

Environmental Justice Council

January 25, 2024 Meeting Materials

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If additional written comments are submitted, they will be posted on the Council’s website as supplemental materials.

Consejo de Justicia Ambiental (EJC)

Jueves 25 de enero de 2024

De 3:30 p. m. a 6:30 p. m.

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

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

Id. del seminario web: 817 4786 4781

O únase por teléfono: +1 253 215 8782

Id. del seminario web: 817 4786 4781

Números internacionales disponibles: <https://us02web.zoom.us/u/kd6MqgTVTL>

Objetivos de la reunión:

1. Recibir información actualizada de la Oficina del Gobernador y las agencias de HEAL (por su sigla en inglés, Medioambiente Sano para Todos) y debatir sobre los siguientes temas:
 - a. Presupuestos propuestos por el Gobernador para 2024
 - b. Ley de Compromiso Climático
 - c. Proceso para identificar comunidades sobrecargadas y poblaciones vulnerables
2. Adoptar los principios de planificación y volumen de trabajo del Consejo para 2024 y el plan de trabajo del Consejo para 2024.
3. Debatir, modificar según sea necesario y adoptar los estatutos.
4. Recibir una actualización legislativa por parte del personal, debatir las cuestiones emergentes, considerar si es necesaria alguna acción del Consejo, y que el Consejo actúe según corresponda.

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 3:35 p. m.	I. Bienvenida y pasaje de lista para verificar que haya cuórum	El honorable Jarred-Michael Erickson Copresidenta Maria Batayola Miembros del Consejo
De 3:35 p. m. a 3:40 p. m.	II. Aprobación del orden del día por parte del Consejo III. Aprobación de las notas de la reunión del 14 de diciembre de 2024 por parte del Consejo - Posibles medidas del Consejo	Miembro del Consejo Aurora Martin Miembros del Consejo
De 3:40 p. m. a 3:50 p. m.	IV. Comentarios públicos	Miembro del Consejo Rosalinda Guillen
De 3:50 p. m. a 4:15 p. m.	V. Actualización y diálogo con la Oficina del Gobernador y las agencias de HEAL Objetivo: Recibir información actualizada de la Oficina del Gobernador y las agencias de HEAL y debatir sobre los siguientes temas: a. Presupuestos propuestos por el Gobernador para 2024 b. Ley de Compromiso Climático c. Proceso para identificar comunidades sobrecargadas y poblaciones vulnerables	Miembro del Consejo Esther Min Carrie Sessions, Oficina del Gobernador Becky Kelley, Oficina del Gobernador Jim Cahill, Oficina de Gestión Financiera Millie Piazza, Departamento de Ecología Michael Furze, Departamento de Comercio Miembros del Consejo
Receso de 5 minutos		

<p>De 4:20 p. m. a 5:00 p. m.</p>	<p>VI. Planificación del trabajo y establecimiento del orden del día del Consejo de Justicia Ambiental para 2024</p> <p>a. Principios de planificación del trabajo del Consejo</p> <p>b. Criterios del Consejo para determinar qué trabajos asumir</p> <p>c. Asistencia técnica del Consejo frente a orientación formal del Consejo</p> <p>d. Plan de trabajo del Consejo para 2024</p> <p>Objetivos: Adoptar los principios de planificación y volumen de trabajo del Consejo para 2024 y el plan de trabajo del Consejo para 2024.</p> <p>- Posibles medidas del Consejo</p>	<p>Copresidenta Maria Batayola</p> <p>Sierra Rotakhina, personal del Consejo</p> <p>Miembros del Consejo</p>
<p>De 5:00 p. m. a 5:40 p. m.</p>	<p>VI. Debate y posible adopción de los estatutos del Consejo</p> <p>Objetivos: Debatir, modificar según sea necesario y adoptar los estatutos.</p> <p>- Posibles medidas del Consejo</p>	<p>Miembro del Consejo Aurora Martin</p> <p>Comité Directivo</p> <p>Sierra Rotakhina, personal del Consejo</p> <p>Miembros del Consejo</p>
<p>Receso de 5 minutos</p>		

<p>De 5:40 p. m. a 6:20 p. m.</p>	<p>VII. Actualización legislativa, debate sobre cuestiones emergentes y posibles medidas del Consejo</p> <p>Objetivos: Recibir una actualización legislativa por parte del personal, debatir las cuestiones emergentes, considerar si es necesaria alguna acción del Consejo, y que el Consejo actúe según corresponda.</p> <p>- Posibles medidas del Consejo</p>	<p>El honorable Jarred-Michael Erickson</p> <p>Christy Hoff, personal del Consejo</p> <p>Jonathan Chen, personal del Consejo</p> <p>Sierra Rotakhina, personal del Consejo</p>
<p>De 6:20 p. m. a 6:30 p. m.</p>	<p>IX. Agradecimientos y cierre</p>	<p>Copresidenta Maria Batayola</p> <p>El honorable Jarred-Michael Erickson</p>

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 en un formato alternativo, envíe un correo electrónico a Sierra Rotakhina en cualquier idioma a envjustice@ejc.wa.gov o llame al 360-584-4398.

Environmental Justice Council (EJC)

Thursday, January 25, 2024

3:30pm – 6:30pm

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/kd6MggTvTL>

Meeting Goals:

1. Receive updates from the Governor’s Office and HEAL agencies and have a discussion on the following topics:
 - a. Governor’s Proposed 2024 Budgets
 - b. Climate Commitment Act
 - c. Process to Identify Overburdened Communities and Vulnerable Populations
2. Adopt 2024 Council Workload Planning and Management Principles, 2024 Council Work Plan, and processes for Council Policy Guidance/Recommendations and Non-Policy Input.
3. Discuss, edit as needed, and adopt bylaws.
4. Receive a legislative update from staff, discuss emerging issues, consider if any Council action is needed, and take Council action as needed.

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

The Honorable Jarred-Michael Erickson

Co-Chair Maria Batayola
Council Members

<p>3:35 PM – 3:40 PM</p> <p>Meeting notes on page 9</p>	<p>II. Approval of Agenda by Council</p> <p>III. Approval of December 14, 2023 Meeting Notes by Council</p> <p>-Possible Council Action</p>	<p>Council Member Aurora Martin</p> <p>Council Members</p>
<p>3:40 PM – 3:50 PM</p>	<p>IV. Public Comment</p>	<p>Council Member Rosalinda Guillen</p>
<p>3:50 PM- 4:15 PM</p> <p>Materials on page 17</p>	<p>V. Update and Dialogue with the Governor’s Office and HEAL Agencies</p> <p>Goal: Receive updates from the Governor’s Office and HEAL agencies and have a discussion on the following topics:</p> <ul style="list-style-type: none"> a. Governor’s Proposed 2024 Budgets b. Climate Commitment Act c. Process to Identify Overburdened Communities and Vulnerable Populations 	<p>Council Member Esther Min</p> <p>Carrie Sessions, Governor’s Office</p> <p>Becky Kelley, Governor’s Office</p> <p>Jim Cahill, Office of Financial Management</p> <p>Millie Piazza, Department of Ecology</p> <p>Michael Furze, Department of Commerce</p> <p>Council Members</p>
<p>5 Minute Break</p>		
<p>4:20 PM – 5:00 PM</p> <p>Materials on page 30</p>	<p>VI. Environmental Justice Council 2024 Work Planning and Agenda Setting</p> <ul style="list-style-type: none"> a. Council workload planning and management principals b. Council 2024 workplan c. Council policy guidance/recommendations versus non-policy input 	<p>Co-Chair Maria Batayola</p> <p>Sierra Rotakhina, Council Staff</p> <p>Council Members</p>

<p>d. Criteria for the Council to determine which work to take on</p> <p>Goals: Adopt 2024 Council Workload Planning and Management Principles, 2024 Council Work Plan, and processes for Council Policy Guidance/Recommendations and Non-Policy Input.</p> <p>-Possible Council Action</p>		
<p>5:00 PM – 5:40 PM</p> <p>Materials on page 44</p>	<p>VI. Discussion and Potential Adoption of Council Bylaws</p> <p>Goals: Discuss, edit as needed, and adopt bylaws.</p> <p>-Possible Council Action</p>	<p>Council Member Aurora Martin</p> <p>Governance Committee</p> <p>Sierra Rotakhina, Council Staff</p> <p>Council Members</p>
<p>5 Minute Break</p>		
<p>5:40 PM – 6:20 PM</p> <p>Materials on page 58</p>	<p>VII. Legislative Update, Discussion of Emerging Issues, and Possible Council Action</p> <p>Goals: Receive a legislative update from staff, discuss emerging issues, consider if any Council action is needed, and take Council action as needed.</p> <p>-Possible Council Action</p>	<p>The Honorable Jarred-Michael Erickson</p> <p>Christy Hoff, Council Staff</p> <p>Jonathan Chen, Council Staff</p> <p>Sierra Rotakhina, Council Staff</p>
<p>6:20 PM – 6:30 PM</p>	<p>IX. Appreciations and Adjournment</p>	<p>Co-Chair Maria Batayola</p> <p>The Honorable Jarred-Michael Erickson</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.
- To request this document in an alternate format or a different language, please contact Sierra Rotakhina in any language, at envjustice@ejc.wa.gov or 360-584-4398.

Draft Minutes of the Environmental Justice Council

12/14/2023

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 or by calling 360-584-4398.

Council Members present:

- Co-Chair Member Maria Batayola
- Council Member Maria Blancas
- Interim Co-Chair, the Honorable Jarred-Michael Erickson
- Council Member Running-Grass
- Council Member Rosalinda Guillen
- Council Member Aurora Martin
- Council Member David Mendoza
- Council Member Todd Mitchell
- AJ Dotzauer on behalf of The Honorable Misty Napeahi (joined at 3:44pm)
- Council Member Faaluaina Pritchard
- Council Member Raeshawna Ware

Council Members absent:

- Council Member Nichole Banegas
- Council Member Esther Min

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 on behalf of Millie Piazza, Department of Ecology
- Lauren Jenks, Department of Health

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 meeting to order. Rowena Pineda, Council Staff, facilitated roll call.

Nichole Banegas	Business Representative	Absent
Maria Batayola (EJ Council Co-Chair)	Community Representative	Present
Maria Blancas	Community Representative	Present
The Honorable Jarred-Michael Erickson (EJ Council Interim Co-Chair)	Tribal Representative	Present
Running-Grass	EJ Practitioner	Present
Rosalinda Guillen	Community Representative	Present
Aurora Martin	Community Representative	Present
David Mendoza	Representative At Large	Present
Esther Min	EJ Practitioner	Absent
Todd Mitchell	Union Representative	Present
AJ Dotzauer On behalf of The Honorable Misty Napeahi	Tribal Representative	Present
Faaluaina Pritchard	Community Representative	Present
Raeshawna Ware	Community Representative	Present

II. Approval of Agenda by Council

Aurora Martin, Council Member, facilitated adoption of the [agenda](#).

Motion: The Council adopts the agenda.

Lua Pritchard (motion)/Raeshawna Ware (second). No objections noted. The motion passed.

To request this document in an alternate format or a different language, please contact Sierra Rotakhina in any language, at envjustice@ejc.wa.gov or 360-584-4398.

III. Approval of October 26, 2023 and November 16, 2023 Meeting Notes by Council

Member Martin facilitated adoption of the [meeting notes](#) (see pages 6-18).

Motion: The Council adopts the October 26, 2023 and November 16, 2023 meeting notes.

Lua Pritchard (motion)/David Mendoza (second). No objections noted. The motion passed.

IV. Public Comments

Rosalinda Guillen, Council Member, opened up the public comment period.

John Worthington said a definition of overburdened communities relied on information that did not include data on shipping emissions. He shared his belief that funds for overburdened communities are reparations under the guise of climate change.

Arvia Morris said she hopes the Legislature will use CCA funds for the Cascade passenger service to improve travel. Passenger rail is helpful for folks who do not drive. If folks live near the rail corridor, they can get to needed medical visits. Some people cannot afford to own a car. WSDOT could apply for grants and receive federal matching funds to improve trip times and reliability. She hopes the EJ Council will urge WSDOT to use CCA funds to obtain federal match to improve passenger rail.

