

January 29, 2026

Dear Governor Ferguson and Members of the Legislature,

The Environmental Justice Council is writing to elevate concerns. We believe in a balanced approach that uses Climate Commitment Act (CCA) funds to meet its core obligations: climate resiliency, clean energy + transportation, and meeting the direct needs of communities living in overburdened areas and Tribes, across the state. The Governor's Proposed Budget does not live up to these core obligations.

We urge the Governor and Legislature to consider and focus on these three integrated actions:

1. **Utilize the opportunity to make large-scale investments in Washington's Climate goals.** As a declining source of revenue, CCA funds have a limited window for greatest impact. Per [RCW 70A.65.100](#) of the CCA, \$359.1 million earned each year must go into the Carbon Emission Reduction Account (CERA). Ecology predicts Washington will fall short of this required amount starting in 2030. Additional revenue from the auctions should focus on delivering time sensitive climate-oriented and community-resiliency projects while the CCA can still support it.
2. **Deliver the environmental and resiliency benefits for Tribes and communities in Washington, as legislated.** The CCA dollars have real human impacts – in air quality assessments, wildfire resiliency, coastal adaptation, home hardening, and direct benefits to Washingtonians. There is a statutory commitment to use CCA dollars to improve both the environment and the health of overburdened communities and vulnerable populations (as defined in [RCW 70A.02.010](#)). Washingtonians reaffirmed in 2024 to uphold the CCA and its promises.
3. **Find alternate funding for the Working Families Tax Credit (WFTC).** There is no precedent for utilizing such a large proportion of CCA funds for any one program. Allocating 75% of unallocated CCA funds for the WFTC does not meet the goals of either the CCA or the WFTC. It prevents the CCA from meeting its legislated goals, and it does not create sustainable funding for the WFTC. Working families in Washington will be left vulnerable in the long-term and overburdened communities exposed to worsening climate impacts.

These actions give context to the Council's 2026 Budget Values and Principles included below. It is crucial you revise the proposed 2026 supplemental budget to uphold the legislated commitments the CCA has made to Washington and the environment. Thank you for your leadership in these extremely challenging times. We are available to answer any questions.

In service of our community and Washington's CCA and HEAL goals,

Washington State Environmental Justice Council

Environmental Justice Council

Budget Values and Principles for the Governor and Legislature to Inform 2026 State Budget Development

Values and principles are not in any priority order

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Budget Values and Principles for the Governor and Legislature to Inform 2026 State Budget Development

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Adopted by the Environmental Justice Council on December 4, 2025

- **Reducing Gaps in Access to Services:** Identify and prioritize services that have been lost or face instability in federal funding (emergency response, SNAP¹ and WIC² funding for example) and state funding (wildland fire fighting for example), especially services that directly affect Tribes, environmental protection, and community health. Without state intervention, these funding gaps could further harm, eliminate essential services, and widen inequities.
- **Sustaining Commitment for HEAL Act Implementation:** The HEAL Act demonstrates Washington State's commitment to environmental justice.³ The HEAL Act is implemented through agency HEAL programs, the Environmental Justice Council, the HEAL Interagency Workgroup, the Environmental Health Disparities Map, and the HEAL Tribal and Community Capacity Grants. In order to realize the transformational change that the HEAL Act promises, funding for HEAL implementation must be **sustainable**, must allow for **dedicated staffing** that is representative of Tribes and communities, and must provide **appropriate funding** levels that match each agency's level of HEAL obligations.
 - Funding for all aspects of HEAL implementation should receive sustainable, reliable funding. This means all HEAL implementation funding must be ongoing.
 - Sustainable levels of funding that agencies can rely on allow for the hiring and retention of dedicated staff with expertise and lived experience in environmental justice. The retention of frontline workers is critical as they are often addressing longstanding concerns raised by Tribes and communities. In addition, these staff need sustainable levels of funding for meaningful engagement with Tribes and

¹ Supplemental Nutrition Assistance Program

² Women, Infants, and Children [WIC] Nutrition Program

³ Per RCW [70A.02.010](#): "Environmental justice" means the "fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, rules, and policies. Environmental justice includes addressing disproportionate environmental and health impacts in all laws, rules, and policies with environmental impacts by prioritizing vulnerable populations and overburdened communities, the equitable distribution of resources and benefits, and eliminating harm."

