

Environmental Justice Council
May 3, 2024 Meeting Materials

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Consejo de Justicia Ambiental (EJC)

Viernes 3 de mayo de 2024
1:00 p. m. a 5:10 p. m.
Centro de convenciones Yakima
“Room F, Lobby 4”
10 N 8th St, Yakima, WA 98901

O únase a través de Zoom:

Para unirse al seminario web, 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/j/81747864781>

Objetivos de la reunión:

1. Recibir breves actualizaciones sobre el trabajo del Comité de Gobernanza del Consejo, el Comité de la Ley de Compromiso Climático, el Comité de Evaluación de Justicia Ambiental, el Comité Presupuestario Ad Hoc y el Comité Ejecutivo y una actualización más detallada del Comité de Participación Comunitaria.
2. Resumir lo que hemos oído sobre preocupaciones, ideas y victorias de los miembros de la comunidad durante los dos últimos días en los que el Consejo estuvo en la zona de Yakima. Escuchar las recomendaciones del personal sobre posibles acciones y obtener el acuerdo preliminar del Consejo.
3. Continuar el debate sobre los beneficios directos y significativos en virtud de la CCA (por su sigla en inglés, Ley de Compromiso Climático) y los beneficios y daños ambientales en virtud de la Ley HEAL (por su sigla en inglés, Ley de Medioambiente Sano para Todos) iniciado en la reunión del Consejo de marzo para informar sobre posibles orientaciones

futuras del Consejo sobre los criterios para guiar a las agencias, a los legisladores y al gobernador en la aplicación de estos términos.

4. El Consejo y el grupo de trabajo interinstitucional sobre HEAL debaten el próximo informe anual de 2024 que la agencia HEAL presentará al Consejo y este realiza aportes sobre el contenido, los objetivos y el enfoque.
5. Analizar el proceso y los resultados de la sesión legislativa de 2024 y debatir los cambios necesarios para la sesión de 2025.
6. Sesión informativa sobre los recursos actuales y la falta de ellos, debate sobre las estrategias para subsanar las deficiencias y posible adopción de medidas.

Orden del día

Lo invitamos a participar a las 12:50 p. m. a una presentación sobre cómo activar los subtítulos y unirse al canal de interpretación en español si participa a través de Zoom o para obtener auriculares de interpretación si participa de forma presencial.

De 12:15 p. m. a 1:00 p. m.	Se ofrecerá un almuerzo en la sala de reuniones y se invita a los miembros de la comunidad a almorzar antes de que comience la reunión a la 1:00 p. m.
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De 1:00 p. m. a 1:15 p. m.	I. Bienvenida y pasaje de lista para verificar que haya cuórum	Copresidenta Maria Batayola Miembros del Consejo
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De 1:15 p. m. a 1:25 p. m.	II. Aprobación del orden del día por parte del Consejo	Miembro del Consejo Aurora Martin
	III. Aprobación de las notas de la reunión del 28 de marzo de 2024 por parte del Consejo	Miembros del Consejo
	- Posibles medidas del Consejo	

<p>De 1:25 p. m. a 1:35 p. m.</p>	<p>IV. Actualización sobre el trabajo realizado por el Comité del Consejo de Justicia Ambiental</p> <p>Objetivos: Recibir breves actualizaciones sobre el trabajo del Comité de Gobernanza del Consejo, el Comité de la Ley de Compromiso Climático, el Comité de Evaluación de Justicia Ambiental, el Comité Presupuestario Ad Hoc y el Comité Ejecutivo y una actualización más detallada del Comité de Participación Comunitaria.</p>	<p>Miembro del Consejo Esther Min</p> <p>Sierra Rotakhina, personal del Consejo</p> <p>Comité de Participación Comunitaria</p> <p>Miembros del Consejo</p>
<p>De 1:35 p. m. a 2:05 p. m.</p>	<p>V. Sesión informativa del personal sobre lo que hemos oído acerca de las cuestiones locales y la acción del Consejo de Justicia Ambiental</p> <p>Objetivos: Resumir lo que hemos oído sobre preocupaciones, ideas y victorias de los miembros de la comunidad durante los dos últimos días en los que el Consejo estuvo en la zona de Yakima. Escuchar las recomendaciones del personal sobre posibles acciones y obtener el acuerdo preliminar del Consejo.</p> <p>- Posibles medidas del Consejo</p>	<p>Miembro del Consejo Rosalinda Guillen</p> <p>Sierra Red Bow, personal del Consejo</p> <p>Sierra Rotakhina, personal del Consejo</p> <p>Miembros del Consejo</p>
<p>De 2:05 p. m. a 2:25 p. m.</p>	<p>VI. Comentarios públicos</p>	<p>Miembro del Consejo Rosalinda Guillen</p>

Receso de 15 minutos		
De 2:40 p. m. a 3:10 p. m.	<p>VII. Continuar el debate sobre los beneficios directos y significativos en el marco de la CCA y los beneficios y perjuicios medioambientales en el marco de la Ley HEAL</p> <p>Objetivos: Continuar el debate de estos términos iniciado en la reunión del Consejo de marzo para informar sobre posibles orientaciones futuras del Consejo sobre los criterios para guiar a las agencias, a los legisladores y al gobernador en la aplicación de estos términos.</p>	<p>Copresidenta Maria Batayola</p> <p>Ley de Compromiso Climático</p> <p>Comité de Participación Comunitaria</p> <p>Jonathan Chen, personal del Consejo</p> <p>Miembros del Consejo</p>
De 3:10 a. m. a 3:30 p. m.	<p>VIII. Debate: Informe anual de la agencia HEAL</p> <p>Objetivos: El Consejo y el grupo de trabajo interinstitucional sobre HEAL debaten el próximo informe anual de 2024 que la agencia HEAL presentará al Consejo y este realiza aportes sobre el contenido, los objetivos y el enfoque.</p>	<p>Miembro del Consejo Esther Min</p> <p>Miembros del Consejo</p>
De 3:30 p. m. a 3:45 p. m.	<p>IX. Debate: Sesión legislativa de 2024</p> <p>Objetivos: Analizar el proceso y los resultados de la sesión legislativa de 2024 y debatir los cambios necesarios para la sesión de 2025.</p>	<p>Miembro del Consejo Esther Min</p> <p>Christy Hoff, personal del Consejo</p> <p>Miembros del Consejo</p>

Receso de 15 minutos		
De 4:00 p. m. a 4:30 p. m.	X. Debate y posible adopción: Recursos adecuados para el desempeño de las tareas requeridas por la HEAL y la CCA Objetivos: Sesión informativa sobre los recursos actuales y la falta de ellos, debate sobre las estrategias para subsanar las deficiencias y posible adopción de medidas. - Posibles medidas del Consejo	Copresidenta Maria Batayola Sierra Rotakhina, personal del Consejo Miembros del Consejo
De 4:30 p. m. a 4:50 p. m.	XI. Consulta popular	Miembro del Consejo Rosalinda Guillen
De 4:50 p. m. a 5:10 p. m.	XII. Reflexiones y cierre	Copresidenta Maria Batayola

Información importante:

- El Consejo puede cambiar los asuntos del orden del día el mismo día de la reunión.
- El número de contacto de emergencia durante la reunión es 360-584-4398.
- Si desea solicitar este documento en un idioma diferente o 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)

Friday, May 3, 2024
1:00pm-5:10pm
Yakima Convention Center
Room F, Lobby 4
10 N 8th St, Yakima, WA 98901

Or join on Zoom:

Please click the link below to join the webinar:

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

Webinar ID: 817 4786 4781

Or Join by Phone: +1 253 215 8782

Webinar ID: 817 4786 4781

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

Meeting Goals:

1. Receive brief updates on the work of Council Committees (Executive, Governance, Climate Commitment Act, Environmental Justice Assessment, Ad Hoc Budget) and a more detailed update from the Community Engagement Committee.
2. Summarize what Council heard from community members (concerns, ideas, and victories) the past two days in the Yakima area. Consider staff recommended possible actions for preliminary Council concurrence.
3. Continue the discussion of “direct and meaningful benefits” under the CCA and “environmental benefits and harms” under the HEAL Act started at the March Council meeting to inform possible future Council guidance to agencies, Legislators, and the Governor as they apply these terms.
4. Discuss with HEAL Interagency Workgroup the upcoming 2024 HEAL agency annual report to the Council and provide input on the report goals, approach and content.

5. Debrief 2024 legislative session process and outcomes and discuss needed changes for 2025 session.
6. Briefing on current resources and gaps, discuss strategies to meet gaps, and possible adoption of action(s).

Agenda

Please join us at 12:50 PM for a presentation on how to turn on closed captions and join the Spanish interpretation channel if you are joining on Zoom or to get an interpretation headset if you are joining in person.

