

# Adopted Minutes of the Environmental Justice Council

1/25/2024

## 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](mailto:envjustice@ejc.wa.gov) or by calling 360-584-4398.

### Council Members present:

- Co-Chair Maria Batayola
- Council Member Nichole Banegas
- Council Member Maria Blancas
- Council Member Running-Grass
- Council Member Aurora Martin
- Council Member David Mendoza – joined at 3:40pm
- Council Member Esther Min
- Council Member Todd Mitchell
- AJ Dotzauer on behalf of The Honorable Misty Napeahi
- Council Member Faaluaina Pritchard
- Council Member Raeshawna Ware – joined at 3:45pm

### Council Members absent:

- Interim Co-Chair, The Honorable Jarred-Michael Erickson
- Council Member Rosalinda Guillen

### Agency Ex Officio Liaisons present:

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

### Council staff:

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

### Guests and other participants:

- Carrie Sessions, Governor’s Office
- Becky Kelley, Governor’s Office
- Jim Cahill, Office of Financial Management

## I. Welcome and Roll Call for Quorum

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

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

## II. Approval of Agenda by Council

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

**Motion:** The Council adopts the [agenda](#).

**Motion/Second:** Lua Pritchard/Nichole Banegas. No objections noted.

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**The motion passed.**

### III. Approval of December 14, 2023 Meeting Notes by Council

Member Martin facilitated adoption of the [meeting notes](#).

**Motion:** The Council adopts the December 14, 2023 meeting notes.

**Motion/Second:** Esther Min/Lua Pritchard. No objections noted.

**The motion passed.**

### IV. Public Comments

Rowena Pineda, Council Staff, read from the public comment opening statement.

John Worthington provided comments on funding from the Climate Commitment Act. He shared concerns with the representation on the council, particularly that there are not enough voting Tribal members. He said that coastal Tribes need additional support.

Arvia Morris, introduced herself as a climate and rail advocate. She said she advocates for reliable intercity passenger rail improvements. She said it is a climate justice issue as cars and trucks contribute to pollution that kills salmon and pollutes the air. She said the Legislature is pursuing an ultra-high speed rail project instead of improving the Amtrak passenger rail system. She submitted a legislative agenda with her written testimony. She said she is concerned with proposed legislation allowing private partnerships to fund large transportation projects as it would allow private interests to control public services.

### V. Update and Dialogue with the Governor's Office and HEAL Agencies

Esther Min, Council Member, said the Council will receive updates from the Governor's Office and HEAL agencies and discuss the Governor's proposed budgets, the Climate Commitment Act, and the process to identify overburdened communities and vulnerable populations.

Becky Kelley, Senior Climate Advisor for Governor Inslee, shared information about the Initiative to repeal the Climate Commitment Act and prevent any future cap and invest programs.

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Carrie Sessions, Senior Policy Advisor for Governor Inslee, thanked the Council for submitting its budget recommendations in a timely fashion and for working with agencies to ensure they were feasible. She referred to the letter outlining how they incorporated the Council's recommendations into the Governor's proposed budgets.

Jim Cahill, Office of Financial Management, shared information on Climate Commitment Act investments in the 23-25 biennial budget and in the Governor's proposed supplemental budget.

Carrie Sessions, Michael Furze, Ex Officio Liaison from Department of Commerce, and Millie Piazza, Ex Officio Liaison from Department of Ecology, spoke about the process for identifying overburdened communities and vulnerable populations in order to track investments and ensure at least 35% are targeted for those communities. The Governor's Office has convened a Task Team to develop and submit recommendations by April.

## VI. Environmental Justice Council 2024 Work Planning and Agenda Setting

Co-Chair Batayola provided background and staff read from the proposed Workload Planning and Management Principles.

**Motion:** The Council adopts the proposed [2024 Council Workload Planning and Management Principles](#) with any changes agreed upon by the Council at the January 25, 2024 meeting.

**Motion/Second:** David Mendoza/Aurora Martin.

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

Co-Chair Batayola asked staff to share and review the proposed work plan. David Mendoza, Council Member, voiced concerns with meeting timelines for decision making with the Council meeting only every other month. Co-Chair Batayola suggested asking for provisional approval of the Work Plan, while working with agencies to get more information on their timelines for obtaining Council input. Running-Grass, Council Member, said it would be helpful to prioritize the Council's work because we will not be able to adequately provide input with the limited capacity. Todd Mitchell, Council Member, asked for a calendar of all the committee meetings so members could join as they are able. Co-Chair Batayola said the Council needs to prioritize the formal guidance that it is required to develop per statute. Members discussed the need for Council Members to disclose their affiliation when working with agencies in partnership.

**Motion:** The Council adopts the proposed [2024 Council Work Plan](#) with any changes agreed upon by the Council at the January 25, 2024 meeting, and with the intention to solicit input from agencies on timelines for needed Council action by February 2024 to adjust the 2024 Work Plan as needed. The 2024 Work Plan will also include the following topics on 2024 Council agendas or provide other opportunities for the Council to stay informed on these issues such as through lunch and learns:

- 1) The annual updates to the Council from the HEAL agencies.
- 2) The Office of Financial Management Dashboard required by the HEAL Act to go live in September of 2024.

**Motion/Second:** David Mendoza/Todd Mitchell

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

**Motion:** The Council adopts the proposed Council framework for Environmental Justice Council “[Making Policy Guidance and Recommendations and Responding to Requests for Non-Guidance/Recommendations Input](#)” with any changes agreed upon by the Council at the January 25, 2024 meeting.

**Motion/Second:** Member Mendoza/Member Benegas

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

The Council discussed language that was removed from earlier versions of the “Making Policy Guidance and Recommendations and Responding to Requests for Non-Guidance/Recommendations Input” document (e.g. references to the spirit of the HEAL Act and co-

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governance). Council Member Running-Grass noted that while this document is for agencies as well, it is largely for the Council, and it should reflect the aspirational nature of the law. He noted the term co-governance is a term of art and an aspirational term that means something more than the overused term “meaningful engagement.” He shared that it’s important to not allow Council communications to ourselves, the public, or to agencies to degenerate and become mere bureaucratic speak that separates the spirit of what we are doing with the Council vis-à-vis communities and agencies. Nichole Banegas, Council Member, noted that she voted B to remind the Council that this is a living document and changes moving forward will be needed. Co-Chair Batayola noted that she voted B to ensure that they continue discussions about the spirit of the law and how we engage and push for change.

## VII. Discussion and Potential Adoption of Council Bylaws

Member Martin and Member Running-Grass provided background information on this agenda item. Nichole Banegas, Council Member, suggested that adopting changes to the bylaws should require at least two-thirds of members present in addition to a consensus vote. Members discussed and shared sections of the bylaws that they believed needed more discussion.

## VIII. Legislative Update, Discussion of Emerging Issues, and Possible Council Action

In lieu of a verbal update, Co-Chair Batayola said staff will send out a written legislative update.

## IX. Appreciations and Adjournment

Co-Chair Batayola adjourned the meeting.