

# Representative Gerry Pollet

TO: Washington Department of Ecology

Fr: Representative Gerry Pollet (Gerry.pollet@leg.wa.gov)

RE: comments on "Improving Air Quality in Overburdened Communities Grants"

Date: June 21, 2024

I applaud Ecology's intent to partner with community-based organizations serving overburdened communities to expand air monitoring in overburdened and highly impacted communities. However, discussions with community organizations and with Ecology in regard to issues I raised (attached joint letter from 46th and 32nd District legislators) cause concern about the criteria proposed for grants and not utilizing a community-based health assessment approach to these investments under the HEAL Act.

Ecology's "Report on Air Quality in Overburdened Communities"(December, 2023), which serves as the basis for much of the proposed grant program, has some serious fundamental flaws that would be amplified to the harm of overburdened communities and vulnerable populations ,rather than mitigated, under the proposed program.

As we have discussed following up on the joint letter to Ecology, monitoring of air pollutants for the residents of overburdened and highly impacted communities with the greatest exposures and worst scores for health disparities is based on monitoring stations that are large distances from, and do not measure exposures for, the sensitive and vulnerable residents of areas that are now recognized as "overburdened" or "highly impacted" communities pursuant to the CCA and HEAL Act. This does not provide reliable data on the air pollution exposure of the residents of the formally recognized overburdened communities ranging from North Seattle and South Seattle to the lower Yakima and Moxee Valleys (e.g., Sunnyside and Toppenish) to Spokane.

Thus, utilizing the report as a guide to which communities should be prioritized for specific criteria air pollutants in the grant program appears highly inappropriate and biased.

Emphasis should be placed on supporting communities in establishing air quality monitoring as part of community-based health assessments by Tribes and overburdened communities and health impact zones identified by DOH pursuant to funding provided by the Legislature. At this point, it appears that Ecology's program does not integrate with that legislatively funded set of initiatives with overlapping goals.

An emphasis should be placed not only on adding air quality monitoring programs based on areas of concern identified in the Ecology report of December 2023, but also which:

- a) Address community concerns over air quality in the overburdened and highly impacted communities that do not have direct monitoring at this time and rely on distant monitoring (if any);
  - a. Recognize that there are specific overburdened and highly impacted communities with greatly disparate conditions within the very broad areas denoted by Ecology in the December 2023 report (i.e., North Seattle, South Seattle, Lower Yakima Valley) and;
  - b. Award grants that allow for monitoring with community participation that reflects the great diversity between communities with such large geographic descriptions;
  - b) Is not limited to nonattainment areas identified in the December 2023 report since it is not reliable in regard to conditions in the overburdened and highly impacted communities.
  - c) Builds community group capacity to understand monitoring results and, importantly, to proceed to utilize results in environmental justice assessments and community-based health assessments / health impact zone engagements – reflecting community-based approaches to identifying methods

to improve health outcomes that have community support.

d) Provide for community engagement with appropriate access to expertise for the overburdened communities.

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- d) Provide for community engagement with appropriate access to expertise for the overburdened communities.



March 1, 2024

Re: lack of air pollution monitoring in overburdened communities of Lake City, Bitter Lake, Northgate, and Shoreline

Dear Air Quality Program Manager Taylor and Government Relations Director Eitman:

Thank you for sharing the Report on Air Quality in Overburdened Communities pursuant to the Climate Commitment Act (CCA).

For many years, there have been concerns voiced that the monitoring of air pollutants for the residents of the 46<sup>th</sup> and 32<sup>nd</sup> Districts with the greatest exposures and worst scores for health disparities is based on a monitoring station that is distant and does not measure exposures for the sensitive and vulnerable residents of areas that are now recognized as “overburdened” communities pursuant to the CCA. Monitoring, however, has not improved and does not provide reliable data on the air pollution exposure of the residents of the formally recognized overburdened communities in North Seattle and Shoreline.

We are writing to urge that:

- a) appropriate monitoring stations are quickly added that will inform the community members, your agencies, and the Legislature in regard to the potential exposures and disparately greater health harm faced by the overburdened and highly impacted communities;
  - a. community engagement with appropriate access to expertise for the overburdened communities in our districts to address where additional monitoring should be located;and,
- b) the agencies do not represent that the monitoring data from a distant station reflects the exposures of the community members.

