

Environmental Justice Council

July 24, 2025 Meeting Materials

Table of Contents

Agenda - Español	1
Agenda - English	5
Approval of Past Meeting Notes	9
Draft May 9, 2025 Meeting Notes.....	9
Briefing: CCA Rulemaking for Improving Air Quality for Overburdened Communities	15
Memo.....	15
Presentation	Will be posted as supplemental materials
Updates and Feedback: Council Project Workgroups	17
Overview Memo	17
Community and Tribal Engagement Workgroup Memo	21
Community and Tribal Engagement Workgroup Workplan	24
Environmental Justice Assessment Workgroup Memo	27
Environmental Justice Assessment Workgroup Workplan.....	31
Climate Commitment Act Budget Recommendation Workgroup Memo	35
Discussion and Possible Adoption: Council Ethics Procedure and Form	38
Memo.....	38
Draft Ethics Procedure and Form.....	40
Council Bylaws.....	45
EJ Council Community Connection	59
Memo.....	59
Written Public Comments.....	60

Consejo de Justicia Ambiental (Consejo de EJ)

Jueves, 24 de julio de 2025

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

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/u/kd6MqgTvTL>

Objetivos de la reunión

1. Recibir un informe del Departamento de Ecología y mantener un debate sobre su normativa relativa a la mejora de la calidad del aire en comunidades sobrecargadas.
2. Recibir actualizaciones de los grupos de trabajo y proporcionar comentarios sobre los borradores de los planes de trabajo de los grupos de trabajo de Participación Tribal y Comunitaria, Evaluación de la Justicia Ambiental y Recomendaciones Presupuestarias de la Ley de Compromiso Climático. Debatar cómo está funcionando el nuevo enfoque piloto del Consejo para la planificación del trabajo utilizando grupos de trabajo.
3. Debatar y posiblemente adoptar el Procedimiento y formulario de ética elaborados por el Comité Directivo del Consejo para aplicar el artículo V (Ética del Consejo) de los [Estatutos del Consejo](#).
4. Aprender de dos grupos de la comunidad sobre las preocupaciones, problemas, ideas, soluciones y victorias en materia de justicia ambiental en su comunidad.

Orden del día

A las 3:20 p. m., los invitamos a participar de una presentación sobre cómo activar los subtítulos descriptivos y cómo unirse al canal de interpretación en español o ASL (por su sigla en inglés, Lenguaje de Señas Americano).

De 3:30 p. m. a 3:35 p. m.	I. Bienvenida y pasaje de lista para verificar que haya cuórum	Copresidenta Tatiana Brown Honorable Jarred-Michael Erickson Miembros del Consejo
De 3:35 p. m. a 3:40 p. m.	II. Aprobación del orden del día por parte del Consejo III. Aprobación de las notas de la reunión del 9 de mayo de 2025 por parte del Consejo - Posibles medidas del Consejo	Maria Batayola, miembro del Consejo Miembros del Consejo
De 3:40 p. m. a 3:55 p. m.	IV. Consulta popular	David Mendoza, miembro del Consejo
De 3:55 p. m. a 4:20 p. m.	V. Informe: Reglamentación de la Ley de Compromiso Ambiental para mejorar la calidad del aire en comunidades sobrecargadas Objetivo: Recibir un informe del Departamento de Ecología y mantener un debate sobre su normativa relativa a la mejora de la calidad del aire en comunidades sobrecargadas.	David Mendoza, miembro del Consejo Jonathan Chen, personal del Consejo Martha Hankins, Departamento de Ecología Cooper Garbe, Departamento de Ecología Miembros del Consejo
Receso de 10 minutos		
De 4:30 p. m. a 5:25 p. m.	VI. Actualizaciones y opiniones: Grupos de trabajo sobre proyectos del Consejo Objetivo: Recibir actualizaciones de los grupos de trabajo y proporcionar comentarios sobre los borradores de los planes de trabajo de los grupos de trabajo de Participación Tribal y	Maria Batayola, miembro del Consejo Sierra Rotakhina, personal del Consejo Miembros del Consejo

	Comunitaria, Evaluación de la Justicia Ambiental y Recomendaciones Presupuestarias de la Ley de Compromiso Climático. Debatir cómo está funcionando el nuevo enfoque piloto del Consejo para la planificación del trabajo utilizando grupos de trabajo.	
Receso de 10 minutos		
De 5:35 p. m. a 5:55 p. m.	<p>VII. Debate y posible adopción: Procedimiento y formulario de ética del Consejo</p> <p>Objetivo: Debatir y posiblemente adoptar el Procedimiento y formulario de ética elaborados por el Comité Directivo del Consejo para aplicar el artículo V (Ética del Consejo) de los Estatutos del Consejo.</p> <p>- Posibles medidas del Consejo</p>	<p>Running-Grass, miembro del Consejo</p> <p>Comité Directivo del Consejo</p> <p>Sierra Rotakhina, personal del Consejo</p> <p>Christy Hoff, personal del Consejo</p> <p>Miembros del Consejo</p>
De 5:55 p. m. a 6:15 p. m.	<p>VIII. Conexión con la comunidad del Consejo de Justicia Ambiental</p> <p>Objetivo: Aprender de dos grupos de la comunidad sobre las preocupaciones, problemas, ideas, soluciones y victorias en materia de justicia ambiental en su comunidad.</p>	<p>Cristina González, miembro del Consejo</p> <p>Sierra Red Bow, personal del Consejo</p> <p>Miembros del Consejo</p>
De 6:15 p. m. a 6:25 p. m.	IX. Consulta popular	María Batayola, miembro del Consejo
De 6:25 p. m. a 6:30 p. m.	X. Agradecimientos y cierre	Honorable Jarred-Michael Erickson

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.
- Para solicitar este documento en otro formato o en un idioma diferente, envíe un correo electrónico a Sierra Rotakhina en cualquier idioma a envjustice@ejc.wa.gov o llame al 360-584-4398.

Environmental Justice Council (EJ Council)

Thursday July 24, 2025

3:30pm – 6:30pm

Please click the link below to join the webinar:

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

Webinar ID: 817 4786 4781

Or Join by Phone: +1 253 215 8782

Webinar ID: 817 4786 4781

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

Meeting Goals

1. Receive a briefing from the Department of Ecology and have a discussion about their rulemaking on Improving Air Quality for Overburdened Communities.
2. Receive workgroup updates and provide feedback on draft workplans from Tribal and Community Engagement, Environmental Justice Assessment, and Climate Commitment Act Budget Recommendations workgroups. Discuss how the Council's pilot approach to work planning using workgroups is going so far.
3. Discuss and possibly adopt the Ethics Procedure and Form that the Council's Governance Committee drafted to implement Article V (Council Ethics) of the [Council's Bylaws](#).
4. Learn from community groups about environmental justice concerns, issues, ideas, solutions, and victories in their community.

