

Public policy that focuses on benefiting specific groups of individuals can be met with resistance or criticism by the individuals the policy is intended to benefit. One of the causes of criticism can be a discrepancy between what the governing body believes individuals desire and what individuals desire. This discrepancy is often due to not understanding different cultural or social values. To understand different cultural or social values, individuals influenced by the public policy need to be represented in the decision-making process. The lack of representation of individuals affected by public policy has been a reoccurring issue throughout history but is improving. Unfortunately, Engrossed Second Substitute Senate Bill 5141 or the Healthy Environment for All Act underrepresents tribal nations within the Environmental Justice Council.

The Healthy Environment for All Act establishes the Environmental Justice Council to advise 11 state agencies on how to incorporate environmental justice into agency activities. The Environmental Justice Council is comprised of 14 members. The members are persons who commit to and are knowledgeable about environmental justice principles. In addition, members represent diversity in ethnicity, different regions of the state, race, age, gender, urban and rural areas to the greatest extent that is possible. All members are appointed by the governor. Of the 14 members, two members represent tribal communities. One of the tribal members speaks for eastern Washington and the second represents western Washington. The tribal members are from federally recognized tribes. The governor has the option to solicit and collaborate with tribal nations on who should voice the concerns of the tribal nations within Washington state. Regrettably, two tribal members are not sufficient to act for the 29 tribal nations thriving in Washington. Western Washington alone is home to 24 tribal nations. The deficiency of an appropriate amount of Environmental Justice Council members speaking on behalf of the tribal nations within Washington will cause discrepancies in the advice given to state agencies and cannot represent the different cultural values of all tribal nations.

A possible solution to this problem is to have a separate tribal and indigenous advisory council outside of the Environmental Justice Council to consider issues that directly affect tribal nations. The separate tribal and indigenous advisory council can be represented by the two members on the Environmental Justice Council. Many tribal and indigenous advisory councils have been developed in Washington already like the Indigenous Advisory Council in Seattle. The Indigenous Advisory Council in Seattle helps advise the Mayor, City Council, and City departments on policy, budget, program, services, and project decisions. By allowing the 29 tribal nations to convene and communicate concerns about environmental justice topics, tribal issues can be represented in the Environmental Justice Council. By having a better model to represent tribal concerns in the Environmental Justice Council, the possibilities of having large discrepancies about future public policy is drastically lessened.