



S U R F A C E T R A N S P O R T A T I O N P O L I C Y P R O J E C T

# Strengthening the “E” in TEA-21

## Transportation, Equity and Smart Growth

by **Don Chen**  
**Coordinator, National Smart Growth Coalition**

**D**uring the Congressional debate over ISTEA reauthorization, much blood was spilled fighting for equity, specifically funding equity between states. In the end, many lawmakers claimed that equity prevailed, shaping the final outcome and name of the law, the Transportation Equity Act for the 21st Century.

Across the nation, many communities tackling transportation problems would also like to see equity prevail, in this case, to increase opportunities and boost quality of life for low-income people and people of color. Looking back on the past decade, we've certainly witnessed some progress. The public involvement requirements first introduced in ISTEA and reaffirmed in TEA-21 have not only made many agencies more responsive to public needs, but they have also empowered community groups who used to regard transportation decisions as important, but immutable, like the weather. New “jobs access” initiatives at the U.S. Department of Transportation, Department of Housing and Urban Development, and Department of Labor have provided greater transportation choices for low-income workers. And post-ISTEA planning requirements, coupled with the Executive Order on Environmental Justice and the enforcement of civil rights, right-to-know and clean air laws, have also proven to be promising tools for ensuring equitable decision making.

In spite of these gains, we still have a long way to go. The articles in this issue of *Progress* discuss the numerous ways in which transportation decisions can harm communities of color and the tools to fight for transportation justice, including federal legislation, organizing strategies, and new national coalitions. Each of these stories also invokes the pervasive influence of sprawl, where transportation, land use, and growth intersect. The dilemma that sprawl poses to the pursuit of equity was deftly captured by Angela Blackwell of PolicyLink, who recently observed that “When we finally gained access to better schools and hospitals, the good schools and hospitals moved away. When we got a shot at decent housing and jobs, the good housing and jobs went away.”

Unless transportation policy contributes to a smart growth agenda that reinvests in neglected communities, improvements made in transit services, pedestrian safety, and urban air quality may contribute little to the lives of the nation's poorest families, who even in this famously booming economy, have seen their earnings decline over the past two decades. Examples of the merging of environmental and social equity goals within the smart growth movement can already be seen. Last year, environmental groups joined community development activists opposing the weakening of the Community Reinvestment Act. This year, the National Smart Growth Coalition is identifying a common agenda ranging from open space preservation to affordable housing. For those of us in the transportation field, this new framework for smart growth and social equity can help us strengthen the “E” in TEA-21.

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## Transportation Revenue and Funding Grow in President's Budget

On 2/7, the Administration announced its budget for fiscal year 2001, proposing a record \$54.9 billion in transportation spending. If enacted, this would be an increase of \$4.7 billion over the FY2000 level. It includes \$30.4 billion for highway programs and \$6.3 billion for transit. Also included is \$521 million for Amtrak, in line with the company's plan for fiscal self-sufficiency.

The biggest surprise was the proposed re-allocation of about one-third of the estimated \$3.058 billion in tax revenues that are over and above the amount anticipated to flow to the Highway Trust Fund at the time TEA-21 was enacted. These funds, known as Revenue Aligned Budget Authority (RABA), are scheduled to go to the state DOTs in the form of highway funds unless some action is taken. The administration has proposed to allocate the RABA funds to intercity passenger rail and high-speed rail corridors; transportation improvements in the Mississippi Delta region; the Federal Transit Administration's Job Access Program, and other programs. For more information go to <http://www.dot.gov/affairs/index.htm>

## Transportation Conformity Bill

A controversial bill on transportation conformity authored by Sen. Kit Bond (R-MO) could move to a vote in the Senate early in 2000. S.1053 would

substantially weaken the accountability of road builders to Clean Air Act reviews, exempting billions in highway spending from the air pollution limits imposed by state air quality planning. This could delay for millions of Americans the day when the air in their communities is healthy to breathe and impose greater pollution clean up costs on consumers, small business, and utilities. For more details, see the 10/30/99 issue of *Transfer* at <http://www.transact.org>.

## Legislation Advances For High-Speed and Intercity Rail

Legislation introduced by Senators Frank Lautenberg (D-NJ) and Jim Jeffords (R-VT) in October could provide significant funding sources for high-speed rail corridors. The High Speed Rail Investment Act would let Amtrak sell \$10 billion in bonds between fiscal 2001 and 2010, enabling the national passenger rail corporation to expedite completion of the Northeast Corridor and bring high speed rail service to the Northeast, Southeast, Midwest, Gulf Coast and West Coast.

The bill, S. 1900, currently has 31 co-sponsors and has been referred to the Senate Finance Committee. Meanwhile, support for S.1144 has grown to 35 co-sponsors. The bill, which would allow states to spend their federal transportation dollars on intercity passenger rail, has been approved in committee and may head for a floor vote as soon as this Spring.

## STPP Announcements

### STPP Seeks Assistant Director

STPP is seeking an Assistant Director for Policy and Programs to manage a variety of activities for its Washington, DC office, including program management, policy development and fundraising. Candidates should have at least 8 years of professional experience in a field related to transportation, the environment, community organizing and/or organizational management. Interested persons should forward a cover letter, resume, writing sample and salary history/requirements to the address listed below. For more information, visit <http://www.transact.org>.

