



# Environmental Justice Primer for Ports

The Good Neighbor Guide to Building Partnerships and Social Equity with Communities



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## Acknowledgements

The Ports Primer and Community Action Roadmap have been developed by the Environmental Protection Agency's Office of Transportation and Air Quality (OTAQ) in partnership with Regional Offices and the Office of Environmental Justice to support ports and near-ports communities in improving local quality of life.

## How to Use this Document

This document offers guidance for ports seeking to build partnerships and social equity with near-ports communities. The Introduction section provides background for the use of this document and its companion documents, the Ports Primer for Communities and the Community Action Roadmap.

Section A provides a primer on environmental justice and effective community engagement.

Section B provides a roadmap for six key steps to build partnerships and social equity. The Overview provides an outline of the roadmap and a diagram of the steps. Each step is described in more detail on the remaining pages, along with sample exercises.

The Appendix offers a timeline of the environmental justice movement as well as additional resources to assist with implementation.

## Additional Educational Resources

As a result of the pilot projects, new tools have been developed that are part of the Port and Near-Port Community Capacity-Building Toolkit being hosted on EPA's Office of Transportation and Air Quality website. [Click here](#) to explore the new tools!

## Welcome!

The Environmental Protection Agency's (EPA's) Office of Transportation and Air Quality (OTAQ) developed this guidance, *The Environmental Justice Primer for Ports: The Good Neighbor Guide to Building Partnerships and Social Equity with Communities* (The *Environmental Justice Primer for Ports*). It is intended to help port decision-makers better understand the needs of near-port communities, how they can help address these needs, and build productive community relationships during planning activities and operations.

The *Environmental Justice Primer for Ports* features case studies that reflect a range of port experiences, including ports with extensive community engagement experience and those just starting to interact with nearby communities. Section A provides port decision-makers with an overview of environmental justice principles and how they apply within the context of port operations and decision-making. Section B provides a step-by-step guide to enhance community engagement, build and strengthen relationships, and improve quality-of-life outcomes for near-port communities.

This guide for decision-makers at ports, related facilities and regulatory authorities complements the *Ports Primer for Communities* (Figure 1) and the *Community Action Roadmap* (Figure 2), which provide guidance for near-port communities seeking to participate in port planning and decision-making. While this guide is focused on ports, it could also be used for other goods movement activities and sectors.

## Background

The business case for proactive engagement with near-port communities is compelling. Global climate change, natural resource depletion and international competitiveness are shifting business models to a triple-bottom-line approach that includes social, economic and environmental performance measures. Consideration of social and environmental impacts has become a defining characteristic of forward-thinking businesses and governments. These leaders benefit from increased community and stakeholder trust as well as resource efficiency and innovation.<sup>1</sup> These approaches also help businesses and governments meet regulatory requirements and avoid risks and losses from lack of community support, negative press and litigation.



Figure 1: *Ports Primer for Communities*

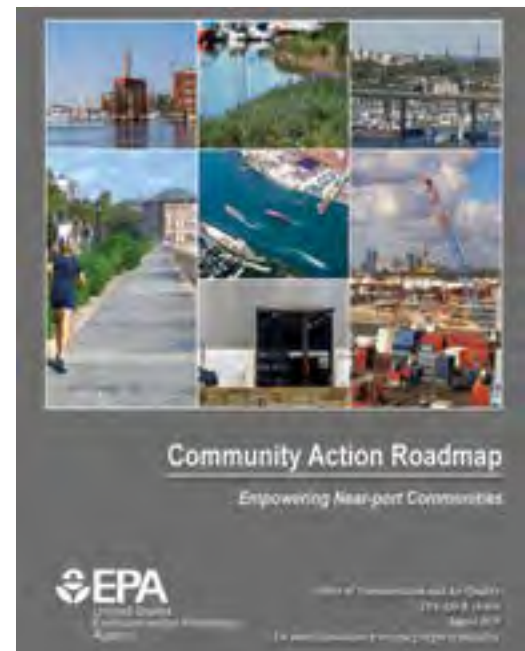


Figure 2: *Community Action Roadmap*

Ports play an important role in sustaining local, regional and national economies. Port operations and associated travel and freight transport activities also impact near-port communities. They can cause cumulative environmental challenges such as air, water and land pollution, as well as land use conflicts that impact local quality of life. As port decision-makers consider how to address community impacts, they are balancing a range of new industry challenges, including climate adaptation, post-Panamax shipping infrastructure needs, and workforce development.

The *Environmental Justice Primer for Ports* provides tools and resources for ports agencies to proactively engage community stakeholders in addressing these pressing challenges to ensure shared prosperity and regional resilience.

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# Section A: The Environmental Justice Primer for Ports



# Defining Environmental Justice

## Origins of the Environmental Justice movement

Communities of color and low income and tribal communities have historically been home to many toxic and polluting facilities and land uses. These communities bear a disproportionate impact from environmental hazards.<sup>2</sup> EPA acknowledges, “these communities face an array of challenges, including proximity to polluting facilities, barriers to participating in decision-making processes, disproportionately high levels of chronic disease, neighborhood disinvestment, and poor or no access to jobs and services.”<sup>3</sup>

In response to these disproportionate impacts, many local civil rights, faith-based and labor organizations across the country began to organize the environmental justice movement (as shown in the timeline on page 36) to demand racial equity and drive the environmental justice public policy debate over the past three decades. The environmental justice movement seeks to ensure fair treatment and equal protection under the law for all communities to avoid disproportionate environmental impacts from proposed plans, projects and operations.

## What is environmental justice?

EPA defines environmental justice as “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.”<sup>4</sup>

The EPA definition was developed 25 years ago to capture the federal government’s knowledge of the issue at that time and to provide an actionable definition for regulation. The environmental justice field has developed its own definitions based on people’s work and life circumstances. These definitions, which capture a vision that goes beyond regulatory requirements, include:

*Environmental Justice...refers to those cultural norms and values, rules, regulations, behaviors, policies, and decisions [that] support sustainable communities where people can interact with confidence that the environment is safe, nurturing, and productive. Environmental justice is served when people can realize their highest potential...where both cultural and biological diversity are respected and highly revered and where distributive justice prevails.*<sup>5</sup>

Bunyan Bryant

## Selected Principles of Environmental Justice from the First National People of Color Environmental Leadership Summit, 1991

### Environmental justice:

- Demands public policy be based on mutual respect and justice for all peoples.
- Mandates the right to ethical, balanced and responsible uses of land and renewable resources.
- Affirms the fundamental right to political, economic, cultural and environmental self-determination.
- Demands accountability and cessation of the production of all toxins.
- Demands the right to participate as equal partners at every level of decision-making.
- Affirms the right of all workers to a safe and healthy work environment.
- Recognizes a special legal and natural relationship of Native Peoples to the U.S. government.
- Affirms the need for policies to clean up and rebuild our cities and rural areas.
- Calls for education which emphasizes social and environmental issues.

There are 17 environmental justice principles that were adopted at the Summit.<sup>6</sup>

*Environmental Justice is the right to a decent, safe quality of life for people of all races, incomes and cultures in the environments where we live, work, play, learn and pray. Environmental Justice emphasizes accountability, democratic practices, equitable treatment and self-determination...<sup>7</sup>*

Asian Pacific Environmental Network

Both public- and private-sector organizations are adopting environmental justice policies to ensure their plans, projects and operations do not disproportionately impact vulnerable communities, and instead provide benefits to improve local quality of life. For example, the Environmental Justice Interagency Working Group (EJ IWG) brings together all federal offices to promote environmental justice in federal programs. Within

the private sector, many organizations from diverse sectors - ranging from food production, consumer goods, transportation and energy - are adopting environmentally and socially responsible policies and operational models as part of their corporate social responsibility and sustainability plans.

## Social equity in public policy and planning

While near-port communities may often experience direct or indirect impacts from port activities, many disproportionate impacts on near-port communities are the result of long-term policy and siting decisions across various levels of decision-making. Cumulative impacts for these communities include adverse health outcomes and reduced quality of life. In contrast, policies and decision-making tools that are non-discriminatory and promote equitable distribution of benefits and mitigation of burdens across society help advance environmental justice.

In the last few decades, the fields of urban planning and public policy have evolved rapidly to begin addressing social inequities and environmental impacts. In 2016, the American Institute of Certified Planners updated the professional planning Code of Ethics to underscore the commitment “to serve the public interest with compassion for the welfare of all people.” In addition, the planning field has developed new approaches focused on social equity, equitable development, smart growth and sustainable development, all of which can promote the principles of authentic community engagement and equitable access to jobs, transportation, housing and a built environment that promotes community health and wellbeing. Government, private and non-profit sectors are adopting these approaches in projects and planning efforts to protect and improve environmental quality and local quality of life.

## Social equity

*Equity [...] represents a belief that there are some things which people should have, that there are basic needs that should be fulfilled, that burdens and rewards should not be spread too divergently across the community, and that policy should be directed with impartiality, fairness and justice towards these ends.<sup>12</sup>*

EPA offers the following working definitions for these equitable planning approaches:

### Equitable Development

*Equitable development is an approach for meeting the needs of underserved communities through policies and programs that reduce disparities while fostering places that are healthy and vibrant. It is increasingly considered an effective place-based action for creating strong and livable communities.<sup>8</sup>*

### Smart Growth

*Smart growth covers a range of development and conservation strategies that help protect our health and natural environment and make our communities more attractive, economically stronger and more socially diverse...Smart growth approaches to development can help address long-standing environmental, health and economic disparities in low-income, minority and tribal communities.<sup>9</sup>*

### Sustainability and Sustainable Development

*The ability to maintain or improve standards of living without damaging or depleting natural resources for present and future generations.<sup>10</sup>*

*Sustainable communities grow in ways that expand economic opportunity, protect public health and the environment, and create and enhance the places that people love.<sup>11</sup>*

Equity can be considered within the following four categories:<sup>13</sup>

- Procedural Equity—inclusive, accessible, authentic engagement and representation in decision-making processes regarding programs and policies.
- Distributional Equity—programs and policies result in fair distributions of benefits and burdens across all segments of a community, prioritizing those with highest need.
- Structural Equity—decisions are made with a recognition of historical, cultural and institutional dynamics and structures that have routinely advantaged privileged groups in society.
- Transgenerational Equity—decisions consider generational impacts and do not result in unfair burdens on future generations.

# Impacts of Port Operations and Goods Movement

With each plan, project or program, port agencies have an opportunity to promote environmental justice and equitable development by seeking ways to reduce impacts and increase benefits to near-ports communities. This section describes common health and quality-of-life impacts on near-port communities that ports agencies can begin to remedy through more equitable decision-making over time.

## Port-related pollutants and health hazards

Near-port communities and tribes can face challenges due to sustained exposure to pollutants and toxins, and health impacts from this exposure can span across multiple generations.

### Air pollution

The emissions from goods movement through trucks, marine vessels, trains, cargo handling equipment as well as from stationary sources such as refineries, oil and gas storage facilities, power generation and storage of open coal piles found near port facilities can introduce many air pollutants with the potential to severely impact the health of near-port communities. Exposure to air pollution associated with emissions from diesel engines can contribute to significant health problems—including premature mortality, increased hospital admissions for heart and lung disease, increased cancer risk, and increased respiratory symptoms—especially for children, the elderly, outdoor workers and other sensitive populations.<sup>14</sup>

### Water pollution

Port operations can have a significant impact on neighborhood water quality. Runoff from impervious surfaces can carry pollutants that may prevent people from enjoying local creeks, lakes or bays, and from eating fish and shellfish from these waters. In some cases, community members may rely on fishing as a subsistence source of food.

