Peggy M. Shepard
Executive Director & Co-Founder, WE ACT for Environmental Justice
New York, United States

Environmental Peacemaking, Healthy Communities, Effective Leadership and Institutions

Reflections from an Environmental Justice Community: Harlem

Context of My Work

Environmental justice is a national and global movement that challenges the disproportionate burden of pollution and environmental degradation borne by communities of color and low income. It is this disparate distribution of burdens, benefits, investment, and access to decision making that characterizes environmental racism. It is the intentional targeting of communities of color and low income for pollution -- because they are less informed, less powerful and influential -- that has led to excess exposure to environmental hazards, a major contributor to egregious disparities in health by race/ethnicity and social class.

The lack of public participation by communities of color in decision making, appointment or invitation to policy making groups and community planning processes, was and continues to be a key challenge to the Environmental Justice Movement. For those environmental justice activists and advocates who work to build movement capacity both nationally and globally and to develop community assets, civil society, and advocacy systems in communities of color, the urban environment represents different constraints, dynamics and perspective on the environment: where we live, work, play, pray and learn.

During my reading of Professor Wolf's paper, *The Enlightenment Rift and Peace Building: Rationality, Spirituality and Shared Waters,* I realized that the context of the discourse is foreign to my experience and, at first reading, did not seem to apply to the scale or circumstances in which I work. In the urban Northeast communities in which I and other colleagues work, there have been few water management issues that have come to my attention; certainly not issues as complex as the 1922 Colorado River Compact signed by seven basin states in the west. New York's most controversial water issues have

centered on the Hudson River, the largest superfund site in the nation, and its cleanup by General Electric of PCB contamination. Another key water issue has been the protection of the New York City watershed from upstate development, farming runoff, and sewage treatment overflows. Both New York issues have been primarily negotiated by city, state and federal regulatory agencies with minimal participation by other stakeholders, though public comment, policy briefings, and education of elected officials has been performed by environmental and public health advocacy groups.

Other complex agreements in the Northeast primarily have focused on air quality and climate change. The Regional Greenhouse Gas Initiative (REGGI) is the first mandatory, market-based effort in the United States to reduce greenhouse gas emissions through auctioning of emission allowances. Ten Northeastern and Mid-Atlantic states have capped and will reduce CO_2 emissions from the power sector 10% by 2018. Those negotiations were led by regulatory agencies with the participation of mainstream environmental groups and industry. However, a robust stakeholder process was not engaged.

Wolf's paper is compelling and thoughtful in its focus on water management and how water-related cooperation overwhelms conflict. He discusses a balanced construct of justice, mercy, and compassion that has relevance for key ethical questions that influence our approach to resource allocation, negotiation, and understanding of relationships. I recognize the import of his argument that the North/West over-emphasizes rationality and the rights of the individual as opposed to the Global South and East which emphasize inclusion of spirit and the needs of the community. This North/West emphasis is often a source of cultural tension between grassroots communities of color and majority Caucasian communities. In many ways it is the United States' North/South divide.

The discussion of conflict transformation where negotiations move from rights-based to needs-based, to interest-based, to equity-based in a "transformation of energy" is compelling and a construct I hope intentionally to apply in future opportunities for community-based environmental peacebuilding. I appreciate that many of the community empowerment and community-based planning projects my organization, WE ACT For Environmental Justice, has coordinated have achieved the outcomes of trust building, skills building, consensus building and capacity building.

The additional report on Environmental Peacebuilding by FOEME had significant resonance for the work in which I have been engaged in New York City's four Northern Manhattan neighborhoods, an area of 7.4 square miles, which are home to over 630,000 mostly low-income African-American and Latino residents many of whom live across the street from each other yet never speak, interact, or communicate with each other. Median household income ranges from $10,000 per year in East Harlem to nearly $22,000 per year in Washington Heights. Vital health statistics such as infant mortality, access to primary health care, asthma hospitalization rates, and lead poisoning, place each of these districts among the worst in the city. Harlem's asthma mortality and morbidity rate is three to five times greater than the citywide average, with 25% of Harlem's children diagnosed with asthma.

Though I was not aware of the term peacebuilding, my organization has been fully committed and involved in the achievement of its aims to provide new data and options, build community-based resources to achieve solutions, build new relationships across divisions and cross-community, and to build community resilience to influence the course of social and economic change.

