



Environmental Justice and Conservation Districts

Pennsylvania Association of Conservation Districts

November 10, 2021

Tom Wolf, Governor

Patrick McDonnell, Secretary

Learning Objectives

After this session, participants will be able to:

- Define environmental justice, equity, and equality and explain how they relate to community involvement.
- Use tools to help identify environmental justice concerns in communities in your district.
- Know who to contact at the PA DEP about environmental justice concerns in your district.



Presentation Outline

- **WHAT:** Environmental Justice (EJ) background, EJ definitions, policies and statutes
- **WHY:** Roots of EJ and science of disproportionate impacts
- **WHO:** Work of the Office of EJ
- **HOW:** EJ Mapping Tools and Public Participation



Questions

- What do you think of when you hear the term Environmental Justice?

DEP Mission

To protect Pennsylvania's air, land, and water from pollution and to provide for the health and safety of its citizens through a cleaner environment. We will work as partners with individuals, organizations, governments and businesses to prevent pollution and restore our natural resources.

DEP Bureaus



Water



Waste, Air,
Radiation, and
Remediation



Active and
Abandoned
Mines

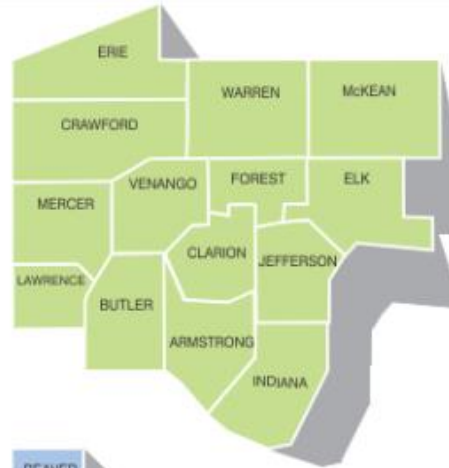


Oil and Gas

Regional Offices

DEP Regions

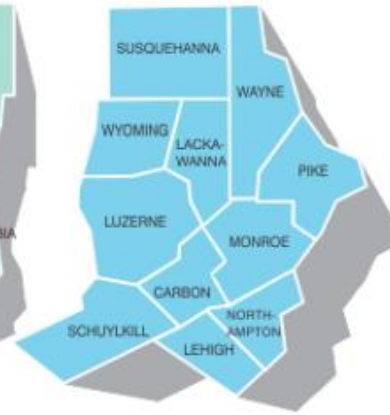
NORTHWEST
814-332-6945



NORTH-CENTRAL
570-327-3636



NORTHEAST
570-826-2511



SOUTHWEST
412-442-4000



SOUTH-CENTRAL
717-705-4700

SOUTHEAST
484-250-5900



Definition of Environmental Justice

Fair treatment and meaningful involvement of all people, regardless of race, color, national origin or income, in the development, implementation and enforcement of environmental laws, regulations and policies.

US EPA

Environmental justice embodies the principle that communities and populations should not be disproportionately exposed to adverse environmental impacts.

Pennsylvania DEP

Seventeen Principles of Environmental Justice.

First People of Color Environmental Leadership Summit

**Distributive
Justice**

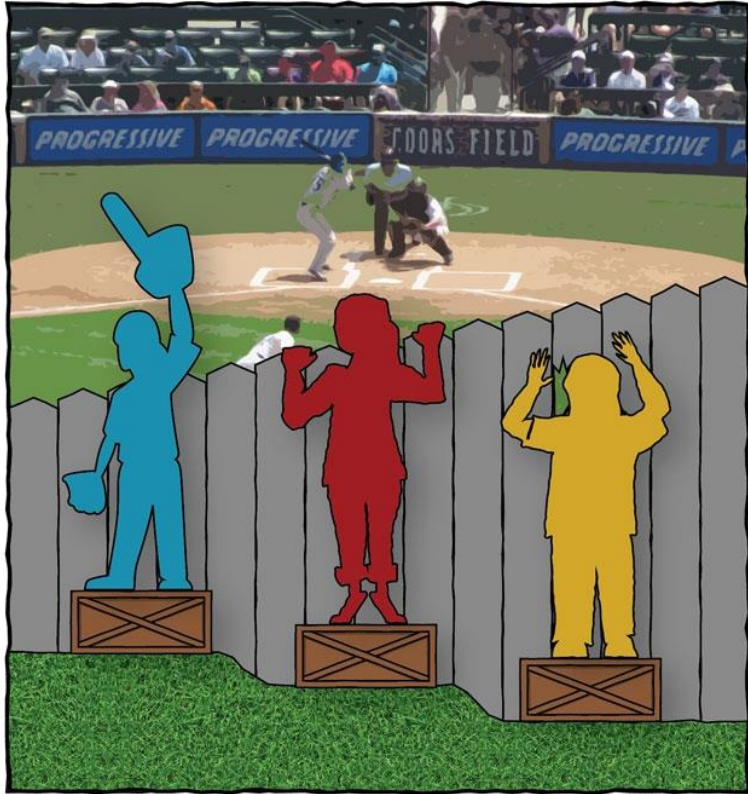
**Procedural
Justice**

**Corrective
Justice**

**Social
Justice**

**Structural
Justice**

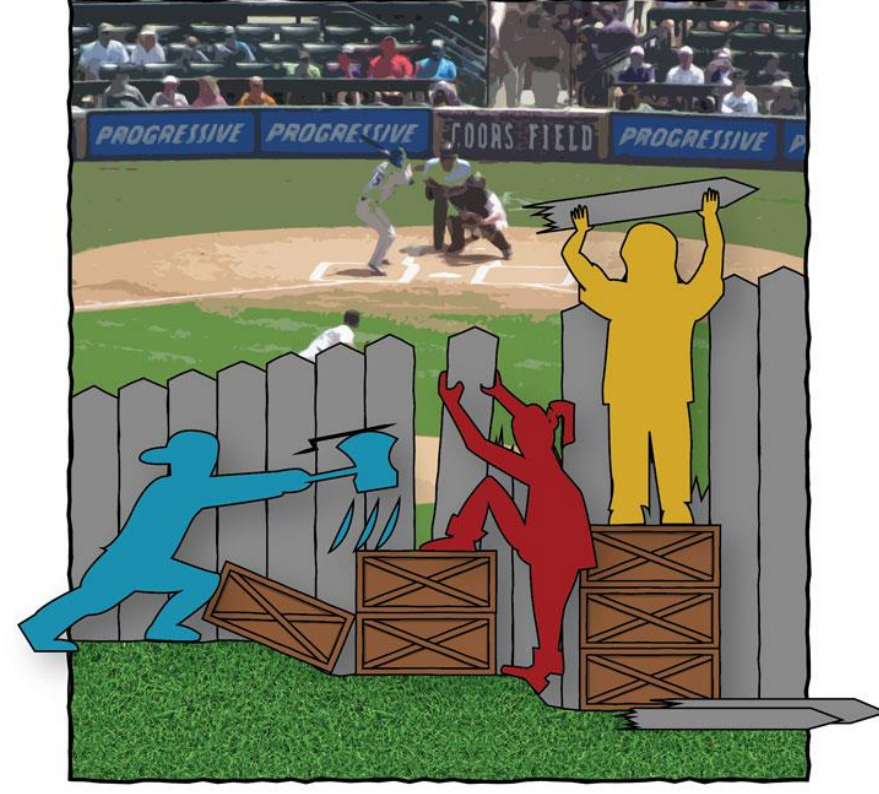
Equality, Equity, and Justice



EQUALITY



EQUITY



JUSTICE

Historical Legacy of EJ: Redlining & Structural Racism

Mapping Inequality Redlining in New Deal America

Introduction Downloads & Data About

map options

York, PA

Areas by Grade

Area	Grade
20%	A "Best"
17%	B "Still Desirable"
45%	C "Definitely Declining"
18%	D "Hazardous"

