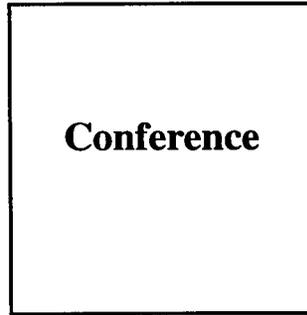
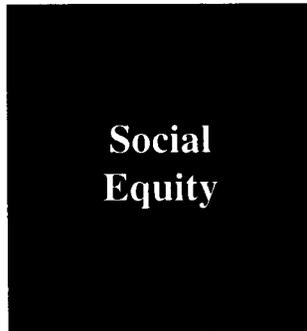
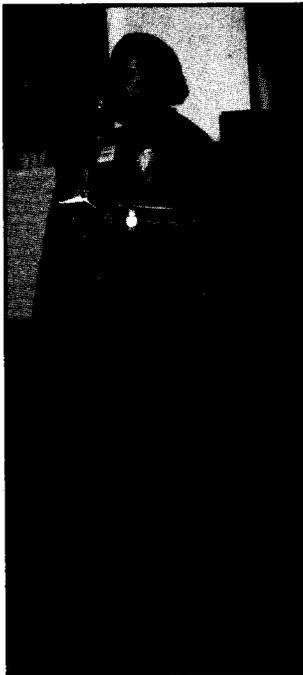
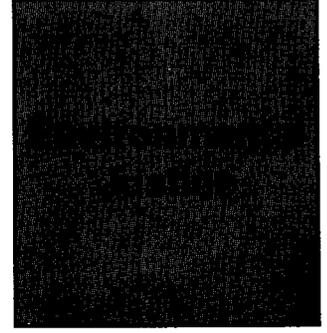




U.S. Department
of Transportation
**Federal Transit
Administration**

Transportation, Environmental Justice, and Social Equity Conference Proceedings



July 1995

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U.S. Department
of Transportation
**Federal Transit
Administration**

Administrator

400 Seventh St., S.W.
Washington, D.C. 20590

JUL 10 1995

Dear Colleague:

I am pleased to provide you with a copy of a report on the Transportation, Environmental Justice, and Social Equity Conference that was held in Chicago on November 16-18, 1994.

The conference brought together more than 150 representatives of community groups, Federal agencies, national nonprofit organizations, and local officials. The intent was to recreate the planning and decisionmaking process so that future investments benefit all communities, including low income communities, communities of color, and tribal communities. This conference was an important step toward realizing the Federal Transit Administration's commitment to making transit affordable, convenient, accessible, and efficient for all members of our communities and to ensure that transit plays a positive role in community economic development.

This report summarizes the discussions and outcomes of the conference. Chapter one presents the introduction, Federal opportunities and policies, panel discussions, and conclusions and recommendations. Chapter two contains the five topical papers written for the conference that helped frame discussions about how the Federal government, along with the local agency partners, can work to achieve an equitable transportation system. Chapter three provides summaries of the working group deliberations. A summary of the Chicago field trip, the results of the conference evaluation, principles of environmental justice, the legal and regulatory framework, the conference attendee list, a glossary of terms, and suggestions for further reading are included in the appendix.

If you would like additional copies of this report, please contact William B. Menczer, Office of Policy Development, at (202) 366-4060.

Sincerely,

A handwritten signature in cursive script that reads "Gordon J. Linton".

Gordon J. Linton

Enclosure

Transportation: Environmental Justice and Social Equity Conference Proceedings

Prepared for

**Office of Policy Development
Federal Transit Administration
US Department of Transportation
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July 1995

Cover photos provided courtesy
of Arthur Smith, Hyde Park
Improvement Committee, and
Center for Neighborhood
Technology.

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The Conference

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Introduction

The purpose of the Transportation: Environmental Justice and Social Equity Conference was to bring forth issues and begin a dialogue between those affected and those responsible for meeting transportation challenges. The conference was sponsored by the Federal Transit Administration (FTA) and Surface Transportation Policy Project (STPP) and hosted by the Center for Neighborhood Technology (CNT). The wealth of the conference was provided by the rich group of attendees. Please see Appendix C for an attendees list.

These proceedings were produced as a record for the conference and a reference for future discussions and actions. A video of the proceedings, produced by STPP and CNT is also available. For more information, please contact Laura Olsen, STPP, 202.939.3470 or Jacky Grimshaw, CNT, 312.274.4000.

The first conference on Transportation: Environmental Justice and Social Equity, held in November 1994 in Chicago, Illinois, brought together over 150 people representing community groups, federal agencies, national non-profit organizations, and local officials. People with years of experience in implementing policies and projects came together with those impacted by their efforts. The intent was to begin a strategy for relieving some of the pain caused by past decisions and also to recreate the planning and decision making process so that future investments are beneficial for all communities, including low-income communities, communities of color, and tribal communities. Transportation investments can serve as a framework or a seed for economic redevelopment as well as providing access to the jobs, services and recreation all people need.

Over the course of three days the participants shared frustrations along with their visions for the future. Several of the top officials at the

Department of Transportation were on hand to share their thoughts and listen. Janette Sadik-Khan, Associate Administrator for Budget and Policy at the Federal Transit Administration, helped organize the conference in order to learn from communities and understand the role that FTA and the entire Department of Transportation needed to play to achieve livable communities in all neighborhoods across the country. The Administrators from the Federal Highway and Federal Transit Administrations spoke to the participants about the changing role of transportation planning in communities.

To help frame discussions about how the federal government along with local agencies can work to achieve an equitable transportation system, five topics were chosen:

- Justice in decision making
- The siting of transportation facilities
- Transportation and the Provision of Government Services
- Equity in transportation investments
- Transportation, land-use, economic development, the environment, and social equity

A background paper on each topic was prepared by authors from around the country to explain the issues and give all of the participants clear examples of both the problems and potential solutions.

The conference was structured to facilitate discussion among the participants who represented a broad range of interests from the Federal Transit Administration to the South Bronx Clean Air Coalition and from the Shoshone Information Network to the Atlanta Greens. The 150 participants were divided into five working groups. As an overview and preface to the working group discussions, there were several plenary sessions. The working groups, discussion panels, and speakers

An Overview of Issues

Marginalized people and their communities bear the brunt of society's ills, grapple with the costliest of society's tradeoffs, and have the least amount of society's resources to deal with them. Transportation's role in these dimensions of inequity is ubiquitous. The availability of transportation services in a community often determines its economic and social viability. In particular, low-income individuals, people of color, aged and disabled people experience increasing difficulty in gaining access to work, tapping into social and commercial services, and interacting with others. The physical placement of jobs and services also has serious public health, environmental and other impacts.

Many experts contend that a combination of misguided and racially discriminatory public policies and land use patterns have contributed the most to social inequities in transportation. Most regions of the United States have been designed for automobile travel, making car ownership a basic need. Although the private costs of driving are relatively low compared with those in other nations, the expense is still too burdensome for many poor people. Most roadway funds have been invested in projects that benefit middle to upper-income suburban communities. In the zero-sum game of transportation project financing, such spending has come at the expense of transportation services to benefit the poor—urban and rural public transit, downtown development, and the maintenance of urban and rural roads. This is a growing trend, as more people and jobs migrate to the suburbs and urban centers continue to decline. Land use devel-

opment has followed the booming suburban economies and population shifts, reinforcing patterns of migration and investment that favor suburbs over urban, low-income, and minority communities.

Political power has also shifted to the suburbs. U.S. transportation policy has long been criticized for being inequitable, exclusionary, top-down, and closed to the public. The dwindling populations in center cities and rural areas have made it even more difficult for marginalized people to participate in policy making. To some extent this has changed with the passage of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), which includes mechanisms for public participation in transportation decisions. However, institutional resistance from transportation officials, poor organizing, and confusion over the policy-making process are still powerful barriers to public participation, especially for disadvantaged people.

Calls for equity in transportation have come from many quarters, including the environmental justice community, public participation advocates, environmentalists, community economic development activists, disabled people, tribal organizations, neighborhood groups, rural organizations, and civil rights advocates, to name a few. In different ways, these groups have established mechanisms to suit the process to their needs. By banding together and addressing the core issues of social inequity and environmental injustice in transportation, these groups could potentially change the way transportation policy is made at all levels of government.

from several perspectives were used to share experiences, surfacing issues and identifying strategies for the federal and local agencies to address equity in transportation systems.

Federal Opportunities and Policies

One very promising inspiration for transportation activists is the establishment of the National Environmental Justice Advisory Council. After the Clinton Administration issued its Executive Order

on Environmental Justice earlier this year, activists called for an advisory council, and initiated an inclusive process with EPA which allowed adequate time for organizing and discussion. Although other federal agencies have been very slow to initiate similar processes, environmental justice and social equity advocates are optimistic that this will change.

Other policies also serve as levers in the social equity toolbox. ISTEA not only contains strong

public participation rules, but also offers a variety of funding sources to facilitate community development and adequate local transportation. These include Congestion Mitigation and Air Quality funds (CMAQ), enhancement funds, and flexible funding for Surface Transportation Program (STP) projects which include roads, transit, bicycling, and walking. Low-income communities are in an excellent position to take advantage of these funding opportunities because travel patterns in these communities are more likely to rely on transit, bicycling and walking than the travel patterns of suburban dwellers.

ISTEA also requires officials to ensure that transportation plans comply with Title VI of the Civil Rights Act. While many view this as a backstop, Title VI requires that communities of color are not disproportionately harmed by any transportation investments or policies involving federal funds, such as the siting of highway corridors or the implementation of congestion pricing.

The Americans with Disabilities Act (ADA) is another powerful tool that has been used to ensure access for disabled individuals in all public facilities, including transportation. Activists are increasing their efforts to use the ADA to benefit low-income disabled people.

These and other policy options, combined with grassroots organizing and activism, offer tremendous opportunities to make social equity and environmental justice in transportation a reality rather than mere rhetoric.

The Federal Transit Administration hopes to use the recommendations generated by the conference working groups to define and refine their next strategic plan, which must address the Executive Order on Environmental Justice. In return, they have expressed a willingness to show community activists how to become part of policy making through public participation and collaboration. While this is a long-distance journey with many obstacles, at least we are about to take the first step.

Panel Discussions

Although the conference focused on interaction between the participants in a number of working groups, several speakers were scheduled to provide specific insights or framing of issues.

Opening Panel Discussion

Jacky Grimshaw

*Center for Neighborhood Technology
Chicago, Illinois*

Henry Holmes

*Urban Habitat Program
San Francisco, California*

Gordon Linton

*Federal Transit Administration
Washington, DC*

Dr. Robert Bullard

*Clark-Atlanta University
Atlanta, Georgia*

Jacky Grimshaw the Transportation Coordinator for CNT, welcomed the participants. Highlighting the need for the Federal Department of Transportation to draft a strategy to meet President Clinton's Executive Order on Environmental Justice, she expressed her gratitude to all of the participants for joining in this debate about how to make transportation more responsive to communities.

Henry Holmes, the Associate Director of Urban Habitat Program in San Francisco introduced the two introductory speakers—Gordon Linton the Administrator of the Federal Transit Administration (FTA) and Dr. Robert Bullard the Director of Environmental Justice Resources Center at Clark Atlanta University. Holmes explained the links between transportation, environmental concerns and social justice. He said social justice and sustainability are about the relationships between all living things. Ecology is

about inter-relationships to other creatures and the natural world. Diversity and its resilience is the foundation of the natural world. He called attention to the Principles of Environmental Justice (Appendix C), stating that five of the principles, 1, 2, 5, 7, and 16, were particularly well suited to transportation.

Gordon Linton expressed the need for us to act now and jointly, "I will not be here for long, nor will our other agency heads. The time is short. We must listen to the communities now." He stressed the vital role of transportation in building and redeveloping neighborhoods and the need to support connectedness. FTA's Livable Communities initiative is one of their main efforts. Linton stressed that the Livable Communities program is not simply a grant program, but an opportunity to begin to shape the public policy to provide access and opportunity for the people of this country. Some of the Livable Community projects include Fruitvale in the San Francisco Area, and three MARTA transit stations in Atlanta.

Linton went on to note that public policy over the last few decades has created problems by disconnecting communities from opportunities and resources. Transportation has become a barrier to separate and isolate rather than link. FTA is looking to change those public policies, and bring America back to where we want it to be. "We want to define a new approach to transportation decision-making, with new strategies and directions—outcome focused—to change the way we do business in this country."

Community participation was another topic the Administrator touched on, emphasizing the need for real public participation. He noted that meetings must be both accessible by transit and at a time when people can attend. He urged agencies to embrace new, creative ways of community participation.

Linton left the attendees with the following message, "I could come from DC with a very structured approach, but we have come with open hands, open hearts, and open ears to make transportation planning focus on providing access to people in neighborhoods. Help us shape that strategy."

Dr. Bullard, who was intimately involved in the drafting of the Environmental Justice Executive Order, began with an explanation of the Executive Order. He noted that it was developed with guidance from grassroots groups, the environmental justice committee in the EPA, and the Environmental Justice Network. He emphasized the initiative the Environmental Justice Network organized to realize the adoption of the Executive Order by the Clinton administration.

Dr. Bullard stated that environmental justice equals sustainability, and even though the Department of Transportation did not participate in original the work on environmental justice, now is the time. There are many issues that must be addressed, including cumulative risks. There are clear violations of Title VI of the Civil Rights Act in the use of federal transportation funds. The 1964 Civil Rights Act must be enforced. Another enforcement issue arises in the National Environmental Protection Act (NEPA); the social impacts need to be included in assessments.

Dr. Bullard challenged the definition of "environmentalism." "What is environmentalism?", he asked. "It must be redefined to include the total community of where we live and work as well as the natural environment."

Public participation also came up in Dr. Bullard's comments; he stressed the need for communities to be involved in the planning as well as the evaluation stage of transportation. He also urged agencies to fund the organizations which have brought these issues to the table; the community organizations who know the people, who represent the public. "We will not tolerate a system where white folks make the plans and then go out shopping for a minority to approve them."

Dr. Bullard closed his speech stressing that transportation is central to all environmental justice efforts. "We must move forward beyond the rhetoric to get some work done."

Dr. Bullard also urged people to get a copy of the People of Color environmental directory and to contact allies. It is being distributed free by the Mott Foundation. (810) 766-1766—the Mott Foundation publication hotline.

In order to deepen the participants understanding, especially the representatives of federal and local agencies, of issues at the local level, a panel of grassroots activists was organized. The panelists presented efforts and battles in their communities relating to transportation and equity. Four main communities were represented: Native American Community, Disability Community, Environmental Justice Community; and Rural Communities. Each panelist presented community issues and explored how they were or were not being addressed at the local and federal levels.

Panel Discussion 2 From Rhetoric to Reality

Chris Niles
*Labor/Community Strategy Center
Los Angeles, California*

Jean Smith
*SCAT Public Transit
Arkansas*

Rev. Calvin Peterson
*Disabled in Action
Atlanta, Georgia*

Melanie Smith
*Tahana Whitecrow Advocacy Alliance
Oregon*

Chris Niles of Labor/Community Strategy Center in Los Angeles discussed the lawsuit that his organization brought against the Metropolitan Transit Authority (MTA). The civil rights lawsuit was prompted by MTA's decision to pass a 25-cent fare hike for bus routes and to discontinue their discounted \$42 monthly bus pass. This would make transit trips unaffordable for many people.

LCSC teamed up with several groups, including the NAACP Legal Defense Fund to charge MTA with class bias, discrimination against people of color, and malfeasance, because the typical bus passenger has an income of under \$15,000 and no car, and 81% of them are people of color.

Meanwhile, MTA is spending the vast majority of its discretionary funding on light rail projects that primarily benefit wealthier white communities.

This lawsuit is unprecedented because it is the first time that Title VI of the 1964 Civil Rights Act is being applied to a transportation issue. It is also important in LCSC's overall vision for transportation reform for the region, which outlines plans to empower people through accessible transportation and economic development.

Jean Smith of SCAT Public Transit in Arkansas works with community development organizations and transit providers in rural Arkansas. She stressed the pressure on rural residents and the problems rural communities have in providing any sort of transit for residents to give them access to the services they need. She told the story of a retired man in rural Arkansas who said, "Without a car, I feel like a prisoner in the state penitentiary, free to walk around but not to get out."

The level of transportation investment in rural areas is very low, especially for any sort of transit. ISTEA has not been friendly to rural transit, Jean Smith noted, "they sent all of the planning money to the MPO." She stressed the problem of not planning for rural areas and their needs. In Arkansas, the State Highway Commission, which is not representative of the state's population in race or gender, determines all transportation budgets in the states and access for rural residents to jobs and services is not their priority. In her area, they have found creative solutions to the lack of transit, including using a van purchased for elderly & head start programs to transport the unemployed to jobs during off hours, while still using it all day for the intended purpose.

Reverend Peterson's organization, Disabled in Action represents poor disabled persons. He discussed the importance of transit services to the disabled community and expressed frustration over the fact that while legislative efforts, such as the Americans with Disabilities Act, have been successful on paper, they rarely translate into services and infrastructure that actually work. He recounted several episodes in which he, as a wheelchair bound individual, encountered faulty equipment, inadequate infrastructure, and incompetent management.

Although he helped create the public transportation system in Atlanta, he still feels that there are tremendous barriers to disabled access in his community.

Melanie Smith of Tahana Whitecrow Advocacy Alliance in Oregon described how transportation issues are critical to the Native American community, which is accustomed to having 500 years of federal "policy" shoved down their throats. For Ms. Smith's urban Native American community, transportation has sometimes been a barrier and sometimes a lifeline to services, particularly health care.

Ms. Smith got involved in transportation through the lack of access to a health clinic in her community. The city bus ended service roughly a half-mile from the only Native American medical clinic, forcing transit-dependent patients to walk the rest of the way. Her organization had to threaten a lawsuit in order to get the bus system to extend service out to the clinic. But now that transit service is available, the community is facing problems getting people to take the bus. Since ridership is low, the service is once again threatened and the Tahana Whitecrow Advocacy Alliance recognizes that they need to do a better job encouraging people to use available transit services.

Panel Discussion 3 Federal Initiatives & Ideas on Future Collaboration

Janette Sadik-Khan
*Federal Transit Administration
Washington, DC*

Gloria Jeff
*Federal Highway Administration
Washington, DC*

Hank Dittmar
*Surface Transportation Policy Project
Washington, DC*

Janette Sadik-Khan began by thanking everyone for working together to help FTA and the rest of the Transportation Department rethink its strategies and design a program to better serve all

communities. For FTA, she expressed the need to ensure that the allocation of local transit dollars were not ignoring the needs of the unrepresented and underrepresented. "FTA needs to help the transit agencies provide service to the transit dependent and transit needy in economically distressed communities, rural communities, and in other communities that have been traditionally underserved."

One of FTA's initiatives to help communities is the Livable Communities Initiative. The goal of the initiative is to develop transportation services that meet the needs of the community, and place transportation in the context of other needs, including child care, banking facilities, and social services. The Livable Communities program provides technical assistance and planning funds as well as capital grants. A variety of agencies are eligible for the funds and FTA hopes that it will serve as an incentive program for transit operators and local governments to include the design principles of livable communities in their local transit plans.

Sadik-Khan closed by emphasizing that FTA is excited to continue the dialogue that began at the conference. "We see this as our opportunity to move away from rhetoric to reality. We want your help in using the products of this conference to design our strategic plans."

Gloria Jeff stressed the need for an education process, and a communication process in which people articulate their needs to be included in the transportation planning process. "We must remember that as we optimize freeway flow along a corridor, the residents on one side must be able to walk to the other side of the freeway."

In an attempt to open up the lines of communication between the federal government and communities, she said, "I am willing to discuss any and all things with you except the sins of the past, which cannot be repaired. We, and I, cannot undo them. We can fight to not repeat them, but that's it." The US Department of Transportation will try to make community meetings a part of the process in the future. The concept is not to hold public hearings and ask the public to come, but to attend local community meetings as normally scheduled, on a regular basis. Much to the crowd's pleasure, she agreed that the project development stage is far too late for community involvement.

In closing the panel, the moderator, Hank Dittmar, Executive Director of STPP remarked, "Part of the learning process for the federal government is learning from the past."

Several concerns were raised by members of Environmental Justice organizations that the story of what is really happening in communities of color in areas other than transportation was not being fully addressed. As a group, the participants agreed to add a session on Community Perspectives on Environmental Justice. Susana Almanza from the East Austin based group PODER moderated the panel discussion.

Panel Discussion 4 Community Perspectives on Environmental Justice

Arthur Smith
*Hyde Park & Aragon Improvement Community
Association
Georgia*

Lori Goodman
*Diné Care
Colorado*

Sulaiman Mahdi
*Fulton Atlanta Community Action
Georgia*

Teresa Cordova
*University of New Mexico
New Mexico*

Olin Webb
*SEED
San Francisco, California*

Michelle DePass
*New York Environmental Justice Alliance
New York*

Brenda Moore
*Texas Environmental Justice Alliance
Dallas, Texas*

Arthur Smith told the story of what had happened to his community in Georgia. Southern Wood Piedmont, owned by ITT, allowed contaminated runoff into the drinking water. The plant was closed in 1990 and the company paid residents of the Virginia subdivision, a mixed race neighbor-

hood, \$8.4 million in damages. The two African American neighborhoods nearby, also studied and contaminated, were not compensated. The government required clean-up of the area—industrial property is clean and mostly clear of toxics, the surrounding neighborhood is contaminated.

Lori Goodman discussed ISTEA and rural areas in the Southwest and other Native American communities. She noted that for her area, ISTEA monies only fund road construction.

The Navajo Nation does not get any funding to perform the needed research and planning for Native American Communities. The need for maintenance funds is enormous. Paved roads only come with the siting of outside facilities. "In 1988, a hazardous waste incinerator was planned for our community, and shazam, the road we have been requesting be paved for 15 years gets paved."

A process for participation in environmental justice policy specifically for tribal governments and communities is needed. The bureaucratic confusion between DOTs and the Bureau of Indian Affairs hurts all efforts.

Sulaiman Mahdi works with communities in coastal areas of South Carolina, Georgia, and parts of Florida. Communities from Charleston to the St. Augustine River are being polluted by paper mills.