V. Consider Adoption of the Council's 2024 Meeting Schedule

Co-Chair Batayola said the Council is required to adopt an annual meeting schedule. She shared the proposed schedule and said they had some dates proposed for an in-person full day retreat in May. Members agreed that May 3 would be the best date in May. Members discussed the possibility of meeting in Eastern Washington.

Motion: The Council adopts the proposed [2024 Council Meeting Schedule](#) (see page 20) with any changes agreed upon by the Council members at the December 14, 2023 meeting.

The Motion passed.

To request this document in an alternate format or a different language, please contact Sierra Rotakhina in any language, at envjustice@ejc.wa.gov or 360-584-4398.

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	Business Representative	Absent
Maria Batayola (EJ Council Co-Chair)	Community Representative	A
Maria Blancas	Community Representative	A
The Honorable Jarred-Michael Erickson (EJ Council Interim Co-Chair)	Tribal Representative	A, Motion
Running-Grass	EJ Practitioner	A
Rosalinda Guillen	Community Representative	A, Second
Aurora Martin	Community Representative	A
David Mendoza	Representative At Large	A
Esther Min	EJ Practitioner	Absent
Todd Mitchell	Union Representative	A
AJ Dotzauer On behalf of The Honorable Misty Napeahi	Tribal Representative	A
Faaluaina Pritchard	Community Representative	Absent
Raeshawna Ware	Community Representative	A

VI. Continue Discussion and Consider Adoption of the Council’s Process for the 2024 Legislative Session

Co-Chair Batayola reminded members of their process to prepare for the upcoming legislative session. Staff reviewed the 2024 Legislative Session Policy Statement and Procedure document. Co-Chair Batayola asked members to share which sections they were ready to adopt and which they wanted to discuss further. The Council adopted the full document over three motions, allowing the Council to quickly adopt sections that already had consensus and then to discuss and amend as needed the remaining sections and subsections.

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Motion: The Environmental Justice Council adopts the following sections: Section 1 and Subsections 2.1, 3.1, 3.2, and 3.3 of the [2024 Legislative Session Policy Statement and Procedure](#) (see page 24) as presented on December 14, 2023 with the change agreed to by the full Council during the meeting.

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	Business Representative	Absent
Maria Batayola (EJ Council Co-Chair)	Community Representative	A
Maria Blancas	Community Representative	A
The Honorable Jarred-Michael Erickson (EJ Council Interim Co-Chair)	Tribal Representative	A
Running-Grass	EJ Practitioner	A
Rosalinda Guillen	Community Representative	A, Second
Aurora Martin	Community Representative	A
David Mendoza	Representative At Large	A, Motion
Esther Min	EJ Practitioner	Absent
Todd Mitchell	Union Representative	A
AJ Dotzauer On behalf of The Honorable Misty Napeahi	Tribal Representative	A
Faaluaina Pritchard	Community Representative	Absent
Raeshawna Ware	Community Representative	A

Members then discussed Section 2.2 of the document and Co-Chair Batayola asked for a vote. Interim Co-Chair Erickson expressed concern with the policy statement on linkage. The motion failed on the first vote. Following discussion, the motion passed through consensus on the second vote.

To request this document in an alternate format or a different language, please contact Sierra Rotakhina in any language, at envjustice@ejc.wa.gov or 360-584-4398.

First Vote:

Motion: The Environmental Justice Council adopts subsection 2.2 of the [2024 Legislative Session Policy Statement and Procedure](#) (see page 24) as presented on December 14, 2023 with any changes agreed to by the full Council at the meeting.

Motion failed.

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	Business Representative	Absent
Maria Batayola (EJ Council Co-Chair)	Community Representative	A
Maria Blancas	Community Representative	A
The Honorable Jarred-Michael Erickson (EJ Council Interim Co-Chair)	Tribal Representative	E
Running-Grass	EJ Practitioner	A
Rosalinda Guillen	Community Representative	A
Aurora Martin	Community Representative	A, Second
David Mendoza	Representative At Large	A, Motion
Esther Min	EJ Practitioner	Absent
Todd Mitchell	Union Representative	A
AJ Dotzauer On behalf of The Honorable Misty Napeahi	Tribal Representative	A
Faaluaina Pritchard	Community Representative	Absent
Raeshawna Ware	Community Representative	A

Members continued to discuss the proposed policy statement regarding linkage. Co-Chair Erickson indicated he had concerns, but he didn't want to block the vote.

Second Vote:

Motion: The Environmental Justice Council adopts subsection 2.2 of the [2024 Legislative Session Policy Statement and Procedure](#) (see page 24) as presented on December 14, 2023 with any changes agreed to by the full Council at the meeting.

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	Business Representative	Absent
Maria Batayola (EJ Council Co-Chair)	Community Representative	A
Maria Blancas	Community Representative	A
The Honorable Jarred-Michael Erickson (EJ Council Interim Co-Chair)	Tribal Representative	D
Running-Grass	EJ Practitioner	A
Rosalinda Guillen	Community Representative	A
Aurora Martin	Community Representative	A, Second
David Mendoza	Representative At Large	A, Motion
Esther Min	EJ Practitioner	Absent
Todd Mitchell	Union Representative	A
AJ Dotzauer On behalf of The Honorable Misty Napeahi	Tribal Representative	A
Faaluaina Pritchard	Community Representative	Absent
Raeshawna Ware	Community Representative	A

Next the Council discussed the draft media policy and agreed to only focus on discussion and possible adoption of section I today.

Proposed Motion for Media Policy: The Environmental Justice Council adopts section I

(Responding to Media Inquiries) of the Environmental Justice Council [Media Engagement Policy](#)

To request this document in an alternate format or a different language, please contact Sierra Rotakhina in any language, at envjustice@ejc.wa.gov or 360-584-4398.

[and Process](#) (see page 30) as presented on December 14, 2023 with any changes agreed to by the full Council.

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	Business Representative	Absent
Maria Batayola (EJ Council Co-Chair)	Community Representative	A
Maria Blancas	Community Representative	A
The Honorable Jarred-Michael Erickson (EJ Council Interim Co-Chair)	Tribal Representative	A, Second
Running-Grass	EJ Practitioner	A
Rosalinda Guillen	Community Representative	A
Aurora Martin	Community Representative	Absent
David Mendoza	Representative At Large	A
Esther Min	EJ Practitioner	Absent
Todd Mitchell	Union Representative	A
AJ Dotzauer On behalf of The Honorable Misty Napeahi	Tribal Representative	A, Motion
Faaluaina Pritchard	Community Representative	Absent
Raeshawna Ware	Community Representative	A

VII. Appreciations and Adjournment

Interim Co-Chair Erickson thanked everyone for their work and adjourned the meeting.

To request this document in an alternate format or a different language, please contact Sierra Rotakhina in any language, at envjustice@ejc.wa.gov or 360-584-4398.

Environmental Justice Council

Date: January 25, 2024

To: Environmental Justice Council Members

From: Sierra Rotakhina, Environmental Justice Council Manager

Subject: Update and Dialogue with the Governor's Office and HEAL Agencies

Background and Summary:

Today the Council will receive updates from the Governor's Office and HEAL agencies and have a discussion on the following topics:

- a. Governor's Proposed 2024 Budgets
- b. Climate Commitment Act (CCA)
- c. Process to Identify Overburdened Communities and Vulnerable Populations

Carrie Sessions, Governor's Senior Policy Advisor for Environment and Water; Becky Kelley, Governor's Senior Policy Advisor for Climate; and Jim Cahill, Senior Budget Advisor to the Governor will be joining the Council today for this agenda item to provide updates to the Council. Additionally, Millie Piazza, Department of Ecology Ex Officio Member, and Michael Furze, Department of Commerce Ex officio Member, will also be supporting the update on the process to identify Overburdened Communities and Vulnerable Populations.

[Page 18](#) of your meeting packet includes a letter from the Governor's Office to the Council outlining Council budget recommendations included in the Governor's budgets (see also [page 59](#) for a Council staff analysis of the Governor's budgets). [Page 21](#) includes a fact sheet outlining the Governor's proposed CCA investments to benefit Tribes and overburdened communities.

Staff

Sierra Rotakhina, Council Manager, sierra.rotakhina@ejc.wa.gov, 360-584-4398

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

December 13, 2023

Dear members of the Environmental Justice Council,

On behalf of Governor Inslee, thank you for your recommendations on investment of Climate Commitment Act (CCA) revenues in the 2024 supplemental budget. In coordination with state agencies, the Governor's Office and Office of Financial Management closely reviewed and considered your recommendations.

Your recommendations were valuable to ensuring that the [Governor's 2024 supplemental budget provides meaningful benefit to vulnerable populations in overburdened communities](#). As representatives of frontline communities, you are well positioned to identify programs and projects that are a high priority for community members; your recommendations helped us direct investments towards these priorities. We acted on many of your recommendations by funding the specific recommendation or by funding an appropriation that we believe advances the intent of the recommendation. For those recommendations that we did not act upon, we welcome discussion with you and with the Legislature on our perspective and next steps.

The list below identifies the recommendations funded in the Governor's proposed budget, either in whole or in part.

Most of these recommendations have been funded through revenues collected under the CCA. The CCA requires that at least 35% of annual investments — with a goal of 40% — must provide direct and meaningful benefits to vulnerable populations in overburdened communities. The CCA also requires that not less than 10% of CCA investments are supported by a Tribal resolution.

The Governor's 2024 supplemental budget invests \$900 million of Climate Commitment Act revenues. **Of this, \$366 million (41%) is invested to benefit vulnerable populations in overburdened communities. Nearly \$23 million is directed explicitly to Tribes, with an additional \$80.5 million invested in salmon restoration programs and projects that are important to protect Tribes' culture and respect treaty rights.** Tribes are also eligible recipients of most of the programs that make up the \$366 million invested in overburdened communities. In response to input from community groups for increased transparency and accountability, many appropriations in the budget include specific proviso language that prioritizes overburdened communities.

Thank you again for your budget recommendations. We look forward to continuing to work with you and the legislature on these investments.

Sincerely,



Carrie Sessions
Senior Policy Advisor on Environment and Water
Office of Governor Inslee

Council recommendations included, in whole or part, in the Governor’s proposed budget:

- **Community co-governance framework pilot (community assemblies):** \$1 million is provided to the Department of Social and Health Services for this purpose.
- **Community-led decarbonization and energy resilience:** The Governor’s budget provides \$110 million to the Department of Commerce to expand the Clean Energy Fund to include a *Clean Communities Program* aimed at developing community-driven, neighborhood-scale sustainability projects. Ten million dollars of this amount will go towards a new *Clean Energy Ambassadors Program* to assist community and local government leaders to develop and implement these projects. The remaining \$100 million will fund comprehensive community decarbonization projects, which will include energy efficiency improvements, renewable energy generation, increasing the supply of affordable, energy efficient housing, zero-emission transportation infrastructure including active- and micro-mobility, education and engagement, and workforce development. Of the \$110 million provided, we estimate that \$90 million will benefit vulnerable populations in overburdened communities.
- **School environmental justice:** A total of \$40 million is provided for grants to school districts to replace deteriorating heating, ventilation, and air conditioning (HVAC) systems, and undertake energy efficiency upgrades, air filtration enhancements, and general air quality improvements. This will make it easier for kids to learn safely and comfortably. The program will prioritize school districts serving vulnerable populations in overburdened communities.
- **Infrastructure and land acquisition for tribal climate adaptation and mitigation and technical assistance and planning for Tribes and communities for climate adaptation:** An additional \$10 million is provided to the Department of Ecology for flexible tribal capacity grants for climate and clean energy-related related needs, including planning. This funding builds upon investments in the 2023-25 biennial budget including \$50 million for tribal climate adaptation and mitigation grants and \$16 million of ongoing funding for tribal capacity grants.
- **Reducing barriers to grant programs:** The Governor’s budget provides \$253,000 to the Department of Commerce to incorporate equity and environmental justice into agency grant programs by reducing programmatic barriers to accessing department funds.
- **All transportations systems study for commercial aviation work group**
 - **Air cargo and passenger study:** \$125,000 is provided to the Washington State Institute for Public Policy (WSIPP) to conduct an independent, non-partisan assessment of the passenger and air cargo forecasts and a comprehensive literature review to identify effective national and international strategies to reduce demand for air travel.
 - **Commercial Aviation Work Group:** The budget includes direction to the Department of Transportation to use existing funding for the Commercial Aviation Work Group to conduct meaningful engagement with overburdened communities and vulnerable populations to address the state's transportation needs and the environmental justice impact of aviation in communities.