Demographics

56,712	Total Population (1940)
1.7%	Foreign-born white

Area Descriptions

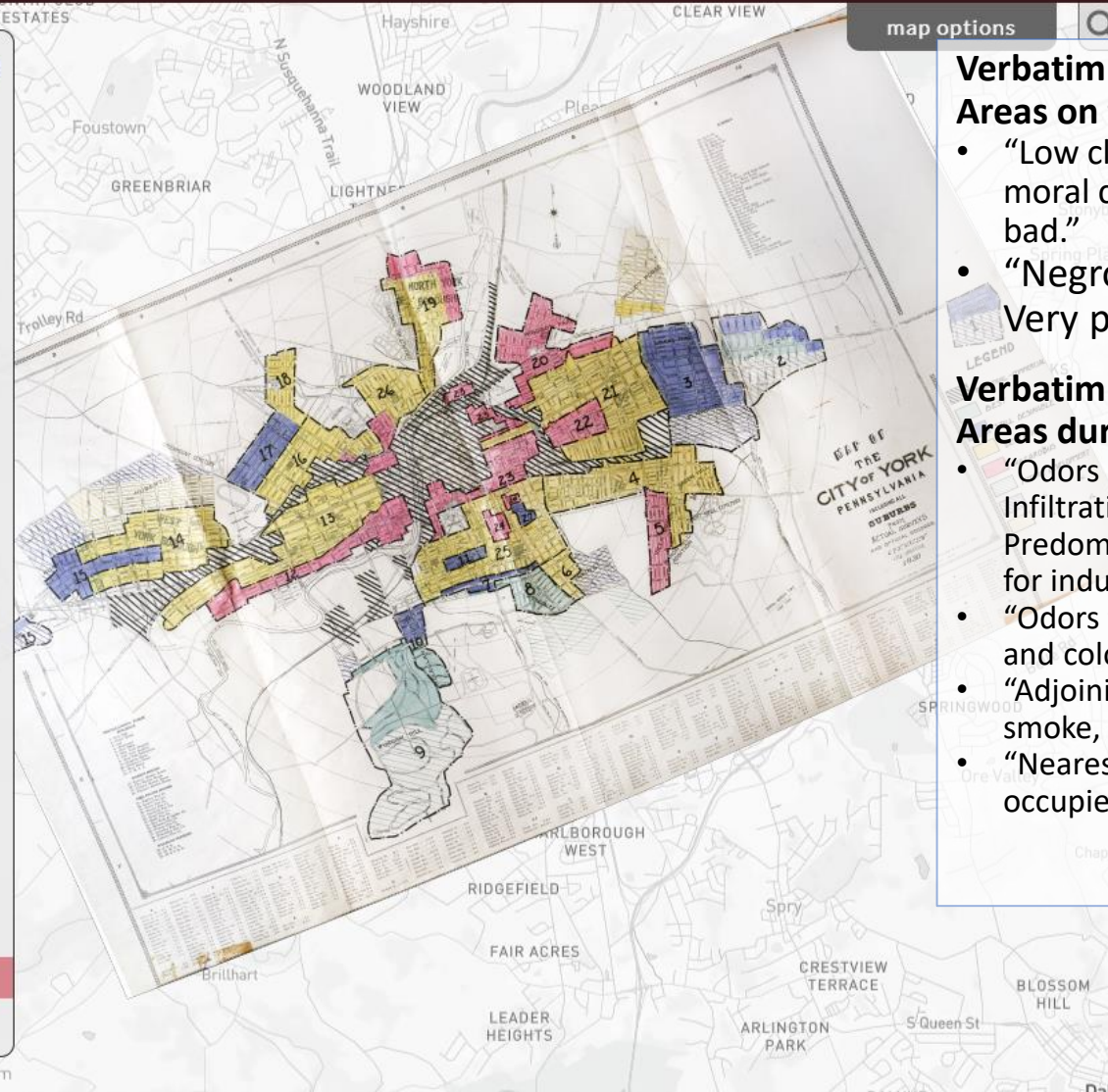
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search

Selections from the Area Descriptions

D12

Low class whites and negroes live in poor moral



Verbatim Surveyor Description of Redlined Areas on the York Map:

- "Low class whites and negroes live in poor moral conditions. The area is exceptionally bad."
- "Negroes, foreigners, low class whites. Very poor residential section."

Verbatim Surveyor Descriptions of Redlined Areas during 1930s:

- "Odors and noises from local industries. Infiltration of colored and Orientals. Predominance of older, cheap cottages. Zoned for industry."
- "Odors from factories; infiltration of Orientals and colored."
- "Adjoining industrial area with attendant odors, smoke, etc."
- "Nearest to the industries, thereby being mainly occupied by wage earning families"

Relationship of EJ to Civil Rights

State programs and activities receiving EPA financial assistance must comply with federal non-discrimination laws*:

- Title VI of the Civil Rights Act of 1964: recipients of federal financial assistance cannot discriminate on the basis of race, color, national origin (including limited-English proficiency)



Other Non-discrimination Laws*

- Section 504 of the Rehabilitation Act of 1973
- Age Discrimination Act of 1975
- Title IX of the Education Amendments of 1972
- Section 13 of Federal Water Pollution Control Act Amendments of 1972
- EPA's nondiscrimination regulation, 40 C.F.R. Parts 5 and 7

Historical Roots of Environmental Justice



Historical Roots of Environmental Justice



Warren County,
North Carolina, 1982



United Church of
Christ Study, 1987



First People of Color
Environmental Leadership
Summit, 1991



Executive Order
12898, 1994

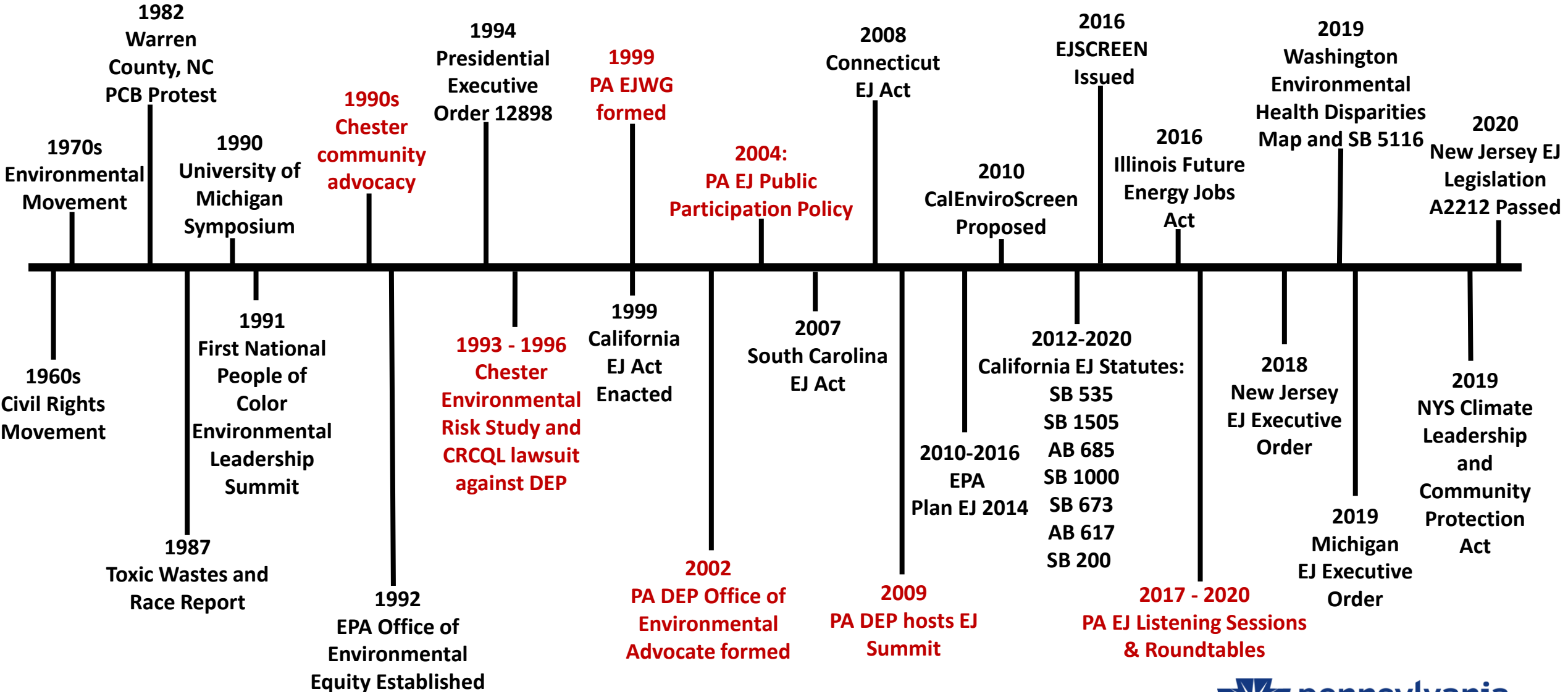
The EJ movement, started by people (primarily people of color) to address inequitable environmental protection and environmental services in their communities was grounded in civil rights and the environmental movement. The movement builds on the lived experience of disproportionately impacted communities. The work of these early advocates paved the way for program development starting in the early 1990's, over the past 30 years, have resulted in significant progress at all levels of government.

Roots of EJ in Pennsylvania

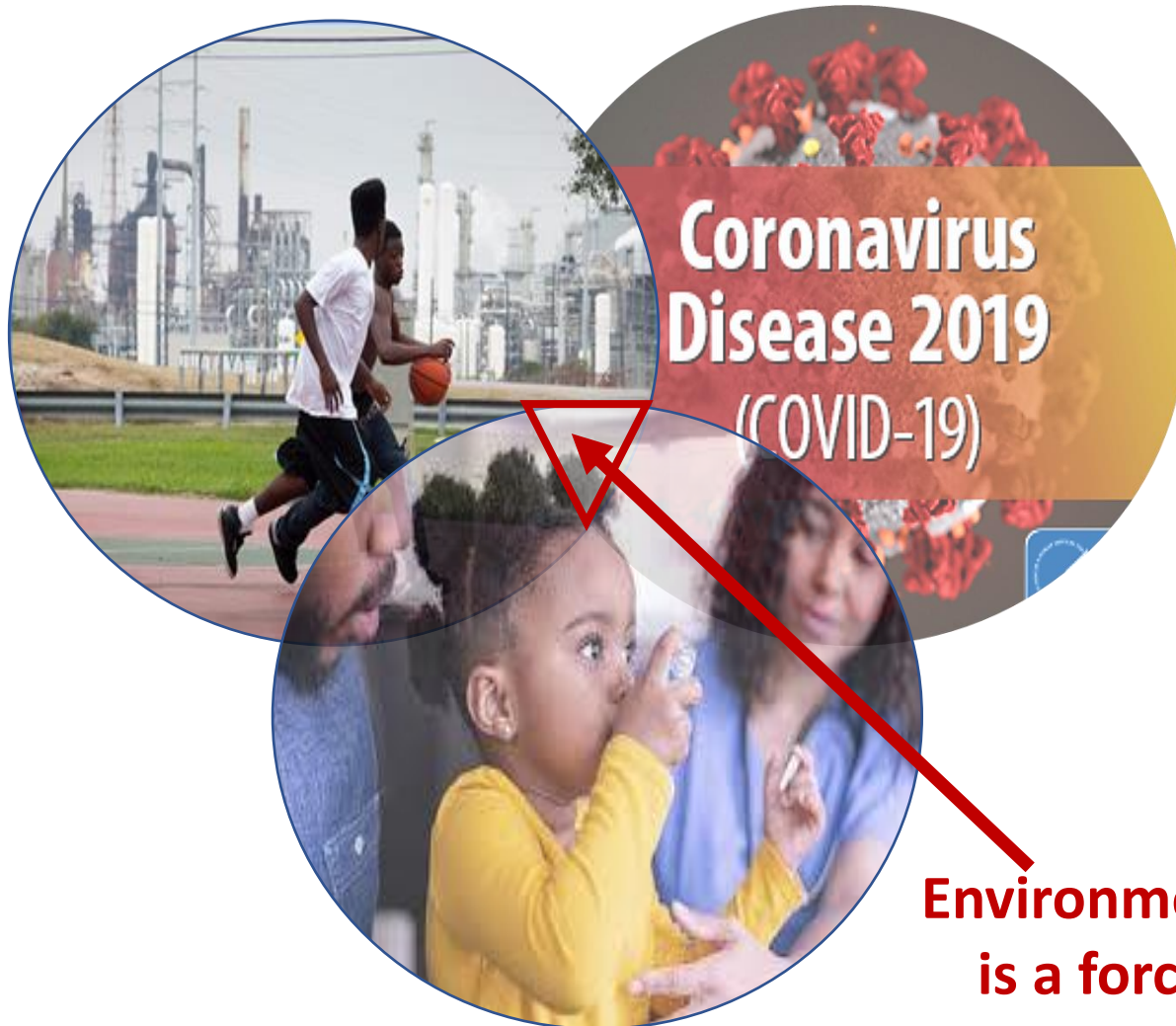
- Organizing of Chester in early 1990s
- Environmental Risk Study by EPA in conjunction with DER in 1993
- Chester residents (CRCQL) lawsuit against DEP in 1996
- DEP Environmental Justice Work Group (EJWG) created in 1999
Report and Recommendations released in 2001



