

US EPA ARCHIVE DOCUMENT

Other EPA Public Involvement Brochures

Introducing EPA's Public Involvement Policy
How to Plan and Budget for Public Involvement
How to Identify People to Involve
How to Provide Technical and Financial Assistance for Public Involvement
How to Do Outreach for Public Involvement
How to Consult with and Involve the Public
How to Review and Use Public Input and Provide Feedback
How to Evaluate Public Involvement
How to Improve Public Meetings and Hearings
How to Improve Working with Tribes
How to Overcome Barriers to Public Involvement

More Information about the Policy

Copies of the Policy and the Framework for implementing it are available at <http://www.epa.gov/publicinvolvement/policy2003/policy2003.pdf> and <http://www.epa.gov/publicinvolvement/policy2003/framework.pdf>

The Website for the "Internet Dialogue on Public Involvement in EPA Decisions" is <http://www.network-democracy.org/epa/epa-piv>

EPA's Response to Comments on the Draft 2000 Public Involvement Policy is available at <http://www.epa.gov/publicinvolvement/policy2003/response.pdf>

"Involvement brings the pieces together" artwork is the creation of Erica Ann Turner, who contributed the work through an agreement between the Art Institute of Washington and EPA.



Involvement brings
the pieces together

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How to Involve Environmental Justice Communities



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Goal:

- To ensure that environmental justice communities have a meaningful opportunity to participate in EPA decision-making processes

The U.S. Environmental Protection Agency (EPA) issued its new Public Involvement Policy in June 2003. The Policy's seven steps for effective public involvement provide guidance to EPA managers and staff on how to better involve the public in Agency decision-making processes.

This brochure (one in a series) offers advice to help you "get started" working with environmental justice communities and groups representing their concerns. It also suggests ways for experienced practitioners to be more successful.

Environmental Justice – A Definition

Environmental Justice – EJ – is the fair treatment and meaningful involvement of all people regardless of race, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Fair treatment means that no group of people, including a racial, ethnic, or a socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

With meaningful involvement:

- Potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health.
- The public's contribution can influence the Agency's decision.
- The concerns of all participants involved will be considered in the decision-making processes.
- Decision makers seek out and simplify the involvement of those potentially affected.

Environmental justice is achieved when everyone, regardless of race, culture, or income, 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. This includes greater public involvement in how the Agency develops and implements its rules and policies.

Why Work with EJ Communities?

Because you can help each other to succeed. Early public involvement protects the interests of both EPA and the communities in which we work. Working closely with such communities, the Agency can develop projects or activities that mitigate existing disproportionate impacts and avoid creating or worsening them.

These efforts are important because they:

- Give first-hand information on issues about which the Agency might not be aware. Communities have unique knowledge of their goals, needs, and vulnerabilities.
- Provide fresh perspectives on what are often long-standing environmental issues.
- Flag potential controversies.
- Provide feedback on the best ways to involve environmental justice communities.

The greater the consensus among community members, the more likely a plan or project will succeed.

Objectives of Outreach to EJ Communities

Outreach to EJ communities has several unique objectives, beyond the basic goals of good public involvement:

- Convey issues in ways that are tailored (for example, translation, timing, location) to each community
- Bridge cultural and economic differences that affect participation
- Use communication techniques that enable more effective interaction with other participants
- Develop partnerships on a one-to-one or small group basis to ensure representation
- Develop trust between government and potentially affected population
- Develop community's capacity to effectively participate in future decision-making processes
- Increase participation of under-represented groups so they can influence decisions

Many EPA decisions have direct and indirect effects on EJ communities. Several Agency statutes and regulations contain public involvement and other requirements relevant to EJ communities. The Office of General Counsel (OGC) identified some of these authorities, about environmental justice in the permitting process, in a memorandum dated December 10, 2000: http://www.epa.gov/compliance/resources/policies/ej/ej_permitting_authorities_memo_120100.pdf. Ask OGC to help you understand how regulatory requirements and EJ may apply to your project.

Participation throughout the Process

Public involvement works best when you consult with the community early and often and when involvement efforts follow a decision-making process the potentially impacted community understands and has had a role in designing. If you wait until the later stages of a project, you risk misunderstandings from incomplete and/or delayed information. Consulting early helps establish productive, ongoing relationships that can result in the best solutions to environmental problems and in win-win opportunities.

A good decision-making process usually includes at least five stages:

- Defining the problem or opportunity
- Establishing criteria for an effective solution
- Identifying alternatives
- Evaluating alternatives
- Selecting a course of action

For participation to be "meaningful," the community needs opportunities to participate in all five stages. Recognize that not everyone will want to participate at every stage, and plan for people entering and leaving the process throughout.

Plan Your Work

Research Environmental Justice

- Seek out other EPA program or regional staff to learn how similar communities have responded to comparable or related projects and issues.
- Ask your colleagues, your Office of General Counsel, or Regional Counsel about environmental justice requirements that apply to your project/issue.

