

# Environmental Justice Council

## December 14, 2023 Meeting Materials

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### **Council Member Announcements and Information Sharing**

No materials to include at time of posting

### **Written Public Comments**

No materials to include at time of posting

# Consejo de Justicia Ambiental

Jueves, 14 de diciembre de 2023

De 3:30 p. m. a 5:30 p. m.

Para unirse al webinar, haga clic en el siguiente enlace:

<https://us02web.zoom.us/j/81747864781>

Id. del webinar: 817 4786 4781

O únase por teléfono: +1 253 215 8782

Id. del webinar: 817 4786 4781

Números internacionales disponibles: <https://us02web.zoom.us/u/kd6MqgTvTL>

## Objetivos de la reunión:

1. Debatar, modificar según sea necesario y adoptar el cronograma para la reunión 2024 del Consejo.
2. Debatar, modificar según sea necesario y adoptar un proceso para los miembros y el personal del Consejo a fin de interactuar con la Oficina del Gobernador y la Legislatura para la sesión legislativa 2024.

## Orden del día

A las 3:20 p. m., los invitamos a participar de una presentación sobre cómo activar los subtítulos descriptivos y cómo unirse al canal de interpretación en español.

|                               |  |   |
|-------------------------------|--|---|
| De 3:30 p. m. a<br>3:35 p. m. | I. Bienvenida y pasaje de lista para verificar que haya quórum   | Copresidenta Maria Batayola<br><br>El honorable Jarred-Michael Erickson<br><br>Miembros del Consejo |
| De 3:35 p. m. a<br>3:45 p. m. | II. Aprobación del orden del día por parte del Consejo<br><br>III. Aprobación de las notas de la reunión del 26 de octubre de 2023 y 16 de noviembre de 2023 por parte del Consejo<br><br>- Posibles medidas del Consejo | Miembro del Consejo Aurora Martin<br><br>Miembros del Consejo                                       |

|                               |  |  |
|-------------------------------|--|--|
| De 3:45 p. m. a<br>4:00 p. m. | IV. Consulta popular   | Miembro del Consejo<br>Rosalinda Guillen   |
| De 4:00 p. m. a<br>4:20 p. m. | V. Adopción del cronograma para la reunión<br>2024 del Consejo<br><br>Objetivo: debatir, modificar según sea necesario<br>y adoptar el cronograma para la reunión 2024<br>del Consejo.<br><br>- Posibles medidas del Consejo   | Miembro del Consejo Esther<br>Min<br><br>Miembros del Consejo  |
| Receso de 5 minutos           |  |  |
| De 4:25 p. m. a<br>5:25 p. m. | VI. Considerar la adopción del proceso del<br>Consejo para la sesión legislativa 2024<br><br>Objetivos: debatir, modificar según sea<br>necesario y adoptar un proceso para los<br>miembros y el personal del Consejo para<br>interactuar con la Oficina del Gobernador y la<br>Legislatura para la sesión legislativa 2024.<br><br>- Posibles medidas del Consejo | Copresidenta Maria Batayola<br><br>Sierra Rotakhina, personal del<br>Consejo<br><br>Miembros del Consejo |
| De 5:25 p. m. a<br>5:30 p. m. | VII. Agradecimientos y cierre  | El honorable Jarred-Michael<br>Erickson<br><br>Copresidenta Maria Batayola                               |

Información importante:

- El Consejo puede cambiar los asuntos del orden del día el mismo día de la reunión.
- El número de contacto de emergencia durante la reunión es 360-584-4398.
- Si desea solicitar este documento en un idioma diferente o formato alternativo, envíe un correo electrónico a Sierra Rotakhina en cualquier idioma a [envjustice@ejc.wa.gov](mailto:envjustice@ejc.wa.gov) o llame al 360-584-4398.

# Environmental Justice Council (EJC)

Thursday, December 14, 2023  
3:30pm – 5:30pm

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81747864781>

Webinar ID: 817 4786 4781

Or Join by Phone: +1 253 215 8782

Webinar ID: 817 4786 4781

International numbers available: <https://us02web.zoom.us/u/kd6MqgTvTL>

## Meeting Goals:

1. Discuss, edit as needed, and adopt the Council’s 2024 meeting schedule.
2. Discuss, edit as needed, and adopt a process for Council Members and staff to use to engage with the Governor’s Office and the Legislature for the 2024 legislative session. The Council may also consider adopting a media engagement policy/process.

## Agenda

Please join us at 3:20pm for a presentation on how to turn on closed captions and join the Spanish interpretation channel.

|                   |                                     |   |
|-------------------|-------------------------------------|---|
| 3:30 PM – 3:35 PM | I. Welcome and Roll Call for Quorum | Co-Chair Maria Batayola<br><br>The Honorable Jarred-Michael Erickson<br><br>Council Members |
|-------------------|-------------------------------------|---|