Timeline of Federal and State Government Response



Science of Disproportionate Environmental Impacts

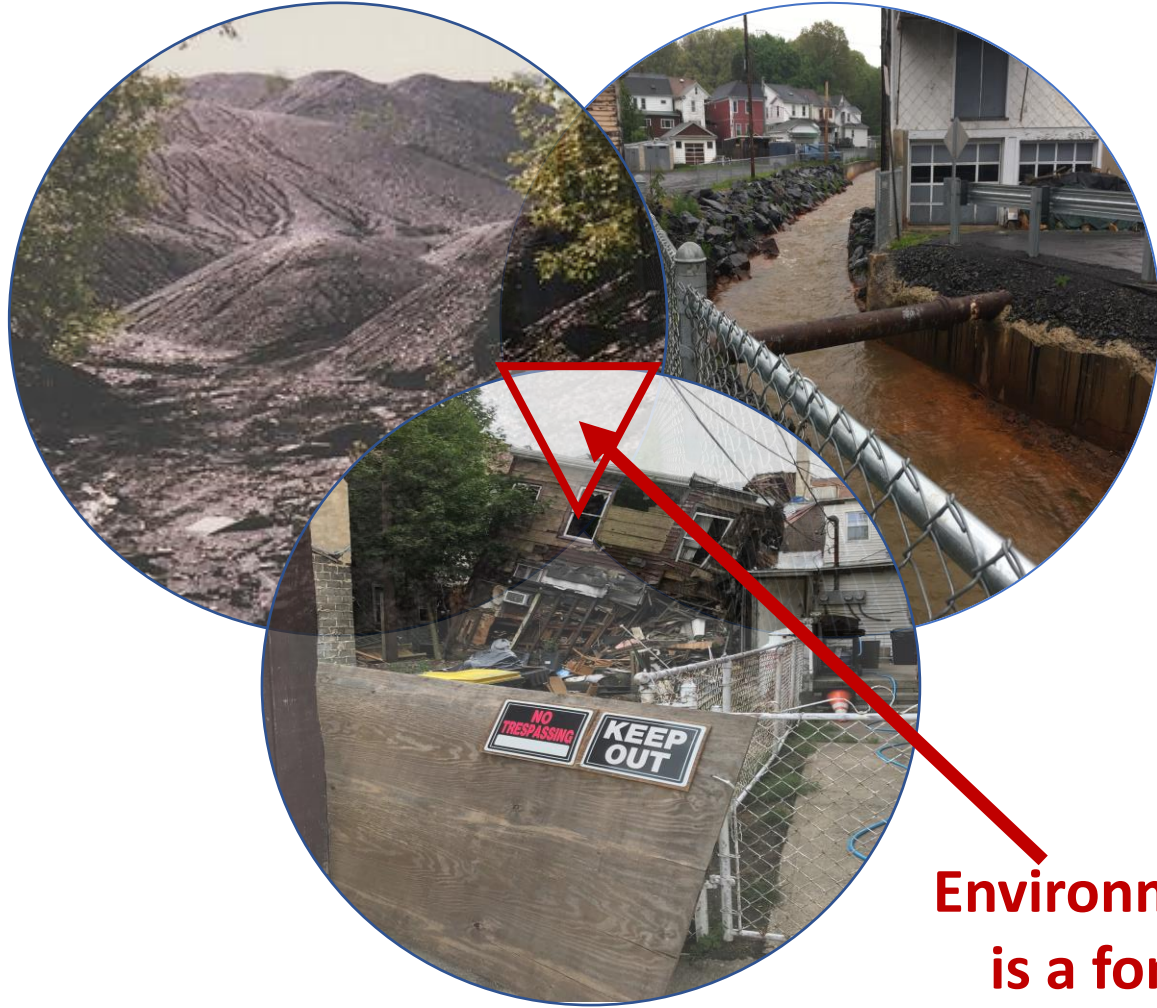


DRIVERS

- Built Environment: Proximity to pollution sources (e.g., stationary and mobile air emissions)
- Natural Environment: Disasters (e.g., wildfires, heat waves, pandemics)
- Social Environment: Health disparities (e.g., asthma, heart disease, hypertension, diabetes)

**Environmental injustice
is a force multiplier**

Disproportionate Environmental Impacts in Mining



DRIVERS IN MINING COMMUNITIES

- Built Environment: Legacy pollution and mine industry brownfields
- Natural Environment: Mine subsistence, acid mine drainage
- Social Environment: Disinvestment and unemployment, legacy health issues.

**Environmental injustice
is a force multiplier**

Empirical Scientific Evidence

Thousands of peer-reviewed articles now exist addressing multiple areas through multiple methodologies. Literature continuously expands to new areas of research.

Multiple Issues

- Exposure and proximity to pollution sources
- Physical infrastructure
- Health impacts and disparities
- Social vulnerability
- Unique exposure pathways
- Psycho-social stress
- Climate and natural disasters
- Cumulative impacts

Multiple Media

- Air
- Water
- Land
- Waste
- Toxics
- Workers



DEP Mission

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OEJ Goals

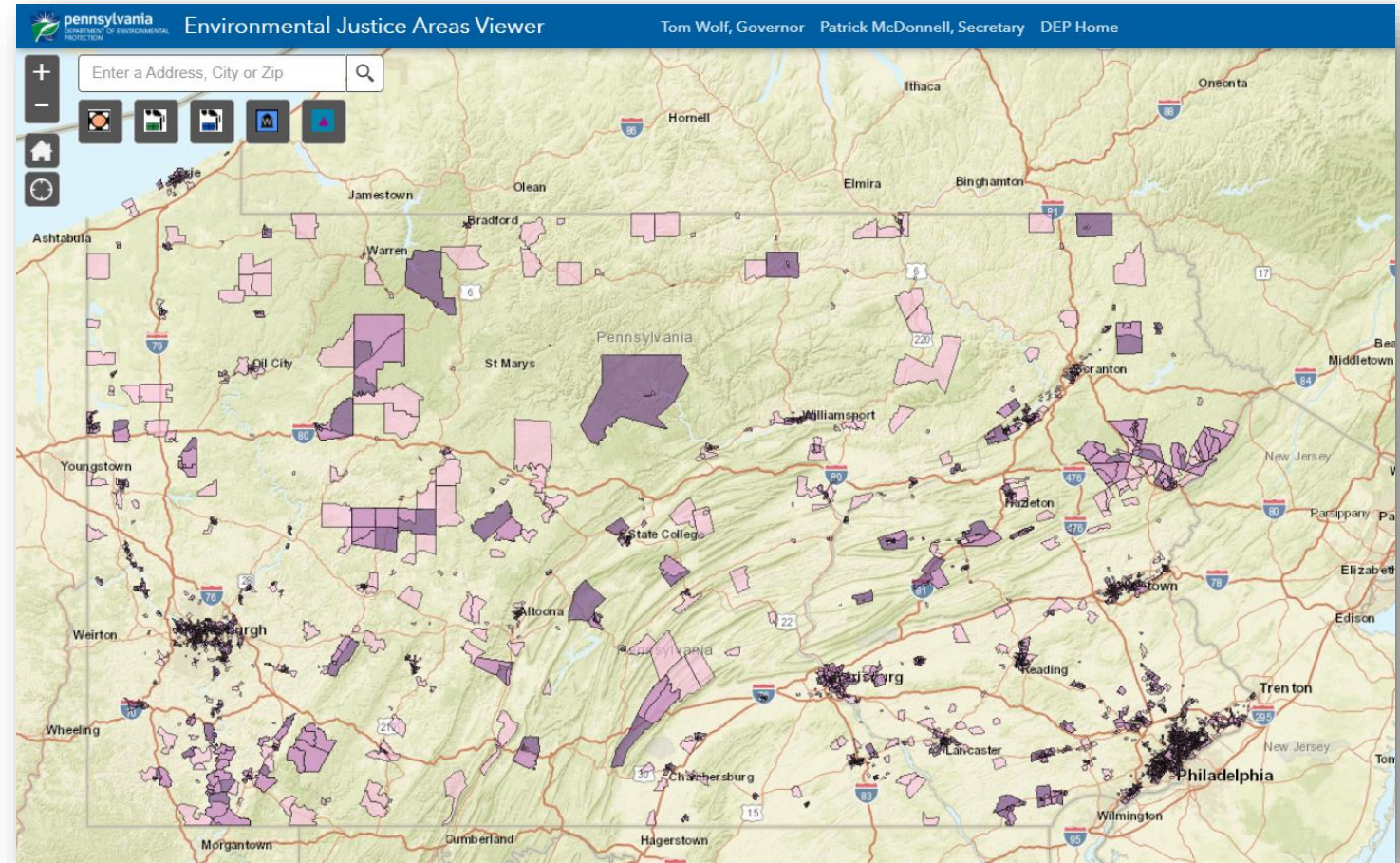
- **Minimizing Adverse Environmental Impacts** - All communities are not unjustly and/or disproportionately burdened with adverse environmental impacts
- **Empowering Communities** - Ensuring citizens have meaningful involvement and a voice in decision-making process
- **Fostering Economic Opportunities** - Enable environmentally responsible economic development to and within EJ communities and in some cases build collaborations and relationships with the community and industry