12:15 PM – 1:00 PM Lunch will be provided in the meeting room and community members are invited to join for lunch before the meeting starts at 1:00pm

1:00 PM – 1:15 PM	I. Welcome and Roll Call for Quorum	Co-Chair Maria Batayola Council Members
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1:15 PM – 1:25 PM	II. Approval of Agenda by Council	Council Member Aurora Martin
	III. Approval of March 28, 2024 Meeting	
Agenda on page 6	Notes by Council	Council Members
Meeting notes on page 11	-Possible Council Action	

1:25 PM – 1:35 PM	IV. Updates on Environmental Justice Council Committee Work	Council Member Esther Min
Materials on page 21	Goals: Receive brief updates on Committee work (Executive, Governance, Climate Commitment Act, Environmental Justice Assessment, Ad Hoc Budget) and a more	Sierra Rotakhina, Council Staff Community Engagement Committee Council Members

	detailed update from the Community Engagement Committee.	
1:35 PM – 2:05 PM Materials on page 22	V. Staff Briefing on What we Heard on Local Issues and EJ Council Action Goals: Summarize what we heard from community members about their concerns, ideas, and victories the past two days while the Council has been in the Yakima area. Consider staff recommendations on possible actions and obtain preliminary Council concurrence. -Possible Council Action	Council Member Rosalinda Guillen Sierra Red Bow, Council Staff Sierra Rotakhina, Council Staff Council Members
2:05 PM – 2:25 PM	VI. Public Comments	Council Member Rosalinda Guillen
15 Minute Break		
2:40 PM – 3:10 PM Materials on page 23	VII. Continue Discussion on “Direct and Meaningful Benefits” Under the CCA and “Environmental Benefits and Harms” Under the HEAL Act Goals: Continue the discussion of these terms started at the March Council meeting to inform possible future Council guidance to agencies, Legislators, and the Governor as they apply these terms.	Co-Chair Maria Batayola Climate Commitment Act Committee Community Engagement Committee Jonathan Chen, Council Staff Council Members

3:10 AM – 3:30 PM	VIII. Discussion: HEAL Agency Annual Report	Council Member Esther Min
Materials on page 28	Goals: Discuss with HEAL Interagency Workgroup the upcoming 2024 HEAL agency annual report to the Council and provide input on the on goals, approach and content.	Council Members
3:30 PM – 3:45 PM	IX. Discussion: 2024 Legislative Session	Council Member Esther Min
Materials on page 51	Goals: Debrief 2024 legislative session process and outcomes and discuss needed changes for 2025 session.	Christy Hoff, Council Staff Council Members
15 Minute Break		
4:00 PM – 4:30 PM	X. Discussion and Possible Adoption: Appropriate Resourcing to Perform HEAL and CCA Required Work	Co-Chair Maria Batayola Sierra Rotakhina, Council Staff Council Members
Materials on page 59	Goals: Briefing on current resources and gaps, discussion on strategies to meet gaps, and possible adoption of action. -Possible Council Action	
4:30 PM – 4:50 PM	XI. Public Comment	Council Member Rosalinda Guillen
4:50 PM – 5:10 PM	XII. Reflections and Adjournment	Co-Chair Maria Batayola

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

March 28, 2024

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:

- Nichole Banegas
- Maria Batayola (Co-Chair)
- Maria Blancas
- Tatiana Brown
- Running-Grass
- Rosalinda Guillen
- Aurora Martin
- David Mendoza
- Todd Mitchell
- AJ Dotzauer on behalf of the Honorable Misty Napeahi
- Faaluaina Pritchard

Council Members absent:

- The Honorable Jarred-Michael Erickson (Interim Co-Chair)
- Esther Min
- Raeshawna Ware
- The Honorable JJ Wilbur

Agency Ex Officio Members present:

- Paulina Deschamps Ramirez, 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
- Millie Piazza, Department of Ecology

Agency Ex Officio Members absent:

- Lauren Jenks, Department of Health

Council staff:

- Amina Al-Tarouti
- Jonathan Chen
- Angie Ellis
- Christy Curwick Hoff
- Dana Myers
- Rowena Pineda
- Sierra Red Bow
- Sierra Rotakhina

Guests and other participants:

- Courtney Cecale, Department of Ecology
- Jarvis Capucion, Nickelsville
- Amasai Jeke, Utopia Washington
- Maria Fernandez, We Are Ella
- Jerry Rivero, Office of the Governor

I. Welcome and Roll Call for Quorum

Maria Batayola, Council Co-Chair, called the meeting to order. Rowena Pineda, Council Staff, facilitated roll call. Tatina Brown, Council Member, introduced herself. Newly hired EJ Council staff, Sierra Red Bow and Dana Myers also introduced themselves. Co-Chair Batayola introduced Jerry Rivero, the Environmental Justice and HEAL Act Implementation Coordinator with the Office of the Governor.

Nichole Banegas	Business Representative	Present
Maria Batayola (Co-Chair)	Community Representative	Present
Maria Blancas	Community Representative	Present

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Tatiana Brown	Youth Community Representative	Present
The Honorable Jarred-Michael Erickson (Interim Co-Chair)	Tribal Representative	Absent
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	Absent
The Honorable JJ Wilbur	Tribal Representative	Absent

II. Approval of Agenda by Council

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

Motion: The Council adopts the agenda.

No objections noted. **The motion passed.**

III. Approval of January 25, 2024 Meeting Notes by Council

Member Martin facilitated adoption of the meeting notes.

Motion: The Council adopts the January 25, 2024 meeting notes.

No objections noted. **The motion passed.**

IV. Discussion and Potential Adoption of Council Bylaws

Member Martin introduced the agenda item. Sierra Rotakhina, Council Staff, reviewed the changes recommended by the Governance Committee as a result of feedback received at the Council’s last meeting.

Motion: The Environmental Justice Council adopts the bylaws as presented on March 28, 2024.

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Motion/Second: Maria Batayola /Lua Pritchard.

The motion passed.

A: Yes, I approve.

B: Yes, with reservations.

C: Not voting until we have further discussions.

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

E: I block, have serious concerns.

F: I stand aside, recuse myself.

Nichole Banegas	Business Representative	A
Maria Batayola (Co-Chair)	Community Representative	A
Maria Blancas	Community Representative	A
Tatiana Brown	Youth Community Representative	A
The Honorable Jarred-Michael Erickson (Interim Co-Chair)	Tribal Representative	Absent
Running-Grass	EJ Practitioner	A
Rosalinda Guillen	Community Representative	A
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	A
Raeshawna Ware	Community Representative	Absent
The Honorable JJ Wilbur	Tribal Representative	Absent

V. Community Connection: HEAL Community! Grants Grantees and Update on the Department of Health Environmental Justice Grants

Member Martin shared background on the HEAL Communities! Fund, including the process for selecting grantees. Jarvis Capucion, Nickelsville, shared information about the organization, the homeless population in the state, and their grant related work. Amasai Jeke, Utopia Washington,

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shared information about their program's efforts to promote climate resilience and environmental justice. They shared information about health disparities faced by the LGBTQ community. Maria Fernandez, Executive Director of We Are ELLA (Empowering Latina Leadership & Action), said they have been working with the community of Mabton to provide safe drinking water. She shared information about the population in Mabton and added that they are working with EJ Council staff to host a workshop to provide community leadership with information about the state budget and how to advocate for state funding.

Rowena Pineda referred members to the memo in the meeting packet. Sierra Rotakhina encouraged members and participants to suggest other community organizations to spotlight in future Council meetings.

VI. Public Comment

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

John Worthington said the term HEAL was first introduced in 2010 by ICLEI. He said that when reparations are offered to Tribes where a treaty exists, that is renegotiating and breaking the treaty. He said the Legislature did not agree with his argument about the jet stream. He spoke about pollution that comes into Washington State from other jurisdictions by the jet stream.

Arvia Morris said there is a lack of support for passenger rail travel as a climate solution by the Legislature and WSDOT. She shared information about Amtrak Cascades and added that WSDOT released a set of proposals to improve Amtrak Cascades, but it has not been funded. She said the state needs to mode shift more travelers to rail and transit and rely less on driving and flying to meet its climate goals. She requested that the EJ Council ask WSDOT for a robust intercity passenger rail program.

Jean Mendoza said she believes the Council has oversight over the selection of overburdened communities and asked that they pay close attention to the Lower Yakima Valley. She said the

Department of Ecology has gerrymandered the community in their identification of overburdened communities. She said they eliminated Wapato, Toppenish, Zilla, and other impoverished communities in Yakima County and added more affluent communities.

VII. Updates on Past Public Comments

Member Guillen said they are working on being accountable to communities and Tribes who provide public comment to the Council. Amina Al-Tarouti, Council Staff, shared that the Council in collaboration with the Department of Health is working to create a platform on the Council's website to manage public comment that is submitted in several forms (including audio and video). This will provide a user-friendly platform to maintain a traceable record and follow-up trail for public comments that will be respectful of commenters' privacy. She said the data will help identify themes, trends and regional concerns expressed by the public. Sierra Rotakhina said part of accountability is being transparent about action steps the EJ Council is taking in response to public comments and noted that the Council is growing its staff capacity to be responsive to Tribes and communities. Member Guillen said this will lead to results for communities.

VIII. Updates and Dialogue about the Office of Financial Management (OFM) HEAL Dashboard

Co-Chair Batayola introduced the agenda item. Courtney Cecale, Department of Ecology, HEAL Interagency Workgroup Metrics Subcommittee Lead, shared preliminary ideas for the dashboard which must be posted on OFM's website by September 1, 2024. Co-Chair Batayola suggested creating the dashboard with consideration to human interface. Member Guillen said community members might find it overwhelming and not welcoming or different than other government websites. She said it sounds like it is designed for agencies and not communities. She said she hopes to see interagency collaboration that signals agencies are doing things differently. Running-Grass, Council Member, said he would be interested in a dialogue rather than a listening session to continue conversation about the dashboard. He said he would like to see the page on EJ Assessments provide information about how communities can participate in the process and how

the agencies will use knowledge that communities provide. He added that he hopes they can build in community engagement. Millie Piazza, Ex Officio Member from Department of Ecology, said that if it feels bureaucratic, it is because they are responding to statutory requirements. She said she hopes to see how it can help agencies remain accountable, which is how she reads the intention of the HEAL Act. EJ Juarez, Ex Officio Member from Department of Natural Resources, said they have had to spend time aligning their data and the different information they collect. He said this alignment will help the agencies to measure and report on the same outcomes.

Michael Furze, Ex Officio Member for Department of Commerce, said he and Millie Piazza are leading the Task Team to identify overburdened communities and vulnerable populations, as directed by the Governor's Office. Member Guillen asked about agricultural communities and how they are represented in the map presented. Ex Officio Member Furze said they could investigate the layers with GIS. He added that they need to account for limitations in the data sets and ensure communities can be included in the mapping process (and investment process) so they are not left behind.

Co-Chair Batayola asked if members see any fatal flaws. Todd Mitchell, Council Member commented on workforce that moves daily into those communities. He said they do not necessarily have a voice that will be represented in those communities. Member Guillen said they need to continue to include agricultural pollution in the map. She added that the Department of Labor and Industries needs to opt into the HEAL Act to address workforce issues. Member Batayola said she wants to see airport impacted communities included in the map. Tatiana Brown, Council Member asked the Task Team to be more intentional in including rural and agricultural communities and not just rely on self-identification. Ex Officio Member Piazza said there are inconsistencies in data and the map will shift as data are updated.

