

Pursuing Environmental Justice through Collaboration: Insights from Experience

by

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LIST OF ACRONYMS

AWCAC	Anacostia Watershed Citizens Advisory Committee
AWRC	Anacostia Watershed Restoration Committee
AWRP	Anacostia Watershed Restoration Partnership
CB9	Community Board 9
DDT	Dichlorodiphenyltrichloroethane
EJ CPS	Environmental Justice Collaborative Problem-Solving
EJM	Environmental Justice Movement
EPA	Environmental Protection Agency
GAO	General Accounting Office
IWG	Interagency Working Group
LANCER	Los Angeles City Energy Recovery
MTA	Manhattan Transit Authority
NEJAC	National Environmental Justice Advisory Committee
NRDC	Natural Resources Defense Council
NYCEDC	New York City Economic Development Corporation
PCBs	Polychlorinated Biphenyl
REDI	Richmond Equitable Development Initiative
RFP	Request for Proposals
RRRGP	Richmond Residents for a Responsible General Plan

SMO Social Movement Organization
UCC United Church of Christ
WE ACT West Harlem Environmental Action

CHAPTER I

INTRODUCTION

Environmental justice conflicts emerge as community members and leaders organize to seek justice on rights that they have been denied. Low-income and/or people of color communities shoulder a disproportionate burden of environmental hazards and lack proportionate access to environmental amenities (Mohai & Bryant, 1992; UCC, 1987; Goldman, 1994). Their rights to live in a healthy and nurturing community, free of discrimination, is often denied (Bryant, 2003). Furthermore, their right to have a voice in decisions that impact their communities is often ignored and violated (Bullard, 1993; Bryant, 1995; Kuehn, 2000; Cole & Foster, 2001). Consequently, residents and leaders of communities who are subject to environmental injustices engage in a range of problem-solving strategies as they seek healthy communities and environments.

When the city of Los Angeles proposed that the first of three 1,600 ton per day incinerators be built in their neighborhood, residents of South Central Los Angeles joined together to oppose the Los Angeles City Energy Recovery (LANCER) proposal. The proposed project was the central feature of the city's waste management plan. City officials and waste management staff billed the project as a cost effective and environmentally friendly means of handling the city's solid waste in light of the diminishing landfill capacities. The first facility was slated to be built in a community that Blumberg and Gottleib (1989) describe as, "young, poor, and heavily minority" (p.

163). However, local residents coalesced and formed Concerned Citizens of South Central Los Angeles, which was able to effectively build a broad-based coalition with anti-incinerator groups and residents of other communities who feared a similar facility would be built near their communities (Blumberg & Gottlieb, 1989; Bullard, 1993). The result was a strong and diverse coalition that was able to bring the project to a halt. Within five years, Los Angeles City Council deemed the project not viable (Blumberg & Gottlieb, 1989).

Activists used multiple strategies in their successful bid to prevent the approval of LANCER, including issue framing, coalition building, hosting and attending public meetings, and actively engaging in political campaigns. Organizers framed the controversy in terms of the project being a threat to human health. Concerns were raised over the increases in air emissions, particularly nitrogen oxide, hydrocarbons, and dioxins (Blumberg & Gottlieb, 1989). This framing strategy allowed organizing space for residents of South East Los Angeles, but also aligned with the messages of anti-incineration groups, environmental organizations, and residents of communities who feared their neighborhood would be targeted for such a facility (Blumberg & Gottlieb, 1989). Consequently, a broad based coalition was established. The coalition was able to host community meetings to share information with interested individuals and parties, attend public meetings hosted by the city, and actively participate in local campaigns during the election season.

Like residents of South Central Los Angeles, communities facing environmental justice disparities have often taken an instrumental role in combating injustices through grassroots action, legal strategies, and filing Title VI complaints under the Civil Rights

Act of 1964 (Cole & Foster, 2001). As a result of the success of these strategies in instigating change, laws and policies have been enacted that legitimize environmental justice concerns. Thus, the nature of some environmental justice conflicts today are qualitatively different than conflicts of the past in that they represent problems that need solutions, not just injustices that need remedy. As such, a more robust array of problem-solving strategies, including collaboration, is being used.

COLLABORATION IN THE ENVIRONMENTAL CONTEXT

Collaborative processes bring people together, with or without the aid of a formal mediator, to participate in a process that sets the stage for problem-solving and decision-making (Daniels & Walker, 2001; Gray, 1989; Susskind, McKearnan, & Thomas-Larmer, 1999). These processes can promote a sense of responsibility and commitment to joint problem-solving, create new opportunities and innovative solutions, enhance capacity for meaningful and enduring citizen participation, and mobilize diverse resources (Bush & Folger, 1994; Fisher & Ury, 1991; Forester, 2000; Beierle & Cayford, 2003; Wondolleck & Yaffee, 2000).

The possibilities for collaborative processes to be used as a means of working through environmental conflicts have been heralded, analyzed, and critiqued over the past twenty-five years (Carpenter & Kennedy, 1985; Moore, 2003; Susskind & Cruickshank, 1987). The first documented case occurred in 1973 when Gerald Cormick and Jane McCarthy successfully mediated a conflict in Washington state that centered around a proposed flood control dam on the Snoqualmie River (Cormick, 1987). Within ten years of that case, over 160 environmental disputes were successfully resolved using

collaborative processes (Bingham, 1987) and the numbers continue to grow (Wondolleck & Yaffee, 2000; Susskind et al, 1999).

Collaborative processes have the potential to help parties effectively manage conflicts and solve problems. However, they do not fit all situations and are not without challenges and criticism (Birkhoff & Lowry, 2003; Coggins, 1999; Coglianesi, 1997; McCloskey, 2000). Differing individual and organizational capacities and experiences with collaboration as well as differing organizational goals may present challenges to collaboration (Crowfoot, 1980). Past interactions between parties that inform current relationships and perceptions of trust may also prove challenging (Folger et al, 2005; Lewicki, 2007). Given the range of potential challenges to collaborative problem-solving, a conflict assessment is necessary to ascertain that collaboration is an appropriate strategy and to craft a process that effectively deals with or circumvents the challenges (Daniels & Walker, 2001).

As the Environmental Justice Movement (EJM) has matured and environmental justice issues have gained legitimacy, community members, leaders, organizers, industry representatives, and public officials are seeking new problem-solving strategies for managing environmental justice conflicts. Their attentions have increasingly focused on collaborative processes. However, unlike the other strategies used to advance environmental justice, the factors that enable or impede using collaborative problem-solving to manage environmental justice conflicts have not yet been considered.

TRADITIONAL ENVIRONMENTAL JUSTICE PROBLEM-SOLVING STRATEGIES

Environmental justice communities have long relied on protests, demonstrations, lawsuits, Title VI complaints, and partnerships with like-minded organizations to achieve

environmental justice. Scholars have dedicated time and energy to understanding the potential strengths and drawbacks of such strategies and organizing options. Each of these strategies has served, and will continue to serve, an important role in advancing the interests of environmental justice communities (Table 1.1). However, the effectiveness of each strategy is dependent upon the goals and context in which it is being used.

Table 1.1: Traditional Environmental Justice Problem-Solving Strategies

Problem-Solving Strategy	Landmark Example
Litigation	<i>Bean v. Southwestern Waste Management</i>
Protest and Demonstration	Warren County, North Carolina
Title VI	Genesee Power Station, Michigan
Partnerships	People for Community Recovery and Greenpeace

Litigation

Environmental justice communities and organizations have relied upon environmental and civil rights laws for protection against harmful pollutants. Before the EJM took shape, lawsuits were filed to protect farm workers from harmful pesticides and to protect rural residents from the hazards of strip mining (Cole, 1994). These early cases of environmental injustice litigation were based on protection under environmental law. In addition, multiple lawsuits involving discrimination charges have been filed under equal protection statutes since 1879, including cases involving racial bias in written tests (*Washington v. Davies*), unequal enforcement of laws (*Yick Wo v. Hopkins*), and permission to serve on juries (*Strauder v. West Virginia*). These previous cases established precedents that have implications for environmental injustice cases. For example, *Washington v. Davies* affirmed the need to prove intent in racial discrimination cases (Weinberg, 2008). However, the first important decision in an environmental injustice suit filed under Civil Rights law occurred in 1979 when Linda Bullard, on

behalf of residents of Houston's predominately black Northwood Manor, filed a discrimination suit to prevent the siting of a garbage dump in the Texas community in *Bean v. Southwestern Waste Management* (Cole, 1994; Weinberg, 2008). While residents lost the suit, the case opened the door to using Civil Rights laws in cases of environmental injustice (Cole, 1994).

Since 1979, numerous lawsuits have been filed on behalf of environmental justice communities. Residents of Kettleman City, California and Mothers of East Los Angeles in Los Angeles, California both used litigation to fight the siting of a toxic waste incinerator (Bullard, 1993; Cole & Foster, 2001). More recently, environmental justice activists in California have used lawsuits to force the state to comply with efforts to reduce greenhouse gas emissions and residents of Anniston, Alabama used litigation to secure a settlement and relocation due to polychlorinated biphenyl (PCB) contamination from Monsanto. Legal cases have served to bring attention to issues of environmental justice and helped to both broaden and mobilize supporters of environmental justice (Cole, 1994). Furthermore, cases have helped to pave the way for government agency support and the passage of new legislation (Brulle & Pellow, 2005).

Legal proceedings are most effective when a party is acting outside the law, particularly in regards to process standards (Cole, 1994). For example, suits are filed for violations of public participation processes within policies such as National Environmental Policy Act or California Environmental Quality Act. Legal actions are also particularly helpful when a party is attempting to establish precedent. However, like all problem-solving strategies, legal proceedings in cases of environmental injustice are beset with challenges. A significant challenge is that it is the responsibility of the

complainant to prove causality or intent to discriminate (Weinberg, 2008; Bryant, 1995; Gareis-Smith, 1994), a very onerous burden of proof. In 1989, ten years after residents of Northwood Manor were unable to demonstrate intent to discriminate, *East Bibb Twiggs Neighborhood Association v. Macon-Bibb County* was unsuccessful as the court found no intent to discriminate (Weinberg, 2008). In addition to the difficulty of proving intent or causality, the resources available to the parties against which the suit is brought often severely outweigh the resources available to environmental justice communities and their representatives (Cole & Foster, 2001).

Protests and Demonstrations

Protests and demonstrations bring attention to environmental justice struggles. Early environmental justice struggles effectively used protests and demonstrations to highlight environmental injustices. By demonstrating against the moving of soil laden with PCBs to a landfill in Warren County, North Carolina everyday for six weeks in the fall of 1982, demonstrators, including then Congressman William Fauntroy, motivated the General Accounting Office (GAO) to study the placement of hazardous landfills in the Environmental Protection Agency's (EPA's) Region III. The GAO study opened the door to the groundbreaking study completed by the United Church of Christ that found significant disparities in environmental conditions based on race.

More recent demonstrations include a rally for environmental justice and sustainable energy at PG&E in San Francisco in April 2010 and marches for climate justice in Los Angeles, Boston, and Washington, D.C. In these cases, organizers used publicity and/or disruption tactics to bring attention to the issues to hopefully incite change. However, protest strategies are limited in their abilities to create a forum for

communication between disputing parties. Further, it can be difficult to mobilize issue supporters and sympathizers to action.

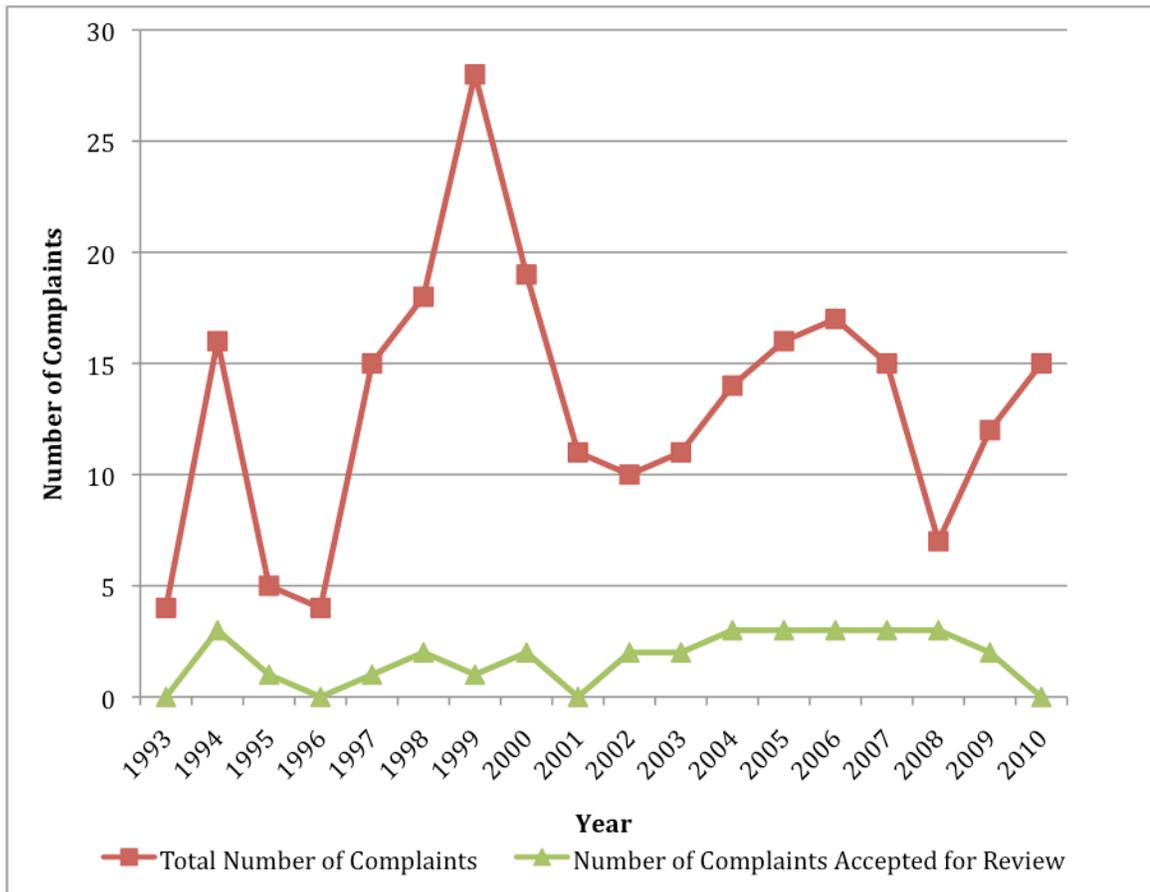
Title VI Complaints

Residents and organizers of environmental justice communities have used Title VI of the 1964 Civil Rights Act to raise allegations of racial discrimination in regards to environmental issues. According to Title VI, “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance” (Civil Rights Act of 1964). However, throughout the 1970s and 1980s, the EPA had a history of failing to enforce the statute (Mank, 2008). This changed in 1993 when the EPA, under the Clinton administration, announced that it would begin enforcing the statute. Further, Executive Order 12898, signed from President Clinton in 1994, highlights Title VI as an existing law that can prevent and redress environmental injustices.

To file a Title VI complaint, a complainant must write a letter alleging that a funding recipient is acting in a discriminatory manner. The letter must be submitted within 180 days of the alleged discriminatory act, but does not need to present formal evidence of discrimination (Mank, 2008). Consequently, individuals or communities filing Title VI complaints do not need to retain legal representation (Cole, 1994b). However, there are no means for the complainant to participate in the decision-making process nor is there a means to redress an administrative decision (Mank, 2008). In the 2001 *Alexander v. Sandoval* case, the Supreme Court ruled that private individuals may not sue to enforce regulations under Title VI.

In 1992, residents of Flint, Michigan were the first to file a discrimination complaint with the EPA under Title VI. The complaint was filed against the Michigan Department of Natural Resources to challenge the operation of a wood-waste power plant. While it was determined that there was not a violation of Title VI, the case opened the door for future complaints. However, while numerous complaints have been filed each year, few complaints have been accepted for further review (Figure 1.1 and Table 1.2). Furthermore, not one finding of violation has been issued (Gerrard, 2003).

Figure 1.1: Title VI Complaints Filed with the EPA and Accepted Complaints



Source: EPA, 2010

From 1993 until July 15, 2010, 237 Title VI complaints were filed with the Environmental Protection Agency (EPA). However, of these 237 complaints, only 31 were accepted for further review (Table 1.2). The most frequently cited reasons for dismissing complaints are due to untimely complaints, complaints being leveled against parties who are not receiving federal funds, insufficient allegations, or moot complaints due to the lack of minority standing of the complainant. Consequently, while Title VI makes a strong statement against discriminatory practices, filing Title VI complaints has not been an effective vehicle for pursuing environmental justice.

Table 1.2: Status of Title VI Complaints Filed (1993 – July 15, 2010)

Status of Complaint	Number of Complaints
Rejected	139
Dismissed	37
Accepted	31
Under review	9
Informally resolved	13
Referred to another federal agency	7
Closed (No further information)	1
Total	237

Source: EPA, 2010

Partnering for Environmental Justice

Environmental justice organizations have partnered with mainstream environmental organizations, churches, and community groups to achieve environmental justice. Together with mainstream and community partners, environmental justice organizations have organized demonstrates, engaged in legal battles, and brought about policy changes in environmental justice situations. Two of the most notable partnerships include the partnerships between People for Community Recovery and

Greenpeace and West Harlem Environmental Action (WE ACT) and Natural Resources Defense Council (NRDC).

In 1982, Hazel Johnson formed a community organization, People for Community Recovery, to help protect her Southeast Chicago public housing community from additional toxic assaults. Johnson's all people of color community, Altgeld Gardens, is surrounded by four hazardous waste landfills, a water reclamation facility, and Acme Steel Company (Cohen, 1992). Furthermore, the housing complex sits on top of the site where former Pullman Company town disposed of its waste. People for Community Recovery began partnering with Greenpeace in 1986 as they worked to battle Chemical Waste Management Inc. over Clean Air Act violations (Cohen, 1992). In 1987, the two organizations partnered to organize a demonstration against the proposed expansion of a Waste Management landfill (Cohen, 1992; Grossman, 1991). Johnson spoke of her organization's work with Greenpeace in a 1991 magazine interview. "I have a very good working relationship with Greenpeace. It is more than an action group. I have gone with Greenpeace to many places and they have come out to assist us," she said (as quoted by Grossman, 1991; p. 32).

In 1992, WE ACT and NRDC, along with a local day care center and community residents, partnered to file a lawsuit against the City of New York and the City Department of Environmental Protection to remedy foul odors and operational problems at the North River Sewage Treatment Plant (Miller, 1994; Specter, 1992). In 1993, a settlement was reached wherein a \$1.1 million fund was established for research and remedy of environmental health and justice issues (Miller, 1994). The settlement established WE ACT and NRDC as the overseers of the fund (Perez-Pena, 1994).

Partnerships such as these between People for Community Recovery and Greenpeace, and WE ACT and NRDC have been instrumental in bringing additional resources into the EJM and moving communities towards environmental justice. However, while environmental justice organizations have long partnered with groups and organizations with similar goals in an effort to achieve environmental justice, collaborations between environmental justice organizations and organizations with different, and often contentious, goals have only recently begun to emerge.

COLLABORATION IN THE ENVIRONMENTAL JUSTICE CONTEXT

While cases of collaborative problem-solving in environmental justice communities involving organizations with diverse interests are beginning to emerge, they have not been systematically explored. Further, while there exists a robust literature on effective collaborative problem-solving, including literature on collaborative problem-solving in the environmental context, scholars have not yet considered the unique characteristics or potential challenges of collaborative problem-solving in environmental justice communities. As such, we do not have a clear understanding of how collaborative processes between diverse parties work in environmental justice communities.

Consequently, guidance on when collaboration is an appropriate strategy and what cautions might accompany its application is lacking.

Despite this lack of understanding of collaboration in the context of environmental justice conflicts, federal programs have begun promoting collaborative processes as a tool for managing conflicts in these communities. Nuances in the environmental justice context, however, suggest that standard collaborative models may not be so easily applied to such cases. In particular, the realities of race, class and

traumatic histories may challenge the abilities of traditional collaborative processes to manage the issues and parties involved in environmental justice conflicts.

This study seeks to enhance understanding of the role collaboration might play in addressing issues in environmental justice communities by better understanding how the unique characteristics of environmental justice conflicts create barriers and opportunities for collaborative problem-solving. It seeks to provide guidance on when collaboration is an appropriate strategy and what cautions might accompany its application. To achieve these goals, three research questions are addressed:

1. In what ways do the core characteristics of environmental justice conflicts parallel or diverge from environmental conflicts more generally?
2. In what ways do the distinctions between environmental and environmental justice conflicts have bearing on the application, structure and functioning of a collaborative process?
3. In what ways do collaborative processes that are able to effectively manage environmental justice conflicts parallel or diverge from established theories of collaboration in the environmental context?

A systematic analysis of three case studies provides insight into these questions. The cases include: the Harlem Piers planning process in West Harlem, New York, the General Plan update process in Richmond, California, and the Anacostia Watershed Restoration Partnership in Washington, D.C.

DOCUMENT OVERVIEW

Chapter Two presents relevant theoretical and practical literature about environmental justice and collaboration. It integrates history and theory to discuss the

emergence and evolution of the EJM. It also presents critical theory on conflict management and collaborative problem-solving. The chapter highlights how the two fields have remained distinct and how this research is designed to fill a current theoretical gap.

Building on what is known about the similarities and differences between environmental conflicts, in general, and environmental justice conflicts, in particular, Chapter Three presents a framework for assessing environmental justice conflicts and the potential for collaboration. This chapter also describes the methods used to select case studies, collect data, and subsequently apply the framework to each case study.

Chapter Four details the first of three case studies: the Harlem Piers Park Planning Process in West Harlem. The Harlem Piers Park case study explores how residents who have experienced past procedural injustices and traumatic histories, including racial and economic discrimination, and who distrust public agencies were able to successfully engage in a collaborative process that created a shared vision for the West Harlem waterfront.

Chapter Five describes and analyzes how the unique characteristics of environmental justice conflicts influenced the General Plan Update Process in Richmond, California. This case study examines how traumatic histories of racial and economic discrimination and past procedural injustices have led to issues of distrust within the city's General Plan update process, limiting its collaborative potential.

Chapter Six presents the history and assesses the collaborative efforts of the Anacostia Watershed Restoration Partnership in the District of Columbia. This case examines how characteristics unique to environmental justice conflicts have created

barriers to participation for residents of Anacostia, despite concerted efforts to engage them in the partnership.

Based on the insights gained from each of the case studies, Chapter Seven assesses how unique characteristics of environmental justice conflicts influence collaboration in the environmental justice context. This chapter investigates how participants to environmental justice conflicts perceive incentives to engage, how the nature of the opportunity plays a significant role in determining participation, how the nature of environmental justice conflicts created challenges to traditional collaborative processes, and how capacity building activities influenced the effectiveness of the collaboration.

Chapter Eight summarizes the findings and presents the implications of these findings for future collaborative processes in environmental justice conflict situations and for theories of environmental dispute resolution and collaboration. It also discusses how these findings and the research's limitations can motivate additional research in environmental justice and theories of environmental dispute resolution and collaboration.

CHAPTER II

REVIEW OF LITERATURE

Historical analyses reveal that environmental injustices have been occurring worldwide for centuries (Taylor, 2009). However, it is only in the past three decades that scholars have begun to systematically study such injustices under the research title of environmental justice. Environmental justice scholars and advocates examine the inequalities that arise from social, political, and environmental decision-making and investigate the interconnections between race, class, and gender mechanisms, and institutions of power that create oppressive conditions for both low-income communities as well as communities of color. This includes increased exposure to environmental hazards, segregation of housing, high poverty rates, unequal access to green spaces and lack of workers' rights and occupational safety (Bryant, 2003). Environmental justice communities are communities that shoulder a disproportionate burden of environmental hazards and lack proportional access to environmental amenities.

HISTORY OF ENVIRONMENTAL JUSTICE MOVEMENT

Mainstream environmental organizations have historically addressed issues of nature and wilderness preservation, placing a separation between human spaces and the natural world (DiChiro, 1996; Taylor, 2000; Gottlieb, 2005). Issues and activities have focused on protecting land and endangered species. However, for residents of low-

income and people of color communities, these activities and concerns did not resonate. It was not until the EJM redefined the environment as a place where we live, work, and play that low-income and/or people of color communities found their place in the environmental movement.

Prior to the rise of the EJM in the 1980s, it was asserted that people of color were not interested in environmental issues, thus, it should not be surprising that studies of racial perceptions of the environment throughout this time concluded that blacks were significantly less interested in and concerned with environmental issues than whites (Hershey & Hill, 1978; Kreger, 1973; Rudizitis, 1983; Van Arsdol et al., 1965). These studies proposed a host of reasons for these differences including social-demographic and educational differences as well as differences in exposure to pollutants and culture. Further, it was asserted that people of color could not be concerned with the environment until higher order needs were met (Taylor, 1992; Van Arsdol et al., 1965).

For many years, research supported the portrayal of blacks being less supportive than whites of environmental issues and the environmental movement. However, the surge of interest in the effects of pollutants on health and occupational safety as well as the acknowledgement that people of color communities may be disproportionately impacted ignited a host of new studies comparing black and white levels of environmental concern. Many of these studies challenge the notion that blacks are not concerned with the environment and, overall, assert that such notions are myths.

Throughout this new crop of studies, researchers determined that there is not a significant difference in the levels of environmental concern between blacks and whites (Mohai, 1990; Mohai & Bryant, 1998; Taylor, 1992; Mohai, 2003; Jones & Carter, 1994;

Newell & Green, 1997; Dietz et al., 1998; Parker & McDonough, 1999; Caron, 1989). After completing a review of poll and research findings of the 1980s, Jones and Carter (1994) report that the evidence for the existence of an environmental “concern gap” between blacks and whites is unconvincing. Instead, they report that blacks are very concerned about the environmental quality. Thus, it was confirmed that the lack of participation in mainstream environmental organizations did not stem from a lack of minority interest in the environment. Instead, it was asserted that the issues, agendas, and definitions of environment were not salient for people of color. A series of events, both before and after the above studies, confirm their findings.

Throughout the 1950s, 1960s, and 1970s, people of color were engaged in struggles for civil and occupational rights. Racial discrimination in the workplace created a dual labor market where people of color were given the most hazardous positions, the least amount of pay, and the fewest opportunities for advancement (Bonacich, 1972; Hurley, 1995). The labor system of U.S. Steel in Gary, Indiana provides an example of how the dual labor market operated.

Prior to 1920, U.S. Steel hired primarily white residents. Recent immigrants held the lowest paid positions in the most dangerous and undesirable sections of the plant. However, post 1920, industry began hiring black and Mexican workers as the workplace grew rapidly. Black and minority workers were placed in the most dangerous positions in the plant. They were exposed to the most hazardous materials and dangerous conditions. Minorities were offered little to no reward for their dangerous work as they received the lowest wages and were provided little to no opportunities for advancement (Hurley, 1995). This dual labor market reinforced the ideas that minorities and people of

color had little to offer other than physical labor while advancing the status and income of white residents.

The same dual labor market situation was often found in rural agricultural workplaces. Minorities held the most labor-intensive positions that resulted in the largest exposure to dangerous chemicals. While the publication of Rachel Carson's *Silent Spring* brought issues of pesticide exposure onto the national environmental agenda, mainstream environmental organizations focused on the connections between pesticides and wildlife, food quality, and consumer health (Moses, 1993). Efforts to protect farm worker health fell to the United Farm Workers union. Through efforts that included a boycott on California table grapes and a lawsuit filed in partnership with the Environmental Defense Fund, which was interested in wildlife issues related to pesticide use, the United Farm Workers succeeded in banning dichlorodiphenyltrichloroethane (DDT) (Moses, 1993; Gottlieb, 2005). While the United Farm Workers did partner with a mainstream environmental organization in their efforts to ban DDT, the partnership, as described by Environmental Defense Fund co-founder Charles Wurster, was a "marriage of convenience" (as quoted by Gottlieb, 2005, p. 316) rather than an assertion of a redefined agenda. Mainstream environmental organizations still defined the environmental frame as one of nature and wilderness preservation and few publicly made the connection between civil rights, occupational hazards, and the environment. Consequently, many people of color still viewed environmentalism as concerned with wilderness and recreation. However, a couple of high profile events provided the opportunity for frame bridging.

The story of Love Canal unfolds in upstate New York in 1978 as community residents began to discover, and suffer from, the remnants of the Hooker Electrochemical Company. Begun in 1905, Hooker Electrochemical Company manufactured chlorine and caustic soda. As the company and its production grew, it needed storage space for its waste disposal. Given this need, the Niagara Power and Development Company granted permission to the chemical company to dispose of its waste in Love Canal in 1942. Five years later, in 1947, it sold the canal and two pieces of land to the canal's east and west to the chemical company. Hooker used the canal and surrounding land to dispose of more than 21,000 tons of chemical waste between 1942 and 1952 (Blum, 2008; Levine, 1982). After the canal neared capacity in 1953, it was covered with soil and green grass and weeds eventually took root, turning the appearance of the chemical waste site into open fields. On April 28, 1953, the Niagara Falls school board purchased 16 acres of the property for a payment of one dollar and despite construction challenges due to the buried waste, proceeded to build a new elementary school on the parcel (Blum, 2008; Levine, 1982).

Modest housing developed around the school and by the mid 1970s, few residents of the blue-collar, working class community were aware of the land's history (Levine, 1982). However, as basements, swimming pools, and neighborhood playgrounds began to bubble and ooze, and illness and birth defects soared, residents of Love Canal knew they had a problem. Throughout the second half of the 1970s, local homeowners mobilized as organizers effectively created and utilized issue frames that focused on community health, property values, and motherhood. In 1980, U.S. Congress approved an emergency appropriation that permitted the president to spend up to \$20 million to

purchase homes and relocate residents of Love Canal. By 1981, the state of New York had purchased the homes of more than 500 families (Levine, 1982).

While accounts of the crisis at Love Canal focus on the homeowner's association and the mobilizing efforts of Love Canal's white, middle-class, homeowners, Love Canal was also home to over 300 families residing in the LaSalle housing development, a rental community for low-income families. Like Love Canal homeowners, LaSalle residents were also concerned with health outcomes. However, rather than being concerned with property values, LaSalle residents were concerned with not having the resources to relocate if the property was deemed unsafe, finding other low-income housing in a safe neighborhood with a good school system, finding other low-income housing that could accommodate extended families, and criticizing government actions (Blum, 2008; Levine, 1982). However, LaSalle residents were much less effective at organizing and creating a central frame. Consequently, they were left out of much of the dialogue.

In the same timeframe, the very near catastrophe at Three Mile Island took much of the country by surprise. In March 1979, over 150,000 residents neighboring the Three Mile Island nuclear reactor were evacuated as radiation leaked out of the facility's number two reactor (Walsh & Warland, 1983). A host of meetings, rallies, and other events were advertised and held in hopes of educating and mobilizing citizens (Walsh & Warland, 1983). National organizers jumped on the scene and framed the issue as one of the dangers of nuclear power.

The situations in both Love Canal and Three Mile Island brought environmental issues, and the production and storage of hazardous waste into the limelight. They focused the nation's attention on issues of toxins and toxic contamination and spurred the

creation of several grassroots environmental groups (Taylor, 2002). With environmental issues and issues of toxic contamination, in particular, garnering attention, the stage was set for the conflict in Warren County, North Carolina and the emergence of the environmental justice frame.

The struggles of Warren County are often identified as one of the first publicized cases to bring together the ideas of civil rights and environment together. The controversy began in 1978 as the Ward Transformer Company layered 31,000 gallons of PCB's along a 240-mile stretch of North Carolina. The banned carcinogenic substance contaminated 14 counties (Labalme, 1988). Upon discovery of the midnight dumping, the state of North Carolina proposed several options for remediation, including the collection of the contaminated soil to be placed in a newly constructed landfill in Warren County's Shocco Township (Labalme, 1988).

Immediately, residents of Warren County, a 64 percent black community that ranks 97th out of 100 counties in terms of poverty, and Shocco Township, 75 percent black, began organizing. Residents framed their legal battle as one of civil rights. They asserted that the decision to relocate the waste to their community was a violation of civil rights and that the decision was based on the high numbers of black residents in the community and the community's relatively poor political standing (Labalme, 1988). While the legal battles proved unsuccessful, the framing of the issue as one of civil and environmental rights was successful. This framing of the issue as one of racial and environmental discrimination and oppression continued past the legal phase as a flurry of activity proceeded.

Residents of Warren County successfully channeled citizen's shared racial oppression into political actions. Residents and supporters, as many as 500 on some days, demonstrated each day throughout the entire six weeks that trucks transported waste to the landfill (Labalme, 1988). Reverend Leon White, Lois Gibbs of Love Canal, William Sanjour of the Environmental Protection Agency (EPA), Walter Fauntroy of Congress, and Joseph Lowery of the SCLC reinforced the connections between environmental and civil rights as they spoke in support of the 500 plus citizens out protesting the landfill (Labalme, 1988). This combination of local and national support demonstrates the successful merger of environmental and civil rights. While residents of Warren County were, ultimately, unable to stop the construction and importation of waste, they succeeded in raising the, yet to be named, issue of environmental justice.

The events at Warren County also led to Senator Fauntroy's request for a study on the relationship between the siting of hazardous waste facilities and racial demographics (UCC, 1987; Lee, 1992; Bryant 2003). The U.S. General Accounting Office (GAO) produced the report. Using data from the Southeast region, the study found that three out of four landfills located in the region were located in predominately people of color communities (U.S. GAO, 1983). While the study was certainly important, it was limited in scope and was not able to provide evidence that such patterns may exist on a national scale, thus, the Commission for Racial Justice of the United Church of Christ (UCC) undertook an expanded study (UCC, 1987; Lee, 1992).

Published in 1987, the UCC study concluded that people of color communities are more likely than predominately white communities to host a commercial hazardous waste

facility. The study found clear linkages between the placement of commercial hazardous waste facilities and race:

The findings of the analytical study suggest the existence of clear patterns that show that communities with greater minority percentages of the population are more likely to be the site of commercial hazardous waste facilities. The possibility that these patterns resulted by chance in virtually impossible, strongly suggesting that some underlying factor or factors, which are related to race, played a role in the location of commercial hazardous waste facilities (UCC, 1987, p. 23).

The findings of the UCC study were important in affirming the environmental experiences of many low-income and/or people of color communities. However, perhaps more importantly, the UCC study framed their findings in terms of “environmental racism” and “injustice” (1987). In using such terminology, collection action frames were created. Collective action frames are created by connecting diverse ideas and pieces of information in new and meaningful ways (Snow & Benford, 1997). This is precisely what the UCC report accomplished in describing their findings. By articulating the connections between race, discrimination, and the environment, the environmental justice frame was born, if not fully developed.

The framing of environmental issues in terms of “racism” and “injustice” resonated with many individuals and communities experiencing environmental problems, allowing the frame potency. While Warren County often receives the most attention in environmental justice history, their environmental concerns were certainly not unique. Indeed, poor, minority citizens struggled against a hazardous waste landfill in Sumter County, Alabama, residents of South Central Los Angeles rallied together to oppose a series of solid waste incinerators, known as the Los Angeles City Energy Recovery Project (LANCER), Native Americans organized around the proposed siting of the Yucca

Mountain Nuclear Waste Repository, and later, residents of Convent, Louisiana organized against the siting of Shintech's PVC complex. Native Americans were struggling with exposure to uranium and farmworkers were struggling with exposure to a host of pesticides. Residents in Times Beach, Missouri and Texarkana, Texas were fighting to receive compensation for their uninhabitable homes. In short, citizens of communities all over the country could identify with the struggles in Warren County and the findings of the UCC report. As individuals and communities realized they were not alone in their environmental struggles, a sense of collective injustice emerged, intensifying their anger and strengthening their resolve to seek and realize change (Taylor, 2000). The environmental justice frame resonated with citizens and communities as it met the requirements of credibility, experiential commensurability, and narrative fidelity necessary for frame resonance (Snow & Benford, 1997).

In the period following the UCC report, a host of studies emerged that sought to support or refute environmental justice claims (UCC, 1987; Anderton et al., 1994; Mohai, 1995). In 1990, two significant conferences took place: the National Minority Health Conference and the Michigan Conference. Throughout these events, research and policy agendas and strategies for the EJM were developed. Stemming from the Michigan Conference, a series of meetings with political representatives and public officials occurred that resulted in the creation of Environmental Equity Workgroup and, ultimately, the Office of Environmental Justice at the EPA as well as Executive Order 12898, signed by President Clinton in 1994. The specific policy outcomes and implications of these meetings are discussed later in this paper.

In the following year, 1991, more than 1,000 people gathered in Washington, D.C. for the People of Color Environmental Leadership Summit. This conference brought activists together to discuss and map a direction for the EJM. The primary product of the summit was the Principles of Environmental Justice. In an analysis of the principles, Taylor (2000) found six predominate themes: ecological principles; justice; autonomy; corporate relations; policy, politics, and economic processes; and social movements. These principles reinforce the ideology that people cannot be separated from the environment. Further, they represent a divergence from the New Environmental Paradigm and signaled the emergence an Environmental Justice Paradigm (Taylor, 2000).

In the decade after the 1991 People of Color Conference, researchers continued to debate the legitimacy of environmental justice claims, government agencies continued to grapple with how to incorporate environmental justice concerns into their operations, advocates founded organizations specifically to deal with issues of environmental justice, and citizens continued to struggle for healthy communities and environments.

Throughout these activities, a more rational framing of environmental justice dominated (Taylor, 2007) and the movement moved towards formalization and professionalization.

Noting a need for another gathering, a Second National People of Color Environmental Leadership Summit was planned for 2002. According to the publicity website, “Participants of the First Summit have expressed the need for a second summit to energize the Environmental Justice Movement, to recognize the significant strides achieved to date, to share information on emerging issues and to galvanize support” (WE ACT, 2002). This announcement suggested that the movement was fragmenting.

Further, it suggested that the frame was stagnating (Benford, 2005). Unfortunately, the

Second People of Color Environmental Leadership Summit did not assist in moving the movement forward and analysts have continued to question the potency of the environmental justice frame (Benford, 2005).

Benford (2005) has asserted that the environmental justice frame has been over-extended and, as such, begun to stagnate. The initial frame bridging allowed activists to utilize existing networks to recruit members and resources. In amplifying the environment, it was the thread of commonality that linked previously disparate movements. However, with over 50 identified issues of concern for environmental justice organizations, Benford (2005) suggests that the frame is becoming too diffuse. , Further, he has asserted that the “injustice” frame that worked well in the 1980s to mobilize resources has since taken on a less radical meaning. He asserts that by using the “injustice” frame, activists are reproducing the status quo by relying on traditional measures of problem-solving, such as policymaking, rather than challenging the system and, ultimately, suggests a frame transformation is needed (2005).

Ultimately, environmental justice organizations have seen greater mobilizations of people than many of the radical environmental groups, such as Deep Ecologists and Ecofeminists, which attempted to attract and mobilize environmentalists discontented with the practices of mainstream environmental organizations (Taylor, 2000). In contrast, the EJM sought to mobilize a population not already involved with the environmental movement. Further, in using the environmental justice frame to bridge civil rights, occupational health, and the environment, activists were able to use existing networks and organizations dedicated to such issues to recruit members and resources. In mobilizing individuals and organizations not previously associated with the environment,

environmental justice activists had to redefine and reframe the environment. The changes in the framing of environmental issues in low-income and communities of color did not only incite the EJM, they also impacted the framing of environmental issues in the mainstream environmental movement.

The Impact of Environmental Justice Framing on the Environmental Movement

After Earth Day in 1970, environmental organizations were successful in pushing through significant environmental legislation, including the Clean Air Act and the Comprehensive Emergency Response, Compensation, and Liability Act (CERCLA). However, with the election of Ronald Reagan as U.S. President in 1980, environmental organizations were concerned about the direction the new administration might take. As such, environmental organizations were preparing to defend their newly earned environmental regulations (Gottlieb, 2005). Part of their preparations included the formation of the Group of Ten.

In January 1981 Robert Allen, vice-president of Henry P. Kendall Foundation, an environmentally oriented, midsize funding organization, invited the leaders of major environmental organizations to a lunch at the Iron Grill Inn. In attendance were the heads of the National Wildlife Federation, Izaak Walton League, National Audubon Society, Sierra Club, The Wilderness Society, Natural Resources Defense Council, Environmental Defense Fund, Environmental Policy Center, and Friends of the Earth. Not present at the initial meeting, but soon to join the group was the head of the National Parks and Conservation Association. A few invitees declined the invitation to join. Further, some groups who were of equal stature and size were not invited so as to keep the group size manageable. Nonetheless, this group, who would eventually become known as the

Group of Ten, agreed to meet regularly. Throughout their decade long tenure the group published, *An Environmental Agenda for the Future*, which outlined their common agenda, and ultimately, succeeded in defining a common frame of reference for environmental groups. While the group officially disbanded, the title Group of Ten is still used to describe mainstream environmentalism.

It is this same Group of Ten to whom environmental justice leaders addressed two letters in 1990. The first letter, sent to eight national environmental organizations on January 16, gained the attention of *The New York Times*, which published a story about the letter on February 1, 1990. The letter charged mainstream environmental groups with being disconnected from the very people most victimized by pollution and requested that the mainstream environmental organizations work to ensure that people of color are hired and maintained on their staffs. A second letter sent on March 16, 1990 and signed by 103 supporters charges mainstream environmental organizations with supporting policies and actions that negatively impact people of color communities. The letter reads,

Although environmental organizations calling themselves the “Group of Ten” often claim to represent our interests, in observing your activities it has become clear to us that your organizations play an equal role in the disruption of our communities...Your organizations continue to support and promote policies which emphasize the clean-ups and preservation of the environment on the backs of working people in general and people of color in particular...We suffer from the end results of these actions, but are never full participants in the decision-making which leads to them.

It also requests that mainstream environmental organizations hire leaders from communities of color with the goal of having 35 to 40 percent of an organization’s entire staff being people of color. These letters pushed mainstream environmental groups to evaluate hiring practices and their stance in toxic and international issues.

As discussed above, the EJM sought to redefine the environment as a place where people work, live, and play. This redefinition of the environment forced many mainstream environmental organizations to rethink their agendas. They were forced to respond to questions of why some environmental issues were supported and not others (Taylor, 2000). This questioning has led some groups to redefine their agendas and many more to an investigation of recruitment and hiring practices.

National environmental organizations, such as the Sierra Club, Greenpeace, National Wildlife Federation, National Audubon Society, Natural Resources Defense Council, and others, have instituted environmental justice programs and campaigns (Pezzullo & Sandler, 2007). According to the Sierra Club website, “The Sierra Club supports local communities in their struggles for a clean and healthy environment for people of color and others whose neighborhoods have been targeted by polluting industries” (2007). Indeed, they have appointed environmental advocates who specialize in issues of environmental justice to work across the country, including the Detroit area. Meanwhile, Greenpeace has included nuclear, toxic waste, Bhopal, and genetic engineering in the issues on which they campaign (Greenpeace, 2007) and National Wildlife Federation has adopted issues water quality in people of color communities (Cubie, 2004) and climate justice (National Wildlife Federation, 2010). The National Audubon Society’s Women in Conservation program actively promotes education on environmental justice, brownfields, and public health (National Audubon Society, 2010) and the Natural Resources Defense Council includes environmental justice issues in its list of organizational issues (Natural Resources Defense Council, 2010).

In being forced to consider why organizations support some environmental issues and not others, the diversity, recruitment and hiring practices of many mainstream environmental organizations came under scrutiny. When the Group of Ten first began meeting in 1981, white men headed eight of the organizations while white women headed two of the organizations. Further, in a study conducted by the Environmental Careers Organization (ECO) in 1992, it was found that of 63 mainstream environmental organizations, 32 percent had no people of color on staff (Taylor, 2007). Additional surveys of mainstream environmental organizations' members revealed that members of such organizations were more likely to be white, male, well-educated and have a higher income than the general population (Taylor, 2000). Without a diverse staff assisting in agenda setting, mainstream environmental organizations focused on the issues and communities that reflected their demographics and concerns (Pezullo & Sandler, 2007). The emergence of the EJM forced mainstream environmental organizations to question the influence of such homogeneous staff and member demographics on their agendas.

The Evolution of Environmental Justice Policy

As mentioned above, the EJM has been successful in pushing issues of environmental justice onto the agendas of policymakers. In 1992, the EPA created an Office of Environmental Justice to oversee the agency's environmental justice work. The creation of this office has paved the way for the integration of environmental justice issues into the agency's policies and operations. However, while the EJM has seen administrative action, legislation directly related to environmental justice has not materialized at the national level. This section of the essay will trace the creation and implementation of environmental justice mandates, highlight environmental justice

legislation that was introduced to Congress but failed to be enacted, and discuss the implications of these policies.

The 1960s and 1970s saw a host of environmental legislation enacted, including the Wilderness Act in 1964, the National Environmental Policy Act in 1969, the Clean Air Act in 1970, and the Endangered Species Act in 1973. While these pieces of legislation are important, they reflect the historical ideologies and efforts of mainstream environmental organizations. However, in 1976, with a growing acknowledgement of the dangers of hazardous waste, the Resource, Conservation, and Recovery Act (RCRA) was enacted. While this act dealt with the storage of newly generated waste, it did not provide for the cleanup of already contaminated sites, thus, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), also known as Superfund, was enacted in 1980. These two pieces of legislation focused attention on hazardous waste but did not address inequitable patterns in the storage of such waste.

Following the 1990 Michigan Conference and the subsequent meetings with political representatives and officials, EPA Administrator William Reilly established the Environmental Equity Workgroup. This group was comprised of 40 EPA staff members and charged with assessing the evidence of environmental justice and identifying potential EPA responses (Bryant, 2003). As a part of their report entitled *Environmental Equity, Reducing the Risk for All Communities*, the workgroup made several recommendations regarding environmental justice, including the creation of an Office of Environmental Justice (Lester, Allen & Hill, 2001). Indeed, the EPA established the Office of Environmental Justice in 1992 (EPA, 1998). Further, the National

Environmental Justice Advisory Council (NEJAC) was officially established on September 30, 1993 (EPA, September 2006).

Two years after the establishment of the Office of Environmental Justice, President Clinton signed Executive Order 12898 on February 11, 1994. This executive order called for the creation of the Federal Interagency Working Group on Environmental Justice (IWG). The IWG's goal is to integrate environmental justice into each federal agency's program and policies (EPA, 2003). Each of the above groups, including IWG, have been working to put environmental justice directives into action.

One of the most significant actions of the EPA Offices of Environmental Justice and Civil Rights is the recognition of Title VI of the 1964 Civil Rights Act. Title VI reads, "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (Civil Rights Act of 1964). The EPA recognized the significance of this for issues of environmental injustice and formalized a procedure for managing Title VI complaints. Indeed, it is upon this premise that many environmental justice complaints have been raised. Prior to 2001, the EPA had received 107 Title VI complaints, 23 of which were forwarded to the Department of Justice (Ringquist, 2003).

An environmental justice case in Chester, Pennsylvania is one case that registered a complaint against the Pennsylvania Department of Environmental Protection under Title VI of the 1964 Civil Rights Act (Ringquist, 2003). In this case, residents were hoping to challenge the permitting of waste treatment facilities, citing racial discrimination (Cole & Foster, 2001). Ultimately, while the case was placed on the

docket of the Supreme Court in 1998, the facility owner requested that the permit be revoked.

While the administrative actions discussed above are important, it is also important to highlight legislation that has been introduced to Congress. This is particularly important because Executive Order 12898, while an important recognition of environmental justice, does not provide legal remedies as it is not enforceable in court. Given this, policymakers, at the urging of movement leaders, have introduced more binding legislation to Congress. Unfortunately, after the success of passing the Residential Lead-Based Paint Reduction Act, these pieces of legislation have failed to be enacted.

In 1992, John Lewis (D-GA) and Al Gore (D-TN) introduced the Environmental Justice Act (EJA), Cardiss Collins (D-IL) introduced the Environmental Equal Rights Act, and Bill Clinger (R-PA), Mike Synar (D-OK), and John Glenn (D-OH) suggested amendments to the Resource Conservation and Recovery Act (Ringquist, 2003). However, none of the proposals passed. While the 1993-1995 Congressional session saw a lot of action around environmental justice issues with six pieces of legislation being introduced, none were passed. Further, between 1995 and 2003 only five bills have been introduced, none of which passed.

The creation of the Office of Environmental Justice within the EPA in 1992 and the groups that grew out of its mandates are evidence that environmental justice has been effective in getting on the public and political agendas. Early endeavors focused on integrating environmental justice awareness throughout federal agencies and creating powerful legislation that would provide additional legal standing for environmental

justice communities. The result of these efforts goes beyond the tangible governmental offices and policies created to address environmental justice problems. These efforts have also legitimized environmental justice issues.

SOCIAL AND ENVIRONMENTAL CONFLICT

Environmental issues, generally, and environmental justice issues incite conflict. Environmental problems are not tame. Indeed, they are wicked (Rittel & Webber, 1973). Environmental problems are often in a constant state of change. They are volatile. Environmental problems are symptoms of other problems, there are no well-defined solutions and a multitude of players and stakeholders are involved. Wicked problems are beyond the control of one discipline, agency or actor. Instead, they require discussion amongst a host of stakeholders, all of whom have different perspectives, goals, knowledge and means of communicating. Thus, the possibility of conflict to emerge is great.

The conflicts emerging from the environmental field are equally as complex as the environmental problems themselves. This complexity is shaped by the multitude of parties and issues involved as well as differences in culture, values, worldviews, perspectives on risk, and epistemologies (Bacow & Wheeler, 1984; Daniels & Walker, 2001; p. 41). Furthermore, environmental conflicts are compounded by the lack of clear boundaries, in terms of time or space and by differing perspectives and assessments of risk (Susskind & Weinstein, 1980; Bacow & Wheeler, 1984). However, these conflicts provide opportunities for innovative problem-solving and possibilities for great environmental change.

