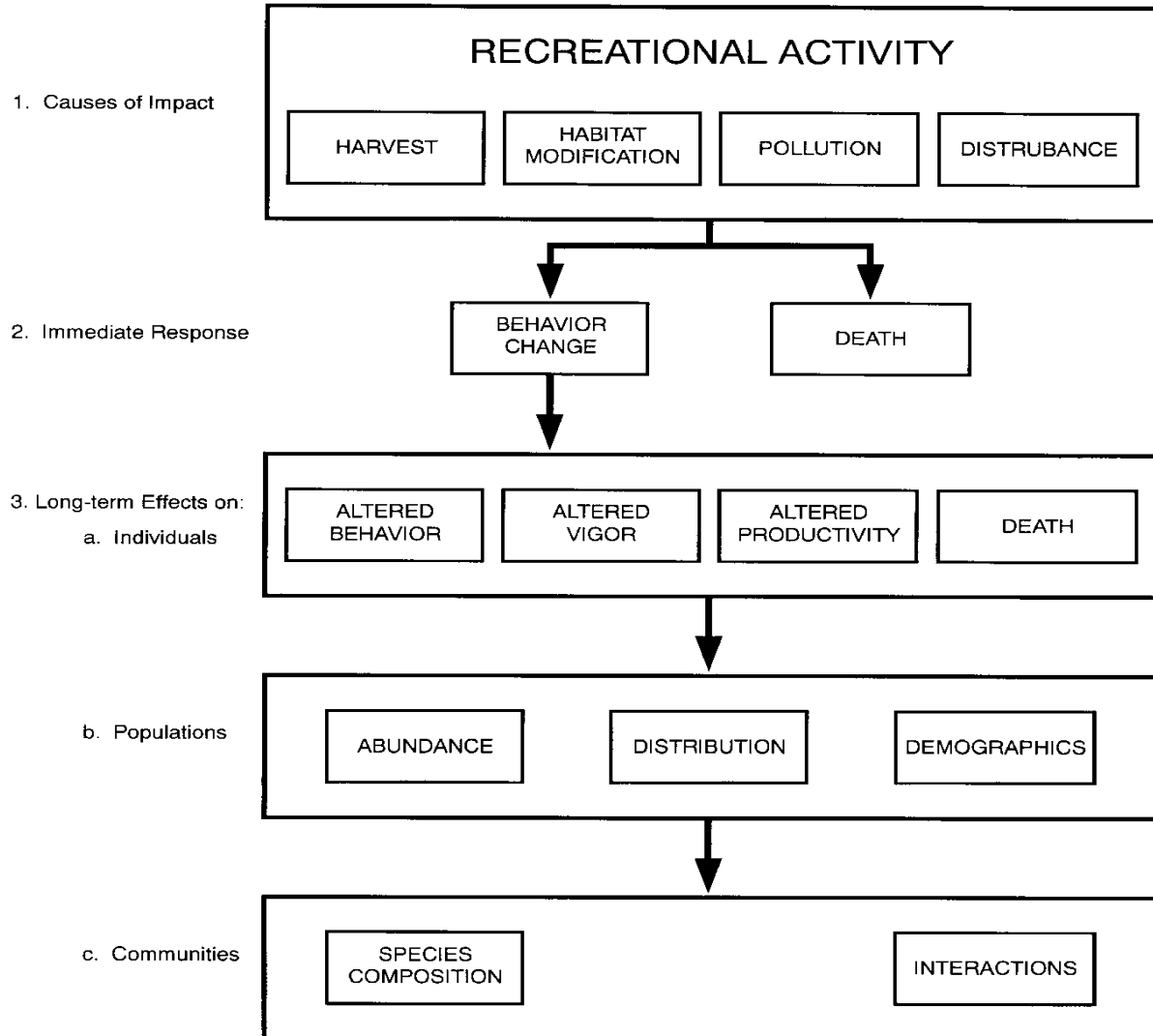


Table 1: Wildlife Distance Impacts for Deer, Bear, Elk and Mountain Goat

Species	Distance approach					Affected area in WA	Spatial Considerations	Literature
	Hiking	Biking	Skiing	ATV	Other			
Elk	276m ²	286m ²	650m ¹	311m ²	240m Horse back riding ²	Hiking - 3,554 mi ²	~65m trail avoidance increase when recreations on trails compared to controls; Spatial avoidance to human is 3x as high when a person is present	¹ Cassirer et al. 1992; ² Wisdom et al. 2018
Deer	46m ³ 200m off-trail ⁴	NA	NA	NA	85m Hiking w/ dog	690mi ²	High spatial influence when recreationists are off-trail	³ Miller 2001 ⁴ Taylor 2003
Mt. Goat	100m strong reactions ⁵ 1 km alert, slowly moving away ⁶	NA	Winter: complete avoidance, Summer: males 2x and females 9x less likely ⁶	High Avoidance ⁷	2km Helicopter ⁸		Representing reactions rather than distances, larger effects to avoiding certain areas/zones than specific trails	⁵ Pépin et al. 1996 ⁶ Richard and Coté 2016 ⁷ St-Louis et al. 2012 ⁸ Foster and Rahs 1983
Bear	100m hikers ^{9, 10, 11} 120m hiking trail in Spring 305m in Fall ¹⁰	NA	Affects denning habitat ¹²	NA	25m Hiking w/dog can cause den abandonment ¹²		Bear encounters affect daily and long-term movement patterns, within 500m of high use corridor, these areas had lowest probability of habitat selection and effects are seen beyond 2km ^{11,13} Spatially, denning occurs 1-2km away from roads, trails etc. on mean slopes ranging from 30-50degrees, at altitudes 850-3000ft ¹²	⁹ Fortin et al. 2016 ¹⁰ Kasworm W.F and Manley, T.L. 1990 ¹¹ Ordiz et al. 2013 ¹² Linnell et al. 2000 ¹³ Costello et al. 2013

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Appendix 1: Future Research Questions

Quantifying recreational impacts to wildlife is an under-examined researched field, which proves challenging when making policy or technical changes to local Western Washington landscapes. However, with a growing population in Western Washington, addressing research gaps may provide beneficial opportunities for Treaty Tribes, State and Federal Agencies, Universities, and other land managers to collaborate and investigate.

1. Understand recreation types, users, trends, and activities
 - 1.1. What are the most common types of recreational uses? What are the most common types of recreational uses by season?
 - 1.1.1. How do people recreate within a given area?
 - 1.1.2. How is yearly recreation divided by activity (%)? How are activities combined?
 - 1.1.3. Where are the most common recreation areas by activity type?
 - 1.2. What are the demographics of recreational use now? Previously? By recreation activity type?
 - 1.2.1. Where are recreation users in coming from? How many people recreating are from out of state? Out of the country? What % from Seattle metropolitan area?
 - 1.2.2. How many people (total) recreate yearly or by season within a given area?
 - 1.2.3. For recreation users camping, how long is the average number of nights? Is it at an organized campground or dispersed?
 - 1.2.4. What is the most common group size of recreational users? What is the range of group size?
 - 1.3. What do we know about recreation levels ten years ago, twenty years ago, etc.? How are trends changing annually or across seasons?
 - 1.3.1. Where do people recreate? Where are most common areas by season (i.e. month)?
 - 1.3.2. What is the frequency of users on a given trail?
 - 1.3.3. What is the average duration of recreation activities?
 - 1.4. Are there areas that are clearly showing signs of overuse as of today? What are the signs?
 - 1.5. Can we develop recreation thresholds for a specific area or species?
 2. Understand existing spatial information
 - 2.1. How can human population trends and distribution data be used to determine changes in recreation levels? How are these changes potentially impacting specific species or habitat areas?
 - 2.2. Are there federally endangered, listed, or culturally important species within an area?
 - 2.3. How many miles of road or trails are within a given area?
 - 2.4. How many acres of critical habitat, such as for Northern spotted owl, are within a given area? How many miles of roads and trails intersect critical habitat?
 - 2.5. Are there important habitat corridors within a given area?
 - 2.6. What are land management restrictions on a given area, such as Wilderness designations or other classifications that limit the ability to manipulate or change the landscape?
 3. Understanding recreation legislation, policy, and funding nationally and in Washington State, and differences in goals and objectives and regulations of different land-managing agencies.
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4. Engage and collaborate with existing partners and data
 - 4.1. Who are the existing researchers within Washington State and beyond that are knowledgeable on this issue?
 - 4.2. How can existing universities and research programs, such as the Washington Cooperative Fish and Wildlife Research Unit or the Outdoor Recreation and Data Lab, be leveraged to better understand impacts?
 - 4.3. How can regional non-governmental recreation and conservation organizations (NGOs) help to augment recreation data collection and education to their memberships to address recreational growth and its environmental impacts?
 - 4.4. How best can we use existing datasets, such as Instagram®, Flickr®, and Strava®, for better real-time user information (Wood et al. 2020)?
 - 4.5. How can we utilize existing tribal and non-tribal wildlife data from deployed tracking collars to answer questions about how specific species react to changes in recreation?

5. Understanding local impacts specifically to tribes
 - 5.1. Understanding how crowds are potentially affecting tribal hunting access and opportunities by overlying harvest data with recreational information.
 - 5.2. Developing a record of tribal impacts: Can hunters and other tribal members be interviewed to document and understand localized impacts to wildlife to see where problem areas can be addressed?
 - 5.3. How can tribes engage more directly in recreation legislation, policy, planning, funding and research, and at all levels of decision-making with State and Federal elected leaders as well as land managers and planners?

**2025-27 Budget Submittal
Decision Package**

Agency: 465 – Parks and Recreation Commission
Decision Package Code/Title: PL-SL Tribal-State Lands Stewardship
Budget Period: 2025-27
Budget Level: PL – Policy Level

Agency Recommendation Summary

After record-setting visitation during the pandemic, recreation use in state parks continues to intensify and remains close to 10% higher than pre-pandemic levels. Growth in recreation has outpaced agency resource management capacity and has resulted in resource degradation. Washington Tribes advocated through the Centennial Accord for creation of an Interagency-Tribal process to address impacts of recreation on natural and cultural resources and on protected Tribal rights across state-managed lands and waters. This request funds State Parks’ participation in the State-Tribal Recreation Impacts Initiative convened by the Governor and previously funded by the Legislature in the 2023-25 operating budget. *Related to Puget Sound Action Agenda Implementation.* (General Fund-State)

Fiscal Summary

Operating Expenditures	FY 2026	FY 2027	FY 2028	FY 2029
Fund 001-1	409,000	409,000		
Total Expenditures	409,000	409,000	0	0
Biennial Totals		\$818,000		\$0
Staffing	FY 2026	FY 2027	FY 2028	FY 2029
FTEs	1.8	1.8	0.0	0.0
Average Annual		1.8		0.0
Object of Expenditure	FY 2026	FY 2027	FY 2028	FY 2029
A – Salaries	187,000	187,000		
B – Benefits	59,000	59,000		
E – Goods & Services	158,000	158,000		
G – Travel	5,000	5,000		

Decision Package Description

With significantly expanded recreation use during the past several years, improving the capacity of state land managing agencies to assess condition and improve management of natural and cultural resources has become critical. For the past several years, many Washington Tribes have advocated for the creation of a collaborative State-Tribal process to improve management of recreation impacts on natural and cultural resources and on protected Tribal rights. The Parks and Recreation Commission (Parks) has undertaken a first of its kind initiative together with the Department of Natural Resources (DNR), Department of Fish and Wildlife (DFW), Governor's Office of Indian Affairs (GOIA), the Recreation and Conservation Office (RCO), and Tribes with protected rights in Washington to assess and improve management of recreation impacts across state-managed lands and waters.

