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November 10, 2022

Erin Torrone
Climate commitment Act Community Engagement Specialist
Air Quality Program
Washington Department of Ecology
300 Desmond Dr SE, Lacey, WA 98503

Re: Climate Solutions' comments in response to the draft process for identifying overburdened communities.

Dear Erin Torrone,

Climate Solutions is grateful for the opportunity to submit comments and continue to strengthen the Department of Ecology's ("Ecology") efforts to mitigate air pollution in Washington's most overburdened communities. Climate Solutions is a clean energy nonprofit organization working to accelerate clean energy solutions to the climate crisis. The Northwest has emerged as a hub of climate action, and Climate Solutions is at the center of the movement as a catalyst, advocate, and campaign hub.

We appreciate Ecology for its work thus far to draft this process for identifying overburdened communities. Through public comment periods and listening sessions, extending the deadline for public comments, identifying a broad baseline range of possible air quality and community indicators, and creating visual resources to detail the process, it is evident that Ecology strives to make this a collaborative and transparent process.

Overall, the draft identification process sets up a foundation for building a robust air monitoring network in the state and enforcing subsequent air pollution regulations. We support the use of some of our best available data via Washington's Environmental Health Disparities Map to narrow in on communities in need. Ecology has also included a broad set of indicators for air pollution that go beyond measurements of criteria pollutants, including indicators like proximity to facilities and asthma prevalence, in an effort to recognize alternative ways to measure poor air quality.

However, we are concerned that the current two-step process for air quality indicators actually works counter to Ecology's goals to reflect a broad set of priorities and inadvertently excludes certain vulnerable communities from the benefits of this new air quality program. We highlight a few options for Ecology to consider to make this process more inclusive, including a possible tiered system to identify overburdened communities and restructuring of indicators to prioritize communities within high proximity to high traffic areas, facilities, and wildfires. We also recommend funding this program at double the baseline to ensure that funding is not a barrier to building out a robust monitoring system in all overburdened communities.

Recommendation 1: Create a tiered system for prioritizing overburdened communities.

Ecology should establish a prioritization or tiering system to encourage funding in many overburdened communities across Washington. Through establishing a tiering system, Ecology would ensure that communities that are the most overburdened with air pollution receive monitors and resources most immediately. Once these resources have been allocated and the monitoring network is off-the-ground in these "tier 1" overburdened communities, Ecology could then direct funding to communities that meet a lower threshold of indicators. For example, "tier 2" communities could be defined as those that meet lower thresholds for community indicators –e.g., a 7 or 8 on the Environmental Health Disparities Map –or that only need to meet either a criteria pollutant threshold *or* meet one of the indicators listed in the second group of air pollution measures. There could be additional tiers to better represent the full spectrum of air pollution impacts across communities. This tiered system could take a number of shapes that would benefit from additional input and analysis from community members and Ecology. Ultimately, the goal of this recommendation is to recognize that the impacts of air pollution are not binary and our method to define and support communities that are suffering should not be either.

Recommendation 2: Restructure Air Pollution Indicators.

Ecology has shown a commitment to integrating public feedback and reflecting the needs of vulnerable populations around the state by including a broad set of measures within the air pollution indicator category. However, in some cases, Ecology's two-step air pollution identification process works against its efforts to create a more inclusive program and has excluded certain communities suffering from criteria pollution. Listed below are a few areas where Ecology should consider reworking to ensure certain overburdened communities aren't overlooked.

The final identification process should include an additional indicator for proximity to high-traffic areas. In Washington, the transportation sector produces the most greenhouse gas and air emissions of any sector. And while emissions from single passenger vehicles have leveled off, diesel emissions from medium- and heavy-duty vehicles have more than doubled since 1990, indicating a growing problem and need to address this pollution.[1] Diesel emissions release harmful air pollutants, including, but not limited to, PM 2.5 and Nitrogen Oxides, which

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[1] Rep. *2021 Washington State Energy Strategy*. Washington State Department of Commerce, December 2021. https://www.commerce.wa.gov/wp-content/uploads/2020/12/Washington-2021-State-Energy-Strategy-December-2020.pdf.

are directly linked to poor respiratory health including asthma and reduced lung function.[2] Although proximity to traffic pollution is a factor in the Environmental Health Disparities map, high traffic areas can effectively be screened out of the three-step identification process if certain neighborhoods don't meet other air pollution indicator thresholds. Given the evident health impacts, it is imperative that Ecology include proximity to heavy traffic as an air pollution indicator in the process.

We urge Ecology to avoid undermining health indicators such as proximity to facilities and exposure to wildfire smoke, which are leading sources of criteria pollution in the state. Facility pollution was arguably the impetus for the creation of the air quality monitoring program. Recognizing that industrial facilities are often located in poor communities, Black communities, tribal communities, and communities of color, the Climate Commitment Act was designed to ensure a reduction in global emissions, but also a reduction in local pollution. Proximity to facilities is linked to a host of negative health impacts resulting from poor air quality.[3] These health impacts, coupled with a general understanding that there are significant gaps in Washington's current air quality monitoring network suggest that using proximity to a facility as a proxy for poor air quality may help capture communities that wouldn't have been included simply by measuring criteria pollution.[4] Even with the inclusion of proximity to facilities (an indicator that not only measures distance to facilities, but also exposure to criteria pollution) in the second bucket of indicators, areas that are in the *99th percentile* of communities impacted by facilities are still excluded from the final list of communities. Areas excluded include Lummi Nation lands, Swinomish Tribe lands, Samish Nation lands, the Cherry Point Industrial District, and the Longview-Kelso area.