- **Community-based health assessments and health equity zone initiative:** \$304,000 is provided to the Department of Health to continue implementation of health equity zones. The community-selected advisory committee has selected the first rural and urban zones, and the first tribal zone will be selected in early 2024. Funds will allow communities to identify priorities and begin implementation of interventions to reduce health disparities at the local level.
- **Frequent accessible transit:** \$900,000 is provided to the Department of Transportation to conduct research recommended in the 2023 Frequent Transit Service study including frequent accessible transit studies to identify ways to achieve more accurate and precise analysis of disparities in access to public transit.
- **Clean and safe drinking water:** \$1 million is provided to the Department of Commerce to support rapid response to drinking water emergencies in overburdened communities, including the provision of water testing and emergency water supplies.
- **Department of Health decision package for the Environmental Justice Council and Implementing the HEAL Act:** The Governor's budget provides \$1.17 million to the Department of Health for these purposes.
- **Department of Agriculture decision package for a Tribal affairs liaison:** \$257,000 is provided for a dedicated tribal liaison to manage and facilitate relationships with tribes.
- **Department of Commerce decision package for strengthening tribal relations:** \$643,000 is provided to add staff capacity to respond to internal and external requests for support, engagement, and consultation with Tribes.

Notes on additional Council recommendations:

- **Participatory budgeting:** The Governor's budget incorporates some of the proviso changes recommended, including changing the fund source from annual to biennial and adjusting language to serve at least five geographically diverse communities. We welcome further discussion with the Council and legislators on the topic.
- **Centralizing communication on HEAL and CCA-related opportunities:** While the Governor's budget does not fund this item in exactly the form the Council recommended, the Governor's budget provides \$4 million in funding for Department of Commerce to develop a centralized location for grant seekers to find all state and federal grant and incentive opportunities in the energy, climate, and clean technology sectors. The portal will be designed to be accessible to community groups supporting vulnerable populations in overburdened communities.

Gov. Jay Inslee’s proposed Climate Commitment Act investments to benefit overburdened communities and Tribes

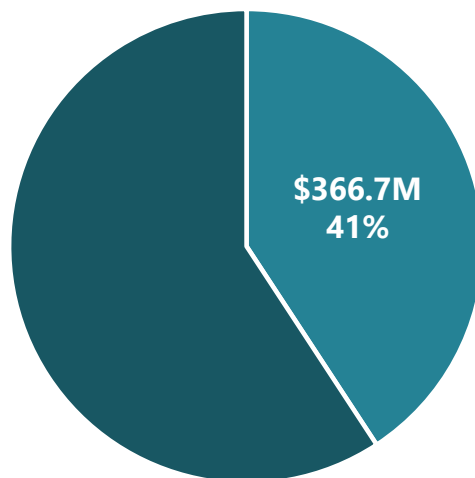
December 2023

The Climate Commitment Act (CCA) sets a declining cap on greenhouse gas emissions and requires the state’s largest emitters to purchase allowances for their planet-warming pollution. The law requires the Legislature to invest revenue from this cap-and-invest program to reduce emissions and create jobs, including in clean buildings and transportation, and improve community resiliency in the face of climate change.

The CCA centers environmental justice and equity, ensuring communities that bear the greatest burdens from climate change and pollution today see cleaner, healthier air and water as the state cuts emissions. Specifically, the CCA requires that no less than 35% of annual investments — with a goal of 40% — must provide direct and meaningful benefits to vulnerable populations in overburdened communities. The act also requires that no less

than 10% of CCA investments are supported by a Tribal resolution.

The governor’s 2024 supplemental budget achieves these requirements by directly investing in programs and projects that benefit overburdened communities and Tribes. Across the 2024 operating, capital and transportation supplemental budgets, the governor invests nearly \$900 million of CCA revenue. Of that total, **we estimate that nearly \$367 million, or 41%, will benefit vulnerable populations in overburdened communities. Nearly \$23 million is directed explicitly to Tribes, with an additional \$80.5 million invested in salmon restoration programs and projects that are important to protect Tribes’ culture and respect treaty rights.** Tribes are also eligible recipients of most of the programs that make up the nearly \$367 million invested in overburdened communities.



Total: \$899,690,000

41% of CCA investments in Gov. Inslee’s 2024 supplemental budgets will benefit vulnerable populations in overburdened communities.

The governor's budget was informed by funding recommendations from the Environmental Justice Council. Additionally, in response to input from community groups for increased transparency, many appropriations in the budget include specific proviso language that prioritizes and benefits overburdened communities.

These investments also add to [historic investments in overburdened communities made in the 2023 -25 biennial budget](#). Across the 2023-25 operating, capital, and transportation biennial budgets, the Legislature invested nearly \$924 million in overburdened communities, comprising 43% of total CCA investments. It also included more than \$155 million explicitly to Tribes and an additional \$142 million invested in salmon restoration programs and projects that are important to Tribes to protect their culture and respect treaty rights.

The Governor's Office, Office of Financial Management (OFM) and cabinet agencies are committed to ensuring that CCA revenues are invested in overburdened communities and Tribes. We will continue to work with the Legislature, Environmental Justice Council, and community representatives to ensure these commitments remain upheld.

Invest in overburdened communities

Gov. Inslee's proposed 2024 operating, capital, and transportation supplemental budgets invest nearly \$367 million of CCA revenue in creating meaningful benefits for vulnerable populations in overburdened communities. Some of the major investments specifically for overburdened communities in the operating and capital budgets include the following.

Note that some of these programs are not directed *entirely* to benefit overburdened communities. The dollar figures shown below

reflect the minimum amount we expect to be invested to benefit these communities.

- \$90 million for the Department of Commerce to expand the Clean Energy Fund. This includes a Clean Communities program to develop community-driven, neighborhood-scale sustainability projects. State 'clean energy ambassadors' will assist government and community leaders of vulnerable and overburdened communities to develop and implement these projects.
- \$90 million for the Department of Commerce to provide low- and moderate-income Washingtonians in overburdened communities with a one-time \$200 credit on residential electricity bills. This will help offset the cost of rising oil and gas prices.
- \$75 million to improve home energy efficiency and indoor air quality in affordable multifamily housing located in overburdened communities by undertaking benchmarking, energy management, operations and maintenance planning, retrofits, energy efficiency upgrades and installing high-efficiency electric appliances, equipment and heat pumps.
- \$25 million to incentivize the transition from diesel school buses and other student transport vehicles operating in overburdened communities to electric. This includes building out the necessary charging infrastructure for zero emissions student transportation.
- \$16 million to improve air quality in schools located in overburdened communities. Funding will provide grants to school districts to replace deteriorating heating, ventilation and air conditioning (HVAC) systems, and undertake energy

efficiency upgrades, air filtration enhancements and general air quality improvements. These efforts will make it easier for children to learn safely and comfortably.

- \$16 million for state matching funds for competitive federal funding opportunities that benefit vulnerable populations in overburdened communities.
- \$1 million to the Department of Social and Health Services to facilitate public assemblies, which community-based organizations host. These will elevate community solutions and expertise on funding and policy solutions to transition Washington toward a more equitable and climate-resilient state.
- \$263,000 to build on federal funding for the University of Washington Thriving Communities Technical Assistance Center. This funding will help overburdened communities and tribes access state and federal funding dedicated to advancing environmental justice.
- \$253,000 for the Department of Commerce to incorporate equity and environmental justice into agency grant programs by reducing programmatic barriers to accessing grants.
- \$150,000 to pilot Health Equity Zones for community-selected advisory committees to identify priorities and interventions to reduce health disparities at the local level.
- \$1.17 million to support the state's implementation of the Healthy Environment for All (HEAL) Act by adding capacity to the Environmental Justice Council and Department of Health.
- \$900,000 for the Department of Transportation to conduct research

recommended in the 2023 Frequent Transit Service study. This includes identifying ways to achieve more accurate and precise analysis of disparities in how people access public transit.

- Direct the Department of Transportation to use its existing funding for the Commercial Aviation Work Group. This group will conduct meaningful community engagement with overburdened and vulnerable populations to address the state's transportation needs and the environmental justice impact of aviation in communities.

Invest to benefit Tribes

The proposed 2024 budgets designate nearly \$23 million of CCA funding explicitly to Tribes. Tribal communities are also eligible to apply for other CCA-funded programs. The governor proposes an additional \$80.5 million of CCA revenues in salmon restoration programs and projects that are important to Tribes to protect their culture and respect treaty rights.

These investments build upon funding in the 2023-2025 biennial budgets, where the Legislature invested nearly \$155 million explicitly to Tribes and an additional \$142 million for salmon and other tribal priorities.

The CCA requires that at least 10% of CCA investments are supported by a Tribal resolution (RCW 70A.65.230(10(b))). It is anticipated that tribes will ultimately receive and/or formally support more than 10% of total CCA appropriations. The Governor's Office and OFM will work with agencies to track progress on meeting this requirement.

Significant CCA investments designated specifically for Tribes include:

- \$10 million in capacity funding to Tribes to support them as they mitigate and adapt

to the effects of climate change. This adds to \$16 million appropriated in the 2023-25 biennial budgets and expands the purposes for how the funds may be used.

- \$5 million to provide federally recognized Tribes with grants to purchase electric boats and motors, enabling continued cultural and fishing practices while reducing greenhouse gas emissions.
- \$4 million for the Nisqually Tribe to begin designing and developing a microgrid system to power the Tribe's facilities and help them move toward energy sovereignty.
- \$2 million for a Tribal clean energy innovation and training center, in partnership with Northwest Indian College.

Examples of significant CCA investments important to Tribes to protect their culture and respect treaty rights include:

- \$58 million to grants for salmon recovery projects, administered through the Salmon Recovery Funding Board, the Puget Sound Restoration and Protection program, and the Brian Abbot Fish Passage Barrier Board.
- \$15 million for the Department of Transportation to install stormwater retrofits to reduce pollution in stormwater. This will improve water quality and protect coho salmon and other aquatic species.

Maintain accountability

The accompanying table identifies each CCA investment proposed in the governor's supplemental budgets and shows which investments contribute to meeting the equity

requirements. Many of these investments include proviso language that either require direct investment in overburdened communities or require that the agency prioritize funding to benefit these communities. The CCA requires the Department of Ecology to track and report on all CCA funding. This includes the purpose of funding, who receives the funding, and any attributable greenhouse gas emission reductions. In addition, the 2023-2025 biennial operating budget provided \$640,000 for Ecology (in consultation with OFM and the Environmental Justice Council), to track, summarize and report on all CCA investments in overburdened communities and Tribes. The first report is due to the Legislature September 2024.

OFM also received \$772,000 in the 2023-25 biennial operating budget to work with Ecology on developing a data portal. This portal will aim to improve the public's understanding of CCA account investments. OFM is currently developing the portal and plans to launch it September 2024.

Ecology is developing interim guidance for state agencies so agencies know what information to collect and include in the 2024 and 2025 reports. They have initiated rulemaking that establishes the information must be collected from agencies for the 2026 report.

State agencies that allocate funds or administer grants or programs from these accounts must also annually report their progress on meeting environmental justice and environmental health goals to the Environmental Justice Council (RCW 70A.65.030(3)).

See next page for table of investments.