**Roy Kienitz, Executive Director**  
Surface Transportation Policy Project  
1100 17<sup>th</sup> Street, NW, 10<sup>th</sup> Floor  
Washington, DC 20036  
Attention: Job Search  
FAX: 202.466.2247

### New STPP Regional Office

Trinh Nguyen has joined STPP's staff to head up local outreach and campaign efforts in California's Central Valley and Sierra Nevada regions. Trinh recently received a Master's degree in Urban Planning from UCLA, and has a strong community organizing background working for neighborhood Green Corps in Sacramento and the San Francisco League of Urban Gardeners. For more information, contact:

**Trinh Nguyen**  
Northern California Campaign Manager  
Surface Transportation Policy Project  
1414 K Street, Suite 315  
Sacramento, CA 95814  
phone: 916.447.8880  
fax: 916.447.8881  
e-mail: [tnguyen@transact.org](mailto:tnguyen@transact.org).

# What We Need to Do About the 'Burbs

**by John Powell, Executive Director, Institute on Race and Poverty**

*EDITORS NOTE: The following is excerpted from an interview with John Powell by the editor of ColorLines magazine Bob Wing. It originally appeared in the Fall 1999 issue of ColorLines, "a national magazine on race, culture and action." In the interview, Mr. Powell describes why regionalism is the most important issues facing the civil rights movement because of the growing impacts that regional decisions have on low-income communities of color. The full interview and other articles about race and regionalism can be found at <http://www.colorlines.com>*

**R**egionalism is the notion that you should think about, fight for, and administer resources at a regional and not just a city or federal level. The economy, the infrastructure (transportation, utilities, etc.), and the labor market all function on a regional level. Today, metropolitan regions are divided racially and spatially into largely white and affluent suburbs and largely non-white and poor urban centers.

Regional inequity has seriously undermined the efforts of the civil rights movement. The doctrine of local autonomy and municipal rights has been used to frustrate the rights and economic hopes of blacks. As a result, whites have been able to re-isolate minorities in the declining urban core and older suburbs, away from jobs, growth centers, a strong tax base, and other opportunities. This is aggravated by the fact that today suburban voters outnumber urban voters: the political center of regions throughout the country has shifted to the suburbs, again isolating the urban core.

## **Reframing Regionalism**

So far, regionalism, "smart growth," and anti-sprawl movements have been mainly framed around the interests of white suburbanites and environmentalists. Our challenge is to reframe these issues from the standpoint and interests of people of color, who mainly live in the cities and older, declining suburbs, but whose conditions are inextricably connected to the newer, growing suburbs.

Half the people in the country living in concentrated poverty are black. Another third are Latinos. Even though more than half the impoverished people in the country are white, most poor white people don't live in concentrated poverty. So it's not just economics; concentrated poverty is sorted by race. And this racial sorting takes place not just on a neighborhood level now, but on a regional level: cities versus suburbs, inner-ring suburbs versus outer-ring suburbs, this side of the freeway versus that side of the freeway, etc.

## **Regionalism and Urban Strategies**

Unlike regionalism, urban strategies or so-called "in place strategies" focus on specific neighborhoods; in many ways, this may have been the wrong strategy. For example, there are hundreds of community development corporations (CDCs) that fight for more low-income housing in their neighborhoods. If you look at Minneapolis for example, 85 percent of low-income houses are in a few neighborhoods, often at the behest of community advocates. The problem is that concentrating low-income public housing also concentrates poor people away from opportunity and resources.

By contrast, Montgomery County, outside Washington D.C., adopted a mixed-income housing plan. Their plan requires that 15 percent of new housing has to be below market rate and half of those need to be public housing. They thus distribute public housing throughout the community rather than concentrating it in a few neighborhoods. And the public housing is not some cheaply built high rise, but normal commercial units that have been taken off the market. It's a very popular plan that deserves consideration elsewhere.

By regionalism I'm not suggesting a dispersal strategy, but I am suggesting a comprehensive strategy. We need a strategy that looks at what's going on in the region and that links people of color with opportunities. This can be done through new transportation lines. It can be done by bringing some jobs and businesses to the community itself. But we also have to have the option of having people move to where those opportunities currently exist outside of the inner cities.

## **Regionalism and the Racial Justice Agenda**

Many urban social activists are legitimately concerned that regionalism will weaken the political and cultural ties of minority communities that are centered in the cities. The answer, however, is not to avoid participation in regional discussions, but to participate in such a way that we protect those concerns. With or without us, regional development is occurring and undermining our communities. The corporations, developers, and suburban whites who drive this regional development are not likely to put racial issues on the table. If we don't come to the table, wealthy and middle class whites will simply continue to set the regional agenda according to their own interests, and we will simply suffer the consequences. I think that bringing issues of race into regionalism is crucial to a progressive agenda that can cut away at racialized concentrated poverty and inequities in education. In fact, I believe bringing racial justice awareness to regionalism is the single most important civil rights task facing us today.

# Dismantling Transportation Apartheid through Environmental Justice

by **Robert D. Bullard, Director, Glenn S. Johnson, Research Associate, and Angel O. Torres, GIS/TRI Training Specialist, Clark Atlanta University's Environmental Justice Resource Center**

The link between transportation and civil rights dates back more than a century to when African Americans struggled to end unequal treatment on buses and trains. This form of apartheid, which clearly violated constitutionally guaranteed civil rights, was codified in 1896 by *Plessy v. Ferguson*, a U.S. Supreme Court decision that upheld Louisiana's segregated "white" and "colored" seating on railroad cars. This decision ushered in the infamous doctrine of "separate but equal." *Plessy* not only codified apartheid in transportation facilities but also served as the legal basis for racial segregation in education until it was overturned in 1954 by *Brown v. Board of Education of Topeka*.

