



# Dupont Summit 2017

*Science, Technology, and Environmental Policy*

December 1, Historic Whittemore House, Washington, DC

## **Presentation**

### **“Environmental Constitutionalism: A New Tool for Environmental Preservation”**

For decades, communities have relied on Federal and State legislation to ensure protection of a clean environment. And for decades, while achieving some important successes in environmental protection, overall the health of our environment for present and future generations has continued to degrade from a growing number of sources. The truth is, our laws are designed to accommodate pollution as much as, perhaps even more than, to prevent it. As a result, people feel powerless when it comes to preserving the quality of their water, air, public parks, and special natural spaces. Environmental Justice communities find themselves particularly hard hit; while there is increasingly good rhetoric when it comes to considering environmental justice issues regarding environmental decision-making, the proof is in the pudding...communities of color, low income communities, and communities with high immigrant populations continue to be disproportionately targeted for placement and expansion of polluting industrial operations.

But there is a solution for achieving better, and much needed, protection of our environment: bypass the laws and turn to the ultimate authority – our state and federal constitutions. In 2013, van Rossum and her team won a watershed legal victory that not only protected Pennsylvania communities from ruthless frackers, but affirmed the constitutional right of people in the state to a clean and healthy environment. Following this victory, van Rossum inaugurated the Green Amendment movement, dedicated to empowering every American community to mobilize for constitutional change.

This talk will seek to discuss and inspire a new tool for environmental preservation, one that will provide a new way of thinking about, and pursuing, environmental protection from a policy as well as a legal perspective. In this session, van Rossum will talk about:

- how legislative environmentalism has failed to provide critical needed environmental protection for communities across America;
- the transformational difference environmental constitutionalism can make;
- how a properly framed and placed constitutional provision can and will provide a whole new level of defense for environmental justice communities that continue to be targeted for polluting projects; and
- the economic imperative of environmental constitutionalism

We all have the right to pure water, clean air, and a healthy environment. This talk will focus on how to truly secure that right for our own sake and that of future generations.

*Speaker*

Maya K. van Rossum, *The Delaware Riverkeeper*