- communities, including for travel, community compensation, training, and other engagement needs.
- All HEAL agencies should have the resources to meet their HEAL obligations under [chapter 70A.02 RCW](#), including conducting Environmental Justice Assessments of significant agency actions (by practitioners who reflect the community), consulting with Tribes,⁴ and ensuring meaningful community engagement and public participation into agency decision-making. This means that agencies with greater levels of HEAL responsibilities will require greater levels of funding.
 - **Prioritizing Equity in Budget Reductions:** Any additional budget reductions in the supplemental budgets should address or reduce both interruptions to essential public services and harms to Tribes and frontline communities (referred to as “overburdened communities”⁵ in the HEAL Act). When directing agencies to plan for budget reductions, the Governor should direct agencies to assess and describe: 1) how their reduction proposals will interrupt essential public services, 2) how the proposed reductions would impact Tribes and communities, 3) how the agency plans to address or reduce any adverse impacts, and 4) how the agency has engaged with Tribes and communities to inform their proposed reductions and to understand the impacts. The Governor and Legislature should consider and heavily weigh and communicate these impacts outlined by agencies along with input from Tribes and communities when making budget decisions. When proposing budget reductions, agencies, the Governor, and Legislature should:
 - **Prioritize Work Affected by Federal Funding Losses:** Agencies that have been impacted greatly by federal funding cuts are less able to absorb across the board state funding cuts. As an example, the Washington State Department of Archaeology and Historic Preservation (DAHP) is a very small agency that was deeply impacted by federal funding cuts—creating cumulative impacts on their work and on Tribes and communities and placing cultural resources at risk.
 - **Require Agency Impact Assessments on Tribes and Frontline Communities:** When agencies develop budget reduction proposals, they should assess how reductions would affect Tribes, frontline communities, and populations most at risk. Agencies should prioritize retaining funding for programs that directly support these groups and demonstrate harm-reduction strategies where impacts cannot be avoided. This approach aligns with the intent of the HEAL Act, CCA, and the state’s commitments to environmental justice and Government-to-Government relationships.

⁴ See [RCW 70A.02.100](#), [RCW 70A.65.305](#), [Chapter 43.376 RCW](#), the [Centennial Accord](#), the [Millennium Agreement](#), and [EXECUTIVE ORDER 25-10](#) (A New Foundation for Washington State’s Governmental Relations with Sovereign Tribal Nations).

⁵ Many Tribes and communities have shared that “overburdened community” is a deficit framing that their communities do not identify with.

- **Uphold tribal sovereignty, Government-to-Government Consultation, and Free Prior and Informed Consent (FPIC).** Agencies and the Governor have Government-to-Government obligations to Tribes that must be centered throughout the budget development process.⁶ These commitments require sustainable levels of funding.
- **Protect Core Equity and Environmental Justice Programs from Cuts:** Ensure that equity, environmental justice, and community investment programs are not targeted for early or disproportionate reductions based on their recent funding history. Prioritizing cuts to recently funded programs unintentionally undermines progress in areas the state has only recently begun to address, such as equity, climate justice, and Tribal engagement. Protecting these investments maintains momentum toward long-term systemic change.

Adopted by the Environmental Justice Council on October 10, 2025

- **Investing in Tribes and Communities:** While the state budget must reflect the legal mandates under [RCW 70A.65.230](#) and provide transparency in how it does so, to address health disparities, the state should strive to exceed the minimum requirements and set a goal of investing 45% of Climate Commitment Act (CCA) funding in ways that benefit overburdened communities⁷ and 20% toward programs supported by Tribes. Additionally, the Council is concerned that the state did not meet its legal obligation in the 2023-2025 biennial budgets to ensure a minimum of 10% of CCA investments go toward projects supported by a Tribal resolution (as reported by the [Office of Financial Management](#) and the [Department of Ecology](#)). [Analyses of draft versions](#) of the 2025-2027 budgets also found that this biennium's budget may fall short of the 10% requirement.
- **Transportation Focused on Community Connectivity and Health Equity:** CCA investments are supporting multimodal transportation opportunities. These investments are critical to connecting resources, services, and opportunities in the hope of producing environmental justice benefits and improving social determinants of health for communities. Transportation is a critical physical connector for communities—therefore Tribes, overburdened communities, and vulnerable populations should be meaningfully engaged in planning, implementation, and evaluation.
- **No Added Harm:** Decision-makers should consider potential unintended environmental consequences when funding programs through the CCA or any other accounts. Unintended consequences can be identified with information from Tribes, Tribal

⁶ See [RCW 70A.02.100](#), [RCW 70A.65.305](#), [Chapter 43.376 RCW](#), the [Centennial Accord](#), the [Millennium Agreement](#), and [EXECUTIVE ORDER 25-10](#) (A New Foundation for Washington State's Governmental Relations with Sovereign Tribal Nations).

⁷ Tribes also meet the definition of “overburdened communities” in the CCA (RCW 70A.65.010).

organizations, community organizations, communities, equity and environmental justice questions in agency decision-packages, Tribal and community engagement efforts, and the Environmental Health Disparities Map.

- **Leveraging Resources:** Given the budget shortfall, to leverage CCA funding, expenditures should fund programs, activities, and projects that maximize benefits by ensuring funded work meets multiple goals outlined in the CCA or needs identified by communities and Tribal Nations. As an example, the HEAL Tribal and Community capacity grants funded through the Department of Health provided direct and meaningful benefits to Tribes and communities (one goal of the CCA) **AND** funded projects to meet **additional** CCA goals, such as reducing environmental health disparities or reducing greenhouse gas emissions. For example, one project piloted approaches to creating life-saving heat refuge during extreme heat events while another project raised awareness about regional alternatives to replace fossil fuel-based chemical fertilizers.
- **HEAL & CCA Allocation Clarity:** For transparency and accountability purposes, the Governor and Legislature should clearly specify the percentage (full or partial) meant for overburdened communities and Tribes when directing CCA funding.
- **Indigenous Knowledge, Western Science and Technical Resources:** Indigenous knowledge, western science, and technical resources build Tribal and community capacity to inform their health, environmental and climate advocacy, harm prevention and mitigation design, and grant writing. These resources are critical to meet the goals of the HEAL Act and the CCA.