

# ENVIRONMENTAL JUSTICE CLINIC

Vermont Law School



# Environmental Justice Movement History and Principles

**How a protest in a Black N.C. farming town nearly 40 years sparked a national movement, Darryl Fears and Brady Dennis, *New York Times* (April 6, 2021).**

WARREN COUNTY, N.C. — Ben Chavis was driving on a lonely road through rolling tobacco fields when he looked in his rearview mirror and saw the state trooper.

Chavis knew he was a marked man. Protests had erupted over North Carolina's decision to dump **40,000 cubic yards** of soil contaminated with cancer-causing chemicals in a poor Black farming community in Warren County, and Chavis was a leader of the revolt.

The trooper pulled him over.

“What did I do, officer?” Chavis asked that day in 1982. The answer shocked him.

“He told me that I was driving too slow.”

Chavis was arrested and thrown in jail. When the cell door slammed shut, he gripped the metal bars and declared: “This is racism. This is environmental racism.”

# Environmental Justice Movement History and Principles

[1990 SouthWest Organizing Project Letter to Big Ten](#): “Although environmental organizations calling themselves the "Group of Ten" often claim to represent our interests, in observing your activities it has become clear to us that your organizations play an equal role in the disruption of our communities. There is a clear lack of accountability by the Group of Ten environmental organizations towards Third World communities in the Southwest, in the United States as a whole, and internationally.”

# Environmental Justice Movement History and Principles

- [Principles of Environmental Justice](#) (1991)

Delegates to the First National People of Color Environmental Leadership Summit held on October 24-27, 1991, in Washington DC, drafted and adopted 17 principles of Environmental Justice. Since then, *The Principles* have served as a defining document for the growing grassroots movement for environmental justice.

# Environmental Justice Movement History and Principles

## Jemez Principles for Democratic Organizing (1996)

1. Be Inclusive
2. Emphasis on Bottom-Up Organizing
3. Let People Speak for Themselves
4. Work Together In Solidarity and Mutuality
5. Build Just Relationships Among Ourselves
6. Commitment to Self-Transformation

# Just Transition Definition

“Just Transition is a vision-led, unifying and place-based set of principles, processes, and practices that build economic and political power to shift from an extractive economy to a regenerative economy. This means approaching production and consumption cycles holistically and waste-free. The transition itself must be just and equitable; redressing past harms and creating new relationships of power for the future through reparations. If the process of transition is not just, the outcome will never be. Just Transition describes both where we are going and how we get there.”

***Climate Justice Alliance***

# Just Transition Principles

## Climate Justice Alliance Principles

1. *Buen Vivir*
2. *Meaningful Work*
3. *Self Determination*
4. *Equitable Redistribution of Resources and Power*
5. *Regenerative Ecological Economics*
6. *Culture and Tradition*
7. *Solidarity*
8. *Builds What We Need Now*

[The Just Transition Alliance  
Definition of a Just Transition and  
Just Transition Principles](#)

[Indigenous Principles of Just  
Transition](#)

# Procedural Justice and Principles of EJ

**5) Environmental Justice** affirms the fundamental right to political, economic, cultural and environmental self-determination of all peoples.

**7) Environmental Justice** demands the right to participate as equal partners at every level of decision-making, including needs assessment, planning, implementation, enforcement and evaluation.

# Spectrum of Community Engagement to Community Ownership



*Developed by Rosa González of Facilitating Power. Available at:*

<https://movementstrategy.org/b/wp-content/uploads/2019/09/Spectrum-2-1-1.pdf>

# Learning From Other Jurisdictions

**“There are not enough places for kids to play and be near nature.** Even Roger Williams Park is surrounded by highways!”

“Those huge tanks at **the Port** are just scary. They look like they could blow up anytime. Wait, I think something did a few months ago! And then nasty stuff spilled on Allens. **What are they bringing in and out of there anyway? Definitely not benefiting me, just adds to traffic pollution and make me wish I could move.**”

- City of Providence Climate Justice Plan
- New York Climate Leadership and Community Participation Act

“Every time our community gets cleaned up, white folks want it and start moving us out. ... **We need to make sure we won’t get kicked out before we push to make good things happen.**”

Images from Providence Climate Justice Plan. Available at:

<https://www.providenceri.gov/wp-content/uploads/2019/10/Climate-Justice-Plan-Report-FINAL-English-1.pdf>

# Outcomes Matter Too

- Is community input actually incorporated?
- Are policies adequately implemented?
- Are policies evaluated for unintended consequences and disparate impacts?