OEJ Work at DEP

- **Integrate EJ policies** and practices into DEP departments and other Commonwealth agencies
- **Strengthen public participation**, community engagement and environmental literacy in EJ Areas
- **Build tools and resources** for OEJ to address environmental justice issues

EJ Integration: EJ Public Participation Policy

- Environmental Justice Public Participation Policy Created in 2004.
- Enhanced public participation
- Applies to Trigger and Opt-in Permits
- EJ Areas – 30% People of Color and/or 20% Low-income



EJ Integration: Environmental Justice Advisory Board

- The Environmental Justice Advisory Board meets quarterly
- Advises the Secretary and DEP on EJ issues
- Conducts work through subcommittees.

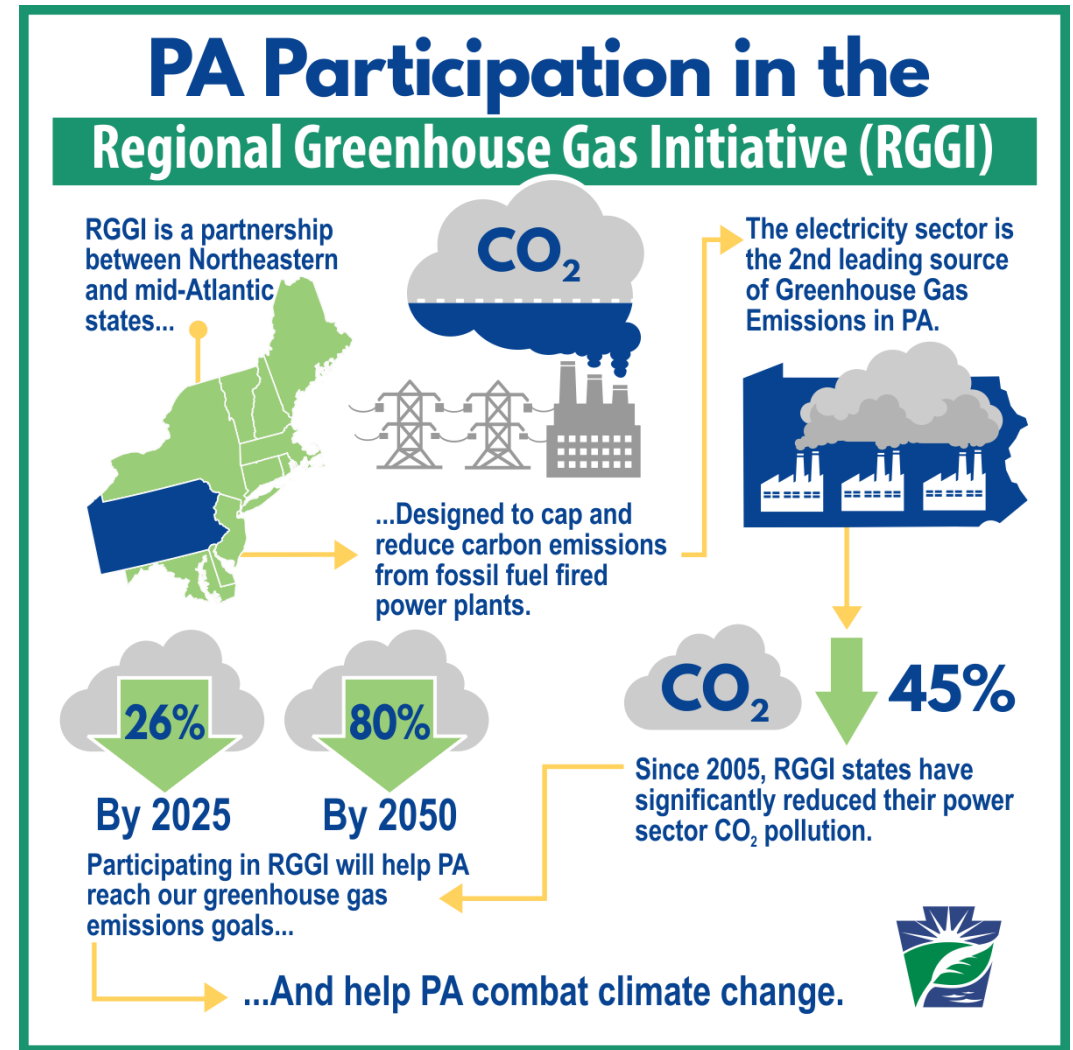


EJ Integration: Interagency Collaboration

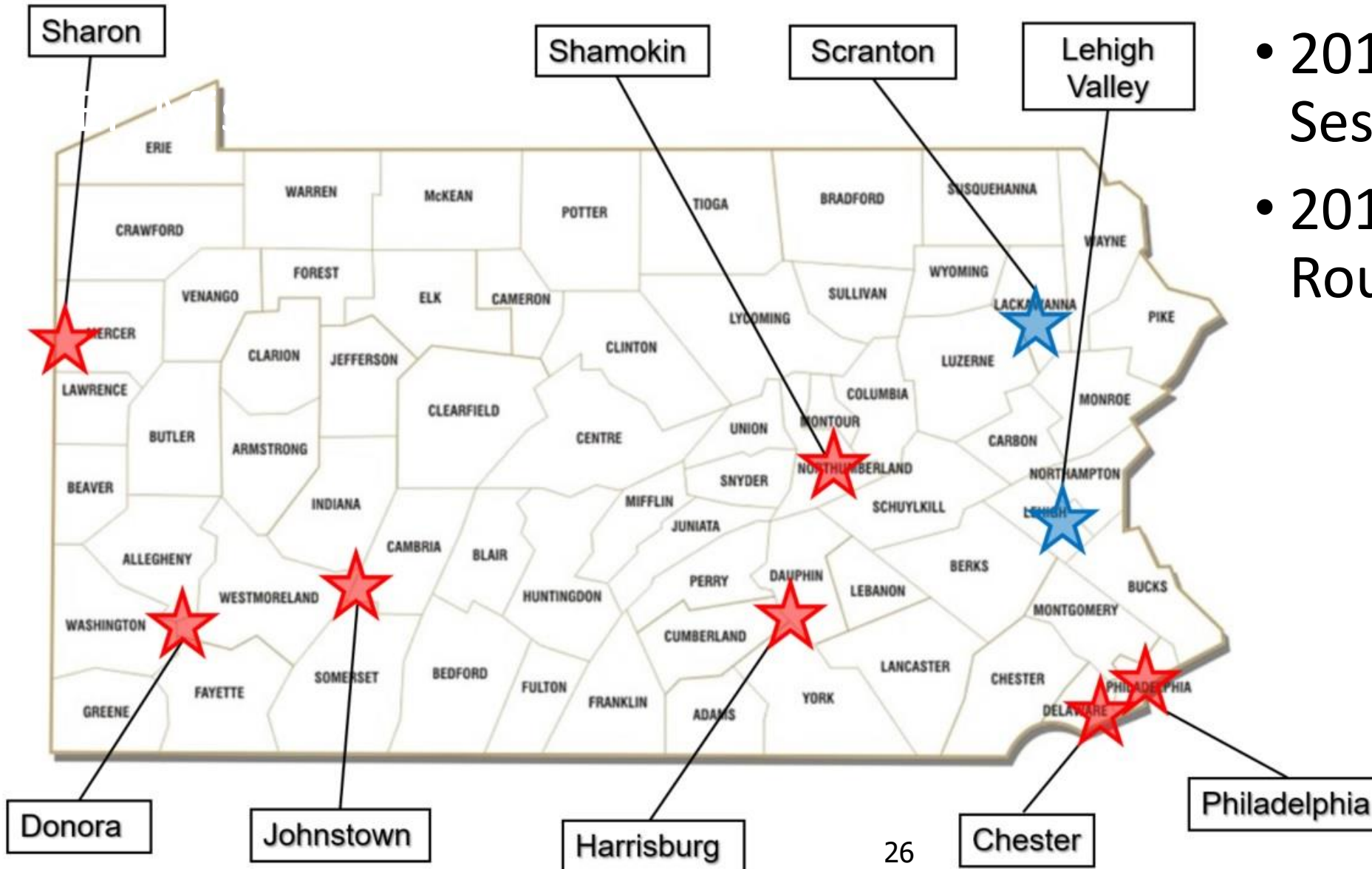
- Regular engagement with other Pennsylvania agencies
- Creating shared agency EJ training
- Share agency diversity, equity, and inclusion efforts
- Collaboration on common projects
- Most strongly working with Health, Conservation and Natural Resources, Transportation, Agriculture, and Education

EJ Integration: RGGI

- Regional Greenhouse Gas Initiative (RGGI) regulations are being developed.
- EJ and equity issues around RGGI implementation and investment.



