

## Richard Voget

Overburdened communities, especially Black, Indigenous and communities of color have, for too long, borne the brunt of air pollution and climate impacts. The reason is that they do not have the economic and political influence to prevent industry from operating in their communities. They view offsets and allowances as allowing businesses to pay to pollute while they suffer the consequences of non-declining emissions in their neighborhood.

Offsets and allowances were deemed necessary when the CCA was written. To compensate for that the CCA required that a minimum of 35% of overall investments directly benefit these communities. CCA's implementation process must collaborate with the Environmental Justice Council and with overburdened communities. The rule should provide more clarity on how the Council and communities will be engaged in the development and implementation of the full program. Ecology should work with the EJ Council to determine the best processes for collaboration. Have the EJ Council determine how the money will be spent which could include climate mitigation as well as improving air quality.

Along the theme of helping overburdened communities, I urge Ecology to strengthen the CCA in the following ways:

Articulate Ecology's responsibility to ensure the cap-and-invest program avoids negative impacts to overburdened communities and describe how information will be gathered and used to fulfill that responsibility.

Establish an explicit process to review impacts of program implementation on outcomes relative to overburdened communities, in order to inform Ecology's mandatory reporting to the legislature required by RCW 70A.65.060(5). The rule must provide information sufficient to conduct a meaningful and thorough review. This process should be separate from the "Improving Air Quality in Overburdened Communities" initiative, be inclusive of the full range of overburdened communities as defined by the law, and focus on disparities of impacts across the entire program.

Clarify the process for reducing offset limits in response to cumulative air pollution burden in overburdened communities, including how data will be gathered and shared.

It is critical that offset rules are guided by feedback from Tribal Nations, designed to facilitate participation of tribal nations, and support tribal sovereignty.

Clarify Ecology's role in evaluating impacts of all Emission-Intensive Trade-Exposed facilities (EITEs) on overburdened communities, regardless of when each facility becomes a covered entity.

Please strengthen and finalize this rule as part of our state's work to meet our climate goals in an equitable and just way.