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## **Resource for Equity Screening Tool**

GARE Equity Tool, available at:

[https://www.nrpa.org/uploadedFiles/nrpaorg/Professional\\_Development/Innovation\\_Labs/GARE-Racial-Equity-Toolkit.pdf](https://www.nrpa.org/uploadedFiles/nrpaorg/Professional_Development/Innovation_Labs/GARE-Racial-Equity-Toolkit.pdf)

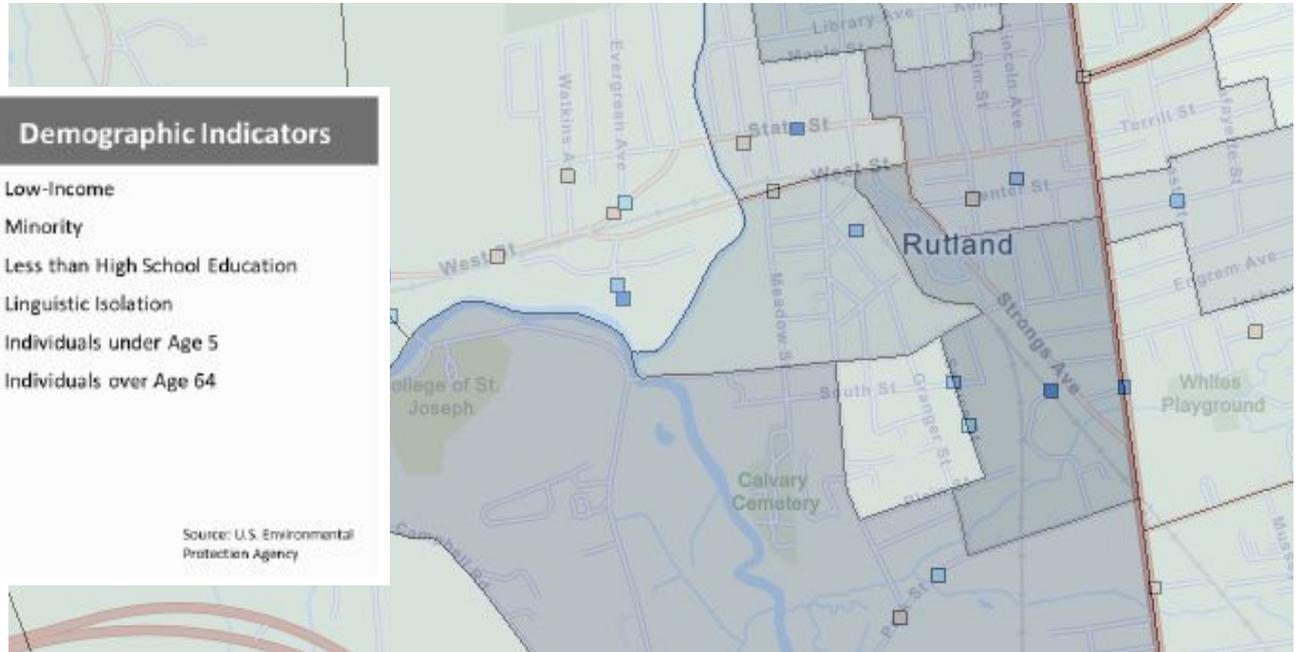
# Cumulative Impacts

Cumulative impacts are exposures, public health or environmental effects from the combined emissions and discharges, in a geographic area, including environmental pollution from all sources, whether single or multi-media, routinely, accidentally, or otherwise released. Impacts will take into account sensitive populations and socio-economic factors, where applicable and to the extent data are available.

# Mapping Tools

Environmental Indicators	Demographic Indicators
<input type="checkbox"/> PM 2.5	<input type="checkbox"/> Low-Income
<input type="checkbox"/> Ozone	<input type="checkbox"/> Minority
<input type="checkbox"/> NATA Diesel PM	<input type="checkbox"/> Less than High School Education
<input type="checkbox"/> NATA Air Toxics Cancer Risk	<input type="checkbox"/> Linguistic Isolation
<input type="checkbox"/> NATA Respiratory Hazard Index	<input type="checkbox"/> Individuals under Age 5
<input type="checkbox"/> NATA Neurological Hazard Index	<input type="checkbox"/> Individuals over Age 64
<input type="checkbox"/> Lead Paint (pre-1960s Housing)	
<input type="checkbox"/> Traffic Proximity	
<input type="checkbox"/> Proximity-NPL Sites	
<input type="checkbox"/> Proximity-RMP Facilities	
<input type="checkbox"/> Proximity-TSD Facilities	
<input type="checkbox"/> Proximity-Waste Water Dischargers	

Source: U.S. Environmental Protection Agency



REJOICE Pandemic  
Recovery Project:  
Preliminary Findings and  
Recommendations

Rural Environmental  
Justice Opportunities  
Informed by Community  
Expertise

June through December 2020



# REJOICE Project:

## Rural Environmental Justice Opportunities Informed by Community Expertise

April 2021

Watch a live recording and Q&A [here](#).



