

July 20, 2010

Mary Nichols, Chairman
California Air Resources Board
1001 "I" Street
Sacramento, CA 95814

Re: Social Equity in SB 375 Target Setting

Dear Chairman Nichols:

The Regional Targets Advisory Committee (RTAC) identified "maximizing social equity" as a guiding principle of target-setting.¹ Maximizing social equity means providing all Californians with affordable opportunities to drive less and reside in the transit-oriented developments contemplated under SB 375, and thus helps ensure that we can achieve high greenhouse gas (GHG) reduction targets. It also means protecting the rights of communities of color and low-income communities who stand to suffer severe harms, such as displacement and an unfair share of public investment, if GHG reduction is not pursued in an equity-conscious manner.

As CARB rapidly approaches its September 30 target-setting deadline, it is not yet evident that either the Board or the four major MPOs have taken any tangible steps to ensure that low-income communities and communities of color share equally in the benefits of SB 375 implementation, while not bearing an undue share of the burdens. We write to provide recommendations and offer our assistance in jumpstarting this crucial component of your work.

Socially-equitable targets and Sustainable Communities Strategies are those that provide all Californians, without regard to race or income, with a fair share of SB 375's benefits and burdens. A socially-equitable approach will analyze the potential beneficial and harmful impacts of targets and SCSs on lower income Californians and communities of color specifically, and select alternatives that maximize both GHG reduction and positive equity impacts while avoiding or offsetting any negative impacts. Most of the data to conduct these analyses already exists.

A socially-equitable approach does not preclude CARB from adopting higher GHG targets than those currently under consideration. In fact, target-setting that accounts for Californians of all races and income-levels is critical for the regions' and subregions' accomplishment of high targets. Increasing housing and transit affordability and improving the jobs-housing fit,² for example, will mean that workers of all income levels can live closer to their jobs, and thereby reduce vehicle miles traveled.³

¹ Recommendations of the Regional Target Advisory Committee (RTAC) Pursuant to SB 375, Sept. 2009. p. 3

² Jobs-housing fit takes into account the relationship between wages and housing costs in a particular location. It begins with the "jobs-housing balance," which identifies the ratio of jobs to housing units in that location, and disaggregates it by income level.

³ "The affordability of housing and transportation and access to employment play a critical role in determining where Californians live, how much they travel and, therefore, directly affect the level of achievable greenhouse gas reduction." RTAC Report, p. 28

On the other hand, failing to incorporate these social equity considerations now will only set our regions back. For instance, an approach that does not build social equity criterion in at the front end runs the risk of unleashing an extreme wave of gentrification and displacement in the urban core and along transit lines, excluding more lower-income families, segregating them at the geographic periphery and forcing them to commute in the cheapest and highest polluting vehicles or on unaffordable and unreliable transit systems. Such an approach could also perpetuate existing social inequality by limiting from our state's growing population access to affordable transportation and housing, thereby exacerbating economic and racial segregation, unemployment, and sprawl.⁴

Providing the opportunity for everyone to drive less is both the fairest and the most effective way to reach our goal of reducing traffic congestion and greenhouse gas emissions.

CARB should take action now with the steps outlined below. We request that CARB staff, in its August report, outline a plan to address each of these steps. Most of these, with the exception of step 1, are longer-term actions that will go on beyond adoption of the GHG targets in September. Therefore we also request that CARB, as part of its resolution adopting the GHG targets in September, commit to implementing steps 2-6 within a specified timeframe. Finally, CARB staff should regularly report on the Board's progress in accomplishing these steps as well the RTAC's recommendations on social equity.

Recommended Steps

- 1) **Conduct a social equity analysis on your draft greenhouse gas reduction targets.** This should be included in your Environmental Impact Report on the targets.⁵ Higher targets that are not linked to strong social equity protections could negatively affect lower income households if, for example, sufficient affordable housing is not provided to counteract increases in land use prices and housing costs. Conversely, lower targets could favor transportation projects that benefit affluent suburban commuters while shifting public funds away from already decimated bus service. This equity analysis should make use of equity metrics like those we list in the next paragraph and should be disaggregated by race, income, transit mode, and geographical area. The final targets adopted by CARB should include a list of recommended policies and practices to offset any disparate impacts identified in the analysis.
- 2) **Develop a required set of social equity metrics that will be incorporated at various steps in the GHG target-setting and SCS/APS development processes,** and will be supplemented by additional equity metrics that are tailored to each region's equity issues. These standardized metrics should include:
 - a. Jobs-housing fit, which quantifies the relationship between wages and housing costs so that we can measure whether people of all income levels have the opportunity to live near their jobs;
 - b. Availability of affordable homes at a range of income levels;

⁴ Ibid, p. 28

⁵ See California Environmental Quality Act (CEQA), Cal. Pub. Res. Code § 21080(e) (2009); CEQA Guidelines, Cal. Code Regs., tit. 14, § 15131(c) (2010).