Definition and Function of Social Conflict

According to Folger, Poole, and Stutman, “Conflict is the interaction of interdependent people who perceive incompatibility and the possibility of interference from others as a result of this incompatibility” (2005, p.5). They are certain to point out three key features of this definition: interaction, interdependence, and perceptions.

Conflicts must involve interaction between parties (Coser, 1956; Folger et al, 2005; Daniels & Walker, 2001). Conflict engages communication between parties, their actions and reactions to each other as well as their inactions (Folger et al, 2005; p. 4). Further, the parties must be interdependent as interdependence plays a key role in determining incentives to engage in the conflict. Without interdependence, there is little reason to interact with others. Instead, when parties perceive their goals to be interdependent, their incentives to participate in a negotiation or problem-solving strategy increases (Daniels & Walker, 2001). Further, the more interdependent people are, the greater the potential significance of their behaviors and the conflict (Folger et al, 2005; p. 5). Finally, conflict stems from the perception of incompatibility. The actual incompatibility of interactions, interdependence, and goals is less influential in developing the potential for conflict than the perceptions of the parties involved (Folger et al, 2005; p. 5; Daniels & Walker, 2001; p. 31).

Through a comparison of many different definitions of conflict, Daniels and Walker (2001, p. 28) conclude that conflicts involve: perceived incompatibility; interests, goals, aspirations; two or more interdependent parties, incentives to cooperate and compete; interaction and communication; bargaining and/or negotiation; strategic

behavior; and judgments and decisions. In addition to the substance of the conflict, parties may also be in conflict regarding the process of how to resolve the conflict.

Conflict is inevitable and is found in all social settings (Folger et al, 2005; Daniels & Walker, 2001). However, conflict is often perceived as a negative social interaction. It is often associated with tension, anger, fighting, strain and instability (Coser, 1956; Daniels & Walker, 2001; p. 27). In a study that utilized conflict descriptions to identify metaphors for conflict, McCorkle and Mills (1992, as cited by Daniels & Walker) determined that the metaphors used to describe conflict are consistently negative. Examples of negative conflict metaphors include: conflict is warlike, explosive: conflict is a trial, struggle, communication breakdown (Daniels & Walker, 2001; p. 27). McCorkle and Mills found no examples of positive conflict metaphors and, thus, conclude that conflict is viewed as a predominantly negative social interaction.

Writing in 1956, Lewis Coser noted a similar perception among contemporary Sociologists. Coser noted that where early Sociologists saw themselves addressing audiences of reformers, contemporary Sociologists addressed academic and professional audiences. This shift brought a different perspective of conflict. Where early theorists focused on changing the social structures, contemporary theorists focus on molding individuals into the existing social structures (Coser, 1956; p. 20, 28). This shifted the discourse from that of social conflict as an agent of structural change to social conflict as an agent of structural disruption. The ensuing metaphors compared conflict to disease. Thus, Coser's work relies upon the writings of Georg Simmel to bring the positive outcomes of conflict to light and to identify the social functions of conflict.

Contrary to common conception, conflict has the potential to be positive as well as negative (Coser, 1956; Daniels & Walker, 2001; Folger et al, 2005; Bush & Folger, 1994). Conflict serves to establish group boundaries, prevents group dissolution through the expression of frustration or discontent, permits adjustments in flexible systems to create more stable relations, may serve to bring together otherwise disconnected groups and individuals, and modifies understandings of power relations (Coser, 1956; Folger et al, 2005). Coser (1956) writes,

Groups require disharmony as well as harmony, dissociation as well as association; and conflicts within them are by no means altogether disruptive factors. Group formation is the result of both types of processes. The belief that one process tears down what the other builds up, so that what finally remains is the result of subtracting one from the other, is based on a misconception. On the contrary, both “positive” and “negative” factors build group relations. Conflict as well as cooperation has social functions. Far from being necessarily dysfunctional, a certain degree of conflict is an essential element in group formation and the persistence of group life (p. 31).

Conflicts can also help individuals realize their own strengths and capacities for handling difficult situations as well as develop capacities to reach out and express concern for others (Folger & Bush, 1994). Conflicts can surface and clarify issues (Folger et al, 2005) and provide pathways for interaction and relationship building (Coser, 1956).

Antagonistic interactions can also help to highlight the need for, and motivate the creation of, new rules and norms (Coser, 1956). Consequently, social conflict is a precursor to social change. For example, bans on harmful pesticides were put in place after lawsuits and demonstrations and civil rights legislation was enacted only after a long and embattled conflict. In short, conflict can be healthy and productive. Nonetheless, fifty years after the publication of Coser’s work, conflict theorists and scholars still must strive to convey the benefits, as well as costs, of social conflict.

The negative connotations of conflict are not inconsequential. The ways in which people think about, or cognitively frame, the conflict and conflict management strategies impact how the parties interact. Competitive behaviors may emerge as parties think about ways of winning rather than ways of solving problems (Daniels & Walker, 2001; p. 32). Creating means for conflict participants to manage these negative connotations and competitive behaviors is important in the creation and implementation of collaborative processes.

COLLABORATIVE PROBLEM-SOLVING TO MANAGE CONFLICTS

Collaborative processes bring people together, with or without the aid of a formal mediator, to participate in a process that sets the stage for problem solving and decision-making (Daniels & Walker, 2001; Gray, 1989; Susskind, McKernan, & Thomas-Larmer, 1999). It is a framework designed to aid in the promotion of creative ideas, and productive dialogue (Daniels & Walker, 2001). Collaborative learning approaches promote joint learning and fact-finding as opposed to competition, encourages the exploration and discussion of differing values, makes all parties responsible for implementing any emergent agreements, relies on the participants to suggest and create agreements or conclusions, is a long-term process, and may increase participant and community capacity by allowing voices to be heard (Daniels & Walker, 2001). Collaborative processes, unlike more formalized dispute resolution processes, do not always seek to resolve conflict, but to effectively manage it.

Collaborative processes acknowledge that one person, agency or stakeholder cannot effectively and independently manage the situation (Daniels & Walker, 2001). As such, collaborative learning is not a process that is used to legitimate pre-determined

decisions, to favor one party over another, or to force consensus (Daniels & Walker, 2001). This indicates that many traditional decision-making processes, such as litigation, public hearings or any other unilateral decision-making process, does not fall within the parameters of collaborative processes. Processes that ask for public comment but do not engage commentators in the actual decision-making process by relying on a single decision-maker, or set of decision-makers, are not included within the realm of collaborative processes. Purely consultative processes are also not included.

Benefits of Collaboration

Collaborative processes can promote a sense of responsibility and commitment to joint problem-solving, create new opportunities and innovative solutions, enhance capacity for meaningful and enduring citizen participation, and mobilize diverse resources (Wondolleck & Yaffee, 2000). Furthermore, practitioners remark on the time and resource efficiency of collaborative process (Dukes, 2004; Dukes, Piscalish, & Stephens, 2000; Golten, 1980; Wondolleck & Yaffee, 2000). Scholars such as Bush and Folger (1994) remark on the possibilities of transforming citizens and institutions. Others remark on the improved long-term relationships of parties, the possibilities for creative, win-win agreements, the opportunity for the oppressed to have a voice, or the improved possibilities for dealing with complex problems with multiple actors in all of their complexity (Beierle & Cayford, 2003; Crowfoot, 1980; Daniels & Walker, 2001; Fisher & Ury, 1991; Folger, Poole, & Stutman, 2005, Forester, 2000; Wondolleck, Manring, & Crowfoot, 1996).

Challenges to Collaboration

While collaborative processes certainly have the potential to help parties effectively manage conflicts and solve problems, they do not fit all situations and are not without challenges and criticism (Birkhoff & Lowry, 2003; Coggins, 1999; Coglianesi, 1997; McCloskey, 2000). Challenges include: capacities for participation (Crowfoot, 1980; Wondolleck et al, 1996), shadow issues (Kolb & Williams, 2003; Wing & Rifkin, 2001), framing (Lewicki, Gray, & Elliott, 2002; Taylor, 2000), and evaluation (Buckle & Thomas-Buckle, 1986; Innes & Booher, 1999; Leach, Pelkey, & Sabatier, 2002; O’Leary & Bingham, 2003; Orr, Emerson, & Keyes, 2008). Recognition of these challenges is important in creating and implementing equitable, efficient, and effective collaborations.

Capacities for Participation

An early critique of dispute resolution processes was that such processes are inherently inequitable as some parties, through access to power and resources, are better equipped to participate in collaborative processes than others (Amy, 1987). Subsequent criticisms have also pointed out the inequitable distribution of experience with collaboration and negotiation, financial resources, access to information, and time available for participation between parties (Conley & Moote, 2001).

Shadow Issues

Shadow issues refer to the context, not content, of the collaborative process. Shadow issues are the contextual issues, such as race, gender, mood, work obligations, and personal concerns, which shape collaboration processes. In investigating shadow issues, one is interested in the relationships and exchanges between parties, the openness of their communication, whose voice carries weight, and the dimensions that shape how

an interaction occurs (Kolb & Williams, 2003). Through dialogue over issues, participants are also working through relational issues and deciding whose perspectives carry weight, whose interests are the most important, and the degree of cooperation they will exhibit (Kolb & Williams, 2003). By bringing shadow issues into the open, open communication and engagement that acknowledges multiple and complex issues can be fostered, creative solutions discussed, and lasting remedies enacted (Kolb & Williams, 2003).

Framing

Framing is a process that allows individuals to interpret the meaning and occurrence of a conflict, the motivations of other parties to a conflict, and means of managing the conflict (Gray, 2003). Frames used by conflict participants regularly differ and, consequently, understandings and definitions of the issues as well as perspectives on how the issues can be resolved differ (Gray, 2003). When different framing strategies are employed, conflict intractability is reinforced (Putnam & Wondolleck, 2003). Such was the case in a conflict in Bald Eagle Valley over the remediation efforts at a former chemical production facility and Superfund site. In this case, parties were unable to reframe the issues and, consequently, the conflict escalated and parties found themselves entrenched in an intractable conflict (Hanke, Rosenberg & Gray, 2003). For conflicts to be managed through collaborative processes, reframing must occur. For reframing to occur, parties must acknowledge that there are different ways to view the issues (Gray, 2003). However, as demonstrated in the Bald Eagle Valley case, reframing is not easily accomplished (Putnam & Wondolleck, 2003).

Evaluation

There is tremendous interest in creating evaluative criteria for collaborative processes. However, development of such criteria has proved challenging as it is difficult to both choose appropriate criteria for evaluation and then accurately measure the chosen criteria (Conley & Moote, 2001). Given the differing scales, goals, subject matters, and conflict complexities of collaborative processes, it can be challenging to create markers for success that apply to all processes (Orr, Emerson & Keyes, 2008; Dukes, 2004). Furthermore, traditional measurements, such as settlement rates and participant satisfaction miss some of the longer term and more intangible outcomes of collaborative processes, such as changes in relationships and future approaches to conflicts (Orr, Emerson & Keyes, 2008) and may lead to portrayals of collaboration as unsuccessful. In an early study completed by Buckle and Buckle (1986), it was found that a very small percentage of interventions succeed according to the traditional definition of success as reaching agreement. In addition, such traditional measures are incomplete, at best, given that they exclude the perspectives of nonparticipants (Coglianese, 2003).

Creating Effective Collaborative Processes

Researchers have dedicated time and energy to systematically study the attributes of effective collaborative processes and determine factors for consideration and conditions for fostering effective processes (Susskind & Weinstein, 1980; Gray, 1985; Wondolleck & Yaffee, 2000; Daniels & Walker, 2001). Multiple frameworks for assessing conflicts that can enhance alternative dispute resolution and collaborative processes have been crafted (Carpenter & Kennedy, 1988; Daniels & Walker, 2001; Moore, 2003; Wondolleck & Yaffee, 2000). While each framework was crafted in

response to a particular issue domain, these frameworks, nonetheless, have in common a core set of factors central to examining conflict and collaboration.

Conflict assessment frameworks typically investigate the nature of the issues, processes, and parties to a conflict. By investigating each of these conflict dimensions, practitioners are able to better understand the issues and points of controversy, shortcomings of previous problem-solving attempts, and the histories and relationships between parties. Without an accurate assessment of these dimensions, practitioners risk creating and applying collaborative processes that fail to address the conflict and, subsequently, fail to create lasting solutions.

In crafting collaborative processes that effectively manage conflicts, practitioners create and implement processes that are unique to the conflict at hand. However, scholars and practitioners recognize a core set of process characteristics that facilitate collaboration. These characteristics include: focusing on specific issue domains, enhancing legitimacy, building trust, acknowledging different sources of power, enhancing legitimacy, and creating shared identities.

Focusing on Specific Issue Domains

Collaborative processes are structured to focus on a common set of interests and issues (Susskind & Weinstein, 1980). This focus is designed to promote a sense of shared goals and problem-solving ownership. Furthermore, by maintaining a clear focus on a specific set of shared issues and interests, the process is made more manageable.

Enhancing Legitimacy

Much of the literature on the importance of legitimacy in collaborative processes speaks to the questionable legitimacy of public interest or citizen groups (Gray, 1985;

Susskind & Weinstein, 1980). The technical knowledge and rationality of community groups are often questioned. Participants must view other participants as legitimate sources of information and participation. They should be viewed as legitimate in the sense that they are able to speak on behalf of their communities or organizations, convey accurate information, uphold an agreement, and have an interest in resolving the conflict.

Building Trust

An integral issue in stakeholder relationships is trust. Trust can be defined as, “A generalized expectation that individuals hold, believing that other people will be trustworthy or can be relied upon” (Lewicki, 2007; p. 193). Feelings of trust and distrust are both complex and important in the collaborative process (Lewicki, 2007). Trust and distrust run on separate continuums in that we may trust certain aspects of an individual, organization, or situation while distrusting other aspects (Lewicki, 2007). This is illustrated within collaborative processes as it seems that dynamics of both trust and distrust are at play throughout collaborative processes. While participants trust that others are participating in good faith, they distrust the other to make a decision in their absence. Thus, a mixture of trust and distrust both brings parties to the table and keeps them at the table.

While a certain dose of distrust is certainly healthy as it helps to prevent exploitation and groupthink, large doses of distrust are barriers to collaborative processes. Severe distrust may lead to parties’ unwillingness to share information, conflict escalation, or self-fulfilling prophecies. It may also prevent a party from engaging in a collaborative process as trust is built upon previous social interactions where trust have been honored or violated (Lewicki, 2007).

Acknowledging Different Sources of Power

Perhaps one of the most important issues for collaborative processes is the perception of power. Power can be defined as, “the ability to influence or control events” (Folger et al, 2005, p. 108). However, power is relational and perceptual. It is relational because the sources and effectiveness of power will shift based on the importance placed upon certain dimensions within the relationship (French & Raven, 1960; Folger et al, 2005, p. 109). Thus, power shifts as behaviors and values change.

In their study of social power, French and Raven (1960) identify five bases, or sources, of power: legitimate, coercive, reward, referent, and expert. Legitimate power stems from an individual or organization’s authority to make decisions based on the authority vested in them. Coercive power emanates from the ability to implement sanctions. Reward power comes from being able to distribute positive consequences. The ability to relate to others and being likeable creates referent power. Having particular expert knowledge or skills is also a base of power. However, because power is relational, these sources of power can only influence the actions or behaviors of others if others perceive the source of power as important.

Power is also perceptual. Participants to a conflict may perceive their own power and the power of others differently than other stakeholders. Participants may overvalue or undervalue their own power in relation to the power of others. In instances where parties perceive their own power as holding less sway than that of others, opportunities to create advantages may be missed. However, parties may also overvalue their power. In these cases, important pieces of information may be ignored or the party may appear arrogant or inexperienced (Kolb & Williams, 2003). Either way, the perceptions that

parties hold of their own power and the power of others has important implications for collaborative processes. Thus, parties need to be able to effectively, and accurately, assess their relational and perceptual power before engaging in collaborative process.

Ensuring Transparency

With issues of power and trust looming large in collaborative processes, transparency is important. Susskind (1999) writes,

To the greatest extent possible, consensus building processes should be transparent. That is, the group's mandate, its agenda and ground rules, the list of participants and the groups or interests that they are representing, the proposals they are considering, the decision rules they have adopted, their finances, and their final report should, at an appropriate time, be open to scrutiny by anyone affected by the group's recommendation (p. 28).

Transparency is important as it allows stakeholders the ability to understand how and why decisions are being made. It prevents the process from being a black box and may increase the perceived legitimacy of the process.

Creating a Shared Identity

Individuals and groups alike often form identities. These identities are a mixture of several elements including, but not limited to, values, demographics, geographic location, social locations, institutions, interests, and aspirations (Lewicki et al., 2003; Wondolleck et al., 2003; Taylor, 2000). Identities are often constructed from comparisons with other individuals and groups and are designed to unify people with perceived commonalities while, perhaps intentionally or unintentionally, excluding others. These comparisons often emphasize the differences between two social groups by making strong statements and comparisons of what they are versus what they are not (Gray, 2003; Wondolleck et al., 2003). For example, when an individual states, "I am a

woman,” she is implicitly stating, “I am *not* a man.” When an individual states, “I am a hard worker,” he or she is implicitly stating, “I am *not* lazy.”

Characterizations are the flip side to identity. A characterization is how individuals perceive others. A characterization need not be a judgment of others. It may be purely descriptive, such as, “She is a worker.” A characterization may be a positive reflection of another, such as, “She is friendly.” Unfortunately, however, many characterizations are negative in nature (Wondolleck et al., 2003). The proliferation of negative characterizations stems, in part, from the creation of identities’ as a means of differentiating oneself, or group, from others (Wondolleck et al., 2003).

Individuals and groups form identities for a variety of reasons. These reasons may include the promotion of cohesiveness, exclusion, or action. However, regardless of the reasons for the formation of the identity, the formation of identities often creates boundaries. These boundaries may keep groups distant despite their apparent commonalities or shared interests (Wondolleck & Yaffee, 2000). Further, these identities and characterizations may contribute to the intractability of conflicts (Putnam & Wondolleck, 2003).

ENVIRONMENTAL JUSTICE AND COLLABORATION

Environmental justice conflicts arise from an inequitable distribution of environmental hazards and benefits as well as from inequitable participation in decision-making structures (Kuehn, 2000). It is common for environmental justice communities to be assaulted by multiple environmental hazards. Further, in addition to battling environmental hazards and lacking access to green space, environmental justice communities are also often combating high crime and unemployment rates and struggling

to enforce laws and regulations. They are also likely to have experienced a series of painful historical events, such as displacement and racism. These characteristics and past events combine to create a unique set of potential challenges to collaboration in cases of environmental justice conflicts. However, this unique set of characteristics and potential challenges has not yet been investigated.

CHAPTER III

FRAMEWORK FOR ANALYSIS AND METHODOLOGY

The goal of this research is to better understand how the unique attributes of environmental justice conflicts affect the nature of collaborative problem-solving processes. In addition, this research seeks to provide guidance on when collaboration is an appropriate strategy for managing environmental justice conflicts and what cautions might accompany its application. Three research questions guide this inquiry:

1. In what ways do the core characteristics of environmental justice conflicts parallel or diverge from environmental conflicts more generally?
2. In what ways do the distinctions between environmental and environmental justice conflicts have bearing on the application, structure and functioning of a collaborative process?
3. In what ways do collaborative processes that are able to effectively manage environmental justice conflicts parallel or diverge from established theories of collaboration in the environmental context?

This chapter defines key terminology, presents the analytical framework that was created to address the above questions, and outlines the research design that was employed in the study.

KEY TERMINOLOGY

Given the broad usage of this study's key terms, it is important to define how environmental justice, environmental injustice, environmental justice community, conflict, conflict assessment, and collaboration will be used throughout this research.

Environmental Justice, Environmental Injustice and Environmental Justice Community

Environmental injustices arise when specific social groups shoulder a disproportionate burden of environmental hazards, such as hazardous waste or chemical production facilities, or lack proportionate access to environmental amenities, such as parks and green space (Pellow, 2000). Accordingly, "Environmental justice is focused on ameliorating potentially life-threatening conditions or on improving the overall quality of life for the poor and/or people of color" (Pellow, 2000, p. 582). Consequently, environmental justice is achieved when all people can confidently live in communities that are "safe, nurturing, and productive," and when "people can reach their highest potential without experiencing the 'isms' (such as racism)" (Bryant, 2003; p. 4).

Environmental injustices may be distributive, procedural, or corrective in nature. Distributive injustices are injustices that occur when environmental burdens and benefits are disproportionately spread across a population, such as increased exposure to environmental hazards, segregation of housing, high poverty rates, unequal access to green spaces, and lack of workers' rights and occupational safety (Kuehn, 2000; Bryant, 2003). Distributive injustices play strong roles in creating traumatic histories of racial and economic discrimination for individuals and communities. It also includes procedural injustices, which are injustices that occur when members of environmental

justice communities are denied access to decision-making processes. Lack of meeting or action notice, inability to attend meetings due to time and location of meetings, and inability to raise concerns and have the concerns acknowledged are examples of procedural injustices (Kuehn, 2000). Finally, corrective injustices occur when infractions are not fairly addressed. In instances of corrective injustice, punishments for inflicted damages are differentially assessed across communities, differences in the stringency of clean up are employed, and laws and policies are enforced to different degrees (Kuehn, 2000).

Research has demonstrated that low-income and/or people of color communities are disproportionately exposed to environmental hazards and lack proportionate access to environmental amenities (UCC, 1987; Mohai & Bryant, 1992; Goldman, 1994; Maantay, 2002; Ringquist, 2003). As such, this research defines an environmental justice community as a community, historically low-income and/or comprised of people of color, that shoulders a disproportionate burden of environmental hazards while lacking proportionate access to environmental amenities and decision-making processes.

Conflict

Conflicts are interactions between interdependent parties who perceive an incompatibility (Folger, Poole, & Stutman, 2005; Coser, 1956; Daniels & Walker, 2001). Conflicts involve interaction between parties (Coser, 1956). They engage communication between parties, their actions and reactions to each other as well as their inactions (Folger et al, 2005; p. 4). Parties to a conflict are also interdependent: the more interdependent parties are, the greater the potential significance of their behaviors and the conflict (Folger et al, 2005). When parties perceive achievement of their goals to be

interdependent, their incentives to participate in a negotiation or problem-solving strategy increases (Daniels & Walker, 2001). Finally, conflict stems from the perception of incompatibility. The actual incompatibility of interactions, interdependence, and goals is less influential in developing the potential for conflict than the perceptions of the parties involved (Folger et al, 2005; Daniels & Walker, 2001). A dispute is a shorter-term disagreement that is more easily amenable to resolution (Burton, 1990). A dispute may occur within the larger context of a conflict.

Conflict Assessment

A conflict assessment is an opportunity to gather important information regarding the nature of the nature of the parties, issues, and processes (Susskind & Thomas-Larmer, 1999). Information such as who has an interest in the collaboration, what the salient issues and participation constraints are for each potential participant, and pathways for collaboratively moving forward is gained through the collection and analysis of newspaper articles, letters, press releases, meeting notes, and interviews with potential participants (Carpenter & Kennedy, 1988; Susskind & Thomas-Larmer, 1999; Daniels & Walker, 2001; Moore, 2003).

A conflict assessment provides insight to the feasibility of a joint problem-solving process (Daniels & Walker, 2001; Carpenter & Kennedy, 1985; Moore, 2003). Joint problem solving processes may take different forms and the specific information gained and analyzed through the conflict assessment will inform the structure and management of future collaborative processes. By recognizing the core characteristics of the parties and issues, and the shortcomings of previously attempted problem-solving processes, collaborative processes may be structured to explicitly address these characteristics and

avoid or rectify shortcomings. In creating a process that is specifically designed for the issues and participants at hand, lasting solutions can be achieved (Wondolleck, 1988; Carpenter & Kennedy, 1988).

Obtaining an accurate understanding of conflict dynamics is crucial. If the conflict situation is inaccurately assessed or understood, the techniques used to manage the conflict may be inappropriately implemented (Forester, 1999). Without accurately and completely understanding the complexity of the issues, the parties, and the processes, collaborative strategies may not be effective at managing the conflict.

Collaboration

Collaboration is a process of engagement. Collaborative processes bring people together, with or without the aid of a formal mediator, to try to achieve shared understanding of a community problem and enable mutually acceptable problem-solving and decision-making. Collaborative processes acknowledge that one person, agency or stakeholder cannot effectively and independently manage the situation. Furthermore, collaborative processes do not always seek to resolve conflict, but to effectively manage it (Gray, 1981; Daniels & Walker, 2001). Collaboration can take a variety of forms; indeed, it is hoped that the processes are tailored for the conflict at hand. Processes included under this wide umbrella range from collaborative learning to formalized processes of alternative dispute resolution.

COLLABORATION IN CASES OF ENVIRONMENTAL JUSTICE CONFLICTS

This research was inspired by a desire to enhance the understanding of problem-solving strategies available to manage environmental justice conflicts. It is particularly timely research because federal programs are already promoting collaborative processes

as an environmental justice conflict management strategy. In particular, collaboration in cases of environmental justice is being promoted through the Environmental Protection Agency's Environmental Justice Collaborative Problem-Solving model. Yet, collaborative processes have not been systematically analyzed and, as a result, the challenges and opportunities of using collaboration to manage environmental justice conflicts are largely unknown. The unique characteristics of environmental justice conflicts may challenge the assumptions that are embedded in the EPA's Environmental Justice Collaborative Problem-Solving model.

Environmental Justice Collaborative Problem-Solving Model

In 2003, the Office of Environmental Justice at the Environmental Protection Agency (EPA) initiated the Environmental Justice Collaborative Problem-Solving (EJ CPS) Cooperative Agreement program. According to the EPA, "The purpose of the EJ CPS Model is to assist affected communities so that they can develop proactive, strategic, and visionary approaches to address their environmental justice issues and to achieve community health and sustainability" (2006). Environmental justice conflicts involve complex and interrelated issues, including economic, social, environmental, and public health issues. Consequently, the Office of Environmental Justice developed the EJ CPS Model as a means for communities to build capacity and partnerships with other organizations in an effort to improve their local environmental conditions. The model recognizes that no single government or non-profit organization will be able to manage the intertwining and complex issues present in environmental justice communities.

According to the EPA, "The CPS model represents a systematic, community-based approach for stakeholders to achieve lasting solutions to local environmental

and/or public health issues or concerns” (2006, p. 5). The model is comprised of seven elements:

1. Community Vision and Strategic Goal-Setting
2. Community Capacity-Building and Leadership Development
3. Consensus Building and Dispute Resolution
4. Multi-Stakeholder Partnerships and Leveraging of Resources
5. Constructive Engagement by Relevant Stakeholders
6. Sound Management and Implementation
7. Evaluation, Lessons Learned and Replication of Best Practices

The first two elements aim to build capacity within an environmental justice organization by fostering a unified vision, educated citizenry and transformative leaders. The latter elements are designed to promote community and organizational engagement with parties outside of the organization or community.

As part of the program, the EPA provides occasional grants to non-profit organizations that are willing to utilize the EJ CPS Model in their efforts to address environmental and public health issues in their communities. Local, non-profit organizations that reside and operate in a community affected by environmental and public health problems are eligible to receive funds. The organization must propose to work on problems in its own community and the organization must be predominately comprised of residents from the affected community.

In March 2004, the EPA awarded \$100,000 grants to thirty organizations across the United States. Approximately 85 percent of these grants were for activities designed to build organizational and community capacity. For example, a community organization

in Baltimore was awarded funds to train community members to perform safety assessments during redevelopment projects and to develop health education materials and presentations. An additional ten grants were awarded in 2007.

The elements of the EJ CPS model are sound in their understanding and communication of collaborative models. However, the model is based on an understanding of collaboration in the environmental context and does not explore how unique characteristics of environmental justice conflicts, including dimensions of race and class, may influence the process.

Drawing upon existing theory and understanding of collaboration, the model makes implicit, yet potentially important, assumptions about collaboration in the environmental justice context. The model implicitly assumes that if opportunities for collaboration are provided, parties to an EJ conflict will perceive incentives to participate. The model also implicitly assumes that collaborative problem-solving processes, as currently understood and structured, will be able to manage EJ conflicts. The model also underscores the importance of capacity-building, focused primarily on individuals and organizations from within EJ communities. One of the purposes of this study is to probe these assumptions. In particular, do EJ parties perceive incentives to participate when opportunities are provided? Does the nature of the opportunity matter to the perception of incentives? What type of capacity-building is needed, and by whom? Do the unique attributes of EJ conflicts beg different approaches to structuring and managing a collaborative process in that context?

Identifying the unique characteristics of environmental justice conflicts and assessing if these unique characteristics have a bearing upon a collaborative process can

better inform the appropriate application of collaborative processes. Further, it can help ensure that collaborative processes are applied in manners suitable to the particular conflict. Not being attuned to the unique dynamics of particular conflicts risks creating and implementing collaborative processes that reproduce, and possibly even heighten, the procedural and justice based inequities it seeks to address (Foster, 2002; Cole and Foster, 2001).

A FRAMEWORK FOR EXAMINING ENVIRONMENTAL JUSTICE CONFLICTS

To answer the research questions, a framework for analysis that can systematically determine the relationship between collaborative principles and environmental justice conflict attributes is needed. This section explains the factors considered in developing a framework tailored to this research, and how this framework will be applied. Specifically, it adapts a commonly used conflict assessment framework and overlays this framework on the environmental justice context.

A conflict assessment is an opportunity to assess the factors that shape a conflict situation. In a traditional conflict assessment framework, the issues and problems, the participants and their relationships, and the decision-making processes are investigated and assessed (Daniels & Walker, 2001; Moore, 2003; Carpenter & Kennedy, 1988). Investigating the issues and problems involves focusing on the substantive dimensions of the issues in conflict, including both symbolic as well as tangible issues. When assessing the issues of a conflict, questions may be asked about how parties perceive the issues and their interests in the issues. Information regarding data uncertainty and needs, perceived value differences, and stated positions may also be probed.

Assessing the decision-making processes requires examining the ways in which parties perceive and are able to participate in the process. When assessing the process dimension of a conflict, questions may be asked about parties' participation constraints, experience with previous collaborative problem-solving processes, and the alignment of collaboration with organizational goals.

Finally, assessing the relationship dimension entails assessing the interactions, perceptions, and histories of the participants and investigating how these factors affect whether parties engage and how the engagement occurs. When assessing the relationship dimension of a conflict situation, questions may be asked about who has an interest in the issues, the history of the parties involved in the conflict, past interactions between the parties, each parties' sources of power, and the degree of trust between the parties.

Traditional conflict assessment frameworks allow for the creation of processes that rectify or avoid shortcomings and promote joint problem-solving, shared goals, and process ownership. However, without an accurate assessment of a conflict situation, collaborative processes may be inappropriately applied and/or structured.

Traditional frameworks for assessing conflict situations do not explicitly consider the roles of race, class, and disempowerment. Given that these factors are central to environmental justice conflicts, any conflict assessment that does not explicitly address these factors risks ignoring important conflict information, and more importantly, risks creating and implementing a process that may exacerbate the very procedural and justice based inequities it seeks to alleviate. Thus, an analytical framework that clearly and explicitly investigates these factors is crucial. My intent was to develop such a framework.

This framework is designed to highlight, and subsequently assess, factors important to the environmental justice context that are not addressed in existing conflict assessment frameworks. It is devised to assess how the unique characteristics of environmental justice conflicts influence their amenability to management through collaborative processes. Following a traditional conflict assessment format, this framework is structured upon an assessment of the nature of the conflict's issues, processes and parties. Using existing literature, it compares the characteristics of environmental conflicts to the characteristics of environmental justice conflicts. This comparison allows the unique characteristics of environmental justice conflicts to be identified. These unique characteristics form the scaffolding of the analytical framework and can be used to assess the assumptions outlined in the preceding section.

Key Characteristics of Environmental Conflicts

Like many types of conflicts, environmental conflicts are complex. They often involve multiple parties and issues, cultural differences, differing values and worldviews, and legal requirements (Daniels & Walker, 2001). However, environmental conflicts also possess several characteristics that make them particularly unique from other types of conflicts. First, environmental conflicts are public disputes. They involve public spaces or resources, public agencies or a public interest (Emerson, Nabatchi, O'Leary, & Stephens, 2003). Second, given that environmental conflicts are public disputes, some parties often claim to represent an indeterminate public interest (Susskind & Weinstein, 1980). This creates problems of representation and legitimacy. Third, the effects of environmental conflicts and decisions may be irreversible (Susskind & Weinstein, 1980). Fourth, natural systems do not have clear boundaries or limitations, in terms of space or time

(Susskind & Weinstein, 1980). Fifth, there is uncertainty regarding the risks, costs, benefits, and outcomes of environmental decisions (Susskind & Weinstein, 1980; Bacow & Wheeler, 1984). Finally, environmental conflicts have distributional consequences (Bacow & Wheeler, 1984). Some parties or communities may receive benefits, such as employment, or may bear costs, such as traffic and emissions. The following paragraphs will explore each of these characteristics in greater detail.

Public Conflicts

Environmental conflicts are public conflicts in that they involve public space or resources, public agencies, or a public interest. Environmental conflicts are often conflicts that involve natural resources, public land or public health. Further, in a study of environmental dispute resolution processes, Gail Bingham (1987) found that public agencies were a party in 80 percent of the cases. In a later study, Lawrence Susskind (1999) and his colleagues found that public officials initiated 78 percent of the 100 environmental dispute resolution processes they studied. Furthermore, the condition of the environment has the potential to affect the well-being of a public. Consequently, environmental conflicts involve a public interest.

Representation of Public Interest

Given that many environmental conflicts involve public interests, they are frequently plagued by issues of representation and legitimacy. Often, parties to environmental conflicts state that they are acting in the public interest because they perceive environmental protection to be beneficial to everyone; however, this claim raises two issues (Susskind & Weinstein, 1980). First, there is rarely a singular public. Instead, there are multiple publics with legitimate but often conflicting values and interests.

Second, it is difficult to ascertain if the individual or party is a legitimate representative of the parties or interests purportedly being represented (Susskind & Weinstein, 1980).

Irreversible and Unpredictable Effects

The effects of decisions and actions, or lack thereof, in environmental conflicts may be irreversible and unpredictable (Susskind & Weinstein, 1980). Resources are finite and may not be replaceable. Consequently, decisions regarding resource use may not be reversed. Furthermore, decisions that cause changes in one system or process often induce changes in another system or process. As such, the effects of environmental decisions and actions are often unpredictable.

Indeterminate Boundaries

Natural systems are complex, riddled with feedback loops, and may not show symptoms of changes or problems until long after a change has been implemented. Natural systems do not have clear boundaries or limitations, in terms of space or time. It can be difficult to determine an appropriate geographical area or timescale. Changes in either dimension may impact who has an interest in the dispute and, thus, alter the dynamics of the conflict (Susskind & Weinstein, 1980).

Distributional Consequences

Environmental conflicts and decisions have distributional consequences. The costs and benefits of decisions will affect parties differently. For example, to locate a power plant in one neighborhood means that it is not located in another neighborhood. Consequently, benefits such as tax revenues and employment opportunities and costs such as heavier traffic and increased emissions are differentially distributed. However, the distributional consequences of environmental conflicts are rarely this simple. Instead,

the consequences of environmental decisions may be felt in ecosystems or decades far from the site or time of the original decision. Thus, the distributional consequences may be difficult to assess or predict.

Uncertainty Regarding Risks, Costs, and Benefits

Environmental conflicts involve uncertainty regarding risks, costs and benefits. It is difficult to determine the value of clear air or water or the cost of impaired health. Furthermore, the values placed upon these ideas are likely to shift based upon an individual's priorities or distance from the source or impact (Susskind & Weinstein, 1980; Bacow & Wheeler, 1984). This difficulty is compounded by the attempt to take into account the value or benefit to future generations.

Summary

Collaborative processes are designed to recognize these core characteristics of environmental conflicts as well as the shortcomings of traditional decision-making processes in addressing issues having these characteristics. Consequently, such processes have been structured to address these characteristics and rectify or circumvent the shortcomings of traditional processes. The intent of current environmental justice programs is to encourage the application of collaborative processes to conflicts in the environmental justice context. However, an examination of the core characteristics of environmental justice conflicts reveals important differences that may have bearing on the nature of the conflicts and subsequent interactions.

Key Characteristics of Environmental Justice Conflicts

While environmental justice conflicts share the same set of characteristics of environmental conflicts more generally – including conflicts mired in risk and

uncertainty, irreversible effects, indeterminate nature, boundaries, and cost, and distributional effects – there are, nonetheless, important distinctions between environmental conflicts and environmental justice conflicts (Hurley, 1995; Bullard, 1993; Pezzullo & Sandler, 2007; Taylor, 1993; Taylor, 1998; Taylor, 2000). Using a traditional conflict assessment that investigates the nature of the issues, processes, and parties and based on a review of existing environmental justice literature and cases, eleven key distinctions warrant examination (Table 3.1).

An investigation of the differences in the nature of the issues between environmental conflicts, more generally, and environmental justice conflicts surfaces two important unique characteristics. First, environmental justice issues embody the broader EJM's human rights orientation, including the right to live in a healthy and productive environment. Second, environmental justice issues are framed to focus on the complex human – human relationships. They are framed to emphasize social issues of racism, discrimination, and equity, and frequently racialize a justice-based discourse.

In investigating the ways in which parties perceive and are able to participate in collaboration decision-making processes, three unique characteristics of environmental justice conflicts emerge. Procedural injustices and the suppression and inaccessibility of information characterize traditional environmental justice decision-making processes. Both of these characteristics have systemically denied environmental justice communities access to decision-making forums.

Table 3.1: Unique Characteristics of Environmental Justice Conflicts

Conflict Dimension	Characteristic
Nature of the Issues	Human rights orientation Environmental justice frame
Nature of the Process	Procedural injustice Information is suppressed or inaccessible
Nature of the Parties and their Relationships	Social location Traumatic histories of racial and economic discrimination Low Network Ties Perceived power differentials High distrust Incongruent communication norms

The third dimension of a conflict assessment entails investigating the nature of the relationships between parties. The leaders and constituents of environmental justice communities have different social locations, including being of different races and classes, than their counterparts in mainstream environmental organizations, which results in conflicts and opportunities being perceived differently. Environmental justice communities are likely to have experienced traumatic histories, particularly racial and economic discrimination. In turn, residents of environmental justice communities are likely to perceive other parties as holding more power than themselves and are likely to distrust other parties. Finally, the racial and cultural diversity of parties to an environmental justice conflict results in different communication patterns and norms being employed. Differences such as these have the potential to affect the ability of a collaborative process to address a conflict in an environmental justice context.

Nature of the Issues

A conflict assessment assesses the substance, both tangible and symbolic, of the issues over which parties are in conflict. Understanding the complexity and tension

points of a conflict is important to creating a process that promotes collaborative learning and problem-solving. The issues at stake in an environmental justice conflict have two unique characteristics. First, the values expressed by the EJM are human rights oriented and, thus, highlight the human rights dimension of environmental issues. Second, the environmental justice frame highlights social injustices and the interrelated nature of the issues.

Human Rights Orientation

The values expressed by the EJM are human rights oriented. The values of environmental justice activists are articulated in the Principles of Environmental Justice, a set of seventeen principles adopted in 1991 by participants of the First National People of Color Environmental Leadership Summit. The Principles are designed to define and guide the movement's organizing and networking. In an analysis of the Principles, Dorceta Taylor (2000) identified justice and autonomy as two of the major themes articulated in the document. Furthermore, the movement is attentive to issues such as democratic accountability, community empowerment, land appropriation, adherence to treaty rights, rights to livelihood, and self-determination (Taylor, 1993). These themes are closely linked to human rights and, as such, are fundamentally different from the values expressed in environmental conflicts, more generally.

Environmental Justice Frame

Environmental justice issues are framed in ways that set them apart from other environmental issues. Environmental justice issues focus on the social dimensions of environmental issues. While most early, and many current, environmentalists focused on the environment – human relationship by detailing the injustices humans have inflicted

on the environment, environmental justice issues highlight the environment – human and human – human relationship by focusing on the harm human decisions have inflicted on the environment and each other (Carson, 1962; Taylor, 2000). In particular, the environmental justice frame highlights the interrelationships between environmental quality, discrimination, race, class, and gender (Taylor, 2000).

The environmental justice frame accentuates the interrelated nature of issues. Merging the Civil Rights and Environmental Movements (Bryant & Hockman, 2005), the EJM and the environmental justice frame encompasses the issues and missions of both movements. The environmental justice frame links social, economic, and historical issues with environmental issues. For environmental justice advocates, issues of classism, racism, discrimination, and environmental quality cannot be separated. Consequently, the environmental justice frame frequently racializes the environmental discourse and names injustices and discriminatory practices. Finally, environmental justice advocates often define the environment as the places they live, work, and play. This definition links all aspects of daily life. The environmental justice frame highlights such interrelations and challenges the disaggregation of issues and events.

Nature of the Process

An examination of the procedural dimension of a conflict is important to understand how and why traditional problem-solving processes have failed to manage the conflict. The assessment investigates the ways conflicts have been managed and decisions made in the past. This information, along with information about the issues and parties, allows for the creation of a collaborative process that rectifies or circumvents shortcomings of past procedures. Shortcomings of traditional environmental justice

conflict management processes include procedural injustices and the suppression or inaccessibility of relevant information.

Procedural Injustice

Environmental justice communities have systematically been denied access to decision-making forums. A recurring theme in cases of environmental justice is the lack of opportunity to participate in decision-making processes that influence the daily life of community members. Deliberate events and maneuvers designed to mute the voices or concerns of community members or advance the interests of other parties have been employed. In these instances, residents have not been notified of decision-making processes, not been permitted to speak at such forums, been placed last on a long agenda, or had their perspectives noted but subsequently ignored (Kuehn, 2000; Cole & Foster, 2001).

Information is Suppressed or Inaccessible

Residents of environmental justice communities do not always have access to the information needed to be informed participants in a decision-making process (Capek, 1993; Blumberg & Gottleib, 1989; Cole & Foster, 2001; Kuehn 2000). This lack of information stems from two issues: the suppression of important information and the technical presentation of information. Residents of environmental justice communities have complained that advance notice of meetings was not provided and that copies of documents were not provided (Kuehn, 2000). Cole and Foster (2001) cite examples of resident questions not being addressed or taken seriously. Furthermore, language barriers have also precluded residents of environmental justice communities from obtaining important information (Cole, 1994; Kuehn, 2000; Cole & Foster, 2001). Finally, the

technical language and presentation of the material may also serve as a barrier to participation (Cole & Foster, 2001; Kuehn, 2000).

Nature of the Parties and their Relationships

Relationships between parties are at the crux of collaboration (Daniels & Walker, 2001; Carpenter & Kennedy, 1985). Consequently, understanding the historical experiences and patterns of interactions between parties is an important dimension of a conflict assessment. Assessing the nature of the parties and their relationships involves exploring the interactions, perceptions, and histories of the participants. Parties to an environmental justice conflict have unique characteristics that influence the potential of collaborative problem-solving. These unique characteristics include: social location, traumatic histories of racial and economic discrimination, high distrust, perceived power differential, and incongruent communication norms.

Social Location

Factors external to the self, such as the society in which an individual lives and his or her place within that society, critically shapes one's thoughts and behaviors (Mills, 1959). Social location is the position one occupies in society. It is determined by factors such as one's race, class, gender, education, or occupation. Social location influences one's ideas, behaviors, aspirations, expectations, and attitudes. For example, growing up male or female, wealthy or poor, and white or black shapes one's ideas of self. In turn, these ideas of self influence attitudes and behaviors. Importantly, social location can also affect how individuals perceive conflicts and opportunities (Mueller, 1992; Zald, 1996; Taylor, 2000; Taylor 2009).

The environmental movement has long been considered a movement of the white middle-class and blacks have often been perceived to be less concerned about the environment than whites. Research has long supported this portrayal of blacks and the environmental movement (Hershey & Hill, 1978; Kreger, 1973; Rudizitis, 1982; Van Arsdol, 1965) leaving the stereotype unchallenged. However, a surge of interest in the effects of pollutants on health and occupational safety, the acknowledgement that people of color communities may be disproportionately impacted, and the rise of the EJM ignited a host of new studies comparing black and white levels of environmental concern. Many of these studies challenged the notion that blacks are not concerned with the environment and, overall, assert that such notions are myths (Mohai, 1990; Mohai & Bryant, 1998; Taylor, 1992; Mohai, 2003; Jones & Carter, 1994; Newell & Green, 1997; Dietz et al, 1998; Parker & McDonough, 1999; Caron, 1989). Furthermore, research by Mohai (2002) suggests that levels of environmental participation evidenced by blacks and whites are similar. However, this diversity of racial environmental participation does not translate to diversity within mainstream environmental organizations.

The staff and members of mainstream environmental organizations tend to be well-educated, white and middle-class (Taylor, 2000). In contrast, Taylor's (2000) assessment of environmental justice organizations demonstrates that these organizations tend to be multi-racial, organized across class lines, and predominately led by women. As such, the social locations of parties to an environmental conflict, more generally, are different from that of parties to an environmental justice conflict.

This difference in social location, and the subsequent difference in attitudes and perspectives, has implications for how parties to environmental and environmental justice

conflicts perceive the costs and opportunities of a conflict situation. For example, an individual whose place in society is often unilaterally impacted by decisions of individuals and groups of a different social location will view an opportunity differently from an individual whose social location allows him/her to make decisions that influence others.

Traumatic Histories of Racial and Economic Discrimination

Past experiences and events have shaped the current perceptions and interests of environmental justice community members. Instances of discrimination, racism and opportunity from the past and present are manifested in current environmental justice issues and shape the lived experience and, hence, worldviews of affected communities. Residents of environmental justice communities have often experienced traumatic histories, particularly racial and economic discrimination. Traumatic histories are past events, such as having part of a community razed to make space for the construction of a new factory or freeway, learning that one's home was knowingly built on a toxic site, suffering negative health effects from the actions of nearby polluting facilities and the inactions of public officials or law enforcement, or being harassed by police when engaging in outdoor activities. These histories may result in feelings of mistrust, disenfranchisement, separation, betrayal, revenge, pain, humiliation, and anger (Forester, 1999). In turn, these feelings may lead to residents of environmental justice communities being skeptical of deliberative process, especially those led by public agencies.

Low Network Ties

Environmental justice communities and organizations are frequently more marginalized and lack the multiple network ties held by environmental organizations,

more generally. There is growing evidence of network connections between environmental non-governmental organizations (NGOs), corporations and foundations (Brulle & Jenkins, 2005; Prewitt, 2006; Galaskiewicz & Sinclair-Colman, 2006; Hoffman & Bertels, 2010). The growing connections between such organizations take many forms, including board interlocks, philanthropic donations, event sponsorships, scientific collaborations, and lobbying (Galaskiewicz & Sinclair-Colman, 2006; Hoffman & Bertels, 2010). While acknowledging that the increases in these connections have not been uniform across all environmental NGOs, the connections still signal an increase in dialogue and communication across organizations in the environmental field.

Drawing upon Mark Granovetter's (1973) analysis of network ties, it can be suggested that the multiple ties between environmental NGOs, corporations and foundations, while perhaps weak, may nevertheless lead to integration and further opportunities to collaborate and establish ties with additional organizations. In contrast, environmental justice organizations have built solidarity networks nationwide with organizations and communities facing similar struggles (Schlosberg, 1999).

Organizations whose mission is to link communities and serve as informational networking clearinghouses, such as Citizen's Clearinghouse for Hazardous Waste, have emerged. Furthermore, there are examples of environmental justice organizations working with mainstream environmental organizations on issues that are salient within their communities (Grossman, 1991; Cohen, 1992; Specter, 1992; Miller, 1994).

However, there is less evidence of environmental justice organizations and communities building network ties with a broad spectrum of environmental NGOs, foundations and corporations. Environmental justice communities have more commonly worked to build

community cohesion, common community identities, and strong ties with other environmental justice organizations and communities. However, in focusing their attentions on building strong internal ties, environmental justice organizations have fewer ties with parties with which they may be in conflict. Consequently, the channels of communication and working relationships present between environmental organizations, more generally, and public agencies, corporate actors, and other private entities are lacking for environmental justice communities and organizations.

Perceived Power Differentials

Residents of environmental justice communities often perceive themselves as holding little power while perceiving other parties as holding tremendous power. This perception stems, at least in part, from perceived historical disempowerment and past decision-making processes where decisions that affect community members were made unilaterally without or despite community input. This perception has important implications for perceptions of interdependency. Some residents may not perceive that they have the ability to influence the actions of others or the outcomes of decision-making processes. They may not perceive their interests to be perceived by others as legitimate in the discourse. They may perceive a limited level of interdependence between themselves and other possible participants, yet perceived interdependence is a critical precursor to engagement in a collaborative process.

High Distrust

Traumatic histories of racial and economic discrimination and perceived power differentials also influence the levels of trust and distrust felt between parties. As defined by Roy Lewicki (2007),

Trust is a generalized expectation that individuals hold, believing that other people will be trustworthy or can be relied upon...it most likely develops and changes as major trusting events have been honored (or violated) in that individual's history of prior social interactions (p. 193).

In addition to being distrustful that a "participatory" process will actually take their input seriously, communities have also had to contend with instances of complaints not being addressed, police officers not responding to calls, promised jobs never materializing, and other situations where expectations are not met (Cole & Foster, 2001; Foster, 2002; Elliott, 2003; Cable et al., 2005).

