

NATIVE AMERICAN COMMUNITIES ENGAGEMENT GUIDE ON THE HEAL ACT STATE AGENCY TRIBAL LIAISONS DRAFT November 2022

This document serves as a guide to ensuring that the Healthy Environment for All (HEAL) Act's intention for engaging with Native American communities, separate from government-to-government engagement, is done effectively and appropriately. For information on engaging with tribal governments, see the guide on TRIBAL **GOVERNMENT-TO-GOVERNMENT** ENGAGEMENT ON THE HEAL ACT.

HEAL ACT BACKGROUND

The HEAL Act was signed into law to reduce environmental and health disparities throughout Washington state and improve the health of all Washington state residents. The Washington State Legislature passed Senate Bill 5141, [HEAL Act](#), to be effective on July 25, 2021.

The HEAL Act defines Environmental Justice (EJ) as “...*the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, rules, and policies. Environmental Justice includes addressing disproportionate environmental and health impacts in all laws, rules, and policies with environmental impacts by prioritizing vulnerable populations and overburdened communities, the equitable distribution of resources and benefits, and eliminating harm.*”¹

Key priorities of the HEAL Act include reducing exposure to environmental hazards within tribal lands, ensuring tribal sovereignty and rights in EJ, and eliminating environmental and health disparities in disadvantaged, vulnerable, and low-income populations.

PRINCIPLES OF ENGAGEMENT WITH NATIVE AMERICAN COMMUNITIES

In addition to principles identified by the HEAL Act Environmental Justice Council, engagement with Native American communities should be guided by the following principles:

1. **[INSERT AGENCY NAME HERE]** recognizes the unique and distinct Native American communities throughout Washington State.
2. **[INSERT AGENCY NAME HERE]** works to understand definitions of human health and the environment from the perspective of Native American community members.
3. **[INSERT AGENCY NAME HERE]** uses legal authorities, as appropriate, to advance environmental justice goals in its work throughout the state.
4. **[INSERT AGENCY NAME HERE]** strives to understand cultural and communication differences of Native American communities to establish common understandings and opportunities to address environmental justice issues.
5. **[INSERT AGENCY NAME HERE]** encourages, as appropriate and to the extent practicable and permitted by law, any voluntarily shared knowledge and history by Native American

¹ Engrossed Second Substitute Senate Bill 5141, Chapter 314, Laws of 2021, Section 2(8), Pp.2.

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communities, in addition to the agency's environmental science, policy, and decision-making processes, to understand and address environmental justice concerns and facilitate program implementation.

6. **[INSERT AGENCY NAME HERE]** considers confidentiality concerns regarding information on sacred sites, cultural resources, and other traditional knowledge and history, as permitted by law.
7. **[INSERT AGENCY NAME HERE]** acknowledges that unique significant relationships may exist regarding sacred sites and cultural resources information for Native American community members.
8. **[INSERT AGENCY NAME HERE]** acknowledges that many Native American people were displaced and removed from their original homelands. Therefore, they may attach religious, spiritual, and cultural significance to sites that are associated with their ancestral lands, territories, and history well outside of any current reservation boundaries.
9. **[INSERT AGENCY NAME HERE]** seeks to maintain relationships with Native American communities based mutual understanding and respect.
10. **[INSERT AGENCY NAME HERE]** strives for open communication and meaningful involvement with Native American communities and encourages an appropriate level of involvement by other state, federal and nonfederal government agencies in matters in which the agency is involved.
11. **[INSERT AGENCY NAME HERE]** strives to identify key points of contact in Native American communities to facilitate meaningful involvement and fair treatment on environmental justice issues, and to better understand the unique aspects and nature of the communities.
12. **[INSERT AGENCY NAME HERE]** recognizes and supports the use of Indigenous conflict management and dispute resolution processes, including traditional consensus building and decision-making practices, as appropriate, to address disputes and potential conflicts.
13. **[INSERT AGENCY NAME HERE]** encourages and seeks to facilitate discussions among and between Native American community members with an interest in environmental justice issues affecting them.
14. **[INSERT AGENCY NAME HERE]** collaborates and cooperates with other state and federal agencies to leverage resources to better communicate, share information, and address the environmental justice concerns of Native American communities.

ENGAGEMENT WITH NATIVE AMERICAN COMMUNITIES

Many Native American people were forcibly displaced or encouraged to relocate to urban areas through various federal policies that sought to assimilate native people. As a result, cities like Seattle, Tacoma, Aberdeen, and Spokane (among others), have high populations of Indigenous people who are not represented by tribes that consult with the state of Washington. Many of these people, however, have formed communities and are considered vulnerable populations and overburdened communities under the HEAL Act.

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One way to engage these communities is to work with and through tribal organizations created to serve them. **Engaging with these organizations is distinct from consultation with tribal governments.** It can be done on a timeline consistent with that of public engagement.

A short list of examples of organizations connected to Native American communities in Washington includes:

- Daybreak Star Indian Cultural Center
- The Native Project
- Chief Seattle Club
- Native non-profit organizations

METHODS FOR ENGAGEMENT

Work with organizations to learn how to engage with Native American communities. Some engagement strategies are:

- Host community open house at a local location, such as a community or service center.
- Distribute information via tribal newsletters, newspapers, or social media sites.
- Sponsor a table / booth at a tribal event, such as a powwow, sports tournament, or health fair.