

Municipal Governments White Paper

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Background and Historical Context

Municipal governments are the level of government closest to residents' daily lives. They control water and wastewater infrastructure, local road networks, zoning and land use, waste management, emergency services, and in many cities, public housing and public transit. In most states, municipalities also hold primary authority over school district boundaries and local policing (Whitaker and Morse, 2018). This concentration of authority over basic services means that when municipal governments fail or choose not to act, the consequences fall directly and immediately on residents.

The proximity of residents has not always translated to equal governance. Across American history, municipal decisions about where to build highways, where to site industrial facilities, and where to draw school district lines have systematically disadvantaged low-income communities and communities of color. Mid-twentieth century urban renewal programs, largely administered at the local level, demolished established Black neighborhoods in cities from Baltimore to Minneapolis under the banner of slum clearance, displacing hundreds of thousands of residents while directing investment toward whiter, wealthier areas. Local zoning codes enforced racial and economic segregation long after federal fair housing law was enacted, and many of those patterns persist in the built environment today. In North Carolina alone, municipalities hold direct authority over solid waste siting, stormwater management, and local land use approvals, decisions that have repeatedly produced racially skewed outcomes when made without meaningful community input (Ogelsby, 2024).

Municipal authority over water and wastewater infrastructure has been a particularly consequential source of inequity. Cities decide which neighborhoods receive infrastructure upgrades, how aging pipes are prioritized for replacement, and how water rates are structured. In Flint, Michigan, it was a city-level decision to switch the municipal water source from Lake Huron to the Flint River in 2014, made without community consultation and without adequate corrosion control, that exposed thousands of residents to dangerous lead levels. Similarly, municipal control over disaster preparedness and land use means that local governments determine which neighborhoods are developed in flood-prone areas, where stormwater infrastructure is built, and how emergency response resources are distributed. Residents themselves are often the most reliable source of information about where these burdens are concentrated, knowing firsthand where traffic and pollution are heaviest and where health impacts are most severe (Cabico, 2026). Research consistently shows that infrastructure investment flows disproportionately toward wealthier and whiter neighborhoods, leaving lower-income communities more exposed to both chronic environmental hazards and acute climate events.

Several case studies across the country reveal how municipal governments have permitted toxic pollution to accumulate on residents' doorsteps, flow through their water pipes, and fill the air they breathe. In Sampson County, North Carolina, the county Board of Commissioners rushed the siting of what would become a 1,300-acre regional landfill in the 1970s, overriding technical recommendations against the site and excluding affected community members from the process, a decision the Sampson County NAACP President later characterized as racially motivated (Ogelsby, 2024). In Uniontown, Alabama, four million cubic tons of coal ash from a Tennessee power plant were deposited near a predominantly Black community,

contributing to reported neurological, reproductive, respiratory, and psychological health impacts among residents (Allred and Heath, 2025). At the same time, climate change is intensifying natural disasters, making the municipal role in equitably distributing residential and industrial zoning more consequential than ever. Historically, local governments have approached environmental harm reactively, focused on clearing debris and restoring services after disasters strike. The evidence makes clear that this posture is no longer sufficient. Municipal governments must shift from disaster recovery toward disaster mitigation, and from top-down decision making toward genuine collaboration with the communities they serve.

Policy Context

The legal foundation for municipal environmental authority is broad but uneven. Local governments derive their powers from state enabling legislation, which grants them jurisdiction over land use, zoning, infrastructure, and public health within their boundaries (Whitaker and Morse, 2018). This means that the scope of what a municipality can do on environmental issues varies significantly from state to state, and in many cases municipalities are preempted from acting on certain issues entirely. For example, coal ash regulation falls under federal Environmental Protection Agency jurisdiction, meaning local governments cannot independently classify it as a contaminant or restrict its disposal even when it is being deposited in their communities (Allred and Heath, 2025). These jurisdictional constraints create gaps where neither the state nor the federal government acts, and municipalities lack the authority to fill them.

Within the authority they do hold, municipalities have increasingly turned to equity-focused planning frameworks to address the disproportionate environmental burdens carried by low-income communities and communities of color. One of the most developed

examples is Seattle's Race and Social Justice Initiative, which deploys equity mapping tools to identify where minority populations are facing disproportionate environmental harm and incorporates those findings directly into city planning decisions (City of Seattle Office for Civil Rights, n.d.). Rather than treating environmental and social equity as separate considerations, Seattle's framework embeds them into the standard planning process, requiring city departments to assess racial equity impacts before approving zoning changes, infrastructure investments, and land use decisions. This kind of structural integration is significant because it moves equity from a stated value to an operational requirement.