Work to date has included conducting initial coordination meetings, contracting a professional facilitator, and developing a draft working charter including agreement on a vision statement, communication principles, organization structure, decision-making processes, and a technical framework to guide this joint initiative. Work has also included securing a \$1 million planning grant from the National Fish and Wildlife Foundation to provide technical and financial assistance to Tribes to support their participation in this initiative. In addition to setting up and organizing this initiative, it is anticipated that work during the current biennium will result in cooperative development of standardized resource assessments and a process to identify appropriate adaptive management tools and identification of priority areas in which to apply the developed methodologies during the 2025-27 biennium.

Coordinated Multi-Agency Requests

Although each participating state agency has developed an agency-specific budget request addressing this work, together these requests represent a coordinated and complementary body of work in which each agency fulfills unique and integral functions. Agency budget requests for the 2025-27 biennium will enable collective continued participation by state agencies and Tribes in the State-Tribal Recreation Impacts Initiative, as well as application of resource assessment and adaptive management tools in at least three selected priority areas on DNR, DFW, Parks-managed lands and waters.

Successful implementation will depend on deliverables within, and unique to, each agency-specific budget request. Funds requested by DNR, DFW, and Parks include:

- Coordination and technical staffing and natural resource assessments in requests submitted by DFW and Parks
- Natural resource assessments submitted by DNR (DNR funding for staffing for this initiative in the 2023-25 biennium budget was indicated as ongoing)
- Contracted services for acquisition and management of recreation use data submitted by DFW (\$250,000)

Funding needed for continued cross-agency costs in support of the State-Tribal Recreation Impacts Initiative is included in a request submitted by GOIA which includes:

- Contracted facilitation and intermediary services – \$275,000
- Two annual State-Tribal information sharing conferences – \$50,000
- Funding for Tribes to support participation in this initiative – \$ TBD

Parks assumes an agency through which to request these funds and final amounts will be determined by the Office of Financial Management.

Parks' Request

It is anticipated that work of the State-Tribal Recreation Impacts Initiative during the 2025-27 biennium will focus on two main areas:

1. Applying the standardized resource assessment and process for identifying adaptive management tools in a selected priority area in a state park.
2. Enhancing recreation impacts-related information sharing and coordination among participating state agencies and Tribes with protected rights in the state.

Parks assumes that a state park will be incorporated in whole, or as part of at least one of the priority areas selected for application of assessment and identification of adaptive management tools during the 2025-27 biennium. This work will be coordinated through the initiative's established Technical Workgroup and is anticipated to include measuring recreation use, assessing recreation impacts on natural and cultural resources, and identifying management strategies to achieve and maintain desired resource conditions. This work will seek to integrate Tribal knowledge contributed by Tribal subject matter experts through natural and cultural resource assessments and development of management strategies.

Funding requested by Parks to assess and adaptively manage recreation impacts in at least one selected state park priority area includes the elements listed below. It is assumed that funding for acquisition of recreation use data is included in DFW's request.

- Parks Planner 3 (1.0 FTE – Project) to work in collaboration with Parks' Natural Resources Program Manager and the initiative's Technical Workgroup to develop, apply, test, and refine the standardized resource assessment and adaptive management methodology in the selected state park priority area, participate in the Steering Committee, and co-lead the Technical Workgroup, and train agency staff and contractors in assessment and adaptive management methodologies.
- Service contracts with consultants and DNR's Natural Heritage Program to complete field work, compile data, and prepare natural resource assessments in at least one state park.

Funding requested by Parks to enhance recreation impacts-related information sharing, as well as overall coordination between the agency and the State-Tribal initiative includes the position listed below. It is anticipated that this work will be coordinated through the Initiative's Steering Committee and the Information Sharing and Legislative workgroups established for this initiative. Work is anticipated to include analyzing and developing recommendations to enhance timing and sharing of recreation-related initiatives between participating state agencies and Tribes. Work will also include recommendations for automating collection, storage, and appropriate access to technical information and data generated by the Technical Workgroup's efforts, as well as establishing a central repository of information, literature, and documentation of the State-Tribal initiative.

- WMS Project Manager (0.8 FTE – Project) to serve as agency project manager and principal liaison between Parks and the State-Tribal initiative; participate, support, and complete tasks as a member of the Initiative's steering committee, its workgroups, and the state agency caucus; and coordinate internally with agency leadership and affected staff.

Alternatives

Without this funding, Parks could risk disrupting an established, highly significant and timely State-Tribal undertaking, as well as degrading or losing significant natural or cultural resources. If the extent and condition of natural resources is not fully understood, the ability to protect and restore them in a manner consistent with best available science, agency mission/policies, and federal/state laws would be diminished. Decisions to defer these investments would increase the potential for irreversible damage and/or loss of natural resources.

Delaying or abandoning the established State-Tribal initiative is inconsistent with the state's commitment to Washington Tribes, risks resource degradation and interference with exercise of protected Tribal rights resulting from insufficiently managed recreation on state lands and waters.

The alternatives to funding this request include:

1. Continuing management of recreation impacts without centralized, planned coordination with Tribes and other state agencies through the State-Tribal Recreation Impacts Initiative and rely on ad-hoc coordination with individual Tribes and Agencies. This alternative may injure relationships between the agency and Tribes, continues inconsistent or conflicting recreation management practices across state lands and waters, and increases the risk of miscommunication, conflict, and potential legal action by Tribes related to treaty and other protected rights.
2. Continuing management of recreation impacts without application of resource assessment and adaptive management tools developed through State-Tribal Recreation Impacts Initiative. This alternative reduces the effectiveness and defensibility of management decisions, decreases efficient direction of staff and financial resources, and increases the risk of losing public support and voluntary compliance with resource management actions.

Assumptions and Calculations

Expansion, Reduction, Elimination or Alteration of a current program or service:

No.

The Legislature provided \$672,000 in funding to Parks for the State-Tribal initiative for the 2023-25 biennium. This amount was able to fund the two requested project management and technical staff positions (2.0 FTEs), professional facilitation services, and minor Ecological Integrity Assessment work. The 2024 Supplemental budget provided funding for Ecological Integrity and recreation impact assessments in portions of two state park locations that will help inform the work of the Technical Working Group. The current request continues funding for project management and technical staff positions, expands funding to complete natural resource and other impact assessments in at least one additional priority area in a state park.

Detailed Assumptions and Calculations:

Expenses:

Description	FY 2026	FY 2027	2025-27 Total
WMS Project Manager	125,000	125,000	250,000
Parks Planner 3	121,000	121,000	242,000
Staff Related Expenses	13,000	13,000	26,000
Natural Resource Assessments	150,000	150,000	300,000
	\$409,000	\$409,000	\$818,000

Both positions are 2-year project.

Revenue:

None.

Workforce Assumptions:

Classification	FY 2026			FY 2027		
	FTE	Salaries	Benefits	FTE	Salaries	Benefits
WMS Project Manager	0.8	96,000	29,000	0.8	96,000	29,000
Parks Planner 3	1.0	91,000	30,000	1.0	91,000	30,000
	1.8	\$187,000	\$59,000	1.8	\$187,000	\$59,000
			\$246,000			\$246,000

Both positions are 2-year project.

Historical Funding:

None.

Strategic and Performance Outcomes

Strategic Framework:

Governor’s Results Washington Outcome Measures and Statewide Priorities:

Outcome Measure 3: Sustainable Energy and Clean Environment

- Protect and manage ecosystems and habitat for long-term sustainability through stewardship activities that help prevent potential degradation.

Outcome Measure 4: Healthy and Safe Communities

- Collecting data and identifying potential areas of concern is essential to maintain safe and healthy communities

Parks 2021-31 Strategic Plan Goals and Corresponding Strategies:

Goal 1: Customer Experience – Provide exceptional recreation, cultural and interpretive opportunities that all visitors enjoy and support

- Keep parks vibrant, accessible, and well cared for

- Form partnerships with agencies, tribes, non-profits, and new stakeholders

Goal 4: Resource Protection – *Protect and preserve park system resources for the future*

- Protect ecosystems and habitat for long-term sustainability
- Preserve Washington's cultural heritage

Goal 6: Resource Management – *Obtain and effectively manage resources needed to create and sustain an exceptional parks system*

- Expand use of partnerships, concessions, and other business opportunities
- Secure financial resources needed to address agency and visitor priorities
- Ensure effective, efficient services

Parks and Recreation Commission 2024 Priorities:

Priority #1: Develop formal working relationships and protocols with Native American Tribal governments.

- a. Build relationships, share information, and address issues of importance to tribal governments related to park management, construction projects, interpretive projects, and cultural and natural resource protection under State Parks' jurisdiction.

Performance Measures:

There are no performance or revenue measures applicable to this package.

Performance Outcomes:

- More consistent assessment methodology and adaptive management tools used by State Parks, DFW, and DNR to manage recreation impacts on natural and cultural resources and on protected Tribal rights across state-managed lands and waters.
- More collaborative and coordinated management between State Parks, DFW, and DNR and Tribes with protected rights in Washington.
- Improved management and protection of natural and cultural resources and protected Tribal rights across state-managed lands and waters.

Equity Impacts

Target Communities and Populations:

This request would fund work to identify state lands where impacts from recreation activity are of heightened concern and apply resource assessment and adaptive management tools in at least three selected priority areas on DNR, DFW, State Parks-managed lands. This package is of special importance to many Washington Tribes, who advocated through the past several Centennial Accord meetings for creation of a process to address impacts of recreation on natural and cultural resources and on protected Tribal Rights.