|   |   |  |
|---|---|--|
| <p>3:35 PM – 3:45 PM</p> <p>Meeting notes start on <a href="#">page 6</a></p> | <p>II. Approval of Agenda by Council</p> <p>III. Approval of October 26, 2023 and November 16, 2023 Meeting Notes by Council</p> <p>-Possible Council Action</p>  | <p>Council Member Aurora Martin</p> <p>Council Members</p>                                   |
| <p>3:45 PM – 4:00 PM</p>  | <p>IV. Public Comment</p>   | <p>Council Member Rosalinda Guillen</p>  |
| <p>4:00 PM- 4:20 PM</p> <p>Materials start on <a href="#">page 19</a></p>     | <p>V. Consider Adoption of the Council’s 2024 Meeting Schedule</p> <p>Goal: Discuss, edit if needed, and adopt the Council’s 2024 meeting schedule.</p> <p>-Possible Council Action</p>   | <p>Council Member Esther Min</p> <p>Council Members</p>                                      |
| <p>5 Minute Break</p>   |   |  |
| <p>4:25 PM – 5:25 PM</p> <p>Materials start on <a href="#">page 22</a></p>    | <p>VI. Continue Discussion and Possible Adoption of the Council’s Process for the 2024 Legislative Session</p> <p>Goals: Discuss, edit as needed, and adopt a process for Council Members and staff to use to engage with the Governor’s Office and the Legislature before and during the 2024 legislative session. The Council may also consider adopting a media engagement policy/process.</p> <p>-Possible Council Action</p> | <p>Co-Chair Maria Batayola</p> <p>Sierra Rotakhina, Council Staff</p> <p>Council Members</p> |
| <p>5:25 PM – 5:30 PM</p>  | <p>VII. Appreciations and Adjournment</p>   | <p>The Honorable Jarred-Michael Erickson</p> <p>Co-Chair Maria Batayola</p>                  |

Important Information:

- The Council may move agenda items around on the day of the meeting.
- Emergency contact number during the meeting is 360-584-4398.
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# Draft Minutes of the Environmental Justice Council

10/26/2023

## Virtual ZOOM Platform

Due to limited staff capacity, Environmental Justice Council (Council) staff are working to streamline the Council meeting notes. The notes now include only very high-level points and the final decisions made along with voting records. The full meeting recordings can be found on the Council's website: [Environmental Justice Council Meetings | WaPortal.org](https://www.wa.gov/EnvironmentalJusticeCouncilMeetings). However, it is important that meeting notes are useful to the Council Members and the public. Please share feedback with Council staff on how we can make these notes most useful to you by emailing [envjustice@ejc.wa.gov](mailto:envjustice@ejc.wa.gov) or by calling 360-584-4398.

### Council Members present:

- Council Co-Chair Maria Batayola
- Council Interim Co-Chair, the Honorable Jarred-Michael Erickson
- Council Member Aurora Martin
- Council Member David Mendoza
- Council Member Esther Min
- Council Member Todd Mitchell
- Council Delegate AJ Dotzauer on behalf of The Honorable Misty Napeahi
- Council Member NiRae Petty
- Council Member Raeshawna Ware

### Council Members absent:

- Council Member Nichole Banegas
- Council Member Maria Blancas
- Council Member Running-Grass
- Council Member Rosalinda Guillen
- Council Member Faaluaina Pritchard

### Agency Ex Officio Members present:

- Lea Anne Burke, Puget Sound Partnership
- Eliseo (EJ) Juárez, Department of Natural Resources
- Ahmer Nizam, Department of Transportation
- Michael Furze, Department of Commerce
- Nicole Johnson, Department of Agriculture

- Courtney Cecale for Millie Piazza, Department of Ecology
- Lauren Jenks, Department of Health

**Council staff:**

- Amina Al-Tarouti
- Jonathan Chen
- Angie Ellis
- Christy Curwick Hoff
- Rowena Pineda
- Sauncha Romey
- Sierra Rotakhina

**I. Welcome and Roll Call for Quorum**

Maria Batayola, Council Co-Chair, called the public meeting to order at 3:34pm. Rowena Pineda, Council Staff, facilitated roll call.

|   |                                |
|---|--------------------------------|
| Nichole Banegas   | absent                         |
| Maria Batayola (EJ Council Co-Chair)                                | <b>present, left at 4:53pm</b> |
| Maria Blancas   | absent                         |
| The Honorable Jarred-Michael Erickson (EJ Council Interim Co-Chair) | <b>present</b>                 |
| Running-Grass   | absent                         |
| Rosalinda Guillen   | absent                         |
| Aurora Martin   | <b>present</b>                 |
| David Mendoza   | <b>present</b>                 |
| Esther Min  | <b>present</b>                 |
| Todd Mitchell   | <b>present</b>                 |
| AJ Dotzauer on behalf of The Honorable Misty Napeahi                | <b>present</b>                 |
| NiRae Petty   | <b>present</b>                 |
| Faaluaina Pritchard   | absent                         |
| Raeshawna Ware  | <b>present</b>                 |

**II. Approval of Agenda by Council**

Aurora Martin, Council Member, facilitated adoption of the agenda.

Motion: The Council adopts the agenda.

No objections noted. The motion passed.

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### III. Approval of September 28, 2023 Meeting Notes by Council

Member Martin facilitated adoption of the September 28, 2023 meeting notes.

Motion: The Council adopts the September 28, 2023 meeting notes.

No objections noted. The motion passed.

### IV. Public Comment

Member Martin opened up the public comment period and staff read from a prepared statement.

TaNeashia Sudds, Executive Director of Hilltop Urban Gardens in Pierce County, introduced her organization as a farm and gathering place for African American community leaders that stands at the intersection of racial, social, and economic justice. She shared thoughts on how frontline community organizations can partner with the Council to further environmental justice. She invited the Council to hold a meeting at their farm and to visit community sites like theirs. She said they are a new member of the Front and Centered Coalition. She said the leadership of Pierce County looks less like those suffering oppression and more like oppressors.

### V. Consider Adoption of Council Recommendation on Whether or Not Ecology Should Link Washington's Cap and Invest Program to California and Quebec's Programs

David Mendoza, Council Member, introduced this agenda item. He referred Members to a proposed letter drafted by the Climate Commitment Act Committee and asked the Council to consider adoption.

**Motion:** The Environmental Justice Council adopts the Letter to Ecology Re: Linkage as drafted by its Climate Commitment Act Committee and as amended at the October 26, 2023 Council meeting.