Climate Commitment Act Funds for Overburdened Communities and Tribes
Governor's Proposed 2024 Supplemental Omnibus Operating, Capital and Transportation Budget

(Dollars In Thousands)

OBC/T = Overburdened communities and Tribes

Agency	Item/budget	Total	% to OBC/T	OBC/T Total	Specifically Tribal	Related Proviso
Governmental Operations						
Department of Commerce						
<i>Operating</i>						
	Blue Wind Collaborative	250	0%	0		
	Buy Clean Buy Fair	1,112	0%	0		
	C-Pacer Technical Assistance	534	25%	134		
	Circular Economy Acceleration	5,000	20%	1,000		Sec. 128 (32)
	Clean Energy Decarbonization	10,000	100%	10,000		Sec. 129 (29)
	Clean Energy Navigators	7,000	0%	0		
	Federal Clean Energy Fund	3,860	25%	965		Sec. 129 (21)
	Grant Writing Support	8,140	25%	2,035		Sec. 129 (23)
	Green Bank Staffing	800	0%	0		
	Green Hydrogen Technical Assistance	1,077	0%	0		
	ICAP Funding	2,678	0%	0		
	Low-income Energy Vouchers	150,000	60%	90,000		Sec. 129 (30)
	Offshore Wind Supply Chain Study	500	0%	0		
	Reducing Barriers to Grants	253	100%	253		Sec. 130 (6)
	Retrofit and Heat Pump Installation	100,000	75%	75,000		Sec. 129 (26)
	Tacoma Power Feasibility Analysis	350	0%	0		
	Tribal Clean Energy Training Center	2,000	100%	2,000	2,000	Sec. 129 (22)
	Website Portal Marketing Outreach	4,000	25%	1,000		Sec. 129 (20)
	Total	297,554		182,387	2,000	
<i>Capital</i>						
	Clean Technology Manufacturing	52,500	0%	0		
	Climate Federal Match	84,000	20%	16,800		Sec. 1005 (7)
	Clean Energy Community Decarbonization	100,000	80%	80,000		Sec. 1006 (1)
	Nisqually Indian Tribe Microgrid System	4,000	100%	4,000	4,000	Sec. 1010 (10)
	Silver Bay Logging Property Acquisition	1,250	100%	1,250		
	Carbon Sequestration Prairie Restoration	2,000	0%	0		
	Total	243,750		102,050	4,000	
<i>Transportation</i>						
	City of Seattle: Solar EV Chargers	360	100%	360		Sec. 108 (3)
	Tribal Grants for Electric Boats	5,000	100%	5,000	5,000	Sec. 108 (2)
	Total	5,360		5,360	5,000	
Office of Financial Management						
<i>Operating</i>						
	Federal Grant Writing	2,000	25%	500		
	Total	2,000		500	0	
Department of Enterprise Services						
<i>Operating</i>						
	Building Code Council Legal Fees	500	0%	0		
	Total	500		0	0	

Climate Commitment Act Funds for Overburdened Communities and Tribes
Governor's Proposed 2024 Supplemental Omnibus Operating, Capital and Transportation Budget

(Dollars In Thousands)

OBC/T = Overburdened communities and Tribes

Agency	Item/budget	Total	% to OBC/T	OBC/T Total	Specifically Tribal	Related Proviso
Transportation						
	State Fleet Electric Vehicles	14,000	0%	0		
	ZEV Supply Equipment Infrastructure	14,000	0%	0		
	Total	28,000		0	0	
Total Governmental Operations		577,164		290,297	11,000	
Dept of Social & Health Services						
Administration/Supporting Services						
<i>Operating</i>						
	Community Assemblies	1,000	100%	1,000		Sec. 208 (9)
	Total	1,000		1,000	0	
Total Dept of Social & Health Services		1,000		1,000	0	
Other Human Services						
Department of Health						
<i>Operating</i>						
	Environmental Justice Council	444	100%	444		
	Health Equity Zones	150	100%	150		
	Implementing HEAL Act	734	100%	734		
	Total	1,328		1,328	0	
Total Other Human Services		1,328		1,328	0	
Natural Resources						
Department of Ecology						
<i>Operating</i>						
	Compensation for New 2023-25 FTEs	593	0%	0		
	CTS Central Services	7	0%	0		
	Fire Protection & Emergency Service	8	0%	0		
	PEBB Rate Correction	12	0%	0		
	Property Insurance Cost Increases	62	0%	0		
	Updated PEBB Rate	-25	0%	0		
	Workers' Compensation	8	0%	0		
	Cap-and-Invest Program Linkage	3,500	0%	0		
	CCA Communications	1,000	0%	0		
	Climate Pollution Reduction	2,831	0%	0		
	CTS Central Services	8	0%	0		
	GOV Central Services	1	0%	0		
	Legal Services	6	0%	0		
	Modernize Surface Water Mapping	2,750	0%	0		
	Offshore Wind Engagement/Planning	338	0%	0		
	OFM Central Services	74	0%	0		
	State Employee Benefits	4	0%	0		
	Tribal Capacity Grant Expansion	10,064	100%	10,064	10,064	Sec. 302 (8)
	Total	21,241		10,064	10,064	

Climate Commitment Act Funds for Overburdened Communities and Tribes
Governor's Proposed 2024 Supplemental Omnibus Operating, Capital and Transportation Budget
(Dollars In Thousands)

OBC/T = Overburdened communities and Tribes

Agency	Item/budget	Total	% to OBC/T	OBC/T Total	Specifically Tribal	Related Proviso
Capital						
	Electric School Bus Program	31,430	80%	25,144		Sec. 3003 (1)
	Total	31,430		25,144	0	
Energy Facility Site Eval Council						
<i>Operating</i>						
	CTS Central Services	33	0%	0		
	Total	33		0	0	
State Parks and Recreation Comm						
<i>Operating</i>						
	Clean Energy & Climate Adaptation	2,100	0%	0		
	Total	2,100		0	0	
<i>Transportation</i>						
	EV Charging Facilities	500	0%	0		
	Total	500		0	0	
Rec/Conserv Funding Board						
<i>Capital</i>						
	2025 Community Forest Grant Program	5,780	0%	0		
	2025 Washington Coastal Restoration and Resiliency Initiative	7,560	0%	0		
	2025 Forest Carbon Storage and Sequestration	5,000	30%	1,500	1,500	Sec. 3011
	2025 Brian Abbott Fish Barrier Removal Board	22,000	0%	0		
	2025 Estuary and Salmon Restoration Program	11,000	0%	0		
	Upper Green River Forest Carbon Storage	25,000	0%	0		
	Salmon Recovery Funding Board: Riparian Grant Program	25,000	0%	0		
	Total	101,340		1,500	1,500	
Department of Fish and Wildlife						
<i>Operating</i>						
	Forest Health and Fuel Reduction	2,000	0%	0		
	Total	2,000		0	0	
Department of Natural Resources						
<i>Operating</i>						
	Habitat Conservation Thinning Shift	-10,000	0%	0		
	Kelp and Eelgrass	593	0%	0		
	Total	(9,407)		0	0	

Climate Commitment Act Funds for Overburdened Communities and Tribes
Governor's Proposed 2024 Supplemental Omnibus Operating, Capital and Transportation Budget
(Dollars In Thousands)

OBC/T = Overburdened communities and Tribes

Agency	Item/budget	Total	% to OBC/T	OBC/T Total	Specifically Tribal	Related Proviso
Capital						
	2023-25 Forestry Riparian Easement Program	10,000	0%	0		
	Drought Resilience Infrastructure Investments	500	0%	0		
	2025 Trust Land Transfer	8,000	0%	0		
	Total	18,500		0	0	
Department of Agriculture						
Operating						
	Climate Lead Position	262	0%	0		
	Green Fertilizer Workgroup	250	0%	0		
	Total	512		0	0	
Capital						
	Agricultural Carbon Storage and Sequestration	5,000	0%	0		
	Total	5,000		0	0	
	Total Natural Resources	173,249		36,708	11,564	
Public Schools						
Supt of Public Instruction						
Capital						
	Equitable Access to Clean Air & Improving Classroom Air Quality	20,000	80%	16,000		Sec. 5007 (2)
	Total	20,000		16,000	0	
	Total Public Schools	20,000		16,000	0	
Higher Education						
University of Washington						
Operating						
	Updated PEBB Rate	-1	0%	0		
	Thriving Communities	263	100%	263	132	Sec. 602 (90)
	Total	262		263	132	
Capital						
	UW Bothell - Central Plant Optimization & Gas Boiler Replacements	6,500	0%	0		
	UW Seattle - Centralized Chilled Water Capacity Improvements	14,000	0%	0		
	UW Tacoma - Gas Boiler Replacements	8,400	0%	0		
	UWMC - Montlake Campus HVAC Systems Renewal	8,000	0%	0		
	UWMC - NW Campus Central Utility Plant Planning	2,000	0%	0		
	Total	38,900		0	0	

Climate Commitment Act Funds for Overburdened Communities and Tribes
Governor's Proposed 2024 Supplemental Omnibus Operating, Capital and Transportation Budget

(Dollars In Thousands)

OBC/T = Overburdened communities and Tribes

Agency	Item/budget	Total	% to OBC/T	OBC/T Total	Specifically Tribal	Related Proviso
Eastern Washington University						
<i>Capital</i>						
	Energy Improvements	5,166	0%	0		
	Total	5,166		0	0	
Central Washington University						
<i>Capital</i>						
	Secondary Geothermal Module	12,464	0%	0		
	Science Building Carbon Reduction	4,509	0%	0		
	Total	16,973		0	0	
Community/Technical College System						
<i>Operating</i>						
	Career Launch - Climate Degrees	1,500	0%	0		
	Integrating Climate Solutions	950	0%	0		
	Total	2,450		0	0	
<i>Capital</i>						
	CBPS SBCTC Statewide: Utility Submeters for Clean Buildings Act	8,374	0%	0		
	CTC Energy Efficiency Program	2,000	0%	0		
	HB 1390 - District Energy Systems	724	0%	0		
	Total	11,098		0	0	
	Total Higher Education	74,849		263	132	
Transportation						
Department of Transportation						
<i>Transportation</i>						
	Electrifying Washington State Ferries	11,200	0%	0		
	Design and Shore Power for Electric Passenger Ferry	4,000	0%	0		
	EV Charger Deployment	20,000	25%	5,000		
	World Cup Transportation Planning	1,000	25%	250		
	Stormwater Retrofits and Improvements	15,000	100%	15,000		Sec. 304 (13)
	Frequent Accessible Transit Studies	900	100%	900		Sec. 221 (21)
	Total	52,100		21,150	0	
	Total Transportation	52,100		21,150	0	
Grand Total All CCA Accounts		899,690		366,746	22,696	
	Percentage of Total	100%		40.8%	2.52%	

Environmental Justice Council

Date: January 25, 2023

To: Environmental Justice Council Members

From: Sierra Rotakhina, Environmental Justice Council Manager

Subject: 2024 Council Work Planning

Background and Summary:

The Council has time on the agenda today to discuss the following aspects of their 2024 work planning:

a. Draft Council Workload Planning and Management Principals for Discussion and Adoption

See [page 32](#) of the meeting packet. These principles are meant to provide context for and a continuing guide for how the Council prioritizes its workload and plans out its work for 2024. It can be amended as circumstances dictate or as needed.

b. Draft Council 2024 Work Plan for Discussion and Adoption

See [page 35](#) of meeting packet. The Council and the Interagency Workgroup had an opportunity to provide initial feedback on the draft work plan and that feedback was integrated into this version of the work plan.

c. Draft Council Policy Guidance/Recommendations versus Non-Policy Input for Discussion and Adoption

See [page 37](#) of meeting packet. This is an attempt to answer the questions from many Council Members and state agency staff who have raised the question of “What is defined as formal ‘Council Policy Guidance or Recommendations?’” versus “What is ‘Non-Policy Input?’”

d. Assigning Work Group to Develop Draft Criteria for the Council to Determine Which Work to Take On for Council Consideration, Discussion and Adoption.

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

In April of 2024 the Council will have been meeting for two years. The Council has received many requests and needs to prioritize given the Council and staff's limited bandwidth. The Council has worked to balance the environmental justice priorities the Council has heard from Tribes and communities; its statutory duties under the HEAL Act, the Climate Commitment Act (CCA), and various other policy and budget legislation where the Council has been named; requests and timelines driving the work of the HEAL agencies, other agencies receiving CCA funds, the Governor's Office, and the Legislature; and establishing the Council's own governance and procedures. In this time, it has become clear that the Council cannot engage deeply and meaningfully in every request.

Council Staff Recommended Actions:

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

- a. The Council adopts the proposed 2024 Council Workload Planning and Management Principles with any changes agreed upon by the Council at the January 25, 2023 meeting.
- b. The Council adopts the proposed 2024 Council Work Plan with any changes agreed upon by the Council at the January 25, 2023 meeting.
- c. The Council adopts the proposed Council framework for "Environmental Justice Council Policy Guidance" and "Environmental Justice Council Non-Policy Input" with any changes agreed upon by the Council at the January 25, 2023 meeting.
- d. No motion necessary to establish group.