### Light and noise pollution

Health impacts of light and noise pollution from port operations can include hearing impairment, high blood pressure and sleep deprivation.<sup>15</sup>

## Common Ports-Related Community Interests

### Land Use and Transportation Planning

- Public safety
- Competing land uses
- Impacts from nuisances
- Environmental justice
- Resilient adaptation

### Local and Regional Economies

- Post-Panamax shipping
- Jobs and job training programs
- Labor and working conditions
- Impacts on goods movement

### Environmental Impacts

- Air emissions
- Water pollution
- Public health impacts
- Ecological impacts
- Access to natural areas, including waterfronts and open space

## Cumulative impacts on quality of life

Environmental justice communities often experience stressors beyond health disparities such as neighborhood disinvestment, income inequality, public safety concerns around truck routes and rail crossings, and coastal-related threats from extreme weather events and climate change. In addition, the industrial super blocks, rail lines and highways surrounding ports can create barriers between residents and basic necessities such as grocery stores, health services, pharmacies, retail centers, transit and recreation spaces. Industrial features in near-port areas mean that near-port neighborhoods often lack adequate sidewalks, street trees, safe intersection crossings and other basic infrastructure.



## Inequitable distribution of benefits and burdens

The disproportionate impacts that may be experienced by these communities can be compounded when they do not receive the same level of benefits from port activities – such as jobs and economic growth – that are enjoyed regionally. Figure 3 shows how stressors from air pollution and socio-economic factors create cumulative impacts on near-port communities.

The disparities in environmental burdens and economic benefits disproportionately affect low-income communities and communities of color and can also be exacerbated by long-term disinvestment and challenging socioeconomic conditions. For example, Figure 4 shows that residents of near-port communities in Savannah, Georgia, and Houston, Texas, are predominately people of color and predominantly have below median household incomes. These communities often lack access to the time, resources, technical knowledge and political capital needed to address issues of concern.

It can be helpful for ports and port-related industries to maintain a focus on general disproportionality and equity objectives as it can be difficult to isolate the impacts of one source from another (e.g., air quality impacts from idling ships versus air quality impacts from surrounding transportation infrastructure). The impacts from these various sources can be disproportionately high in these communities. This strategy can help ports and near-port communities quickly begin meaningful engagement by acknowledging the disproportionate impacts and focusing on how they can provide solutions within their control and influence.

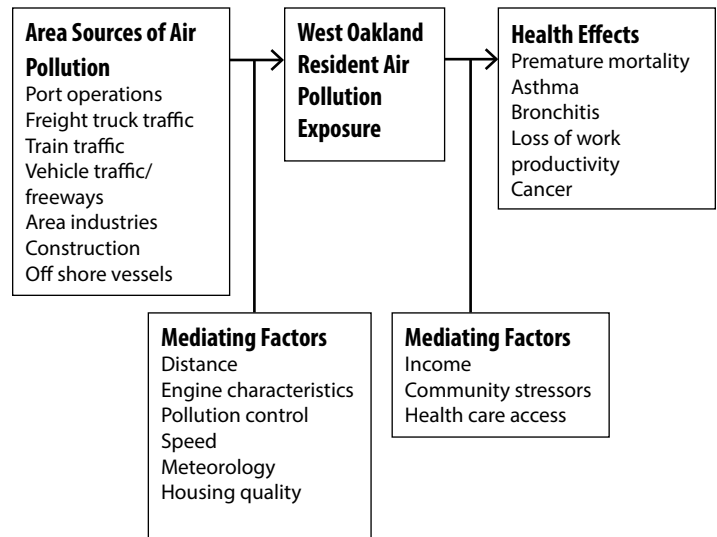


Figure 3: Air pollution. Figure 3 illustrates how stressors from air pollution and socio-economic factors can create cumulative impacts on near-port communities. Source: Health Impact Assessment for Port of Oakland (University of California, Berkeley)

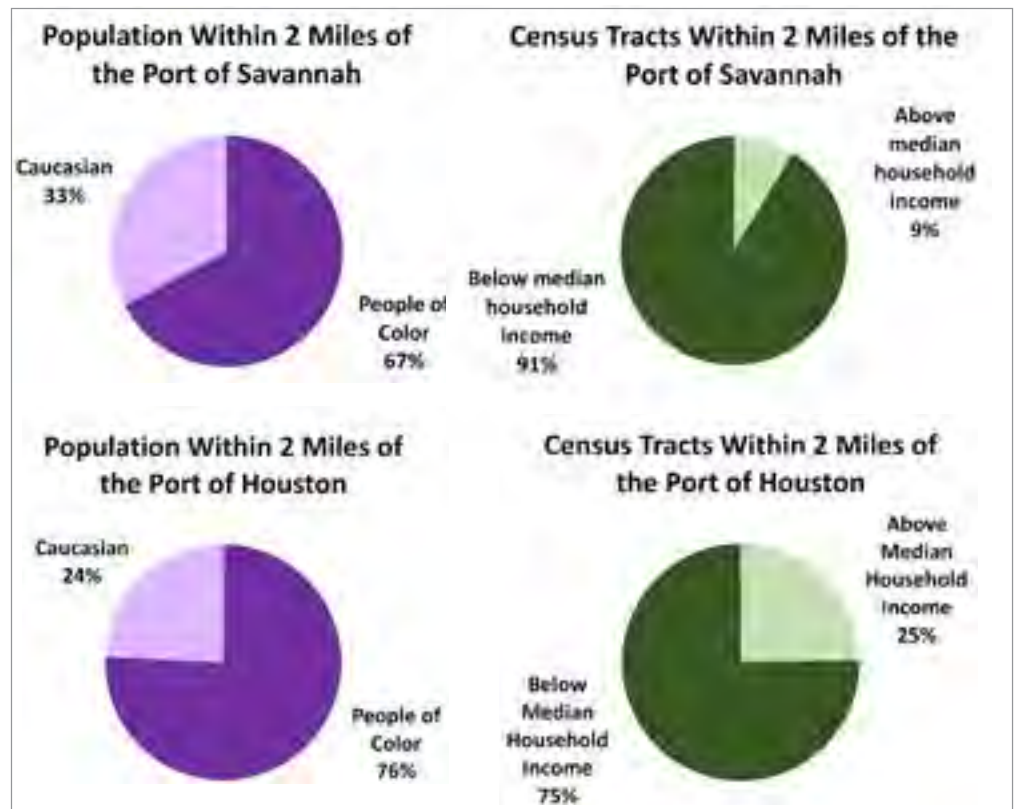


Figure 4: Near-port communities are most often low income communities of color and suffer disproportionate impacts from port operations. These charts demonstrate the demographics of the communities within 2 miles of the Port of Houston and the Port of Savannah. (Source: EPA, Ports Primer for Communities, Section 4.1)

# Considering Near-Port Communities in Port Decisions

## Benefits of Effective Community Engagement

According to *The Community Engagement Guide for Sustainable Communities*, community engagement is a process through which community members are empowered to own the change they want to see. The process involves communication, problem-solving, governance, and decision-making skills and strategies. The report summarizes the benefits of effective engagement as:

- Legitimacy and increased support for plans and projects.
- Improved community/government relations.
- Deeper understanding of the issues.
- Increase in community capacity to achieve equitable outcomes and leverage additional resources outside of public processes.
- Democracy in action.

Community engagement is, in many ways, a microcosm of American democracy in action. It is one of the best ways that community residents can connect to and shape local and regional decision-making processes.

Ports and near-port communities share infrastructure, regulatory jurisdictions, local governments and climate-related risks. While these communities face quality-of-life impacts, the ports face business risks and potential losses from non-compliance with legal obligations. Extreme weather events and climate change threaten both ports and near-port communities, requiring adaptation to increase resilience to these events. Port decision-makers can help communities and ports navigate these challenges and shared interests by providing opportunities for joint-problem solving. The goal is straightforward – a more compatible, sustainable and resilient future for all parties.

## Existing Condition Assessments

Existing conditions assessments can help ports and near-port communities establish shared understanding about conditions in near-port neighborhoods. This shared understanding can lead to more positive community engagement over the long term. Topics that could be covered in an existing conditions assessment include:

### Health Impacts

- Community exposure and risk assessment
- Individual exposure assessment
- Transportation and health
- Health professional shortage areas
- Medically underserved areas
- Subsistence exposure scenarios for tribal applications

### Exposure to Hazards

- Coastal flood exposure
- Multi-hazard mapping
- Storm surge
- Heat waves
- Drought
- Sea level rise
- Emergency response procedures
- Traffic safety

### Socioeconomic Data

- Race
- Ethnicity
- Income levels
- Age groups
- Family composition
- Employment profile
- Food accessibility

Community assessment tools are provided in the Additional Resources section.

The drivers for port decision-makers to engage near-port communities can be divided into three broad categories:

- Regulatory requirements
- Risk management
- Increased resilience and innovation

## Regulatory requirements

Most federal regulations require public participation as part of a new action or permit. Visit [PortCompliance.org](https://www.portcompliance.org) to review all potentially applicable federal regulations. Permits especially relevant to near-ports communities include the [Clean Air Act Title V permitting process](#) and the [Clean Water Act](#) stormwater and dredged or fill material permitting processes. In addition to public participation, the National Environmental Policy Act (NEPA) and Executive Order 12898 require consideration of impacts to nearby communities, and Executive Order 13175 requires that agencies must consult with tribes on all actions that could impact tribal communities. State and local regulatory requirements should be considered as well.

### National Environmental Policy Act

[NEPA](#) requires the evaluation of environmental impacts for major federal action, including issuing federal permits, typically resulting in an Environmental Assessment or an Environmental Impact Statement (EIS). Some parts of the NEPA process require agencies to provide meaningful opportunities for public participation.

Key stages in the process include:<sup>16</sup>

- When an agency starts a NEPA analysis.
- When a NEPA document is published for public review and comment.
- When mitigation alternatives are being considered.

Meaningful engagement with communities can occur prior to and throughout the entire NEPA process, including when defining the affected environment, identifying minority and low-income populations, assessing potential impacts, assessing potential alternatives, determining whether impacts are disproportionately high and adverse, and developing mitigation and monitoring measures.<sup>17</sup>

Methods used by agencies to engage communities

in scoping and development for EISs include public meetings, conference calls, formal hearings, informal workshops and opportunities to submit written comments. Specific guidance, methods and tools are available for analysis and consideration of environmental justice as part of the NEPA review process.

### Federal Executive Order 12898

Under federal [Executive Order 12898](#), all federal agencies are required to identify and address the disproportionate impacts of their programs, policies and activities on low-income communities and communities of color.<sup>18</sup> Near-port communities often reflect these demographics, making this requirement particularly relevant for ports where activities require a federal action, such as deepening or widening a harbor or channel, bridge elevations, and multimodal infrastructure investments. Executive Order 12898 requires an environmental justice analysis as part of a NEPA review. Further, Title VI of the Civil Rights Act of 1964 requires that recipients of federal funding (including BUILD [formerly known as TIGER] and Diesel Emissions Reduction Act [DERA]) not use those funds in a way that discriminates against protected groups as defined by the Civil Rights Act. The Civil Rights Act “prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.” In addition, Executive Order 12898 requires federal agencies to develop strategies to address environmental justice. EPA’s strategy includes an overarching effort to instill a culture among all federal agencies in which environmental justice is a priority by incorporating EJ language in applicable external funding opportunities. This cultural change is reflected in some federal grants, such as DERA, in prioritizing funding to areas that experience disproportionate adverse impacts.

### Tribal Rights and Executive Order 13175

Tribal communities often have special treaty rights that must be considered, such as access to and protection of treaty-protected rights, the health of plants and animals, federal trust responsibility protections, and government-to-government consultation. [Executive Order 13175](#) protects the sovereignty and right to self-determination of tribes and requires agencies to consult tribes on all policies, rules and guidance with tribal implications (TI).

Tribes have the authority to govern the environment within trust lands and other areas where they can demonstrate jurisdiction, which includes implementing

# Considering Near-Port Communities in Port Decisions

federal laws when they have delegated programs. Tribes also may have treaty rights in other areas that are important in protecting traditional lifeways such as subsistence hunting and fishing and cultural practices.