**The motion passed.**

A: Yes, I approve.

B: Yes, with reservations.

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C: Not voting until we have further discussions.

D: I don't approve, but I won't block.

E: I block, have serious concerns.

F: I stand aside, recuse myself.

|   |                 |
|---|-----------------|
| Nichole Banegas   | absent          |
| Maria Batayola (EJ Council Co-Chair)                                | A               |
| Maria Blancas   | absent          |
| The Honorable Jarred-Michael Erickson (EJ Council Interim Co-Chair) | B               |
| Running-Grass   | absent          |
| Rosalinda Guillen   | absent          |
| Aurora Martin   | A               |
| David Mendoza   | A               |
| Esther Min  | A               |
| Todd Mitchell   | Second, A       |
| AJ Dotzauer on behalf of The Honorable Misty Napeahi                | A               |
| NiRae Petty   | A               |
| Faaluaina Pritchard   | absent          |
| Raeshawna Ware  | First Motion, A |

## VI. Consider Adoption of Additional Climate Commitment Act & HEAL Act 2024

### Budget Recommendations

Co-Chair Batayola introduced the agenda item, stating that this was an opportunity for the Council to consider adoption of additional budget recommendations, including endorsement of agency budget requests related to HEAL implementation. AJ Dotzauer, Council Delegate, shared concerns with the recommendation related to drinking water and said she would like to receive review from the Tribe's attorneys. Interim Co-Chair Erickson concurred.

**Motion:** The Environmental Justice Council adopts the additional 2024 Supplemental Budget Recommendations #17, 18, 19, and 20 as presented on October 26, 2023. The Council directs staff to submit the recommendations to the appropriate committees of the Legislature, the Governor, and the Office of Financial Management to inform the development of the 2024 state supplemental budgets.

**The Motion passed.**

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- A: Yes, I approve.
- B: Yes, with reservations.
- C: Not voting until we have further discussions.
- D: I don't approve, but I won't block.
- E: I block, have serious concerns.
- F: I stand aside, recuse myself.

|   |                  |
|---|------------------|
| Nichole Banegas   | absent           |
| Maria Batayola (EJ Council Co-Chair)                                | A                |
| Maria Blancas   | absent           |
| The Honorable Jarred-Michael Erickson (EJ Council Interim Co-Chair) | A                |
| Running-Grass   | absent           |
| Rosalinda Guillen   | absent           |
| Aurora Martin   | A                |
| David Mendoza   | First Motion, A  |
| Esther Min  | A                |
| Todd Mitchell   | A                |
| AJ Dotzauer on behalf of The Honorable Misty Napeahi                | A                |
| NiRae Petty   | A                |
| Faaluaina Pritchard   | absent           |
| Raeshawna Ware  | Second Motion, B |

## VII. Discuss Draft Update and Report Due to the Public, Legislature, and Governor

Interim Co-Chair Erickson introduced the agenda item, stating that the Council has a statutory duty to submit an update and a report next month. Today the Council will review the draft report and provide feedback on needed changes. The Council is scheduled to consider adoption of the report at its November meeting. Staff reviewed the contents of the draft report.

## VIII. Public Comment

Martha Lucas, WA State Coalition of African Community Leaders, had audio connectivity issues so submitted written public comments (see page x of the meeting packet).

Ione Jones, Executive Director of Khimstonik, introduced her organization as a grassroots Native-led non-profit organization that is beginning to engage in environmental justice discussions for

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Native and Indigenous peoples in Southeastern, WA. They are beginning to advocate through case study, community events, and engagement with state agencies. They are looking forward to learning about the Environmental Justice Council's priorities so they can align and work together.

## IX. Discuss Council Process for Engaging with the Governor and Legislature Before and During the 2024 Legislative Session

Sierra Rotakhina, Council staff, introduced the agenda item, stating that today's meeting is an opportunity for the Council to discuss the process they want to use to engage the Governor and Legislature on its budget recommendations and any policy priorities leading up to and during the upcoming legislative session. At the August meeting, Co-Chair Batayola asked for volunteers to help develop a proposed process. Council Members Maria Batayola, David Mendoza, AJ Dotzauer, and Lua Pritchard volunteered. During the Council meeting discussion, Council Members provided input on several topics including meeting with Legislators to share the Council's budget recommendations and the need to adopt policy statements to be responsive during session.

## X. Update on Planning for Youth Advisory Council

Sierra shared background information and current plans for creating a Youth Advisory Council. They are hoping to convene a small group of youth (a brainstorming workgroup) to develop a plan to bring back to Council for discussion. Council Member NiRae Petty will be stepping down from the Council, as she is taking a position with the Department of Commerce, but she has indicated she would like to stay engaged on the planning for the Youth Advisory Council.

## XI. Appreciation and Adjournment

Interim Co-Chair Erickson adjourned the meeting at 6:24.

# Draft Minutes of the Environmental Justice Council

11/16/2023

## Virtual ZOOM Platform

Due to limited staff capacity, Environmental Justice Council (Council) staff are working to streamline the Council meeting notes. The notes now include only very high-level points and the final decisions made along with voting records. The full meeting recordings can be found on the Council's website: [Environmental Justice Council Meetings | WaPortal.org](https://www.wa.gov/EnvironmentalJusticeCouncilMeetings). However, it is important that meeting notes are useful to the Council Members and the public. Please share feedback with Council staff on how we can make these notes most useful to you by emailing [envjustice@ejc.wa.gov](mailto:envjustice@ejc.wa.gov) or by calling 360-584-4398.

