ENSURING ENVIRONMENTAL JUSTICE FOR ALL

INTRODUCTION

All too often, environmental burdens disproportionately impact vulnerable populations, people of color, and low-income communities. In the Commonwealth, that is no different. While Virginia has started to make some progress on environmental justice, vulnerable populations continue to face increased risks to the impacts of climate change, fossil fuel production, and the increase of toxics. Though this is a long-term problem that requires long-term solutions, the first step is to ensure a permanently funded environmental justice council to advise our state agencies.

BACKGROUND

The U.S. Environmental Protection Agency (EPA) defines environmental justice 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, regulations, and policies. It will be achieved when everyone enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, learn, and work.”

The environmental justice movement first emerged in the 1980s as the combination of social justice and environmental movements. In 1996, the EPA established the National Environmental Justice Advisory Council and the Interagency Workgroup on Environmental Justice. The council advises the EPA Administrator on strategic, scientific, technological, regulatory, community engagement, and economic issues related to environmental justice. This council has created a framework that can and should be replicated at the state level.

IMPACTS FROM COAL-FIRED POWER PLANTS

A 2012 NAACP report showed that five of Virginia’s coal-fired power plants had significant health impacts on neighboring low-income communities and communities of color due to particulate pollution. These health impacts include higher rates of asthma and birth defects, and damage to property from blasting, landslides, and subsidence. Because of shifting energy markets and the reduction in coal mining in the region, these communities are facing economic decline, leaving them with fewer resources to deal with these problems.

BUCKINGHAM COUNTY

The Atlantic Coast Pipeline compressor station has been proposed in Union Hill, a historic community founded by former enslaved people. Within a one-mile radius of the proposed compressor station, 83% of residents identify as minorities, and unmarked burial sites are in close vicinity to the proposed construction site. The compressor station will cause noise and pollution, putting this minority community at risk to health impacts.

HAMPTON ROADS

Increased flooding related to a changing climate regularly impacts communities. Low-income residents bear a disproportionate burden, since they cannot afford to move to higher ground or pay expensive flood insurance premiums. Lack of access to transportation also leaves these residents stranded during flooding.

CUMBERLAND COUNTY

One of the largest landfill facilities in the country is proposed to be located in the historic African American community of Pine Grove near an endangered Rosenwald School. Concerns include the stench of the landfill, air pollution and safety issues related to major increases in daily truck traffic, potential destruction of unmarked burial sites in close proximity to the site, and chemicals leaching into drinking wells, Muddy Creek, and the James River.

ADDRESSING ENVIRONMENTAL JUSTICE THROUGH EXECUTIVE ORDER

Virginia’s environmental justice work is not limited to one particular community, pollution site, or infrastructure project. It is an essential procedural framework and set of actions required to ensure that policies and programs represent and benefit all Virginians and do not cause disproportionate harm to low-income communities and communities of color. Environmental justice work includes ensuring access to clean energy for all, access to safe drinking water for all, preventing disproportionate pollution, and more.

POLICY RECOMMENDATIONS

Codify an environmental justice council and appropriate $100,000 for operational funding. This funding is essential for the council to perform its basic task of providing recommendations with the input of environmental justice communities. This statewide body should be tasked with oversight on environmental justice issues to ensure effective and fair protection from similar problems.

Operationalize environmental justice within the state government by:

• Establishing an Office of Environmental Justice, staffing it with qualified environmental justice staff within the Department of Environmental Quality, Department of Conservation and Recreation, and the Virginia Department of Health; and,
• Ensuring training for state agency staff in environmental justice techniques.

Pursue policy reform on environmental justice including:

• Adopting the U.S. EPA’s definition of environmental justice in the Code;
• Requiring an environmental justice analysis for new energy, industrial and infrastructure projects. It is an essential procedural framework and set of actions required to ensure that policies and programs represent and benefit all Virginians and do not cause disproportionate harm to low-income communities and communities of color.
• Weighing health impacts and environmental justice as a factor in all siting, rule making, and permitting decisions.