Staff

Sierra Rotakhina, Council Manager, sierra.rotakhina@ejc.wa.gov, 360-584-4398

Environmental Justice Council

Draft Workload Planning and Management Principles

In its workload planning and management, the Environmental Justice Council (Council):

- Strives to meet the requirements of the HEAL Act and Climate Commitments Act.
- Strives to balance community and Tribal priorities the Council is aware of; the EJ Council's priorities; the HEAL Interagency Workgroup's and agencies' priorities, workplans, and timelines; the Council's duties and due dates in HEAL, the CCA, the state budgets, and other legislative timelines; and inflexible timelines within how state government operates (e.g. legislative session, release of the Governor's budgets, etc.).
- Recognizes the Council's priorities and timelines will not always align with the agencies' timelines. Conversely, the Council understands that agency's workplans and implementation processes and decisions may not allow them to immediately update tools, processes, and documents that are already in operation when the EJ Council adopts guidance on a HEAL deliverable. This may result in the agencies incorporating EJ Council guidance on the next iteration of that tool, process, document, etc. in co-governance with the Council.
- Recognizes that the Council, as a forum for community and Tribal voices, will prioritize and center time for Tribes and communities both outside of Council meetings and within Council meeting agendas through public comment periods, community connection agenda items, and other ways for authentic community connection and dialogue. Council staff shall provide regular report-backs to the Council and the respective Tribe and/or community on how the Council is being responsive and accountable to said input, feedback, and/or guidance.
- Strives to meet the Council's own needs to dedicate time to attend to its own governance and processes in order to successfully meet its statutory duties.

In full consideration of the above and previous 2023 Council workload planning experience, the Council will adopt the following workload planning and management principles:

1. Council attention will be equally given to HEAL and CCA matters.
2. The Council acknowledges and will integrate into its workload planning the observation that it often takes two Council meetings for the Council to come to consensus: At the first meeting, introduce an issue/topic for action in the first meeting; after the first meeting provide one-on-

one meetings or small workshop(s) to give opportunity for discussion and clarification questions for possible further refinement; and at the second meeting discuss, refine as needed, and adopt or not by consensus policy positions and/or other documents.

3. The Council will prioritize funding to bring in expertise (community experts, experts on highly technical issues, economic experts, etc.) to support and supplement the Council's limited bandwidth and/or limited expertise to properly address its workload.
4. The Council can modify the agenda(s) and adopted work plan to be responsive to emerging issues such as external initiatives, new legislation, etc. as needed.
5. The Council does not have the capacity to engage in every rulemaking given its limited bandwidth. For any rulemaking public comment process, HEAL agencies are expected to follow and document the four principles below:
 - a. Tribal Consultation as required by law.
 - b. Council Community Engagement Values and Guidance.
 - c. The principle of not creating new or additional burden for the communit(y)ies by stopping the action when the agency already knows that the action will cause and/or increase harm to said communit(y)ies.
 - d. Comply and be consistent with HEAL, CCA, and existing Council existing.

Environmental Justice Council (EJC)
Draft 2024 Workplan/Agenda Items

Key	
	Complete
	In progress
	Barrier or issue encountered

Draft 2024 Environmental Justice Council Workplan

Regular EJ Council Meetings Proposed Flow:

Standing agenda items (1 hour and 20 minutes)

- Roll Call (5 minutes)
- Approval of agenda and past meeting notes (5 minutes)
- Community Connection (20 minutes)
- Two public comment periods (20 minutes)
- Staff updates on past public comments (10 minutes)
- Breaks (10 minutes)
- Appreciation and adjournment (10 minutes)

Time for discussion and adoption items: 1 hour and 40 minutes for most meetings, but 3 hours for May in-person meeting

Proposed May Retreat and Business Meeting Flow:

Day 1 (optional, Thursday 5/2):

- Arrive at noon, lunch
- Community tour - hear EJ concerns, solutions, and local victories
- Evening community learning and sharing meal with community - hear EJ concerns, solutions, and local victories

Day 2 (Friday 5/3):

- Morning: Council Member connections and relationship building
- 10am-3:30pm with 30 minute lunch: EJC business meeting (see proposed agenda items above under the May meeting column)

Topics	Feb	March	May	July	September	October	Nov
	Only if	3 hr meeting	5 hr in-person	3 hr meeting	3 hr meeting	3 hr meeting	Only if

Environmental Justice Council (EJC) Draft 2024 Workplan/Agenda Items

Key	
	Complete
	In progress
	Barrier or issue encountered

	Needed for Session Items		meeting (plus 30 minute lunch)				Needed
HEAL		<p>1) Possible Adoption (45 minutes): Guidance or input on:</p> <ul style="list-style-type: none"> a) HEAL metrics and OFM dashboard b) Process and list to identify overburdened communities and vulnerable populations (HEAL and CCA) c) Budget and funding obligation of HEAL d) Determining “direct and meaningful benefits” to overburdened communities (HEAL and CCA) 	<p>1) Discussion (20 minutes): HEAL agency annual report – Council guidance on content, goals, and approach</p>	<p>1) Briefing and Discussion (25 minutes): HEAL Agencies EJ Assessments updates and share what the agencies need from the Council</p> <p>2) Briefing and Discussion (25 minutes): HEAL Agencies’ EJ strategic plans updates, deadlines for future strategic planning, and sharing what the agencies need from the Council</p>		<p>1) Discussion and Possible Adoption (20 minutes): Endorsement of agency decision-packages</p>	
CCA		<p>2) Hold for CCA item (30 minutes)</p>	<p>2) Hold for CCA item (30 minutes)</p>	<p>3) Briefing and Discussion (20 minutes): 2024 budget debrief and discuss draft 2025 budget recommendations</p> <p>4) Hold for CCA potential policy discussion (30 minutes)</p>	<p>1) Continue Discussion and Possible Adoption (50 minutes): 2025 budget recommendations</p>	<p>2) CCA hold (30 minutes)</p>	

Environmental Justice Council (EJC) Draft 2024 Workplan/Agenda Items

Key	
	Complete
	In progress
	Barrier or issue encountered

Topics	Feb	March	May	July	September	October	Nov
	Only if Needed for Session Items	3 hr meeting	5 hr in-person meeting (plus 30 minute lunch)	3 hr meeting	3 hr meeting	3 hr meeting	Only If Needed
Priorities the Council is aware of from Tribes and Communities and Council Governance/Processes		<p>3) Briefing, and Discussion (10 minutes): Staff briefing on EJC staff organizational structure, EJC staffing, EJC budget needs</p>	<p>3) Briefing and Possible Adoption (30 minutes): Staff summarize concerns, ideas, and victories heard from community members the past two days and possible actions the EJC can take (for example, refer to the appropriate state agency, refer to EJC staff, refer to Attorney General’s Office) and Council adopt action steps.</p> <p>4) Discussion (15 minutes): Debrief 2024 legislative session and discuss needed changes for 2025 session</p> <p>5) Briefing (25 minutes): EJ Council Committee Updates (5 minutes each)</p> <p>6) Continue Discussion and Possible Adoption (30 minutes): Workload screening criteria to determine what projects the EJC takes on</p> <p>7) Continue Discussion and Possible Adoption (30 minutes): Staff briefing on EJC staff organizational structure, EJC staffing, EJC budget needs</p>		<p>2) Review and Discuss (15 minutes): 2025 legislative process/statement</p> <p>3) Hold for Governance Committee (30 minutes)</p> <p>4) Brief Update (5 minutes): EJC budget request to support EJC staffing, outreach, etc.</p>	<p>3) Possible Adoption (15 minutes): EJC 2025 meeting schedule</p> <p>4) Review and Update as needed for Possible Adoption (35 minutes): 2025 legislative statement/process</p>	

Environmental Justice Council

Making Policy Guidance and Recommendations and Responding to Requests for Non-Policy Input

Note: This version of the document is pending legal review.

I. Background and Context:

A. Environmental Justice Council (EJC) Requirements to Provide “Guidance” or “Recommendations”:

1. Under [chapter 70A.02 RCW](#), the Healthy Environment for All (HEAL) Act, the EJC is required to (in an iterative fashion with the HEAL Interagency Workgroup) provide “guidance” to HEAL agencies on:
 - a. Environmental justice implementation into covered agency strategic plans Under RCW 70A.02.040,
 - b. Environmental justice assessments under RCW 70A.02.060 and when and how to use cumulative environmental health impact analysis,
 - c. Budgeting and funding criteria for making budgeting and funding decisions under RCW 70A.02.080; and
 - d. Community engagement plans under RCW 70A.02.050.
2. Under the HEAL Act, the EJC (in consultation with the HEAL Interagency Workgroup) is required¹ to provide “recommendations” to HEAL agencies on:
 - a. Which agency actions may cause environmental harm or may affect the equitable distribution of environmental benefits to an overburdened community or a vulnerable population and therefore should be considered “significant agency actions;” and
 - b. The identification and prioritization of overburdened communities and the use by covered agencies of the Environmental Health Disparities Map in agency efforts to identify and prioritize overburdened communities.

¹ Note that under the HEAL Act the EJC may also choose to provide other recommendations. The guidance and recommendations listed here are only those required by the HEAL Act.

3. Under [chapter 70A.65 RCW](#), the Climate Commitment Act (CCA):
 - a. Agencies allocating funds or administering grants or programs from the CCA accounts must report annually to the EJC and consider “recommendations” by the EJC.
 - b. The EJC must provide “recommendations” to the Legislature, agencies, and the Governor in the development of:
 - i. The Cap and Invest program, including, but not limited to, linkage with other jurisdictions, protocols for establishing offset projects and securing offset credits, designation of emissions-intensive and trade-exposed industries under RCW 70A.65.110, and administration of allowances under the program; and
 - ii. Investment plans and funding proposals for the programs funded from the CCA accounts for the purpose of providing environmental benefits and reducing environmental health disparities within overburdened communities.
 - c. The EJC must “recommend”:
 - i. Procedures and criteria for evaluating programs, activities, or projects.
 - ii. Co-pollutant emissions reduction goals in overburdened communities.
 - iii. Environmental justice and environmental health goals for programs, activities, and projects funded from the climate investment account, and review agency annual reports on outcomes and progress toward meeting these goals;
 - iv. Approaches for meaningful consultation with vulnerable populations (including community engagement plans under RCW 70A.65.020 and 70A.65.030); and
 - v. How to support public participation through capacity grants for participation.

B. EJC Requirements to “Collaborate,” “Coordinate,” and “Consult”:

In addition to their statutory duties to provide formal “guidance” or “recommendations,” the EJC is directed in the HEAL Act to work in an “iterative fashion” with the HEAL Interagency Workgroup. THE EJC is additionally directed in the [2023-2025 Operating Budget](#) to work in “collaboration,” “consultation,” “coordination,” or otherwise co-create with state agencies on various bodies of work. See the endnotes for a list of areas where the Council is statutory tasked with consulting, coordinating, or co-creating.ⁱ

These statutory directives embody the spirit of the HEAL Act to move state government toward co-governance and co-creation with communities. These directives indicate a need for Council Members and agency staff to come to a common table to co-govern. This means that individual Council Members, Council Committees, and/or Council staff may engage with agency staff in the development of implementation tools, rules, community engagement plans, and other deliverables through a number of mechanisms of co-governance, including but not limited to:

- 1) Co-authoring and co-creating work together from the ground up.
- 2) Providing feedback and input into each other’s products throughout the development process with authentic intent on both sides to integrate feedback or work together to develop a shared solution.
- 3) Ask each other questions and engage in authentic curiosity and inquiry that leads to improved deliverables and implementation that meaningfully benefits overburdened communities and vulnerable populations.

Co-governance with the Council as outlined above does not relieve agencies of the responsibility to engage in Government to Government with Tribes and co-governance with the communities that they serve beyond those members represented on the Council. Similarly, the Council centers its obligation and value to serve as a forum for Tribes and communities to ensure the Council’s work is driven by overburdened communities and vulnerable populations.

II. Process for EJC Guidance/Recommendations & Coordination and Consultation:

A. EJC “Policy Guidance/Recommendations”

Where necessary and as requested, the Council shall adopt by consensus and provide HEAL and CCA-related guidance or recommendations in policy areas only as required by the HEAL Act and CCA.