Citizens of environmental justice communities are also accustomed to distributive processes and are more likely to have experienced distributive injustices. Distributive processes allocate fixed resources in a manner where some participants receive more or less of the resource than others. They do not facilitate creative approaches to meeting the interests of conflict participants (Fisher & Ury, 1991). Distributive processes encourage participants to view each other negatively and decreases trust (Lewicki, 2007). Thus, distributive processes and injustices compound issues of trust and mistrust.

High distrust is also fostered by corrective injustices. Environmental justice communities have faced multiple instances of corrective injustices as agreements reached between parties are ignored and legislation not enacted. Corrective justice is the act of repairing or compensating for harmful actions or inactions (Kuehn, 2000). Holding parties accountable to agreements and enforcing existing laws and policies are important components of corrective justice. In instances of corrective injustices, punishments for inflicted damages are differentially assessed, differences in the stringency of cleanup methods are employed, and the rates of placement on the National Priorities List differ based on race or class (Kuehn, 2000). For example, a study of census data, 1,177

Superfund sites, and the EPA's civil case docket found that fines for violators of the Resource Conservation and Recovery Act in white communities were 506 percent greater than fines to violators in nonwhite communities (Lavelle & Coyle, 1992). The average fine for communities with the greatest white population was \$335,566. In comparison, the average fine for communities with the greatest minority population was \$55,318. The same study concluded that hazardous waste sites in minority communities take 20 percent longer to be declared a Superfund site (Lavelle & Coyle, 1992).

In his case study of the Chattanooga redevelopment process, Michael Elliott (2003) discusses the struggles of two minority, low-income communities to participate in a decision-making process. The responses of participants speak to these issues of distrust. One resident commented, "The [city] would talk that they would do something about it, but they wouldn't. That leads to a feeling of being an unwanted stepchild. You say you're gonna do something and you never do" (p. 310). Another stated, "But industries moved into the neighborhood. They were invited thinking that it would bring prosperity, but they caused a lot of problems that were not foreseen" (p. 310). While these statements derive from interviews with Chattanooga residents, they are echoed by citizens of environmental justice communities across the country (Bullard, 1993; Cole & Foster, 2001).

Incongruent Communication Norms

Race, class, social location and traumatic histories influence communication patterns and expectations. Communication norms are often based on the patterns and expectations of the dominant societal group. This widespread acceptance of the dominant social group's norms serves to render other means of communicating, such as

those that may be the norm with other cultural groups, as inarticulate or muted (Orbe, 1998). For example, pronunciation or presentation styles that differ from the dominant social group may be perceived as less rigorous or less valid. Furthermore, the ways information is presented and received may be more conducive to the dominant culture's learning styles.

Summary

Collaborative problem-solving efforts intended to help communities build capacity and partnerships with other organizations in order to improve their local environmental conditions are being promoted. However, implicit assumptions underlie such efforts to encourage the use of collaboration to manage environmental justice conflicts. In particular, the model implicitly assumes that if opportunities for collaboration are provided, parties to an EJ conflict will perceive incentives to participate. The model also implicitly assumes that collaborative problem-solving processes, as currently understood and structured, will be able to manage EJ conflicts. The model also underscores the importance of capacity-building, focused primarily on individuals and organizations from within EJ communities. However, as discussed, there are important nuances in the environmental justice context that distinguish it from environmental conflicts more generally. Consequently, the long-standing collaborative dispute resolution model may not be so readily applied to environmental justice cases. In particular, the unique characteristics of environmental justice conflicts discussed may challenge the core assumptions presented above. The goal of this research is to probe these assumptions in an effort to better understand how the unique attributes of

environmental justice conflicts create barriers and opportunities for collaborative problem-solving processes.

A CASE STUDY APPROACH

A case study approach was selected to help understand the nature of collaboration in environmental justice communities. The case study method intensely investigates a single case, or small set of cases, in an effort to lend understanding to other cases (Gerring, 2007). A case study approach may investigate discrete events within a single case or compare events and variables across a limited number of cases.

Case studies have been criticized due to their limited external validity and the challenges of replication, generalizability, and investigator error (Van Evera, 1997; George & Bennett, 2005; Singleton & Straits, 2005). External validity is the extent to which the findings of a particular study hold for, or can be generalized to, other cases. The limited number of samples examined and the reliance upon the observational and interpretive skills of a single observer, or researcher, can limit the replicability and generalizability of a study. Furthermore, reliance upon a single researcher increases the possibility of researcher error (Singleton & Straits, 2005). However, case studies are well suited for dynamic situations in which a holistic understanding is desired (Singleton & Straits, 2005) and have attributes that make them appropriate for this study.

Case studies are particularly appropriate for this study given that case studies are particularly helpful in identifying new variables and hypotheses for theory building and are able to deal with concepts that are difficult to measure, such as power and justice (Van Evera, 1997; George & Bennett, 2005). Furthermore, case studies are particularly well suited to investigating subjects about which relatively little is known, causal

mechanisms and working with heterogeneous populations (Singleton & Straits, 2005; Gerring, 2007). Causal mechanisms are events, processes, or other mechanisms that influence outcomes (Gerring, 2001). Given the theory-building nature of this work, the inclusion of concepts that are difficult to measure, such as justice, power, trust, and fairness, the heterogeneity of the experiences of environmental justice communities, and the investigation of causal mechanisms, the case study approach is appropriate for this work.

Case Selection

This study uses a case study approach to assess the suitability of collaboration to manage environmental justice conflicts. A case is defined as an environmental justice community that has engaged in a collaborative process with participants who have had historically divergent perspectives in an effort to solve a problem. Research has demonstrated that low-income and/or people of color communities are disproportionately exposed to environmental hazards and lack proportionate access to environmental amenities (UCC, 1987; Mohai & Bryant, 1992; Goldman, 1994; Maantay, 2002; Ringquist, 2003). As such, this research defines an environmental justice community as a community, historically low-income and/or comprised of people of color, that shoulders a disproportionate burden of environmental hazards while lacking proportionate access to environmental amenities and decision-making processes.

Potential cases were identified through scoping interviews with six environmental conflict and environmental justice scholars and activists. In the brief scoping interviews, participants were asked to identify communities that are engaged in innovative environmental justice problem-solving strategies. In addition, a web search was used to

identify organizations that are engaged in an environmental justice conflict situation and that are using collaboration as a problem-solving strategy. Environmental justice organizations that participated in an October 2007 convening with the Ford Foundation and that have websites were investigated.

Cases that met three criteria were included in the pool of potential cases. First, using the above definition, the conflict had to be situated in an environmental justice community. Second, the conflict had to center on an environmental problem. Third, the parties had to be attempting to collaborate to manage the environmental justice conflict. Six cases that met these criteria were identified (Table 3.2).

Table 3.2: Potential Case Studies

Location	Issue
Albuquerque	Water consumption and distribution
Anacostia	Watershed restoration
Boston	Neighborhood revitalization
Bronx	Energy production, consumption, and disposal
Harlem	Waterfront planning
Richmond	General plan update

The pool of six potential cases was evaluated using six criteria (Table 3.3). First, conflicts needed to be long-term and chronic in nature. This was important to ensure a conflict between parties, as opposed to a dispute. Second, multiple parties with differing perspectives and interests needed to be represented within the collaborative effort. A goal of this research is to understand how diverse parties are able to manage environmental justice conflicts through collaboration. As such, it was important that diverse interests be represented within the collaborative effort. Third, parties needed to be considering multiple and complex issues. This was important because to be

representative, the selected cases needed to accurately represent the complexity of environmental justice conflicts. Fourth, cases needed to be situated within an urban watershed. The cultural and geographical contexts of environmental justice conflicts influence the nature of the conflict. Limiting cases to a similar geographical context helps to limit the different cultural and geographical influences between cases. Fifth, rich data needed to be available. It was important that multiple sources of information be available, including archival materials and diverse interviewees, to construct an accurate case history. Finally, cases where collaboration was being experienced differentially were desirable as these different experiences with collaboration can help to highlight antecedent variables and causal mechanisms (Van Evera, 1997). Given this selection criterion, three case studies were selected: Harlem Piers Planning Process, Richmond General Plan Update, and Anacostia Watershed Restoration efforts.

Table 3.3: Selected Case Studies

Selection Criteria	Harlem	Richmond	Anacostia
Year of Origination	1998	2006	1987
Primary Participants	Public agencies, Nonprofit organizations, Community members	Public agencies, Nonprofit organizations, Community members	Public agencies, Nonprofit organizations
Overarching Issues	Waterfront planning	General Plan update	Watershed restoration
Urban Location?	Yes	Yes	Yes
Data Richness?	Yes	Yes	Yes
Collaborative Experience	Effective	Tentatively engaged	Not engaged

Collaborative processes funded through the Environmental Protection Agency’s Environmental Justice Collaborative Problem-Solving Program were not considered for

analysis in this study. Cases for this study were selected in September 2007. At that time, forty organizations had been selected to receive funds from the EPA through the EJ CPS grant program. Thirty awards were granted in March 2004 and an additional ten awards were granted in March 2007. However, in 2004, the funds were primarily awarded to organizations in an effort to build organizational capacity. Of the 30 grants awarded, 26 were primarily for internal skills building and knowledge transfer and, as such, these cases did not fulfill the selection requirement of involving multiple parties with diverse interests. The projects supported by the EPA in 2007 were only beginning and, as such, were not far enough along in the process to offer data richness or meet the long-term nature criterion for selection. Finally, the four remaining cases supported with grant money from the EPA were not selected because it was felt that the influx of federal funds into organizations and processes for the specific purpose of enhancing collaboration may alter the nature of the conflict.

Case Descriptions

The selected case studies offer an opportunity to systematically examine the influences of the unique characteristics of environmental justice conflicts on collaborative problem-solving. Each case represents an attempt by diverse parties to manage an environmental justice conflict within the urban context (Table 3.4). These attempts at collaborative problem-solving provide insight into how the nature of the issues, processes, and parties of environmental justice conflicts influence incentives to participate, the nature of the opportunity and capacity building, and process structure.

Table 3.4: Comparison of Selected Case Studies

Characteristic	Harlem	Richmond	Anacostia
Overarching Issue	Waterfront Planning	General Plan Update	Watershed Restoration
Scope	Site specific	City	Watershed
Region	Northeast	West	Mid Atlantic
Year of Origination	1998	2006	1987
Organization of Origination	Community	Planning Department	Regional Government
Stage in Collaborative Process	Implementation	Draft Plan	Working Group
Community Experience with Collaboration	Effective	Tentatively Engaged	Not Engaged
Primary Participants	Public agencies, Nonprofit organizations, community members	Public agencies, Nonprofit organizations, community members	Public agencies, Nonprofit organizations
Participant Recruitment	Voluntary	Appointed	Invited

Harlem Piers Planning Process

For decades, the stretch of land at the end of West 125th Street along the Hudson River waterfront in New York City’s West Harlem was a parking lot bordered by chain link fence. Today, it is a vibrant park space that invites community members to explore the waterfront through displays of public art, historical markers, and ample seating. The Harlem Piers Park is the result of a collaboration between residents, community-based organization, and city agencies.

The Harlem Piers Park case study explores how residents who have experienced past procedural injustices and traumatic histories of racial and economic discrimination and who distrust public agencies engaged in a collaborative process that created a shared vision for the West Harlem waterfront. In doing so, the community overcame stereotypes

and paved the way for a future collaborative process that resulted in the implementation of the residents' vision.

The Harlem Piers Park planning process offers insight into how unique characteristics of environmental justice conflicts challenge assumptions about collaborative problem-solving in environmental justice conflict situations. This case study examines the incentives to participate perceived by community organizers and members and the capacity building activities that all parties undertook. It also highlights how respected and legitimate leadership was able to transform the nature of the opportunity and implement process nuances that facilitated the parties creating new visions, and realities, for West Harlem.

Richmond General Plan Update

The range and severity of economic, environmental and social challenges in Richmond, California are enormous. Richmond is home to numerous incinerators and industrial facilities, including a Chevron oil refinery, a General Chemical sulfuric acid manufacturing facility, Ortho Corporation, and Myers Drum steel drum manufacturer. In addition, the city is plagued with industrial brownfield sites, such as the former Zanatec pesticide production facility. Residents suffer from high rates of asthma and cancer. Unemployment, poverty and crime accompany the environmental and health insults. But many of Richmond's leaders and citizens are undaunted. They are proactively working to change the condition of their community.

Residents of Richmond, California are working together on projects to foster community change. Collaborative environmental projects have emerged across the city. Projects involve green technology and employment, watershed restoration, and shoreline

preservation. In the process, community members, organizations, and business interests have begun to show signs of trying to change the norms of how they interact.

The city has tried to emulate the collaborative dynamic emerging across Richmond as they work to update the city's General Plan, a document of the city's vision, policies, and goals for land use in the city of Richmond. However, characteristics unique to the issues, processes, and parties of environmental justice conflicts have challenged the effort. This case study examines how traumatic histories of racial and economic discrimination and past procedural injustices have led community members to distrust that their participation will lead to changes in Richmond. It also examines how the presence, and absence, of leadership and opportunities for capacity building facilitate and hinder collaboration in the context of environmental justice conflicts.

Anacostia Watershed Restoration

Although heavily polluted, the Anacostia River has largely been ignored until recently. The 1987 creation of the Anacostia Watershed Restoration Committee and its transformation into the Anacostia Watershed Restoration Partnership in 2006 has facilitated a large-scale and long-term restoration effort of the Anacostia Watershed. Local, state and federal agencies throughout the District of Columbia and the state of Maryland have initiated a partnership with nonprofit, environmental, and citizen's groups in the Anacostia Watershed to work towards the long-term goal of restoring the health of their shared watershed. Although space has been provided for community participation and their engagement has been actively solicited and encouraged, residents of Anacostia, a predominately low-income and black neighborhood in the District of Columbia, have largely not engaged in the collaboration.

This case offers an opportunity to examine how characteristics unique to environmental justice conflicts have created barriers to participation for residents of Anacostia. Traumatic histories of racial and economic discrimination, social location, and the salience of social issues over ecological issues have influenced how residents perceive incentives to engage in the partnership. It also examines how, in the absence of leaders with an interest in establishing collaborative relationships with AWRP, opportunities to participate in the partnership and capacity building activities have not been capitalized.

Data Collection

A multi-method approach was used to collect and analyze case study data. Semi-structured interviews, archival materials, participant observation, and census data were used to collect data and analyze the three case studies. The multi-method approach allows researchers to triangulate research techniques for purposes of reliability and validity in order to obtain more robust findings. Triangulation is the process of using multiple methods, each with different inherent strengths and weaknesses, to enhance problem-solving capabilities (Singleton & Straits, 2005). The archival data includes news articles, meeting minutes, letters of correspondence, speech transcripts, grant applications, and planning documents. These materials were collected via online websites, public libraries, and participating organizations between August 2007 and January 2010.

Table 3.5: List of News Sources

Case Study	News Source	Number of Articles	Total
Harlem	<i>Real Estate Weekly</i>	1	13
	<i>Columbia Daily Spectator</i>	1	
	<i>New York Times</i>	6	
	<i>Time</i>	1	
	<i>In A WeAct Minute</i>	3	
	<i>Uptown Eye</i>	1	
Richmond	<i>Terrain Magazine</i>	2	16
	<i>Shore Lines</i>	2	
	<i>San Francisco Chronicle</i>	12	
Anacostia	<i>E Magazine</i>	1	8
	<i>Grist</i>	1	
	<i>American Forests</i>	1	
	<i>Chesapeake Quarterly</i>	1	
	<i>Washington Post</i>	3	
	<i>Baltimore Sun</i>	1	
Total		37	37

The news articles were collected from news sources such as *The New York Times*, *The San Francisco Chronicle*, *The Washington Post*, *Grist*, and community newsletters and publications (Table 3.5). The news articles were culled for the names and affiliations of individuals and organizations involved in each case. In addition, the news articles, in conjunction with the other archival materials, were used to construct a timeline of events. Finally, all of the archival materials, along with the interview notes, were analyzed using content analysis to identify the key issues and framing strategies being used by participants in the conflicts.

Semi-structured interviews were completed in person and via phone between April 2008 and August 2009 (See Appendix A for questionnaire structure). The semi-structured approach was selected to maintain comparability between interviews and cases while also providing space for new relevant variables and causal mechanisms to emerge.

Individuals who were quoted in the news articles or identified in the news articles or organizational websites as being involved with the conflict and subsequent collaborative processes were contacted and interviewed. Additional participants were identified through a snowball sampling technique in which initial interviewees suggested other individuals to contact.

Forty-three individuals were interviewed, including representatives of public and private organizations (Table 3.6). Interviews took place at organizational offices, public cafes and over the phone. They lasted between thirty and ninety minutes. Detailed notes were taken during each interview and the notes were used to construct detailed accounts of each interview.

Table 3.6: Interviews Conducted by Gender

Gender	Harlem	Richmond	Anacostia	Total
Men	4	5	15	24
Women	6	6	7	19
Total	10	11	22	43

Table 3.7: Interviews Conducted by Race

Race	Harlem	Richmond	Anacostia	Total
Person of Color	6	4	7	17
Caucasian	4	7	15	26
Total	10	11	22	43

Table 3.8 Interviews Conducted by Affiliation

Affiliation	Harlem	Richmond	Anacostia	Total
Nonprofit	5	7	11	23
Public Sector	3	3	11	17
Other	2	1	0	3
Total	10	11	22	43

Data Analysis

Process tracing, complemented by controlled comparison and bound by the analytical framework, was used to assess how the unique characteristics of environmental justice conflicts influence collaborative problem-solving. Process tracing explores how initial conditions influence outcomes (Van Evera, 1997). Using process tracing, this study explores how the unique nature of environmental justice issues, parties, and processes influence the nature of capacity building, perceptions of opportunities to participate and incentives to engage, and the structuring of collaborative processes. This method is appropriate for this study as the unique characteristics of the environmental justice conflicts are temporally prior to the dependent variables, including capacity building, perceptions of opportunities and incentives, and process decisions. Further, process tracing is important when relying upon case study comparisons as it is often improbable that cases will be perfectly matched on either the initial considerations or outcomes (George & Bennett, 2005). Process tracing can help to minimize limitations of comparative case studies by making observations within cases as well as across cases.

Study Limitations

This project is the first to systematically study the interface of environmental justice and collaborative processes. It is designed to better understand a subject about which very little is currently known. As such, this work is exploratory in nature and will rely upon a limited number of in-depth case studies. Given the limited number of case studies, limitations due to selection bias are present. The cases selected represent specific regional and cultural geographies. Cases in the southern and southwestern United States are not included. Further, cases that received funding through the Environmental

Protection Agency's Environmental Justice Collaborative Problem-Solving program are not included. This work is also limited to understanding collaboration in urban environmental justice watersheds. The ways in which collaboration is experienced in rural communities may differ. While this limited scope approach limits the generalizability of the study, the intention of this work is to provide a framework and platform for theory-building and future research.

The personal characteristics of the researcher, including social location, race, class, and gender can influence the nature of the research. It is impossible for research to be completely value-free and objective. While I have worked to be as objective as possible throughout the scoping, data collection and analysis, and writing stages of this research, my own social location, gender, and white cultural background influence my perspectives, interactions, and the ways in which this research was conducted and finalized. As with most field research that relies upon a single observer, this limits the replicability and generalizability of the work.

CHAPTER IV

HARLEM PIERS PARK PLANNING PROCESS CASE STUDY

Walking westward down 125th Street in West Harlem one passes the William Clayton Powell building, the new office of Bill Clinton, the first Starbucks in Harlem, the historic Apollo Theater, and the offices of both West Harlem Environmental Action (WE ACT) and New York City's Community Board Nine (CB9). The street ends at a vision realized: the Harlem Piers Park, a redeveloped park space on the bank of the Hudson River. The Harlem Piers Park is the product of a community-based endeavor to redevelop the former Harlem Piers into a new park space for Harlem residents.

The Harlem Piers Park case study explores how residents who have experienced past procedural injustices and traumatic histories, and distrust public agencies engaged in a collaborative process that created a shared vision for the West Harlem waterfront. In doing so, the community overcame stereotypes and paved the way for a future collaborative process that resulted in the implementation of the residents' vision.

The Harlem Piers Park planning process offers insight into how characteristics unique to the West Harlem community created challenges to the creation and implementation of an effective collaborative process. This case study examines the incentives to participate perceived by community organizers and members and the capacity building activities experienced by participants. It also highlights how respected

and legitimate leadership was able to transform the nature of the opportunity and implement process nuances that facilitated the parties creating new visions, and realities, for West Harlem.

BACKGROUND

The early 1900s brought a cultural renaissance to Harlem. African Americans were consistently driven north by the growth of white communities throughout downtown New York and pulled north by the building boom in Harlem. They were able to rent properties originally intended for white tenants that were far nicer than properties downtown and on the west side, albeit at much higher rents than Whites were expected to pay (Anderson, 1982). By the 1910s, Harlem was rapidly defining itself as the center of the black population in Manhattan and by the 1930s the area was predominately black. Buoyed by the arts and culture, Harlem became the center of a cultural renaissance.

The Harlem Renaissance was a period of the burgeoning African American intellectual and cultural identity. It refers to an era of written and artistic creativity, a spiritual coming of age in which the black community was able to seize upon group expression and self-determination. While racism was stifling opportunities, creative self-expression was one of the few avenues open to blacks that bolstered self-respect and racial pride. WEB Dubois, Marcus Garvey, Langston Hughes, Ralph Ellison, Eubie Blake, Josephine Baker and many others were an integral part of the Harlem Renaissance.

By the 1950s, Harlem was changing once again. Residents who could afford to move began to do so; building homes in Westchester, Long Island, and Connecticut. Early innovators, who brought their idealism and brilliance to the area, were aging and

passing on. With prohibition in 1933 and Harlem riots in 1935 and 1943, few whites made the trip north for a night out and major entertainment acts began moving downtown. What remained were the very conditions that blacks had hoped to negate. “[The] racial and social hardships that many had hoped would be nonexistent in the finest urban community that blacks had ever occupied in the United States” were what remained (Anderson, 1982, p. 347). Drugs and crime settled in Harlem. Throughout the 1960s, 1970s, and 1980s, economic stagnation, poverty, and disempowerment replaced the innovation and brilliance of the first half of the Century. However, Harlem is once again changing. “As the neighborhood entered the 1990s, we began to see the clash of the high-crime, drug-dominated era transitioning into the era of commercial development and increased residential desirability” writes David Maurrased (2006, p. 28). Consequently, as the twenty first century begins, Harlem is in the process of redefining itself.

Environmental Struggles in Harlem

Harlem has a rich history of environmental struggles. Struggles have been against noxious odors, high rates of lead poisoning and asthma, bus depots and sewage treatment facilities, and lack of access to green space. According to Julie Sze, “The result has been countless retractable battles in New York City, suggesting that conflicts over race, land use, and the environment are a never-ending quagmire” (2007, p. 6). The early struggles of Harlem organizers and residents often involved direct action strategies, such as protests, to focus the attentions of public agencies and leaders on the environmental issues in Harlem. Ellen Stroud, an environmental historian, describes the organizing efforts of residents in Harlem against a trio of polluting facilities,

“We are going to picket,” said Shirley Clarke, who lived near the crematorium. “We want to hold up the hearses, and have signs saying ‘We can smell your mother burning.’” The demonstrations staged by neighborhood activists turned out to be more respectful in the end, but nevertheless drew both crowds and attention. “Join the Protest Mass March and Rally Against the Big Stink,” read the flyers plastered around the neighborhood in September of 1991 under the sponsorship of four churches, two state senators, two city council members, two U.S. congressmen, and many community organizations. “Demonstrate against poison and odors spewing from North River Sewage Treatment Plant, Trinity Church Crematorium, and Penn Station’s MTA Amtrak West Side Trains.” One protestor used her video camera to capture the black plume coming out of the crematory smokestack... and dozens of neighborhood activists pressured the city to stop the smells (2006, p. 66).

Such direct action strategies were not unique to Harlem’s environmental organizing.

Three years earlier, on January 15, 1988, seven Harlem community leaders, including WE ACT founders Peggy Shepard and Chuck Sutton, were arrested for acts of civil disobedience. They were protesting the foul odors and poor management of the North River Sewage Treatment Plant. According to WE ACT’s own historical account, “Gas masked, placard carrying community residents held up traffic across from the plant on Riverside Drive to dramatize the unbearable situation” (2008). Shortly thereafter, in March 1988, WE ACT was officially created. It took several years and a lawsuit for WE ACT to gain traction in the case against the North River Sewage Treatment Plant.

In 1992, WE ACT, in partnership with Natural Resources Defense Council, Hamilton Grange Day Care Center, and seven local residents, filed a lawsuit against the City of New York and the City Department of Environmental Protection (Miller, 1994; Specter, 1992). The suit was filed to obtain remedy for the foul odors emanating from the sewage treatment facility. On December 30, 1993, a settlement agreement was reached between the parties. As a part of the settlement agreement, a city funded \$1.1 million “North River Fund” was created (Miller, 1994; Perez-Pena, 1994). The funds

were to be administered by WE ACT and Natural Resources Defense Council and used to investigate and address environmental and public health issues in the West Harlem community. The successful partnership between WE ACT, Natural Resources Defense Council, and other community groups and individuals in West Harlem in conjunction with the legal victory provided the resources and reputation that has given the organization staying power. The following year, 1994, WE ACT was able to build the organization from a volunteer organization into a staffed organization with an office headquarters in West Harlem.

Examples such as these highlight the direct action and litigation roots of environmental organizing in Harlem. These strategies helped to gain the attention of public officials and policy-makers. However, as community organizations and residents begin redefining their community, they are also redefining the problem-solving strategies and tools they use to instigate, create, and implement change. The redevelopment of the Harlem Piers Park is an example of how environmental leaders, community advocates, citizens, and city officials used an alternative pathway, collaboration, to achieve an environmental justice.

Redefining Harlem Piers

Riverfront projects were taking shape across Manhattan in the 1990s, including the opening of the Chelsea Piers recreational complex in August 1995, the revision of the Waterfront Revitalization Program in 1999, and the signing of the Hudson River Park Act in 1998 and the subsequent opening of one of its sections in 2003. As Gina Pollara writes,

New York has entered a new era of waterfront development since 1997. With the widespread recognition that it was unlikely that large-scale

commercial shipping would return to most parts of the waterfront, the push to transform the residual industrial landscape and establish public access to the water intensified (2004).

The waterfront in West Harlem was no different.

Throughout the nineteenth century and early twentieth century, Harlem Piers was a bustling throughway. The 125th Street area was a logical place for a ferry landing, as connections to the Broadway IRT line and cross-town transportation, including the 125th Street trolley, were easily accessible. Further, the Iron Steamboat Company ran a ferry from 129th Street to Coney Island and down bay, popular excursion routes, until 1932. Beginning service in 1894, the Public Service Ferry ran a line from Edgewater, New Jersey to the 125th Street pier. In 1900, the New Jersey & Hudson River Railway and Ferry Company purchased the line and maintained ownership until 1911 when the Public Service Railways took over ferry and electric railways. As Cecil Corbin-Mark (2004), program director of West Harlem Environmental Action, recalls:

The Harlem Piers was the anchor of the community back in the early 1930s. My elders described it as a vibrant public space with ferries coming and going to Fort Lee and other locations across the Hudson in New Jersey. There were shops along the shoreline, and lots of people would go to the Piers to fish.

The route remained popular until the opening of the George Washington Bridge in 1931 and Lincoln and Holland Tunnels, in 1937 and 1927 respectively, when Public Service Railways began turning its emphasis to buses. The Electric Ferry Company purchased the route in 1943 and continued service until December 15, 1950 (Baxter & Adams, 1999). The construction of the bridge and tunnels contributed to the decline of the ferries and, thus, Harlem Piers.

In 1998, then Chair of Community Board 9 Maritta Dunn, sent a letter to C. Virginia Fields, former Manhattan Borough President, requesting \$7,000 for the installment of two color banners on lampposts in the Harlem Piers area. Dunn wrote:

Today, the Harlem Piers Area, the only site along Manhattan's Hudson River Shoreline between 72nd Street and Ft. Tryon Park, where there is direct access to the water is in a state of severe dilapidation and neglect. The southern section of the Piers, 50 feet, is partially surrounded by fencing to protect people from the danger posed by the boardwalk, which has fallen into the water. And the northern portion of the piers is also inaccessible because of the 100 car parking lot that occupies about 70 feet of the waterfront. The combination of these two uses has resulted in a waterfront that is inaccessible and perceived by many to be uninviting and dilapidated (August 20, 1998).

Indeed, by the end of the twentieth century, the Harlem Piers area was underutilized riverfront.

Just to the south of the Harlem Piers area sits Frederick Law Olmstead's Riverside Park. Olmstead, alongside partner Calvert Vaux, was chief architect of Central and Prospect Parks in Manhattan and Brooklyn, respectively (Rosenzweig and Blackmar, 1992). Olmstead's design philosophy was rooted in his belief that great parks are necessary to civilize the city. He strove to create parks that brought people together to create a shared community and provide separation and relief from daily life (Rogers, 1972). Riverside Park, which begins at 58th Street, runs along the Hudson River for four miles and delivers open vista views of the river, quiet tree-lined streets, and informal gathering space to its users.

With Frederick Law Olmsted's Riverside Park to the south and the Riverbank State Park to the north, the swath of riverfront between W 125th Street and W. 137th Street represented a "missed opportunity" until recently. Nestled underneath the Riverside Drive viaduct and the raised platform of the IRT subway line, the area has been

dominated by the imposing steel structures supporting the transportation lines above and the parking lot of the Fairway Supermarket. As noted by Manhattan maritime expert, Phillip Lopate, “These viaducts cry out to be more celebrated than they are” (2004, p. 165). Business interests, public officials, local residents and community organizers made the same observation and by the 1990s, several plans for the redevelopment of the Harlem Piers were being created.

Throughout the past forty years, a series of proposals for the Hudson River waterfront around W. 125th Street have been proposed. Some of these projects included large-scale development projects that included multi-story hotels, movie theaters, housing developments, and entertainment venues. For example, the State of New York was the driver on the “Harlem on the Hudson” project submitted to the New York City Economic Development Corporation in 1992. The plan proposed a 300 to 500 seat theater, waterfront promenade, restaurant cruise boat, living-work space for artists and artisans, ad-hoc commercial and cultural uses, a consolidated meat market facility, and streetscape improvements among other amenities (Abeles Phillips Preiss and Shapiro, Inc., 1992). Alyssa Cobb Conan (2008), a staff member with the New York City Economic Development Corporation (NYCEDC) notes that many of the proposed plans throughout the 1980s and 1990s contemplated eminent domain. Nonetheless, these projects were rejected as infeasible for various reasons, including the physical characteristics and limitations of the site, lack of community support, and insufficient funding (Rausch, 2009; Weiner, 2008; Conan, 2008).

Regardless of the feasibility, the plans angered some community organizers and members who felt the plans did not properly appreciate the rich history of Harlem and the

needs of the community. Of the development plans being introduced, WE ACT staff members wrote,

As developers rolled into town, unfurling their grand plans for this long-neglected swath of land bordering the Hudson, the Harlem community bristled. Almost instinctively, residents dug in their heels, resisting the sales pitch and fancy schemes. The Harlem Piers, after all, represented the flavor of a regal and historied community (Shepard, Greaves, & Corbin-Mark, 2004).

The city's decision to lease the waterfront land to Fairway Supermarket to use for additional parking raised the question about best uses of the waterfront asset in the minds of many community leaders. Fairway Supermarket opened a store at 133rd Street and Marginal Street in 1995. While this addition brought needed quality food choices to the community, it also attracted shoppers from New Jersey. Its appeal to commuters meant a need for nearby parking.

The leasing of the land for parking and the attention the Harlem Piers site attracted from developers contributed to NYCEDC's decision to announce a request for proposals (RFP) in 1998 for the land west of 131st Street between St. Clair Place and 131st Street (Shepard, Greaves, & Corbin-Mark, 2004). This particular RFP required that proposals include uses that are compatible with riverfront development, including recreational facilities, tourism, and education and discouraged uses such as parking. The NYCEDC received five proposals, none of which were particularly feasible due to site restrictions and budget issues, according to the NYCEDC. However, while the NYCEDC recognized the infeasibility of such plans, the plans still served as a galvanizing point for community residents and leaders.

Community organizers and members viewed the proposals as another attempt by outside interests to unilaterally make decisions about their community. As described by Shepard, Greaves, and Corbin-Marks,

Outsiders were designing, refining, configuring, contorting, and controlling our dream. Like well-intentioned sandmen, developers, elected officials, and city agencies were breezing into Harlem, impoverishing our imagination, pinching our ownership of the process – handing us their dream. Something had to be done (2004).

This recognition marked the beginning of an effort to capture the community dream through the Harlem-on-the-River visioning process.

As community leaders, including West Harlem Environmental Action (WE ACT) and Community Board 9 (CB9), were beginning to strategize ways to better utilize the waterfront, the New York City Economic Development Corporation (NYCEDC) held open its request for proposals. This combination of events opened the door for broad-based community collaboration in the redevelopment of the Harlem Piers.

KEY ORGANIZATIONS

The redevelopment of the Harlem Piers is a result of the collaborative efforts of several organizations and individuals. Leading the redevelopment process are West Harlem Environmental Action, Community Board 9, and the New York City Economic Development Corporation.

West Harlem Environmental Action (WE ACT)

Initially organized to combat the North River Sewage plant and a proposed bus depot in northern Manhattan, WE ACT was founded by Peggy Shepard, Vernice Miller, and Chuck Sutton in 1988. According to Peggy Shepard (1994),

Created to combat environmental racism, WHE ACT¹ is guided by the principle that true environmental justice cannot be achieved without a vocal, informed, and empowered community expressing its vision of what its community can and should be. An empowered community has the resources, motivation, information, and political savvy not only to reject and oppose, but also to formulate, initiate, and implement its own plans, and to monitor the administration and operation of such initiatives (p. 752).

Begun as a volunteer, non profit, community organization in 1988, by 1994, WE ACT had grown into a staffed community organization and, at present, WE ACT has over a dozen full time staff positions and has become a recognized voice for the community on environmental and quality of life issues, including asthma, air pollution, lead poisoning, building safety, and access to green space. Throughout their twenty years, WE ACT has maintained a culturally diverse staff and used a variety of problem-solving strategies, including community education, direct action, lawsuits, and partnerships with mainstream environmental organizations to mobilize residents and affect change.

Community Board 9 (CB9)

The city of New York is divided into 59 Community Districts, 12 within the Borough of Manhattan, each with its own Community Board. According to the City of New York Mayor's Community Affairs Office, "[Community] Boards play an important advisory role in dealing with land use and zoning matters, the City budget, municipal service delivery and many other matters relating to their community's welfare" (2009). The formalized role and structure of Community Boards is defined in the City Charter.

Each Community Board is comprised of up to 50 voting members who are nominated by community City Council members and appointed to the Board by the

¹ The letter "H" has since been dropped from the acronym. The organization presently uses the acronym of WE ACT.

Borough President, an elected position. Community residents and organizations may submit nominations to their Council representatives or directly to the Borough President. In appointing members to the board, “The Borough President must ensure adequate representation from different geographic neighborhoods in the district, and must consider whether all segments of the community are represented” (Mayor’s Community Affairs Unit, 2009). Board members serve a staggered two-year term and must either reside, work, or have significant and specific interests in the community. Serving as a Community Board member is a voluntary, non-compensated position.

Each Community Board works out of a local office that is run by the District Manager and a Board staff. The specific tasks of the District Manager and staff vary by community, but may include being, “complaint takers, municipal managers, information sources, community organizers, mediators, advocates, and much more” (Mayor’s Community Affairs Unit, 2009). Each Community Board also hosts a monthly public forum that is presided over by the chairperson for the Community Board. Finally, Community Boards have the flexibility to create committees as needed.

Table 4.1: Racial Composition of Community Board 9 Jurisdiction (as percentage of total population in geographic area)

Race	Community Board 9
White	7.96
Black	38.76
Asian	2.94
Hispanic	47.69
2 or more races	2.01
Other	0.64
Total	100.00

Source: U.S. Census (2000)

CB9 oversees the West Harlem neighborhoods of Morningside Heights, Manhattanville, and Hamilton Heights (Table 4.1, Figure 4.2). Like the communities they represent, the majority of CB9 staff and members are people of color. Lawrence McClean, who served as District Manager for 15 years, recently vacated the position. Eutha Prince was appointed to the position in November 2008. Patricia Jones has served as the chairwoman for CB9 since 2008. There are 10 committees of CB9, including a Harlem Piers/Economic Development subcommittee.

New York City Economic Development Corporation (NYCEDC)

The New York City Economic Development Corporation is a not for profit organization that works on local development projects under contract with the city. It was created in 1991 as two nonprofit organizations, the New York City Public Development Corporation and Financial Services Corporation of New York City, merged. In addition to taking over the responsibilities of the two above organizations, the NYCEDC was also charged with overseeing the services formerly performed by the New York City Department of Ports and Trade and the New York City Industrial Development Agency. According to the NYCEDC,

By encouraging commerce within the City, managing City-owned properties, administering loans and financing, and facilitating commercial and industrial development, NYCEDC has successfully completed hundreds of development projects and implemented many public policy initiatives (2009).

The NYCEDC is responsible for a number of the city's waterfront properties and the property along the Harlem Piers was one part of a larger portfolio. By using an RFP process, NYCEDC is able to oversee and target specific land uses of the properties within their portfolio (Konan, 2008). Other projects under the purvey of the predominately

white NYCEDC staff include development of Flushing Commons and Fordham Plaza as well as plans for the East River Waterfront, Hunters Point South, and Bronx Terminal Market.

HARLEM-ON-THE-RIVER

Development plans that contradicted the community-at-large's desire for riverfront views, access to parkland, historic preservation and, overall, input on how the land would be used sparked controversy in West Harlem. WE ACT, a well-respected community advocacy organization, responded to this controversy by strategically considering action options. One option was to protest redevelopment plans for Harlem Piers. However, WE ACT, alongside Harlem consultant Mitchell Silver, recognized that it would not be sufficient to point out the flaws and areas of community disapproval in the plans: The community would also need to suggest an alternative. As Mitchell Silver notes, "We were looking to gain the attention of local officials. To do so we could mobilize and fight the city against the RFP, but we also needed to offer an alternative" (2009). To begin working to make such an alternate, community - driven plan reality, WE ACT reached out to CB9 to gain their assistance in planning and facilitating a community charette.

Community Board 9 and WE ACT initiated the Harlem-on-the-River community planning process. Organizers were able to secure funds (\$35,000) from the Department of Energy's funds for Empowerment Zone communities in fall 1998. The Harlem Piers area was integrated into the Upper Manhattan Empowerment Zone in 1994. Empowerment zones are an attempt by the federal government to bring revitalization to communities in need through tax incentives. The designation of the Upper Manhattan Empowerment

Zone in 1994 provided the community with \$100 million in federal grants, which was matched by both the state and city government, providing \$300 million in investment money for the area.

Having secured some funds for the project, WE ACT teamed with CB9 to facilitate a community visioning process for the Harlem Piers. A visioning process “is a process in which people build consensus on a description of their preferred future – the set of conditions they want to see realized over time” (Moore, Longo, & Palmer, 2000, p. 558). It differs from more traditional planning processes in that a diverse set of participants build the image they want to see realized as opposed to responding to a preconceived idea or plan. Further, it recognizes residents as community experts. As a staff member of WE ACT said, “The process of community visioning to produce a plan that was driven by community and to use it as an organizing tool for change was a way in which they were engaged in organizing the community to call for change and build power” (Corbin-Mark, 2008). In the case of the Harlem-on-the-River visioning process, area residents, local business interests, public officials, and university planning interests came together under the leadership of WE ACT and CB9 to build their vision for the future of the Harlem Piers.

Bringing such a diverse group of constituents together was no small task. Residents of the bordering communities in the Harlem area had not previously worked together. Further, they had a reputation of not even liking each other. Each neighborhood had a distinct culture and separate interests. As Silver (2009) recalls,

Prior to that point, no one had ever agreed to a plan. People from Morningside Heights, Manhattanville, West Harlem, and Central Harlem did not work very well together. Morningside Heights people were interested in historic preservation while the folks from Manhattanville

were primarily concerned with economic development. Some folks felt strongly about parks. West Harlem and WE ACT want access to the waterfront and social justice. The Dominicans felt disenfranchised generally. These groups did not work together or even like each other.

This history of not working together and divided interests increased the challenge and importance of the community planning process. Furthermore, it centralized the role of WE ACT within the visioning process as an organization that understood and could navigate the context without itself being a threatening presence was crucial.

WE ACT and CB9, with guidance from planning consultant Mitchell Silver, thoughtfully worked through the details of the project to maximize community participation. Recognizing their desire to empower residents and shift decision-making and power structures to residents, community leadership needed to provide professionals and residents with the tools and resources needed to effectively participate. As Corbin-Mark (2008) notes,

We set about the project to provide resources to the community to better participate in the planning of communities. You cannot just walk in and say this is what we want and translate that into something that can be developed. We needed to provide training and skills so that [community members] could participate in the visioning process.

As such, details, including providing sensitivity training to the facilitators, engaging community residents in informational meetings prior to the design and visioning meeting, and logistical items, were carefully managed to maximize meaningful community involvement. Further, WE ACT, CB9, and Silver worked closely together to ensure that they had the same understanding of the nature of the community and the goals of the visioning process.

As sponsors and facilitators of the visioning process, WE ACT and CB9 came together to organize a steering committee and develop goals for the process. They hired

planning consultant Mitchell Silver and landscape architect Thomas Balsley as consultants to ensure a smooth process as well as technically sound and feasible end product. As noted by Corbin-Mark, it can be difficult to find professionals who are willing to set aside their own visions and interact respectfully with residents. They did not want to run the risk of engaging residents and then have residents be treated disrespectfully by the consultants. To help ensure a smooth process, the consultants hired were familiar with the local community and encouraged to use their expertise to support the resident expertise.

Throughout the winter of 1999, the two organizations and the consultants heavily promoted the planning process by holding town hall meetings, knocking on doors, advertising through resident associations, homeowners associations, and churches, walking the waterfront, and using existing communication networks. They also worked hard to gain the interest of local businesses by individually approaching and framing the visioning process in ways that were salient to each business. This time was also used to gain an understanding of the issues. Silver states, “People talk in code. We had to crack the code to get to the bottom of what people were saying to get a good grasp of the real issues....I wanted all of the issues out in the first hour, not the eleventh hour” (2009). Finally, prior to the community meetings, a team of racially and ethnically diverse planning professionals was assembled and provided with additional training. The training included a tour of the site, a review of the event’s guiding principles, and instructions for dealing with difficult personalities (Silver, 2009). Again, the organizers wanted to be certain that the facilitators understood the nature of the community and the goals of the visioning process.

Their efforts paid off as over 200 people, including residents, congressmen, assemblymen and other public figures, attended a community meeting in March 1999 to learn more about the visioning process and the Harlem Piers site. One month later, in April 1999, 140 people participated in the visioning process held at City College.

In addition to local residents, business interests, and elected officials, the sponsors of the visioning process invited representatives of the New York City Economic Development Corporation (NYCEDC) to attend the event. As mentioned, the Harlem Piers land was part of the NYCEDC portfolio and they had an RFP out for the parcel. As such, and based on the advice of city council, they were hesitant to participate in the visioning process; however they were willing to observe the process. As Corbin-Mark (2008) notes,

Even their presence was a small victory as this is a different way of doing business for them. This is not how they operated before. It was interesting that they were willing to observe but not be fully engaged as part of the process. They garnered a respect for their organization that they did not have before.

Even without their participation, he notes that their presence was important as it allowed them to witness a process where different visions could be united into a common vision. They were able to see a process that used maps and planners. Further, as Corbin-Mark (2008) put it, they were able to see that it was not a “gripe fest” or “mess of people bickering”. In short, their observation of the process helped to legitimize the process in the eyes of the NYCEDC staff.

The organizers of the visioning process worked hard to ensure that those who wanted to participate were able to do so. The Great Hall at City College is centrally located and was easily accessible to participants. Childcare was provided onsite for those

with young children, and food was provided throughout the day to prevent people from leaving to eat. Also, as a bi-lingual community, translators were present. These logistical considerations were important in ensuring a strong community turnout.

Throughout the day, participants, alongside a diverse team of design professionals, worked in ten teams to develop their plans for Harlem Piers. To guide their work, each team was provided with information on the Harlem Piers lands, green design principles, and goals of the workshop, created and distributed by the day's sponsors (Shepard, Greaves, & Corbin-Mark, 2004). Once the plans were created, each team had the opportunity to share their plans and recommendations with the other participants.

The process was facilitated by Cecil Corbin-Mark, a staff member of WE ACT and longtime Harlem resident, and designed to encourage open and respectful participation. Ground rules were established, such as allowing all people to speak, being "candid but not vicious", and recognizing all issues. Recognizing that some issues may be tangential, a "bike rack" mechanism was put in place and there was a commitment to making sure that all bike rack issues were addressed. These ground rules, combined with facilitation by a trusted community member, helped participants share their feelings and desires while still maintaining focus on the goal of creating a plan for Harlem Piers that met community needs.

Following the community visioning process, members of the Harlem-on-the-River steering committee reviewed the plans with the intent of merging the plans into one. Membership on the Harlem-on-the-River steering committee was open to anyone who wanted to be a member. Over fifty individuals, including community members, a

congressional representative, church leaders, area business interests, and public representatives joined the committee. This open door membership policy was important to help ensure transparency. A staff member of WE ACT described the decision, “We did that so no one outside could throw stones and accuse us of engaging in back door stuff” (Corbin-Mark, 2008). However, the large size of the steering committee presented a challenge when attempting to reconcile the ten plans into one.

Mitchell Silver recalls a steering committee meeting, “It was a horrible meeting with people screaming and angry. It was the one bad moment in the entire process, but it created great results” (2009). As recalled by Silver, the meeting was intense as the large group settled back into positions, “People started staking positions. They did not seem willing to blend it together. If you want to preserve something, you cannot knock something down” (2009). Among the positions staked were the desire for park space and no buildings on the site, the desire to maintain historical integrity, and the desire to use the space to spur economic development. Silver recalls leaving the room in frustration. He turned the meeting over to Corbin-Mark while he took a break. This tension and break ultimately resulted in a moment of clarity for Silver. He returned to the room to guide the steering committee members through a selection of guiding principles rather than an attempt to merge the plan. In deciding upon guiding principles, the consultants were able to reframe and shift the decision-making process from a zero-sum to expanded pie scenario where the principles are interwoven as opposed to competing. The steering committee created and agreed upon seven guiding principles:

1. Economic development and job creation
2. Riverfront access, parks and open space

3. Transportation and parking
4. Art, culture and education
5. Urban design and streetscape improvement
6. Environmental restoration
7. History and architecture

These seven elements represent the dominant themes of the visioning process and steering committee interests and became the core of the “planning and design framework” which the consultants then used to create a composite plan for the Harlem Piers.

The composite plan devised by the consultants was presented to the steering committee and residents during the summer of 1999. This plan accommodated desires for open space, economic opportunities, environmental revitalization, an acknowledgement of the historical significance of the area, and showcases of local art and culture by creating public park space that would be accentuated by historical markers and public art along the Hudson River waterfront. Furthermore, efforts would be undertaken to revitalize native fish populations and reinstitute excursion tours. According to Silver, “The community loved it” (2009). Later that same summer, the Harlem-on-the-River plan was submitted to the NYCEDC.

Earlier that year, NYCEDC had received five proposals in response to their RFP for the Harlem Piers Waterfront. The proposals included proposals to build three barges, a hotel, and mixed waterfront use, as well as two proposals to build concessions and a hotel. According to Alicia Cobb Konan of the NYCEDC (2008),

For a variety of reasons, the proposals that were returned were rather infeasible. The reasons include financial and permitting. In NYC, it is

difficult to build on the waterfront. Further, the parcel is very narrow. Overall, a lot of constraints existed. In addition, the office received 300 postcards from community members stating what they did not want for the waterfront. They expressed desire for the Harlem-on-the-River plan, which was the outcome of the community visioning project led by WE ACT.

This combination of factors, as well as their first-hand knowledge that the Harlem-on-the-River plan stemmed from a genuinely participatory process, led the NYCEDC to announce in 2000 that it would reject the five other proposals and work to complete a Master Plan for the 125th Street area:

In recognition of the long history of past development proposals for the West Harlem waterfront, and building on the recent community plans, NYCEDC decided it was important to consider the redevelopment of the waterfront in the context of the upland neighborhood. By taking this more comprehensive view, it allowed the City to work with a broad spectrum of local partners and stakeholders in articulating what is hoped to be a blueprint for the revitalization of a long-forsaken waterfront (NYCEDC, 2002).

While the NYCEDC was willing to put aside proposals for large-scale developments on the Harlem Piers, they were unable to adopt the Harlem-on-the-River plan either.

Instead, the NYCEDC began its own master planning process.

To move forward with a development plan for the Harlem Piers, the NYCEDC needed to initiate and oversee the planning process. According to Konan of the NYCEDC (2008),

We were very upfront about what we could do and could not do. Recognizing that although the city was invited to the community visioning process from which Harlem-on-the-River emerged, ultimately, the project was not owned by the city. To get the buy in and get the project pushed through, the city would need to develop our own plan.

Taking advantage of the NYCEDC's change of leadership and the agreed upon misuse of the waterfront as a parking lot, the NYCEDC embarked upon its own planning process for the Harlem Piers and hired W Architecture to lead the development of a Master Plan.

Based on a proposal submitted by NYCEDC, the Environmental Protection Fund Local Waterfront Revitalization Program, a granting program through the New York Department of State, provided \$300,000 June 2001 to assist with the costs of feasibility studies, planning, design, and document development. To oversee the NYCEDC's master planning process, a task force of approximately 50 people was created. The task force included public officials, elected representatives, residents, and others with vested interest in the Harlem Piers area. The supporters and developers of the Harlem-on-the-River plan were able to participate in charettes hosted by the NYCEDC. This was a means for the community to bring the elements of the community plan to the City planning process. Having already gone through the visioning process allowed the community to bring unified and realistic plan components to the table.