While part of the environmental justice community, tribal governments also carry a special distinction, conferred by statute, affirmed in the Clean Air Act and upheld by the Supreme Court, and their status as sovereign nations means that they have additional legal rights. Examples of such rights are the right to hunt, fish, gather and otherwise use the resources found in treaty-protected lands. In addition, the federal government has a trust responsibility to tribes, which is carried out through government-to-government consultation. With respect to emissions from ports, this means tribes must be not just consulted, but engaged as government-to-government partners, wherever and whenever there are federal permits or reviews. This may include consultation on emissions from the sources found in ports but may also include the use of waters in the ports areas, traffic in ports areas, historic and archaeological resources, and the health of the plant and animal species found in treaty-protected areas. Tribes may have additional considerations than other populations due to their subsistence lifestyle, to the higher-than-average prevalence of COPD, diabetes and asthma in tribal communities, and the use of resources for medicinal and ceremonial purposes. Also, places of cultural or spiritual significance can be impacted by pollution, as these places are likely to be outdoors rather than inside a building.

## Risk management

Community engagement as a potential risk management strategy may help avoid losses from regulatory delays and litigation due to non-compliance, community opposition and negative press (see Case Study 1).

The quality of port-community relationships has direct business implications for ports. Adversarial relationships with communities can lead to litigation and regulatory delays requiring significant time and resources. Taking a proactive approach to community engagement may provide more certainty during a decision-making process rather than reacting to unforeseen community resistance on the fly if proactive community engagement is not built into the process.

## CASE STUDY 1 | Los Angeles and Long Beach Ports: Air Quality Settlement Funding

In 2001, the Port of Los Angeles had plans to expand an existing shipping terminal. Residents in the San Pedro and Wilmington neighborhoods formed a coalition to oppose the expansion. Their concerns included increased pollution, blight, noise and congestion. Two San Pedro homeowner associations, the Natural Resources Defense Fund and the Coalition for Clean Air filed a lawsuit against the City of Los Angeles and the Port of Los Angeles, citing violations of the California Environmental Quality Act.

The lawsuit was successful and a landmark settlement followed. In 2003, a \$50 million fund was established to mitigate the impacts of port operations in San Pedro and Wilmington. This settlement also required that the Port of Los Angeles adopt pollution prevention measures. The measures, which included shoreside power for container vessels and alternative-fuel yard equipment, had never been implemented at a shipping terminal. The project reduced air pollution by a ton a day per ship, and became a model for future port development.

## Increased resilience and innovation

The need for community engagement goes beyond meeting regulatory requirements and risk management. The port industry sector is currently working on diverse priorities, ranging from infrastructure upgrades for post-Panamax shipping (the Appendix provides more information) and addressing transportation congestion to workforce development and the need for resiliency planning and adaptation to threats from climate change and sea level rise.

Proactive community engagement that identifies common interests between community needs and current challenges facing a port can provide a foundation for innovative, collaborative and meaningful solutions (see Case Study 2 and 3). A collaborative approach to community engagement can lead to win-win solutions for ports and communities. This means bringing together residents, community organizations, local and regional governments and agencies, non-profits, and area businesses to find mutually beneficial ways to address environmental, land use and employment challenges.

According to the National Cooperative Freight Research Program the transportation industry, leading companies have firmly enmeshed sustainability principles into their overall corporate missions. The increased recognition of the environmental and human impacts of supply-chain activities may lead to public pressure to quickly implement policies to reduce these impacts.<sup>19</sup>

### CASE STUDY 2 | Baltimore Port Alliance: Proactive Community Engagement

The Baltimore Port Alliance represents a coalition of maritime businesses. Its mission is to “improve the Port of Baltimore by creating a forum where information that impacts the Port Community (nearby residents) can be presented in a constructive environment and acted upon in support of the members and the Port as a whole.” At the 2013 and 2014 National Dialogue on Seaports, EPA recognized the Alliance as a model for engaging community stakeholders.

The Alliance has two subcommittees. The Education and Outreach Committee focuses on supporting educational partnerships with entities across the Chesapeake Bay region. The Environmental Committee is responsible for: (1) informing Alliance members about key environmental issues; and (2) sharing the port’s role in environmental stewardship with community stakeholders. Activities have included hosting compliance assistance workshops for the maritime community and participating in cleanup efforts across the Chesapeake Bay region.

### CASE STUDY 3 | The Harbor Community Benefit Foundation (Los Angeles)

The Harbor Community Benefit Foundation (HCBF) was founded in 2008 based on an agreement the Port of LA entered into with 17 environmental and community groups. As the port grows, so does the fund. The money is invested and grants are made from the interest.

HCBF’s mission is to “assess, protect, and improve the health, quality of life, aesthetics, and physical environment of the harbor communities of San Pedro and Wilmington, California, which have been impacted by the Port of Los Angeles.” Grant focus areas include an air quality mitigation program and a community benefit program. As of 2019, HCBF has invested \$6.3 million back into the Los Angeles community through 124 grants to 71 recipients.

For more information, including documentation on how the foundation is structured, see <https://hcbf.org/about>.

Ports, as integral parts of freight supply chains, will be expected to respond to this changing landscape within the transportation industry and enable their customers to reduce environmental and social impacts in order to stay competitive.

The table below shares examples of the collaborative decision-making opportunities that can emerge when ports and community partners come together.

Port Industry Challenges	Potential Opportunities	Ports Benefits	Community Benefits
<ul style="list-style-type: none"> <li>Infrastructure upgrades and expansions to accommodate post-Panamax ships.</li> <li>Transportation congestion.</li> <li>Container management.</li> </ul>	Land use planning and smart growth through port-community collaboration.	Reduced congestion and infrastructure upgrades.	Improved quality of life through minimized exposure to pollutants, enhanced public safety and environmental quality.
<ul style="list-style-type: none"> <li>Workforce development.</li> <li>Impact of national and international economic trends .</li> </ul>	Creating jobs and training workforce from near-port communities.	Employment-ready workforce.	Access to jobs and a robust local and regional economy.
<ul style="list-style-type: none"> <li>Environmental sustainability.</li> <li>Climate adaptation and resiliency planning.</li> </ul>	Shared planning for resiliency and sustainability.	Adoption of clean/renewable energy and resource efficiency from sustainable operations model, resiliency from climate impacts.	Healthy, livable and more resilient neighborhoods. Protection of treaty-protected resources.

Table 1: Port industry challenges and opportunities for collaborative decision-making to achieve mutually beneficial outcomes.

# Effective Community Engagement Methods

Meaningful community engagement is essential to environmental justice and relies on communicating directly with the impacted communities and providing a means for their input to inform decision outcomes. Creating a permanent Community Advisory Committee is an effective method for keeping a community well informed and gathering input. Ports may also designate a community liaison to ensure information flows between community leaders and port decision-makers.

## Defining community stakeholder groups

Community stakeholder groups can be divided into the following categories by their role in the process.

**Community Resident Groups:** community residents and resident organizations from near-port communities

**Community-Based Partners:** organizations working with near-port communities to support local goals

**Local Unions:** organizations representing workers at the port, goods movement industries and other groups.

**Tribes:** tribes have unique rights as sovereign nations.

**Government Stakeholders:** local, regional and federal government entities with port and community responsibilities

**Local Educational Institutions:** local universities, colleges, schools and minority serving institutions (historically black colleges and universities, tribal universities and Hispanic serving institutions)

**Local Environmental Groups:** environmental and/or environmental justice advocacy groups

**Internal Port Stakeholders:** port authority or agency departments

**Port-Sector Stakeholders:** port tenants, nearby industrial facilities and the goods-movement sector

Relations between the port and each of these groups can vary widely based on the degree of shared interests, trust level and past conflicts. Engagement efforts can tend to focus on those stakeholder groups with shared interests and low conflict. However, reaching out directly to impacted communities despite past communication challenges is essential to begin to understand community concerns and explore feasible ways to address concerns

## Productive Engagement Tips

1. Honor the wisdom, voice and experience of residents.
2. Treat participants with integrity and respect.
3. Be transparent about motives and power dynamics.
4. Share decision-making and initiative leadership.
5. Engage in continuous reflection and willingness to change course.
6. Be aware of tribal rights and issues.

Source: The Community Engagement Guide for Sustainable Communities, Policy Link

in planning and decision-making. The Resources section in the Appendix includes more information on the benefits of effective community engagement and approaches to collaborative problem-solving.

## Building relationships with near-port communities

Ports agencies may be more likely to reach impacted communities by placing public notices in media outlets frequently accessed by area residents such as local newspapers, radio stations and public access channels on cable television. Ports can collaborate with community leaders to distribute flyers, postcards and other materials to local churches, civic groups and community-based organizations. In communities with limited English proficiency, port agencies should translate public notices and information on public comment periods and provide interpreters at public meetings as necessary to ensure meaningful access. Port agencies should also provide information in accessible formats to ensure effective communication for persons with disabilities. Providing enhanced opportunities for community involvement in permitting decisions has been an effective way for industry sources to build positive relationships with neighboring environmental justice communities. Actions that can be incorporated into permit conditions include modifying truck traffic and rail freight routes to avoid movement through residential areas, reducing emission levels, monitoring fence-line air quality, and creating public access to waterfront parks.

## Determining the level of community engagement

The International Association for Public Participation’s (IAP2’s) Spectrum of Public Participation discusses public participation levels in increasing order of the potential impact of public involvement on decision-making (see Table 2).<sup>20</sup> Increased levels of engagement can lead to decisions with more public support, increased trust between stakeholders and more sustainable outcomes.

The appropriate level of community engagement can vary depending on specific outreach goals, timing, location, community culture and access to technology. It is important for decision-makers and institutions to be transparent with community members about the level of influence their feedback will have on a decision. In instances where the level of engagement is lower than the community would prefer, it is critical to be fully transparent about what is possible and why. Ideally, decision-makers and institutions should aim for the highest level of engagement possible – in some instances, this may mean forging new decision-making processes and structures to support higher levels of engagement than have been attempted in the past. Table 2 outlines IAP2 levels of engagement illustrated with example actions and considerations for selection.

Level of Engagement	Example Actions	Considerations
<b>INFORM</b> Build community support.	Conduct community outreach and education programs to share information early and often. Welcome opportunities to meet with the nearby community and host community events. Invite advisory groups and community organizations to engage with port decision-makers and other oversight bodies.	Builds broad-based local support. Ensures engagement that reflects issues and concerns identified by the broader community. Builds capacities for outreach, problem-solving and action.
<b>CONSULT</b> Invite feedback on proposed port projects and policies.	Invite feedback via public comment periods during formal decision-making processes. Invite public comments earlier in the process to provide time to respond to community needs.	Documents goals and concerns in the public record. Works well for a significant document or project proposal under public review. May inform further evaluation of alternative approaches.
<b>INVOLVE</b> Develop port-community collaborations.	Invite community members to serve on a Port Authority Board. Develop a collaborative venture between the port and community, such as piloting a new program. Provide job training and employment opportunities to individuals from the community. Provide internships and cooperative learning opportunities for local college students from the university community to build the partnership.	Empowers the community to provide direct feedback on specific decisions. Puts ports staff in a more proactive, problem-solving role. Increases the likelihood of exploring and achieving win-win solutions while minimizing conflict. Builds productive relationships to tackle bigger issues in the future.
<b>COLLABORATE</b> Build partnerships to mitigate port impacts.	Pilot a new program through a partnership with a local government or organization. Seek opportunities to partner with state or local agencies to mitigate an impact.	Builds community trust. Builds productive partnerships with local and regional governments and organizations. May mitigate only a portion of the full issue or concern.
<b>EMPOWER</b> Designate citizen representatives.	Create positions for community residents on the port’s governing board. Form a Community Advisory Group to advise the port on strategies for addressing community goals and concerns.	Helps community representatives become better informed about port constraints and requirements. Creates community ownership and buy-in for decisions. Builds a consistent and reliable process for addressing community concerns.

Table 2: Considerations for selecting the appropriate level of community engagements.

