



Agency Recommendation Summary

Funding is for staffing capacity to fully support the Environmental Justice Councils statutory obligations per chapter 70A.02 RCW.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Staffing						
FTEs	0.0	2.5	1.25	2.5	2.5	2.5
Operating Expenditures						
Fund 001 - 1	\$0	\$444	\$444	\$431	\$431	\$862
Total Expenditures	\$0	\$444	\$444	\$431	\$431	\$862

Decision Package Description

Last year the Department of Health (DOH) submitted a decision package for ongoing funds for three buckets of Healthy Environment for All (HEAL) Act work (chapter 70A.02 RCW):

- 1) Staffing the Environmental Justice Council (EJ Council) and the HEAL Interagency Workgroup
- 2) Maintenance and updates to the Environmental Health Disparities Map
- 3) DOH's implementation of HEAL

That decision-package was not fully funded. The EJ Council staff are requesting that the funds not received last year be allocated to the EJ Council (through DOH) to address the unmet need. Without these additional funds the EJ Council will not have the staff capacity to fully support the Council in meeting their statutory obligations under the HEAL Act and the Climate Commitment Act (CCA).

Additionally, during the 2023 session, the budget added 15 new agencies who received CCA funds to the list of agencies required to develop community engagement plans using guidance from the EJ Council. This creates a new workload for the EJ Council staff.

There are two problems being addressed by this decision package:

1. Unfunded portion of DP from last year

Last year the Department of Health (DOH) submitted a \$7.9 million package for ongoing funds for three buckets of HEAL Act work:

- 1) Staffing the Environmental Justice Council (EJ Council) and the HEAL Interagency Workgroup
- 2) Maintenance and updates to the Environmental Health Disparities (EHD) Map
- 3) DOH's implementation of the HEAL Act as a covered agency

That decision-package was not fully funded (allocated funding was \$5.9 million compared to the requested \$7.9 million). This resulted in the EJ Council not being able to hire 1.5 FTE (1.0 FTE MA4 and 0.5FTE AA3) that were included in the budget request from last year. The EJ Council staff are requesting that the funds not received last year be allocated to the Council (through DOH) to address the unmet need. EJ Council staff already do not have the capacity to meet the request of Council Members regarding providing all the requested analysis, research, and document and information synthesis that the Council needs to fully engage on the myriad of topics they are statutorily required to provide guidance on. Additionally, the Council's administrative needs are not being fully addressed as the Council requires significant administrative support with processing stipends, procurement, meeting planning, notetaking, and meeting scheduling. Without these additional funds the EJ Council staff will not have the capacity to sufficiently support the Council in meeting their statutory obligations under the HEAL Act and the Climate Commitment Act (CCA; chapter 70A.65 RCW).

Additionally, last years' decision-package not being fully funded lead to a scenario where the Council will see a slight reduction in funding from FY 2024 to FY 2025. We are requesting \$40,000 a year starting in FY 2025 to offset this reduction and avoid having to reduce 1) our community and Tribal engagement budget and 2) our budget for facilitation and project management support for the HEAL Interagency Workgroup.

2. Funding for new work created by the 2023 legislative session

During the 2023 legislative session, the budget provided CCA funds for 15 non-HEAL agencies. Per statute, these agencies are now required to develop community engagement plans using guidance from the EJ Council. This creates a new workload for the EJ Council staff who will both provide technical assistance to these 15 agencies and support the Council in tracking and reviewing these 15 new community engagement plans (need is 1.0 FTE MA4 in addition to the unfunded positions from last year's decision package). Council staff currently staff the HEAL Interagency Workgroup which already includes 14 state agencies. This workgroup recently discussed how they will coordinate their work with the 15 other agencies who have a new requirement to develop community engagement plans. Adding 15 new agencies into this work will create a significant new workload for Council staff. Additionally, we anticipate that this will be an ongoing workload as these 15 additional agencies will need to update their community engagement plans if they receive new CCA funding for additional projects in future years or if the Council updates their Community Engagement Values and Guidance. New agencies may also be added to this list if they receive CCA funds in future years.

The unfunded portion of DP from last year we are requesting 1.5 FTE (1.0 MA4 and 0.5 AA3) plus \$40,000/year ongoing funds to address the unfunded portion of our decision package from 2023. This will improve the EJ Council's ability to meet their statutory requirements under the HEAL Act and CCA. If the Council cannot meet their requirements, this harms state agencies who are depending on Council guidance to implement the HEAL Act within their agencies and it harms overburdened communities and vulnerable populations who depend on the Council to amplify their voice as the Council guides agencies in implementing HEAL, developing the Cap and Invest program under the CCA, and investing the CCA funds into communities.

The funding for new work created by the 2023 legislative session we are requesting ongoing funds for 1.0 FTE MA4 (in addition to the 1.5 FTE unfunded from last year's decision package) to support this new workload. This will allow the EJ Council and Interagency Workgroup staff to support the 15 agencies with new statutory requirements to develop community engagement plans. Without this funding staff will not have capacity to provide technical support or coordination for these agencies which is harmful to those agencies, the Council, and the communities the Council is meant to serve.

The challenges the EJ Council and Interagency Workgroup are facing are a direct result of insufficient staff capacity. This can be addressed by increasing FTE and/or by contracting. This decision-package propose a hybrid of these two options, primarily meeting the staffing needs by hiring new FTE plus a small \$40,000 budget ask to support contracting for facilitation and project management support for the HEAL Interagency Workgroup when needed. There are not other viable options for meeting this need.

Maintaining the status quo would result in the Council not being able to meet its statutory obligations as outlined in more detail above.