Agenda

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

3:30 PM – 3:35 PM	I. Welcome and Roll Call for Quorum	Co-Chair Tatiana Brown The Honorable Jarred-Michael Erickson Council Members
3:35 PM – 3:40 PM Meeting notes on page 9 .	II. Approval of Agenda by Council III. Approval of May 9, 2025 Meeting Notes by Council -Possible Council Action	Council Member Maria Batayola Council Members
3:40 PM – 3:55 PM Written public comments on page 60 .	IV. Public Comment	Council Member David Mendoza
3:55 PM – 4:20 PM Materials on page 15 .	V. Briefing: Climate Commitment Act Rulemaking for Improving Air Quality for Overburdened Communities Goal: Receive a briefing from the Department of Ecology and have a discussion about their rulemaking on Improving Air Quality for Overburdened Communities.	Council Member David Mendoza Jonathan Chen, Council Staff Martha Hankins, Air Quality Policy & Planning Section Manager, Department of Ecology Cooper Garbe, Air Quality Rules and Planning Unit Supervisor, Department of Ecology Council Members

10 Minute Break		
4:30 PM – 5:25 PM Materials on page 17 .	VI. Updates and Feedback: Council Project Workgroups Goal: Receive workgroup updates and provide feedback on draft workplans from Tribal and Community Engagement, Environmental Justice Assessment, and Climate Commitment Act Budget Recommendations workgroups. Discuss how the Council’s pilot approach to work planning using workgroups is going so far.	Council Member Maria Batayola Sierra Rotakhina, Council Staff Council Members
10 Minute Break		
5:35 PM – 5:55 PM Materials on page 38 .	VII. Discussion and Possible Adoption: Council Ethics Procedure and Form Goal: Discuss and possibly adopt the Ethics Procedure and Form that the Council’s Governance Committee drafted to implement Article V (Council Ethics) of the Council’s Bylaws . -Possible Council Action	Council Member Running-Grass Council Governance Committee Sierra Rotakhina, Council Staff Christy Hoff, Council Staff Council Members
5:55 PM – 6:15 PM Materials on page 59 .	VIII. EJ Council Community Connection Goal: Learn from community groups about environmental justice concerns, issues,	Council Member Cristina González Sierra Red Bow, Council Staff

	ideas, solutions, and victories in their community.	Council Members
6:15 PM – 6:25 PM Written public comments on page 60 .	IX. Public Comment	Council Member Maria Batayola
6:25 PM – 6:30 PM	X. Appreciation and Adjournment	The Honorable Jarred-Michael Erickson

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

May 9, 2025

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.waportal.org/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:

- Maria Batayola
- Tatiana Brown (Co-Chair), joined at 1:23 pm
- David Mendoza
- Esther Min, joined at 1:50 pm
- Faaluaina Pritchard
- Running-Grass
- The Honorable Monica Tonasket, joined at 1:35 pm
- Raeshawna Ware

Council Members absent:

- Nichole Banegas
- Maria Blancas
- The Honorable Jarred-Michael Erickson (Co-Chair)
- Cristina González
- Rosalinda Guillen (leave of absence)
- Todd Mitchell
- The Honorable JJ Wilbur

Agency Ex Officio Liaisons present:

- Jennifer Grove, Department of Commerce
- Lauren Jenks, Department of Health
- Nicole Johnson, Department of Agriculture
- Eliseo (EJ) Juárez, Department of Natural Resources
- Emilie Litsinger, Puget Sound Partnership

- Ahmer Nizam, Department of Transportation
- Millie Piazza, Department of Ecology

Council staff:

- Jonathan Chen
- Christy Curwick Hoff
- Dana Myers
- Rowena Pineda
- Sierra Red Bow
- Sierra Rotakhina

Guests and other participants:

- Elaine Harvey, Columbia River Inter-Tribal Fish Commission
- Edwin Alberto Hernandez Reto, Duwamish Valley Sustainability Association

I. Welcome and Roll Call for Quorum

Maria Batayola, Council Member, called the meeting to order. Rowena Pineda, Council Staff, facilitated roll call. At the time of the initial roll call, there were five voting members present, not meeting quorum (see table). Three members joined later, allowing the Council to meet quorum for action items (see attendance above).

15 Members / 1 Vacancy / 1 Leave of Absence / Current Quorum = 8		
Nichole Banegas	Business Representative	Absent
Maria Batayola	Community Representative	Present
Maria Blancas	Community Representative	Absent
Tatiana Brown (Council Co-Chair)	Community Representative	Absent
The Honorable Jarred-Michael Erickson (Council Co-Chair)	Tribal Representative	Absent
Cristina González	Community Representative	Absent
Rosalinda Guillen	Community Representative	Leave of Absence
David Mendoza	Representative At Large	Present
Esther Min	EJ Practitioner	Absent
Todd Mitchell	Union Representative	Absent

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Faaluaina Pritchard	Community Representative	Present
Running-Grass	EJ Practitioner	Present
The Honorable Monica Tonasket	Tribal Representative	Absent
Raeshawna Ware	Community Representative	Present
The Honorable JJ Wilbur	Tribal Representative	Absent
Vacant	Tribal Representative	Vacant

II. Approval of Agenda by Council

Member Batayola facilitated adoption of the agenda.

Motion: The Council adopts the agenda.

No objections noted. **The Motion passed.**

III. Approval of March 20, 2025 Meeting Notes by Council

Member Batayola facilitated adoption of the March meeting notes.

Motion: The Council adopts the March 20, 2025 meeting notes with the edit as discussed during the meeting.

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

IV. Public Comment

David Mendoza, Council Member, opened up the public comment period.

Anonymous Commenter shared information about a program where community members can attend ten weeks of training in environmental justice. They would like to expand garbage and recycling access in Burien, South Park, Highline, Des Moines, SeaTac, and Kent. They are also looking for more Spanish language information on local food programs (e.g., community gardens and public school meals). They would like to be connected to free or low-cost drug prevention programs for youth. They said that while websites are often accessible in Spanish, many community members do not have access to computers.

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Member Mendoza noted that there was written public comment submitted and encouraged Council Members to review it.

V. Discussion and Possible Adoption: Council Work Plan

Tatiana Brown, Council Co-Chair, introduced the agenda item. She said the goal of this item is to discuss and possibly adopt a workplan that will take the Council through December 2026. Sierra Rotakhina, Council Manager, reviewed the process and discussions the Council has had about work planning. She walked Members through the draft workplan. She said staff met one-on-one to brief Members on the workplan prior to the meeting.

Motion: The Council adopts the proposed Work Plan and Timeline as presented at the May 9, 2025 meeting.

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.

15 Members / 1 Vacancy / 0 Leaves of Absence / Current Quorum = 8		
Nichole Banegas	Business Representative	Absent
Maria Batayola	Community Representative	A
Maria Blancas	Community Representative	Absent
Tatiana Brown (Council Co-Chair)	Community Representative	A
The Honorable Jarred-Michael Erickson	Tribal Representative	Absent

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(Council Co-Chair)		
Cristina González	Community Representative	Absent
Rosalinda Guillen	Community Representative	Leave of Absence
David Mendoza	Representative At Large	A
Esther Min	EJ Practitioner	A
Todd Mitchell	Union Representative	Absent
Faaluaina Pritchard	Community Representative	A
Running-Grass	EJ Practitioner	A
The Honorable Monica Tonasket	Tribal Representative	A
Raeshawna Ware	Community Representative	A
The Honorable JJ Wilbur	Tribal Representative	Absent
Vacant	Tribal Representative	Vacant

Running-Grass, Council Member, said Council Member engagement and attendance was more robust in the work planning process and attributed that to the time-bound tasks and concrete deliverable. He asked Members to sign up for a 4-6 week commitment to set up each workgroup for success with project level workplans and report on progress at the July meeting.