The modern civil rights movement has its roots in transportation. In 1953, nearly half a century after *Plessy v. Ferguson* relegated blacks to the back of the bus, African Americans in Baton Rouge, Louisiana, staged the nation's first successful bus boycott. Two years later, on December 1, 1955, Rosa Parks refused to give up her seat at the front of a Montgomery, Alabama, city bus to a white man.

Today, millions of Americans are fighting to get on the bus. They are also struggling to get public transit systems linked to job centers. After mounting scientific evidence and growing pressure from grassroots people of color groups, President Clinton, on February 11, 1994, signed Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations." Then, on April 15, 1997, the U.S. Department of Transportation issued its Order on Environmental Justice, requiring the U.S. DOT to comply with the executive order within the framework of existing laws, regulations, and guidance. In December 1998, the Federal Highway Administration issued an order requiring the agency to incorporate environmental justice in all its programs, policies, and activities.

From New York City to Los Angeles, environmental justice groups are demanding a fair share of the benefits that accrue from transportation investments. They are also demanding an end to the kind of transit racism that killed 17-year-old Cynthia Wiggins of Buffalo, New York. Wiggins, an African American, was crushed by a dump truck while crossing a seven-lane highway because Buffalo's Number Six bus, an inner-city bus used mostly by African Americans, was not allowed to stop at the suburban Walden Galleria Mall. The Wiggins family and other members of the African American community sued the mall owners, bus company, and trucking firm for using the

highway as a racial barrier to exclude blacks. The high-profile trial, argued by O.J. Simpson's former attorney Johnnie L. Cochran Jr., began on November 8, 1999. The lawsuit was settled 10 days later for \$2.55 million.

Lest anyone dismiss transportation as a tangential issue with regard to race, consider that Americans spend more on transportation than any other household expense except housing.



The Bus Riders Union protesting for transportation equity in front of the Los Angeles City Hall.

## Los Angeles

In Los Angeles, for example, the Labor/Community Strategy Center, Bus Riders Union, Southern Christian Leadership Conference, Korean Immigrant Workers Advocates, and individual bus riders led a successful frontal assault on transit racism. The grassroots groups and their NAACP Legal Defense and Education Fund lawyers challenged the inequitable funding and operation of Los Angeles MTA bus transportation used primarily by low-income residents and people of color. In 1996, the citizen groups won an historic out-of-court settlement that included major fare and bus pass concessions. They also forced the MTA to spend \$89 million on 278 new buses that run on clean-burning compressed natural gas.

## Atlanta

Transportation apartheid is a major factor that has kept the Atlanta region racially, economically, and spatially divided. For years, I-20 served as the racial line of demarcation in the region, with blacks located largely to the south and whites to the north. The bulk of the region's job growth in the 1990s occurred in the northern suburbs—areas where public transit is virtually nonexistent. From 1990-1997, Atlanta's northern suburbs added 272,915 jobs. This accounted for 78.4 percent of all jobs added in the region. However, Atlanta continues to lose ground to its suburbs. The city captured about 40 percent of the region's jobs in 1980. From 1990 to 1997, Atlanta's job share had slipped from 28.3 percent to 19.08 percent.

The 10-county Atlanta metropolitan area has a regional public transit system only in name. The Metropolitan Atlanta Rapid Transit Authority or MARTA serves just two counties, Fulton and DeKalb. Many suburbanites object to MARTA for fear it would lower their property values,

increase crime, and bring “undesirable” elements into their communities, parks, and shopping centers. For years, MARTA’s acronym was jokingly referred to as “Moving Africans Rapidly Through Atlanta.”

At the same time, transportation continues to harm communities of color through greater exposure to health risks from region’s poor air quality and pedestrian environment. A 1994 CDC study showed that pediatric emergency visits at an Atlanta hospital increased by one-third following peak ozone levels. The study also found that the asthma rate among African American children is 26 percent higher than the asthma rate among whites.

In 1998, two separate coalitions of citizens groups challenged the Atlanta Regional Commission’s highway-dominated plan they felt would exacerbate air quality and disproportionately and adversely affect the health and safety of African Americans and other people of color. The lawsuit was settled in 1999 and will likely free up millions of dollars for transportation alternatives that could improve air quality and enhance mobility in the region.

Shortly after the settlement, the environmental justice coalition entered into informal negotiations with the U.S. DOT, state, regional, and local transportation agencies to begin addressing important transportation equity and environmental justice issues. Beyond seeking equal transportation opportunities, environmental justice advocates also strive to improve public safety. Sidewalks, for instance, could greatly improve pedestrian safety. This is not a small issue because people of color generally have higher pedestrian fatality rates than whites. People of color account for less than a third of the Atlanta region’s population and nearly two thirds of all the pedestrian fatalities in the re-

gion. Rates for non-Hispanic blacks and Hispanics were two and six times greater, respectively, than for non-Hispanic whites.