Federal policy has also shaped the landscape of municipal environmental governance, though inconsistently. The National Environmental Policy Act requires environmental impact assessments for major federal actions, and many states have adopted parallel statutes that apply to locally permitted projects (National Environmental Policy Act of 1969). However, these assessments are typically completed after project designs are already set, and public comment periods are often too short and too late in the process to allow meaningful community input. Residents are frequently invited to respond to decisions that have already been made rather than to shape the decisions themselves (Cabico, 2026). The legal structure of environmental review, in other words, creates the appearance of community participation without guaranteeing its substance.

Some municipalities have attempted to close that gap through proactive policy tools. Community benefit agreements, which are legally binding contracts between developers and community organizations tied to project approvals, have been used in cities including Los Angeles and Pittsburgh to secure health protections, local hiring commitments, and environmental mitigation measures directly in the development approval process. Environmental

justice action plans, adopted by cities including Portland, Oregon, have required city bureaus to consult frontline communities before finalizing decisions with environmental consequences, embedding community review into the bureaucratic timeline rather than appending it afterward. Organizations like UPROSE in New York have formalized this relationship further by conducting mayoral briefings on climate justice, giving elected officials direct access to community-identified priorities so that representatives can act on that knowledge even when advocacy organizations are not present (UPROSE, 2026).

Community-based organizations have also developed their own policy tools to fill gaps left by municipal inaction. Freedom Org, founded in Princeville, North Carolina by Marquetta Dickens, works directly with local governments to identify racial disparities in environmental outcomes and develop community-specific methods for equitable decision making (Freedom Org, n.d.). These partnerships reflect a broader shift in how environmental policy gets made at the local level, away from purely top-down regulatory frameworks and toward models where community knowledge is treated as a legitimate input into planning and governance. Residents consistently have the most precise understanding of where pollution is concentrated, where health burdens fall heaviest, and where infrastructure is failing, knowledge that technical assessments conducted from outside the community routinely miss (Cabico, 2026).

The policy landscape reveals a system where municipal authority is significant but constrained, where equity frameworks exist but are unevenly adopted, and where community engagement is required in form but rarely guaranteed in substance. The case studies that follow illustrate what happens when that gap between formal participation and genuine collaboration is left unaddressed.

Case Studies

Brooklyn, New York

Elizabeth Yeampierre, Executive Director of UPROSE, is a longtime environmental justice leader whose experiences with displacement, racial inequity, and toxic exposure have shaped her advocacy for environmental justice issues. UPROSE focuses on the disproportionate environmental burdens placed on Sunset Park, Brooklyn, including highways, waste facilities, fossil fuel infrastructure, industrial contamination, poor air quality, and climate vulnerability, while also challenging the procedural factors that allow city agencies and developers to make land-use and economic decisions without meaningful community input. The organization addresses these issues through community-led organizing, coalition building, policy advocacy, and co-governance strategies. UPROSE has advanced alternatives such as a decarbonization plan for the waterfront, fought harmful rezoning and infrastructure expansion, and worked with local officials to secure planning tools like a special purpose district that embeds community priorities into municipal policy. UPROSE demonstrates that municipal governments can either reinforce environmental inequities by prioritizing private capital and excluding communities, or help repair them by sharing power, honoring commitments, directing resources to overburdened neighborhoods, and institutionalizing community-led decision-making.

Snow Hill, North Carolina

A case study which explores a community's fight against an unfair local government is Snow Hill, North Carolina, and the Sampson County municipal solid waste facility. Snow Hill, Roseboro, was a small agrarian-dominated town farmed by locals for their own food, and home

to a range of professions including lawyers, doctors and teachers. Since 1974 the solid waste facility has operated serving the local needs of county residents, however in the 1990s it was transformed into a large regional dump for 44 countries. It has now grown to 1,300 acres large, equivalent in size to 990 football fields. The biggest problem of the landfill for residents however is the illegal and toxic waste which is dumped there, such as asbestos, contaminated equipment and PFAS, exemplified by the landfill ranking second nationally for methane emissions from municipal solid waste landfills. Consequently, there are multiple cases of impacts on resident's health, including shortness of breath and frequent headaches. Similarly, the landfill has negatively impacted local property values and letting possibilities for homeowners. It is for these reasons that residents have been fighting for over 50 years to have the landfill closed down and to limit its expansion. The significance of this case study to municipal governments is that the Sampson County Board of Commissioners rushed the decision of where to place the landfill back in the early 1970s. While excluding key community groups from participating in the decision making process, they broke recommendations advising against placing the landfill in Snow Hill. For example, only 30% of land was suitable for a landfill due to a high water table. Therefore the choice to nevertheless place it in this community resulted in the Sampson County NCAAP President calling it a 'racially motivated' decision (Ogelsby, 2024). This case study highlights the consequences of excluding community groups from the decision making process.

