



DEFINING ENVIRONMENTAL JUSTICE COMMUNITIES FOR ENVIRONMENTAL JUSTICE POLICIES

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Background

As the associated problems of environmental racism, injustice and cumulative impacts are increasingly understood and taken up by policy makers, there is a growing need to codify the terms implied by such policies.¹ Definitions are important for policymaking because they help clarify the problems and policy interventions that are the focus of policies. One of the critical components of an effective EJ policy is the definition of an EJ community - the people and places that are the subject of EJ policies. A number of states, municipalities and federal policies have developed definitions and tools to identify environmental justice (EJ) communities using socio-demographic, public health, environmental and other indices.²

There are a variety of ways to define and identify communities that suffer from disinvestment, are climate vulnerable, bear a legacy of systemic racism, have been disenfranchised from decision-making, and/or are subject to a variety of disproportionate environmental burdens. These communities are referred to in policies using a variety of terms including environmental justice communities, overburdened communities, disadvantaged communities, or EJ areas of concern. Typically, the term EJ or disadvantaged community suggests that the socio-demographic characteristics of that community represent mostly Black, Brown, Of Color, Indigenous and/or low wealth populations. Overburdened communities often refer to areas where the population experiences disproportionate environmental risk or harm. Sometimes the term EJ communities includes both overburdened measures of environmental burden or social vulnerability in addition to socio-demographic characteristics. Whatever the term or definition used, it is vitally important to understand how to characterize EJ communities as states increasingly seek to implement EJ policies designed to protect and invest in these communities.

Methodology

The linked [chart](#) summarizes state and municipal definitions of environmental justice communities codified in legislation or promulgated in agency policies. Definitions were identified using online searches using key words and through researcher knowledge of legislative initiatives in various states. This search does not represent an exhaustive list of all possible definitions in use today or previously proposed. The online search was based on a review of the key words “environmental justice community”, “Overburdened community”, “environmental justice area of concern” and “disadvantaged community”. The search focused particularly on environmental justice policies, legislation, and agency reports as well as any geo-spatial indices or online tools with specific definitions for the keyword search terms. Some policies also include indicators of pollution burden or cumulative impacts to identify EJ communities. The chart includes: the link to the specific policy and background information on each definition, the unit of geography (i.e. census block group, census tract) used to identify communities, and links to mapping or screening tools if available.

Results

The search found thirteen states (CA, CT, IL, MA, MD, MN, NJ, NY, OR, PA, RI, VA, WA) and one municipality enacted environmental justice related legislation or an agency policy that included a specific definition of an EJ community. Seven of these states and one municipality enacted legislation (CA, CT, MA, NJ, VA, WA, NY & NYC) that codified a definition and seven states (IL, MD, MN, OR, PA, RI, WA) adopted policies through their environmental agencies with specific EJ definitions. Seven states (CO, GA, MI, NY, TX, VT, NJ) proposed environmental justice related laws with definitions of an EJ community but these were either not passed or are still pending in the legislature. Nevertheless, they can serve as informative guides for such definitions.

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¹ Rowangould, D., Karner, A., & London, J. (2016). [Identifying environmental justice communities for transportation analysis](#). *Transportation Research Part A: Policy and Practice*, 88, 151-162.

² [Defining Environmental Justice Communities and Distributional Analysis for Socioeconomic Analysis of 2016 SCAQMD Air Quality Management Plan](#). South Coast Air Quality Management District, November 2016. p.14