VI. Budget Briefing

Member Mendoza asked staff to provide a briefing on the 2025-2027 biennial budget and how the Council's budget recommendations were incorporated. Christy Curwick Hoff, Council Staff, referred members to the [crosswalk](#) outlining how the Council's budget recommendations were included in the budget as passed the legislature. She shared more detailed information about HEAL implementation funding.

VII. Standing with Frontline Tribes and Communities

Member Mendoza said the actions the federal government is taking are not laws, they are executive orders. Courts and other actors are pushing back strongly, including Washington

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State's Attorney General. They are committed to ensuring the HEAL Act is protected and implemented. Sierra Rotakhina shared information about Executive Order 14260, Protecting American Energy from State Overreach. Co-Chair Brown said the Council wants to assure the community that the HEAL Act and the Climate Commitment Act are still being implemented.

VIII. EJ Council Community Connection

Member Batayola, introduced the agenda item. Elaine Harvey, Watershed Department Manager for the Columbia River Inter-Tribal Fish Commission, gave her presentation.

IX. Presentation and Conversation with Duwamish Valley Sustainability Association (DVSA)

Member Batayola, introduced the agenda item. Edwin Alberto Hernandez Reto, Executive Director of the Duwamish Valley Sustainability Association (DVSA) shared a [presentation](#) about the Community Engagement Methodology Project in South Park. Member Brown said she attended the DVSA convenings and the work is super exciting.

X. Public Comment

No comments provided during this period.

XI. Appreciation and Adjournment

Co-Chair Brown thanked the presenters and congratulated the Council for adoption of the workplan. She said the next meeting is in July and she looks forward to hearing about the progress of the workgroups

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

Environmental Justice Council

Date: July 24, 2025

To: Environmental Justice Council Members

From: Jonathan Chen, Climate Justice Advisor

Subject: Memo – Ecology presentation on rulemaking on Air Quality in Overburdened Communities

Background and Summary

Washington State Department of Ecology is undergoing rulemaking for a new rule, Chapter 173-448 WAC, Air Quality in Overburdened Communities — to implement parts of [RCW 70A.65.020](#), Environmental Justice Review in the Climate Commitment Act (CCA). This rulemaking will consider determining processes and strategies for emission reductions of [criteria air pollutants](#) to achieve air quality targets in [overburdened communities initially identified by Ecology](#), in addition to other rule language.

In [RCW 70A.65.040](#), the Environmental Justice (EJ) Council must provide a forum to analyze policies adopted under the Climate Commitment Act (CCA) to determine if the policies lead to improvements within overburdened communities. In addition, the EJ Council must provide recommendations to implementing agencies for meaningful consultation with vulnerable populations, including community engagement plans under RCW 70A.65.020.

Today the EJ Council will hear a presentation from Ecology to learn about this rulemaking process and the public comments Ecology has received about this.

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

Council Staff Recommended Actions

At the EJ Council meeting, if you feel inclined, please ask questions and provide any feedback to Ecology. If you are unable to attend the meeting, but have questions or want to provide feedback, please contact Jonathan Chen.

Staff Contact

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

Environmental Justice Council

Date: July 24, 2025

To: Environmental Justice Council Members

From: Sierra Rotakhina, Environmental Justice Council Manager

Subject: Updates and Feedback: Council Project Workgroups

Background and Summary

At the March 2025 Environmental Justice (EJ) Council meeting, the Council identified their top project priorities:

- 1) ONGOING - Tribal and Community Priorities: Reserving capacity to focus on Tribal and community priorities and emerging issues.
- 2) ONGOING - Tribal and Community Engagement (Ongoing for continued improvement and accountability): This project includes the tasks listed in the appendix to this memo on [page 19-20](#) that the project workgroup will scope, sequence, and build into a timeline.
- 3) PROJECT 1 - HEAL Performance Measures/Metrics: Develop performance measures and metrics for the Council and HEAL.
- 4) PROJECT 2 - HEAL EJ Assessment Guidance: Develop guidance for HEAL agencies for implementation of Environmental Justice Assessments.
- 5) PROJECT 3 - HEAL Budgeting and Funding Guidance: Develop guidance for environmental justice implementation into budgeting and funding decisions under HEAL.

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- 6) PROJECT 4 - CCA Budget Recommendations: Advocate for and track budget recommendations during Legislative session. Work with partners in the interim to adopt budget recommendations as they are ready. Develop a new process to work on budget recommendations year-round.

At the May 2025 meeting the Council adopted a [2025-2026 workplan](#) that outlines how the Council will approach these priorities over the coming months. At the May meeting the Council also paused convening the existing Council Committees (other than the Executive Committee) and convened the following three project workgroups to focus on developing more concrete workplans for each project:

- 1) Community and Tribal Engagement Workgroup (see memo on [page 21](#) for more details)
- 2) Environmental Justice Assessment Workgroup (see memo on [page 27](#) for more details)
- 3) CCA Budget Recommendations Workgroup (see memo on [page 35](#) for more details)

Each workgroup met several times between May and July 2025. You can find more details for each workgroup in the project specific memos linked above.

The development of HEAL performance measures/metrics (Project 1) was weaved into each of the individual projects so that each project will include developing applicable metrics to guide the work from the beginning of the project. We anticipate that, while tracking metrics will be an important part of the work throughout each project, the bulk of the work on metrics will be at the beginning of each project (development of metrics) and at the end (evaluation).

Tribal and community engagement have also been weaved into each workgroup. Because the Council agreed that Council decisions and actions should be rooted in Tribal and community engagement, integrating engagement into each project is important. While the Council did convene a Community and Tribal Engagement Workgroup, that workgroup is focused on developing policies and processes for the Council's engagement and will likely not have

capacity to create or consult on each individual project's engagement plan. It is important that each workgroup have Council Members engaged who bring Tribal and community engagement expertise and who are willing to support the workgroup in developing project-level engagement plans.

Council Staff Recommended Actions

During this agenda item the three workgroups will present updates to the full Council, gather feedback on their proposed project workplans/next steps. It is important to note that workplans may need to adapt throughout the lifecycle of a project. Following these presentations, appointed and Ex Officio Council Members will have an opportunity to sign up for Phase II of each of the workgroups focused on the next steps identified to move each project forward.

In addition, the Council has not yet developed a process or expectations to guide the Council and staff in the ongoing priority to elevate Tribal and community priorities and emerging issues. Today we will be asking Council Members to volunteer to work with staff to develop this process.

Staff Contact

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

Appendix: Community and Tribal Engagement Workgroup Tasks for the Workgroup to Scope, Sequence, and Build into a Timeline (This list is not in priority order)

- Memorandum of Understanding (MOU) between the EJ Council and Department of Health: Develop an MOU between Dept. of Health and the EJ Council to cover data ownership, IT & HR support, etc.
- Data Protections Policy & Procedure: Develop Council policy/procedure to protect information collected through public comment, etc.
- EJ Council Communications Plan: Develop Council communications goals, process, and outcomes (this is a precursor to the full engagement plans).
- Confidential & Anonymous Public Comments: Develop protocol or policy for if and how the Council will accept confidential and anonymous public comments.
- Public Comment Process: Develop formalized process for collecting, analyzing, and being responsive to public comments.
- Public Comment Database: Develop database for public comment intake, tracking, and analysis.
- Council Tribal Engagement Plan and/or Collaboration/Consultation Policy: Develop plan/policy for how the Council will engage Tribes when the Council takes actions/makes recommendations that impact Tribes.
- Council Community Engagement Plan: Develop plan for how the Council will engage and work with communities.
- Public Comment Dashboard: Develop a way to display public comments, EJC actions taken to be responsive, status, etc.
- May 2024 Community Meeting Follow Up: Continue to work with community members on next steps from the May 2024 community meeting in Toppenish.
- Community Engagement Values and Guidance Appendix: Finalize appendix to support interpretation of Council's Community Engagement Values and Guidance.