Uniontown, Alabama

Snow Hill's municipal landfill is unfortunately not a unique case study as the Arrowhead Landfill near Uniontown, Alabama, illustrates another example of environmental and physical degradation stemming from institutional regulatory neglect. The Arrowhead Landfill stores four

million cubic tons of coal ash from the 2008 Kingston Fossil Plant in Tennessee, as well as other contaminants and household garbage. This places the Uniontown residents in immediate proximity in great risk of harm from toxic waste seeping into the soil and the water table. Reported health impacts include 'neurological, reproductive, respiratory, and psychological disorders' (Allred and Heath, 2025, p. 471). Additionally, coal ash specifically is a carcinogen, with its cancer risk coming from fine particulate matter suspended in the air. Consequently Uniontown residents state that they no longer let their children play in the garden or sit on their porches. The community has attempted to fight back against the environmental injustice by leveraging tactics used in the Civil Rights Movement to advocate on policy and raise awareness of racial environmental justice. Municipal governments are constrained by State and Federal Laws, for example they cannot act on coal ash being a contaminant as the US Environmental Protection Agency has defined coal ash to be non-hazardous. This case study, put forward by Allred and Heath (2025) as a story of racial capitalism and failed human-environmental relationships, illustrates how local communities can band together to resist oppressive racial structures within industry and legislation. However, as evident in the oral histories described by Allred and Heath (2025), it is currently not enough to bring about substantive change.

Flint, Michigan

The 2014 water crisis in Flint, Michigan remains one of the most stark examples of what happens when a municipal government prioritizes cost cutting over community health and excludes residents from decisions about their own infrastructure. In 2014, city officials switched Flint's water source from Lake Huron to the Flint River without notifying residents and without implementing adequate corrosion control measures. Lead from aging pipes leached directly into

the water supply. Residents began reporting discolored water and unusual odors almost immediately, but city officials repeatedly dismissed their concerns and insisted the water was safe. It took over a year of persistent resident pressure, independent water testing, and outside investigative reporting before the city acknowledged the crisis. By then, an estimated 6,000 to 12,000 children had been exposed to elevated lead levels, which can cause irreversible developmental and neurological damage (CDC, 2016). The decision was driven by a state-appointed emergency manager seeking to reduce municipal costs, a process that bypassed the normal elected local government structure and further cut residents out of any meaningful input. Flint illustrates how the absence of early community engagement in infrastructure decisions is not a procedural gap but a public health failure.

Los Angeles, California

In the mid-1980s, the city of Los Angeles proposed building a large trash-to-energy incinerator in South Central Los Angeles, a low-income neighborhood home to a largely Black and Latino population. The project, known as the LANCER Project, would have processed thousands of tons of municipal waste per day, directing the pollution and truck traffic that came with it into a community that already bore a disproportionate share of the city's industrial burden. The city moved forward with the proposal without meaningfully consulting residents, assuming that a low-income community of color would lack the organization or political power to resist. That assumption proved wrong. Denise Fairchild, an activist and community organizer, helped mobilize South Central residents to fight the project. Fairchild describes how residents conducted their own health impact research and organized sustained public opposition after the city failed to provide them with basic information about what the incinerator would mean for their

neighborhood (Mothers of Environmental Justice, n.d.). Community members applied persistent political pressure on the city council, and by 1987 the city cancelled the project. Fairchild notes that the campaign succeeded in part because residents reframed the fight not just as opposition to a single facility but as a demand for the right to participate in decisions about their own community from the start (Mothers of Environmental Justice, n.d.). The LANCER case is significant not only because the community won, but because of what the city's original approach revealed. The decision to site a major pollution source in South Central without community input was not an oversight. It reflected a pattern of municipal governments treating low-income communities of color as places where environmental burdens could be deposited without political consequence. The reversal only happened because residents forced it, not because the city chose collaboration on its own.

Opportunity Structures and Constraints

Municipal governments operate under a set of structural constraints that frequently limit their ability to pursue environmental justice goals, even when the political will exists to do so. Understanding these constraints is essential for developing realistic and actionable policy recommendations.

Funding

Unlike state and federal governments, municipalities have limited and largely fixed sources of revenue, primarily property taxes, local sales taxes, and intergovernmental transfers. This makes it difficult to dedicate sustained resources to environmental justice initiatives, which often require long-term investment in community outreach, technical assessment, and infrastructure remediation. When budgets are tight, environmental justice programming is among the first to be cut in favor of more immediate municipal priorities like road maintenance,

emergency services, and debt obligations (Whitaker and Morse, 2018). Smaller and lower-income municipalities face this constraint most acutely, as their tax bases are often the weakest precisely because decades of disinvestment have suppressed property values in the communities that need the most attention.

