

University at Buffalo School of Law

Digital Commons @ University at Buffalo School of Law

Panel III: Moving Forward

Looking Back, Moving Forward

4-11-2022

Resources

Looking Back, Moving Forward Conference

Follow this and additional works at: https://digitalcommons.law.buffalo.edu/moving_forward

Recommended Citation

Looking Back, Moving Forward Conference, *Resources*, (2022).

Available at: https://digitalcommons.law.buffalo.edu/moving_forward/3

This Resources is brought to you for free and open access by the Looking Back, Moving Forward at Digital Commons @ University at Buffalo School of Law. It has been accepted for inclusion in Panel III: Moving Forward by an authorized administrator of Digital Commons @ University at Buffalo School of Law. For more information, please contact lawscholar@buffalo.edu.

Resources & Documents for Panel III: Moving Forward

Date

2022-04-11 16:45:59

Environmental Justice Organizations

The following are a small but varied list of environmental justice organizations doing important work at community levels. These organizations are either a group of citizens fighting environmental harm and injustices in their communities or more regional groups helping empower local communities suffering from disproportionate damages to their health and environment. The environmental justice movement is not homogenous and it is important to understand the tactics, strategies, and goals are varied and may not work for all situations. Nevertheless, understanding the variety helps local organizations place themselves within a larger scope and helps them understand that the work that they do is important and impactful not just in their community but across the country and really the world.

Resource	Description
<p>"The Minnesota lawsuit against Big Oil is about environmental protection — but also racial justice: Black and Indigenous people will feel the brunt of climate change" by Sam Grant</p> <p>https://minnesotareformer.com/2020/07/27/the-minnesota-lawsuit-against-big-oil-is-about-environmental-but-also-racial-justice/</p>	<p>A small article that explains the connections between environmental injustices and racism. Written by the executive director of MN350, an environmental justice organization in Minnesota, it also details how advocacy by organizations such as MN350 led to the state of Minnesota using consumer laws to sue big fossil fuel companies for damages and deception against the public for lying about climate change. The importance of this article is that it shines a light on the work and impact of environmental justice organizations in areas where the state is failing.</p>
<p>"The Bucket" by Louisiana Bucket Brigade</p> <p>https://labucketbrigade.org/pollution-tools-resources/the-bucket/</p>	<p>The Louisiana Bucket Brigade is an organization that amplifies the voices of fence line communities—communities most affected by pollution. Such communities include those found next to oil refineries, waste facilities, chemical plants, etc. This environmental justice organization is unique in its use of community science to tackle unlawful polluters. The “bucket” is a tool used to legitimately measure certain toxic chemicals that are emitted into the air. Using these measurements, communities can take regulatory roles when state or federal agencies fail them and sue big polluters for unlawful emissions. In the absence of a health department, CRCQL may need all the tools it can get to prove that industries such as COVANTA are not complying with state or federal laws and regulations, whether it's the "bucket" or some other form of community science.</p>

Resource	Description
<p>"Little Village Environmental Justice Organization: Coal Plant Shutdown" by LVEJO</p> <p>http://www.lvejo.org/our-accomplishments/coal-plant-shutdown/</p>	<p>The Little Village Environmental Justice Organization successfully campaigned to shut down two coal plants in their community. Their success is rooted in centering local voices and building alliances with other community organizations. Their coalition successfully campaigned for the Clean Power Ordinance and gained support from local lawmakers and the mayor, culminating in Midwest Generation deciding to shut down the coal plants due to expensive upgrades required by the Ordinance. Following the closure of the coal plants, LVEJO organized to create spaces benefiting the health of the community where the coal plants once stood. This organization highlights the importance of coalition building and centering local voices in the fight for environmental justice.</p>
<p>"East Yard Communities for Environmental Justice"</p> <p>http://eycej.org/about/</p>	<p>The East Yard Communities for Environmental Justice is an environmental health organization dedicated to fighting environmental justice problems in underrepresented communities in Los Angeles and Long Beach. Many East LA communities of color/low-income status are plagued by polluting companies (large freeways, lead-acid battery recycling factories, etc); EYCEJ fights these companies by engaging with local regulating institutions to control unlawful pollution, as well as with local policymakers to advocate for a more clean and healthy community space. Members of this organization are heavily active in the policy sphere and routinely show up to local, regional, and state level meetings to advocate for stronger environmental protections, justice, remediation, and reinvestment in LA's "forgotten" communities. This organization demonstrates the importance of education and historical knowledge in fighting environmental justice problems. Furthermore, it also seeks to highlight the importance of community empowerment.</p>
<p>"Fort Berthold Protectors of Water and Earth Rights" by Lisa Deville</p> <p>https://www.nativesunnews.today/articles/fort-berthold-protectors-of-water-and-earth-rights/</p>	<p>Fort Berthold Protectors of Water and Earth Rights is an environmental justice organization led by Native Americans fighting against oil and gas extraction companies on public and reservation lands, particularly in Mandaree and Fort Berthold. This article explains the damages done by oil and gas extraction to communities living nearby. Furthermore, it supports the enforcement of an EPA rule that would regulate the emissions of fracking companies. This article frequently cites its partnership with other organizations in its fight, demonstrating the power of combining forces to get results and action not possible in isolated efforts.</p>