Past transportation policies have subsidized, reinforced, and exacerbated residential segregation and economic isolation while they have concentrated areas of poverty. Citizens’ groups have responded by challenging governmental agencies to open up their planning processes, to diversify their boards, and to begin addressing land use, air quality, and equity issues that disproportionately and adversely affect low-income communities and communities of color. Community leaders are also calling for transportation agencies to identify and address inequitable distribution of transportation benefits and burdens.

*For more information on transportation equity and environmental justice see the Environmental Justice Resource Center’s web site at [www.ejrc.cau](http://www.ejrc.cau).*



*Pedestrians in Atlanta, where a recent settlement has re-directed transportation dollars from roads to sidewalks and transit.*

## New National Coalition Promotes Smart Growth

**A**fter decades on the back burner of the nation’s policy agenda, the fight for smart growth has finally hit the big time. Since 1998, hundreds of ballot initiatives and land use decisions have been designed to curb the costs of haphazard growth. Governors of all political stripes have announced anti-sprawl initiatives.

To establish a common agenda, a wide variety of advocacy groups have formed the National Smart Growth Coalition. Through a range of media, public education, coalition building, and policy activities, the Coalition hopes to bring environmental, community development, and other advocates together to promote growth in places that need new development and already have some of the necessary infrastructure to support it. In particular, Coalition members have been urging the improvement of abandoned properties, the rehabilitation of older neighborhoods and buildings, the protection of farmland and open space, and the provision of affordable housing and transit services.

In recent months, the Coalition has developed a federal policy agenda which calls for funding for land conservation and water quality protection, affordable housing, regional transportation and land use planning, private sector incentives for investment in distressed communities, school rehabilitation, historic preservation, and several other measures. The Coalition is also developing a communications strategy to help the public make the connection between the costs of sprawl and the benefits of community economic development.

For further information, contact **Don Chen, Coordinator of the National Smart Growth Coalition**, 1100 17<sup>th</sup> Street, NW 10<sup>th</sup> Floor, Washington, DC 20036. Tel: 202.974.5131; Email: [dchen@transact.org](mailto:dchen@transact.org).

# The Long March to Transportation Justice in Macon

**David G. Oedel, Professor of Law, Mercer University Law School**

When General Sherman swept from Atlanta to the sea in 1864, breaking the back if not the heart of the Confederacy, Macon, Georgia, was one of the lone places in Sherman's path that the rebels managed to protect. Today, still standing behind many of Macon's fabulous intact mansions are rows of rickety shotgun shacks where generations of former slaves, servants, laborers and plain poor folk — almost all black — have lived and died.

Today, Macon's tradition of disparity between rich and poor, and white and black, is perhaps nowhere more evident than in transportation. In 1993, I released a study of the starkly differing transportation realities for poor blacks and most everyone else in Macon. Findings included that nearly half of the black population is under-served by private automobiles, and that more than a quarter of all black households lacks any car at all. The study also compared the rate of public subsidies for road infrastructure with those for people without cars, and found that although very poor blacks in Macon presumably have greater absolute needs for public help, the people with cars were getting hugely disproportionate public subsidies. Moreover, while local government officials repeatedly snared federal funding for area roads, the transit authority's handlers have refused more than \$25 million from Congress since 1980 even though these funds would have helped the crippled bus system better service the needs of its ridership. A sometimes-explicit message coming from many of Macon's white leaders was that the bus system was a form of welfare for low-income blacks, and should be discouraged. There was no corresponding sense of skepticism about public subsidies for the transportation facilities used by the well-heeled car-owning population.

The question of whether the transit authority should accept federal funds was the subject of considerable controversy in the community, with advocates for the bus riders like Jack Ellis, Vice President of the local NAACP, routinely protesting against the apparently racist illogic of the refusal to accept the funds. Transportation subgroups of existing civic organizations were formed, and a large public hearing was held to discuss the condition of transit in Macon.

In 1994, I joined Bill Lann Lee of the NAACP Legal Defense Fund and Howard Sokol of Georgia Legal Services in filing an administrative complaint about Macon's overall transportation planning with the United States Department of Transportation. It was the nation's first administrative complaint about *intermodal* transportation funding disparities, and identified legal violations under both the

Intermodal Surface Transportation Efficiency Act of 1991 and Title VI of the Civil Rights Act of 1964, which prohibits racial disparities in federally funded programs. Macon's metropolitan planning organization, along with the city and county governments, were the principal targets of the complaint.

In response, the Office of Civil Rights at the U.S. DOT initially announced an investigation, but long delays occurred in commencing the investigation. As months turned into years, Macon activists decided against filing a lawsuit, and instead pressed for political reforms to bring about change to the inequities of the regional transportation system. For instance, in 1996 and 1997, the bus drivers' union unsuccessfully attempted to be recognized by the transit authority, which would have mooted one objection to the receipt of federal funds. Also, Macon's City Council narrowly passed a resolution inviting the transit authority to accept federal funding for the buses.

The most important political development, however, occurred in 1995 when Jack Ellis, the longstanding advocate for transportation reform, ran for mayor. Although Ellis lost the Democratic primary to Jim Marshall, Marshall adopted Ellis' transportation equity platform and proceeded to change the very nature of the transit authority board during his four years as mayor. Unlike prior mayors, Marshall selected board members who supported transit and who were not union-phobic.

