

# And the Floodwaters Came: Environmental Justice Implications of Hurricane Katrina

*The people who were stranded on rooftops, who crowded into the Superdome and other shelters, and who are now scattered across the nation, homeless, have something in common besides their Louisiana roots: They are disproportionately poor and Black, and they have long been the victims of environmental injustice.*

BY VERNICE MILLER-TRAVIS ON BEHALF OF THE NATIONAL BLACK ENVIRONMENTAL JUSTICE NETWORK

**O**n behalf of the National Black Environmental Justice Network, I would like to thank the Environmental Law Institute for hosting the conversation about the environmental impacts of Hurricane Katrina and the way forward on October 17, 2005, at ELI's office in Washington, D.C.

As I said in my comments that day, the members of NBEJN take no great joy in the fact that we have been predicting an environmental and public health disaster in the making for African-American communities across the United States, and indeed across the state of Louisiana, for more than a decade. So, we were right, and thousands of people have had their lives disrupted or in fact ended as a result of decades of unjust and racially motivated bad land-use planning and zoning practices.

These bad practices are rooted in the historical periods of our country's development known as Reconstruction and

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*Vernice Miller-Travis is executive director of Groundwork USA, a network of independent nonprofit environmental organizations that help communities use their assets to eliminate environmental poverty and become vibrant, healthier, and safer places to live. As a former program officer of the Ford Foundation, she launched that institution's environmental justice portfolio in the United States. She was director of the Environmental Justice Initiative at the Natural Resources Defense Counsel from 1993 until 1999, served on the U.S. Environmental Protection Agency's National Environmental Justice Advisory Council from 1996 until 2001, and is co-founder of the West Harlem Environmental Action, a 17-year-old community-based environmental justice organization in New York City. The National Black Environmental Justice Network is a preventive health, environmental, and economic justice network with affiliates in 33 states and the District of Columbia. Members include some of the nation's leading African-American grassroots environmental justice activists, community organizers, academics, researchers, lawyers, public health specialists, technical experts, and authors addressing the intersection of public health, environmental hazards, and economic development within Black communities.*

Post-Reconstruction. It is commonly known across Black America that the communities in which we were forced to live as a result of segregation practices and Jim Crow policies were the least desirable parts of town. Every community in the southern United States and many outside the South had an area called the "bottoms." These were almost always low-lying and frequently flooded areas. They also were usually the places where Black people were forced to live. The bottoms were the part of town literally on the other side of the railroad tracks.

As we have helped shape and define the field of environmental justice, we have brought to the public policy debate a deep and enduring memory of the valuelessness Black lives have been assigned throughout our nation's history. While most Americans were shocked at the heart-wrenching images of thousands of African-Americans left stranded in the wake of Hurricane Katrina, we were not. We have worked with many African-American communities in Louisiana, Mississippi, and Texas who are all terribly threatened and vulnerable as a result of their close proximity to chemical and petrochemical facilities across the Gulf region. It is this legacy of injustice that we seek to redress in our environmental policy advocacy. We have also called for vigorous and equal enforcement of existing environmental and civil rights laws to protect these ecologically vulnerable communities.

The aftermath of Hurricane Katrina has revealed to Americans across the nation the enduring legacy of poverty and its evil twin, racism. The realization of the degree to which these insidious forces still affect our nation came pouring forth with the waters that flooded hundreds of communities in the wake of the hurricanes.

All is not lost, however. This post-hurricane moment in our nation's history gives us an opportunity to right over a century of wrongs by restoring the Gulf Coast region in a way that is just, equitable, respectful of local culture, and environmentally sustainable. To that end we offer the following resolution to help guide the cleanup, recovery, and revitalization of New Orleans and the entire Gulf region. ■

## NATIONAL BLACK ENVIRONMENTAL JUSTICE NETWORK

### RESOLUTION ON ENVIRONMENTAL AND ECONOMIC JUSTICE IN THE GULF COAST REGION ENVIRONMENTAL CLEANUP, RESTORATION, AND REBUILDING SUSTAINABLE COMMUNITIES POST-HURRICANE KATRINA AND BEYOND©

The National Black Environmental Justice Network was founded in New Orleans, Louisiana, in December 1999 in response to a State of Emergency in Black America. New Orleans was selected as the ideal location to launch NBEJN since the City of New Orleans, Louisiana, and the Chemical Corridor, encompassing the area up to Baton Rouge, are under siege due to wide ranging environmental and economic assaults. These assaults are costing Black lives.