As one of the few advocacy organizations based in Northern Manhattan, and the only environmental advocacy group, we have worked for the past 21 years to achieve environmental peacebuilding and transformation in our underserved community which is now undergoing reinvestment by the private sector and government, and gentrification by more affluent white residents with resulting displacement of lower-income residents of color. We began as a volunteer organization in 1988, combining community organizing, basebuilding, direct action and civil disobedience to build community power to fight environmental racism with the goal of improving environmental health, policy and protection in communities of color.

The North River Conflict

Along the West Harlem Hudson Riverfront are several noxious infrastructure facilities run by city government. The North River Water Pollution Control Plant, mandated by a federal-city consent decree to clean up the Hudson River and comply with the Clean Water Act, was constructed along seven blocks of the West Harlem Hudson River waterfront with capacity of 170 million gallons per day to service the Westside of Manhattan. Considered a symbol of environmental racism because the powerful real estate lobby was able to change the original downtown siting of the plant to Harlem, the plant became a

rallying point for residents' concerns about its foul odors, toxic emissions of hydrogen sulphides and nitrogen oxides, the impact on the respiratory health of their children, and depressed real estate values. Despite ongoing community mobilization, civil disobedience, media and public speaking campaigns, the struggle dragged on for five years due to racial tensions between communities of color and Mayor Ed Koch's administration. The community lacked institutionalized advocacy systems, accessible technical expertise, documented health impact information, and research data on environmental exposures of residents.

WE ACT's organizing focused on forcing the City of New York to fix the North River Sewage Treatment Plant, ensuring community involvement in determining future siting and planning decisions in West Harlem, and impacting the city's public policy agenda by positioning environmental justice as a significant political and policy concern. The five-year campaign resulted in the victorious $1.1 million settlement of WE ACT vs. NYC Department of Environmental Protection for operating the plant as a public and private nuisance, a $55 million commitment to fixing the plant, and WE ACT's monitoring role on the city-state, five-year fix-up plan for North River.

Lessons Learned

In the Adversarial stage, the government participated in accountability sessions organized by the community, but government never developed a process of community engagement that built trust. Perhaps, as a result, trust building between community stakeholders occurred more naturally than it might have had their been more government cooperation. The community expressed its rights but quickly understood the federal regulatory mandate and pursued a needs-based strategy of campaigning to fix the plant not shut it down. They focused on what was needed to make the plant a sustainable neighbor. The 2nd stage of skills building was effective with the new mayor engaged in contributing leadership and resources that assisted us in reaching solution by securing significant data on the plant's operations. The lack of scientific literacy, information, data, and context was a serious void that contributed to the systemic exclusion of communities of color from decision making.

The residents and local leadership spent years in research and data gathering that resulted in consensus on direction, and helped to build new relationships within the community, in government, and cultivated and partnered with new important allies such as the Natural Resources Defense Council (NRDC) who

we continue to work with on important policy collaborations. From that struggle came two community assets: community-based organizations that are viable today: the North River Environmental Review Board of residents who meet monthly since 1988, and WE ACT which began in 1988 as a volunteer group, and incorporated in 1994 and hired its first paid staff to institutionalize an advocacy voice and resources in an underserved community.

MTA and Air Quality

Manhattan is a non-attainment area for the Clean Air Act for ozone and fine particulates from diesel exhaust. The U.S. Environmental Protection Agency (EPA) ranks it #1 in Air Toxics. New York City runs the largest diesel bus fleet in the nation, 4200 buses, with one-third housed in five of Manhattan's six depots where buses idle on streets outside homes, parks and schools. Northern Manhattan is at the nexus of a transportation, air pollution, and public health paradigm with 25 to 30 percent of children in the area diagnoised with asthma. In 1988, WE ACT filed a lawsuit against the Metropolitan Transit Authority (MTA) to halt the planned construction of a sixth diesel bus depot in Northern Manhattan across the street from an intermediate school and a 1,700- unit housing development. In 2000, WE ACT filed a TitleV1 of the Civil Right Act administrative complaint with the U.S. Dept. of Transportation. WE ACT conducted a Clean Fuel / Clean Air MTA Accountability Campaign that created the political will for the governor and key state legislators to mandate that the MTA make hundreds of alternative fuel bus purchases, retrofit diesel depots to compressed natural gas, and was a catalyst for the MTA investing in diesel retrofits and hybrids. The MTA now boasts that it has the cleanest fleet in the nation.