# Collaborative Problem-Solving

## Environmental Justice Collaborative Problem-Solving Model

The Environmental Justice Collaborative Problem-Solving Model defines collaborative problem-solving as when “various stakeholders agree to work together to address a particular issue or concern... Such collaboration fosters the conditions that enable the parties to mobilize the resources necessary to realize stronger, more lasting solutions.”<sup>21</sup> The Environmental Justice Collaborative Problem-Solving Model (CPS) includes the following seven elements:

Element 1: Issue Identification, Community Vision and Strategic Goal Setting

Element 2: Community Capacity-Building and Leadership Development

Element 3: Consensus Building and Dispute Resolution

Element 4: Multi-Stakeholder Partnerships and Leveraging of Resources

Element 5: Constructive Engagement by Relevant Stakeholders

Element 6: Sound Management and Implementation

Element 7: Evaluation, Lessons Learned and Replication of Best Practices

## Consensus Building

At the heart of collaborative problem-solving is consensus building. Building consensus means seeking agreement among different and, often times, competing interests by encouraging all participating stakeholders to seek common ground and derive mutual gains. Consensus building requires members to work together to seek creative solutions to meet the needs and interests of each member of the group.

## Dispute Resolution

A dispute happens when a conflict between different parties has reached an impasse. Dispute resolution processes can be legally mandated or consensual. Enlisting a neutral third-party facilitator or mediator can greatly assist in resolving disputes productively and provide the parties with greater control over the process and outcomes. Disagreements about facts or the interpretation of data may arise in virtually all situations involving disproportionate environmental and/or public health issues. When disagreements about facts or data

## Tips for Building Consensus and Resolving Disputes

- Design processes, both formal and informal, to ensure fair treatment and meaningful participation of all stakeholders.
- Promote the development of a common vision and goals among all partners.
- Use facilitators or mediators to assist in the communication and negotiation process.
- Identify, nurture and promote win/win scenarios and mutual gains.
- Use alternative dispute resolution techniques to resolve crystalized disputes.

occur, the stakeholders can jointly choose to use an expert or team of experts to conduct neutral fact-finding.

## Community Benefits Agreements

A Community Benefits Agreement (CBA) is an agreement between developers, public and private entities, and community-based organizations to address concerns or harms. CBAs represent community concerns and directly relate to the land use and/or environmental impacts of the proposed development.

Past CBAs have included a range of benefits, including construction of affordable housing, job hiring commitments, living wage jobs, new public facilities and amenities, new or improved transportation infrastructure, environmental remediation, and commitments to sustainable construction practices.

CBAs can play an important role in engaging near-port communities and ports in mutually beneficial partnerships. Employment and job training is a particularly important issue for near-port communities. A port and community entering into a job training and labor agreement that pertains to a new development project proposed by the port is an example of a CBA. Existing conditions assessments can compare the conditions in near-port communities with conditions across the region to assess potential disparities and establish a baseline for improving quality of life.



The key steps in developing effective CBAs include:<sup>22</sup>

- Conduct a technical assessment of local conditions.
- Identify key stakeholder groups.
- Conduct a needs assessment (derived from interviews with stakeholders).
- Decide CBA legal framework and terms.
- Build community capacities to sustain partnerships and investments:
  - » Cross-cultural relationships.
  - » Collaborative problem-solving.
  - » Targeted technical assistance.
- Monitor outcomes.

### Tools

- **Environmental Justice Collaborative Problem-Solving (CPS) Model:**<sup>23</sup>  
Systematic community-based approach for stakeholders to achieve lasting solutions for local environmental and public health issues and concerns.
- **Collaborative Governance:**<sup>24</sup>  
Public and private



Figure 5: EPA's Environmental Justice Collaborative Problem Solving (CPS) Model

stakeholders come together in collective forums with public agencies to engage in consensus-oriented decision-making regarding agency plans and actions.

- **The Community Action for a Renewed Environment (CARE) Model:** The EPA CARE model provides partnership approaches and methods to empower communities to collaboratively investigate environmental issues and reduce toxic emissions. The [CARE Community Resource Guide](#) outlines the CARE model, which is summarized in Table 3.
- **Working Effectively with Tribal Governments:** This tool provides an understanding of the unique status of tribes, their historical relationship with the federal government, and how it affects government programs, responsibilities and initiatives.
- **Asset-Based Community Development (ABCD):**<sup>25</sup> A strategy for sustainable, community-driven development. Beyond the mobilization of a particular community, ABCD focuses on linking micro-assets to the macro-environment. The appeal of ABCD lies in its premise that communities can drive the development process themselves by identifying and mobilizing existing – but often unrecognized – assets, and thereby respond to and create local economic opportunity.

Stage in the CARE Process	Part of the Resource Guide
The community, in partnership with EPA, creates a collaborative problem-solving stakeholder group representing community stakeholders.	Part I: Getting Started and Building Relationships
The stakeholder group assesses the community's toxic exposure problems.	Part II: Understanding the Risks in Your Community
Partnering with EPA, the stakeholder group selects and funds projects designed to reduce risk and improve the environment.	Part III: Methods to Reduce Your Exposure
The stakeholder group tracks progress, evaluates programs and develops new ways to bring funds and new partners into the community to fund further risk reduction measures.	Part IV: Tracking Progress and Moving Forward

Table 3: The CARE model can be adapted to engage near-port community, public agencies and other stakeholders. The *CARE Community Resource Guide* provides references to effective planning and implementation of the model.

# Planning and Decision-Making Tools

Port decision-makers and organizations face complex challenges that can benefit from a comprehensive approach to social, economic and environmental priorities. This section shares tools that can help port decision-makers maximize the value of community engagement throughout planning and decision-making processes. Tools include:

- Impact assessments
- Performance measures
- Monitoring and reporting

## Impact assessments

Impact assessment tools evaluate social and environmental impacts on communities, guiding informed selection of strategies and decision-making. The Resources section in the Appendix includes a range of assessment tools to explore.

- Environmental Impact Assessments (EIAs): evaluation of the likely environmental impacts of a proposed project or development, taking into account socioeconomic, cultural and public health impacts.
- Strategic Environmental Assessments (SEAs): a comprehensive process of identifying and evaluating the environmental consequences of proposed policies, plans or programs on par with social and economic considerations. An SEA is considered to be a proactive and sustainability-driven assessment.
- Human Health Risk Assessments (HHRA): a process to estimate the nature and probability of adverse health effects in humans who may be exposed to chemicals in contaminated environmental media, now or in the future.

- Health Impact Assessments (HIAs): a process that helps evaluate the potential health effects of a plan, project or policy before it is built or implemented. An HIA can provide recommendations to maximize positive health outcomes and minimize adverse health outcomes. The Human Impact Partners' report on [Community Participation in Health Impact Assessments](#) discusses the



Figure 6: Community Participation in Health Impact Assessments report

value of authentic community engagement in HIA practice.

- Social Impact Assessments (SIAs): a systematic review of potential impacts on the day-to-day quality of life of people and communities whose environment is affected by a proposed project, plan or policy change. The [Using Social Impact Assessments to Create Opportunities for Communities](#) report presents the process to leverage SIAs for community benefits.

## Performance measures

A performance measure is a unit of information measured over time to help evaluate and report progress toward goals. Determine a starting baseline and a desired target to effectively track performance measures over a pre-established period. Performance measures can include inputs (the amount of investment), outputs (the resulting change in operations) and outcomes (the change in the social or environmental conditions). The following resources provide additional considerations for establishing and tracking performance metrics:

- [Measurement Tips and Resources for Community Projects \(EPA CARE Program\)](#)
- [Evaluation Metrics Manual: Chapter 6 - Capacity-Building \(National Institutes of Health\)](#)

The tools below provide a robust set of goals and performance indicators for measuring community quality of life.

- [Star Community Rating System](#): built around eight goals and objectives, including built environment, climate and energy, economy and jobs, education, arts and community, equity and empowerment, health and safety, natural systems, and innovation and process.

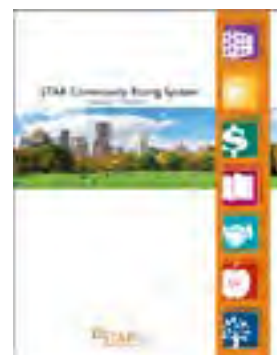


Figure 7: STAR Communities Index

- [EcoDistricts Protocol](#): performance standards based on: (1) Imperatives: equity, resilience and climate protection; (2) Priorities: place, prosperity, health and wellness, connectivity, living infrastructure; and (3) Resource Restoration and Implementation: formation, roadmap and performance.

- **Envision Rating System:** performance measured by five key indicators – quality of life, leadership (collaboration-based model), resource allocation, natural world, and climate and risk.

## Monitoring and reporting

Strategic plans and project action plans can include periodic monitoring and assessment timelines. Measuring indicators of performance can help assess progress toward port and community goals. When identifying what to monitor and report, consider employing citizen science (also known as community science and described to the right) to engage the community in monitoring an issue of concern. Reporting back to the community helps bring transparency and accountability to port operations. Prioritizing social media communications can help reach individuals with limited desktop computer access or people with limited ability to comment at in-person meetings.

- **Annual Progress Reports (APRs):** track progress on individual goals, action plans or all performance indicators comprehensively. The Port of Long Beach's APR shares business, environmental and social responsibility accomplishments.
- **Newsletters:** easily accessible media that can share port progress updates with a wide audience. Newsletters can be published regularly to encourage ongoing community engagement.



Figure 8: Annual Progress Report, Water Resource Action Plan, Port of Long Beach

## Citizen Science and Community-based Participatory Research

Citizen science (also known as community science) can empower communities to better understand local environmental conditions, provide a vehicle for analyzing and sharing that data, and advocate for positive environmental and community change. Citizen science projects recognize the value of engaging the public in scientific investigations. Community members can participate in or lead research efforts both by analyzing existing data and by gathering new data for analysis.

Citizen science is a form of community-based participatory research (CBPR). As defined by the W.K. Kellogg Foundation Community Health Scholars Program, CBPR is a “collaborative approach to research that equitably involves all partners in the research process and recognizes the unique strengths that each brings. CBPR begins with a research topic of importance to the community, has the aim of combining knowledge with action and achieving social change to improve health outcomes and eliminate health disparities.”<sup>26</sup> For example, EPA's Air Sensor Toolbox for Citizen Scientists provides information and guidance on new low-cost compact technologies for measuring air quality.

- **Web updates and social media announcements:** share regular updates, request feedback and build relationships.
- **Programs and events:** ongoing activities provide opportunities for education, building awareness and problem-solving focused on shared port and community issues.

### CASE STUDY 4 | The Port of Portland: Swan Island Air Quality Project

The Port of Portland funded a two-year community involvement program in coordination with a study that explored levels of chemical emissions from nearby industrial facilities and the potential for exposure and health impacts on the local community. The port identified environmental, political and business reasons to conduct the study and sought data in a conscientious and careful manner. The port created a Task Force that included the shipyard operator, the Oregon Department of Environmental Quality, three neighborhood associations, and two outside experts on toxic health and environmental issue communications. Through this initiative, the shipyard operator agreed to eliminate certain paints, improved practices and changed operational technologies, provided a model for technical and community input on the state hazardous air pollution program, increased public education, and improved relations between communities, businesses, agencies and the port.

# How Are Ports Engaging Communities?

## Policies, programs, initiatives, partnerships and agreements

The following examples represent a variety of ways that ports have engaged with near-port communities:



### Port of Oakland, CA

The [Social Responsibility Division](#) “aims to facilitate inclusion, fairness, equity, as well as access to economic opportunities, programs, and services of the port for the people and businesses in the Port community.” The port supports this goal through proactive [community relations](#) and [community engagement](#) programs and community-positive policies, including the [Commitment to Accountability & Transparency](#) and [Powering Jobs, Empowering Communities](#).

### Port of Bellingham, WA

The [port’s mission](#) is based on its commitment to “work cooperatively with other entities, within the framework of community standards.” The port has an extensive [community outreach](#) program as well as cross-sector projects such as [Waterfront District Redevelopment](#) with the city. Public involvement is highly regarded, and the port incorporates varied views while making difficult decisions, such as through the [Community and Environment program](#) that links community and environmental health.

### Port of Baltimore, Maryland Port Administration, MD

The port is “committed to being a good neighbor” and meet its obligations for “improved air and water quality, reduction of impacts to the Patapsco River and the Chesapeake Bay, and sound environmental management.”

