



Healthier Environments for All
Testimony to the Subcommittee on Interior, Environment, and Related Agencies

By Peggy M. Shepard, Co-Founder, Executive Director,
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Good Morning to Chair Betty McCollum and the distinguished committee members including my New York Congressman Jose Serrano and my hometown friend from New Jersey the Hon. Bonnie Watson Coleman. I am Peggy Shepard, co-founder and executive director of West Harlem Environmental Action, known as WE ACT for Environmental Justice, a 31-year old non-profit membership organization based in Harlem in New York City, with a federal policy office here in Washington DC. WE ACT works to build healthy communities by organizing residents of color and low income people to engage in the creation of sound and fair environmental health and protection policies and practices. WE ACT provides leadership within the national Environmental Justice Movement, and works to influence the creation of federal, state and local policies affecting the environment and public health. I am a former chair of the National Environmental Justice Advisory Council (NEJAC) to the EPA, and I am a proud recipient of the Heinz Award for the Environment, and the Rachel Carson Award from Audubon. My organization, WE ACT, has received funding from the Department of the Interior, HUD, EPA, and currently from the National Institute of Environmental Health Sciences (NIEHS). Five years ago, WE ACT's Washington DC, office was created to provide a voice for vulnerable impacted communities on federal policy, and to coordinate and convene the Environmental Justice Forum on Climate Change, a multi-racial, multi-ethnic network of 43 member organizations working in 22 states to impact policy on climate change and energy.

At WE ACT, we're working every day to improve the planet, one community at a time by empowering people to power change. I remember the words of one of my community organizers, a recent College grad, who said, "I live in a low-income Latino Community where asthma, diabetes and cancer rates are high. A garbage truck depot, subway yards and a bus depot are within a 2-minute walk from my apartment. For many years I believed this is how the poor lived and that this was to be my reality along with my mother and neighbors. I realized we deserve better and could get better, and as a community organizer with WE ACT, I am helping to achieve that goal."

The Environmental Justice (EJ) vision is to expand the democratic space for all our voices and perspectives to be heard and incorporated into solutions that work. EJ is the perspective that all communities deserve equity in environmental protection, enforcement of existing laws, siting of noxious facilities, and consultation in the development of government policies and regulations. In New York City, communities bear the brunt of public and private disinvestments and the brunt of pollution through the permitting and siting of polluting facilities disproportionately in those communities. As a result, our communities have escalating health disparities in asthma, diabetes, cancer, obesity, developmental delays, low birth weight, and high maternal mortality for African American women despite their income and educational attainment. Environmental Justice places human health at the center of environmental struggles, understanding that communities of color and low income are home to more susceptible populations, that multiple environmental exposures must be addressed by studying

their cumulative impact and synergistic effects on health, that children, in their early stages of development, are more vulnerable to environmental exposures, and that children of color living in communities of color disproportionately impacted by pollution are the most disadvantaged.

WE ACT believes that all residents should have access to clean water and clean air, equal environmental enforcement and protection, and equitable distribution of benefits, burdens, and resources. Unfortunately, there are many communities in this country that do not have access to a clean environment, in fact, they are overburdened by a multitude of polluting facilities that contributes to growing health disparities and low life expectancy in communities of color and low income. Because permitting of polluting sources is established facility by facility, based on air, water, soil, and toxic substances, when there is a multitude of these sources in one community, there is a cumulative impact on the residents. This cumulative impact is not measured or regulated despite the fact that the National Environmental Protection Act (NEPA) calls for an assessment of whether or not a federal action has the potential to individually or cumulatively have a significant effect on the human environment.” However, the EPA has never developed a final guidance on Cumulative Impacts. Yet, this is at the heart of environmental justice concerns due to the disproportionate impact of pollution in those communities of color and low income. This subcommittee should consider holding hearings to catalyze federal policy on cumulative impacts and synergistic effects on environmental public health.

We are all aware that Flint, Michigan has become the poster child for environmental injustice, ironically some 35 years after the Environmental Justice Movement has been organizing in impacted communities throughout the United States. But the reality is that there are many communities like Flint across this nation that have similar or higher levels of lead in their drinking water. Many low-income, people of color are sick and dying from disproportionate environmental exposure to pollution, toxins, and policies that have scarred the health and landscapes of America from Appalachia to Alaska, from tribal lands to the Gulf Coast, from New York to Hawaii and Puerto Rico.

According to recent reports, 80 percent of U.S. Latinos, 65 percent of non-Hispanic black residents, and 57 percent of white residents live in “non-attainment” areas where ambient air quality is worse than what the federal government considers safe. People of color face increased health care costs, more lost days at school and work, and a shorter life expectancy due to increased exposure to air pollution. The increased exposure to air toxics makes these families more vulnerable to health problems associated with air pollutants such as low birth weight, developmental delays, and asthma attacks, according to data from the Columbia Center For Children’s Environmental Health (CCCEH) where I have served as a co-Principal Investigator and sub-contracted Community Partner for the past 20 years. Factors such as poverty, language barriers and lack of access to health care increase the danger. Permissible levels of ground-level ozone must be decreased to reduce respiratory and related illnesses in densely populated, largely urban areas of color that are already hardest hit by pollution.

The health of a society can be judged by the health of its children. The Columbia center, CCCEH, is working to understand the health risks from early life exposures to environmental contaminants in combination with susceptibility factors and is attempting to address these threats through education, policy-relevant research, and the timely dissemination of research results. Over the past 10 years, this study has shown that exposure beginning in the womb to polycyclic aromatic hydrocarbons (PAHs) from traffic-related air pollution, pesticides in common home pest control products, and pest allergens in the home can result in asthma and other respiratory symptoms, delays in cognitive development, and changes at the molecular level that could increase children’s cancer risk. These pollutants can cross the placenta and expose the developing fetus. Exposure to air pollution during pregnancy is associated with genetic damage in babies before they are even born. This type of genetic damage has been associated with increased cancer risk later in life. We hope that this work and that of the other national centers for children’s environmental health will help improve the environments in which children grow so they may reach their full potential in life. We need to continue this investment in cutting edge research funded by the EPA and the NIEHS.

We know that place matters—that your zip code often determines your health status and the range of environmental hazards and conditions that characterize these communities. There is compelling evidence that we are all exposed at home, at school, and in our communities, to toxins and allergens that can have lifelong and intergenerational effects on public health, reproductive outcomes, human development and the sustainability of the planet --that we are all exposed; but many studies indicate that race and socioeconomic status are important risk factors for predicting the location of noxious facilities, levels of exposure, health disparities, and effects of climate change. While Flint has become a household name in the past few years, there are more injustices happening across the country in communities whose voices must be heard. We need to get on a path to lead- free homes in America as part of a broader commitment to healthy homes and indoor environments. But without relevant financing mechanisms for low-income homeowners, public housing authorities, and moderate-income housing, this toxic legacy of lead in gasoline and paint still persists. How do we launch a Healthy Homes initiative that eradicates mold and lead from the homes of these most vulnerable?

Let me introduce to you a few stories of environmental injustice that people are fighting against daily. Welcome to Cancer Alley, a 100- mile stretch of land between Baton Rouge and New Orleans where former agricultural plantations have been replaced by seven oil refineries, and 175 heavy industrial plants. Small, black communities of 300 and 400 people are sandwiched between these industrial plantations and face exposure to a slew of toxic emissions daily. The Louisiana government provides tax breaks to these industrial businesses, which do not hire local residents. As we know, local industry does not necessarily mean jobs for local residents.

In Houston, Oakland, and Newark, NJ, just to name a few, the transportation impacts from ports and goods movement terrorizes residential areas of people of color with truck movement and emissions that exacerbate asthma, and heart disease.

In New York City, public housing is home to over 600,000 people of color and low- income residents living in shameful conditions of mold, pests, and housing deterioration that may be causal and contributes to the appalling incidence of inequality in rates of chronic disease.

If you are a farmworker in California's Central Valley, farmworkers and their children are working in fields sprayed with chlorpyrifos, which has been banned by the EPA for residential use but is still allowed to be used in agriculture. The most vulnerable, including pregnant women and children are working amid the spraying in the fields.