Overall, it took approximately two years for the master plan to be completed; one year for the charrette process and one year to write and publish the document. As formulated by the NYCEDC (2002), the goals for the development of the Harlem Piers parcel were to:

- Complement the community vision and plans.
- Provide a continuation of the waterfront linear path system.
- Explore a creative maintenance mechanism.
- Connect to the upland and encourage economic development in West Harlem.

In following these goals, the NYCEDC was able to make three central recommendations regarding the development of the Harlem Piers:

- Creation of a waterfront amenity.
- Implementation of substantial transportation improvements.
- Development of a vibrant commercial and cultural district.

After the master plan was presented to the public, the task force was disbanded. Further, while WE ACT embraced a strong leadership role throughout the planning process, they deferred much leadership to CB9 throughout the implementation phases. However, the NYCEDC, with their own desire for stronger community relations and without a specific directive, continued to work with CB9 on plan implementation and attend their Harlem Piers and Waterfront Committee meetings

While the development plan for Harlem Piers was being created, the issue of funding still needed to be resolved. In June 2001, NYCEDC secured \$500,000 through a Clean Water/Clean Air Bond Act award provided through the State Office of Parks, Recreation, and Historic Preservation to assist with construction costs of the redevelopment of Harlem Piers. In addition, \$5 million was secured through the Upper Manhattan Empowerment Zone board, the State of New York provided \$4 million, and the City of New York committed \$2 million. These funds were designed to cover the construction and planning costs associated with the redevelopment. However, the costs of maintaining the park still needed to be covered. According to the NYCEDC, “The City of New York is unable to take on new parks without funding and the park, as conceptualized, does not have a mechanism to generate income” (2008). WE ACT and CB9 were able to generate some funding but the bulk of the fundraising fell to the

NYCEDC, which was able to secure \$20 million. Nonetheless, funding continues to be a challenge.

As the construction on Harlem Piers progresses, decisions and issues still arise. NYCEDC and CB9 still work together to address these issues. For example, the Army Corps of Engineers had concerns about the impacts of the proposed construction on fish populations. Harlem Piers and Watershed committee members rejected the initial mitigation plan for aesthetic reasons. Reef domes, large concrete structures with cut outs for fish to swim through that can be placed on the river bottom near the piers, were suggested as an alternative mitigation strategy. However, since reef domes had never been used so far north, feasibility studies had to be conducted before they could be approved. While reef domes were ultimately approved, resolving this issue required that the NYCEDC, CB9, and Army Corps of Engineers work together. Other issues include aesthetic design decisions and the inclusion of historical markers.

The ability of community members, WE ACT, CB9, NYCEDC, and others to work together has paid off as the Harlem Piers project is reaching fruition. Having broken ground in 2005 and with portions of the park still needing to be completed, the Harlem Piers Park officially opened to the public in November 2008. A ribbon cutting ceremony was held in May 2009. The new park includes bike trails, fishing piers, unobstructed views of the river, waterfront seating, historical markers, art, and plans are underway for an excursion boat.

MAKING COLLABORATION WORK

Collaboration between community residents, nonprofit organizations, major institutions, and public officials has allowed for the vision of the Harlem Piers to become

a reality. The Harlem-on-the-River planning process, led by a diverse team of facilitators specially trained to be sensitive to community issues, solicited resident visions in a way that allowed community residents to openly discuss their hope and skepticism, creativity and anger. The process coalesced the community vision for the Harlem Piers and allowed the community to positively contribute to later planning processes in a way that demonstrated professionalism and unity. However, the outcome was not guaranteed from the beginning and many factors unique to, or heightened in, environmental justice conflicts could have derailed the process. The following discussion analyzes how characteristics of the Harlem community and collaborative leadership influence how and why people engaged in the collaborative process, how the process was structured and the nature of the capacity building.

Table 4.2: Unique Characteristics of Environmental Justice Conflicts that Challenge Assumptions

Conflict Dimension	Characteristic	Assumptions Challenged
Nature of the Issues	Human rights orientation Environmental justice frame	Process Considerations Process Considerations
Nature of the Process	Procedural injustice Information is suppressed or out of reach	Incentives to Participate; Process Considerations Not Applicable
Nature of the Parties and their Relationships	Social location Traumatic histories of racial and economic discrimination Perceived power differentials Low Network Ties High distrust Incongruent communication norms	Process Considerations Incentives to Participate; Process Considerations Not Applicable Incentives to Participate Incentives to Participate; Process Considerations Not Applicable

Incentives to Participate

Harlem community members' incentives to participate in the collaborative planning processes were influenced by their traumatic histories of racial and economic discrimination, past procedural injustices, and high distrust of city agencies. For parties to participate in a collaborative process, they must perceive incentives to participate. However, in this case, the unique characteristics of the conflict challenged the community members' abilities to perceive incentives to participate.

An Organizational Perspective

An effort to create a land use plan for the former Harlem Piers site clearly related to the central work and issues of WE ACT, NYCEDC, and CB9. For WE ACT, the creation of safe park space and access to the waterfront helps to address environmental justice issues of disproportionate access to environmental amenities. CB9 is directly charged with overseeing land management practices within its boundaries, and the property was part of the NYCEDC's waterfront portfolio. This clear connection to organizational issues and responsibilities informed each party's interest in the process.

Community organizations and public agencies, including WE ACT and NYCEDC, perceived incentives to collaborative with each other. Harlem community organizers realized that it would not be sufficient to point out the flaws in other proposed land use plans; a community plan also needed to be proposed. Furthermore, community leaders recognized that because NYCEDC held control over the parcel, they would not be able to circumvent NYCEDC to implement a community driven plan. Consequently, it was in their interest for the NYCEDC to be involved with their planning efforts. From the perspective of NYCEDC, which oversaw the parcel of land, it was clear that a

unilateral decision that did not incorporate community visions would be met with opposition. As such, it was in their interest to incorporate community visions into the land use plan.

An effective and credible collaborative planning process was also dependent upon the participation of community members. However, traumatic histories, past procedural injustices, and high distrust of public agencies challenged community members' desire to participate in collaborative planning processes.

A Community Member Perspective

Community based organizations in Harlem perceived incentives to engage in a collaborative planning effort with Harlem community members and NYCEDC. However, community members were initially reluctant to engage in collaborative planning efforts.

Traumatic Histories in Harlem

The West Harlem community has experienced a traumatic history, including a history of racial and economic discrimination. Harlem developed as a racially segregated community, becoming a source of racial pride and creative self-expression as the Harlem Renaissance took root. However, following the Harlem Renaissance, due to push and pull forces outside its control, many neighborhoods in Harlem fell into deep disrepair and despair. Streets that were once filled with the sounds of jazz were neglected. Drugs, poverty, and crime set in throughout the area. Since then, the Harlem community has long been assaulted with environmental hazards, lack of green space, polluted air, violent streets, and disinvestment. When community members have raised concerns about these

issues, their concerns have frequently been ignored or disregarded in favor of the interests of other communities. This did not go unnoticed by Harlem residents.

Community members perceive their concerns as taking a backseat to the concerns of other Manhattan communities, particularly the higher income communities downtown. “The West Harlem community had raised its voice several times, but unlike residents downtown, we were often ignored or undermined,” write the leaders of WE ACT (Shepard, Greaves, Corbin-Mark 2004). These perceptions of disinvestment and feelings of being ignored can create feelings of anger and distrust, which can undermine a collaborative process by influencing whether or not parties perceive incentives to participate.

High Distrust of City Agencies

Many Harlem community members did not trust the city to act in good faith or to act in the community’s interest. Past decisions and actions contributed to these feelings. For example, the Harlem community was targeted by the city to host Manhattan’s seventh Manhattan Transit Authority’s bus depot. However, in a case of distributive injustice, Harlem already hosted five of the existing six bus depots. Only one bus depot on the island was not located in Harlem. In a case of corrective injustice, community members had to rely on legal actions to achieve remedy when the city was unresponsive to signs of hydrogen sulfide gas leaks emanating from the North River Sewage Treatment facility. Community members based their opinions of other parties on these actions, or lack of actions, and did not expect future interactions to be different. As Corbin-Mark (2008) explains,

The community has been so poorly served in the past, it would not shock them if the rug was pulled out from beneath them...Some others reacted

with the attitude that this will not go anywhere... They had preconceived notions that the past would be prologue for the future.

This perception that past experiences predict future experiences influenced how incentives to participate were perceived by community members.

Residents of neighboring West Harlem communities did not trust each other either. Residents of West Harlem's neighborhoods were reputed to not even like each other, much less work together (Silver, 2009). The Harlem-on-the-River planning process marked one of the first coming together events of the disparate interests and neighborhoods of West Harlem. "Prior to that point, no one had ever agreed to a plan. [Neighborhoods of West Harlem] normally did not work very well together," says Silver (2009). Given the past relationships, there was little reason for community members to expect this experience to be different. Consequently, community members perceived little incentive to participate in the Harlem-on-the-River planning process.

Residents of West Harlem were suspicious of the NYCEDC's planning process, but had greater incentives to participate. Konan, an NYCEDC staff member, recognized their suspicion and notes, "A lot of people were very suspicious of the city; what they were doing and why they were engaging in the process. People wondered, 'Why is the city planning this for us?'"(2008). However, given that a community plan had already been created and excitement around the plan had been generated, community members perceived greater incentives to participate in the NYCEDC planning process. They perceived some hope that their plan would carry weight because NYCEDC had observed their planning process and were aware that the plan was realistically and collaboratively created.

The presence of respected and respectful leaders and astute procedural choices transformed how community members perceived incentives to participate and helped to move the process forward. Trusted and long-standing community leaders who legitimately represented community interests and who could communicate salient messages to community members were crucial in encouraging engagement. Further, these leaders were able to structure the process to be inclusive and transparent and to build trust. These factors will be discussed in greater detail in the following sections.

Nature of the Opportunity

How the opportunity to participate in the Harlem-on-the-River and NYCEDC planning processes was presented to community members, and who presented the opportunity, facilitated community engagement. Initially, even when provided with opportunities to participate, community members were hesitant to engage in the collaborative process. Trusted, respected, respectful, and legitimate leaders helped to transform the nature of the opportunity and engage community members.

Community Leadership in West Harlem

Cecil Corbin-Mark's presence as a respected and legitimate leader transformed the opportunity for collaboration from a process viewed with skepticism and distrust to a process where participants openly engaged. He was a pivotal leader in the Harlem Piers redevelopment project. His residency in Harlem, reputation as a longstanding advocate for Harlem citizens, and connections within the city administration gave his voice legitimacy to many participants. Further, it allowed him to communicate visions in a manner that was salient for the community. Combined with his political savvy, these characteristics allowed him to function as a collaborative leader, bringing together

residents of diverse interests and maintaining a positive working relationship with NYCEDC.

These traits allowed Corbin-Mark to encourage engagement. He understood why community members would hesitate to participate in a collaborative process with residents of other neighborhoods and with the NYCEDC. However, he was able to overcome this hesitancy by directly addressing their concerns. He acknowledged past injustices and addressed how this process would be structured so as to avoid past issues. For example, everyone was invited to join the Steering Committee that oversaw the Harlem-on-the-River planning process. Additionally, his personal connections allowed him entrance to church and other community organization meetings where he could speak to residents and directly address questions or concerns. His efforts paid off as over 150 residents participated in the visioning event.

Corbin-Mark was able to represent community visions and expectations to other parties, including the NYCEDC. Further, he understood and worked with the needs and realities of other parties. NYCEDC staff member Konan noted how Corbin-Mark respected NYCEDC's need to do a separate planning process and how he was integral to stemming community criticism of this process. She was concerned that community members would be angry that NYCEDC could not accept the Harlem-on-the-River plan and needed to complete a second, separate planning process. In response to the question of why WE ACT was so supportive and willing to take a backseat in the NYCEDC planning process Corbin-Mark responded, "As for [the NYCEDC] needing additional process, I can understand that. It is more important that we got to the point where we were operating on the same page. We were putting the concept plan into a master plan"

(2008). This ability to communicate and work with different needs facilitated the collaborative efforts as parties respected the unique needs of other participants.

Respectful Leadership from the NYCEDC

Respectful leadership from the NYCEDC was also pivotal in the Harlem Piers Park planning process. It, too, served to transform the opportunity, facilitate trust, and encourage participation. The NYCEDC has a community liaison who is charged with attending community meetings on behalf of NYCEDC. Despite not being required to do so, the NYCEDC project manager continued to go to meetings. As she explains, “Often NYCEDC or other agencies have a community liaison. That person supposedly knows that community and attends meetings on a regular basis. However, the community really appreciates having someone there who is really part of the project, not just a spokesperson” (Rausch, 2009). She went on to say, “There is a difference in [the projects] you are involved with and the ones you are not” (2009). Rausch regularly attended community meetings even though her superiors may not have recognized the importance of this work and it meant attending community meetings after a full day at work.

By regularly attending community meetings, Rausch demonstrated her commitment to the project and her respect for community perspectives. Additionally, as a staff member of NYCEDC, she was able to communicate the needs and visions of the NYCEDC to community members. Her actions were pivotal in transforming the nature of the opportunity because she met community participants part way. If she had not attended meetings, gotten to know community members and their perspectives, and

communicated the values and perspectives of the NYCEDC, a barrier between community members and NYCEDC likely would have existed.

Regularly attending community meetings also allowed community members to get to know Rausch as a person and not just as a representative of NYCEDC. Rausch recalls how community members would approach her after meetings to ask about her children and family. “They would have a lot of criticisms of my work during the meeting, but come up and hug me after the meeting. They would ask about my daughter,” she says. This personal dynamic helped to build the relationship between NYCEDC and community members and resulted in a secondary benefit of building social networks and relationships.

Process Considerations

The Harlem-on-the-River planning process was structured to accommodate the characteristics of the conflict. Community leaders were present to acknowledge historical traumas and the human rights oriented nature of the issues. Past procedural injustices were acknowledged and efforts to ensure transparency and voice throughout the process were implemented. Space for past experiences to be voiced and acknowledged was provided. However, challenges still surfaced despite these efforts to ensure a smooth collaborative experience.

The interrelated nature of environmental justice issues created a challenge throughout the planning process. While this challenge did not prevent a mutually agreeable outcome, it did result in some parties feeling unappreciated. Perceptions of being unappreciated had the potential to undermine collaborative efforts and, thus, this issue warrants further consideration.

Process Factors that Facilitated Collaboration

The Harlem-on-the-River planning process provided a place for individuals and institutions to demonstrate their commitment to community voice, and begin to work towards forming relationships of trust. It also provided an opportunity for the community to coalesce their ideas for the former Harlem Piers site. This opportunity aided their ability to provide a unified and professional voice to the city throughout the NYCEDC master planning process.

Acknowledging Past Injustices through Transparency

Planning process organizers recognized the importance of ensuring transparency throughout the collaboration. Community members have long struggled to obtain accurate and truthful information from others and, further, have long been excluded from decisions that affect their lives and communities. Consequently, organizers wanted to guard against repeating these procedural injustices. One such strategy was to ensure the highest degree of transparency possible. To facilitate transparency, individuals and organizations worked hard to be as open and upfront with their needs and restrictions as possible. WE ACT and CB9 opened the doors to as many participants and steering committee members as possible while the NYCEDC worked hard to provide accurate information throughout the planning processes.

Any interested party was welcome to join the Harlem-on-the-River Steering Committee. This decision was made with the explicit purpose of ensuring transparency. The Steering Committee oversaw the planning process. As previously noted, WE ACT and CB9 worked hard to encourage the participation of community members and business interests of West Harlem in the Harlem-on-the-River planning process.

Transparency was also ensured through the decision to invite NYCEDC to the Harlem-on-the-River planning process and NYCEDC's decision to attend as observers. NYCEDC was able to witness firsthand the professionalism and legitimacy of the process.

The NYCEDC created a task force to oversee the NYCEDC master planning process. Again, this aided in ensuring transparency because community members had representatives overseeing the process. Further, the NYCEDC was clear and open with the task force about what the NYCEDC was able to do and not do. For example, the NYCEDC clearly delineated the land and structures that were included within their portfolio and clearly stated that they did not have control over what happens in the other places. A member of the task force appreciated the transparent nature of the process. He states, "Be clear with people...about what your priorities are and what you want to see happen...You do not do anyone a favor by pretending that you do not want to get something out of the process" (2008). This openness assisted in creating an atmosphere of trust and respect.

In retrospect, WE ACT would attempt to create an even more transparent process. Like many types of collaborative processes, there were long stretches of time between the Harlem-on-the-River visioning process, the NYCEDC planning process, and the implementation phase. During that time, residents received very little information on what was happening. The facilitator of the NYCEDC master planning process, Barbara Wilks, comments, "The process got so drawn out and we did not have as much interaction. People start feeling like it takes a long time and people do not know what is

going on. Not much changed, but they did not know that. In the future, I would keep in touch with people more” (2009).

This lack of information and interaction is consequential. As a staff member of WE ACT notes, “Stretches of silence can erode trust that was built during the planning process. It allows other things to creep in” (2008). As such, he says keeping residents better informed of current events and progress through a regular newsletter would have better maintained the developed relationships. Wilks suggested using electronic communication methods to keep people better informed of project progress.

Diversity Matters

Residents and organizers of environmental justice communities are differently situated in social structures from many professional facilitators. While the majority of community participants from West Harlem were low-income people of color, professional facilitators are frequently white professionals. Further, there are nuances in the social locations of community members from different Harlem communities. Consequently, hiring facilitators with diverse racial and cultural backgrounds and forming diverse visioning teams was important. Hiring a diverse group of facilitators to work with each visioning team gave participants a sense of being represented and understood. Corbin-Mark and Silver both noted that assembling such a diverse group of facilitators took time and effort. Creating small visioning teams that included individuals from each of the different neighborhoods in the community encouraged participants to get to know others and their interests through collaborative learning. This strategy helped to build personal relationships and common identities among participants. In turn, this

helped convince parties to suspend judgment of other participants throughout the planning processes.

Providing Space for Dialogue and Trust

The Harlem-on-the-River planning process was designed to provide a forum for community residents to communicate openly and begin to establish working and personal relationships. Building trust through extended dialogue proved important in the development of a lasting and productive planning process.

Harlem-on-the-River organizers provided a space where people could openly share their experiences and express their concerns. “We created a place where [community members] could feel free and open about their concerns and we would find a way to navigate through that,” says Corbin-Mark (2008). This space is particularly important given the human rights orientation and ideologically driven nature of the issues and the traumatic histories of the participants. The space being managed by a trusted and legitimate leader allowed residents to have voice and have their past experiences, and subsequent current concerns, acknowledged.

By observing the Harlem-on-the-River planning process, NYCEDC heard the concerns and hopes of the community. They were an “ear and audience” to the needs and desires of the community. At the same time, they were also witnessing a professional and legitimate planning process. They were able to observe that community members had the capacity to reach an agreement.

NYCEDC’s presence at the visioning process was a demonstration of respect for the community. They showed that they were willing to invest time and energy in observing a process they were not taking part in. Consequently, NYCEDC was able to

demonstrate to community members that it was taking the Harlem-on-the-River planning process, and implicitly taking community perspectives, seriously. Finally, the regular contact between community leaders and NYCEDC staff facilitated communication. Community leaders were able to let NYCEDC know what to expect in regards to community reactions and perceptions of the NYCEDC.

Challenges to Creating a Process that Accommodates Environmental Justice Issues

Environmental justice frame

The environmental justice frame links social, economic, and historical issues with current environmental issues. The interrelated nature of the issues created a challenge throughout the process. Like many environmental justice communities, residents and organizers of West Harlem have long been engaged in efforts to improve the environmental and social conditions of their neighborhoods. While the Harlem-on-the-River planning process and partnership between WE ACT, CB9 and NYCEDC was born in 1998, community members have long been advocating for the redevelopment of the Harlem Piers. Further, the Harlem Piers Park project is only one of several projects that aim towards achieving environmental and community sustainability. However, for other parties, including NYCEDC, the project was initiated in 1998 with the RFP and began in earnest in 2001 with the desire to develop a master plan for the area surrounding the Harlem Piers.

The difference in historical perspective resulted in parties not fully appreciating the efforts of others. Jeannette Rausch, formerly of the NYCEDC, explains:

I don't think I recognized the history of the area. When the community would say that they have heard this all before, I thought to myself, "Do you know how hard it was for me to get this far." Yet, thinking about it from their perspective, I realize that they have been trying for 20 years to

get access to the waterfront. Understanding what everyone else brings to the table may have made the dynamic smoother (2009).

Reflecting upon her experience, Rausch attributes some of the frustration community members may have felt with NYCEDC to this lack of appreciation and acknowledgement of their efforts.

Nature of Capacity Building

All participants of the Harlem Piers Park planning process engaged in capacity building activities. The Harlem-on-the-River planning process allowed Harlem community members to share information and perspectives with one another and build their capacities to participate in future collaborative processes. However, capacity building was not limited to Harlem community members. Process facilitators and representatives from the NYCEDC were also trained to work with the traumatic histories of environmental justice community members.

Building the Capacities of Environmental Justice Community Members

Residents of environmental justice communities often have lower educational attainments and incomes than their counterparts in other communities. Further, community residents and leaders have long had to fight against community hazards and for community amenities. These combined factors often produce a stereotype of environmental justice communities as lacking professionalism, rationality, and legitimacy. However, the Harlem-on-the-River planning process provided residents with the skills and opportunity to overcome this stereotype.

Participants of the Harlem-on-the-River planning process were provided with the information and guidance necessary to effectively participate in the collaborative effort. At the start of the planning process, participants were provided information packets. The

information packets included the goals of the planning process and geographical and historical details about the site. The information in the packet was supplemented with a presentation that reviewed the same information. This provided participants with a clear sense of the tangible outcomes they could expect.

Residents were also guided through how the process would be structured. Ground rules were set and reviewed. The ground rules included common rules in collaborative processes, such as allowing all people to speak, being “candid but not vicious”, and recognizing all issues. A “bike rack” mechanism was devised to keep group discussion on track, yet still acknowledge the perspectives, questions, and concerns of participants. For example, a comment not directly related to the topic at hand would be placed on the bike rack for discussion at a later time. All items on the bike rack were discussed. This process structure allowed residents to understand and experience a collaborative dynamic. Consequently, participants gained skills in how to effectively participate by listening, presenting ideas, and responding to ideas.

The skills honed during the Harlem-on-the-River process facilitated community members’ abilities to effectively participate in the planning process sponsored by the NYCEDC. Participants had a clear vision of what they wanted for the site and knew how to present their ideas. Their previous collaborative planning experience allowed them to demonstrate leadership qualities and professionalism. The facilitator of the NYCEDC planning process, Barbara Wilks (2009), commented:

I was impressed with their cohesiveness and ability to take responsibility for themselves. If someone came late into the process and started contradicting what we had been working on, the participants explained that they had already been through all that. We did not have to do it. They showed a lot of maturity and leadership.

The participatory skills community members developed were complemented by their unified vision for the site.

Community members were able to present a unified voice and implementable ideas to the planning process. Their abilities did not go unnoticed by NYCEDC staff members. NYCEDC staff members credit the Harlem-on-the-River planning process with providing the space for community members to reach a consensus and the skills to articulate their ideas. Konan (2008) states,

There is a lot of dysfunction within the [Harlem] community and the visioning process served to create consensus. With all of the divisions, it can be difficult to be organized and present thoughts. Nonetheless, they had consensus about what they wanted on the waterfront.

Overall, the skills and vision gained through the Harlem-on-the-River project allowed community members to demonstrate a unity and professionalism not often associated with the community. It also allowed their ideas to become reality.

While the details of the implemented site plan are different from the Harlem-on-the-River plan, the plan still represents the community vision of a park space. Further, it represents the ability of the West Harlem community to come together to make their voices heard. In his final reflection on the process, Corbin-Mark related his pride in the community, “We did it! We were able to shift the power for a little bit. We did it with a certain level of sophistication and polish that had not been associated with our community” (2008).

Building the Capacities of Other Participants

Process facilitators were trained by community leaders to effectively manage the unique attributes of the West Harlem community. Environmental justice communities have been poorly served in the past. They have not had voice during important decision-

making processes, core human rights have not been realized, and concerns have been ignored. Community leaders wanted to ensure that process facilitators would be sensitive to these historical traumas and able to effectively manage issues resulting from such experience. They did not want to risk developing a collaborative process that would undermine the ideas and efforts of community members and repeat past injustices.

In many planning processes, the consultants and facilitators work with the community leaders and members to help them prepare to effectively participate in the collaborative process. However, Harlem community leaders reversed this preparation process in the Harlem-on-the-River planning process. Corbin-Mark worked closely with Silver to ensure proper sensitivity to community issues.

In turn, Corbin-Mark and Silver held training sessions for the visioning process facilitators that were stationed with each working group. They were trained on how to manage difficult personalities, ensure participation from all group members, and not overtake resident ideas and process. Throughout these training events, the facilitators were sensitized to the ways community members have been previously denied voice in similar processes and the ways these past experiences may manifest themselves in resident participation. The training took place prior to the Harlem-on-the-River planning process and also included a geographical and historical tour of the former Harlem Piers site.

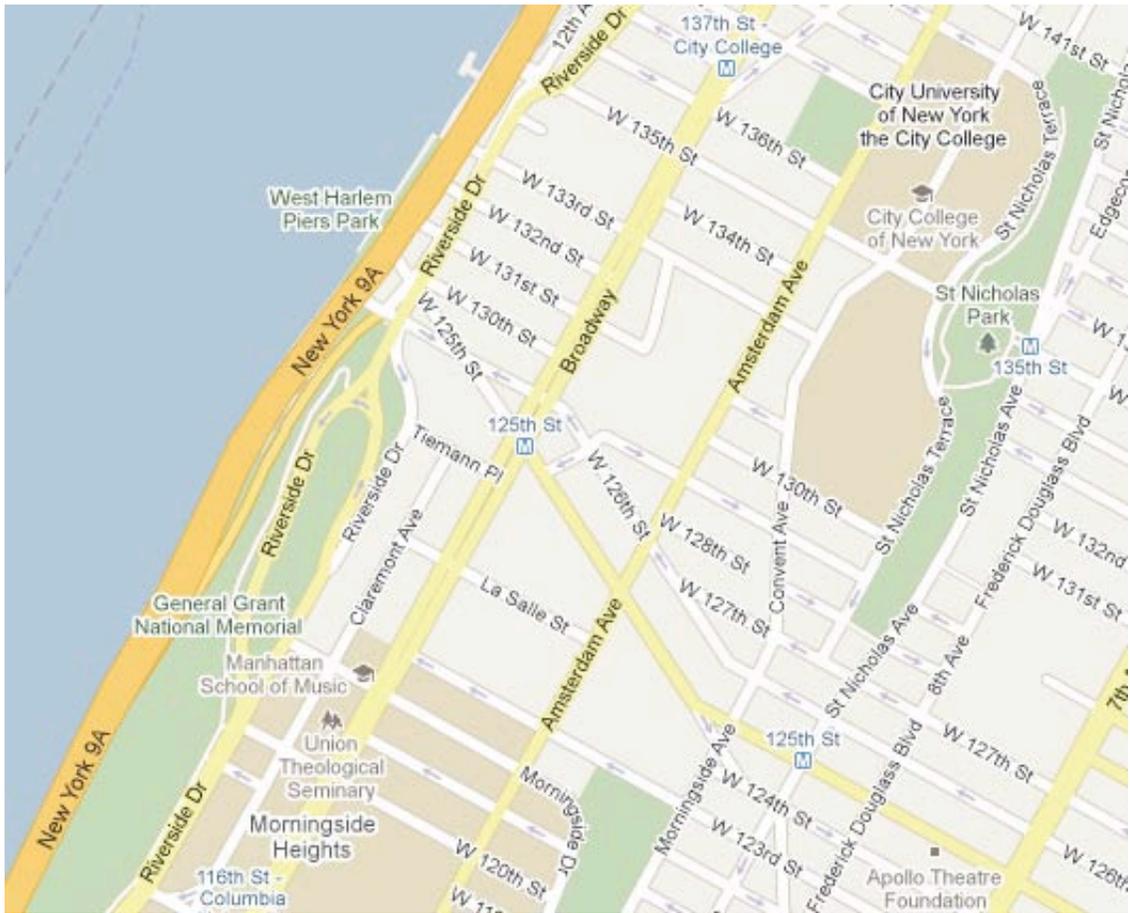
CONCLUSION

Collaborative problem-solving in West Harlem was effective and equitable. Everyone interviewed in this case encourages other communities facing similar situations to consider approaching the conflict collaboratively. Organizers and community

members in West Harlem are continuing to use a collaborative problem-solving approach. A similar planning process for the former Marine Transfer Station at 135th Street is scheduled for May 2010. However, the case study also demonstrates that characteristics unique to the West Harlem context warrant special attention.

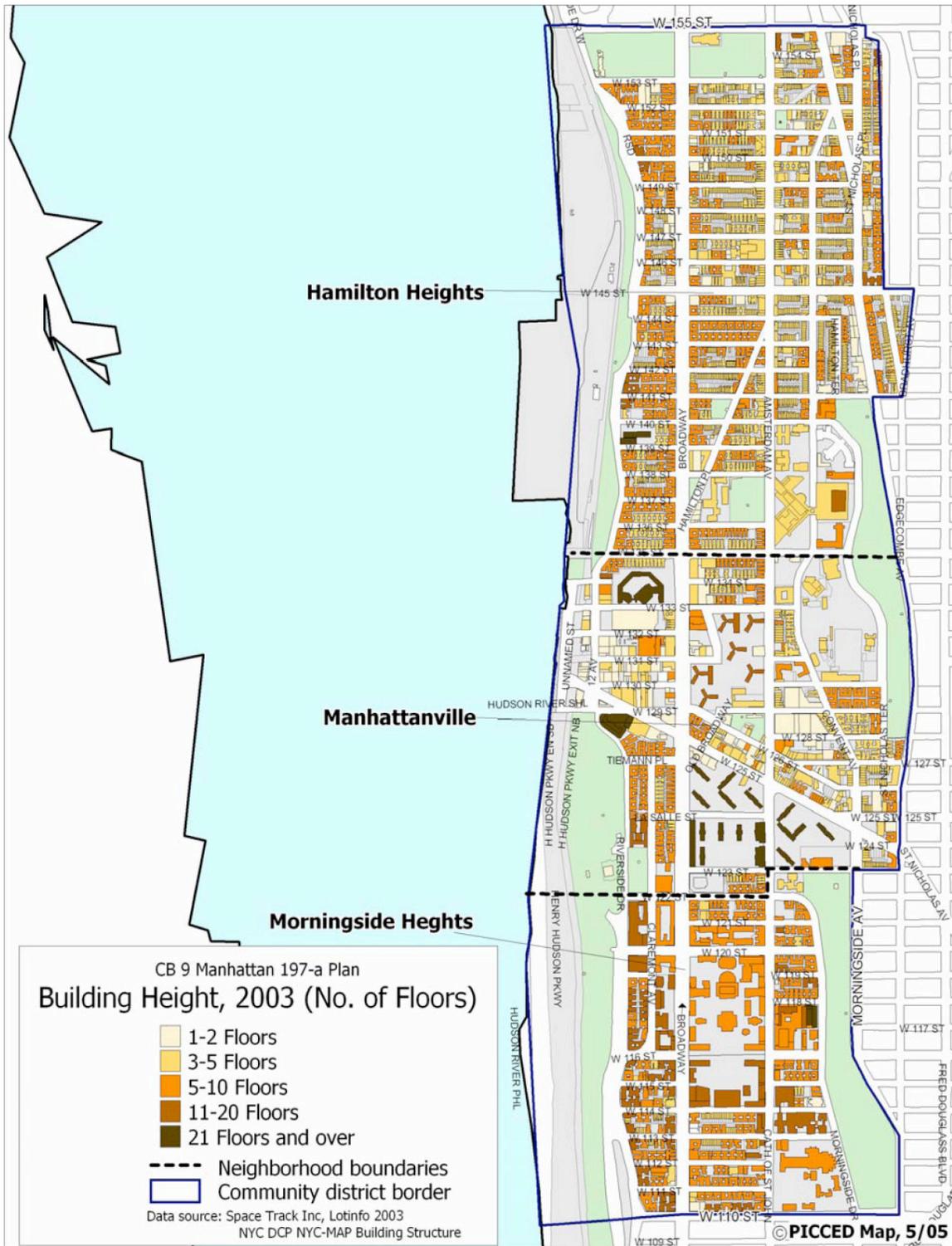
Community and agency leaders interested in building partnerships and process adjustments transformed the nature of the collaborative opportunity and accommodated the reality of an environmental justice conflict. Given the past procedural injustices, distrust of public agencies, and traumatic histories of racial and economic discrimination, community members were initially reluctant to engage in a collaborative effort. However, by facilitating capacity building activities for all participants, acknowledging past injustices through increased transparency, and ensuring diverse and legitimate leadership, participation was encouraged. Through their efforts, social and professional connections were built and the community was able to demonstrate a cohesion and professionalism not commonly associated with it. The tangible result of their efforts is the newly constructed Harlem Piers Park.

Figure 4.1: Map of West Harlem



Source: Google Maps (2010)

Figure 4.2: Map of Community Board 9 Jurisdiction



Source: Community Board 9 (2010)

CHAPTER V

RICHMOND GENERAL PLAN UPDATE CASE STUDY

Richmond has always been a town of big dreams, dreams that always seemed to be just out of reach. ~ Donald Bastin, 2003

Richmond residents want their community back. Enveloped by toxic marshes, deepwater ports, and a Chevron oil refinery, long-term residents of this San Francisco Bay Area city are partnering with a Green Party mayor, recent residential and industrial arrivals, and environmental leaders to create an environmentally and economically healthier community. In her 2009 State of the City address, Richmond Mayor Gayle McLaughlin referred to 2008 as the year of environmental justice and called on 2009 to be the year of unity. Mayor McLaughlin stated,

I believe 2008 will be remembered as the Year of Environmental Justice in Richmond. We saw some of the strongest and most profound community mobilizations that Richmond has ever experienced. Our local environmental justice community mobilized like never before... Now let me say that I believe 2009 will be the Year of Unity. There are so many ways we can and are building our unity, while respecting and honoring our diversity (2009).

Residents of Richmond, California are working together on projects to foster community change. Collaborative environmental projects have emerged across the city. Projects involve green technology and employment, watershed restoration, and shoreline

preservation. In the process, community members, organizations, and business interests have begun to show signs of trying to change the norms of how they interact.

The city has tried to emulate the collaborative dynamic emerging across Richmond as they work to update the city's General Plan, a document of the city's vision, policies, and goals for land use in the city of Richmond. However, characteristics unique to the issues, processes, and parties of environmental justice conflicts have challenged their efforts. This case study examines how traumatic histories of racial and economic discrimination and past procedural injustices have led community members to distrust that their participation will lead to changes in Richmond. It also examines how the presence, and absence, of leaders interested in building partnerships and opportunities for capacity building have facilitated and hindered collaboration in Richmond.

BACKGROUND

The city of Richmond has been a haven for industry. Whitney Dotson, a 62-year-old activist, recalls not only moving to Richmond so that his father could work in the city's shipyards, but also the chemical and pesticide plants that neighbored their first apartment. The same pesticide plant that Dotson grew up next to is still laden with toxins such as sulfuric acid, mercury, zinc, arsenic, and DDT (Holt, 2007). He also recalls the toxic marshes, noxious odors, and brown dust that emanated from the plants. Richmond is also home to a Chevron oil refinery, deepwater port, and other industrial facilities and brownfields. Plagued by not just one noxious neighbor, but many, Richmond shoulders a disproportionate burden of industrial facilities.

In addition to hosting environmental hazards, Richmond is battling multiple social issues, including unemployment, poverty, and crime. In describing one neighborhood in

Richmond, Holt (2007) writes, “[Parchester Village] experienced two murders last year in a city with a total of 42, a city where dead bodies are occasionally dumped in local parks, and where residents are careful to get behind locked doors when the sun goes down” (p. 12). According to the Richmond Equitable Development Initiative (2007), unemployment in Richmond is 13 percent in the Iron Triangle, Richmond’s central district, in comparison to eight percent for the city and five percent for the East Bay. Demonstrating a similar pattern, 28 percent of Iron Triangle residents live in poverty. This is in comparison to 16 percent citywide and 10 percent in the East Bay. The racial composition of the city of Richmond differs from its home Contra Costa County as only 19.4 percent of the city’s residents self identify as white compared to 51.9 percent in the county. The city of Richmond reports 30.0 percent of its population is black and 33.5 percent Hispanic, compared to 9.1 percent and 21.8 percent, respectively, in the county (Table 5.1).

Table 5.1: Racial Comparison of the City of Richmond with Contra Costa County (as percentage of total population in geographic area)

Race	City of Richmond	Contra Costa County
White	19.4	51.9
Black	30.0	9.1
Asian	14.4	13.1
Hispanic	33.5	21.8
2 or more races	2.0	2.8
Other	0.7	1.2

Source: U.S. Census 2007

HISTORY OF RICHMOND

Nestled in the East Bay of the San Francisco Bay Area (Figure 5.1), the city of Richmond (Figure 5.2) has constantly found itself struggling to redefine itself and adapt

to changing conditions. Two events that significantly shaped the city of Richmond occurred within two years. The Santa Fe passenger train first rolled into Richmond on July 3, 1900. Almost exactly two years later, on July 4, 1902, Pacific Coast Oil (now known as Chevron) began producing oil at its Richmond refinery. Over time, the refinery grew to encompass almost 1,800 acres of land (Bastin, 2003). Shortly thereafter, Richmond experienced a population boom. According to historian Donald Bastin (2003), Richmond's population increased from 2,000 inhabitants in 1905 to approximately 10,000 in 1912.

Throughout the first quarter of the 20th century, Richmond established itself as a city on the Bay. Municipal services, such as police and fire departments, were established and the city established its own school district as well. Companies such as Winehaven and the Pullman Company opened shop within the city and as the city developed, its boundaries pushed eastward and the city center moved inland. While Ford was the only industry to begin operations in Richmond during the 1930s, the city still managed to maintain itself during the Great Depression through New Deal Programs despite its increase in population. By 1940 Richmond had grown into a city of just over 23,000 people. While African Americans still comprised less than two percent of Richmond's total population, the number of African Americans in Richmond was growing (Table 5.2). By the early 1940s, an established community of African Americans had settled nicely into a thriving Richmond (Moore, 2000). However, the start of the Second World War rapidly and dramatically changed Richmond.

Table 5.2 Demographic Changes in Richmond (1910 – 1960)

Year	Total Population	White (Percent)	Black (Percent)	Other Nonwhite Races (Percent)
1910	6,802	6,649 (97.75)	29 (0.43)	124 (1.82)
1920	16,843	16,628 (98.72)	33 (0.20)	182 (1.08)
1930	20,093	19,869 (98.89)	48 (0.24)	176 (0.88)
1940	23,642	23,235 (98.28)	269 (1.14)	138 (0.58)
1950	99,545	85,329 (85.72)	13,339 (13.40)	877 (0.88)
1960	71,854	56,066 (78.03)	14,388 (20.02)	1,400 (1.95)

Source: U.S. Census Bureau

World War II, and the arrival of the Kaiser Shipyards, forever changed Richmond. Moore writes, “The war boom hit Richmond like no other town in the United States” (2000, p. 71). Between 1943 and 1945, almost 15,000 African Americans relocated to Richmond and by 1945, the total population of Richmond had soared to over 100,000 people (Bastin, 2003; Moore, 2000) (See Figures 5.3, 5.4, and 5.5). Fueling this surge was the expansion of Kaiser’s Oregon Shipbuilding Corporation to Richmond.

Moore (2000) describes the immensity of the Kaiser facility:

By January 1941 crews had begun construction of thirty buildings, and they quickly completed four shipyards, twenty-seven shipways, twenty-three outfitting berths, and a prefabrication plant. Ship specialists, construction engineers, and local workers removed over six million cubic yards of sludge and sank twenty-four thousand piles into the soggy earth around the harbor. In all, the yards covered almost nine hundred acres and became omnipresent and pervasive in the life of the city (p. 41).

To fill its workforce, Kaiser recruited workers from the South, East, and northern Midwest, including Oklahoma, Arkansas, Texas, Minnesota, New York, Mississippi and Louisiana in an effort to bring in 150 new workers to the shipyards each day (Veronico, 2007; Moore, 2000). It was reported that Kaiser recruiters paid travel costs for 37,382 potential employees to reach Richmond (Moore, 2000). It is important to note that the

majority of workers recruited to Richmond had limited educations and few skills. This rapid surge in population growth strained the city of Richmond as its daily life was interrupted and resources stretched thin. By the end of the war in 1945, the city of Richmond was a different place. “What had been a settled working-class community was now a formless assemblage of residents with limited skills and education, of largely rural background” writes Bastin (2003).

With the end of the war came the end of jobs with Kaiser. The post war layoffs destabilized the city even further. By May 1946, 13,800 people in Richmond were unemployed. Twenty percent of the unemployed were African American. The city had high hopes that as the job opportunities diminished, workers transplanted from the South and Midwest would return home. However, this did not happen. By spring 1947, while the overall unemployment figure in Richmond was down to 8,000 people, forty percent were African American (Moore, 2000). Those who had been recruited by Kaiser often possessed few trade skills and their work in the shipyards rarely served to equip them with new skills to succeed in other job markets. The challenge facing Richmond, according to the postwar city manager Wayne Thompson, was how to make Richmond a good place to live (Moore, 2000).

City officials are still grappling with this question. Moore (2000) describes the current conditions in Richmond,

Many Richmond streets and neighborhoods are scarred with abandoned buildings and litter-strewn lots. The downtown that once bustled with purpose and activity during the 1940s went into decline, despite the desperate efforts of city officials to retain the shipyards and a viable economic base. A revitalized downtown remains an elusive goal today. The fires that burn in the Chevron Oil Refinery’s flare stacks surrounding North Richmond illuminate grimy factories, railroad tracks, weathered houses, and polluted air (p. 148).

Richmond is home to numerous incinerators and industrial polluters, including Chevron, General Chemical, Ortho Corporation, and Myers Drum. In addition, the city is plagued with toxic brownfield sites, such as the former Zeneca facility. Residents suffer from high rates of asthma and cancer. Overall, the city of Richmond has earned the attention of Environmental Justice advocates.

ENVIRONMENTAL ISSUES IN RICHMOND

A range of environmental issues has long plagued Richmond. Residents and officials are forced to deal with issues stemming from current and past practices, aging infrastructure, and point and nonpoint pollution sources.

Richmond is struggling with a historical legacy of environmental abuses. In one such example, DDT and Dieldrin, two substances now banned by the EPA were released into the Lauritzen Channel by United Heckathorn, a pesticide packaging firm that operated in Richmond between 1947 and 1966 (Barnum, 1996). According to Alex Barnum, a staff writer for the *San Francisco Chronicle*, “DDT levels in the sediment are the highest ever found in San Francisco Bay, more than 100 times higher than those the state considers hazardous. DDT was found in mussels at twice the level considered hazardous by the U.S. Food and Drug Administration” (1996).

The city of Richmond is also struggling with aging infrastructure, including storm water and sewage systems and playground equipment. A review of sewer records evidenced over 1,000 wastewater spills occurred between 2000 and 2005. According to an article in the *San Francisco Chronicle*, “Richmond’s wastewater system has a history of problems, related to neglected maintenance. They include sewage backups into residents’ basements, pipes broken by earthquakes, clogs caused by tree roots or grease,

and spills in both wet and dry seasons” (Hill, 2005). In addition to sewer and storm water infrastructure issues, the city is struggling to provide safe play areas for children. There are 28 play lots within the city of Richmond. However, as Tony Norris, Director of Richmond Parks, points out in a 2007 newspaper article, drug dealers and prostitutes frequent the parks, and gang graffiti covers many of the play structures. The city is working to revitalize these spaces so as to provide safe recreations spaces for youth while other community members and organizations are working to protect and revitalize other open and natural spaces, such as Wildcat Canyon, Point Pinole, and Breuner Marsh.

Finally, the Chevron Refinery located in Richmond has been a constant source of noise and pollution. It is also a barrier to the completion of the Bay Trail, a trail designed to surround the San Francisco and San Pablo Bays, in Richmond by not permitting trail advocates access to the shoreline near their facility. The facility has also been a source of accidents. An explosion occurred at approximately 2:30 pm on March 25, 1999. According to the *Washington Post*, “A valve on a processing line at the Chevron plant here failed, releasing vapors that exploded and sent a massive black plume of smoke hundreds of feet into the afternoon sky” (Mahr, 2003). While Bay Area Air Quality Management District officials reported that the fumes were not toxic, over 1,000 people reportedly visited local hospitals complaining of eye irritation and breathing difficulties (Tansey, Pimentel, & Taylor, 1999). This accident follows a 1994 explosion that spewed toxic gases. Residents have frequently organized to prevent the expansion of the Chevron Richmond facility.

Accidents such as these are not unique to Chevron. After a power outage at the General Chemical facility, plumes of sulfur dioxide and sulfur trioxide were sent into the

air in 2001, less than ten years after an oleum spill at the same facility. Overall, Richmond residents are able to recall accidents that have threatened their health and well-being from many of the city's facilities that handle hazardous materials. While working to rectify past environmental hazards and striving to prevent future hazards, Richmond residents and officials are also working to provide safe and healthy spaces for Richmond's residents to work and play.

RECENT CHANGES IN RICHMOND

Residents have been organizing to promote a healthy environment and prevent additional environmental hazards in Richmond since the 1970s. While their early efforts were successful in preventing the siting of a small airport and creating a shoreline park, residents and city officials have teamed up to encourage the settlement of green businesses and envision a new future for Richmond. Part of the recent push towards an environmental ethic stems from an influx of new residents and the election of a new Green Party mayor. Richmond Councilman Tom Butt (as quoted by Holt, 2007) comments:

We haven't always been as big on the environment as we are now...In the past the environmental movement was seen as something only people of means could indulge in, an attitude here in Richmond that we're poor, we need jobs, the environment can come later...But that's changing...New people are moving here from Marin and San Francisco and Oakland. They're part of an emerging constituency that's pushing for green issues and growing increasingly effective. We're starting to get it, to make the connection between a healthy environment and long-term economic development (p. 13-14).

New industries, including solar panel manufacturing and installation companies such as SunPower and Heliodyne, are making Richmond home. In doing so, they are bringing much needed capital and opening working class job positions.

The leadership of Richmond has contributed to the increase in Richmond's environmental awareness. Longtime resident Whitney Dotson has long been aware of the environmental hazards present in his community. Indeed, his father, the late Rev. Richard Daniel Dotson, organized residents for environmental protection back in the 1970s. However, Whitney Dotson and the late Lucretia Edwards, another environmental activist in Richmond, rarely received the support of Richmond's public officials until the recent election of Gayle McLaughlin as Richmond mayor.

McLaughlin has set an environmental agenda that recognizes the importance of a healthy environment and healthy economy. In describing McLaughlin, Holt (2007) writes:

McLaughlin comes from working-class roots; her father was a carpenter, and the family lived in a blue-collar neighborhood...She understands the importance of manufacturing and industrial jobs for working-class families – and, in a city with Richmond's environmental history, the health benefits that go with them...And her personality – friendly, warm, and open – may be just what's needed to nurture grassroots efforts, like Dotson's, that are already well advanced (p. 15).

Further, she views her role as mayor differently than many other public servants,

I was elected without any corporate donations. I view my role as mayor as a role of reciprocity with the community. I want to make space for the community to empower itself. I want to ensure that public health and community interests are represented. I want to see small business growth. I view my role as mayor as a people's representative (McLaughlin, 2008).

She has pushed for added environmental categories in the City of Richmond General Plan, which is currently undergoing an update process, such as Climate Change. She has also put forth a resolution for a Green Economic Development Initiative, an initiative that prioritizes green development and seeks to transform Richmond and the East Bay into a corridor of green development by maximizing incentives for current businesses to

undertake environmentally sound practices and for new green businesses to locate in Richmond.

While McLaughlin represents a new environmental consciousness in Richmond, many individuals who are avid supporters of industry and development hold seats on city council and in city government. Richmond City Council is comprised of six elected representatives plus the mayor of Richmond, currently Gayle McLaughlin who will be up for re-election in Fall 2010 after being elected to office in Fall 2006. Serving on the Richmond City Council is a volunteer activity and each representative serves a four-year term. As of summer 2008, the composition of Richmond's city council was split between those who support industry and those who support an environmental perspective. This divide created a noticeable stalemate in city council. However, the elections in Fall 2008 began to change the dynamic of city council as individuals who were endorsed by Mayor McLaughlin won two of city council's three open seats. It remains to be seen how this shift in city council will influence events in Richmond.

The shared hope for the revitalization of Richmond's economy and health is shared across the diverse range of public officials, business interests, residents, environmental organizations, and social advocacy groups. However, while pockets of collaboration are emerging throughout the city as small groups begin to work together to create a green Richmond, there has yet to be a fusing of these visions and collaborations. This case study will highlight one localized collaboration occurring in Richmond and analyze how characteristics unique to environmental justice conflicts have influenced the General Plan update process. In particular, it will assess how and why participation

occurs as well as the roles of leadership, process nuances, and capacity building opportunities in developing effective and equitable collaborative processes.

EMBRACING COLLABORATION

Public officials and community leaders alike are beginning to embrace a collaborative problem-solving ethos in Richmond. Richmond leaders recognize the benefits to working collaboratively. Reflecting on the benefit to the residents of Richmond of working collaboratively, McLaughlin (2008) says,

The benefit to the community is bringing people together to hear their thoughts and visions. It is to get the vision of those who live, work, and do business in the city. The purpose of collaboration is to bring hearts and minds together. The process brings together nonprofits, community groups, others. It allows these groups to hear and see how others are envisioning the larger process and projects: the value that it has for them. A lot of discussion has been allowed to move forward because of this. Even in the interior, residents are talking about valuing parks and more urban gardens. They are talking about how they want to see sustainability take place. They are talking about growing local foods. Overall, through the sharing of visions, we are able to see the overlap in what is brought to the table.