### Council Members present:

- Council Co-Chair Maria Batayola
- Council Member Maria Blancas (joined at 4:00pm)
- Council Delegate AJ Dotzauer on behalf of The Honorable Misty Napeahi
- Council Member David Mendoza
- Council Member Esther Min
- Council Member Todd Mitchell
- Council Member Faaluaina Pritchard
- Council Member Running-Grass
- Council Member Raeshawna Ware

### Council Members absent:

- Council Member Nichole Benegas
- Council Interim Co-Chair, the Honorable Jarred-Michael Erickson
- Council Member Rosalinda Guillen
- Council Member Aurora Martin

### Agency Ex Officio Liaisons present:

- Lea Anne Burke, Puget Sound Partnership
- Carlos Lugo on behalf of Eliseo (EJ) Juárez, Department of Natural Resources
- Ahmer Nizam, Department of Transportation
- Michael Furze, Department of Commerce
- Nicole Johnson, Department of Agriculture
- Courtney Cecale for Millie Piazza, Department of Ecology

Council staff:

- Amina Al-Tarouti
- Jonathan Chen
- Angie Ellis
- Christy Curwick Hoff
- Rowena Pineda
- Sierra Rotakhina

I. Welcome and Roll Call for Quorum

Maria Batayola, Council Co-Chair, called the public meeting to order. Rowena Pineda, Council Staff, facilitated roll call.

|  |                  |
|--|------------------|
| Nichole Banegas  | Absent           |
| Maria Batayola (Co-Chair)                                | Present          |
| Maria Blancas  | Joined at 4:00pm |
| The Honorable Jarred-Michael Erickson (Interim Co-Chair) | Absent           |
| Running-Grass  | Present          |
| Rosalinda Guillen  | Absent           |
| Aurora Martin  | Absent           |
| David Mendoza  | Present          |
| Esther Min   | Present          |
| Todd Mitchell  | Present          |
| AJ Dotzauer on behalf of The Honorable Misty Napeahi     | Present          |
| Faaluaina Pritchard                                      | Present          |
| Raeshawna Ware   | Present          |

II. Moment of Silence Honoring Theo Cielos’ Life and Work: One Year Remembrance

Sierra Rotakhina, Council Manager, said staff would set up a time later in the month to remember and celebrate Theo Cielos’ life. Staff shared brief comments to remember Theo and Co-Chair Batayola read from written comments provided by former Council Member NiRae Petty. A moment of silence followed.

III. Approval of Agenda by Council

Co-Chair Batayola, facilitated adoption of the [agenda](#).

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Motion: The Council adopts the agenda.

No objections noted. The motion passed.

#### IV. Approval of October 26, 2023 Meeting Notes by Council

Co-Chair Batayola noted that the Council did not yet have quorum yet, so tabled this agenda item for a future meeting.

#### V. Public Comment

Council staff opened up the public comment period and read from a prepared statement.

Michelle Mood bought a home next to a mega warehouse in South Tacoma. The community is 42% white and the zip code has a number of health concerns, including the worst air pollution and shortest life expectancy. They are having difficulty working with the Tacoma City Council. They shared several requests of the Council to consider, including strengthening SEPA, having a health impact assessment completed, additional conditions for permitting, new laws to require air quality monitoring, and citizen oversight in overburdened areas.

Cathie Urwin lives in South Tacoma one mile east of a mega warehouse. They have been trying to fight the warehouse and are in a court case without legal representation. People in overburdened communities don't have legal resources or funds to fight city decisions or companies. They have well documented inequities in the community, but they are not being considered by city officials. They've asked for a health impact assessment, but the city will not conduct an assessment. They said the warehouse will contribute to an additional 10,000-12,000 vehicle trips a day.

Maria Fernandez, with the organization Ella in Yakima County, thanked Council staff for joining a community meeting in Mabton. ELLA has procured funding for water distribution events so residents can have drinking water. Maria said the new well is not producing enough water and has nitrates, so they are digging a second well. If it is not successful, the city doesn't have any options. These water issues have been going on for more than 60 years. They have appreciated EJC

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guidance and are hoping they can count on the Council to recommend some funding for this important issue.

## VI. Consider Adoption of Council 2023 Update and Report Due to the Public, Legislature, and Governor

Co-Chair Batayola introduced the agenda item. Staff shared the changes made to the report since the previous briefing.

**Motion:** The Environmental Justice Council adopts the [2023 Report to the Community, Governor, and Legislature](#) (see page 17) as presented on November 16, 2023 with the change to highlight the recommendations and the rationale in Section 5.

### The motion passed,

- A: Yes, I approve.
- B: Yes, with reservations.
- C: Not voting until we have further discussions.
- D: I don't approve, but I won't block.
- E: I block, have serious concerns.
- F: I stand aside, recuse myself.

|   |                 |
|---|-----------------|
| Nichole Banegas   | Absent          |
| Maria Batayola (EJ Council Co-Chair)                                | A               |
| Maria Blancas   | First Motion, A |
| The Honorable Jarred-Michael Erickson (EJ Council Interim Co-Chair) | Absent          |
| Running-Grass   | A               |
| Rosalinda Guillen   | Absent          |
| Aurora Martin   | Absent          |
| David Mendoza   | A               |
| Esther Min  | A               |
| Todd Mitchell   | A               |
| AJ Dotzauer on behalf of The Honorable Misty Napeahi                | A               |
| Faaluaina Pritchard   | Second, A       |
| Raeshawna Ware  | B               |

Raeshawna Ware, Council Member, had reservations because she didn't have an opportunity to share a comment she had before voting.

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## VII. Consider Adoption of Additional Climate Commitment Act & HEAL Act 2024 Budget Recommendation on Water Quality

Co-Chair Batayola introduced the agenda item and staff said that this budget proposal to address water quality issues was shared with the Council at the last meeting. She said Council Members weren't ready to adopt at the last meeting because the Tribal Representatives wanted more time to ensure there would not be unintended consequences to Tribal water rights. She said the current draft had edits to address those concerns. She reviewed the changes made to the proposal.