In 1998, shortly after a Marshall appointee was elected to chair the transit authority's board, the transit authority voted to apply for federal funds. About the same time, Rodney Slater was appointed Secretary of Transportation, and the U.S. DOT announced it would finally pursue an investigation of the Macon transportation complaint. These developments were further cemented in late 1999 when Jim Marshall stepped aside to run for Congress and transportation equity advocate Jack Ellis emerged as the first African-American mayor in Macon's history.

Macon's story is one that suggests the power of patience, persistence and political resourcefulness in tackling the polycentric, evolving problems posed by transportation planning in local and regional communities. In some American communities, it will be necessary to involve the judicial branch in reaching particular decisions. In others, these decisions will take place in public arenas, such as legislative halls, executive offices, regulators' hearings, the media's stories, church pulpits, and the public's conversation. The transportation equity advocate cannot rely only on judicial declarations and applications of law to provide for a favorable outcome, even if the law may facially appear to support the desired result. Transportation is not just law. It is politics and community. It is morality.

# Gentrification

## Making the Transportation and Land Use Connection in Low Income Communities

### **Cameron Yee, Transportation Equity Project Director, Urban Habitat Program**

The economy of the San Francisco Bay Area is booming, led by the high tech industry's growth in Silicon Valley. But not all segments of the population and communities have benefited from the increased economic activity. A decreasing amount of affordable housing means low income communities are threatened with the displacement of long time residents.

Metropolitan regions around the country are beginning to recognize the negative impacts of suburban sprawl. But the emerging equity issue for communities of color is gentrification. When 16 community activists in Urban Habitat Program's 1999 Leadership Institute were asked what issue most affected all of their communities, their unanimous response was gentrification. During the summer, these community leaders explored the three key phases of gentrification: disinvestment in a community, policy driven reinvestment in a community, and finally, displacement of low income and working people.

As a result of the Institute's preliminary analysis, Urban Habitat began researching nine communities in the Bay Area experiencing gentrification and found that these communities shared the following characteristics: each is majority people of color, contains redevelopment projects, and has very good highway access. The research culminated in the Urban Habitat report, *There Goes the Neighborhood: A Regional Analysis of Gentrification and Community Stability in the San Francisco Bay Area*. Based on job and housing indicators, the report finds that seven out of the ten cities causing gentrification in the San Francisco Bay Area are located in the Silicon Valley. These cities leave low and middle wage workers with few affordable places to live, forcing workers to move to places like San Francisco and Oakland, which in turn displaces existing residents and causing new transportation problems. For example, from 1995 to 1998 the number of people commuting from San Francisco to Santa Clara County increased by 29%, and is projected to grow by another 60% by 2010, an increase of 11,000 commuters.

Much of the report's media coverage has focused on the connection between gentrification and irresponsible land use policies by cities in Silicon Valley that promote corporate office space and high end housing. Other causes of

gentrification include highway-oriented transportation policy, which prioritize roadway capacity over good public transit, and land use decisions made to increase the sales and property tax revenues instead of goals of community stability. The federal government's retreat from providing affordable housing, discrimination in housing and lending, and weakened rent control laws are other influential factors.

To promote community stability instead of gentrification, low income communities and communities of color need good investment that benefits existing residents. The emerging smart growth agenda is an opportunity to help existing residents in low income communities build and increase their assets and stability.

#### ***UHP believes the following mechanisms can help stem gentrification in the San Francisco Bay Area and across the nation:***

**Community Land Trusts** - Land is purchased and set aside for communities to decide the use for anything from parks to housing to small business development. Brownfields redevelopment should be an affordable housing option.

**Community / Equity Impact Reports** - Projects that come into a community must show that they benefit the community through creating local jobs, meeting local social needs, etc. A monitoring and enforcement mechanism must be in place if the project fails to meet the benefits.

**Community Plans** - Communities need to be supported to plan, develop and implement their economic, social and environmental vision for the future of their community.

**Inclusionary Zoning and Housing / Rent Control** - The supply of affordable housing must be increased and protected through incentives to build affordable housing and protecting renters rights.

**Tax Base Sharing** - Cities and counties in a metropolitan region must share property and sales taxes to stop the fiscalization of land use.

**Regional Housing Fund** --Those cities who build only high end housing must contribute to a regional housing funds that support cities building affordable housing

*The Urban Habitat Program is working to ensure that social justice and the concerns of low income communities are at the forefront of the Smart Growth debate around land and transportation policy in the San Francisco Bay Area. Copies of the report "There Goes the Neighborhood" are available for \$20 for organizations and \$10 for individuals by calling 415.561.3329 or by e-mail: uhp@igc.org.*

# Pedestrian Safety and Social Justice

Emerging California Coalition Demanding Safer Streets for Everyone

**James Corless, California Director, STPP  
and Luis Arteaga, Associate Director,  
Latino Issues Forum**

In theory, pedestrian safety programs should target areas where with high volumes of foot traffic; places with a denser urban fabric that have increasingly been inhabited by recent immigrants and people of color. For these communities getting around without a car is more a matter of necessity than choice, and streets that make traveling by foot safer and more convenient aren't mere amenities, they're a critical component of everyday life. Yet in practice, attention to the needs of pedestrians and demands for traffic safety improvements have more often followed political power and economic status, than objective assessments of where problems exist and why.

The pattern is easily recognizable across the country, and California historically has been no exception. Some of the first and most aggressive traffic calming programs began in Berkeley and Palo Alto in the 1970s, two of the most expensive and exclusive communities in the state. Berkeley's program included full street closures, a move that outraged auto advocates at the time but has also drawn criticism for its parallel to the gated communities of more recent years.