Assumptions and Calculations

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

This supplemental budget request focuses on:

- 1) Securing the funding we requested previously but did not receive.
- 2) Increasing staff capacity to respond to a new statutory requirement for 15 non-HEAL agencies to develop Community Engagement Plans incorporating EJ Council guidance. The Council has received zero dollars in funding in any past biennia to support this new statutory requirement

that went into effect on July 1, 2023.

FUND & APPN	EJC		Total
	SFY24	SFY25	BIEN 23-25
001/01*	\$ 646,653	\$ 655,157	\$ 1,301,810
26C/BFO	\$ 647,000	\$ 638,000	\$ 1,285,000
			\$ 2,586,810
Projections By Object	SFY24	SFY25	
A	494,380	552,180	
B	179,742	203,016	
C	112,000	115,000	
E	164,941	78,877	
G	16,772	26,000	
J	13,500	-	
T	53,330	59,832	

Detailed Assumptions and Calculations:

- 2.0 FTE MA4s
- 0.5 FTE AA3
- \$40,000/year for contracts to fund EJ Council community engagement and facilitation and project management support for the HEAL Interagency Workgroup
- \$5,218/year in goods and services
- \$10,378 for one-time costs for new staff equipment

Workforce Assumptions:

FY 2025 through FY 2029

2.0 FTE MA4

- Salaries: \$177,596
- Benefits: \$63,929
- Start-up costs (standard equipment): FY 2025 only: \$8,302
- Goods and services: \$4,174 annually

0.5 FTE AA3

- Annual Salaries: \$27,097
- Benefits: \$12,560
- Start-up costs (standard equipment): FY 2025 only: \$2,076
- Goods and services: \$1,044 annually

Estimated expenditures include salary, benefit, and related costs to assist with administrative workload activities. These activities include policy and legislative relations; information technology; budget and accounting services; human resources; contracts; procurement; risk management, and facilities management.

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 Health'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.

Performance Outcomes:

By fully funding the HEAL Act, DOH will ensure statutory compliance with the law. Specific performance outcomes for DOH specific to the EJ Council and the HEAL Interagency Workgroup will include:

Providing all needed administrative and staff support for the EJ Council as required by chapter 70A.02 RCW.

Providing all needed administrative 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:

This funding would both directly fund 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.

Disproportional Impact Considerations:

This funding is needed transform the governmental systems that currently result in environmental injustices and disproportionate impacts.

The EJ Council values and strives to center community co-governance and community participatory budgeting in all its work. The Council itself is made up of community leaders, Tribal leaders, business and union leaders, and academic environmental justice experts. This budget request is needed to fully support the immediate needs of the Council in their work to support the transformation of state government with equity and environmental justice at the center. The Council is looking to future budget years to define the broader budget needs of the Council in partnership with community and Tribes.

Target Populations or Communities:

This funding supports 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.

Other Collateral Connections

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

Tribal:

There are seats for four Tribal Representatives on the Council and the Council needs to engage with all Tribes across Washington as well as Tribes with traditional lands in Washington. Increasing staff capacity for the EJ Council increases our ability to work directly with Tribes to ensure our work is informed by each Tribe. In addition, the Tribal Representatives on the Council will receive better support from staff if we increase our 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. Our staff will be engaging with 15 additional agencies who are now required to develop community engagement plans after receiving CCA funds as outlined above. Our budget ask is in direct response to hearing from members of the HEAL Interagency Workgroup that they need additional staff support, so we 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 and partners with local governments as well. Increasing our staff capacity will increase our ability to build these partnerships.

Stakeholder Response:

The HEAL agencies and any agency receiving CCA funds will be impacted by this proposal as increasing our staff capacity increases our ability to partner with and provide support to these agencies, particularly the HEAL Interagency Workgroup.

Overburdened communities and vulnerable populations will also be 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.

Many local governments are also anticipating using the tools, guidance, and resources that the EJ Council and state agencies will develop to meet their HEAL obligations—so adequately funding this proposal will impact these stakeholders as well.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

These proposals are in response to the environmental justice law, RCW 70A.02, and the EJ Council's obligations under the Climate Commitment Act (chapter 70A.65 RCW). Failure to comply with these laws put DOH at risk of legal liability and litigation.

HEAL Act Agencies Supplemental Questions

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

This funding supports 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.

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

HEAL Act agencies are required to offer Tribal Consultation on HEAL Act deliverables. The staff requested in this decision package would support the Interagency Workgroup and the HEAL Tribal Liaison Workgroup (as requested) in coordinating (if appropriate) offers of Tribal Consultation to reduce burden on Tribes. We believe that this has potential to increase Tribal influence on state decision-making in a way that supports Tribal rights.

3. 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.

We did not engage directly with Tribes for this proposal. We are seeking funding to increase EJ Council staff capacity that will help us better engage with Tribes and communities in all of our work.

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

An EJ Assessment has not been completed for this budget request.

5. 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.

N/A – see answer to question 5 above.

Reference Documents

[Envrio Justice Council DP Calc - DRAFT_jlh_7.17.23.xlsm](#)

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
	2024	2025	2023-25	2026	2027	2025-27
Obj. A	\$0	\$205	\$205	\$205	\$205	\$410
Obj. B	\$0	\$76	\$76	\$76	\$76	\$152
Obj. C	\$0	\$40	\$40	\$40	\$40	\$80
Obj. E	\$0	\$94	\$94	\$91	\$91	\$182
Obj. J	\$0	\$10	\$10	\$0	\$0	\$0
Obj. T	\$0	\$19	\$19	\$19	\$19	\$38

Agency Contact Information

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