

# Environmental Justice (EJ) Council

## 2025-2027 Biennial Budget Recommendations

Adopted by the Council on September 26, 2024 and November 21, 2024

Recommendations are not in any priority order.

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# Recommendation for Prioritized Funding if the CCA is Repealed

(Note: This recommendation was adopted prior to the November 5<sup>th</sup> General Election)

## 1. HEAL Implementation and Environmental Justice Council Operations

**Background and Rationale:** The passage of the HEAL Act in 2021 was a historic milestone in Washington State’s journey toward prioritizing and systematizing environmental justice in state government activities. With its passage, the state began an intentional and coordinated approach to center Tribes and communities most severely and frequently impacted by environmental inequities, transforming the way programs, policies, and budgets are created. The implementation of the HEAL Act is well underway and it is clear that the state still has a long way to go before the Act’s intent is realized and impacted Tribes and communities begin to experience the benefits in their daily lives. For these outcomes to be realized, HEAL implementation requires robust, ongoing, and sustainable funding. Currently, HEAL implementation in covered agencies and the Environmental Justice Council are supported through a variety of fund sources, some ongoing and some one-time funds. Data provided by the Office of Financial Management show that for the 2023-2025 biennium, the seven HEAL-covered agencies and the Environmental Justice Council received \$45,703,999 for HEAL implementation across nine different fund sources. That amount included \$26,355,000 (57.7% of all HEAL implementation funding) for one-time pass-through grants to Tribes and communities to build and enhance capacity for Tribal and community engagement in HEAL implementation. Since much of this was one-time funding, for the 2025-2027 biennium, there is \$15,942,999 in available carryforward<sup>1</sup> funding for HEAL implementation, of which \$6,927,999 (43.5%) is from the Climate Commitment Account with no funding available for HEAL capacity grants to Tribes and communities (see Recommendation #3). An Initiative to repeal the Climate Commitment Act (CCA) and the revenue it generates will be on the ballot during the November general election.

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<sup>1</sup> Note: The word “carryforward” was added for clarity by Council staff after Council adoption of this recommendation.

**Proposal:** In the event that the CCA is repealed in the November general election, the Environmental Justice Council recommends that all HEAL implementation activities, including HEAL capacity grants to Tribes and communities, be funded on an ongoing basis by the State General Fund or other sustainable fund sources. The EJ Council also recommends that any other enterprise-wide efforts to support HEAL implementation in the Governor’s Office, the Office of Financial Management, or elsewhere be funded on an ongoing basis through the State General Fund or other sustainable fund sources. The EJ Council recommends that the Governor and Legislature work with agencies and the EJ Council to ensure that **all** funds being used for HEAL implementation and enterprise-wide infrastructure (whether directed in the budget as exclusively for HEAL or not) be maintained.

## Recommendations Related to Previous Proviso Funding

### 2. Assessment of Equitable Transit Services

**Background and Rationale:** In the 2024 Supplemental Transportation Budget, the Washington State Department of Transportation (WSDOT) received \$900,000 to implement certain recommendations from the *2023 Frequent Transit Service Study*. Specifically, WSDOT was directed to define levels and types of demand-response services and measure access to those services. In addition, the agency was directed to collect ongoing transportation data and develop systems to allow for analysis of inequities in access to existing fixed route transit. WSDOT was directed not to begin work on the proviso until January 1, 2025; thereby allowing only six months to complete the work and submit a report on data collection efforts to the Legislature and Office of Financial Management.

**Proposal:** In the event that WSDOT is unable to spend down the \$900,000 and complete the analyses as directed in the 2024 Supplemental Transportation Budget (Section 221(25)), the EJ Council recommends that the Legislature reappropriate any unspent funds to WSDOT to finish

the analyses and extend the reporting deadline as necessary. The EJ Council hopes the findings from this assessment will then be used to inform investment in equitable transit services.