Yet the physical, social and cultural landscapes of California are undergoing massive changes. When Berkeley constructed its first street closures thirty years ago, over 70% of the state's population was white. Today, demographers consider California "a majority of none," and polling among Latinos in particular (comprising nearly a third of the state's residents, expected to reach 50 % by 2040) has shown overwhelming support for environmental protection, quality of life and community safety programs that rivals or surpasses that among the population at large.

It's in this context that issues of pedestrian safety and traffic calming are beginning to resonate in low-income neighborhoods and in communities of color all across California, from Los Angeles through the Central Valley

and into the Bay Area. In September 1999, STPP's California field offices released a report with the Latino Issues Forum documenting troubling trends in pedestrian safety statewide. The Forum contributed research showing that not only do Latinos and African Americans walk, bike and take transit more than the average California resident, but they are far more likely to be victims of vehicle-pedestrian crashes relative to their overall share of the population. The report, released as the landmark "Safe Routes to School" bill sat on the desk of California Governor Gray Davis, was covered by every major news outlet in the state.

A week after the report's release, along with additional publicity generated by National Walk a Child to School Day and the endorsement of a coalition of more than 80 organizations, Governor Davis signed the Safe Routes to School bill into law. The coalition that worked to support the bill, including a diverse array of bicycle advocacy groups led by the California Bicycle Coalition, public health professionals, pedestrian activists, neighborhood groups, parent-teacher associations, municipal governments, environmentalists and social justice organizations, is now setting its sights on additional legislation to further the cause of pedestrian rights and traffic safety. Local efforts are now underway to prepare project applications for the \$20 million a year in federal highway safety funds available to communities as a result of the new law.

Although small in relation to the billions the state spends on transportation annually, the Safe Routes to School bill has now given traditionally disenfranchised communities some leverage in the struggle to direct resources back into neighborhoods that need them the most. What remains to be seen is whether this initial groundswell of support can be translated into both lasting institutional change and stronger, safer and more socially just communities.

To read the report "Caught in the Crosswalk," visit <http://www.transact.org/ca>. For details on the Latino Issues Forum, visit <http://www/lif.org>. For information on legislative advocacy strategies, see the 5/99 Tool of the Month at <http://www.transact.org/Toolmonth/tools.htm>

## Transportation Advocacy Materials en Español

**Igualdad en el Transporte y Justicia Ambiental**, Environmental Defense, 1999.

Articles on transportation and environmental justice are available at <http://www.edf.org/bienvenidos/>

**Caminando a Través de los Años**, Washington, DC: National Highway Traffic Safety Administration, 1997 and 1998.

This three-part series is available at <http://www.nhtsa.dot.gov/people/outreach/media/catalog/material.cfm>

**Tome Nota**, Washington, DC: National Highway Traffic Safety Administration, 1998.

This "walkability checklist" is available at <http://www.nhtsa.dot.gov/people/outreach/media/catalog/material.cfm>

**Atrapado en el Cruce Peatonal: Seguridad Peatonal en California**: STPP, Septiembre de 1999.

Both the "Caught in the Crosswalk" report and related materials are available online at <http://www.transact.org/ca>.

**Acerca de Commuter Connection**: Metropolitan Washington Council of Governments. On-line resource on commuter choice programs. <http://www.mwcog.org/commuter/ccindex.html>

# The Transportation Equity Network

Building Coalition for Transportation Justice in Low-Income Communities

## **Rich Stolz, Policy Specialist, Center for Community Change**

**V**eena Allen is a resident of Winchester Greens, an affordable housing complex in Richmond, Virginia. There is no bus service to and from her community. Winchester Greens abuts a highway – their sidewalk is the highway’s shoulder. Parents must walk their children to the nearest bus stop for fear of their safety; elderly residents with walkers must ramble more than a mile to the nearest market to purchase basic necessities. Allen began organizing residents in her community last spring. Last summer she joined a national movement to strengthen and magnify the voices of low-income people in federal transportation policy, the Transportation Equity Network (TEN).

TEN is a national coalition of grassroots and faith-based organizations working to improve transportation services for poor communities and to open up the transportation planning process to more effective grassroots participation. The groups in TEN include statewide coalitions, church-based groups and individual membership organizations of low and moderate-income people. Typically, these groups have not worked on transportation issues for very long, but began to focus on transportation as part of broader anti-poverty agendas in their own communities.

In 1998, TEN advocated for several amendments to be included in the planning portion of the Transportation Equity Act of the 21<sup>st</sup> Century (TEA-21). In addition to these amendments, TEN also fought aggressively for the Jobs Access and Reverse Commute program as part of a broader national coalition coordinated by STPP.

Staffed by the Center for Community Change, TEN also provides a loose infrastructure for the work of dozens of local and regional organizing efforts across the country. TEN organizations share information about local campaigns with one another and when necessary coordinate national advocacy efforts. Following are examples of these local efforts.

Last fall, the Interfaith Federation of Northwest Indiana successfully prevailed upon the US Department of Transportation to conditionally certify the Northwest Indiana Regional Planning Commission. The Federation, an organization of almost 30 churches and 50,000 people representing both central city and suburban communities, demonstrated that there were significant problems with respect to environmental justice and disproportionate negative impacts on low-income central city communities



in the regional planning process. NIRPC and the Interfaith Federation have until this fall to correct the problems identified in the joint FHWA/FTA certification letter.