B. EJC “Non-Policy Input”

In the spirit of co-governance, HEAL agencies and other departments may request HEAL Act and/or CCA-related non-policy input from the Council which may include individual Environmental Justice Council Members or relevant Council Committees engaging as follows:

- a. The agency informs Council staff of the request for HEAL Act and CCA related non-policy Council input.
- b. Council staff sends the request to the relevant Council committee(s) and to the full Council for voluntary input that may lead to various engagement such as co-creation, feedback, input, inquiry, etc.
- c. Committee or individual Member engagement should not be interpreted as formal Council guidance.
- d. Staff, Council members, and/or Committees shall share observations with the Council when they deem the matter needs EJC policy guidance/recommendations first. For example, the proposed implementation has an embedded HEAL Act and/or CCA policy direction that would need Council guidance first.

Note: Request(s) for input that may lead to various forms of engagement such as co-creation, feedback, input, and inquiry, etc. with a Council committee and/or individual Members of the Council does not bind or limit the full Council’s capacity to guide, comment, or evaluate such matters.

ⁱFootnotes:

Provisions of the 2023-2025 state Operating Budget that require EJC consultation, coordination, or other forms of collaboration:

- Sec. 222(26)(b) The Department of Health, in **consultation** with the **Environmental Justice Council**, community groups, and the Department of Labor and Industries, shall evaluate mechanisms to provide workers with financial assistance to cover lost wages or other financial hardships caused by extreme weather events and climate threats. [emphasis added]
- Sec. 222 (104) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Department [of Health] to contract with a community-based organization to host a deliberative democratic processes workshop for the HEAL Act Workgroup established under RCW 70A.02.110, then develop, in **consultation** with **Environmental Justice Council or its staff**, best practices for how agencies can incorporate deliberative democratic processes into community engagement practices. [emphasis added]
- Sec. 222 (124) \$38,600,000 of the Climate Commitment Account—state appropriation is provided solely for the Department [of Health] to develop a grant program to fund projects that benefit overburdened communities as defined in RCW 70A.02.010(11). Of the amount provided in this subsection: (a) \$6,000,000 of the Climate Commitment Account—state appropriation is provided solely for fiscal year 2024 for the Department [of Health] and the **Environmental Justice Council** created in RCW 70A.02.110 to engage in a participatory budgeting process with five overburdened communities, as identified by the Department, to develop a process to select and fund projects that mitigate the disproportional impacts of climate change on overburdened communities.
- Sec. 222 (38) \$200,000 of the Climate Investment Account—state appropriation is provided solely for the **Environmental Justice Council** to **coordinate** with the

Department of Ecology on a process to track state agency expenditures from Climate Commitment Act accounts, as described in section 302(13) of this act. [emphasis added]

- Sec 302: (13)(a) \$640,000 of the Climate Investment Account—state appropriation is provided solely for the Department [of Ecology], in **consultation** with the Office of Financial Management and the **Environmental Justice Council**, to develop and implement a process to track, summarize, and report on state agency expenditures from climate commitment act accounts that provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities as described in RCW 70A.65.030 and 70A.65.230, and expenditures that are formally supported by a resolution of an Indian Tribe as described in 33 RCW 70A.65.230. [emphasis added]
- (13)(c) The Department [of Ecology], in **consultation** with the **Environmental Justice Council** and the Office of Financial Management, and in coordination with reporting under RCW 70A.65.300, must report to the appropriate committees of the Legislature by September 30, 2024, on the development and implementation of a process to track, summarize, and report on state agency expenditures from Climate Commitment Act accounts. [emphasis added]
- Sec. 1114 (89)(a) \$225,000 of the general fund—state appropriation for fiscal year 2022 and \$175,000 of the general fund—state appropriation for fiscal year 2023 are provided [the Department of Commerce] solely to conduct a comprehensive equity review of state capital grant programs administered by the department...

(d) The Department must **collaborate** with the Washington State Commission on African American Affairs; the Washington State Commission on Asian Pacific American Affairs; the Washington State Commission on Hispanic affairs; the Governor's Office of Indian Affairs; the Governor's Committee on Disability Issues and Employment; the Office of Equity; the Office of Minority and Women's Business Enterprises; the **Environmental Justice Council** if established by passage of Engrossed Second Substitute Senate Bill No. 19 5141; and other interested parties as appropriate to develop and conduct a community engagement process to inform the review. [emphasis added]

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- Sec. 1304 (2)(a) \$375,000 of the general fund—state appropriation for fiscal year 2022 is provided [to the Recreation and Conservation Office] solely to conduct a comprehensive equity review of state grant programs administered by the Office...

(d) The Office must **collaborate** with the Washington State Commission on African American Affairs; the Washington State Commission on Asian Pacific American Affairs; the Washington State Commission on Hispanic affairs; the Governor's Office of Indian Affairs; the Governor's Committee on Disability Issues and Employment; the Office of Equity; the Office of Minority and Women's Business Enterprises; the **Environmental Justice Council** if established by passage of Engrossed Second Substitute Senate Bill No. 19 5141; and other interested parties as appropriate to develop and conduct a community engagement process to inform the review. [emphasis added]

Environmental Justice Council

Date: January 25, 2024

To: Environmental Justice Council Members

From: Sierra Rotakhina, Environmental Justice Council Manager

Subject: Bylaws Discussion and Potential Adoption

Background:

At its October 27, 2022 meeting, the Council adopted [Article II](#) of its Bylaws, related to the Executive Committee. At today's meeting, the Council will have an opportunity to review, discuss, and consider adopting a full set of bylaws, including proposed amendments to Article II. In addition, the proposed bylaws incorporate the provisions outlined in the *Interim Policy to Support Leadership Development and Co-Governance through Increasing Capacity for Members to Engage in Committee Work*, which was adopted by the Council at its September 2023 meeting, and which is scheduled to expire on January 31, 2024.

The Governance Committee sees the bylaws as a living document that will be reviewed and updated over time. In particular, the Committee recognizes a need for more thoughtful deliberations about how Council Committees are formed, scoped, structured, governed, and meaningfully informed by a broad range of Tribal and community perspectives. The Governance Committee will continue to have those conversations and bring future proposed updates to the bylaws to the full Council as they are developed.

Recommended Action:

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

The Environmental Justice Council adopts the bylaws as presented on January 25, 2024 with any changes agreed to by the full Council.

Staff Contact:

Sierra Rotakhina, Council Manager, sierra.rotakhina@ejc.wa.gov, 360-584-4398

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

Environmental Justice Council

Draft Bylaws

Article I: Council Membership

Council Appointments

The Governor appoints 16 members to the Environmental Justice Council (Council) as described in [RCW 70A.02.110](#). Covered agencies shall serve as nonvoting, ex officio liaisons to the Council as described in [RCW 70A.02.110](#).

Council Member Terms

Council member term lengths are outlined in [RCW 70A.02.110](#).

Delegates for Tribal Representatives

[RCW 70A.02.110](#) does not specifically allow members to have delegates or designees; therefore, the Governor's Office does not authorize appointed members, other than members appointed to Tribal seats, to name delegates. In recognition that the state's Government-to-Government relationship with Tribes warrants a unique approach, the Governor requests that members appointed to Tribal seats who wish to use delegates observe the following process:

- Submit the name of the delegate to the Governor's Office by signed letter or Tribal resolution.
- Submit only one delegate per member.
- Ensure that any delegate fulfills the requirement to "represent Tribal communities" by being an identified Tribal member or person working in a leadership or senior staff position within Tribal government.

The Governor’s Office has authority to deny the approval of a named delegate. Delegates may participate in Committee and Council meetings and vote during Council meetings; however, the original member appointed by the Governor will remain the appointed member for the remainder of the term.

Council Member Stipends and Reimbursement

Council members may be eligible to receive stipends and reimbursement for travel, lodging, and child and adult care, as funding allows, as members of a class one group in compliance with [RCW 43.03.220](#), [RCW 43.03.050](#), and [RCW 43.03.060](#) and in alignment with the Office of Equity guidance required under [RCW 43.03.270](#).¹

Note: Article II has already been adopted by the Council. The track changes in this article reflect proposed amendments to the existing article.

Article II: Council Executive Committee

Council Executive Committee Duties

The full Council elects three to five voting members of an Executive Committee from which two members will be elected to serve as Co-Chairs of the Council. The Executive Committee shall include at least one Tribal representative and at least one community representative. The Executive Committee may meet when at least three members are present, including one Co-Chair, one Tribal representative, and one community representative, or with permission from absent members to meet without them present.

The Executive Committee is responsive and accountable to the full Council. The Executive Committee works to implement the full Council’s decisions made by consensus and has a responsibility to report back to the full Council, keep the Council informed, and seek guidance

¹ [Community Compensation Guidelines](#), Washington State Office of Equity.

and feedback from the Council to improve Executive Committee processes and ensure it is fulfilling the Council's vision.

The Executive Committee helps organize the work of the Council by:

- Determining the issues that have the potential to impact Tribes and Tribal communities and notifying potentially impacted Tribal governments.
- Organizing the agenda with input from the Council committees and Council members.
- Ensuring accountability of the Council to equitable governance with communities highly impacted by environmental health disparities and their needs and solutions.
- Communicating and coordinating with the Council's committees and receiving regular reports from the committees.
- Signing Council letters, memos, and other correspondence that have been adopted by the full Council. The Executive Committee may ask the Council Manager to sign Council-adopted correspondence as appropriate.

The Executive Committee works with Council staff by:

- Developing proposals, in consultation with relevant committees, for full Council review.
- Identifying the best Council members to serve as spokespeople for the Council on a case-by-case basis.

In addition to the duties of the Executive Committee outlined above, the duties of the Co-Chairs include but are not necessarily limited to:

- Facilitating at Council meetings or delegating meeting facilitation to staff, other Council members, or an outside facilitator as appropriate.
- Guiding staff in communicating with Council members to support engagement with the Council.
- Calling special meetings as needed in accordance with [RCW 42.30.080](#). The Co-Chairs will be responsive to requests from any Council member to call a special meeting.

In addition to the duties of the Executive Committee outlined above, the duties of the Executive Committee Tribal representative include but are not necessarily limited to:

- In collaboration with the other Tribal representatives on the Council, directing staff on the Council's Tribal engagement.
- Facilitating discussions with the Tribal representatives to determine when an issue before the Council impacts Tribes (including but not limited to issues that impact treaty rights).
- Leading discussion on agenda items concerning issues that impact Tribes.

Nomination and Election of Executive Committee

Nominations

Any member of the Council can nominate themselves or another Governor-appointed Council member to one of the specific Executive Committee seats. Nominations may be made at a Council meeting or by communicating the nomination to Council staff prior to the meeting. Each Council member will be notified of their nomination. Each Council member accepting their nomination will review the duties of the Executive Committee as outlined in these bylaws and consider time, capacity, and ability to follow-through on these duties and then will then have an opportunity to share with the full Council how they would approach this role. After each nominee has had the opportunity to address the Council, the Council will hold a public vote.

Election of the Executive Committee

Each Executive Committee seat is elected by a majority vote of the Council. It is assumed by default that members who are running will vote for themselves, unless they specify otherwise. If no one nominee receives a majority of the votes, the Council will hold a run-off election between the two nominees who received the largest number of votes.

The full Council will elect the Executive Committee members in the following order: 1) Executive Committee Tribal representative 2) Executive Committee community representative and 3) Executive Committee open seat(s).

Election of Executive Committee in the Event of a Vacancy

In the event of a vacancy, election of Executive Committee members can also be done on an ad hoc basis through majority vote. A Council Co-Chair will call for nominations for the vacant seat(s) following the processes for nomination outlined above.

Election of Interim Executive Committee Members

In the event that the Council is not fully appointed, the Council may choose to fill a vacant Executive Committee seat on an interim basis through majority vote until the Governor has appointed all sixteen voting members. Once the Council is fully appointed, a Council Co-Chair may call for nominations to fill the interim seat on an ongoing basis through majority vote.

Election of the Co-Chairs

Following the election of the Executive Committee members, the Council will elect, through majority vote, two Co-Chairs from among the Executive Committee members. Any member of the Council can nominate Co-Chairs from among the Executive Committee members by communicating the nomination to Council staff. A Council member accepting their nomination will review the duties of the Co-Chairs as outlined in the bylaws and consider time, capacity, and ability to follow-through on these duties and will then have an opportunity to share with the full Council how they would approach this role.