"We are fighting for the land as promised to us, as part of our freedom struggle, and we want to see that the land is sustainable once we get it. We must protect the rights of victims of environmental injustice to get compensation and reparations. The world's greatest holocaust was to Black people, and we are going to get reparations. The 40 Acres and a Mule Federation is trying to attract people to do organic farming, so they can leave the work in the Paper Mills and in the recreational plantation resorts." Mahdi stated. "Bleached paper is environmental racism, for unbleached paper is just as good."

In Atlanta the Olympics are posing a huge problem for low-income communities and communities of color. Two thousand buses will be coming through their neighborhoods for the Olympics and hundreds for each Braves game. Residents want one bus from MARTA, the transit agency, to serve the West End for neighborhood resident use and they can't get it.

The Fulton Community Action agency helped set up the first youth Community Development Corporation. The first thing the youth decided to do was develop an alternative transportation plan. They are looking to build local youth business initiatives in environmental industries, including solar car production. They want to help the young people meet their immediate employment needs.

Teresa Cordov stated that New Mexico has a strong sense of history and a strong history of environmental racism, beginning with initial European contact. There was rape, pillage, and theft in the first wave. The US/Mexican war was the second era in 1848, and that initiated commercial exploitation, the theft of land and water rights, and local community conflicts between natives (the ancestors of today's Chicanos) and European descendants.

Local native and Spanish-speaking merchants were counted out of the loop in determining where the railroads would run, while Anglo communities were involved. At the same time, the selling of New Mexico and New Mexican people as exotic objects began. The third wave was the rise of the US military: White Sands, Kirkland Air Force Base, and Alamogordo. All of this led to great contamination of communities including radiation contamination and mining exploitation. All of these projects and their damages have been enabled and strengthened by road building. The new, fourth wave, is the development of new high technology industries, migrating from Silicon Valley. There must be examination of the impact of high technology industries on workers. Most workers are women of color, and most of them Chicano. Among the workers are high levels of premature death, and reproductive problems.

There are serious problems of unequal infrastructure development. Intel opened a new manufacturing plant in 1980 and automatically got unlimited access to water, roads, and new sewage, while local residents still have dirt roads, raw sewage backing up in their homes, and well water. "Why do we have public welfare for corporations?"

Olin Webb stated that the lure of economic development has neglected environmental justice.

Building regional and inter-regional transportation is killing us. Highways 101 and 280 cross our neighborhood. The South Bayshore study promised to fix up the South Bayshore in 1969. The plan still has not been implemented, except for the wealthier development around Candlestick Park. The promise of redevelopment is not happening for the poorer areas, and even where it is only white contractors are being hired. The credibility of government agencies has eroded over the past 50 years. "We need to get not only investment and redevelopment for our communities—but the contracts and the involvement in decisions need to get to the community."

Michelle DePass began by commenting that she heard grumbling when the topic of this panel was announced. She commented that, "Until you realize that transportation affects environment, housing, employment, and everything, you know nothing."

Michelle DePass gave several examples of environmental justice problems that are a result of transportation decisions. In Greenpoint / Williamsburg, the Brooklyn-Queens Expressway will close and traffic will be routed through the neighborhood.

On the Franklin Avenue Shuttle, the line is so unsafe, the first and last cars are not used for passengers so there is a buffer if the breaks fail. The city keeps removing the money to fix it, even though the shuttle is vital to the community.

In the Bronx a rail yard was targeted by the DOT for an intermodal facility, but a private company was given a 99 year lease for an incinerator. Furthermore, there are no plans for mitigation of trucks going to the site, or for alternative fuels for the trucks.

Besides other problems in the Bronx, moving from place to place within the Bronx is difficult. Most people rely on \$1 rides in vans, which saves them 25 cents on each transit trip. "The Transit Authority hates those vans, which can cut a 2 hour subway trip to 15 minutes. If the community people can think of that, then why can't the subway authority."

Three expressways cross the neighborhoods in the Bronx and people are dying of respiratory problems. "People say we don't want to hear about the past, but these past investments are making

people sick now. If we don't deal with the past, we ignore problems and issues."

In Harlem, the escalators and elevators never work in the multiple level subway stations. Four of the 5 bus depots in NYC are in Harlem, but the city will not make a commitment for alternative fuel buses, so the toxins and benzene and particulates from the bus depots are a constant threat to Harlem residents.

In Queens, an automated guided train from LaGuardia and JFK is being railroaded through neighborhoods and through peoples' lives without providing community access to the service. The line will go through residents backyards, but there will be no stops in those neighborhoods because the people riding the airport shuttle do not want to ride with the people in Queens—this is blatant racism using federal funds. This is bad planning; passengers going to the airport will pay one fare, while local residents using transit to get to the same destination will pay two fares.

Brenda Moore commented that in Southwest Dallas, a neighborhood has been a Superfund site for the last year. It had a lead smelter for 50 years, which was closed in 1985. EPA released a study recently saying West Dallas was clean, but neighborhood houses have not been tested for lead contamination. For decades, smokestacks spewed out contaminants and the government claims that one house was dirty, while the house next door is fine.

Now Dallas wants to put a 8 lane highway in the area, further hurting the community. The city and transit agency pulled down public housing and promised affordable condos in their place. Instead, they will get their third DART transfer station in the neighborhood—in front of an elementary school. "We do not want 75-100 buses in front of the school at all times. This will get children killed. They could build it closer to the freeway. Where is the consideration of the impacts on the people who live in these neighborhoods?"

Luncheon Speaker

Rodney Slater
*Federal Highway Administration
Washington, DC*

Rodney Slater, FHWA Administrator noted that the Clinton Administration has said that "we are going to make environmental justice the issue of the day." Transportation should be the tie that binds, not something that divides people. There is a long history of transportation in American race relations, including Rosa Parks and the freedom fighters.

Mr. Slater noted that FHWA wants to make justice an achievable prospect. So much of the top leadership at DOT have been personally touched by the modern civil rights movement. Secretary Peña began as a lawyer for the Mexican American Civil Defense Fund. Gordon Linton remembers riding in the back of the bus as a youth.

Transportation is big business. It is 17% of GDP and \$2.4 trillion in stock. But we need to do a better job in our policy and investments. For example, DOT needs to emphasize that ISTEA is "not just common sense, it's the law, and we need to enforce it." As the biggest surface modal agency in DOT, FHWA needs to live up to the language and intent of ISTEA.

From a justice standpoint, impacts should be limited, avoided, or mitigated. Mr. Slater promised that FHWA would deliver on the environmental justice requirements and that "we will work with you on that." He also discussed the need to shift the burden of proving necessity from victims of pollution to those who pollute. This is critical to enforcing anti-discrimination rules.

He cited other innovations from which we can learn. In Mexico, for example, the Secretary of Transportation was working to narrow streets and build boulevards to help build people's neighborhoods rather than just lay down pavement. He also noted the success of disadvantaged business enterprises (DBEs) in the reconstruction of the LA freeway, which had 40% participation by DBEs.

Mr. Slater closed by noting that "transporta-

tion people need to listen."

Audience Questions & Comments for Mr. Slater

Question: What about civil rights enforcement, democracy or proportional representation on MPOs? In Chicago, 50% of people have 5% of seats on the MPO. We think the tools are there, but sometimes your staff does not enforce this. We do not see what participation brings us.

Answer: Many specific answers have yet to be formulated because ISTEA is so new, and there are many proposals for improvement as we face reauthorization. We are now reviewing Title VI to see if it can be used to meet our goals. Let's see if Judith Burrell can carry this message to the Secretary.

Question: NEPA has degenerated into a bureaucratic paperwork exercise. Your office should review its place in your work.

Answer: Our planning process...will get to those issues by bringing the public in early.

Question: The transition of power from state DOTs to MPOs was incomplete and only parts of the money was transferred to the MPOs. With the bulk of funds, the states still hold basic control over the monies. As you look to reauthorization, you should give MPOs complete jurisdiction over their funding.

Answer: We need to strike a balance. There must be some federal, state, and local role. No one body should have complete authority. We need to do better. We are doing better, but we have further to go.

Luncheon Speaker

Myron Orfield

*Minnesota House of Representatives
Minneapolis/St. Paul, Minnesota*

Minnesota Representative Myron Orfield has been an advocate for renewed urban investment in the Minneapolis/St. Paul metropolitan area. Using a series of color-coded maps, Orfield presented information on public capital investment trends to show that more funding is going to outer suburbs than to either inner suburbs or urban areas. His data covered several decades of investment and included funding categories like schools, sewers, and other expenditures. The result of this disinvestment, he argued, was the exacerbation of urban problems, which over time would spread to inner-ring suburbs. He showed this by tracking a number of demographic trends, such as childhood poverty rates. Orfield concluded his talk by fielding questions about his efforts to remedy some of

Closing Panel Discussion

Hank Dittmar

*Surface Transportation Policy Project
Washington, DC*

Susana Almanza

*PODER
Austin, Texas*

Henry Holmes

*Urban Habitat Program
San Francisco, California*

Doug Birnie

*Federal Transit Administration
Washington, DC*

Judith Burrell

*U.S. Department of Transportation
Washington, DC*

these problems within the Minnesota State Legislature.

After hearing reports from the working groups about the ideas discussed and strategies suggested for the Department of Transportation, four conference participants addressed the crowd to evaluate

the progress made. Susana Almanza and Henry Holmes presented the community perspective on issues raised and ideas for the next steps, while Doug Birnie and Judith Burrell talked about the next steps the federal government will take.

In introducing the closing panel, Mr. Dittmar made a note on the new Congress. The first drafts of the new agenda indicate that two issues are in jeopardy: they want to eliminate all transit operating assistance, and they want to eliminate the Clean Air Act, the Clean Water Act, and the Americans with Disabilities Act. What will these proposed changes mean for environmental justice?

Susana Almanza stated that the conference should be seen as the beginning of the dialogues with the FTA and FHWA on all the applicable legislation: NEPA, Clean Water Act, ADA, ISTEA, CAAA, and many, many others.

To define environmental justice, you often have to define environmental racism. From an indigenous perspective, environmental racism is any poisoning of our Mother Earth or parts of her body: the soil—her skin; the water—her blood; the spirits that are her soul—her children.

We need to look specifically at Native Americans, who are forgotten as are the disabled. We need to ensure that there are adequate set-asides in transportation investment that cover the needs of all people.

When you expand a highway from four lanes to eight lanes, what does it mean for citizens who must cross the roadway and cannot sprint between cars? How much pavement and asphalt are we putting on Mother Earth's skin?

No matter what the subject is, environmental justice means that people have a right to participate, whether they have a 6th grade education or a Ph.D.

Henry Holmes began by saying everything is interconnected. The adversarial, "We'll sue if you don't do it right" attitude will cost us a lot as individuals and as a group. You cannot look at transportation in a vacuum, because it involves everything in a community, and each community has different values.

We need to move beyond rhetoric and into the next concrete steps. We need to recognize the difference between procedural democracy—with no effect whatsoever on projects—and participation

that has an effect on the resulting projects. Environmental justice is about the latter.

We concentrate a lot on how we do what we do, we need to look occasionally at what we are doing and why.

Doug Birnie described DOT's plans for addressing environmental justice. Birnie called the plan a great education for planners and other transportation officials involved in this process.

Civil Rights, environmental, and justice communities are uniting. What impacts might the Executive Order have on DOT programs? For starters, through Title VI, people should be involved in EIS review, which does not happen now. Environmental and justice decisions must precede NEPA and be invoked in initial project design. Should millions of dollars be spent to shave 20 minutes off a suburban to city commute when it takes an urban person without a car three hours and two transfers to get to a suburban job? No.

All of DOT's agencies are looking at these issues. For example, Mickey Klein at FRA says that they are about to review NEPA's relevance to their efforts. "The bottom line: people do not want a government plan handed to them with a request for comments!"

Judith Burrell requested that we continue this dialogue. "I sigh as I think of the work we have left to do. When Secretary Peña, a former mayor and civil rights activist, asked me to join him with an environmental strategy, it involved joining a group that was representative of America and was rooted in activism. The environmental movement is moving into government."

It consistently takes us longer to get where we need to go. We keep focusing on the immediate issues of the day, but we must discuss these things and put them into the federal framework. DOT wishes to continue to build an environmental justice network. We would like for it to grow exponentially in the coming months. All federal agencies are involved, and we are looking for policy help to get things done, fast.

We hope that together, we will affect a cultural, dynamic, and pragmatic shift in the way we do business.

Conclusions and Recommendations

The Working Group topics were chosen to represent some of the major social equity and environmental justice issues as they relate to the transportation planning and investment process. The five topics were justice in decision making; impacts of siting transportation facilities; transportation and the provision of government services; equity in transportation investments; and transportation, equity, land use, and economics. Prior to breaking into working groups, the authors of background papers related to each topic gave an overview of the topic and provided examples. In the breakout groups, the participants were charged with discussion and developing action items and strategies for the Department of Transportation to meet the Executive Order on Environmental Justice.

The Executive Order focuses on four areas: enforcement of existing laws, greater public participation, improved research and data collection, and identification of differential patterns of consumption. The Working Group sessions provided an opportunity for participants to share personal experiences in their exploration of the various break-out issues. As a result, each group compiled a rich collection of comments, criticisms, priorities, and recommendations which are summarized here and organized by theme.

Justice in Decision Making and Public Participation

All groups underscored the notion that environmental justice and social equity begins by including citizens in the planning process from the very beginning before any of the decisions have been made. Some of the obstacles to attaining justice in public participation include the lack of resources, paternalism, institutionalized racism, and the lack of attention paid to the impact of poli-

cies and investments on communities. Participants asked the following questions: How are the inequities distributed, both in impacts and benefits? How are issues negotiated, at what terms, and by whom? How do we frame the issues and who is framing them? Do the engineers know anything about the communities?

People must be viewed as full partners during every stage of policy development, and there should be mutual trust between government and the community. Too often, officials believe they know what would be best for a community and the community feels they have the correct solution. The two groups end up never jointly identifying the problem, and then address two different issues with two different sets of resources. Decisions should be made from the bottom up rather than from the top down. Conference participants called for giving more power to public decision-making bodies (citizen advisory committees, priority boards, community development corporations, etc.) so long as those bodies accurately represent the communities they are serving.

Resources and Education for Public Involvement

Several working groups recommended that to get more citizens involved in transportation planning, officials need to educate the community so that people become informed partners. Agencies also need to be creative and provide easy to understand informational pieces for community residents to understand the "process" better. They should use radio, TV PSA's, people of color newspapers, and bilingual siting notices to help them.

To get real participation in disadvantaged communities, many people argued that government agencies should take extra steps because many low-income people and people of color are unfamiliar with transportation planning and public

involvement. Also, they cannot afford to spend time and resources participating and therefore should be helped financially. The success of the Spanish Speaking Unity Council's Fruitvale project was largely due to having a DOT grant for impact analyses, planning, and a staff member.

Many community activists recognize that the agencies do not know how to best educate or involve residents of their community, and are volunteering to take on some of those roles. They believe community lead planning initiatives will better reflect the needs and preferences of each community. Citizens should also be able to compete for funding to strengthen the field of proposals for projects.

Right to Know

Many conference attendees noted that to empower communities, citizens must have access to all information and decisions. This includes being notified of important events and issues in a timely fashion. Sometimes government bodies make weak attempts at notifying the public, which indicates a lack of commitment to public involvement. Government officials should not interpret the lack of attendance as insufficient interest, but rather as a reflection of how effective their education and trust-building efforts have been. Part of the solution is going beyond having meetings that people can come to. Instead, officials should go to the meetings of citizens' groups and get on their agenda.

Specifically, participants called for the standardization of reporting and involvement on several issues, such as transit expenditures, Title VI reviews, ISTEA expenditures, and making sure that environmental assessments and EIS's are not just "for review only."

Improving the Tools Used to Assess Impacts

Many people noted that this priority is important because many urban and rural communities feel abandoned by the government, which seems to be primarily concerned with pleasing suburban constituents. Many participants noted that when the government does get involved in local activities, it usually wants to do something that largely benefits other communities, e.g. transportation

infrastructure, etc. In developing their projects, the government's tools for analyzing local impacts are hugely flawed, as they often do not consider economic or social impacts, and address environmental impacts very poorly. They also do not account for regional land use issues. Most importantly, the aggregate impact of existing pollution sources is very rarely considered. The level and the kind of attention paid to disadvantaged communities needs to change to reflect these concerns.

Officials need to incorporate measures that account for aggregate impacts into their decision-making. Some processes that would benefit from such measures include Environmental Impact Statements and the planning factors called for in Sections 134 and 135 of ISTEA.

Enforcement

The participants noted that in existing laws there are some seemingly excellent provisions to ward off injustices in the transportation decision-making and investment processes, but all too often the enforcement is non-existent, re-enforcing the status quo. In many instances, ISTEA provisions are not being enforced, and there are no specifications on how to get this done. Holding decision makers accountable is essential, especially at the MPO level. There should be performance measures with which people could evaluate their work.

Many people are not aware of all the current laws designed to protect the integrity of their community. Much of what seems to be needed is education about the role of these laws and explanations of how communities can use them to their advantage. Part of the weak enforcement of laws is due to the fact that people in federal agencies have forgotten what is on the books after twelve years of Reagan-Bush, when agencies were told it was policy to ignore or downplay these laws. Enforcement must carry the threat of penalties. If an MPO does not follow through on provisions, they should be penalized.

Specifically, communities need to focus on the National Environmental Protection Act (NEPA), the Clean Air Act Amendments (CAAA), the 1964 Civil Rights Act, the 1968 Fair Housing Act, the Americans with Disabilities Act (ADA), and ISTEA (especially the MPO certification process).

Also, there is not enough oversight covering treaty laws with American Indian Nations and there have not been sufficient efforts to involve tribal leaders. As a result, spiritual grounds are often violated.

Educate Government Officials

Many participants believe that part of the inequity in investments and the lack of an open planning process is ignorance and part is intentional. Suggestions focused on not only how to open up the process and educate the community, but also on how to educate the decision makers and the agency staff. Staff should be educated about the past inequities and their impacts on communities and about how to effectively work with low-income communities and communities of color. Sensitivity training can also help agencies change their organizational cultures.

Siting of Transportation Facilities

All of the working groups recognized that low-income communities and communities of color are the most severely impacted by polluting facilities and infrastructure because they are left out of the planning process. The aggregate impacts upon communities from various polluting facilities are rarely considered when evaluating the siting of transportation or other facilities. When federal, state and local agencies examine the social and environmental impacts of projects, they only look at a narrow list of impacts specific to the project under consideration.

To avoid disproportionate exposure, communities, elected officials and agency representatives should consider many factors as they site any facility.

- What will be the impacts in the community regarding health, aesthetics, mobility, noise?
- Will the system provide access to members of the community?
- Has there been meaningful involvement of the community?
- What other facilities are straining the community?
- What would be the aggregate pollution impact?

One of the largest demands is for agencies to evaluate the aggregate burden to the community from all of the polluting facilities, before they even

consider siting new facilities. There is an overwhelming feeling that to end this sort of persistent racism and classism, communities must be given some power of self-determination.

Improve Methods of Identifying and Addressing Needs

Transportation officials need to start doing a better job in assessing peoples' access and mobility needs. For example, public services should only be sited in areas where public transit is available. Also, such services should be accessible to each other so citizens can consolidate their trips (one-stop shopping). In infrastructure planning, they should stop identifying demand based on congestion and projections of demand in fringe areas. Instead, they should identify the unmet access and mobility needs that already exist in low-income communities and communities of color. This includes identifying underfunded neighborhoods, such as was done in St. Paul, and hold public hearings in the identified neighborhoods on what investments should be made in that area.

Better efforts need to be made to identify access points (pedestrian, bicycling, transit, etc.) to the transportation system which should be protected and connected. This would help diminish the focus on corridor analysis which prejudices decisions towards highways, existing capacity, longer distance travel, and new land development rather than real origin and destination needs. We need to focus benefits on communities where people already live, and not in new communities without residents.

Several other planning considerations should be emphasized: new development siting needs to be accessible to existing transit; job training and placements should be made available to impacted communities; station area planning should be a component of transit development; every effort should be made to prevent community dissection; planning should include consideration of landscaping, accessibility, sidewalks, noise abatement, enforcement of regulations, equity of investments in services, and lawsuits before siting a facility.

Research on Historical Patterns of Inequity Needed

Transportation infrastructure, whether highway, road or transit, appears to be better funded and better maintained in areas of affluence, especially in white communities of affluence. To many people, achieving a more equitable transportation system will require a redistribution of resources as well as a change in the decision-making culture.

Also, many participants argued that equity and intermodalism will both fail unless we destroy the myth of inter-regional transportation (highway) investments. The vast majority of transportation is local in impact and all highways are used for mostly local transportation needs.

Examination of Reparations

For those who have been impacted severely by transportation projects, comparable replacement values should be used to compensate victims. Too often compensation amounts to the value of the area after the impact has already brought down the value of the property.

Desire to Continue DOT Outreach Process

All work groups were supportive of continuing to participate in DOT's outreach process for environmental justice and social equity issues. Some called for smaller, regional meetings while others wanted large conferences like the Chicago one to maximize networking opportunities.

Background Papers

Justice in Decision Makingpage 23
by Mutsumi Mizuno, Environmental Action

Transportation and the Provision of Government Services.....page 29
by Jacky Grimshaw, Center for Neighborhood Technology

The Impacts of Siting Transportation Facilities in Low-Income
Communities & Communities of Color.....page 34
by Susana Almanza and Raul Alvarez, PODER

Equity in Transportation Investments.....page 38
by Hank Dittmar and Don Chen, STPP

Social Equity, Transportation, Environment, Land Use, and
Economic Development: The Livable Community.....page 42
by Don Chen, STPP

Justice in Decision Making

by Mutsumi Mizuno, Environmental Action
Takoma Park, Maryland

The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 revolutionized the nature of transportation planning. It expanded the range of players in the decision-making process to include the public. ISTEA also expanded the focus of decision-making beyond State Departments of Transportation and the Federal Highway Administration, and gave an enhanced role to the metropolitan planning organizations (MPOs). Now, it is the MPOs that must develop a long-range transportation plan (20-year horizon) and transportation improvement programs (3-6 year horizon) for its region. And MPOs are required to develop these plans and programs with public involvement, as well as with the traditional players, such as the State DOTs and affected transit operators.