Another organization, the Statewide Emergency Network for Social and Economic Security (SENSES) in New York state won a statewide “access to jobs” grant program using New York’s surplus welfare money. Funds will go to local jurisdictions to develop and fund projects that help welfare recipients and low-income workers find reliable transportation to work and related services, like childcare and job training.

In Los Angeles, the Alameda Corridor Jobs Coalition is in the process of securing the campaign victory that set aside 30% of all hours worked on a major rail construction project connecting the Los Angeles and Long Beach ports for local residents in the poor communities being disrupted by the project. The victory amounted to one of the largest hiring agreements for low-income residents in US history.

TEN is currently involved in an effort to press the US Department of Transportation to properly implement data reporting requirements for MPOs in TEA-21. TEN has also joined with a broader coalition of national environmental, civil rights and human needs organizations to open up access and improve collection of federal and local transportation funding data, including STPP and Environmental Defense.

*The Center for Community Change is a national non-profit organization based in DC with a thirty-year old track record in anti-poverty issues ranging from community reinvestment to welfare reform. For more information, contact Rich Stolz of the Center for Community Change at 202.339.9343 or visit <http://www.communitychange.org>.*

# Transportation Equity and Environmental Justice

**Robert García, Senior Attorney and Los Angeles Director, and Michael Replogle, Transportation Director, Environmental Defense**

**D**orothy Johnson, 50, lives in Detroit and commutes to her job in the suburbs cleaning office buildings. She leaves home about 3 p.m. on weekdays and gets to work two buses and two hours later. She leaves work at 11 p.m. and gets home by 12:30 a.m. “There aren’t too many jobs here in Detroit,” she said. Jobs closer to home have another drawback: “The city sort of pays less.” If she had a car, the drive would take only 25 minutes. But folks like her cannot afford a car. Only one in four residents owns one. People without cars and the working poor with limited access to cars are disproportionately people of color, low income people, women, children, the elderly, and the disabled.

Ruthie Walls, a single mother looking for an affordable home in which to raise her five children, bought a house in southeast Atlanta, surrounded by freeways on three sides. Cleaner cars have hardly addressed the harms she and her neighbors still suffer from the air, water and noise pollution of traffic that has tripled over the years. But Ruthie and her African-American neighbors pay higher taxes for storm water cleanup caused by the roads that serve suburban commuters and truckers. They breathe the diesel exhaust from dirty buses, while cleaner buses operate elsewhere.

Transportation equity lies at the crossroads of civil rights, the environmental and economic vitality for people like Dorothy and Ruthie all across the country. And while people of color and low income communities continue to disproportionately suffer from transportation inequities, progress is being made to include and consider these communities in the transportation decision-making processes that affect their lives. New guidance from the U.S. Department of Transportation makes clear that transportation agencies need to examine the cumulative effects of billions of dollars in transportation investments to consider how alternatives would promote equitable access and cut air pollution and traffic congestion. This recent memo-

randum builds on TEA-21 and ISTEA reforms that helped open the planning process to greater public scrutiny, involvement, and accountability. The following transportation equity framework is good policy and good law.

**Goals.** Transportation agencies must achieve results that are equitable, are environmentally sound, and promote economic vitality.

**Information.** Agencies must gather, analyze and publish the information necessary to understand the impact of their actions on all communities. Follow the money: Who benefits from funding decisions? Who is left behind?

**Participation.** Agencies must insure the full and fair participation of all communities in the decision-making process.

**No Discrimination.** Agencies must avoid intentional discrimination and unjustified adverse disparate impacts for which there are less discriminatory alternatives.

This framework lies at the heart of our civil rights and environmental laws. The President’s Order on Environmental Justice affirms the principle of using the planning process to implement the civil rights and environmental laws, including Title VI of the Civil Rights Act of 1964 and TEA-21. The 1990 Clean Air Act conformity provisions, which hold transportation investments accountable as part of state plans to protect the public from air pollution, and the National Environmental Protection Act (NEPA) of 1970 can also serve as a tool for transportation equity.

In metropolitan Atlanta, where transportation conformity issues have had their biggest impact to date, hundreds of millions of dollars have been redirected from sprawl-inducing roads in outer areas to investments in clean buses, sidewalks, transit centers and other projects that have a positive or neutral impact on clean air, such as highway safety and bridge reconstruction. But bus rapid transit, clean buses, and van services that could efficiently and quickly expand access of low income and minority workers to suburban jobs are being crowded out by expensive commuter rail investments that may fuel more sprawl.



As can be seen in these photos, there was a great contrast between bus and transit service in the Los Angeles metropolitan area. This disparity led to one of the most important environmental justice lawsuits in recent years.

A coalition of environmental, environmental justice, community, and civil rights groups are working with US DOT to implement the transportation equity framework in Atlanta. This effort is analyzing the equitable and environmental impacts of all transportation spending and planning, including highways, public transportation, and the pedestrian and bicycle environment. The struggle for transportation equity is spreading to other regions — from Seattle to San Francisco to Milwaukee to Indiana to Macon to Texas to New York.

## For Further Reading

Kaid Benfield, Matt Raimi and Don Chen, *Once There Were Greenfields: How Urban Sprawl is Undermining America's Environment, Economy and Social Fabric*, New York: Natural Resources Defense Council, 1999.

