

Recommendations to Ensure Equity Associated with Air Pollution in Louisiana's Climate Change Plan for COVID-19 Vulnerable Communities

Victoria Peluso¹, Larry Sorapuru², and Adrienne Katner¹

Background

- In March 2021, United Nations determined primarily poor minority Louisiana parishes along Mississippi River endured decades of environmental racism that now exacerbated by climate change and the pandemic.
- Louisiana Climate Change Workgroup tasked with proposing solutions for Louisiana's Climate Change Plan to reduce greenhouse gas emissions to net zero by 2050.
- Equity Task Force (ETF) a subgroup of this Workgroup tasked with reducing socioeconomic and racial inequity.
- River Parish representatives on ETF seek input on policies to protect vulnerable communities along Mississippi River.
- Recommendations addressing the ETF request are presented

Mission

- Identify barriers to racial and socioeconomic equity under Louisiana's current political climate and recommend policies to address inequities.

Results

- The current project identified potential factors contributing to this injustice:
 - 1) arbitrary environmental justice assessment protocols; lack of consideration of cumulative risks in industry citing and permit decisions
 - 2) laws limiting aid provided by academic law clinics;
 - 3) insufficient environmental monitoring in fenceline communities;
 - 4) inadequate regulatory oversight and enforcement;
 - 5) biased industrial tax exemption program decisions; and
 - 6) lack of investments in infrastructure for transportation, education, health care, fresh foods, drinking water and renewable energy.

Results

Table 1. Factors Contributing to Inequality and Higher COVID-19 Death Rates in Louisiana River Parishes

Factors Contributing to Inequality	Outcome	Solution
Laws limiting aid provided by academic law clinics	<ul style="list-style-type: none"> • La. R. Sup. Ct. XX § 4: Louisiana's supreme court ruling that changed who is eligible for representation at Tulane Environmental Law Clinic based on economic status, 	<ul style="list-style-type: none"> • U.S. Constitution § 55(b) grants everyone right to legal representation. • Create new bill to override the 1990 changes to Rule La. R. Sup. Ct. XX § 4
Lack of consideration of cumulative risks in industry citing and permit decisions during the Environmental Justice Assessment	<ul style="list-style-type: none"> • Allow fenceline communities like Mossville and St James Parish to have disproportionate burden on minority communities 	<ul style="list-style-type: none"> • N.J. S. 232/A. 2212 (2020) is the strongest US environmental justice law. Louisiana should adapt it. • Ensure there are strong laws about the distance between industry and residence
Biased industrial tax exemption (ITEP) program and decision making	<ul style="list-style-type: none"> • \$,2857/resident in corporate subsidies – 80% of it goes to ITEP • \$1.9B revenue loss to local taxing bodies • ITEP has a 99.95% approval rate • 897 facilities receive ITEP exemptions 	<ul style="list-style-type: none"> • Appeal to the governor to stop giving a state-level board authority to grant tax exemptions from local entities property tax • Involve community members • School board, council & sheriff's office decisions need uniformity
Inadequate regulatory oversight and enforcement;	<ul style="list-style-type: none"> • Need robust monitoring • Need to enforce actions in a timely manner • Need to better track penalties that have been assessed 	<ul style="list-style-type: none"> • Do not announce inspection dates • Increase reporting capabilities • Establish a system to track when penalties have been settled • Law passed to require air monitoring around fenceline communities
Lack of investments in infrastructure for transportation, education, health care, fresh foods, drinking water and energy	<p>2017 Report Card Louisiana Infrastructure Grades:</p> <ul style="list-style-type: none"> •Aviation: C •Drinking Water: D •Bridges: D+ •Inland Waterway: D- •Coastal: D+ •Levee: C 	<ul style="list-style-type: none"> • INFRA Grant Program <ul style="list-style-type: none"> • USDOT is seeking INFRA projects that address climate change and environmental justice • Environmental Justice Small Grants Program • Block Grants <ul style="list-style-type: none"> • Develop infrastructure at the state, parish, or community level • EPA Drinking Water Revolving Fund

Results

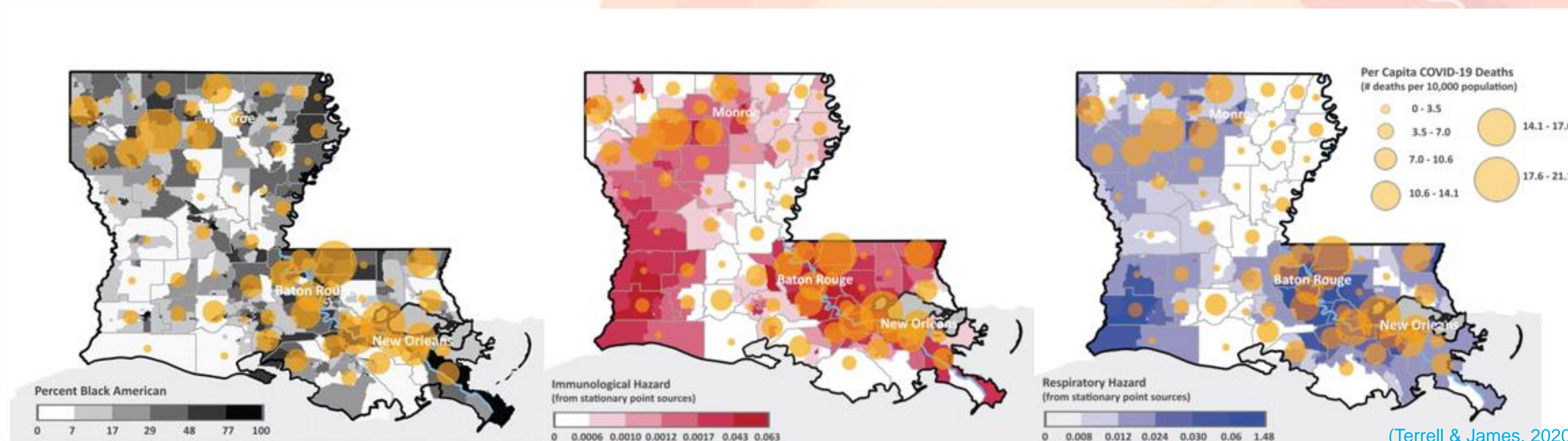


Figure 1: Per Capita COVID-19 Deaths in Louisiana by Race, Immunological Hazard, and Respiratory Hazard up to July 2020

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U.S. Constitution § 55(b)

Why Louisiana Stays Poor <https://www.togetherbr.org/video> (accessed Mar 19, 2021).

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