Environmental Justice Council

Date: July 24, 2025

To: Environmental Justice Council Members

From: Jonathan Chen, EJ Council Staff

Subject: Update from the Community and Tribal Engagement Workgroup

Background and Summary

As directed by the full EJ Council at its May 2025 meeting, the Community and Tribal Engagement Workgroup (Phase 1) met on June 10, June 18, and July 8. At its first meeting, workgroup members reviewed a long list of community and Tribal engagement tasks and prioritized starting with the development of a Memorandum of Understanding (MOU) between the EJ Council and the Department of Health (DOH). Workgroup members have not determined what the next priority task will be; however, they've discussed several possibilities, including development of a data protections policy and procedure; a protocol for confidential and anonymous public comments; and a formal process for collecting, analyzing, and being responsive to public comments. At today's meeting, workgroup members will review the MOU project workplan, which focuses on the development and adoption of the MOU over the next 6 months (Phase 2).

Council Staff Recommended Actions

After the briefing and discussion, Council members will have an opportunity to volunteer for Phase 2 of the Community and Tribal Engagement Workgroup, which will focus on development of an MOU between the EJ Council and DOH.

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

Additional Detail on the Selection of the MOU as the First Priority Task

An MOU is a formal agreement between two entities that outlines how they will work together.

Since the EJ Council's inception, DOH and the Governor's Office decided they would not review or approve EJ Council deliverables, documents, or work. This level of autonomy has helped the EJ Council be responsive to communities and Tribes. As an advisory body that provides guidance and tracks improvement in HEAL implementation, it is important that the EJ Council operates independently.

Provisions in the HEAL Act (RCW 70A.02.110) require that DOH hire a manager and provide all administrative and staff support for the Council. However, it provides little additional clarity on the parameters of a working relationship between the Council and DOH. In the absence of an MOU, EJ Council work is dependent on informal agreements made with existing DOH leadership and staff. If DOH leadership or staff change, this could tangibly impact the EJ Council. An MOU provides stability and consistency for EJ Council operations. It will provide clarity around roles, set expectations for jointly conducted work, establish boundaries around responsibilities, and provide some stability during staff and other transitions.

The MOU will formalize what is working well, in addition to addressing areas that would benefit from improvement. For example, the EJ Council has experienced work limitations from recent DOH approval requirements and decisions related to EJ Council staff, travel, and budget requests. This marks a noticeable shift of decision-making authority from Council members to various levels of staff within DOH. An MOU would help ensure that the Council members direct the activities and approach for effective EJ Council Tribal and community engagement. This MOU seeks to create the framework for engagement and address its barriers, such as developing a data stewardship policy (the ability for the EJ Council to care for what we hear from communities and Tribes).

Staff Contact

Jonathan Chen, Council Staff, jonathan.chen@ejc.wa.gov, 564-669-3837

Project Workplan - Memorandum of Understanding with the Department of Health

Environmental Justice (EJ) Council - Community and Tribal Engagement Workgroup (WG)

DRAFT – For discussion at the July 24, 2025 Environmental Justice (EJ) Council meeting

Background: [RCW 70A.02.110](#) creates the EJ Council (EJC) and directs the Department of Health (Department) to: (1) hire a manager to oversee staffing and administrative duties of the EJ Council and (2) provide all administrative and staff support for the EJ Council.

Project Goal: To develop a Memorandum of Understanding (MOU) between two Washington State entities: the EJ Council and the Department.

Project Purpose: To enter into a mutually beneficial agreement that documents the administrative support the Department of Health will provide for the EJ Council and when and how the Department and EJ Council will work in partnership and independently.

Project Workgroup (WG) Members: Maria Blancas, Tatiana Brown, Running-Grass, Jennifer Grove, Lauren Jenks, Nicole Johnson, Lua Pritchard

Project Workplan:

This project will be completed in four phases:

- Phase I: Gather Information
- Phase II: Draft and Review
- Phase III: Incorporate Feedback
- Phase IV: Adopt and Sign

Task	Tentative Deadline	Who is Responsible?	Status
Phase I: Gather Information			
Develop Evaluation Measures	Ongoing	WG Members	

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

Task	Tentative Deadline	Who is Responsible?	Status
<ul style="list-style-type: none"> Begin conversation about what successful development, adoption, and implementation of an MOU looks like (by 7/31) Develop broad goals (by 8/31) Develop process measures (by 9/31) Develop outcome measures (by 9/31) Identify data collection methods and accountable parties (by 9/31) Evaluate progress routinely 		EJC Staff DOH Staff	
Collect MOU examples <ul style="list-style-type: none"> Request examples of MOUs that exist between the Department and Boards/Council's staffed by the Department (e.g., Board of Health) 	7/31/2025	EJC Staff	Begun collecting examples
Review MOU examples <ul style="list-style-type: none"> Read example MOUs from other entities to understand how they are constructed, common elements, etc. 	8/31/2025	WG Members EJC Staff	Begun reviewing examples
Identify Content Areas for the MOU <ul style="list-style-type: none"> Identify the administrative areas that must be addressed in the MOU (e.g., human resources, data governance) 	8/31/2025	WG Members EJC Staff	Begun developing a possible list
Identify MOU Signatories and Department Staff <ul style="list-style-type: none"> Identify who will sign the MOU on both sides and DOH offices, programs, and specific staff that we will work with to draft MOU language. 	8/31/2025	EJC Staff DOH Staff	
Phase II: Draft and Review			
Draft MOU Language <ul style="list-style-type: none"> Work in partnership with DOH to draft the content for the MOU EJC staff will primarily lead the drafting with WG Members supporting as they have capacity and interest in specific topic areas. 	10/09/2025	WG Members EJC Staff DOH Staff	

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Task	Tentative Deadline	Who is Responsible?	Status
Work Group Review <ul style="list-style-type: none"> All WG Members will review language and provide feedback on iterative drafts. 	Iteratively, through 10/09/2025	WG Members EJC Staff DOH Staff	
Provide EJ Council Update <ul style="list-style-type: none"> WG Members and staff will present an update on MOU development to the full Council for feedback and discussion. 	10/23/2025 Council Meeting	WG Members EJC Staff	
Phase III: Incorporate Feedback			
Incorporate EJ Council Input <ul style="list-style-type: none"> Make updates based on EJ Council feedback at the October meeting. 	11/15/2025	WG Members EJC Staff	
Formal Review Process <ul style="list-style-type: none"> Obtain formal review and pre-approval by MOU signatories and other identified approvers (as needed) 	12/15/2025	EJC Exec Team DOH Leadership Governor's Office	
Phase IV: Adopt and Sign			
Present Final Draft to Full EJ Council <ul style="list-style-type: none"> WG Members and staff will present the MOU to the full Council for discussion and possible adoption (or delegation to Council Manager or Executive Committee for signature). 	January 2026 Council Meeting, TBD	WG Members EJC Staff DOH Staff	
Obtain Final Signatures <ul style="list-style-type: none"> Make final changes based on EJ Council feedback at the January meeting. Obtain final review, approval, and signature 	January 2026	WG Members EJC Staff DOH Staff	

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Environmental Justice Council

Date: July 24, 2025

To: Environmental Justice Council

From: Dana Myers, Environmental Justice Advisor and Jonathan Chen, Climate Justice Advisor

Subject: Update from the Environmental Justice Assessment Workgroup

Background and Summary:

[RCW 70A.02.110](#) gives the Environmental Justice Council (EJ Council), in consultation with the HEAL Interagency Work Group, the authority to provide guidance to covered agencies on developing Environmental Justice Assessments (EJA) under [RCW 70A.02.060](#) for significant agency actions.