IX. Discussion on “Direct and Meaningful Benefits” under the CCA and “Environmental Harms,” “Environmental Benefits,” and “Applicable Expenditures” under the HEAL Act

Jonathan Chen, Council Staff, said clarity on how the terms “Direct and Meaningful Benefits” and “Environmental Benefits” are operationalized will have an impact on how funds are invested. He provided more information on the process for interpreting these terms. He asked if the Council feels the definitions between the different terms should be aligned. AJ Dotzauer, Council Delegate, said she feels they should be aligned and likes the definition in HEAL. Member Brown asked for clarification on consequences if the terms are not aligned. Member Guillen said she supports alignment. Ex Officio Member Juarez commented on the potential legal differences between the two definitions. Jonathan Chen said they have made a request for legal guidance but have not received that guidance to date. Member Guillen said Council Members are providing aspirations for alignment that is allowable and aligns with any legal guidance. Ex Officio Member Furze said the Task Team has also requested legal review.

Jonathan Chen asked Council Members for their thoughts on the kinds of investments that should be considered “applicable expenditures” (under HEAL) or “direct and meaningful benefits” (under CCA). For example, he asked if staff costs, leases, supplies, human resource costs, etc. should also count as applicable expenditures. Member Dotzauer said Tulalip Tribes sees the benefit in an expansive definition of applicable expenditure. Member Guillen said expenditures should be linked to direct and meaningful benefit to communities. She said, hiring staff, especially in certain organizations, is needed. She added that expenditures should go directly to the community and not to other external entities that want to help the community. Member Brown suggested there needs to be a long-term benefit, adding that it would be appropriate to fund operational expenses under the condition that the funding wouldn’t be provided otherwise. Member Martin said the first phase of hiring-up seems reasonable for applicable expenditures. She cautioned against investments being replacements of other EJ expenditures. Member Mitchell cautioned against backfilling of positions.

Jonathan Chen said this is just the beginning of the process for operationalizing the terms. He said there would be opportunities for Council members to work with the Budget and Funding Subcommittee of the HEAL Interagency Workgroup on this.

X. 2024 Legislative Update

Christy Hoff, Council Staff, said there were no bills or provisos that passed that gave the Council additional statutory responsibilities. She referred Council Members to materials in their meeting packets and oriented Members to the crosswalk that identified where funding was included in the budget that aligned with the Council's budget recommendations. She shared the Governor still has an opportunity to veto any appropriations so changes could be made in the future. Sierra Rotakhina said there are reasons to celebrate the items that were included in the budget. Member Martin said it could be helpful to look at the investments that were made as a result of the Council's recommendations relative to the maps that are being created. Member Guillen said community members will want to see how funding has been allocated. Ex Officio Member Furze said it could be useful for agencies to walk the Council through how they would go about implementing the provisos in the budget and track and report on the HEAL outcomes. He said this could create clarity and invite dialogue.

XI. Public Comment

No additional public comments were provided during this second comment period.

XII. Appreciation and Adjournment

Ex Officio Member Piazza shared gratitude to Council Members who attended discussion sessions around the Task Team's work to identify overburdened communities. Member Martin thanked the community members who shared information at the top of the meeting. She said We Are ELLA is working on the direct and meaningful community benefit of water quality and the reduction of contamination in drinking water. And Nickelsville is working on community health for homeless

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individuals. And Utopia is working on direct and meaningful benefits for climate resiliency. Member Dotzauer welcomed Council Staff, Sierra Red Bow and said she hopes to increase Tribal participation in the Council's work. Member Running-Grass shared that Bunyan Bryant from the University of Michigan has passed away – he was one of the founders of the environmental justice movement.

DRAFT

Environmental Justice Council

Date: May 3, 2024

To: Environmental Justice Council

From: Sierra Rotakhina, Environmental Justice Council Manager

Subject: Updates on Environmental Justice Council Committee Work

Background and Summary:

We will have time at today's meeting for very brief staff updates on each of the Environmental Justice Council's committees:

- Budget Committee
- Climate Commitment Act Committee
- Community Engagement Committee
- Environmental Justice Assessment Committee
- Executive Committee
- Governance Committee

Staff Contact:

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

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Environmental Justice Council

Date: May 3, 2024

To: Environmental Justice Council

From: Sierra Rotakhina, Environmental Justice Council Manager

Subject: Staff Briefing on What we Heard on Local Issues and EJ Council Action

Background and Summary:

The Environmental Justice Council (Council) will be meeting with community-based organizations and community members on May 2, 2024 at Heritage University. During those meetings the Council will have opportunities to hear environmental justice concerns, ideas, victories, and solutions from community members. It is important that the Council is accountable to Tribes and communities and to ensure that information and comments shared with the Council guide the Council's work. Today staff will summarize what the Council heard from community members on May 2nd and the Council will then have time to discuss and consider staff recommendations on possible actions the Council can take to be responsive to what they heard.

Staff Contact:

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

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Environmental Justice Council

Date: May 3, 2024

To: Environmental Justice Council

From: Jonathan Chen, Climate Justice Advisor and Christy Hoff, Policy Advisor

Subject: Continue Discussion on Direct and Meaningful Benefits under the CCA and Environmental Benefits and Harms under the HEAL Act

Background and Summary:

The reduction of environmental harms and equitable distribution of environmental benefits to overburdened communities and vulnerable populations are major goals of both the Healthy Environment for All (HEAL) Act and the Climate Commitment Act (CCA). Although the HEAL Act defines "environmental harms" and "environmental benefits," it does not define what are the "applicable expenditures" nor the metrics for achieving these goals. Similarly, the CCA uses the term "direct and meaningful benefits" in reference to the equitable distribution of CCA investments but does not clearly define or have a metric for achieving this (see Appendix A of this memo for what is outlined in statute).

Having clarity on these terms has a significant impact on overburdened communities and vulnerable populations. For example, the Office of Financial Management will begin reporting in September how much of CCA funds are being spent on "direct and meaningful benefits." The application of these terms will impact this report, which may in turn impact what and how the Legislature decides to invest future CCA funds.

According to RCW 70A.02.110(9)(c)(ii) of the HEAL Act, the Environmental Justice Council (EJC) shall make recommendations to HEAL agencies on which agency actions may cause environmental harm or may affect the equitable distribution of environmental benefits to an

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overburdened community or a vulnerable population. Therefore, the Council has a role in clarifying how these various terms are to be interpreted and applied.

To date, the Council has been engaged in several conversations on this topic:

- On March 14, 2024 members of the Council's CCA Committee and the Community Engagement Committee began the discussion and suggested that Council Members learn from the Interagency Work Group what questions remain unresolved for them, and then together they can develop guidance for how to operationalize these terms.
- At the March 28, 2024 Council meeting, Council Members shared thoughts on whether the terms used to describe environmental harms and benefits in the HEAL Act and CCA should have aligned definitions. Several Council Members voiced support for aligning the definitions recognizing that they needed to consider legal guidance from the Assistant Attorney General. Others asked for more clarity on the consequences of not aligning the definitions. Council Members also discussed the types of investments that could be considered "applicable expenditures" and specifically, whether funding for agency staff could be an applicable expenditure. Several members suggested that applicable expenditures should be interpreted broadly and could include staff salaries and benefits as long as they were linked to direct and meaningful benefits.
- At the April 4, 2024 Interagency Workgroup's Budget and Funding Subcommittee meeting, committee members and several Council Members in attendance continued the conversation about aligning definitions around benefits and questioned whether doing so was even necessary.
- At the April 11, 2024 CCA Committee meeting, members in attendance suggested that the discussion at the May 3rd Council meeting be focused on some practical scenarios that agencies are facing.

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Discussion:

During today's meeting, agency staff will share some actual examples of programs they are administering, the environmental benefits they've identified, and how expenditures are being spent. These examples will provide an opportunity for Council Members to share thoughts and feedback for these specific examples to inform the conversation about how these terms should be interpreted and applied.

Staff Contact:

Jonathan Chen, Climate Justice Advisor, Jonathan.Chen@ejc.wa.gov, 564.669.3837

Appendix A:

"Environmental benefits" in [70A.02.010](#) of the HEAL Act

(4) "Environmental benefits" means activities that:

- (a) Prevent or reduce existing environmental harms or associated risks that contribute significantly to cumulative environmental health impacts;
- (b) Prevent or mitigate impacts to overburdened communities or vulnerable populations from, or support community response to, the impacts of environmental harm; or
- (c) Meet a community need formally identified to a covered agency by an overburdened community or vulnerable population that is consistent with the intent of this chapter.

"Environmental harm" in [70A.02.010](#) of the HEAL Act

(5) "Environmental harm" means the individual or cumulative environmental health impacts and risks to communities caused by historic, current, or projected:

- (a) Exposure to pollution, conventional or toxic pollutants, environmental hazards, or other contamination in the air, water, and land;
- (b) Adverse environmental effects, including exposure to contamination, hazardous substances, or pollution that increase the risk of adverse environmental health outcomes or create vulnerabilities to the impacts of climate change;

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- (c) Loss or impairment of ecosystem functions or traditional food resources or loss of access to gather cultural resources or harvest traditional foods; or
- (d) Health and economic impacts from climate change.

“Applicable Expenditures” in RCW [70A.02.080](#) of the HEAL Act

(1)[...] each covered agency, to the extent allowed by law and consistent with legislative appropriations, must equitably distribute funding and expenditures related to programs that address or may cause environmental harms or provide environmental benefits towards overburdened communities and vulnerable populations.

(2) Beginning on or before July 1, 2023, each covered agency must, where practicable, take the following actions when making expenditure decisions or developing budget requests to the office of financial management and the legislature for programs that address or may cause environmental harms or provide environmental benefits:

(a) Focus applicable expenditures on creating environmental benefits that are experienced by overburdened communities and vulnerable populations, including reducing or eliminating environmental harms, creating community and population resilience, and improving the quality of life of overburdened communities and vulnerable populations;

“Direct and Meaningful Benefits” in RCW [70A.65.030](#) of the CCA

(1) Except as provided in subsection (4) of this section, each year or biennium, as appropriate, when allocating funds from the carbon emissions reduction account created in RCW [70A.65.240](#), the climate commitment account created in RCW [70A.65.260](#), the natural climate solutions account created in RCW [70A.65.270](#), the climate investment account created in RCW [70A.65.250](#), the air quality and health disparities improvement account created in RCW [70A.65.280](#), the climate transit programs account created in RCW [46.68.500](#), or the climate active transportation account created in RCW [46.68.490](#), or administering grants or programs funded by the accounts, agencies shall conduct an environmental justice assessment

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consistent with the requirements of RCW [70A.02.060](#) and establish a minimum of not less than 35 percent and a goal of 40 percent of total investments that provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities through: (a) The direct reduction of environmental burdens in overburdened communities; (b) the reduction of disproportionate, cumulative risk from environmental burdens, including those associated with climate change; (c) the support of community led project development, planning, and participation costs; or (d) meeting a community need identified by the community that is consistent with the intent of this chapter or RCW [70A.02.010](#).