Community Outreach and Engagement:

In April 2023, the Governor convened a meeting of leaders of Washington Tribes, the Commissioner of Public Lands, and the Directors of State Parks and DFW to discuss ways in

which the state agencies and Tribes might work together on the issue of recreation impacts. During this meeting, Tribal and state agency leaders committed to co-developing a system to improve management of recreation impacts on natural and cultural resources and on protected tribal rights across state-managed lands and waters. Since beginning this initiative, Tribal representatives and state-agency staff established a joint steering committee and series of workgroups and have developed a working charter to guide the overall initiative. Through August 2024, the steering committee has met nearly 25 times (twice per month), and the three workgroups have collectively met nearly twenty times. Tribal participation in the initiative has been good albeit mostly limited to western Washington Tribes and the Northwest Indian Fisheries Commission. Tribal representatives continue to indicate that financial and staff capacity are the principal barriers to full participation.

Community Inputs and Incorporation:

State Parks has worked with Tribal representatives, DNR, DFW, RCO, and GOIA through the State-Tribal Recreation Impacts Initiative to coordinate this budget request. Tribal representatives have indicated their support for State Parks’ and the other state agency requests to continue this initiative, including cross-agency funding for facilitation, ethnographic landscape studies, information sharing conferences, and financial assistance for Tribal participation.

Disproportional Impact Considerations:

Washington’s indigenous Tribes have been disproportionately impacted by dramatically expanded recreation use and associated impacts to natural and cultural resources and protected Tribal rights across state-managed lands and waters. Funding in this proposal is intended to allow State Parks to continue working together with affected Tribes and the other state agencies to improve information sharing and resource management practices and protection of protected Tribal rights and interests in state parks and other state lands managed by DNR and DFW.

Other Collateral Connections

State Workforce Impacts

None.

Intergovernmental

This decision package and is an integral part of complementary decision packages submitted by State Parks, DNR, and DFW to fund continued work of the State-Tribal Recreation Impacts Initiative convened by the Governor and funded by the Legislature in the 2023-25 operating budget. A fourth decision package will be submitted by GOIA to request funds for anticipated cross-agency costs and financial assistance to Tribes to support participation in the initiative. During the 2025-27 biennium, the State-Tribal Recreation Impacts Initiative will complete development and begin application of a standardized resource assessment methodology and identify adaptive management tools in selected priority sites in state parks and other lands managed by DFW and DNR.

State Facilities Impacts

None.

Changes from Current Law

None.

Puget Sound Recovery

Yes, this request aligns with 2022-2026 Action Agenda Strategies. Ecological assessment work is essential to help protect and manage ecosystems and habitat for long-term sustainability, including areas within Puget Sound.

Strategy 22 – Outdoor Recreation and Stewardship: Expand and promote equitable access to information and opportunities for engagement for outdoor recreation and stewardship actions and recognition of tribal nations’ treaty and sovereign rights.

Strategy C – Research & Monitoring: Coordinate and invest in research and monitoring to support Puget Sound recovery.

Majority of staff time and assessments will likely be related (est. 60%) as there is a significant portion of recreation and tribal interests within the Puget Sound area.

Puget Sound related request items	FTE	Cost	% Puget Sound		
WMS Project Manager	0.8	\$263,000	60%	0.5	\$157,800
Parks Planner 3	1.0	\$255,000	60%	0.6	\$153,000
Natural Resource Assessments		\$300,000	60%		\$180,000
Total	1.8	\$818,000	Total	1.1	\$490,800

Governor’s Salmon Strategy

None.

Legal or Administrative Mandates

Washington Tribes have expressed particular concern about the growing impact of outdoor recreation on wildlife, habitat, and protected Tribal rights, and have asked state land managers through the Centennial Accord to collaborate with them in addressing this growing threat. Funding the work of the State-Tribal Recreation Impacts Initiative follows through on the commitment made by the Governor and state agency leadership through government-to-government discussion to work collaboratively with Tribes to improve management of recreation impacts across state-managed lands and waters.

Stakeholder Response

In the face of mounting recreation pressure on state-managed lands and waters, recreation and conservation stakeholders have indicated support for developing consistent and defensible methods for assessing and managing recreation impacts across state-managed lands. This is evidenced by a letter from Outdoor Alliance Washington (OAW) in support of requests for the State-Tribal initiative during development of the 2023-25 operating budget. OAW is a coalition of outdoor recreation organizations representing more than 75,000 members who recreate on public lands and waters in Washington State.

Reference Documents

None.

IT Addendum

Does this DP include funding for any IT-related costs, including hardware, software (including cloud-based services), contracts or IT staff?

- No
- Yes

Please download the [IT-addendum](#) and follow the directions on the bottom of the addendum to meet requirements for OCIO review. After completing the IT addendum, please upload the document to continue.



Agency Recommendation Summary

The long-term conservation and recreation value of lands managed by the Washington Department of Fish and Wildlife (WDFW), representing billions of dollars in public assets, is at risk. The growing costs to steward these lands and increasing demand for the services they provide have outpaced the capacity needed and funding available for maintaining their integrity. WDFW requires funding to address urgent near-term needs and support a transition to a proactive and comprehensive approach to conserving natural and cultural resources and managing recreation on 1 million-plus acres across the state. [Related to Puget Sound Action Agenda Implementation].

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	16.0	29.6	22.8	29.6	29.6	29.6
Operating Expenditures						
Fund 001 - 1	\$3,503	\$6,445	\$9,948	\$6,403	\$6,403	\$12,806
Total Expenditures	\$3,503	\$6,445	\$9,948	\$6,403	\$6,403	\$12,806

Decision Package Description

The State of Washington has invested hundreds of millions of dollars acquiring land to place under WDFW stewardship. Today, these diverse holdings represent billions of dollars of conservation and recreation assets, which the agency has a fiduciary, contractual, and mission-critical obligation to manage to preserve, protect and perpetuate fish, wildlife, and ecosystems, while providing sustainable recreational and commercial opportunities.

WDFW is responsible for managing lands to maintain or improve the ecological integrity of priority sites and habitats, promote functional diversity, preserve treaty rights, maintain game and non-game populations at levels consistent with healthy ecosystems, and provide quality recreation opportunities to diverse visitors. Today, the department is only partially meeting this obligation. Current funding requires WDFW to manage wildlife areas at approximately 16-40% of the per acre need and water access areas at 47-51% of the need per site (see assumptions below summarized Table 3). Effects of inadequate stewardship include loss of critical habitat and species; public lands and infrastructure degradation by wildfire, climate change, or pressures from development; and failure to respond proactively to the growing demand for outdoor recreation and address its impacts.

This package offers immediate progress meeting the department's most urgent land stewardship needs, while building the long-term tools and structure to prioritize and adapt future investments. Near-term and ongoing needs include statewide weed management; local habitat restoration and infrastructure maintenance; real estate asset management; and improving recreation access and safety, while addressing impacts from increased use. Long-term stewardship tools supported by this proposal include metrics and methods for monitoring species and habitat health; data and an improved model for measuring visitation use levels and patterns; and an analysis of the department's true per acre costs of stewardship.

Summary of priority investments

An investment of \$10 million in biennium 2025-27 with an ongoing investment of \$13 million per biennium will improve near- and long-term stewardship across the department's 1 million-plus acres of land. This request includes support to 1) address urgent lands stewardship needs, 2) implement the 10-year recreation strategy, and 3) build systems, tools, and relationships for long-term stewardship.

1: Address Urgent Lands Stewardship Needs

Goal: Improve compliance with state mandates to manage weeds and protect cultural resources, while addressing immediate local planning, stewardship, and project management needs.

WDFW proposes a \$5.3 million investment in land and property management to improve stewardship across 1 million-plus acres of state lands. This adds 14 new full-time positions, converts 8 seasonal part-time positions to full-time, adds one new part time position, and includes \$444 thousand in contracted services. Taken together, this will address immediate statewide management needs for weed treatment, infrastructure

repairs, wildlife area planning, wildlife area management, real estate portfolio management, and cultural resources review.

Manage invasive weeds: Invasive noxious weeds pose a serious and growing threat to the ecological health of department-managed and adjacent lands, including agricultural areas. A new statewide effort for setting weed management priorities will allocate weed management resources across department-managed wildlife and water access areas and help us meet increased reporting requirements and adaptive management needs. Regional capacity will be bolstered in key areas, including funding to contract management services and a Washington Conservation Corps crew where they are most needed across the state.

Update plans to reflect changing conditions: The management of each wildlife area is guided by a management plan that addresses the status of wildlife species and their habitat, habitat restoration, public recreation, weed management, and other activities to advance the department's mission. Currently, plans are updated only once every 15 years. This proposal provides capacity for more frequent updates that include staff, partners including tribes, and stakeholders in decision-making responding to new conditions and priorities over the life of each plan.

Support understaffed wildlife areas: Local staff direct stewardship and operational activities at each of our 33 wildlife areas. Typical activities include engaging with the public and local and regional partners; advancing resource restoration efforts; and maintaining equipment and infrastructure. Currently, wildlife area staff are stretched thin caretaking huge tracts of land dispersed over wide geographies. We propose augmenting staffing in targeted areas and contracting funding for critical infrastructure repairs.

Improve Real Estate portfolio management: WDFW proposes retaining the Real Estate Unit's critical capacity to meet expanded payment in lieu of taxes (PILT) responsibilities to counties, accommodate growing property management needs, and growing capacity to address expanding permitting demands in Clallam, Grays Harbor, Jefferson, Kitsap, Pacific, Pierce and Thurston counties.

Perform mandated cultural resource reviews: Cultural resource reviews are mandated on many stewardship projects, including smaller-scale projects, such as kiosk and gate installation, medium-scale projects, such as fence installation and construction of wildlife habitat, and broader scale projects such as landscape-scale restoration projects and new infrastructure development. We propose increasing staff capacity by 25% to meet the cultural resource demands for expanded lands stewardship work.

Bottom line: Meeting near-term needs in critical areas adds conservation "lift" for diverse wildlife and habitats, mitigates impacts on cultural and tribal resources, and increases the quality of visitor experiences on highly visited WDFW-managed lands.

2: Implement the 2022 Recreation Strategy

Goal: Conserve natural and cultural resources while enhancing recreation access and experiences.

Implementing the next phase of the [10-year Recreation Strategy for WDFW-managed Lands](#) (Strategy) includes stepping up maintenance and planning for targeted areas, including North Puget Sound; statewide and area-specific rulemaking to address safety and resource impact concerns from diverse uses; and on-the-ground projects to address travel on roads and trails, camping in dispersed and designated areas, ADA accessibility, visitor education, and other demands in high traffic areas.

