

# Draft Minutes of the Environmental Justice Council

February 28, 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 Member Maria Batayola
- Council Member Nichole Banegas joined at 3:48pm
- The Honorable Patrick DePoe
- Council Member Maria Blancas
- Council Member Running-Grass
- Council Member Rosalinda Guillen
- Council Member Aurora Martin joined at 4:13pm
- Council Member David Mendoza
- Council Member Esther Min
- Council Member Todd Mitchell
- Council Member Nirae Petty joined at 3:59pm
- Council Member Raeshawna Ware
- The Honorable Annette Bryan on behalf of the Honorable Sylvia Miller
- Council Member Faaluaina Pritchard

### Council Members absent:

- The Honorable Jarred-Michael Erickson
- The Honorable Misty Napeahi

### Agency Ex Officio Liaisons present:

- Laura Blackmore, Puget Sound Partnership
- Eliseo (EJ) Juarez, Department of Natural Resources
- Ahmer Nizam, Department of Transportation

- Michael Furze, Department of Commerce
- Nicole Johnson, Department of Agriculture
- Millie Piazza, Department of Ecology
- Lauren Jenks, Department of Health joined late at 3:50pm

### Council staff:

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

## I. Interpretation Channels and Zoom Instructions

Jonathan Chen, Council Staff, gave instructions for accessing interpretation channels.

## II. Welcome and Roll Call for Quorum

Patrick DePoe, Council Co-Chair, called the public meeting to order at 3:10 pm. Maria Batayola, Council Co-Chair, provided opening comments and acknowledged the passing of staff member, Theo Cielos, the one-year anniversary of the Russian invasion of Ukraine, the police killing of Tyre Nichols, the earthquake in Syria and Turkey, the mass shootings in the month of February, the 11<sup>th</sup> anniversary of the shooting of Trayvon Martin, and the anniversary of Malcolm X's assassination. She also acknowledged the positive anniversary of the EJ Council being created under the HEAL Act. Rowena Pineda, Council Staff, conducted roll call.

Nichole Banegas	Arriving late
Co-Chair Maria Batayola	present
Maria Blancas	present
The Honorable Patrick DePoe	present
The Honorable Jarred-Michael Erickson	absent
Running-Grass	present
Rosalinda Guillen	present
Aurora Martin	Arriving late

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David Mendoza	present
Esther Min	present
Todd Mitchell	present
The Honorable Misty Napeahi	absent
Nirae Petty	Arriving late
Faaluaina Pritchard	present
The Honorable Annette Bryan on behalf of the Honorable Sylvia Miller	present
Raeshawna Ware	present

### III. Approval of Agenda by Council

Co-Chair DePoe facilitated discussion and adoption of the meeting agenda, which was approved unanimously.

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

Co-Chair DePoe facilitated discussion and adoption of the past meeting notes. Members approved adoption of the notes unanimously without any changes.

### V. Executive Committee Updates

Co-Chair DePoe said the Executive Committee has been discussing whether Council Members can have delegates serve in their place or other staff attend for support during Council committee meetings. He said they would continue discussions and bring a recommendation to the full Council at a future meeting.

Rowena Pineda, Council Staff, shared an update on responses to public comment from the previous meeting. She said that the Department of Ecology and Department of Commerce both submitted letters in response to comments shared by Jean Mendoza, Executive Director of Friends of Toppenish Creek. She referred members to those response letters in the meeting packet.

### VI. Public Comments

Co-Chair Batayola opened up the public comment period.

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Morton Alexander shared concerns regarding sewage sludge pollution in his neighborhood affecting their drinking water. He said he was concerned that the Department of Ecology promotes the use of sludge as beneficial. He said the sludge is transported from the urban west to the rural east.

Monica Lowney shared background about herself and her concerns regarding biosolid spread on farmland and the shipment of sewage sludge to Central Washington. She said it is unfair and unjust to those who live in those communities. She said these practices need to stop. She proposed the solution of requiring sewage treatment plants to incorporate newer technologies to break down the chemical compounds in sewage sludge – perhaps using statewide regional centers. She commended the EJ Council for its work.

John Worthington suggested that the EJ Council consider how communities build their “hoods” to scrub out the chemicals. He suggested that the businesses are the “tenants” and the government municipalities are the “landlords” that need to ensure the pollution is dealt with appropriately. He also talked about how overburdened communities are in areas where residential communities were not planned.

Johnny Buck introduced himself as a representative of the Front and Centered coalition. He said there is a community briefing happening tomorrow at noon and they are publishing a community progress report to provide the community with updates on HEAL implementation. He encouraged members to attend.

## VII. Continuing Discussion of Statement on Tribal Lands and Use of the Environmental Health Disparities Map and Funding Recommendations for Council Action

Members discussed how the map currently lacks Tribal data and how adopting a statement works to ensure Tribes are not left out or overlooked when using the map. The Department of Health will have roundtable discussions on the map on March 6 and 29, with Tribal consultations to follow. The Council discussed, made amendments, and adopted the following motion.

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MOTION: The Council adopts the Environmental Health Disparities Map statement as amended at the February 28, 2023 Council meeting and directs staff to submit this statement to the Legislature, the Governor, and HEAL agencies.