Resource	Description
<p>"Tribal and Environmental Groups Sue Trump Administration over Methane Emissions Rollbacks" by Siham Zniber</p> <p>https://earthjustice.org/news/press/2020/tribal-and-environmental-groups-sue-trump-administration-over-methane-emissions-rollbacks</p>	<p>This article explains that Earthjustice filed a lawsuit against the Trump administration's rewrite of crucial methane emissions standards that leave communities, such as Fort Berthold, in vulnerable positions to even more pollution. It details the importance of these emission standards and rules to the safety and health of surrounding communities. This article demonstrates how a community organization with limited resources, such as Fort POWER, can benefit from partnering with other organizations that might have more expertise or resources to help them achieve their goal.</p>
<p>"How we create change" by Communities for a Better Environment</p> <p>https://www.cbecal.org/issues/how-we-create-change/</p>	<p>Communities for a Better Environment is an organization that focuses on empowering communities of color and low-income status in California to build safe and healthy living environments. This webpage contains a framework for this organization's model for change. It details how this organization works to achieve change through community organizing, research, legal pathways, and more. This strategy for change emphasizes that changes in a system are brought by constant and varied methods; for instance, legal challenges alone will not solve a community's issues. Successful environmental justice can only be achieved when community voices are centered and respected. CBE sees the empowerment of communities as crucial to environmental justice success.</p>
<p>"Wisconsin for Environmental Justice"</p> <p>https://www.w4ej.org</p>	<p>Wisconsinites for Environmental Justice is an organization advocating the state of Wisconsin to sue big oil companies for their role in deceiving the public over the dangers of climate change. This organization's main route for environmental justice is using the law. This webpage details the damages to the public, the reasons for liability, and it attempts to educate the public on the importance of this issue. The efforts of this organization demonstrate that fights for environmental justice are not unique and it is important to recognize that solidarity, environmental justice progress in one part of the country, or the world, is a benefit to all communities of people suffering from similar issues.</p>

Resource	Description
<p>"Our Story" by WEACT</p> <p>https://www.weact.org/whoweare/ourstory/</p>	<p>We Act for Environmental Justice is a community environmental justice group with deep roots in the historical environmental justice movement. As one of the members of the First People of Color Environmental Leadership Summit in 1991, WEACT has a long history of fighting for environmental justice. Today, their work encompasses a variety of programs from advocating for better living conditions to fighting for clean air. WEACT engages with justice in a variety of ways and with a broad understanding of what environmental justice means. Learning from the history of environmental justice and an organization that has been in the fight for it for a while can be incredibly helpful to newer organizations.</p>
<p>"What is Trash Academy?" by Trash Academy</p> <p>https://www.trashacademy.org/about</p>	<p>Located in Philadelphia, Trash Academy works to engage local community members on the often overlooked problem of litter. This organization works to deepen people's understanding of waste and how collective and purposeful action can create positive change. Trash Academy focuses on education through varied methods that include teach-ins, workshops, and more fun activities such as games and or group activities. The ultimate purpose is to excite and empower community members to create the change that they want in their own communities.</p>
<p>"Ironbound Unyielding: A Newark Neighborhood Takes on a Toxic Trash Incinerator" by Keith Rushing</p> <p>https://earthjustice.org/features/ironbound-unyielding</p>	<p>This article gives a brief introduction to who the Ironbound Community Corporation (ICC) is and what they do. The ICC encapsulates the complexities of environmental justice; starting as a childcare provider for working women, the ICC has evolved to a variety of programs and goals, all focusing on the ultimate goal of bringing justice to a community that has historically been left behind. The ICC has a long history of working towards justice in many forms and can serve as an important example of how to achieve success—for instance, the ICC helped bring the landmark environmental justice law in New Jersey. This article provides further information on the type of work the ICC is involved with, while also focusing on one of their ongoing fights with the COVANTA incinerator in their community.</p>

