Every environmental justice and toxics activist has experienced something like this:

A member of your group finds a public notice in the local paper, on page 11 in tiny print, announcing a meeting about a recycling facility (or some similar proposal).

So you go to the meeting and learn that the Green Hero Corporation is planning to "recycle" sewage sludge by bagging it and selling it as fertilizer -- and they're planning to do this in your neighborhood.

Your neighborhood already has its share of smelly projects and diesel trucks, and now you are supposed to welcome this new neighbor.

Of course, it's already a done deal. The zoning has been changed, permits issued, financing arranged, and the city council has voted yes. You ask, "Why wasn't the community informed?" and some slick guy in a three piece suit and a bad tie says, "Well your city council knew and we are informing you tonight. Besides, this proposal will bring jobs to your neighborhood and it will meet all state and federal laws so I don't see the problem." Then he gets in his helicopter and flies back home to his nice clean neighborhood never to be seen again.

In too many communities, this scenario accurately reflects what "community participation" means these days: informing the community after all the permits have been given, just as the operation is about to begin.

But true "community participation" does not have to be like this. First let's consider why community participation is important. And then we'll look at some better ways of engaging communities in making decisions that affect their quality of life.

Community participation is important for many reasons:

** So we are more likely to get the kind of neighborhood we want.

** To reduce conflict and legitimize government decisions because everyone has had their "say" in the decisions.

** To create the "social glue" that turns a group of strangers into a neighborhood, with all the other benefits that neighborhood life brings (less crime, more pairs of eyes watching out for the children, people helping each other solve problems, etc.)

** To honor and fulfill the most basic political idea that led to the Revolutionary War in 1776 -- self-governance.

** So we don't have to spend our lives defending our families, time after time, against toxic assault.

The environmental justice movement has not always held community participation as a high priority. In earlier days, many environmental groups were content with "dueling experts" where their experts went head-to-head with their adversaries' experts while the public stayed home and perhaps read about it in the newspaper.

The environmental justice movement changed all that.

In October 1991, over a thousand people of color came together at "The First National People of Color Environmental Leadership Summit" in Washington, D.C. and drafted the Principles of Environmental Justice.[1]

Two of the Principles are about community participation: Principle 5 says, "Environmental justice affirms the fundamental right to political, economic, cultural and environmental self-determination of all peoples." In other words we have the right to speak for ourselves and determine our own destiny. And Principle 7 says, "Environmental justice demands the right to participate as equal partners at every level of decision-making including needs assessment, planning, implementation, enforcement and evaluation." In other words we should be equal partners in all decisions that affect our community, starting early in the process.

The concept of community participation is also embedded in the precautionary principle as defined by environmental justice activists, academics, scientists, labor activists, and staff of environmental organizations at a meeting held at the Wingspread Center in Racine, Wisconsin in January 1998. At that meeting participants drafted the Wingspread Statement on the Precautionary Principle, which includes as its very last sentences, "The process of applying the Precautionary Principle must be open, informed and democratic and must include potentially affected parties. It must also involve an examination of the full range of alternatives, including no action."[2]

In other words the precautionary principle says all affected parties must be included in decisions and they must have the opportunity to examine all reasonable alternatives including the alternative of doing nothing.

How Can Communities Participate in Decisions?

Three recent reports have addressed public participation and have suggested how it should work.

1) In May 2003, the U.S. Environmental Protection Agency (EPA) released Public Involvement Policy of the U.S. Environmental Protection Agency[3].

This policy creates a standard for judging EPA's success (or failure) in involving the public in its regulatory programs (for example, enforcing the Clean Water Act) and nonregulatory
programs (for example, providing information on pollution prevention).

2) In July 2003, the National Academy of Public Administration (NAPA) released Addressing Community Concerns: How Environmental Justice Relates to Land Use Planning and Zoning [4]. This document offers advice to local, state, and federal agencies about involving the public in decisions about land use, including planning and zoning. NAPA is like the National Academy of Sciences -- it was created by Congress to provide advice on important public issues, but it is not funded by Congress (it has to raise its own research funds).

3) In October 2003 the California Environmental Protection Agency's (Cal/EPA) Advisory Committee on Environmental Justice released its report, Recommendations of the California Environmental Protection Agency (Cal/EPA) Advisory Committee on Environmental Justice to the Cal/EPA Interagency Working Group on Environmental Justice, Final Report[5]. The report recommends ways that Cal/EPA can promote environmental justice (and precaution) in all its programs, regulations, and policies.

