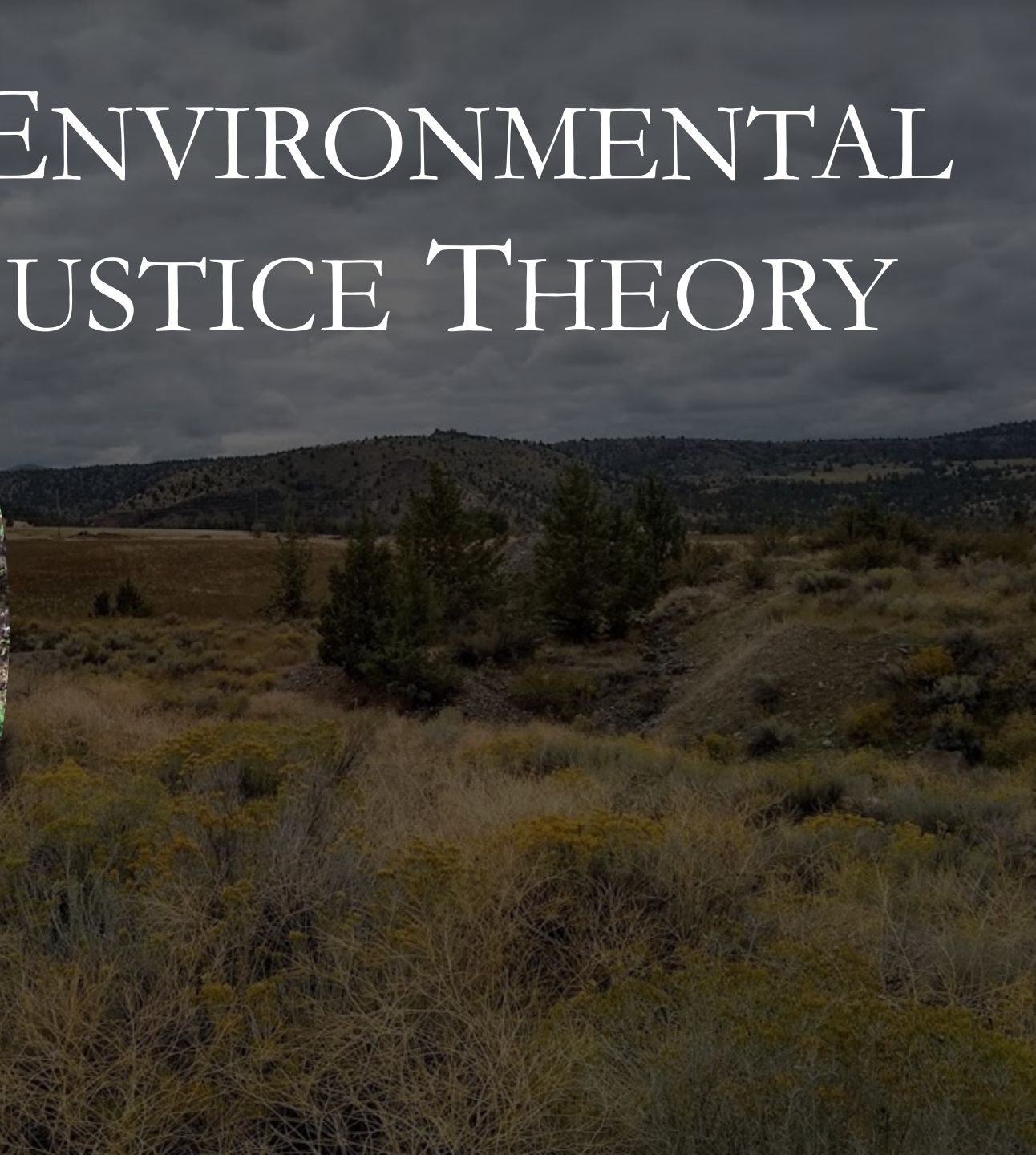


ENVIRONMENTAL JUSTICE THEORY



C'EST MOI



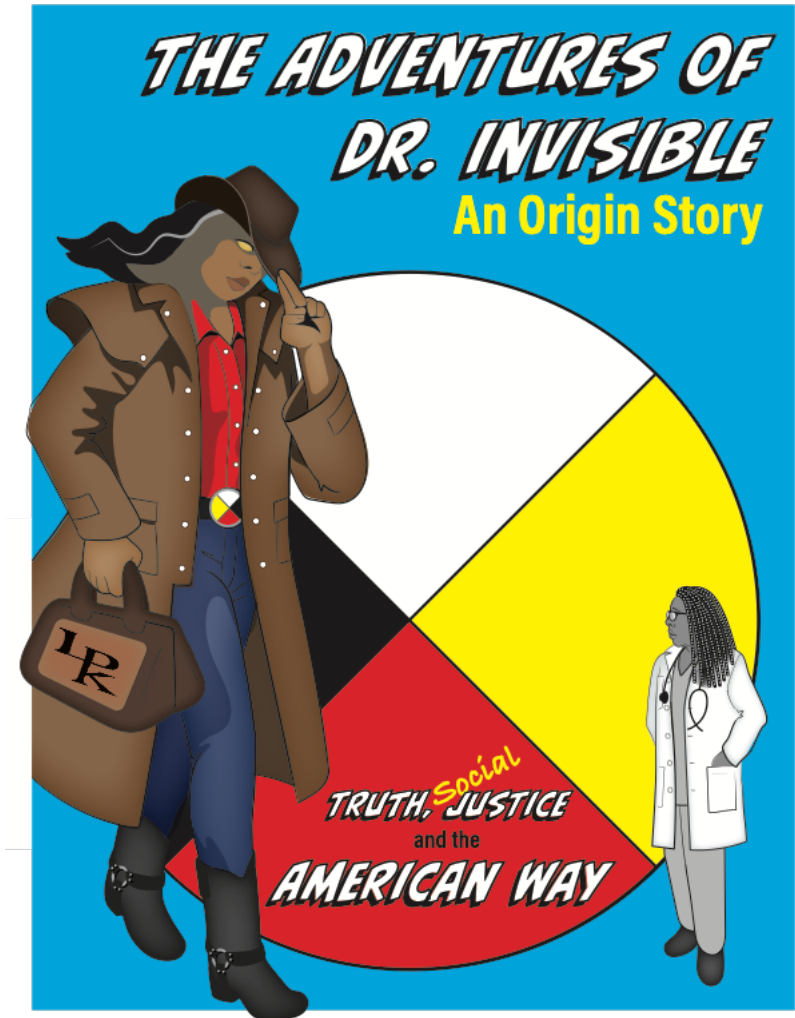
- Straight Outta Virginia
- 3X Black Ivy
- Lived/Worked Six Continents
- Certified, Qualified, Pedigreed
- Published, Fellowed, Appointed
- Decidedly **NOT** hiding in plain sight...