Maintain popular water access areas: We propose adding maintenance capacity in WDFW region 2 (Adams, Chelan, Douglas, Grant, Okanogan counties) to perform daily maintenance duties, including trash and graffiti removal, restroom cleaning, and other grounds projects.

Reduce resource damage via rulemaking: We propose enacting rules to protect elk and streams by regulating the collection of shed antlers and use of streambank easements. We also will develop area-specific rules to respond to specific conservation needs identified in local wildlife, water access, and recreation management plans. Subjects for area-specific rules may include, but are not limited to camping, dog walking, and access hours.

Plan for increasing recreation demand: Recreation and/or travel management plans will address conservation and recreation needs in four wildlife areas statewide and 125 water access areas in region 4 (North Puget Sound).

Deliver local recreation projects: Projects will include road and trail designation, decommissioning and improvements, interpretive and informational signage at key entry points, and educational programming to promote safe, responsible recreation. WDFW will engage with affected tribes and stakeholders in delivering these projects and contract partners to work with paid and volunteer crews across the state.

Bottom line: This investment will build on 3 years of momentum behind the [10-year Recreation Strategy for WDFW-managed Lands](#) and benefit all Washingtonians and the many visitors to the state that enjoy the outdoors.

3: Build Tools, Methods, and Partnerships for Long-term Stewardship

Goal: Equip the department along with partners and funders to better identify, scale, prioritize, and fund investments in the long-term stewardship of WDFW-managed lands.

Effective and efficient long-term stewardship requires tools for measuring and monitoring the ecological health of department-managed lands; refining estimates for the true per acre costs; and measuring and monitoring visitation. This work is best done with partners and across land management boundaries, including Washington tribes and other state agencies.

Measure and monitor ecological health: WDFW is working with DNR's Natural Heritage Program, State Parks, Washington Tribes and other partners to develop an ecological integrity framework applicable to Washington state-managed lands with guidelines for the efficient collection, management, and analysis of data. For the 2025-27 biennium, WDFW proposes further development and testing of the framework and its early implementation as a tool to benchmark and guide future stewardship efforts.

Estimate true stewardship costs: We know we steward our portfolio at a deficit. The department will partner with Washington Sea Grant and the University of Washington to develop a system for measuring and evaluating the true per acre costs of stewarding WDFW-managed lands. The cost model will include evaluation of diversity and equity in use of WDFW-managed lands, identify how funding levels may affect different communities, and seek equitable funding distribution within the cost structure. Further, the model will incorporate learning from the three state-agency work to manage impacts to state lands to identify opportunities and costs associated with Tribal Treaty Rights. (State-Tribal Recreation Impacts Initiative).

Measure and monitor recreation use: In partnership with DNR, State Parks, and Earth Economics, WDFW will refine our model for estimating visitation to state lands based on anonymized cell phone data and maintain these updated visitor use data. This will help the agencies better understand where and when visitation is highest and/or growing, which are key data points for prioritizing when and where to invest in recreation management.

Maintain working relationships with tribes and other state partners. WDFW has undertaken a first of its kind effort together with State Parks and DNR, the Governor's Office of Indian Affairs (GOIA), the Recreation and Conservation Office (RCO), and Tribes with protected rights in Washington to assess and improve management of recreation impacts across state-managed lands and waters. Work to date has included developing a draft working charter (see Attachment 1), which includes a vision statement, communication principles, organization structure (steering committee and workgroups), decision-making processes, and a technical framework to guide this joint effort. Work during the current biennium will advance cooperative development of standardized resource assessment and adaptive management methodologies and identify priority geographies in which to apply the methodologies during the 2025-27 biennium.

WDFW proposes funding to support the department's contributions to this collaborative effort. Each of the participating state agencies has developed an agency-specific budget request for contributing to this effort. Together, these requests will enable collective ongoing participation for state agencies and tribes, as well as initial implementation of its work products. See Assumptions below for details on the coordinated multi-agency 2025-27 biennial budget requests.

Bottom line: Managing department-managed lands for ecological integrity is integral to WDFW's mission and we are in this for the long haul. Investing in tools, methods, and partnerships will allow WDFW to better apply its portfolio holdings to the state's scientifically defined conservation need and inform planning and adaptive management of department lands with measures of ecological integrity.

Alternatives Explored

Status quo: Failure to address the widening capacity gap for stewarding department-managed lands risks the continued degradation of their conservation and recreation value and the department's ability to meet our statutory and fiduciary responsibilities. There is also risk of losing good professional staff demoralized by their inability to fully succeed in their work as stewards.

Grant funding: WDFW pursues federal, state, local, and nonprofit grants. The volume of proposals submitted is delimited by existing capacity for grant-writing, contract management, and reporting. The needs outlined in this proposal are far greater than available grant opportunities and grant seeking capacity.

Downsizing: A long-term option for right sizing capacity for land stewardship would involve selling off department assets. However, divesting department-owned lands on any meaningful scale is not a viable alternative due to requirements to maintain the conservation and recreation value in perpetuity, a common condition for most land purchased by the Department.

The most viable alternative is a phased increase of capacity to meet the full need over the next several biennia. This proposal represents the next phase for meeting the department's fiduciary, contractual, and mission-critical obligations.

Assumptions and Calculations

Expansion, Reduction, Elimination or Alteration of a current program or service:

WDFW proposes expanding focus and capacity to meet existing obligations associated with the department's 1,054,473-acre portfolio.

Coordinated Multi-Agency Requests

Agency budget requests from WDFW, State Parks, DNR and GOIA for the 2025-27 biennium will enable ongoing participation in an Interagency-Tribal effort to address recreation impacts on treaty rights and tribal lifeways – the State-Tribal Recreation Impacts Initiative. Successful implementation will depend on deliverables within, and unique to, each agency-specific budget request.

Funds requested by DFW, DNR, and State Parks include:

- Coordination and technical staffing and natural resource assessments in requests submitted by DFW, DNR, and State Parks
- Contracted services for acquisition and management of recreation use data submitted by DFW (\$250K)
- Funding for ongoing cross-agency costs in support of the effort, which includes:
 - Contracted facilitation and intermediary services (\$275K)
 - Contracted Tribal ethnographic studies (\$300K)
 - Two annual state-Tribal information sharing conferences (\$50K)
 - Funding for Tribes to support participation in this effort (\$6.2M)

The lead agency for requesting these funds will be determined in consultation with the Office of Financial Management.

Detailed Assumptions and Calculations:

Land Management Costs

Land management costs change over time, due to shifting priorities and expectations, regulatory regimes, levels of service, and inflation. WDFW manages 33 wildlife areas across the state. A 2016 analysis identified five cost categories for wildlife area stewardship based on use and amount of infrastructure (Attachment 3). The analysis yielded a range of \$32 to \$224 per acre and median cost of \$52 per acre. In March 2024, WDFW completed a preliminary analysis of the change in costs from 2016 to 2024 using a combined producer price index approach developed by U.S. Department of the Interior. Costs for land management activities performed have increased 81.9% since 2016. This analysis suggests that WDFW's median \$52 per acre costs in 2016 have nearly doubled in eight years to \$95 per acre in 2024 (Attachment 4).

WDFW manages 450+ water access areas. In 1991, WDFW conducted a detailed assessment of the department's capacity to manage these popular recreation sites and determined they were operated at 35% of "Full-Service Standard." Operations and maintenance funding continued to decline from 1991 to 2021 as the annual budget for water access areas remained flat with no adjustment for inflation or expanded service hours. Adjusting the 1991 figures for inflation gives a current estimate for meeting Full-Service Standard at \$14,000 per site.

Table 3 estimates the gaps between spending and estimated need associated with Wildlife Area lands (calculated on a per acre basis) and Water Access Areas (calculated on a per site basis). Based on an average of the dollars spent per unit, WDFW spends \$38 per acre on Wildlife Areas and \$7,300 per site on Water Access Areas. Current budget sufficiency is calculated using two methods. One way is simply comparing the fiscal year 2023 average amount spent versus the average estimated need. For Wildlife Areas, \$38 per acre is 40% of the estimated minimum \$95 per acre need. For Water Access Areas, \$7,300 is 51% of the estimated \$14,400 need. The second way is to compare the total amount spent across all Wildlife Areas and Water Access Areas in fiscal year 2023 to the estimated need amount of the average per acre or per site rate. For Wildlife Areas, \$16.2 million was spent in fiscal year 2023, which is 16% of the need estimated by multiplying the \$95 per acre by the acreage of 1,054,473. For Water Access Areas, \$3.2 million was spent across the system, which is 47% of the need estimated by multiplying the \$14,400 per site by the 477 sites. As such, WDFW stewards wildlife areas at 16-40% of the overall need and our Water Access Areas at 47-51% of our need. Regardless of the method, it is clear there is a substantial gap in the current funding for properly stewarding the WDFW Lands portfolio. These estimated needs are the best we are able to do with our current information. Further analysis to be developed using funding from this decision package will refine these numbers and identify the stewardship funding target.

Table 3: Estimated per unit and portfolio wide gaps for stewardship of Wildlife Areas and Water Access Area (based on 477 water access areas and 1,054,473 of WDFW-managed lands).

	Estimated Need	FY23\$ average per unit	FY2023 System-Wide Budget	Estimated Current Need that is Secured
Wildlife Area Lands	\$95/ acre	\$38/ acre	\$16,266,503	16 - 40%
Water Access Areas	\$14,400 per site	\$7,300/site	\$3,228,636	47-51%



1: Address Urgent Lands Stewardship Needs, \$1,898,000 in fiscal year 2026 and \$3,807,000 in fiscal year 2027. Ongoing costs beyond the 2025-27 biennium are \$3,765,000 per fiscal year:

Salaries and benefits, Objects A&B, totals \$931,000 for 9.6 FTE in fiscal year 2026 and \$1,873,000 for 18.20 FTE in fiscal year 2027 and ongoing, working to address urgent lands stewardships needs.

Personal services contracts, Object C, totals \$222,000 in fiscal year 2026 and \$352,000 in fiscal year 2027 for research and development for O&M rate basis and tracking system, weed control services, and quality control inspectors. The ongoing amount is \$320,000 per fiscal year beginning in fiscal year 2028.

Goods and services, Object E, totals \$151,000 in fiscal year 2026 and \$265,000 in fiscal year 2027 and ongoing to include \$104,000 for weed control supplies, native seed, and wildlife area supplies and tools. \$8,000 per FTE and an additional \$1,000 per field FTE for WDFW standard costs, which cover an average employee’s supplies, communications, training, and subscription costs per year.