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	A
Co-Chair Maria Batayola	A
Maria Blancas	A
The Honorable Patrick DePoe	A
The Honorable Jarred-Michael Erickson	Absent
Running-Grass	A
Rosalinda Guillen	A, first motion
Aurora Martin	A
David Mendoza	A, second motion
Esther Min	A
Todd Mitchell	A
The Honorable Misty Napeahi	Absent
Nirae Petty	A
Faaluaina Pritchard	A
Honorable Annette Bryan on behalf of the Honorable Sylvia Miller	A
Raeshawna Ware	A

### VIII. Council Committees and Interagency Groups Workload Status Reports to Inform 2023 Workload Prioritization and Meeting Planning

Nirae Petty, Council Member and Community Engagement Committee Co-Chair, provided a brief update on the community engagement committee. Before the Council starts with its own

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engagement and provides input to agencies, they have been working to identify community engagement values.

Rowena Pineda, Council Staff, said the Environmental Justice (EJ) Assessment Committee has met twice. The EJ Assessment process needs to be ready by July 1. Therefore, she suggests providing an update in March and a recommendation for the Council's consideration in May.

David Mendoza, Council Member and Climate Commitment Act (CCA) Committee Chair, shared a CCA Committee update. They propose having a presentation from Department of Ecology staff in March on possibly linking Washington's cap and invest program to other jurisdictions and having a recommendation for the Council's consideration by the end of Summer. They are also discussing a budget request for the CCA portal.

Sierra Rotakhina, Council Staff, said the Governance Committee is working on bylaws. They will be bringing updated articles of the bylaws to the Council at future meetings.

Sierra Rotakhina, Council Staff, said that meeting every other month would allow staff to have committee meetings in the interim and get materials out to members in advance of meetings. Co-Chair Batayola suggested scheduling meeting holds during the off months just in case a last-minute meeting needs to be convened. Members shared concerns with being able to accomplish all requirements. Co-Chair Batayola said the Executive Team will work with staff to develop a workplan for the next 5 months and will come back in March with a schedule.

## IX. Legislative Updates

Sierra Rotakhina shared proposed talking points that Council Members and staff could use during session. Todd Mitchell, Council Member, made a motion for adoption. Rosalinda Guillen, Council Member, seconded the motion.

The Council discussed and adopted the following motion.

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MOTION: The Council adopts the legislative talking points as presented at the February 28, 2023 Council meeting

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	B
Co-Chair Maria Batayola	A
Maria Blancas	A
The Honorable Patrick DePoe	A
The Honorable Jarred-Michael Erickson	Absent
Running-Grass	F
Rosalinda Guillen	A
Aurora Martin	A
David Mendoza	A
Esther Min	A
Todd Mitchell	A
The Honorable Misty Napeahi	absent
Nirae Petty	A
Faaluaina Pritchard	absent
The Honorable Annette Bryan on behalf of the Honorable Sylvia Miller	absent
Raeshawna Ware	absent

Council staff shared that HB 1664 would have amended the HEAL Act to increase membership of Council members in rural areas. It would have terminated all current Council member appointments and required the Governor to reappoint. While the bill has died, it provides an opportunity for the Council to discuss the importance of elevating rural voices. It also highlights the need for having talking points that members and staff can use if bills are introduced on topics where the Council has not adopted a position. Council Member Mendoza said HB 1541, the Nothing About Us Without Us Act, would require diversity in membership. He said it is still alive and

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moving through the legislative process. Co-Chair Batayola asked the Community Engagement Committee to consider prioritizing outreach to rural communities.

Sierra Rotakhina shared three budget recommendations that have been put forward by Council committees:

- Rec 1: Additional Agency Funding to Implement the HEAL Act
- Rec 2: Capacity Grants for EHD Map Updates
- Rec 3: Portal to Track Climate Commitment Act

Ahmer Nizam, Ex Officio Member, asked for the Department of Transportation to be added to the first recommendation. Esther Min, Council Member, said there was a need for funding for tribal and community participation in implementation of the HEAL Act. Members stressed that budget estimates be commensurate with the task and that funding be easily accessible to tribes, tribal organizations, and communities. Members suggested that staff develop the budget estimates and budget proviso language. The Council discussed, made amendments, and adopted the following motion.

MOTION: The Council adopts Recommendations 1, 2, and 3 as amended at the February 28, 2023 Council meeting and directs staff to submit the language to the Legislature, the Governor, and the Office of Financial Management to inform the 2023-2025 budget.

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	B
Co-Chair Maria Batayola	A
Maria Blancas	A
The Honorable Patrick DePoe	A
The Honorable Jarred-Michael Erickson	Absent
Running-Grass	A
Rosalinda Guillen	A, First motion
Aurora Martin	absent
David Mendoza	A
Esther Min	A, Second
Todd Mitchell	absent
Honorable Misty Napeahi	absent
Nirae Petty	A
Faaluaina Pritchard	absent
The Honorable Annette Bryan on behalf of the Honorable Sylvia Miller	absent
Raeshawna Ware	absent

## X. Environmental Justice Assessment Guidance Update and Development Process

The Council was unable to get to this agenda item.

## XI. Council Community Engagement Committee Recommendations for Discussion and Council Action

The Council was unable to get to this agenda item.

## XII. Appreciation and Adjournment

Co-Chair DePoe thanked members for their dedication and commitment. Co-Chair Batayola adjourned the meeting at 6:35pm.