NBEJN values as sacred every human life regardless of race, ethnicity, religion, or socio-economic status. We view the tragedy of Hurricane Katrina and its aftermath as a unique opportunity to shape the conversation and dialogue about rebuilding the Gulf Coast region, including Gulf Coast states and Greater New Orleans, in ways that provide environmental and economic justice for the entire affected population.

**WHEREAS**, race and class intersected with the Katrina disaster in ways that compound the impacts on Black communities and issues of race and class will affect environmental cleanup and restoration, public and environmental health, regional equity, community development, and economic recovery;

**WHEREAS**, NBEJN is committed to alleviating and remedying the impacts of Hurricane Katrina on Black families, in particular the environmental, public health, and economic consequences of the storm and its aftermath on the health and well-being of survivors;

**WHEREAS**, the NBEJN post-hurricane focus centers on research, policy development and education advocacy, communications and media, outreach, and networking in the areas of environmental justice, economic justice, environmental health, protection of public health, regional equity, sustainable development, cultural preservation, climate justice, homeland insecurity; and emergency responses;

**WHEREAS**, NBEJN and its members will monitor hearings and investigations convened by Congress, state legislatures, and governmental agencies about Hurricane Katrina to ensure that the environmental and economic justice aspects of the disaster are prominent;

**WHEREAS**, there are urgent needs in hundreds of Black communities throughout the Gulf Coast region in terms of moving forward on environmental cleanup, habitability, restoration and rebuilding those areas devastated and/or destroyed by Hurricane Katrina and the Lake Pontchartrain levee breaches;

**WHEREAS**, worker safety and health and public safety and health and public security are essential;

**WHEREAS**, concern about homeland insecurity among African-American communities pre-dates Hurricane Katrina and these communities are uniquely affected due to their close proximity to petrochemical and chemical plants and other environmentally harmful facilities;

**WHEREAS**, all local, state, and regional emergency preparedness plans must be designed to address the needs of people with low incomes who don't have resources to evacuate themselves and their families in the event of natural and other disasters;

**WHEREAS**, there must be a governmental inventory, assessment of, and response to the impacts of Hurricane Katrina on potentially hazardous permitted and non-permitted operations, including treatment, storage and disposal facilities, Superfund sites, chemical weapons stockpiles, pesticide and chemical storage facilities, refineries and manufacturing plants, and other existing and potential environmental hazards in the Gulf Coast region;



Courtesy of J. Pendergrass

*Some Gulf Coast residents live in houseboats and use pirogues (small wooden canoes) to navigate the swamps and bayous. This photo was taken before the 2005 hurricane season.*

**WHEREAS**, local zoning ordinances must be promulgated to prohibit the siting, permitting, and operation of heavy industrial facilities adjacent to, in, or near residential areas;

**WHEREAS**, there must be continuous testing and monitoring of drinking water and water quality in and around Greater New Orleans and the Gulf Coast region and testing must occur short-, medium-, and long-term;

**WHEREAS**, global warming and climate change have dire health and environmental consequences in vulnerable African-American communities in the Gulf Coast region and elsewhere;

**WHEREAS**, wetland preservation and restoration and erosion control must be accelerated to protect the Gulf Coast region and in the Mississippi River chemical corridor;

**WHEREAS**, in consultation with affected communities, the U.S. Army Corps of Engineers and engineering experts should be delegated the responsibility of designing, constructing and maintaining a better, more effective system of levees, improved drainage, and rerouting of the flood control systems that continually inundate the Lower Ninth Ward community;

**WHEREAS**, the U.S. Congress, U.S. Department of Homeland Security, U.S. Department of Defense, U.S. Department of Interior, and the U.S. Environmental Protection Agency should ensure that these re-engineering, wetland preservation and restoration, and flood prevention and drainage efforts are fully funded;