Travel, Object G, totals \$130,000 in fiscal year 2026 and \$386,000 in fiscal year 2027 and ongoing including vehicle costs and overnight accommodations due to the large geographic scope of the work – both statewide for those positions and within regions or wildlife areas due to the geographic spread of water access areas and wildlife area units.

An infrastructure and program support rate of 32.37% is included in Object T and is calculated based on WDFW’s federally approved indirect rate.

2: Implement the 2022 Recreation Strategy, \$800,000 in fiscal year 2026 and \$1,543,000 in fiscal year 2027 and ongoing:

Salaries and benefits, Objects A&B, totals \$356,000 for 3.4 FTE in fiscal year 2026 and \$674,000 for 6.4 FTE in fiscal year 2027 and ongoing, working to implement the 2022 Recreation Strategy.

Personal services contracts, Object C, totals \$188,000 in fiscal year 2026 and \$375,000 in fiscal year 2027 and ongoing for contracts with

nonprofit partners to deliver on-the-ground projects, including inventory and assessment of roads and trails with analysis for accessibility; trail and campsite development and maintenance; onsite interpretation and visitor services, including Ambassador Program and signage; restoration of recreation-affected areas utilizing volunteers and/or paid staff; cultural resources expertise to review projects for potential impacts on Tribes and archaeological resources.

Goods and services, Object E, totals \$30,000 in fiscal year 2026 and \$57,000 in fiscal year 2027 and ongoing. Costs include \$8,000 per FTE and an additional \$1,000 per field FTE for WDFW standard costs, which cover an average employee’s supplies, communications, training, and subscription costs per year.

Travel, Object G, totals \$30,000 in fiscal year 2026 and \$60,000 in fiscal year 2027 and ongoing including vehicle costs and overnight accommodations for the due to the large geographic scope of the work – both statewide for those positions and within regions or wildlife areas due to the geographic spread of water access areas and wildlife area units.

An infrastructure and program support rate of 32.37% is included in Object T and is calculated based on WDFW’s federally approved indirect rate.

3: Build Tools, Methods, and Partnerships for Long-term Stewardship, \$805,000 in fiscal year 2026 and \$1,095,000 in fiscal year 2027 and ongoing:

Salaries and benefits, Objects A&B, totals \$390,000 for 3.0 FTE in fiscal year 2026 and \$629,000 for 6.0 FTE in fiscal year 2027 and ongoing, working to build tools, methods, and partnerships for long-term stewardship.

Personal services contracts, Object C, totals \$150,000 in fiscal year 2026 and \$100,000 in fiscal year 2027 and ongoing for a visitation measurement contract and for modeling ecological integrity analysis and results.

Goods and services, Object E, totals \$39,000 in fiscal year 2026 and \$46,000 in fiscal year 2027 and ongoing, including survey and data management equipment and supplies. Costs include \$8,000 per FTE and an additional \$1,000 per field FTE for WDFW standard costs, which cover an average employee’s supplies, communications, training, and subscription costs per year.

Travel, Object G, totals \$29,000 in fiscal year 2026 and \$52,000 in fiscal year 2027 and ongoing including vehicle costs and overnight accommodations for collaborative conferences and to monitor ecological integrity data of WDFW-managed lands.

An infrastructure and program support rate of 32.37% is included in Object T and is calculated based on WDFW’s federally approved indirect rate.

Workforce Assumptions:

Workforce Detail:

Position Name	Summary of Priority Duties	Total FTE	
		FY 2026	Ongoing
ADMINISTRATIVE ASSISTANT 3	0.7 FTE - Support the Real Estate Services Unit to ensure operation and fiscal efficiencies.	0.5	0.7
ENVIRONMENTAL PLANNER 3	3.0 FTE - Statewide wildlife area planners collaborate with internal and external subject matter experts, tribes, and stakeholders to facilitate dialogue, develop goals and objectives for wildlife areas, and create wildlife area plans.	1.5	3.0
ENVIRONMENTAL SPECIALIST 5	0.2 FTE - Lead coordination, partnership, outreach, and grant management for estuary restoration projects on wildlife areas.	0.2	0.2
FISH & WILDLIFE BIOLOGIST 2	3.0 FTE - Assistant Managers for Scatter Creek, Simcoe, and North Olympic areas to manage on-the-ground conditions for habitat, recreation and infrastructure.	1.8	3.0
FISH & WILDLIFE BIOLOGIST 3	1.0 FTE - Statewide weed coordination. 1.0 FTE - Wildlife Area Manager for Mt. St. Helen's and Shillapoo. 2.0 FTE - Conduct place-based ecological assessment monitoring to inform adaptive management to maintain and enhance ecological integrity.	1.5	4.0

FISH & WILDLIFE RESEARCH SCIENTIST 1	0.5 FTE - Retain current position supporting the scientific analysis and development of monitoring tools and protocols to maintain and enhance ecological integrity; position is currently funded with expiring proviso funds.	0.5	0.5
IT DATA MANAGEMENT JOURNEY	0.5 FTE - Retain current position that is developing and manages a data system for incoming ecological assessment data; position is currently funded with expiring proviso funds.	0.5	0.5
MANAGEMENT ANALYST 4	1.0 FTE - Grant Coordinator to coordinator efforts for development, restoration and recreation grants to maintain and enhance ecological integrity, conservation and recreation on WDFW-managed lands.	-	1.0
NATURAL RESOURCE SCIENTIST 4	1.0 FTE - Increase cultural resource review capacity. 1.0 FTE - Retain current position leading development and implementation of ecological integrity monitoring tools and protocols. Position is currently funded with expiring proviso funds.	1.5	2.0
NATURAL RESOURCE SPECIALIST 2	1.0 FTE - Support for the Colockum Wildlife Area. 1.0 FTE - Weed Management Specialist on the Columbia Basin Wildlife Area. 0.3 FTE - Convert existing seasonal position to full time for increased weed management work. 0.4 FTE - Develop and implement off-highway vehicle rider education program in the Wenas Wildlife Area.	2.5	2.7
NATURAL RESOURCE SPECIALIST 3	1.0 FTE - Access supervisor for the eastern region of the state.	0.5	1.0
NATURAL RESOURCES TECHNICIAN 2	0.8 FTE - Convert 2 existing part time, seasonal positions to full time at the Snoqualmie Wildlife Area for ensure year-round management of on-the-ground conditions for habitat, recreation and infrastructure.	0.8	0.8
NATURAL RESOURCES TECHNICIAN 3	1.2 FTE - Convert 4 existing part time, seasonal positions to full time at the Wells and Chelan Wildlife Areas for increased weed management work. 1.0 FTE - New position for increased weed management work at the Methow Wildlife Area. 1.0 FTE - Improve safety and cleanliness at high traffic water access areas in the north central region.	1.7	3.2
PROGRAM SPECIALIST 4	2.0 FTE - Recreation project managers responsible for site-specific planning and implementation, especially high priority projects.	1.0	2.0
PROPERTY & ACQUISITION SPECIALIST 2	1.0 FTE - Assistant Lands Agent for the Coastal and South Puget Sound Region for increased capacity to issue permits, leases, monitor conservation easements.	0.5	1.0
PROPERTY & ACQUISITION SPECIALIST 4	1.0 FTE - Property Management Coordinator focused on statewide aquisition. 1.0 FTE - retain current position to maintain statewide property management functions, process annual assessment fees, payment in lieu of taxes, and coordinate non-grant funded acquisitions.	1.0	2.0
WASHINGTON MANAGEMENT SERVICE 1	1.0 FTE - Provide policy and coordination duties associated with the GOIA-led State-Tribal Recreation Impacts Partnership.	-	1.0
WASHINGTON MANAGEMENT SERVICE 2	1.0 FTE - Assistant Region Program Manager to oversee region-wide Wildlife Area and Water Access Area programs including developing and maintaining key community partnerships, budgets, and region-wide conservation and recreation efforts.	-	1.0
		16.0	29.6

Historical Funding:

FY2026 • FTE = 238 FTE • Total Funds = \$38 million • Near General Fund = \$13 million • Other Funds = \$25 million

FY2027 • FTE = 238 FTE • Total Funds = \$38 million • Near General Fund = \$13 million • Other Funds = \$25 million

Strategic and Performance Outcomes

Strategic Framework:

This work supports the Governor's Results Washington goals for Sustainable Energy and Clean Environment, Healthy and Safe Communities, and Efficient, Effective, and Accountable Government.

This work to support Stewardship on WDFW-managed Lands aligns with key foundational work and strategies of WDFW's 25-year Strategic Plan. Relevant sections outlined below.

Foundational Work

- Preserve and Restore Habitat and Species
- Provide Recreational and Commercial Fishing Opportunities
- Provide Fish and Wildlife Habitat and Recreation
- Meet our business management obligations.

Strategies:

- Proactively address conservation challenges
- Engage communities through recreation and stewardship
- Deliver science that informs Washington's most pressing fish and wildlife questions
- Model operational and environmental excellence.

This decision package is in alignment with the WDFW Activity to Acquire and Manage Lands.

Performance Outcomes:

- 50% increase in weed treatment = 4,200 acres predicted.
- Increased ecological integrity (see Attachment 2) across all 1,054,473 acres.
- Increased infrastructure maintenance across 9 wildlife areas.
- 50% of water access areas in the North Central Region in better working condition (e.g. cleaner restrooms, reduced weed infestations, more compliance with responsible recreation, reduced destruction of habitat and infrastructure, litter and graffiti abatement, etc.).
- 20% statewide and 50% increase in the Coast and Sound Puget Sound Region of ability to meet Real Estate Property Management obligations, including PILT and county assessment payments, and reduced permit processing times.
- 20% increase cultural resources reviews completed.
- 83% increase in planning and management capacity to improve recreation opportunities and experiences for an estimated 30 million annual visits to 1,054,473 acres of department-managed lands.
- 150% increase in on-the-ground projects delivered by nonprofit partners to improve recreation infrastructure (e.g., trails), restore lands impacted by recreation, and educate visitors on how to recreate responsibly. 40% increase in off-highway vehicle (OHV) rider education.
- Robust ecological and visitation assessment tools to support monitoring and adaptive management across 1,054,473 acres.
- Methodology for tracking true stewardship costs across WDFW-managed lands.

Equity Impacts

Community Outreach and Engagement:

The department is implementing Washington's Pro-Equity Anti-Racism (PEAR) Ecosystem Plan & Playbook (Executive Order 22-04) across its operations. Following are PEAR efforts that informed development of this proposal.

Engagement with Tribes: WDFW engages tribes early and often on projects that directly affect their interests on department-managed lands. This includes all aspects of stewardship ranging from habitat and species recovery to recreation infrastructure development and maintenance.