The [MPA Environmental Strategy 2015](#) forms the basis of the Greenport program that includes mitigation projects under environment, port operations and community.

### Port Authority of New York and New Jersey

In alignment with its commitment to “safeguarding the land, water, air, natural resources, flora, fauna people and their interrelation,” the port’s [Government and Community Relations Department](#) manages programs, partnerships and federal initiatives, and the port undertakes several [environmental initiatives](#) and [environmental stewardship](#) programs focused on clean air, harbor restoration and shoreline stabilization.

### Port of Seattle, WA

The port offers boat tours of area waterways to help people understand its mission, operations and environmental initiatives. The boat tours, since 2017 after the port’s participation in EPA’s Environmental Justice Capacity Building Project, are designed for English, Spanish, Cambodian and Vietnamese speakers and feature information presented in plain language with technical details available if desired. Additionally, the port has recently created an [Equity Department](#), and the [Duwamish Valley Community Equity Program](#).

### Port of Portland, Oregon

The port’s comprehensive [Environmental Policy](#) combines natural resource, community and stakeholder relations, performance monitoring and evaluation requirements.

The port’s [environmental](#) efforts focus on air quality, energy management, land quality, natural and water resources. They also have several [community engagement](#) advisory committee activities.

### Port of Houston Authority

The Port Authority is the first U.S. port to attain the world standard for [environmental excellence, ISO 14001](#). In 2017, the port adopted an environmental policy to: protect and preserve the natural environment including complying with laws and regulations, conduct business to prevent pollution and sustainability, engage with stakeholders, be a leader in environmental stewardship, and continually improve environmental performance.

The port approved a [community engagement plan](#) in 2015 that provides a framework for effectively engaging and supporting communities while efficiently leveraging and optimally utilizing resources.

### Port of Los Angeles, CA

The port-wide [Project Labor Agreement \(PLA\)](#) is a ten-year agreement between the harbor and local building and trade unions to address unemployment and underemployment in neighborhoods near the Port of Los Angeles and seeks to advance the skills of local workers.



## Section B: Good Neighbor Roadmap



# Overview

## Using the Good Neighbor Roadmap

Have port staff experienced repeated community meetings characterized by anger and frustration? Or spent hours responding to public comments that do not seem related to the decision at hand? These are common agency experiences when sharing decisions with highly impacted communities. However, they can often be avoided by taking a proactive approach to building community relationships.

This Good Neighbor Roadmap outlines six key steps for effectively engaging communities in ports decision-making. While the steps follow a set order (see diagram on page 21), start with the step that best fits your needs and circumstances. Timeframes for each step will vary depending on the local context. Over time, port decision-makers may cycle through the steps several times as part of addressing new issues and strengthening local partnerships.

## Selecting a starting place

The scenarios below provide examples of how different port agencies may approach using the Good Neighbor Roadmap. These scenarios are only two of many situational dynamics that the Roadmap could address.

**Scenario A** – The community has persistently raised a particular issue and your port is considering how to address it within the scope of port planning and operations. You could start with Step 4 – Identify Levers for Change – and identify plans or projects that might best address the issue. Your port could then choose to circle back to Step 2 – Build Relationships – to assess priority relationships with residents and local organizations.

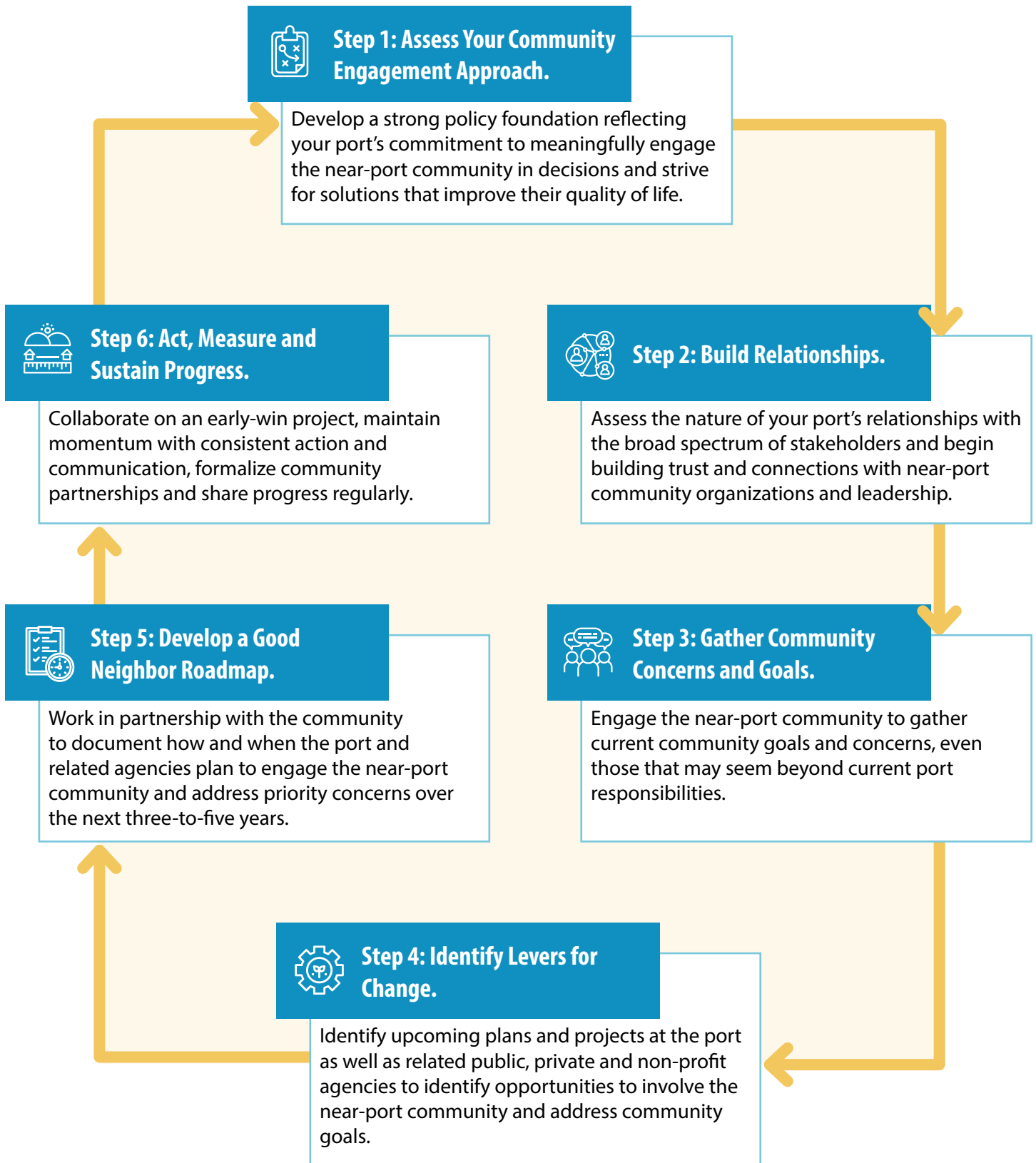
**Scenario B** – Your port has to make a decision regarding a new infrastructure project or operational change and needs community input on the proposed plan. Starting at Step 3 helps you identify community issues and goals. Steps 4 and 5 enable you to look for connections between community goals and the proposed plan. Following a successful community engagement effort, you may decide to work toward capturing the community's interests and momentum over the long term, by circling back to Step 1 to develop a policy for continued engagement.

## Try It Out! Determine a Starting Place

The following assessment is designed to help you determine which step would most benefit your port at the moment. Review the questions and mark “no,” “some” or “yes.” Consider starting with the step in the process that you first marked with a “no” or “some.”

Step	Port Assessment	Mark “no,” “some” or “yes”
1	Does your port have a robust approach to engaging near-port communities? Does the approach result in consistent positive community outcomes and productive working relationships?	
2	Does your port have strong working relationships with a broad range of community stakeholders, including community members and area organizations representing near-port residents?	
3	Is your port aware of the range of near-port community concerns and needs?	
4	Has your port identified upcoming plans and projects that may be able to address specific near-port community concerns?	
5	Does your port have a Good Neighbor Roadmap with specific actions and priorities that address community needs and mitigate impacts on near-port communities?	
6	Does your port have a Community Advisory Group that helps integrate local goals into planning and decision-making? Does your port have a way to measure and track community engagement success relative to local goals and priorities?	

# Steps in the Good Neighbor Roadmap Process





# Step 1. Assess your Community Engagement Approach

This step focuses on assessing your agency’s community engagement philosophy, goals, policies, plans and relationships with stakeholders. This is an opportunity to evaluate how your agency’s policy framework can reflect a commitment to engage near-ports communities and strive for solutions that improve their quality of life. In some cases, ports may be examining the extent to which a port’s mission statement, core values and goals reflect a commitment to social responsibility, community engagement and impact mitigation for the first time.

Ideally, a port’s community engagement commitment can be made organization-wide. It can also be accomplished at the department level, by guiding the work of a social responsibility or community outreach department.

## Try It Out! Assess Your Community Engagement Policy

The questions below provide an opportunity to reflect on your port’s current community engagement policy and to determine if there are gaps in the policies or areas that could use further focus and refinement.

Questions	Potential Gaps	Areas for Further Refinement
Does your port have a mission statement with specific goals and decision-making criteria focused on community engagement and impact mitigation?		
Does your port have a community engagement policy describing how to consider potential community impacts? Are there nearby tribes that may be impacted?		
Have you assessed which department decisions have the highest potential impact on nearby communities?		
Does the port have a method for evaluating project-specific and cumulative community impacts? Is there a method for determining how to maximize potential benefits and mitigate harmful impacts when making planning and operational decisions?		
Has your port identified community engagement goals and outcomes to guide decision-making? Are these applied consistently across departments?		
What metrics are used to evaluate community engagement outcomes?		
Is there a mechanism to coordinate community engagement across departments and agencies? Are there gaps that need to be addressed?		
Does your port participate in the region’s metropolitan planning organization and incorporate projects and plans into the communities’ broader vision for the regional transportation system?		



## Try It Out! Draft a Social Responsibility Mission

Review the mission statement examples that include a social responsibility commitment, then use the space below to draft a sample mission statement that reflects engagement and social equity in near-port communities and nearby tribes.

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*"The Port of Bellingham's mission is to fulfill the essential transportation and economic development needs of the region while providing leadership in maintaining greater Whatcom County's overall economic vitality through the development of comprehensive facilities, programs, and services." Port of Bellingham*

*"The Port of Houston Authority facilitates commerce, navigation, and safe waterways promoting sustainable trade and generating economic development...while being a model environmental and security steward, and a community-focused and fiscally responsible organization." Port of Houston*

*"The Social Responsibility Division aims to facilitate inclusion, fairness, equity, as well as access to economic opportunities, programs, and services of the port for the people and businesses in the port community." Port of Oakland*



### Digging Deeper Exercise

For your port, review the International Association for Public Participation (IAP2) levels of engagement examples outlined in Table 2 on page 13 and then explore the following questions:

- What engagement methods has the port used in the past that were successful? Which methods were less successful? Why?
- What expectations does the near-port community have about engagement in the decision-making process?
- What are the port's expectations?
- Was there a recent decision where the community expected a much greater level of engagement?
- Is there an upcoming decision where the port might increase the level of engagement of near-port communities?



# Step 2. Build Relationships

Building strong relationships with community members and other diverse stakeholder groups is a prerequisite for effective community engagement and addressing environmental justice concerns. Once your port's community engagement policy is in place, it is time to identify stakeholders and their needs, interests and priorities. Ports can be a driver of change by serving as a coordinator. While ports only directly cause some of the impacts experienced by near-port communities, they can bring other stakeholders to the table to build a more effective, collaborative approach to addressing these impacts.

## Try It Out! Identify Key Stakeholders by Group

Identify community groups using the table below. Use this list as a starting point for outreach to community groups. Consult with them to identify additional community partners to ensure key stakeholders are not excluded and that diverse perspectives are well represented.