- Gather information from organizations that represent EJ communities: grass root organizations, local environmental groups, churches, and neighborhood advisory groups.
- Review census materials and newspaper coverage of related issues.
- Use the Online Environmental Justice Assessment Tool: <http://www.epa.gov/enviro/ej/>
- Hold individual or small meetings to help identify the community's interests and knowledge, and focus the goals and objectives of the larger meetings.
- Consider using a facilitator or other third party.

Your research may show that a more intensive public involvement effort is needed to effectively reach the EJ community. Consider the costs as an investment in building relationships with communities traditionally under-represented in Agency decision-making processes.

If your project or issue is national in scope, you will need to adapt your research and process designs to fit both a larger number of people and a greater diversity of interests.

Define Your Environmental Justice Plan Process

- Decide which individuals and groups you're trying to reach for each phase of your work. (See the brochure for Step 2, "How to Identify People to Involve.") In EJ communities, work with existing organizations to help you reach individuals and groups more effectively.
- Use a mixture of involvement techniques that suit different situations to ensure participation from a diverse pool of individuals, groups, communities, and interests. Select from:

Information Exchange – Listening to, being available for or at sessions in public settings such as "town-hall" meetings, churches, libraries, schools, or any other type of open forum; workshops co-sponsored with local organizations and government agencies; focus groups, interviews, telephone hotlines; Internet-based discussions, radio and television discussions and programs

Recommendations – Advice for EPA on particularly complex or controversial issues from: technical committees, technical advisory groups, citizen advisory groups, and grass roots organizations whose members represent the community

Agreements (legally non-binding) – Mutually developed and accepted decisions between EPA and affected community, concerned citizens, or interested people

"Often times, members of these communities suffer ... disparate impacts from numerous forms of pollution and toxins ... their lack of participation, or silence on the matters should not be read or interpreted as lack of concern about the issues that affect them." Sarah Kraemer, Golden Gate University
Public Comments on the 2000 Draft Public Involvement Policy

Work Your Plan

There are special ways that EJ communities can best participate in agency decision-making processes, but all of the general rules of public involvement also apply. (See the brochures for Step #4, "How to Do Outreach for Public Involvement," and for Step #5, "How to Consult with and Involve the Public," for other basic public involvement steps.)

Consult with the Public

- Make allies in existing groups
- Publicize activities
- Prepare information
- Meet & focus on primary environmental issues
- Listen
- Be fair and credible

Once your plan is established, make certain the participants understand the process and its limits. Be open to the community's ideas for improving the plan.

- Present complex technical information clearly, with understandable displays, especially where science literacy may be limited.
- Go to the people where they gather – churches, shopping malls, housing developments, senior centers and work places.

- Some ethnic and low-income groups prefer small group meetings where they feel they can more easily participate. Consider a series of smaller meetings in various settings rather than one big meeting where valuable community information may be missed.
- Other groups may prefer more formal meetings. Ask community leaders how, when, and where meetings might be best held.
- In communities where English is not the primary language, you will need to develop materials in the suitable language. Local community leaders may be willing to help you do this.
- Remember that people who speak English as a second language may have limited literacy in standard forms of their native language. Translations must use idioms they clearly

understand. Consult the Agency Limited English Proficiency Guidance for compliance with Executive Order 13125. http://www.epa.gov/civilrights/docs/lep_fs.pdf

- Cultural differences may affect how you implement your plan. Know and respect what is unique about the community where you are working. Sometimes, use of a third-party facilitator may help achieve public participation goals.
- In many communities where an historic tradition of oral communication persists (African-American, Hispanic), radio is far more influential than print media.
- Use local public service programs to relay your messages, and request placement of public service announcements (PSAs). EPA's Office of Public Affairs can help you produce PSAs.
- People outside government service see little difference between agencies and levels of government. To them, you are "the government." Be prepared to politely refer questions not related to your project to appropriate agencies.
- People in EJ communities may not trust or, in some cases, may fear "the government" because of perceived or actual breaches of trust or experiences of injustice.
- EJ communities are more likely to need help to participate than more affluent or highly educated communities. Consider providing financial assistance for participation, such as scholarships to attend critical meetings, or technical assistance to decipher complex Agency findings. (See the brochure for Step #3, "How to Provide Technical and Financial Assistance for Public Involvement.")

Additional Resources

The Model Plan for Public Participation. Office of Environmental Justice, National Environmental Justice Advisory Committee. EPA-300-K-00-001 <http://www.epa.gov/oeqa/ej/main/nejacpub.html>

Public Involvement Techniques for Transportation Decision-Making with Ethnic, Minority and Low-Income Groups. U.S. Department of Transportation. <http://www.ftwa.dot.gov/reports/pittd/contents.htm>

"...even though a group may be identified and targeted as under-served, there is still an incredible amount of diversity within any given group. If you're serious about making an impact, you've got to educate yourself about them."

Johnathan Hilton, Self Reliance Foundation - Acceso Hispanico Dialogue on Public Involvement in EPA Decision Making