The Council will vote for two Co-Chairs from a ballot including tickets with each possible combination of Co-Chairs who have been nominated. If no Co-Chair ticket receives a majority of the votes, the Council will hold a run-off election between the two tickets that received the largest number of votes.

Election of a Co-Chair in the Event of a Vacancy

In the event of a single Co-Chair vacancy, the Council can elect, through majority vote, a new Co-Chair from among Executive Committee members once the Executive Committee is again fully elected. It is assumed by default that members who are running will vote for themselves, unless they specify otherwise.

Election of an Interim Co-Chair

In the event that the Council is not fully appointed, the Council may choose to elect a Co-Chair on an interim basis through majority vote until the Governor has appointed all sixteen voting members. Once the Council is fully appointed, the Chair may call for nominations to fill the interim seat on a regular basis through majority vote.

Executive Committee Terms

The Executive Committee members are each elected to two-year terms as required by [RCW 70A.02.110\(2\)](#). Terms begin upon election and continue until one of the following occurs:

1. Two-year term as an Executive Committee member ends;
2. The term of appointment to the Council ends;
3. Resignation; or
4. A majority of members appointed by the Governor requests replacement and such replacement is made.

Article III: Meetings of the Council

Open Public Meetings

All Council meetings will comply with [RCW 42.30](#), the Open Public Meetings Act.

Quorum

A quorum is nine voting (Governor-appointed) members of the Council. If the Council is not fully appointed, then a quorum is a majority of the Governor-appointed members. In the event that a Council Member is on a leave of absence, then a quorum is a majority of the Governor-appointed members minus any member(s) on leave of absence. A Council Member is considered to be on a leave of absence when a Council Member informs staff they will be missing at least two consecutive Council meetings and that they will be taking a leave of absence from the Council. Prior to taking a vote on any matter, the Council will announce in a public meeting how many Council Members are currently appointed, if there are any members on a leave of absence, and how many members are needed for a quorum. The Council may discuss issues and deal with administrative matters in the absence of a quorum, but it may not take any significant action (including but not limited to adopting any resolution, letter, guidance, recommendation, or other position) during a meeting if a quorum is not present.

The Council may choose to postpone taking action on an item if there are fewer than four of the seven community representatives and/or fewer than two of the four Tribal representatives present. Any voting member can ask for a roll call prior to a vote to determine how many community and Tribal representatives are present. The Council may entertain a motion to adjourn without a quorum.

Anyone participating in the meeting, including a member of the public in the audience, may call for a roll call at any time after a quorum has been established. If a quorum is not present at the time of the roll call, no further actions can be taken by the Council unless additional members join and re-establish a quorum.

Decision Making Process

Council decisions are potentially complex with far-reaching implications and impacts. The goal of the Council's decision-making process is to bring about consensus with rigorous and candid

discussions towards shared understanding and appreciation where interests, agreements, and disagreements exist.

Routine & Simple Decisions

1. For routine decisions (e.g., adoption of the agenda or meeting notes) and simple decisions, after a motion is made, the facilitator shall ask if there are any objections.
2. If there are none, the facilitator declares the motion adopted.
3. If there are objections, the facilitator shall provide members the opportunity to state their objections and have staff or Council members respond. Council members may offer amendment(s) to resolve the objection if possible. When the discussion is complete, the facilitator shall call for a vote in favor of the motion, opposed, or abstaining. If there are no opposing votes, the motion passes. If there are opposing votes, the motion does not pass, and the Council may return to discussing the motion.
4. Staff will indicate the result of the vote on the motion in the meeting notes.

Substantive Decisions

1. For substantive decisions, any voting member can make a motion. When making a motion, the Council member will fully articulate the action to be considered by the Council.
2. After a motion is made, the facilitator will ask for discussion. When it appears that discussion is exhausted, the facilitator will ask for a vote using the following options:
 - a. Yes, I approve.
 - b. Yes, with reservations.
 - c. Not voting until we have further discussion.
 - d. I don't approve, but I won't block.
 - e. I block, have serious concerns.
 - f. I stand aside, recuse myself.
3. If all members vote A, B, D, and F, the motion passes.

4. If any member chooses C or E, the motion does not pass, and the facilitator will ask the Council members blocking if they can share their reasons to identify points of disunity. Council members may offer an amended motion to move the Council toward consensus agreement.
5. For highly complex topics, the facilitator may ask for a straw vote using the choices outlined above (step 2).
6. The facilitator will announce the results of the vote and staff will record the result in the meeting notes.

Substantive Decisions Impacting Tribes

The Council may choose to outline a different process for decisions that impact Tribes. Until that process is adopted formally into the bylaws, the Council will use the decision-making process outlined above.

Article IV: Committees of the Council

The Council can convene or dissolve any committees (other than the Executive Committee and Governance Committee) by a vote of the Council. Committees allow for thoughtful, focused discussions in order to bring ideas and recommendations to the full Council for consideration. Committees will not take any formal action. As such, a quorum of committee members is not necessary for a committee to meet. However, committee members in attendance at a meeting may choose to cancel a meeting if they agree not enough members are in attendance to inform a thoughtful discussion.

The full Council will approve the goal and scope of each committee. Committees will develop charters to bring to the full Council for approval. Committees are expected to provide regular updates to the Executive Committee and provide input as the Executive Committee drafts Council meeting agendas.

Committee Membership

Committee participation will include Governor-appointed Council members and Ex-Officio members at a minimum. Each committee has the discretion to involve members of the community in committee discussions or specific projects. Committee membership must include less than a quorum of appointed members.

Committee members may be eligible to receive stipends and reimbursement for travel, lodging, and child and adult care, as funding allows, and in alignment with the Office of Equity guidance required under [RCW 43.03.270](#).

Support Person Attendance in Committee Meetings

As Tribal Representatives to the Council may designate a delegate to serve in their place, as consistent with Article I, this section of the bylaws applies to non-Tribal Members.

While Council Members are urged to remain mindful of their capacity to meet their commitments to the Council and committee work, they may bring or send a support person to a committee meeting where no formal action is taken pursuant to [RCW 42.30.020](#) of the Open Public Meetings Act. Consistent with the goals of co-governance and leadership development, and to ensure the productive and informed role of the support person, the Council member designating or bringing a support person to Council committees must brief the person on the composition and culture of the Council; decision-making and committees; its enabling HEAL Act legislation, Climate Commitment Act, and other enabling laws and executive orders; environmental justice issues and topics; and their thoughts and opinions on said matters. The support person must understand the intention and role of providing support to a Council member.

The support person may be a paid or unpaid person from the member's organization, coalition, and/or their ally network(s). They must have the relevant knowledge, skills, and

abilities appropriate to the committee work. The support person's organizational affiliation should be disclosed in writing and, if paid by their organization, this should be disclosed in writing as well.

When the Council member is attending the committee meeting, the support person can take notes and will not participate in the committee discussion. The notes and observations of the meeting and discussion will be transmitted to the Council member.

When the Council member is absent, the support person can represent the member's thoughts and opinions in the discussion and assist in formulating committee recommendations. The support person may assist in formulating committee recommendations but not participate in consensus decision-making regarding the elevation of a draft recommendation to the full Council for consideration.

Committee processes, deliberations, and decision-making are iterative and require a high level of trust and comfort with candid discussion and disagreement. Consequently, the Council member's designated support person attending committee meetings should be consistent for the selected committee.

Members will notify the committee and Council staff of the name of their support person before inviting them to join any committee meeting.

Committee member(s) will engage the relevant Council member who brought in the support person when there are concerns regarding mutual respect and ability to help maintain productive meetings, for dialogue and resolution.

Article V: Council Ethics

The Council is committed to establishing and adhering to a culture of ethics, integrity, and transparency. As state officers and employees, Council members, ex officio liaisons, and Council staff must comply with [chapter 42.52 RCW](#), the Ethics in Public Service Act. The Council will also comply with the model rules approved by the Executive Ethics Board in [Advisory Opinion 96-09A](#), which require members to disclose conflicts of interest (at any time a conflict arises) and recuse themselves from discussing and voting on those matters. In addition to these requirements, the Council will adhere to the following practices:

- Appointed members are encouraged to review the Board and Commissions [Ethics in Public Service Act training](#) and Advisory Opinion 96-09A (linked above) every three years, but *at a minimum* members shall review these policies upon appointment for each term. Ex officio liaisons and staff will comply with required policies and procedures related to the Ethics in Public Service Act for their respective agencies.
- On an annual basis, Council members and ex officio liaisons shall disclose any paid or volunteer affiliations that are related to the Council's scope of work. Council staff will record and post affiliations on the Council's webpage.
- To foster transparency, when meeting with each other or other partners, Council members and ex officio liaisons will indicate whether they are speaking on behalf of the Council, meeting as an individual member of the Council, or meeting as a representative of another organization or entity. See Article II for the process for designating Council spokespersons.
- The Council Manager will serve as the Council's designated Ethics Advisor and will consult with the Department of Health's Ethics Advisor and the Executive Ethics Board as needed.

Article VI: Amendments to the Bylaws

The Governance Committee will review the bylaws at least every two years. If the committee determines changes are needed, they will make a recommendation for the full Council's consideration. Any member who wishes to propose changes to the bylaws can bring their

proposal to the Governance Committee. If the committee determines changes are needed, they will make a recommendation for the full Council's consideration. Amendments to the bylaws will be considered using the consensus-based decision-making process outlined in Article III.

DRAFT

Environmental Justice Council

Date: January 25, 2024

To: Environmental Justice Council Members

From: Sierra Rotakhina, Environmental Justice Council Manager

Subject: Legislative Update and Discussion of Emerging Issues

Background and Summary:

The 2024 Washington State Legislative Session began on Monday January 8th. Today Environmental Justice Council (Council) staff will brief the Council on bills introduced and other emerging issues that have developed so far this legislative session. If a bill has been introduced that the Council may want to take action on that is outside of the clear scope of the Council's adopted budget recommendations or policy positions, the Council may choose to discuss that bill at today's meeting and determine, through consensus, if they want to take a position.

[Page 59](#) of your meeting packet includes a staff analysis cross-walking the Council's [2024 Budget Recommendations](#) with funding that was included in the Governor's proposed Operating, Capital, and Transportation Budgets.

Staff

Christy Hoff, Policy Advisor, christy.hoff@ejc.wa.gov, 360-688-4699

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

Environmental Justice Council (EJC) 2024 Supplemental Budget Recommendations
January 9, 2024

Note: This is a staff analysis only.
 This document has not been approved by the Environmental Justice Council

EJC Recommendation Summary (The full recommendations can be found here: Environmental Justice Council 2024 Budget Recommendations - All 2024 Recommendations.pdf (waportal.org)	Governor’s Proposed Budgets
Participatory Budgeting Changes to existing proviso: <ul style="list-style-type: none"> • Allow funding across the biennium. • Change to “at least” five “geographically diverse” communities. • Require funding be in alignment with 70A.65.260, rather than to achieve the greatest gain for decarbonization and resiliency. • Allow communities to decide on projects and remove legislative approval. • Extend funding beyond the biennium. 	Operating, HB 2104/SB 5950, Sec 222(124): <ul style="list-style-type: none"> • Allow funding across the biennium. • Change to “at least” five “geographically diverse” communities. Does Not: <ul style="list-style-type: none"> • Require funding be in alignment with 70A.65.260, rather than to achieve the greatest gain for decarbonization and resiliency. • Remove legislative approval. • Specify that funding is to continue beyond the current biennium. The current legislative budget assumption is that this is one-time funding. <ul style="list-style-type: none"> ○ It would be meaningful to the success of this program to clearly signal that there will be funding beyond just one biennium.
Capacity Grants <ul style="list-style-type: none"> • Extend funding beyond the biennium. 	Does Not: <ul style="list-style-type: none"> • Specify that funding is to continue beyond the current biennium. The current legislative budget assumption is that this is one-time funding. <ul style="list-style-type: none"> ○ It would be meaningful to the success of this program to clearly signal that there will be funding beyond just one biennium.
Community Assemblies <ul style="list-style-type: none"> • \$3,000,000 over two years to DSHS to pass through to community organizations for pilot. • \$371,000 to DSHS to administer • Agricultural industry pilot 	Operating, HB 2104/SB 5950, Sec 208(9): <ul style="list-style-type: none"> • \$1,000,000 (Climate Commitment Account) to DSHS. Funding is provided on a one-time basis. <ul style="list-style-type: none"> ○ DSHS and partners have requested \$3 million over two years to pilot the work. It would be meaningful to the success of this program to clearly signal that there will be funding beyond just one biennium.