R.E.J.O.I.C.E. Project 2020 - Please share slides with attribution

# Who Are We?

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CENTER FOR WHOLE  
COMMUNITIES

Center for Whole Communities

Community Action Works

University of Vermont

Vermont Law School

CVOEO Mobile Home Project



# What is Environmental Justice Policy?

## Equal access to...

Clean Air

Clean Water

Outdoor Recreation

Healthy Homes

Health Care

Fresh Food

**SUBSTANTIVE**

## Enhancing...

Public Participation

Access to Information

Language Access

**PROCEDURAL**

## Ensuring...

No discrimination based on  
race, national origin,  
disability or income

Equal distribution of  
environmental burdens and  
benefits

**DISTRIBUTIVE**

# **Our goal is to produce evidence-based accounts of environmental justice in Vermont.**

What are the key environmental and health issues of concern to frontline communities? How do ethnoculturally diverse and low-income communities identify, prioritize, and integrate health and ecological concerns?

What are the challenges to access, inclusion, and participation in state environmental and land use policy? How do these challenges contribute to existing environmental health issues?

What factors contribute to structural racism in Vermont, and thus contribute to environmental justice issues?



# Funding Partners

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- Anne Slade Frey Charitable Trust
- Harris & Frances Block Foundation
- High Meadows Fund
- Vermont Community Foundation
- Vermont Department of Health
- Windham Foundation

*And private donors*



Image: [Gerd Altman, Pixabay](#)

# Focus Groups

17 focus groups with 76 participants to date

- Bhutanese Nepali Elders & Parents
- Deaf & Hard of Hearing Community
- Migrant Farmworkers
- Mobile Home Communities
- People With Disabilities
- Rural Communities
- Seniors
- Somali Bantu Elders & Parents

## YOUR VOICE MATTERS!

### JOIN REJOICE FOR A CONVERSATION ABOUT YOUR COVID-19 EXPERIENCE

**What:** an informal conversation about your experience with pandemic relief and recovery.

**When:** on Tuesday, 10/20, 6-7:30pm, by video and audio call.

**How:** the first eight people to sign up will participate and receive \$50 for their time. Sign up by calling the CVOEO Mobile Home Program at 802-660-3455 ext 204 by 12pm on Monday, October 19.

**Who:** The REJOICE Partnership is the group organizing this meeting. We are teachers, community leaders, and policy advisors who want to better understand how the pandemic has affected environmental and health problems across Vermont.

**Why:** We hope the information you share will be used to change how the government and nonprofit groups respond to emergencies and inequality in the future. You have the power to make decisions and fight injustice in your state!

The REJOICE Project: Rural  
Environmental Justice Opportunities  
Informed by Community Expertise



# Methodology

- **Engaged community leaders, liaisons, and interpreters to co-design and co-facilitate** focus groups via Zoom and by phone
- Compensated partners and participants
- Provided targeted health and economic information
- Asked open-ended environmental and quality-of-life questions
- Committed to checking our findings with partners and communities



A pre-COVID community conversation in Newport, Vermont.

# Organizational Partners

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Association of Africans Living in Vermont

Brain Injury Association of Vermont

Migrant Justice

NeighborWorks

Newport Wireless Mesh

Rutland Area NAACP

Vermont Center for Independent Living

# Focus Group Questions

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- Environmental and health issues of concern in your community
- Pandemic response measures that have been helpful or unhelpful
- Challenges to accessing:
  - Information and resources about the pandemic, online or in your own language
  - Shelter and neighborhood safety
  - Adequate medical care
  - Health and safety at work
  - Nutritious food and necessary supplies
- Issues you are most worried about right now
- One thing you'd ask the government to change in the pandemic response

# Areas of Preliminary Findings & Recommendations

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- Environment and Natural Resources
- Emergency Communications & Equal Access
- Health & Family Well-Being
- Economic Recovery & Worker Safety
- Education
- Housing
- Food Access
- Transportation

# Immediate & Urgent Actions

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- Communicate in other languages on websites, WhatsApp broadcast channels, EverBridge, trusted social media sites
- Give priority to navigation centers and liaisons
- Remove cumbersome, unnecessary requirements such as “wet ink” signatures
- Monitor demographic data in pandemic policing response, train housing authorities on de-escalation
- Build on growing database of minority-owned businesses from recent fund allocation
- Fund BIPOC artists and muralists

# Urgent Actions, continued

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- Implement training, supports for LEP parents and families
- Consider more open listening sessions where someone can say “I’m not okay”
- Focus existing resources on enforcing housing rules fairly and improving substandard, energy inefficient housing stock
- Continue to coordinate and fund gleaning, healthy and desirable food preparation that funds local restaurants (e.g. Everybody Eats)
- Increase contactless drop-off coordination, mutual aid to those without transportation options

# Conclusion & Next Steps

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- Findings report to be finalized in May 2021
- Conversations take a lot of time, investment and patience
- Different ways of challenging or engaging government
- Hope to inform future emergencies, disasters, and pandemics where urgency may be greater
- Relationships are critical - create a network now to ensure future appropriate responses and community resiliency

# Break-out Discussion

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What are 3 ways you plan to integrate Principles of Environmental Justice into the work of the Climate Council?

[17 Principles of EJ](#), developed by the Delegates to the First National People of Color Environmental Leadership Summit in 1991.

[Jemez Principles for Democratic Organizing](#), developed by Southwest Network for Environmental and Economic Justice