...yet, overlooked and unseen...until now

I AM SUDDENLY VISIBLE.

It is more than a bit bizarre if not outright tragic to admit that a three-time Black Ivy with a larger-than-life persona has spent her entire life until now as invisible, but is indeed true.

My newly visible status while long overdue is still rather disconcerting. It begs the question of who, exactly, has been being seen for the past five decades?



Environmental Justice Definition

Environmental Protection Agency (EPA)

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. Fair treatment means that no population, due to policy or economic disempowerment, is forced to bear a disproportionate share of the negative human health or environmental impacts of pollution or environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local and tribal programs and policies.

Environmental
Justice Definition
(Simplified)

Once more...with editing

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



Environmental Racism Definition

Any environmental policy, practice, or directive that differentially affects or disadvantages (whether intended or unintended) individuals, groups, or communities based on race or color



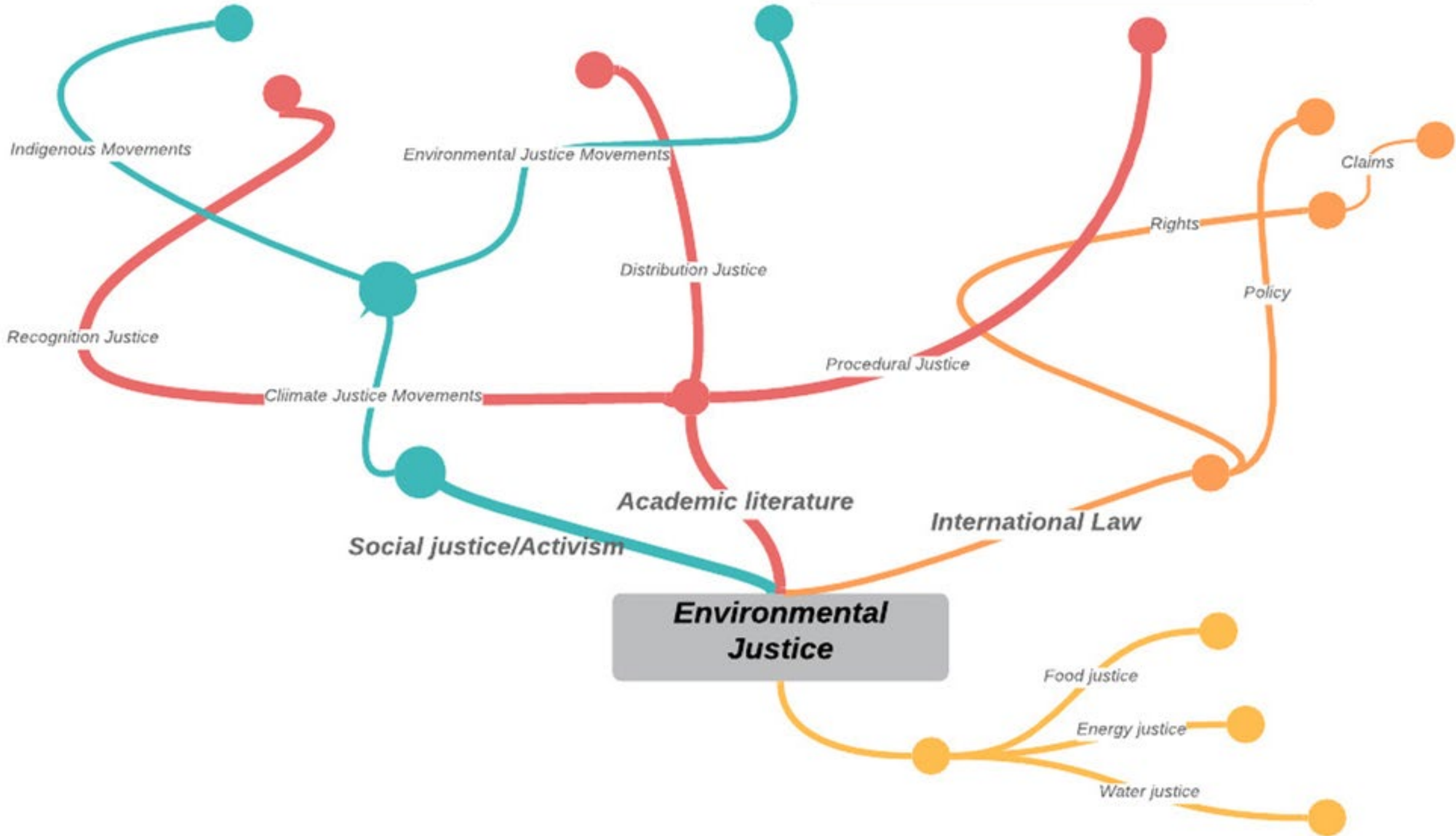
Facts:

>50% residents who live <2 miles from toxic waste facilities are POC

53% of people living within 3 miles of the worst polluting coal plants are POC

Communities below the poverty line have a 35% higher burden of particulate matter emissions compared to the overall population (54% for Black residents)

Black homeowners received \$8,000 less in grant aid after Katrina

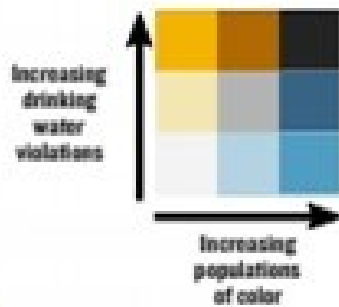
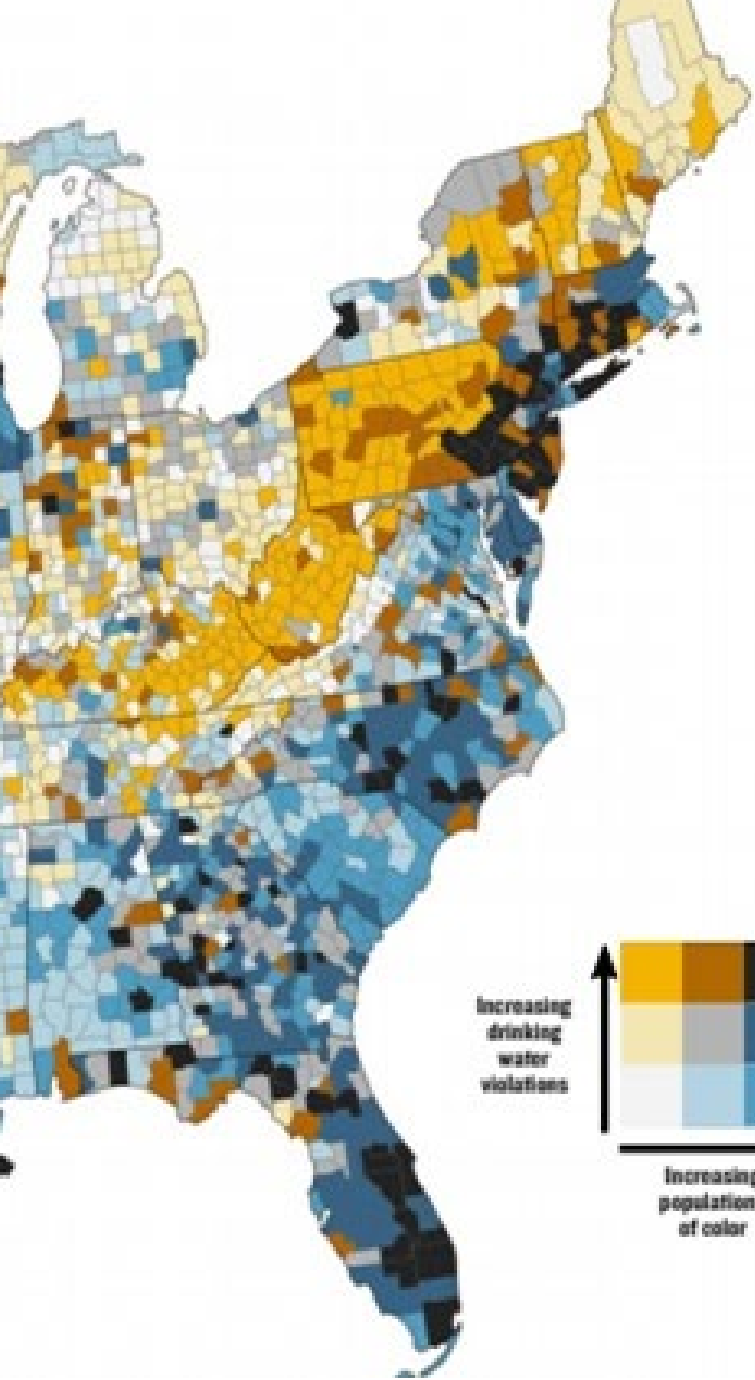




Distribution: Who has access?
(Research/Academia)

Procedural: Who is at the table?
(Government/Policy)

Recognition: Who sets the table?
(Activist/Advocacy)



DISTRIBUTION JUSTICE

Credit: Kristi Pullen Fedinick, NRDC (2019). Used with permission.

First Nations in Canada

Inside the Columbia Basin

KTUNAXA NATION

- 16 Yaqan nułkiy (*Lower Kootenay Indian Band*)
- 17 ʔakinkumtasnuqtiʔit (*Tobacco Plains Indian Band*)
- 18 ʔakisq̓nuk (*Columbia Lake Indian Band*)
- 19 ʔaq̓am (*St. Mary's Indian Band*)

OKANAGAN NATION

- 20 c'ac'əwixəʔ (*Upper Similkameen Indian Band*)
- 21 kʔk'ər'miws (*Lower Similkameen Indian Band*)
- 22 snpintktn (*Penticton Indian Band*)
- 23 stqaʔtkʷəʔwt (*Westbank First Nation*)
- 24 suknaq̓inx (*Okanagan Indian Band*)
- 25 swiws (*Osoyoos Indian Band*)

SECWEPEMC NATION

- 26 Kenpésq̓t (*Shuswap Indian Band*)

tribes in the Columbia Basin

Outside the Columbia Basin with Asserted Interests

OKANAGAN NATION

- 27 spaxomə̃n (*Upper Nicola Band*)