From these three documents we learn, first, that the agencies empowered to protect our resources and our health are not doing such a great job. Then we learn how they could do better.

** Today people want more input into the decisions that affect their communities, and governments are not responding, say both the Cal/EPA report [5, pg. 12], and the NAPA report [4].

** Environmental and land use planning and zoning agencies have largely failed to solicit input from those most affected by the decisions and often the result is incompatible land uses. For example, residential neighborhoods have toxic, polluting facilities in their midst. [5, pg. 11; 4, pg. 71]

** When community residents try to remedy bad planning and zoning decisions or get a facility moved or cleaned up, they find it hard to know who they need to talk to because often several different agencies give permits and enforce regulations within their town, and sometimes the agencies themselves cannot say who is responsible for which decision. [5, pg. 11]

** In some cases, agencies lack processes for tracking or addressing citizen concerns and have no staff to oversee the environmental health of the community or track pollution control efforts, which leads to serious environmental injustices in low-income and people-of-color communities [4, pg. 117].

** Impacted communities are then required to line up the dead bodies (have to prove they have been harmed) before they can get any help. [4, pg. 157]

** When agencies speak to communities they often use technical language or speak in a legalistic, bureaucratic way, and treat residents as if they couldn't possibly understand the problem. [4, pg. 158]

And so governments and the corporate sector continue the cycle of bad decision-making. But this can change.

EPA acknowledges that when citizens participate in decisions, better decisions result. Often it is citizens who goad governments into action, leading to better decisions.[3, pg. 1]

According to the U.S. Constitution, the main role of government is to promote the "general welfare." Obviously this includes protecting public health and the environment. [4, pg. 1, and see Rachel's #775 on the public trust doctrine.]

The National Academy of Public Administration noted many times in its report[4] that citizens have become the primary catalyst for change. Communities initially identify problems, then suggest more effective solutions, and finally hold the government accountable to make things right. [4, pgs. 1, 11, 59, 89 and 117.]

So how would true community participation work? Each of these reports makes numerous recommendations but here are a few highlights:

** Agencies need to plan and budget for public participation for all programs. This includes, but is not limited to, hiring staff to coordinate public involvement, providing financial resources for extensive outreach and communications programs, and training agency personnel to understand environmental justice issues and work with the public. [3, pg. 7 and 5, pg. 18]

It is also extremely important that agencies give money to communities or community groups so that local residents can get technical assistance and participate in meetings. This "no-strings-attached" money would allow groups to hire their own experts, make photocopies, and make it possible for residents to attend meetings (money for transportation, child care and even compensation for meeting time). [3, pgs. 9-10, 13; and 5, pg. 19]

Agencies need to widely distribute a publication explaining citizens' rights and opportunities to participate in decisions. [5, pg. 19]

** It is important for agencies to solicit community input before any decisions are made and this is particularly important in land use planning and zoning decisions. [5, pg. 18; and 4, pg. 22] Often bad planning and zoning decisions are the first step in creating contaminated sites.

Agencies can identify interested and affected parties and solicit community input by contacting existing community-based groups, non-governmental organizations, and churches, as well as advertising in local newspapers and on radio and cable television. [3, pg. 8; and 5, pg. 19]

** All community outreach materials need to be clearly written in easy-to-understand language. Outreach materials should be published in a number of formats (for example fliers distributed at community centers, churches, schools and other community-gathering places; electronic postings on web sites; and announcements in local newspapers), widely available and published in languages besides English if the affected parties do not read English easily. Agencies should consider communicating in non-traditional ways, using pictures to convey complex ideas. [5, pg. 18; and 3, pg. 11-12] For example, a drawing of a bathtub in the ground is a
good way to explain how landfills work and why they eventually always leak. (For example, see http://www.rachel.org/bulletin/pdf/Rachels_Environment_Health_News_1026.pdf

** Hold meetings and workshops at times and locations that are convenient for community members rather than times that are convenient for agency staff. [5, pg. 18 and 4, pg. 22] This is one of the greatest impediments to community participation because most meetings are held between 9 am and 5 pm, Monday through Friday, making it impossible for any working person to attend. Also meetings are often held at Agency headquarters, making it hard for local people because they have to travel great distances to attend. Meetings should be held in the community that will be affected by the decision.