This fundamental change in the decision-making process means a great deal to advocates of social and environmental justice because the opportunity for greater public involvement, particularly by those people who are of color, poor or disadvantaged offers hope that past patterns of unfavorable or unjust transportation systems will cease. Undoubtedly, one of the most critical steps to achieving greater social and environmental justice with regard to transportation is to ensure that the improvements in the law regarding planning and decision making are carried out in practice. Indeed, while the 1991 law and its implementing regulations provide clear requirements for public involvement and social considerations, they do not stipulate how these requirements are to be met, leaving it to the states and MPOs to develop their own guidelines in this respect. The transition to the new paradigm is far from complete.

This briefing paper attempts to delineate some of the main issues, present a few real experiences in the planning process, and recommend

strategies to achieve greater social justice through enhanced public participation and government accountability.

The Players and Their Influence

Very broadly speaking, transportation planning involves two sets of players: governmental bodies with the authority to make decisions about transportation plans and funding allocations; and the public, whose needs should be addressed by the decisions made. Governmental bodies include the U.S. Department of Transportation, the State DOTs, the MPOs, and the operating agencies (e.g., city and county transit agencies). The public sector is obviously much broader and manifold, composed of a number of constituents with differing interests. It can be divided among various income classes and racial groups, between for-profit and not-for-profit interests, and along geographic or jurisdictional lines. Some groups have more experience in transportation planning. Other groups would have significantly more interest in transportation planning if the issues were made more relevant to them.

ISTEA changed the power dynamic among the governmental entities by enhancing the role of the MPO and the Governor, and also added a significant new player—the public. The following descriptions focus on these two players and their influence vis-a-vis other players.

Every population center of 50,000 people or more has an MPO.¹ The composition of MPOs is determined by each state governor in cooperation with local officials. Some MPOs are elected, others are appointed. Many MPOs have working “advisory committees” on which members of the public may serve. While the MPO develops and designs long-range plans and implementation projects, the operating agencies (highway or transit) actually carry out the implementation of the pro-

jects. In addition, because MPOs are generally dwarfed by the large staff of State DOTs, the details of plans tend to be drafted largely by the State.

In the past, because federal funds for highways and transit were determined by specific Congressional allocations, MPOs had limited function and essentially “rubber-stamped” projects. Because the funding flexibility causes regional competition between highways and transit, the MPO is empowered to make significant decisions. With regard to the local allocations of federal dollars, the MPO and State DOT share veto power. Moreover, decisions are increasingly relevant from earlier stages, due to the emphasis on long-term planning, where vision and priorities originate.

While the MPO’s expanded influence vis-a-vis the State is significant for local transportation planning, influence within the MPO is also critical. One problem of inequity that has been identified with a fair number of MPOs is the disproportionate representation of suburban jurisdictions. By structuring representation on a one-region, one-vote system, many MPOs have over-representation of suburban areas in proportion to population, which is often highest in the urban center. In Chicago, for example, the City has only 5 percent of the votes on the Chicago Area Transportation Study, the region’s MPO, and over 40 percent of the area’s population.

The ability of the public to influence transportation planning depends a great deal on its access to decision-makers. Good access demands a good process of meaningful inclusion. Meaningful discussion necessarily requires some degree of mutual understanding of the issues to create a “level playing-field.” Transportation planning, particularly long-term planning, needs to be translated into real concerns for urban and non-urban communities.

The degree of the public’s influence is also determined by its ability to hold decision-makers accountable. Governmental accountability can be achieved through a combination of legal requirements and political pressure. It is also important to have a complaint procedure and the possibility for redress of grievances.

While ISTEA makes requirements for public

participation, and its implementing regulations describe the nature of that participation in a fair amount of detail, the law alone cannot guarantee the paradigm shift towards full public involvement. Public “participation” is less than public “involvement,” and involvement does not automatically translate into influencing decisions. Only through dialogue and actual practice can the spirit and the letter of the law be abided.

Factors Affecting Decisions

Players involved in the transportation planning process must comply with all applicable laws. As policy-makers and the public become more aware of the breadth of transportation’s impacts on society, the range of laws and policies which hold transportation decisions accountable may grow. They may include but not be limited to: ISTEA, the Clean Air Act Amendments, Civil Rights Act, Americans with Disabilities Act, National Energy Policy Act, Clean Water Act, Executive Order on Infrastructure Investment, Executive Order on Environmental Justice, and the President’s Climate Change Action Plan.

In the end, transportation planning involves a political process of rival proposals and agendas. It can be described as the political struggle between what one might call “traditional” and “progressive” thinking and practice. This struggle also takes place between groups with money and political clout and those who have less or none. The winners of such political battles have determined transportation planning in the past.

What has changed with ISTEA is the upgrading of the public as a full-fledged player in the transportation planning process. Large communities of people who have had little access to decision-making prior to ISTEA are now given an opportunity, under law, to demand involvement. While the public must rely on the law itself to assure accountability, enhanced political strength through education and advocacy will help to level the playing field and create a partnership on transportation planning, eventually leading to great “wins” for the public.

Examples

The following examples show a range of experiences—while some citizen advocates have faced significant difficulty in getting heard, others have been able to work constructively with MPOs and achieved some success. The last example showcases leadership taken by the MPO itself in addressing social concerns.

Unsuccessful Public Inclusion

For over six years, the Neighborhood Transportation Network (NTN) has been struggling with the Minnesota Department of Transportation over the proposed expansion of Interstate 35W through the Western Twin Cities Metropolitan Area and the City of Minneapolis. NTN was originally a group formed by people who would be impacted by this proposed plan, but is now a broad coalition of community activists pursuing sustainable transportation policies locally and statewide.

The Metropolitan Council, the MPO for the Minneapolis region, has been only marginally involved, and is basically following MNDOT's lead on both highway and transit issues. Members of the Metropolitan Council are appointed by the Governor and receive no reimbursement for their activity on the Council. The MPO tends to be dominated by suburban representatives, and has little staff on transit planning.

The one and only public hearing on the Draft Environment Impact Statement (DEIS) planned by the MNDOT was at a suburban high school and not accessible by public transportation. Requests to relocate this public hearing to the city and conduct multiple hearings throughout the I-35W corridor were rejected with the explanation that "Minneapolis did not have a facility large enough." After extended public protests, a letter writing campaign and threats by state legislators from the impacted area to withhold highway funds, MNDOT contracted out for transportation to this public hearing, which was held April 1992. Over 3,000 people attended this hearing which lasted until 3:00 AM and several thousand more viewed the hearings at public schools via the Minneapolis school district's cable access television station.

Testimony revealed that not only did the expansion promote auto dependency and not meet traffic demands when completed, but also that the project adversely impacted people of low incomes and people of color.

MNDOT has developed the Final Environmental Impact Statement (FEIS) on I-35W but has refused to hold any public hearings, claiming they have already fulfilled the legal requirements by conducting the public hearing in 1992. MNDOT's newest proposal still expands the highway but now relies heavily on high occupancy vehicle lanes. It provides "space" for a light rail system (but no funding), and still adversely impacts low-income people and people of color. NTN has made numerous attempts to influence MNDOT. Despite the letter campaigns, the media coverage, the support of state legislators, and a membership of over 60,000 people, NTN has not succeeded in penetrating the "insiders" veil held up by MNDOT.

Over the years of planning and dispute, the area along the I-35 corridor has continued to show signs of urban abandonment and disinvestment, crime rates in the area are higher than average, and poverty has become increasingly concentrated. NTN is far from being simply obstructionist. It has formed the Neighborhood Revitalization Program, which allows representatives from 81 neighborhoods to design strategies and priorities for their community. Proposals have included various measures that generate access, environment, and equity benefits (including housing improvements, commercial redevelopment, and park improvements). Contact: Michael O'Neal, Neighborhood Transportation Network, 1906 Elliot Avenue, South, Minneapolis, MN 55404. 612-340-7420.

Mixed Success

Through her participation on several MPO advisory committees and familiarity with the provisions of ISTEA, Michele Nanni of the Hoosier Environmental Council Northwest Office has been able to make some impact on the substance of public meetings and the direction of regional planning in Gary, Indiana. This northwestern region has the largest black population in the state. Ms.

Nanni has worked with various community representatives and the transit operators to form a kind of voting block to support policies that address both environmental and social justice concerns. In her view, the MPO has grown more comfortable with the advisory committee process, and approximately 50 members of the public attend the advisory council meetings regularly.

Despite the success of the advisory committee process as a means of influencing regional planning, some members of the public outside of the advisory committee process feel much less included. In other words, participation and involvement in the advisory committee process is not sufficient to address the public's substantive or procedural needs. As for outcomes, the MPO long-range plan still lacks adequate transit; it is still all highways. Ms. Nanni noted a developing racial justice problem, where the white dairy farmers south of the city are opposing a bus line connecting two areas in their region. Contact: Michele Nanni, Hoosier Environmental Council NW Office, 444 Barker Rd., Michigan City, IN 46360. 219-879-5777.

Successful Example of Community Organizing

The Urban Habitat Program of the Earth Island Institute worked with the Bayview Hunters Point community, the largest African-American community in San Francisco, to formulate an alternative plan in which development of a largely abandoned industrial zone would support the needs and goals of the community. The joint work of the New Bayview Committee and Urban Habitat focused on incorporating the perspectives and needs of the community into the planning and evaluation process, and linking the communities' needs and vitality to regional needs and vitality.

Urban Habitat, working with the New Bayview Committee and other Bayview Hunters Point residents, developed the first community-designed transit system plan based on social and environmental justice criteria in the country. The goal of Urban Habitat was to help the community articulate its vision of an effective, convenient and accessible transit system for the neighborhood, and to secure consideration of the community plan by the San Francisco Municipal Railway (MUNI), which was in the process of outlining options for

the Bayshore corridor. Urban Habitat and the New Bayview Committee challenged the assumptions of MUNI and submitted a hybrid alternative to the four MUNI proposals, incorporating options to address the social and ecological justice criteria.

Throughout the planning process, Urban Habitat served the role of engaging the community in the process, providing access to technical and professional knowledge about issues and options, and advocating for the plan at city and county levels. Continual dialogue with city elected officials and agency staff was essential in building support for the project and will continue to be the cornerstone in their efforts to have the Community Hybrid Alternative adopted as the design plan for the Bayview Hunters Point transit system. After a positive finding of the Major Investment Study (MIS), the project can be submitted to the MPO for approval and acceptance into the regional Transportation Improvement Program.

This example is among the best in its focus on dedicated citizen involvement and its ability to present credible alternatives within a highly technical arena. However, advocates in other regions have been successful in presenting alternatives without extensive expertise. Groups such as the Washington Regional Network in Washington, D.C. have excelled at enlisting the help and support of technical experts as they are needed to help shape a vision for their community's future. The basic elements involved in building credibility are non-technical: consistent presence at public meetings, constructive suggestions which rely more on common sense than on technology, and the ability to understand how a single community fits into the larger regional context.

Contact: Henry Holmes, Urban Habitat Program, 300 Broadway, Suite 28, San Francisco, CA 94133. 415-788-3666.

MPO Leadership

The East-West Gateway Coordinating Council, the MPO for the St. Louis metropolitan area, produced a new twenty-year plan which significantly departed from past planning practice by focusing on social, economic and environmental goals to be achieved through targeted transporta-

tion investments. One component of this plan, Community Mobility Market Planning, articulates a decrease in unemployment and access to employment as top priorities, bringing them on par with traditional goals such as reducing congestion. The Community Mobility Market Planning specifically addresses low-income areas with high unemployment rates. The MPO is working with the State Department of Social Services and transit providers, and is relying on substantial public involvement for the joint development of a package of strategies to attain their employment goals.

ISTEA gave the MPO the philosophical backing and guidance to incorporate these broader social, environmental and economic goals into its transportation plan. With leadership from the MPO's advisory committee, this initiative was supported by the MPO staff and developed with citizen input. A series of workshops sponsored by the MPO on transportation planning had originally raised specific problems, and participants (including the MPO) came to a better understanding of the impact of transportation development on inner-city communities. As the quality of information sharing improved, the MPO came to feel more comfortable asking for solutions from the community.

The next 2-3 years will be critical in perfecting "performance measures," especially with regard to medium-term measures of success. While challenging, the goal will be to find ways to measure the collective impact of a variety of changes in the neighborhoods. Contact: Blair Forlaw, East-West Gateway Coordinating Council, 911 Washington Avenue, St. Louis, MO 63101. 314-421-4220.

Strategies

Decision-making in transportation planning should be open and fair. ISTEA provides a strong foundation upon which to build an effective public involvement process. The following is a compilation of suggested strategies to help achieve more inclusive and participatory planning, leading to greater social and environmental justice.

General strategies to achieve a more open and fair decision making process must include

- increasing consciousness that transportation planning has links to social justice, and that plans must address social concerns;
- enhancing public awareness of the ISTEA and the importance of public participation in transportation decision-making;
- educating planners (DOTs, MPOs, etc.) on the public's expectation for active participation and involvement through continued advocacy;
- national leadership to provide strong guidance on the meaning of open and fair transportation planning; and
- employing means to hold decision-makers accountable to the letter and spirit of the law.

More specifically, to enhance social benefits

- Seize the opportunity of funding flexibility offered in ISTEA. However, opportunities do not translate automatically into results.
- Use the opportunity provided by the Conference to begin to articulate specific (short-, medium- and long-term) measures of improvements in the social justice aspects of transportation planning. While the implementing regulations of ISTEA identify some factors, specific performance measures or criteria must be developed locally.

To enhance government accountability

- Hold MPOs and State DOTs accountable to the following language that "metropolitan transportation planning process shall...seek out and consider the needs of those traditionally underserved by existing transportation systems, including but not limited to low-income and minority households."
- Hold MPOs and State DOTs accountable to the requirement of "shared decisionmaking" to include the public, providers of transportation, labor unions of transportation services, and all affected public agencies (e.g., Health and Human Services, Housing and Urban Development).
- Hold MPOs and State DOTs accountable to making "broader considerations" beyond technical

requirements to include impacts of transportation decisions on issues covered by laws such as the CAAA and ADA.

- Put pressure on the MPO certification process. Every three years, the Department of Transportation must certify MPOs. The certification process entails a three-day dialogue between the MPO, the State DOT staff, federal agencies and citizen representatives from the advisory committee. In reality, all MPOs pass the certification, although some pass “with concern.” Because the certification process was designed as a peer pressure system, the public must heighten expectations.
- Hold MPOs and State DOTs accountable through the “periodic” checks conducted by the Civil Rights Office within the U.S. Department of Transportation. The public can also file complaints at any time, to which the Civil Rights Office responds with sight visits to investigate.

planning, recognize that separate opportunities to voice concerns on short and long-range planning are necessary. Expand the public’s involvement in long-range planning.

- Federal agencies should do more to cultivate their new constituency—the public. While U.S. DOT traditionally employs strategies to educate “grantees,” including the States and operating agencies, more can be done to educate the public. This conference is one example of public education (although it is a mutual education process also). Similar efforts, particularly in conjunction with intermediary or liaison groups, would be helpful.

To improve the quality of participation

- Use “intermediary” or “liaison” organizations (such as in the Urban Habitat example) to help make the linkages for communities between transportation planning and social concerns. Making transportation issues relevant to communities on an ongoing basis should lessen the more typical NIMBY confrontations, as more neighborhoods will be involved earlier on. Also, intermediaries can help to expand community concerns to broader city and regional contexts, as well as connect the short-term needs with the longer-term goals.
- Use the required 45-day comment period to comment on the public participation process itself. Ideally, a well-developed partnership with the public would help design the participation process to begin with; however, specific suggestions and grievances can be raised during this comment period.
- Recognize that public “hearings” and opportunities for “comment” are not as valuable as an ongoing dialogue and partnership with decision-makers. Try to cultivate the latter. Furthermore, because immediate controversial issues tend to overshadow longer-term

Transportation and the Provision of Government Services

by Jacky Grimshaw, Center for Neighborhood Technology
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There are many people who, because of their age, mobility, or economic standing, rely on public transportation for access to essential services. Without access to transportation, and to the processes through which transportation policies and plans are made, many citizens are locked out of opportunities for education, employment and health care, and social as well as other governmental services.

Those officials responsible for choosing the location of facilities typically use conventional marketplace criteria in making their decisions. Like their private market counterparts, they focus on the lowest immediate costs associated with sites for federal, state, county and municipal public service offices — the price of land, construction costs and build-out expense. Assessment of such costs is the criterion applied to decisions about a wide range of public facilities, including county hospitals, post offices, and public welfare offices; services and accommodations for senior citizens, and public housing complexes. The rationale is that the government must “get a good deal” for tax-payers. One key factor in the long-term success of a facility is often overlooked, however: is there a transportation system that can provide people efficient, affordable access to it? The best of facilities is useless if those who most need the services it provides are prevented from using it.

Public decision-makers are not always sensitive to those citizens who do not have the choices that automobile ownership allows. Data indicate that racial minorities in poor communities have the lowest rates of automobile ownership. Siting of public facilities in areas without public transit denies access to these citizens. This type of inequity is prohibited by Title VI of the Civil Rights Act and the Americans with Disability Act. The government’s failure to act in the best interest of these citizens or consider the discriminatory

impact of its actions can result in its being in non-compliance with Federal laws.

Transportation is an integral part of creating socially just and ecologically sustainable communities. That is why the President’s Executive Order linking this principle with existing federal laws is so important to the goal of eliminating discrimination and achieving equity.

Government programs and policies sometimes work at cross purposes. Even in agencies with a mandate to promote access, the agency’s real estate office, working in isolation, may locate facilities where they are inaccessible. In contrast, transportation programs, working in concert with housing, health, education, and other community service systems, can dramatically enhance equity and environmental quality.

The essential connection between transportation and the location of governmental services is part of a broader issue. Transportation planning usually focuses on “mobility”—getting people from here to there. But “location” and “access” are much more important—making sure that government offices are near the people who need to use them minimizes the need for transportation services and makes access to them through existing transit systems significantly easier.

Transportation plays a positive role in securing a community’s ability to provide services such as education and cultural programs and to control crime. It is an asset upon which communities can build and develop. It allows communities an option to the suburban sprawl which degrades inner cities and the environment and creates public health problems. Yet there is an inequity in the expenditure of public funds on urban/rural poor and communities of color in comparison with those spent on wealthy/suburban communities. Government has a responsibility to correct its historical lack of investment in inner city communities and repair

the harm already done.

Governments that locate facilities in areas where there are few or no alternatives to auto use contribute to violations of the Clean Air Act (CAA). While the goal of the CAA is to reduce vehicle miles traveled and air pollution emissions, facilities that are inaccessible by mass transit promote increased vehicle miles and harmful air emissions. Low-income and minority residents of urban areas are hit hardest by air pollution—another inequity.

The policy framework and planning process for locating public facilities by the federal, state, or local governments have to include assessments of the facilities' impacts on community and economic development. Public policy, in failing to mitigate racial injustice and reverse historical trends, has stranded low income people and people of color (especially African Americans) in central cities. These citizens have been increasingly isolated from employment opportunities as jobs move out to the suburbs. Government can and should address their mobility and employment needs through public policy decisions.

Governments have opportunities to plan facility locations that not only avoid creating barriers, but also promote community economic development in inner city neighborhoods. Government facilities bring jobs and purchasing power, both of which are essential stimuli to local economies. They can also bring in additional investments and hold capital within the areas surrounding them. The improved economic base that public facility investments provide for a community will directly affect poverty, unemployment and underemployment rates, and crime rates. Government investment can lead to community revitalization, particularly if facility siting decisions are made as an integral part of a neighborhood-determined community economic development plan.

One of the objectives of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) is to assure that our transportation system "... is economically efficient and environmentally sound, provides the foundation for the Nation to compete in the global economy..." This goal can be achieved in part by making facility location decisions within the context of an overall commu-

nity and economic development strategy.

Public participation in decision-making is essential. Transportation needs of minorities and low-income people are often overlooked because these groups are not represented in the decision-making process. Decision-makers see only their own perspective, which has usually been created by habitual automobile use. Since automobiles and highways are a normal part of their experience, they make sure that streets, highways, and parking are accommodated in site planning. Alternative transportation modes for those who don't own automobiles, if considered at all, are an afterthought. Transit-dependent riders are not involved in the decision-making process, so public transportation access to public facilities is not a planning priority. If users are routinely left out of facility siting decisions, their needs are not addressed.

Making citizens partners in the planning process may lead to the development of more equitable solutions to siting problems. It is unacceptable for government to do no more than give citizens the opportunity to comment.

ISTEA requires public participation in transportation planning. It states that "social benefits must be considered with particular attention to the external benefits of reduced air pollution, reduced traffic congestion and other aspects of the quality of life of the United States." (Congressional Record-House, November 26, 1991, H11517). The ability to get needed services in a cost-effective and timely manner is certainly a quality of life issue, so a similar provision should be applied.

One more regulation for government officials to follow will not solve this problem, however. Officials must be held accountable for ensuring public involvement in a meaningful way. ISTEA places the responsibility for public input with regional metropolitan planning organizations (MPOs). These bodies often comply with the letter rather than the spirit of the law, maintaining business as usual. Transportation investments are being made without the needs of those most dependent on public transit being considered.

Examples

Health care is an issue that has held the attention of a majority of Americans over the last two years. The discussion has focused on providing access to health care services for all Americans, regardless of ability to pay. The goal of health reform was to establish health care as a right. Health services would be available to those employed or not, young or old, healthy or with preexisting conditions. The realization of this goal will have to wait for the next Congress, but even if the 103rd Congress had provided the universal Health Security Card, some Americans would still be denied access.

In many communities today, health care facilities already exist to serve the poor and the uninsured. Yet, people are still denied health services because they just cannot physically get to the health facility. Facilities are located in areas that are not served by public transportation. People without automobiles must rely on expensive alternatives—taxis, ambulances, or car rental. The choice for these Americans is either to spend limited funds needed for food and shelter to get to the clinic for routine check-ups or to go without preventive health care. Emergency care becomes the only kind they get. Transportation's impact on health care is illustrated by data indicating that transportation is the second greatest Medicaid and Medicare expense—after doctors and hospitals.

In 1970, the Chimawa Indian Health Clinic, originally established to provide health care to the children in the Chimawa Boarding School, was expanded to serve the Native American population living in Western Oregon. The availability of health care for more people was indeed a victory. Unfortunately, the public transit line serving that population stopped one mile from the clinic. Since there were no sidewalks, transit-dependent patients, including patients who were sick, pregnant, disabled, elderly or simply in need of routine check-ups had to walk a mile through what amounted to a muddy trail.

The Tahana Whitecrow Advocacy Alliance asked the transit agency on behalf of the community to extend the transit line an additional mile.