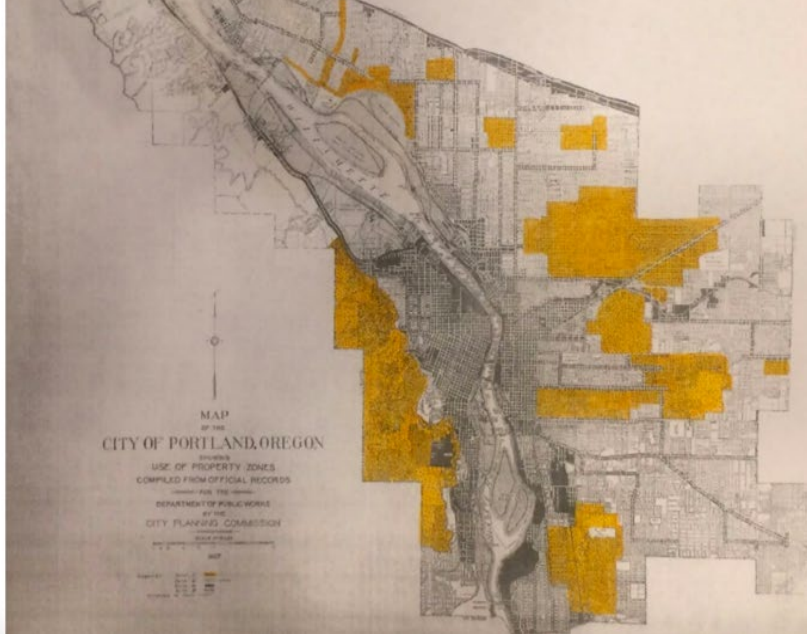
SECWEPEMC NATION

- 29 Qwʔewt (*Little Shuswap Indian Band*)
- 28 Sexqeltq̓in (*Adams Lake Indian Band*)
- 31 Simpcw (*Simpco First Nation*)
- 30 Skemtsin (*Meskanlith Indian Band*)
- 32 Splatsin (*Splatsin First Nation*)

Columbia River Treaty

JUSTICE

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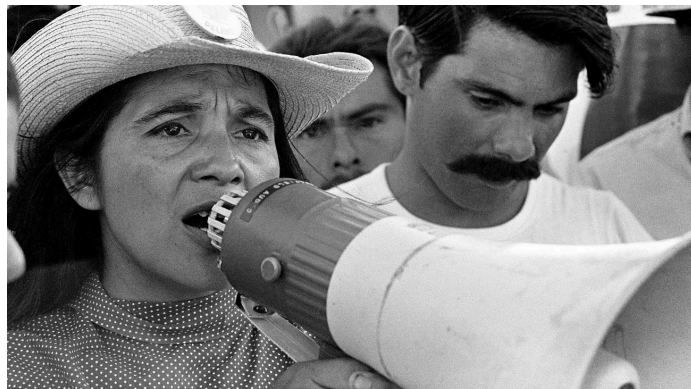
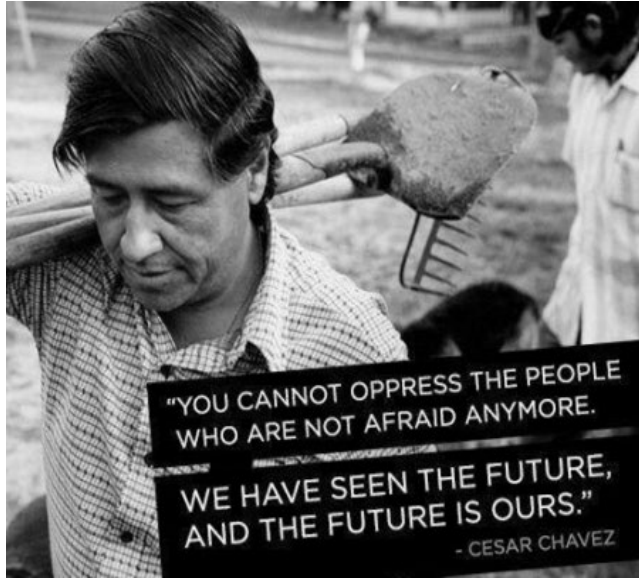