### **3. HEAL Act Community and Tribal Capacity Grants**

**Background and Rationale:** The HEAL Act Community and Tribal Capacity Grant Program received a one-time allocation of \$26,355,000 in the 2023-2025 operating budget, Section 222(28). The funding aligned with a 2023 EJ Council budget recommendation. The grant program aims to build climate resilience and enhance community-led decision making to advance environmental justice by equipping communities most impacted by environmental harms with the necessary resources to collaborate with state agencies on environmental health decisions. The Department of Health (DOH) recently announced non-competitive awards of \$2,564,695 for federally recognized Tribes. Additionally, 27 community-based and tribal organizations, selected by a community advisory committee, were awarded a total of \$11,468,845. Through the funding process, the Department of Health heard concerns from some Tribes and community-based organizations that one-time funding is a barrier to bringing on any new staff to build capacity.

An important tenet of environmental justice, and a specified intent of the HEAL Act, is to center those most severely and frequently impacted by environmental injustice in the solutions through meaningful engagement. The HEAL Act Community and Tribal Capacity Grants provide communities and Tribes the resources needed to effectively engage and participate with the Environmental Justice Council, HEAL covered agencies, and state government as a whole. But for positive outcomes in Tribes and communities to be realized, the HEAL Act requires robust and sustainable funding, not just for agencies, but for Tribes and communities too. Therefore, the grant program needs ongoing, sustainable funding.

**Proposal:** Provide \$26,355,000 to the Department of Health to continue the HEAL Act Community and Tribal Capacity Grant Program as ongoing funding at the same level it was funded in the 2023-2025 operating budget.

#### 4. Participatory Budgeting

**Background and Rationale:** The 2023-2025 operating budget provided the Department of Health with \$38,600,000 in one-time funding to engage in participatory budgeting with at least five geographically diverse overburdened communities. The one-time funding and the biennial timeline have been a significant challenge for implementation. To date, DOH has hired program staff and worked to build its own internal capacity to understand the participatory budgeting process through a contract with the Participatory Budgeting Project, a nonprofit organization. The agency also convened a community advisory committee to identify and select the priority communities, which include three counties (Benton, Franklin, and Yakima), a city (Tacoma), and three specific areas/neighborhoods (Seattle communities adjacent to Boeing including South Park and Georgetown and the East Central, Hillyard, and agricultural areas of Spokane). Furthermore, DOH conducted Tribal Consultation, where it was agreed to set aside 10% (\$3.2 million) to be equally distributed among Federally Recognized Tribes with unspent funds redistributed to Tribes based on availability.

With less than a year remaining in the budget period, this would not allow time for project selection, the Legislature to approve projects (a requirement in the current proviso), and for the agency to fund project implementation. One-time funding is a significant barrier as the Department of Health cannot begin the process of project selection in the identified communities because there would not be time to fund those projects, causing harm in communities. Therefore, in its remaining year of funding, the agency plans to establish a youth advisory committee to help inform and design a proof of concept for a participatory budgeting process.

The Council believes that \$38,600,000 was a commitment to community to build capacity and a process in our state government for participatory budgeting and to fund \$32,600,000 in community-selected projects. It is important that the Governor and Legislature follow through on that commitment to communities by using the lessons-learned this past year (including the learning that collaborative, community-centered work requires more time to be done

thoughtfully) to allocate funding in the 25-27 biennial budget to continue the work through project completion.

**Proposal:** Provide funding for the Department of Health to build on the foundational Participatory Budgeting work they are doing this biennium. The Council directs staff to work with Council Members, the Office of Financial Management, the Governor’s Office, the Department of Health, and community partners to develop a concrete budget proposal that fulfills the commitment to Tribes and communities as outlined above. Acknowledging that a two-year budget cycle can often create unrealistic timelines for community-centered work, the proposal should explore the feasibility of an account dedicated to participatory budgeting projects, or other mechanisms to ensure the funds are invested in Tribes and communities through participatory budgeting.

In addition, in order to ensure timely funding of projects after selection through a community vote, and to align with the characteristic participatory budgeting approach, the EJ Council strongly recommends that the Legislature approve the overall concept of Participatory Budgeting and forgo project approval as currently required. The latter is unduly burdensome, and one not required for other grant programs funded by the Legislature. Instead, the Council proposes that to ensure proper stewardship of state funds, the Department of Health, in coordination with the community steering committees, provide project selection criteria and ensure all projects submitted for a community vote meet those criteria. Finally, DOH will submit these criteria and the results of the Participatory Budgeting project in a report to the Legislature to ensure projects meet requirements for state spending.

