

Collaboratively Addressing the Growth of the Port Industry to Ensure Environmental Justice

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Master of Environmental Studies 2008

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Abstract

The activities involved in the operation of U.S. Ports provide an enormous boost to the local and national economy. At the same time, however, they can have profound adverse impacts on public health and the environment. Moreover, these impacts disproportionately affect local communities, many of which are poor and minority. Due to the Supreme Court's limitations to Title VI of the Civil Rights Act of 1964 and the fact that ports are one of the most poorly regulated sources of pollution in the world, the need for new strategies to address this environmental injustice is as important as ever.

One of the most promising avenues to address this growth and its' accompanied adverse impacts is the use of collaborative problem solving. Collaborative problem solving allows for greater investment on the part of the various participants involved in the program and, most importantly, achieves the dual objectives of allowing for both industry growth and improved environmental quality.

U.S. Port Industry

- Gateways to domestic and international trade
- 360 Commercial sea and river ports
- Import and Export more than 2 billion tons a year
- Over 8 million Americans employed in port-related jobs (2006)
- Generated over \$107 billion in personal income and \$35 billion in governmental taxes

Industry Growth

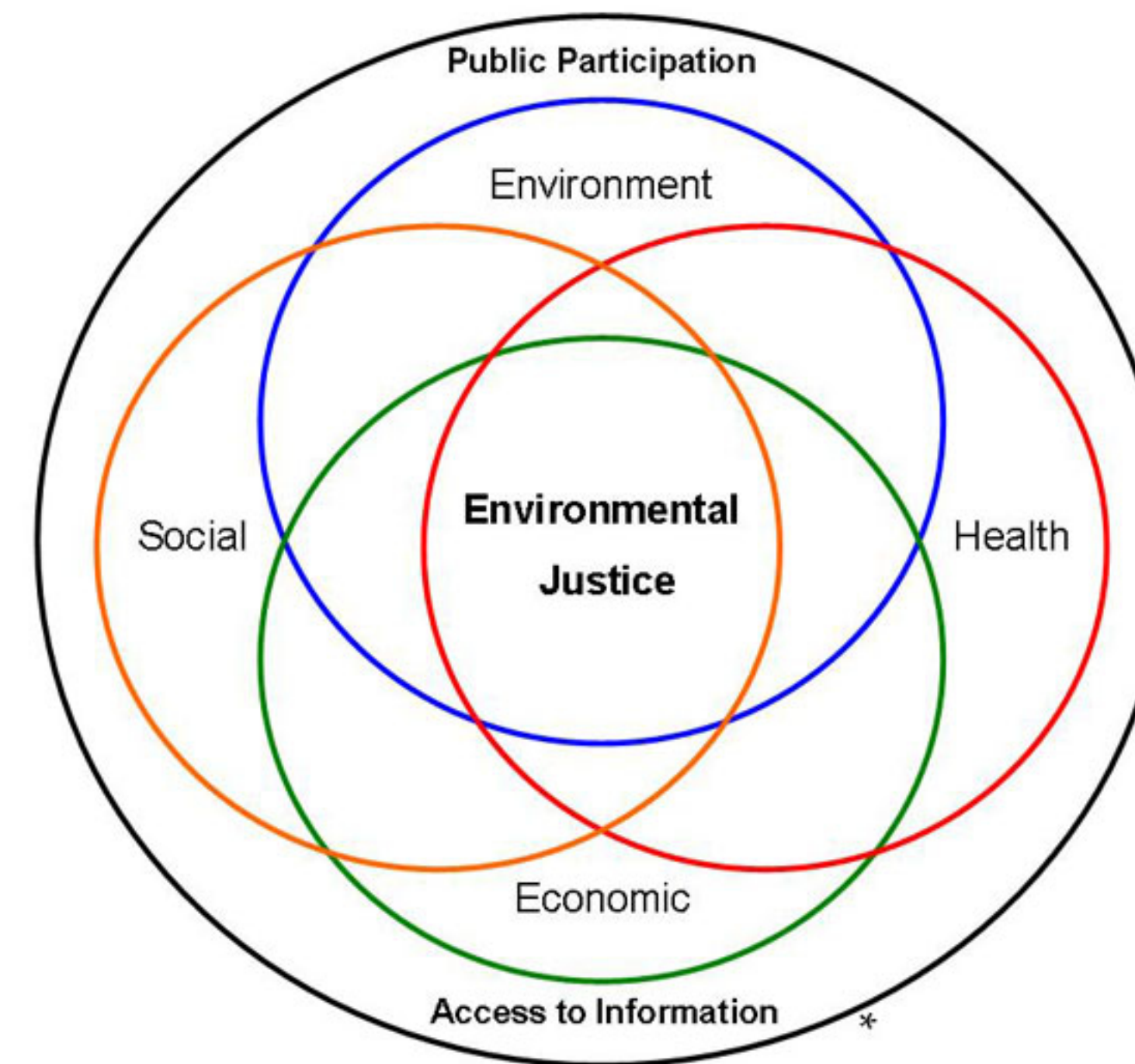
- 2000: Port activity contributed \$700 billion to GDP
- 2006: Port activity contributed \$1.3 trillion to GDP
- By 2020, total volume of cargo shipped by water is expected to be double that of 2001 volumes