Listening sessions with underserved communities: In 2024, WDFW conducted a series of interviews and listening sessions to identify opportunities to make WDFW-managed lands safer and more welcoming for diverse visitors of all ages and backgrounds, particularly people of color, LGBTQ+ and people with disabilities. Participants included representatives from diverse groups, including Outdoors for All, the LGBT Commission, Latino Outdoors, Disability Rights Washington, the Bronze Chapter, the Washington Commission on Hispanic Affairs, Outdoor Asian, and Girl Scouts of Western Washington. Findings informed multiple elements of this proposal, including a commitment to assessing

recreation sites for their accessibility, translating and improving signage, and developing partnership agreements and events with identity-oriented organizations.

Rural communities: Most lands managed by the department are within or adjacent to rural communities, which are directly and indirectly affected by acquisitions, asset management decisions, and stewardship actions. WDFW engages local communities in prioritizing local stewardship actions during wildlife area and recreation planning. This proposal includes projects prioritized in past plans and capacity for future planning in collaboration with WDFW's rural neighbors.

Disproportional Impact Considerations:

Tribes: Washington Tribes' capacity to engage in proposed work is stretched thin by other obligations. To begin to address this capacity gap, WDFW secured and are administering a one-time America the Beautiful Challenge grant from the National Fish and Wildlife Foundation (Attachment 7). WDFW urges federal partners and the state legislature to support additional capacity for tribal engagement in efforts with the State, including an effort to mitigate the impacts of outdoor recreation on tribal resources.

Low-income, traditionally marginalized communities generally have less capacity to engage in planning and development of conservation and recreation plans and projects and often have less time and resources to take advantage of recreational opportunities on WDFW-managed lands.

Where possible, we will engage with marginalized communities to inform planning efforts and improve functional engagement. Some funding will support development of a "trusted advocates" program that identifies and contracts liaisons to underserved communities.

Communities with Limited English Proficiency can be marginalized by communication that occurs predominantly in English. We will increase translation of engagement materials (e.g. maps and surveys used in planning) and translation of signage and other wayfinding infrastructure to support multiple languages. We also are increasingly using infographics and Plain language in agency communications that help with LEP barriers that overlap with literacy rates, indigenous populations where even Spanish may be a second language, and to ensure that scientific and technical language is synthesized in a manner that is understood.

WDFW-managed lands include uneven terrain and other natural barriers that can be less accessible for *people with physical disabilities*. We will assess all department-managed infrastructure on department lands for accessibility and continue to implement ADA accessibility upgrades as funding allows.

As WDFW increases its capacity to manage recreation and strengthens camping rules and enforcement, *unhoused individuals and families* sheltering on department-managed lands face further displacement and deepening risks associated with homelessness. To reduce the risks to unhoused individuals and families from increased WDFW visitor use management, we will invite homeless groups and advocates to engage in rulemaking that relates to camping on department-managed lands.

Target Communities and Populations:

Stewardship of department-managed lands provides ecological, economic, social, and cultural benefits to all present and future Washingtonians and visitors. *Ecological benefits* include ecosystem services like air and water filtration, healthy wildlife habitats, migration routes and breeding grounds; preservation of diverse plant and animal communities; and climate change mitigation and adaptation. *Economic benefits* include support for the state's multibillion dollar outdoor recreation sector, as well as local tourism dollars. *Social benefits* include enhanced recreational opportunities that support physical and mental health and provide a wide variety of fun opportunities for individuals, groups, and families. *Cultural benefits* include preservation of tribal resources and lifeways, conservation of other cultural resources and artifacts, and opportunities for visitors to connect to food sovereignty, spirituality and the sacred.

Tribes: Tribes are active collaborators in the near- and long-term stewardship of WDFW-managed land stewardship for conservation and access to natural and cultural resources and assertion of tribal treaty rights for current and future generations.

Conservation and Recreation NGOs: Conservation and recreation NGOs advocate and work with the department to improve recreation and conservation outcomes on department-managed lands. 19 recreation and conservation groups provided written support for proposed work to implement the 10-year Recreation Strategy (Attachments 6 and 7).

Conservation Districts: This proposal helps the Washington State Association of Conservation Districts meet its goal to work with WDFW to identify funding needs and opportunities to complete their management plans and implementation goals for acquired lands.

Rural landowners and local governments: The department works cooperatively through landscape-based community collaboratives, such as Coordinated Resource Management (CRM) efforts in different parts of the state to collectively prioritize work needed on-the-ground. This

package will expand capacity to address the concerns of these groups.

Historically excluded or marginalized groups: BIPOC, LGBTQ+, disabled and other underserved communities engaged during 2024 listening sessions have expressed interest in increased access to recreation opportunities on WDFW-managed lands and expanded engagement in land use and recreation planning. See “community outreach and engagement” section for further details.

Community Inputs and Incorporation:

Tribes participating in the Tribes-State Recreational Impacts Steering Committee directly and indirectly contributed to content in all 3 elements of this proposal, and tribal coordination and/or consultation will be essential to its implementation. Tribes support proposed efforts to measure and monitor ecological integrity and impacts of recreation usage on treaty resources and tribal lifeways on WDFW-managed lands, improve conservation and stewardship of habitat and wildlife, and encourage responsible recreation via planning, public education, and rulemaking.

Recreation and conservation organizations support proposed efforts to educate and engage visitors to department-managed lands and contracting with non-profit partners to deliver on-the-ground projects. Low-income, traditionally marginalized communities also recommended that WDFW improve public-facing information about recreation opportunities and include diverse groups in recreation and wildlife area planning processes. These suggestions are embedded into this proposal.

Conservation districts and weed control boards have an interest in the Urgent and long-term stewardship needs and this decision package has been informed by on-going discussion we have had with both groups. The Washington State Association of Conservation Districts (WACD) passed a resolution in 2023 (2023-10) that states “WACD will work with state agencies and the State Legislature to identify funding needs and opportunities to complete their management plans and implementation goals for acquired lands.” We meet regularly with weed control boards throughout the state, and the issue of weed control on WDFW-managed lands is always a high priority and need.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

The Department is not a “covered” or “opt-in” agency and therefore this section does not apply. The Department is not a “covered” or “opt-in” agency and therefore this section does not apply.

Puget Sound Recovery:

This decision package is directly aligned with 2022-2026 Puget Sound Action Agenda Strategy 22 Outdoor Recreation and Stewardship and Strategy 24 Cultural Practices and Local Foods by increasing WDFW’s capacity to manage WDFW lands to maintain or improve the ecological integrity of priority sites and habitats, promote functional diversity, preserve treaty rights, maintain game and non-game populations at levels consistent with healthy ecosystems, and provide quality recreation opportunities to diverse visitors. This decision package addresses human wellbeing in Puget Sound by expanding and promoting equitable access to information and opportunities for engagement for outdoor recreation and stewardship actions and recognition of tribal nations’ treaty and sovereign rights. Additionally, many of the cultural traditions held by Puget Sound residents are dependent on the health of Puget Sound ecosystems and our collective ability to manage them. Increasing WDFW’s capacity to manage lands appropriately ensures the protection, and enhancement opportunities for cultural practices and access to safe and abundant local foods.

State Workforce Impacts:

N/A

Intergovernmental:

This proposal builds capacity for the State-Tribal Recreation Impact Initiative to collaborate with federally recognized Washington Tribes to ensure that their tribal treaty rights and tribal lifeways are protected.

State, county and city governments benefit from recreation on WDFW-managed properties. According to an analysis by non-profit Earth Economics, visitors took nearly 30 million trips in 2020 to WDFW-managed properties, spending approximately \$1.4 billion across the state and contributing approximately \$172 million in taxes to state and local governments. This consumer spending and tax revenue does not account for the value of recreational experiences and ecosystem services enjoyed by residents that may otherwise need to be provided by other federal, state, tribal, or local agencies. (Outdoor Recreation on State Lands in Washington — Earth Economics, 2020, Attachment 8).

Stakeholder Impacts:

Based on preliminary conversations and recent patterns of engagement, WDFW anticipates support from Washington Tribes, Conservation Districts, rural landowners, and conservation and recreation NGO partners.

State Facilities Impacts:

The Department has limited capacity across the regions for new staff. While this particular decision package may be absorbed within existing facilities in the short-term, the aggregate of multiple decision packages may lead to a space shortage. The Department continuously monitors space use and new needs will be considered in the six-year plan and future facilities decision package requests.

Changes from Current Law:

This proposal does not require any changes to existing statutes, rules, and/or contracts.

Legal or Administrative Mandates:

[RCW 77.04.012](#) is the legislative mandate of WDFW and serves as the foundation for the Department’s mission: “To preserve, protect, and perpetuate fish, wildlife, and ecosystems while providing sustainable fish and wildlife recreational and commercial opportunities.” [RCW 77.12.037](#) authorizes WDFW to acquire, use and manage property. For a more complete list of mandates, see Attachment 9.

Governor's Salmon Strategy:

N/A

Reference Documents

- [Attachment 1 Interagency-Tribal Recreation Impacts Effort Working Charter \(5-17-24\).docx](#)
- [Attachment 2 Ecological Integrity Fact Sheet.pdf](#)
- [Attachment 3 Access Area O&M 2021.09.23.pdf](#)
- [Attachment 4 LandsOM-maintenance-memo-April22.pdf](#)
- [Attachment 5 Sign on Letter House.pdf](#)
- [Attachment 6 Sign on Letter Senate.pdf](#)
- [Attachment 7 Final AtB Tribal Partnership Proposal 2023.pdf](#)
- [Attachment 8 Outdoor Recreation on State Lands in Washington — Earth Economics.pdf](#)
- [Attachment 9 Legal Mandates for Stewardship on WDFW managed Lands.docx](#)

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$1,220	\$2,321	\$3,541	\$2,321	\$2,321	\$4,642
Obj. B	\$457	\$855	\$1,312	\$855	\$855	\$1,710
Obj. C	\$560	\$827	\$1,387	\$795	\$795	\$1,590
Obj. E	\$220	\$368	\$588	\$368	\$368	\$736
Obj. G	\$189	\$498	\$687	\$498	\$498	\$996
Obj. T	\$857	\$1,576	\$2,433	\$1,566	\$1,566	\$3,132

Agency Contact Information

Brandon Bean
 (564) 669-0937
 brandon.bean@dfw.wa.gov



Agency Recommendation Summary

Washington State, with eight million residents and twice the national growth rate, faces increasing demands on its natural resources. These circumstances necessitate additional Fish & Wildlife Enforcement Officers to ensure public safety and resource protection. WDFW Enforcement Officers are responsible for law enforcement statewide, including state and federal lands and waters, and respond to a variety of related issues from poaching to habitat protection. As we finish recruitments in the 2023-25 biennium, Enforcement is poised for the addition of 20 more and six support staff this biennium. More officers mean proactive presence, crime deterrence, and greater natural resource protection statewide. [Related to Puget Sound Action Agenda implementation]. [Broadly related to implementing the Governor's Salmon Strategy.]