Public Participation: Roundtables



- 2017 Listening Sessions
- 2018-2020 Roundtables

Public Participation: Scranton Roundtable

Topics of Interest

- Landfill related environmental concerns (leachate, air quality, community input, local land use)
- Economic justice on basic needs (e.g. housing, food access, lead water pipe, asbestos)
- Air Quality (Transportation Emissions)
- Legacy mining (acid mine drainage, economic concerns)
- Local land use

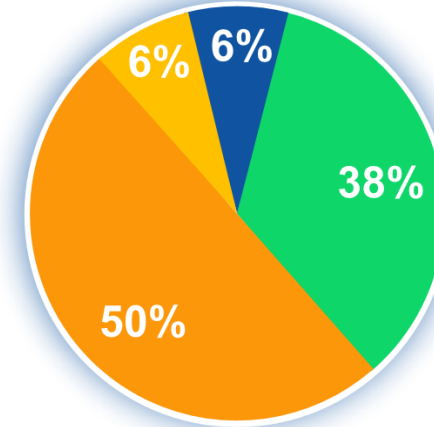
Participants



Local Government



Education



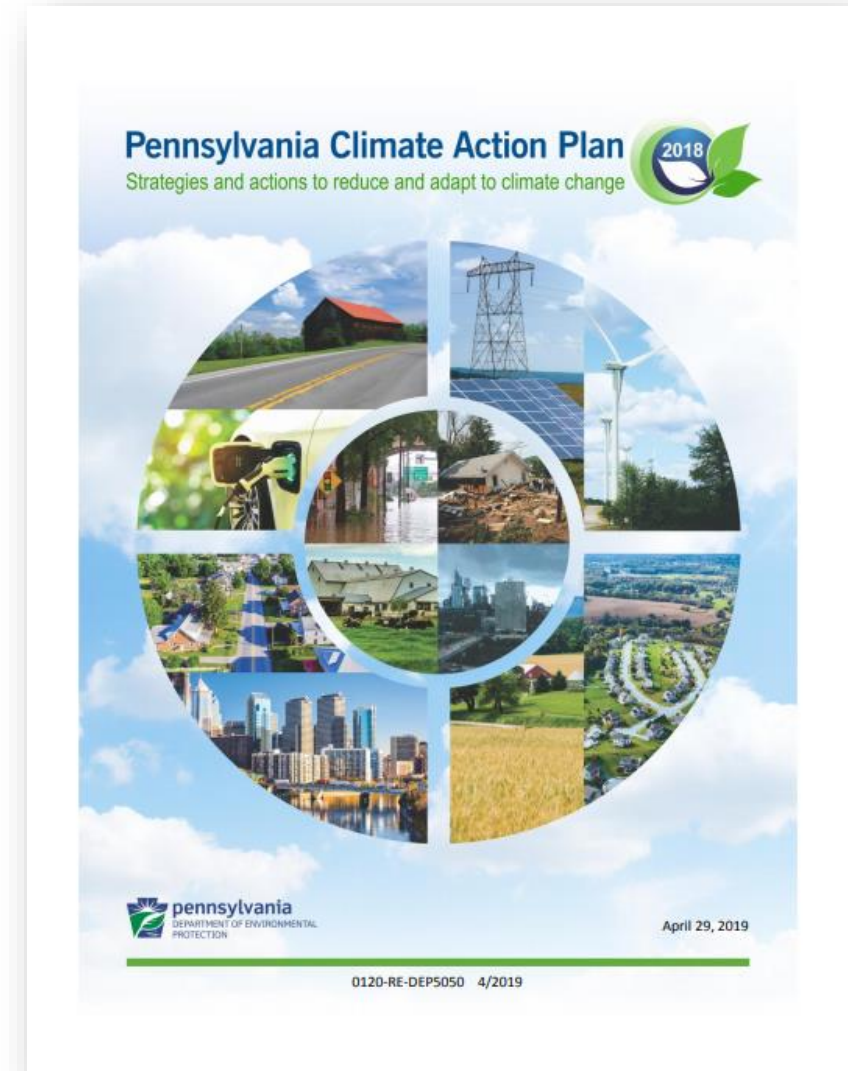
Community Organizations

Environmental Organizations



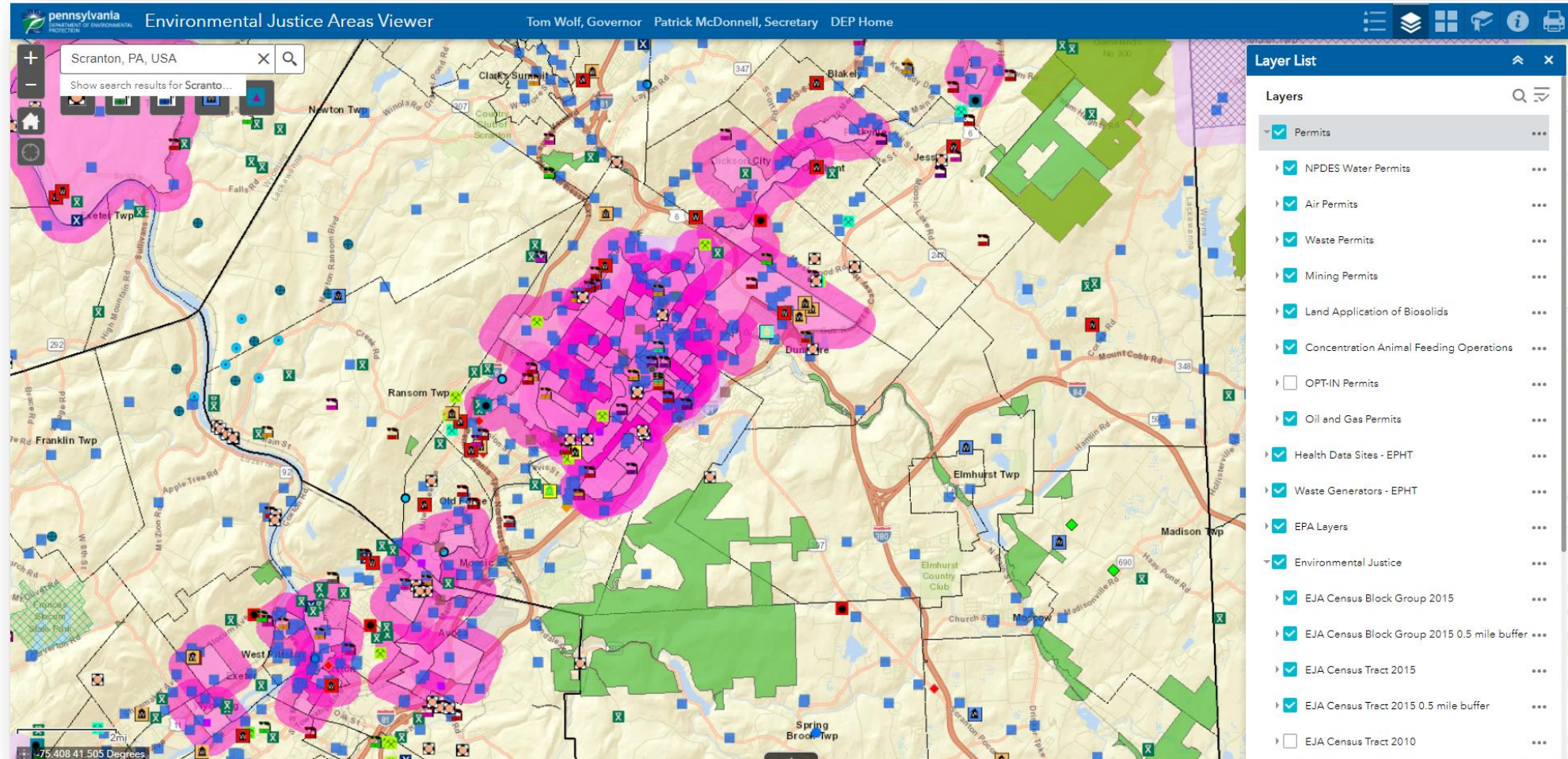
Public Participation: Climate Action Planning

- Working with DEP's Energy Office to improve outreach on Pennsylvania's Climate Action Plan.
- Conducting presentations to EJ partners to help shape the next Climate Action Plan



