

Spring 2011

## Introduction to the Environmental Law and Justice Symposium Issue

Randall S. Abate

*Florida A & M University College of Law*

Robert H. Abrams

*Florida A & M University College of Law*

Robert Graggs

Follow this and additional works at: <http://commons.law.famu.edu/famulawreview>

 Part of the [Administrative Law Commons](#), [Agriculture Law Commons](#), [Animal Law Commons](#), [Environmental Law Commons](#), [International Humanitarian Law Commons](#), and the [International Law Commons](#)

---

### Recommended Citation

Randall S. Abate, Robert H. Abrams & Robert Graggs, *Introduction to the Environmental Law and Justice Symposium Issue*, 6 Fla. A&M U. L. Rev. (2011).

Available at: <http://commons.law.famu.edu/famulawreview/vol6/iss2/2>

This Introduction is brought to you for free and open access by Scholarly Commons @ FAMU Law. It has been accepted for inclusion in Florida A & M University Law Review by an authorized administrator of Scholarly Commons @ FAMU Law. For more information, please contact [linda.barrette@fam.u.edu](mailto:linda.barrette@fam.u.edu).

## INTRODUCTION TO THE ENVIRONMENTAL LAW AND JUSTICE SYMPOSIUM ISSUE

It is a great pleasure and honor for us to present this introduction to the inaugural Environmental Law and Justice Symposium issue of the FAMU Law Review. Environmental issues are at the forefront of local, state, national and international public policy debates and will shape political discourse and legislative and policy outcomes far into the future. For example, Environmental Protection Agency (EPA) Administrator Lisa Jackson has made “Expanding the Conversation on Environmentalism and Working Towards Environmental Justice” an Agency priority incorporated into the EPA Strategic Plan 2011-2015. The implementation of this priority is articulated in Plan EJ 2014, which is the Agency’s overarching strategy for integrating environmental justice (EJ) into its programs, policies and activities. EJ 2014 marks the 20th anniversary of President Clinton’s seminal February 11, 1994 Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.” That executive order, which has subsequently become a key statement of principle for EPA and the federal government in addressing environmental justice, is reflective of the significant impacts of the environmental justice movement on public policy in the United States.

This symposium issue continues to enhance what already was a major environmental justice event. Nearly 200 participants convened in Orlando for “New Directions in Environmental Justice,” the inaugural Environmental Law and Justice Symposium hosted jointly by the Florida A&M University (FAMU) College of Law and the FAMU Center for Environmental Equity and Justice, a division of the Environmental Sciences Institute. The event provided probing and insightful views into several of the latest international, national, regional, state, and local developments in environmental justice, and attracted attendees from throughout the state of Florida and beyond.

The conference began with remarks by Gwendolyn Keyes Fleming, Esq., Environmental Protection Agency (EPA) Region 4 Administrator. Keyes Fleming stressed a holistic approach to environmental justice, a process that brings the EPA, the Department of Housing and Urban Development (HUD), the Department of Justice (DOJ), and other governmental agencies to the table to jointly address and effect change in communities. Anticipating a potential concern of some would-be

doubters, she very sagely reminded everyone, "You can protect the environment and still build the economy."

The symposium included plenary sessions with keynote addresses from Beverly Wright, founder and director of Deep South Center for Environmental Justice in New Orleans; Quentin Pair, Esq., U.S. Department of Justice; and Prof. Maxine Burkett, University of Hawaii School of Law. The event also included panel discussions on National and International Developments in Environmental Justice, Toxic Dumping and Brownfields, and Impacts to Indigenous Peoples and Wildlife. The panels featured renowned experts on environmental law and justice issues representing government, academia, nongovernmental organizations, and the private sectors.

The symposium involved several unique and memorable dimensions. First, the EPA Office of Water and the Office of Enforcement and Compliance Assurance, in collaboration with the FAMU Hatchett Pre-Law Society, presented students from Harvard University and the University of Mary Washington who debated the incorporation of environmental justice issues into the EPA permitting process. At the conclusion of the lively and dynamic debate, the attendees, including Hatchett Pre-Law students from FAMU's main campus, were invited to ask questions and provide feedback as to which team's stance was more compelling. Second, the symposium concluded with an "Environmental Justice Listening Session" in which EPA officials heard from local environmental justice stakeholders. Finally, a poignant addition to the symposium was the display of the Lake Apopka Farm-worker Memorial Quilts, prepared as a tribute to the lives of now-deceased farm-workers who worked the muck farms on Lake Apopka in Central Florida.

