

I. Draft of Washington's Environmental Justice Definition

During the May 18th meeting the EJ Task Force will continue to discuss creating a State definition for environmental justice; this conversation may last beyond a single meeting. In order to prepare for this discussion, Task Force staff and Co-Chairs have prepared a draft definition for Task Force member review and feedback, after which Task Force members contributed feedback and alternative proposals for the draft WA EJ definition.

Questions to Guide Feedback

1. Would this definition impede your current obligations under the federal definition of EJ? If so, how?
2. What is missing from this definition?
3. What doesn't make sense?
4. Do you have other general comments or concerns? If so, please elaborate.

Draft Definition Proposed by Task Force Co-Chairs & Staff:

"The fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to development, implementation, and enforcement of environmental laws, regulations and policies; with a focus on the equitable distribution of resources, benefits, and burdens in a manner that prioritizes communities that experience the greatest inequities, disproportionate impacts, and have the greatest unmet needs."

Explanation of Draft Definition:

- This definition is meant to guide institutions, including Washington State agencies, with identifying environmental justice issues in addition to the EPA's definition that has a procedural equity focus.
- In an effort to avoid contradicting the EPA and to keep important EJ considerations intact, the full EJ definition from the EPA is embedded within this proposed definition for EJ in Washington.
- This enhanced definition adds a distributional equity component in the second sentence.
- This enhanced definition adds a reference to past harms to communities by explicitly naming the distribution of "burdens".
- This definition does not replace the purposes that an EJ mission statement, EJ goals, or EJ principles serve.

Alternative Draft Definition Proposed by WSDOT

"The fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to development, implementation, and enforcement of environmental laws, regulations and policies, with a focus on the equitable distribution of resources, benefits, and burdens. ~~in a manner that prioritizes communities that experience the greatest inequities, disproportionate impacts, and have the greatest unmet needs.~~" [SEE FULL EXPLANATION OF THIS DRAFT IN MATERIAL 8D].

Alternative Draft Definition Proposed by Association of WA Business

*“The fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to development and implementation of environmental laws, regulations and policies; with a focus on the equitable distribution of resources, benefits, and burdens in a manner that that **prioritizes is mindful** of communities that experience the greatest inequities, disproportionate impacts, and have the greatest unmet needs.”*

Two Alternative Draft Definitions Proposed by Ecology

1. *“The fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to development, implementation, and enforcement of environmental laws, regulations and policies; with a focus on eliminating disparities in resources, benefits, and burdens and prioritizing communities who experience the greatest inequities, disproportionate impacts, and have the most unmet needs.”*

Explanation of Draft Definition:

- “I see the text [above] about fair distribution – but fair and equitable feels discretionary. But reducing and eliminating disparities to me feels directional and more prescriptive. I also don’t want to distribute burdens – I want to get rid of those too – which is the foundational to the principles of EJ – clean air, land, and water for everyone.”
- “I’d say ‘most’ only because I wouldn’t use “greatest” in a sentence twice.”

2. *“The fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to development, implementation, and enforcement of environmental laws, regulations and policies; **focusing on addressing disproportionate environmental and health impacts by prioritizing highly impacted communities, equitably distributing resources and benefits, and eliminating harm.**”*

Explanation of Draft Definition:

- Don’t want to distribute burdens (as the original proposal directs)

Other Aspects to Consider when Developing a Definition for EJ:

- *From the Department of Agriculture: “Add folks whose preferred language is not English and also include the LGBTQ community.”*

II. Explanation of the process Co-Chairs & Staff used to draft the WA definition of EJ

STEP 1. We looked at the EPA’s definition on EJ and identified strengths & gaps in that definition.

EPA Definition: “The fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to development, implementation, and enforcement of environmental laws, regulations and policies.”

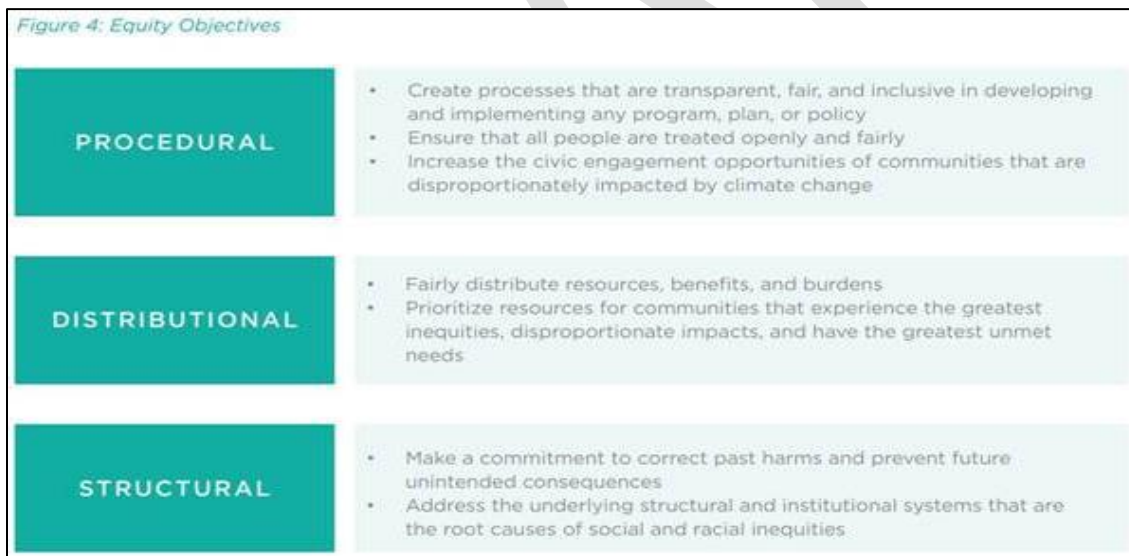
EPA Definition Strengths:

- Includes underlying structural and institutional systems
- Addresses procedural equity

EPA Definition Gaps:

- The EPA’s definition lacks the acknowledgement of disproportionate impacts on communities with high levels of pollution.
- The EPA’s definition does a good job addressing procedural and structural equity, but lacked language on distributional equity.

STEP 2. We used the language in these [Equity Objectives](#) from the Urban Sustainability Directors Network’s “Guide to Equitable Community-Driven Climate Preparedness Planning” document to address these gaps:



Source: https://www.usdn.org/uploads/cms/documents/usdn_guide_to_equitable_community-driven_climate_preparedness-high_res.pdf

STEP 3. We created a draft definition of EJ for Washington

“The fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to development, implementation, and enforcement of environmental laws, regulations and policies; with a focus on the equitable distribution of resources, benefits, and burdens in a manner that prioritizes communities that experience the greatest inequities, disproportionate impacts, and have the greatest unmet needs.”