Port Activities

- | | |
|----------------------|----------------------------|
| ➤ Transport of Goods | ➤ Smaller Scale Operations |
| • Ships | • Welding |
| • Cranes | • Surface Preparation |
| • Trucks | • Painting |
| • Rails | |

Adverse Environmental and Public Health Effects

- Caused by:
 - Air Toxins
 - Diesel particulates
 - Water Discharges
 - Stormwater runoff
 - Ballast Water
 - Bad Land Use Decisions
- It is predominately low-income communities of color who bear the majority of these adverse impacts



Environmental Justice

"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." (U.S. EPA)

History and Important Facts

- 1982 - EJ movement captures national attention in Warren County, NC
- 1983 - U.S. GAO finds that 3 out of 4 waste sites located near minority communities
- 1987 - Race is identified as most significant factor in siting of hazardous waste sites
- 1992 - *National Law Journal* alleges U.S. EPA engages in "environmental racism."
- 1992 - U.S. EPA established Office of Environmental Justice
- 1994 - President Clinton issues Executive Order 12898
 - "directing *federal agencies* to develop *environmental justice strategies* to ... address disproportionately high and adverse human health or environmental effects of their programs on *minority* and *low-income populations*."
- U.S. EPA implements its own Environmental Justice Regulations

Limitations to U.S. EPA Regulations