## **5. 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. In collaboration with the Economic Justice Alliance Team, a multiagency collaboration hosted by the Department of Social and Health Services (DSHS), this effort has

partnered with Just Futures member organizations like the People’s Economy Lab, Statewide Poverty Action Network (SPAN), and Front and Centered (FC) to pilot community assemblies over the past year. 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. With funding from DSHS, supported by Robert Wood Johnson Foundation grant dollars, and in anticipation of CCA dollars to pilot community assemblies, from January to July 2024, Just Futures community partners and the Economic Justice Alliance Team also worked to deepen a shared commitment to equitable and transparent data practices. This collaboration led to the June 27th 'Data from the Frontlines' convening, where Just Futures partners shared a data framework and logic model, and engaged in discussions with community and government partners to discuss ways to ensure that communities maintain ownership over their data and narratives while shaping policies that reflect their lived realities.

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 \$5,500,000 for the 2025-2027 biennium to the Department of Social and Health Services (DSHS) to: 1) expand the Frontline Community Assemblies infrastructure currently being piloted by the Just Futures project, 2) resource additional entities to lead other forms of participatory governance, 3) and resource community compensation for participants. Acknowledging the deep work described above that the Just Futures community collaborative has done around equitable and transparent data practices in 2024, the Environmental Justice Council recommends that \$500,000 of this is dedicated to the development of model protocols on Free Prior and Informed Consent, data sovereignty, and protection of community and traditional knowledge in continued collaboration with Tribes and tribal serving organizations and frontline communities. Each organization receiving funds should work with assembly participants to adapt and approve these model protocols in advance of gathering information. The Council's recommendation for funding sets both the general and specific expectation that DSHS and funding recipients will conduct their community related work in ways consistent with the values and principles for community engagement enunciated by the Council Community Engagement Committee and formally adopted by the Environmental Justice Council on August 25, 2023.

These assemblies center overburdened communities, involving vulnerable populations and historically 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.

In addition, the EJ Council acknowledges that we have not engaged more broadly with Tribes to understand if they would want funding to do this type of work. Knowing this, the Council recommends that the Governor and Legislature be responsive to requests from any Tribe for funding to develop and do this type of work in addition to the \$5,500,000 requested above.

## Recommendations for New Funding

### **6. Infrastructure and Land Reacquisition for Tribal Climate Adaption and Mitigation**

**Background and Rationale:** As traditional stewards of lands and waters, Indigenous Peoples' customs, culture, community, and place are all highly impacted by climate change. The limited geographic scope of reservation lands can restrict a Tribal Nation's capacity to adapt to climate change. When Tribes become displaced or experience a loss of land due to the impacts of climate change, their sovereignty to make decisions for adaptation and resettlement may be challenged because of their limited relocation options. A new report<sup>2</sup> from the Northwest Climate Resilience Collaborative, found that persistent funding barriers limit coastal Tribes' ability to address climate risks, including insufficient funding, rigid rules and qualification criteria, short-term funding cycles, and misalignment between existing funds and Tribal priorities.

Investments made through the Climate Commitment Account include funding for, "activities to support efforts to mitigate and adapt to the effects of climate change affecting Indian tribes, including capital investments in support of the relocation of Indian tribes located in areas at heightened risk due to anticipated sea level rise, flooding, or other disturbances caused by climate change"<sup>3</sup>, such as fires.

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<sup>2</sup> Climate Adaptation Barriers and Needs Experienced By Northwest Coastal Tribes: Key Findings from Tribal Listening Sessions, August 2024, Accessed on August 26, 2024: [Adaptation-Barriers-NW-Coastal-Tribes\\_2024.pdf \(uw.edu\)](#)

<sup>3</sup> RCW 70A.65.260 (1)(m)

**Proposal:** Fund infrastructure and land reacquisition needs identified within Tribal Nations' climate adaptation plans and or climate vulnerability assessments for the purposes of community relocation, managed retreat, place-keeping, or maintaining Indigenous ways of being.