EJC Recommendation Summary (The full recommendations can be found here: Environmental Justice Council 2024 Budget Recommendations - All 2024 Recommendations.pdf (wportal.org))	Governor’s Proposed Budgets
CCA Mitigation Fund <ul style="list-style-type: none"> \$100,000,000 to mitigate harms arising from projects aimed at reducing GHG and criteria pollutants. 	Not Funded
Community-Led Decarbonization <ul style="list-style-type: none"> Funding for community-led decarbonization and energy resilience in OBVP. 	Capital, HB 2089/SB 5949, Sec 1006: <ul style="list-style-type: none"> \$100,000,000 (Climate Commitment Account) to Commerce for Clean Energy Community Decarbonization for community-driven, neighborhood-scale sustainability projects. Operating, HB 2104/SB 5950, Sec 129(29): <ul style="list-style-type: none"> \$10,000,000 (Climate Commitment Account) for Clean Energy Ambassadors Program Operating budget funding is provided on an ongoing basis.
School Environmental Justice <ul style="list-style-type: none"> Fund Local Health Jurisdiction (LHJ) environmental health and safety programs Fund environmental health and safety review and needs assessment of schools. Fund schools to upgrade HVAC systems Fund State Board of Health (SBOH) to bring partners together to review and make recommendations for school environmental safety and health rules. 	Capital, HB 2089/SB 5949, Sec 5007: <ul style="list-style-type: none"> \$20,000,000 (Climate Commitment Account) and \$20,000,000 (Common School Construction Fund) for Equitable Access to Clean Air and Improving Classroom Air Quality Does Not: <ul style="list-style-type: none"> Fund LHJ environmental health and safety programs Fund Department of Health (DOH) and LHJs to conduct needs assessments. Fund SBOH to bring partners together to review and make recommendations for school environmental safety and health rules.
Infrastructure/Land Reacquisition for Tribal Climate Adaptation <ul style="list-style-type: none"> Fund infrastructure and land reacquisition needs 	Not funded
Technical Assistance (TA) and Planning for Tribes and Communities for Climate Adaptation <ul style="list-style-type: none"> Fund TA and planning 	Operating, HB 2104/SB 5950, Sec 302 (8): <ul style="list-style-type: none"> Additional \$10,000,000 (Climate Investment Account) to ECY for Tribal Capacity Grant program to support Tribal engagement in climate change resilience and adaptation projects, clean energy project development, applying for state or federal grant funding and other related work.

<p>EJC Recommendation Summary (The full recommendations can be found here: Environmental Justice Council 2024 Budget Recommendations - All 2024 Recommendations.pdf (waportal.org))</p>	<p>Governor’s Proposed Budgets</p>
	<p>Funding is provided on an ongoing basis.</p>
<p>Reducing Barriers to Grant Programs</p> <ul style="list-style-type: none"> • Funding for each HEAL agency to hire dedicated staff to address equity in grants 	<p>Operating, HB 2104/SB 5950, Sec 130(6):</p> <ul style="list-style-type: none"> • \$253,000 (Climate Commitment Account) to Commerce to incorporate equity and EJ into grant programs <p>Funding is provided on an ongoing basis.</p> <p>Does Not:</p> <ul style="list-style-type: none"> • Provide funding for the other six HEAL agencies to hire staff to address equity in grants.
<p>Commercial Aviation Workgroup</p> <ul style="list-style-type: none"> • \$125,000 to the Washington State Institute for Public Policy (WSIPP) for study • \$250,000 to the Commercial Aviation Work Group (CAWG) for study • \$250,000 to CAWG for community engagement 	<p>Transportation, HB 2134/ SB 5947, Sec 106:</p> <ul style="list-style-type: none"> • \$125,000 (Multimodal Transportation Account) to WSIPP with report due June 30, 2025 <p>Does Not:</p> <ul style="list-style-type: none"> • Fund the CAWG for study • Fund the CAWG for community engagement
<p>Centralizing Communication on HEAL and CCA Opportunities</p> <ul style="list-style-type: none"> • Fund a communication system for opportunities (grant funding, public comment, rulemaking, etc.). 	<p>Operating, HB 2104/5950, Sec 129(20):</p> <ul style="list-style-type: none"> • \$4,000,000 (Climate Commitment Account) to Commerce for web portal to provide central location for grant seekers to find state and federal grant opportunities in energy, climate, and clean tech sectors. Ensure accessibility. Include an outreach campaign. <p>Funding is provided on a one-time basis.</p> <p>Operating, HB 2104/SB 5950, Sec 302:</p> <ul style="list-style-type: none"> • \$1,000,000 (Climate Investment Account) for public communication on how CCA dollars have been spent, how communities are benefiting, and how communities can access grant opportunities. <p>Funding is provided on an ongoing basis.</p>

<p>EJC Recommendation Summary (The full recommendations can be found here: Environmental Justice Council 2024 Budget Recommendations - All 2024 Recommendations.pdf (waportal.org))</p>	<p>Governor’s Proposed Budgets</p>
<p>Community Based Health Assessments and Health Equity Zones (HEZ)</p> <ul style="list-style-type: none"> • \$485,000 in FY 25 for HEZ <p><i>(also, \$1,440,000 in 25-27)</i></p>	<p>Operating, HB 2104/5950, Sec 222(137):</p> <ul style="list-style-type: none"> • \$154,000 (GFS) and \$150,000 (Climate Commitment Account) to DOH to support HEZs in FY25 <p>Funding is provided on an ongoing basis.</p>
<p>State Government Administrative Processes</p> <ul style="list-style-type: none"> • Fund analysis of admin processes that create barriers to rapid action needed for convening groups and procurement. 	<p>Not funded</p>
<p>Frequent Accessible Transit</p> <ul style="list-style-type: none"> • Fund WSDOT to conduct studies in the 2023 Frequent Transit Service Study. • Fund analysis of funding needed for public transportation next biennium • Stable funding for transit • Short term CCA funding for transit 	<p>Transportation, Sec 221(21)</p> <ul style="list-style-type: none"> • \$900,000 (CTPA) to WSDOT for studies in the 2023 Frequent Transit Service Study with report due June 30, 2025.
<p>Clean and Safe Drinking Water</p> <ul style="list-style-type: none"> • Fund immediate, medium-term, and long-term solutions for drinking water • Funds should be low barrier and not require match and be set up for prepayment, flexible, and available for any undrinkable water (not just those with regulated contaminants out of compliance with standards). 	<p>Operating, HB 2104/5950, Sec 127(30):</p> <ul style="list-style-type: none"> • \$1,000,000 (Model Toxics Control Account) to Commerce for grants to address emergency drinking water problems in overburdened communities (through existing grant programs such as the Emergency Rapid Response Program) <ul style="list-style-type: none"> ○ Funding is provided on an ongoing basis. <p>Agency Rec Sum – Commerce</p> <ul style="list-style-type: none"> • Additional \$1,500,000 (GF-S) for the Emergency Rapid Response Program to address immediate community needs (such as water) in the aftermath of natural and manmade disasters. <ul style="list-style-type: none"> ○ Funding is provided on an ongoing basis. <p>Operating, HB 2104/5950, Sec 222(135):</p> <ul style="list-style-type: none"> • \$2,000,000 (Model Toxics Control Operating Account) to DOH to administer the nitrate water hazard mitigation plan to support safe drinking water in the lower Yakima Valley – includes education and outreach, well testing, and alternate water supply. <ul style="list-style-type: none"> ○ Funding is provided on an ongoing basis.

EJC Recommendation Summary (The full recommendations can be found here: Environmental Justice Council 2024 Budget Recommendations - All 2024 Recommendations.pdf (waportal.org)	Governor’s Proposed Budgets
	<p>EJC staff analyzed existing funding streams to address drinking water quality in the state. For this supplemental year, in addition to the funds noted above, EJC staff identified the need to increase funding for the following two areas:</p> <ol style="list-style-type: none"> 1) Increase operating funds to DOH’s Lead in School Drinking water program (in addition to the program’s existing funding): <p>TOTAL ESTIMATED ADDITIONAL FUNDS NEEDED: \$1,289,000/year</p> <ul style="list-style-type: none"> • Additional needed FTE: \$505,000/year • Lead Analysis Capacity Expansion: \$384,000/year • Added contract sampling and testing option for schools: \$400,000/year • Note: These are estimates based on communication with DOH. Recommend working directly with DOH on exact budget amounts needed. <ol style="list-style-type: none"> 2) \$100,000 increase in capital budget funding for existing OSPI Lead in Water Remediation Grant to increase the scope of the grants to fund flush testing and the added demand for mitigation when flush testing identifies lead contamination in pipes. Flush testing is needed in some cases to determine the source of lead contamination when lead in a school's drinking water cannot be mitigated by replacing the fixtures alone. <ol style="list-style-type: none"> a. These are estimates based on communication with OSPI. Recommend working directly with OSPI on exact budget amounts needed. <p>Proposed change to the current proviso:</p> <p>Capital, HB 2089/SB 5949, Sec 5005(2): \$1,500,000 <u>\$1,600,000</u> of the state building construction account—state appropriation in this section is provided solely for grants to school districts, charter schools, and</p>

EJC Recommendation Summary (The full recommendations can be found here: Environmental Justice Council 2024 Budget Recommendations - All 2024 Recommendations.pdf (waportal.org)	Governor’s Proposed Budgets
	state-tribal education compact schools for the <u>flush testing and</u> replacement of lead-contaminated pipes, drinking water fixtures, and the purchase of water filters, including the labor costs of remediation design, installation, and construction.
EJC HEAL Implementation <ul style="list-style-type: none"> • \$444,000 to the Environmental Justice Council (EJC) 	Agency Rec Summary (DOH) <ul style="list-style-type: none"> • \$444,000 (GFS/Climate Commitment Account) for EJC Funding is provided on an ongoing basis.
DOH HEAL Implementation <ul style="list-style-type: none"> • \$164,000 in FY24 • \$570,000 in FY25 	Agency Rec Summary (DOH) <ul style="list-style-type: none"> • \$734,000 (Climate Commitment Account/GFS) for DOH implementation of HEAL and support the environmental health disparities map. Funding is provided on an ongoing basis.
WSDA Tribal Affairs Liaison <ul style="list-style-type: none"> • \$251,000 in FY24 • \$257,000 in FY25 	Agency Rec Summary (WSDA) <ul style="list-style-type: none"> • \$257,000 (GFS) for Tribal Affairs Liaison Funding is provided on an ongoing basis.
Commerce Tribal Relations <ul style="list-style-type: none"> • \$195,000 in FY24 • \$724,000 in FY25 	Agency Rec Sum (Commerce) <ul style="list-style-type: none"> • \$643,000 (GFS) for Tribal Relations Funding is provided on an ongoing basis.

Written Public Comments

The following section of the meeting packet includes written public comments submitted to the Council that do not necessarily reflect the positions or values of the Environmental Justice Council.

No one but each Tribe can speak for the Tribe and the Council is committed to their Tribal sovereignty.

From: sherry elizabeth
Sent: Monday, January 8, 2024 11:38 AM
To: Rotakhina, Sierra D (EJC) <Sierra.Rotakhina@ejc.wa.gov>
Subject: COUNTY OF BENTON Carving up Red Mountain

External Email

Greetings Sierra

I'am reaching out to you because of a unlawful action being committed by COUNTY OF BENTON /Community Development and their Emergency Services.

They are ruining a natural habitat and destroying the natural outline of Red Mountain in order to place a "Emergency Radio Tower" which is going to be emitting dangerous EMF's towards the wildlife and those who live in the area below.

None of the landowners besides where the County is attempting to gain easements in order to make it lawful were notified of this dangerous tower as the County knew none of the land owners would want that unsightly object ruining the beauty of the area and damaging the wildlife and our health.

I was given your email by Eliseo Juarez as he felt you could potentially assist in getting this event shut down. I have already filed in federal court a emergency injunction due to the 1859 Treaty of the Yakima Nation.

I care about natural beauty and the wildlife of nature and there is nothing proper about this tower being placed on Tribal land.

Thanks very much for any assistance you can offer
Respectfully,

Sherry-Elizabeth