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The Climate of Environmental Justice: Taking
Stock (March 16-17)

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SLIDES: Environmental Justice: Comprehensive Approach

Nicholas Targ

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Environmental Justice
Comprehensive Approach

Nicholas Targ

March 16, 2006

Comprehensive Approach

- I. Comprehensive Approach
- II. Promise and Limitations
- III. Strategic Planning as a Partial Response by Government
- IV. Implications

Background: Comprehensive Approach

- 38 States have Environmental Justice Statutes, Policies, Executive Orders (“EJ Authorities”).
- 9 states and the Federal Government use a “Comprehensive Approach to address EJ issues (CA, CT, IN, MA, MD, NJ, NY, NM, RI, TN).
- Balance of the States address particular issue of aspects of environmental justice (e.g., siting of facilities; brownfields redevelopment; Environmental Impact Assessment).

Background: Comprehensive Approach

Definition: A policy that broadly integrates environmental justice into the work of a government or government agency, rather than focusing on a issue area that may give rise to or is associated with environmental justice concerns.

Comprehensive Approach: Advantages

- **All concerns can be addressed**
- **Agency can apply the right “tool” or law to the concern raised (avoids stovepipe mentality)**
- **Allows for holistic, integrated (agency-wide) response (e.g., leveraging resources and expertise, and coordination of actions).**

Comprehensive Approach: Limitations

- Lack of clear-cut standards
- Response is largely discretionary (e.g., non-adjudicatory in nature)
- Measurement and accountability may be challenging
- Lack of express legal authority
- Responsibility-accountability disconnected
- Difficult for a grassroots (“we speak for ourselves”) movement to participate in ongoing agency-wide policy issues

Elements of the Comprehensive Approach

Mandate

Capacity Building

-Internal

-External

Integration

Coordination/Communication

Accountability/Transparency

Typical
Elements of a
“Comprehensive
Environmental
Approach” EJ
Program

Elements of the Comprehensive Approach

Integration

Memorandum establishing legal basis for actions

Protocol for case-by-case environmental justice analysis

Protocol for media specific and programmatic

Strategic Plan incorporating environmental justice

Accountability

Established commitment to taking specific action

Measurable/Quantifiable results

Advisory Committee (cross-over role)

Reporting Mechanism

Response to Limitations: Strategic Planning

Administrator Stephen L. Johnson, Memorandum "Reaffirming The U.S. Environmental Protection Agency's Commitment to Environmental Justice," (Nov. 4, 2005)

- Established 8 National EJ Priorities
- Directed the Agency to incorporate these priorities into the Agency's planning and budgeting process

EPA STRATEGIC PLAN (5 year)

EPA will do X by Y in N number places in the following ways

Environmental Justice Priorities

8 Environmental Justice Priorities:

Reduction in number of asthma attacks; Safe fish/shellfish; Reduce exposure to air toxics; Clean and safe drinking water; Compliance assurance; Revitalization of brownfields and contaminated sites; Reduction in elevated blood lead level; Collaborative Problem-Solving

EJ ACTION PLAN (2 year)

Implementation of EJ Priorities
National/Regional Program

Results & Accountability

Example: Enforcement Targeting

EPA will use a set of nationally consistent environmental justice indicators of health, environment, compliance, and demographics to identify "Areas with Potential Environmental Concerns." We will then emphasize activities in these areas. This effort will better protect all communities, including minority and/or low-income communities. We will report on the impact of our compliance efforts on these areas, including minority and/or low-income communities. Based on our experience with the indicators, we will develop specific environmental justice measures

Targeting Resources & Assessing Results

Operational Definition of
Environmental Justice

Targeting

Prioritization

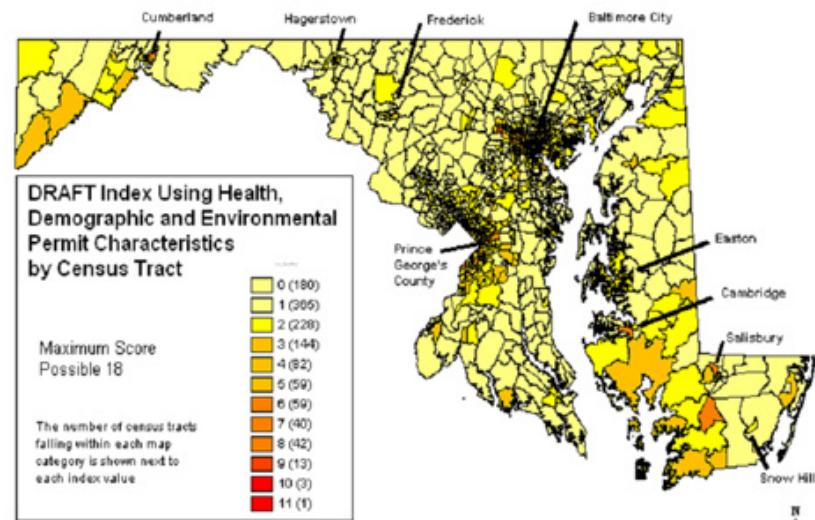
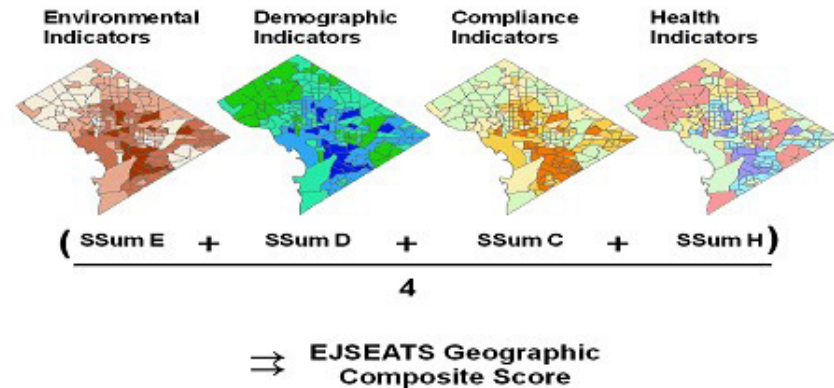
Screening

Assessing potential affects

- Target based on race neutral factors
- Assess results base on demographic (race & income) data

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EJSEAT Scoring Methodology



Implications

- **Defining areas “EJ Concern”**
 - **validity of methodology**
 - **consideration of race**
 - **transparency**
- **Community involvement**
- **Ensuring that local/Regional issues are addressed**
- **Potential stovepipe issues**
- **Development of a suite of EJ measures**

Coordination/Communication

Agency

- Interagency Working Group
- Executive Steering Committee
- Task Force

Public

- EJ Advisory Committee (General Purpose)
- EJ Advisory Committee (Special Purpose)
- Listening Sessions

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Capacity Building

Agency

- GIS/Mapping Tools
- Training
- Human Capital
- Protocols
- Research

Public

- GIS Tool
- Translation
- Training
- Grants
- Public Private Programs
- Human Capital
- Protocols

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Mandate

California: Conduct its programs, policies, and activities that substantially affect human health or the environment in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations of the state. SB 115

Federal: To the greatest extent practicable and permitted by law... each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations...