Agenda:

- What is environmental justice?
- Cases in EJ
- Applications to county decisions
- Q&A

Bonnie Keeler, Humphrey School of Public Affairs
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AMC Environment and Natural Resources Policy Committee September 14th, 2020

Dimensions of Environmental Justice

Dimensions of Environmental Justice

1. **Distributive Justice:** How should environmental burdens and benefits be distributed?

2. **Procedural Justice:** What are fair and equitable procedures for making distribution decisions?

3. **Participatory Justice:** Who gets to make the decisions about how to distribute environmental burdens and benefits?

4. **Recognition or Identity Justice:** We speak for ourselves

Defining Environmental Justice

.. is 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.

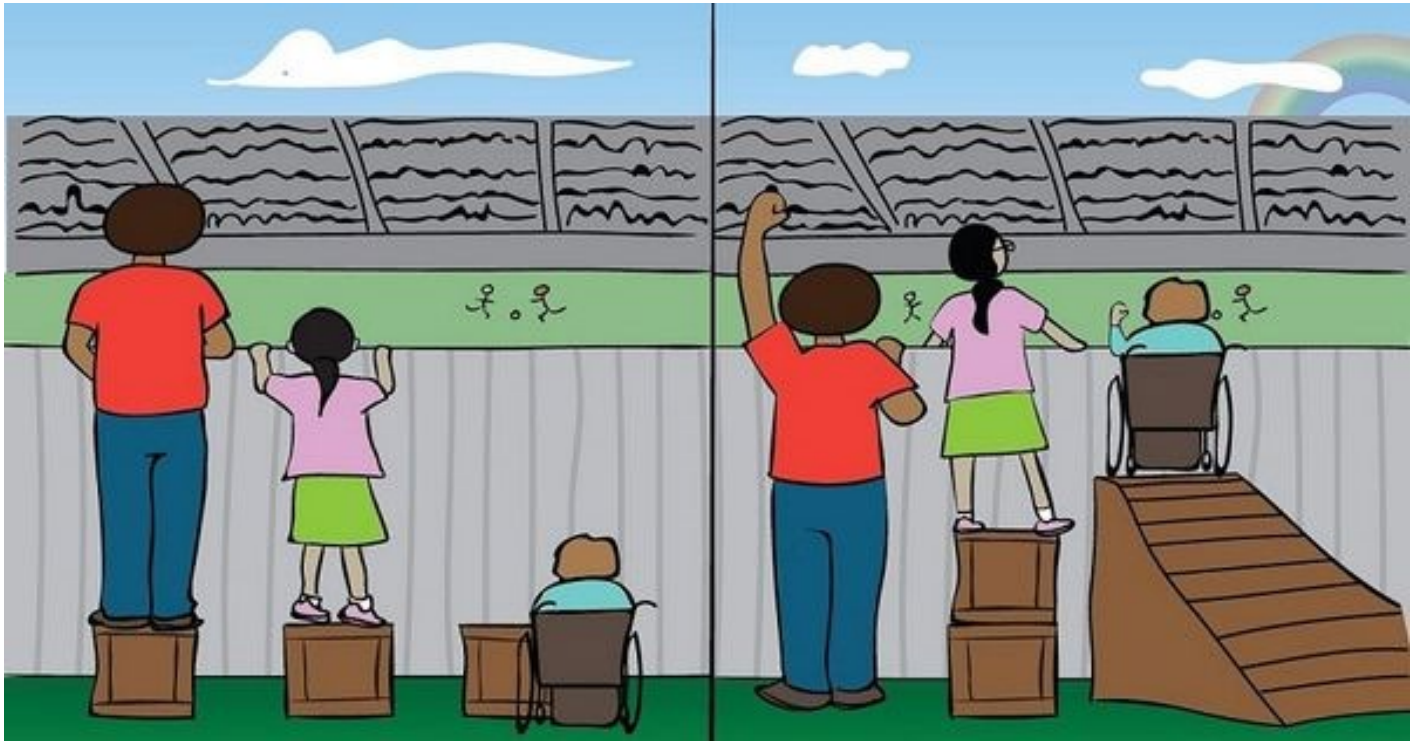
Fair treatment: no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.

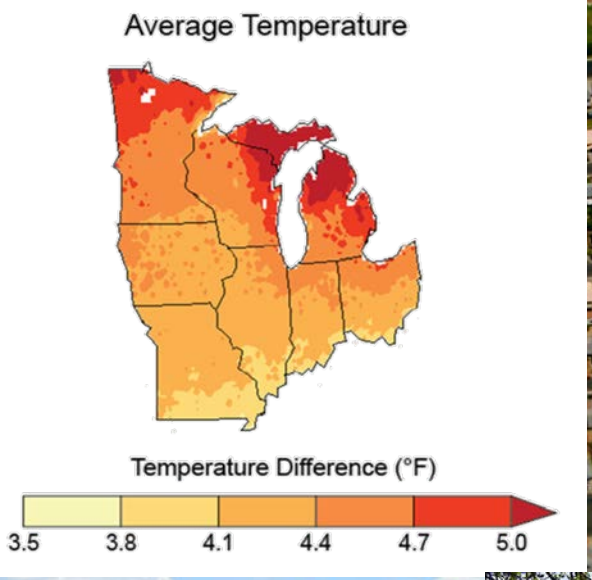
Defining Environmental Justice

.. is 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.