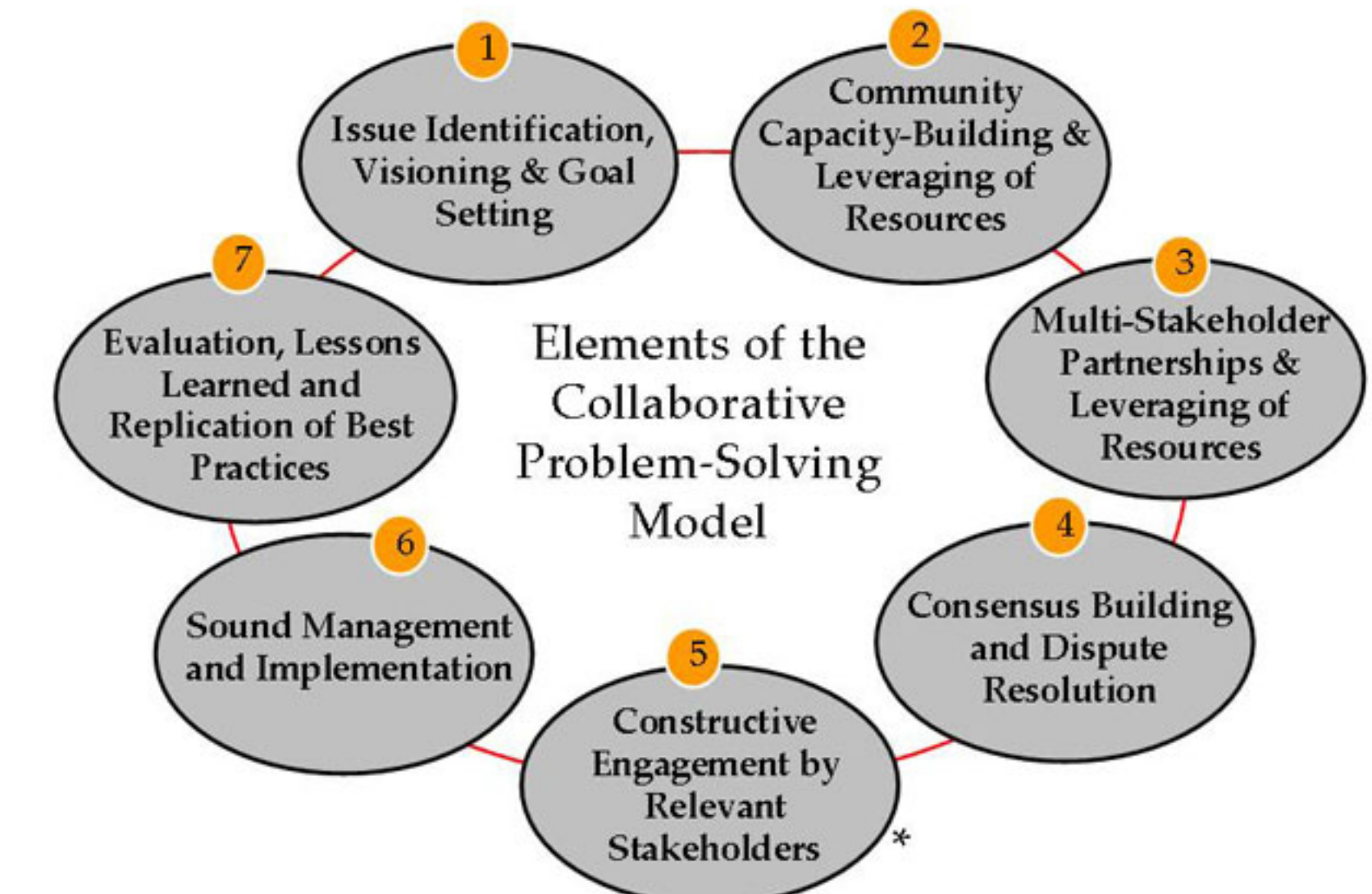
- Only restrict recipients of federal funds
- Lack teeth
- Only option is to withdraw funding
 - U.S. EPA would then have to take over the responsibilities of the particular agency program(s)

Collaborative Problem Solving

- Brings all key stakeholders together
 - Effected Communities
 - Government, at all levels
 - Quasi-governmental agencies (Port Authorities)
 - Industry Representatives
 - Others (Academia, Health and Environmental Orgs., etc.)
- Allows for the open exchange of information and broader range of expertise
- Stakeholder relationships improve
- Can lead to mutually acceptable, comprehensive solutions that enhance environmental quality while also allowing for growth.

U.S. EPA's Environmental Justice Collaborative Problem Solving Model

- Serves as a guide to help stakeholders ensure environmental justice
- Addressing the Model's seven elements inclusively can successfully lead to a collaborative stakeholder agreement



Conclusion

- Growth of the U.S. Port Industry is paramount to the continued development of the national economy
- That growth, however, must be matched with increased environmental and public health protection
- Most promising avenue to accomplish both objectives is the use of collaborative problem solving

References

*Both models adapted from the U.S. EPA Office of Environmental Justice
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