

AMERICAN PUBLIC HEALTH ASSOCIATION CALLS FOR NATIONAL MORATORIUM ON NEW AND EXPANDING CONCENTRATED ANIMAL FEEDING OPERATIONS

ACTION 12: REQUIRING THAT ENVIRONMENTAL JUSTICE AND EQUITY ISSUES ARE ADDRESSED IN PERMITTING DECISIONS

In light of the wide-ranging negative health and environmental impacts associated with Concentrated Animal Feeding Operations (CAFOs), as well as serious social and environmental justice concerns, the American Public Health Association adopted a new policy resolution. The [Precautionary Moratorium on New and Expanding CAFOs](#) calls for federal, state and local governments, including public health agencies, to impose a national moratorium on new and expanding CAFOs until additional scientific data on the attendant risks to public health have been collected, uncertainties resolved, and 12 action steps outlined in the resolution have been taken. This document is one of a series of briefs concerning the action steps that must be met before the APHA's call for a moratorium will be lifted. This document focuses on Action Step 12, and provides additional information pertinent to this action step.

Action Step 12 requires:

The federal government addresses environmental justice and equity issues in permitting decisions for projects with the potential to disparately impact communities in violation of Title VI of the Civil Rights Act of 1964.

Overview of Environmental Justice and CAFOs: Studies have established that sources of environmental hazards are concentrated in communities with a disproportionately high population of people of color (including indigenous peoples).¹ Studies also show that these groups often experience higher exposures to environmental hazards associated with the places where they live, work, and play.² Furthermore, these population groups tend to be more burdened with adverse health conditions that have environmental

triggers, such as cardiovascular disease, preterm birth, low birth weight, and asthma.³

Environmental Equity refers to “the equitable sharing of environmental impacts by a community. Environmental policies and laws strive to ensure that no one group or community bears a larger, unfair share of harmful effects [considered in light of existing vulnerabilities] from pollution or environmental hazards.”⁴

According to the Environmental Protection Agency (EPA), environmental equity can be broken down into two categories: fair treatment and meaningful involvement. Fair treatment means that no single community should be disproportionately affected by environmental crises as a result of laws or policies.

Meaningful involvement means that groups should have the opportunity to participate in a meaningful way regarding decisions that affect their health or their environment, and that their input will be taken seriously and considered in decision making.⁵

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.⁶ In 1994, Executive Order 12898 was issued to direct federal agencies to incorporate achievement of environmental justice into their mission. Specifically, the memorandum stated that each federal agency shall ensure that all federally funded programs that affect human health or the environment do not discriminate on the basis of race, color, or national origin.⁷ The memorandum also recognized the importance of procedures under the National Environmental Policy Act (NEPA) for addressing environmental justice concerns.

RECOMMENDED POLICY CHANGES

The federal government should act in accordance with executive order 12898, its accompanying presidential memorandum, and the EJIWG to actively address environmental equity issues in permitting decisions for projects with the potential to disparately impact

With that directive in mind, a committee was established with representatives from many federal agencies. This committee, the Interagency Working Group on Environmental Justice (EJIWG), is chaired by the EPA, and was created to “identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of federal programs, policies, and activities on minority populations and low-income populations”.⁸

Despite Executive order 12898, the accompanying presidential memorandum, and the establishment of EJIWG, studies have established that sources of environmental hazards are still located and concentrated in communities of color.³ The Trump administration has also cut the budget for the Office of Environmental Justice and decreased enforcement of environmental justice related issues.⁹

communities protected against discrimination by Title VI of the Civil Rights Act of 1964. Furthermore, the federal government should ensure that NEPA remains a vital mechanism for achieving environmental justice.

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