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Environmental Justice Council

Date: May 3, 2024

To: Environmental Justice Council Members

From: Rowena Pineda, EJ and Interagency Workgroup Manager, and Dana Myers, EJ Advisor

Subject: HEAL Agencies Annual Update

Background and Summary:

Per RCW [70A.02.090](#), by September 1st of each year, each agency must annually update the Environmental Justice Council (Council) on the development and implementation of environmental justice in agency strategic plans under RCW [70A.02.040](#), budgeting and funding criteria for making budgeting and funding decisions under RCW [70A.02.080](#), and community engagement plans under RCW [70A.02.050](#).

During the past two years, HEAL agencies submitted a collective report in the form of PowerPoint slides to the Council. The 2023 agency report is on [page 30](#) of this meeting packet.

Beginning in 2024, as part of each covered agency's annual update to the Council, each covered agency must include updates on the agency's implementation status with respect to the environmental justice assessments under RCW [70A.02.060](#).

Discussion:

We have an opportunity today to discuss what the Council would like to see in the annual update that is due to the Council on September 1st. The following are questions to consider:

1. How would you like the agencies to report on how they have incorporated the Council's guidance on Community Engagement? What information would you like to see included/addressed?

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2. During the March 28, 2024 meeting, the Council heard a proposal for the dashboard report which includes how environmental justice assessments will be reported. What information would you like agencies to expand upon when reporting on environmental justice assessments?
3. Is the current format for the update (PowerPoint slides) working for you? What can we do to improve it?

Staff

Rowena Pineda, Rowena.Pineda@ejc.wa.gov, 360-584-4197

Dana Myers, Dana.Myers@ejc.wa.gov, 564-233-5286

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An aerial photograph of a vast, rolling landscape. The terrain is covered in vibrant green fields and pastures, with some areas appearing to be recently plowed or in different stages of growth. In the distance, there are more hills and a line of trees. The sky is a pale, soft blue, suggesting a clear day. The overall scene is peaceful and scenic.

HEAL Agency Updates to the Environmental Justice Council

September 1, 2023

Healthy Environment For All (HEAL) Act: Chapter 70A.02 RCW

Content

- Review of submitted Strategic and Implementation Plans
- Community and Tribal Engagement Plan update
- EJ Assessment process update
- Budgeting and Funding update
- Agency Budget information
- Common barriers
- Opportunities to Overcome Barriers
- What the IAWG needs from EJC
- Appendices

Strategic Plans

Agriculture	Commerce	Health	Transportation	Natural Resources	Ecology	Puget Sound Partnership
<p>WSDA Strategic Plan published Jan 1, 2023</p> <p>WSDA Implementation Plan published Jan 1, 2023</p>	<p>Agency strategic plan has been drafted, incorporates EJ Implementation Plan.</p> <p>Commerce Director publishes first agency statement on Equity</p>	<p>DOH Transformational Plan published Aug 2022</p> <p>Full DOH EJ Implementation Plan published December 2022</p>	<p>WSDOT Strategic Plan (Sept 2022)</p> <p>WSDOT Diversity, Equity and Inclusion Plan (Aug 2022 incorporates the HEAL Act)</p> <p>WSDOT Strategic Plan Brochure (Sept 2022)</p> <p>WSDOT EJ Implementation Plan (Jun 2023)</p>	<p>DNR 2022-2025 Strategic Plan (Jan 2023)</p> <p>DNR HEAL Implementation Plan (July 2023)</p> <p>DNR Forest Resilience Environmental Justice Plan (June 2023)</p> <p>DNR Boards & Commissions Action Plan (est. Sept. 2023)</p>	<p>Ecology's 2023-2025 Strategic Plan</p> <p>Ecology and EPA Environmental Performance Partnership Agreement State Fiscal Years 2022-2023</p> <p>Implementing Washington's Environmental Justice Law (Chapter 70A.02 RCW): Summary of Progress and Implementation Goals</p> <p>Ecology Pro-Equity and Anti-Racism Strategic Action Plan</p> <p>Language Access Plan (updates forthcoming 2024)</p> <p>Diversity Equity Inclusion and Respect Plan (forthcoming 2024)</p>	<p>PSP Strategic Plan (2020-2025)</p> <p>Puget Sound Action Agenda (2022-2026)</p> <p>EJ Implementation Plan (adopted Aug 2023) Puget Sound Partnership - HEAL Implementation (wa.gov)</p> <p>Equity and EJ Program Strategic Plan (adopted Feb 2023)</p>

Community Engagement

DESIRED OUTCOMES

Equitably engage with overburdened communities and vulnerable populations.

UPDATE

- The provisional Community Engagement plans are being used by the agencies to varying degrees.

NEXT STEPS

- Individual agencies will continue to host community listening sessions and other forms of engagement.
- Review provisional Community Engagement plans and incorporate the EJ Council's Community Engagement values and guidance as well as what has been learned from listening sessions.

Tribal Engagement

DESIRED OUTCOMES

To facilitate and develop coordinated engagement guides, outreach and consultation opportunities

UPDATE

- Offer of formal government to government consultation on the suite of agency Tribal and Community Engagement Plans, facilitated by the Governor's Office of Indian Affairs

NEXT STEPS

- Tribal and Community Engagement Guides listening session scheduled for September 26th
- Coordinate with other IAWG subcommittees for a second offer of formal government to government consultations and listening sessions on the suite of policies on Budget and Financing, Environmental Justice Assessment, and Identification of Overburden Communities and Vulnerable populations, facilitated by the Governor's Office of Indian Affairs
- Request time on the agenda during the 2024 Affiliated Tribes of Northwest Indian Winter Convention plenary session

EJ Assessments

DESIRED OUTCOMES

Identify and take action to eliminate or reduce potential harm to communities most impacted by environmental hazards and to equitably distribute environmental benefits.

UPDATE

- Created a common EJA template that is being adopted and tailored by agencies to fit their needs.
- OFM has a website where EJA notices can be found: [Environmental justice assessment notices | Office of Financial Management \(wa.gov\)](https://www.wa.gov/office-of-financial-management/eja-notices).

NEXT STEPS

- Community listening sessions will further inform this process
- Engage EJ Council and incorporate their guidance
- Working with Tribal Liaisons and GOIA on how to offer joint tribal consultation on significant agency actions with impacts to tribes
- Workshops with EJ Council members on the EJ Assessment process

EJ Assessments FY24

Environmental Justice Assessments (anticipated EJAs for different SAAs)	Agriculture	Commerce	Health	Transportation	Natural Resources	Ecology	Puget Sound Partnership
Development and adoption of significant legislative rules	✓	✓	✓	✓	✓	✓	
Development and adoption of any new grant or loan program		✓	✓	✓	TBD	✓	
Capital project, grant, or loan award by a covered agency of at least \$12,000,000 or a transportation project, grant, or loan by a covered agency of at least \$15,000,000;		TBD		✓	✓	TBD	✓
Submission of agency request legislation	✓	✓	TBD	TBD	TBD	✓	
Any other agency actions deemed significant by a covered agency		✓	36	✓	✓		✓

EJ in Budgeting and Funding

DESIRED OUTCOMES

Equitable distribution of agency budgets, expenditures, and funding opportunities towards overburdened communities, with a focus on the elimination of harm and equitable distribution of environmental benefits, and increased access to participation and decision-making.

UPDATE

- Agencies have done an initial review of the budget and funding processes subject to this law.
- Posted budget and funding decision-making processes on agency websites.

NEXT STEPS

- Determine how to interpret the 40% requirement and apply it throughout the agency
- Gather data for reporting requirement at the end of the year
- Explore potential solutions for standardized data collection

Budget Information	Agriculture (877 employees)	Commerce (591 employees)	Health (3,100 employees)	Transportation (6,945 employees)	Natural Resources (2,054 employees)*	Ecology (1,680 employees)	Puget Sound Partnership (56 employees)
FY23-25 Request: (put funding source)	\$584,709 (HEAL/EJ) \$386,000 (PEAR/EJ) TOTAL = \$970,709	\$3,094,000	\$3,897,929	None	None	None	\$778K 2 FTE Budget request
FY23-25 Actual:	\$584,709 (HEAL/EJ) \$386,000 (PEAR/EJ) TOTAL = \$970,709	\$3,096,000 biennium (Operating budget, CCA)	Totals \$1.17M in FY2024, \$1.2M in FY2025+	\$2,075,000	\$3,812,000	Carry Forward Level: \$1,608,000 per biennia	\$778K 2 FTE Budget request
How funds are being used:	*EJ staff *EJ implementation *Community Engagement *Travel to support activities	<ul style="list-style-type: none"> EJ staff EJ implementation Community and Tribal engagement IT support Travel 	<ul style="list-style-type: none"> EJ staff EJ implementation Community and Tribal engagement Travel 	*EJ staff *EJ implementation *EJ analysis, supports, and review *Community Engagement (translation services, interpretation, accessibility) *Travel to support activities	*EJ staff *EJ implementation *EJ analysis, supports, and review *Community Engagement *Travel to support activities	* HEAL + EJ staff * HEAL implementation * EJ analysis, support and review * Community engagement	EJ Coordinator & Community Engagement Coordinator
Portion that are ongoing & portion of one-time only	*100% ongoing (HEAL/EJ) *100% ongoing (PEAR/EJ)	100% one-time	\$1,124,000 to support permanent staff	100% ongoing (HEAL/EJ)	100% ongoing (HEAL/EJ)	* 100% ongoing (HEAL/EJ)	100% ongoing
Requested from supplemental budget and what for	N/A- not currently planning to request additional funds in the supplemental session.	N/A - not requesting additional funds in supplemental 23-25	\$321,000 to fund contracting that wasn't funded through original request and small amount to support ongoing staffing costs	N/A	N/A- not currently planning to request additional funds in the supplemental session.	N/A- not currently planning to request additional funds in the supplemental session.	N/A

Common Barriers

- Statutory timelines inhibit appropriate time to develop processes and relationships to enhance meaningful community engagement.
- Need for enterprise-wide community engagement and performance metric tracking systems.
- Risk of overburdening impacted communities and Tribes with multiple redundant requests of engagement and consultation.
- Resources to embed meaningful and sustained community engagement in agency practices/decision-making.
- Developing infrastructure is challenging.

