Historic Flooding Uncovers Environmental Justice Issues

We don’t often think about environmental justice when it comes to natural disasters. More often, the issue is raised in regard to the pollution from factories, landfills, failing infrastructure, and others that corporate decision makers, regulatory agencies and planning and zoning boards find easier to site in low-income and minority neighborhoods than in middle-to-upper-income neighborhoods. And while it’s true that natural disasters, such as flooding and tornados, for example, affect both rich and poor, it is lower-income populations that are hardest hit. More working poor and low-income populations live within or within reach of floodplains, and often less expensive, more fragile housing, such as mobile homes, is common within these neighborhoods. Many haven’t adequate insurance. In addition, poor communities often lack connections to decision makers on zoning boards or city councils that could protect their interests, nor can they afford to hire the technical and legal expertise they might need to help with recovery.

Compounding the issues this year’s flooding revealed, the lack of affordable workforce and low-income housing, which has bedevilled both urban and rural Nebraska for years, has become an even more urgent problem. Entire mobile home parks in multiple communities were destroyed, including Bellevue, Fremont, and North Bend. Over 3,000 homes and 80 businesses were damaged, 2,000 of which are either destroyed or no longer safe to inhabit.

Legal Aid of Nebraska stepped up to help. “This spring’s historic flooding in Nebraska affected thousands across the state, causing millions of dollars in damage,” said Legal Aid Executive Director Milo Mumgaard. “Legal Aid’s Disaster Relief Project immediately got to work, offering free legal assistance for low-income survivors of Nebraska’s floods, through both online resources and a network of trained volunteer lawyers across the state. Most low-income flood survivors are without adequate insurance, have limited resources, and lack knowledge of their options, he noted. “Housing, jobs, utilities, health care, and transportation can have setbacks, some of which may not even arise until weeks or months after the disaster.”

The Disaster Relief Project attended Multi-Agency Resource Centers (MARCs) in Wail River, Fremont, Valley, Nebraska, Columbus, Dannebrog, and Bellevue. While at the MARCs, staff spoke to flood survivors, distributed information about the Disaster Relief Hotline and other disaster resources, and processed applications for assistance. “Disaster legal services is incredibly important in long-term recovery after a disaster,” said Shirley Peng, Disaster Relief Project managing attorney. “Legal Aid of Nebraska has been working hard with the disaster recovery teams in the state to make sure people are aware of our services and are able to reach out for guidance in the recovery process.”

So far, Legal Aid has processed nearly 300 applications for disaster relief assistance. Disaster survivors can apply through the Disaster Relief Hotline at 1-844-268-5907 or at LawHelpNE.org.

The Rural Response Hotline, staffed by Legal Aid’s Farm and Ranch Project Manager Michelle Soll, has also seen an uptick in calls because of disasters.

The hotline offers financial and legal resources, helping over 225 farm and ranch families affected by the floods and blizzards that hit Nebraska in the spring. “We expect our numbers to increase as our farmers and ranchers were hit at such a trying time with financial distress already being a concern,” Soll said.

Farms and ranches already struggling with a distressed agricultural economy saw immediate and long-term damage and loss, with an estimated $400 million in livestock losses, and $440 million in lost crops or stored grain. Nebraska farm bankruptcies are currently 4th in the nation, while the population is 38th in the nation.

Tribal communities were flooded and community resources destroyed, including that of Santee Sioux Nation, in northeastern Nebraska, divided in half by floodwaters, forcing the evacuation of residents with permanent damage to dozens of homes, along with a flooded health care clinic, damage to water system, and destroyed roads.

Transportation infrastructure was destroyed and damaged, limiting options to and from employment and services for months. This, together with shuttered businesses and slowed agricultural production, led to disruptions in employment opportunities for low-skilled workers, especially in farming.

Legal Aid anticipates more than 317,000 potential low-income residents are in zip codes impacted by the flooding.

Legal Aid is prioritizing legal services for these disaster-affected families. We’re building their education and resilience to be better prepared for the next disaster. Attorneys who wish to volunteer for the Disaster Relief Project can visit disaster.legalaidofnebraska.com/volunteer.