Robert D. Bullard, Glenn S. Johnson, Angel O. Torres, *Sprawl City: Race, Politics and Planning in Atlanta*, Island Press, 2000.

Robert Bullard, *Just Transportation: Dismantling Race and Class Barriers to Mobility*, New Society Publishers, 1997.

*Getting to Work: An Organizer's Guide to Transportation Equity*, Center for Community Change, Washington, DC: August 1998.

*Helping Ourselves: How to Design and Implement Transportation Solutions in Low-Income Communities*, Bay Area Transportation Choices Forum, October 1999.

Greg LeRoy, Sara Hinkley and Katie Tallman, *Another Way Sprawl Happens: Economic Development Subsidies in a Twin Cities Suburb*. Institute on Taxation and Economic Policy's Good Jobs First project, January 2000.

"Opportunities for Smarter Growth: Social Equity and the Smart Growth Movement," prepared by PolicyLink for the Funders' Network for Smart Growth and Livable Communities, December 1999.

Myron Orfield, *Metropolitix: A Regional Agenda for Community and Stability*, Washington, DC: Brookings Institution, 1997.

Cameron Yee, *Crash Course*, San Francisco: Urban Habitat Program, 1998.

## On-Line Resources

*ColorLines Magazine*: <http://www.colorlines.com>

Brookings Institute: <http://www.brookings.edu>

Center for Neighborhood Technology: <http://www.cnt.org>

Environmental Defense: <http://www.edf.org/ej>

Environmental Justice Resource Center:  
<http://www.ejrc.cau.edu>

New York City Environmental Justice Alliance:  
<http://www.nyceja.org>

PolicyLink: <http://www.policylink.com>

Transportation Equity Network:  
<http://www.communitychange.org>

Urban Habitat Program: <http://www.igc.org/uhp>

The United States has developed the greatest highway system in the world, giving unprecedented freedom to travel to those who can afford it. We cannot afford to leave so many of our fellow travelers stranded by the road. It is time for a national agenda to achieve equal justice for all under our environmental and transportation laws.

For more information on environmental justice, and the Los Angeles lawsuit, visit <http://www.edf.org/ej>.

## Announcements

### STPP's Reader Picks Contest

This year's Summer Reading issue of *Progress* will profile some of the best places to live and visit in the U.S. Our intent is to highlight places which afford a high quality of life because of wise transportation and land use planning decisions.

Readers are encouraged to submit nominations of 150 words or less describing the attributes that make these favorite places special. Please include your name, address and affiliation. The most compelling entries will receive a **prize!** Please email entries by May 12, 2000 to *Progress* Editor, Nancy Jakowitsch at [njakowitsch@transact.org](mailto:njakowitsch@transact.org).

### Grants for Rail Station Revitalization

The Great American Station Foundation is accepting applications for its 2000 cycle of grants for rail station revitalization projects. Eligible applicants for the seed and capital grants include state and local units of government, transit agencies, non-profit organizations, and community development corporations. Applications are due on April 14, 2000.

For the full grant guidelines, contact Janice Varela at the Great American Station Foundation at 505.425.8055 or at <http://www.stationfoundation.org/programs/2000Application.html>

### Rail~Volution 2000: Call for Papers!

This year's Rail-Volution conference will be held in Denver, Colorado from October 4-8, 2000. Readers with an important lesson to share are encouraged to submit a 300 word presentation abstract by March 20, 2000. For more information, visit <http://www.railvolution.com>

### Planning Journal: Call for Manuscripts

The *Journal of the American Planning Association* is soliciting manuscripts on all aspects of the theory and practice of planning. For more information, contact JAPA editors at 503-725-4087 or by email [JAPA@pdx.edu](mailto:JAPA@pdx.edu), or visit <http://www.japa.pdx.edu/>

## Surface Transportation Policy Project

1100 17th Street, NW, Tenth Floor  
Washington, DC 20036  
Phone: 202.466.2636  
Fax: 202.466.2247  
Email: [stpp@transact.org](mailto:stpp@transact.org)  
<http://www.transact.org>  
<http://www.tea21.org>

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*The goal of Surface Transportation Policy Project is to ensure that transportation policy and investments help conserve energy, protect environmental and aesthetic quality, strengthen the economy, promote social equity, and make communities more livable. We emphasize the needs of people, rather than vehicles, in assuring access to jobs, services, and recreational opportunities.*

*The work of STPP is made possible by grants from the Bullitt Foundation, the Nathan Cummings Foundation, the German Marshall Fund of the United States, the William and Flora Hewlett Foundation, the Joyce Foundation, the Martin Foundation, the Richard and Rhoda Goldman Fund, the Prince Charitable Trusts, the David and Lucille Packard Foundation, the Surdna Foundation, the Rockefeller Brothers Fund, and the Turner Foundation.*

**Progress is edited and produced** by Nancy Jakowitsch and Michelle Garland. We encourage contributions from our subscribers. Please send donations, comments, and requests for reprint permission to STPP by email or by post at the return address above.

**STPP Staff:** Don Chen, James Corless, Grace Erb, Reid Ewing, Michelle Garland, Carmen Hunt, Nancy Jakowitsch, Sonya Jubar, Charlie King, Barbara McCann, Jerome Milton, Trinh Nguyen, Gloria Ohland, William Peters, and Nancy Willis.

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Dale Marisco, Community Transportation Association of America  
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