	Stakeholder Groups
<b>Community Resident Groups</b>	
<b>Community-Based Partners</b>	
<b>Local Unions</b>	
<b>Tribes</b>	
<b>Local Educational Institutions</b>	
<b>Environmental Groups</b>	
<b>Government Stakeholders</b>	
<b>Internal Port Stakeholders</b>	
<b>Port-Sector Stakeholders</b>	
<b>Local Businesses</b>	

## Stakeholder Interests and Outreach

Outreach to groups and organizations can be tailored using stakeholder interests mapping, which captures community and stakeholder interests, current levels of engagement and gaps in relationships as well as opportunities for collaboration. In framing community and stakeholder interests and opportunities for collaboration, outreach can broaden beyond environmental concerns to include opportunities such as job training, student education and community cleanup activities.

Focus on developing strong relationships between the port and community partners by sharing your commitment to working together and developing services and programs built around that goal. Once core relationships are in place with the near-port community, reach out to additional stakeholders. Developing cross-sector support and collaboration opportunities can help ensure buy-in and effective implementation.

### Digging Deeper Exercise

Based on the stakeholders identified in the table above, answer the following questions:

- How would you characterize the port's relationship with each stakeholder group, especially near-port residential communities?
- Is the port's engagement more frequent with some groups than others? If so, why?
- Is the port's engagement more positive with some groups than others? If so, why?
- What are the most persistent roadblocks to developing positive relationships with adjacent residential communities?
- Who are the (real or perceived) winners and the (real or perceived) losers in a specific action or project?

## Know Your Community

As you build relationships and conduct outreach, try to gain an understanding of: (a) community assets and liabilities; (b) community challenges, including health, employment, education and quality-of-life concerns; and (c) community aspirations and goals. Tips include:

- Build relationships with key community decision makers. See how you can help them and what the community needs.
- Be open to the possibility that community members want to collaborate with you and have valid concerns that need to be addressed.
- Research what else is going on in the community. Understanding current events will help you communicate in an informed manner and build relationships. It may also spark new ideas about ways that you can offer resources and assistance.
- Consider the benefits of paying community representatives for their time consulting with you about the community's needs. Compensation is a sign of respect for their time and knowledge.

## COMMUNITY OUTREACH EXAMPLE Port of Bellingham, Washington

The Port of Bellingham has a comprehensive community outreach strategy:

1. Programs and Events: host annual public events around the community's culture, recreation and sustainability, and offer educational programs for schools and organizations.
2. Services: welcome opportunities to involve advisory groups, listen to ideas and comments, and meet with community members.
3. Newsletters: publish quarterly community and marina newsletters.
4. Responsibilities: share port's responsibility for economic development and environmental cleanups.

## Try It Out! Map Stakeholder Interests

Use the table below to capture your current understanding of stakeholder interest, levels of engagement and opportunities for collaboration. You may need to revisit and refine this information following completion of Step 3.

Stakeholder Group	Stakeholder Interests	Current Level of Engagement	Which Interests Need More Engagement?
Community Resident Groups			
Community-Based Partners			
Local Unions			
Tribes			
Local Educational Institutions			
Environmental Groups			
Government Stakeholders			
Internal Port Stakeholders			
Port-Sector Stakeholders			
Local Businesses			



# Step 3. Identify Community Concerns and Goals

This step provides an opportunity to engage near-port communities to gather current community goals and concerns, even if they may seem beyond the port’s authority. Inviting the community to a discussion of priority community concerns outside a decision-making process can take the pressure off a single plan or project to address all of the concerns. This approach allows for collaborative problem-solving to clarify concerns, translate concerns into concrete goals, establish performance measures and set targets for achieving each goal.

## Try It Out! Identify Community Goals

Meet with near-port community representatives to identify community goals. Using tools such as the checklist to the right and the table below:

**Identify community concerns.** Review the community concerns checklist. Note the concerns of most importance in your community. Add these priority concerns and any others not in the checklist to the table below.

**Add detail.** Once you have listed the key concerns, describe each one in as much detail as possible. For example, for air quality, identify the location of operations and times when potential air quality impacts are of most concern.

**Describe impacts.** Describe the community impacts of each concern. For example, does air quality impact sensitive populations such as children or the elderly? Or homes along a truck route? Have community members experienced increased or exacerbated health issues that they associate with poor air quality? It is important during the relationship-building phase to honor the community’s concerns as true for them, even if they differ from the port’s current understanding of conditions. Then, undertaking joint research between port owners/operators and community stakeholders can be fruitful in building trust and identifying solutions.

**Set goals.** Translate each concern into a goal. For example: improved air quality with a focus on reducing air pollution that directly impacts sensitive populations such as children.

**Identify opportunities and barriers to achieving goals.** Barriers can be within the community or outside the community. What resources can be leveraged to overcome barriers?

**Prioritize for action.** Number the concerns and goals in order of importance. Ask the community, “if we could make only one change this year, what would it be?”

### Community Concerns Checklist

- Noise
- Water traffic/road traffic
- Smells/odors
- Air quality
- Human health
- Pedestrian safety
- Trash
- Abandoned lots
- Brownfield sites
- Polluted waters
- Access to open space
- Light pollution
- Idling trucks
- Freight trains
- Access to/protection of treaty-protected areas
- Other \_\_\_\_\_

Community Concerns	Detailed Description	Impacts	Community Goal	Priority

## Collaborative Problem-Solving to Develop Shared Goals

When there is a significant gap between the goals of the near-port community and those of the port, a polarized stalemate can result. Adopting a collaborative problem-solving approach can help multiple stakeholders reach agreement on top-priority goals. As discussed in Section A, collaborative problem-solving happens when stakeholders come together to explore solutions to an issue that provide mutually beneficial outcomes. Convening a range of stakeholders and partners can increase areas of overlapping interest between two or more stakeholders, and bring more resources to the table that can be leveraged to develop creative, mutually beneficial solutions. Building on the stakeholder interest table in Step 2, consider what role the following stakeholder groups could contribute in a collaborative goal-setting process:<sup>27</sup>

- People with formal power to make a decision – may include ports and regulatory agencies.
- People with power to block – may include unions or advocacy groups with capacity to litigate.
- People affected by the decision – includes near-ports communities. The more affected a group is by a decision, the more involved they should be in the decision-making process.
- People with relevant information, resources or expertise – may include scientists and partner agencies.

### Digging Deeper Exercise | Shared Goals

As you explore the collaborative problem-solving approach, consider how each of the community-identified goals might benefit from the following:

- Identify and agree on specific locations and timing of the concern (rather than trying to tackle the issue more generally).
- Identify gaps in knowledge or disagreements about facts and agree to jointly fact-check information, data and assumptions through a neutral third-party technical advisor.
- Identify partner organizations or agencies who may be able to provide resources or technical assistance to address the goal or generate a mutually agreeable solution.
- Identify funding to try out a pilot solution to the issue before committing to larger operational changes.
- Identify a smaller workgroup with representation from the key interest groups to generate viable options with pros and cons for discussion with the larger group.
- Identify an early and easy win/win goal to generate positive momentum that can be used to work up to more challenging, higher-priority goals.

## Try It Out! Determine Performance Measures

As you collaborate with the community to define goals, consider what assessments are needed to document current conditions and what performance measures will be used to track changes over time.

Community Goal	Performance Measure	Assessments with Relevance to Community Goals



# Step 4. Identify Levers for Change

Start to consider how to address the prioritized community goals by identifying upcoming projects and plans that could be leveraged to mitigate impacts or develop innovative solutions to address the community issues. Further, evaluate key regulatory planning or policy documents related to these projects, and identify existing requirements and guidance for social responsibility, impact mitigation and community engagement. After evaluating potential levers of change, various opportunities and scenarios can be explored to achieve community goals.

## Try It Out! Identify Levers for Change

Review upcoming expansion or infrastructure projects at your port as well as related projects and plans proposed by other agencies and organizations (e.g., transportation corridor upgrades, waterfront development, job training programs).

Identify how each of these efforts could impact near-port communities and explore opportunities to align efforts to meet shared goals.

- What are the potential negative impacts on near-port communities?
- What are the potential positive impacts on near-port communities?
- What are specific community goals that could be considered during the planning process?

### Digging Deeper Exercise

As you review each upcoming decision, regulatory or permit document through the IAP2 lens, reflect on the questions below:

- Is the community aware of these documents or decision points?
- Are documents easily accessible, written in plain language, and translated in multiple languages as needed?
- What level of community engagement does the process and materials currently reflect?
- What are the port’s expectations for the level of engagement by the community? How do these expectations differ from the community’s expectations?
- What would it take to get to the next level of engagement?
- How can upcoming projects be leveraged to assist the near-port community?

Upcoming Projects and Plans	Potential Negative Impacts on Near-Port Communities	Potential Positive Impacts on Near-Port Communities	Specific Community Goals to Consider

## Try It Out! Align Community Goals with Ports Projects

Use a table such as the one below to identify projects with the most potential to address community goals and priorities. Consider which projects might be most important to the community based on their priority concerns. Consider whether coordination among related projects may help better address community concerns.

Upcoming Projects and Plans (mark all interests impacted)	Air Quality	Noise Control	Human Health	Jobs	Waste	Pedestrian Safety
Multi-modal facility						
Waterfront development						
Pedestrian and bike plan						
New container storage						
Recycling and hazardous waste program						
Channel expansion and deepening						

### Consider an Integrated Approach to Addressing Regulations and Community Goals

Port agencies are subject to a range of federal laws that seek to mitigate environmental and social impacts, including:

- [National Environmental Policy Act \(NEPA\)](#)
- [Title VI of the Civil Rights Act](#)
- [Clean Water Act](#), provisions for Citizen Suits
- [Safe Drinking Water Act](#)
- [Clean Air Act \(as amended\)](#)
- [Resource Conservation and Recovery Act \(RCRA\)](#)
- [Comprehensive Environmental Response, Compensation, and Liability Act \(CERCLA\)](#)

Many of these regulations include standards and guidance for addressing common community issues related to air quality and other project-related or operational impacts to the community. These regulations also specify minimum requirements for public input. For each upcoming plan or project, identify which environmental laws apply, and then evaluate which of these align with community priorities. Federal environmental standards can offer a starting place for discussing community goals and targets. The associated regulatory guidance for each law offers best practices, technical resources, funding and other tools that can help guide discussions and evaluate options for setting shared goals and targets. See the Resources section in the Appendix for additional opportunities to integrate community goals with regulatory drivers.



# Step 5. Develop a Good Neighbor Strategic Plan

A Good Neighbor Strategic Plan provides a foundational document to inform community engagement for each future port policy and project update. The Plan is a comprehensive multi-year document developed with community input that should be reviewed and updated periodically (for example, every one-to-two years) to track goals and stay current and relevant. The Plan serves as an ongoing reference resource for port staff and the community by outlining how the port will address local concerns and goals across upcoming projects, decision documents, planning processes, and pilot projects or programs.

In this step, consider how the information developed through Steps 1-4 can be refined and captured in your Good Neighbor Strategic Plan.