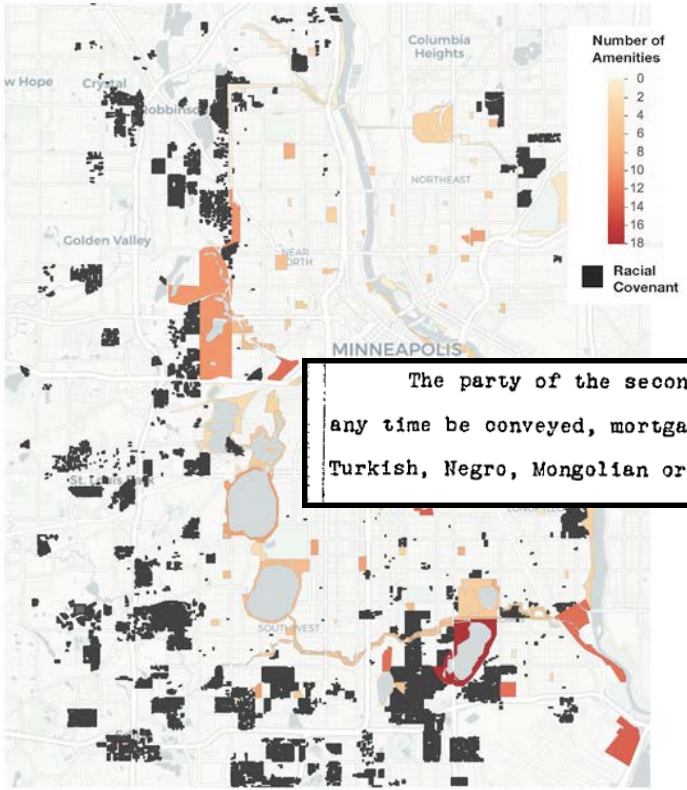
Meaningful involvement: people have an opportunity to participate in decisions about activities that may affect their environment and/or health; the public contribution can influence the regulatory agency's decision; their concerns will be considered in the decision making process; and the decision makers seek out and facilitate the involvement of those potentially affected.

Environmental Justice: Context matters




Average Temperature
Temperature Difference (°F)
3.5
3.8
4.1
4.4
4.7
5.0

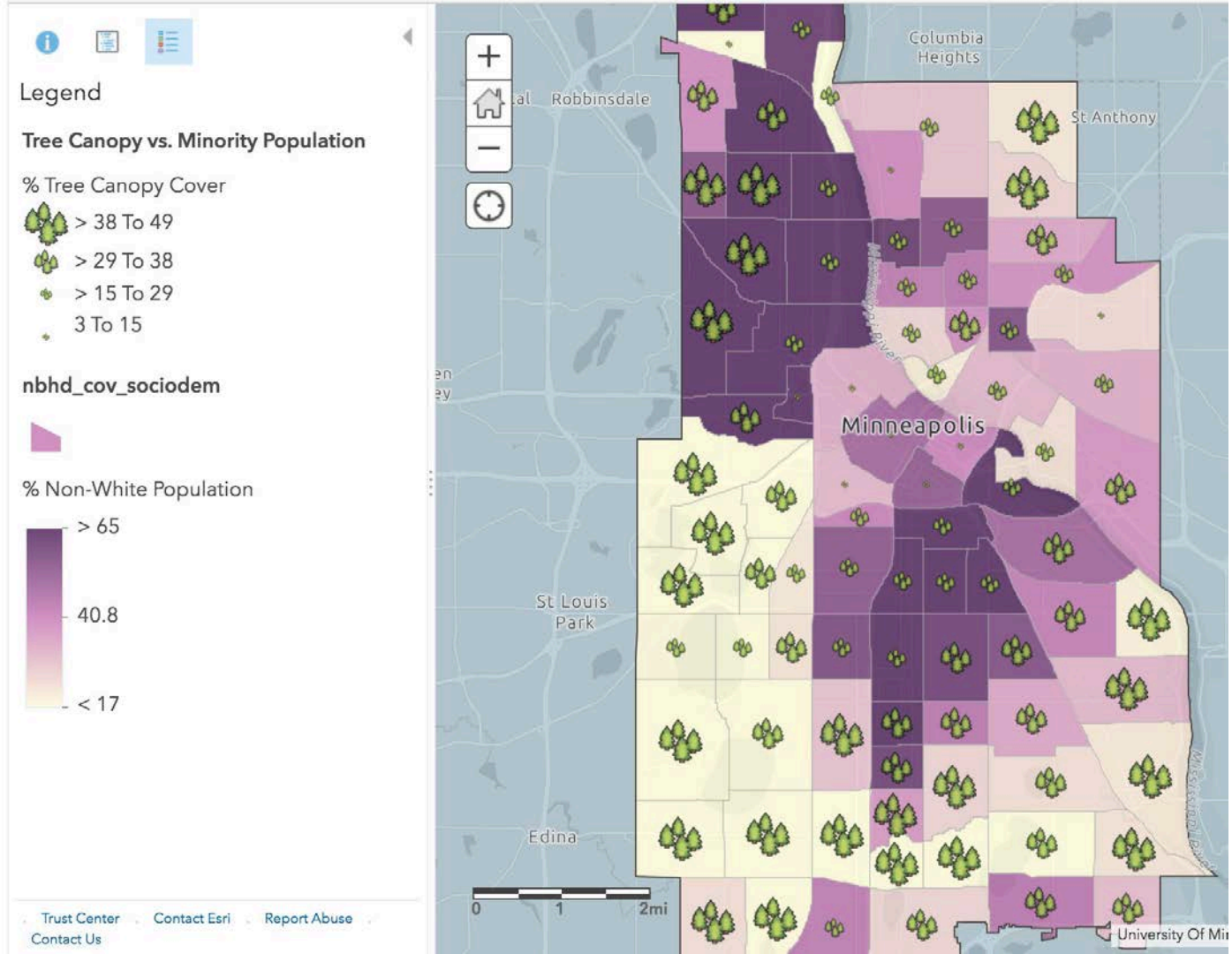
Cases in EJ: Fair treatment



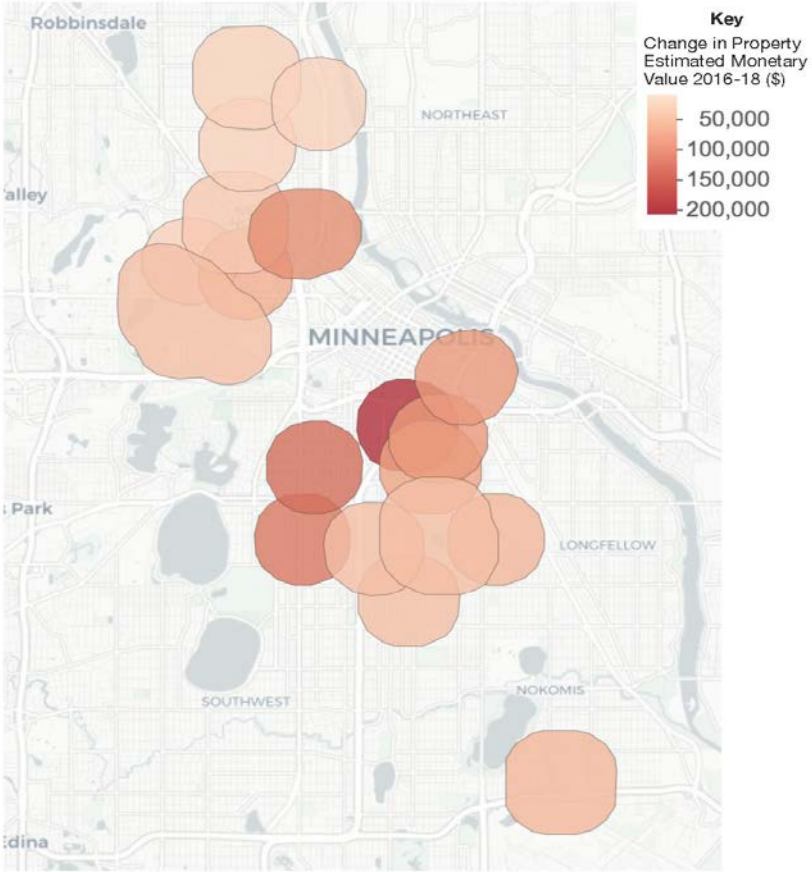
This map shows the number of amenities at each park run by the Minneapolis Parks and Recreation Board, in comparison with the location of properties that contained racially-restrictive covenants in their deeds. Parks located in neighborhoods that were racially restricted appear to generally have more amenities.

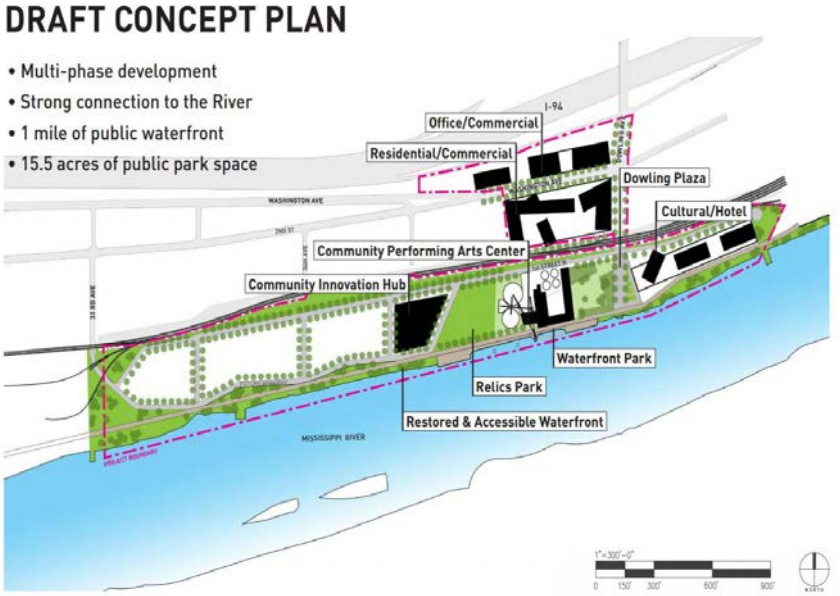
> The party of the second part hereby agrees that the premises hereby conveyed shall not at any time be conveyed, mortgaged or leased to any person or persons of Chinese, Japanese, Moorish Turkish, Negro, Mongolian or African blood or decent. Said restrictions and covenants shall run

MappingPrejudice.org


Legend
Tree Canopy vs. Minority Population
% Tree Canopy Cover
> 38 To 49
> 29 To 38
> 15 To 29
3 To 15
nbhd_cov_sociodem
% Non-White Population
> 65
40.8
< 17
Columbia Heights
Robbinsdale
St Anthony
Minneapolis
St Louis Park
Edina
0
1
2mi
Trust Center
Contact Esri
Report Abuse
Contact Us

Do contemporary policies designed to “green” communities reproduce past injustices?





Covenants: Not just in urban areas

_______________, of the County of Stearns _______ and State of _______ Minnesota _______, parties of the second part,

Witnesseth. That the said party__ of the first part, in consideration of the sum of One Dollar and other valuable considerations - - - - - - - - - - - - - DOLLARS, to her ___ in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do ___ hereby Grant, Bargain, Sell, and Convey unto the said parties of the second part as joint tenants and not as tenants in common, their assigns, the survivor of said parties, and the heirs and assigns of the survivor, Forever, all the tract__ or parcel__ of land lying and being in the County of Stearns _______ and State of Minnesota, described as follows, to-wit:

Lot numbered thirty-four (34) in Memorial Acres, an addition to the City of St. Cloud, in Stearns County.

U. S. Revenue $2.20
Minnesota State Tax. $2.20

This deed is made and accepted subject to the following covenants, conditions, easements and restrictions regarding each and all lots in said MEMORIAL ACRES until June 1, 1967 viz: That the same shall not be sold, conveyed or leased to, or occupied by any person of the Negro, Chinese or Japanese races; that any dwelling house to be erected thereon shall be of stucco, lumber, stone, or brick, costing not less than $4,500; that no old house or shack shall be constructed or moved thereon; that no garage, trailer, shack or other small structure shall be used for dwelling purposes thereon except during the construction contract therefor is let; that no unsightly small building shall be

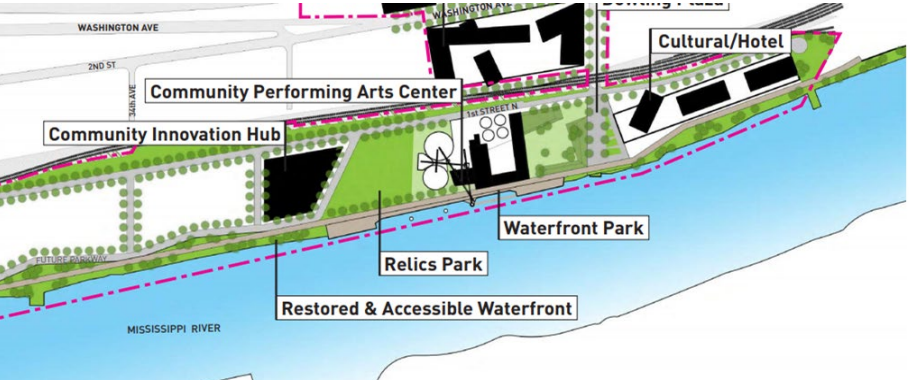
WITNESSETH, That the said parties of the first part, in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration------------------DOLLARS, to them ___ in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do___ hereby Grant, Bargain, Sell and Convey unto the said parties of the second part as joint tenants and not as tenants in common, their assigns, the survivor of said parties, and the heirs and assigns of the survivor, Forever, all the tract___ or parcel___ of land lying and being in the County of Mille Lacs and State of Minnesota, described as follows, to-wit: Lot Eighteen (18), Sunnywood Beach, according to the plat thereof on file and of record in the Office of the Register of Deeds in and for said County and State. Subject to easement across above described property forcconstruction and maintenance of an electric line. Subject to the following covenants which shall run with the land and bind the purchasers, their heirs, executros, administrators and assigns until June 3, 1986. This property shall not be occupied by anyone not a member of the Caucasian race. Toilets on this property not in the main building must be enclosed in a shed or garage not smaller than four by six (4x6), and said building cannot be built closer than fifty feet (50') of the main dwelling and it must be to the rear of said dwelling. All buildings must be finished on the outside with acceptable building material such as lap siding, drop siding, log siding, split logs, full logs or wide boards with battons; and tarpaper or any other building paper such as imitation brick or imitation stone shall not constitute such an accepted finish. The exterior of all buildings must be painted or stained, if construction is of lumber. All buildings must be of new construction. No buildings shall be erected on any side lot line or any closer than four feet (4') from said lot line. The above described property shall not be used for commercial purposes of any kind.

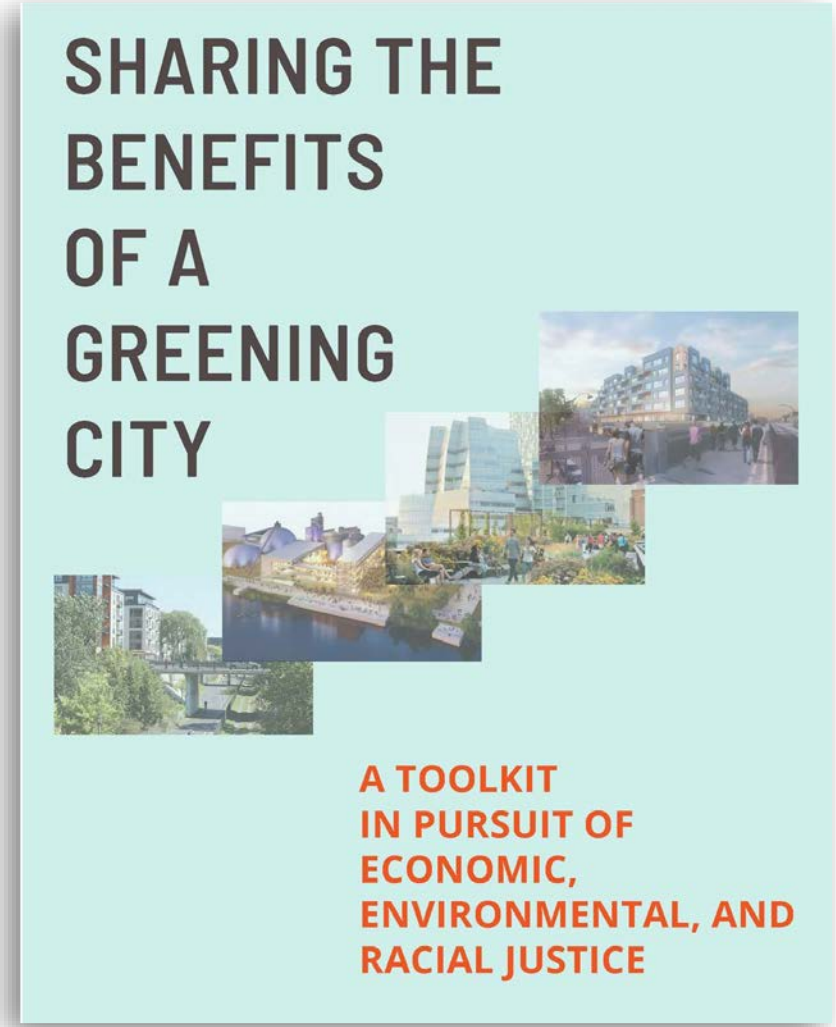
*STATE OF MINNESOTA, } ss. On this 28th day of May A.D. 1975, before me, a Notary Public
County of LeSueur } within and for said County and State, personally appeared Frank

detached dwelling house which shall
street or lake to which the lot front
erected, and building paper shall not
buildings erected upon said premises shall be completely finished within six months from the time work is commenced on such buildings, and no person shall occupy or use such building as a dwelling until the exterior thereof shall have been completely finished, and such house shall not be what is known as an apartment house, hotel, manufacturing, store, or other business building on said premises, and the house, including the sunparlor and porch, excepting eaves, canopies, stairs and entrances, shall in any case be located not nearer than 35 feet to the front lot line, but balconies and verandas without roofs may be erected in front of said building line, and a garage and other pertinent outhouses may be erected on the rear of any lot, in case the same are entirely finished on the outside as erected. No tar paper buildings or what is commonly designated as shacks shall be erected on said premises or any part thereof, and no sod, soil, sand or gravel shall be sold, bartered or removed from the said premises, but this covenant shall not prevent the removal of gravel for the purpose of excavating for the erecting, constructing or alteration of any dwelling or appurtenance on any of said lots, nor the proper grading of any lot in order to make the contour thereof conform to the owner's ideas, and no person or persons other than of the Caucasian race shall be permitted to occupy said premises or any part thereof. The exterior finish of any building erected on said premises must be approved by the grantor.

Any breach of said warrant, covenant and restriction shall operate to make void this conveyance and the title upon breach as aforesaid, shall revert to and vest in the grantor herein, its successors or assigns, each of whom, respectively, shall have the right to immediate re-entry upon said property in the event of any such breach; but any breach of said covenant and agreement against occupancy shall not invalidate any mortgage or deed of trust made upon said property or on any part of it made in good faith and for a good and sufficient consideration."

How can investments **green infrastructure** remediate past injustices and promote anti-racist, just urban environmental futures?





1. Review and synthesize research and best practices
2. Establish shared language and understanding of core concepts
3. Highlight existing policy tools relevant to gentrification and displacement
4. Promote collaboration across environmental and housing sectors

Policy Tools

Community Capacity	Public Subsidy	Cooperative Ownership	Regulatory	Market-Based
Tenants' Unions	Public Housing	Limited-Equity Cooperatives	Renter's Bill of Rights	Community Benefits Agreements
Job Training	Land Banks	Community Land Trusts	Rent Control	Inclusionary Zoning
Cultural Corridors	Affordable Housing Financing	Co-Housing		
Equity Scorecards				

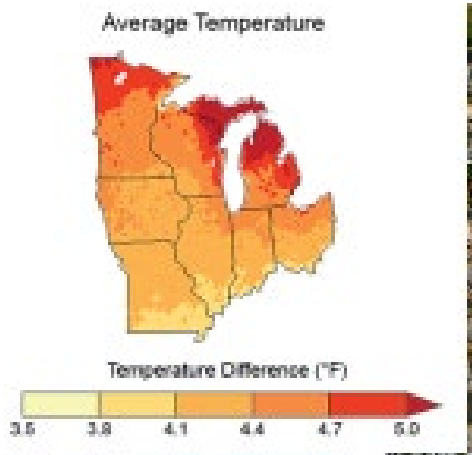
Cases in EJ: Meaningful involvement

Suzanne Tucker / Getty Images

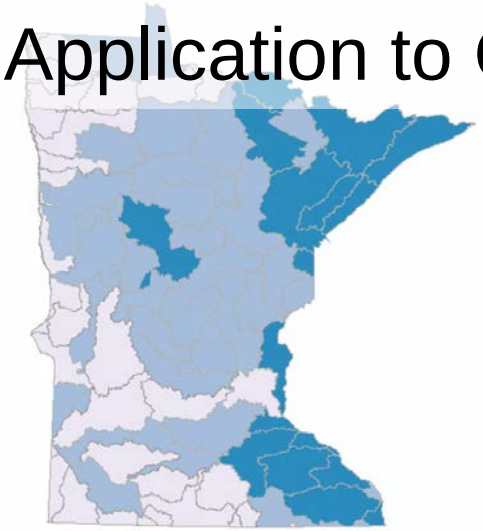
CLIMATE DESK

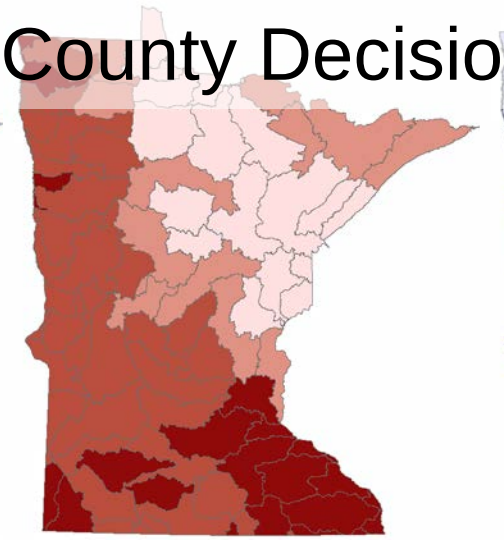
Why Detroit residents pushed back against tree-planting