Community Science and Resources

There are many resources available to community organizations that could help them prove their concerns. For instance, a community alleging they are disproportionately suffering from harmful levels of pollution can use a mapping service to compare their pollution levels to other communities in their area. Communities cannot always rely on state or federal agencies and regulators to enforce laws meant to protect them, therefore, accessible and easy to use tools and resources to legitimately gather evidence can prove extremely useful to many communities. (An example of an environmental justice community using community science can be found in the previous section: The Louisiana Bucket Brigade.)

Resource	Description
<p>"Environmental Justice in Your Community" by Healthy Communities Grant Program</p> <p>https://www.epa.gov/environmentaljustice/environmental-justice-your-community</p>	<p>Grant program (in EPA region 1) that works with communities to help improve quality of life and human health by reducing environmental risks. This program is through EPA New England and grants are given based off of application acceptance. With the grant program, the main goals are to reduce environmental health risks for humans and increase the number of community-based projects. Grants similar to this can be helpful to Chester in obtaining funds and outside resources to achieve the goals community members have set. There is currently not a grant like this for Region 3 (mid-Atlantic aka the region PA is in), so this information may be helpful to leverage to regional EJ contacts (Samantha Beers, Reggie Harris, Matthew Lee, and Erin Sullivan), to see if a similar grant can be implemented for region 3.</p>
<p>"Grassroots Mapping: How You Can Create Aerial Cartography for Under \$100, and Use It to Do Good" by Ben Jervey</p> <p>https://www.good.is/articles/grassroots-mapping-how-you-can-create-aerial-cartography-for-under-100-and-use-it-to-do-good</p>	<p>Grassroot Mapping was founded by groups of educators, activists, technologists, and community organizers. The intent was to find new ways to present evidence, promote action, and awareness through a research model that is participatory. The grassroot mapping essentially is a DIY inspired cartograph. The concept is to produce aerial map making without the expenses of satellites in orbit and planes. The materials are typically under \$100 and can include: balloons, cheap cameras, string, kite string, etc. The images taken with this creation are used to create high-resolution aerial imagery of the effects of oil spills, pollution, sudden or ongoing environmental damage and more.</p>

Resource	Description
<p>"Grassroots Mapping: Creating a participatory map-making process centered on discourse" by Public Laboratory for Open Technology and Science Shannon Dosemagen, Jeffrey Warren and Sara Wylie</p> <p>http://joaap.org/issue8/GrassrootsMapping.htm</p>	<p>The broader efforts of Grassroots Mapping is called PLOTS. The goal of PLOTS is to develop and publicize technologies that are accessible for many to report environmental health and environmental justice issues locally. In the Gulf of Mexico example specifically, 100,000 + images were collected of regions that were impacted by the spill and PLOTS (public laboratory for Open Technology and Science) tried to leverage this information. PLOTS projects/ cheaper terms have sprouted in many places like Brooklyn, Butte, Montant, Massachusetts, and Texas. PLOTS helps to research environmental and social justice issues with pre-existing tools.</p>
<p>"Visual reporting on air quality: EPA method 9" by Stevie Lewis</p> <p>https://publiclab.org/notes/mlamadrid/06-22-2016/visual-reporting-on-air-quality-epa-method-9</p>	<p>Visual Reporting on air quality in this article is specifically related to Sand-Fracking Issue; however, usage of the EPA method 9 may be useful for reporting air quality from Covanta in Chester. If this pollution is visible and lacks transparency- it may be useful to track the air pollution. Through monitoring (which would consist of taking 24 visual observations over 6 minutes and then averaging these results) one could determine if the visual opacity is higher than the limit of regulation for a percentage of that time and then this would allow further conclusion of a site to be in violation. This can be another useful way to collect data to shut down Covanta and other waste facilities in Chester.</p>