- c. Percentage of income paid, by income level, for housing, for transportation, and for housing plus transportation;
 - d. Percentage of the population, by income level, with access to: reliable transit they can afford; infrastructure such as clean water; pedestrian-friendly neighborhoods; and good bicycle infrastructure;
 - e. Change in air quality in low-income communities and communities of color; and
 - f. Metrics that measure displacement by income level, race, ethnicity, national origin, disability and family size and/or the effect of new development on the value of existing housing stock.
- 3) **Encourage every MPO to run more than one “equity and environment scenario”** that tests the impact of the most equitable transportation and land use options on greenhouse gas emissions. Such a scenario might include the following:
- a. increased investment in bus service;
 - b. improved jobs-housing fit;
 - c. increased investment in bicycle and pedestrian infrastructure in low-income communities;
 - d. increased investment in mass transit rider subsidies;
 - e. more land zoned for multi-family residential development at higher densities;
 - f. increased investment in below market rate housing;
 - g. increased housing affordability near entry-level jobs and opportunities like good schools, open space and public services;
 - h. increased percentage of affordable housing required for development under inclusionary housing ordinances.
- 4) **Identify and direct CARB resources, including research grants and funding opportunities, to research and develop tools necessary to incorporate social equity factors into MPO travel models.** The RTAC acknowledged the existence of off-modeling techniques and other measurements beyond those listed above that will require further research to identify and quantify.⁶ We strongly urge the Board to use its resources for this purpose and to hold the MPOs accountable for doing the same, as the RTAC recommended.⁷
- 5) **Work with the California Transportation Commission to develop recommended steps that each MPO should take to analyze equity at each stage of RTP and SCS development, as is required by federal law.** These steps should include an initial “equity scoping,” with full public participation, to identify the primary equity risks and opportunities against which alternative scenarios should be analyzed and measured. They should also include a set of recommended social equity indicators and performance measures that can be used to develop equitable scenarios, and to analyze how each scenario would impact households by race and at various income levels. For example how does the scenario affect air quality in various neighborhoods, broken down by income? How does it affect traveler welfare? How does it affect housing affordability and location? Finally, for each phase of SB 375 implementation, the intended outcomes,

⁶ Ibid, pp. 28-9

⁷ Ibid, p. 29

and the equity measures that will be used to ensure that the public and decision-makers can meaningfully evaluate alternatives, should be stated.

It is critical that these equity analysis measures be employed at every level of the decision-making process, including at the county transportation agency (congestion management agency) and subregional COG levels, so that MPOs do not incorporate inequitable decisions into their RTP development processes.

- 6) **Provide guidance to the MPOs on how to avoid or mitigate adverse social consequences in their SCSs and/or APSs**, including increased transportation costs, displacement, gentrification, and increased housing costs.

We are eager to help you and the MPOs establish meaningful and comprehensive social equity measurements both at the outset and at each stage in the development of each region's SCS. This will help fulfill the RTAC's recommendation to "enable the public and policymakers to clearly see the social equity impacts of various planning scenarios and make informed choices"⁸ and will also help ensure that state and federal civil rights and environmental justice requirements are fully met.

We urge you to take concrete steps now to work with partner agencies (state and federal), advocacy groups, the public, and other stakeholders to identify social equity factors and devise effective ways to integrate them into the target-setting process. Please contact Autumn Bernstein (autumn@climateplanca.org | 916.441.0204 x 304), Julie Snyder (jsnyder@housingca.org | 916.447-0503, x 102), or Parisa Fatehi (pfatehi@publicadvocates.org | 415.431.7430 x 305) if we can assist you in any way with these tasks.

Sincerely,

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⁸ Ibid.

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cc: MPO Directors, Commissioners, and Commission Chairs
Senator Alan Lowenthal, Chair, Senate Transportation and Housing Committee
Senator Fran Pavley, Chair, Senate Natural Resources Committee
Assemblymember Bonnie Lowenthal, Chair, Assembly Transportation Committee
Assemblymember Norma Torres, Chair, Assembly Housing and Community
Development Committee
Assemblymember Wesley Chesbro, Chair, Assembly Natural Resources Committee