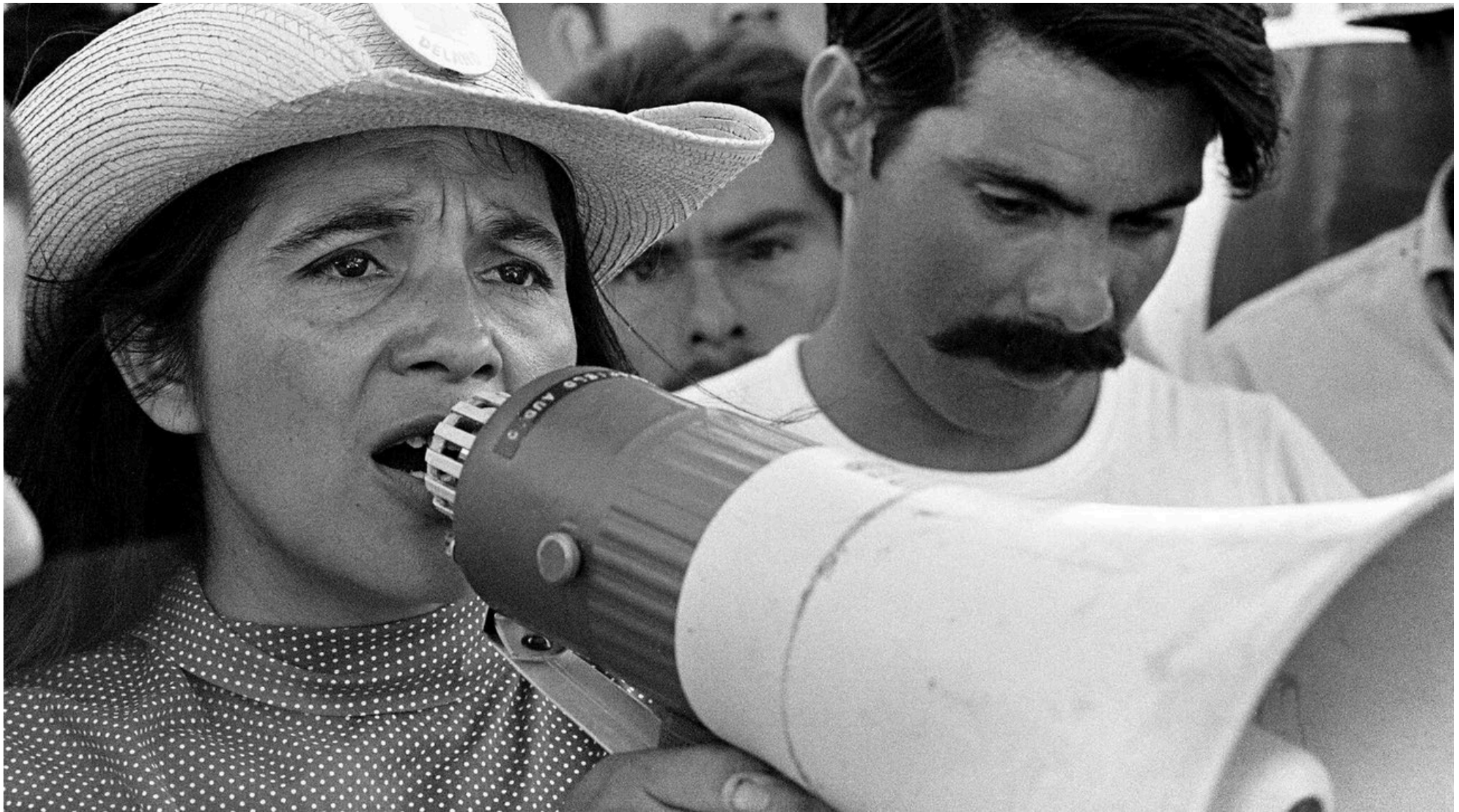
- Recognition of intergenerational wealth and health
- Recognition that data collection and modeling sometimes produce inequity

RECOGNITION JUSTICE

<https://www.portland.gov/bps/history-racist-planning-portland>

SEMINAL ENVIRONMENTAL MOVEMENTS

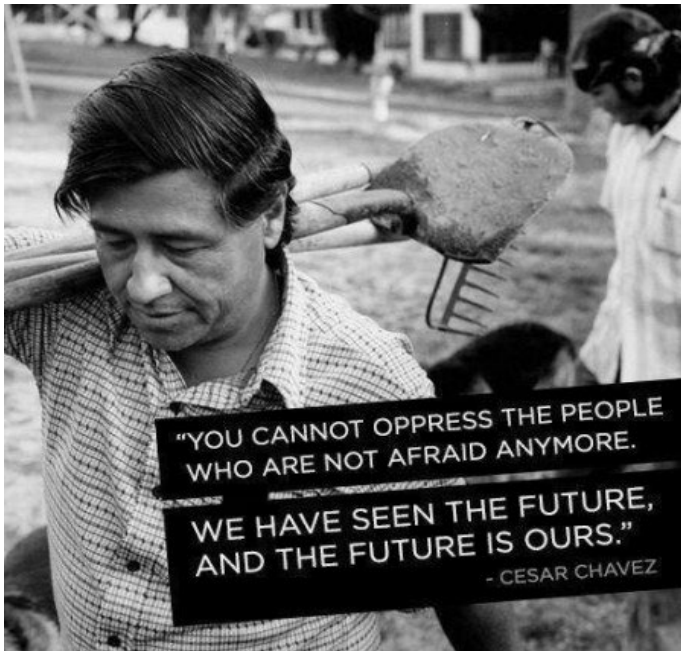




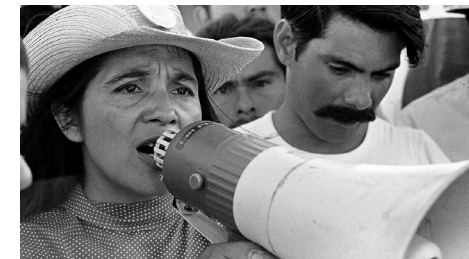
<https://www.youtube.com/watch?v=REHiLryR1oE>

United Farmworkers (San Joaquin Valley, CA)

- 1943 US patent DDT
- 1951-1966: 136 deaths caused by pesticides (laws protected growers)
- 1962 Rachel Carson, *Silent Spring*
- 1970 California banned DDT



- 1962 César Chávez & Dolores Huerta create United Farmworkers Union
- 1964 Braceros program to bring in low wage foreign labor during Vietnam War
 - Mexican, Filipino paid below minimum wage
- 1965 Nationwide grape strike, lasted 6 years
- 1969 San Joaquin Valley, California
 - 1,400 sustained pesticide poisoning
 - 1/2 disabled, 1/2 farmworkers
- 1970 Fieldworkers won the right to unionize
 - **Sí, Se Puede**



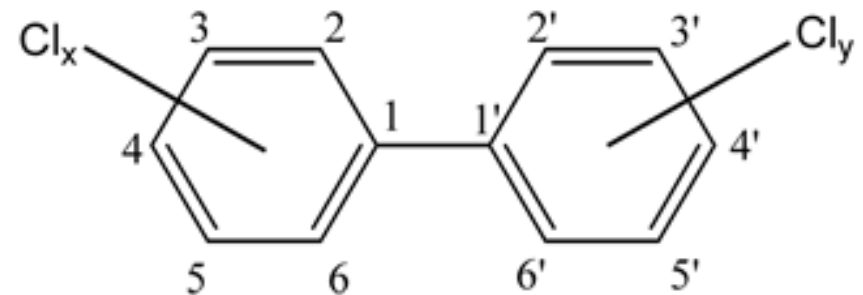


Afton, NC (Warren County) Landfill

- June 1979 State officials selected Warren County as disposal site



- “There is not one shred of evidence that race has at any time been a motivating factor for any decision taken by any official—state, federal or local—in this long saga” (Afton. District Court Judge W. Earl Britt as quoted in Labalme, 1987).