Community Lawyering

Similar to community science, community lawyering is another avenue for communities to take action in their own hands. Relying on state or federal agencies to pursue legal action for them is not always a possibility, therefore, groups of concerned citizens can access legal services on their own to achieve their goals. However, this section warns against the risk of relying on lawyers to solve all the problems a community is faced with. When lawyers are involved, it is always important to center the voices of community members and be cautious of the services they provide; lawyers are not a cure-all and can make matters worse when their services are not approached carefully. The following sources provide lessons and examples of how to engage with community lawyers successfully.

Resource	Description
<p>"Making the Case for Community Lawyering" by Taylor Healy and Aja G. Taylor</p> <p>https://dredf.org/wp-content/uploads/2019/08/Materials-CommunityLawering-HealyAndTaylor-Clearinghouse-2016Nov.pdf</p> <p>Taylor H, Taylor AG. Making the Case for Community Lawyering. 2016. Clearinghouse Article;1-7</p>	<p>This document explains the role of lawyers in community organizing. The organization, Bread for the City in the District of Columbia, works to provide poverty relief services to the citizens of D.C. In 2007, they started the Community Lawyering Project by hiring their first legal advocate whose initial role was to help residents keep affordable housing. They quickly hired a community organizer, signaling the importance of community partnership instead of lawyer-centric approaches to social justice problems. This document asserts that the role of lawyers in community efforts should be mainly supportive and warns against lawyers taking a leadership role. Furthermore, it encourages community engagement, it recognizes the fact that the most substantial and effective “wins” have come when community members are directly involved.</p>
<p>"Community Lawyering - The Role of Lawyers in the Social Justice Movement" by Charles Elsesser</p> <p>http://rss.swlaw.edu/sites/default/files/2021-02/Ospina%2C%20Natalia%20-%20Community%20Lawyering%20The%20Role%20of%20Lawyers%20in%20the%20Social%20Justice%20Movement%20%28Elsesser%29.pdf</p> <p>Charles Elsesser, Community Lawyering -The Role of Lawyers in The Social Justice Movement. 2013. Journal of Public Interest Law, 14: 375-404.</p>	<p>This document provides a breakdown of what community lawyering is, based on multiple definitions. It gives advice and insight into how community lawyering worked for the author and how it did not. It aims to share lessons learned from the author's experience in hopes of providing some guidance and examples of practical applications of this form of community engagement with the law. Some of the conclusions/lessons are community lawyers should not be leaders in a movement, but rather carefully take supportive roles. Lawyers are not the "silver bullet" solution many inexperienced community members believe they can be. The author heavily encourages community leadership and involvement at all steps of their fight against whatever issue they are faced with. Lawyers must respect an organization's goals and interests. This document can serve as a sort of framework or guide to community lawyering as it offers comprehensive definitions and real-world examples and useful information.</p>

Communities Engaging with the Legislative Process

The following resources provide examples or options for communities to engage with the legislative process. When lawsuits and community organizing are not enough to get the change a community needs, rewriting or proposing new laws might be the best way to achieve a community's goals. There are a couple of ways a community can get its ideas into the legislative process. The following resources provide varied information on the legislative process and how community organizations can get involved. Furthermore, information on important laws regarding environmental justice and "community rights" are also included; these laws are important because they provide vital examples of how change in one area can influence change in other communities.