Opportunities and Resources to Overcome Barriers

- Coordinated outreach and consultation effort between agencies, whenever feasible. Go beyond those community groups who are most vocal to ensure we can directly and meaningfully engage with impacted communities.
- Continue to adapt HEAL deliverables as we become more informed and engaged with overburdened communities.
- Centralized tracking systems.

IAWG Needs from EJC

- Review of provisional community engagement plans.
- Guidance on the process for identification of overburdened communities and vulnerable populations.
- Guidance on what is meant by environmental benefits & environmental harms.
- Guidance on budget and funding recommendations/expectations.

Appendices

Department of Agriculture Updates

Implementation Updates

- WSDA [Strategic Plan](#) and [EJ Implementation Plan](#) published Jan 1, 2023.
- Develop external facing [HEAL Act webpage](#) with resources and EJ Team contact information.
- Initial approach to incorporating [EJ in budget and funding decisions](#) posted July 1, 2023
- Held five (of 6 planned) monthly webinars to train agency staff on each HEAL Act obligation area.
- Began conducting EJ Assessments for significant agency action (primarily ARLs and rulemaking for WSDA).
- EJAs that have been officially initiated are posted to the WSDA webpage.
- Planning community-based listening sessions this Fall focused on obtaining input into our agency's community engagement efforts.
- Developing internal facing SharePoint site to catalogue EJ tools and resources for agency staff
- Plans to recruit Communications specialist who will dedicate a portion of their time on agency EJ communication

Funding Resources & Requests

FY23-25 Budget Funding: \$970,709

How funds are being used:

- EJ staff
- EJ implementation
- Community Engagement
- Travel to support implementation activities

FY23-25 Budget Request:

- \$584,709 (HEAL/EJ)
- \$386,000 (PEAR/EJ)
- TOTAL = \$970,709**

Implementation Barriers:

- Lack of clarification on competing guidance from multiple partners.
- Agency-created processes and documents are in draft form due to delays in obtaining guidance and feedback.
- Statutory timelines continue to mal-align EJHEAL implementation and state enterprise processes (guidance/staffing resources/etc.).
- Statutory timelines inhibit appropriate time to develop processes and relationships to enhance meaningful community engagement.

Who identified these barriers?

- WSDA EJ Team

Needs to overcome barriers:

- Centralized process for gathering and sharing information that impacts enterprise-level decision making.

Contact Information:

- IAWG Representative: Jill Wisehart jwisehart@agr.wa.gov
- EJC Agency Liaison/Ex-Officio: Nicole Johnson, nyjohnson@agr.wa.gov

Department of Commerce Updates

Implementation Updates

- [Agency strategic plan has been drafted](#), incorporates EJ Implementation Plan draft, published Jan 1, 2023
- Initial approach to incorporating [EJ in budget and funding](#) decisions posted July 1, 2023
- Solicited feedback on SAA's, [adopted additional SAA](#) to create a path to opt-in programs as SAA's that wouldn't otherwise qualify per the statute.
- Co-led interagency workgroup that drafted the uniform EJ Assessment form and process guide. Developed Commerce-specific process form and guide -- available upon request.
- Held four webinars to train staff on the EJ process. Stood up "EJ helpdesk" to provide technical assistance to program staff. Started conducting EJ Assessments for ARLs and new 23-25 grant and loan programs.

Funding Resources & Requests

- FY 23-25: \$3,096,000, one-time funding via the Operating Budget, Climate Commitment Account.
- Funds are being used for staffing, community and tribal engagement, IT, travel

Implementation Barriers:

-Commerce's strength, a diverse portfolio of programs, creates a challenge with so many new budget provisos that require an initial "desk audit" to determine if an EJ assessment is required. Commerce will need to engage with communities on many different programs simultaneously, creating a strong likelihood of information overload and bandwidth constraints at the community level.

-Lack of enterprise-wide community engagement and performance metric tracking systems

Who identified these barriers?

- Agency staff

Needs to overcome barriers:

- Centralized tracking systems
- Coordinated outreach and consultation effort between agencies, whenever feasible

Contact Information:

EJC Agency Liaison/Ex-Officio: Michael Furze, michael.furze@commerce.wa.gov

IWG representative: Jennifer Grove, jennifer.grove@commerce.wa.gov

Department of Ecology Updates

Implementation Updates

- Adopted Provisional Community Engagement Plan (2022)
- Adopted HEAL implementation plan (2022)
- Hired EJ Engagement Coordinator

Milestones – 2023

- Began implementation of [EJ Assessments](#)
- Published [Budget and Funding Equity Priorities](#)
- Held listening sessions on [community engagement with Ecology](#)

Implementation barriers:

1. Developing novel infrastructure within and between agencies (reporting, dashboards, assessments)
2. Matching statutory timelines with meaningful and effective outcomes
3. Risk of burden and capacity limits in communities and with Tribes related to covered agencies striving to comply with HEAL engagement and consultation obligations.

Opportunities and resources to overcome barriers:

1. Covered agency coordination on community outreach and Tribal consultation effort
2. Coordination on protocols for community compensation, civil rights compliance (.e.g., language access), and other best practice compliance practices

Contact Information:

EJ Senior Policy Advisor/IAWG Rep: Courtney Cecale, courtney.cecale@ecy.wa.gov

EJ Engagement Coordinator: Chelsea Batavia chelsea.batavia@ecy.wa.gov

Civil Rights Compliance Coordinator: Megan MacClellan megan.macclellan@ecy.wa.gov

EJ Council Ex-Officio Liaison: Millie Piazza, millie.piazza@ecy.wa.gov

Department of Health Updates

Implementation Updates

- [DOH Transformational Plan](#) published Aug 2022. Full [DOH EJ Implementation Plan](#) published December 2022
- Initial approach to incorporating [EJ in budget and funding](#) decisions posted July 1, 2023
- EJAs that have been officially initiated are posted to the [DOH EJ Assessment site](#). Will use IAWG EJA template for reporting. Creating DOH-specific EJA guidance, which will be posted to website before end of year.
- Hiring four additional HEAL implementation staff.

Funding Resources & Requests

FY23-25 Budget Funding Request: \$1.1M for HEAL Implementation and \$1.3M for EHD Map. Total: \$1.4M

How funds are being used:

- EHD Map – Staffing, academic support contracts, travel
- HEAL Implementation – Staffing, contracts, ATG services, travel, funding to support community engagement

FY24 Supplementary Budget Request:

EHD Map: for FY23-25 \$238K only asking for additional funds for SFY25

HEAL Implementation: for FY23-25 \$321K

Implementation Barriers

- DOH reorganization and subsequent changes to HEAL staffing and support
- Emerging data-related needs, including data analyst and mapping expertise
- Additional staff support needed due to complexity and scale of helping DOH staff meet EJA and budgeting and funding obligations
- Need for enterprise-wide community engagement and performance metric tracking systems
- Need for coordinating community engagement and tribal consultation to avoid overburdening

Who identified these barriers?

- DOH staff

Needs to overcome barriers:

- Support for DOH supplementary budget request and forthcoming FY25-27 budget requests
- Centralized tracking systems
- Coordinated outreach and consultation effort between agencies, whenever feasible

Contact Information:

IAWG representative: Charmila Ajmera; Charmila.Ajmera@doh.wa.gov

EJC Agency Liaison/Ex-Officio: Lauren Jenks; Lauren.Jenks@doh.wa.gov

DOH | EHD Map Budget Updates

Budget Information	EHD Map
FY23-25 Request: (put funding source)	EHD Map – \$1,737,964
FY23-25 Actual:	EHD Map – Totals \$1,165,000 in FY2024, \$1,179,000 in FY2025, \$1,077,000 in FY2026+
How funds are being used:	EHD Map – Staffing, academic support contracts, travel
Portion that are ongoing & portion of one-time only	\$1.2M – Total for EHD Map and HEAL implementation. Ongoing funds will be directed to ensure staff positions are permanent.
Requested from supplemental budget and what for	EHD Map - \$238,000 in FY25 and \$230,000 in FY26 and ongoing to add: 2 FTE

Department of Natural Resources Updates

Implementation Updates

- Hired EJ External Affairs Manager
- Hired Boards & Commissions Manager
- Hired EJ Communications and Outreach Specialist
- Adopted: [Draft Community Engagement Guide](#) (July 2022)
- Adopted: [Forest Resilience EJ Action Plan](#) (June 2023)
- Adopted: [HEAL Implementation Plan](#) (July 2023)
- Adopted: Boards and Commissions Action Plan (August 2023)
- In progress: Community Participation and Public Meeting Policy (Est. Oct 2023)

- Solicited feedback on SAA's, created agency-wide screening portal to create a path to opt-in programs and actions for SAA's that wouldn't otherwise qualify per the statute, but have significant impact on community.

- Hosted all-agency Open Houses on EJ Implementation: "Assessing Cumulative Health and Environmental Impacts through HEAL" and released DNR's EJ 101 training for all staff.

Funding Resources & Requests

- FY23-25 Budget Funding Request: \$3.812M for ongoing HEAL Implementation with \$1.2M of that for expanded Environmental Justice programming. **Total: \$3.812m**
- FY24 Supplementary Budget Request: No EJ or HEAL specific asks anticipated.

How funds are being used:

- HEAL Implementation – Staffing, contracts, ATG services, travel, funding to support community engagement
- Planning and Innovation: Discover Pass Access Pilot Program, Recreation Access Strategic Planning, community support and Boards and Commissions Action Plan implementation.