Tools: EJ Areas Viewer

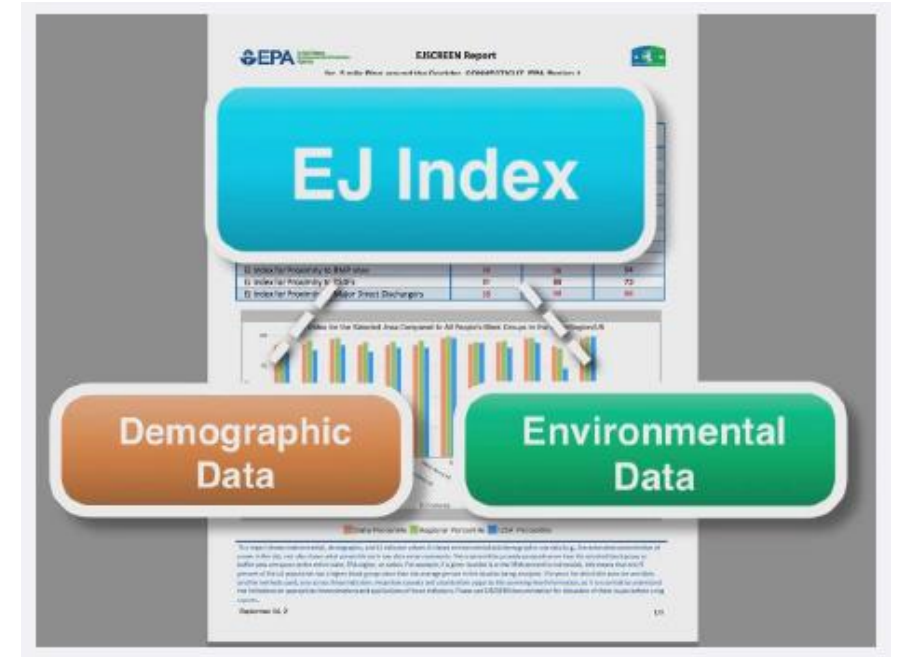
- Mapping tool
- Search by address
- Use for DEP and community partners



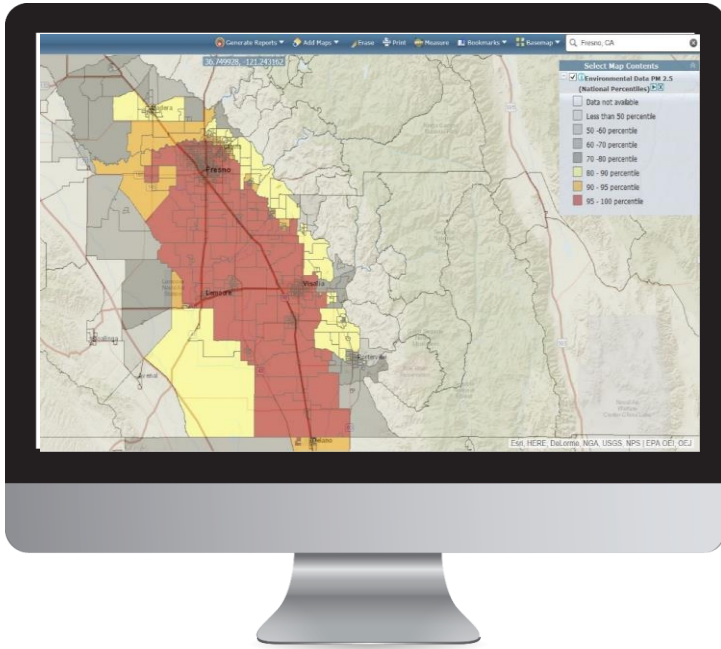
dep.pa.gov/ejviewer

Tools: EPA EJSCREEN

- Mapping tool: epa.gov/ejscreen
- Includes demographic and environmental data
- Nationwide
- Can produce reports at the census tract level
- Working on training with other departments.



Tools: EPA EJSCREEN



EJSCREEN Training Videos

<https://www.epa.gov/ejscreen/ejscreen-videos>

Environmental Indicators

- ☐ PM 2.5
- ☐ Ozone
- ☐ NATA Diesel PM
- ☐ NATA Air Toxics Cancer Risk
- ☐ NATA Respiratory Hazard Index
- ☐ Lead Paint (pre-1960s Housing)
- ☐ Traffic Proximity
- ☐ Proximity-NPL Sites
- ☐ Proximity-RMP Facilities
- ☐ Proximity-TSD Facilities
- ☐ Proximity-Waste Water Dischargers

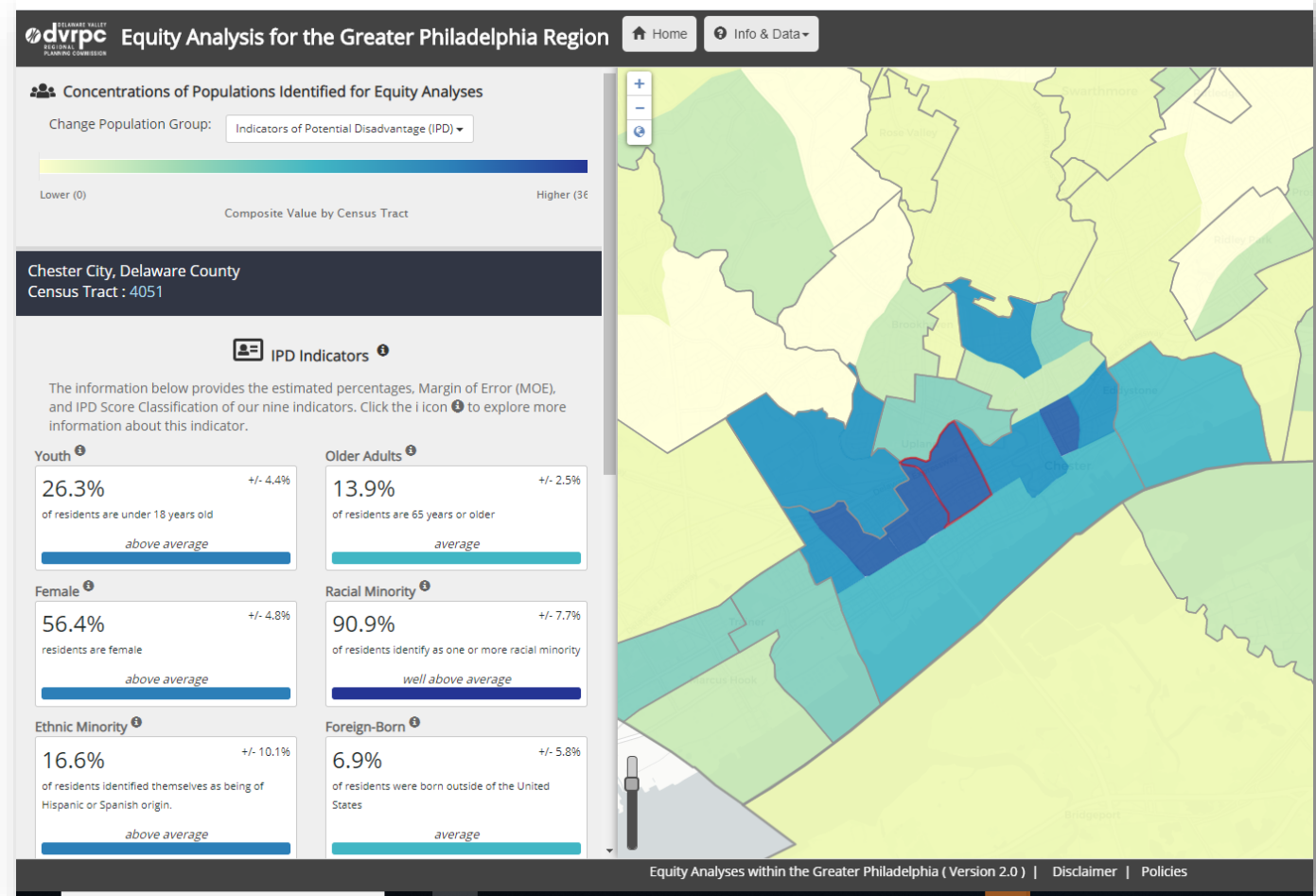
Demographic Indicators

- ☐ Low-Income
- ☐ Minority
- ☐ Less than High School Education
- ☐ Linguistic Isolation
- ☐ Individuals under Age 5
- ☐ Individuals over Age 64

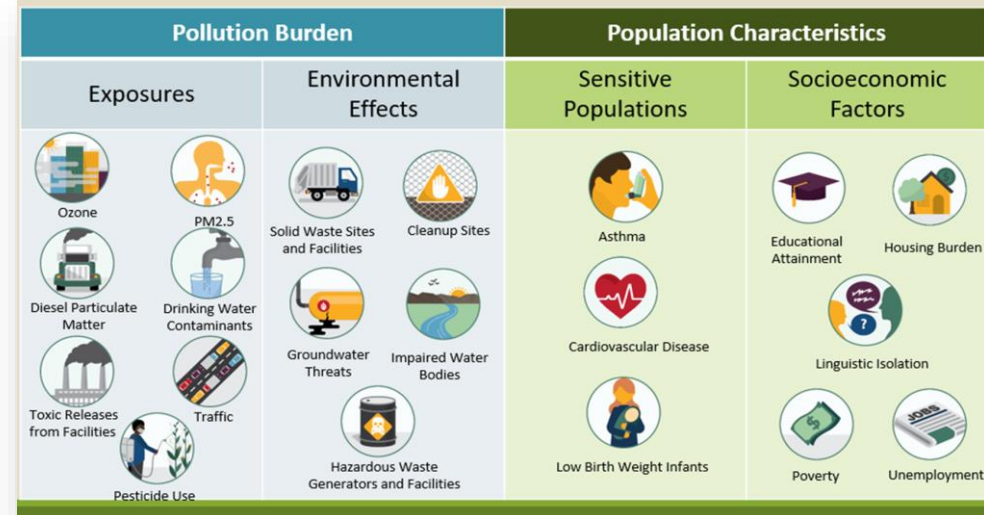
Index: Calculated as (Low income + minority) / 2

Tools: DVRPC's Equity Analysis

- Mapping tool:
www.dvrpc.org/webmaps/IPD/
- Each population group is an “indicator” in the analysis and includes the following:
 - Youth
 - Older Adults
 - Female
 - Racial Minority
 - Ethnic Minority
 - Foreign-Born
 - Limited English Proficiency
 - Disabled
 - Low-Income



Describing-Quantifying-Mapping Disproportionate Impacts



Disproportionate impacts is the consistent pattern of a combination of greater **pollution burden** and **population vulnerability** affecting the same communities, primarily minority, low-income, indigenous populations, as demonstrated by ample evidence.