In line with this authority, and as directed by the EJ Council's adopted [2025-2026 workplan](#), the EJ Council convened the Environmental Justice Assessment (EJA) Workgroup. Phase 1 of this Workgroup was to prioritize a project and develop a workplan for it. They met on June 23, June 27, and July 2, and decided that Phase 2 will be to review, refine, and complete the interagency workgroup (IAWG) and EJ Council co-developed guidance on the community engagement requirements of EJ Assessments. At today's meeting, workgroup members will present this project's workplan, answer questions, and receive feedback.

Staff Recommended Actions

Review the workplan to develop guidance for the community engagement requirements in the EJA template. Council Members interested in this project can volunteer to join this

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workgroup at the Council meeting. If you are unable to attend the Council meeting but are interested in joining, please contact Dana Myers.

Staff Contact

Dana Myers, Environmental Justice Advisor, dana.myers@ejc.wa.gov, 564-233-5286

Historical context for developing guidance for community engagement requirements for the EJA template

The EJ Council created an EJA Committee in January of 2023 to start working on areas related to EJAs. The IAWG created its own EJA subgroup in 2022 and was responsible for drafting the EJA template currently in use by agencies covered under the Healthy Environmental for All (HEAL) Act. The EJ Council's EJA Committee met with the IAWG's EJA subgroup on numerous occasions to provide feedback on the template. During its May 2023 meeting, a timeline was proposed to the EJ Council for how to approach the work. It includes reporting to the EJ Council the lessons learned from EJAs as well as how those lessons will be incorporated in future iterations of EJAs. There was an understanding that agencies need time to implement EJAs before they could identify areas where Council guidance will be needed. HEAL agencies began to implement EJAs on significant agency actions (SAAs) on July 1, 2023.

The EJ Council's EJA Committee reconvened in 2024. In the spirit of co-governance, the Council members met with members of the IAWG's EJA subgroup. The latter have been meeting to identify lessons they are learning and challenges that have arisen, and to determine additional SAAs that may need EJAs. In these joint meetings, the agencies identified areas where EJ Council guidance is needed including on community engagement for EJAs. It was agreed that it would be best for guidance to happen sequentially given the

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broad scope of EJAs. Thus, a smaller group formed to focus primarily on developing guidance for the community engagement requirement of the EJA. The Council's EJA Workgroup will now complete this aspect of the guidance.

Appendix

"Environmental justice assessments" as outlined in RCW 70A.02.060

(1)(a) When considering a significant agency action initiated after July 1, 2023, a covered agency must conduct an environmental justice assessment in accordance with this section to inform and support the agency's consideration of overburdened communities and vulnerable populations when making decisions and to assist the agency with the equitable distribution of environmental benefits, the reduction of environmental harms, and the identification and reduction of environmental and health disparities.

"Significant agency action" as defined in RCW 70A.02.010 (12)

Means the following actions as identified at the beginning of a covered agency's consideration of the significant agency action or at the time when an environmental justice assessment would normally be initiated in conjunction with an agency action:

- (a) The development and adoption of significant legislative rules as defined in RCW 34.05.328;
- (b) The development and adoption of any new grant or loan program that a covered agency is explicitly authorized or required by statute to carry out;
- (c) A 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;
- (d) The submission of agency request legislation to the office of the governor or the office of financial management for approval; and

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(e) Any other agency actions deemed significant by a covered agency consistent with RCW 70A.02.060.

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Project Workplan – Guidance for Environmental Justice Assessment’s Community Engagement Requirements

Environmental Justice (EJ) Council - Environmental Justice Assessment Guidance Workgroup (EJA WG)

DRAFT – For discussion at the July 24, 2025 EJ Council meeting

Background: [RCW 70A.02.110](#) creates the Environmental Justice (EJ) Council and directs it, in consultation with the HEAL Interagency Work Group, to provide guidance to covered agencies on developing Environmental Justice Assessments (EJA) under [RCW 70A.02.060](#) for significant agency actions. In addition, according to [RCW 70A.65.040](#), the EJ Council must provide recommendations to implementing agencies for meaningful consultation with vulnerable populations, including community engagement plans under RCW 70A.65.030.

Workgroup (WG) Members: Running Grass, Maria Batayola, Emilie Litsinger, Ahmer Nizam, Millie Piazza, Raeshawna Ware, David Mendoza

Interagency Workgroup guidance Co-Developers: Laura Armstrong (Commerce), Karen Francis-McWhite (Commerce), Courtney Cecale (Ecology), Ahsley Fent (Ecology), River Lin (Health), Sarah Walker (Health), Olgy Diaz (Natural Resources), Corina Allen (Natural Resources), Lea Anne Burke (Puget Sound Partnership), William Golding (Transportation), Cristina Rodriquez (Fish and Wildlife), Naghmana Sherazi (Office of Equity)

Project Goal: Complete current guidance for the community engagement requirement of the Environmental Justice Assessments using what agencies have learned thus far from conducting EJAs and a small sample of focused conversations with community-based organizations and Tribes that agencies have already engaged with on EJAs.

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Project Purpose: Environmental Justice Assessments are an important and technical process that has implications for communities that might be impacted. Therefore, it is important that communities be informed about potential impacts and how their communities are identified and evaluated. As in other technical EJ processes, community input is valued and adds value to governmental decisions and products. Hence, community input needs to be sought, integrated into processes, and utilized for evaluation.

Project Workplan:

This project will be completed in four phases:

- Phase I: Gather information
- Phase II: Refine draft guidance
- Phase III: Review draft guidance
- Phase IV: Adopt draft guidance

Task	Tentative Deadline	Who is Responsible?	Status and Deliverable Completed
Phase I: Gather Information			
Understand previous work <ul style="list-style-type: none"> • Review draft guidance for the community engagement requirement of the EJA • Review EJAs provided by agencies, either completed or in process, to get sense of the work • Review the EJ Council's Community Engagement Values and Guidance to determine how 	8/30/2025	EJC EJA work group members, council staff	

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Task	Tentative Deadline	Who is Responsible?	Status and Deliverable Completed
community engagement for EJAs are aligned with them			
Develop information gathering plans <ul style="list-style-type: none"> Create an internal and external plan to engage agency staff and communities, about their experiences with community engagement for EJAs and the draft guidance within capacity Consider applying for Community Compensation from Office of Equity 	8/30/2025	EJC EJA work group members, council staff	
Develop Evaluation Measures <ul style="list-style-type: none"> Identify different measurements for successful development and implementation of guidance for community engagement for EJAs 	8/30/2025	council staff, agencies staff	
Interview agency staff involved in Community Engagement (CE) who are not CE staff <ul style="list-style-type: none"> Recap and expand on learnings about implementation challenges and successes for EJAs 	9/31/2025	council staff, agencies staff	
Hear from community-based organizations and Tribes <ul style="list-style-type: none"> Learn from community-based organizations and Tribes about their experiences with current EJAs and their perspectives on draft guidance 	10/31/2025	council staff	
Phase II: Refine Draft Guidance			
Workgroup develops draft guidance <ul style="list-style-type: none"> After incorporating the new information gathered, EJA WG members will work with EJA Guidance Small Group to develop guidance 	11/30/2025	small group members, EJC EJA work group members, council staff	