State Law

Municipalities are functions of the state, meaning they can only exercise powers that state legislatures explicitly grant them. In many states, this leaves municipalities unable to act on issues that directly affect their residents. As discussed in the Uniontown case, local governments have no authority to regulate coal ash as a hazardous material because the EPA has defined it as non-hazardous at the federal level, and state law follows suit (Allred and Heath, 2025). Similarly, some states have preempted municipalities from passing their own environmental regulations that exceed state standards, effectively capping local ambition. This creates a situation where municipal governments are accountable to residents for environmental outcomes they do not have the legal tools to address.

Staff Capacity

Many municipal planning and public health departments, particularly in smaller cities and rural counties, lack staff with specialized expertise in environmental health, climate adaptation, or community engagement. This means that even when municipalities want to conduct meaningful environmental review or community outreach, they may not have the internal capacity to do so effectively. The result is often a reliance on outside consultants who have no ongoing relationship with the community and limited accountability to residents.

Developer/Business Pressures

Municipal governments are frequently dependent on private investment to fund infrastructure, generate tax revenue, and create jobs. This creates a structural incentive to approve development projects quickly and with minimal friction, which can work against thorough environmental review and genuine community engagement. When large employers or developers threaten to take investment elsewhere, elected officials face real political pressure to accommodate their preferences, sometimes at the expense of affected residents.

Despite these constraints, municipalities hold real structural advantages that create genuine opportunity for reform. They are the level of government most directly accountable to residents, and elected local officials face their constituents in ways that state and federal representatives rarely do. This proximity creates political incentives for responsiveness that do not exist at higher levels of government, and gives community organizations a more direct path to influencing policy. Within the authority they hold over zoning, permitting, infrastructure investment, and community engagement requirements, municipalities can act without waiting for state or federal direction. Cities like Seattle have demonstrated through the Race and Social Justice Initiative that meaningful equity reform is possible within existing legal frameworks (City of Seattle Office for Civil Rights, n.d.). The constraints are real, but they are not impossible to overcome. The question is whether municipalities choose to use the authority they have in ways that serve all of their residents.

Recommendations and Call to Action

While there are often many constraints at the local level, there is also significant opportunity. State and national governments are harder to influence because they must appeal to broad and often conflicting constituencies, balancing both conservative and liberal populations. For example, in New York, governors must appeal not only to the heavily liberal population of

New York City, but also to the large conservative population in many upstate and rural regions. This can make bold or targeted policy change more difficult. In comparison, municipal governments are often smaller, closer to residents, and more directly accountable to the communities most affected by their decisions. Taking this into consideration, municipal governments have a unique opportunity to affect change in regards to environmental justice issues.

Municipal governments should move from late-stage consultation to early collaboration when making development decisions that have the potential to impact citizens. One way municipalities can implement this is through co-governance models where environmental justice organizations brief representatives on current issues and information. These representatives are elected to serve the community, however, they often lack the resources to be knowledgeable about all the current issues. By briefing them on this information, organizations give representatives the tools they need to analyze a piece of legislation and decide if they want to sign it. This model has worked for the UPROSE organization, and Elizabeth Yeampierre highlights that this model is important for enabling representatives to make decisions when UPROSE is not present.

Similarly, the current system of community input is dismissive and harsh. While citizens are invited to speak on environmental justice issues at events like town halls, action is rarely taken to address their concerns and their input is often disregarded without response from community leaders or representatives. Reforming this structure could include creating a conversational atmosphere, where questions and answers can be made, requiring municipal government members to formally reply. This helps residents feel understood and improves the extent to which a municipal government can serve their community.

The gap between what municipalities are constrained from doing and what they are empowered to do is where environmental justice policy is won or lost. Cities that treat their constraints as a ceiling will continue to produce the outcomes documented in Flint, Uniontown, and Snow Hill. Cities that treat their existing authority as a starting point, and their proximity to residents as an asset rather than a burden, have the tools to do better.

Contributions of Each Team Member:

All five group members contributed equally to the research, writing, and revision of this white paper. Each member took primary responsibility for one or more case studies: Humphrey led the Uniontown and Snow Hill case study, Riley led the Brooklyn UPROSE case study, Tanner led the Flint, Michigan case study, Mary worked on the policy context, and Sawyer led the Los Angeles case study. Despite these individual focal areas, all members contributed to the research, drafting, and revision of every section of the final document, including the background, policy context, opportunity structures, and recommendations sections.

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