Richmond residents and community leaders also recognize the benefits of collaboration. Cheryl Padgett sees the potential for creative solutions that can only be born of necessity. She says, “Other communities that have more wealth have not had to find creative ways to meet their needs” (2008). Rich Walkling agrees, “Poverty stricken areas tend to be culturally diverse which leads to mixes of ideas and strategies and events that would not and cannot happen anywhere else” (2008). The current collaborative effort to restore and preserve the northern shoreline in Richmond highlights the richness of projects taking shape throughout Richmond.

Rheem Creek Restoration and North Richmond Shoreline Preservation

With its headwaters in the western part of the East Bay Hills, Rheem Creek flows westward approximately 3.4 miles before reaching its mouth in San Pablo Bay at Breuner Marsh. Flowing through the neighborhoods of San Pablo, Parchester Village and North Richmond, Rheem Creek passes through residential, industrial, and school settings. The health of the creek has suffered from decades of competition from non-native species, human engineering and contamination. Much of the contamination is due to the high percentage of impervious surfaces in the watershed. Almost 50 percent of the Rheem Creek Watershed is covered with imperious surfaces. This is in comparison to a 35 percent impervious surface rate in other watersheds in Contra Costa Counties (Levine, Walkling, & Balazs, 2007). Despite the poor health of the watershed, it is home to several threatened and endangered species, including the Salt Marsh Harvest Mouse, California Clapper Rail and California Black Rail. Further, Breuner Marsh has the largest remaining stand of yulegrass in the San Francisco Bay Area.

Community members and activists have joined together to protect and promote the watershed. As the narrator of the film, *Rheem Creek and Breuner Marsh: A Promised Land*, notes,

A broad base of community activists has been working with the local community to restore and protect the Rheem Creek Watershed for the benefit of local citizens...for if the community does not fully understand the importance of their watershed, they will not have the political will to protect it” (2007).

With funding from the CALFED Watershed Program, a collaboration between California and federal agencies participating in the Bay-Delta accord, individuals and representatives from groups such as the West County Toxics Coalition, Urban Creeks

Council, Sierra Club, and others have come together to bring the watershed and its residents together in hopes of restoring and protecting the Rheem Creek Watershed.

For decades, the residents of Rheem Creek Watershed have been separated from the creek and marsh. Of the approximately 12,700 people who live within the watershed, 39 percent are black or African American, 26 percent are Latino and 16 percent are Asian (Levine, Walkling, & Balazs, 2007). While residents may know of Rheem Creek and Breuner Marsh, many do not have access to the creek or marsh. Cement barriers and private landholders have sequestered the land. In the film referenced above, Dotson says, “[Residents] have not been able to access it but they definitely know it is here” (2007). Cochise Potts, a member of the Parchester Neighborhood Council, elaborates,

We used to come out here as kids to play, and swim, and catch tadpoles and frogs...we used to hop the tracks...come over here to play. We had our little...recreational enclave...that is something that the majority of youth in Richmond have never had the opportunity to experience...Years ago we did not have access to [Breuner Marsh] unless we crossed over the railroad tracks...and trespassed (2007).

A theme throughout the film is that while the Rheem Creek Watershed is part of their community, most residents have not been able to access it. Consequently, many residents have not incorporated the watershed or its protection in their identities. Given this lack of community identity with the watershed, the leaders of the Rheem Creek restoration project developed a visioning process designed to bring residents in contact with Rheem Creek and Breuner Marsh.

Beginning in January 2005, three events were organized: a tour of the Rheem Creek Watershed, a tour of China Camp State Park in Marin County, directly across San Pablo Bay from the Rheem Creek Watershed, and a presentation of the community visions and restoration ideas that emerged from prior events. According to the

organizers, “The overall goal of these events was to have the local community learn about the current state of Rheem Creek and its watershed, consider possibilities of what the creek and watershed could look like in the future, and develop a concrete vision for the creek and its watershed” (Levine, Walkling, & Balazs, 2007). These events culminated in the creation of the Rheem Creek Watershed Declaration, a document that participants were asked to sign to demonstrate their continued commitment to the restoration and protection of Rheem Creek and its watershed.

Each event was carefully planned and advertised by a diverse set of community leaders. Using their extensive social networks within the North Richmond area, organizers approached churches and other community meetings to solicit participants. They also went door to door in neighborhoods, including Parchester Village. “If we did not hit every house, we came close,” Rich Walkling (2009) comments. Approximately 35 – 100 people attended each event and the majority of attendees were African American. Very few Latinos participated in the events despite the tremendous outreach efforts. Throughout each event, local community leaders, such as Whitney Dotson or Johnny White, were the public face of the events. This helped the events maintain a strong sense of being community driven.

The organizers and leaders of the efforts to restore and protect the Rheem Creek watershed are fully aware that doing so will require collaborative efforts. The closing paragraph of the booklet describing the efforts through the date of publication reads,

Achieving the vision of a healthy, aesthetic creek that enriches the lives of people throughout the watershed will require new collaboration and leadership. Most importantly, the future of Rheem Creek depends upon residents from all parts of the watershed coming forward to advocate and work together, along with local city and county governments, for a

healthier creek and protected watershed lands (Levine, Walkling, & Balazs, 2007).

Since publication and having established a presence and credibility as leaders of shoreline protection in Richmond, the partnership's work has extended beyond Rheem Creek and Breuner Marsh to encompass the larger North Richmond Shoreline area.

The North Richmond Shoreline and Open Space Alliance, headed by Whitney Dotson, has focused on using the General Plan update process to ascertain the fate of the shoreline. Members of the group have presented to the General Plan update process consultants and encouraged residents to express their support for open space along the shoreline. Dotson says that the Alliance's focus has largely been on the General Plan (2008). He follows, "There has never been this much interest in the General Plan as in this last process. It is very important to be involved and monitor and try to persuade what is going on" (2008). To enhance their contribution to the process and as a result of not feeling heard throughout the General Plan update process, the group hired a consultant to provide strategic advice on how to best leverage and voice their interests.

While the Alliance has been focused on the General Plan, they have also been actively pursuing other means of ensuring shoreline protection. Throughout the General Plan update process, the Alliance has also worked with the East Bay Regional Park District to obtain 218 of 238 acres of shoreline along Breuner Marsh via eminent domain (Miller, 2009). In August 2008, the East Bay Regional Park District paid a private landowner almost seven million dollars for the property, helping to ensure the preservation of the land as open space (Walkling, 2008). In addition, three million dollars has been secured for the restoration of the marsh through a contamination settlement in Castro Cove, state and federal grants, and park bonds (Tam, 2009). This

alternate means of protecting the shoreline has become more meaningful as the draft version of General Plan released in July 2009 does not clearly designate appropriate land uses for much of the Richmond shoreline.

OPPORTUNITIES FOR COLLABORATION

Individuals and organizations are coming together to create shared visions and proactively improve the environmental conditions in specific areas of Richmond. However, the same has not been done for the City of Richmond. The city's recent decision to update the General Plan provided an ideal opportunity to channel and integrate the energized and innovative, yet fragmented, emerging collaborative ethos in the city into a shared vision for the city as a whole. However, the process as implemented has not provided the process or space necessary to do so.

Richmond General Plan Update Process

As the city begins moving in a new environmental direction, it has decided to update the city's General Plan. The City of Richmond Planning Department initiated the General Plan update process with the approval of Richmond City Council in 2006. Still ongoing, the General Plan update process is designed to document the city's vision, policies, and goals for land use in the city of Richmond. While Richmond City Council directs approval and oversight of the plan's goals and policies, the General Plan update process is designed to capture the vision of the business interests and residents of Richmond. However, while the General Plan update process had the potential to serve as a forum for creating a shared vision for Richmond's future, the process has not served this function.

According to the City of Richmond Planning Department, “A General Plan is a long-range policy document that expresses a city’s development goals, policies, and objectives relative to the distribution of future land uses, both public and private, as well as a number of other topics” (2008). A General Plan is required of all cities and counties in the state of California. Each plan must address: land use and urban design; circulation and mobility; housing; conservation; parks, recreation, and open space; noise; and public safety. Based on areas of concern specific to Richmond, the City of Richmond General Plan will also address: economic development; education; public facilities and infrastructure; arts, culture, and historic resources; and energy and climate change. The current General Plan for Richmond was adopted in 1994 with amendments last published in 1998. As such, it has been over ten years since the City of Richmond General Plan has been updated.

According to Mayor Gayle McLaughlin, the idea to update the general plan was presented to city council by the planning department. As the city begins to move in a new direction, new types of urban planning are important and it is important that the city zoning, as laid out in the General Plan, reflects this new direction. Also, more generally, city planners are beginning to think in new directions as they are thinking more in terms of creating livable and walkable communities. According to McLaughlin, “the current plan is still very old school” (2008). The updated General Plan should reflect the more current thinking in both the city of Richmond and the field of city planning.

Richmond’s residents as well as leaders have had, and continue to have, different visions for how the city should move forward. As described by McLaughlin, “Some would like to see big development while others would like to see a strong preservation of

the community's character and natural resources. To many residents, the preservation of the shoreline is very important" (2008). As such, the planning department was very interested in soliciting input on the vision and desire for Richmond from people with various backgrounds. According to Lori Reese Brown of the Richmond Department of Planning, the planning department initiated outreach by using bilingual fliers, a traveling "plan van", social functions, questionnaires, surveys, community meetings, and recreation meetings. The "plan van" traveled throughout the city, parking at community events and shopping venues, to spread awareness and information to residents. Richmond city staff also contacted public officials in other jurisdictions to let them know about the General Plan update process as residents of other jurisdictions may work in Richmond and, as such, have an interest in the plan. They contacted the department heads of groups and departments such as the legal and public works to help raise awareness of the General Plan update process as well. Finally, the city hired MIG consulting to facilitate the outreach and planning process.

With offices in California, Oregon, and North Carolina, MIG Consulting is a large consulting firm that specializes in community planning: "MIG has focused on planning, designing and sustaining environments that support human development. We embrace inclusivity and encourage community and stakeholder interaction in all of our projects" (MIG, 2008). The firm works primarily with public sector clients and they are particularly well known and respected for their outreach efforts and graphic communication strategies. Vikrant Sood, of MIG's Berkeley headquarters, leads the consulting team working with the City of Richmond. He has worked on a large range of

projects, from designing children's playgrounds to downtown planning; however, many of the projects he undertakes have a focus on social change.

As a means of ensuring that citizen input was heard throughout the General Plan update process, then member of city council, Gayle McLaughlin, along with Councilman Tom Butt, created the group, Richmond Residents for a Responsible General Plan (RRRGP). Their goal was to ensure that residents would have a place in the General Plan update process. According to McLaughlin, "The group was a sort of watch dog to ensure residents perspectives were included in the plan and that the plan grew with residents alongside the consultant" (2008). They held meetings, which the consultant attended, that brought residents together to share their vision for the destiny of Richmond. This process allowed the consultant to hear the views and visions of the community independent of the public sector/planning department.

As a result of RRRGPs efforts to ensure that residents' perspectives would be included, the General Plan Advisory Committee (GPAC) was formed. The GPAC is a conduit between the planning department and citizens. As described by the planning department, "The GPAC will be instrumental in supporting City staff as they assess ideas and make decisions, and GPAC members will be able to communicate many of these ideas directly back to their neighbors, colleagues, and others in the Richmond community" (2008). Members of the GPAC are appointed by city council. Each city council member is permitted to appoint four individuals to the General Plan Advisory Committee.

Through GPAC, a diverse set of organizations such as Sustainable Point Molate, Richmond Southeast Shoreline Area Community Advisory Group, North Richmond

Shoreline Open Space Alliance, Trails for Richmond Action Committee, West County Toxics Coalition, Council of Industries, and Richmond Improvement Association (a faith based organization), are represented. However, while each of the members of GPAC provides input and guidance into the plan, they are not responsible for approving or implementing the General Plan. GPAC is designed solely as an advisory panel.

The current structure and function of GPAC is not as members of RRRGP originally envisioned. Initially, RRRGP members, including then Councilwoman McLaughlin, wanted GPAC to be an independent group that created its own agenda. In this vision, MIG and GPAC would have continued to engage with one another, but GPAC would have been more of an independent group. However, given MIG's expertise in community planning, city council voted to structure GPAC as a dependent committee where the group's agenda was set by MIG. Despite a different structure than envisioned, the goal of ensuring a place for residents in the General Plan was met. In reflecting on city council's decision, McLaughlin says, "To be fair, MIG was interested in hearing their thoughts and they have a lot of good information as they have done the process before" (2008). Consequently, RRRGP disbanded after the creation of GPAC, although members of the former RRRGP remain active in General Plan update processes.

Previous members of RRRGP are represented on GPAC and city council.

In addition to RRRGP and GPAC, other groups and organizations have organized to ensure that citizens have a voice in the General Plan update process. The Richmond Equitable Development Initiative (REDI), a coalition of regional social justice groups, came together to help ensure that community needs were justly met. By using the specific knowledge and resources of coalition partners, REDI developed and publicized

policy recommendations, including recommendations on land use, housing, transportation, economic development, and health. Further, they have held a Leadership Institute designed to provide the city's citizens with the tools necessary to fully participate in the update process.

Despite the creation of GPAC and the efforts of outside organizations to ensure resident participation and voice in the General Plan update process, the process has struggled to replicate the collaborative dynamic emerging in other projects across the city.

CHALLENGES TO COLLABORATION

Collaborative processes are emerging throughout Richmond as residents, environmental organizations, business leaders, and city officials engage in efforts to restore and protect watersheds, create access to the shoreline, provide environmentally related training and employment, and enhance civic participation. However, while these processes have provided significant benefits to the city, multiple factors that are unique to, or heightened in, environmental justice conflicts have impeded the city's ability to replicate this collaborative dynamic in the General Plan update process. The following discussion analyzes how past procedural injustices, high distrust, lack of leadership motivated to build partnerships with AWRP, and traumatic histories of racial and economic discrimination impede perceptions of incentives to participate and challenge current processes for collaboration.

Table 5.3: Unique Characteristics of Environmental Justice Conflicts that Challenge Assumptions

Conflict Dimension	Characteristic	Assumptions Challenged
Nature of the Issues	Human rights orientation Environmental justice frame	Not Applicable Process Considerations
Nature of the Process	Procedural injustice Information is suppressed or out of reach	Incentives to Participate; Process Considerations Not Applicable
Nature of the Parties and their Relationships	Social location Traumatic histories of racial and economic discrimination Perceived power differentials Low Network Ties High distrust Incongruent communication norms	Process Considerations Incentives to Participate; Process Considerations Incentives to Participate Nature of Opportunity; Incentives to Participate Incentives to Participate; Process Considerations Process Considerations

Incentives to Participate

Richmond community members’ incentives to participate in the collaborative planning processes were influenced by their traumatic histories of racial and economic discrimination, past procedural injustices, and the perceived power differential between themselves and city agencies. These experiences and perceptions have led community members to highly distrust city council and city staff. Furthermore, it has led residents to question the impact and influence of their participation on the creation and implementation of the General Plan.

Traumatic Histories of Racial and Economic Discrimination

Richmond residents have experienced traumatic histories. They have long been plagued with noxious industrial facilities, lack of access to green space, crime, and social disinvestment. Their interests and desires have often been trumped by industrial and

outsider interests. Rich Walkling observes, “Richmond has a history of white people coming in from somewhere else, building chemical facilities, and building mistrust. This barrier of distrust is persistent” (2008). These experiences influence how community members perceive incentives to participate.

There is a widespread perception that decisions made by public representatives in Richmond are infrequently made in the best interests of the community. Given the city’s woeful financial condition, quick fix decisions that favor large developers and industry have often been made. On the subject of whose interests are frequently served in Richmond, Mayor McLaughlin (2008) says,

Richmond has a recent history of financial crisis. So, among some in the community, there is a quick fix reflex. Some people have grabbed onto quick fixes and large development projects. City council has had the desire to not think in long-term solutions. They have plans and fixes from large developers, but those have never brought about the kind of community we need.

This favoring of developer interests has not been lost on community members either.

Whitney Dotson, a longtime resident of Richmond and GPAC member, agrees with McLaughlin’s perspective. He adds that, in the past, residents have been undercut by the city, “The city has used the lack of knowledge to undercut and circumvent the community: to do what they want to do which usually ends up serving the needs of business and developers” (2008). Another Richmond resident, Cheryl Padgett, adds, “We are short on the number of representatives that are true representatives of the people” (2008).

The feeling that public representatives do not act in the interest of residents has implications for how residents perceive the General Plan update process. Residents do not perceive that their interests will be served through this process. “There is a feeling

that the process is rigged,” suggests Rich Walkling (2009). Consequently, residents do not perceive that their participation will lead to changes in Richmond.

Procedural Injustices

Community members distrust city council and city staff given the past procedural injustices. Some residents perceive that city council and city staff have made decisions that favor interests outside of Richmond. Further, they feel decision-making processes have not been transparent and decisions have been made without community knowledge. Consequently, community members expressed concern that decisions regarding the General Plan would be made in the same manner. Richmond resident Carol Fall commented on how the past practices have influenced perceptions of the General Plan, “People were very suspicious about the General Plan update because City Council has not been very transparent. People were worried that long-term plans would be made without the knowledge of the community” (2008). The lack of consensus on city council compounds community distrust of it and city staff.

There is distrust between community residents and the city staff as some residents feel city staff has taken advantage of the split on city council to make decisions that may not represent community interests. Speaking of city staff, Rich Walkling notes,

Because of the city council split, they can pretty much do what they want. Someone will always be there to support or criticize them. City staff responds to pressures; whoever shows up, they address. People who have the time and money to get in their face will get a response (2008).

Given that residents and community organizations are typically short on both time and money, the developers and industrial interests are more apt to have their concerns heard and met. Juan Reardon’s response in the *San Francisco Chronicle* to McLaughlin’s plan

to confront Chevron hints at this dynamic, “If it’s a matter of serious economic concern to Chevron, they’re going to get their way” (as quoted by Holt, 2007, p. 27).

Because of past decisions, community members perceive the planning department to be closely aligned with developer interests. In specific regard to the General Plan update process, Mayor McLaughlin notes, “The community does not trust that the planning department will act in their interest” (2008). Some community residents, including Cheryl Padgett, view the planning department, particularly its Director, Richard Mitchell, as evading the General Plan update process by taking certain areas off of the map, “[Mitchell] has been successful in General Plan operations by redlining areas to be taken out of the General Plan process so that they are not being identified for use” (2008). Perceived maneuvers such as this omission contribute to the distrust residents have of the planning department.

The distrust of the Richmond Department of Planning has led some community members to question whether or not the planning department and city council will adhere to the plan. Traditionally, planning departments act on recommendations of the planning commission and with permission from city council. However, a General Plan does not change zoning ordinances and land use maps and it is the responsibility of the planning department and city council to hold to the vision outlined in the plan. With a split in city council and no organized community oversight, there is some resident concern about whether or not the plan will be implemented. Dr. Henry Clark points out the significance of GPAC’s lack of implementation oversight,

All the good talk about social justice will go down the drain unless there is on-going oversight of the implementation of the General Plan by the General Plan Advisory Committee and City Council... There is no clear

role of the Advisory Committee in terms of implementation of the General Plan (2009).

There is little trust that the city's planning staff will uphold the vision in the General Plan.

Perceived Power Differential

A perceived power differential between residents and the city staff has contributed to a perceived lack of interdependence. As previously discussed, community members perceive city staff as acting independent of community interests. Consequently, community members do not perceive their interests as influencing the actions of city staff. Instead, city staff has the power to circumvent public interest and processes. This lack of perceived interdependence between the city and residents has contributed to the community members' perceptions that their participation will not lead to change in Richmond.

Summary

Some community members provided their thoughts and perspectives on the challenges facing Richmond and their desires for the future direction of the city through community meetings and surveys. Further, when appointed by city council members, some community members participated in the General Plan Advisory Committee. However, while they largely participated in the planning process, community members still expressed skepticism and distrust that their participation would lead to changes in Richmond.

Nature of the Opportunity

The presence of trusted and legitimate leaders helped to engage community members in the Rheem Creek and Breuner Marsh visioning project. However, the

challenge of trusted and legitimate leadership at the citywide scale remains. Community leaders who are able to effectively promote participation in collaborative processes are motivated to build relationships between themselves, their community, and organizations and agencies from outside their established network. They legitimately understand the values and experiences of those they represent. Further, they are able to accurately communicate these values and experiences to other, diverse parties. Such leaders are trusted and long-time members of a particular community, organization, or agency. They are often of a similar social location as those they represent. Decision-making processes in environmental justice conflict situations have not always been attentive to ensuring that the voices speaking on behalf of communities genuinely reflect and represent the constituents' perspectives and values (Bullard, 1997). The presence and absence of such leaders have influenced collaborative processes in Richmond.

Legitimate Representation of Richmond's Residents

Richmond leaders have effectively mobilized and organized residents in Richmond around issues of green collar jobs, shoreline preservation, and environmental justice. As Mayor McLaughlin said in her 2009 State of the City address, "I believe 2008 will be remembered as the Year of Environmental Justice in Richmond" (2009). Without question, strong and dedicated community leaders have emerged in Richmond, many of whom support a vision of environmental justice. While only one of many leaders who have played an important role in the development of a visible environmental ethic, Richmond resident Whitney Dotson has played an important leadership role in Richmond. His representational leadership qualities have enabled him to transform opportunities for participation into actual participation.

Dotson has been an active leader in efforts to protect and restore Rheem Creek, Breuner Marsh, and the greater North Richmond Shoreline. He is an elected member of the East Bay Regional Park District's board of directors and founder of the North Richmond Shoreline Open Space Alliance. As a community member with long familial roots in Richmond, Dotson is a leader that possesses legitimacy and the ability to speak to multiple constituencies, including the mayor's office. He is able to tap into his extended social network, cultivated throughout his many years in Richmond, to bring as many people as possible into the work.

In describing the important role that Dotson plays in raising and presenting issues, Dotson's colleague Rich Walkling says, "It is easy because [Dotson] speaks their language...He understood who did what...He is photogenic and looks great in newspapers...He is able to sell the collective vision" (2008). Indeed, Dotson's life history and work has been highlighted in the *San Francisco Chronicle*, *L.A. Times Magazine*, and a video on the restoration efforts in Rheem Creek and Breuner Marsh.

Dotson uses his knowledge of the community to engage community members and maintain their participation. He is mindful that collaborative processes are about people and their relationships, not just the institutions and issues they represent. Dotson uses his social connections to gain entrance to a group or community. "Really well intentioned projects fail because they did not understand the minutia of the community. They did not talk to the right people before presenting their project to the community," says Walkling (2008), Dotson's colleague. Dotson's knowledge of who to contact and how to contact that person is an important trait that facilitates the participation of a diverse group of people. Furthermore, he uses his knowledge of the community dynamic to be attentive to

the decision-making and communication process. “Throughout the process we get down to personality clashes that tend to interfere with the progress of the work. Periodically, you have to stop to have some process and personality discussions... We reaffirm that we are all in this together,” he says (2008). This attention to personal and community dynamics transforms opportunities by encouraging participation.

Dotson’s leadership qualities have enabled him to mobilize supporters of shoreline preservation in the General Plan update process. He has explicitly called for community participation in the planning process and community members have responded by advocating for the preservation of the North Richmond Shoreline through letter writing campaigns, attending public meetings, and writing letters to the editor. However, Dotson’s influence is limited to residents of North Richmond and those who express an interest in preservation issues. Consequently, Richmond residents in other communities or residents with different issue interests may not be influenced to participate in the planning process.

Challenges of Collaborative Leadership in Richmond

Process leaders have struggled to be recognized as legitimate leaders by community participants. The process facilitators and city officials have struggled with issues of legitimacy and trust. Initially, the General Plan update process struggled to get off the ground as residents questioned the legitimacy of the Berkeley-based consultant team (Sood, 2009). The consultants aimed to provide transparency and information while refraining from injecting their own professional opinion to ease the community members’ perceptions. While the consultants felt they were eventually able to quell the perception of illegitimacy, some interviewees expressed that residents still perceive the facilitators as

working for the city. City officials have also struggled to be perceived as legitimate and trusted leaders given past procedural injustices and histories of distrust.

Process Considerations

Residents of Richmond have experienced traumatic histories of racial and economic discrimination and past procedural injustices. Further, the issues of interest to residents are ideological and interrelated. However, the planning process implemented by the planning department has not acknowledged and accommodated these characteristics. Consequently, when discussing the General Plan update process, participants spoke of distrust and concerns that their voices are not being heard.

Being Heard on Issues that Matter

Many of the interviewed residents and members of GPAC did not feel that they were participating in a process where their voices and opinions were being heard. While the city staff and planning consultants worked to ensure public participation through traveling outreach programs, public meetings and the creation of GPAC, some residents and GPAC members felt that their input throughout the process was not really heard and others felt that the issues of importance to them were not frequently addressed. As Bruce Beyaert (2009) describes,

The GPAC is a huge committee representing everyone from the most conservative to the most radical environmentalist. It is a very disparate group and input varies. It is not really a working committee though. There are no subcommittees. It is more of a sounding board. Members receive presentations. We do not work together. The consultants get comments from A to Z and try to make sense of it.

This suggests that the format is not creating a forum for community members to discuss their senses of the problem or shared interests. Further, issues being addressed are not always the issues that residents are most interested in. Carol Fall (2008) follows up on

this perspective, “The actual time spent talking about [issues that are important to me] is about two percent. That is okay. The other issues are issues. You have to go by the agenda and people discuss it however it appeals to them,” she says.

Some groups decided to hold their own meetings, independent of those held by the Department of Planning. These meetings were born from feelings that input was not being valued. One group that organized outside meetings did so as they felt the city staff throughout the update process was not hearing them. At one point, this group even hired a consultant to advise them on ways to increase their standing and voice throughout the process.

The planning department, however, found the meetings to be problematic. As Lori Reese-Brown describes, “These meetings were problematic because different information was disseminated than that of what was being presented by the planning department. At times, wrong information was disseminated” (2008). To discourage outside meetings, the planning department tried to attend additional meetings, encourage groups to talk with them, and attend outside planning meetings. The Planning Department also encouraged them to send any information that came from additional meetings to them so that they could be aware of what was going on. However, this approach was only partially successful as outside meetings were held later in the process as well. As Reese-Brown notes, “In the middle of the process, this became an issue again. As things were not going the way of some groups, they started to hold their own meetings again. The African American community has often felt left out of the process and often hold their own weekly meetings” (2008). However, the feelings of being left

out of the process were not addressed through process changes or perceived as being problematic for the credibility of the process.

Communication Norms

Different cultural groups have different means of communicating. Recognizing these different cultural norms can foster feelings of inclusion and participation. Rich Walkling, an organizer with the North Richmond Shoreline project, emphasizes that modes of communication are culturally bound,

The way that we organize ourselves in groups is extremely dependent on race and subculture. Race and culture lead to different communication modes. How is information shared in the black community? In the Latino community? We need to be culturally aware of how people share information (2008).

The meetings and events around the North Richmond Shoreline acknowledged these differences in communication norms. Information was presented and shared through site visits, group discussions, and visual aids. Groups gathered informally for the discussions. The organizers did not rely on lecture and PowerPoint presentations. However, the same adjustments were not made in the General Plan update process.

Diverse methods were initially used to provide information and solicit viewpoints from community members. These methods included community meetings, recreational events, traveling programs, and surveys. However, subsequent community meetings and GPAC meetings relied on traditional meeting formats. GPAC members described meetings where they were provided with information through PowerPoint presentations and asked to give feedback on the presentations. However, this method is not very engaging and privileges some communication styles over others.

Environmental justice frame

The range of issues being addressed through the General Plan update process is broad. Further, the range of issues and perspectives within the environmental sector is broad. The broad sets of issues are both ideological and interrelated. However, as previously noted, the plan update process has not provided space for participants to engage in dialogue and create shared understandings of the issues.

By framing the environment as an issue that is open to all people, not just the affluent, leaders and organizers in Richmond have been able to mobilize many residents of Richmond. However, the environmental identity may still not resonate with many residents as they lack access to green space. Even for those with whom the environmental identity resonates, residents of Richmond are still fractured within their perspectives. Rich Walkling notes, “Part of the problem in Richmond is that visions are fairly far apart. There is no middle ground” (2008).

The Richmond shoreline is expansive and a host of environmental activists and organizations have emerged to protect and raise awareness about the watersheds. Separate organizations are working to protect Rheem Creek, Point Molate, and Hoffman Marsh. There is an effort to complete the Bay Trail, a nature corridor that is expected to encompass the San Francisco and San Pablo Bays. Currently, 24.9 miles of the trail wind through Richmond and there is an effort to get all 32 miles of Richmond’s shoreline linked into the trail. While similar in their desire to protect Richmond’s watersheds and natural areas, there does not appear to be significant coordination in their efforts. As Carol Fall, a defender of Point Molate expresses, “We cannot seem to bond over the shoreline being the shoreline” (2008).

There are also environmentalists who are concerned that the areas currently being promoted as recreation areas may not be safe for human activities. Cheryl Padgett describes, “A lot of the recreation area is not characterized. People are swimming in the area where there is likely contamination. People are fishing and catching their dinners...There is free access and it is physically beautiful. They have no clue that it is laden with toxic metals” (2008). She is concerned that part of the Bay Trail runs through land along the south Richmond shoreline where the soil and water has not been tested for contaminants and given the industrial and chemical history of Richmond, the land may be toxic. As such, some environmentalists in Richmond are pushing for site testing and public awareness before areas are designated as recreation areas.

Despite the lack of middle ground, or perhaps because of the lack of middle ground, the General Plan Update process has not provided space for residents to discuss the differences in how the environment is valued. Instead, as pointed out by Beyaert in the previous section, the GPAC is designed as a sounding board, not a working group. This format does not provide the space necessary to acknowledge and address the issues of importance to many community members.

Nature of Capacity Building

The city of Richmond did not explicitly provide opportunities for capacity building within the community. To fill this void, the Richmond Equitable Development Initiative (REDI) organized the Equitable Development Institute. Partnering with community-based organizations, the institute offered separate training sessions for community members and key leaders of the General Plan update process.

Capacity building activities are also offered through the activities of more localized collaborative processes, such as the North Richmond Shoreline preservation efforts.

Building the Capacities of Environmental Justice Community Members

Information about the purpose of the General Plan and the timeline for making decisions about the General Plan were available to community members. However, opportunities for capacity building were not explicitly provided by the city. The city made efforts to include resident perspectives early in the process. A series of meetings were held across the city, information was distributed and perspectives solicited through a van that traveled to different neighborhoods, and surveys were distributed and collected. Bilingual fliers providing information about the General Plan update process were created and a bilingual website presents current events and information about the purpose and structure of the General Plan and the update process. However, while opportunities to receive and provide information and perspectives were provided, community members were not offered opportunities to learn about how to effectively participate. To fill this void, the Richmond Equitable Development Initiative developed the Equitable Development Institute.

The Equitable Development Institute offered a series of workshops for the staff and members of partner community-based organizations, such as Communities for a Better Environment and the Asian Pacific Environmental Network, in 2007. The workshops were designed to enhance community members' participatory capacities in Richmond's planning processes. The workshops included sessions on mapping and visioning, zoning, government policy-making, and the relationships between land use and economic development, transportation, housing, and health. However, the workshops

primarily served the staff and members of the partner organizations. Consequently, there may still be Richmond community members who are interested in taking a participatory role in the General Plan update process, but who lack the capacity to effectively do so.

The capacities of community members are also being built through their participation in the North Richmond Shoreline visioning events. The leaders of the North Richmond Shoreline preservation project planned and implemented a series of events that built capacity and led to the creation of a community vision for the shoreline. The events provided participants with ecological and social information about the region through a guided tour, offered alternate visions of the landscape through field trips to neighboring communities, and guided through a visioning process. However, like the Equitable Development Initiative, a specific audience is addressed leaving open the possibility that community members interested in participating in the General Plan update process lack access to capacity building activities.

Building the Capacity of Other Participants

The city of Richmond relied upon a traditional model of facilitation and capacity building. That is, the facilitator was relied upon for his expertise in managing public participation. The firm's experience facilitating public processes in other disempowered communities was not supplemented with training on Richmond specific dynamics or issues. Consequently, they may have lacked a nuanced understanding of the community dynamics and history that could have allowed them to better manage process challenges. Both Dotson and Fall spoke of the "entropy" and "personality clashes" that interrupted the work of the update process. A more nuanced understanding of the community dynamic could have prevented or directed such outbreaks in more productive ways.

The Equitable Development Initiative attempted to rectify this shortcoming by offering a series of sessions for elected officials, city staff, and organizational leadership in 2007. These sessions were designed to help participants work with the needs of low-income communities and communities of color. The three sessions focused on defining equitable development, engaging community members, and equity issues in the planning of the Richmond shoreline. The city manager for Ventura and a faculty member from the University of Southern California were invited to speak about their experiences with community engagement. However, these sessions were designed as information sharing sessions rather than as training sessions. Further, participation in these sessions was voluntary. Consequently, leaders already attuned to the unique needs and realities of managing environmental justice conflicts were most likely to attend.

The leaders of the North Richmond Shoreline preservation efforts were cognizant of building the capacity of organizers and facilitators. Organizers from communities other than Richmond were provided detailed information about the backgrounds and previous experiences of potential participants. Further, discussions were held on how to acknowledge and respectfully work the participants.

CONCLUSION

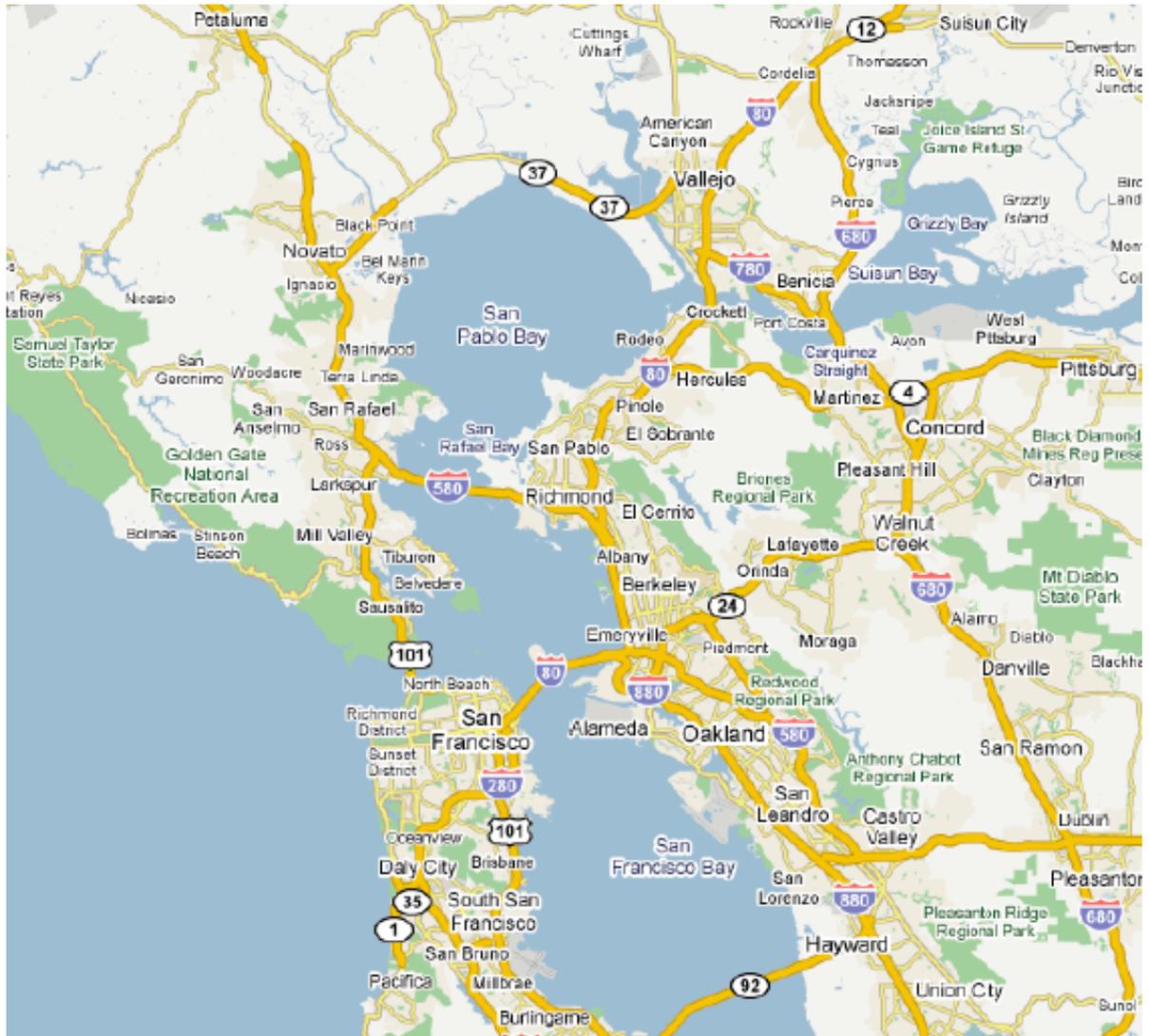
Despite the challenges in the city, Mayor McLaughlin is hopeful of a healthy future for Richmond, environmentally and economically,

Economic and racial oppression is an important part of Richmond's history. There is a feeling or sense that we have to provide more jobs. That can then be taken to mean that we have to go for big development. Developers take advantage of that mentality, but it is not the only way to do it. There is a long-range vision from those who believe in the community. People who believe we can do it without compromising... Richmond is an incredible community. It is a joy. It is really an extraordinary community.

For a community that has long been struggling to find form in its “formless assemblage”, pockets of form are beginning to take shape through collaborative processes. The challenge now is how to connect the disparate forms into one unified vision for the city of Richmond and while not yet there, the shared desire for change and hope for the future of Richmond is encouraging.

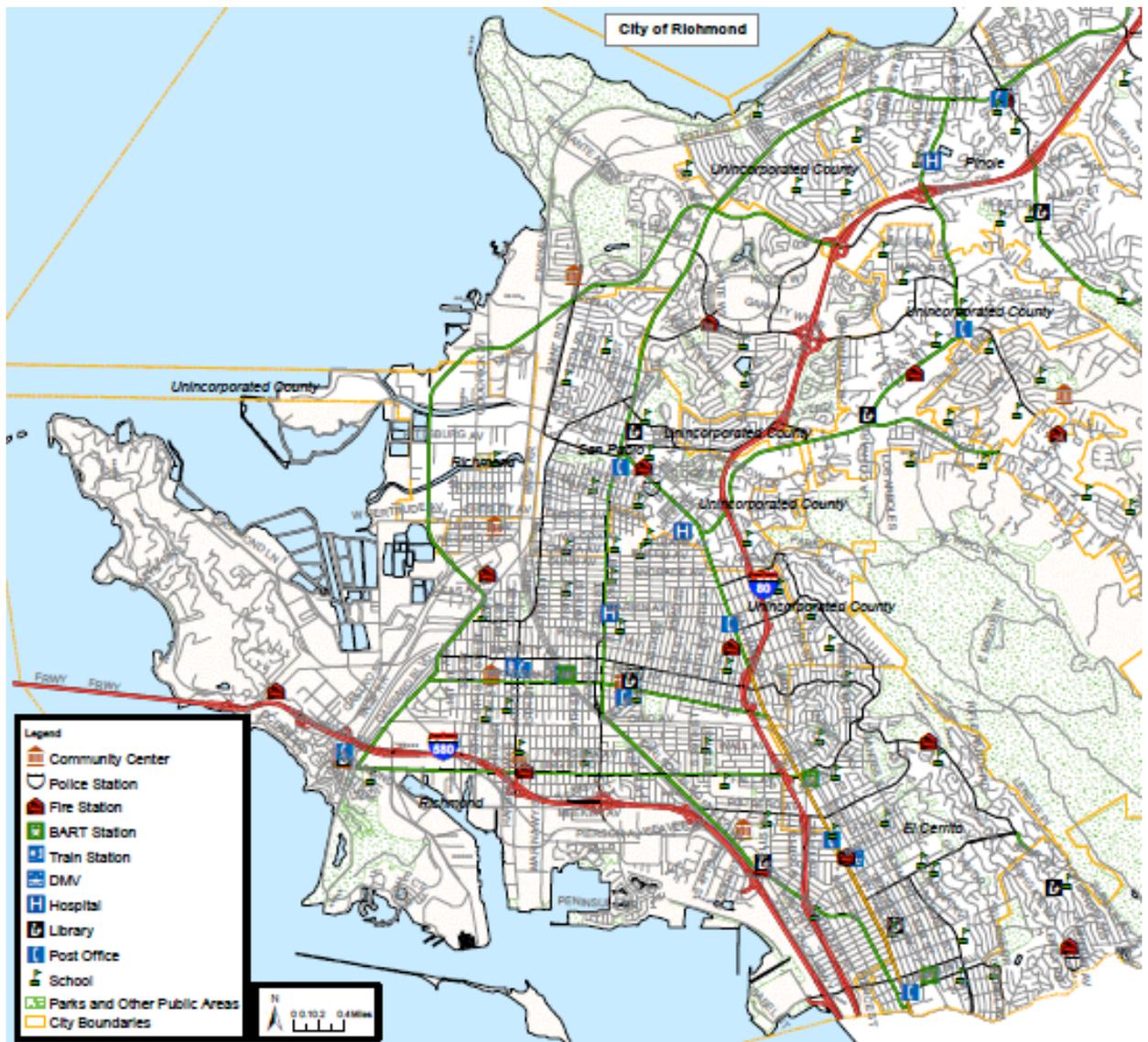
The General Plan update provided a potential forum for Richmond residents, businesses, and local organizations to collaboratively envision the city’s future. However, characteristics unique to the issues, processes, and parties of environmental justice conflicts have led to challenges. While capacity building opportunities for residents have been offered, participation has been limited to specific audiences. Capacity building opportunities have also been presented to city staff and representatives. However, these activities were strictly voluntary and, consequently, ineffective in reaching many parties. In addition, traumatic histories of racial and economic discrimination and past procedural injustices have led community members to distrust that their participation will lead to changes in Richmond.

Figure 5.1: Map of Bay Area



Source: Google Maps (2009)

Figure 5.2: Map of the City of Richmond



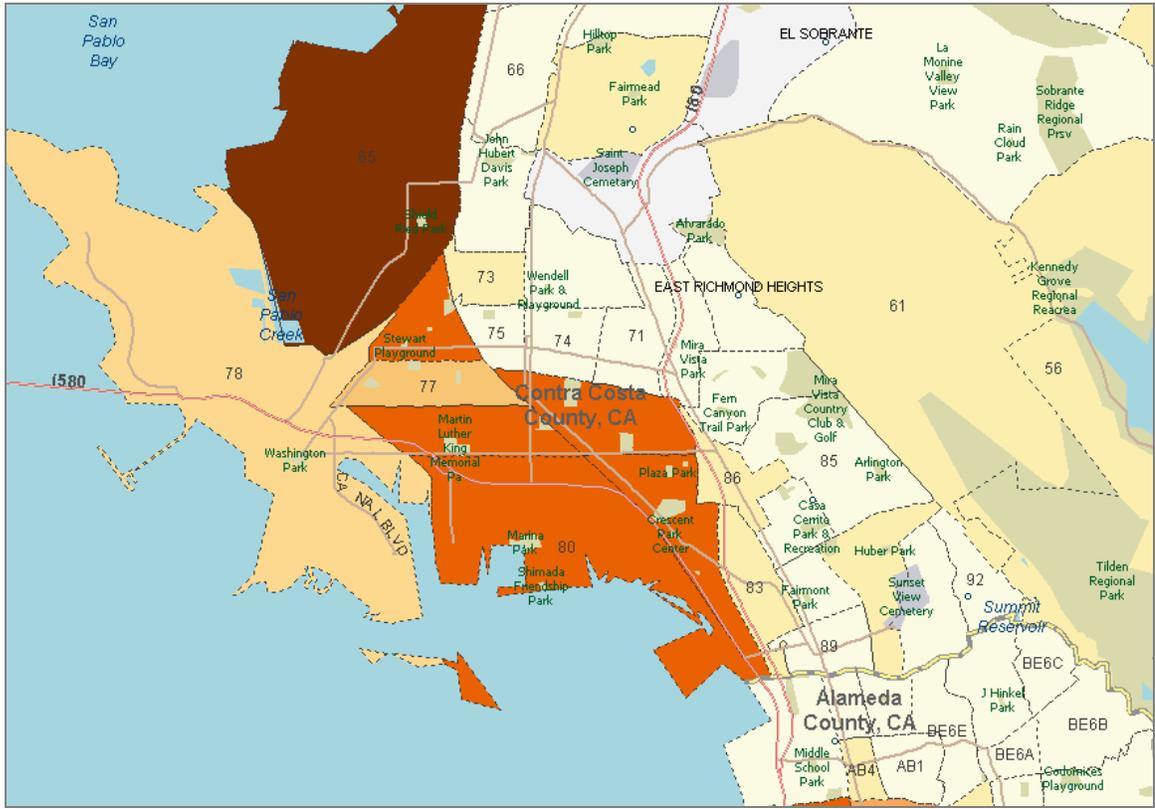
Source: City of Richmond (2009)

Figure 5.3: 1940 Census Tract, Percent Black Population



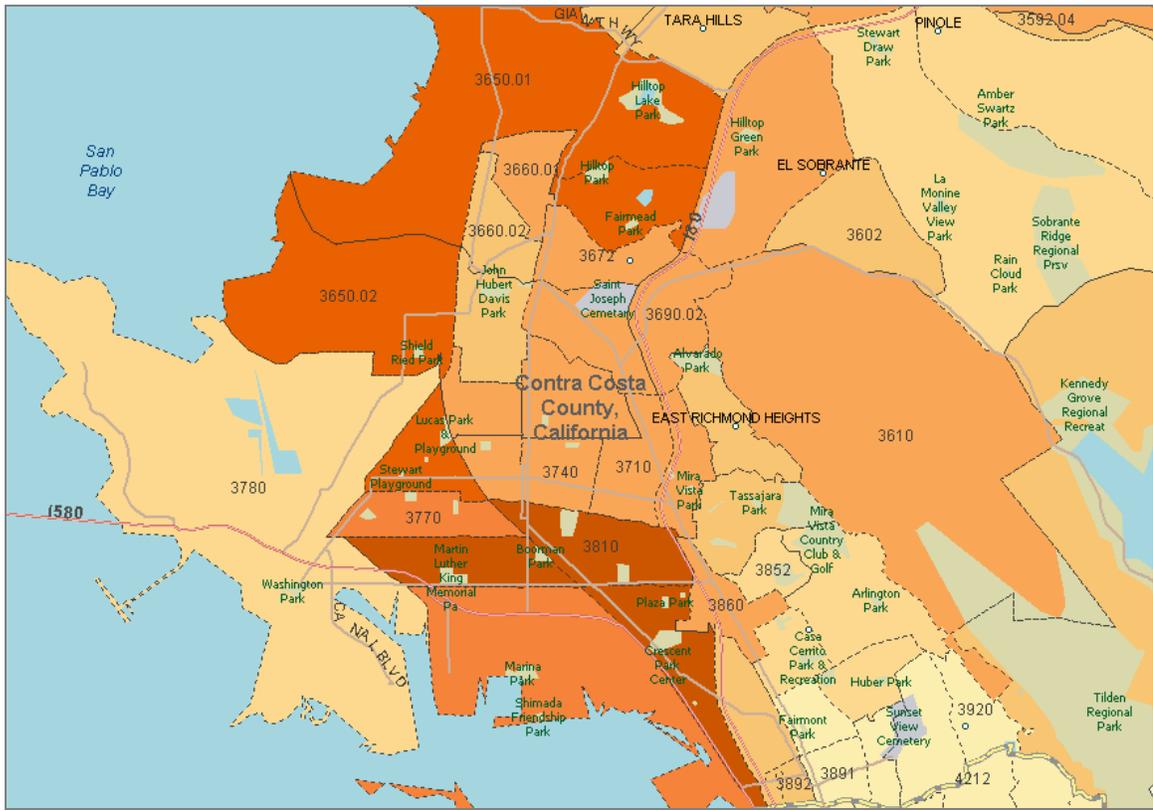
Source: Social Explorer (2008); U.S. Census 1940

Figure 5.4: 1960 Census Tract, Percent Black Population



Source: Social Explorer (2008); U.S. Census 1960

Figure 5.5: 2000 Census Tract, Percent Black Population



Source: Social Explorer (2008); U.S. Census 2000

CHAPTER VI

ANACOSTIA WATERSHED RESTORATION CASE STUDY

Although heavily polluted, the Anacostia River has largely been ignored until recently. The 1987 creation of the Anacostia Watershed Restoration Committee and its transformation into the Anacostia Watershed Restoration Partnership in 2006 has facilitated a large-scale and long-term restoration effort of the Anacostia Watershed. Local, state and federal agencies throughout the District of Columbia and the state of Maryland have initiated a partnership with nonprofit, environmental, and citizen's groups in the Anacostia Watershed to work towards the long-term goal of restoring the health of their shared watershed. Although space has been provided for community participation and their engagement has been actively solicited and encouraged, residents of Anacostia, a predominately low-income and predominately black neighborhood in the District of Columbia, have largely not engaged in the collaboration.

This case study examines how characteristics unique to environmental justice conflicts have created barriers to participation for residents of Anacostia. Traumatic histories of racial and economic discrimination, social location, and the salience of social issues over ecological issues have influenced how residents perceive incentives to engage in the partnership. It also examines how, in the absence of leaders with an interest in

developing collaborative relationships with AWRP, opportunities to participate in the partnership and capacity building activities have not been capitalized.