- **Note:** The EJ Council adopted this budget recommendation on September 28, 2023 and submitted it to the Governor and Legislature for consideration in the 2024 supplemental budget. It was not funded, and yet, the need remains.

## **7. Impacts of Recreation on the Environment and Protected Tribal Rights**

**Background and Rationale:** For the past several years, a number of Washington Tribes have voiced concerns about the increasing volume of recreational activities and the impacts on the environment and protected Tribal rights. In April 2023, a State-Tribal Recreation Impact Initiative began, with the goal of co-creating recreation management tools and an adaptive management framework to coordinate stewardship of natural and cultural resources and preserve protected Tribal rights on state-managed lands and waters. The Legislature invested over \$1.5M for this effort in the 2023-2025 biennial budget for Washington State Parks (Parks), Washington Department of Fish and Wildlife (DFW), and Washington Department of Natural Resources (DNR). The Initiative has secured some external grant funding for Tribal subgrants (\$1 million from the National Fish and Wildlife Foundation), so Tribes have some capacity to engage in the work, but the funding is not nearly sufficient to support the need. In addition, the agency partners have identified cross-agency functions requiring centralized funding to support meetings and other cross-partnership efforts. The 2023-2025 funding for Parks and DFW was one-time and the success to date relies on ongoing capacity for Tribes and agencies.

**Proposal:** The Environmental Justice Council recommends a significant investment for Tribal capacity grants so Tribes can engage with the State-Tribal Recreation Impact Initiative. The Council supports additional investments to facilitate cross partnership efforts, including meeting facilitation. The Council also supports agency funding for technical staffing, natural resource assessments, and recreation use data acquisition and management.

## **8. Enforcement Capacity at the Departments of Natural Resources and Fish and Wildlife**

**Background and Rationale:** At recent Centennial Accord meetings, Washington Tribes have voiced concerns about the impacts that illegal fishing and hunting have on protected Tribal rights. In addition, illegal activities, such as illegal dumping of trash and vandalism destroy natural and cultural resources. Both the Departments of Natural Resources and Fish and Wildlife have insufficient enforcement capacity to respond in a timely fashion to reports of illegal activity and to provide a large enough patrol presence to act as a deterrent. Increasing presence of law enforcement presents a number of concerns and risks for Tribal members and Black, Indigenous, and people of color given the legacy of the Fish Wars and police brutality. Tribal and Indigenous communities also face ongoing barriers practicing their Tribal rights and co-stewarding their traditional territories. In order to uphold Tribal rights and the State's commitment to Pro-Equity Anti-Racism, it is important that Department of Natural Resources and Department of Fish and Wildlife ensure that their officers are provided with necessary training and tools that are supported by the Tribes (see [RCW 77.15.077](#) for an example).

**Proposal:** Provide \$3,375,000 to the Department of Natural Resources to hire 15 additional law enforcement officers, including the necessary, standard equipment needed for each (e.g., trucks, uniforms, laptops, etc.). In addition, the EJ Council supports additional enforcement capacity for the Department of Fish and Wildlife and understands that the Fish and Wildlife Commission has approved a Decision Package for more wildlife officers for the Department of Fish and Wildlife. In addition, the EJ Council recommends that the Governor and Legislature engage with Tribes to identify other solutions, such as resourcing Tribes directly to hire their own officers, to protect the environment and protected Tribal rights. In addition, the EJC recommends that the Governor and Legislature work with Tribes, DNR, and DFW to understand current training requirements, gaps, and additional funding needed to fill gaps as well as to identify any concerns about disproportionate enforcement of non-natural resource-related violations against tribal members and black, indigenous, and people of color.

## 9. Regular Assessment of Tree Canopy

**Background and Rationale:** The Department of Natural Resources has initiated urban tree canopy assessments but lacks ongoing responsibility and funding to update the assessments on a regular basis. Regular tree canopy assessments are needed in order to meet the requirements of HB 1216 (2021), which directs the agency to measure the quantity, health, composition, and benefits of urban trees and forests.