**Motion:** The Environmental Justice Council adopts the additional [2024 Supplemental Budget Recommendation on drinking water quality](#) (see recommendation #15 on page 18) as presented with any amendments agreed to by the full Council on November 16, 2023.

The Council directs staff to work with Council Members (appointed and ex officio members), the Governor's Office, the Office of Financial Management, relevant agencies, and others as needed to continue to refine the budget estimates and other details while centering the intent of the recommendation adopted today.

The Council directs staff to submit the recommendation to the appropriate committees of the Legislature, the Governor, and the Office of Financial Management to inform the development of the 2024 state supplemental budgets.

### **The Motion passed.**

A: Yes, I approve.

B: Yes, with reservations.

C: Not voting until we have further discussions.

D: I don't approve, but I won't block.

E: I block, have serious concerns.

F: I stand aside, recuse myself.

|   |        |
|---|--------|
| Nichole Banegas   | Absent |
| Maria Batayola (EJ Council Co-Chair)                                | A      |
| Maria Blancas   | A      |
| The Honorable Jarred-Michael Erickson (EJ Council Interim Co-Chair) | Absent |

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|  |                 |
|--|-----------------|
| Running-Grass  | A               |
| Rosalinda Guillen                                    | Absent          |
| Aurora Martin  | Absent          |
| David Mendoza  | Second, A       |
| Esther Min   | A               |
| Todd Mitchell  | A               |
| AJ Dotzauer on behalf of The Honorable Misty Napeahi | A               |
| Faaluaina Pritchard                                  | First motion, A |
| Raeshawna Ware                                       | A               |

### VIII. Consider Adoption of the Council’s Process for the 2024 Legislative Session

Esther Min, Council Member, introduced the agenda item. Council Members reviewed the policy positions in the document and the procedure, which were proposed by Council Members Mendoza, Dotzauer, Pritchard, and Batayola. Running-Grass, Council Member, asked for clarity on the purpose and staff said it would be used to guide Council Members and staff in advocating for the Council’s budget recommendations and sharing any policy positions the Council may adopt, particularly during legislative session. Members shared concerns and potential edits with policy statements related to the Climate Commitment Act. Members also shared some thoughts, questions, and potential edits on the procedure. During the conversation, the Council lost quorum and, therefore, did not consider a vote for adoption.

### IX. Adoption of the Council’s 2024 Meeting Schedule

Due to the Council losing quorum, they did not consider adoption of the meeting schedule.

### X. Discuss Council’s Draft Bylaws

The Council did not have time to discuss this agenda item.

### XI. Update and Discussion on Workshops on the Process to Identify Overburdened Communities and Vulnerable Populations

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Rowena Pineda said the presenters would provide an update on the work to develop a process for identifying overburdened communities and vulnerable populations. She said they hosted two workshops for Council Members on this topic. Will Golding, Department of Transportation, and Chelsea Batavia, Department of Ecology, shared their [presentation](#) (see page 85).

## XII. Update and Discussion on Department of Health Environmental Justice Grants

The Council did not have time to discuss this agenda item.

## XIII. Public Comment

Maria Fernandez thanked the Council for passing the budget recommendation related to clean drinking water and thanked staff for attending the community meeting in Mabton.

## XIV. Appreciations and Adjournment

Co-Chair Batayola adjourned the meeting.

# Environmental Justice Council

**Date:** December 14, 2023

**To:** Environmental Justice Council Members

**From:** Sierra Rotakhina, Environmental Justice Council Manager

**Subject:** Proposed 2024 Council Meeting Schedule

## Background and Summary:

[RCW 70A.02.110](#) specifies that meetings of the Environmental Justice Council (Council) are subject to the Open Public Meetings Act ([chapter 42.30 RCW](#)). [RCW 42.30.075](#) requires the Council to file a schedule of regular meetings with the Code Revisor to be published in the Washington State Register. Once the Council has adopted a 2024 meeting schedule, staff will file the schedule with the Code Revisor. The Council can make changes to the meeting schedule, but the changes must be published in the State Register for distribution at least twenty days prior to the rescheduled meeting date. The Council can also call special meetings under [RCW 42.30.080](#) as long as the public is notified at least 24 hours before the meeting.

## Council Staff Recommended Actions:

The Council may wish to consider, amend if necessary, and adopt the following motion:

The Council adopts the proposed 2024 Council Meeting Schedule with any changes agreed upon by the Council members at the December 14, 2023 meeting.

## Staff

Sierra Rotakhina, Council Manager, [sierra.rotakhina@doh.wa.gov](mailto:sierra.rotakhina@doh.wa.gov), 360-584-4398

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# DRAFT

## Environmental Justice Council 2024 Meeting Schedule

In accordance with the Open Public Meetings Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the schedule of regular meetings for the Washington State Environmental Justice Council (Council) for 2024. The Council’s meetings are open to the public. Community access to the meetings and language justice are priorities for the Council. Members of the public can contact staff (see below) to request language interpreters at meetings, translated meeting materials, or accommodations to improve the accessibility of Council meetings and materials.