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Task	Tentative Deadline	Who is Responsible?	Status and Deliverable Completed
Phase III: Review Draft Guidance			
IAWG and EJ Council review <ul style="list-style-type: none"> Agency representatives work to find agreement on draft guidance Council members review and provide input on draft guidance 	1/30/2026	Interagency Work Group members, Ex-Officios Council members	
Incorporate changes into draft final guidance	2/15/2026	EJC EJA work group members, council staff	
Work group final review	2/30/2026	EJC EJA work group members, council staff	
Phase IV: Adopt Draft Guidance			
Present Draft to Full EJ Council <ul style="list-style-type: none"> WG Members and staff will present the EJA guidance to the full Council for discussion 	3/2026	EJC EJA work group members, council staff	
Possible EJ Council Adoption <ul style="list-style-type: none"> Council will review the EJA guidance for possible adoption 	5/2026	council members	

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Environmental Justice Council

Date: July 24, 2025

To: Environmental Justice Council Members

From: Sierra Rotakhina, Environmental Justice Council Manager

Subject: Update from the CCA Budget Recommendations Workgroup

Background and Summary

As directed by the full EJ Council at its May meeting, the CCA Budget Recommendations Workgroup (Phase 1) met on June 12, June 26, and July 8 with the goal of creating a workplan for the development and adoption of CCA budget recommendations over the next two years. While the Workgroup has not completed a project workplan, it has discussed and arrived on a strategic direction, which workgroup members and staff will share at today's meeting.

Council Staff Recommended Actions

After the briefing and discussion, Council Members will have an opportunity to volunteer for Phase 2 of the CCA Budget Recommendations Workgroup, which will span the next two months and focus on identifying 2026 supplemental budget recommendations and developing a process for biennial budget recommendations development moving forward.

Strategic Direction for CCA Budget Recommendation Development:

In brief, workgroup members recommend the following:

August – September 2025:

1. Identify, draft, and submit to the full Council a set of recommendations for the 2026 supplemental budget focused on:

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- a. Values and principles for promoting environmental justice that budget decision makers should consider when developing the supplemental budget.
 - b. Technical corrections to the 2025-2027 biennial budget if needed.
- 2. Develop a strategic budget framework/philosophy and an ongoing, year-round process for the EJ Council to collaborate with Tribes and communities to identify and develop CCA budget recommendations for the 2027-2029 biennial budget and future biennial budgets. At a minimum, the process should describe the following:
 - a. How the Council can look more broadly at all CCA spending to ensure it is meeting the intent to invest meaningfully in Tribes and communities.
 - b. The cadence by which the EJ Council engages all Council Members, Tribes, and communities in identifying budget recommendation ideas, e.g., monthly, quarterly, etc.
 - c. The method(s) that the EJ Council will use to engage all Council Members, Tribes, communities, state agencies, the Governor's Office, and legislators, e.g., in-person engagement, public comment at meetings, listening sessions, workshops, etc.
 - d. The number of recommendations the EJ Council will engage in co-developing at any given time (and cumulatively) to ensure feasibility and sustainability of the process.
 - e. How the EJ Council will identify and integrate needed policy recommendations into its budget recommendation development processes.
 - f. How the EJ Council will track implementation of its budget recommendations that are successfully funded to ensure accountability and measure success.
 - g. How the EJ Council will develop and track goals and performance measures to evaluate its process and make needed changes over time.

October 2025 – September 2026:

- 1. Implement the process from step 2, above, to develop and submit recommendations for the 2027-2029 biennial budget.

Staff Contact:

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

Environmental Justice Council

Date: July 24, 2025

To: Environmental Justice Council Members

From: Sierra Rotakhina, Environmental Justice Council Manager

Subject: Memo – Ethics Procedure and Form

Background and Summary

The Environmental Justice (EJ) Council adopted its bylaws on March 8, 2024. Article V of the Bylaws, related to Council Ethics, outlines requirements for Council Member ethics training, disclosure of affiliations, and recusal from voting when a conflict of interest arises (see bylaws on [page 45](#) of this meeting packet).

In an effort to provide clarity on how the EJ Council operationalizes Article V, the Governance Committee has prepared an Ethics Procedure, Conflict of Interest Examples, and Ethics Attestation and Disclosure Form. During today’s meeting, the EJ Council will receive a briefing and have an opportunity to discuss and consider adoption of these materials.

Council Staff Recommended Actions

After the briefing, the Council may wish to discuss and consider adoption of the Ethics Procedure, Conflict of Interest Examples, and Ethics Attestation and Disclosure Form.

Proposed Motion: The Council adopts the Ethics Procedure, Conflict of Interest Examples, and Ethics Attestation and Disclosure Form as submitted on July 24, 2025, with any changes agreed to by the full Council.

Staff Contact

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

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

Environmental Justice Council – Ethics Procedure

July 24, 2025

This is a proposed final draft for review and discussion at the EJ Council's July 24, 2025 meeting – this has not been approved by the EJ Council

1. The Council Manager (who serves as the Environmental Justice [EJ] Council's designated Ethics Advisor) will connect with Council Members and Ex Officio Liaisons upon initial appointment and reappointment of each term, and annually thereafter, to ensure they have the following materials:
 - [Ethics in Public Service Act](#)
 - [Ethics in Public Service Act training](#)
 - [Advisory Opinion 96-09A](#)
 - EJ Council's Ethics Procedure (this document, once finalized by the Council), which includes examples of conflicts of interest and an attestation and disclosure form.
 - EJ Council's Bylaws
2. The Council Manager will make themselves available to meet with and answer any questions the Members and Ex Officio Liaisons may have about the materials.
3. The Council Manager will collect the completed attestation and disclosure form (see page 5) from Members and Ex Officio Liaisons, with a goal of completion and posting within 30 days of initial appointment and reappointment of each term, and annually thereafter. Council Members should update the attestation and disclosure form within 30 days of changes to their affiliations.
4. Per the bylaws, the Council Manager will post Members' affiliations to the Council's website.

5. Per the bylaws, at any time a conflict of interest arises, Members and Ex Officio Liaisons will disclose the conflict to the Council and the public and recuse themselves from discussing and voting on those matters.
6. Per the bylaws, at any time Members and Ex Officio Liaisons are communicating with each other or other partners, they will indicate whether they are doing so on behalf of the Council, as an individual Council Member or Ex Officio Liaison, or as a representative of another organization or entity.

Environmental Justice Council – Conflict of Interest Examples

As state officers and employees, Council Members, Ex Officio Liaisons, and Council staff must comply with chapter 42.52 RCW, the Ethics in Public Service Act. Per its bylaws, the Council will also comply with the model rules approved by the Executive Ethics Board in Advisory Opinion 96-09A, which require Members to disclose conflicts of interest (at any time a conflict arises) and recuse themselves from discussing and voting on those matters.