BACKGROUND

A tributary of the Potomac River, the 8.5 mile long Anacostia River flows through the District of Columbia, and Maryland's Prince George's and Montgomery Counties (Figure 6.1). The 176-square mile watershed is part of the larger Chesapeake Bay Watershed and is home to over 800,000 people, making it one of the most densely populated watersheds in the Chesapeake Bay Watershed. As of 2000, 25 percent of the watershed is impervious surfaces due, in part, to the heavy development, including residential development, of the watershed (Metropolitan Washington Council of Governments, 2007). Suffering from decades of industrial pollution and neglect, the Anacostia River is at the center of a concerted restoration effort.

Coupled with the complexity of multiple jurisdictions are multiple industrial polluters who have operated on the Anacostia River throughout the past centuries. According to the United States Environmental Protection Agency (EPA), "The Anacostia River...is contaminated with polychlorinated biphenyls (PCBs), pesticides, heavy metals, and raw sewage discharges from combined sewer overflows (CSOs)" (2003). Such issues do not point to a single polluter that can be held responsible for clean up efforts. Instead, the restoration of the Anacostia River falls to public agencies acting in concert with private organizations and community groups.

According to the District Department of the Environment (2007),

Restoration efforts to attain Clean Water Act goals in the Anacostia River have been ongoing for more than twenty years yet there is still a long way to go before the river can be considered swimmable and fishable. Restoration work will not be accomplished all at once, but instead will

take place gradually over time. Our goal is to restore the Anacostia to a fishable and swimmable river by the year 2032 (p. 3).

Given the multiple issues and jurisdictions, making a swimmable and fishable Anacostia River requires coordinated efforts from a host of people and organizations with a vested interest in, or responsibility for, the Anacostia Watershed. As such, representatives of the District of Columbia, the State of Maryland, Prince George's County, and Montgomery County signed the Anacostia Watershed Restoration Agreement in 1987. From this agreement arose the Anacostia Watershed Restoration Committee, and later, the Anacostia Watershed Restoration Partnership (AWRP).

HISTORY OF THE ANACOSTIA WATERSHED

The environmental and social history of the Anacostia River and Watershed are tightly connected. The tidal Anacostia River is formed by the confluence of the nontidal Northwest and Northeast branch streams near Bladensburg, Maryland. It travels approximately 8.4 miles downstream before meeting the Potomac River approximately 108 miles upstream of the Chesapeake Bay. Early 17th Century inhabitants included the Nacotchtank Indians who were able to thrive on the lush forests and plentiful fish. The confluence of the Anacostia and Potomac Rivers served as a thriving trading post among Indian tribes. However, after the visit and subsequent mapping of the area by Captain John Smith in 1608, the area became ripe for European settlement. According to watershed historian John Wennersten (2008),

The region's utility and beauty doomed the Anacostia and its aboriginal populations. Its forests and waters offered an abundance of products, and its navigable river, which remained free of ice in the winter, served as a commercial highway to the Chesapeake Bay and beyond. A moderate climate and an attractive landscape lured hundreds of colonists, who in turn made the region uninhabitable for its former residents. The Anacostia soon became an environmental metaphor for patriarchy, slavery, and

poverty. The plantation's long historical shadow is still visible today (p. 16).

Indeed, the European settlement of the Anacostia Watershed forever changed its nature.

Early settlers immediately began clearing the forest and planting crops, primarily tobacco, and by 1742 the town of Bladensburg had been established at the confluence of the Northwest and Northeast branches. The port at Bladensburg was the primary seaport for the region; the port where crops were loaded onto ships bound for the Atlantic.

However, a mere twenty years later, in 1762, the river was suffering from heavy sedimentation. As Wennersten writes, "This was a direct result of soil erosion and the human tendency to treat the upper Anacostia as a dump for ship ballast, construction debris, and animal carcasses" (2008, p. 33). The increasing shallowness of the river made the passage of ocean bound ships difficult.

In 1792, the Anacostia River, downstream from Bladensburg, held a prominent place as a center of commerce in the early maps of the new United States capital.

However, while wharves were built and shipbuilders made the area home, the commercial ventures anticipated by the founders did not materialize. The budding United States Navy capitalized on this commercial shortcoming and constructed the Washington Navy Yard in 1799.

Throughout the next 15 years, the Washington Navy Yard continued to grow. However, the facility was destroyed in 1814 as a means of preventing the British from obtaining the facility during the War of 1812. Rebuilt after the end of the war, numerous vessels and gunboats were constructed at the facility (Wennersten, 2008). While the navy yard continued to be the most significant employer on the waterfront, other industries flourished as well, including munitions, printing, flour and grist mills, brick

yards, and machine shops (Wennersten, 2008). Much of the waste from these facilities found its way into the Anacostia River. Further, many of the city's sewer lines flowed directly into the river. This combination of silt, industrial waste, sewage, and overall garbage impaired the health of the Anacostia.

As the new national capital began to grow, it became clear that the areas northwest and southeast of the river were not to be treated equally,

Development of the Northwest and the Anacostia revealed conscious decisions by political and business figures on the matter of how the District was to evolve in the late nineteenth century. The Anacostia, for example received the gas works, the factories, the rail yards, the almshouse, the prison, the arsenal and the garbage disposal sites. The Northwest received mansions, excellent city services, sewer, water, and infrastructure - and the social cachet of an elite residential address (Wennersten, 2008, p. 127).

Residents on the southeastern side of the river were predominately poor Irish and blacks.

Located between two states with large African American populations, the African American population swelled in the areas surrounding the Anacostia River as work opportunities on the ships and wharves were abundant as were skilled labor positions. However, in the early 20th Century, many predominately black areas were targeted for demolition to make room for the growing government buildings. Congress created the National Capital Park and Planning Commission in 1926 to develop a master plan for the growing capital city. However, the commission quickly recognized that they faced a shortage of available land for the development of new buildings. As such, they targeted areas, particularly the predominately black southwest quarter that was perceived as “blight” for demolition and urban renewal. Again, historian Wennersten (2008) provides a detailed description,

When Ulysses S. Grant III came to the National Capital Park and Planning Commission in 1926, he saw his first task as ridding the capital of what he called ‘blight.’ Identifying alleys and shacks in low-income areas with large black populations as ‘unsanitary bastions of crime,’ Grant sought to develop a ‘sanitary housing policy’ that would attack slum areas by tearing them down (p. 141).

As feared, many of the residents of these areas targeted for urban renewal found themselves displaced and migrating across the river to Anacostia.

This upheaval of residents destabilized Anacostia. As displaced residents of Washington’s southwest quadrant relocated, Anacostia’s white population began to leave, causing the white population in Anacostia to diminish to less than 10 percent of the population by the 1970s and to less than two percent of the population by 2000 (Table 6.1). This destabilization opened the doors to increased crime and poverty, both of which still plague Anacostia today.

Table 6.1: Racial Comparison of the Anacostia Area with the District of Columbia and Greater DC Urban Area (as percentage of total population in geographic area)

Race	Anacostia	District of Columbia	Greater DC Urban Area
White	1.69	27.83	49.87
Black	96.09	59.45	28.89
Asian	0.18	2.63	7.95
Hispanic	0.92	7.86	10.37
2 or more races	0.87	1.68	2.36
Other	0.25	0.56	0.55

Source: U.S. Census (2000)

ANACOSTIA WATERSHED RESTORATION COMMITTEE

Sitting in the shadows of Capital Hill and the Potomac River, the Anacostia River has been referred to as the “forgotten” river. While river restoration efforts targeted the Potomac River, the Anacostia River was largely ignored until 1979 when American Rivers, a nonprofit organization dedicated to the promotion and protection of America’s

waterways, designated the Anacostia as one of the most threatened rivers in the country. Five years later, in 1984, the District of Columbia and the State of Maryland partnered to address issues of sewage overflow and sediment run-off. Prince George's County and Montgomery County, both in Maryland, joined the partnership and in 1987 representatives of all four jurisdictions signed onto the Anacostia Watershed Restoration Agreement. The agreement included five restoration goals:

1. The achievement of improved water quality and the protection of aquatic life, habitat, and other beneficial ecological relationships within the Anacostia River and its tributaries.
2. Basin-wide management of erosion, sediment and other sources of pollutants.
3. Maintenance of the tidal portion of the Anacostia River as a navigable waterway for commercial and recreational activities insofar as this is practical.
4. Expansion of opportunities for public recreational access and use of the Anacostia River and its tributaries.
5. Enhancement of public interest in the Anacostia watershed and public participation in restoration activities.

To provide guidance on meeting these five goals, the agreement called for the creation of the Anacostia Watershed Restoration Committee (AWRC). Further, it bound the signatories to provide the resources necessary for the restoration work and charged the Council of Governments with providing administrative support.

In 1991, the partnership was expanded to include the Army Corps of Engineers. At this time, the signatories reaffirmed their commitment to restoration efforts and

created a six-point action plan for coordinating efforts and restoring the health of the Anacostia Watershed:

1. Reduce pollutant loads
2. Restore ecological integrity
3. Improve fish passage
4. Increase wetland acreage
5. Expand forest cover
6. Increase public and private participation

Throughout the coming years, the membership of the Anacostia Watershed Restoration Committee continued to expand to include the United States Environmental Protection Agency, the National Park Service, the Maryland Department of the Environment, the Maryland Department of Natural Resources, the Prince George's County Department of Environmental Resources, the Montgomery County Department of Environmental Protection, the Washington D.C. Water and Sewer Authority, and the Washington D.C. Department of Health. The goals established in 1991 were reaffirmed in 1999 and 2001. In addition, specific targets for 2010 were created.

Despite the inclusion of a goal related to increasing public and private participation, the AWRC remained a largely governmental process throughout its first decade of existence. At the insistence of the Anacostia Watershed Society's founder and president, Robert Boone, and as a way to work towards meeting the sixth goal, the Anacostia Watershed Citizens Advisory Council (AWCAC) was established in 1996. AWCAC was established to serve the vital role of acting as a bridge between citizen

actions and concerns within the watershed and the AWRC. AWCAC's members are concerned and informed citizens from each of the three watershed jurisdictions.

Since the signing of the Anacostia Watershed Restoration Agreement in 1987 and the creation of the Anacostia Watershed Restoration Committee, little progress towards the restoration of the Anacostia River has been achieved despite over \$200 million having been spent on restoration projects. It became clear that meeting the 2010 targets was going to be challenge. Recognizing this, governmental representatives and parties with an interest in the Anacostia Watershed participated in a 2005 retreat facilitated by Marcie DuPraw of RESOLVE and Don Edwards of Justice and Sustainability Associates and funded by the EPA. According to the EPA, "The facilitation experience encouraged stakeholders to rethink their collective restoration methodologies, and to bring their efforts into focus by assisting in the development of a watershed plan and by governing the restoration effort more efficiently" (2006). The retreat resulted in the generation of recommendations on leadership and governance options, consensus-building processes, and community engagement. Further, the retreat resulted in the endorsement of the Anacostia Watershed Restoration Governance report and the eventual creation of the Anacostia Watershed Restoration Partnership in June 2006.

ANACOSTIA WATERSHED RESTORATION PARTNERSHIP

While the Anacostia Watershed Restoration Committee continued to meet for over 15 years and restoration projects were instituted, the AWRC suffered from the lack of a clear decision making structure. While parties participated in the committee meetings and engaged in information sharing activities, little action was being taken. Jon Capacasa, of the Environmental Protection Agency's (EPA) Region III attributes part of

this inaction to the group's unwillingness to make tough decisions. Capacasa (2008) states,

Without a crisp decision making structure, such as an executive steering group, a group can devolve into a regular information sharing opportunity with no clear strategy that is being pursued. This does not equate to a quick and effective strategy for getting from point A to point B. This is what was happening with the Anacostia Watershed Restoration Committee. Folks were frustrated that not enough was getting done. Not enough tough decisions were being made.

To address this concern, the AWRC underwent a significant restructuring in 2005.

The restructuring occurred as a way to facilitate and encourage a quicker and richer restoration effort. As the Anacostia Governance Provisional Recommendations say of the need for the restructuring,

Regardless of the progress, there is a widely held perception that, after 20 years, not enough has been accomplished and the pace of restoration can and should be accelerated. There is no comprehensive plan to achieve restoration goals; there is not a strong integration of solutions crossing jurisdictional boundaries; and the funding to support comprehensive restoration remains uncertain (2005).

Linda Howard, Executive Director of the Summit Fund and member of the AWRP Steering Committee, supports this assertion, "People were talking but not doing very much" (2008). As such, and as a result of the 2005 retreat, the Anacostia Watershed Restoration Committee underwent a restructuring process and the Anacostia Watershed Restoration Committee became the Anacostia Watershed Restoration Partnership in June 2006. The new name recognizes the change in organizational structure and approach to watershed restoration efforts.

According to the Anacostia Watershed Restoration Governance report (2005), the Partnership was designed to address three key challenges:

- Inadequate inter-jurisdictional and intra-jurisdictional coordination and implementation capabilities
- Insufficient long-term funding support
- Credibility problems with the watershed's citizenry

To address these challenges, the Partnership is organized around a four-part governance structure (Figure 6.2). The four parts include the following: Anacostia Watershed Leadership Council, Anacostia Watershed Steering Committee, Anacostia Watershed Management Committee, and subcommittees, including the Anacostia Watershed Citizens Advisory Committee. Further, the restructuring created an Executive Director position and continues to be supported by the Council of Government's staff.

The Management Committee, akin to the previous Anacostia Watershed Restoration Committee, is primarily charged with providing input on technical analyses on an as needed basis. According to an expanded version of the bylaws, "On an as needed basis, the Steering Committee will assign projects or tasks to the Management Committee in furtherance of the restoration effort" (2008).

The Leadership Council is comprised of the District of Columbia Mayor, the State of Maryland Governor, County Executives from Montgomery and Prince George's Counties, the EPA Region III Administrator, and the District Engineer of the Baltimore District of the US Army Corps of Engineers. It is charged with adopting the restoration plan and overseeing the plan's implementation and it is anticipated that this select group only meets once a year. According to the Staff Report for the Council of Government, "Ongoing support to the Leadership Council and active oversight of the watershed restoration will be provided by a steering committee and appropriate staffing" (2006, p.

4). However, many interviewed partnership participants were quick to point out that the Leadership Council has never convened.

The Steering Committee recommends plans for implementation based on the guidance of the Management Committee and Citizens Advisory Committee. It is comprised of a larger cross section of organizations with an interest in watershed restoration. The Steering Committee is comprised of representatives from the District of Columbia, Montgomery County, Prince George's County, Maryland Department of the Environment, Maryland Department of Natural Resources, EPA Region 3, Army Corps of Engineers, National Oceanic and Atmospheric Administration, AWCAC, higher education, private funding network, municipalities, National Park Service, a representation of environmental nongovernmental organizations, development industry, and green business. An appointed membership subcommittee is charged with making recommendations for membership expansion.

According to the Bylaws of the Anacostia Watershed Restoration Partnership,

The Steering Committee's principal purpose is to provide policy, program and financial oversight of the ecological restoration and protection of the Anacostia Watershed, including approval of the annual work program and budget for the Anacostia Restoration Executive Director and the Anacostia Restoration support activities of COG (2006).

Specific tasks include overseeing the partnership's organizational structure, including membership and expansion of committees, adopting funding strategies, making recommendations to the Leadership Council, and creating and promoting an outreach strategy to garner participation in the creation and implementation of a comprehensive restoration plan.

The AWCAC continues to function as it was originally set-up. According to its bylaws (1996),

The AWCAC shall endeavor to have many of its members associated with or knowledgeable of subwatershed groups and nonprofit groups interested in relevant aspects of the Anacostia Restoration effort. AWCAC members shall generally live, work or recreate in the Anacostia Watershed, or have another relevant connection to the watershed and its restoration.

Further, the Metropolitan Council of Governments (COG) is to support the administration needs of AWCAC. The Chairperson of AWCAC represents the committee during AWRC meetings and is given time on the agenda. The Chairmanship of AWCAC rotates between representatives from each of the jurisdictions within the watershed. In addition, a concerted attempt to organize subwatershed organizations throughout the Anacostia Watershed has strengthened citizen participation. Currently, there are subwatershed organizations active within 11 of the watershed's 14 subwatersheds (Table 6.1).

Table 6.2: Subwatersheds in the Anacostia Watershed

Subwatershed	Local Watershed Group
Sligo Creek	Friends of Sligo Creek
Northwest Branch	The Neighbors of Northwest Branch
Paint Branch	The Eyes of Paint Branch
Little Paint Branch	Friends of Little Paint Branch
Indian Creek	Citizens to Conserve and Restore Indian Creek
Upper Beaverdam Creek	Beaverdam Creek Watershed Watch Group
Still Creek	Friends of Still Creek
Brier Ditch	Friends of Still Creek
Northeast Branch	NA
Lower Beaverdam Creek	NA
Watts Branch	Watts Branch Community Alliance
Fort Dupont Tributary	NA
Pope Branch	Pope Branch Park Restoration Alliance
Hickey Run	NA

Source: Anacostia Watershed Restoration Partnership, 2009

These subwatershed organizations are supported by COG during their initialization period and it is hoped that members of each subwatershed organization will be a part of the AWCAC. The benefit of organizing as subwatersheds is that it tailors restoration plans to the specific attributes and conditions of the tributary, provides a familiar place and name for creating an identity with the tributary, and allows the organization to organize an outreach strategy that resonates with the unique characteristics of the community. The intended outcome is an increase in citizen awareness and engagement. It is hoped that representatives of the subwatershed groups will attend meetings of the AWCAC as a means of coordinating efforts, sharing information, and providing voice to the AWCAC chair who participants in AWRP Steering Committee meetings.

An Executive Director, currently Dana Minerva, was hired to oversee the activities of the partnership. According to one member of the steering committee, “Hiring an Executive Director who would lead and work on behalf of restoration has made a huge difference” (Howard, 2008). This person is able to coordinate events, budgets, and restoration goals. Having an Executive Director also means that there is one person whose full-time work is dedicated to the organization and advancement of the partnership. This is particularly important given the voluntary nature of AWCAC and the other work commitments of partners.

According to Hamid Karimi, Director of the Department of the Environment for the District of Columbia,

What [the new Partnership structure] has done, we have formalized everyone’s participation and are developing restoration plans. It has put specific things in a plan that says what various partners will do. We have also created a forum. It is very important to meet regularly even when you

disagree. When we agree, we celebrate and when we disagree, we openly disagree with each other. We are now to where everyone is finally getting to understand what it is we do, what we do not do, and what needs to get done to achieve our goals (2009).

While the new structure of the Anacostia Watershed Restoration Partnership defines the tasks laid out before each committee and member of the partnership, partnership participants recognize the important role of Anacostia residents.

The restoration of the Anacostia Watershed hinges on significant public works projects. At present, there is an apparent lack of investment in infrastructure. This lack of infrastructure investment has contributed to combined sewage overflow and a decrease in water quality and watershed health. The construction of sewage overflow tunnels requires a large public works project, which cannot be completed by community groups alone. As Linda Howard of the Summit Fund explains,

Anacostia is interesting. What we need to have happen requires government action and an influx of capital along with the right set of regulation and enforcement. We cannot just get a bunch of nonprofits together... Where the rubber hits the road is with the federal government coming up with two billion dollars and governments implementing the right policy (2008).

Norris McDonald, a longtime organizer in Anacostia agrees, “Outreach and education has its benefits, but you know that this will take a billion dollar congressional approval” (2009). Consequently, partnership leaders and participants perceive resident advocacy as important in moving restoration efforts forward.

From the perspective of partnership leadership, securing congressional support requires thoughtfully engaging a diverse set of participants in the restoration partnership, engaging citizens to demand that their governmental representatives invest in the restoration of the Anacostia Watershed, and communicating with some organizations or

individuals who are not afraid to engage in litigation when needed. Residents must make their support of the Anacostia Watershed clear. Hamid Karimi says, “Citizen participation in the process is imperative and they have to be involved...It will not get cleaned up if citizens do not ask for it. It will not get cleaned up if they decide they want lower taxes” (2009). Similarly, Linda Howard explains, “The Anacostia River is one of the only urban river restorations that was not initially driven by citizen upset...There has not been a grassroots driven restoration effort. And everyone knows that government is more responsive when there has been an outcry” (2008). However, getting residents involved in advocacy work and engagement also means increasing watershed awareness and advocacy in communities with traumatic histories of racial and economic discrimination and with other important, and often competing, concerns.

MAKING COLLABORATION WORK

The Anacostia Watershed encompasses 176 square miles of land throughout the District of Columbia and Maryland’s Prince George’s and Montgomery Counties. This large geographical scope translates to a large project scope for the Anacostia Watershed Restoration Partnership. There are many individuals, groups and agencies with a potential interest in the restoration of the Anacostia. Further, the District of Columbia, which is located downstream from its Maryland neighbors, bears the brunt of the river degradation while only containing 17 percent of the watershed within its jurisdiction. This translates to the jurisdiction with the least amount of watershed within its borders and the most disadvantaged citizenry within the watershed holding the highest stakes.

The unique characteristics of environmental justice conflicts combine with these factors to challenge the abilities of the partnership to engage residents and organizations

in the Anacostia community (Table 6.2). Partnership leaders and participants perceive the engagement of Anacostia residents as important because restoration efforts are dependent upon significant federal investments, which will only come if Congress feels pressure from constituents. However, while the partnership has created a collaborative process with space for citizen participation and offered capacity building opportunities, Anacostia residents have largely not perceived incentives to engage with watershed restoration efforts through the partnership.

Table 6.3: Unique Characteristics of Environmental Justice Conflicts that Challenge Assumptions

Conflict Dimension	Characteristic	Assumptions Challenged
Nature of the Issues	Human rights orientation Environmental justice frame	Incentives to Participate Incentives to Participate
Nature of the Process	Procedural injustice Information is suppressed or out of reach	Not Applicable Not Applicable
Nature of the Parties and their Relationships	Social location Traumatic histories of racial and economic discrimination Perceived power differentials Low Network Ties High distrust Incongruent communication norms	Incentives to Participate Incentives to Participate Not Applicable Nature of Opportunity Not Applicable Not Applicable

Incentives to Participate

Anacostia community members' incentives to participate in the partnership were influenced by their social locations, traumatic histories of racial and economic discrimination, and lack of issue salience. For parties to participate in a collaborative process, they must perceive incentives to participate. However, in this case, the unique characteristics of the conflict challenged the community members' abilities to perceive incentives to participate.

Traumatic Histories of Racial and Economic Discrimination

The lack of civic and political involvement in the Anacostia community is not surprising given their traumatic histories of racial and economic discrimination.

Relations between low-income residents of Anacostia and public agencies have long been strained. Urban development and housing relocation projects of the 1950s and 1960s displaced thousands of black residents and destabilized communities (Wennersten, 2008). Residents receiving public assistance were subject to “midnight raids” throughout the 1960s. The unannounced searches were conducted to confirm or rebuke eligibility requirements for public assistance (Bennett, 1995; Reich, 1963). Throughout this time, residents also distrusted police. When residents called the police to report activities of their neighbors, police often failed to protect the anonymity of the caller leaving them vulnerable to retribution from neighbors (Richardson, 2008). The strained relationships carry into the present.

Relations between community members and public agencies remain strained today. Residents distrust that public officials act in their best interests. Recipients of public assistance still experience discouragement and verification extremism (Bennett, 1995). As the city eyes new development projects, they often have their eye on the Anacostia community, igniting fears of gentrification within the community (Richardson, 2008). These experiences can contribute to feelings of anger, distrust of public staff, and disempowerment.

Social Location and Relationships to Place

The sociodemographic composition of the Anacostia community is different from other communities in the Anacostia Watershed. Anacostia has a higher percentage of

residents living in poverty, higher crime rates, and lower educational attainments. The majority of its residents are people of color. In describing the Anacostia neighborhood in the District of Columbia, Karimi says,

Anacostia is in a poor neighborhood...It has been a sociodisadvantaged community...When you are economically challenged, you have many challenges in your daily life: keep a roof over your head, feed your family: more elemental challenges. Environmental challenges do not become number one. This becomes a self-fulfilling prophecy. It is presumed they are not interested and so we do not worry about their participation. It is sad...When I originally started, there were kids who had never been canoeing on the river or fishing. That is just because no one has encouraged it or facilitated this for them (2009).

These attributes combined with geographical barriers create circumstances where the relationships between residents and the river are different from other areas of the watershed. The limited access to the river, negative perceptions of the river, and subsequent lack of issue immediacy combine with the issues of traumatic histories and political disempowerment to contribute to residents' lack of perceived incentives to participate.

Personal connections with the watershed are an important precursor to partnership participation. Of those interviewed, leaders of the AWCAC and subwatershed groups spoke about their own ties and connections to their local stream or creek. Further, they noted that many residents who are active in the subwatershed groups live or recreate near the stream or creek, "Most members live pretty near the stream valley park and is a key reason for their participation" (Smith, 2009). However, residents of Anacostia lack access to the river and do not perceive the river as an asset to their community.

Residents have limited access to the river because Highway 295 separates the Anacostia community from the river. This means that residents must drive to the river to

utilize the waterfront park space. In addition, residents have reported having a negative view of the river. One study sought to understand how different neighborhoods within Anacostia perceive the Anacostia River and how they define community. The study found that all of the communities within Anacostia have a negative view of the river (Kronthal, 1997).

Participants in each neighborhood associated the natural areas within their neighborhoods, such as overgrown lots, high grass, trees and underbrush, with criminal activity...Every participant was also aware of the pollution and the human health threats associated with the Anacostia River (Kronthal, 1997).

Overall, residents expressed concern over the cleanliness and safety of the river and riverfront space. Finally, the river does not play a central role in the daily life of Anacostia residents. Speaking on the connection between the Anacostia Watershed and residents, McDonald says, “The watershed is irrelevant to the community around it...I have done a lot regarding the Anacostia Watershed, but at the end of the day, what difference does it make to the person in Kelly Miller Public Housing?” (2009).

Leaders in Anacostia have made concerted efforts to provide residents with opportunities to meaningfully relate to the river. All of the Anacostia leaders interviewed have organized creek walks, canoe trips on the river, and clean-up events. McDonald describes, “[Residents] might have lived as close as a mile to the river, but never been on the river. So, I took them on the river and on creek walks” (2008). Similarly, the Anacostia Watershed Society regularly holds canoe trips on the river and other environmental organizations sponsor park clean ups and river walks. However, for Anacostia residents, their experiences with the river have not translated to partnership participation.

In an effort to better understand how to leverage support for the Anacostia River from a variety of stakeholders, the Summit Fund engaged residents from a variety of watershed communities in focus group conversations (2004). The study found that residents of the wards through which the Anacostia River runs, residents of other Washington D.C. wards, residents of Prince Georges County, and residents of Montgomery County have different experiences, knowledge, and dedication to the river and its restoration. Residents in higher income wards indicated that they do not have a lot of knowledge of or experience with the Anacostia River. Further, they are concerned about crime in the area and do not even know how to access the river. Upon learning that they lived in the Anacostia Watershed, residents of Montgomery County expressed a desire and responsibility to get involved in the restoration of the river. Residents of Prince Georges County have a negative image of the river and none of the participants expressed having a connection to the river, even upon learning that they live in the Anacostia Watershed. Of particular interest to the environmental justice organizations is the finding that residents of Washington D.C.'s fifth, sixth, seventh, and eighth wards have the most meaningful experiences with the river and are most aware of its condition; however, residents are also less civically and politically involved.

Issue Definition and Alignment with Organizational Goals

The range of social and ecological issues in the Anacostia Watershed is broad, encompassing industrial pollution, insufficient and aging infrastructure, stormwater overflow, litter, soil erosion, crime, poverty, empowerment, lack of access to clean water and green space, and more. To facilitate the setting of shared goals and promote collaborative problem-solving, the AWRP has been sensitive to how broadly they define

the scope of their work and maintained a focus on ecological restoration. Steve Pattison, current chair of the AWRP Steering Committee and with the Maryland Department of the Environment, describes the challenge of balancing the multiple interests with a specific focus, “We have tried to identify key players to get the job done, but there are so many parties with varied interests... We want to make sure everyone has the opportunity to be engaged but be sensitive to how broad we keep it” (2009). It can be more difficult to establish and maintain effective partnerships with broader community organizations that are juggling multiple concerns (Capacasa, 2008). However, the necessity of keeping the focus on ecological issues means that some parties with an interest in the watershed restoration do not feel like their interests are being met through the partnership. Consequently, their incentives to participate in the process are limited.

Organizations active within the Anacostia community tailor their environmental message to meet the needs of the residents. The District of Columbia’s “forgotten river” flows through many of the District’s “forgotten neighborhoods.” The Anacostia River flows between the District’s fifth, sixth, seventh, and eighth wards. These predominately minority wards also shoulder high violent crime and multiple polluting facilities. As Dennis Chestnut, an organizer of the Watts Branch Community Alliance describes, “When the discussion about the environment focuses on a set of issues that are not associated with the everyday priorities of Blacks a disconnection occurs. These worlds must come together in a practical way” (2009; p. 64). As such, organizations that effectively mobilize residents of Anacostia in restoration work focus on the social dimension of watershed issues.

Environmental organizations active in Anacostia, such as Washington Parks and People and Earth Conservation Corps, are dedicated to the betterment of the Anacostia River and the parklands that border the river. However, they view the restoration of these areas as a means of improving the lives of the community residents who live on its shores. As Steve Coleman of Washington Parks and People relates, “Our mission is very simple: Reconnect people with the land and use the land to reconnect people with each other. Frequently, bridging that disconnect means overcoming the hopelessness of citizens and the apathy of their leaders” (quoted by Hines, 2005). Through a campaign designed to connect residents with their land and with each other, Washington Parks and People has organized events that have removed 3000 tires, 120000 hypodermic needles and 40,000 bags of garbage from Watts Branch, a tributary to the Anacostia River, as well as towed 89 abandoned cars and trucks and planted over 1500 native trees. Further, by organizing clean up events, design competitions, poetry contests, and shoreline festivals, community leaders are civically engaging residents and equipping them with the tools and capacity to take action and advocate for their community and the Anacostia River.

Washington Parks and People has also partnered with former Sierra Club organizer and current Groundwork Anacostia DC Executive Director and Anacostia resident to revive the Watts Branch Community Alliance, an organization created to link residents with the Anacostia River and to make Watts Branch Park and creek safe places (Fennell, 2006). Earth Conservation Corps uses Anacostia River restoration efforts to empower and train youth for future employment in environmental education, advocacy, and media studies. However, the social nature of the organizational goals of these

organizations can be difficult to align with the more ecological focus of the partnership. Consequently, organizations and individuals actively working towards restoring the Anacostia River have largely not collaboratively engaged with the AWRP.

Brenda Richardson is a longtime resident and activist in Anacostia working to support women and families for over 30 years. She was brought into the environmental movement by Robert Boone of the AWS 20 years ago when he introduced her to nature as a spiritual refuge. Since then, she has voiced the connection between healthy rivers, healthy homes, healthy families, and healthy communities. She has participated in river cleanups, served on the board of the Earth Conservation Corps, and been an avid supporter of AWS and Earth Conservation Corps activities. However, she has not been involved with the Anacostia Watershed Restoration Partnership. For Richardson, the ecological restoration of the Anacostia Watershed is only one piece of the restoration efforts in Anacostia and the ecological focus of the partnership was a barrier to her participation. In describing why she has not been a part of partnership activities, she said, “I felt like [AWRC] issues were not our issues. I remember thinking, we could do more, but we did not” (2008). She did not feel as though the partnership was addressing the range of issues and constituencies present in the Anacostia community and watershed.

As the AWRP has been careful to focus the scope of their work on ecological issues, social organizations in the Anacostia community are also careful of how broadly they define the scope of their missions. Tom Arrasmith, the former chair of the AWCAC, recalled an experience shortly after the AWCAC was formed. Arrasmith was actively soliciting individuals and organizations to be a part of AWCAC and support the restoration work of the Anacostia Watershed. He recalls trying to encourage local

churches to engage in restoration work; however, he had little success in actually doing so. As he recalls,

I was overly optimistic on stewardship as it relates to the environment. They were willing to make improvements to their property, but they were reluctant to do more. They had bigger, more pressing issues: feeding and clothing the poor. Rightly so. I was told by my own minister that churches in the area had enough resources to do primary outreach and were reluctant to do more (2009).

In this instance, while the churches had an interest in the improvement of the river in their community, they did not have the resources to invest more fully in the restoration efforts as their primary organizational goals were more socially than ecologically oriented.

Nature of the Opportunity

Given the lack of perceived incentives to participate, residents of Anacostia have largely not engaged with partnership activities despite the opportunity to do so. The absence of a trusted and legitimate leader who is committed to the goals and structure of the partnership compounds the lack of perceived incentives as community members lack a trusted figure who can transform community approaches and perspectives to problem-solving. Furthermore, the culturally homogeneous composition of the AWRP led some Anacostia leaders to question the credibility of the partnership and the partnership's abilities to meet the needs of Anacostia residents.

Leadership

The Anacostia Watershed does not suffer from a lack of committed and energetic leadership. Dana Minerva, Linda Howard, Mary Barber, Norris McDonald, Tom Arrasmith, Robert Boone, and countless others have worked tirelessly to improve ecological and social conditions within the watershed. However, the partnership has yet

to secure the backing of a leader within the Anacostia community who is representative of the community's interests and able to motivate participation in the partnership.

Environmental Justice Leadership in Anacostia

Robert Boone is the founder of The Anacostia Watershed Society (AWS), an environmental justice organization that has been active in the region for 20 years. Although he is committed to restoration efforts within the Anacostia Watershed and has established legitimacy with residents, he recognizes that his leadership style is not conducive to collaborative approaches.

With a home office in Bladensburg, near the head of the river, AWS has been active in community organizing and watershed cleanup activities. The work of AWS is based on the recognition that there is a profound connection between the health of the river and the health of the people (Boone, 2008). According to its founder, Robert Boone, "We are here to defend the environment and the people who live here" (2008). Throughout the past 20 years, they have used litigation, educational programming, and collective action to support the community. By listening to community concerns and being clear about the organization's intentions to work on behalf of community interests, they have gained entrance and trust within the predominately black community.

Boone describes himself as very outspoken with a driven, take no prisoners attitude. He suggests that these personality traits were important in spearheading change. Others interviewed agreed with Boone's self-assessment. As his colleague Jim Connolly says, "Robert was the yeast in the dough... The agitator role in the beginning was a very needed role. Not everyone liked it or Robert, but it was needed" (2009). Of those who spoke about the leadership qualities of Boone, they all agreed that while his style was

often divisive and disliked, he opened the door to conversations that may not have been otherwise possible. However, as the nature of the issues in the Anacostia Watershed shift from awareness to implementation, Boone acknowledges that his personality and leadership traits may be outmoded.

Other leaders of environmental justice organizations who are genuinely representative of community interests and perspectives have not expressed a commitment to the partnership activities. The ecological focus, as opposed to social focus, of the activities of the partnership prevents community leaders from committing their time and energy to the partnership. As one community leader stated, “Their issues are not my issues” (Richardson, 2008).

AWRP Citizen Leadership

AWCAC leadership, particularly Tom Arrasmith, has played an important role in attracting and maintaining citizen participation in the partnership. Shortly after the creation of the AWCAC in 1996, citizen participation and group impact lagged. However, under the guidance of Tom Arrasmith, a retired resident from the District of Columbia who often kayaks on the Anacostia River, the committee took shape.

Arrasmith describes his early efforts to get people involved,

I put together a little presentation...I went around to talk to other organizations to get a list of names of people who had an interest in the subject or who were active leaders. I called them and offered to buy them coffee and explained why AWCAC is unique...that it is a way for citizens to talk directly to leaders (2009).

In addition to actively soliciting potential members, Arrasmith readjusted the structure of AWCAC.

Arrasmith worked to restructure AWCAC by setting aside the rules and creating a voluntary and informal organization. He also instituted a strong ethic of goal setting,

I am very much committed to setting specific objectives and working towards them...The objectives have to be measured. The first thing was to set goals for AWCAC. The few members were reluctant to set goals because they were unsure they could meet them. We set five to six for the first year, 1997...We missed every one of them the first year but we started getting across this idea that we should set goals and measure progress. Failure to set goals and measure them was a failure (2009).

Arrasmith credits the goal orientation of AWCAC for being able to attract and sustain members.

Current AWCAC members credit Arrasmith with cultivating a strong, active, and goal-oriented committee. Of Arrasmith's leadership, Connolly says, "He was a jolt of life. He joined and brought in a lot of new people and new energy...That legacy has lived on and there are a lot of good people involved" (2009). Current AWCAC chair, Mary Barber, says, "He came in during a rocky time and really revitalized AWCAC" (2009). Partnership leaders such as Arrasmith have been instrumental in garnering citizen participation. However, they have been less effective in garnering participation from residents of Anacostia.

The social locations of Steering Committee staff and members as well as AWCAC leaders are different from those of Anacostia residents. While partnership leaders tend to be white professionals, residents of Anacostia are predominately low-income, blue collar, and people of color. This suggests a disconnect may exist between partnership leaders and those they hope to encourage to participate. In turn, issues may not be framed and presented in ways that are salient to residents. Furthermore, the difference in social location and lack of cultural diversity within the partnership has lead

one potential participant to question the ability of the partnership to meet her community's needs. "There needed to be more people of color...[They] needed to be more engaged than they were," she said (2008).

Process Considerations

Although the AWRP has only minimally been able to engage environmental justice interests in Anacostia, the process is collaborative in nature. The partnership engages multiple parties in a process that aims to restore the ecological health of the Anacostia Watershed, a task none of the participants could do alone. The partnership uses agenda and goal setting activities to help motivate participation, achieve accountability, and align expectations of watershed restoration.

Engaging Multiple Participants

The involvement of diverse voices in the restoration of the Anacostia Watershed is recognized and perceived as important. As Andy Fellows of Clean Water Action describes, "Bringing diverse groups to the table strengthens everyone's voice. There is a richer outcome that represents broader consensus" (2008). Even though the implementation of the restoration will fall more squarely upon some participants, participants aim to ensure that a broad range of interests are involved in the restoration process. As the AWRP Steering Committee chairman Steve Pattison (2009) describes,

At the end of the day, it is really going to turn to the state to get things done. They have the principal regulatory tools to make sure the job gets done. But we also recognize that there are other key players: citizens, municipalities, the private sector, development, and green building... We have tried to identify key players to get the job done.

As the partnership moves forward, members have thoughtfully discussed and expanded membership.

The aim of the partnership's member expansion has been to bring bold and creative voices as well as additional resources. One member of the subcommittee for membership expansion expressed,

Restoration of the Anacostia Watershed is the product of lots of players....We need to think about who we want to have around the table to discuss and accelerate the process. In addition to agency folks, we need other voices of people who care about the river....We want to continue to expand the table to get more strong voices who can bring resources to the table (Howard, 2008).

The ability of the steering committee to bring bold thinkers to the table has brought energy and creative problem-solving to the table.

Members of AWCAC have voice within the partnership. AWCAC sits at the interface of the AWRP Steering Committee and subwatershed organizations. By convening meetings to discuss activities and concerns of the subwatershed groups, AWCAC has a relatively broad and unified understanding of what is happening throughout the watershed. The chair of AWCAC is then able to present this information to the Steering Committee. Many interviewed members of AWCAC and the AWRP Steering Committee felt that this arrangement has given the citizen's group a voice. According to Mike Smith, "[The Steering Committee] definitely listens to us...If we have a strong opinion, we can voice it" (2009). Steering Committee member and representative from the Montgomery County Department of Environmental Protection, Steven Shofar says, "The issues brought by AWCAC are taken pretty seriously. They have a voice with the Steering Committee. Some things may not be possible, but they are well represented" (2009). This representation and voice represents a change from the early years of the AWRC and the change has not gone unnoticed by community members.

Community members did not perceive the AWRC as being open to community perspectives. One community leader and activist stated of the Anacostia Watershed Restoration Committee, “They would not want to hear us. They did not want to entertain novel ideas and we were very intimidated. We were not allowed to speak our mind. There are more independent minds involved now after the restructuring” (Boone, 2008). Thus, this shift in membership is working not only to accelerate restoration efforts but also to improve public perception of the partnership and the involvement of citizens.

Some interviewed members of AWCAC appreciate that only one member of AWCAC sits on the Steering Committee of the AWRP as it frees them to engage in other power shifting activities. Jim Connolly of AWS explains, “There can be an advantage to not being entirely in the game. Sometimes we can be an outside agitator. We can put pressure on people and issues...Not being so intimately involved has allowed us to create more power as an outside voice” (2009). Outsider agitation has included the threat of litigation, which has played an important role within the partnership, “Litigation has been an important device to hold agencies and government feet to the fire” (Howard, 2008). The partnership, overall, has brought organizations that are willing to bring lawsuits and agencies to the same table.

Accountability to Problem-Solving

Members of the AWRP Steering Committee have implemented changes in the process to increase the accountability of participants. Two changes that the steering committee has implemented since the restructuring are the creation of a clear action agenda and set meeting schedule. The action agenda has set clear goals and holds members accountable for reaching these goals and reporting back to the group. As Andy

Fellows noted, “Developing action plans is important. It is not a novel idea but there is a good reason for it; have on paper issues that you can check off to make it focused” (2008). The Steering Committee meets every other month and the date for each meeting is set in advance. The action agenda and goal orientation of the partnership in combination with a set meeting schedule has increased the participation of additional agency decision-makers and allowed for better communication with residents.

The participants from the Army Corps of Engineers credit this reorientation of the partnership with reinvigorating their participation. Prior to the reorientation, the Army Corps of Engineers limited their participation in the partnership because of the lack of progress and advanced planning of the meetings. However, the new orientation has had an impact on the agency’s participation. One Army Corps representative commented,

Before the new structure, a representative would go to meeting after meeting after meeting and they were always talking and not doing. We thought it was a personal issue with our representative so we sent someone else who also got sucked into the same vortex. We made the conscious decision to pull back...The new structure of and in itself has helped...Now that there is a regular structure, you know the dates in advance. We now have our division chief attend regularly: she could not handle uncertainty before, so it got pushed down to staff. The folks at a higher level could not handle it. This is a definite improvement (2009).

This new structure also facilitates the partnership’s ability to share information with residents. According to Steve Pattison, “We publish an action agenda that outlines commitments from partners. It is updated every year so that citizens will know what has been done and will be done” (2009).

Setting Goals to Motivate Participation and Align Expectations

The partnership has embraced goal setting as an important means of measuring progress and ensuring accountability. However, in a complex and long-term restoration

project, setting goals that demonstrate progress and accountability without losing sight of the larger restoration goal can be challenge. Further, it can be a challenge to keep both participants and citizen observers motivated throughout such a long-term project. As Hamid Karimi of the Department of Environment in the District of Columbia describes,

Another challenge that is inherent in large restoration work is being able to look at your goals, develop realistic short-term goals that are achievable, but not forget about ultimate long-term goals...The challenge is not to be distracted from [the] larger goal of total restoration when we are demanded to have something done now...How do you communicate to folks that it takes decades [to restore the river] but provide them with incremental progress to keep them involved and engaged (Karimi, 2009).

Steve Pattison agrees that it can be a challenge to keep people motivated in such a long-term and daunting project.

Pattison stresses the importance of using the short-term goals and accomplishments as a means of garnering continued support. He explains,

Documenting progress is important. Because [watershed restoration] is such a daunting challenge, it is easy to feel overwhelmed...We need to recognize and give ourselves credit for what we have done. When we get overwhelmed, we can go back to this and see that we are making progress (2009).

Another challenge in goal setting is meeting the various definitions of restoration success. Karimi (2009) explains,

Restoration means different things to different people. For some, to not have trash is good...Others want to fish or swim in [the river]. Others want to keep their property values up. Those goals are very different from each other. To be able to eat fish from the river may take decades. To be trash free may take one or two years.

Jon Capacasa of EPA's Region III also notes the different viewpoints of success held by agencies and organizations familiar with environmental restoration and citizens, "Many citizens are under the impression that a complete restoration project can be completed in

a 2-3 year time frame” (2008). Unfortunately, urban river restoration projects take much more time.

To address the issue of citizen expectations and goal alignment, Capacasa stresses the importance of being able to clearly communicate expectations and realities, “The process, indicators, strategies must be transparent. The public must be able to view and have input on what is happening” (2008). Linda Howard seconds this assertion, “The progress is slow. You have to tell the truth” (2008).

Capacity Building

Members of AWCAC have attempted to play an important role in engaging their neighbors and peers in restoration work at both the stewardship and advocacy levels by organizing and hosting workshops for citizens. For example, in November 2008, approximately 50 citizens attended a workshop on Strengthening Stream Stewardship. During the workshop, subwatershed group members from throughout the watershed and county officials gave presentations on fundraising, diversity, and citizen engagement with government representatives (AWCAC, 2009). Earlier, in March 2008, AWCAC hosted a summit on stormwater management.

On March 7, 2009, AWCAC hosted the Anacostia Watershed Advocacy Workshop. The workshop brought together 42 participants to learn about effectively advocating for their watershed. In June 2009, AWCAC hosted their second workshop on citizen advocacy within the Anacostia Watershed. According to promotional materials for the workshop, “At this participation-oriented workshop, facilitated breakout sessions will help citizens become more effective environmental restoration advocates (AWCAC, 2009). Over 55 citizens and elected officials attended.

Each event has worked to build the capacities of watershed residents. While approximately 40 -55 people have participated in each event, this number includes residents from all of the watershed's jurisdictions, including Montgomery and Prince George's Counties. This suggests that participation from any one jurisdiction, particularly Anacostia, has not been overwhelming.

CONCLUSION

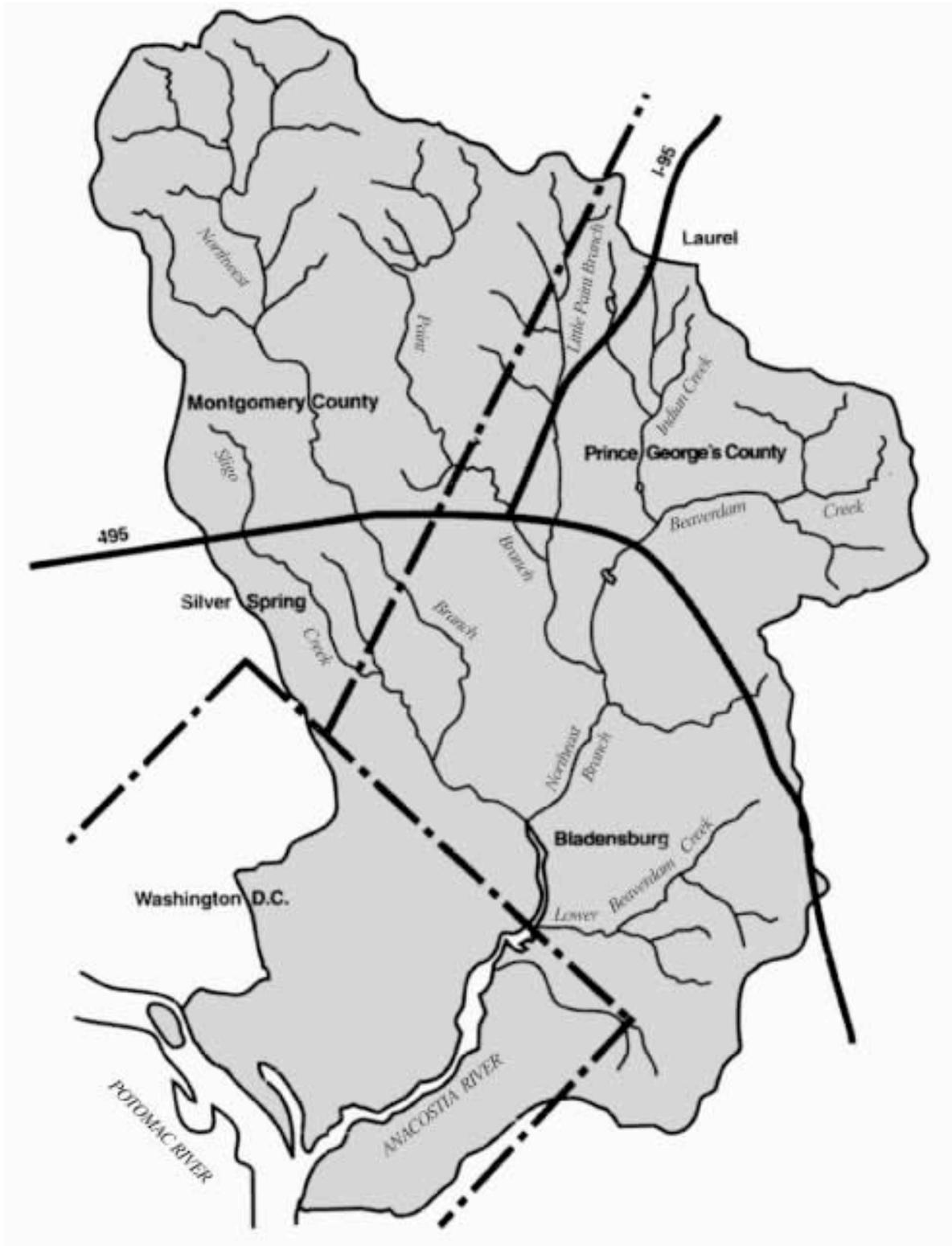
While the efforts of subwatershed organizations to care for their local creeks and tributaries are vital to the overall restoration plan of the Anacostia Watershed, the Anacostia Watershed restoration cannot be accomplished by community and nonprofit organizations alone. A significant problem in the Anacostia Watershed is the combined sewer overflow. To combat this problem, the financial resources and commitment to upgrade the city's infrastructure must be leveraged. Part of this leverage will come from the residents of the Anacostia community who, according to members of the AWRP Steering Committee, must use their power as constituents to drive public representatives to action. As such, the participation and coordination of citizens groups, in Anacostia itself and the greater watershed, is important to meeting the goals of the AWRP. AWRP leaders have accordingly provided staff support to facilitate their activities.