The General Manager denied their request. The allegation that such a refusal amounted to de facto racial discrimination held no sway. It took protests, legal challenges, and a new General Manager before the community won the mile-long extension.

There are 32,000 patients registered at the clinic. Eighteen thousand of these regularly use the clinic, with six thousand of those in the greater Salem area. However, the line is in jeopardy now because of low ridership. The community needs the transit agency's assistance in marketing and educating patients about service availability. The curtailment of the line will not only restrict patient access once again but also deny clinic workers transit access to their jobs.

Another example is St. Mary's Hospital in Ozaukee County, Wisconsin, a county of 80,000 people. St. Mary's was located in Port Washington for a long time. A decision was made to build a new facility and the decision-makers chose to move the hospital to Mequon, WI., a town of 20,000 people located ten miles away, off a country road and two miles from an Interstate 43 interchange. The hospital was able to get a certificate of need to relocate even though there was and still is no sewer service to the site. Mequon, however, is an affluent area. The new location places the hospital at the center of an upscale market where, incidentally, its doctors also live.

The Woodstock Memorial Hospital in Woodstock, Illinois used to be located in the town, right next to the high school. Like St. Mary's in Mequon, it is now located in a former cornfield between the towns of Woodstock and Crystal Lake. When the new Memorial Hospital opened in September of this year, it did have sewer service, but is only accessible by automobile.

Decision-makers in both Woodstock and Crystal Lake also requested bids for land on which to relocate the main post offices. In both cases they choose the sites which were most immediately cost effective. The existing post offices were downtown, close to public transit. The new, lowest-price sites in contrast are in outlying areas accessible only by automobile. The Woodstock post office was moved from the town square to a side road off Illinois Route 47. The Crystal Lake post office was

moved from downtown to an industrial subdivision north of Illinois Route 14.

Citizens fought to prevent these relocations, but to no avail. In San Francisco, Contra Costa's citizens were more successful. They engaged the NAACP Legal Defense and Educational Fund to file a class-action lawsuit to prevent the County from building a new hospital in an area inaccessible to poor and minority residents. Although the hospital was already under construction, the federal district court halted the project, finding that "Construction of the new county hospital in Central County, without any improvement in public transportation or the availability of health care services to the West and East County minority poor, will, in effect, entrench and perpetuate the county's alleged systemic discrimination against the county's indigent minorities." (U.S. District Judge Sandra Brown Armstrong, August 1, 1994, as reported in the West County Times.) Judge Armstrong also made it clear that looking at statistics on travel time for all county residents was not relevant; only data that zeroed in on the people who actually used the hospital were to be considered.

McHenry, Illinois used to have its city hall downtown. Recently, they relocated the city hall to a huge facility on the outskirts of the city where it is accessible only by car.

Illinois' transportation agencies provide more examples like McHenry. The Illinois Department of Transportation (IDOT) Chicago regional service office is located in suburban Schaumburg. Pace, the suburban Chicago bus company's headquarters is located in the same type of suburban office enclave as other corporations that have abandoned dense communities in favor of suburban sprawl. Pace's parking lot is as full of cars as any other office complex.

Analysis

Transportation's interrelationship with service delivery needs to be viewed from three perspectives: citizens access to facilities, community economic development, and public participation in decision-making.

Fragmented governmental authority is sometimes a culprit in instances of social inequity.

Usually, a capital planning, real estate, or procurement office does the work of finding location, negotiating leases, and purchasing properties. Their locational decisions contribute to disinvestment in inner city communities. The lure of the green-field, open space, and cheaper immediate costs trap real estate officials into inequitable decisions.

Often the operating agency which will occupy the facility is not involved in the siting process, even though it will be accountable, ultimately, for providing services and best understand the potential impacts that siting decisions can have on their clientele. Clearly, operating agencies should be more intimately involved in the location of their facilities so that they can be held accountable for their success in providing services.

In the case of the federal government, the procurement agency is the General Services Administration (GSA). President Jimmy Carter's Executive Order of 1978 on Federal Space Management provided guidance that seeks to achieve both economic and community development goals, and which could be the initial model for state, local, and other public servicing institutions. Unfortunately, it does not give guidance on transportation connections and public participation. It does emphasize that the location of facilities should be seen as a development opportunity for local communities. The power and resulting influence of a governmental decision to locate a facility can be enough to spark compact development in suburban transit served areas and reinvestment in central cities. Local communities can use the investment as an economic incentive to maintain an urbanized core, avoid sprawl and create more livable and sustainable communities. Governments, as well as private investors, need not be participants, through omission or action, in the effective redlining of inner city and other low-income communities.

In those rare instances when the best possible site for a facility is in an area not served by public transportation, the government agency is responsible for collaborating with transit officials to provide efficient public transit access to the site—using the provisions of ISTEA.

The need to expand limited public transit service is extremely acute in rural areas, as well in

inter-village/town transportation. Many such areas have no public transit access and thus maintain a serious, chronic barrier to accessible government services.

Conclusions

Location decisions affect social equity. Federal facilities that create inequities need to be reevaluated and reshaped to eliminate rather than reinforce conditions that deny access to all citizens. GSA's evaluation criteria should include coordination and cooperation among federal agencies in implementing a comprehensive policy on social equity. FTA officials, working with GSA, should have a policy which forces GSA decisions to be in compliance with ISTEA, CAA, ADA, Title VI of the Civil Rights Act and the President's Executive Order on Environmental Justice. This policy should apply to all federal agencies and state and local governments facilities which are federally funded, in whole or part. A Presidential Executive Order might be the most appropriate way to ensure the policy is broadly applied.

Location decisions effect air quality and resulting public health conditions. The location of government facilities in transit-rich areas not only allow access by those that do not have cars, but allows those with autos to choose not to be auto dependent.

Location decisions affect community and economic development and community employment. Facility siting should also support community development. This should be considered a priority. Decision-makers should provide local residents with the opportunity to participate in planning processes, so that those residents can take steps to ensure that they are recipients of economic justice and share in economic democracy. Governments should seize the opportunity to reinvest and reverse the trend of disinvestment in and segregation of inner city communities.

Location decisions affect land use. Government officials choosing between urban and suburban locations must consider well the ramifications of their decisions.

Location decisions affect community empowerment. Government policies on siting of government facilities need to include public transit acces-

sibility criteria. This issue is fundamental to poor and low income residents' quality of life. The right of the public to participate in all stages of review processes for location decisions for federal facilities as well as state and local facilities funded by federal dollars should be guaranteed, and accountability must be strengthened to ensure that that right is in no way denied.

The Impacts of Siting Transportation Facilities in Low-Income Communities & Communities of Color

by Susana Almanza and Raul Alvarez, People Organized in Defense of Earth and her Resources (PODER)
Austin, Texas

The inner city, where residents are largely people of color, is exposed to high concentrations of carbon monoxide from automobile traffic on the freeways and heavily traveled commercial roads running through it. Local industries, airports, bus yards, power plants, and other municipal and industrial facilities, all significant sources of air pollution, are also frequently sited in communities of color.

Communities of color, especially those within inner cities, are subjected to a variety of environmental and economic injustices. Land-use practices and transportation design are among the worst agents of these injustices. By encouraging the use of the automobile, current land-use practices and transportation designs perpetuate suburban sprawl. The siting of polluting facilities in communities of color further encourages segregation and increases white flight to the suburbs. White flight drains the tax base from the inner cities. Suburbanites commuting by car to the inner city by day exacerbate the problems of air pollution and traffic congestion that led to their flight in the first place. In addition, the rapid development of cities' outlying areas (to support suburban living) depletes the natural resources which are part of the cities' environmental infrastructure and are essential to its health.

Low-income people and people of color are usually left out of the planning process for the development of transportation facilities, and have little or no control over the environmental and economic impacts they suffer as a result of placement of those facilities in their communities. Officials in charge of planning large-scale transportation systems give almost no consideration to the systems' potential impacts on low-income communities and communities of color. Local

governments encourage the siting of industrial facilities in those communities through zoning policies and through the designation of tax abatement zones and enterprise zones. Also, the Environmental Protection Agency's (EPA) regulations and permit-granting policies reinforce these trends in local land use and facility siting.

When federal, state, and local agencies examine the social and environmental impacts of specific projects, they do not look at the aggregate risks in their siting decisions. They only look at the impacts specific to the project under consideration.

Communities of color encounter difficulties in raising objections to facility siting because they are not able to invoke the same themes that traditional white environmental organizations use. They cannot point to endangered species, pristine wide open spaces, lakes, streams, and oceans (essential to the ecosystem and important sources of recreation) to support their position. Communities of color must make sure that policies are balanced between "traditional" environment concerns and their immediate concerns – housing, economic development, unemployment, and pollution. Communities of color should not be denied a voice in decisions that affect the futures of their neighborhoods. Decision-making processes should include neighborhood organizations, small and minority businesses, and individuals who are not traditionally heard. The remainder of this paper will discuss how low-income communities and communities of color might affect the decision-making process by looking at a specific case study.

Austin Case Study

When we refer to the siting of transportation facilities we are specifically referring to the siting of freeways and fixed-route systems (such as light

rail). This includes the siting of facilities which support these systems such as bus yards, light-rail yards, and light-rail turnarounds. We also refer to designation and improvement of roads for transport of freight cargo and hazardous cargo.

What follows is a brief case study of a proposed light-rail system for the Austin metropolitan area. We will focus on the impact of the proposed system on the Central East Austin Area, which is made up primarily of people of color. We will consider the accessibility of this system to Central East Austin residents as well as the impacts of that system on their community. Finally, we will look at current transportation guidelines, specifically those that affect the siting of transportation facilities, to see how they do and do not support the principles of environmental justice.

Central East Austin

Central East Austin is defined by the census tracts which make up the 78702 area code. African-Americans and Mexican-Americans make up more than 88 percent of the population in this area. The area has a high degree of poverty. Five of its seven census tracts have a poverty rate which exceeds 30%. Two of its census tracts have poverty rates which exceed 50%.

The groups most disadvantaged in access to transportation are the young, the old, the poor and the physically challenged. While a large percentage of Central East Austin residents qualify as transportation disadvantaged solely on the basis of their income, it is important to remember that low-income communities and communities of color also tend to have high proportions of young, old and physically challenged people. In the Central East Austin Area, 30 percent of the population is below the age of sixteen and 14.2 percent of the population is over the age of sixty-five. In Austin, only 21.5 percent of the population of Austin is below the age of sixteen and 7.5 percent is over the age of sixty-five. In the Central East Austin area, 11.9 percent of civilian noninstitutionalized persons between the ages of sixteen and sixty-four are physically challenged. The percentage of civilian noninstitutionalized persons sixty-five and over who are physically challenged is 34.3. The percentages for Austin are 3.8 and 21.4

respectively. It is clear that the residents of Central East Austin have a much greater need for transportation services than the population at large.

Central East Austin and the Light-Rail System

Light-rail systems run on routes (railways) which are specifically dedicated for their use. Unhindered by traffic signals and traffic congestion, they provide more efficient public transportation than traditional bus systems. However, light-rail systems, like so many other transportation improvements, are often designed to address the transportation needs of those traveling at peak periods (rush hour), and as a result fail to address the transportation needs of the disadvantaged.

The concerns of low-income communities and communities of color are usually not considered at the design phase, so new systems tend to provide these communities with limited transportation access. The light-rail system proposal for Austin has, so far, been no exception. The majority of the light-rail system services the area West of Interstate Highway 35 (IH-35). Only the short segment from IH-35 to Pleasant Valley Road provides direct access to residents who live East of the interstate. Although the system would provide some access to Central East Austin residents, the majority of the population of this area would remain unserved by the system. Access to such a system may be further limited by the cost of use, which could be high.

The proposed system, while providing few benefits to Central East Austin, would have very significant environmental, economic and social impacts there. The light-rail storage and maintenance facility is included within the short segment of the light-rail line which services Central East Austin. This facility would have to be of considerable size in order to accommodate the desired services. The location of the storage/maintenance yard is in a segment of Central East Austin which is blighted and in need of redevelopment, but one has to consider how much of an improvement this type of land use would be. The increased noise and air pollution generated by such a facility would be a nuisance to nearby neighborhoods. In addition, the presence of the storage/maintenance yard would likely drive down property values in the surrounding areas.

The system would also have a significant effect on pedestrian and bicycle circulation and local automobile traffic within the neighborhoods in Central East Austin. The proposed light-rail line runs along East Fourth and East Fifth Streets. Residents who live south of East Fourth would have to cross the railway each time they wanted to go to the grocery store, to a restaurant, or to church. Children who live north of East Fifth would have to cross the railway every day to get to school. Concerns about safety and simple inconvenience might lead people to find less direct routes, thus splitting the community.

Light rail may also have a direct impact on some residences and businesses in the surrounding neighborhoods. Areas around light-rail stations have a great potential for increased business activity due to the influx of people. The light-rail stations in Central East Austin are in a deteriorated area. There has been much talk about how light-rail can revitalize this section of East Austin. In fact, a study on redevelopment has already been completed. Of concern is the potential that existing residences or businesses will be removed. Is such displacement necessary? What would be done about relocation? It is also important to consider what impact new businesses might have on those already established. Because they might take away from the customer base of existing businesses, new businesses should not overlap with the market of existing businesses. Existing businesses also should be given the opportunity to locate along the light-rail corridor, particularly if they are being displaced or have been otherwise adversely affected.

Siting of Transportation Facilities and Environmental Justice

The issues raised by the light-rail proposal should be considered in all transportation system proposal evaluations. Ideally, they should be considered during the plan development process, but in the past they have not been. This is due in large part to the fact that low-income communities and communities of color have not been represented in the planning process. The involvement of these communities in transportation has most often had

to be reactive and not proactive. The Intermodal Surface Transportation and Efficiency Act (ISTEA) is the first piece of legislation that calls for increased public participation in planning processes and requires the consideration of social and environmental issues in the development of transportation improvement programs and long-range transportation plans.

Public participation is one of the cornerstones of Environmental Justice. "Environmental Justice demands the right to participate as equal partners at every level of decision-making including needs assessment, planning, implementation, enforcement and evaluation." While the Executive Order on Environmental Justice does not go very far in calling for public participation by people of color, ISTEA does contain strong language about the need for public involvement. ISTEA states that the metropolitan planning process shall

Include a proactive public involvement process that provides complete information, timely public notice, full public access to key decisions, and supports early and continuing involvement of the public in developing plans and TIPs [Transportation Improvement Programs]...

A further requirement of the planning process is that it "seek out and consider the needs of those traditionally underserved by existing transportation systems, including but not limited to low-income and minority households..." This is a clear statement, and should be invoked when it becomes necessary to demand that metropolitan planning organizations (MPOs) and state departments of transportation (state DOTs) incorporate the concerns of people of color in their planning.

Unfortunately, ISTEA does not specify how MPOs and state DOTs will be held accountable to its requirements. Although the certification process is a potential avenue for addressing this shortcoming, certification is to a large extent at the discretion of the Federal Highway Administration and the Federal Transit Administration. Certification guidelines should be strengthened so that efforts to involve people of color will go beyond an ad in the newspaper or a name on a mailing list.

The social and environmental effects of the

siting of transportation facilities are addressed by the Executive Order on Environmental Justice. The order specifies that “to the extent practical and appropriate, Federal agencies shall use this information [on environmental and human health risks borne by various populations] to determine whether their programs, policies, and activities have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations...” Although ISTEA does not state that these considerations must be given specifically to low-income communities and communities of color, it does require that MPOs consider “the overall social, economic, energy, and environmental effects of transportation decisions (including consideration of the effects and impacts of the plan on the human, natural and man-made environment...” Due consideration for such impacts on communities of color should be specified in the regulations.

For significant light-rail and roadway systems proposals, a major investment study (MIS) is required. Current regulations specify that an MIS “will include environmental studies which will be used for environmental documents...” They should specify, using similar language as that quoted above from ISTEA, that the MIS must take into account social, economic, energy and environmental effects. Furthermore, regarding Sec. 3-301 (b) of the Executive Order on Environmental Justice, the MIS should “identify multiple and cumulative exposures.” In other words, the MIS should weigh the impacts of new transportation projects according to the negative social, economic, energy and environmental impacts already experienced by the affected low-income communities and communities of color.

Finally, ISTEA does not provide any specific requirements for improving transportation access to the transportation disadvantaged. ISTEA’s policy statement suggests that the transportation system should, “help implement national goals relating to mobility for elderly persons, persons with disabilities and economically disadvantaged persons.” This policy should be translated into requirements for using access as a criteria for project evaluation.

Conclusion

Transportation facilities and systems can have major impacts on the areas in which they are sited, giving low-income communities and communities of color much to consider. Will the system provide transportation access to members of the community? Has there been meaningful involvement of the community in the decision-making process? This study used a specific example from Austin to show how we might start thinking about these proposals and their development. The paper also tried to show which transportation regulations could be used to demand that there be more involvement by and consideration for the issues of low-income communities and communities of color in planning processes, and how these regulations could be strengthened. It is imperative that low-income communities and communities of color get involved in the planning of transportation systems. Concern for issues which affect our communities must become the rule, not the exception.

Equity in Transportation Investments

by Hank Dittmar and Don Chen,
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Forty years ago, Rosa Parks sparked the greatest social change of the modern era when she refused to sit at the back of the bus, thus asserting her civil rights in transportation. Today Ms. Parks might find bus service in her neighborhood nonexistent or dangerously overcrowded. She would almost certainly find that it fails to connect her conveniently with job opportunities, health care and government services. And she would probably find little use for the expensive transit service that connects parts of her city to the suburbs.

This isn't just a bad dream. In the United States, urban low-income communities have historically gotten less transportation funding from the federal government than their suburban counterparts. Transit, on which a disproportionately large share of low-income people depend, has received roughly \$50 billion since the creation of the Urban Mass Transportation Administration nearly thirty years ago, whereas roadway projects have received over \$205 billion since 1956. Roadway projects received roughly \$14 billion in 1989 alone. While the data are still difficult to track down, evidence of how this manifests itself at the metropolitan level is growing. The Environmental Defense Fund estimates that the poorest fifth of urban residents in Southern California receive only 4% of the area's transportation benefits.¹ And many people are realizing that new and proposed transportation projects have a range of negative impacts. For example, in Little Rock, Arkansas, parents are concerned that a new highway project will encourage white flight from the city, aggravating segregation problems in the city's schools.

Rural areas, with less than a fourth of the nation's total population but nearly forty percent of the nation's poor, only receive 7 percent of transportation funds.² The limited potential for fund-

ing in rural areas is also compromised by the difficulty rural communities encounter in meeting the 50 percent operating expenses (collected mainly through fares) matching fund requirement that is often stipulated at the state level.

Policy Opportunities

Everyone is familiar with public debate and official action on civil rights and equal protection for education and housing. Less familiar is how these guarantees apply to transportation. Yet the Civil Rights Act applies to all federal programs, including federal transportation policies. In fact, ISTEA's planning regulations specify that states and metropolitan planning organizations must demonstrate compliance with Title VI of the Civil Rights Act. Compliance in a state or metropolitan long-range plan or transportation improvement program could be demonstrated by examining several factors:

- the accessibility of the transportation system to different population and ethnic groups in the area;
- the ratio of transit and road system expenditures by geographic subarea, focusing on census tracts with high minority populations;
- representation of different ethnic, racial and social groups in transportation decision-making; and
- transportation system use by the different population groups, compared with the geographic distribution of the benefits of federal transportation investment.

The recent Executive Order on Environmental Justice requires all federal agencies to develop strategies that address environmental justice. While it is still too early to tell how well agencies will implement the Executive Order, the policy is a powerful tool. Since transportation is

tightly linked to environmental issues like air quality, the social equity dimensions of transportation clearly fall under the heading of environmental justice. This relationship between transportation and air quality was also recognized when lawmakers explicitly linked the Intermodal Surface Transportation Efficiency Act of 1991 to the Clean Air Act Amendments of 1990. Some policy experts have recently argued that funds currently available under ISTEA could very well be used to promote social equity. One example of this is Congestion Mitigation and Air Quality funds (CMAQ) which provide funding for projects that reduce air pollution, including transit and downtown revitalization for pedestrians, cyclists and transit riders.

Another funding source that has often been overlooked are enhancements provisions within ISTEA. Enhancements are projects designed to provide bicycling and pedestrian facilities and enhance the physical beauty of a facility or corridor. Thus far, few enhancement projects have been located in low-income communities. However, Enhancements activities can serve as micro-economic development projects that allow community leaders to jumpstart downtown revitalization efforts. Enhancements are perhaps the easiest monies to access through the ISTEA process because while they must be included in a metropolitan area's Transportation Improvement Program (TIP), award decisions are often made through a special decision-making process. Citizen groups interested in applying for enhancement funds may be required to apply through a local government entity. However, and even without such a requirement, they should consult with their MPO or state DOT office to develop a competitive proposal.³

How Accessible Is The Transportation System?

Measures of system accessibility begin with the question of coverage and extent. For example, is a transit line or arterial near the minority neighborhood under consideration? Are minority groups in the region likely to depend on transit for their local travel? Do transportation options link housing with services and employment sites? Accessibility measures also look at service level.

For instance, how often does the bus come by and how crowded is it? Urban minority neighborhoods are often characterized by packed buses and pass-ups while suburban commuters get a seat. Similarly, freeways and arterials in close-in neighborhoods are often crowded with commuters while suburban arterials are less crowded. For roads, one would examine congestion levels and access to the freeway.

In rural areas, minority neighborhoods may have unpaved roads or no transit service at all. A judge in Contra Costa County, California recently ordered the County to consider access to transit in locating a county facility in response to a lawsuit brought by the NAACP Legal Defense Fund.

Are Tax Dollars Being Invested Fairly And Equitably?

A civil rights analysis could also examine investment patterns proposed in the long-range plan or transportation improvement program. While ISTEA regulations discourage suballocation to specific jurisdictions, they encourage transportation agencies to meet the needs of central city residents and of traditionally underserved segments of the population. Furthermore, ISTEA funds originally earmarked for highways and roads can now be spent on a variety of projects, depending on the best match for the needs of the specific community.

A civil rights analysis should seek to pinpoint the percentage of road and transit funding going to areas with high proportions of minority residents, and how this investment pattern compares to the population pattern in the region or state. Another question to answer is whether adequate funding is being devoted to maintain older areas with high minority populations or whether the bulk of funding is being devoted to new projects in newly developing areas. Finally, are low-income and minority communities receiving older, less reliable transportation equipment and vehicles than wealthier communities?