## Key sections

- 1. Define a Good Neighbor Policy:** develop a policy for community engagement based on the mission statement and assessments from steps 1 through 4.
  - Define areas of focus for the port as a Good Neighbor.
  - Define community engagement goals.
  - Define decision-making criteria and outcomes.
  - Define reporting mechanism and accountability measures.
- 2. Develop an engagement plan:** develop a community and stakeholder engagement plan enlisting stakeholder groups identified in Step 2. The plan should outline when, where and how the community will be engaged during the project.
  - Convene partners. Federal, state or local government staff or non-profit organizations can assist in convening.
  - Convene a Community Advisory Group to ensure equitable local representation.
  - Regularly update partnership goals and objectives.
  - Structure partnership agreements. Identify key partner roles and responsibilities.
  - Conduct a joint tour of the port and community with tour guides and attendees from both parties.
- 3. Document community concerns and goals:** document local concerns, establish measurable goals and develop performance measures in coordination with the community. This can be done based on the framework established in Step 3.
  - Document and prioritize community concerns and goals.
  - Conduct existing condition assessments.
  - Establish qualitative and quantitative performance measures to gauge progress.
- 4. Identify levers for change:** summarize your findings from Step 4, covering upcoming projects, plans, pilot projects and programs that could relate to community goals.
  - Identify how upcoming projects, plans and strategic documents will contribute to community goals.
  - Identify specific actions in each process that can reduce community impacts or increase local benefits.
  - Consider pilot projects or new programs that can be established to meet community goals.
- 5. Identify feasibility and mitigation studies:** identify health, social or environmental assessments that may be needed to evaluate and quantify community concerns. These studies can inform key project plans with the greatest potential to address community goals.
  - Identify opportunities for assessments to consider cumulative impacts from past and future changes.
  - Work with the community to identify and address any technical assistance needs to ensure well-informed discussions.
- 6. Establish tracking and reporting mechanisms:** establish an implementation timeline for tracking progress and connecting with the near-port community.
  - Develop an implementation timeline with performance metrics and a monitoring and reporting process (e.g., periodic newsletters, annual progress reports for the community).
  - Identify specific points to engage the stakeholders.
  - Identify an internal coordination process to make sure all port departments are fully engaged.



## Digging Deeper Exercise

Process-based considerations for drafting the Good Neighbor Strategic Plan:

- How can different stakeholder groups be engaged in drafting and reviewing the Good Neighbor Strategic Plan?
- Which groups should be prioritized to ensure distributional equity (achieved by prioritizing those with highest need)?
- Who are the key stakeholders outside of the port sector and community that need to be engaged? Are there strategic partnerships that would be helpful to achieve shared goals in near term?
- How can greater social responsibility and accountability be institutionalized within different departments at the port? How can upcoming projects and plans be leveraged towards a new system of decision-making?
- How can community goals be achieved through upcoming projects, plans and strategic documents? Are there goals that might not be addressed and need pilot projects, programs and initiatives?
- What would be an effective timeline for community goals that reinforces port’s good neighbor policy?

## Try It Out! Map out Your Strategic Plan

The worksheet below provides a template for organizing upcoming plans and projects based on timing, community goals, stakeholders and other considerations. Use the table to walk through port-related decisions coming up in the next three to five years and, where possible, link those decisions to related community goals and performance measures. Explore different levels of engagement for each plan or project.

Timeframe	Projects, Plans and Pilots	Community Goals	Performance Measure	Key Stakeholder Groups for Engagement	Level of Community Engagement



# Step 6. Act, Measure and Sustain Progress

This step enables you to maintain momentum from the development of the Good Neighbor Strategic Plan by collaborating with the community on a near-term project, formalizing your Community Advisory Group and tracking progress. This section describes tips and resources for continuing to build strong local relationships as you work with community partners to move your Plan into action.

## Collaborating on an early-win project

Engaging with the community on a near-term project builds goodwill and deepens relationships before tackling more challenging issues. The project could be working with the community to address a priority concern in an upcoming decision or identifying grant funding to implement a pilot program to address broader concerns. If possible, identify a strong leadership role with funding support for a central community organization. For example, depending on the project and the organization's capacities, the community organization could lead local outreach, job training or monitoring. Investing in an early success with a community organization helps build a strong foundation for future collaborative problem-solving.

### CASE STUDY | Camden Waterfront South: Education and Retrofit Grant

The Waterfront South neighborhood in Camden, New Jersey, is located in an industrial area that includes two urban ports. In 2006, EPA awarded \$250,000 to the non-profit Clean Air Communities to reduce community exposures to pollution in Waterfront South.

The project used educational outreach to help community groups understand local sources of air pollution, including port operations, and developed ways to further environmental health education in the community. EPA provided technical assistance and the New Jersey Department of Environmental Protection provided funding for retrofits of diesel vehicles and equipment owned and operated by the South Jersey Port Corporation. The project leveraged regulatory agency resources to benefit both the ports and community while improving air quality.

For more information: Clean Air Communities Camden Waterfront Air Toxics Pilot Project

## Try It Out! Charter the Community Advisory Group

Your port may have a longstanding Community Advisory Group in place, or you may have just begun to bring stakeholders together as part of a recent project. In either case, this is a good time to evaluate the Group's membership, role and effectiveness.

Circle back to your assessment findings from Steps 1-3, and consider the following questions to identify areas to improve in your Community Advisory Group charter:

- Does the charter and process reflect the port's community engagement policy identified in Step 1? What changes may be needed to empower the Group to ensure community goals are thoroughly considered during decision-making?
- Does the Group's membership include representatives from a range of community groups? Were community groups identified in Step 2 that could be invited to join? Does the membership have enough balance among government, business and community sectors so that near-port community voices feel heard?
- Does the Group's charter outline clear roles for meaningful input during the decision-making process? Does the charter clearly state the expected level of engagement from the Community Advisory Group? How will the Group's input inform analysis, options and outcomes during decision-making? What role will the Group play in broader community outreach and engagement efforts?
- Does the Community Advisory Group's charter and organizational structure, such as sub-committees, reflect priority community goals identified in Step 3?

## Community capacity-building

Some community groups, while invested in port-related decisions, lack the resources to participate effectively. A port may need to consider creative strategies to support full and meaningful participation by these organizations. These organizations may lack full-time paid staff or office space, or face limitations on when and where staff can attend meetings if they are volunteering on top of work commitments. Finding creative solutions that address these logistical needs can allow community members to participate more effectively.

Community groups may also benefit from technical assistance to better understand the science and engineering of proposed decisions and potential impacts. Port agencies can pursue grants or other resources from partner agencies to enhance technical understanding so people can participate fully in discussions and offer informed input. In some cases, community members may be upset about cumulative impacts that have affected their friends and family. Making time to listen and document their concerns – even if they seem beyond the scope of port decisions and responsibilities – may be needed before being able to move into problem-solving mode.

### Digging Deeper Exercise

As you evaluate your community engagement effort, remember that the process is often as important as the outcomes. Reflect on these questions to assess to what degree your process achieved these goals.

1. Incorporate public values into decisions.
  - Did public input affect the analysis and options considered?
  - Did public input affect the decision?
  - What interests are at the table or being consulted?
2. Improve the quality of decisions.
  - Did the public provide quality information that improved the debate and decision?
  - Did the public provide creative problem-solving?
  - Did the public advance innovative solutions by reframing issues?
3. Resolve conflict among competing interests.
  - Did the public process resolve competing interests?
  - Was conflict avoided because certain issues were avoided or certain stakeholders were not at the table?
  - Was conflict addressed through discussion or adapting the approach?
4. Increase government accountability.
  - Was trust developed or nurtured among community members who participated?
  - Was trust developed within the broader community?
5. Educate and inform the public.
  - To what degree was the affected community aware of the range of options and potential impacts?
  - Was adequate assistance provided to help the public understand the technical information?

## Tracking progress

The Good Neighbor Strategic Plan should include realistic timelines and performance measures that reflect community needs and concerns. Identify in advance a way to share regular progress updates such as an annual report card. To build and maintain trust with the community, the report card needs to be more than a marketing tool – It should be an accurate assessment of accomplishments and areas needing attention.

Performance measures to track progress in addressing community goals can use quantitative and qualitative indicators. Measures can include outputs that measure direct port actions – such as the number of trucks converted from using diesel fuel – as well as outcomes that measure changes in environmental quality – such as the measured reduction in particulate matter in an adjacent neighborhood. Refer back to the goals and performance measures identified in Step 3 and ensure a plan is in place for tracking and reporting progress.

Performance measures can also evaluate the effectiveness of community engagement processes. The text box below includes sample assessment questions for evaluation of community engagement impacts.

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# Appendix

Environmental Justice Timeline

Additional Resources

References



# Environmental Justice Timeline

## Timeline of the American environmental justice movement

The timeline below includes landmark legislation and milestones related to the growth of the environmental justice movement:

Year	Environmental Justice Legislation and Policy	Environmental Justice Events
1964	<i>Congress passes the Civil Rights Act of 1964. Title VI of the Act prohibits recipients of federal funds from using those funds to discriminate on the basis of race, color and national origin.</i>	
1969	<i>Congress passes NEPA.</i>	The California Rural Legal Assistance Foundation files a suit on behalf of six migrant farm workers, resulting in a ban on the use of the pesticide DDT.
1970s	<i>EPA created (1970).  Congress passes the Clean Air Act, the Clean Water Act, the Lead-Based Paint Poisoning Prevention Act, the Safe Drinking Water Act, RCRA and the Toxic Substances Control Act.</i>	
1971	<i>The White House Council on Environmental Quality acknowledges racial discrimination that adversely affects the urban poor and local quality of life.</i>	
1979		First civil rights suit – <i>Bean v. Southwestern Waste Management Inc.</i> – filed, challenging the siting of a waste facility in Houston.  People for Community Recovery, a community-based environmental justice organization, is established on the south side of Chicago.
1980	<i>Congress passed the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund) and the Nuclear Waste Policy Act.</i>	The Southwest Organizing Project is established in Albuquerque, New Mexico. The Environmental Health Coalition is established in San Diego, California.
1982		A massive protest organized against the state government for its decision to site a hazardous waste landfill near an African American community in Warren County, North Carolina. Considered a landmark event in the emergence of the environmental justice movement, it brought national attention to the issues of environmental racism and environmental inequity.
1987		The United Church of Christ Commission for Racial Justice publishes its <i>Toxic Waste and Race in the United States</i> report, which identifies race as the most statistically significant indicator of where hazardous waste sites are located.
1988-1990		West Harlem Environmental Action (We ACT, aka We ACT for Environmental Justice) is established in New York City (1988).  Grassroots environmental justice leaders send letter to “Green Group” leaders accusing them of environmental racism, as reflected in the lack of racial diversity in their staffing, boards of directors, and policy advocacy positions (1988 and 1990).

Year	Environmental Justice Legislation and Policy	Environmental Justice Events
1990s	<i>Congress passes significant amendments to the Clean Air Act. Dr. Robert Bullard's book Dumping in Dixie is published (1990).</i>	<p>The Indigenous Environmental Network, the Southwest Network for Economic and Environmental Justice, the Asian Pacific Environmental Network, the Northeast Environmental Justice Network and the National Black Environmental Justice Network are established.</p> <p>Environmental Justice Research and Advocacy Centers are established at Xavier University in New Orleans, Clark Atlanta University in Atlanta, and Florida A&amp;M University in Tallahassee, Florida.</p>
1991		<p>The first National People of Color Environmental Leadership Summit takes place in Washington, D.C. Summit delegates draft Principles of Environmental Justice and vote to accept them.</p>
1992		<p>The U.S.-based environmental justice movement reaches the global stage. Three environmental justice leaders – Dianne Dillion Ridgley, Don Edwards and Michael Dorsey – serve as members of the official U.S. delegation and another eight U.S. environmental justice leaders attend as official delegates to the United Nations Conference on Environment and Development in Rio de Janeiro, Brazil.</p> <p>Dr. Robert Bullard and Reverend Benjamin Chavis selected as first-ever environmental justice representatives on a presidential transition team (for then-President-elect Clinton).</p>
1994	<p><i>President Clinton signs Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority and Low-Income Populations. See Section 7.1 for more information.</i></p> <p><i>The Washington Office on Environmental Justice (WOEJ) opens in Washington, D.C. Its mission is to advance the policy interests of the grassroots environmental justice movement in the federal and national environmental policy debate.</i></p>	<p>Detroiters Working for Environmental Justice is established in Detroit, Michigan.</p>
1996		<p>The Labor Community Strategy Center in Los Angeles and their Bus Riders Union campaign successfully sue the Los Angeles Metropolitan Transportation Agency for violating Title VI of the Civil Rights Act of 1964 in the funding of its intra-city surface bus system.</p>
1999-2000		<p>The Ford Foundation establishes its first-ever environmental justice grant-making portfolio in its Assets and Community Building program (1999). The Foundation hires its first Environmental Justice Program Officer to direct this portfolio (2000).</p> <p>Environmental Justice Center established at the University of Michigan's School of Natural Resources and the Environment (2000). It offers the only Ph.D., Masters and Bachelor of Arts degrees in environmental justice in the nation.</p> <p>Executive Order 13175: Consultation and Coordination with Indian Tribal Governments passed in 2000 by President Clinton.</p>

# Environmental Justice Timeline

Year	Environmental Justice Legislation and Policy	Environmental Justice Events
2011		Federal Interagency Working Group on Environmental Justice (EJIWG) adopts a Charter and signs a Memorandum of Understanding (MOU) on Environmental Justice and implementing Executive Order 12898. The MOU served as a formal agreement among Federal agencies to recommit to addressing environmental justice through a more collaborative, comprehensive and efficient process. It also broadened the EJ IWG to include additional agencies and articulates additional commitments made by member agencies.
2014		EJIWG Charter is updated to focus on public participation, regional engagement, Title VI of the Civil Rights Act of 1964, National Environmental Policy Act, Native Americans/Indigenous Peoples, engagement of rural communities, impacts from climate change, impacts from commercial transportation (goods movement), and strategy and implementation progress reports.
2014		National Environmental Justice Advisory Council to EPA releases 20-year retrospective report that documented the Council's work since its inception. NEJAC provided a crucial forum for discussion and elevation of environmental justice issues, served as a national convening place, evaluated environmental justice issues, and provided advice and recommendations to the EPA Administrator on environmental justice issues.
2016		EPA releases its EJ 2020 Action Agenda, a strategic plan for FY'2016-2020. The plan outlined EPA's vision, goals, strategies and actions related to environmental justice over this period.