Resource	Description
<p>"Nonprofits Can Write Legislation—and Should! Here's How" by Spencer Wells</p> <p>https://nonprofitquarterly.org/nonprofits-can-write-legislation-heres/</p>	<p>This simple article argues that non-profit organizations should follow the example of many lobbying groups for the better and lobby their own ideas to get bills passed in local, state, or even federal levels. While it doesn't provide a clear pathway on how to do that, it is a good article that introduces the idea of a nonprofit proposing its own bills. This article questions, if many lobbying groups already lobby successfully for more nefarious purposes, why shouldn't nonprofits with more ethical purposes do the same?</p>
<p>"Rules of 501(c)(3) Nonprofit Lobbying" by National Association for the Education of Young Children</p> <p>https://www.naeyc.org/our-work/public-policy-advocacy/rules-501c3-nonprofit-lobbying</p>	<p>This resource page briefly provides some important information for non-profit organizations that would like to lobby their ideas at local, state, and federal levels. It provides information on how 501(c)(3) nonprofits can influence policy and legislation and still keep their tax-exempt status. It also provides links to further research and information. Since CRCQL is a 501(c)(3) nonprofit, this resource may prove useful if it wants to formally support some type of policy or legislation (i.e. Endangered Communities Act).</p>
<p>"How a Bill Becomes a Law in Pennsylvania" by Pennsylvania Coalition Against Rape</p> <p>https://www.pcar.org/sites/default/files/resource-pdfs/how_a_bill_becomes_a_law_in_pennsylvania_508.pdf</p>	<p>This document explains how a law gets passed in Pennsylvania. It also provides ways in which the organization, Pennsylvania Coalition Against Rape (PCAR), intercedes and helps out with the process. This document can serve as an example of one of the routes a community organization can take when supporting a bill in the state legislature. Furthermore, CRCQL can gain an example of how it can support a bill of its own throughout the lawmaking process.</p>

Resource	Description
<p data-bbox="94 451 792 556">"How a long-stalled 'holy grail' environmental justice bill found its moment in New Jersey" by Samantha Maldonado</p> <p data-bbox="94 598 792 745">https://www.politico.com/states/new-jersey/story/2020/08/27/new-jersey-legislature-sends-groundbreaking-environmental-justice-bill-to-governors-desk-1313030</p>	<p data-bbox="816 136 1539 1056">The state of New Jersey recently passed an environmental justice law that's been named one of the strongest environmental justice laws in the country. This law requires the state Department of Environmental Protection to deny permits for multiple types of companies if they place additional environmental and health risks on communities already suffering from disproportionate burdens. It strictly requires the state department to compare communities across the state for disproportionate burdens and make that part of the decision process for permit distribution. This law will ultimately prevent new polluting companies from establishing sites in communities already heavily burdened by the damaging effects of pollution, or force the company to increase its environmental protections before being allowed into that community. This article demonstrates how environmental justice progress in one area can influence positive change in other places. For instance, this New Jersey law was influenced by unsuccessful federal environmental justice bills; while those federal bills did not become law, they were not futile as they influenced this state law. In turn, this law could spur successful action in other states and ultimately benefit even more environmental justice communities.</p>
<p data-bbox="94 1165 755 1249">"Democratic Rights" by Center for Democratic and Environmental Rights</p> <p data-bbox="94 1281 816 1354">https://www.centerforenvironmentalrights.org/democratic-rights</p>	<p data-bbox="816 1056 1539 1465">This webpage discusses the role of direct democracy and community rights in pursuing laws that benefit local communities over corporations. This webpage also includes a crucial example of a township in Pennsylvania passing a "community rights" law that recognized the right of the community to ban corporate factory farms, despite those farms holding permits from the state or federal government. This type of community legislation is groundbreaking and has been used to defend the rights of the environment and people, thereby achieving a more just and healthy environment.</p>
<p data-bbox="94 1585 795 1669">"Newtown Township Comprehensive Plan Ordinance" by Community Environmental Legal Defense Fund</p> <p data-bbox="94 1701 816 1774">https://web.archive.org/web/20101019043159/http://celdf.org/article.php?id=435</p>	<p data-bbox="816 1465 1539 1902">This is a draft of an ordinance from Newtown Township, Pennsylvania. This ordinance is an example of a "community rights" law; it asserts the right of Newtown citizens to self-government and recognizes that a government should prioritize community needs over corporate desires. While Pennsylvania has over 60 "community rights" laws (the most in the country), this specific ordinance is important because it is the only community rights ordinance in Delaware County. Having an example of such an ordinance is important because it can influence similar laws in other areas, such as in Chester.</p>

We acknowledge the work of Swarthmore College's ChesterSemester students in the design and production of the conference website and conference resources: Hulices Murillo '23, Abdullah Ali '25, Zoha Ashraf '24, Anastasia Erley '24, Grace Hegland '24, Kilin Tang '25, Martin Tomlinson '23, Jeffrey Zhang '25