In addition to questions of fairness, the disproportionate subsidization of transportation services for wealthier communities makes little financial sense. The Labor Community Strategies Center

in Los Angeles has pointed out that overcrowded bus routes in the L.A.'s center city actually break even or make money while the new commuter rail lines to outlying suburbs require tax subsidies of \$10-\$20 per rider. In effect, this is like asking indigent patients in a hospital to pay their own bills plus those of affluent patients. Yet the injustices continue. Another example from Los Angeles is the recent decision to use revenues from a new one-cent sales tax for high-occupancy vehicle lanes and commuter rail instead of buses, upon which extremely poor people depend.⁴

Minnesota state legislator Myron Orfield studied public investment in the Twin Cities, revealing deep disparities in spending that favor the wealthy suburbs over city neighborhoods with high percentages of minority residents. These factors have led many equity advocates to conclude that in some communities, transport is not the effect of poverty, but rather a root cause of poverty. Title VI and other leverage points should help define and correct these biases.

Are The Benefits Of The System Enjoyed By All?

A civil rights analysis should also review the use of the transportation system by different population groups. Do all members of the population enjoy the benefits (and costs) of the transportation system equally? The 1990 Census contains much data on this matter in the Urban Transportation Planning Package. At a national level, large disparities are evident in rates of travel, auto ownership, transit dependency and enjoyment of the benefits of transportation. These disparities exist along many lines: racial and ethnic, income, sex, and urban vs. suburban.

If a civil rights analysis identifies inequities or deficiencies in local and regional transportation systems, then the plan should document the steps being taken to address the problem. The end result of such a review would be an orientation of the transportation plan toward providing needed services to neighborhoods and communities—a planning approach where people matter. While a civil rights analysis needs to begin by identifying and correcting what's wrong with the present system, a transportation program focused on social justice must go beyond ensuring that transporta-

tion contributes toward healthy and just communities. It's not enough to just stop doing things wrong. With \$25 billion in federal tax dollars invested in transportation every year, we must recognize the potential for transportation policy-makers to do the right things.

Washington, DC: A Metropolitan Case Study Prepared by Gawain Kripke, Friends of the Earth

The District of Columbia is a city of approximately 600,000. Like many local governments, the city government is facing increasing budget strain as businesses and middle-class taxpayers leave the city for suburban areas. In addition, the burdens on the city's social and physical infrastructure are growing as resident population becomes proportionately poorer and surrounding jurisdictions grow. In February 1994, the mayor proposed a budget plan that raised new revenues: \$50 million from an increase in local parking taxes and \$9.9 million from an increased tax on gasoline. At the same time as the mayor's proposal to raise revenues, she also proposed to make spending cuts to balance the budget. The budget reduced the city contribution to mass transit by \$14 million.

Commercial parking lot owners quickly organized a campaign against the parking tax increase hiring a local lobbying firm to produce a study and leaflet their customers. Many of their customers, however, are commuters who do not vote in the city. Local business organizations loudly criticized the tax increase and argued that it would induce more downtown businesses to leave the city. A coalition of environmentalists, citizen groups, and transportation activists organized a joint letter to the city council urging support of the parking and gas tax increases and opposing the transit cut. In addition, many low-income advocates, elderly citizens, and disabled people testified before the city council and other decision-making bodies to argue against the transit cut. Environmental and transportation activists argued that parking and gas taxes should be viewed as user fees. Motorists in the District receive benefits in the form of public roads, street parking and orderly traffic enforcement. Many motorists who make daily use of the streets of D.C. pay very little or nothing in taxes to

the District for these benefits.

Outcry against the transit cuts became clamorous when it became clear that this would translate into fare increases. Local activists argued that riding to work on a bus or rail is far more energy efficient and causes less air pollution than driving. They also argued that fare increases would especially hurt lower-income residents and disabled persons because these disadvantaged people use transit more.

The city council stripped the budget of the parking and gas tax increases but assigned the issue of transit cuts to the relevant committee. After a strong public response in hearings, the chairman of the transit committee returned the issue to the full city council advising no cuts. To make up for the shortfall, the council adopted legislation to impose a parking fee on non-taxed parking spots. Non-taxed parking spaces include those owned by the federal government and non-profit institutions. The city council did this under the rubric of clean air law, thereby inducing the federal agencies to comply with the local measures to meet clean air standards.

¹Michael Cameron, Environmental Defense Fund, personal communication.

²Rural populations include 43% of America's disabled, 39% of its elderly, and 39% of its impoverished people. Cite: Jean Smith, Central Arkansas Development Council, 501.332.6215.

³ For more information, contact Bob Patten, Rails -to-Trails Conservancy, 202-797-5416.

⁴ Martine Micozzi and Peter Rown, editors, "Running on Empty: The Travel Patterns of Extremely Poor People in Los Angeles," presented at the Transportation Research Board 72nd Annual Meeting, 10-14 January 1993, Washington, DC.

Social Equity, Transportation, Environment, Land Use, and Economic Development: The Livable Community

by Don Chen, STPP
Washington, DC

Transportation is about making connections. Many marginalized communities and individuals have recognized that the most effective and creative approaches to meeting their transportation needs and alleviating their transportation problems make use of an understanding of the connections between transportation and issues such as the environment, land-use practices, and economic development. Government policy makers in these fields also have begun to recognize the importance of developing mechanisms that account for the relationships between these issues.

Social Equity, Transportation, the Environment, Land Use, and Economic Development Are Linked

An urgency to acknowledge the links among social equity, transportation, the environment, land use, and economic development has arisen for numerous reasons. The importance of efficient transportation to business and to personal freedom makes some level of economic, social, and environmental cost unavoidable. There are monetary costs to consumers and taxpayers, and the social and environmental costs of pollution. Typically, low-income communities and communities of color bear the largest portion of these costs overall, while enjoying the lowest level of benefits. Why? Because of racism, classism, exclusion from the policy-making process, and additional forms of discrimination. This imbalance is exacerbated by land use patterns in the U.S., where low-density suburban development has long been the dominant trend. Longer distances between jobs, services, shopping, and communities makes traveling more expensive for everyone, but for the disadvantaged, more expensive often means unaffordable, which puts many jobs, services, goods, and people out of their reach. Increasingly, people are realizing that some transportation solutions involve locating

desirable and important destinations closer to the groups that need access to them. In response, many environmentalist, grassroots neighborhood groups, community economic development advocates, and urban policy experts have joined in promoting the development of jobs, services, businesses, and housing in low-income communities and communities of color.

Policy Opportunities

The logical connections that can be made among social equity, the environment, transportation, land use and economic development have not been part of mainstream discussions, and the impacts of policies in these areas on low-income communities and communities of color in particular have been overlooked. There are only a few recent examples of federal law that begin to acknowledge the relationships between civil rights, the environment, land use, and economic development. One law that has is the Intermodal Surface Transportation Efficiency Act of 1991. ISTEA explicitly requires planners to examine the relationship between transportation and air quality and the impacts of transportation on civil rights. ISTEA does not, however, explicitly call for assessments of how environmental justice is affected by transportation policies. The 1994 Clinton Administration's Executive Order on Environmental Justice does—it requires all federal agencies to develop strategies that consider the impacts that their policies have on racial justice and social equity. Still, a strategy that considers impacts is still in the realm of government rhetoric—it is not action. And it is not enough—other promising policy ideas that link the issues mentioned above have yet to be implemented or adopted.

The following sections discuss examples of

areas where an understanding of the links among issues has lead or could lead to positive solutions.

Community Economic Development

Community economic development is not a new idea. For decades, it has been widely touted as a win-win strategy by advocates of equity, the environment, housing, and civil rights because it strengthens communities from within. It is not an easy strategy to implement, however. It requires long term commitment, hard work, persistence, resources, organization, and most important, funding and faith. In part spurred by the L.A. riots of 1993, many federal officials have called for new investment in central city infrastructure, services, employment opportunities, and amenities. This recent spurt of interest in community economic development has already dropped from the public debate, but the need for action is as urgent as ever.

Funding for urban redevelopment has been scarce over the last decade, diverted instead into projects for new suburbs. Fortunately, there are some creative ways to leverage other federal funding sources for use in developing disadvantaged communities. The potential applications of promising funding sources to transportation issues has not yet been thoroughly explored, but doing so may prove to be a useful step towards the goal of revitalizing urban centers. Some are listed below.

- Money in the form of Community Block Grants administered through the Department of Housing and Urban Development (HUD) has occasionally enabled communities to rebuild local economies.
- HUD administers the Community Viability Fund, which is designed to enhance the organizational capacity of community-based groups and institutions.
- Another lever may be found in the Community Reinvestment Act, which requires banks to demonstrate that they are investing in commercial, residential and non-profit projects in their own neighborhoods.
- At the Department of Transportation, the Federal Highway Administration and the Federal Transit Administration both have funds that may be used for community economic development, including: Congestion

Mitigation and Air Quality (CMAQ) Improvement programs; enhancements; Surface Transportation Program (STP); and Transit-section three funds that cover transit-related pedestrian facilities and street, shuttle, and station operations.

- The Clinton Administration is launching Empowerment Zones which would provide funding for redevelopment and tax incentives for investment.
- There are funds for a variety of community development projects available from the Department of Health and Human Services.¹

Securing funding by no means guarantees success. Many urban reformers contend that current urban revenue streams and investment practices are part of the problem, perhaps because they are not part of a sound, unifying vision. Such a vision for urban rebuilding is critical to fostering sustainable, growing economies, but is difficult to come by. developing one within a community requires community organizing, a challenge when resources are scarce.

Implications for Jobs

Part of the challenge to community economic development is migration of jobs to the suburbs. In the Greater Baltimore metropolitan area, for example, overall employment rose by 7% between 1980 and 1985, while central city jobs decreased by 8%. This discrepancy is largely the result of low unemployment rates in suburban areas. In Philadelphia, the central city unemployment rate is over 10%, but its suburban unemployment rate hovers around 3%. Other suburban boom areas include Norfolk-Virginia Beach, Memphis, and Tulsa, where employment rose by 126%, 154%, and 166%, respectively, between 1970 and 1980.² This is alarming for a number of reasons. The rising unemployment in many central cities makes sustaining businesses in communities there difficult. The economic repercussions of unemployment are felt not only in the business arena; other areas such as health care, education, and housing suffer and crime rates rise. As intersuburban travel increasingly becomes the main force behind national travel trends, the tasks of addressing air quality and other environmental issues in metropolitan regions become even harder. Most

discouraging of all, the boom in the suburbs is encouraging more growth and land use sprawl. A cycle has developed in which the inner city fails because the suburbs are thriving and the suburbs thrive because the inner city is failing.

Some have sought to deal with issues of employment by focusing on the physical connections between home and work. Reverse commute programs, which have been tried from time to time since the 1950s, are becoming popular again. The Clinton Administration, for example, has initiated a new Mobility for Work program, which is designed to link inner city neighborhoods with suburban business districts through bus and van services. Without such "reverse commute programs," many residents of the inner city wouldn't have jobs at all.³ However, critics have noted that such arrangements forgive social segregation and thus resemble apartheid.

Others dealing with transportation and jobs point to the job opportunities that the transportation industry itself offers. Many, however, recognize that jobs associated with major building projects tend to be short-term, and they are therefore wary of viewing such projects as community development tools. More important, they note, is what's being built. Too often, transportation officials have entered communities with plans for major projects and assurances of employment, and too often the projects were ultimately detrimental to the communities and the promise of jobs evaporated. And even when appropriate community reinforcing projects are being built or managed, low-income people still seem to be left out. For example, minority-owned businesses have frequently faced an uphill battle in securing contracts for work. The primary beneficiaries of construction projects are large prime contractors. The contract selection processes of federal, state, and local entities are required by US DOT Regulation 49 CFR to give strong consideration to companies that are certified as being owned and managed by people of color, women, disabled, and other disadvantaged individuals. The intent is to maximize those companies' ability to participate in available procurement and contracting opportunities. Because some agencies have been lax about enforcing this regulation, groups such as the Conference of Minority

Transportation Officials have been working to ensure that contracts are awarded more equitably to promote racial and economic justice, and community economic development.⁴

Public Transit

Even the most successful low-income community economic development program won't be successful without transportation services that are affordable, efficient, convenient, and that cover sufficient territory. For many economically disadvantaged individuals, mass transit may be the only form of transportation accessible. Low-income people do, in fact, constitute the largest share of total public transit ridership.⁵ Nonetheless, urban and rural transit needs are frequently overlooked because wealthier communities tend to attract more than their fair share of transportation project funding. As transit service funding dries up, the number of low-income people choosing mass transit, walking, and bicycling over driving as their primary means of mobility is dropping. Commuting mass transit use by the national poverty population dropped by 26 percent between 1985 and 1989, while the use of single-occupancy vehicles rose by about 5 percent to a total of roughly 60 percent of total commute trips.⁶ Part of the decrease in public transit ridership was caused by a 7 percent decline in the overall number of low-wage workers during that same period. However, according to the Nationwide Personal Transportation Survey, government budget constraints, the decrease in driving expenses, and the suburbanization and decentralization of jobs have also contributed to the overall decline in use of alternatives to the private vehicle.⁷

Although U.S. public transit services have been deteriorating over the last two decades, there is renewed interest in public transit as a means of alleviating congestion and air pollution, and of improving access and mobility. The passage of ISTEA, which grants municipalities the latitude to shift highway funds to transit projects, was a clear signal that communities are beginning to recognize the limits and costs of car dependency.

Public Transit Technologies and Private Sector Opportunities

ISTEA also provides funding for the development of Intelligent Transportation Systems (ITS — formerly known as Intelligent Vehicle-Highway Systems). Such technologies, which greatly enhance the flow of information between public transit operators, managers, vehicles, and passengers, could in turn boost the performance of transit systems. The Federal Transit Administration (FTA) recently created a Program to study Advanced Public Transportation Systems (APTS) and their potential to improve transit service, ease of operation, and ridership levels. It is too early to tell whether or not transit systems will benefit from such technologies.

Some have suggested that mass transit can even be good business. For example, delivery services such as Federal Express, U.S. Postal Service, and Amtrak could integrate parcel delivery with passenger delivery, particularly to remote rural areas where mass transit services are least likely to exist.⁸ Also, over the last few decades, illegal jitneys—private van services have proven to be effective in linking poorly connected transport alternatives. The Legislation of such “paratransit” and mobility services could make larger transit systems more convenient and help stimulate local business.

Transit-Oriented Development

Experts have also recognized the connections between land use and the fields of social equity, transportation, the environment, and economic development, and many are promoting land use policies that are amenable to walking, bicycling, and public transit use. “Transit-oriented development” involves promoting densification, mixed land uses, and design for human scale.⁹ Critics have charged that many of these concepts lead to gentrification—many “neo-traditional” neighborhoods are too expensive for low-income individuals. Zoning reform and other mechanisms could successfully address this concern. The California legislature is currently considering a bill that would allow for “mixed-income” zoning, requiring new developments to contain at least 10% affordable housing. This is viewed by transportation

advocates as a proven strategy to reduce commuting pressures and the inducement of traffic flow and continued sprawl. Zoning changes can also vary property use within city blocks, giving people easy access to more services.

Non-Motorized Transport

Encouraging more people to walk, ride bicycles, and find other non-motorized means of access benefits the environment and poor communities. Transportation Alternatives has touted bicycling as “non-polluting, liberating, healthful, scenic, economical and fun.” Bicycle riding in New York City is half as expensive as mass transit and a fourth as expensive as driving, even considering the replacement costs of bikes that are damaged by potholes or stolen (the average bike life is three years).¹⁰ Few projects, however, have emphasized the benefits of walking and biking to social equity because most bicycle-friendly regions in the U.S. are middle to upper-middle class communities. Greater national promotion of walking and biking access and facilities in low-income neighborhoods is needed in the effort to achieve equity and environmental goals.

Driving

While public transit, walking, and biking are excellent solutions to our transportation problems, many people will still want and need to drive. For those who have access to a car, increased mobility may confer greater economic and social opportunities, but many do not have access and are not likely to come by it without significant sacrifices.¹¹ The upkeep of a car (as high as \$1,000/month) can cancel out the benefits of having one—a car may give a low-income person access to a job, but the wage earned may not be enough to maintain the car.¹² Any rise in driving costs can be a threat to the livelihood of low-income commuters.¹³

The increasing number of low-income people relying on private automobiles has mobilized many social equity advocates to call for efforts to keep down the costs of driving. This has created great strife between the equity community and environmentalists, energy conservation advocates, and traffic managers, who want to control runaway growth in driving and the impacts of traffic

congestion.¹⁴ Drivers, they contend, are shielded from the total social and private costs of automobile use that there is little motivation to change their habits. The result is a transportation system that generates close to \$1 trillion in social costs every year.¹⁵ Raising the price of driving through fees, tolls, taxes, and other measures would allow other modes of transportation to compete on a level playing field and would create more social benefits in the long run.¹⁶

The regressive nature of such measures, however, has halted several consumer and environmental policy initiatives that would have raised the costs of driving, including: the Clinton Administration's Btu tax, Southern California's higher paid parking fees, and California's pay-as-you-go car insurance bill. It is a conflict that cannot easily be reconciled because equity advocates regard driving not as a luxury, but as a necessity. There are, though, numerous ways to address the regressivity of environmental pricing policies. One is the bundling of environmental taxes with the costs of urban community redevelopment, non-motorized access and transport, mass transit, and incentives for energy efficient (and therefore cost-effective) driving behavior. Examples of encouraging efficient driving behavior include rewarding carpoolers with cash, benefits, preferential parking spots and HOV lanes. In Southern L.A., the Labor/Community Strategies Center fought for the passage of the Social Equity Clause of Employee Trip Reduction legislation, which requires employers to offer transit riders, walkers, bikers, and carpoolers a cash benefit that is equivalent to the after-tax value of a parking space. Employers also benefit because they can still deduct the pre-tax value of the parking space from their incomes. It is particularly cost-effective when one considers that a year-long transit pass only costs between \$350 and \$1,000, whereas a parking space costs between \$1,000 and \$3,822 a year.¹⁷ The Social Equity Clause also encourages employers to provide other benefits, such as mass transit passes and showers and lockers for bikers, rather than simply discouraging driving by making it more expensive.¹⁹

Efficient Cars

Promoting the sale of efficient cars is a favorite pursuit of the environmental community. Recently, a policy concept called "feebates" has been discussed as a means to improving America's car fleet fuel economy. Feebates are rebates given or fees charged to new car purchasers based on their car's fuel economy rating, quality of emissions, engine displacement, safety, interior volume, and other factors. Since the cost of efficient cars (already lower than average) would be further subsidized by fees collected on sales of less efficient vehicles, the price of a new, efficient car could be reduced sufficiently to be within reach of low-income individuals. Unfortunately, the vast majority of low-income people purchase used cars, for which financing is more expensive than for new cars.

Low-income owners of very old, polluting cars could benefit from another innovative program known as "accelerated scrappage" or "cash for clunkers." Such programs have been initiated by pollution generators (factories, refineries, etc.) and involve paying cash for the most polluting cars in a given airshed. The companies then receive a "pollution credit" which they can trade for rights to pollute under a regime outlined by the Clean Air Act Amendments of 1990. The disadvantage here is the cash paid (a maximum of \$700 in one program) is usually not enough to allow the recipient to purchase a car better than the one he or she has sold. Participants who benefit from the program tend to be middle- or upper-middle-income people, whose "guzzler" was a second or third car.

Conclusion

This paper has discussed access—physical access to jobs, goods and services, schools, doctors, and baby sitters—and financial access to transportation services. However, the most important form of access, the one that creates the types of access listed above, is *political* access. Environmental justice and social equity begin where the traditional top-down approach to policy making ends. Grassroots community members are in the best position to know what is best for their communities. The only way a community's definition of a

livable community can become reality is for grassroots activists and transportation officials to be part of a collaborative process in which everyone's needs are adequately represented. We hope that this conference helps give birth to a long-term dialogue and collaboration that fulfills the potential for change such a process holds.

¹Laura Olsen, *Transit-Oriented Communities*, Mobility Partners Case Study, Surface Transportation Policy Project, 1994

²Robert Cervero, *Suburban Gridlock*, Center for Urban Policy Research, New Brunswick, New Jersey, 1986.

³Rick Wartzman, "Good Connections: New Bus Lines Link The Inner-City Poor With Jobs in Suburbia," *The Wall Street Journal*, 24 September 1993. In a reverse commute program sponsored by the National Center for Neighborhood Enterprise it was estimated that 30% of people participating in the program would not have worked at all.

⁴For more information, contact the Conference of Minority Transportation Officials in Washington, D.C. at 202.775.1118.

⁵The American Public Transit Association estimates that low-income transit riders constitute 28 percent of total riders, which is twice the national level of 14 percent of people living below poverty line. If the New York City Transit Authority is not considered, the percentage increases to 38 percent. Definitions of poverty differ slightly between the APTA study (Below \$15,000 annual income per household) and the Census Bureau (\$13,924). *Americans in Transit: A Profile of Public Transit Passengers*, American Public Transit Association, December 1992.

⁶Pisarski, Alan E., *Travel Behavior Issues in the 90's*, U.S. Department of Transportation, Federal Highway Administration, July 1992.

⁷Ibid. In fact, all trip increases between 1983 and 1990 can be attributed to increased car trips.

⁸Ronald J. Kilcoyne, "Public Transport for Rural Communities," *The Urban Ecologist*, Summer 1993.

⁹1000 Friends of Oregon is perhaps the most active environmental group pushing this notion.

¹⁰Michele Herman, *Bicycle Blueprint: A Plan to Bring Bicycling into the Mainstream in New York City*, Transportation Alternatives, New York, 1993.

¹¹According to the National Center for Neighborhood Enterprise, only roughly 18% of Chicago's poor people have access to cars.

¹²John Holtzclaw, *Explaining Urban Density and Transit Impacts on Auto Use*, Natural Resources Defense Council, 15 January 1991, in California Energy Commission Docket No. 89-CR-90.

¹³According to Michael Cameron of the Environmental Defense Fund, a \$0.50 per vehicle mile traveled (VMT) charge in Southern California will achieve an 11% reduction in VMT. Of this, there will be a 29% reduction in driving among low-income people, compared with a 9% reduction in driving for high-income people.