Meet Sarah James, a Gwich'in tribal elder of Arctic Village in Alaska who faces drilling in the Arctic National Wildlife Refuge, which will risk the future of her village and the Porcupine Caribou herd, which they depend on for food, clothing, community and culture. Their homes are currently threatened by global warming, seen in permafrost and river changes, and the drilling proposals. The Gwich'in culture and Arctic Village are endangered and at risk of displacement due to climate change and the Arctic drilling.

These sacrifice zones are a moral outrage. We must pledge to end this dichotomy of two Americas, of throwaway communities, of the acceptance that we will always have winners and losers. So we must lift up the struggle for Climate Justice. To address the climate crisis in frontline communities, the next administration must commit to developing and enforcing policies that support these communities as they develop their own, community-based mitigation, adaptation plans and initiatives to develop climate resilience.

To combat climate change, in addition to California, there are nine Northeast states that comprise the Regional Greenhouse Gas Initiative, where a market-based, cap- and- trade system has been implemented; but you should understand that these systems are opposed by environmental justice organizations nationally for two reasons: (1) They do not reduce the co-pollutants, which trigger asthma and harm the public health; and (2) cap and trade

systems can facilitate an outcome where some plant facilities that are located in communities of color and low income, can buy credits rather than reducing their emissions. This system results in EJ communities not reaping the benefits of reduced emissions. This subcommittee should commit to holding hearings about carbon pricing and ways to reduce co-pollutants with environmental justice advocates, air quality scientists, public health and environmental experts to examine this challenge and develop recommendations to address the concerns of environmental justice organizations across the country.

We need to re-envision our energy future to advance energy investment and infrastructure to keep housing and homes affordable. Energy insecurity is a key factor in lower-income residents losing their homes, and landlords abandoning the maintenance of multi-family apartment buildings. In 2013, the U.S. Energy Information Administration reported that nearly one-third of U.S. households faced a challenge in paying energy bills or sustaining adequate heating or cooling which will worsen as climate change increases extreme heat temperatures. Climate Change poses a unique threat to children's health, safety, and security which includes: heat stress, lower air quality, increased infections, natural disasters, and threats to food and water supplies. Extreme heat increases risk of illness and dehydration; poor air quality due to increased pollutants and pollen worsen asthma, warmer temperatures promote the growth of bacteria, viruses, and insects; extreme weather causes injuries, missed work and school, and mental health issues; food supply problems cause malnutrition.

At WE ACT, we have developed a SUN program, Solar Uptown Now, with the members of our Energy Democracy Working Group, and our partners Solar One and Sustainable CUNY. Together we have advanced our goal of installing 150 kW of solar panels on affordable multifamily apartment buildings (tenant owned, or operated by mission-driven organizations) in northern Manhattan. All told, our Solar Uptown Now (SUN) initiative has more than 11 buildings in the pipeline, including nine Housing Development Fund Corporation (HDFC) low-income tenant-owned cooperatives, one small multifamily building, and an installation at Yeshiva University. The buildings in the pipeline are expected to relieve New York City's connected power grid from 44,084.8 kw/h of energy consumed per year. That's 32.8 metric tons of carbon dioxide equivalent - taken out of our atmosphere, thereby improving air quality and further reducing asthma rates. Reaching these tangible benefits has been complicated by a shifting landscape on solar. This subcommittee should convene hearings on the implications of the possible tariff on solar panels and how the so-called "tax reform" might also negatively impact solar and wind power deployments and block our communities' path to climate resilience. This is a critical conversation, necessary for our frontline communities to develop solutions that we can collectively work toward advancing at the state and local level.

In conclusion, equity and working toward creating a Culture of Health in all policies must become an overarching goal that shapes recommendations in all policies. Success must be measured at the community level and current inequitable distributions of benefits and burdens must be remedied as we move forward.

Thank you for the opportunity to share with you some of the challenges our underserved communities are facing, and how we may move forward to address them and to achieve Environmental Justice. Our goal is to improve the health and lives of all communities especially communities of color and low income that are disproportionately burdened by pollution and health disparities. Back in 1994, President Clinton issued an Executive Order 12898 on Environmental Justice which needs to be fully implemented and codified into law. To achieve these goals, we will need leadership, commitment, and strong oversight.

Thank you for your consideration.