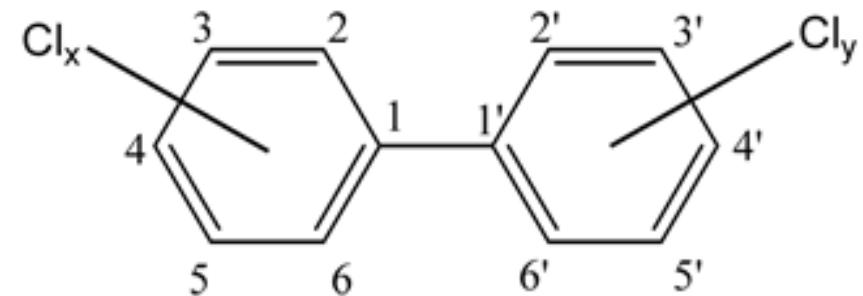
Polychlorinated Biphenyl (PCB)

RISKS:

- Skin Conditions
- Thymus Gland Abnormalities
- Liver Damage
- Immune Deficiencies
- Reproductive System Defects
 - Decreased birth weight
 - Congenital motor skill defects
 - Short term memory loss
- Nervous System Defects
- Increased risk of cancer
 - non-Hodgkins lymphoma

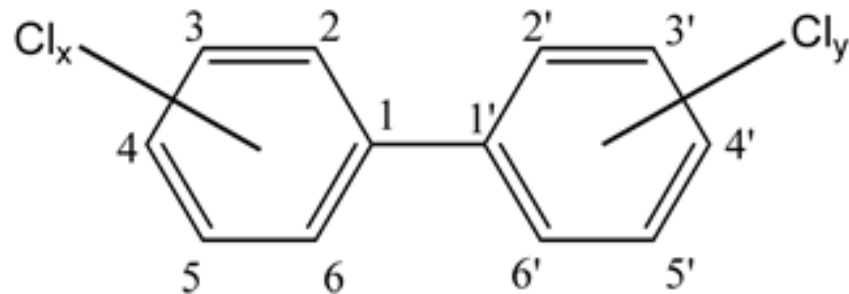
FINDINGS:

- Increased rate of miscarriages and birth defects
- Increased rate of congenital abnormalities
- Breast milk contaminated with dumped PCBs



Toxic Waste Disposal

- 1976: PCB manufacturing banned by Toxic Substance Control Act of 1976
- 1976: Resource Conservation and Recovery Act (RCRA) guides disposal



- 1978: Robert J Burns & Sons and Ward PCB Transformer Co. deliberately dripped 31,000 gal of PCB-contaminated oil along 240 miles of highway to circumvent EPA recycling regulations and save money
- Legal Result:
 - Burns and Ward tried and convicted
 - Served short prison sentence plus \$570,000 settlement/fine
- Environmental Result:
 - Soil– direct contamination of 60,000 tons
 - Water– delayed contamination due to four-year clean up delay

Afton, NC (Warren County) Landfill

THEMES:

- EPA Toxic Substances Control Act permitted Warren County landfill as “dry-tomb” waste landfill, defined as open dump with liners between contaminated and uncontaminated
- Later learned that state scientists misrepresented soil sample testing at the site. Site flawed because of soil permeability and short distance from groundwater
- Hurricane rains eroded site and accumulated water before capping
- Governor Hunt pledged to detoxify once tech became available
- Final clean-up completion 2004 (~\$18 million)
- No reparations for residents

PATTERNS/OUTCOMES:

- 1982: Warren 1st county to have a majority of Black members on the Board of County Commissioners, coined the term **“environmental racism.”** Landfill site still approved (by state) despite facts and six weeks of protests, 550 arrests
- 1983 US General Accounting Office report concludes race correlates with hazardous waste sites across Southeast US. Warren County, NC:
 - Population: 16,232
 - 60% Black (22% Statewide)
 - Ranked 97th of 100 counties in per capita income
 - Residents 2/3 of per capita income of the rest of the state
- 1987 Commission for Racial Justice’s Toxic Wastes and Race in the United States, convened by Rev. Ben Chavis



<https://www.youtube.com/watch?v=Kjobz14i8kM>

Love Canal (Niagara Falls, NY)

THEMES:

- 1940s-1950s Hooker Chemical Company created 40 acre landfill. Hooker company attorney advised *the land was not suitable for construction where underground facilities would be necessary* due to chemical waste.
- Sold to working class school district:
 - 800 private houses, 240 low income apartments
- Black fluid in the canal, odors, leakages in yards
- 1977 storm raised water table, flooded basements
- High rates of leukemia, birth defects, genetic damage
- 1978 protests led by a lawyer named Lois Gibbs (proto Erin Brockovich)

PATTERNS/OUTCOMES:

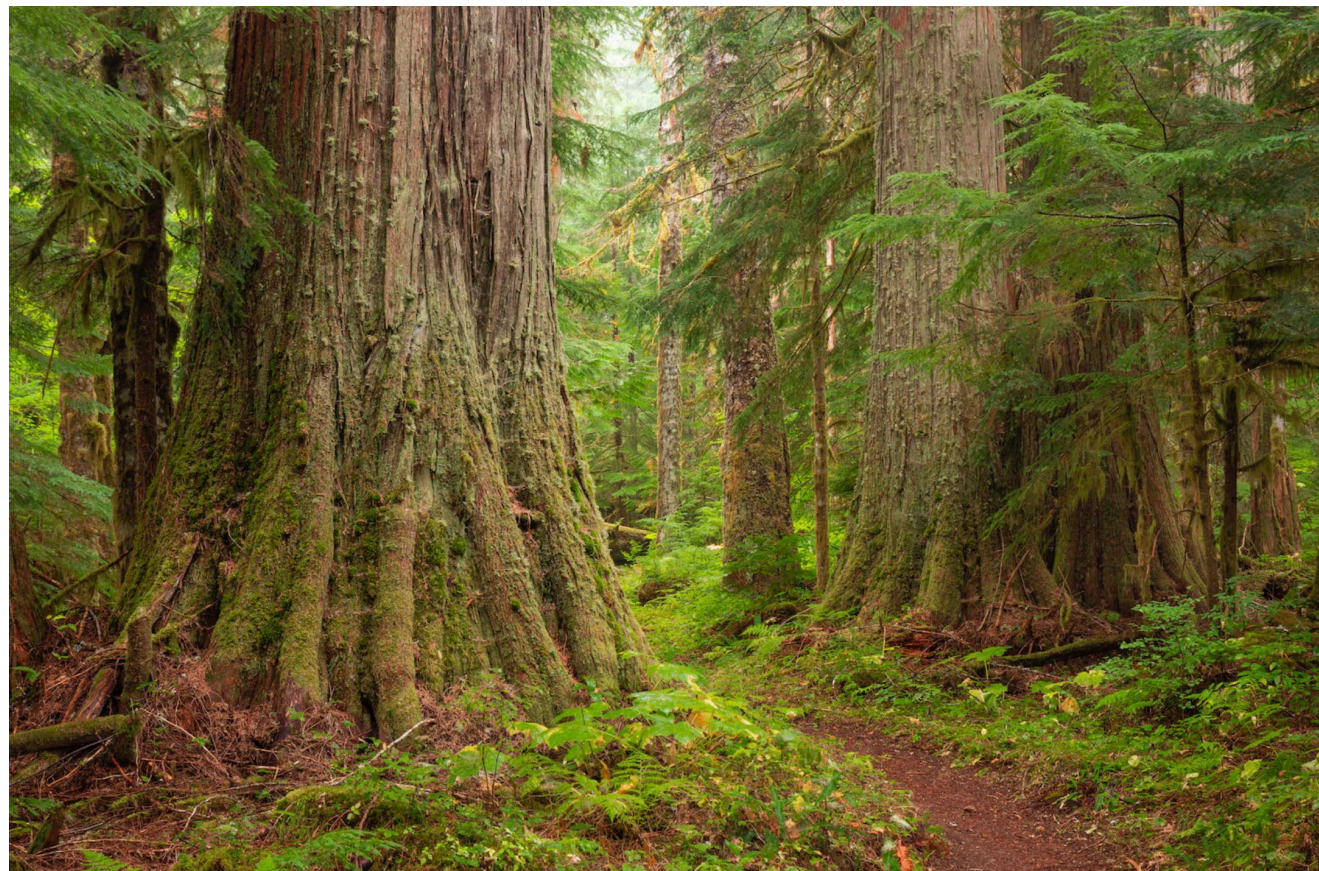
- **Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)**
 - "Superfund" Act
 - Tax on chemical and petroleum industries
 - Federal authority
 - National Priorities List (clean up priority)
- 1994 Federal District Court ruled Hooker was negligent but not reckless
- Final clean up 2004



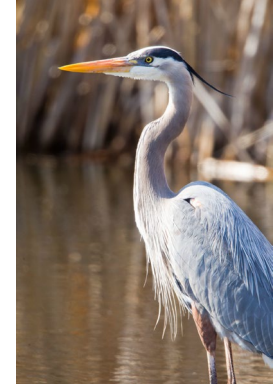
WHISKY TANGO FOXTROT?!?



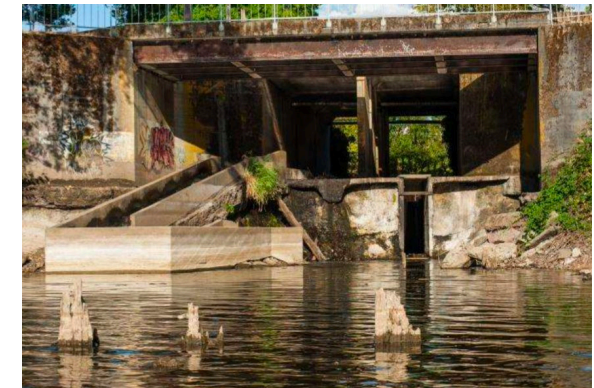
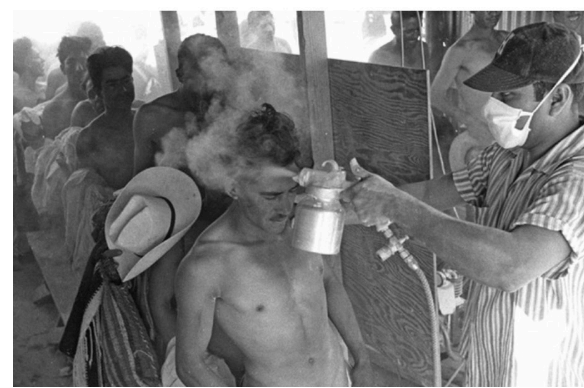
Typical Magnificent PNW Flora & Scenery



Typical Magnificent PNW Fauna



Typical Environmental Justice Focus







Refugees, 1948. Oregon Historical Society, Neg. OrHi 90163. (Oregon Historical Society)







Vanport City Vacation School, August 1943. Oregon Historical Society, Neg. OrHi 78867. The Oregonian



Portland

LOWER ALBINA
1948

Black-occupied dwellings, 1950

Willamette River



Statement to Returning JAPANESE

Under the War Department's recent ruling you will soon be permitted to return to this county.

FOR YOUR OWN BEST INTERESTS, WE URGE YOU NOT TO RETURN.