**Proposal:** Provide \$1,000,000 (\$500,000 annually) of ongoing funding to the Department of Natural Resources to update data and information on tree canopy levels across the state and make recommendations to address inequitable canopy loss. The Department should submit an assessment by 2026 and biannually thereafter.

## 10. Statewide Energy Assistance

**Background and Rationale:** Energy assistance need is a significant energy and housing problem and rising temperatures and subsequent rolling demands from climate change will increase household energy burdens and assistance need.

Washington's current approach to energy bill assistance rests on a patchwork of 60+ utility programs with many gaps where households cannot access needed assistance. These programs serve only a small percentage (about 25%) of low-income households served by individual statewide programs such as the Supplemental Nutrition Assistance Program, that have similar eligibility requirements. The challenges of meeting energy assistance for large electric utilities are even more significant for rural electric utilities, which have a disproportionate share of low-income households. These utilities face significant challenges meeting energy assistance need within the rates paid by other customers, some of whom are themselves low-income households. Layered over the patchwork of utility programs is the Low-Income Home Energy Assistance Program (LIHEAP), which provides annual energy assistance grants to households. LIHEAP does not serve all low-income households due to federal eligibility and funding restrictions.

This system of energy assistance is fragmented, confusing, and often inaccessible. A monthly low-income energy bill assistance program is needed to address the excessive energy burden on low-income households and provide universal access to monthly energy bill assistance for low-income households. The Legislature received a recommended state administered program design from Commerce before the 2025 legislative session, but no funding exists to pilot the program.

**Proposal:** Provide \$45,000,000 to the Department of Commerce to pilot the state administered monthly low-income energy bill assistance program in the agency’s legislative report (Chapter 475, Laws 2023). The Department shall report on the development of the program and initial program outcomes to the Governor and Legislature by January 1, 2027.

## **11. Statewide Data Standards to Promote Data Equity**

**Background and Rationale:** Demographic data are collected and calculated differently across various sources. These differences can affect data accuracy and granularity. As a result, datasets across Washington at state and at municipal levels lack granularity or accurate specificity in their collection of race, ethnicity, gender, sex, sexual orientation, gender expression, language, and other demographic data. This often masks inequities within diverse populations or even completely erases some communities from the data. Historically, data collection by government systems and institutions has often lacked transparency and failed to involve marginalized communities effectively. Additionally, there has been a pattern of using data in ways that reinforce existing inequalities and contribute to disinvestment and harmful policies. For example, in their 2024 Data Report, the Pacific Islander Community Association of Washington highlights the importance of disaggregated data for Native Hawaiian and Pacific Islanders and Asian/Asian Americans during the COVID-19 crisis. They identify that data collection often combines Asian, Native Hawaiian, and Pacific Islander populations despite differences within these diverse populations and well documented unique inequities that their communities experience.<sup>4</sup> This is

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<sup>4</sup> Pacific Islander Community Association of Washington. Washington State Native Hawaiian and Pacific Islander Community Data Report: 2019-2024. Accessed August 26, 2024. Available at

not isolated to Asian, Native Hawaiian, and Pacific Islander populations and continues to be a concern for many other communities in Washington. For example, Indigenous, Middle Eastern and North African, and Latinx communities in Washington also often report being left out and completely erased from the data.

Every branch of state government in Washington has acknowledged these data equity issues. Through statute, the Legislature tasked the Office of Equity<sup>5</sup> and the Department of Health (through the HEAL Act)<sup>6</sup> with establishing standards for the collection, analysis, and reporting of disaggregated data as it pertains to tracking population level outcomes of communities (in partnership with the Environmental Justice Council, Office of Financial Management, HEAL Act agencies, and other state agencies). Collection of more granular data has also been a priority for the Commission on Asian Pacific American Affairs, the Commission on African American Affairs, the Commission on Hispanic Affairs, the Governor’s Interagency Council on Health Disparities, and other Commissions and equity advocates. The Office of Superintendent of Public Instruction has also done extensive work in collecting more granular demographic data and is a key partner in this work.<sup>7</sup>