Sources: CalEPA Office of Environmental Health Hazard Assessment and EPA EJSCREEN

Tools: CalEnviroScreen



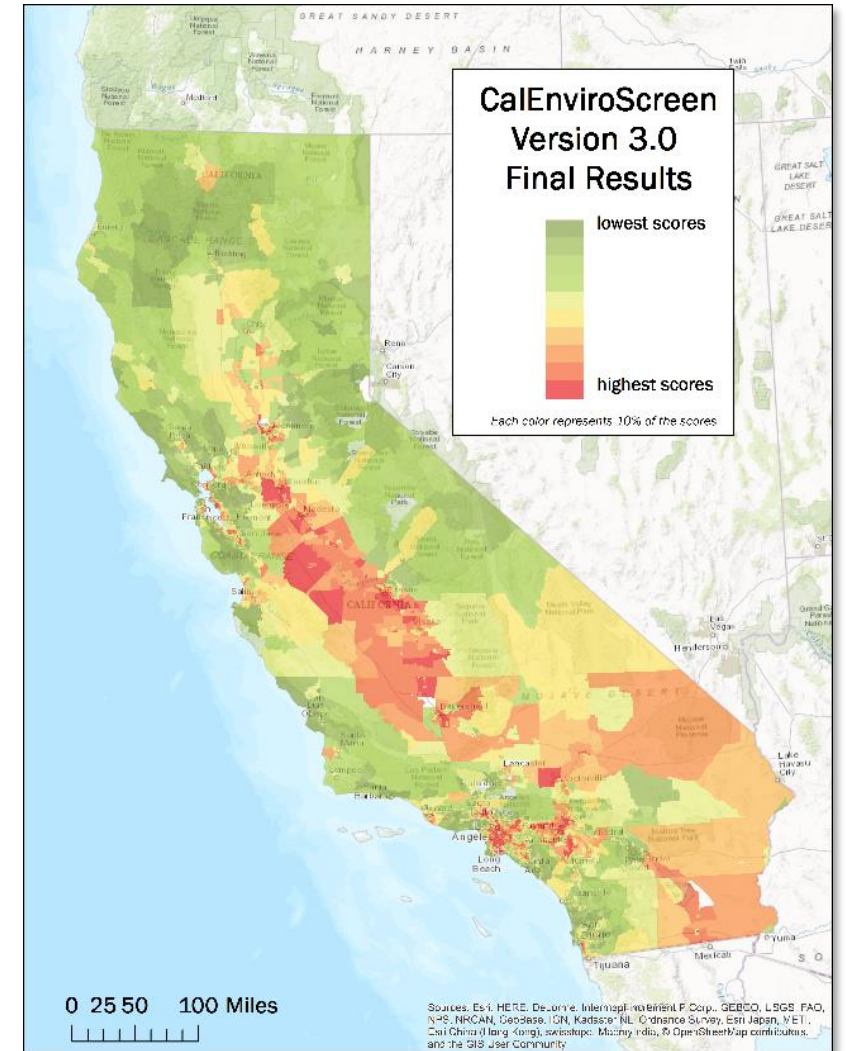
- Combines pollution burden and population characteristics
- Ranks communities according to combined scores for cumulative impacts
- Informed by significant and ongoing public input

**Pollution
Burden**

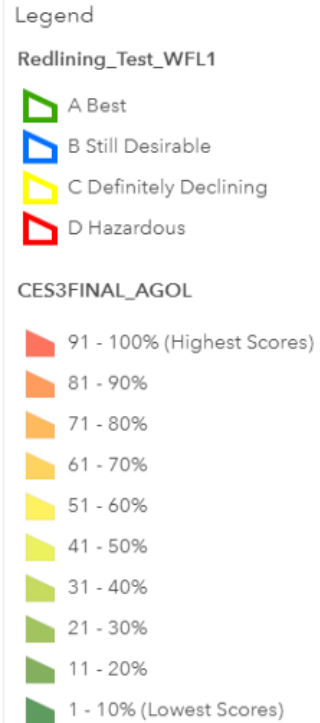
**Population
Characteristics**



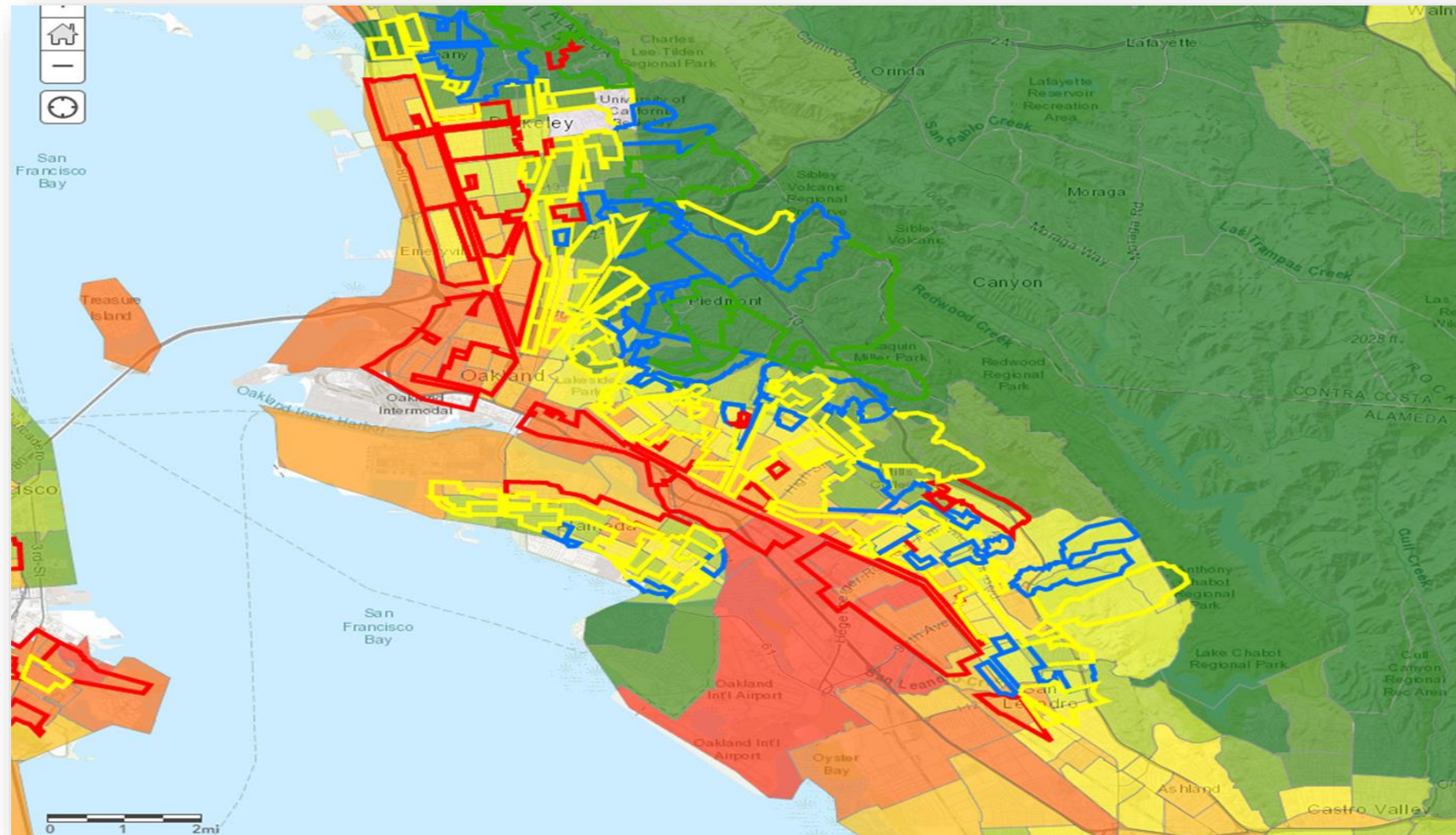
[Available as an interactive web map](#)



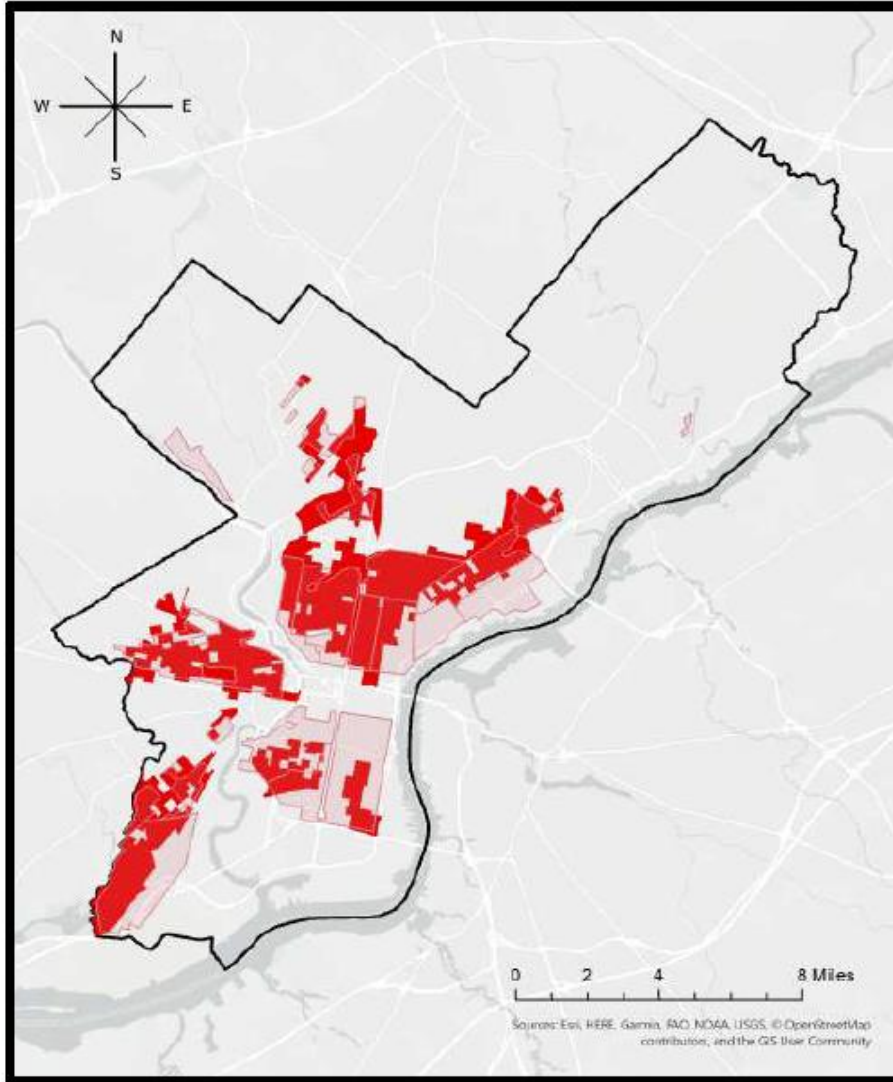
Historical Legacy of EJ: Redlining & Structural Racism