# Additional Resources

## Additional resources

This section includes additional resources on the following topics:

- Environmental justice-related laws and regulations
- Benefits of effective community engagement
- Stakeholders in collaborative decision-making
- Community assessment tools
- Performance measure resources

## Environmental justice-related laws and regulations

### Title VI of the Civil Rights Act

EPA's regulations that implement Title VI of the Civil Rights Act of 1964 prohibit intentional discrimination as well as any programs or policies that have a discriminatory effect based on race, color or national origin. "A discriminatory effect occurs when a program or policy does not expressly discriminate on the basis of race but rather has a racially discriminatory impact regardless of intent." All recipients of federal funding, including port authorities, are subject to the directives of Title VI (e.g., as recipients of BUILD and FASTLANE grants).

### Guidance on EJ considerations under NEPA

Following issuance of the Executive Order on Environmental Justice, the White House Council on Environmental Quality issued [guidance](#) to integrate environmental justice considerations into federal agencies' preparation of environmental impact statements and environmental assessments under the National Environmental Policy Act (NEPA) process.

Reference to 50 states environmental justice requirements: [UC Hastings School of Law's report, Environmental Justice for All: A Fifty State Survey of Legislation, Policies and Cases](#).

### Tribal-related laws and regulation

Tribal sovereignty and indigenous treaty rights ensure that any actions or decisions about federally recognized tribes with regard to their lands, resources and citizens are made only with their informed participation and consent, and in accordance with laws established by tribes to govern actions by their citizens and others

on their lands. In May 2010, EPA released its [Policy on Consultation and Coordination with Indian Tribes](#). In July 2014, EPA issued its [Policy on Environmental Justice for Working with Federally Recognized Tribes and Indigenous Peoples](#).

Treaty-rights and tribal lands context: <http://www.narf.org/our-work/protection-tribal-natural-resources> and <http://nwtreatytribes.org/about-us>.

## Benefits of effective community engagement

According to Policy Link's [Community Engagement Guide for Sustainable Communities](#), community engagement is a process through which community members are empowered to own the change they want to see and involves communication, problem-solving, governance, and decision-making skills and strategies.

Benefits of community engagement summarized in the Guide include:

- Legitimacy and increased support for plans and projects. With the substantive engagement of affected communities, developed plans will reflect legitimacy, community support, and incorporate equity outcomes. Legitimacy builds trust, political will and ownership for effective implementation.
- Improved community/government relations. Community engagement can build trust between diverse stakeholders and help improve the quality of difficult discussions about racial disparities, economic conditions, and community development needs. By creating a multifaceted process built upon relationship building, trust, respect, and affirmation of community knowledge and power, more effective ways of dealing with difference will emerge.
- Deeper understanding of the issues. Regional housing plans will be stronger with the input of the people who are facing and addressing housing challenges. Regional economic opportunity plans will benefit by significant engagement of residents and organizations that have knowledge of the barriers to job access and experience in creating solutions to these challenges.
- Increase in community capacity. A meaningful engagement strategy will improve capacity for problem-solving. Engagement builds stronger networks across racial, ethnic, generational, gender

# Additional Resources

and socioeconomic divides, an essential component to achieving equitable outcomes and leveraging additional resources outside of public processes.

- Reduced long-term costs. Plans and development projects often end up in litigation when lack of or poor community engagement has not effectively crafted consensus. While conflicts may arise during planning (especially when there is a history of failed projects or unrealized promises), the community engagement process creates an environment of positive communication where creative and inclusive solutions can be found to resolve conflicts.
- Democracy in action. Community engagement is, in many ways, a microcosm of American democracy in action. It is one of the best ways that community residents can connect to and shape local and regional decision-making processes.

FRESC's report on [Strategies for meaningful engagement](#) recommends four simple steps for a more genuine community engagement process:

1. Ask yourself who's missing?
2. Make a targeted outreach plan.
3. Go where people are.
4. Make the process accessible AND meaningful.

## Stakeholders in collaborative decision-making

Collaborative decision-making is when two or more people work together toward a common goal and commit to reach the best solution based on their values, personal skills and expertise. Collaborative decision-making starts with the premise that involving all affected parties will result in a higher-quality decision. A successful collaborative decision-making process will involve appropriate stakeholders from the following four groups.

### People with formal power to make a decision

The first stakeholder group is "those who are authorized to make final and binding decisions" [Straus 2002].

In other words, these people should be involved so that your efforts are not wasted in reaching a decision just to find in the end that the solution will not be approved. The inclusion of these people will empower the collaborative effort. The more you involve them, the better the chances your solution will be approved.

### People with the power to block

The second stakeholder group is people who "are not formal decision makers, but can block or severely delay the implementation of a decision" [Straus 2002]. Those people are either members of an organized union or interest group, or working within the organization effected by the decision.

### People affected by the decision

The third stakeholder group is any group or party affected by a decision. The more input from people who are affected, the more well-received the final decision will be. The more affected a group is by a decision, the more involved they should be in the decision-making process.

### People with relevant information or expertise

The last stakeholder group involves experts and consultants. "In a collaborative process, the quality of the decision is dependent on the quality of the expertise within the stakeholder group" [Straus 2002]. Implementing a decision not only affects the people who are tasked with carrying out the decision, but also can affect the stakeholders who are making the decision. Therefore, it is often necessary to bring in outside experts for input on both content and process.

## Social equity

The following resources provide guidance and case studies of application of social equity and environmental justice principles to community revitalization and public engagement.

- [Environmental Justice, Urban Revitalization, and Brownfields: The Search for Authentic Signs of Hope](#)
- [Unintended Impacts of Redevelopment and Revitalization Efforts in Five Environmental Justice Communities](#)
- [The Model Plan for Public Participation](#)
- [Addressing Community Concern: How Environmental Justice Relates to Land Use Planning and Zoning](#)
- [Fair and Healthy Land Use: Environmental Justice and Planning](#)
- [Creating Equitable, Healthy, and Sustainable Communities: Strategies for Advancing Smart Growth, Environmental Justice, and Equitable Development](#)

## Community assessment tools

Community Assessment Tool	Description and Application	Capability
<b>Tools for Assessing Health Impacts</b>		
<a href="#">Tribal-Focused Environmental Risk and Sustainability Tool (T-FERST)</a>	A web-based information and mapping tool designed to provide tribes with easy access to human health and ecological science. Users follow a tribal roadmap for identifying priority issues, compiling data, addressing risks and assessing impacts of actions taken.	Web-based geospatial decision support tool (currently available to the general public)
<a href="#">EnviroAtlas Eco-Health Relationship Browser</a>	An interactive tool that illustrates scientific evidence for linkages between human health and ecosystem services.	Training in scientific research and application
<a href="#">EPA Research: Methods, Models, Tools, and Databases</a>	Methods, Models, Tools, and Databases for Air, Climate Change, Ecosystems, Water, Health, Land and Waste Management.	Varies from complex to user-friendly
<a href="#">Tools for Health Professional Shortage Areas</a> and Medically Underserved Areas (U.S. Department of Health and Human Services)	To determine Health Professional Shortage Areas (HPSAs) and Medically Underserved Areas/Populations (MUAs) designated by Health Resources and Services Administration (HRSA)	User-friendly online data tool
<a href="#">Subsistence Exposure Scenarios for Tribal Applications</a> <a href="#">Exposure Scenario for CTUIR Traditional Subsistence Lifeways</a>	Methods that can be used to develop exposure scenarios for unique tribal natural resource usage patterns.	Training in research and application

# Additional Resources

Community Assessment Tool	Description and Application	Capability
<b>Tools for Assessing Exposure to Hazards</b>		
<a href="#">EJSCREEN (EPA)</a>	EJSCREEN allows users to access environmental and demographic information for locations in the United States, and compare those to the rest of the state, EPA Region or the nation. It may help users to identify minority and/or low-income populations, potential environmental quality issues or a combination of environmental and demographic indicators that is greater than usual.	User-friendly web-based mapping tool
<a href="#">EnviroAtlas (EPA)</a>	Interactive tools and resources for exploring the benefits people receive from nature or ecosystem goods and services. The <a href="#">Eco-Health Relationship browser</a> is an interactive literature review resource provided as part of EnviroAtlas.	User-friendly web-based mapping tool
<a href="#">USDA's Food Desert Locator</a>	Spatial overview of food access indicators for low-income and other Census tracts using different measures of supermarket accessibility.	User-friendly web-based mapping tool
<a href="#">EPA ExpoBox Toolbox</a>	EPA ExpoBox is a collection of exposure assessment tools that links to exposure assessment guidance, databases, models, key references and related resources. The toolbox is organized into six tool sets, including Approaches, Media (air, water and sediment, soil and dust, etc.), Routes, Tiers and Types, Life-stages and Populations, and Chemical Classes.	User-friendly web-based assessment and research tool. Available to EPA, other government entities and the general public.
<a href="#">Climate Resilience Evaluation and Awareness Tool (CREAT)</a>	An open-source version of the Nonpoint Source Pollution and Erosion Comparison Tool is used to investigate potential water quality impacts from climate change and development to other land uses. The downloadable tool is designed to be broadly applicable for coastal and noncoastal areas alike. Tool functions simulate erosion, pollution and the accumulation from overland flow.	Requires MapWindow GIS v.4.8.8 (open source software)
<a href="#">NOAA's Digital Coast Tools</a> <ul style="list-style-type: none"> <li>• <a href="#">Coastal Flood Exposure Mapper</a></li> <li>• <a href="#">Coastal County Snapshots</a></li> <li>• <a href="#">Hazards U.S. Multi-Hazard</a></li> </ul>	Exposure to hazards for near-coast communities.	User-friendly web-based mapping tool

Community Assessment Tool	Description and Application	Capability
<b>Tools for Assessing Exposure to Hazards</b>		
NOAA'S OpenNSPECT	An open-source version of the Nonpoint Source Pollution and Erosion Comparison Tool is used to investigate potential water quality impacts from climate change and development to other land uses. The downloadable tool is designed to be broadly applicable for coastal and noncoastal areas. Tool functions simulate erosion, pollution and the accumulation from overland flow.	Requires MapWindow GIS v.4.8.8 (open source software)
<b>Tools for Assessing Socioeconomic Data</b>		
U.S. Census Bureau	Census data on demographics.	User-friendly web-based data and mapping tool
NOAA's Digital Coast Tools <ul style="list-style-type: none"> <li>• NACo County Explorer</li> <li>• OnTheMap</li> <li>• Quick Report Tool for Socioeconomic Data</li> </ul>	Demographic profile of near-coast communities.	User-friendly web-based data and mapping tool



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