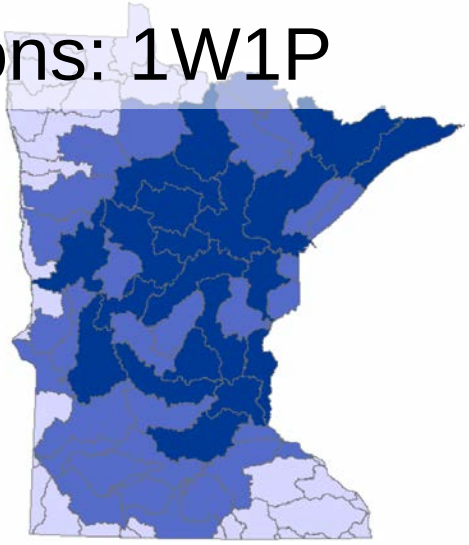
Application to County Decisions

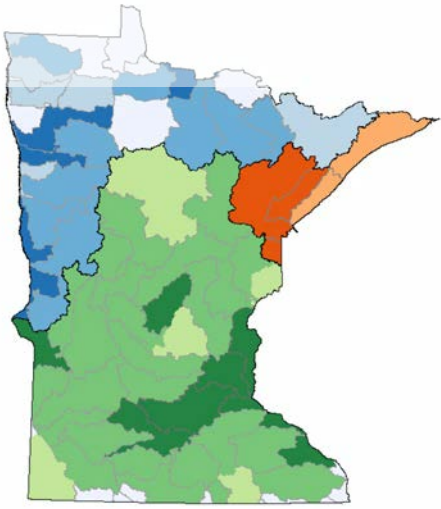


Application to County Decisions: 1W1P









Trout miles and visitation

- Low priority
- Medium priority
- High priority

People reliant on groundwater and contamination susceptibility

- Lowest priority
- Low priority
- Medium priority
- High priority

Lake P sensitivity and visitation

- Low priority
- Medium priority
- High priority

Winnipeg basin

- No data
- Low priority
- Medium priority
- High priority

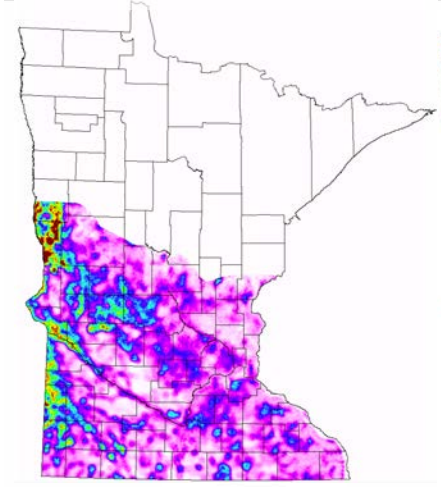
Great Lakes

- Low priority
- High priority

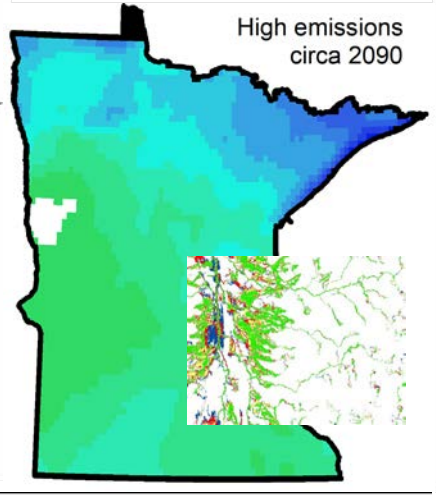
Mississippi basin

- No data
- Low priority
- Medium priority
- High priority

Application to County Decisions: 1W1P

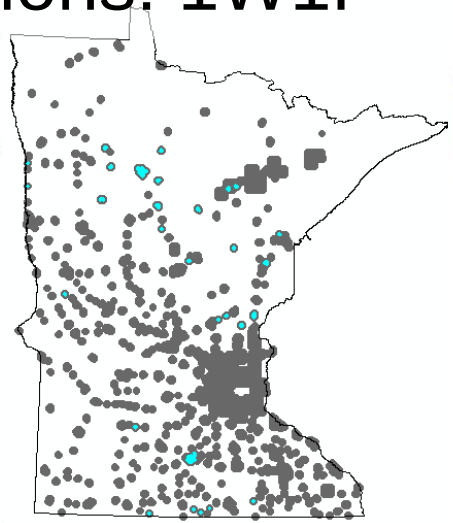


Pheasant habitat quality within pheasant range

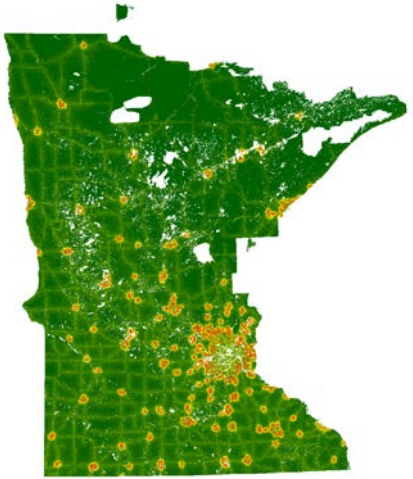


% change in amount of rain in May compared to circa 1990

-16% - -5%
-5% - 5%
5% - 15%
15% - 25%
25% - 35%
35% - 45%
45% - 55%
55% - 65%
65% - 75%
75% - 85%
85% - 95%
95% - 110%



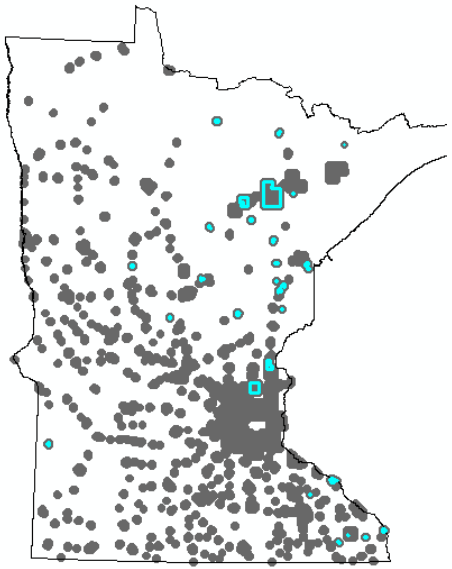
DWSMAs with population below poverty line