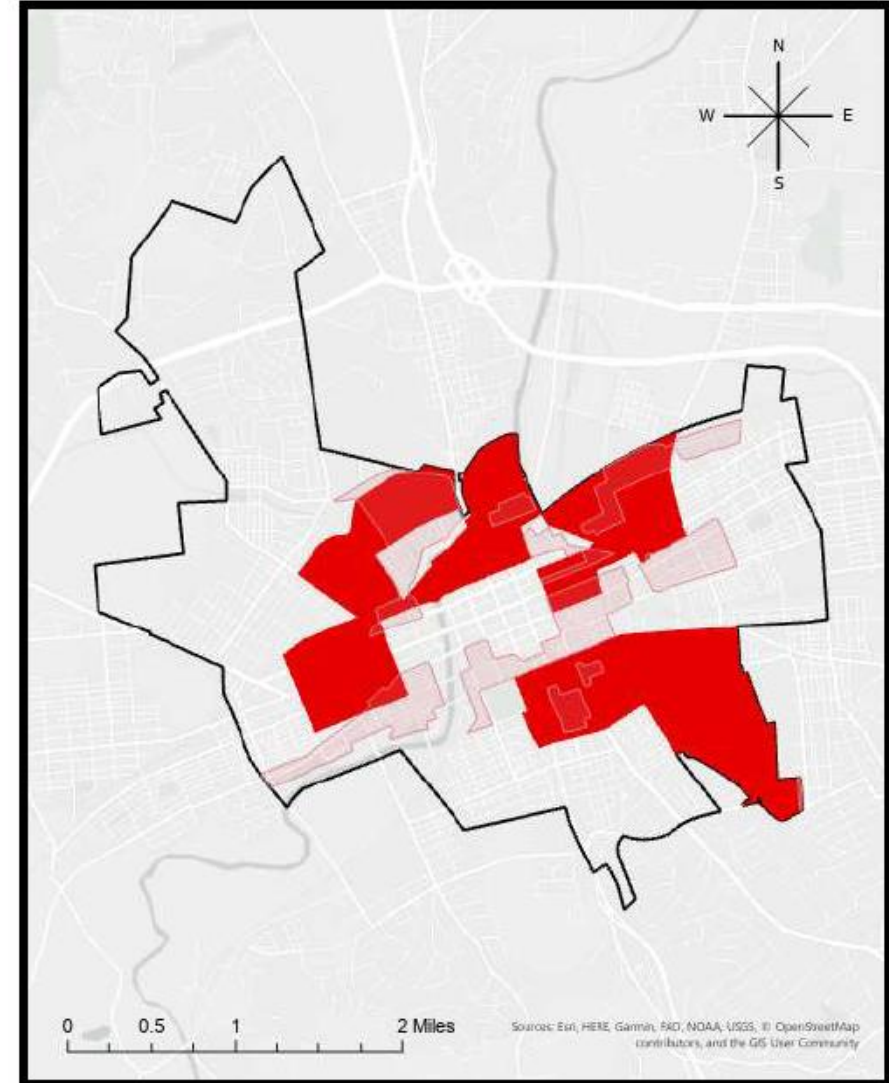
Oakland, California



Redlining in Pennsylvania



Philadelphia: Diesel Particulate Matter



York: Proximity to Hazardous Waste

Information Useful in Assessing Permit Applications



Social Demographics:

May help identify a community's potential vulnerabilities, in conjunction with health information

Environment/Land Use Information:

May help determine whether a community may be considered overburdened and also identify potential pathways for exposure

Health Information:

May help identify a community's potential vulnerabilities, in conjunction with demographic information

▶ EJ Mapping Efforts Using Cumulative Impact Methodologies



New Generation of Innovative Programs

California Climate Investments (CCI)

Appropriations from Greenhouse Gas Reduction Fund, as of October 15, 2019)

SB 535 (2012)

>10%

Projects located in
disadvantaged
communities

>25%

Projects that benefit
disadvantaged
communities

Program	Total Appropriations to Date (\$M)
Sustainable Communities and Clean Transportation	\$9,757 M
Energy Efficiency and Clean Energy	\$506 M
Supporting Investments	\$138 M
Natural Resources and Waste Diversion	\$1,738 M

Total (2019): \$12.14 Billion

“CalEPA shall identify ‘disadvantaged communities’ for investment opportunities based on **geographic, socioeconomic, public health** and **environmental hazard** criteria.”

New Generation of Innovative Programs

Illinois

Future Energy Jobs Act (Illinois), passed in December 2016 to increase solar energy jobs and renewable development projects across Illinois. FEJA included \$750 million in low-income programs for solar, solar workforce, and energy efficiency. Developed methodology for identifying environmental justice communities with public input, using elements of CalEnviroScreen and EJSCREEN.

(<https://www.illinoissfa.com/environmental-justice-communities/>)



Spectrum of Public Participation

Increasing Level of Public Impact

Inform

Provide Information

- Fact Sheets
- Websites
- Open Houses

Consult

Obtain Feedback

- Public Comment
- Public Meetings
- Focus Groups

Involve

Two-Way
Conversations

- Advisory Groups
- Workshops
- Deliberative
Polling

Collaborate

Partner with Public
to Develop Preferred
Solution

- Consensus
Building
- Participatory
Decision-making

Empower

Public Makes
Decisions

- Voting
- Citizen Juries
- Delegated
Decision-making

OEJ is a resource

- Subscribe to our newsletter to hear about upcoming efforts

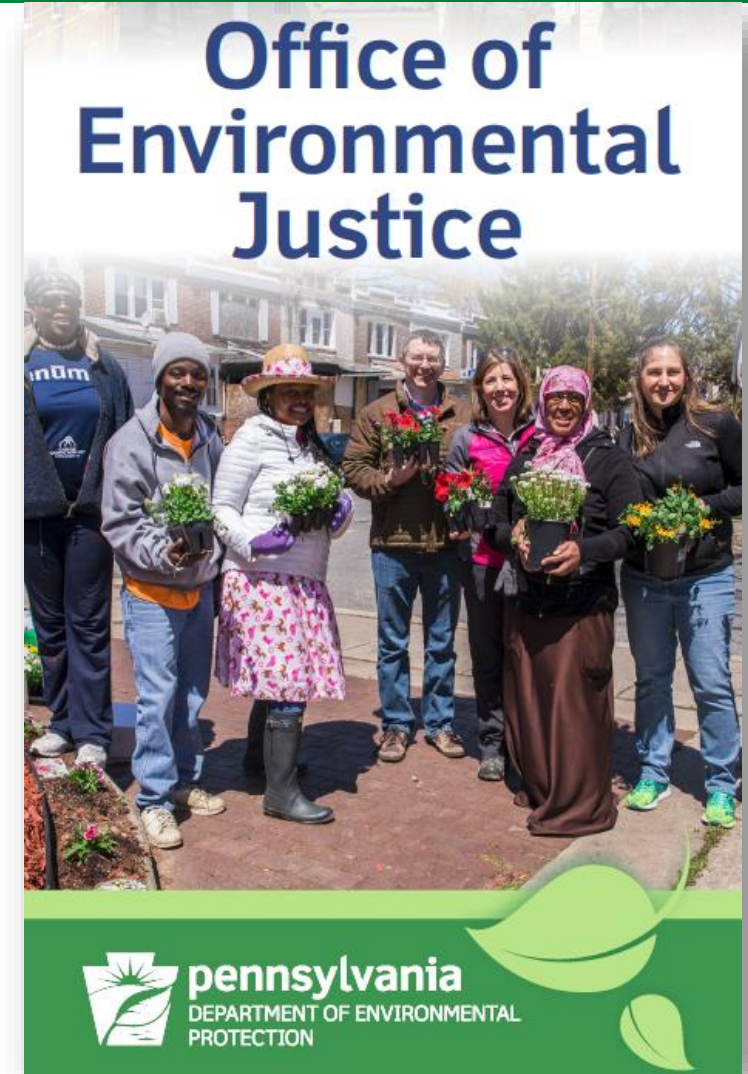


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EJ NEWS

Your Environment, Your Voice

The OEJ Newsletter





Office of Environmental Justice

General Comments & Questions

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