** It is particularly important for local agencies to help low-income and people-of-color communities participate in planning and zoning decisions, ensuring that residents' concerns are integrated into planning and zoning documents. Local governments should also appoint people representing the local community to land use planning and zoning boards. At present, zoning boards tend to be dominated by middle-aged white males. [4, pg. 22]

Cal/EPA reiterates these ideas and says that local governments and communities should provide special tools for already disproportionately impacted communities, including the authority to deny permits. [6;7] As you can imagine, this idea does not sit well with the polluters. Attached to the Cal/EPA document is a dissenting opinion written by one of Cal/EPA's Advisory Committee members, Cindy Tuck, General Counsel for California Council for Environmental and Economic Balance (see http://www.cceeb.org/ to learn about this organization). In her dissent, Tuck says no one besides government should have the authority to deny permits or make land use decisions. [5, pg. 41 and see note 7]

So we have a distance to go. More next time.

* Maria B. Pellerano is associate director of Environmental Research Foundation.


[6] The Cal/EPA report says [5, pg. 22], "Develop tools for communities and local governments to use for evaluating the siting of facilities that significantly increase pollution in disproportionately impacted communities, including the authority for denial of permits, and increase the weight of community involvement in those decisions;"

[7] Cindy Tuck writes in the Cal/EPA report [5, pgs. 41-42], "Certainly it is appropriate for local governments to have tools to use in making land use planning decisions. Communities and other stakeholders need to be able to understand what those tools are and how they work. However, no interest group, including communities, should have the authority for the denial of permits or to make the land use decision. Only government should have the authority to approve or deny a permit or make the land use decision. Communities and other stakeholders need to be able to participate in a meaningful way in the public process, but communities and other stakeholders do NOT make the decisions." [Emphasis in the original.]
Understanding Your Community

To promote civic engagement, a community group can ask itself, Who needs to be at the table? And what does the community want?

Meaningful community input depends on having all stakeholders represented in discussions. Often we do not know who all the players are in our neighborhood or community. We can always round up the usual suspects, but we really need a full spectrum of viewpoints at the table. Learning about your community will help your organization grow and develop better relationships with other groups, businesses, and agencies.

Community Asset Inventory

A good way to learn about your community is to conduct a community asset inventory.[4] It is best to undertake this on a neighborhood level with a neighborhood-based group doing the work. Cataloging a community's assets involves a door-to-door survey of one's neighbors, in three parts.

1. An inventory of the gifts, skills, and talents of neighborhood residents is compiled.
2. You locate and list all associations in your neighborhood, and you need to make this list as broad as possible. For example you would include social clubs, religious organizations, sports clubs and teams, PTAs, civic organizations, gardening clubs, etc.
3. Finally you develop a list of formal institutions; these might include private businesses, public institutions (libraries, schools, parks, etc.), and non-profit agencies (hospitals, community development agencies, etc.).

There are several reasons why community asset inventories are a valuable first step but the two most important are: 1) it helps community members identify their local assets and provides them with a list of all resources that might be pulled into a process of neighborhood visioning or regeneration; and 2) the very process of creating an asset inventory gets community members talking to each other about their shared hopes and concerns.

Participatory Mapping

After you have developed your community asset inventory, it is a good idea to understand what your community looks like now and how you want it to look in the future. Again you want to do this on a neighborhood level because it is much easier to handle a small area rather than an entire town or city. The best tool that I know of for doing this work is participatory mapping[5].

I am going to describe the low-tech version of participatory mapping not the one using computerized Geographic Information Systems (GIS) -- see http://www.rachel.org/-bestPrac/detail.cfm?bestPrac_ID=68 for information on GIS mapping.

Community groups can use participatory mapping to involve a diverse group of residents in future land use planning for the community. These maps can serve many purposes such as siting a housing development, planning open space, or developing better pedestrian and bicycle paths.

I am going to discuss participatory mapping for developing an ideal overview of your community.

First you have a good local map printed on paper large enough for a small group of people to work on it around a table. You might make a number of copies of this map so that several small groups can work at the same time. Make sure that the map has all current land features (parks, streams, roads, etc.), buildings (houses, schools, hospitals, retail establishments, factories, etc.), and any known contaminated sites already noted on it. Make sure you use simple icons[6] to mark features such as existing libraries, schools, hospitals, etc. First, the participants examine the map and discuss the primary land uses in the neighborhood (housing, schools, empty lots, etc.), noting incompatible land uses such as a metal plating shop in the middle of a residential area.

People should then be given the opportunity to envision what they want their community to look like. For example, they might put all the industrial facilities in one area, have a concentrated shopping corridor, put schools within walking distance of people's homes, have open space and playgrounds walkable distances from each house, etc. If you have several
groups working on the same area, each group can make a presentation and then everyone can decide which ideas are best and how to develop a single map. This final "consensus" map can then be used whenever the community is trying to show local officials how they want their community to develop. This can be done over a period of months so that you can get maximum input from your community.

Study Circles

Another great tool for discussing the vision of your community is "study circles" that are given the task of finding agreement on an issue[7]. A study circle is a facilitated group of 8 to 12 people with diverse backgrounds and differing viewpoints who agree to meet several times to discuss a specific issue. Each person has an equal voice and people try to understand one another's different views, share concerns, and look for ways to make things better.

Study circles can be used for most issues that communities face including race relations, how different generations can work together, how to plan for growth in a community, and how to provide better educational opportunities for our children.

With the help of the Study Circles Resource Center[7], communities develop a committee that creates the agenda for the study circle and helps find the participants. Like the study circles themselves, these committees need to represent different backgrounds and interests in the community. Multiple study circles are held in the community simultaneously over a period of time culminating in a community-wide meeting where the individual study circles report on the action ideas they agreed on. The whole group then agrees on the actions that the community can take together.[7]

Local Governments Can Encourage Public Participation

Local governments can take the lead in helping citizens participate. Here are three ways that governments are currently aiding public participation: citizen advisory committees, community or neighborhood councils, and consensus conferences (sometimes called citizen panels).

Citizen Advisory Committees

Many government agencies use citizen advisory committees to help with decision-making on a variety of issues (transportation, environment, education, policing, housing, art, etc.). These committees are a good idea but historically in some communities they have been ineffective for various reasons (such as limits on the issues they can address; politically appointed membership not truly representative of a community; rubber stamping decisions already made; heavy influence from corporations; and limited input from citizens who are not members of the committee). Government agencies could work with communities to redesign advisory committees so that the community gets to appoint the members, the committee itself gets to decide which issues it will address, and the committee agrees to engage a wider public before making final decisions.

Community Councils

Some U.S. cities have developed a system where neighborhood associations get support from city-funded agencies on a district level. Called different things in different communities (for example in Dayton, Ohio they are called Priority Boards and in Portland, Ore. they are called Neighborhood District Coalitions) they are designed to provide support and give a voice to neighborhood organizations[8]. I call them all "community councils."

In general, community councils begin by having neighborhood organizations define their own boundaries. Then the city defines the boundaries of the community council, whose office and staff serve all the neighborhood organizations that lie within that council's boundaries. In general, representatives of the different neighborhood organizations make up the community council board. The staff is usually provided by the city and their job is to facilitate citizen participation by helping associations and training community members in leadership and civic involvement. Neighborhood organizations can use community council space for meetings, and can use office equipment such as photocopiers.

In general these community councils are hailed as a model of civic participation but in some cases the membership of the council may not reflect the general population of the area. For example, in St. Paul, Minn. some say that the Neighborhood Councils tend to represent white homeowners, even where most of the residents are people of color and renters.[9]

Consensus Conferences

Consensus conferences are another way that governments can get community input on a complex issue[10]. The conferences were originally developed by the federal National Institutes of Health to produce consensus statements on controversial medical topics.

Today consensus conferences are used (chiefly by European governments) to reach consensus on controversial technologies (for example, genetically altering livestock, telecommunications policy, or the use of transplants in medicine). The conference is managed by a steering committee that chooses a lay panel of 15 volunteer participants who lack significant prior knowledge about the issue. [For details, see 10.] The steering committee also commissions the writing of a background paper that describes the pros and cons of the technology under discussion. Working with a skilled facilitator, the lay panel discusses this background paper and begins developing a set of questions that will eventually be answered by a group of experts.

The steering committee assembles an expert panel including scientific, technical, social, and ethics experts, plus stakeholders from unions, industry, and environmental organizations.

The lay panel reviews additional background papers provided by the steering committee, refines its questions, and suggests additions and deletions to the expert panel.

