



State of Washington Green Amendment Making Environmental Rights Enforceable and Meaningful Key Talking Points

Industrial externalities, damaging development, and, at times, misplaced government decision making have allowed the inalienable rights of Washington residents to clean air, plentiful and pure water, a stable climate, and healthy environments to be violated. Despite state environmental laws, regulations and agencies, Washington water, air, soils, landscapes, and special natural spaces have been allowed to degrade in ways that are harming people's lives. An effective constitutional amendment could help change that.

A Green Amendment would constitutionally mandate that Washington government officials protect the environmental rights of all residents, including present and future generations. The self-executing amendment will allow legal redress when this right is violated by government action or inaction.

Establishing an enforceable environmental right will drive better government decision-making at all levels of government and will prevent situations or conditions in which land becomes too contaminated, water becomes too polluted, and air too dirty to support healthy lives, including a healthy economy.

In order to obtain this highest level of protection in Washington, a proposed amendment must pass by a two-thirds vote in each house of the Washington Legislature after which the people of Washington will be given the opportunity to vote on whether or not environmental rights should be protected by the state constitution.

The Washington Green Amendment will amend Article I of the Constitution to recognize the environmental rights of all people of Washington by protecting the, **“right to a clean and healthy environment, including pure water, clean air, healthy ecosystems, and a stable climate, and to the preservation of the natural, cultural, scenic, and**

Proposed Washington Green Amendment Language:

At the next general election the secretary of state shall submit to the qualified voters of the state an amendment to Article I of the Constitution of the state of Washington by adding a new section to read as follows:

- (1) The people of the state, including future generations, have the right to a clean and healthy environment, including pure water, clean air, healthy ecosystems, and a stable climate, and to the preservation of the natural, cultural, scenic, and healthful qualities of the environment.
- (2) The state, including each political subdivision of the state, shall serve as trustee of the natural resources of the state, among them its waters, air, flora, fauna, soils, and climate. The state, including each political subdivision of the state, shall conserve, protect, and maintain these resources for the benefit of all the people, including generations yet to come.
- (3) The rights stated in this section are inherent, inalienable, and infeasible, are among those rights reserved to all the people, and are on par with other protected inalienable rights. The state, including each political subdivision of the state, shall equitably protect these rights for all people regardless of their race, ethnicity, geography, or wealth, and shall act with prudence, loyalty, impartiality, and equitable treatment of all beneficiaries in fulfilling its trustee obligations. The provisions of this section are self-executing.

healthful qualities of the environment” for both present and future generations.

A Washington Green Amendment will:

- √ ... Place the rights to clean water and air, a stable climate and healthy environments legally on par with the rights to private property; to bear arms; to speak freely; the right to absolute freedom of conscience in all matters of religious sentiment, belief and worship; and other fundamental rights;
- √ ... Ensure government decisions and action prioritize environmental protection and pollution prevention;
- √ ... Strengthen environmental justice by ensuring all communities – regardless of race, ethnicity or socioeconomic status – have the same rights to clean water and air and healthy environments and the duty of all government officials to protect all communities equitably;
- √ ... Protect the cultural values of indigenous communities to a healthy environment, protect sacred lands from environmental desecration, and honor traditional cultural connection to healthy natural resources;
- √ ... Ensure that every government official in the state will work to advance environmental protection at every level of the decisionmaking process, rather than waiting until the end of the process when the focus is necessarily on permitting rather than prevention. With a Green Amendment, all government action, including the passage of laws, regulations, policies and programs is done in service to advancing the state constitution – government officials cannot change or violate the constitution, they must honor and implement it;
- √ ... Ensure that in those instances when government does knowingly infringe on environmental rights there is a compelling state interest and there has been a conscious effort to minimize the impacts on the impacted environmental rights, i.e., minimize environmental harm;
- √ ... Fill the gaps in environmental laws and provide a legal basis for securing water, air and environmental protection even in those situations where there is no state law or regulation to provide protection;
- √ ... Ensure consideration of cumulative impacts as part of decisionmaking so the additive impact of new pollution/degradation is considered;
- √ ... Empower communities to address unconstitutional infringement on environmental rights such as clean water and air, by providing constitutional grounding for their advocacy and access to the courts for redress;
- √ ... Strengthen the healthy economic growth that avoids the costs of environmental harm including illness, cleanup costs, flooding, drought & declining property values by ensuring government laws, regulations, decisions, permits and actions avoid environmental degradation rather than responding to it after-the-fact.

More info & Resources at: www.WAGreenAmendment.org