Barriers

1. Educational and technical infrastructure does not match needs.
2. Agency-wide community engagement standards vary by function.
3. Requires culture change across a large agency with varied functions.

Opportunities and Resources to overcome barriers:

- Coordinated outreach and consultation effort between agencies, whenever feasible.
- Opportunity to update and adapt implementation plans based on engagement.
- Identify, create, and monitor adoption of EJ competencies across the agency.
- Centralized services for and compliance with new EJ policies and procedures.

Contact Information:

- EJC Agency Liaison/Ex-Officio: EJ Juarez; ej.juarez@dnr.wa.gov
- IAWG representative : Carlos Lugo; carlos.lugo@dnr.wa.gov

Department of Transportation Updates

Implementation Updates

- **Community Engagement Plan** (July 2022)
- **Strategic Plan** (September 2022)
- **Diversity, Equity and Inclusion Plan** (August 2022 Embedded in the Strategic Plan - incorporates the HEAL Act/EJ)
- **EJ Assessment Process Update** (Draft)
- Project Development **Community Needs Assessment** (Draft)
- **HEAL Act EJ Implementation Plan** (June 2023)
- **EJ Principles in Budget and Funding Processes** (June 2023)
- **EJ Webpage** (public facing)
- **Internal EJ/Community Engagement Practitioners SharePoint Site**
- **Hiring EJ positions across the agency** (3 HEAL FTEs hired to date)

Funding Resources & Requests

FY21-23 Budget Funding: \$1,026,000

FYI 23-25 : \$2,075,000 (\$1,026,000 +\$1,049,000 carry forward)

How were funds used:

- Staffing resources for HEAL Act/ EJ implementation, analysis, community and tribal engagement, and travel)

FY23-25 Budget Request: None

Barriers

Implementation barriers:

- Requires transformational culture change across large agency with various functional areas
- Lack of resources to concurrently develop and facilitate transformational change
- Guidance and expectations on incorporating EJ principles in budgeting practices and metrics
- Resources to embed meaningful & sustained community engagement in agency practices/decision-making
- Resources for continuous EJ education

Who identified the barriers?

- WSDOT HEAL Act Co-Project Managers

Needs to overcome barriers

- Sustained implementation of the WSDOT DEI plan including EJ education and internal communications
- § Community engagement training and sustained implementation throughout WSDOT decision-making
- § Identify, fulfill, and monitor EJ /Community Engagement staffing needs (including education and implementation in all WSDOT divisions and regions)

Contact Information

EnvironmentalJustice@WSDOT.WA.GOV

IWG Representatives:

Charlene Kay kayc@wsdot.wa.gov

Alberto Valentin valenta@wsdot.wa.gov

EJC Agency Liaison/Ex-Officio:

Ahmer Nizam nizama@wsdot.wa.gov

Puget Sound Partnership Updates

Milestones – 2022

- Hired project EJ Coordinator (May)
- Adopted Draft Community Engagement Guide (July)
- Adopted HEAL implementation plan (September)

Milestones – 2023

- Adopted and began implementation of EJ Assessment Policy & Budget and Funding Policy (June/July)
- Initiated first EJ Assessment of an agency SAA (July)
- Converted EJ Coordinator to a permanent position
- Hiring permanent Community Engagement Coordinator
- Updated HEAL Implementation Plan (September)

Contact Information:

Lea Anne Burke, Tribal Affairs Manager: lea-anne.burke@psp.wa.gov

Stephanie Sayo, EJ Coordinator: stephanie.sayo@psp.wa.gov

Melissa Schutten, Equity and EJ Manager & EJC Ex-Officio:

melissa.schutten@psp.wa.gov

Implementation barriers:

Delays in obtaining guidance and feedback on mandatory deliverables; statutory timelines limit alignment of ensuring meaningful community engagement.

Risk of overburdening impacted communities and Tribes with multiple redundant requests of engagement and consultation.

Opportunities and Resources to overcome barriers:

Coordinated outreach and consultation effort between agencies, whenever feasible. Go beyond those community groups who are most vocal to ensure we can directly and meaningfully engage with impacted communities.

Continue to adapt HEAL deliverables as we become more informed and engaged with overburdened communities.

Environmental Justice Council

Date: May 3, 2024

To: Environmental Justice Council

From: Christy Hoff, Policy Advisor

Subject: 2024 Legislative Session Debrief

Background:

The Council has statutory responsibilities to interact with the Legislature by communicating progress on and making recommendations to improve the implementation of the HEAL Act and the cap and invest program, as well as to recommend how Climate Commitment Account funds are spent. During legislative session, the Council may also provide comment on legislation that proposes to change the Council's statutory responsibilities or authority or other legislation or funding strategies and allocations to promote environmental justice.

In preparation for the 2024 legislative session the Council adopted the following:

- [2024 Climate Commitment Account funding recommendations](#)
- 2024 Legislative Session Policy Statement and Procedure (see [page 53](#) of this meeting packet)

During legislative session, Council staff and Members took the following actions:

- Met on a number of occasions with and sent correspondence to individual legislators and legislative committees to advocate for the Council's adopted budget recommendations.
- Sent correspondence to Senator Nguyen and Representative Mena regarding their bills that would require the EJ Council be consulted on how funding in a proposed new account would be spent. In those notes, we shared the Council's policy position

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requesting that legislators engage the full Council before adding the Council to new legislation.

- Met with Senator Keiser and Representative Orwall at their request to discuss their bills related to noise and air quality mitigation efforts at the SeaTac airport.

Routinely during session, staff reviewed bill introductions and tracked bills that would have an impact on the Council's authority or responsibilities and submitted fiscal notes outlining fiscal impacts a bill would have on the Council where needed. Staff also monitored bills related to environmental justice, the HEAL Act, and the CCA more broadly, and analyzed budget bills to identify if the Council's budget recommendations were included. Staff sent weekly legislative updates to the Council to share actions taken during the week, anticipated actions for the following week, and a status update on select bills of interest.

Discussion:

During today's meeting, Council Members will have an opportunity to debrief the 2024 legislative session process and outcomes and discuss needed changes for 2025.

Staff Contact:

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

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Environmental Justice Council

2024 Legislative Session Policy Statement and Procedure

Adopted on December 14, 2023

1. Purpose and Background

Purpose:

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

Background:

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

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

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

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

2. Policy Positions

2.1 HEAL Act and the Environmental Justice Council:

- The Council strongly encourages all Washington State legislation to: align with the HEAL Act, build capacity to meet its intent, and not create (but rather remove) barriers to do so.
- The Council's position is that any decision-makers proposing legislation that impacts the Council's statutory authority, duties, or membership should engage with the full Council on the proposed language prior to bill introduction.
- The Council opposes policies that would alter the Council's membership, duties, and/or authority in ways that are counter to the intent of the HEAL Act or would significantly disrupt or delay the Council's work.
- The Council supports policies that both align with the intent of the HEAL Act to promote environmental justice AND significantly align with the intent of, or would be necessary to implement, any of the 2024 supplemental budget recommendations formally adopted by the Council. The Council's positions on alignment with HEAL Act regarding topics like community engagement and environmental justice assessments can be extrapolated from official Council letters or position statements.

- The Council requests that it (the Council) only be added to legislation or budget proposals when the inclusion is directly related to the HEAL Act and CCA and when doing so aligns with the Council’s capacity, authority, and structure as an advisory body of volunteer community members with prior consultation with the Council. The Council believes that legislative and budgetary proposals should center free, prior, and informed consent from Federally Recognized Tribes; community engagement; co-governance; and co-design. Therefore, the Council opposes being included in any legislation or budgetary proposals when the sole reason for doing so would be for the Council to serve as a proxy for meaningful Tribal Government Consultation and community engagement.

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

For the 2024 legislative session:

- The Council supports the current and expanding support for investing in overburdened communities and vulnerable populations.
- The Council recognizes the importance of the environmental and climate justice investments made with CCA revenue. It opposes any legislation, initiative, or other policy that would put a blanket restriction on the state's ability to raise revenue for environmental and climate justice. It also opposes any efforts to repeal the CCA without an alternative revenue source to provide ongoing support for environmental and climate justice investments.
- Pursuant to the [letter the EJC submitted regarding linkage](#), the Council opposes linking the Washington carbon market with the California-Quebec carbon market, also known as Linkage. The Council also opposes aspects of legislation necessary to facilitate linkage, but we are supportive of changes to the CCA that offer benefits to Federally Recognized Tribes and overburdened communities. The Council opposes redirecting CCA funds away from investments in overburdened communities, vulnerable populations, and on Tribal lands.

- The Council opposes any policy that would clearly infringe on our state’s ability to curb greenhouse gas (GHG) emissions and/or have a negative effect on overburdened communities and supports Tribal Government positions on such matters.
- The Council opposes policies that would increase the use of offsets as a compliance mechanism for reducing GHG emissions.
- The Council supports policies that increase investments in overburdened communities.
- The Council supports policies that improve air quality in overburdened communities.

3. Procedure

3.1 Advocating for the Council’s Budget Recommendations:

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

the question to the staff who will share it with the Council Executive Committee for a solution.

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

3.2 Routine Staff Activities During Session:

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

- Council staff will complete fiscal notes when assigned. Staff will center environmental justice and equity when estimating costs (e.g., include costs for interpretation and translation, Tribal and community engagement and co-creation, community stipends, etc.).

3.3 Sharing the Council's Formally Adopted Policy Positions:

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

Environmental Justice Council

Date: May 3, 2024

To: Environmental Justice Council

From: Sierra Rotakhina, Environmental Justice Council Manager

Subject: Appropriate Resourcing to Perform HEAL and CCA Required Work

Background and Summary:

The Environmental Justice Council (Council) has extensive responsibilities under the Healthy Environmental for All (HEAL) Act, the Climate Commitment Act (CCA), and various budget provisions. Today Council staff will present recommendations on additional staffing and other resources needed to sufficiently support the Council in its required work from a staff perspective. The Council Members will then have an opportunity to discuss these staff recommendations and what resources Members need to be sufficiently supported to fulfill their Council duties. This dialogue will inform the budget request that Council staff put together for the 2025 legislative session.