The AWRP and AWCAC have worked to develop structures designed to allow subwatershed organizational leaders to tap into a common resource pool, facilitate subwatershed group organization and coordination, provide strategic insight and advocacy tools, and give citizens a voice in the larger watershed restoration effort. The partnership works to build capacity by providing advocacy training and centralizing the message that the subwatershed groups relate to decision-makers. In return, the

participation of residents in the AWRP provides the partnership with the necessary credibility and legitimacy to approach elected and public officials on issues of watershed restoration. However, residents of Anacostia have largely not engaged in partnership activities.

Traumatic histories of racial and economic discrimination, social location, and the salience of social issues over ecological issues have influenced how residents perceive incentives to engage in the partnership. Further, the absence of trusted and legitimate leaders with a collaborative nature and interest in the partnership, has allowed opportunities to participate in the partnership and capacity building activities to go unanswered.

Figure 6.1: Map of Anacostia Watershed



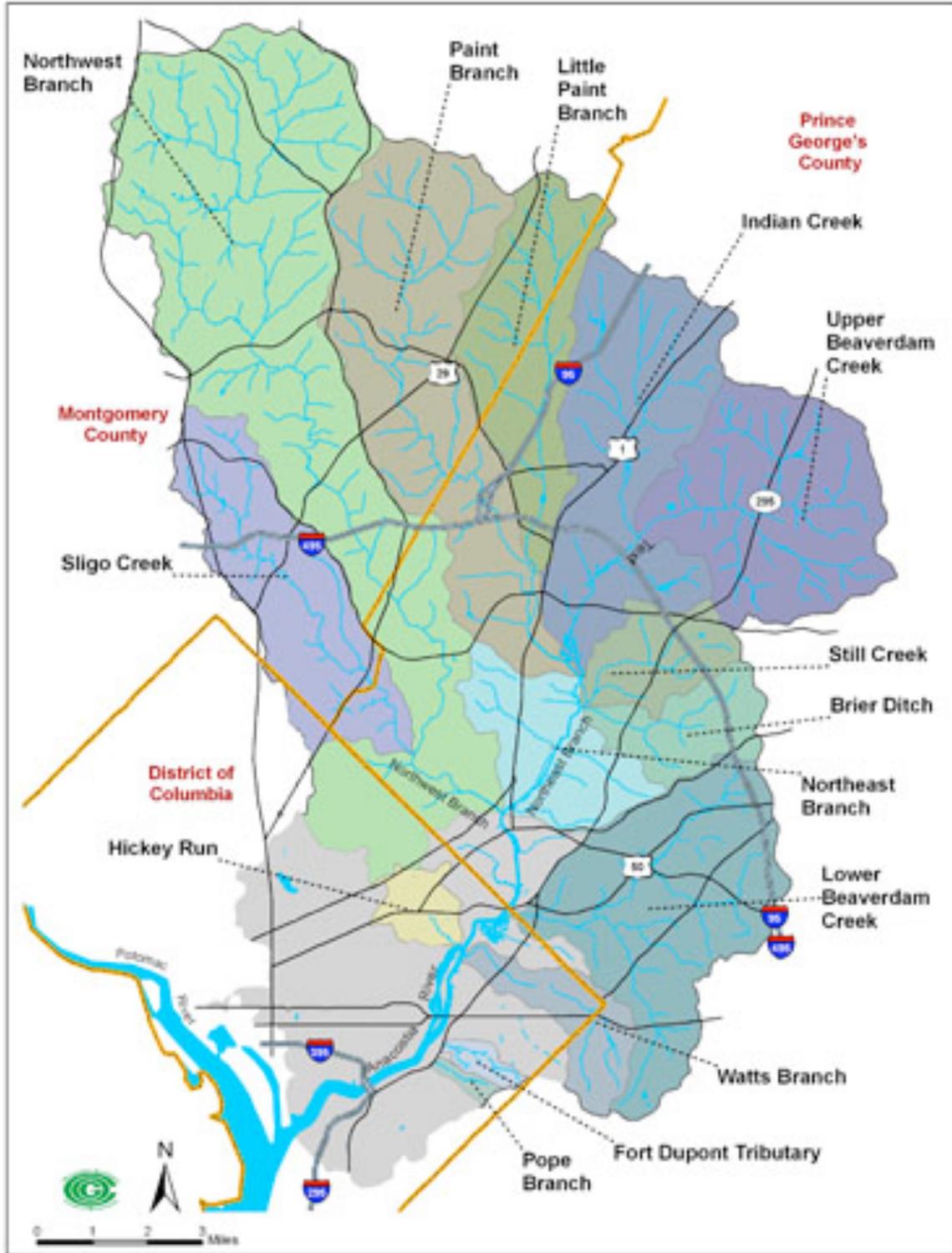
Source: The Ecological Cities Project (2009)

Figure 6.2: Anacostia Watershed Restoration Partnership Structure



Source: Metropolitan Washington Council of Governments (2009)

Figure 6.3: Map of Subwatersheds within the Anacostia Watershed



Source: Metropolitan Washington Council of Government (2009)

CHAPTER VII

**FACTORS CHALLENGING AND FACILITATING COLLABORATION IN THE
CONTEXT OF ENVIRONMENTAL JUSTICE CONFLICTS**

Analyzing the collective experience of those involved in the Harlem Piers planning process, Richmond General Plan update process, and Anacostia Watershed restoration effort case studies, this research sheds light on how the unique characteristics of environmental justice conflicts have bearing on the application, structure, and functioning of a collaborative process. Chapter Three outlined the characteristics that make environmental justice conflicts different from environmental conflicts, more generally. While the unique characteristics of environmental justice conflicts could be identified at the outset of this research, the impacts of these characteristics on collaborative problem-solving in environmental justice conflict situations were unknown. This chapter will use the insights gained from the case studies to fill this informational space by discussing the ways the unique characteristics impacted collaborative problem-solving efforts in each case study, paying particular attention to the ways in which perceptions of incentives, recognition of opportunities, nature of processes, and capacities to effectively engage were influenced.

IMPACTS OF UNIQUE CHARACTERISTICS OF ENVIRONMENTAL JUSTICE CONFLICTS ON COLLABORATIVE PROBLEM-SOLVING

This research began with a description of characteristics that distinguish environmental justice conflicts from other types of environmental conflicts (Table 7.1). In particular, environmental justice conflicts vary in the nature of the issues involved, the process of engagement, and the parties' relationships. These variations impact collaborative problem-solving processes in environmental justice conflict situations.

The unique characteristics of environmental justice conflicts impact collaborative problem-solving processes by affecting perceptions of interdependence, feelings of appreciation, levels of trust and distrust, experience and capacity for collaborative problem-solving, and whether or not salient issues are recognized and acknowledged. In turn, the unique characteristics of environmental justice conflicts impact if and how opportunities to participate are recognized, incentives to participate are perceived, the nature of the process, and capacities of participants to effectively engage. This chapter will identify and discuss the specific impacts of each unique characteristic of environmental justice conflicts. When possible, strategies used by communities and organizations to overcome challenges presented by the unique characteristics will also be identified.

Table 7.1: Impacts of Unique Characteristics of Environmental Justice Conflicts

Conflict Dimensions	Characteristics	Impacts
Nature of the Issues	1. Human rights orientation <ul style="list-style-type: none"> • Right to community-determination • Right to fair and just treatment • Right to sustainable and livable community 	Heightens salience of community-determination framing
	2. Environmental justice frame <ul style="list-style-type: none"> • Race, gender and class inequalities • Racism and discrimination directed at minorities • Economic discrimination • Connect social and ecological issues in identification, definition, and solution • Lack of access to resources and/or amenities • Denied participation in projects and decision-making processes 	Challenges perceived interdependence; Challenges parties' abilities to perceive and express appreciation; Raises expectation that injustices will be acknowledged
Nature of the Process	3. Information is suppressed or inaccessible <ul style="list-style-type: none"> • Relevant information withheld from parties • Information presented in highly technical format • Information not available in native languages 	Heightened attention to transparency
	4. Procedural injustice <ul style="list-style-type: none"> • Processes where voices are not heard or considered • Decisions made with no opportunity for community input 	Limited participants' experience and capacities for participation; Increased distrust

Nature of the Parties and their Relationships	5. Traumatic histories of racial and economic discrimination <ul style="list-style-type: none"> • Decisions made at community's expense • Neglect • Stressful living environment 	Increased distrust
	6. High distrust <ul style="list-style-type: none"> • Agreements not upheld • Unfair treatment 	Limited incentives to participate; Heightens importance of who and how opportunities to participate are presented
	7. Social location <ul style="list-style-type: none"> • Socio-economic background of the community • Socio-economic background of other parties to the conflict and decision-making process 	Challenges the building of affiliation and common identities; Presents logistical challenges and considerations; Challenges abilities to recognize salient issues
	8. Low Network Ties <ul style="list-style-type: none"> • Existing relationship with other parties engaged in conflict situation • Presence of collaborative leadership 	Increases importance of collaborative leadership qualities on both sides of the aisle
	9. Perceived power differentials <ul style="list-style-type: none"> • Differential access to knowledge, resources and connections • Perceptions that other parties can use access to resources to ensure their own interests are met over the interests of others 	Limited perceived incentives to participate
	10. Incongruent communication norms <ul style="list-style-type: none"> • Use of different presentation and discussion formats 	Stifled dialogue

The Nature of the Issues

Investigating the issues and problems within a conflict assessment involves focusing on the substantive dimensions of the issues in conflict, including both symbolic and tangible issues. When assessing the issues of a conflict, questions may be asked about how parties perceive the issues and their interests in the issues. Information regarding data uncertainty and needs, perceived value differences, and stated positions may also be probed. Probing this information allows conveners and parties to better understand the issues underlying the conflict and, in turn, informs the issues that are included for discussion. However, the nature of environmental justice issues is unique from the nature of the issues of environmental conflicts, more generally. These unique characteristics may not emerge in a traditional conflict assessment, but they have the potential to impact the structure and functioning of a collaborative process.

The issues embedded in environmental justice conflicts contain two unique characteristics. First, the issues in an environmental justice conflict are human rights oriented. Human rights, such as the right to community-determination, the right to be treated fairly and the right to sustainable and livable communities are deeply embedded in the values of the EJM. Second, the issues of concern in environmental justice conflicts are framed in ways that highlight the complex connections between social inequality, including dimensions of racism, classism, sexism, and discrimination, and ecological conditions. Consequently, a broad set of issues that include, but are not limited to, historical and contemporary issues of employment, housing, education, and health can all be framed as issues of environmental justice. This section will discuss how the unique

nature of environmental justice issues impact collaboration problem-solving processes in environmental justice conflict situations.

Characteristic 1: Human Rights Orientation

Environmental justice issues are human rights oriented. Issues of democratic accountability, community-determination, autonomy, rights to economic livelihood, and rights to sustainable and livable communities are prominent in the values of the EJM (Taylor, 1993; Taylor, 2000). As discussed in the next section, such values are present in the issues in each case study (Table 7.2). However, while the human rights orientation of the issues in each of the cases studied is similar, the impacts of this orientation vary across cases. In the Harlem Piers planning process, the human rights orientation of the issues was used to incentivize participation and spur the creation of the Harlem-on-the-River planning process that, in turn, paved the way for a collaborative process with city agencies. However, in the Richmond General Plan Update process and Anacostia Watershed restoration efforts, the human rights orientation of the issues did not facilitate collaborative problem-solving. The difference in outcomes appears to be related to how the human rights issues were leveraged to motivate community participation.

Table 7.2: Human Rights Orientation of Environmental Justice Cases Studied

Characteristics	West Harlem	Richmond	Anacostia
Right to community-determination	√	√	√
Right to fair and just treatment	√	√	√
Right to sustainable and livable community	√	√	√

The environmental justice issues present in each case had a human rights orientation (Table 7.2). Embedded in the broad context of each case were arguments about rights to fair and equal treatment, the right to live in a sustainable and livable community and the right to self and community-determination. In each community, comparisons were drawn between the conditions and treatment of the environmental justice community and higher income and/or predominately white neighbors in the region. For example, it has been noted in the Anacostia community that the Potomac River, which flows through the city's higher status communities, has been the focus of intense restoration efforts while the Anacostia River has largely been ignored until recently. Comparisons are drawn between the environmental conditions in Richmond and neighboring Bay Area communities, such as Oakland and Berkeley. Residents of West Harlem have long recognized that their voices are muted while the interests of their downtown neighbors are met.

All three communities were faced with polluting facilities and a lack of environmental amenities, such as park space, which created unsustainable and unhealthy living conditions for community members. For example, organizers in West Harlem highlight how the community struggles with urban pollution and high rates of asthma while lacking access to the quantity and quality of natural spaces that present opportunities for increased community interactions and recreation and that are enjoyed by residents downtown. Toxic substances, such as lead, arsenic and asbestos are disproportionately high in Richmond. Furthermore, organizers are working to ensure to access to safe green spaces for all Richmond residents. The Anacostia River is polluted with toxic substances, such as heavy metals and PCBs, and organizers, like those in

Richmond and West Harlem, are working to ensure safe and accessible recreational spaces for residents.

Finally, in each situation there was an element of resistance against outsider control of the development and condition of their community. For example, residents of Richmond have expressed discontent with the high level of power that they perceive Chevron, and other industrial interests, possessing in regards to community decisions. Residents of Anacostia are fearful that neighboring redevelopment projects will result in gentrification and West Harlem residents organized the Harlem-on-the-River planning process in response to land use plans created by outsiders without resident input.

While the issues in all three cases had human rights orientations, only in West Harlem was the right to community determination prominently used in the issue framing to promote a proactive community response. As discussed below, organizers in West Harlem used the right to community determination to frame the issues and motivate participation in the Harlem-on-the-River planning process.

Characteristic 2: Environmental Justice Frame

Environmental justice issues are framed to highlight the interconnections between injustice, discrimination, race, and class. The environmental justice frame brings together historical, social, economic, and ecological dimensions of environmental problems in an effort to highlight how environmental inequalities are a current outcome of historical and present day discriminatory practices and structural inequalities. Consequently, environmental justice frames are not just about the environment. Instead, they also relate to issues of employment, housing, access to health care, workplace safety, and education (Schlosberg, 1999; Pulido, 1996; Taylor, 2000). This framing is designed

to attract attention, build broad social support, and instigate change. As discussed below, the specific frames employed in each case (Table 7.3) impacted collaborative efforts. In two of the cases, the framing of the issues challenged parties' abilities to perceive interdependence and to present meaningful opportunities for participation, resulting in limited perceptions of incentives to participate. In the West Harlem case, the framing of the issues motivated participation, but challenged the abilities of parties to recognize and appreciate the efforts of all parties.

Table 7.3: Framing of Environmental Justice Issues

Characteristics	West Harlem	Richmond	Anacostia
Environmental justice as a goal of participation in decision-making processes and projects	√	√	
Inequitable access to resources and amenities	√	√	√
Connection of social and ecological issues in issue identification, definition and solution	√	√	√
Racial and economic discrimination	√	√	√
Race, gender and class inequalities	√	√	√
Community-determination	√		

Parties in each of the case studies examined framed the issues in similar ways (Table 7.3). In Anacostia, community organizers framed environmental issues in terms of inequitable access to resources and amenities, including park spaces, as a result of discriminatory actions. They defined the issues in terms of neglect. They assert that the negligent treatment and management of the Anacostia River is a reflection of the negligent treatment experienced by residents in the community. Furthermore, the

negligence of the Anacostia River and community benefits district residents in more affluent communities as environmental hazards and undesirables, such as incinerators and power plants, are located in Anacostia. Finally, as new development begins to encroach into the area, issues are increasingly defined in terms of equitable development and preventing gentrification.

Organizers in Richmond employ a similar framing strategy. Organizers in Richmond often use the phrase, “reclaiming Richmond for residents” to frame the current social and environmental struggles in the city. Environmental organizers, city council members and journalists have used the phrase in interviews and in print and online news stories. The phrase is intentionally broad and used in a variety of social contexts, including reclaiming jobs, affordable housing and the Richmond shoreline. It is used to define the issues in terms of an inequitable distribution of resources in the city, including access to the Richmond shoreline, as a result of discriminatory actions and a decision-making structure that favors the interests of corporate actors and developers over its low-income and people of color residents. The frame also defines the issues as being a result of an unresponsive city staff and public representatives. Unlike Anacostia though, the frame uses the term “reclaiming” as a call for greater citizen voice in decision-making.

Like Anacostia and Richmond, organizers in West Harlem framed the Harlem Piers in terms of inequitable access to resources and amenities and racial and economic discrimination. They emphasized how efforts to restore waterfront amenities were taking place in downtown communities while the West Harlem waterfront remained underutilized and inaccessible. Similar to the other two cases, they also framed the issues in ways that connected social and ecological health and promoted community

participation. Finally, similar to Richmond, the frame promotes greater access to decision-making structures. However, organizers in West Harlem elevated community determination in their framing of the issues. Furthermore, the community determination frame is more radical than the community participation frame employed in Richmond. Organizers in West Harlem were not calling for residents to be able to have voice in a city process, they were creating their own process.

Framing the issues in terms of community determination appears to be paramount given the human rights orientation of the issues

The framing strategy employed by environmental justice organizers in West Harlem exhibits a notable departure from the framing strategies used in the other cases. The human rights value of community-determination was prominent in the framing strategy employed in West Harlem. The community determination frame used by organizers in West Harlem aided the community's ability to collaboratively engage in collaborative problem-solving, both within and outside the community. The strong community determination frame was salient for the community because, in the past, developers from outside the West Harlem community had promoted independently-created plans for the Harlem Piers area that would hinder community access to the waterfront. Furthermore, the frame moved the community beyond problem identification and suggested a proactive stance that charged community members with envisioning and creating the reality they sought. As such, the frame motivated participation in the Harlem-on-the-River planning process. With the presence of a carefully and collaboratively constructed plan for the waterfront, the community was able to garner attention from the press and public officials. Furthermore, it was a signal to other parties, such as the NYCEDC, that community members were capable of working collaboratively

to create feasible plans for the waterfront. Consequently, through a variety of pathways, the community-determination frame helped to enable collaboration.

The same focus on community-determinism is present in the framing strategy used by organizers of the Rheem Creek visioning project, a smaller and more localized collaboration in Richmond. This project was also successful in motivating community participation, particularly among the African American population in North Richmond. In contrast, while the framing strategies employed in Richmond and Anacostia are salient to community residents, they challenged parties' abilities to perceive interdependence and, thus, incentives to participate.

The use of different issue frames challenged parties ability to perceive interdependence

Perceived interdependence is a precondition of collaboration. When interdependence is perceived, parties recognize that they are not able to address their interests without working with the other parties, regardless of whether or not working together is desirable (Gray, 1985; Wondolleck & Yaffee, 2000; Daniels & Walker, 2001; Folger, Poole, & Stutman, 2005). Without perceived interdependence, potential participants have few incentives to engage. As Daniels and Walker (2001) write, "Without interdependence, there is little need or opportunity for meaningful interaction...When the disputants perceive interdependence, the prospect for direct, constructive communication to deal with the conflict begins to improve" (p. 31). The framing strategies employed by parties in each case study impacted whether or not interdependence was perceived. In turn, perceptions of interdependence, or lack thereof, impacted whether or not opportunities to collaborate were recognized and seized in each case.

Perceptions of interdependence are limited in Anacostia because potential participants did not see the interconnections between the social issues of concern to the community, including equitable access to safe public spaces, and the ecological issues being addressed by the partnership. Consequently, they did not perceive a need to work with the AWRP in order to address their issues of concern. As mentioned above, the environmental justice frame is not just about the environment. It encompasses and connects a broad array of social issues with environmental issues. Furthermore, also discussed above and highlighted in Table 7.3, environmental justice parties in the Anacostia Watershed restoration efforts used components of the environmental justice frame to define the issues in their community. However, the Anacostia Watershed Restoration Partnership framed the partnership as a means to improve the ecological quality of the watershed. Their mission is “re-establishing as much of the original ecosystem as possible,” through reducing pollutant loads, enhancing aquatic diversity, restoring fish populations, increasing the quantity and quality of wetlands, and expanding forest cover (Anacostia Restoration Agreement, 1999). In framing and presenting the partnership as such, the salient issues to potential community participants, such as equitable access to resources and development, were not present. Consequently, perceptions of interdependence were limited.

The issue frames employed in Richmond define issues in terms of inequitable access to resources as a result of discriminatory actions and city unresponsiveness. This framing defines the issues in ways that highlight past distributive and procedural injustices and, perhaps unintentionally or implicitly, emphasizes practices that have built distrust within the community. Consequently, while parties are working together to

create an updated General Plan for the city, they are also exploring pathways other than the General Plan for reaching their goals. For example, proponents of Richmond's North Shoreline preservation have been able to secure acreage along Richmond's Breuner Marsh through eminent domain by working with the East Bay Regional Park District. As alternate pathways for achieving goals are explored and realized, perceptions of interdependence are diminished.

In contrast, organizations in West Harlem perceived interdependence and used this interdependence to promote community participation. Community leaders recognized that because NYCEDC held control over the land parcel, they would not be able to implement a community driven plan without NYCEDC support. NYCEDC staff, in turn, recognized that any unilateral decision would be met with strong community opposition that could hinder the implementation of other plans. Consequently, key parties perceived interdependence. Furthermore, community leaders used this recognized interdependence to frame participation as a means of achieving environmental justice through community determination and the creation of a shared vision.

Framing issues in ways that connect past and present struggles can hinder parties' abilities to perceive and express appreciation

The environmental justice frame presented a challenge to participants' abilities to recognize and appreciate the efforts of other parties in the NYCEDC planning process in West Harlem. Appreciation in this context means recognizing the merits of the efforts, thoughts, and feelings of others and demonstrating to them that you recognize these merits (Fisher & Shapiro, 2005). When one feels appreciated, he/she is more likely to listen and cooperate. Furthermore, when both sides feel appreciated, there is a greater likelihood that wise agreements will be made and implemented (Fisher & Shapiro, 2005).

“Appreciate others can be taken as a shorthand, all-purpose guide for enlisting helpful emotions in those with whom you negotiation,” write Fisher and Shapiro (2005).

While the environmental justice framing strategy employed in West Harlem motivated community participation, it unintentionally challenged parties’ abilities to express appreciation. Residents and organizers have struggled for decades to enhance access to environmental amenities in the West Harlem community. As a part of these decades-long struggles, they have attempted to gain access to, and redevelop, the Harlem Piers site as a safe and inviting space for community use. While collaborative planning efforts at the site began in the late 1990s, organizing efforts at the site date back over forty years. Furthermore, the redevelopment of the Harlem Piers Park represents one step towards achieving justice in the community. As such, the Harlem on the River planning process was framed as an opportunity for community members to determine how a piece of land long denied them would be used. It was framed as one effort, among many, that would help the community achieve environmental justice. However, for other participants, such as the NYCEDC, the efforts to reclaim the Harlem Piers began more recently in the late 1990s. Furthermore, the project is perceived as an independent planning project, not as one piece of a larger movement for justice. Consequently, other parties did not recognize and appreciate the full range of efforts and struggles experienced by the community. Additionally, other parties did not feel that community members expressed appreciation for their tireless efforts to make the vision reality.

This lack of recognition and appreciation created feelings of frustration between participants as all parties felt they were dedicating tremendous time and energy to the project, but that their efforts were unrecognized by others. These feelings stemmed from

events where community participants would harshly question the time and efforts being dedicated by NYCEDC staff without making an effort to understand, for example, the multiple steps and permissions needed to obtain proper permits. Similarly, when community members and organizers were asked to be patient during the permitting and implementation phases, it was rarely recognized that community members and organizations had been waiting for years, not weeks or months. The long-standing patience of community members was not perceived or appreciated by city agencies. The environmental justice frame exacerbated this dynamic because parties were grounding their expectations in different contexts. Ultimately, this lack of recognition and appreciation did not prevent the collaboration from moving forward. However, some interviewees speculated that greater recognition could have strengthened the relationships between the participants.

Using an injustice frame sets an expectation that injustice will be acknowledged in the process which, if not met, may result in disengagement

By framing the issues in a way that highlights racial and economic inequality and discrimination, organizers implicitly built an expectation among community participants that such issues will be addressed in the collaborative process. Consequently, opportunities for participation were not perceived as meaningful when space was not provided for the acknowledgement and discussion of past injustices. Meaningful opportunities are processes that have great value or significance to participants. As discussed below, the lack of space for the acknowledgement and discussion of past injustices has hindered collaborative efforts in the Anacostia Watershed restoration process and Richmond General Plan update process. In contrast, the acknowledgement

of and space for discussing past and current injustices has facilitated collaboration in the Harlem Piers planning process.

As previously discussed, the inequalities in access to environmental amenities as a result of racial and economic discrimination were embedded in the framing strategy employed in West Harlem. In keeping with the themes highlighted in the frame, time and space to acknowledge and discuss current and past injustices were built into the Harlem Piers planning process. A trusted and charismatic community leader who was knowledgeable about community issues and dynamics facilitated opening discussions. (The important presence of such an individual will be discussed later in this chapter). The opening dialogue enabled participants to air their varied concerns about working with NYCEDC and neighboring communities and allowed organizers to acknowledge and respond to concerns. In doing so, participants gained an understanding of common concerns and, subsequently, had these concerns and their perspectives legitimized. Subsequently, with such concerns aired and legitimized, participants were better able to focus on the Harlem-on-the-River planning process. The open dialogue early in the process also helped to ensure that issues stemming from historical events and relationships would not emerge later in the process and derail the collaborative effort.

Similar to West Harlem, organizers of the Rheem Creek visioning process in Richmond employed a frame that highlights discrepancies in environmental quality as a result of racial and economic discrimination. Subsequently, collaborative efforts to protect and restore the Rheem Creek watershed have acknowledged the injustices experienced by the community. As part of the efforts of environmental organizers in the Rheem Creek watershed to spread awareness and build community support for the

watershed, a video introducing the concept of environmental justice and providing examples of environmental injustices in Richmond was created, distributed, and made available online. In addition, an opportunity for community members and participants of the Rheem Creek visioning process to visit neighboring China Camp State Park was built into the visioning process. China Camp State Park is located across the San Pablo Bay from the Rheem Creek watershed and has been well protected and preserved by its higher income residents and government representatives. The trip to China Camp heightened the recognition of community members that Richmond has suffered environmental degradation and also provided an opportunity to discuss environmental inequalities and their consequences in concrete terms. The video and trip to China Camp were ways of clearly acknowledging past and current injustices and initiating dialogue around these injustices.

Few residents of Anacostia have engaged in partnership activities. As previously discussed, community members and organizations active in the Anacostia community are framing the issues differently from members of the AWRP. Space has not been created within the partnership for community members to address the issues of most importance to them, including the acknowledgement of current and past injustices. Further, the partnership does not provide an opportunity for them to address important issues in ways that they could not do without the aid of the partnership.

Residents, organizers and select public representatives perceive environmental injustices in Richmond and have encouraged community members to participate in the General Plan Update process by framing the update process as an opportunity to have voice in the future direction of Richmond and as an opportunity to ensure that issues of

equity and environmental quality are central to future plans. However, like in Anacostia, space has not been created within the General Plan update process for the acknowledgement and discussion of such issues. This lack of space contributes to previously discussed community responses, including community members' disengagement from the process and parties' desire to pursue other avenues for having their concerns met.

The Nature of the Process

An examination of the procedural dimension of a conflict is important to understand how and why traditional problem-solving processes have failed to manage the conflict. The assessment investigates the ways conflicts have been managed and decisions made in the past. This information, along with information about the issues and parties, allows for the creation of a collaborative process that rectifies or circumvents shortcomings of past procedures. Shortcomings of traditional environmental justice conflict management processes include procedural injustices and the suppression or inaccessibility information.

Characteristic 3: Suppressed or Inaccessible Information

Residents of environmental justice communities do not always have access to the information needed to be informed participants in a decision-making process (Capek, 1993; Blumberg and Gottlieb, 1989; Cole and Foster, 2001; Kuehn 2000). The suppression of information or the technical presentation of materials is often used as a means of preventing community response (Kuehn, 2000; Cole and Foster, 2001). The suppression or inaccessibility of information was not specifically addressed in the case studies. No interviewee spoke of challenges to collaboration associated with suppressed

or inaccessible information. Furthermore, relevant meeting notes, press releases, news articles, and project proposals did not suggest the presence of issues stemming from inaccessible information. As such, a robust discussion of the suppression of information in each case and the impacts of this unique characteristic on collaborative problem-solving in environmental justice conflict situations is difficult. However, access to information was discussed by organizers of the Harlem Piers planning process as a way of creating focus, ensuring sensitivity, and building trust through transparency. Furthermore, a community organizer in Richmond and interviewees in Anacostia addressed how the communication of information can facilitate community interest and participation in an issue.

The open sharing of information may assist in creating focus and sensitivity among and between participants

While participants brought their own experiences and knowledge of the Harlem Piers site to the process, the distribution of common information helped parties begin the process on level ground and focus on envisioning the future of the site. At the start of the Harlem-on-the-River planning process, information packets were distributed to each participant. Included in the information packet was historical and geographical site information and goals for the planning process. The distribution of this information allowed participants to begin the planning process with a common understanding of the site under consideration and the process used to envision the site's future. In turn, the focus of the process was on envisioning a future for the space.

Community residents were not the only participants that benefitted from an open exchange of information in the Harlem Piers case. Process facilitators were provided with information and training by community leaders to help ensure sensitivity to

community histories and issues. Community leaders wanted to ensure the creation of a process that was sensitive to unique community characteristics and that did not replicate past procedural injustices. As such, facilitators were trained to manage difficult personalities, ensure participation from all group members and to rely on participants to expand and promote ideas. They were also provided relevant background information on traumatic histories, racial and economic discrimination, and procedural injustices. These insights helped facilitators better understand the unique characteristics and challenges of working with environmental justice community participants.

Previous experiences where information has been denied to environmental justice community members appears to heighten the attentiveness to transparency

Clear and timely information can promote a sense of transparency and help to build trust in the process. Access to information and information sharing is an important aspect of all collaborative processes (Thompson, 1991; Butler, 1999; Wondolleck & Yaffee, 2000; Lewicki, Barry, & Saunders, 2010). However, in past environmental justice situations, little information has been provided to community members as a means of preventing community protest and moving forward with projects that were not in the community's interest. Consequently, the importance of keeping participants informed is heightened in cases of environmental justice. Providing frequent and clear information is a means of ensuring transparency. In turn, having access to information and understanding how, why, and when decisions are being made, community members and participants are more likely to trust the decision-making process.

Both the facilitator to the Harlem-on-the-River planning process and the facilitator of the NYCEDC sponsored process addressed the importance of keeping participants apprised of when, how and why decisions were made. During the Harlem-

on-the-River planning process, any interested party was invited to join the Steering Committee. Given this open invitation, the size of the Steering Committee soared to over 50 individuals, making some decisions more drawn out and complex. However, organizers felt it was important for community members to feel like all decisions were transparent and not taking place behind closed doors. Furthermore, clear and timely information was provided to participants, particularly during the master plan drawing and implementation phases, so that participants were not left wondering what was happening.

Expanding access to information is being used to attempt to increase community interest and participation

The availability of clear information with an opportunity for learning more can be an effective way to garner community interest and support for an issue. Both the Richmond General Plan update process and the Anacostia Watershed restoration process have been challenged by limited community engagement. While interview and document data does not directly speak to a linkage between a lack of information and participation in these two collaborative processes, a few interviewees made the connection between community knowledge and participation more broadly.

Organizing around issues of land toxicity and public health, Cheryl Padgett found the distribution of clear information in places frequented by the affected community to be an effective way of increasing community interest and participation. Environmental health information is complex, so providing the information in understandable ways was key. “The material needed to be provided in a way that is layered with the basic message and ways for learning more,” she says. Taking the information to those affected is also important. She and her colleagues began their outreach efforts by passing out information and taking names and contact information of interested community members.

Once information made its way to community members, Padgett reports that people began questioning why they had not already read about it or seen reports about the potential toxicity of sites in Richmond on the television.

Similarly, interviewees in Anacostia spoke of the need to increase awareness of environmental issues in the Anacostia Watershed among residents of Anacostia and its neighboring communities. Because environmental justice communities, such as Anacostia, are perceived to have more elemental concerns, such as safe housing and food security, their lack of participation in environmental affairs is not perceived as a problem by some district staff and nonprofit organizations. However, as Hamid Karimi, Deputy Director of the District Department of the Environment, points out, this becomes a self-fulfilling prophecy. Recognizing the need to increase information and involvement with environmental issues in the Anacostia community, the District of Columbia school district has developed an on-site program for environmental education. Furthermore, the Anacostia Fair is held each year as a way to attract individuals and families to the riverfront. Karimi is confident that when there is awareness of environmental issues in the watershed, residents will participate.

Characteristic 4: Procedural Injustices

Environmental justice communities have systematically been denied access to decision-making forums. A recurring theme in cases of environmental justice is the lack of opportunity to participate in decision-making processes that influence the daily life of community members. Deliberate events and maneuvers designed to mute the voices or concerns of community members or advance the interests of other parties have been employed. In these instances, residents have not been notified of decision-making

processes, not been permitted to speak at such forums, been placed last on a long agenda, been inadequately represented, or had their perspectives noted but subsequently ignored (Kuehn, 2000; Cole & Foster, 2001). Such experiences have impacted parties' abilities to effectively participate in collaborative processes by denying them opportunities to develop collaborative problem-solving skills and experiences. Consequently, capacity building events can enhance the abilities of community members to effectively participate in collaborative problem-solving processes.

Denying environmental justice communities access to decision-making forums has also limited the opportunities of professional process facilitators and other parties, such as public agencies, to gain experiences and expertise with facilitating and participating in collaborative problem-solving processes in environmental justice conflict situations. While capacity building activities are often aimed towards environmental justice participants, the experiences in these three cases suggest that all parties can benefit from an orientation to collaboration in the environmental justice context.

Finally, past procedural injustices have built distrust between parties. The important role of past procedural injustices in building distrust, and the implications of this distrust, will be discussed in conjunction with traumatic histories of racial and economic discrimination.

The lack of past opportunities to participate in collaborative processes limits parties familiarity, comfort and capacities to participate

Procedural injustices are decision-making procedures that are not fair to all parties or that favor some parties over others. Past procedural injustices have occurred in West Harlem, Richmond and Anacostia (Table 7.4).

Table 7.4: Community Experiences with Past Procedural Injustices

Characteristics	West Harlem	Richmond	Anacostia
Processes where voices are not heard or considered	√	√	√
Decisions made with no opportunity for community input	√	√	√

As described below, there are examples in each community studied of how community members have not been able to take part in making decisions that impact their community. By being denied opportunities to participate, community members have also been denied opportunities to increase their comfort and capacities to participate in collaborative problem-solving processes.

Residents of West Harlem have experienced past procedural injustices. Decisions that impact the livability of the community and the health of its residents have routinely been made without, or despite, community input. Community residents and organizers have frequently had to rely on lawsuits to gain access to decision-making. Community struggles against the siting of bus depots in northern Manhattan (Tuhus-Dubrow, 2003; Shepard, 2005; Linden, 2008), the siting of the North River Wastewater Treatment Plant (Miller, 1994; Sze, 2007), and prior requests for proposals for development at the Harlem Piers site provide examples of how community members were not a part of decision-making processes.

Residents of Richmond have also experienced past procedural injustices. For example, in 2005, Chevron filed application permits to expand its Richmond refinery. Chevron was interested in installing new equipment that would allow the company to process larger amounts of heavier grade crude oil (Jones, 2008b). However, community

members were concerned that the equipment upgrades would allow the facility to process even heavier grades of crude oil, grades that may contain toxins such as mercury and contribute to increases in air pollution (Baker, 2009). Hundreds of residents expressed concerns with the upgrade at public hearings (Jones, 2008; Kuruvila & Rubenstein, 2008). In addition, community members have organized and participated in demonstrations and petition signing campaigns (Ustinova, 2008). However, despite the community concerns, Richmond city council approved the project 5 – 4 on July 17, 2008. City councilman Tom Butt, who voted against the project, is quoted as saying, “It seems like everyone involved did everything they can to thwart what this community wants” (quoted by Jones, 2008b). Furthermore, news articles have noted how the vast resources available to Chevron mean that they have never lost a battle against the city’s residents (Holt, 2007; Johnson, 2008). Subsequent lawsuits filed by community groups have halted the project as judges at both the appellate and state levels have ruled that original environmental reports were insufficient (*Communities for a Better Environment v. City of Richmond*, 2010).

Decisions in Anacostia have been made with no to little attempt to engage community members. For example, community members have recently expressed discontent with how decisions about the Anacostia Gateway and Gateway II projects are being made and communicated to residents. The Anacostia Gateway project is designed to provide office and retail space at the corner of Martin Luther King Jr. Avenue and Good Hope Road, SE in Anacostia. While Anacostia Gateway was completed and currently houses the Department of Housing and Community Development, the Gateway II project is not expected to move forward. In regards to the recent decision, Advisory

Neighborhood Commissioner Greta Fuller is quoted as saying, “The city doesn’t respond to ANC concerns. We never get any real cooperation with Anacostia – period” (quoted by Spatz, 2010). Another individual says, “The decision was made without any justification or communication to the community...residents are left sitting idle and wondering what comes next” (Davis, 2010 as quoted by Spatz, 2010).

Procedural injustices, such as those described above, impact community members’ comfort and familiarity with collaborative problem-solving and capacities to effectively participate by denying them opportunities to experience collaborative problem-solving. Instead, communities have frequently had to rely upon lawsuits to make their perspectives heard. Consequently, community members’ familiarity, comfort, and understanding of collaborative processes are less developed and more nuanced than other parties. The creation and implementation of capacity building activities can facilitate participation in collaborative processes.

The lack of past opportunities to participate in collaborative processes suggests capacity building opportunities are needed to build the skills and comfort needed for effective participation

Capacity building events can enhance the abilities of community members to effectively participate in collaborative problem-solving processes. They allow participating residents to gain skills in active listening, presenting ideas, asking questions, and responding to questions, ideas and critiques. They may also offer opportunities for participants to learn technical geographical, planning or policy information that is relevant to their community. However, as demonstrated in Anacostia, community members may not seize opportunities for capacity building.

Opportunities for environmental justice community members to build their capacities for collaboration were offered in each case. In West Harlem, the Harlem-on-the-River visioning process served as an opportunity for community members to gain skills and comfort with collaborative problem-solving. In Richmond, REDI offered workshops to enhance the abilities of select organization's members to participate in the General Plan update process. Finally, in Anacostia, the AWCAC has sponsored workshops that aim to develop the advocacy skills of residents within the Anacostia Watershed. However, while capacity building opportunities were offered in each case, their effectiveness in promoting collaborative problem-solving varied across cases. As discussed below, capacity building opportunities that were offered to all interested community members, that were framed in salient ways, and that provided a tangible experience with collaboration were most effective.

Residents' participation in the Harlem-on-the-River planning process facilitated their participation in a subsequent planning process sponsored by the NYCEDC. As previously discussed, the community-determination master frame used by community leaders in West Harlem was salient to community members. Organizers of the Harlem-on-the-River planning process used this frame to encourage all interested community members to take part in the creation of a community driven plan for the Harlem Piers site. Over 150 community members participated in the Harlem-on-the-River planning process. In participating in the Harlem-on-the-River planning process, community members gained skills in how to effectively participate by listening, presenting ideas, and responding to ideas in an environment that was sensitive to their unique histories and characteristics. Participants also learned historical and geographical information about

the Harlem Piers Park site. In addition to the skills and information gained, the Harlem-on-the-River planning process resulted in the creation of a community driven plan for the West Harlem waterfront. Consequently, participants not only built their capacities to participate in future collaborative processes, but their efforts resulted in a tangible product.

Residents' experience with the Harlem-on-the-River planning process facilitated their subsequent participation in the planning process facilitated by the NYCEDC. Facilitators for the NYCEDC sponsored process noted how informed, prepared and responsive community participants were throughout the NYCEDC sponsored planning process. They credited the Harlem-on-the-River process with equipping community members with the knowledge and comfort necessary to effectively participate.

The Richmond Equitable Development Initiative (REDI) offered opportunities for capacity building to the Richmond community. The workshops included sessions on mapping and visioning, policy-making, and the relationships between land use and issues such as economic development, transportation, housing, and health. In contrast to the Harlem-on-the-River process, the workshops presented by REDI were informational in nature. The workshops were designed to provide information on community issues through a planning lens (REDI, 2008). Also in contrast to the Harlem-on-the-River process, a process where any interested community member was encouraged to participate, the REDI workshops primarily served members of the partner organizations. Consequently, the scope of influence of the training events was limited as residents who were not already involved in community activities and organizations were not reached by the capacity building events.

Capacity building activities and workshops have been created and implemented throughout the Anacostia Watershed. For example, the Anacostia Watershed Citizens Advisory Committee sponsored advocacy workshops in March and June of 2009 as well as a stream stewardship workshop in November 2008 and stormwater management summit in March 2008. Approximately 40 – 60 watershed residents have participated in each workshop. However, few of the participants have been members of the Anacostia community. It can be speculated that, like the AWRP, the workshops have not been presented to community members in ways that are salient to them. Furthermore, similar to the REDI workshops, the advocacy workshops sponsored by AWCAC are informational in nature and do not result in a tangible product.

All participants may benefit from a reorienting to collaboration in the context on environmental justice conflicts

Capacity building activities are often aimed towards environmental justice residents and organizations. However, these parties are not the only ones who can benefit from capacity building activities. Building the capacities of other parties to an environmental justice conflict can facilitate collaboration. Other parties can benefit from trainings that sensitize them to the unique characteristics, histories, and injustices of environmental justice parties. However, like capacity building opportunities for community members, the effectiveness of such opportunities are enhanced when they are perceived as salient and seized.

Professional facilitators in the Harlem-on-the-River planning process were trained by community leaders to ensure sensitivity to community histories and issues. Community leaders wanted to ensure the creation of a process that was sensitive to unique community characteristics and that did not replicate past procedural injustices. As

such, they provided background information on traumatic histories, racial and economic discrimination, and procedural injustices. They also trained facilitators to manage difficult personalities, ensure participation from all group members and to rely on participants to expand and promote ideas. All facilitators that participated in the Harlem-on-the-River planning process participated in the orienting activities described above.

REDI offered capacity building workshops for elected officials, city staff, and organizational leadership in Richmond, California. REDI offered three workshops that explored definitions and issues of equity planning, processes for community engagement, and equity considerations in shoreline development, respectively. In addition to providing an information-sharing forum, these workshops were an effort to introduce elected officials and city staff to the goals and objectives of REDI and learn from city leaders what resources REDI can offer that would be of value to them. In contrast to the workshops offered to community members, the workshops were focused on information sharing rather than skills training sessions. However, the workshops were most salient to community leaders who were already advocates for equity and community participation and such individuals were the primary participants. In addition, city leaders who could have most benefited from the workshops offered by REDI, were not present as the focus on equity, community participation and shoreline equity was not salient and, consequently, did not motivate participation.

Like in West Harlem, local leaders of the North Richmond Shoreline Alliance and their partners worked to ensure sensitivity to unique community dynamics during the Rheem Creek visioning process, a smaller-scale and more localized collaborative planning effort in Richmond. They accomplished this in two ways. First, local leaders

trained organizational leaders from outside of Richmond on the unique experiences, personalities and histories of community members and potential event participants. This training helped non-local leaders to present information in salient ways. Second, leaders who were most attuned to community dynamics were the primary faces of the visioning events. They facilitated conversations, shared information, and guided participants through feedback processes. Since having created a vision for Rheem Creek, organizers and participants have partnered with a wider array of individuals and organizations in an effort to restore and protect the North Richmond shoreline. As such, the skills gained through the Rheem Creek visioning process have enabled participation in future collaborative processes.

Nature of the Parties and their Relationships

Relationships between parties are at the crux of collaboration (Daniels & Walker, 2001; Carpenter & Kennedy, 1985). Consequently, understanding the historical experiences and patterns of interactions between parties is an important dimension of a conflict assessment. Assessing the nature of the parties and their relationships involves exploring the interactions, perceptions, and histories of the participants. Parties to an environmental justice conflict have unique characteristics that impact collaborative problem-solving. These unique characteristics include: traumatic histories of racial and economic discrimination, high distrust, social location, low network ties, perceived power differential, and incongruent communication norms.

Characteristics 4 and 5: Procedural Injustices and Traumatic Histories of Racial and Economic Discrimination

Environmental justice communities have experienced traumatic histories of racial and economic discrimination. Traumatic histories are past events, such as having part of a

community razed to make space for the construction of a new factory or freeway, learning that one's home was knowingly built on a toxic site, suffering negative health effects from the actions of nearby polluting facilities and the inactions of public officials or law enforcement, or being harassed by police when engaging in outdoor activities. Events such as these may result in feelings of mistrust, disenfranchisement, separation, betrayal, revenge, pain, humiliation, and anger (Forester, 1999). In addition, environmental justice communities have frequently experienced past procedural injustices, including inadequate representation. As previously discussed, procedural injustices are events and circumstances that systematically deny community members from decision-making processes (Kuehn, 2000). They may include not being notified of a decision-making process or forum, not being able to attend a meeting or forum because it is held in a town or city away from the community of impact, or not having an opportunity to have perspectives heard (Cole & Foster, 2001; Kuehn, 2000).

Procedural injustices and traumatic histories of racial and economic discrimination pertain to how historical experiences and interactions of environmental justice communities with public agencies and decision-making processes influence collaborative processes. Specifically, both characteristics have contributed to community members highly distrusting other parties, particularly public agencies. These past experiences significantly influenced how environmental justice parties perceived the opportunity to collaborate. However, given the historical linkages between these two characteristics and the limitations of the interview protocol, it is difficult to definitively distinguish the impacts of each of these characteristics from one another. Consequently,

this discussion will address how both characteristics contributed to the building of high distrust of public agencies.

Traumatic past events and experiences build distrust and challenge parties' abilities to perceive incentives to participate

Past events, experiences, and interactions built mistrust and shaped potential participants' perceptions of incentives to participate in the three collaborative processes. In each environmental justice community studied, residents have experienced traumatic histories of racial and economic discrimination and, as previously discussed, past procedural injustices, including inadequate representation (Table 7.5). Given these past experiences, potential participants from environmental justice communities distrusted that their voices would be heard, decisions would be made in their interest, and agreements would be implemented. This distrust between community members and other participants limited community members' incentives to participate.

Table 7.5: Traumatic Histories of Racial and Economic Discrimination

Characteristics	West Harlem	Richmond	Anacostia
Decisions made at community's expense	√	√	√
Perceptions of neglect	√	√	√
Stressful living environments	√	√	√

The West Harlem community has experienced traumatic histories and past procedural injustices. Promises have not materialized. Decisions have been made at their expense. Their voices have been drowned out by voices from downtown Manhattan. The West Harlem community's struggles against the North River Sewage Treatment Facility exemplify the traumatic histories of the community.

The North River Sewage Treatment Facility was originally slated to be built between West 70th Street and West 72nd Street in Manhattan's Upper West Side. However, the site was determined unsuitable due to community protest, perceptions that the land use was incompatible with development plans for the area, and the Department of Public Works' inability to secure land surrounding the site (Specter, 1992; Miller, 1994). Consequently, another site was needed. Despite the high construction cost estimates, the inadvisability of building a treatment plant close to navigable waters, and insufficient land, the area from 125th Street to W 134th Street in West Harlem was selected for the facility (Miller, 1994). Throughout the facility's tenure in West Harlem, residents have endured odors and noise emanating from the plant and unresponsive city agencies (Severo, 1989; Specter 1992).

As a result of the multiple hazards forced upon the community, the negative individual and community health consequences that stem from the hazards, and the lack of concern and action demonstrated by city agencies, many residents did not trust that parties such as the NYCEDC would listen to community ideas and follow through on agreements. Consequently, many residents initially viewed the planning processes with skepticism and were not motivated to participate. However, as discussed throughout this chapter, the community leadership's abilities to frame issues in salient ways, provide capacity building training opportunities, ensure transparency and access to information, train process facilitators to be sensitive to unique community conditions, and provide meaningful opportunities for participation helped to overcome the initial distrust of NYCEDC, and subsequent limited incentives to participate, to promote community participation.

Similar to the West Harlem community, residents of Richmond have experienced traumatic histories of racial and economic discrimination and past procedural injustices. Residents feel elected officials have often chosen the interests of large businesses over the interests and health of community members. Community members' struggles against the Chevron refinery in Richmond provide an example of traumas experienced by the Richmond community. According to residents, the Chevron refinery located in Richmond has been a constant source of noise, pollution and accidents. An explosion occurred at approximately 2:30 pm on March 25, 1999. According to the *Washington Post*, "A valve on a processing line at the Chevron plant here failed, releasing vapors that exploded and sent a massive black plume of smoke hundreds of feet into the afternoon sky" (Mahr, 2003). While Bay Area Air Quality Management District officials reported that the fumes were not toxic, over 1,000 people reportedly visited local hospitals complaining of eye irritation and breathing difficulties (Tansey, Pimentel, & Taylor, 1999). This accident follows a 1994 explosion that spewed toxic gases. Accidents such as these are not unique to Chevron. After a power outage at the General Chemical facility, plumes of sulfur dioxide and sulfur trioxide were sent into the air in 2001, less than ten years after an oleum spill at the same facility.