Commenting on the day's events, College of Law Dean LeRoy Pernell said, "Environmental justice is a topic of particular interest to the FAMU College of Law as we seek to continually provide assistance to diverse populations, many of whom who are impacted by environmental issues discussed during the symposium."

As the faculty members at the FAMU College of Law and the FAMU Center for Environmental Equity and Justice most directly involved in organizing the symposium, we were pleased by the scope and depth of the symposium's coverage of important issues, and the enthusiastic reception from those who were able to attend. We are glad that major portions of the symposium were recorded and are available on the web-

site listed at end of this introduction. Now, however, we have the final privilege of being able to help introduce this special volume of the FAMU Law Review addressing a range of Environmental Justice topics in a more formal and scholarly way.

We each teach courses that address environmental justice. Even in our classes where environmental justice issues are not a central focus, we make sure to introduce EJ-related ideas to our students. We do so because we know that students acquainted with the ways in which environmental injustice seeps into society will be better prepared to prevent it and limit its impact.

We commend the several authors whose works follow in this issue, whose scholarship furthers that understanding and illuminates the subject for us all. This symposium issue features scholarship from scholars, practitioners, and law students that addresses a wide range of domestic and international environmental law and justice issues, only some of which were addressed in the symposium. For example, some of the topics included in this edition are: *The Government's Role in the BP Oil Spill; Wildlife Protection and Off-Shore Drilling; the Application of Title VI in Indian Country; The Need for Congress to Pass the Clean Water Restoration Act; Climate Change and Trade Regimes through Brazil; How Suburbia Happened in Toronto; and The Need for Congress to Get Onboard with Cruise Ship Pollution.*

#### ABOUT THE FAMU COLLEGE OF LAW AND THE FAMU CENTER FOR ENVIRONMENTAL EQUITY AND JUSTICE

The FAMU College of Law was founded in 1949 on the main campus in Tallahassee. Having closed the school in 1968 with 57 lawyer alumni, the Florida Legislature voted to reopen the law school in 2000, and Orlando was selected as the location. The re-established FAMU College of Law opened its doors in 2002 and is now housed in a state-of-the-art facility in downtown Orlando's Parramore neighborhood. The FAMU College of Law received full accreditation from the American Bar Association in July 2009, and is ranked number one in the nation for diversity by *U.S. News & World Report*.

Established in 2011, the Environment Development and Justice Project (EDJP) of the Center for International Law and Justice at FAMU College of Law is a multi-faceted program to promote faculty and student engagement within and outside the law school community on pressing issues involving environmental regulation and the needs of

developing countries and of minority and low-income populations. EDJP seeks to determine how these topics intersect in the domestic and international law fields in promoting justice for vulnerable populations while ensuring adequate protection of the natural environment. EDJP aims to advance FAMU College of Law's overall mission of training minority students for the legal profession and, more particularly, to place FAMU graduates in careers in the domestic and international environmental law fields, areas in which there is significant historical under-representation for minorities.

The Florida Legislature established the FAMU Center of Environmental Equity and Justice in 1998 (Florida Law, CH. 98-304) upon recommendation from the Florida Commission on Environmental Equity and Justice (Florida Law, CH. 94-219). The Center is housed in the Environmental Sciences Institute. The Center's mission is to address environmental issues through research, education, training and community outreach, and make recommendations to be used in developing policies that are designed to protect all citizens from exposure to environmental hazards.

The symposium would not have been possible without the support of our external sponsors. We are deeply grateful for the generous contributions that we received from the law firm of Akerman Senterfitt LLP, the Environmental and Land Use Law Section of the Florida Bar, the Animal Legal Defense Fund, and the U.S. Environmental Protection Agency.

Additional information about the symposium, including the symposium program and links to presentations submitted by the symposium speakers, can be found at the FAMU College of Law's webpage at the following link: <http://law.famu.edu/go.cfm/do/Page.View/pid/198>.

Randall S. Abate  
Associate Professor of Law  
Director, Environment, Development & Justice Project  
Florida A&M College of Law

Robert H. Abrams  
Professor of Law  
Florida A&M College of Law

Dr. Richard Gragg  
Associate Professor of Environmental Science  
Director, Center for Environmental Equity and Justice  
Associate Director, Environmental Sciences Institute  
Florida A&M University

\*\*\*