¹⁴Between 1983 and 1990, for example, vehicle trips and vehicle miles traveled grew by 25 and 40 percent, respectively; both more than double associated person travel trends.

¹⁵Several studies place the degree of study between \$300 billion and \$750 billion per year. See John Moffet, *The Price of Mobility*, Natural Resources Defense Council, October 1993; Jim MacKenzie, Roger Dower, and Don Chen, *The Going Rate: What It Really Costs to Drive*, World Resources Institute, July 1992; Charles Komanoff and Brian Ketcham, *Win-Win Transportation: A No-Losers Approach to Transportation Planning*, (212.334.9767), 1992.

¹⁶Michael Cameron, "A Consumer Surplus Model for Roadway Pricing," Environmental Defense Fund, July 1991.

¹⁷Jeffery Tumlin and Patrick Siegman, "The Cost of Free Parking," *Urban Ecology*, Summer 1993.

¹⁹Conversation with Martein Hernandez of WATCHDOG in Los Angeles.

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Topic 1

Justice in Decision Making

ISTEA tried to level the playing field between transit and highways, and between traditional decision-makers and the public. All the language is there, but how successful have the efforts been? What is the difference between participation and commenting versus real involvement and partnership with the planners, or control of the decision-making process? Holding decision makers accountable is essential.

Working Group Responses

Justice in Decision Making is central to all of the concerns of the general public and the Environmental Justice Community in particular. As conflicts erupt over specific projects and their location, or about a city's decision and its impact on various communities, the heart of the problem is a lack of understanding and communication among all of the parties. Too often, officials believe they know what would be best for a community and the community feels they have the correct solution and the two groups never jointly identify the problem, so they are solving two different issues with two different sets of resources.

Example:

Arabella Martinez

Spanish Speaking Unity Council

I am very frightened for this movement and minorities. Oakland along with many other communities is facing extensive migration to the suburbs and a shrinking tax base. This community has been abandoned by government.

The Fruitvale BART Transit Village came to be after BART wanted to build a 4-6 story parking garage dividing the community from BART, with no design amenities and a \$15 million price tag. Minor public participation efforts accomplished little in involving any of the public. The community reaction was spontaneous in opposing that structure and not involving us in planning our community. We felt this would destroy what we were trying to do with Fruitvale master planning and the BART station—integrating it into the community. The Fruitvale is a dominantly Latino community with a mix of low and middle income residents.

BART's plan did not consider economic or social impacts, but only environmental impacts, which they underestimated. The community won that argument, defeating the parking garage, and lost the \$15 million. However, we did get BART involved in our local planning process. The Fruitvale redevelopment plan has been extremely

successful. We will have a mixed-use project surrounding the BART station with a pedestrian plaza connecting the station to the commercial street corridor. A Latin American library, a senior center, a health clinic, housing and potentially a community police station

The BART transit station is set back behind the buildings on the commercial strip. We are making an effort to put the facilities where the transportation really exists. The initial US DOT grant providing funds for traffic and environmental impact analyses, site planning, and a staff member is what made the difference in pushing this work forward. It allowed the Spanish Speaking Unity Council to gather the data and information as well as work with the community to begin identifying a site plan that fulfills the communities needs and preferences. We have attracted close to \$17-18 million in funding thus far. Building the public/private partnership is essential, even if these people have traditionally been your enemies. The planning process has remained a fluid open process, growing and changing as the community understands more about the potential impacts and works together to come to a joint understanding.

Recommended Strategies For Obtaining Justice in Decision Making

- Early and continuous involvement of the affected community (Prior to the RFP)
- Equal access to information and decision makers
- Broaden minority representation
- Improved two way communication to educate the masses and the decision makers
- Develop culturally sensitive communications, (bi-lingual communications)
- More effective outreach strategies i.e. child care at public hearings, information in grocery stores, churches, schools
- Provide resources directly to affected communities for planning and outreach
- Allow citizens to qualify as project sponsors
- Standardize and centralize data
- Standardize reporting of transit expenditures
- Enforce existing laws, ISTEA, ADA, Title VI, Civil Rights Act, Community Right to Know, Mortgage Disclosure Act and Community Reinvestment Act.
- Strengthen existing public involvement requirements (i.e. adequate notice of hearing beyond posting flyers)
- Bring in pro-bono legal experts and help
- Involve communities in identifying problems, defining and approving solutions to ensure the integrity and appropriateness of the process
- Create a vision with community boards with diverse representation

Topic 2

Siting of Transportation Facilities

People within the inner city are exposed to almost every form of pollution known to humankind. Air pollution impacts people living within the inner city. People of color are impacted double because high concentrations of carbon monoxide from traffic, freeways, and heavily traveled commercial roads are so often sited in their communities. Local industries, airports, bus yards, power plants, and other municipal and industrial facilities, significant sources of air pollution, are sited in communities of color. Designing the transportation system to meet the needs of the automobile will only serve to increase the problems of air pollution and traffic congestion in the inner-city caused by suburban commuters who come to the inner-city for their livelihood during the day.

Low-income communities and communities of color receive the largest share of the burden of polluting facilities and infrastructure because they are left out of the planning process. Large-scale transportation systems are planned without consideration for the effects on communities of color and lower incomes. The aggregate impacts upon communities from various polluting facilities are rarely considered when evaluating the siting of transportation or other facilities. When federal, state and local agencies examine the social and environmental impacts of specific projects, they only look at the impacts specific to the project under consideration.

Communities, elected officials and agency representatives should consider many factors as they consider the siting of any facility.

- What will be the impacts in the community regarding health, aesthetics, mobility, noise, etc.?
- Will the system provide access to members of the community?
- Has there been meaningful involvement of the community?
- What other facilities are straining the community and what would be the aggregate pollution impact?

Working Group Responses

There has been much research and debate over the years on the impacts of certain facilities on communities and why communities of color and low-income communities receive the largest percentage of polluting and obstructive facilities. Transportation facilities are but one example; incinerators, hazardous waste dumps, and lead smelters are located predominantly in communities of color. Transportation facilities add to those ills with the location of highways through low-income communities and communities of color, destroying their community and polluting those who remain. In urban areas, the location of bus and rail yards is also an issue. People look around and see communities of color and low-income communities supporting the costs of transportation services while not receiving the benefits of good service. One of the largest demands is for agencies to evaluate the AGGREGATE burden to the community from all of the polluting facilities, before they even consider siting new facilities. There is an overwhelming feeling that to end this sort of persistent racism and classism, communities must be given some power of self-determination. "Cities and MPOs have different values than community residents that are or will be impacted."

Recommended Strategies For Improved Siting of Transportation Facilities

- Include tribal leaders in the decision making process.
- Incorporate public hearings into existing community meetings.
- Develop creative measures for informing the public (i.e. radio and TV PSAs, bi-lingual notices, notices in community and minority newspapers.
- Provide planning funds directly to affected communities.
- Require community participation as a condition of receipt of federal funds.
- Site transportation facilities based on needs of the people using the facility.
- Identify latent transportation demand in communities.
- Look at employment opportunities and community return when analyzing transportation investments.
- Require transit authorities to develop station area plans in conjunction with local communities.
- Conduct cumulative environmental impact statements for the entire community versus for a limited project area
- Need better inter-agency coordination when determining where to site facilities in order to combat bad decisions by governmental agencies.
- Develop regional evaluation criteria, benefits, costs distribution and other information. Criteria should not be a project by project basis.
- Include equity studies and needs assessments in the planning process.
- Study the needs of low income and otherwise disenfranchised individuals before siting a facility in the area.
- Improve landscaping, pedestrian access, noise abatement, pollution prevention to reverse the negative effects of transportation facilities
- Put the same money into a poor community as a rich community
- Ensure that planning processes do not allow Highways, Interstate projects to destroy communities like the National I-10.

Example:
Luz Cervantes
Urban Habitat Program

Highway 101 and I-280 cut off the community from the rest of the city and the bus lines are slow. All alternatives presented by the city were bus and light rail alternatives, which is of course no alternative. We evaluated them and said none of them ranked up to our standards: access to employment, improved level of service, economic development, environmental quality, energy cost effectiveness, maximization of job income opportunities in the community.

The city accepted the community alternative as viable and included it as one of five proposals to be evaluated through the major investment analysis process. Expect to be working with the community.

Topic 3
Transportation and the
Provision of Government Services

There are many people who, because of their age, mobility or economic standing, rely on public transportation for access to essential services. Public decision-makers are not always sensitive to those citizens who do not have the choices that automobile ownership allows. Siting of public facilities in areas without public transit denies access to these citizens. This type of inequity is prohibited by Title VI of the Civil Rights Act and the Americans with Disabilities Act.

Government programs and policies often work at cross purposes. Even in agencies with a mandate to promote access, the agency's real estate office, working in isolation, may locate facilities where they are inaccessible to those being served. Transportation planning usually focuses on "mobility"—getting people from here to there. But "location" and "access" are much more important—making sure that government office are accessible to the people who to use them.

The government may not be able to control the location of private companies but they do have the opportunity to plan public facility locations that not only avoid creating barriers, but that also promote community economic development in inner city neighborhoods.

Location decisions affect social equity. Federal facilities that create inequities need to be reevaluated and reshaped to eliminate rather than reinforce conditions that deny access to all citizens. The General Services Administration's evaluation criteria should include coordination and cooperation among federal agencies in implementing a comprehensive policy on social equity.

Working group Responses

One of the problems often articulated is the mismatch between government missions and government actions. While the transit agency is working to make all of their facilities accessible to the disabled, social service agencies are locating far from any public transit. The government can't control where private industries locate their offices

Example:
Jacky Levy
Neighborhood Capital Budget Group

The transit agency threatened to shut down Chicago's Green line. The communities along the Greenline are among Chicago's oldest and poorest. The green line was the backbone of the poverty census tracts in the county. An organized citizen campaign saved the Greenline, instead of closing the line, the agency committed to the largest rehabilitation project ever: \$320 million.

This is the first step in an on-going project to see public capital investment transformed into real community empowerment. It required the coordination of two separate political efforts on two separate corridors on the south and west side. But, can we leverage this investment into some real opportunities for those neighborhoods? We must bring the investment back to the neighborhood folks who fought so hard to win it. Along with saving the line, several groups in Chicago worked with one community near a transit station to redevelop not only the stop, but the surrounding neighborhood; an example of transit-oriented design, but in this case, designed by the neighborhood. Both the Neighborhood Capital Budget Group and Center for Neighborhood Technology have secured government funds to lead community design processes in several other neighborhoods along the Greenline.

and facilities, but they should be able to ensure that government investment furthers their goals instead of compromising them. In the working groups, the participants started from the assumption that the government has a responsibility to coordinate investment decisions and interagency missions. The recommendations below are concrete suggestions as to how the government can better ensure that their facilities are accessible to all people and do not promote the ever-present flight to the suburbs we see in private companies across the country.

Recommended Strategies For Transportation and the Provision of Government Services

- Integrate fare structures between local transportation systems.
- Increase distribution sites for fare media to include grocery stores and other community activity centers.
- Require that public agencies charge for parking or provide free tokens to persons using transit.
- Encourage other states to develop model land use regulations.
- Get the General Services Administration to adopt transit accessible building policies that would apply to all agency facilities.
- Consolidate government services at the regional level to reduce the number of trips necessary to obtain public services.
- Require that HUD, GSA, EPA, DOT develop cooperative agreements for addressing the fifteen planning factors in ISTEA.
- Improve accuracy of highway and transit data.
- Study the specific transportation needs of all citizens under the poverty line including the unemployed with a focus on employment, mobility and access needs.
- Locate government services in targeted redevelopment areas.
- Promote increases in telecommuting options.
- Better coordinate land use and transportation (i.e. locate day care centers at transit stops) .
- Ensure access to educational facilities.

Topics 4 & 5 Equity in Transportation Investments & Transportation, Equity, Land Use and Economics

Subsidizing wealthier communities has become our natural course of events, and this has accelerated sprawl and the growth and development of wealthier communities. We are faced with the question of how to change this system which is designed to suck resources out of urban and native communities. Together we need to identify avenues of action. STPP can provide some technical and strategic advice to communities working to truly participate in the planning process. Along with general accountability of local officials and direct action organizing, there are some legal handles. Title VI has never been done for transportation projects. STP, CMAQ, NHS, and transit funds are all flexible and available for creative community enhancing projects—transit, bike and pedestrian facilities; intermodal centers; daycare at transit stops, etc.

We need to focus benefits on communities where people already live, and not in new communities without residents.

Working Group Responses

The participants sited that not only how the decisions are made, but also the inequities in the investment patterns of cities and states are a serious problem. Transportation infrastructure, whether highway, road or transit, appears to be better funded and better maintained in areas of affluence, especially in white communities of affluence. To many people, achieving a more equitable transportation system will require a redistribution of resources as well as a change in the decision making culture.

"Equity and intermodalism will both fail unless we destroy the myth of inter-regional transportation (highway) investments, for all transportation is local in impact and all highways are used for mostly local transportation needs."

Recommended Strategies For Obtaining Equity in Transportation Investments, Land Use and Economic Development

- Make rules and regulations easy to read.
- Give more lead time for community meetings.
- Hold all meetings at transit-accessible locations.
- Integrate transportation and land-use planning into neighborhood-based planning.
- Develop an advisory committee, a citizens monitoring committee that has some power and is either integrated with the MPO, or separate from the MPO.
- Teach communities research methodology and processes.
- Make Civil Rights Title VI data available.
- Conduct a study on MPOs and State DOTs to analyze where transportation investments.
- Conduct technical analysis of who benefits and who pays for transportation investments.
- Collect accurate data to determine demographic identities of communities.
- Only allow fully funded land use plans to be implemented. If the funds do not exist for roads, schools, medical, water, sewer, electric, gas and other infrastructure, do not allow buildings to proceed.
- Require state legislation to integrate transportation and land use such as was done for Oregon 20 years ago.
- Obtain funding for a model civil rights report that would cover civil rights and equity issues.
- Mandate local hiring requirements and work local economic impacts into contracts. Contracting ratio of minority contractors must be reflective of the makeup of the community affected by the project, with a mandate of 10% minimum.
- Use an end-driven or goal-driven approach to problem solving: What are the many different alternative steps we need to take to reach a certain level of clean air?
- Require long range neighborhood access plans.
- Require the MPO to conduct collaborative agency meetings for local areas.
- Review Title VI files currently being submitted to FTA and other DOT agencies to see how it has been handled.
- Require a statement of residential markets served and business markets served as part of the project programming process. That way investments within the city that connect suburban residents to central city jobs will not masquerade as transportation investments for urban residents.
- Prioritize transportation enhancement applications and policy goals which range from the transit essential to removing billboards and other aesthetic and esoteric things.
- Concentrate on local transportation and less on regional and inter-regional transportation. Destroy once and for all the lies for inter-regional highway facilities which primarily exist to move suburban people to jobs, health care, education, shopping and amenities. These are local facilities paid for with taxes.
- Democratize the decision making process.
- Create a working group for electoral democracy.
- Improve representation on local elected boards by examining election processes.
- Hold community representatives accountable for participation.
- Enforce existing laws.
- Mobilize masses to realize that transportation inequities are a civil rights issue.

Strategies for Implementation of the Executive Order on Environmental Justice

A. Enforce ISTEA, Title VI of the Civil Rights Act, the Clean Air Act Amendments of 1990, the Americans with Disabilities Act, etc. at the federal, state, tribal, and local levels to ensure greater equity for low-income and people of color communities.

1. Need conformity in regulations and coordination and policy alignments between FTA, FHWA, EPA, Fish & Wildlife Service, Army Corps of Engineer, National Park Service, etc.
2. Need universal methods of communication of resources.
3. Requirement to disseminate information that is culturally sensitive so that the message is received.
4. Need better enforcement of ISTEA
5. Need better oversight and enforcement of Title VI on the management of State DOTs.
6. Require the certification of state DOTs just like MPOs
7. Need better oversight of abiding by treaty laws and involving tribal leaders.
8. Flexibility in 20 year plans to meet changing community needs.
9. Better accountability of Port Authorities and other organizations which are not accountable to anyone.
10. More authority to MPOs for spending ISTEA funds.
11. Lobby for enforcement of existing rules.

B. Ensure greater public participation, ranging from public comment opportunities to collaborative involvement processes in which community advocates are equal partners in the problem identification and decision making process. Measures of accountability should also be included.

1. Involve communities in planning as well as the evaluation stage of transportation expenditures.

2. Allow citizens groups to compete with government agencies for funds. Provide financial assistance to meet the local match requirement.
3. Provide better mechanisms for notifying the public about federal regulations and programs. The Federal Register is not "citizen friendly".
4. Allow non profits to compete for CMAQ funds. Funds currently only given to public agencies.
5. States should be encouraged to work with community groups in the implementation of CMAQ funds.
6. Better Federal DOT oversight over MPOs and states to ensure that ISTEA monies are spent as planned on approved projects.
7. Must hold decision makers accountable for decisions that they make.
8. Better education for the public on the importance of participating in 20 year long range planning efforts that set the stage for later project planning.
9. Need a single point of access for program and funding information.
10. Existing organizations should be used to make funding available.
11. Need a process for institutionalizing public participation possibly through the formation of Community Advisory Boards
12. Need strategic public involvement throughout the planning process..
13. Citizens need input on projects prior to the development of the RFP.
14. Have the federal government require that RFPs on specific projects invite citizen participation and submittals on the public participation planning elements. Eligible submittals should include local private interests as well as local community groups.
15. The minority community wants direct participation in the process.

16. Need to revise traditional outreach efforts to provide information to the public in ways that are compatible with their daily lives (grocery stores, churches, schools and public transit prime time ads).
 17. Provide citizen participation in the delivery of programs and government services rather than simply in planning them.
 18. Provide more lead time between the release of a plan and its due date to the Federal Government.
 19. Ask questions of the public rather than simply telling them what will be or presenting pre-defined problems..
 20. Form a Federal Advisory Committee to investigate, develop and evaluate the entire process and accept citizen complaints for review.
 21. Involve citizens in the MPO certification process.
 22. Provide legal action advocates and subsidies for community groups to participate in the legal system.
 23. Establish a legal fund to pay for lawsuits.
 24. Before drawing a line on a map, advertise, involve community groups, participation on functional and neighborhood committees, committee chairs sit on coordinating committee.
 25. Provide adequate transportation services to and between government facilities for the public.
 26. Centralize similar government facilities to provide one stop office hopping for citizens. Include the needs of the public when locating, designing and building government facilities.
 27. Provide better customer service to the public.
 28. Provide integrated ticket systems between transportation systems. Aim for one fare or transfer free trips for trip linking.
 29. Expand the outlets for sale of transit media to local grocery stores and ATMs.
 30. Provide better public education to enable the public to participate in a meaningful way.
 31. Maintain throughout the planning process the continuity, depth, quality and timing of community involvement.
 32. Provide sensitivity training to DOTs to reduce the single mode focus of DOT and to foster a cultural shift to intermodalism.
 33. Increase representation and accountability in MPOs.
 34. Paid and trained citizen action committees provided for at every stage of the process.
 35. Let communities do "comprehensive community assessments".
 36. Need pilot programs. Need to discover if some reported environmental justice programs are in fact environmental justice programs.
- C. Improve research and data collection. Provide information to communities about revenue and expenditure flows, and inform them of social and environmental impacts.**
1. Information needs to be made relevant to the community that is targeted. Funds availability, regulatory, and other public oversight functions need to be communicated to the public.
 2. Need an integrated, neighborhood based, development body for all funds, including transportation.
 3. Essential to study the needs of low-income and otherwise disenfranchised individuals before siting facilities.
 4. Take the time to educate people about impacts.
 5. Need performance standards on "disproportionate exposure" and many other similar objective measures that can show any undue harm and burden being placed on certain communities.
 6. Need equity studies and needs assessments included in the process.
 7. Need guidelines to evaluate equitable provisions for different populations: rate of use, relative aesthetics and user-friendliness. Assign transit vehicles based on need. Do not send newer cleaner vehicles to wealthier areas instead of the highest used lines.
 8. Use better methods of counting transit riders. Currently urban transit riders are undercounted. There is a disparity between documentation of transit needs versus auto-based needs.
 9. Data on pedestrians and bicyclists activity must be included in needs assessments to ensure that transportation investments follow transportation problems.

10. Need a better way of measuring unmet needs for transit. Highway models do not work. Ridership on some lines may be low because the line is not meeting the needs of the community. Instead of eliminating the line, find out how it can be restructured to better meet the community's needs.
 11. Must redefine need not as traffic congestion but as rebuilding communities.
 12. Origin and destination studies for customers should be required in EISs as estimates or real numbers. An analysis should then be made to determine if the need can be met with other modes.
 13. Require any institution receiving public money such as hospitals and universities to list customer and employee origin and destinations.
 14. Move away from forecasting which only perpetuates what is already happening.
 15. Need market analysis to see that the operation of transit vehicles is meeting the needs of the customers. Are origins and destinations wrong? Are there too many stops which slow competitiveness and reduce ridership?
 16. Need to study the specific transportation needs of all citizens under the poverty line including the unemployed, with a particular focus on employment and income mobility and access needs.
 17. Improve the timing and availability of data.
 18. Look at demographics and health statistics to understand environmental impacts on the community.
 19. Road building funds should be used to meet the needs of the indigenous people in New Mexico and in other areas as well as the federal government.
 20. Public private partnerships are essential in successful community initiatives to make transportation investments reflective of community needs.
 21. EPA studies should adequately reflect the extent of contamination and environmental hazards that exist in the communities of people of color.
- D. Identify differential patterns of consumption of natural resources, the distribution of resources costs and resources, and the incidence of pollution in communities — compare these with the benefits they receive.**
1. Transit Authorities should be required to develop station area plans and become involved in the local area master planning to ensure that their facilities are integrated into the existing community (Fruitvale BART Transit Village).
 2. Communities should be included in policy development not simply asked to respond to the policy after it has been developed.
 3. Government should seek to fund already existing organizations and communities not promoting policies which encourage the development of new communities in remote locations.
 4. Some use of ISTEA funds are not well thought out. such as tollway authority building a bike-way next to the freeway because it will help them get ISTEA funds.
 5. All modes including sidewalks should be included in planning.
 6. Siting transportation facilities means siting new development. The Gray Panthers of Berkeley oppose any new development that is not usable by people who do not drive.
 7. Demand should not be based on congestion and projecting latent demand in fringe areas. Instead there should be an effort to identify the "latent" demand of unmet needs in existing communities.
 8. There should be an effort on the regional level to identify underfunded neighborhoods as was done in St. Paul) and hold public hearings in neighborhoods to obtain ideas on what should be built in that area. Identify employment and community benefits when analyzing each transportation investment.
 9. Identify pedestrian access points which should be protected and connected. Corridor analysis prejudices the debate in terms of highways, existing capacity, longer distance travel and available land rather than real origin and destination needs. Need to look at nodal access not

- just long range designation of pedestrian-access.
10. Property owners displaced by freeway construction should receive comparable replacement value.
 11. To lessen the negative effects of transportation facilities, agencies should landscape provide noise abatement, pollution prevention and increased pedestrian access.
 12. Agencies should invest the same amount of money in poor communities as they do in rich communities.
 13. If a public service provides free parking , they should provide free tokens or charge for parking and reduce the deficit.
 14. If fixed routes are underutilized, then replace with paratransit for both able bodied and challenged.
 15. If buses are underutilized, then see if they are going where people need to go. Also look at the cost. Lack of ridership on public transit often signals other issues other than lack of demand.
 16. Cities should make it uncomfortable for people to drive by using traffic calming devices and installing roundabouts.
 17. Rural programs and elderly/handicapped are the two programs for rural funding. However they require two different applications, funding procedures, processes, and timetables with separate administrators.
 18. Need an education process and a communication process so that people can articulate their needs.
 19. Need to reevaluate stringent standards. Need resources to build lower volume standards for rural areas. Need a process for participation in environmental justice policy for tribal governments and communities. Need tribal set-asides for funding for road maintenance and construction
 20. Transit Authority should make service in the low-income communities just as cost-effective and efficient as in other areas.
 21. Implement system for monitoring children who are identified with high lead levels and learning disabilities and providing them with health care.
 22. Community standards such as access to employment, improved level of service, economic development, environmental quality, energy cost effectiveness, maximization of employment opportunities should be included in analysis of transportation alternatives.