RCW 42.52.020 indicates that “no state officer or state employee may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties.”

Kinds of examples of conflicts of interest can include direct or indirect financial relationships, including employment relationships between Council Members and organizations with interest in Council decisions and associations with policy-driven entities that have a substantive interest in Council decisions. The Council encourages Members to interpret “interests” broadly and lean toward transparency with each other and the public in disclosing affiliations and potential conflicts of interest.

The following list includes possible examples of conflicts of interest that may arise for Council Members and Ex Officio Liaisons. The Council intends this to be a living document and will add examples as they arise. These are examples only, and this is not a comprehensive list of all types of conflicts of interest that could arise.

- At its September 28, 2023 meeting, the Council was voting on its 2024 budget recommendations. One of the recommendations under consideration that was submitted by an external agency and community partners would pass \$3,000,000 through to the Peoples Economy Lab, Front and Centered, and Statewide Poverty Action Network to pilot a statewide network of community assemblies. Council Member Aurora Martin who

serves as the Executive Director of Front and Centered recused herself from the discussion and vote on that budget recommendation.

- The Department of Social and Health Services is hiring a consultant to perform an equity review of a new program and asks a Council Member to serve on the review panel that will select the consultant. The Council Member occasionally performs work as a subcontractor for one of the consulting firms that has applied for the contract. Recognizing that they may be asked to work on the contract if their firm is selected, the Member declines to serve on the review panel.
- A Council Member serves on a review panel for a grant program. The agency administering the grant selects a community-based organization that the Member is not affiliated with, though the Member is acquainted with the organization's Director. Later the Director reaches out to the Member to share they received the grant and offers to take the Member out for dinner as a thank you. The Member recognizes that may be perceived as a conflict of interest and declines the offer.
- A Council Member is offered a paid consulting opportunity with a HEAL Act agency related to the agency's implementation of the HEAL Act. The Member recognizes that, while they may be receiving the offer based on their reputation even outside of the Council as an expert in environmental justice, this could create a perception of using their position as a Council Member to secure work for their consulting business, which is an ethical violation- so the Member declines the offer.

Environmental Justice Council – Ethics Attestation and Disclosure Form

Name:

Date:

Do you attest that you have reviewed the [Ethics in Public Service Act training](#) and [Advisory Opinion 96-09A](#)?

YES ☐ NO ☐

Do you attest that you have reviewed the examples of conflicts of interest?

YES ☐ NO ☐

List all of your paid or volunteer affiliations that are related to the Environmental Justice Council's scope of work:

Affiliation	Are you compensated (salary, stipend, hourly, contract, etc.)?*
	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Yes <input type="checkbox"/> No <input type="checkbox"/>

*RCW 42.52.010 defines “compensation” as “anything of economic value, however designated, that is paid, loaned, granted, or transferred, or to be paid, loaned, granted, or transferred for, or in consideration of, personal services to any person.”

Environmental Justice Council Bylaws

Adopted March 28, 2024

Contents

Article I: Council Membership 1

 Council Appointments..... 1

 Council Member Terms..... 1

 Delegates for Tribal Representatives 1

 Council Member Stipends and Reimbursement..... 1

Article II: Council Executive Committee 2

 Council Executive Committee Duties 2

 Nomination and Election of Executive Committee..... 4

 Executive Committee Terms 6

Article III: Meetings of the Council 6

 Open Public Meetings 6

 All Council meetings will comply with RCW 42.30, the Open Public Meetings Act..... 6

 Quorum 6

 Decision Making Process..... 7

Article IV: Committees of the Council..... 9

 Committee Membership..... 10

 Support Person Attendance in Committee Meetings..... 10

Article V: Council Ethics 12

Article VI: Amendments to the Bylaws 13

Article I: Council Membership

Council Appointments

The Governor appoints 16 Members to the Environmental Justice Council (Council) as described in [RCW 70A.02.110](#). Covered agencies shall serve as nonvoting, Ex Officio Liaisons to the Council as described in [RCW 70A.02.110](#).

Council Member Terms

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

Delegates for Tribal Representatives

[RCW 70A.02.110](#) does not specifically allow Members to have delegates or designees who can attend full Council meeting on behalf of a Governor-appointed Council Member; therefore, the Governor's Office does not authorize appointed Members, other than Members appointed to Tribal seats, to name delegates. Recognizing that the state's Government-to-Government relationship with Tribes warrants a unique approach, Members representing Tribal Communities and Tribal Members on the Council can have a delegate attend, participate in, and vote at Council meetings on their behalf. Recognizing the sovereignty of Tribes, these Members can also send support people or delegates to any Council committee or other small group meetings including Executive Committee meetings.

Council Member Stipends and Reimbursement

Council Members, Tribal Member delegates, and support people (as described in Article IV) may be eligible to receive stipends and reimbursement for subsistence, travel, per diem, lodging, and child and adult care, as funding allows, as members of a class one group in compliance with

[RCW 43.03.220](#), [RCW 43.03.050](#), and [RCW 43.03.060](#) and in alignment with the Office of Equity guidance required under [RCW 43.03.270](#).¹

Article II: Council Executive Committee

Council Executive Committee Duties

The full Council elects three to five voting Members of an Executive Committee from which two Members will be elected to serve as Co-Chairs of the Council. The Executive Committee shall include at least one Tribal representative and at least one community representative. The Executive Committee may meet when at least three Members are present, including one Co-Chair, one Tribal representative (or their delegate or support person), and one community representative, or with permission from absent Members to meet without them present as conveyed to staff. Absent Members will be informed about the discussion post meeting.

The Executive Committee is responsive and accountable to the full Council. The Executive Committee works to implement the full Council's decisions made by consensus and has a responsibility to report back to the full Council, keep the Council informed, and seek guidance and feedback from the Council to improve Executive Committee processes and ensure it is fulfilling the Council's vision. The Executive Committee cannot take "action" as defined by [RCW 42.30.020](#) of the Open Public Meetings Act.

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

- Organizing the agenda with input from the Council committees and Council Members.
- Discussing the issues that have the potential to impact Tribes and Tribal communities with the Tribal Representatives and notifying potentially impacted Tribal governments.
- Ensuring accountability of the Council to equitable governance with communities highly impacted by environmental health disparities and their needs and solutions.

¹ Washington State Office of Equity. Community Compensation Guidelines. Available from <https://equity.wa.gov/resources/community-compensation-guidelines>. Accessed March 4, 2024.

- Communicating and coordinating with the Council's committees and receiving regular reports from the committees.
- Signing Council letters, memos, and other correspondence that have been adopted by the full Council. The Executive Committee may ask the Council Manager to sign Council-adopted correspondence as appropriate.

The Executive Committee works with Council staff by:

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

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

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

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

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

Nomination and Election of Executive Committee

Nominations

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

Election of the Executive Committee

Each Executive Committee seat is elected by a majority vote of the Council. Members who accept a nomination will be recorded as voting for themselves, unless they specify otherwise. If no one nominee receives a majority of the votes, the Council will hold a run-off election between the two nominees who received the largest number of votes.

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

Election of Executive Committee in the Event of a Vacancy

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

Election of Interim Executive Committee Members

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

Election of the Co-Chairs

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

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

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

In the event of a single Co-Chair vacancy, the Council can elect, through majority vote, a new Co-Chair from among Executive Committee Members once the Executive Committee is again fully elected. Members who accept a nomination will be recorded as voting for themselves, unless they specify otherwise. The Council Chair will call for nominations for the vacant seat following the process for nomination outlined above.