The Judicial Branch has also elevated the need for improving demographic data quality and statewide data standards. The Washington State Supreme Court Gender and Justice Commission, the Washington State Supreme Court Minority and Justice Commission, and the Washington State Center for Court Research have been leading efforts in this area. Despite the energy behind this work, none of these entities have yet received dedicated funding to convene partners statewide to develop data standards for Washington that are well-informed by the diverse

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<https://www.picawa.org/datareport2024/>; National Forum on Education Statistics. Forum Guide to Collecting and Using Disaggregated Data on Racial/Ethnic Subgroups. Accessed September 11, 2024. Available at <https://nces.ed.gov/pubs2017/NFES2017017.pdf>; Rubin, V et al., Counting a Diverse Nation: Disaggregating Data on Race and Ethnicity to Advance a Culture of Health. 2018. Policy Link. Accessed September 11, 2024. Available from [Counting a Diverse Nation 08 15 18.pdf \(policylink.org\)](https://www.policylink.org/publications/counting-a-diverse-nation-08-15-18.pdf).

<sup>5</sup> RCW 43.06D.040(1)(d)(i)

<sup>6</sup> RCW 70A.02.110(6)(a)

<sup>7</sup> Office of Superintendent of Public Instruction. Race and Ethnicity Student Data Task Force. Accessed August 26, 2024. Available from <https://ospi.k12.wa.us/about-ospi/workgroups-committees/concluded-workgroups/race-and-ethnicity-student-data-task-force>.

entities that collect data and that are rooted in equity, Tribal data sovereignty, and community. It is vital that this work be done collaboratively between the Executive, Judicial, and Legislative branches so that our standards across the state are consistent and that our data can be analyzed across data systems. Given the momentum building now in Washington around data equity and data standards along with the recent changes to the federal data standards,<sup>8</sup> the timing is ideal to resource this collaborative work. Without precise data on population demographics, policymakers risk making decisions that do not reflect the true needs, vulnerabilities, and assets of these groups. Better data ensures that the voices and concerns of these communities are represented in planning processes, helping to avoid further marginalization.

**Proposal:** Fund the Executive and Judicial branches to co-lead development of Washington State standards for the collection, analysis, and reporting of granular demographic data by bringing together diverse partners including, but not limited to, Tribes, communities, state agencies, colleges and universities, local jurisdictions, County Clerks, public defenders, prosecutors, judges, law enforcement, civil legal aid providers, court language access experts, the Legislature, and the federal government.

In FY 2026 and FY 2027 provide funding for the below entities to work with partners to:

- 1) Map out existing work already being done around data standardization in the state and develop a plan, budget, and timeline<sup>9</sup> for creating a statewide collaborative of diverse partners to be tasked with developing demographic data standards for Washington State (while ensuring state standards interface smoothly with [Statistical Policy Directive No. 15](#) for consistency and federal reporting and take into account the need for the work and the standards to be dynamic to address human migration such as the increasing population of Afghan refugees in the past five years);

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<sup>8</sup> On March 28, 2024 the Office of Management and Budget (OMB) published a set of [updates to Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity \(SPD 15\)](#).

<sup>9</sup> This timeline should account for the due date for compliance with the updated federal standards in [Statistical Policy Directive No. 15](#).

- 2) Develop an inventory of data systems in Washington and what categories, standards, and practices they are using to collect demographic data currently; and
- 3) Develop models for data governance to establish a common understanding of the purposes of collecting demographic data in the state.

Funding Needed in FY 2026 and FY 2027:

- \$387,438<sup>10</sup> for the biennium to the Office of Court Innovation at the Administrative Office of the Courts to co-lead (with input from the Minority and Justice Commission and the Gender and Justice Commission) a project to map out existing work already being done around data standardization in the state and to develop the plan, budget, and timeline for creating a statewide collaborative as outlined in point 1 above.
- \$387,438<sup>11</sup> for the biennium to the Washington State Center for Court Research at the Administrative Office of the Courts to:
  - Support development of an inventory of data systems as outlined in point 2 above by compiling information on the data landscape across the justice system.
  - Work with local justice system partners (County Clerks, law enforcement, prosecutors, public defenders, jails, and others) to map and describe the details of their data collection organizations and processes.
  - Support development of models for data governance relevant to justice system data as outlined in point 3 above.
- \$1,300,000 for the biennium to the Office of Equity to:
  - Co-lead a project to map out existing work already being done around data standardization in the state and to develop the plan, budget, and timeline for creating a statewide collaborative as outlined in point 1 above.
  - Develop and implement a system for agency accountability, performance, and effectiveness of community engagement and collective decision-making.