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Appendix A

Report on Field Trips

The Center for Neighborhood Technology organized a field trip for conference participants which focused on transportation related community development efforts in Chicago. The tour focused on four areas or projects: the new Orange Line, the Tootsie Roll plant, Black Metropolis, and the Green Line renovations. At each stop community activists addressed the group, explaining both the history of the area and the impact of existing or proposed activities.

The Orange Line

As Chicago's newest rail line, the Orange Line serves not only Midway Airport, but also the southwest part of the city. Communities that had previously been served only by indirect bus links to the center city now receive better service. Furthermore, there has been some effort to link the stations with local shopping opportunities. The ridership on the Orange Line and the economic benefits for the area have exceeded expectations.

Tootsie Roll Plant

Both Tootsie Roll and Nabisco have large plants on the Southwestern edge of Chicago that are served by freight rail lines. Within the last three years, both of these companies have considered leaving the city. The Greater Southwest Development Corporation (the area's leading community development corporation) coordinated discussions between the city and the companies which ultimately led to decisions by both Tootsie Roll and Nabisco to remain in Chicago. The city provided the companies with investment incentives that included major public investments in the transportation infrastructure serving the plants. Similar and broader investments, especially upgrades in the highways leading to intermodal rail yards, are critical to a larger industrial retention policy for Chicago's Southwest Side.

Black Metropolis

At the turn of the century, the Mid-South Side of Chicago, Bronzeville, was thriving with black-owned businesses, mansions, music and art. Less than 10 minutes from downtown, the area played host and home base to such blues music greats as Buddy Guy and Muddy Waters and jazz greats Louis Armstrong and Duke Ellington. Today the area is plagued with high unemployment and crime rates and many of the brownstones on Grand Boulevard have boarded up windows. The Mid-South Planning and Development Commission has developed a plan to restore Bronzeville, rebuilding the economy based on tourism and celebration of the African-American culture and history.

The planning process has focused on community involvement and control. A group of people in the community have been meeting on a volunteer basis for the past three years to put the restoration plan together and seek support for their work citywide. The initial focus is preservation of several historic buildings and rehabilitation of the Green Line stops in the community.

Green Line

The Chicago Transit Authority (CTA) proposed closing the Lake Street Elevated Line that serves the west side of Chicago due to a 30% decline in ridership between 1985 and 1990, and the need for major rehabilitation of the existing infrastructure. The decline in ridership is attributed to the loss of population in the corridor, service cuts, fare increases, and the high unemployment rate. Due to effective work on the part of several community organizations, the line was retained, and the CTA agreed to put \$300 million into restoration of the Lake Street and Jackson Park/Englewood lines (together, the Green Line).

The non-profit organizations also led a community initiative of transit-oriented design for the Pulaski Street station. Bethel New Life, the Center for Neighborhood Technology and the Neighborhood Capital Budget Group led the

effort to create a transit-oriented redevelopment plan around one station at Pulaski and Lake Streets. The Pulaski plan is now being used as a prototype for redevelopment efforts around other stations on the line.

In keeping with the recommendations of community groups, the CTA has agreed to help develop two "superstations", one on Lake Street and one on the south side. These stations will be built with the use of federal funds available under the Congestion Mitigation and Air Quality (CMAQ) program of the Intermodal Surface Transportation Efficiency Act (ISTEA), and will incorporate many of the elements suggested by the community. Other CMAQ funds have been approved for use in design efforts at other stops along the Green Line. The Center for Neighborhood Technology developed a proposal that was advanced by the City of Chicago and approved for federal funds by the regional planning agency.

Appendix B Conference Evaluation

Following the Conference, STPP staff sought feedback from attendees, much of this was done informally, through conversations and meetings. An evaluation form was also sent out to get more formal responses. Out of the roughly 150 forms mailed, STPP received 26 responses. A summary of the results, complete with original questions, is below.

1) How familiar were you with transportation issues before attending this conference?

Very — 9 Fairly — 7 Not Very — 5
Not At All — 1 N/A — 4

Many respondents briefly discussed some of their local experiences in transportation issues.

2) Was this the first transportation planning conference you've attended?

Yes — 14 No — 9 N/A — 3

One respondent noted that this was the first "of this kind."

3) Would you feel confident discussing transportation issues with transportation planners or citizen groups in your community? If not, what other information or tools do you need?

Yes — 17 No — 2 N/A — 7

Many people noted that they needed more information on air quality regulation (like the Clean Air Act Amendments of 1990), the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), and other planning issues.

4) Do you intend to begin/continue to work on transportation planning in your community?

Yes — 18 No — 1 N/A — 7

If so, are you willing to be a part of a transportation planning coalition?

Yes — 8 No — 0 N/A — 18

The response was overwhelmingly positive, but some noted that it would depend on time commitment and funding.

5) What was your major objective in attending this conference, and did the conference meet your objective?

Objectives fell into five broad categories:

1) *To learn more about the connections between environmental justice, equity, and transportation. This response came from a broad array of people — activists, planners, government representatives, and one academic. People felt that this issue was addressed adequately. However, many felt that community development issues were not thoroughly discussed.*

2) *To better understand how government agencies could prevent instances of social inequity in transportation from occurring. This largely came from government representatives. Everyone who listed this item felt that they had learned a great deal.*

3) *To learn about policy tools like ISTEA and community development block grants. Most people felt that they had learned some useful information about policy tools, but wanted to learn more. Some simply noted that the conference had exposed them to a completely new set of tools to use to help their communities.*

4) *To meet other people working on these issues. This was a frequent response. Many people mentioned the excellent networking opportunities that they took advantage of at the Conference.*

5) *To learn more about citizen participation in transportation policy. The vast majority of those responding to the survey felt that the discussion on public participation was valuable to understanding how they could participate in transportation planning.*

6) Which session was most valuable to you, and why?

The response to this question was very mixed, but some items were mentioned frequently. Respondents especially enjoyed presentations by Myron Orfield, Gordon Linton, Susana Almanza, and Charles Lee. Many also praised their working group sessions, noting that the discussion of issues was informative and helpful in building trust.

7) Which session was least valuable to you, and why?

Responses to this were mixed as well. Some noted that their moderators were opinionated and disrespectful to some participants. Others noted that some lectures suffered from poor sound and visuals. Most, however, noted that all sessions were valuable because they were part of the process of understanding the issues.

8) Do you feel that the issues that you worked on were covered? If not, what additional information should have been presented?

The response to this question was largely positive, although many problems were cited. The most frequent complaint was the lack of discussion on community economic development. Many noted that there needed to be a conference on transportation and community development to compensate for this failure. Many respondents were also disappointed by the large gaps in expertise among participants. For example, experts on environmental justice or transportation issues found it hard to talk to one another, or could only talk about their subject. Several people, however, felt that this was an asset, and that it was important for these different kinds of people to get together and synthesize their experiences. Other respondents felt that environmental issues were not adequately discussed. One respondent noted that transportation in rural and Native American areas was not fully explored.

9) Which speakers did you like?

In addition to the speakers noted in question #6, respondents most frequently cited The Reverend Calvin Peterson ("the fellow on the date"), Robert Bullard, Rodney Slater, Arabella Martinez, Chris Niles, Janette Sadik-Kahn and Gloria Jeff.

10) Which speakers did you not like?

Responses to this question were mostly positive, although one person noted that "some of the speakers were a bit redundant in their comments and a bit too general in the insights and information they were attempting to communicate."

11) How would you rate STPP's performance on organizing the conference?

Nearly all the respondents had positive things to say about STPP's performance, the worst rating being "OK." Some critiqued the organizing effort by saying that there should have been a less ambitious scope of issues covered. One person suggested that DOT follow up with a series of conferences on different subissues throughout the country. One person noted that child care should have been provided.

12) Did you feel positive or negative about statements made by federal and state transportation officials?

Comments were largely positive, although many people felt neutral about it. Three people were negative. One person said "I did not hear a positive response to getting funding to grassroots efforts: just like government employees need income to work on transportation, so do local grassroots people." Many did not trust the government representatives' "I'm here for you" attitude and were waiting to see results.

13) Would you like to see the Department of Transportation continue this process?

Everyone who responded to this question said "yes." Some urged transportation officials to pay more attention to and allocate more resources for community participation. Many also called for more conferences, especially at the local level. One person asked for DOT to explore transit-oriented design (TOD) as an economic

redevelopment tool for depressed inner cities. Another person asked for regional meetings with the American Association of State Highway and Transportation Officials (AASHTO). Two people asked for more surveys.

14) What other information or resources would you like from STPP?

Overwhelmingly, people wanted to remain tapped into STPP's resource base and mailing list, and wanted more information on how to apply for grants, success stories of transportation reform, information on how states are complying with ISTEA, and information on educational programs. One person asked for specific support in starting their own grassroots effort involving religious organizations.

15) Other comments, criticisms:

These comments were mostly positive. There was great praise for the Saturday field trip organized by the Center for Neighborhood Technology. Also, there were many thanks for the scholarships that people received. There were also several criticisms. One person urged STPP to "choose the title carefully next time. It's easy to arouse suspicions among activists if they think they're being misled." A theme that reemerged in this section was the disproportionate focus on the Executive Order at the expense of other issues like community economic development. One person noted that more state Department of Transportation officials should have been present, because "they're the ones we need to educate—so far, they're clueless." One respondent noted that "It's tough getting people to talk about development that excludes non-motorists."

Appendix C

Principals of Environmental Justice

**First National People of
Color Environmental Leadership Summit
October 24 -27, 1991
Washington, D C**

WE, THE PEOPLE OF COLOR, gathered together at the multinational People of Color Environmental Leadership Summit, to begin to build a national and international movement of all peoples of color to fight the destruction and taking of our lands and communities, do hereby re-establish our spiritual interdependence to the sacredness of our Mother Earth; to respect and celebrate each of our cultures, languages and beliefs about the natural world and our roles in healing ourselves; to insure environmental justice; to promote economic alternatives which would contribute to the development of environmentally safe livelihoods; and to secure our political, economic, and cultural liberation that has been denied for over 500 years of colonization and oppression, resulting in the poisoning of our communities and land and the genocide of our peoples, do affirm and adopt these Principles of Environmental Justice:

1. Environmental justice affirms the sacredness of Mother Earth, ecological unity and the interdependence of all species, and the right to be free from ecological destruction.
2. Environmental justice demands that public policy be based on mutual respect and justice for all peoples, free from any form of discrimination or bias.
3. Environmental justice mandates the right to ethical, balanced, and responsible uses of land and renewable resources in the interest of a sustainable planet for humans and other living things.
4. Environmental justice calls for universal protection from nuclear testing and the extraction, production and disposal of toxic/hazardous wastes and poisons that threaten the fundamental right to clean air, land, water, and food.
5. Environmental justice affirms the fundamental right to political, economic, cultural and environmental self-determination of all peoples.
6. Environmental justice demands the cessation of the production of all toxins, hazardous wastes, and radioactive materials, and that all past and current producers be held strictly accountable to the people for detoxification and the containment at the point of production.
7. Environmental justice demands the right to participate as equal partners at every level of decision-making including needs assessment, planning, implementation, enforcement and evaluation.
8. Environmental justice affirms the right of all workers to a safe and healthy work environment, without being forced to choose between an unsafe livelihood and unemployment. It also affirms the right of those who work at home to be free from environmental hazards.
9. Environmental justice protects the right of victims of environmental injustice to receive full compensation and reparations for damages as well as quality health care.
10. Environmental justice considers governmental acts of environmental injustice a violation of international law, the Universal Declaration On Human Rights, and the United Nations Convention on Genocide.
11. Environmental justice must recognize a

special legal and natural relationship of Native Peoples to the U.S. government through treaties, agreements, compacts, and covenants affirming sovereignty and self-determination.

12. Environmental justice affirms the need for an urban and rural ecological policies to clean up and rebuild our cities and rural areas in balance with nature, honoring the cultural integrity of all our communities, and providing fair access for all to the full range of resources.

13. Environmental justice calls for the strict enforcement of principles of informed consent, and a halt to the testing of experimental reproductive and medical procedures and vaccinations on people of color.

14. Environmental justice opposes the destructive operations of multi-national corporations.

15. Environmental justice opposes the military occupation, repression and exploitation of lands, peoples and cultures, and other life forms.

16. Environmental justice calls for the education of present and future generations which emphasizes social and environmental issues, based on our experience and an appreciation of our diverse cultural perspectives.

17. Environmental justice requires that we, as individuals, make personal and consumer choices to consume as little of Mother Earth's resources and to produce as little waste as possible; make the conscience decision to challenge and reprioritize our lifestyles to insure the health of the natural world for present and future generations.

*Adopted, October 27, 1991
The First National People of
Color Environmental Leadership Summit
Washington, D.C.*

Appendix D

Legal and Regulatory Framework

ISTEA Declaration of Policy

In its declaration of policy, the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 states: "The National Intermodal Transportation System shall include significant improvements in public transportation necessary to achieve national goals for improved air quality, energy conservation, international competitiveness, and mobility for elderly persons, persons with disabilities, and economically disadvantaged persons in urban and rural areas of the country."

Such a statement reveals the federal commitment to move out of the "roads only" focus of the Interstate age and into an era of balanced investment in transportation, which better reflects the social, environmental, and energy goals of the nation. If our country's transportation system meets these goals and is cost-efficient, the new law will also help us compete in the global market.

ISTEA is not the first federal law to invoke socially important goals. Other ambitious laws have failed in the past. To assure realization of the goals contained in ISTEA, fundamental changes must occur in the way transportation decisions and investments are made at the federal, state and local levels. These changes will be implemented through the expanded planning and public participation processes in ISTEA. The linking of financial considerations and project selection will help assure these processes are successful.

This fact sheet provides a general introduction to ISTEA and other pertinent laws. It describes the key changes in the planning and public participation requirements under ISTEA. Major Investment Studies will be examined, as well as information on other equally important expressions of policy that have been laid out in Legislation over the years.

Interstate commerce and national defense are two commonly cited foundations for a national transportation system. While one foundation for transportation investment clearly is the commerce clause of the Constitution, an equally compelling

set of national transportation policy objectives derive from goals such as equal protection, civil rights, protecting the environment and ensuring the public health, safety and welfare. These have been clearly stated in major federal legislation over the last several decades. Explicit directives are contained in the Declaration of Policy in Section 2 of ISTEA.

Other Relevant Laws

- *The Civil Rights Act*, Title VI of which requires that federal programs and expenditures not be discriminatory and that the benefits of investment and programs be shared across the population;
 - *The Americans with Disabilities Act*, which requires sweeping changes in building codes, transportation and hiring practices to prevent discrimination against persons with disabilities, not just in projects involving federal dollars, but in all new public places, conveyances and employers.
 - *The 1990 Amendments to the Clean Air Act (CAAA)*, which seeks to bring the nation into compliance with health based standards for air quality. The CAAA identifies "mobile sources" (vehicles) as primary sources of pollution and call for stringent new requirements in metropolitan areas and states where attainment of National Ambient Air Quality Standards (NAAQS) is or could be a problem.
 - *The National Energy Policy Act*, which seeks to reduce our reliance on foreign oils and improve energy efficiency;
 - *The Clean Water Act*, which deals with non-point source pollution such as highway runoff.
- Other important national objectives have been stated in legislation for healthy and safe communities, historic preservation, scenic beautification, public lands and urban and rural metropolitan vitality. The Clinton Administration has made important directives by Executive Order, includ-

ing the National Performance Review, which counsels performance based objectives and measures; the Executive Order on Infrastructure Investment, which considers least cost planning approaches; and the Executive Order on Environmental Justice

The Executive Order on Environmental Justice

The Executive Order on Environmental Justice takes a first step toward institutionalizing concern for impacts on minority and low-income populations within important domestic federal agencies. It attempts to accomplish this through several means. First, it redefines agency missions to include environmental justice, exhorting them to work to address the adverse effects of their programs and activities on low-income and minority populations. Second, it establishes an Interagency Working Group on Environmental Justice (convened by the EPA Administrator) to coordinate efforts and provide guidance. Third, it sets up guidelines and a schedule for the development of agency strategies and follow-up reports that have three major objectives concerned with environmental justice: enforcement, participation, and improvement of research to identify and correct disproportionate impacts. Finally, it attempts to "close the loop" by compelling the Working Group to issue a Report to the President by April 16, 1995 that addresses the state of implementation within the agencies as well as their final strategies.

The cornerstone of the Executive Order is the development of *agency strategies* to promote fair enforcement of statutes, to ensure greater public participation, and to improve the overall research and analysis effort as it relates to minority concerns and environmental justice. The effort incorporates a two-year timetable for this development process, but leaves significant discretion over specific milestones up to individual agencies. The most important milestone for the immediate future occurs on or about the middle of February, 1995. At that time the final versions of the strategy will be submitted to the Working Group along with the identification of specific short-term projects that can set the tone for future institutionalization. These "model" projects represent a significant opportunity to influence the future direction of the process.

The presidential order specifically mentions the need for minorities and low-income populations to influence the design of research strategies to determine agency responsibility for environmental justice. It mentions a concern with areas where special government action (judicial or administrative has been focused). In addition, it requires agencies to pay special attention to areas and sites that have been identified under the Emergency Planning and Community Right-to-Know Act. The ability of community groups to become involved in the definition and design of epidemiological and clinical studies that address their unique concerns with public health and environmental quality is a significant new opportunity.

The following is a summary of Executive Order 12898 of February 11, 1994 Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations.

Agency Responsibilities

Within the constraints of law and consistent with the National Performance Review federal agencies define environmental justice as part of their mission and will work to address adverse health and environmental effects of their programs on minority and low-income populations.

Interagency Working Group

A federal working group on Environmental Justice will be convened by the EPA Administrator or designee. The working group will be made up of the heads of the Departments of Defense, Health and Human Services, Housing and Urban Development, Labor, Agriculture, Transportation, Justice, Interior, Commerce, and Energy as well as the EPA, Office of Management and Budget (OMB), the Office of Science and Technology Policy, Presidential Assistants on Environmental and Domestic Policy, the National Economic Council and the Council of Economic Advisors. The working group will be responsible for several activities.

- Provide guidance on achieving of environmental justice.
- Coordinate program consistency and enforcement.

- Assist in coordination of research and data collection by stimulating cooperation among agencies and examining existing data and studies on environmental justice.
- Hold public meetings for fact-finding, comment and inquiry; making the results available for public review. Wherever practical this will include the translation of public documents for people with limited English.
- Develop interagency model projects.

Development of Strategies

Agency strategies will specify programs, policies, planning and public participation processes, enforcement and rulemakings. These will be conducted without discrimination or exclusion on the basis of race, color, or national origin. The strategies will have minimum objectives designed to promote enforcement of statutes within low-income and minority communities, ensure greater public participation, improve research, and identify disproportionate impacts. Where possible the strategies will also include a timetable for undertaking revisions, with milestones for:

1. internal process [08/16/94],
2. proposed strategy outline [10/16/94],
3. proposed strategy [12/16/94],
4. final strategy [02/16/95] (including the identification of several short term specific projects and their implementation schedules),
5. first progress report [02/16/96], and
6. additional progress reports as required by the Working Group.

Reports to the President

Within 14 months [04/16/95] the Working Group will submit a report through the Assistants for Environmental and Domestic Policy that includes the state of implementation as well as the final agency strategies.

Research, Data, and Analysis

Research: The research agenda must include human environmental health impacts (including those arising from cumulative exposures to pollution) and involve epidemiological and clinical studies to identify diverse segments of the population

that are at high risk from transportation options. Minority and low-income populations will be afforded the opportunity to comment on and participate in the design of research strategies.

Data and Analysis: Within the constraints of law, including the amended Privacy Act, each agency will, wherever practical and appropriate, collect and analyze information that allows the comparison of health risks borne by minority and low-income populations, including those connected with subsistence consumption of fish and wildlife. This information will be used to determine disproportionate consequences of their programs on these populations, especially for areas surrounding sites that have become the focus of "substantial environmental administrative or judicial action" (including reporting under the Emergency Planning and Community Right-to-Know Act). Unless legally prohibited this information will be made available to the public.

Planning Requirements in ISTEA

ISTEA places a great deal of emphasis on planning and public participation at both the metropolitan and state levels. Several sections of the new law direct federal and state Departments of Transportation (DOTs) and metropolitan planning organizations (MPOs) to "provide citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation, and other interested parties with a reasonable opportunity to comment" at several junctures in the transportation planning process. In addition, Governors are directed to ensure that citizens are involved in developing the state transportation improvement program (TIP).