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	15.0	26.0	20.5	26.0	26.0	26.0
Operating Expenditures						
Fund 001 - 1	\$7,396	\$9,885	\$17,281	\$6,136	\$6,136	\$12,272
Total Expenditures	\$7,396	\$9,885	\$17,281	\$6,136	\$6,136	\$12,272

Decision Package Description

Fish and Wildlife officers are essential in maintaining safe and properly managed recreational and commercial opportunities for the residents and visitors to Washington State. To do this necessary work an increase in Fish and Wildlife personnel is crucial.

Proposed staffing Structure:

Commissioned Officers

- 18 FTE – Fully Commissioned Officers deployed across the State.
- 2 FTE – Sergeants, supervise officers assigned to their detachment.

These positions will achieve the following in WA State on behalf of the public they serve:

1. Promote compliance with laws focused on protecting Washington's natural resources.
2. Provide professional law enforcement services.
3. Raise the level of appreciation for the protection of our natural resources through enhanced outreach and education.
4. Strengthen partnerships with internal and external stakeholders.
5. Enhance public safety response.

With the addition of 20 officer FTEs next biennium, nine positions will be added in year one and the remaining eleven added in year two. Two of these FTEs will be sergeants and will supervise officers assigned to their detachment. These additional positions will be dispersed throughout the state in areas of greatest need, and require training, equipment, workspace, body cameras, and a fully equipped patrol vehicle. The Program is seeking additional funds for a detachment sized office lease in the Tacoma area to accommodate the newly created and fully staffed South Sound Detachment that is actively serving and patrolling the area presently. Additionally, the Program requests seven ATVs for patrolling remote areas vital to winter grazing for core species in the state, and one 30-34' vessel for use in maritime patrols in vicinity of key maritime infrastructure and Southern Resident Killer Whale (SRKW) populations.

Support Staff

- 2 FTE – Communications Officers – assist existing staff with dispatch services, focusing on officer and public safety by answering emergency and non-emergency calls from the public and coordinating responses and dispatch services of commissioned general authority enforcement field officers. These positions multi-task to ensure officer safety and facilitate prompt response to incidents involving dangerous wildlife threatening public safety. Additional duties require customer service and referral to achieve compliance with laws relating to fish and wildlife, providing responsive public service, promptly resolving human-wildlife interaction conflicts, and forming

partnerships with the public and peer agencies to benefit fish and wildlife. Provides general information and referral services to public requests regarding Hydraulic Project Approval (HPA), interpretation of rules and regulations, Problem Wildlife Conflict Specialists, Wildlife Control Operator contacts (trappers), wildlife rehabilitation, Hunter Education, regional agency contacts, etc.

- 2 FTE – Program Specialists 3s – the Recruitment Support Specialist is responsible for recruiting and hiring the highest qualified Fish and Wildlife Police Officers, Public Safety Telecommunicators, and non-commissioned support staff candidates to enforce compliance with fish and wildlife laws and provide responsive public service within the Law Enforcement Program. This position cultivates mutually beneficial partnerships with the public and stakeholders by leveraging all authorized communications mediums to encourage compliance with fish and wildlife laws and provide responsive public service. Expectations also include developing and implementing administrative process improvements to enhance business operational planning that achieve efficiencies and meet operational goals to support responsive public service.

The Training Program Specialist supports the mission of the Enforcement Program by serving as the Subject Matter Expert for all Watercraft Operations, Training, and Safety as applied to conducting marine law enforcement operations for the State of Washington and when supporting Federal Joint Enforcement Activities. This includes managing all boat training to achieve compliance with all State and Federal laws as well as standards of the United States Coast Guard (USCG), National Association of Boating Law Administrators (NASBLA), Washington State Criminal Justice Training Commission (WSCJTC), Washington State Parks and Recreation Commission (WSPRC), and WDFW Regulations and Policies. The position coordinates attendance at the WSPRC Basic Marine Law Enforcement (BMLE) Course, Federal Law Enforcement Training Center (FLETC) Marine Law Enforcement Patrol Training Course and assist in instructing selected modules of the WDFW specialized boat training courses (MOTC). Directly supporting the Enforcement Program Fleet Manager by conducting audits of the vessel fleet to identify equipment needs, inspecting enforcement watercraft for safety, and determining if vessel carriage requirements are valid. Includes inspecting all enforcement vessels for equipment and adherence to maintenance schedules.

- 1 FTE – Equipment Technician 2 –assists existing staff with the fabrication, repair, and field patrol vehicles. The position is responsible for providing and assisting with first tier maintenance and up-fitting of vehicle and vessel fleets at the Patrol Shop including the installation and removal of enforcement equipment (radios, antennas, lights, wiring, sirens, transport cages, consoles, push bars, gun racks, etc.) in patrol vehicles, vessels, and other specialized equipment. Additional expectations include welding and custom fabricating supporting framework and infrastructure that houses all the above in patrol vessels and vehicles. Work includes installing specialized parts in patrol vehicles and vessels. In addition to the performance of general maintenance on trailers and vessels the position lubricates and services vehicles and trailers, inspects vehicles, vessels and trailers.
- 1 FTE – IT Customer Service Support - Entry - assist existing IT staff with added customer support requirements stemming from expansion of program workforce, the expanse of technical tools used by officers, and the onboarding of new positions that heavily rely on these associated systems. The position supports growth in activity that has outpaced the single IT FTE in the Program, with staff reliant on situational awareness and officer safety oriented technical applications including the Spillman database, body worn camera technology, Cradlepoint router applications, radio over IP (RoIP) and voice over IP (VOIP) applications, satellite based systems for areas with low/no cell service, secure access licensing, MicroSoft applications including SharePoint and TEAMS, SECTOR, and continuity of operations applications for the Program and the Agency.

Assumptions and Calculations

Expansion, Reduction, Elimination or Alteration of a current program or service:

The proposal seeks to expand the Enforcement program's workforce and improve the level of service to the State's hunting and fishing communities. Washington State recorded the lowest number of police officers per capita at 1.36 officers per 1,000 people in 2022. The request for additional officers will improve response time and the ability to assist with the protection of resources in our wildlife areas and incidents on the water, where the bulk of work falls on our agency.

Detailed Assumptions and Calculations:

The first year of the decision package recognizes the challenging task of recruiting, hiring, onboarding, equipping, and training a significant number of highly trained staff. Therefore, this request scales the the FTE requirement to focus on getting support staff on board in fiscal year 2026 with only 8 officers and one sergeant, and adding an additional 10 officers and one additional sergeant in fiscal year 2027.

Salaries and benefits, Objects A and B, for 15.0 full-time equivalent (FTE) positions totals \$2,004,000 in fiscal year 2026. This increases to

26.0 FTE positions totaling \$3,722,000 in fiscal year 2027 and ongoing.

Goods and services, Object E, totals \$1,580,000 in fiscal year 2026 and \$1,273,000 in fiscal year 2027 and dropping off to \$913,000 ongoing. Costs include \$25,400 per fully commissioned law enforcement FTE per year. WDFW Enforcement standard costs, include the employee's supplies, communications, training, and subscription costs per year. Additional goods and services include costs for rulemaking, signage, printed materials, and standard issued equipment.

Travel costs, Object G, are estimated at \$404,00 for fiscal year 2026 and \$505,000 for FY 2027. These costs include overnight stays and per diem reimbursement for necessary trainings, meetings, and attending the Training Academy.

In addition, certain specialized equipment, Object J, are necessary for Enforcement officers to safely perform their patrol duties which is above the standard WDFW employee costs. These costs total \$1,122,000 in fiscal year 2026 and \$1,370,000 in fiscal year 2027.

Specialized materials include: Firearms and optics, modified patrol trucks, radio and dispatch communication equipment for safety, call response, and coordination. This includes vehicle laptop mounts, hands free device adapters, etc.

Workforce Assumptions:

Position	Salary	Benefits	Description	Total FTE by Fiscal Year	
	per FY	per FY		FY 2026	Ongoing
Equipment Technician 2	\$62,892	\$26,278	Position supports EP Fleet growth and operations	1.0	1.0
Communications Officer 1	\$67,716	\$27,093	Positions supports elevated workload in WILDCOMM consistent with adding officers and employee safety expectations. Expanded hours/prolonged presence.	2.0	2.0
Program Specialist 3	\$74,724	\$28,278	Positions supports additional boating/training/recruiting/outreach/marketing requirements.	2.0	2.0
IT Customer Support - Entry	\$80,268	\$29,214	IT updates for routers, hardware, software	1.0	1.0
Fish and Wildlife Officer	\$120,969	\$32,511	Population growth in WA produced higher users of opportunities, higher amount of lands being managed by DFW, wildlife conflicts increase, more calls for services, higher demand for LE services.	8	18
Fish and Wildlife Sergeant	\$146,556	\$35,886	Sergeants will be integrated into supervision of above additions.	2.0	2.0

The table outlines the position types and expected responsibilities for each of the FTE's needed to expand the Enforcement Program's level of service.

Historical Funding:

FY2026 • FTE = 181 FTE • Total Funds = \$7 million • Near General Fund = \$13 million • Other Funds = \$25 million

FY2027 • FTE = 191 FTE • Total Funds = \$10 million • Near General Fund = \$13 million • Other Funds = \$25 million

Strategic and Performance Outcomes

Strategic Framework:

Funding this decision packages allows WDFW to support populations and communities who are systemically marginalized, historically excluded, and disproportionately impacted. Many of these communities depend on natural resources and open spaces to help feed their families and recreate. WDFW is committed to its mission to preserve, protect, and perpetuate fish, wildlife, and ecosystems so these resources are sustainable and accessible for all communities. These diverse communities, and many others, are finding that environmental justice, smart growth, and equitable development can be an effective combination for promoting a healthy and safe environment, a strong economy, and good quality of life for all residents. Washington's fisheries and public spaces support recreational opportunities throughout the state and contribute significant revenue to local and rural businesses. This package supports the operation of other WDFW programs, which contribute to:

Supporting local economies (tourism, lodging, restaurants, wholesalers, and retailers of recreational equipment, boats, and licenses), providing family recreational opportunities, and protecting Washington's fishing cultural heritage. Commercial and recreational fishing opportunities throughout the state contribute significant revenue to local and rural businesses.

