

# Environmental Laws and Alternative Dispute Resolution: Tools for Environmental Justice

## Environmental Laws Can Help You Achieve Environmental Justice IN *YOUR* COMMUNITY

### Introduction

Environmental laws can be used to address community health concerns and exposure to environmental harms and risks. They give community residents the:

- Opportunity to evaluate proposed projects; and
- Tools to ensure that decisions affecting the community are made properly.

Even though environmental problems may be very complex, knowing the basic opportunities for relief and using the tools provided in environmental laws can help community residents make sure that government decisions consider environmental justice issues. This understanding allows community residents to increase public participation, and work more effectively with others (from government to the private sector) to address environmental justice problems.

### Using Laws to Promote Environmental Justice

Environmental laws address a wide variety of environmental issues that may be faced by a community. However, there is no single law that addresses all environmental problems. Rather, there are many different laws that address different types of issues. Also, there is not one law that expressly addresses “environmental justice” issues. The statutory authority to address environmental justice concerns is based on general environmental laws that are intended to protect all people regardless of race, ethnicity or income status. The laws address environmental pollution and cover contamination of air, water, soil, or food supplies by toxic and other pollutants. These laws are mainly administered by the U.S. Environmental Protection Agency (EPA) and delegated state or tribal governments. Please see the sidebar for examples of these laws.

Examples of  
Environmental Laws  
Used to Promote  
Environmental Justice:

- Clean Air Act (CAA), which addresses the quality of the air you breathe, including specific pollutants;
- Clean Water Act (CWA), which addresses pollution of our rivers, lakes, streams and estuaries;
- Safe Drinking Water Act (SDWA), which addresses the safety of our drinking water and groundwater contamination; and
- Resource Conservation and Recovery Act (RCRA), which addresses hazardous and solid waste disposal.

## **Environmental Justice in Your Community, continued**

There are other environmental laws that address protection of natural systems. These laws are administered by other federal agencies. For example:

- The U.S. Department of Interior's Fish and Wildlife Service implements the Endangered Species Act (ESA), which addresses the protection of flora and fauna in relationship to man's activities.
- The U.S. Department of Agriculture's National Forest Service implements the National Forest Management Act (NFMA), which addresses protection of forests in relationship to man's use.

It should be noted that other laws, at both the state and federal level, can be used to address environmental justice issues.

## **Role of the Community**

By understanding and using the many diverse tools provided by environmental laws, community members can promote environmental justice. For example, environmental laws can help community members:

- Identify fully the impacts of agency actions and decisions on environmentally burdened communities;
- Advocate for agency decisions that are aimed at remedying and preventing disproportionate impacts; and
- Ensure that communities have meaningful input in identifying impacts, making decisions, and implementing environmental programs that affect them.

Community residents are ideally placed to:

- Identify their environmental justice concerns to the government;
- Provide facts that can support government action to address those concerns; and
- Monitor follow-up actions to make sure those concerns are resolved.

With an understanding of environmental laws—their purpose, obligations imposed on the government and the regulated community, and the tools they provide to community residents—community residents can make a lasting impact on the health and well-being of their community.