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<sup>10</sup> Funding needed as Object C (Contracts).

<sup>11</sup> Funding needed as Object C (Contracts).

- In close coordination with the state ethnic and social justice Commissions, lead, coordinate, and resource the Tribal and community engagement central to co-creation of the plan, budget, and timeline for statewide collaboration.
- \$100,000 for the costs of co-creation, including community compensation, translation, interpretation, travel, contracting, and other necessary costs.
- \$416,378 for the biennium to the Department of Health’s Office of Health and Science to:
  - Work with the Office of Equity and the Office of Court Innovation to map out existing work already being done around data standardization in the state and to develop the plan, budget, and timeline for creating a statewide collaborative as outlined in point 1 above.
  - Support development of an inventory of data systems as outlined in point 2 above by compiling information on the Executive Branch data landscape.
  - Support development of models for data governance relevant to Executive Branch data as outlined in point 3 above.

In subsequent biennium provide funding to convene a multi-year, cross-branch collaborative to:

- 1) Develop statewide data standards as outlined in the plan created in the 25-27 biennium.
- 2) Outline next steps and resource needs for implementing the new data standards.

## **12. Partnering with Washington’s Tribes and Overburdened Communities to Proactively Identify Low-Conflict Clean Energy Siting Areas**

**Background and Rationale:** Washington’s Clean Energy Transformation Act (CETA), Clean Fuel Standard, and Climate Commitment Act are accelerating the deployment of clean energy generation, however, the current power grid isn’t equipped to distribute all of this additional electricity, moreover some parts of the current grid may be vulnerable to disruptions created by climate change’s extreme weather events. To accelerate the deployment of clean energy generation, transmission, and storage, Washington must take proactive steps, while also upholding Tribal sovereignty, protecting biodiversity and wildlife habitat, and keeping prime agricultural land in production. The 2021 state energy strategy projects that Washington State

must nearly double electricity availability by 2050 in order to electrify buildings, transportation, and industry, and decarbonize the grid. New transmission routes and enhanced transmission lines will be necessary to transport clean energy from where it is generated to where it is used.

Accomplishing these mandates must be done in alignment with Tribal rights and sovereignty, while conserving sensitive natural areas and working lands and maximizing community and economic benefits. Tribal Nations have stewarded these lands since time immemorial and their bonds with their current and historic lands and resources remain strong. Unfortunately, Washington's clean energy projects have historically been sited without meaningful, upfront input from Tribes — forcing Tribes into a reactive stance and igniting conflict-oriented permitting processes as Tribes fight to protect their sovereignty and cultural resources. These preventable conflict-oriented processes cause deep harm to relationships, cost significant time and money, and ultimately slow our clean energy transition.

This effort will support Tribes as leaders and co-creators of siting and permitting tools, templates, and resources that will accelerate the development of clean energy projects located on no- and low-conflict project sites.

**Proposal:** Provide \$2,000,000 to the Department of Commerce to contract with the Affiliated Tribes of Northwest Indians (ATNI) in their vision to grow a Tribal Collaborative for clean energy siting to include low and no-conflict transmission corridor identification. This exercise would take into account Tribal transmission needs, Tribal Sovereignty and rights, sensitive natural areas and working lands, and the goal to minimize harm while maximizing benefits to Tribal communities. In addition, provide \$1,600,000 to Commerce to conduct early, robust, and meaningful community engagement to develop a map of transmission corridors and constraints, in collaboration with ATNI. The results of this work would be used to identify equitable and low-conflict siting opportunities as transmission routes are proposed and considered in partnership with federal, tribal, and private entities, while proactively avoiding preventable and costly missteps in government-government partnership. NOTE: Cultural Resources Review data and reports

proposed to be created as a part of this effort will remain confidential to Tribal governments. Publicly available 'Decision Support Tools' will anonymize and protect source data.

