

November 10, 2022

Via Public Comment Portal, ecology.wa.gov
Erin Torrone
Department of Ecology
P.O. Box 47600
Olympia, WA
98504-7600

Re: Improving Air Quality in Overburdened Communities Initiative

Dear Ms. Torrone,

This letter is in response to the Department of Ecology's solicitation for public comments related to the Improving Air Quality in Overburdened Communities Initiative

The currently proposed method provides too narrow and too exclusive of a list when defining overburdened communities. There is a lack of evidence and justification for the specific framework chosen. Currently, the documentation lacks reasoning to add two separate categories of air pollution indicators to filter the initial category of overburdened communities. The current approach does not take into account a precautionary principle, essential for environmental and climate justice. To avoid unintentionally excluding historically marginalized communities, the Department of Ecology should err on the side of caution and include more communities on the initial list of overburdened communities.

The proposed process needs a more explicit iterative process to incorporate voices from the frontline communities. While the proposed public engagement plan offers times, dates, and languages, and has an invitation for government-to-government consultation for Tribal Nations, more intentional engagement is needed with communities that have been impacted by air pollution, including but not limited to specifically going to communities rather than expecting them to come to the agency.

Government to government consultation with tribes must occur prior to finalizing the list of overburdened communities to ensure all Tribal Nations are meaningfully consulted and involved. Air quality data from Tribal nations currently is not explicitly incorporated into the current proposed method. Therefore, until proper tribal consultations take place and tribal data and knowledge are incorporated, the Department of Ecology should not exclude any tribal land from eligible activities under this Initiative.

We also urge the Department of Ecology **to develop a pathway for those left behind by the final list of overburdened communities to get on the list of overburdened communities.** This may be through self-identified areas related to known issues related to environmental justice and air pollution.

Thank you for the opportunity to provide feedback on this Initiative.

Sincerely,

Esther Min
Aurora Martin
David Mendoza
Faaluaina Pritchard

Maria Batayola
Maria Blancas
The Honorable Misty Napeahi

Rosalinda Guillen
Running Grass