The process ends with a four-day public forum during which the experts make presentations and answer questions from the lay panel and sometimes from the audience. The lay panel deliberates and then cross-examines the expert panel to fill in
information gaps and to clarify areas of disagreement. The lay panel then writes a report, summarizing the issues on which it has achieved consensus and identifying points of disagreement.

The panel's final conclusions are widely distributed to the media, and local hearings are held to stimulate informed public debate, help citizens understand the issues, and influence decision-makers. As with all these processes, serious effort is needed to insure a diverse lay panel.

The lay panel's recommendations are not binding on anyone, but they have proven to be very influential on public policy because of the deliberate and open nature of the process.

A Few Ways Communities Plan for Future Land Use

Austin, Texas has a long history of land use planning and zoning errors including zoning based on racial segregation [2, pgs. 89-116]. In 1998, Austin began a program to develop neighborhood plans -- a program designed to remedy existing zoning problems and improve community outreach and communications.[11] Over the course of a year, Austin's Neighborhood Planning and Zoning Department works with neighborhood residents to address land use, transportation, services and infrastructure, and urban design issues. The goal is for diverse interests (renters, residents, property owners, business owners, community organizations and institutions) to get together and develop a shared vision for their community.

Each neighborhood plan has four goals: 1) identify neighborhood strengths and assets (for example, can a resident meet all his or her basic needs within walking distance?); 2) identify neighborhood needs and concerns (for example, the neighborhood might need more open space); 3) establish goals for improving the neighborhood (for example, exclude properties that do not reflect the scale of existing houses); and 4) recommend specific actions to reach those goals (for example, develop design criteria for all new buildings).

So far, 21 of the 54 plans have been completed and are available on Austin's Neighborhood Planning and Zoning Department's web site[11]. The web site also includes an extensive library of materials that residents can review to prepare for their neighborhood planning sessions.

Eminent Domain

I have only heard of this tool used by a community group in one city, but there it has proven to be very powerful. In the 1980s, Dudley Street, a Boston community that straddles Dorchester and Roxbury, looked like other inner city neighborhoods -- one third of its land was vacant and it had become an illegal dumping ground. In 1984, residents took control, forming the Dudley Street Neighborhood Initiative (DSNI), organizing around immediate concerns AND starting to engage in long-term planning. DSNI's first campaign, "Don't Dump On Us," cleaned up vacant lots, shut down illegal trash transfer stations, and served as a community organizing tactic. DSNI decided Dudley Street needed to take control of the urban planning process, rather than allow its destiny to be decided by the City of Boston. Believing in "bottom-up" development rather than top down planning, DSNI and its hired planners created a comprehensive plan to "redevelop" Dudley Street into an urban village. The most pressing problem was to gain control of the vacant lots so that the community could guide future development. With free legal assistance, DSNI became the first neighborhood organization in the U.S. to win the right of eminent domain over its vacant lots. Eminent domain is the power of the sovereign to take property for public use, compensating the owner at market rates. The power of eminent domain allowed residents of Dudley Street to acquire valuable assets and gave them a strong bargaining chip for deciding the future of their community. To date, more than three hundred of the 1,300 abandoned parcels in the neighborhood have been transformed into high quality affordable housing, gardens and public spaces.[12] Eminent domain is a powerful tool indeed.

To many people in the U.S., democracy means not much more than paying taxes and occasionally voting. However, as we have seen, it doesn't have to be that way. Using some of the new tools to enhance participation, citizens can directly influence many of the decisions that affect their lives.
publication is only available from ACTA Publications, 4848 North Clark Street, Chicago, IL 60640; phone: (800) 397-2282. See the write up on community asset inventories in the "What's Working Now" section of the Rachel web site at http://www.rachel.org/bestPrac/detail.cfm?bestPrac_ID=56. You can also read about Asset Inventories at the Asset-Based Community Development Institute web site at http://www.northwestern.edu/ipr/abcd.html.


[6] A good source of icons is the Green Map web site; see http://www.greenmap.com/home/downpost.html. They have icons available in eight languages, for example you will find the icons in English at http://www.greenmap.com/images/gmsicon2.pdf. You can also use color codes to indicate land uses (for example, yellow for single family homes, orange for multi-family homes, purple for industrial, etc.). Austin, Texas uses this system and includes a photograph of each type of land use so people can see what they are talking about. See http://www.ci.austin.tx.us/zoning/downloads/how_rd_map.pdf.


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