Certain incidents have already occurred that indicate the temper of the citizens of this county.

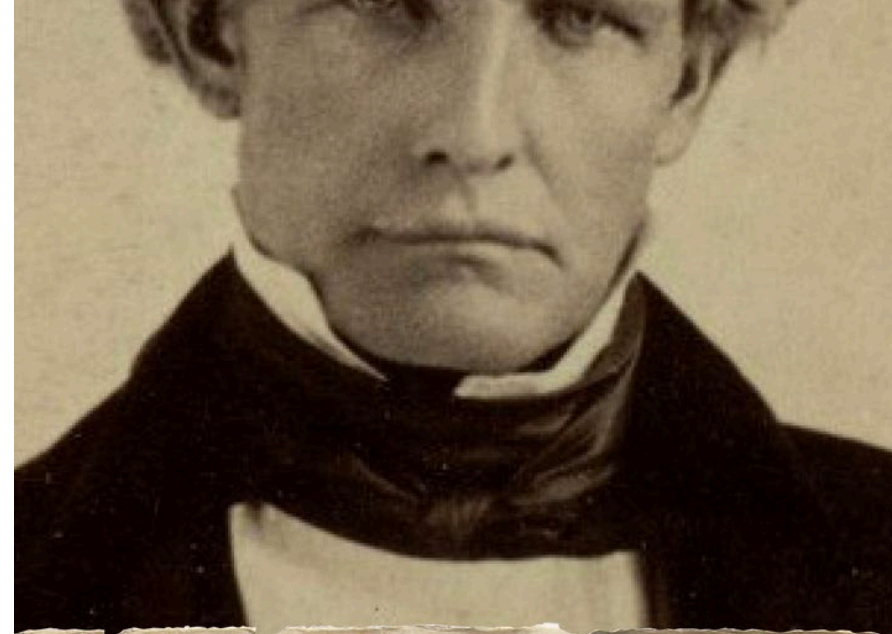
Public records show that there are about 25 or 30 families, out of some 600 Japanese, who have not already sold their property in Hood River County. We strongly urge these to dispose of their holdings.

If you desire assistance from this Post in disposing of your land, we pledge ourselves to see that you get a square deal.

If you do return, we also pledge that, to the best of our ability, we will uphold law and order, and will countenance no violence.

In this program we ask the support of the citizens of this County.

HOOD RIVER POST NO. 22.
American Legion,
Department of Oregon.



THE TROUBLED LIFE OF PETER BURNETT

OREGON PIONEER AND
FIRST GOVERNOR OF CALIFORNIA

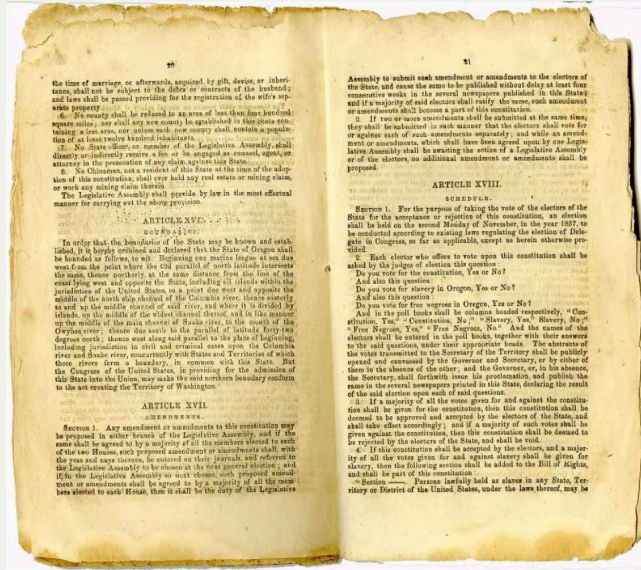
R. GREGORY NOKES

Oregon's Black Exclusionary Laws

Oregon was founded with three Black exclusionary laws. The first was when Oregon outlawed slavery. The law gave slaveholders two years to remove their male slaves and three years to remove their female slaves. At that point, the free Blacks had to leave Oregon and any free Black who refused to leave would be subject to lashing.

It was called Peters Burnett’s Lash Law and the law stated that the lashings had to be no less than 22 times but no more than 39 times. Peter Burnett is quoted as saying, “the object is to keep clear of that most troublesome class of population [Blacks]. We are in a new world, under the most favorable circumstances and we wish to avoid most of those evils that have so much afflicted the United States and other countries.”

Again, Oregon passed a law stating that “it shall not be lawful for any negro or mulatto to enter into, or reside” in Oregon. Finally, when Oregon became a state it included in its Bill of Rights a clause that prohibited Blacks from being in the state, owning property, and making contracts. Thus, Oregon was the first state to enter into the Union as a “whites only” state.



• Article XVIII, from the State Constitution. Section of Oregon State Constitution outlining slavery and exclusion laws, from the 1857 document distributed to Oregonians. Courtesy *Oreg. Hist. Soc. Research Lib., Belknap 295*



THOMAS JEFFERSON + GEORGE
ABERNETHY + JOHN KENDRICK
MARTIN D'AGUILAR + ROBERT
NEWELL + WILLIAM S HARNEY

WILSON PRICE HUNT + JAMES W NESMITH
R S WILLIAMSON + LAFAYETTE GROVER
WILLIAM H WILLSON + MATTHEW P DEADY
SAMUEL PARKER + FRANCOIS X MATTHIEU

JOHN S NEWBERRY +
BENTON + CORNELI
SAMUEL R THURSTO
AINSWORTH + THOM

BENNETT

OREGON ADMITTED INTO THE
UNION FEBRUARY 14 1859



The Racist History of Portland, the Whitest City in America

It's known as a modern-day hub of progressivism, but its past is one of exclusion.

By Alana Semuels