A presentation providing an overview of the historical staffing and resources for the Council and staff recommendations on additional resources needed will be posted as supplemental materials in advance of the May 3, 2024 Council meeting.

Staff Contact:

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

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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: john worthington
Sent: Thursday, March 28, 2024 4:37 PM
To: DOH EPH OEPHS Environmental Justice <envjustice@ejc.wa.gov>
Subject: COMMENTS

External Email

HEAL ACT IS FRAUD.

CANNOT BE DEFENDED.

A PLOY TO TAKE OUT FARMING AND INDUSTRY.

BUILD CAPACITY FOR INDIA AND CHINA.

MY COMMUNITY HAS BEDS FOR HEADS THEY JUST WANT TO HUFF FOILIES AND CRACK PIPES
ALL NIGHT.

U.S. Congressional Indian Affair Committees

838 Hart Senate Office Building
Washington, D.C. 20510

1332 Longworth House Office Building
Washington, DC 20515

Judges: Fletcher, Gould, Ezra,
No. 13-35474, United States v. Washington, 864 F.3d 1017 (2017)
U.S. Ninth Circuit Court of Appeals
WILLIAM K. NAKAMURA COURTHOUSE
1010 Fifth Avenue
Seattle, WA 98104

Law Offices of Lauren P. Rasmussen, PLLC
1904 Third Avenue, Suite 1030
Seattle, WA 98101-1170

Samual Hough
Lower Elwha Klallam Tribe,
2851 Lower Elwha Rd, Office Of Tribal Attorney,
Port Angeles, WA 98363-8409

Hello,

My name is John Worthington and I live in Sequim, Washington. I am writing to both the committees on Indian affairs, the United States Ninth Circuit Court of Appeals, and to tribal counsel of record, to report the intentional breaking of Indian treaties in Washington State and all across America.

I am claiming a violation of my rights under the terms of the 1855 Point No Point Treaty and I seek Congressional action and judicial action sua sponte.

My treaty rights have been broken because many tribes have signed agreements to “build and serve” an international sphere of government that goes by the acronym ICLEI. This International government agreement has broken various treaties across the United States, including the 1855 Point No Point Treaty.

Who we are

ICLEI – Local Governments for Sustainability is a global network of more than 1,750 local and regional governments committed to sustainable urban development. Active in 100+ countries, we influence sustainability policy and drive local action for low emission, nature-based, equitable, resilient and circular development.

ICLEI's mission is to build and serve a worldwide movement of local governments to achieve tangible improvements in global sustainability with special focus on environmental conditions through cumulative local actions. We bring sustainability to a rapidly developing urban world.

Charter

The Charter serves as the primary statute of the association.

Article 1. Name, Seat and Mandate

Charter 1.1 - Name

ICLEI – Local Governments for Sustainability (hereafter referred to as the “Association”) was established as an international local government association in the year 1990. From its founding until 31 December 2003, the Association bore the name “International Council for Local Environmental Initiatives (ICLEI)”.

Charter 1.2 - Seat

The Association's seat shall be the location of its international headquarters (World Secretariat).

Charter 1.3 - Mission

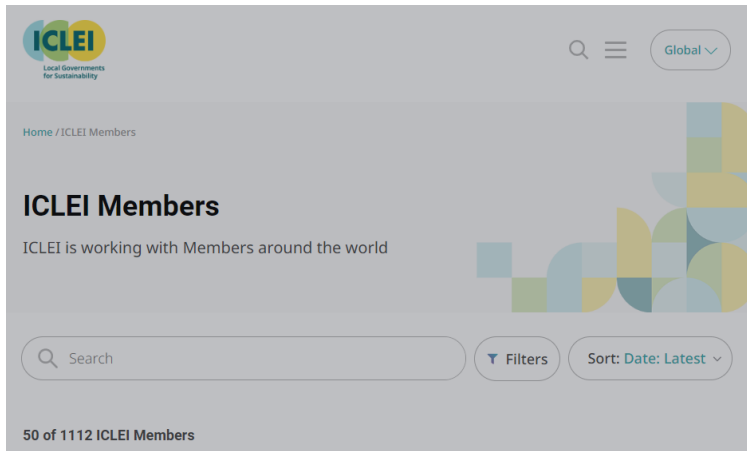
The Association's Mission shall be to build and serve a worldwide movement of local governments to achieve tangible improvements in global sustainability with special focus on environmental conditions through cumulative local actions.

Charter 1.4 - General Mandate

The Association shall build an active and committed municipal membership of local spheres of government (local and regional governments and authorities) as well as international, regional, national and sub-national local-government associations.

https://iclei.org/wp-content/uploads/2023/08/Charter_APPROVED_202104.pdf

Two tribes in my community have signed on to this international sphere of government. The Jamestown S’Klallam and the Lower Elwha S’Klallam tribes have signed the ICLEI Charter.



United States, North America

Jamestown S'Klallam Tribe of Washington, WA

Profile

TRIBAL COUNCIL/TGA EXECUTIVE DIRECTOR	POPULATION	POPULATION YEAR	MEMBER SINCE
Rochelle Blankenship	594	2012	01/04/2022

Everyone can join the ICLEI gym.

Angie Fyfe 08:57

That's right!

Kale Roberts 08:59

Some of our smallest members are villages with around five hundred people, particularly in the Hudson Valley area of New York, where I am located. These are places like Tuxedo, New York, and Hastings on Hudson, New York, Washington Grove, Maryland happens to be one of our smaller communities at 564 population. But, also our membership extends to tribal nations and the lower Elwha Klallam Tribe in the Pacific Northwest region is around nine hundred population and they're also an ICLEI member.

Race to Zero

<https://www.cityclimatecorner.com/episodes/iclei-and-the-race-to-zero-carbon-gqCgOrVw/transcript>.

Once the tribes joined the ICLEI, they agreed not to be ad hoc members of an international sphere of government, and agreed to implement international policy.

2.2.2 CREATE THE STAKEHOLDER GROUP

Partners are **not ad hoc participants** who occasionally share their opinions. On the contrary, they are expected to **share responsibility for the planning process and its outcomes**. Their involvement needs to be facilitated through an organizational mechanism. In the cases provided with this chapter, each municipality established special organizational structures to oversee the partnership planning process. For some, this coordinating mechanism was external to the municipality. For others, it was internal to the municipal institution.

In Lancashire County, UK, an Environmental Forum was established to oversee and support their Local Agenda 21 effort. This Forum was made up of members from a broad range of stakeholder constituencies, including the municipality, and received staff support from a special municipal Environment Unit. The Environment Unit linked the Forum's planning efforts to internal municipal planning processes.

In the circulars distributed by the ICLEI, the tribes are enlisted in a racist plot to obtain power and reparations beyond what was agreed to in the Point No Point Treaty.

Legislative agenda

The screenshot shows a document viewer interface for a file named "ICLEI Feedback on Peer Community Climate Equity Lens.docx". The interface includes a sidebar on the left with the following details:


- DESCRIPTION
- FOLDER: 110222 Installment
- VISIBILITY: Public
- DOCUMENT DATE: N/A
- UPLOAD DATE: 11/01/22
- REQUEST: 22-671

The main content area of the document viewer displays the following text:

Best options for sharing w/Blair and company:
Park Forest, IL
Milwaukie, OR
Ashland, OR


[Racial Equity Framework for the Puget Sound](#)
Vision: We are committed to working collectively to ensure that we are shifting power, reso decision-making to communities of color and those most impacted by issues related to the e and infrastructure. We will work to preserve the culture and identify of diverse communities strive to create more integrated and inclusive communities. Fundamental to this vision is the when racial equity is prioritized and normalized, we all advance.

The tribes are also enlisted to help obtain tribal reparations by means of a “compensation mechanism” for being “colonized.”



Definitions

Term	Definition	Sources
Capitalism	An economic system in which products are produced and distributed for profit using privately owned capital goods and wage labor. Many assert that a critique of capitalism is essential for understanding the full nature of inequality, as global economic structuring based on capitalism reflects a particular ideology that celebrates individual wealth and accumulation at the lowest cost to the investor, with little regard for the societal costs and exploitation.	<i>Adapted from Movement4BlackLives</i>
Climate Reparations	Compensation mechanisms to former colonized and marginalized developing countries [and communities] that address historical and ongoing injustices of disproportionate impacts of climate change.	<i>Adapted from Perry, 2020</i>



	enforcement of environmental laws, regulations and policies.	
Equity	Just and fair inclusion into a society in which all can participate, prosper, and reach their full potential. Unlocking the promise of the nation by unleashing the promise in us all.	PolicyLink
Frontline Communities	Frontline communities are those that experience “first and worst” the consequences of climate change. These are communities of color and low income, whose neighborhoods often lack basic infrastructure to support them and who will be increasingly vulnerable as our climate deteriorates. These also include Native communities, whose resources have been exploited, and laborers whose daily work or living environments are polluted or toxic.	<i>Adapted from Ecotrust</i>
Health Equity	Means that everyone has a fair and just opportunity to be as healthy as possible. This requires removing obstacles to health such as poverty, discrimination, and their consequences, including powerlessness and lack of access to good jobs, with fair pay, quality education and housing, safe environments, and health care.	NACo
Inclusion	Creating environments in which any individual or group can feel welcomed, respected, supported and valued to participate fully.	NACo
	The process of society moving from an unfair, unequal, or inequitable state to one that is fair, equal, or equitable. A transformative practice that relies on the entire community to acknowledge past and current harms to reform societal morals and subsequently the governing laws. Proactive enforcement of policies, practices, and attitudes that produce equitable access, opportunities, treatment, and outcomes for	NACo

Perry 2020 report cited shown below:

Realising Climate Reparations: Towards a Global Climate Stabilization Fund and Resilience Fund Programme for Loss and Damage in Marginalised and Former Colonised Societies

24 Pages • Posted: 20 Apr 2020

Keston K. Perry

Williams College; Williams College

Date Written: March 1, 2020

Abstract

In response to global climate breakdown and the financial and macro-economic instability that underpins the current era of the Anthropocene, climate reparations represent an important remedy for the Global South. While not a new concept, climate reparations offer an appropriate encompassing philosophical and policy apparatus for first coming to terms with the magnitude of climate breakdown associated with the fallout from the climate crisis, and second for mounting a response that applies a framework that has history and ethics at the centre. This policy paper offers analysis of the current and historical factors that give rise to the necessity of, and an action agenda for realising climate reparations, namely the interrelated effects of colonialism and the disproportionate role of former colonising powers in greenhouse gas emissions.