Election of an Interim Co-Chair

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

Executive Committee Terms

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

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

Article III: Meetings of the Council

Open Public Meetings

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

Quorum

A quorum is nine voting (Governor-appointed) Members of the Council. If the Council is not fully appointed, then a quorum is a majority of the Governor-appointed Members. In the event that a Council Member is on a leave of absence, then a quorum is a majority of the Governor-appointed Members minus any Member(s) on leave of absence. While Council Members are urged to remain mindful of their capacity to meet their commitments to the Council, Members can take a leave of absence from the Council if needed. A Council Member is considered to be

on a leave of absence when a Council Member informs staff they will be missing at least two consecutive Council meetings and that they will be taking a leave of absence from the Council. Prior to taking a vote on any matter, the Council will announce in a public meeting how many Council Members are currently appointed and which seats they fill, if there are any Members on a leave of absence and which seats they fill, and how many Members are needed for a quorum. The Council may discuss issues and deal with administrative matters in the absence of a quorum, but it may not take any significant action (including but not limited to adopting any resolution, letter, guidance, recommendation, or other position) during a meeting if a quorum is not present.

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

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

Decision Making Process

Council decisions are potentially complex with far-reaching implications and impacts. The goal of the Council's decision-making process is to bring about consensus with rigorous and candid discussions towards shared understanding and appreciation where interests, agreements, and disagreements exist.

Routine & Simple Decisions

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

Substantive Decisions

1. For substantive decisions, any voting Member can make a motion. When making a motion, the Council Member will fully articulate the action to be considered by the Council.
2. The facilitator will next use tools of facilitation to ensure that the Council is ready to move forward with discussion of the motion. These tools include, but are not limited to, calling for a second to the motion, asking the Council if anyone has concerns with moving to discussion of the motion, taking a straw poll to gauge each Member's thoughts on the motion as proposed.
3. After a motion is made, the facilitator will ask for discussion. When it appears that discussion is exhausted, the facilitator will ask for a vote using the following options:
 - a. Yes, I approve.
 - b. Yes, with reservations.
 - c. Not voting until we have further discussion.
 - d. I don't approve, but I won't block.
 - e. I block, have serious concerns.
 - f. I stand aside, recuse myself.

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

Substantive Decisions Impacting Tribes

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

Article IV: Committees of the Council

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

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

Committee Membership

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

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

Support Person Attendance in Committee Meetings

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

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

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

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

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

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

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

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

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

Article V: Council Ethics

The nature of our work requires a great deal of public trust, thus the Council is committed and obligated by law to establish and adhere to a culture of ethics, integrity, and transparency. As state officers and employees, Council Members, Ex Officio Liaisons, and Council staff must comply with [chapter 42.52 RCW](#), the Ethics in Public Service Act. The Council will also comply with the model rules approved by the Executive Ethics Board in [Advisory Opinion 96-09A](#), which require Members to disclose conflicts of interest (at any time a conflict arises) and recuse themselves from discussing and voting on those matters. In addition to these requirements, the Council will adhere to the following practices:

- Appointed Members are encouraged to review the Board and Commissions [Ethics in Public Service Act training](#) and Advisory Opinion 96-09A (linked above) every three years, but *at a minimum* Members shall review these policies upon appointment for each term and attest that they have taken the training. Ex Officio Liaisons and staff will comply with required policies and procedures related to the Ethics in Public Service Act for their respective agencies.
- Upon initial appointment, and on an annual basis thereafter, Council Members and Ex Officio Liaisons shall 1) disclose in writing to Council staff any paid or volunteer affiliations that are related to the Council's scope of work and 2) attest that they have reviewed examples of what does and what does not constitute a conflict of interest. Council staff will record and post affiliations on the Council's webpage. The Council will work to maintain an updated list of examples to ensure Council Members are informed about when they must disclose a conflict of interest and recuse themselves as outlined above and by the Executive Ethics Board in Advisory Opinion 96-09A. To foster transparency, when meeting with each other or other partners, Council Members and Ex Officio Liaisons will indicate whether they are speaking on behalf of the Council, meeting as an individual Member of the Council, or meeting as a representative of another organization or entity. See Article II for the process for designating Council spokespersons.

- The Council Manager will serve as the Council's designated Ethics Advisor and will consult with the Department of Health's Ethics Advisor, the Executive Ethics Board, and the Attorney General's Office as needed.

Article VI: Amendments to the Bylaws

The Governance Committee will review the bylaws at least every two years and make recommendations to the full Council for amendments as needed. Any Member who wishes to propose changes to the bylaws can propose the recommended amendment to the full Council or, preferably, bring their proposal to the Governance Committee who will work with the Member to fashion a proposal for the full Council's consideration. Amendments to the bylaws must be noted on the Council agenda and be discussed at a minimum of two Council meetings prior to adoption. Amendments to the bylaws will be considered using the consensus-based decision-making process outlined in Article III when at least two-thirds of the Governor-appointed seated Council Members are present.

Environmental Justice Council

Date: July 24, 2025

To: Environmental Justice Council Members

From: Sierra Red Bow, Council Community and Tribal Engagement Supervisor

Subject: Community Connection

Background and Summary

Each Council meeting includes time on the agenda for “Community Connections.” The goals of this agenda item are for the Council to learn from Tribes and community groups about environmental justice issues, ideas, and solutions in their communities.

Staff Contact

Sierra Red Bow, Council Community and Tribal Engagement Supervisor,

Sierra.RedBow@ejc.wa.gov, 564-669-4791

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

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: Mitch Patton

Sent: Sunday, May 4, 2025 6:28 PM

To:

Subject: This was used at wind river nursery AKA the largest pot farm in the county.

External Email

https://www.columbian.com/news/2025/apr/23/wa-lawmakers-want-pfas-testing-for-human-waste-fertilizer/?fbclid=IwY2xjawJ2hnpleHRuA2FlbQlxMQBicmlkETFlc3NNSVlUeEgyR3JxSFNSAR5kelqAtiH_pXbkR-IJ1pt0sPAbR3EhP5ajw0-e6DZTjUOylne1ejrjMdRdw_aem_aQJs3J3EhVmmnuq4IS94A

Request for Moratorium on Wind River Business Park Due to Health and Safety Concerns

To the skamania county board of commissioners and prosecutor Adam Klick ,

Just a quick FYI—there is one more serious issue to be aware of at the Wind River Business Park site. I do not believe it is safe to allow public access to this property at this time. Based on a recent public records request I received, I found documentation that human waste from Milwaukee, Wisconsin, had been shipped to the nursery, stockpiled, and then applied to nursery fields. It appears this practice was later stopped, but we need to know exactly where that material was placed and what condition it is in today.

In addition to that, we still have major questions about the old dump site and burn pit on the same property. With so many unknowns and potential contamination issues, I am asking that the county place an immediate moratorium on development or public use of the Wind River Business Park until a full environmental review and risk assessment can be completed.that place is loaded with forever chemicals and needs to be treated that way not turn your backs on it like you have the two unmonitored landfills leaching into our groundwater.

Sincerely,

[Mitch Patton 360-903-9040](tel:360-903-9040)

Please add to public comment at the next BOCC meeting

"Never give up, for that is just the place and time that the
tide will turn."

- Harriet Beecher Stowe, from "Oldtown Folks"