Agendas for the meetings listed below are made available in advance via listserv and the Council’s website (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the Council reserves the right to change or amend agendas at the meeting. Meeting links, call-in, information and locations (as applicable) are posted here:

<https://waportal.org/partners/home/environmental-justice-council/environmental-justice-council-meetings>

| Meeting Date   | Location     |
|--|--------------|
| Thursday<br>January 25, 2024<br>3:30pm – 6:30pm  | Virtual Only |
| Thursday February 15, 2024 4:30pm-6:30pm<br>Hold to meet only if needed for legislative purposes |              |

|  |                           |
|--|---------------------------|
| Thursday<br>March 28, 2024<br>3:30pm – 6:30pm  | Virtual Only              |
| Friday May 3, 2024<br>OR<br>Friday May 10, 2024<br>OR<br>Friday May 17, 2024<br><br>Council to discuss best date at<br>December 14 <sup>th</sup> meeting<br><br>All Day In-Person Retreat and<br>Hybrid Business Meeting | Location to be determined |
| Thursday<br>July 25, 2024<br>3:30pm-6:30pm   | Virtual Only              |
| Thursday<br>September 26, 2024<br>3:30pm-6:30pm  | Location to be determined |
| Thursday<br>October 24, 2024<br>3:30pm-6:30pm  | Virtual Only              |
| Thursday November 21, 2024 3:30pm-6:30pm – Hold to meet only if needed   |                           |

Time and locations subject to change as needed. See [Environmental Justice Council | WaPortal.org](https://www.environmentaljusticecouncil.org/) for the most current information. Contact Council staff at [envjustice@ejc.wa.gov](mailto:envjustice@ejc.wa.gov) or 360-584-4398.

Last updated: December 14, 2023

# Environmental Justice Council

**Date:** December 14, 2023

**To:** Environmental Justice Council

**From:** Sierra Rotakhina, Environmental Justice Council Manager

**Subject:** 2024 Legislative Process and Policy Statement

## Background and Discussion:

At its November 16 meeting, the Environmental Justice Council (Council or EJC) reviewed and discussed a draft “2024 Legislative Session Policy Statement and Procedure” document. The purpose of the document is to guide Council Members and staff in communications with the Governor’s Office, Legislature, and others regarding: (1) advocating for inclusion of the Council’s budget recommendations in the 2024 supplemental budgets and (2) communicating the Council’s policy positions on legislative and budget proposals for the 2024 legislative session.

In addition to the live edits made during the November 16 meeting, staff made the following changes to the document:

- Moved the purpose of the document to the beginning.
- Under the procedure for advocating for the Council’s budget recommendations, added language that Council Members may represent their own organization or any other organization or affiliation in support of the Council’s budget recommendations.
- Added language that Council Members and staff who participate in meetings with legislators to share the Council’s budget recommendations will file required lobbying reports with the Public Disclosure Commission.

At today’s meeting, the Council will have an opportunity to continue the discussion and consider adoption of the document.

To request this document in an alternate format or a different language, please contact Sierra Rotakhina in any language, at [envjustice@ejc.wa.gov](mailto:envjustice@ejc.wa.gov) or 360-584-4398. TTY users can dial 711.

## Recommended Actions:

The Council may discuss, amend as necessary, and consider adoption of the following motions:

**Proposed Motion 1:** The Environmental Justice Council adopts the policy positions related to the HEAL Act and the Environmental Justice Council (Section 2.1) of the 2024 Legislative Session Policy Statement and Procedure as presented on December 14, 2023 with any changes agreed to by the full Council.

**Proposed Motion 2:** The Environmental Justice Council adopts the policy positions related to the Climate Commitment Act, Cap and Invest Program, and Air Quality Program (Section 2.2) of the 2024 Legislative Session Policy Statement and Procedure as presented on December 14, 2023 with any changes agreed to by the full Council.

**Proposed Motion 3:** The Environmental Justice Council adopts the procedure (Section 3) of the 2024 Legislative Session Policy Statement and Procedure as presented on December 14, 2023 with any changes agreed to by the full Council.

## Staff Contact:

Christy Hoff, Environmental Justice Council Policy Advisor, [christy.hoff@doh.wa.gov](mailto:christy.hoff@doh.wa.gov), 360-688-4699.



# Environmental Justice Council

## 2024 Legislative Session Policy Statement and Procedure

DRAFT – For Discussion Only – This has not been approved by the Environmental Justice Council

### 1. Purpose and Background and Purpose

#### Purpose:

The purpose of this document is to guide Council members and EJC staff in their communications with the Governor’s Office, Legislature, and others regarding: (1) advocating for inclusion of the Council’s budget recommendations in the 2024 supplemental budgets and (2) communicating the Council’s policy positions on legislative and budget proposals for the 2024 legislative session.

#### Background:

The Healthy Environmental for All (HEAL) Act, [RCW 70A.02.110](#), and the Climate Commitment Act (CCA), [RCW 70A.65.040](#), give the Environmental Justice Council (Council or EJC) statutory authority and direction to make recommendations to the Governor and Legislature in several areas:

- The Council may, in consultation with the HEAL Interagency Work Group, make recommendations to the Governor and Legislature on ways to improve agency compliance with the HEAL Act;
- The Council may make recommendations for amendments to the HEAL Act, proposed laws, or other existing laws to promote environmental justice;
- The Council may recommend funding strategies and allocations to build capacity in vulnerable populations and overburdened communities to address environmental injustices;
- The Council must provide recommendations to the Legislature, agencies, and the Governor on the development and implementation of the cap and invest program established in the CCA (RCW 70A.65.060 through 70A.65.210); and

- The Council must provide recommendations to the Legislature, agencies, and the Governor on the programs funded by the CCA accounts.