**WHEREAS**, expediency in the aftermath of Hurricane Katrina cannot be a pretext to weaken or waive environmental authorities in the Gulf Coast region or elsewhere in the United States, including all existing local, state, regional and federal environmental laws and regulations;

**WHEREAS**, environmental cleanups must be conducted fairly and equitably in every affected community, including decisions about areas wherein the most stringent cleanup levels will be applied during restoration, redevelopment, and rebuilding;

**WHEREAS**, the Federal Emergency Management Agency and the U.S. Department of Homeland Security must comply with Executive Order 12898 on Environmental Justice, including immediate action on new disaster-preparedness models that address the needs and challenges of the lowest-income person in every community;

**WHEREAS**, fair and equitable access to and distribution of resources is paramount in all post-hurricane operations and activities and minority businesses in the environmental, community development, and construction sectors must be utilized in the short-, medium-, and long-term cleanup and rebuilding efforts;

**WHEREAS**, there must be a public process to develop a broad, socially and equitably just vision for a new, revitalized Gulf Coast region and Greater New Orleans, a vision encompassing prominent roles for poor-, low-, and moderate-income African-Americans in designing and implementing the vision and the rebuilding plans;

**WHEREAS**, economic parity is a cardinal objective in a revitalized and renewed Gulf Coast region and Greater New Orleans, and cultural preservation, poverty alleviation, and sustainable development are highly valued, central facets of every revitalization strategy;



*Damage estimates put the cost of Hurricane Katrina between \$40 and \$120 billion. It is the country's most expensive natural disaster.*



**WHEREAS**, local jurisdictions in the Gulf Coast region must not use eminent domain in the rebuilding process in ways that result in taking of properties in Black communities in order to convert them to public or other uses;

**WHEREAS**, redevelopment and revitalization plans and rebuilding infrastructure must benefit those communities most affected by the hurricane, and these efforts cannot exacerbate gentrification in ways that result in more residential and commercial displacement for Black people, many of whom are poor;

**WHEREAS**, rebuilding activities in the Gulf Coast region must first deploy local businesses and hire local Black workers and local low-income workers to participate in the rebuilding efforts;

**WHEREAS**, jurisdictions in the Gulf Coast region must focus on creating sustainable low- and moderate-income housing, concentrating on historic and cultural preservation, and address the fair-housing issues embedded in the temporary and long-term resettlement of surviving evacuated Black families;

**WHEREAS**, the private sector must exercise caution in real estate and business financing and property-casualty insurance practices to prevent insurance and lender redlining and price-gouging and to ensure that insurance claims are paid fairly and equitably;

**WHEREAS**, local, state, regional, and federal government agencies must exercise oversight to ensure that post-hurricane insurance and banking practices are fair and equitable;

**WHEREAS**, continuing the education of the young survivors of the hurricane, children and youth, must be a priority at the levels of pre-kindergarten, elementary, high school, secondary and post-secondary education;

**WHEREAS**, full employment, job placement, job training and worker re-training programs are key to restoring the lives of Gulf Coast survivors and achieving economic justice;

**WHEREAS**, a Reparations and Victims Compensation Fund should be established to benefit all persons displaced by Hurricane Katrina and African-Americans should receive just and equitable compensation from such a fund;

**WHEREAS**, special outreach efforts must address and assist undocumented persons and other immigrants in a time of disaster, including those who don't speak English;

**THEREFORE BE IT RESOLVED**, that the National Black Environmental Justice Network is committed to rebuilding the Gulf Coast Region, including Greater New Orleans, in collaboration with stakeholders; local, state, regional, and federal elected officials; governmental agency officials; and other entities in the public and private sectors;

**BE IT FURTHER RESOLVED**, that the National Black Environmental Justice Network calls on stakeholders; local, state, regional, and federal elected officials; governmental agency officials; and other entities in the public and private sectors to adopt environmental and economic justice principles and approaches in the Gulf Coast Region cleanup, restoration, and rebuilding efforts; and

**BE IT FURTHER RESOLVED**, that all federal and state efforts should comply with Title VI of the 1964 Civil Rights Act, Executive Order 12898 on Environmental Justice, and United Nations directives on displaced persons.

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