Discussions related to the CCA and HEAL Act included having air quality monitoring where it is needed in “overburdened” and “highly impacted” communities. Discussions in regard to the legislation and providing data to the Environmental Justice Council (for environmental justice assessments) included the need to address that an air monitoring station near the Lake Washington shoreline in Lake Forest Park could not provide meaningful data for evaluations and scoring for environmental justice assessments and the Health Disparities Map for many of the lowest income residents with greatest health disparities in Seattle – who reside in the census tracts for Lake City, Northgate and Bitter Lake.<sup>1</sup>

Indeed, while Lake Forest Park and Kenmore were both in the 46<sup>th</sup> District prior to 2022, Kenmore officials, the Puget Sound Clean Air Agency, local environmental and health advocates and Rep. Pollet discussed at length that the Lake Forest Park monitoring station was also not representative for air

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<sup>1</sup> The report states that the monitoring station is under three miles from the overburdened communities. But this is only accurate for the closest of the communities. Bitter Lake is five miles from LFP Town Center. Northgate housing along I-5 is 4.7 to over 5 miles.

quality at the north end of Lake Washington which had far greater traffic congestion, an unmonitored and unpermitted air source from an asphalt plant, and much higher residential density (and growing). The number and severity of inversion episodes, trapping air pollution close to the ground, is also lower in Lake Forest Park than at the far north end of Lake Washington, and likely lower than inland areas adjacent to I-5, SR 522, and SR 99, such as Northgate, Lake City and Bitter Lake.

Our recollection of these discussions was that the Departments of Ecology and Health and PSCAA were going to add air quality monitoring stations in the high density, low-income residential areas that are the most overburdened communities with vulnerable populations near freeways and other sources such as in Northgate, Lake City and Bitter Lake (as well as the SR 522 at the Sammamish River Slough bridge and Kenmore Town Center). It has been acknowledged that the monitoring station in Lake Forest Park is not subject to the level of air inversions at the north end of the Lake. Its location also allows for lake wind to reduce pollutant concentrations. Discussions included monitoring for emissions related to diesel sources, including buses, trucks and stationary sources).

**In reviewing the Report, we are surprised that the monitoring for the overburdened communities is still only from the station in Lake Forest Park. This gives no meaningful indication of the exposures and health effects on the most vulnerable populations of overburdened and highly impacted communities in the 46<sup>th</sup> District.**

*Policy makers and community members who read the report will erroneously believe that potential exposures for the overburdened communities are far less significant, and not a priority to address, than would be the case with appropriate monitoring in the overburdened communities.*

This is a classic example of environmental injustice / racism: the monitoring station for air pollution for the overburdened communities, which include some of the lowest income census tracts in Seattle, is in one of the wealthiest communities in the region. The overburdened communities include highly sensitive / vulnerable populations such as a very high concentration of senior housing as well as high concentrations of immigrant families with young children.

The NO<sub>2</sub> modeling shows that areas around Northgate and North Seattle College are more than three times higher than those closer to the monitoring station – but the figure does not even show how relatively low the NO<sub>2</sub> is because it drops off so significantly in Lake Forest Park. Figure 47, page 138. (And, as the report acknowledges, the modeling is based on numerous questionable assumptions leading to frequent under-estimates compared to actual monitoring).

We are concerned that the inability of current air monitoring to provide information on the environmental health exposures of the residents of the overburdened / highly impacted communities in the 46<sup>th</sup> is just an example occurring in numerous other locations around Washington. For example, work done on environmental justice issues in Sunnyside raises concern that an air monitoring station near the Mid-Valley Mall does not reflect the significant air quality issues arising from concentrated animal feed operations and other facilities that are of great concern to the residents of the highly impacted and overburdened communities in the Lower Yakima Valley. The overburdened community in Moxee Valley is only monitored from the downtown Yakima station, which cannot be said to be at all representative. Toppenish (and the Yakama Reservation) is not even listed as an overburdened community. The report states that the Lower Yakima Valley communities will have additional air

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monitoring added with community input in 2024. We are eager to support this effort and ensure that similar expansion occurs statewide.

We request to meet to discuss how we can collaborate in adding monitoring for air quality that is reflective of the conditions in our state's overburdened communities with engagement by representatives of those communities.

Sincerely,



Rep. Gerry Pollet  
46<sup>th</sup> Legislative District



Rep. Darya Farivar  
46<sup>th</sup> Legislative District



Sen. Javier Valdez  
46<sup>th</sup> Legislative District



Rep. Cindy Ryu  
32<sup>nd</sup> Legislative District



Rep. Lauren Davis  
32<sup>nd</sup> Legislative District



Sen. Jesse Salomon  
32<sup>nd</sup> Legislative District

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