### **13. Identifying State Resources Dedicated to Reducing Pollution from Commercial Agriculture**

**Background and Rationale:** It is well-documented that commercial agriculture operations generate biological and chemical pollutants that threaten environmental quality and public health. Communities that border such operations have reported health problems related to airborne emissions, odors, spray fields, and water contamination.<sup>12</sup> The Washington State Department of Agriculture (WSDA), Department of Ecology, Washington State University, and Washington State Conservation Commission all have programs focused on mitigating the impacts of pollution from commercial agriculture operations. Because different agencies address different aspects of the problem, the information is siloed and the solutions that farmers, farm workers, and community members might be seeking are not always easily accessible. Moreover, there may be obstacles to achieving the overall goal of pollution reduction when the work is separated into different programs and agencies.

**Proposal:** Provide \$250,000 to WSDA to contract with a consultant to research and consolidate information about all state programs that reduce pollution from commercial agriculture operations. The consultant will develop a report mapping out available resources, including where there are resource gaps, and generate a list of recommendations for how the state can be more effective in reducing commercial agriculture pollution. When developing the report, it is critical that the consultant conduct early, robust, meaningful community and Tribal engagement. The report is due to the Legislature by December 1, 2026. The consultant will also compile existing educational materials and present this information in an easily accessible format in

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<sup>12</sup> Johnston and Cushing (2020). Chemical exposures, health and environmental justice in communities living on the fenceline of industry. Accessed on 8/28/24 at: [Chemical exposures, health and environmental justice in communities living on the fenceline of industry - PMC \(nih.gov\)](https://pubmed.ncbi.nlm.nih.gov/35811111/)

English and Spanish to farmers, farm workers, and community members to help each group learn how to reduce source pollution and/or pollution exposure.

## **14. Barriers to Community Reporting of Environmental Violations**

**Background and Rationale:** Communities impacted by environmental health inequities face disproportionate harms from environmental violations. Moreover, the Environmental Justice Council has heard from community members that agencies are not enforcing environmental laws and rules. The Council has also heard that there are systemic barriers to reporting and when community members do report violations, they are often left not knowing whether any enforcement action has been taken. In 2022, Front and Centered convened the Identifying Violations Affecting Neighborhoods (IVAN) - Washington community-government workgroups to co-create solutions to address these concerns. The same year, Front and Centered launched the IVAN-Washington platform, an environmental hazard reporting tool, built on the successes and models developed from the IVAN network in California.<sup>13</sup> The IVAN model consists of two main components:

1. A Community-Government Partnership where community members, along with representatives from local organizations and regulatory agencies, come together on a regular basis to review any complaints that were submitted, gather comments from the community, and collectively identify actions to address and resolve issues.
2. A One Stop Shop Reporting Platform that breaks down barriers and makes it easier for community members to report environmental violations of any kind.

**Proposal:** Provide funding to the Department of Ecology to support and staff a multi-agency coordination group, comprising representatives from state, local, and regional agencies and community members to receive and manage incoming reports of suspected environmental violations, triage and refer them, and serve as the primary point of contact for follow up with community members. Community representatives who serve on the group should receive

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<sup>13</sup> From Testimony to Transformation: The Identifying Violations Affecting Neighborhoods (IVAN) Program in California. Accessed at: [Testimony to Transformaton IVAN report.pdf \(ucdavis.edu\)](#), 8/22/2024.

community compensation for their time. In addition, provide funding to the Department of Ecology to develop and maintain a one stop shop online tool, and/or explore enhancements and improvements to current reporting systems, where Washingtonians can report suspected environmental violations and concerns. The reporting tool should prioritize disability and language access, data privacy, and transparency. The development of the reporting tool should be accompanied by community outreach and education to support successful implementation. Provide funding to support staff participation in the multi-agency coordination group from relevant agencies. The Council directs staff to work with Council Members, the Office of Financial Management, the Governor's Office, the Department of Ecology, the Office of the Attorney General, and other agency staff to further define environmental violations for the purpose of this proposal and develop the proposal and specific budget estimates.