Through an examination of the macroeconomic character and repercussions of the climate crisis, relevant data and financial needs associated with ongoing long-term loss and damage especially of formerly colonised regions and marginalised societies, the paper offers two policy solutions - a Global Climate Stabilization Fund that effectively replaces any role the current International Monetary Fund have regarding climate change governance and a Resilience financing scheme for loss and damage. Ex-colonial regions face an extremely uncertain and volatile future and because of their economic and institutional vulnerabilities, current mechanisms and policy tools have fallen far short of their needs and fail to recognise the historical condition of their colonisation as cause for growing social and economic inequities borne and aggravated by the climate

By seeking reparations for colonization, the two tribes Jamestown S’Klallam and the Lower Elwha S’Klallam tribes have broken the initial terms of the Point no Point Treaty of 1855 in Article 5 and Article 9 shown below:

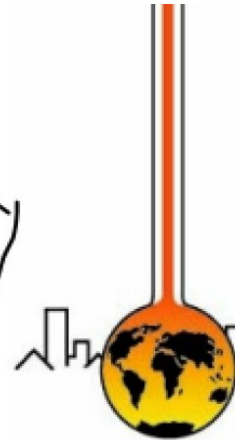
ARTICLE 5. In consideration of the above cession the United States agree to pay to the said tribes and bands the sum of sixty thousand dollars, in the following manner, that is to say: during the first year after the ratification hereof, six thousand dollars; for the next two years, five

thousand dollars each year; for the next three years, four thousand dollars each year; for the next four years, three thousand dollars each year; for the next five years, two thousand four hundred dollars each year; and for the next five years, one thousand six hundred dollars each year. All which said sums of money shall be applied to the use and benefit of the said Indians under the direction of the President of the United States, who may from time to time determine at his discretion upon what beneficial objects to expend the same. And the superintendent of Indian affairs, or other proper office, shall each year inform the President of the wishes of said Indians in respect thereto.

ARTICLE 9. The said tribes and bands acknowledge their dependence on the Government of the United states, and promise to be friendly with all citizens thereof; and they pledge themselves to commit no depredations on the property of such citizens. And should any one of more of them violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, of if injured or destroyed, compensation may be made by the Government out of their annuities. Nor will they make war on any other tribe, except in self-defense, but will submit all matters of difference between them and other Indians to the Government of the United States, or its agent, for decision, and abide thereby. And if any of the said Indians commit any depredations on any other Indians within the Territory, the same rule shall prevail as that prescribed in this article in cases of depredations against citizens. And the said tribes agree not to shelter or conceal offenders against the United States, but to deliver them up for trial by the authorities.

Furthermore, the tribes have agreed to help take advantage of “emerging markets in China and India.

Montréal and organized by ICLEI, the Federation of Canadian Municipalities (FCM), and Metropolis. This year, in which many parts of the world have been affected by major flooding, has once more taught us how the impacts of climate change increasingly hit us. The experiences of cities must be considered and the voice of local government must be heard when the Canadian government, as host to the UN meeting, aims “to lead efforts to produce an effective and inclusive agreement including the United States and that sets targets for emerging, developing nations such as China and India”. I therefore urge Mayors, Deputy Mayors and Council leaders of our Member local governments to participate in this important event.



The **2006 ICLEI World Congress** „Out of Africa – Local Solutions for Global Challenges” will be held in **Cape Town, South Africa, from 27 February – 3 March 2006**. For the time ever, the World Congress will take place in the Southern Hemisphere. The 2006 Congress will be a dynamic event with keynote presentations, reports, debates, workshop networking events, site visits and an interactive exhibition. We will review progress with Local Action 21 and learn about best practice experiences with local governance; building resilient, peaceful and secure communities; alleviating poverty; protecting global environmental goods such as biodiversity, water and the global climate; sustainable

The ICLEI leveraged Non-Government Organization has ceded back tribal lands.

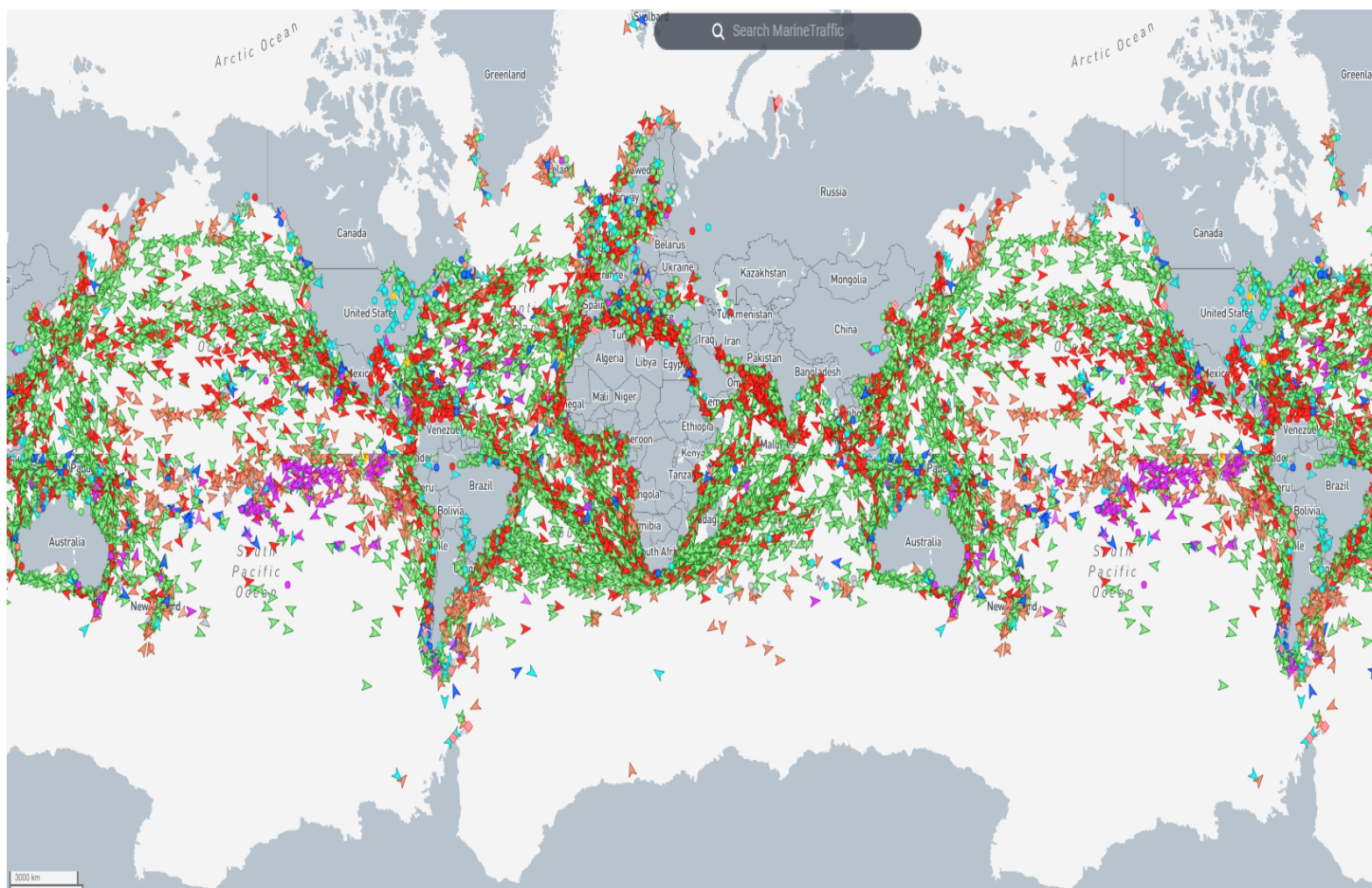


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We acknowledge that we live and work on the appropriated homeland and territory of the Jamestown S'Klallam, Port Gamble Klallam, Lower Elwha Klallam, Makah, Quileute, Hoh and Quinault Tribes. We respect and honor their stewardship of these land in the past, present and future and their Treaty Rights and status as sovereign nations.

In fact, I have lost all my rights under the treaty, and now am paying reparations for colonization under the guise of paying for damage to “overburdened communities” under the Washington State Climate Commitment Act and Washington State Heal Act. This is proven by climate commitment Act funding to coastal tribes, who falsely claim to be overburdened by emissions sources too far east to defeat the natural flow of the 700-mile per hour jet stream, and do not claim emissions burdens from international shipping, which is their true source of emissions, but require them not to pay impact fees, because they also agreed to a plot to build capacity for India, China and third world countries.



Those payments for reparations are set to arrive this year, unless the people of Washington State vote by initiative to stop those veiled reparations for colonization, set up as the “compensation mechanism.”

As shown above. I no longer have ceded rights to the territory that was promised under the terms on the 1855 Point No Point treaty. The local tribes have signed a charter to form an international government partnership to break those rights. The tribes agreed not to be ad hoc members of a documented plot to break the terms of the Point by Point Treaty of 1855.

Therefore, based on the aforementioned facts above, the tribes in my area have succeeded from their ward status to the American people and have pledged their allegiance to a foreign government, in return for a plot to take political power in the form of a “just takeover” from white people and have agreed to an international plot to create a “Compensation mechanism” under the guise of “overburdened communities” well beyond the initial terms of the Point No Point 1855 treaty and most likely other treaties around the United States.

Due to the fact that Washington State agencies, counties and cities have joined the ICLEI, and because so many ICLEI members are part of the Washington State legislature, and because so many people in power support the reparations for colonization, John Worthington respectfully requests the courts permission to intervene in all future tribal related lawsuits under Rule 24, because Washington State, its legislature, agencies, counties and cities have a conflict of interest. Therefore, Worthington’s interests cannot be properly represented. Worthington prays for Congressional and Judicial relief.

John Worthington