On September 28, 2023, the Council adopted budget recommendations for the 2024 supplemental budget and on October 26, 2023, the Council adopted additional recommendations to endorse five agency budget requests for funding to implement the HEAL Act and other closely related activities. On November 16, 2023, the Council adopted an additional recommendation related to drinking water quality

~~The purpose of this document is to guide Council members and EJC staff in their communications with the Governor's Office, Legislature, and others regarding: (1) advocating for inclusion of the Council's budget recommendations in the 2024 supplemental budgets and (2) communicating the Council's policy positions on legislative and budget proposals for the 2024 legislative session.~~

## 2. Policy Positions

### 2.1 HEAL Act and the Environmental Justice Council:

- The Council strongly encourages all Washington State legislation to: align with the HEAL Act, build capacity to meet its intent, and not create (but rather remove) barriers to do so.
- The Council's position is that any decision-makers proposing legislation that impacts the Council's statutory authority, duties, or membership should engage with the full Council on the proposed language prior to bill introduction.
- The Council opposes policies that would alter the Council's membership, duties, and/or authority in ways that are counter to the intent of the HEAL Act or would significantly disrupt or delay the Council's work.

- The Council supports policies that both align with the intent of the HEAL Act to promote environmental justice AND significantly align with the intent of, or would be necessary to implement, any of the 2024 supplemental budget recommendations formally adopted by the Council. The Council's positions on alignment with HEAL Act regarding topics like community engagement and environmental justice assessments can be extrapolated from official Council letters or position statements.
- The Council requests that it (the Council) only be added to legislation or budget proposals when the inclusion is directly related to the HEAL Act and CCA and when doing so aligns with the Council's capacity, authority, and structure as an advisory body of volunteer community members with prior consultation with the Council. The Council believes that legislative and budgetary proposals should center free, prior, and informed consent from Federally Recognized Tribes; community engagement; co-governance; and co-design. Therefore, the Council opposes being included in any legislation or budgetary proposals when the sole reason for doing so would be for the Council to serve as a proxy for meaningful Tribal Government Consultation and community engagement.

## 2.2 Climate Commitment Act, Cap and Invest Program, and Air Quality Program:

### For the 2024 legislative session:

- The Council supports the current and expanding support for investing in overburdened communities and vulnerable populations.
- The Council ~~opposes~~ would not support repealing the Climate Commitment Act without consulting with the full Council.
- The Council opposes ~~or~~ redirecting CCA funds away from investments in overburdened communities, vulnerable populations, and from their legislated purpose of reducing pollution and significantly investing in overburdened communities and on Tribal lands.
- The Council opposes any policy that would clearly infringe on our state's ability to curb greenhouse gas (GHG) emissions and/or have a negative effect on overburdened communities and supports Tribal Government positions on such matters.

- The Council opposes policies that would increase the use of offsets as a compliance mechanism for reducing GHG emissions.
- The Council supports policies that increase investments in overburdened communities.
- The Council supports policies that improve air quality in overburdened communities.

### 3. Procedure

#### 3.1 Advocating for the Council's Budget Recommendations:

- The Council directs staff to advocate for the Council's budget recommendations with the Governor's Office, the Office of Financial Management, and the Legislature.
- Any Council Member who wishes to advocate for the Council's budget recommendations **on behalf of** the Council must inform and coordinate with the Council Executive Committee first. Council Members must clearly disclose that they are representing the Council and they must be familiar with and stick to sharing the information in the Council's formally adopted recommendations.
- Council Members may also represent their own or any other -organization or affiliations in support of EJ Council budget recommendations. Council Members must clearly disclose to legislators, the Governor's office, and agency staff that they are not representing the Council but rather their own or any other organization or affiliation. Council Members should inform the Council Executive Committee of their intent to advocate for EJC priorities.
- Any Council Member who receives questions from the Governor's Office, Office of Financial Management, Legislators, or legislative staff about the Council's budget recommendations may respond, using the information in the Council's formally adopted 2024 funding recommendations as a guide. Council Members may also refer the inquiry to staff for a response. Where there is no clear response, the Council Member must refer the question to the staff who will share it with the Council Executive Committee for a solution.

- Council staff will set up meetings with legislators serving on relevant policy and budget committees to share the Council’s budget recommendations. In doing so, staff will coordinate and include Council Members in those meetings as Member interest, expertise, and availability permits. [Council Members and staff who participate in meetings with legislators must file required lobbying reports with the Public Disclosure Commission.](#)
- No Council Member can speak to the motivation of the Council’s policy positions and budget priorities, but can only speak to their individual, community, and/or organization’s perspective on the perceived benefit or harm of such policy position and budget priorities.

### 3.2 Routine Staff Activities During Session:

- Council staff will monitor pre-filed bills and bill introductions to identify bills of potential interest to the Council, including:
  - Bills that affect the Council’s authority or membership, give it extra responsibilities, or otherwise directly impact the Council;
  - Budget bills to determine whether the Council’s adopted budget recommendations are included;
  - Budget bills that recommend CCA expenditure that are not included in the Council’s adopted budget recommendations;
  - Bills related to any policy positions that the Council has formally adopted; and
  - Bills that may harm or impede the Council and the State from accomplishing the goals of the HEAL Act and Climate Commitment Act.
- Council staff will track the progress of any relevant bills as they move through session.
- Council staff will maintain a log of any legislative inquiries to ensure timely response is provided.
- Council staff will complete fiscal notes when assigned. Staff will center environmental justice and equity when estimating costs (e.g., include costs for interpretation and

translation, Tribal and community engagement and co-creation, community stipends, etc.).

### 3.3 Sharing the Council's Formally Adopted Policy Positions:

- As Council staff identify bills that directly align with, or are in conflict with, any of the Council's formally adopted policy positions, they will add them to the tracking list and complete a Bill Analysis to determine if it meets criteria for Council action.
- The Council directs staff to relay the Council's positions in letters to Legislative committees, through written or verbal testimony during public hearings, and/or through meetings with Legislators and the Governor's Office.
- Staff will keep the Council informed on all engagement and invite Council Members to sign letters, provide public comments, and attend meetings on behalf of the Council as time allows and as Members have interest, expertise, and availability.
- Council staff will send regular legislative updates to the full Council throughout session by email and during Council meetings.