ISTEA lists specific issues that the local and state level planning agencies must take into account as they develop both short-range and long-range plans for their region. These planning factors are designed to ensure that transportation planning and investments consider both the costs and benefits of the proposed project or plan. For metropolitan areas, 15 factors must be considered and for the state plans 23 factors must be considered. A list of the state and metropolitan planning

factors is included. Some of the key elements are highlighted below.

- Focus on rehabilitating of existing infrastructure rather than new construction;
- Comprehensive studies on the environmental impacts of decisions;
- Comprehensive studies on the social impacts of decisions;
- Expansion, enhancement and increased use of transit services;
- Investments in increased security of transit vehicles and routes;
- Improved efficiency and effectiveness of the transportation system;
- Improvement of the transportation systems provision of access to housing, employment and recreation; and
- Comprehensive evaluation of the impact of transportation decisions on land-use, including an evaluation of: amount of open land to be consumed, consistency with urban redevelopment goals, impact on environmental protection, and consistency with regional land-use goals, among others.

Public Involvement and ISTEA

The public involvement requirements in ISTEA clearly favor a proactive approach on the part of governmental agencies. The new regulations move away from the typical public participation process which consists of one hearing at which the public must comment on already drafted plans. The ISTEA planning requirements outline several elements that must be part of each transportation agency's public participation process, including public input on the process itself. The regulations repeatedly stress the need to incorporate the public into the entire decision-making process, moving away from the "comment only" mentality.

The regulations openly encourage state DOTs to develop a process for participation in the definition of the problems and potential solutions as well as evaluating proposed plans. In practice, however, the regulations provide somewhat vague guidelines which can be interpreted in many different ways. Several areas have made great strides in reforming the decisionmaking process, but there is much work to be done.

Below is language directly from the planning regulations regarding public involvement:

- (a) Public involvement processes shall be proactive and provide complete information, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement. The processes shall provide for:
- (1) Early and continuing public involvement opportunities throughout the transportation planning and programming process;
 - (2) Timely information about transportation issues and processes to citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation, other interested parties and segments of the community affected by transportation plans, programs and projects;
 - (3) Reasonable public access to technical and policy information;
 - (4) Adequate public notice of public involvement activities and time for public review and comment at key decision points;
 - (5) A process for demonstrating explicit consideration and response to public input during the planning and program development process;
 - (6) A process for seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households which may face challenges accessing employment and other amenities;
 - (7) Periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all and revision of the process as necessary.
- (b) The public involvement processes will be considered by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) as they make the planning finding required to assure that full and open access is provided to the decision-making process.

Funding Flexibility Levels the Playing Field for Transportation Decisions

Until ISTEA, federal transportation policy fueled our overdependence on the automobile by dedicating substantially more federal funds to highway construction than to transit or other modes. The old program structure posed barriers to achieving many of society's broader objectives, including environmental quality, economic health and social equity.

In addition to substantial flexibility in the use of federal highway dollars, ISTEA removes several financial biases favoring highways, which should facilitate state and local governments choosing projects based on merit. Chief among these new provisions is the establishment of a uniform federal share of a project's cost. Now most projects, regardless of mode, will be eligible for an 80 percent federal share.

Another important change is that all projects must meet a financial feasibility test as part of new planning and programming procedures. Previously, only transit investments underwent such an analysis. Moreover, the complex and time-consuming review procedures for transit projects also have been in certain circumstances, among them compliance with ADA requirements. The latter should allow transit projects to be advanced more rapidly, which can result in substantial cost savings.

Major Investment Studies

Section 450.318 (c) "Major investment studies shall evaluate the effectiveness and cost-effectiveness of alternative investments or strategies in attaining local, State and national goals and objectives. The analysis shall consider the direct and indirect costs of reasonable alternatives and such factors as mobility improvements; social, economic, and environmental effects; safety; operating efficiencies; land use and economic development; financing; and energy consumption."

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Appendix F Glossary

Access, Accessibility

The opportunity to reach a given end use within a certain time frame, or without being impeded by physical, social or economic barriers.

Allocation

An administrative distribution of funds among the States, done for funds that do not have statutory distribution formulas.

Americans with Disabilities Act of 1990 (ADA)

Federal Law that requires public facilities, including transportation services, to be fully accessible for persons with disabilities. ADA also requires the provision of complementary or supplemental paratransit services in areas where fixed route transit service is operated. Expands definition of eligibility for accessible services to persons with mental disabilities, temporary disabilities, and the conditions related to substance abuse. The Act is an augmentation to, but does not supersede, Section 504 of the Rehabilitation Act of 1973 which prohibits discrimination on the basis of disability against otherwise qualified individuals in programs receiving federal assistance.

Apportionment

A term that refers to a statutorily prescribed division or assignment of funds. An apportionment is based on prescribed formulas in the law and consists of dividing authorized obligation authority for a specific program among the States.

Appropriations Act

Action of a legislative body that makes funds available for expenditure with specific limitations as to amount, purpose, and duration. In most cases, it permits money previously authorized to be obligated and payments made, but for the highway program operating under contract authority, appropriations specify amounts of funds that Congress will make available to liquidate prior obligations.

Arterial

A class of street serving major traffic movement that is not designated as a highway.

Attainment Area

An area considered to have air quality that meets or exceeds the U.S. Environmental Protection Agency (EPA) health standards used in the Clean Air Act. An area may be an attainment area for one pollutant and a non-attainment area for others. Non-attainment areas are areas considered not to have met these standards for designated pollutants.

Authorization Act

Basic substantive legislation or that which empowers an agency to implement a particular program and also establishes an upper limit on the amount of funds that can be appropriated for that program.

Bikeway

A facility designed to accommodate bicycle travel for recreational or commuting purposes. Bikeways are not necessarily separated facilities; they may be designed and operated to be shared with other travel modes.

Budget Authority

Empowerment by Congress that allows Federal agencies to incur obligations to spend or lend money. This empowerment is generally in the form of appropriations. However, for the major highway program categories, it is in the form of "contract authority." Budget authority permits agencies to obligate all or part of the funds that were previously "authorized." Without budget authority, Federal agencies cannot commit the government to make expenditures or loans.

Central Business District (CBD)

The most intensely commercial sector of a city.

Conformity

Process to assess the compliance of any transportation plan, program, or project with air quality control plans. The conformity process is defined by the Clean Air Act.

Congestion Management and Air Quality Improvement Program (CMAQ)

A new categorical funding program created with the ISTEA. Directs funding to projects that contribute to meeting national air quality standards. CMAQ funds generally may not be used for projects that result in the construction of new capacity available to SOVs (single-occupant vehicles).

Consolidation

Restructuring transportation services to serve the same market with fewer service providers.

Contract Authority

A form of budget authority that permits obligations to be made in advance of appropriations. The Federal-Aid Highway Program operates mostly under contract authority rules.

Coordination

When agencies share responsibilities related to transporting clients: carrying others' clients, arranging with other agencies to carry clients, or sharing vehicles or vehicle support services including maintenance, etc. Example: a provider whose major activity is transporting elderly clients may make midday schedule space to serve clients of an AFDC, WIC, or substance abuse prevention program.

Demand-Responsive

Descriptive term for a service type, usually considered paratransit, in which a user can access transportation service that can be variably routed and timed to meet changing needs on an as-needed basis. Compare with **Fixed-Route**.

Dial-a-Ride

Term for demand-responsive systems usually delivering door-to-door service to clients who make requests by telephone on an as-needed reservation or subscription basis.

Elderly and Handicapped (E&H)

Anachronistic designation for special transportation planning and services.

Enhancement Activities

Refers to activities related to a particular transportation project that "enhance" or contribute to the existing or proposed project. Examples of such activities include provision of facilities for pedestrians or cyclists, landscaping or other scenic beautification projects, historic preservation, control and removal of outdoor advertising, archeological planning and research, and mitigation of water pollution due to highway runoff.

Environmental Impact Statement (EIS)

Report which details any adverse economic, social, and environmental effects of a proposed transportation project for which federal funding is being sought. Adverse effects could include air, water, or noise pollution; destruction or disruption of natural resources; adverse employment effects; injurious displacement of people or businesses; or disruption of desirable community or regional growth.

Environmental Protection Agency (EPA)

EPA is the federal source agency of air quality control regulations affecting transportation.

Expenditures (Outlays)

A term signifying disbursement of funds for repayment of obligations incurred. An electronic transfer of funds, or a check sent to a State highway or transportation agency for voucher payment, is an expenditure or outlay.

Expressway

A controlled access, divided arterial highway for through traffic, the intersections of which are usually separated from other roadways by differing grades.

Federal Highway Administration (FHWA)

Division of the U.S. Department of Transportation that funds highway planning and programs.

Financial Capacity, Capability

Refers to U.S. Department of Transportation requirement that an adequate financial plan for funding and sustaining transportation improvements be in place prior to programming federally-funded projects. Generally refers to the stability and reliability of revenue in meeting proposed costs.

Fiscal Year (FY)

Since FY 1977, the yearly accounting period beginning October 1 and ending September 30 of the subsequent calendar year. Prior to FY 1977, the Federal fiscal year started on July 1 and ended the following June 30. Fiscal years are denoted by the calendar year in which they end; e.g., FY 1991 began October 1, 1990, and ended September 30, 1991.

Fixed-Route

Term applied to transit service that is regularly scheduled and operates over a set route. Usually refers to bus service.

Fragmentation

A situation stemming from the lack of effective and efficient integration of programs, facilities and services.

Freeway

A divided arterial highway designed for the unimpeded flow of large traffic volumes. Access to a freeway is rigorously controlled and intersection grade separations are required.

Federal Transit Administration (FTA)

Division of the U.S. Department of Transportation that funds transit planning and programs.

Guaranteed Ride Home

Refers to employer-sponsored program that encourages employees to carpool, use transit, bike or walk to work by guaranteeing them a ride home in case they cannot take the same mode home (e.g., if they need to work late or if an emergency occurs).

High Occupancy Vehicles (HOVs)

Generally applied to vehicles carrying three or more people. Freeways, expressways and other large volume roads may have lanes designated for HOV use. HOV lanes may be designated for use by carpoolers, vanpools, and buses. The term HOV is also sometimes used to refer to high occupancy vehicle lanes themselves.

Highway

Term applies to roads, streets, and parkways, and also includes rights-of-way, bridges, railroad crossings, tunnels, drainage structures, signs, guard rails, and protective structures in connection with highways.

Home-Based Work Trip

A trip to or from home for the purpose of one's employment.

Infrastructure

A term connoting the physical underpinnings of society at large, including, but not limited to, roads, bridges, transit, waste system, public housing, sidewalks, utility installations, parks, public buildings, and communications networks.

Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)

Legislative initiative by the U.S. Congress that restructured funding for transportation programs. ISTEA authorized increased levels of highway and transportation funding and an enlarged role for regional planning commissions/MPOs in funding decisions. The Act also requires comprehensive regional long-range transportation plans extending to the year 2015 and places an increased emphasis on public participation and transportation alternatives.

Land Use

Refers to the manner in which portions of land or the structures on them are used, i.e., commercial, residential, retail, industrial, etc.

Limitation on Obligations

Any action or inaction by an officer or employee of the United States that limits the amount of Federal assistance that may be obligated during a

specified time period. A limitation on obligations does not affect the scheduled apportionment or allocation of funds, it just controls the rate at that these funds may be used.

Local Street

A street intended solely for access to adjacent properties.

Long Range

In transportation planning, refers to a time span of more than five years. The Transportation Improvement Program (TIP) is typically regarded as a short-range program, since ISTEA has changed the TIP from a five-year to a three-year document. See "Transportation Improvement Program."

Management Systems

Six systems required under ISTEA to improve identification of problems and opportunities throughout the entire surface transportation network, and to evaluate and prioritize alternative strategies, actions and solutions. The six management systems include: Pavement Management System (PMS), Bridge Management System (BMS), Highway Safety Management System (HSMS), Congestion Management System (CMS), Public Transit Facilities and Equipment Management System (PTMS) and Intermodal Management System (IMS).

Metropolitan Planning Organization (MPO)

The organizational entity designated by law with lead responsibility for developing transportation plans and programs for urbanized areas of 50,000 or more in population. MPOs are established by agreement of the Governor and units of general purpose local government which together represents 75 percent of the affected population or an urbanized area.

Mobility

The ability to move or be moved from place to place.

Mode, Intermodal, Multimodal

Form of transportation, such as automobile, transit, bicycle and walking. Intermodal refers to the connections between modes and multi-

modal refers to the availability of transportation options within a system or corridor.

Model

A mathematical and geometric projection of activity and the interactions in the transportation system in an area. This projection must be able to be evaluated according to a given set of criteria which typically include criteria pertaining to land use, economics, social values, and travel patterns.

Network

A graphic and/or mathematical representation of multimodal paths in a transportation system.

National Ambient Air Quality Standards (NAAQS)

Federal standards that set allowable concentrations and exposure limits for various pollutants.

National Highway Systems (NHS)

A federal transportation program authorized by ISTEA that designates nationally significant Interstate Highways and roads for interstate travel, national defense, intermodal connections, and international commerce. Other eligible activities include bikeways and park-and-ride lots. The NHS is currently being developed as the first component of a larger, intermodal National Transportation System. See "National Transportation System."

National Transportation System (NTS)

ISTEA called for the development of a "National Intermodal Transportation System that is economically efficient and environmentally sound, provides the foundation for the Nation to compete in the global economy, and will move people and goods in an energy efficient manner." The NTS is intended to allow for the development of transportation planning, program management and investment strategies that will bring about a transportation system that will move people and goods more effectively and efficiently, and thereby advance our economic, environmental and social goals. Secretary Pena has launched an outreach initiative to identify the NTS.

Obligational Authority

See "Limitation on Obligations."

Obligations

Commitments made by Federal agencies to pay out money as distinct from the actual payments, which are "outlays." Generally, obligations are incurred after the enactment of budget authority. However, since budget authority in many highway programs is in the form of contract authority, obligations in these cases are permitted to be incurred immediately after apportionment or allocation. The obligations are for the Federal share of the estimated full cost of each project at the time it is approved regardless of when the actual payments are made or the expected time of project completion.

Ozone

Ozone is a colorless gas with a sweet odor. Ozone is not a direct emission from transportation sources. It is a secondary pollutant formed when hydrocarbons (HC) and nitrogen oxides (NO_x) combine in the presence of sunlight. The ozone is associated with smog or haze conditions. Although the ozone in the upper atmosphere protects us from harmful ultraviolet rays, ground level ozone produces an unhealthy environment in which to live.

Paratransit

Alternatively known as *special transportation* when applied to social services systems. Applies to a variety of smaller, often flexibly-scheduled and routed nonprofit-oriented transportation services using low-capacity vehicles, such as vans, to operate within normal urban transit corridors or rural areas. These services usually serve the needs of persons that standard mass transit services would serve with difficulty, or not at all. Common patrons are the elderly and persons with disabilities.

Peak Hour

The 60-minute period in the a.m. or p.m. in which the largest volume of travel is experienced.

Pedestrian Walkway

A secured path for walking.

Penalty

An action that does not allow a State to use the full amount of its apportioned funds. The action may be a withholding of project approvals or withholding of a percentage of the State's apportionment. The action may be taken when the State does not comply with a required provision of law.

Person-Trip

A trip made by one person from one origin to one destination.

Privatization

The supplying of traditionally government-supplied goods and services through for-profit business entities to enhance public cost efficiency.

Provider

An agency that causes clients to be transported, as opposed to an agency whose role is limited to funding programs.

Public Authority

A Federal, State, county, town, or township, Indian tribe, municipal or other local government or instrumentality with authority to finance, build, operate, or maintain toll or toll-free transportation facilities.

Public Participation

The active and meaningful involvement of the public in the development of transportation plans and improvement programs. The Intermodal Surface Transportation Efficiency Act (ISTEA) and subsequent regulations require that state departments of transportation and MPOs proactively seek the involvement of all interested parties, including those traditionally underserved by the current transportation system.

Public Road

Any road or street under the jurisdiction of and maintained by a public authority and open to public traffic.

Rescission

A legislative action to cancel the obligation of

unused budget authority previously provided by Congress before the time when the authority would have otherwise lapsed. Rescission may be proposed by the Executive Branch but requires legislative action to become effective.

Region

An entire metropolitan area including designated urban and rural subregions.

Regionally Significant

A term which has been defined in federal transportation planning regulations as "a project...that is on a facility which serves regional transportation needs...and would normally be included in the modeling of a metropolitan area's transportation network, including, at a minimum, all principal arterial highway and fixed guideway transit facilities that offer a significant alternative to regional highway travel."

Reverse Commute

Commuting against the main directions of traffic. Often refers to the central city to suburb commute.

Right of Way (R-O-W)

Priority paths for the construction and operation of highways, light and heavy rail, railroads, etc.

Shuttle

Usually a service provided with an up-to-20 passenger vehicle connecting major trip destinations and origins on a fixed- or route-deviation basis. Shuttles can provide feeder service to main transit routes, or operate in a point-to-point or circular fashion.

Single-Occupant Vehicles (SOVs)

A SOV is a vehicle used to get just one person to a destination.

Social Equity, Justice

The provision of affordable, efficient and accessible transportation services to all people regardless of race, ethnicity, income, gender, or disability. A socially equitable transportation system provides all people with convenient access to meaningful jobs, services and recreational opportunities.

State Highway Department

The department, commission, board, or official of any State responsible for highway construction, maintenance and management.

State Implementation Plan (SIP)

Required documents prepared by states and submitted to EPA for approval. SIPs identify state actions and programs to implement designated responsibilities under the Clean Air Act.

Surface Transportation Program

A new categorical funding program created with the ISTEA. Funds may be used for a wide variety of purposes, including: roadway construction, reconstruction, resurfacing, restoration and rehabilitation; roadway operational improvements; capital costs for transit projects; highway and transit safety improvements; bicycle and pedestrian facilities; scenic and historical transportation facilities; and, preservation of abandoned transportation corridors.

Telecommuting

The substitution, either partially or completely, of transportation to a conventional office through the use of computer and telecommunications technologies (e.g., telephones, personal computers, modems, facsimile machines, electronic mail). Implies either work at home or at a satellite work center that is closer to an employee's home than the conventional office.

Title III

Title of the Older Americans Act enabling expenditures for nutrition and transportation programs that service elderly persons.

Title IV

Title of the Civil Rights Act of 1964 that ensures that no person in the United States will be discriminated against on the basis of race, color or national origin. The transportation planning regulations, issued in October 1993, require that metropolitan transportation planning processes be consistent with Title IV.

Transit

Generally refers to passenger service provided to the general public along established routes

with fixed or variable schedules at published fares. Related terms include: public transit, mass transit, public transportation, urban transit and paratransit.

Transit Dependent

Persons who must rely on public transit or paratransit services for most of their transportation. Typically refers to individuals without access to personal vehicle.

Transportation Control Measures (TCMs)

Local actions to adjust traffic patterns or reduce vehicle use to reduce air pollutant emissions. These may include HOV lanes, provision of bicycle facilities, ridesharing, telecommuting, etc.

Transportation Disadvantaged

Those persons who have little or no access to meaningful jobs, services and recreation because of a transportation system that does not meet their needs. Often refers to those individuals who cannot drive a private automobile because of age, disability or lack of resources. See also "Social Equity, Justice."

Transportation Improvement Program (TIP)

This is a document prepared by states and planning commissions citing projects to be funded under federal transportation programs for a full-year period. Without TIP inclusion, a project is ineligible for federal funding.

Transportation Management Area (TMA)

Defined by ISTEA as all urbanized areas over 200,000 in population. Within a TMA, all transportation plans and programs must be based on a continuing and comprehensive planning process carried out by the Metropolitan Planning Organization (MPO) in cooperation with states and transit operators. The TMA boundary affects the responsibility for the selection of transportation projects that receive federal funds.

Transportation Management Association (TMA)

A voluntary association of public and private agencies and firms joined to cooperatively

develop transportation-enhancing programs in a given area. TMAs are appropriate organizations to better manage transportation demand in congested suburban communities.

Transportation System Management (TSM)

The element of a TIP (Transportation Improvement Program) that proposes non-capital-intensive steps toward the improvement of a transportation system, such as refinement of system and traffic management, the use of bus priority or reserved lanes, and parking strategies. It includes actions to reduce vehicle use, facilitate traffic flow, and improve internal transit management.

Travel Time

Customarily calculated as the time it takes to travel from "door-to-door." In transportation planning, particularly in forecasting the demand for transit service, measures of travel time include time spent accessing, waiting, and transferring between vehicles, as well as that time spent on board.

Trust Funds

Accounts established by law to hold receipts that are collected by the Federal Government and earmarked for specific purposes and programs. These receipts are not available for the general purposes of the Federal Government. The Highway Trust Fund is comprised of receipts from certain highway user taxes (e.g., excise taxes on motor fuel, rubber, and heavy vehicles) and reserved for use for highway construction, mass transportation, and related purposes.

U.S. Department of Transportation (DOT)

The principal direct federal funding and regulating agency for transportation facilities and programs. Contains FHWA and FTA.

Urbanized Area (UZA)

Area which contains a city of 50,000 or more population plus incorporated surrounding areas meeting set size or density criteria.

Vehicle Miles of Travel (VMT)

A standard areawide measure of travel activity.

Most conventional VMT calculation is to multiply average length of trip by the total number of trips.

Zone

The smallest geographically designated area for analysis of transportation activity. A zone can be from one to 10 square miles in area. Average zone size depends on total size of study area.

Sources:

Federal Register, "Statewide and Metropolitan Planning Regulations," Federal Highway Administration and Federal Transit Administration, United States Department of Transportation.

Financing Federal-Aid Highways, Federal Highway Administration, United States Department of Transportation.

"A Summary of Transportation Programs and Provisions of the Clean Air Act Amendments of 1990," Federal Highway Administration, United States Department of Transportation.

"Talking the Talk," East-West Gateway Coordinating Council.

Appendix G Further Reading

Robert Bullard and Hank Dittmar, two of the conference speakers, have two specific articles that are of particular relevance to the issues discussed. Although they were not included in the proceedings, the articles are highly recommended as further reading.

Bullard, Robert D. *Grassroots Flowering: The environmental justice movement comes of age.* *The Amicus Journal.* Spring 1994, pp. 33-43.

Dittmar, Hank. *A Broader Context for Transportation Planning: Not Just An End In Itself.* *Journal of the American Planning Association,* Vol. 61, No. 1, pp. 7-13.