Similarly, many of the communities that meet the 95th percentile for exposure to wildfire smoke – including Wenatchee, Spokane Tribe lands, the Confederated Tribes of the Colville Reservation lands, and more – are not included in the final list of communities. Wildfires are the largest source of particle pollution in the state, and they will only continue to worsen as seasons become hotter and drier with climate change.[5]

Ecology should consider ways to restructure air pollution indicators such that communities highly impacted by air pollution don't get filtered out from the identification

[2] Brett Gantt, R. Chris Owen, and Nealson Watkins, "Characterizing Nitrogen Oxides and Fine Particulate Matter near Major Highways in the United States Using the National near-Road Monitoring Network," *Environ Sci Technol.* 55, no. 5 (March 8, 2021): pp. 2831-2838, https://doi.org/10.1021/acs.est.0c05851.s001.

[3] Tessum, Christopher W., David A. Paolella, Sarah E. Chambliss, Joshua S. Apte, Jason D. Hill, and Julian D. Marshall. "PM2.5 Polluters Disproportionately and Systemically Affect People of Color in the United States." *Science Advances* 7, no. 18 (2021). https://doi.org/10.1126/sciadv.abf4491.

[4] Kalra, Amiya, Rachel Deininger, Rachel Earwood, and Richard Murray. Tech. *Washington Health & Air Quality: Quantifying Air Quality Parameters and Validating Air Pollution Sources Impacting the Health of Puget Sound Residents Through the Use of NASA and ESA Remote Sensing Data*. NASA, April 2, 2020. https://ntrs.nasa.gov/citations/20205000964.

[5] "Wildfire Smoke Information." Department of Ecology: State of Washington, 2022. https://ecology.wa.gov/Air-Climate/Air-quality/Smoke-fire/Wildfire-smoke.

process. For example, the process could define overburdened communities as those that either meet above threshold criteria pollutants *or* above threshold for the other broad list of poor air quality indicators.

Recommendation 3: Increase funding to $40 million for program implementation to ensure a robust air quality monitoring network.

Designating a more robust definition of overburdened communities necessitates a larger air monitoring network which, in turn, requires more funding. **We recommend that ECY requests $40 million for program implementation** – double the program baseline. Additional funding would also support utilizing a multi-pronged approach to improving monitoring of localized air pollution. A 2020 Government Accountability Office (GAO) report highlighted the importance of utilizing a mix of dispersed, low-cost sensors and satellite-based sensors in tandem with larger, state-run monitors, to help fill gaps in our current air monitoring infrastructure.[6] Current analysis shows we will see nearly double the amount of CCA revenue than was originally estimated, suggesting that a corresponding increase in funding for the air quality program is feasible.

California's Community Air Protection Program also offers useful insight into the funding needed to execute their air monitoring network and program. California's program, which also seeks to build out air monitoring in their state's most overburdened communities was funded at about $66 million for the last four years, with an additional $5 to $10 million allocated for community air grants.[7] Their funds went towards a broad suite of actions to support program implementation in 17 communities identified across the state. These activities include (but are not limited to): deploying an air monitoring network, staffing, enforcement, implementing new requirements regarding best available retrofit technologies, and providing grants to communities to get involved with identifying, evaluating, and reducing pollution in their neighborhoods.[8]

Recommendation 4: Ecology should build in regular opportunities to revise the process.

Although Ecology has noted they will likely revisit the identification process every "four to seven" years, there should be a requirement that the Department reviews the process, considers which communities are missing, and evaluates the impacts of the program at regular and frequent intervals. This evaluation process should include thorough outreach to potentially impacted communities, public comment, and tribal consultation.

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[6] Howard, Karen. "Science & Tech Spotlight: Air Quality Sensors." Government Accountability Office, December 7, 2020. https://www.eptanetwork.org/database/projects/1359-science-tech-spotlight-air-quality-sensors-gao-21-189sp.
[7] Community Air Protection Program Communities. California Air Resources Board, May 13, 2022. https://ww2.arb.ca.gov/capp-communities.
[8] *Ibid.*

Conclusion

Climate Solutions thanks Ecology for the opportunity to submit comments to build on your work and strengthen the draft process to identify overburdened communities. We urge you to consider ways to make this a more inclusive identification process. Whether through developing a tiered system, restructuring the air quality indicators, asking for additional funding, or other means, Ecology must ensure communities suffering from poor air quality don't get left behind. We appreciate your work on this process so far and look forward to following the implementation of this critical program.

Sincerely,

Altinay Karasapan
Washington Regulatory Policy Manager

Kelly Hall
Washington Director