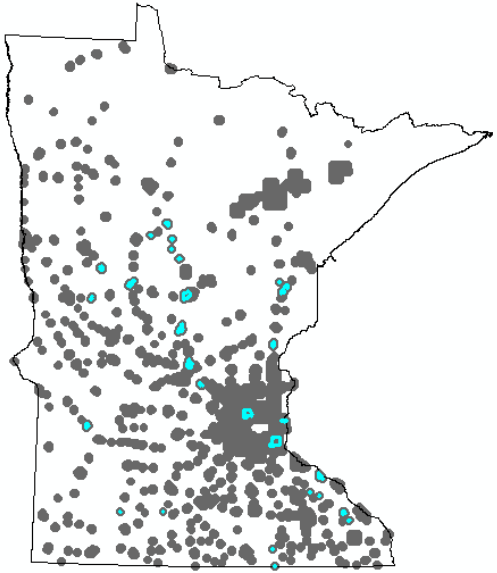
Risk of conversion to developed land

Top 10% of DWSMAs when sorted by …

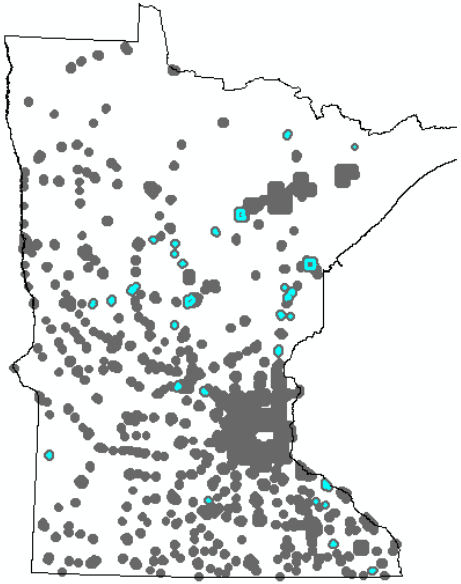
% Undeveloped Unprotected



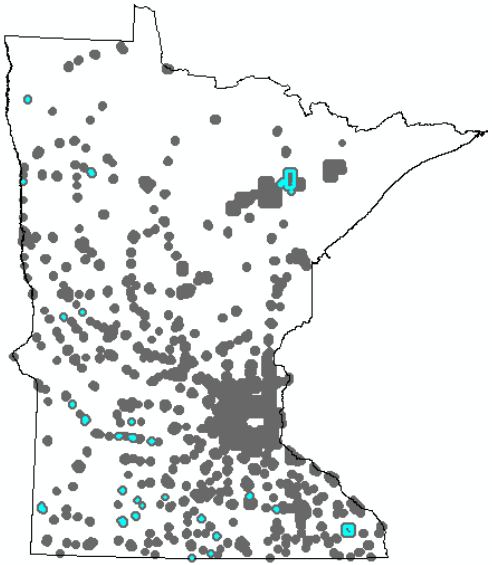
% Very high or High GW vulnerability



% Undeveloped and unprotected VH and H GW vulnerability

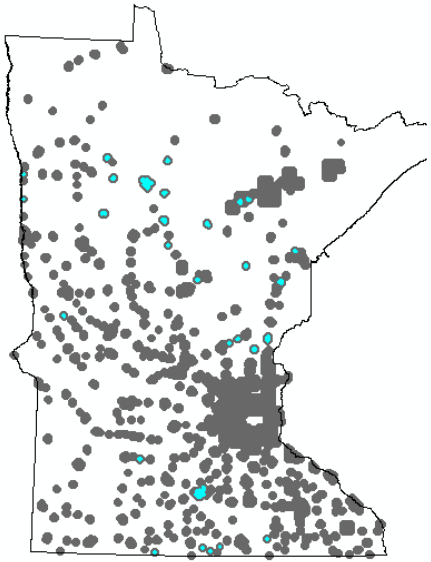


Ag % trend line

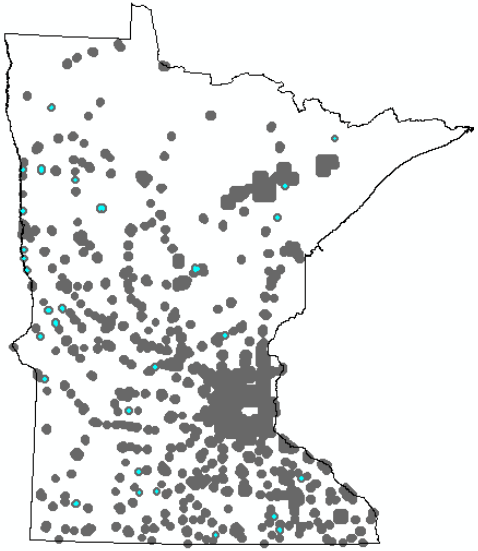


Top 10% of DWSMAs when sorted by …

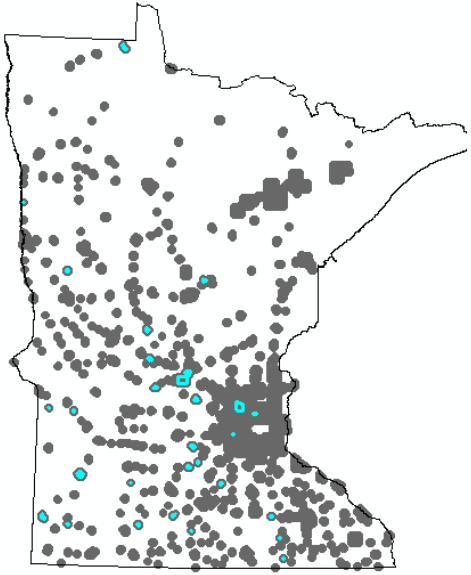
Below Poverty Line



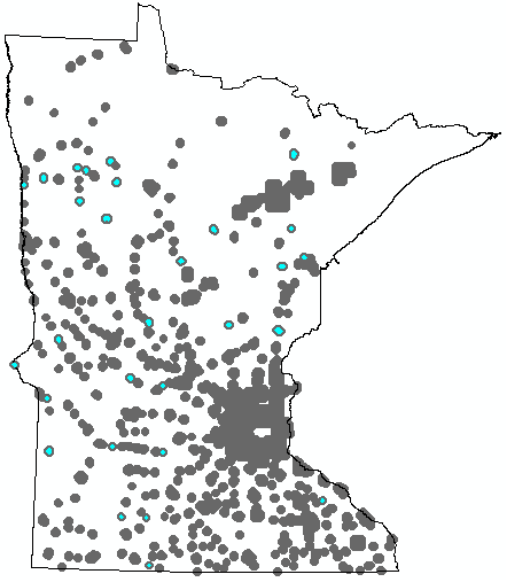
Low Population



English not spoken ‘very well’



No Computer

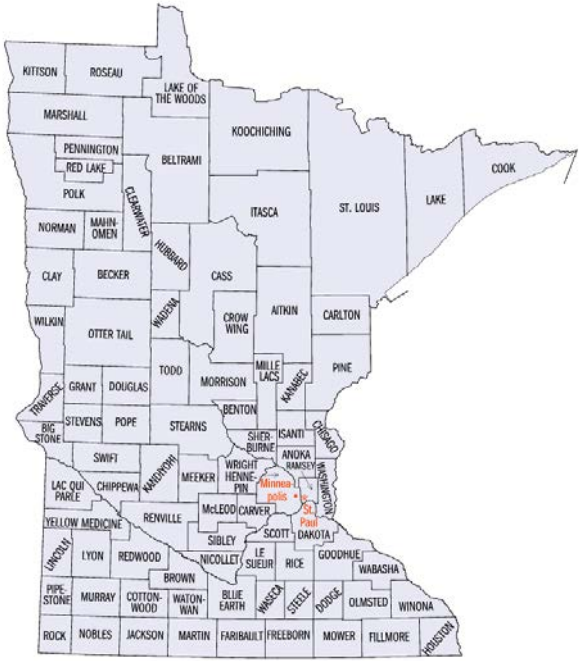


Collaboration means….

- Following the communities lead
- A willingness to be transformed
- “Moving at the speed of trust”
- Adopting a politics of “resourcefulness”

Closing thoughts

- EJ is both “fair treatment” and “meaningful involvement”
- Context matters – adopt a historical perspective on contemporary issues
- Distributive analysis can help
- Community engagement is a critical part of EJ
- It’s not easy or “smooth” and there are no quick fixes



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