Finally, Chevron has also been a barrier to the completion of the Bay Trail, a trail designed to surround the San Francisco and San Pablo Bays, in Richmond by not permitting trail advocates access to the shoreline near their facility. Despite these challenges, residents often observe that, in Richmond, Chevron has never lost a battle (Johnson, 2008).

Having suffered from accidents and denied access to the waterfront with little consequence to Chevron and other industrial neighbors, residents have begun to question if local staff and officials can hear their voices. This questioning has carried into the General Plan update process. Further, they question whether or not city council and the city planning department will implement the visions set forth in the plan. Given this distrust that their voices would be heard and agreements upheld, Richmond's residents have not always perceived clear incentives to participate.

Residents of Anacostia have also experienced traumatic histories of racial and economic discrimination and past procedural injustices. Anacostia shoulders the burden of environmental hazards in the Washington, D.C. area. As one long-time resident of Anacostia said, "Anacostia's always been a haven for the poorest people. This is where they dump their trash and dump the people, who I guess the city didn't want to see" (as quoted by Bradley, 2005). Anacostia, and the Anacostia River, is, indeed, where the District of Columbia has dumped its trash. The EPA (2003; 2008) acknowledges that high levels of PCBs, pesticides and heavy metals, including lead, are present in the Anacostia River. Furthermore, the EPA acknowledges that human industrial activities have contributed to such elevated levels of pollutants. Descriptions of the river describe tires and other debris as clogging the river's waterways and banks (Bradley, 2005; Goffman, 2006). The funds and energy dedicated to the restoration of the Potomac River, a river that runs through the city's more affluent neighborhoods, makes the neglect of the Anacostia River more apparent.

However, in contrast to West Harlem and Richmond, perceptions of incentives to participate are still limited. Residents have largely not participated in partnership

activities. The goals and focus of the partnership do not align with salient social community concerns and residents perceive little reason, based on past experiences, to expect their concerns to be addressed. Further, unlike the West Harlem and Richmond cases and as discussed later in this chapter, trusted leadership advocating participation is lacking. Consequently, the opportunity to participate was never transformed in a meaningful way that encouraged engagement.

Characteristic 6: High Distrust

Trust is the expectation and belief that others will follow through with commitments and can be relied upon (Lewicki, 2007; Moore, 2003). Trust and distrust are established based on prior interactions (Lewicki, 2007) and as trust increases between parties, parties are more open with each other and require fewer assurances from others when credibility is questioned (Folger, Poole & Stutman, 2005). As previously discussed, distrust has been built between residents of environmental justice communities and public agencies and officials (Table 7.6). This distrust is not inconsequential. The high distrust that has been built in environmental justice communities hinders collaborative efforts because, as previously discussed, environmental justice community members view collaborative processes involving distrusted parties with skepticism and distrust. However, as suggested by the experiences in the Harlem-on-the-River planning process and Rheem Creek visioning process, who presents an opportunity to participate impacts how community members perceive an opportunity and whether or not they participate. Furthermore, managing mistrust within communities may facilitate community participation in collaborative processes with multiple parties.

Table 7.6: High Distrust

Characteristics	West Harlem	Richmond	Anacostia
Agreements not upheld			
Unfair treatment	√	√	√

Given the high distrust between parties, who presents an opportunity to participate impacts if and how the opportunity is perceived by community members

The heightened importance of distrust in environmental justice conflict situations stems from multiple past events and experiences, including traumatic histories of racial and economic discrimination and procedural injustices, where community interests and health were not only ignored, but even sacrificed for the interests and health of other communities. As previously discussed, these experiences built distrust within environmental justice communities of public agencies and other organizations. Consequently, environmental justice communities are frequently skeptical and distrustful of any process that is presented by, or includes, parties who neglected their interests in the past. Being distrustful of other parties and the process limits incentives to participate as environmental justice parties do not trust that their interests or needs can be met through a collaborative process.

Collaborative processes that include distrusted parties, but which are introduced and overseen by trusted parties, are more likely to be perceived as credible and motivate citizen participation. West Harlem community members were invited to participate in the Harlem-on-the-River planning process by long-time advocate and community member, Cecil Corbin-Mark, and his colleagues. Although many community members distrusted the presence of NYCEDC and process organizers, they trusted that a process organized by community advocates would ensure that their voices would be heard. Consequently,

over 150 community members participated in the Harlem-on-the-River process.

Similarly, community members in North Richmond were invited to participate in the Rheem Creek visioning process by long-time and trusted community leaders. As in West Harlem, community member attendance was strong.

In contrast, the Richmond General Plan Update process and Anacostia Watershed restoration efforts were initiated by public agencies. In Richmond, potential participants distrusted that the process would be fair and that their interests and needs would be heard and met. Lingering in community members' mind were questions about the motivations and commitments of city staff. For example, some residents questioned if city planning staff would adhere to the recommendations set forth in the plan while others were concerned that the General Plan update would actually allow for more industrial and residential development in the city and alongside the shoreline. In Anacostia, as previously discussed, the framing of the issues were not salient to community members and, thus, community members were not motivated to participate.

Building trust within a community may facilitate the communities' ability to effectively engage in a collaborative process with diverse interests

NYCEDC staff members and the facilitator of the NYCEDC process were pleasantly surprised by the professionalism and cohesion demonstrated by West Harlem community members during the NYCEDC planning process. Furthermore, they credited the Harlem-on-the-River planning process with providing an opportunity for community members to not only build their capacities to participate, but also to build trust and unity within the West Harlem community.

Residents of the communities that comprise West Harlem, including Manhattanville, Morningside Heights, and Hamilton Heights did not trust each other and

had not previously worked together to create a shared vision for West Harlem. Instead, many West Harlem community members held seemingly contradictory visions for their community and the community was known for the tensions and areas of disagreement among its residents. Some residents were primarily interested in historical preservation while others prioritized economic development or access to green space. The Harlem-on-the-River planning process provided a form for community members to come together to share their interests and develop a mutually agreeable plan for the West Harlem waterfront. Having already had a forum for working through their differences, they were able to present cohesive ideas throughout the NYCEDC sponsored planning process. In turn, their ideas were respected and, ultimately, are represented in the newly constructed Harlem Piers Park.

Characteristic 7: Social Location

The leaders and constituents of environmental justice communities have different social locations, in particular, being of different races and classes, than their counterparts in mainstream environmental organizations (Taylor, 2000). Social location is the position one occupies in society. It is determined by factors such as one's race, class, gender, education, or occupation and influences one's ideas, behaviors, aspirations, expectations, and attitudes (Mills, 1959; Mueller, 1992; Zald, 1996; Taylor, 2000; Taylor, 2009). Social location also influences how conflicts and opportunities are perceived. In environmental justice conflict situations, different social locations challenge efforts to build affiliation and a common identity. Different social locations also challenge the abilities of parties to accurately predict the salient issues, responses and perspectives of other parties. Furthermore, social location impacts the logistical constraints and

opportunities for participation. Consequently, it can be a challenge to frame and present meaningful opportunities and incentives to participate. Ensuring a diverse facilitation team and implementing special logistical considerations helped organizers overcome these challenges.

Different social locations of parties may challenge efforts to build affiliation and create common identities

Establishing affiliation and building a common identity can facilitate collaborative processes by increasing openness to new ideas, commitments to finding mutually beneficial agreements, and feelings of responsibility for other parties and outcomes (Fisher & Shapiro, 2005; Wondolleck & Yaffee, 2000). When parties feel connected with one another, incentives to make collaboration work increase (Fisher & Shapiro, 2005). Collaborative processes that recognized the differences in social locations of participants and worked to ensure process facilitators who were both practicing professionals with experience working in diverse situations and whose demographics and experiences mirror that of community members were particularly effective in overcoming this challenge.

Differences in social location challenged efforts to build affiliation and a common identity in the Richmond General Plan Update process. Residents and leaders interviewed in Richmond pointed out that the consulting firm heading the update process was from Berkeley and facilitators were professional, non-black, middle-class men. The social locations of the consulting firm matched those of the planning department. This observation, combined with past injustices, heightened the distrust of the process and led some interviewees to feel that the facilitators were aligned with the city and not residents. A community organizer in Richmond also identified factors associated with differences

in social location as a barrier to creating a common identity among environmental parties in Richmond. “We cannot just bond over the shoreline being the shoreline,” she commented. Although interviewees did not speak directly to this, a similar dynamic can be seen in the Anacostia Watershed Restoration update process as the predominately white, professional and middle to upper class leaders on the AWRP have struggled to engage residents of the largely minority Anacostia community in partnership activities. Neither the Richmond nor Anacostia process has been particularly attentive to ensuring that process facilitators represent the diversity of the target participants.

In contrast, leaders and organizers in West Harlem assembled a diverse team of facilitators to work with residents throughout the Harlem-on-the-River planning efforts. Facilitators represented different nationalities, classes, and sexes, although the majority were African American. Leaders wanted to ensure that facilitators represented the diversity of the participants. Similarly, leaders and organizers of the Rheem Creek and Breuner Marsh visioning events ensured diverse process facilitators. Further, they relied on local facilitators to lead events and guide processes when possible. This attentiveness to representative diversity helped to make participants more comfortable and at ease within the process and establish a common identity. In so doing, building trust was also facilitated.

Ensuring diverse process facilitators aided the participation of attendees in the Rheem Creek visioning process. However, the process struggled to attract Latino participants. As discussed below, focus groups conducted after the visioning process identified logistical constraints to participation for many potential Latino participants. However, potential Latino participants also perceived the visioning process as an African

American issue and event because the majority of individuals promoting the event were black.

The participation of parties with different social locations may necessitate special logistical considerations

Differences in social location can challenge the ability of some parties to logistically participate. Work schedules may not align with traditional work hours, not all parties will have access to transportation, and resources for childcare may be limited. However, attentiveness to such considerations can promote participation. Organizers of the Harlem-on-the-River planning process were attentive to logistical considerations. They recognized that the time, location, and amenities offered would enable or discourage participation. To encourage participation, the process was held in a neutral and central location. Childcare services and food were provided throughout the day. Organizers were careful to provide these services deemed necessary to allow people to attend and stay throughout the day. They did not want any interested party to be precluded from participating because of logistical constraints.

Organizers of the Rheem Creek visioning events, a smaller and more localized planning effort in Richmond, were similarly attentive to logistical considerations. Transportation was provided throughout the day and events were scheduled at times convenient for many community members. However, participation from members of Latino communities in the North Richmond areas was limited. Focus groups conducted later have enabled organizers to become attuned to nuances in Latino family life, such as gender roles, transportation needs, and work schedules that had made participation challenging for many Latino community members and that organizers intend to be better accommodate in future processes and events.

Parties from different social locations may be challenged to recognize and acknowledge issues salient to other parties

Differences in social location appear to have played a role in challenging parties' abilities to recognize and acknowledge issues of particular interest and importance to other parties. While interview data does not directly speak to this assertion, it appears social location played a role in non-environmental justice parties not automatically or readily perceiving issues that were salient to environmental justice parties. As previously discussed, issues of particular importance to environmental justice communities were not built into collaborative problem-solving processes and, consequently, incentives for environmental justice parties to participate were limited.

Characteristic 8: Low Network Ties

Environmental justice organizations have built solidarity networks nationwide with organizations and communities facing similar struggles (Schlosberg, 1999). Furthermore, there are examples of environmental justice organizations working with mainstream environmental organizations on issues that are salient within their communities (Grossman, 1991; Cohen, 1992; Specter, 1992; Miller, 1994). However, there is less evidence of environmental justice organizations and communities building network ties with a broad spectrum of environmental NGOs, foundations and corporations. Environmental justice communities have more commonly worked to build community cohesion, common community identities, and strong ties with other environmental justice organizations and communities (Table 7.7). However, in focusing their attentions on building strong internal ties, environmental justice organizations have fewer ties with parties with which they may be in conflict. Consequently, the channels of communication and working relationships present between environmental

organizations, more generally, and public agencies, corporate actors, and other private entities are lacking for environmental justice communities and organizations.

Table 7.7: Network Ties of Environmental Justice Communities

Characteristics	West Harlem	Richmond	Anacostia
Existing relationships between community and other parties engaged in conflict situation			
Presence of collaborative leadership	√	√	

As previously discussed, the lack of positive experiences working with public agencies have contributed to feelings of mistrust, hindered perceptions of interdependence, and limited perceptions of incentives to participate. Consequently, opportunities to participate are not automatically accepted by community members of organizations. Instead, opportunities to participate need to be transformed into opportunities that are perceived as trusted and legitimate and participation encouraged. The examined cases suggest that the nature of the community leadership plays an important role in transforming opportunities and enhancing community participation. The cases also suggest that leadership from both sides of the aisle enhances collaboration in cases of environmental justice.

Environmental justice community leaders who build bridges between parties have the potential to transform opportunities and motivate community participation

The presence of leaders who use their credibility and trust within the community to build relationships with organizations and agencies outside of the community that have diverse interests were important in transforming the nature of the collaborative opportunities in West Harlem and Rheem Creek (Table 7.8).

Table 7.8: Characteristics of Community Leadership

Characteristic	West Harlem Leadership	Rheem Creek Leadership	Anacostia Leadership
Strong ties to affected community	√	√	√
Trusted by affected community	√	√	√
Considered legitimate by affected community	√	√	√
Responsive or sympathetic to community needs	√	√	√
Similar social location of those affected	√	√	
Skilled Orator	√	√	
Charisma	√	√	
Ability to mobilize community members to participate		√	√
Extensive knowledge of relevant issues	√	√	√
Strong ties to individuals and organizations outside of community	√	√	
Political savvy	√	√	√
Ability to translate or communicate complex issues to different types of audiences	√	√	√
Ability to facilitate or manage discourses and interactions	√	√	
Ability to compromise	√	√	
Desire to collaborate	√	√	

Cecil Corbin-Mark and Whitney Dotson transformed the nature of the opportunities in West Harlem and Richmond, respectively, by effectively promoting resident participation in collaborative processes. In both the Harlem Piers planning process and the visioning events for the Rheem Creek, a smaller-scale planning event in Richmond, opportunities to collaboratively envision a new landscape were apparent and acted upon. As Dotson,

along with his colleagues, was able to garner support and participation in the Rheem Creek visioning events, supporters of Richmond North Shoreline preservation efforts also initially sought to have their voices heard in the Richmond General Plan Update process. However, the absence of leadership that promotes building bridges and relationships in Anacostia and in other communities throughout Richmond has challenged collaborative efforts to restore the Anacostia Watershed and update the Richmond General Plan.

Cecil Corbin-Mark's leadership transformed the nature of the opportunity in West Harlem. His residency in Harlem, reputation as a longstanding advocate for Harlem citizens, and connections with city administration gave his voice legitimacy to many participants. He was a credible representative of their interests. These connections allowed him entrance and audience at community meetings and events where he was able to promote participation in the Harlem-on-the-River planning process. His experiences in the community allowed him to communicate visions and frame incentives to participate in ways that were meaningful and salient for community members. He acknowledged past injustices and spoke directly to community concerns by addressing how this process would be structured so as to avoid past issues. Finally, Corbin-Mark was able to credibly articulate community visions and expectations to other parties, including the NYCEDC. Corbin-Mark's leadership, legitimacy, and representativeness of the West Harlem community allowed him to effectively encourage participation and, as such, transform the nature of the opportunity to collaborate in a way that encouraged community engagement.

Similarly, Whitney Dotson's leadership qualities encouraged participation in Rheem Creek restoration and preservation activities in Richmond. Similar to Corbin-

Mark, Dotson was able to use his standing and knowledge of the community to encourage engagement. Dotson is a legitimate leader with long familiar roots in Richmond who is able to communicate with multiple constituencies. He is able to use his relationships within Richmond to gain entrance with multiple audiences and communicate his message in salient ways. These traits allowed Dotson to encourage resident participation in the Rheem Creek, Breuner Marsh, and North Richmond Shoreline preservation projects. Furthermore, he was initially able to encourage resident engagement in the General Plan update process. Residents wrote letters to the editor of local newspaper and newsletters, organized letter writing campaigns, and attended community meetings.

Dotson and Corbin-Mark share an important trait: both leaders were interested in building bridges between their respective communities and organizations, including public agencies, outside their communities. Both leaders could have used their charisma, legitimacy and other traits to engage community members in lawsuits, protests or demonstrations. However, they channeled their energies into promoting collaboration and building connections. Corbin-Mark used his leadership to build a relationship with NYCEDC staff. He met with NYCEDC staff individually to hear and respond to their planning constraints and concerns working with the community. He also demonstrated respect for their needs and interests by stemming community criticism of, and promoting participation in, the NYCEDC planning process that took place after the Harlem-on-the-River planning process. Similarly, Dotson has worked to build partnerships between organizations active in the Richmond community through his work as founder of the

North Richmond Shoreline Alliance and election to the East Bay Regional Park District's Board of Directors.

Like West Harlem and Richmond, the Anacostia community has multiple energetic and dedicated leaders. Such leaders are able to motivate citizen participation in community Anacostia activities and events, such as watershed cleanup days. However, unlike Dotson and Corbin-Mark, these leaders lacked the desire and ability to encourage community participation in partnership activities. During a 2009 community advocacy workshop, workshop participants acknowledged the need for a "local champion" in the Anacostia community (AWCAC, 2009). Without such a person, perceived incentives to participate have remained low and community members have largely not participated in partnership activities.

Leadership from all parties influences how environmental justice community members perceive opportunities to participate

Leadership from both sides of the aisle aids the transformation of the opportunity from an opportunity perceived with skepticism and distrust to a credible and trusted process (Table 7.10). Leaders from other organizations who were able to credibly demonstrate their commitment to the project and to community interests helped to encourage community participation. Voluntarily attending community meetings, engaging in dialogue with community members, and building personal relationships are examples of activities that demonstrated respect and built trust.

Respected and respectful leadership from the NYCEDC was pivotal in the Harlem Piers Park planning process. It served to transform the opportunity, facilitate trust, and encourage participation. The project leader from the NYCEDC took the initiative to attend community meetings, listen to the needs and concerns of community members,

and communicate the needs and visions of the NYCEDC. In doing so, she demonstrated her commitment to the project and respect for community perspectives. She also allowed community members to get to know her as a person, not just as a representative of NYCEDC. These actions facilitated dialogue and trust, and also encouraged community participation and engagement.

In contrast, the process facilitators for the Richmond General Plan Update have struggled to gain legitimacy and trust. As previously discussed, interviewed participants and community members perceived the process facilitators as outsiders aligned with the city. This perception served as a barrier to community participation.

Leaders of the Anacostia Watershed Restoration Partnership have actively encouraged community participation in restoration efforts. They have provided support and resources for the creation of a local watershed community organization and held capacity building events. However, the effectiveness of their efforts has been limited because no credible and legitimate community leader has partnered with them to convene events or communicate opportunities. Furthermore, without the partnership of a leader from Anacostia, AWRP leaders lack the insight into the nuances of the Anacostia neighborhoods necessary to tailor processes and messages to the needs and interests of the community. Consequently, they have struggled to develop relationships and trust with Anacostia community members.

Characteristic 9: Perceived Power Differentials

Perceived power differentials limited perceptions of incentives to participate for environmental justice communities and organizations. Residents of environmental justice communities often perceive distinct power differentials between themselves and other

parties, particularly public agencies. This perception is based on past interactions and experiences where other parties have used their knowledge, resources, and connections to ensure that their own interests were met. Residents of environmental justice communities seldom perceive their interests as having the power to influence the interests, actions, and commitments of other parties to an environmental justice conflict (Table 7.9).

Consequently, many residents of environmental justice communities, including many residents of Richmond, do not perceive that their interests will be met through collaborative processes. Thus, perceptions of incentives to participate are limited.

However, in contrast, organizers in West Harlem were able to recognize and leverage their own power to ensure that community perspectives were heard and acknowledged and, subsequently, instill incentives to participate.

Table 7.9: Perceived Power Differentials

Characteristics	West Harlem	Richmond	Anacostia
Differential access to knowledge, resources and connections	√	√	√
Perceptions that other parties will use access to resources to ensure their own interests are met over the interests of others		√	√

Perceived power differentials may limit perceived incentives to participate

Perceived power differentials have contributed to limited perceptions of incentives to participate in Richmond. Residents of Richmond leveraged their power to ensure that citizen voices would be a part of the General Update plan process through the establishment of a citizen advisory panel. While the GPAC was created in response to this demand, many interviewed residents and organizers in Richmond still perceive city staff as holding significant power. In particular, interviewees described how city staff is

able to use the stalemate in city council to operate unilaterally. Consequently, residents perceive city staff as not only holding the power to make and implement important decisions without the support of residents and city representatives, but also of using the power to do so. For example, residents pointed to errors of omission where important pieces of land were left off of the city map and to the structure of GPAC as sounding board without implementation oversight. As such, residents and organizers expressed doubt that their concerns would influence significant changes in the city of Richmond.

As in Richmond, organizers in West Harlem recognize the power that NYCEDC holds in being charged with the oversight of the property. However, organizers in West Harlem were able to leverage their own power to ensure voice in the decision-making process. The first strategy organizers and community members in West Harlem used to leverage power was the creation of a community-driven plan. This demonstrated a unified community voice and community capacities for collaboration. Incentives to participate were present as the process was initiated and overseen by trusted community leaders. The community-driven plan gained significant public and media attention, which drew attention to the conflict. Second, organizers were able to use their experience and reputation with direct-action strategies, such as protests, demonstrations, and lawsuits, to threaten to disrupt any attempt to implement a plan without community voice. In recognizing their own sources of power, organizers and residents of West Harlem created a seat for themselves at the table and, in so doing, created incentives for community participation.

Few residents of Anacostia have engaged with the AWRP as the partnership does not enable them to address the issues of particular salience in their community.

Consequently, the interview data does not directly speak to concerns of perceived power differentials between community members and partners. However, it is interesting to note that community members have not sought to make space for their issues within the partnership. This may be attributed to a number of possible factors, including lack of perceived interdependence, limited resources, and absence of community leaders that aim to work with the partnership. However, perceived power differentials may also contribute to their lack of push to have their issues addressed if they do not perceive themselves as holding the power to influence the actions, perspectives, and issues of the partnership.

Characteristic 10: Incongruent Communication Norms

Different communication styles can impede an individual or organization's ability to be heard and taken seriously. For example, a community organizer in Richmond referenced a series of events that occurred in the early 2000s. She recalls how an early environmental justice advocate in Richmond, an elderly, African American woman from North Richmond, sat alone into the early morning hours, waiting at a Richmond City Council meeting to speak against the approval of a polluting facility. Despite her passion and dedication, she was ignored. "Her way of speaking and her anger did not fit with some of the communication styles within the local government. She was generally dismissed," the community organizer recalled. It was not until many people began getting sick and a broader constituency, including middle-class and professional whites, became involved that voices started to be heard. Their understanding of corporate and city governance and culture allowed them to use congruent communication styles, such

as avoiding blame and presenting factual information in addition to emotional responses, to mobilize an even larger constituency and allow community concerns to be heard.

Settings that facilitate and encourage open dialogue, information sharing, and question asking may be different across parties. Communication styles are culturally bound. Research has shown that when different cultural groups are together, communication norms tend to reflect those of the dominant social group (Orbe, 1998). However, in cases of collaborative problem-solving, the reliance upon the dominant cultural groups communication norms may hinder productive conversation; in contrast, using a variety of communication styles can enhance open dialogue (Table 7.10).

Table 7.10: Incongruent Communication Norms

Characteristic	West Harlem	Richmond	Anacostia
Use of diverse presentation and discussion formats	√		

Incongruent communication norms may hinder dialogue.

Interviewed members of the Richmond General Plan Advisory Committee described meetings where they sat passively as facilitators provided updates, solicited feedback, and responded to questions. Such a format places authority in the speaker and can make it more difficult for participants to engage. As one participant noted, she rarely actively participated in the process. Instead, she only participated at times when the discussion focused on her area of expertise. Another participant described the committee as a sounding board, not a group of people who worked together. In the early stages of the Richmond General Plan update process, the city provided information to residents and solicited feedback from residents via a van that traveled throughout the city. Further, they organized community meetings across the city. However, as the process progressed,

such diverse communication strategies diminished as information sessions reverted to more traditional community meetings.

In contrast, attentiveness to communication norms and patterns facilitated dialogue in collaboration efforts to preserve and protect Rheem Creek and Breuner Marsh. Organizers of the community visioning event were careful to offer multiple formats for presenting and receiving information. For example, informational talks were informal in nature with the audience casually gathered about the speaker. Video of the process shows speakers standing at the center of a gathered group of participants. In some instances, participants are standing in a complete circle around the speaker. In other instances, participants are seated at six-person tables with a speaker standing to the side. Similar set-ups can be seen in photographs and descriptions of the Harlem-on-the-River planning process. Throughout these processes, dialogue was open and participants expressed feeling comfortable asking questions and sharing their perspectives. Such informal formats can also help to create a sense of shared expertise and influence. By being attuned to different communication styles, facilitators of these processes were able to create an environment where parties felt comfortable participating.

CONCLUSION

The unique characteristics of environmental justice conflicts challenge common assumptions about the nature of collaboration in environmental justice conflict situations. Opportunities to participate in collaborative problem-solving processes and capacity building activities are essential to managing environmental justice conflicts through collaboration. However, they are not sufficient to promote and sustain productive processes. The unique characteristics of environmental justice conflicts influence

perceptions of incentives and opportunities to participate and require attention to how a collaborative process is structured and managed.

The issues embedded in environmental justice conflicts have two unique characteristics. First, the issues in an environmental justice conflict are human rights oriented. Second, the issues of concern in environmental justice conflicts are framed in ways that highlight the complex connections between social inequality and ecological conditions. These unique characteristics heighten the salience of community-determinism framing, challenge parties' abilities to perceive interdependence and express appreciation, and raise frequently unmet expectations among community participants that injustices will be acknowledged within the collaborative problem-solving process. Consequently, even when presented with opportunities to participate in a collaborative process, environmental justice community members do not readily perceive incentives to participate in the process.

Shortcomings of traditional environmental justice conflict management processes include procedural injustices and the suppression or inaccessibility of information. Past procedural injustices serve to heighten the distrust between parties. Furthermore, they have limited potential participants' experience and capacities for participation. Consequently, all participants from environmental justice communities may need assistance orienting to varying dimensions of a collaborative process in an environmental justice context. Given the suppression or inaccessibility of information in the past, parties engaged in effective collaborative problem-solving processes in the environmental justice context pay heightened attention to transparency.

Parties to an environmental justice conflict have unique characteristics, such as traumatic histories of racial and economic discrimination, high distrust, different social locations, low network ties, perceived power differentials, and incongruent communication norms, that impact collaborative problem-solving. Traumatic histories of racial and economic discrimination build distrust between parties and challenge parties' abilities to perceive incentives to participate. Similarly high distrust and perceived power differentials also limit incentives to participate. The different social locations of parties to an environmental justice conflict may challenge efforts to build affiliation and create common identities. Furthermore, the participation of parties from different social locations may necessitate special logistical considerations and parties from different social locations may be challenged to recognize and acknowledge issues salient to other parties. In turn, this impacts if and how interdependence between parties is perceived. Low network ties between parties to an environmental justice conflict often means that channels of communication and working relationships between parties may not exist. Consequently, the presence of environmental justice community leaders who build bridges between parties have the potential to transform opportunities and motivate participation. Furthermore, leadership from all parties influences how environmental justice community members perceive opportunities to participate. Finally, incongruent communication norms may hinder dialogue.

CHAPTER VIII

NEW DIRECTIONS IN THEORIES OF ENVIRONMENTAL DISPUTE RESOLUTION AND COLLABORATION

Collaborative processes are beginning to emerge as a strategy for managing environmental justice conflicts. However, unlike other environmental justice problem-solving strategies, the strengths, challenges, and nuances of collaboration in the environmental justice conflict context have not been systemically studied. This research sought to fill this knowledge gap by identifying the unique characteristics of environmental justice conflicts and beginning to map the ways that these characteristics have bearing on the management, structure, and functioning of collaborative processes. Furthermore, it sought to identify ways that collaborative processes in environmental justice conflict situations parallel or deviate from established theories of collaboration. In doing so, it relied upon a limited number and variety of case studies. Consequently, the work is subject to limitations and reliant upon further investigations to clarify, expand, and build upon the findings. This chapter will identify and discuss the implications of this research's findings for established theories of collaboration and point out this research's limitations and directions for future research.

IMPLICATIONS FOR THEORIES OF ENVIRONMENTAL DISPUTE RESOLUTION AND COLLABORATION

The unique characteristics of environmental justice conflicts challenge assumptions about collaboration in the environmental justice context in critical ways. Some assume that collaborative processes are not occurring in the environmental justice context because opportunities are limited and environmental justice organizations and residents lack the capacity to effectively participate. Consequently, programs structured to promote collaboration in cases of environmental justice focus on creating opportunities for collaboration and building capacity to participate. However, the findings from this research suggest that while opportunities to participate and capacity building activities are essential to effective collaborative problem-solving, they are not sufficient to promote and sustain collaborative processes in environmental justice conflict situations. Parties' incentives to participate are nuanced and influenced by parties' past experiences, including racial and economic discrimination, and relationships with other participants. Further, nuances in how the collaborative process is structured and managed are necessary to facilitate productive collaborative processes in environmental justice conflict situations. These realities suggest four contributions to current theory of environmental conflict resolution and collaboration.

1. Recognize that Opportunities to Collaborate May Not be Immediately or Readily Perceived

Proponents of collaborative processes in environmental justice contexts should recognize that incentives to participate may not be immediately and automatically apparent to other parties. Furthermore, opportunities to participate may need to be transformed into meaningful and realized processes of engagement. Residents and

organizers of environmental justice communities have social locations, past experiences and perspectives that influence how opportunities and incentives to participate in collaborative processes are perceived. These perspectives and experiences likely differ from other parties to the conflict. Consequently, issues that are salient to one party may not be salient to another and, thus, incentives apparent to one party may not be apparent to another. Furthermore, the reluctance of environmental justice parties to engage should not always be interpreted as a signal that the party is opposed to collaboration as a problem-solving strategy. Rather, it should be recognized that past procedural injustices and traumatic histories of racial and economic discrimination have built high distrust of decision-making processes in environmental justice communities and salient issues may be different or framed differently. Framing issues in salient ways and creating space for the acknowledgement of injustice can help instill incentives and transform opportunities to participate into meaningful processes of engagement. Furthermore, community leaders can play an integral role in aiding the transformation of the opportunity.

2. Leadership on Both Sides of the Aisle Play Important Roles in Transforming Opportunities for Participation

The opportunity for collaboration should be meaningful to residents and organizers and instill incentives to participate. Meaningful opportunities rectify shortcomings of other decision-making processes by ensuring that community voices are heard and legitimizing environmental justice concerns. Meaningful opportunities also empower communities to address salient community issues in ways that they could not accomplish alone. Leaders from both sides of the aisle play integral roles in transforming opportunities into meaningful collaborative processes.

As described below, community leaders who effectively transform opportunities for collaboration into effective problem-solving processes possess a common set of characteristics. However, the motivation and desire to build relationships with organizations and agencies from outside of the environmental justice community and network is particularly important. This trait set community leaders who transform opportunities for collaboration into meaningful processes of engagement apart from other community leaders.

Community leaders who are able to transform opportunities to participate are trusted and long-time members of a particular community, organization, or agency who legitimately understand the values and experiences of those they represent. They have frequently obtained this knowledge, legitimacy, and trust through their long-term commitment and demonstrated success working on issues that benefit the interests of community members. Further, they are able to accurately communicate these values and experiences to other, diverse parties with whom they have established relationships. Often, their charisma and strong oratory skills aid this ability. Such leaders often have a similar social location as those they represent which aids in the creation of affiliation and common identities. Finally, they often have a political savvy and ability to understand the roles, motives, and constraints of multiple parties, which aids their ability to effectively collaborate and negotiate. These skills enable community leaders to transform opportunities to participate into effective collaborative processes.

Community leaders who effectively promote collaboration transform opportunities by framing opportunities in ways that instill incentives to participate. They use their knowledge of community concerns and issues to assure community residents

that past injustices will not be replicated, salient issues will be addressed, and agreements upheld. These assurances help to reframe the opportunity in ways that speak to community concerns. Furthermore, because such leaders are well-known and respected within the community, they can obtain entry to various other community meetings and organizations in an effort to attract individuals and parties with an interest in the issues.

Leaders transform opportunities by acting as a liaison between community members and other parties. They use their connections with parties outside of the community, political savvy, and communication skills to work with parties from outside the environmental justice context to help orient them to the perspectives, experiences, and expectations of community members. In particular, they alert parties to past traumas and frame salient issues in ways that make them amenable to collaboration. These actions help to ensure that the process, as promised, will be sensitive to past procedural injustices. Once a process is underway, community leaders who effectively transform opportunities for collaboration continue to use their connections, charisma and excellent communication skills to manage the process in ways that respect the perspectives and constraints of all parties.

Community leaders who perceive long-term benefits to establishing relationships with organizations and agencies from outside of the environmental justice community and network and who are motivated to build such relationships appear to play a crucial role in transforming opportunities to participate. Such individuals are willing to use their knowledge of the community and legitimacy within the community, communication skills, political savvy, and connections outside of the community to help train parties on both sides of the aisle on how to effectively participate in collaborative processes in an

environmental justice context. They work with community members to build their familiarity and comfort with collaboration and they work with other parties to orient them to the unique characteristics of the community, including salient issues, communication modes, and historical events. Furthermore, they recognize and work with the constraints that other parties may be working under.

While collaboration-minded community leaders are integral to transforming opportunities, leadership from both sides of the aisle appears to facilitate collaboration in an environmental justice context. Leaders from non-environmental justice organizations who were able to demonstrate their respect for all participants and their commitment to the project also aided the transformation of the opportunity. Voluntarily attending community meetings, engaging in dialogue with community members, and building personal relationships are examples of activities that demonstrated respect and built trust. Without these actions, barriers between community participants and other parties will likely still remain.

3. Build the Capacity of All Participants to Effectively Participate Given the Unique Environmental Justice Attributes

Build the capacity for effective participation, recognizing that all participants, not just those representing the environmental justice community, likely need help orienting to varying dimensions of a collaborative process in an environmental justice context.

Participants from environmental justice communities have systemically been denied access to decision-making forums in the past (Kuehn, 2000; Cole & Foster, 2001) and, consequently, frequently lack the experience, understanding, comfort, and confidence of other parties. This lack of collaborative expertise has been widely recognized (EPA, December 2006; Lee, 2005) and opportunities that aim to increase the capacities of

environmental justice organizations and communities in these dimensions can help to facilitate effective participation and processes. However, participants from environmental justice communities are not the only parties that stand to benefit from capacity building activities.

All parties to collaborative processes in environmental justice conflict situations, including process facilitators, may benefit from an orientation to the unique characteristics of environmental justice conflicts and communities. Current theories of collaboration emphasize the important role that process facilitators play in orienting parties to collaborative problem-solving processes (Bacow & Wheeler, 1984; Carpenter & Kennedy, 1988; Bush & Folger, 1994; Susskind, McKernan & Thomas-Larmer, 1999; Moore, 2003). Educating the parties about how the process will proceed and how to effectively participate in the process is frequently listed as one of the first tasks to be undertaken by process facilitators and mediators (Susskind & Thomas-Larmer, 1999; Moore, 2003; Lewicki, Barry & Saunders, 2010). However, in the environmental justice context, facilitators and other parties may need an orientation to the unique characteristics of environmental justice communities and conflicts, such as past procedural injustices, traumatic histories of racial and economic discrimination and communication norms, that influence how potential environmental justice participants perceive and interact with collaborative processes and other parties. These unique characteristics impact whether or not opportunities to participate are seized, the issues that environmental justice participants may expect to discuss, formats for joint learning, and how trust in the process is built. An orientation to these unique characteristics and their impacts permits the facilitator to recognize and work with the unique circumstances and experiences of

environmental justice communities and, as discussed below, make modifications to the process that accommodate these realities.

4. Structure and Manage the Process in Ways that Recognize and Accommodate the Unique Characteristics of Environmental Justice Conflicts

Collaborative processes in an environmental justice context need to be structured and managed in a manner that recognizes and is attentive to the unique characteristics of environmental justice conflicts. Traumatic histories of racial and economic discrimination, past procedural injustices, relationships of distrust, and the nature of environmental justice issues impact the potential for collaboration by limiting perceptions of incentives to participate, heightening concerns regarding process fairness, and broadening the issues that need to be addressed. Recognizing and accommodating these realities through process management strategies can facilitate more effective collaborative processes in environmental justice conflict situations. Management strategies include heightening attentiveness to transparency, ensuring a facilitation staff that reflects the social diversity of participants, and providing time and space for the acknowledgement and discussion of past injustices.

Heightening Attentiveness to Transparency

The facilitation of joint learning is critical to all collaborative processes (Thompson, 1991; Butler, 1999; Wondolleck & Yaffee, 2000; Lewicki, Barry, & Saunders, 2010). The opportunity to share information and jointly learn facilitates parties' abilities to identify integrative solutions (Thompson, 1991; Butler, 1999). It enables people to understand the full array of issues, their complexity, their connections, and different perceptions of the issues. However, for joint learning to take place, trust in other parties or the process must be high enough for parties to feel comfortable engaging

in open dialogue while avoiding defensive communication. Given high levels of distrust stemming from past events and procedural injustices, the sharing of information may be challenged. Parties from environmental justice communities may distrust that other parties will actually listen to their perspectives or that other parties will not misuse or misrepresent their perspectives in the future.

Heightening attentiveness to transparency in decision-making in environmental justice collaborative problem-solving processes can enable the building of trust and a greater exchange of information. Heightening attentiveness to transparency involves being vigilant about disclosing how, when, where, why, and by whom decisions are being made. It also involves keeping participants informed about all developments in the collaborative process in a timely manner.

Using Multiple Presentation and Discussion Formats

Attentiveness to using multiple presentation and discussion formats can facilitate joint learning. Communication styles are culturally bound and settings that facilitate and encourage joint learning and engagement may be different across parties. Research has shown, though, that when different cultural groups are together, communication norms tend to reflect those of the dominant social group (Orbe, 1998). Traditional presentation formats may not encourage engagement from all parties. For example, some parties may feel most comfortable sharing, listening and learning in small groups or informal gatherings. Recognizing that different formats for sharing and receiving information can impact engagement may facilitate open dialogue and effective problem-solving processes.

Ensuring a Diverse Facilitation Staff

Given the different social locations of participants to environmental justice collaborative problem-solving process, the presence of a diverse facilitation team aids the abilities of facilitators to establish rapport with participants. The ability to develop rapport with all participants in a collaborative process has been demonstrated to be a key attribute of effective facilitators (Goldberg, 2005; Goldberg & Shaw, 2007). The development of rapport aids the building of affiliation and trust, both of which are integral to creating effective collaborative problem-solving processes (Fisher & Shapiro, 2005; Lewicki, 2007). In processes involving environmental justice, participants represent multiple and different social locations (Taylor, 2000). Social location is the position one occupies within society. It critically shapes one's ideas, behaviors, aspirations, expectations, attitudes, and perceptions of opportunities (Mills, 1959; Mueller, 1992; Zald, 1996; Taylor, 2000; Taylor, 2009). Consequently, the building of rapport is facilitated when individuals from a diverse range of social locations who can understand, relate to, and translate the perspectives and concerns of all parties are present.

Providing Time and Space for Acknowledging and Discussing Past Injustices

Collaborative processes in the environmental justice context may need to be broadened to accommodate the acknowledgement and discussion of past and current injustices in order to create a process that is meaningful to environmental justice participants and that addresses issues salient to them. This reality is at odds with theories of collaboration that suggest narrowing the agenda in environmental conflict situations (Susskind & Weinstein, 1980; Moore, 2003). Collaborative processes are structurally bound to address common issues of concern. Bounding the process to makes

collaborative processes more manageable and promotes focus, shared goals, process ownership, and a problem-solving ethic among participants (Susskind & Weinstein, 1980; Moore, 2003; Daniels & Walker, 2001; Susskind & Cruickshank, 1987; Carpenter & Kennedy, 1988).

Environmental justice issues are framed to highlight the interconnections between race, class, injustice, and discrimination. This framing brings together social, economic, and historical issues with issues of environmental quality. As such, the interconnections between past behaviors and events and a broad set of current environmental conditions are central to environmental justice conflicts. Given this reality, it is difficult to narrow the agenda and still present meaningful opportunities for participation. Furthermore, broadening the agenda to acknowledge past injustices legitimizes community concerns and enables shadow issues to be addressed.

Broadening the agenda serves to legitimize salient community issues and experiences and, paradoxically, allows participants to focus on the issues in dispute. Shadow issues are the contextual factors, such as past relationships, distrust, race, and class that shape a collaborative process (Kolb & Williams, 2003). They shape a collaborative process by indirectly determining whose interests they will be attentive to and how they will engage with other parties. By bringing shadow issues into the open, open communication and engagement that acknowledges multiple and complex issues can be fostered, creative solutions discussed, and lasting remedies enacted (Kolb & Williams, 2003). In cases of environmental justice conflicts, by acknowledging and discussing past wrongs and injustices, participants can begin to build long-term relationships and craft solutions that meet the real needs and objectives of all parties.

LIMITATIONS AND DIRECTIONS FOR FUTURE RESEARCH

This research was designed to identify the unique characteristics of environmental justice conflicts and begin mapping the impacts of these unique characteristics for collaborative problem-solving. As such, this work creates and introduces a new framework for assessing conflicts in environmental justice situations. Using the framework to assess and analyze a limited number of cases permits the impacts of the unique characteristics to begin to be unraveled and provides an informed starting place for future research.

Three case studies were selected for this research. Given the limited number of case studies, not all variations of environmental justice conflicts and attempted collaborations were investigated. For example, cases with a strong corporate actor presence, facility siting decision, strong racialization of the issues, or non-urban setting were not examined. The research and subsequent findings are further limited by the interview protocol. Given that the interview protocol was constructed with little a priori knowledge of how the unique characteristics of environmental justice conflicts would impact collaboration, it did not fully capture the robustness of each unique characteristic. Consequently, this research is limited in both its generalizability and depth of inquiry into any one particular unique characteristic. Nonetheless, by acknowledging this research's limitations and building upon the insights gained from the Harlem Piers planning process, Richmond General Plan update process, and Anacostia Watershed restoration efforts, multiple directions and pathways for future research can be suggested.

First, the three case studies represent three different geographical scales: local, citywide, and watershed. Based on the findings and struggles of each case study, the

differing scales have the potential to impact the salience, immediacy, personal networks, and incentives to participate. Furthermore, it can be hypothesized that as one moves up in scale, the challenges introduced by each unique characteristic of environmental justice conflicts are magnified. However, additional research is needed to test this hypothesis and better understand the role of scale in facilitating and hindering collaborative processes.

Second, high distrust was identified as a unique characteristic of environmental justice conflicts. However, there are multiple dimensions to trust and distrust. First, trust and distrust reside on two separate continuums (Lewicki, 2007). Parties may have high trust in another party in some contexts while holding high distrust of the same party in other contexts. Additional work is needed to discern the specific contexts in which trust and distrust are present in environmental justice conflicts. Second, there is a distinction between trust and distrust of other parties and of the process. Collaborative processes may still be effective even if trust among parties remains low, assuming that high trust in the process has been established (Moore, 2003; Wondolleck & Yaffee, 2000). This work was unable to differentiate the degree to which trust was built between parties and with the process. Third, conflict based strategies for social change, such as those often employed by environmental justice organizations and communities, rely upon the building of distrust between parties as a means of strengthening trust and common identities within organizations and communities (Coser, 1956). The degree to which this understanding and experience with building trust and distrust influenced perceptions of trust and efforts to establish affiliation and build common identities is still unknown. Overall, the collected data did not allow for these complexities of trust and distrust to be

fully investigated. However, a finer investigation and analysis of the multiple dimensions of trust may provide additional insight into collaborative problem-solving processes in environmental justice conflict situations given its important role in conflict and collaboration and heightened presence in environmental justice conflicts.

Third, environmental justice cases often employ a highly racialized discourse (Taylor, 2000). Furthermore, prior research suggests that highly racialized discourses may be a challenge to collaboration, even between parties with similar interests (Lashley, 2010).

However, in none of the cases studied were the issues highly racialized. This may represent a departure from typical environmental justice conflicts. Because none of the cases employed a highly racialized discourse, it is unclear if the lack of a highly racialized discourse was a precursor to collaboration or if more racially charged conflicts could be managed based on the prescriptions presented earlier in this chapter. Only by investigating cases with a strong racialized discourse can an answer be determined.

Similarly, while the issues addressed by the environmental justice movement have been expanding, environmental justice conflicts still often center on the siting or remediation of a controversial facility in an environmental justice community. However, none of the three case studies investigated involved a controversial siting decision. Furthermore, there was not a strong corporate actor presence in the cases. Consequently, it is yet unknown if the patterns observed in the three case studies used within this research will hold in facility siting or remediation cases or cases with a strong business or corporate actor presence.

Fourth, lack of issue salience was identified as a barrier to community participation. This finding stems from differing definitions and interpretations of

environmental issues. However, in addition, participants hinted that relationships to place may also play a strong role in determining issue salience and participation. Given the limitations of the interview protocol, not enough data was present to determine the role that relationships to place play in promoting participation.

Similarly, the interview protocol did not permit the effects of past procedural injustices and traumatic histories of racial and economic discrimination to be independently assessed. Both characteristics pertain to historical events and relationships and impacted feelings of trust and perceptions of incentives. However, an independent analysis may reveal important nuances between the two characteristics.

Fifth, only urban environmental justice conflicts were investigated. However, the unique characteristics of environmental justice conflicts may influence collaboration differently in rural communities. Consequently, applying the framework to cases in rural environmental justice communities will provide for a comparative analysis of urban and rural environmental justice conflicts as well as provide insight into collaborative processes in the rural environmental justice context.

Sixth, the case studies selected are located in predominately black communities. While each community studied has its own identity and cultural heritage, other racial groups, including Latino, Asian, Native American, and low-income whites, were not a part of the conflicts and collaborations studied. Consequently, it is still unknown if the patterns observed in the three case studies will hold across different racial and cultural groups.

Seventh, collaborative processes funded through the EPA Environmental Justice Collaborative Problem-Solving program were not considered in this research. They were

not considered because the cases were too new, mostly involved organizational capacity building rather than collaborative processes between diverse and conflicting groups, and the influx of federal funds has the potential to change the nature of the collaborative process. Future research may use the framework to compare the nature of environmental justice collaborative processes funded through the EJ CPS with those not funded through the program to determine if, indeed, federal funding shapes the nature of the collaborative process in significant ways.

Finally, a new analytical framework was created because dimensions of race and class are not explicitly considered in traditional conflict assessment frameworks. Further, this research demonstrates that dimensions of race and class do influence the effectiveness of collaborative processes. However, race and class are embedded in multiple types of conflicts, not just environmental justice conflicts. Consequently, this research suggests that there is a need for conflict assessment frameworks to more fully consider such dimensions. In doing so, previously hidden challenges to collaboration may be uncovered, allowing for more productive collaborative problem-solving processes in an array of conflict situations.

CONCLUSION

Prior to this research, little was known about the impacts of the unique characteristics of environmental justice conflicts on collaborative problem-solving. Nonetheless, collaborative processes were being promoted by federal agencies and implemented by communities across the country. Using a newly created conflict assessment framework that highlights dimensions of race and class, this research suggests that the unique characteristics of environmental justice conflicts have significant bearing

upon the structure, management, and functioning of a collaborative process. By recognizing and accommodating these unique characteristics, collaboration can be a viable strategy for managing environmental justice conflicts and seeking justice.

Collaboration can be an effective pathway for realizing environmental justice. However, like all strategies for social change, words of caution accompany its implementation. The unique attributes of environmental justice conflicts impact if and how incentives to participate are perceived and opportunities to participate seized. Furthermore, they impact how the process is structured and the preparation of participants to effectively participate. Not recognizing or acknowledging the unique characteristics of environmental justice conflicts and their impacts on collaborative problem-solving processes risks creating a process where intended participants do not perceive incentives to participate, where salient issues are not addressed, and where participants lack the capacity to effectively participate.

APPENDIX 1

INTERVIEW QUESTIONS

Understanding the Organization and Issues

What is the primary mission (purpose) of your organization?

How did the watershed restoration/General Plan/park planning work become a part of your organization's current issues?

Why Collaboration?

Why did you or your organization decide to approach the project in the way that you did?

Why did your organization decide to work with the collaborative?

What is your organization's relationship to the collaborative?

Did you consider other approaches?

If so, what were they and why did you decide to go in the direction you did?

Is the process used in this case similar to or different from other campaigns/projects of your organization?

Understanding the Process

How and why were other partners identified?

How and why did you get other organizations on board?

How were they approached?

Was there any hesitation?

Has procedural restructuring occurred through the process?

If yes, has it been helpful in moving the collaborative process forward?

If yes, how?

If no, why not?

Did the restructuring of the change your organization's ability to participate in the collaborative? If so, how?

How is it going?

What has been particularly helpful or pivotal in helping the project move forward?

What were the challenges in the process?

How were these challenges overcome?

Who/what facilitated what allowed you to overcome these challenges?

Throughout the process and now, what are you most proud of?

What has been the most surprising/unexpected outcome or occurrence?

In what ways do you think that changes/progress has been made?

What have been the benefits to the community, to the partners and to you of working collaboratively?

Have your perceptions of any of the organizations you are working with changed over time?

How are the other organizations' goals or visions for the community different from or similar to your own goals for the community?

How would you describe your past relationships and interactions with these individuals/organizations?

What are the areas of agreement/disagreement between participants?

Were there any seemingly unbridgeable differences at the start of the project?

Lessons Learned

If given the opportunity to start the process anew, what would you do differently?

What would you do the same?

Would you encourage other organizations with similar goals to consider collaborative processes?

Why or why not?

Under what circumstances or with what conditions would you promote collaborative processes?

What advice would you give them?

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