Performance Outcomes:

WDFW has a responsibility to preserve and protect the State’s fish and wildlife. This responsibility becomes ever more complex with increased human and wildlife conflict, the obligation to protect treaty rights, and the presence of endangered and protected species. Without increased presence, WDFW cannot continue to provide adequate protection to our most vulnerable fish and wildlife resources.

Calls for service are exponentially rising as users of Washington’s outdoor spaces increase. Enforcement Officer candidates well suited for this line of work may choose employment elsewhere if the Program cannot provide opportunities to work as WDFW Enforcement Officers.

The consequences of not funding this staffing package will have profound negative impacts on the ability of WDFW Police to employ proper strategies and focus sufficient resources toward addressing a key mission of the protection of our natural resources and the public’s safety. The lack of adequate staffing does not allow WDFW Police to provide sufficient patrol vessel and officer presence in key geographic locations to protect threatened or endangered species and their impacted ecosystems.

Increasing capacity will provide greater presence for the following groups:

1. Human Population – general safety to the public.
 1. Response times, strategizing, and prioritizing. Extra officers will allow us to manage our lands proactively.
 2. Increased deterrence of illegal or overharvest of species which can limit hunting and harvest opportunities for the public.
 3. Commercial sanitary shellfish patrol and seafood marketplace inspections.
 4. Increased capacity for emergency response (e.g. search and rescue, wildfire, flooding, landslides, Chronic Wasting Disease (CWD)).
 5. Detrimental effects from aquatic invasive species to state waterways, power and agricultural systems.
2. Threatened and Endangered species (ESA) - Increasing coverage of ESA listed species resulting in decreased illegal take and positive population growth.
 1. Better presence to enforce closures, increased responsiveness to incidents.
 2. Habitat destruction.
 3. Poaching.
3. Animal and Resource Trafficking – Increased capacity to adequately patrol and investigate largescale and international crimes committed in Washington State.
 1. Sanitary shellfish and seafood labelling – consumer health and protection of industry.
 2. Washington Animal Trafficking Act.
 3. Commercial airport inspections.
 4. Trade of local animal parts.
4. State Lands – Deterring illegal use of lands
 1. Habitat destruction, vehicle usage, dumping, stream and waterway degradation.
 2. Illegal camping.
 3. Illegal timber harvest.
 4. Illegal agriculture operations.
 5. Preserve treaty rights.

This proposal supports the Department’s ability to achieve the following Performance Indicators:

- Protect Aquatic Habitat
- Enforce Commercial and Recreational Fishing Regulations
- Preserve Hunting Opportunities
- Provide Public Safety on WDFW Owned Lands and Respond to Incidents
- Enhance the use of public spaces for all users, including camping, hiking, wildlife viewing.

Equity Impacts

Community Outreach and Engagement:

WDFW's Enforcement Program conducts community engagement and public outreach through everyday presence and patrolling on public waters and lands. The Program remains committed to improving and evolving community engagement with historically excluded and marginalized communities. It is important that WDFW maintain these functions to prevent degrading services for the communities we serve.

Disproportional Impact Considerations:

This request is in response to public demand for services, cost increases and budget shortfall faced by WDFW. Without additional funding other areas of the budget could be cut, which will cause reductions in other activities and projects currently funded. These reductions are not easily connected to specific communities. However, cutting services will hinder the ability to apply an equity lens as WDFW will be forced to shift resources.

Target Communities and Populations:

Each year at Centennial Accord tribal communities request that WDFW increase our capacity to protect natural resources, police fisheries, and patrol public lands. The increasing state population has increased the amount of people recreating and impacting natural resources. While these additional officers can be employed in any location throughout the state, the focus of these additions is to address the additional enforcement presence needed on public lands.

Community Inputs and Incorporation:

WDFW maintains regular and open communication with communities and constituents of the state. Through ongoing conversations and engagement, WDFW actively seeks input, feedback, and suggestions. These discussions encompass crucial initiatives for the agency, including funding considerations for hatchery investments, ensuring that hatchery operations remain a valuable asset to communities statewide. This continuous communication allows for collaborative and informed decision making, ensuring that the interests and concerns of the communities are taken into account. By actively involving stakeholders and community groups in the decision-making process, WDFW can help to be sure that proposed initiatives align with community needs. In addition, WDFW works closely with the Budget and Policy Advisory Group which assists in facilitating the strategic pathways that align with the state's overall objectives and public interests, reinforcing WDFW's commitment to community-focused decision making.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

The Department is not a "covered" or "opt-in" agency and therefore this section does not apply.

Puget Sound Recovery:

This decision package will expand WDFW enforcement capacity through the addition of new enforcement officers across the state, adding communications and program staff, and funding necessary equipment. This added capacity and equipment will enable WDFW to expand habitat and wildlife enforcement and protection. By providing staffing for patrol vessels and a vessel for use in maritime patrols in the vicinity of Southern Resident Killer Whale populations, this decision package implements 2022-2026 Action Agenda Strategy 17 Responsible Boating, action #68, and Orca Task Force Recommendation 20. By increasing enforcement capacity to respond to incidents, enforce regulations for habitat and wildlife protection, and engage the community, this decision package also implements Action Agenda influential outcome 5.2 to increase engagement and trust in natural resource governance.

State Workforce Impacts:

No impacts to existing collective bargaining agreements or statewide compensation and benefits policy.

Intergovernmental:

WDFW Enforcement Officers routinely collaborate and partner with federal, tribal, state and local law enforcement agencies and stakeholders for the protection of public lands and waters in Washington State. Strong existing partnerships with NOAA via Joint Enforcement Activities centered on preventing overharvesting of Pacific Ocean species and the protection of resident killer whales. Enduring cooperation with US Fish and Wildlife and neighboring states and provinces reduces the frequency of illegal trafficking of wildlife. Cooperation with WSP, the Department of Homeland Security, the U.S. Coast Guard, and local authorities secures waterways and related infrastructure critical to both marine life and

the state's economic prosperity. Work with DNR, WA State Parks, and local jurisdictions reduce risks to outdoor recreators through increased information sharing, general education, and a balanced presence in high use areas for recreational boating, snow park usage, hiking, camping, fishing, and hunting. Tribal cooperation secures treaty rights and ensures all aspects of outdoor connections that underpin native heritage are recognized, prioritized, and preserved. Lastly, Officers and Staff cooperate with federal, state, and local emergency response officials annually during the wildfire season and in response to any disaster requiring the services of WDFW Enforcement Officers.

Stakeholder Impacts:

WDFW Enforcement Program anticipates stakeholders will view these additions favorably. Federal agencies proactively seek cooperation in SRKW protection, enforcement of marine fishery regulations, reducing wildlife trafficking, protection of public lands, and the security of critical maritime infrastructure. State and local enforcement agencies routinely express appreciation for the cooperation and partnerships due in part to the severe lack of law enforcement officers as a whole in Washington State. WDFW Enforcement Officers are oftentimes the first to arrive on any scene requiring law enforcement response in rural areas.

State Facilities Impacts:

Support staff will be stationed in Olympia, with five of the six FTEs working in the Enforcement Program Headquarters in the NRB. These five FTEs include 2x Communication Officer 1s, 2x Program Specialist 3s, and 1x IT Customer Support-Entry. The Equipment Technician 2 will work at the Enforcement Program Lathrop Shop in Tumwater. Current space in the NRB and at the Lathrop Shop is believed to be adequate for these positions, although the requested cubicle construction, IT equipment and nationally mandated professional development training listed in the attachment will be vital to integrating these positions into the Program's current operational framework.

WDFW's Enforcement Program dedicates proportionate efforts to maritime presence and response. However, these 18 additional Enforcement Officers and two Sergeants are expected to be dispersed predominantly throughout the state upstream of Puget Sound and the Pacific Ocean, where "tributary and land focused" enforcement activities occur. WDFW Regions 1, 2, 3, 5, and the interior portions of 4 and 6 can anticipate receiving enforcement FTEs associated with this request. Construction of physical detachment size facilities in the Sherman Creek Wildlife/Hatchery area and the greater Yakima area compliments the efforts of existing WDFW Enforcement Staff and reciprocates the vision of Tribal and intergovernmental partnerships stated above. These facilities are a part of the Program's capital request and contain provisions for office and equipment storage space for five to six officers per location, a secure armory, and evidence storage facility that are subject to elevated security standards. Existing facilities in these locations are not adequate.

Workspace for additional commissioned officers does not need to be expanded or otherwise dramatically modified in order for these positions to be relevant and efficient in meeting the Enforcement Program's mission: "To protect our natural resources and the public we serve." The patrol trucks, IT equipment, ORVs, vessel related items and officer equipment provide commissioned staff with the tools and capabilities needed to operate safely in the State's public spaces. A majority of an officer's duty occurs in these places, with patrol vehicles serving as a makeshift "office" on a routine basis. Hardstand facilities are critical to information consolidation, evidence and equipment preservation, and preparation for formal court proceedings.

Changes from Current Law:

N/A

Legal or Administrative Mandates:

Presidential Policy Directive 21 (PPD-21) identifies WDFW as part of the nation's critical infrastructure given the risk to the nation's food supply based on the significant quantity of fish produced by the agency. Federal requirements cannot be met without maintaining enough enforcement capacity as proposed in this decision package.

Governor's Salmon Strategy:

Strategy Priority 5. Align harvest, hatcheries, and hydropower with salmon recovery; and Strategy Action Area 5a. Harvest management: This package broadly supports salmon recovery through the addition of WDFW Enforcement Officers to ensure broader protection of ESA-listed fish and their habitats.

Reference Documents

- [ITAddendum_EP - Expanding Fish & Wildlife Police_25-27 BN.pdf](#)
- [ITaddendumBudget2025-27 Expanding WDFW Police.xlsx](#)

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

Yes

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$1,542	\$2,899	\$4,441	\$2,899	\$2,899	\$5,798
Obj. B	\$462	\$823	\$1,285	\$823	\$823	\$1,646
Obj. C	\$0	\$0	\$0	\$0	\$0	\$0
Obj. E	\$1,580	\$1,273	\$2,853	\$913	\$913	\$1,826
Obj. G	\$404	\$505	\$909	\$0	\$0	\$0
Obj. J	\$1,754	\$2,161	\$3,915	\$0	\$0	\$0
Obj. T	\$1,654	\$2,224	\$3,878	\$1,501	\$1,501	\$3,002

Agency Contact Information

Brandon Bean
 (564) 669-0937
 brandon.bean@dfw.wa.gov