# Environmental Justice Council

**Date:** December 14, 2023

**To:** Environmental Justice Council Members

**From:** Sierra Rotakhina, Environmental Justice Council Manager

**Subject:** Media Engagement Policy and Process

## Background and Discussion:

As the Council continues to form and produce additional recommendations and guidance, there is a need for the Council to develop a process for engaging with the media. [Article II](#) of the Council's bylaws (adopted on October 27, 2022) indicates that the "Executive Committee works with Council staff by [...] Identifying the best Council Members to serve as spokespeople for the Council on a case-by-case basis." This language is not specific to spokespeople for interactions with the media and does not provide guidance beyond this high-level statement.

Council staff drafted a media engagement policy and process for the Council to discuss and amend as needed at today's meeting. If time allows following discussion of the 2024 Legislative Session Policy Statement and Procedure, the Council could discuss and possibly consider adopting the media policy today as well.

## Recommended Action:

Discuss, amend as necessary, and adopt the following motion:

The Environmental Justice Council adopts the Environmental Justice Council Media Engagement Policy and Process as presented on December 14, 2023 with any changes agreed to by the full Council.

## Staff Contact:

Sierra Rotakhina, Environmental Justice Council Manager, [sierra.rotakhina@ejc.wa.gov](mailto:sierra.rotakhina@ejc.wa.gov),  
360-584-4398

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## Draft: Environmental Justice Council Media Engagement Policy and Process

### **Discussion Question for the Council:**

Should Council Members be able to speak to the media in their role as EJ Council Members? If yes, the following provides some possible parameters for Council consideration and discussion. If no, the Council may want to consider discussing guidance for staff and members if they receive a media inquiry.

#### **I. Responding to Media Inquiries:**

Under Article II of the Council’s bylaws the “Executive Committee works with Council staff by [...] Identifying the best Council Members to serve as spokespeople for the Council on a case-by-case basis.”

When a member of the media contacts a Council Member for information or an interview on behalf of the Council, the inquiry will be referred to Council staff who will then work with the Executive Committee to determine who will serve as spokespeople for the Council for that specific media inquiry. The Executive Committee may identify one or more Council Members and/or Council staff to speak for the Council in response to that specific inquiry. Acknowledging the rapid turn-around often needed for media inquiries, the Executive Committee should strive to keep an updated list of likely spokespeople by topic to facilitate a quick process.

When a Council Member or staff member has been identified as a spokesperson for a non-media purpose (e.g., presenting or testifying to the Legislature, presenting at a conference, etc.) and questions are asked by the media at or following that event, the designated spokesperson may respond to related media inquiries on behalf of the Council.

When a Council Member or staff members has been identified as a spokesperson for a media inquiry, and there are related follow-up questions from the same or other media outlets, the



Draft: Environmental Justice Council Media Engagement Policy and Process

This is a draft developed by Council staff. This has not been adopted by the Council.

designated spokesperson may continue to respond to related media inquiries on behalf of the Council.

Identified Council spokespeople must follow the following expectations:

- 1) The spokesperson can speak to the content of any position, recommendations, guidance, or communications formally adopted by the full Council.
- 2) The spokesperson can speak to the content of the HEAL Act, Climate Commitment Act, or other relevant policies or budget provisos that outline the Council's authorities and duties when the spokesperson has relevant expertise.
- 3) The spokesperson can speak to the Council's decision-making process and other processes used to develop and finalize the position, recommendations, guidance, or communications formally adopted by the full Council.
- 4) No Council Member can speak to the motivation of the Council's policy positions and budget priorities, but can only speak to their individual, community, and/or organization's perspective on the perceived benefit or harm of such policy position and budget priorities.
- 5) The spokesperson should become familiar with and stick to formal Council guidance, recommendations, and policy documents as a guide.
- 6) If the spokesperson receives questions that they do not know the answer to, they should respond by letting the member of the media know that they do not know the answer and follow up with staff to obtain the needed information. Staff will consult with the Executive Committee if needed.

Council Members who are speaking to the media outside of their role on the Environmental Justice Council and instead on behalf of themselves or their Tribe, organization, agency, institution, community, or any other affiliation should clarify that they are not representing the Environmental Justice Council if the issue being discussed intersects with the EJC's work.

This is a draft developed by Council staff. This has not been adopted by the Council.

## II. Proactive Engagement with the Media

### **Discussion Question for the Council:**

What instances can the Council proactively engage the media? Some possible criteria for consideration:

- The Council establishes the following criteria for proactive engagement with media:
  - a) to inform vulnerable populations and overburdened communities of a position it has taken following thoughtful analysis of the likely environmental justice impacts and with the value of centering community and Tribal voices;
  - b) to correct an egregious misrepresentation of the Council's position(s); or
  - c) to balance public information when agencies promote policies, practices and/or programs that the Council has taken a formal position in opposition due to the potential harm to overburdened communities and vulnerable populations. The full Council, based on discussion or based on individual or Committee recommendation that meets the criteria can issue a press release and/or reach out proactively to the media.
- The Council then directs the appropriate committee to develop the communications materials and messaging in collaboration with the Executive Committee.
- In between Council meetings, a Committee can inform the Council of an instance that meets criteria b or c, and recommend to the Executive Committee proactive media outreach. The Executive Committee can approve the request without full Council approval. The Committee in collaboration with the Executive Committee engages in the proactive media contact consistent with the above Responding to Media guidance.