Lessons Learned

Conflict transformation is a process that must change the systemic problems. We were able only to solve the immediate concerns without creating constructive social change at a deeper level. However, that experience gave us the capacity to develop a peacebuilding process for residents to impact the redesign and character of a depot being renovated as a green building adjacent to a large housing project. We have provided leadership to build trust between residents who lead a task force that has created social space to promote dialogue and understanding between residents and the MTA. Through skills building, and a 10-year community-academic partnership that provided exposure data, we have achieved new policies, legislation, and the residents have learned data that is developing community resilience, and

they are applying it to a range of community issues that are transforming their relation to government authority, and improving living conditions.

Community-Based Planning For Waterfront Park Amenity

The historic Harlem Piers along the Hudson River had collapsed, and the area was being used as a trash-strewn parking lot. There was city momentum to create waterfront park access along Manhattan's east and Westside waterfronts; yet, in Harlem the city was considering a 30-story hotel development after years of conflicting development plans that could not achieve consensus by residents, officials or policymakers. WE ACT initiated, funded and facilitated in partnership with Community Planning Board #9, a community-driven planning process that organized 200 Harlem residents and stakeholders to submit a vision plan to the city which we pressured to abandon the hotel plan and base its master plan on the community-generated vision for a waterfront park and restoration of two piers. WE ACT's negotiations and coalition building between the community, government agencies and e*lect*ed officials resulted in commitments of over $30 million to complete the park which opened 10 years later in 2009. WE ACT is working to build and incubate a new community asset by developing a membership-based 501© (3) organization, the Harlem Waterfront Alliance, to develop stewardship and program, and fundraise for the park.

Lessons Learned

It was a turning point for proper planning of the Harlem Piers area. It was transformative because trust was built, the city learned that partnering with communities adds value, develops consensus, and helped build capacity for the government to replicate the process in other NYC communities.

NYC Solid Waste Management Plan

The city developed the political will to tackle its export of solid waste as a response to the closing of the Staten Island landfill which received NYC garbage from trucks and marine transfer stations (MTS) located on waterfronts which barged garbage to the landfill. Once the landfill was closed due to an election promise, there was a reassessment of the need for all of the MTS's, most of which were located in communities of color and low income. In addition land –based transfer stations where trucks lined up to tip garbage were all located in great numbers in Environmental Justice (EJ) communities that gained momentum in their protests about the negative health impacts of the diesel truck trips into the

community and the barely regulated transfer stations near their homes. An Organization of Waterfront Neighborhoods (OWN) composed mainly of EJ groups, began to coalesce opinion and develop a citywide plan for options to the current export of waste. The mayor championed the initiative and the City Council passed legislation closing some stations in EJ communities with high asthma rates and expanding some in affluent areas. There was an agreement that each of the five boroughs of NYC would handle their own export of waste within their borders rather than trucking waste through other boroughs. There is a lawsuit against the MTS on the affluent eastside of Manhattan, and the once 24-hour MTS in Harlem remained closed due to a vigorous campaign by WE ACT.

Lessons Learned

Solid waste management is a global concern that affects all nations with some nations bearing more of the negative impacts. The Obama Administration may have the will to look at solid waste export and reduction nationally and globally implications.. This would require a broad conflict transformation and peacebuilding process nationally and globally. The federal government is more experienced in developing process to engage stakeholders to develop strategic direction than state or local governments. This is an opportunity for global peacebuilding to create a space to build consensus on this concern.

Perhaps the biggest lessons learned have come from the last four years of the Columbia University Expansion of their campus into 5 million square feet of a manufacturing district in West Harlem. The project supported by the mayor and most elected officials developed a Local Development Corporation of community residents chosen haphazardly and given no funding or resources or expertise to develop a Community Benefits Agreement. There are many things I could say about this but the most critical challenge and question I have for Dr. Wolf is around the concept of trustbuilding.

The challenge is not only building trust between the adversary and the stakeholders but building trust between the stakeholders. That is proving to be the strongest liability for peacebuilding. How do we build trust among neighbors? In order to build community resilience we need to have high levels of collaboration with other community-based organizations. In oppressed communities, any group with resources is often seen as suspect. The addition of racial and ethnic differences to a weak civil society weakens community ability to influence the course of social and economic change.