

September 28, 2015

Steve Heminger, Executive Director
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Re: Response of the 6 Wins Network to the Plan Bay Area 2040 Call for Projects

Dear Mr. Heminger:

The 6 Wins for Social Equity Network, a regional coalition of over 20 organizations working to promote social, racial, economic and environmental justice in the Bay Area, is pleased to respond to the Call for Projects for Plan Bay Area 2040.

The members of the 6 Wins Network include community-based and grassroots groups with low-income members in many of the underserved communities within Priority Development Areas designated in Plan Bay Area. (A list of some of those organizations, with contact information, is attached.) We believe that if the region proposes to rebuild those neighborhoods for the greater good, existing at-risk residents should have a say in ensuring that their highest priority needs are met with a meaningful portion of new public investment.

We therefore request that MTC sponsor the Underserved Community Benefits Program, and evaluate it alongside other proposed priorities for the \$60 billion in “discretionary” revenues in the new Plan. The Underserved Community Benefits Program we propose (see Attachment A) consists of two phases: (1) **an ongoing planning phase** (first round to be completed during 2016) and funded with \$2 million in planning grants annually to community-based organizations with low-income and minority members in Communities of Concern, and (2) **an implementation phase**, to be funded with \$2 billion in discretionary funds during the first four fiscal years of Plan Bay Area 2040, for transportation projects and programs, and sustainable communities infrastructure, identified as priorities in the planning phase.

The Call for Projects memo of March 31, 2015, “encourages” the submission of projects that meet “one or more” of the following criteria: (1) Supports Plan Bay Area’s performance targets; (2) Supports Plan Bay Area’s adopted forecasted land use, include Priority Development Areas (PDA) and Priority Conservation Areas (PCA); or (3) Derives from an adopted plan, corridor study, or project study report. This project meets all three criteria, as discussed below. First, it will strongly support most, if not all, of Plan Bay Area’s performance targets. Second, it will support Plan Bay Area’s land use pattern, especially the PDAs that the regional agencies have referred to as the “centerpiece” of the Sustainable Communities Strategy. Finally, it is consistent with a community-adopted plan brought forward by the 6 Wins Network, and studied by MTC and ABAG as an alternative to Plan Bay Area 2013.

The Greenest and Most Effective Solutions Come from Underserved Communities Themselves

That community-adopted plan is known as the Equity, Environment and Jobs (EEJ) scenario for Plan Bay Area. The 6 Wins Network developed it through a community-driven process in 2011. When MTC and ABAG evaluated the EEJ scenario as an alternative in the Environmental Impact Report for Plan Bay Area, they found it was “environmentally superior” to the other alternatives. They also

found that the EEJ Alternative performed better than the plan developed by professional staff on a range of important regional goals: It would reduce daily VMT by 3.5 million miles and annual GHG emissions by over 500,000 tons a year more than the adopted Plan Bay Area. It would put tens of thousands fewer families at risk of flooding from sea-level rise and billions of dollars more into filling potholes on local streets and roads. It would do all this while also providing the greatest benefits to disadvantaged families and better protecting them from displacement.¹

The EEJ Alternative showed that, when residents of underserved communities make decisions for themselves, they can identify priorities and solutions that bring benefits not only to their immediate community, but to the greater region as a whole.² The lessons of direct community engagement were taken further under the Bay Area's HUD "Sustainable Communities Initiative" grant. MTC sub-granted a portion of its HUD funds to community-based organizations. This led to inclusive and successful community engagement processes in underserved communities around the region, resulting in wise policy and investment recommendations informed by a depth and breadth of community voices.

Those lessons continue in California's expenditure of Cap and Trade auction revenues. A growing consensus, reflected in significant part in the Air Resources Board's guidance on SB 535 (de León), holds that the mere fact that an investment is made "within" a disadvantaged community is not by itself enough to ensure that it will benefit the low-income residents of that community. Instead, the determination of whether investments provide meaningful benefits to disadvantaged communities depends on the answers to four questions:

1. Does the investment meet an important community need identified by low-income residents?
2. Are the benefits of the investment significant?
3. Are the benefits targeted to lower-income residents and households?
4. Does the investment avoid harms to the community, like displacement?

The expertise in answering these questions lies not within public agencies, or in a computer-simulated "equity analysis" of the distant future, but in the community itself. This project would support residents in answering these questions in a manner that will meet their priority needs while strengthening the very neighborhoods so critical to Plan Bay Area's success: the Priority Development Areas, or PDAs.

Creating Successful PDAs That Protect Against Displacement

Investments that serve the highest priority needs of low-income residents in Communities of Concern (COCs) will also support Plan Bay Area's focus on PDAs because they overlap substantially.³ PDAs

¹ See UC Davis analysis of the Plan Bay Area EIR available at http://www.publicadvocates.org/sites/default/files/library/uc_davis_comparison_of_draft_pba_with_eej_alternative_summary.pdf.

² See Donald L. Kirp, "What do the Poor Need? Try Asking Them" (New York Times, Aug. 8, 2015), available at http://www.nytimes.com/2015/08/09/opinion/sunday/david-l-kirp-what-do-the-poor-need-try-asking-them.html?_r=1.

³ A map overlaying COCs with PDAs is available at <http://geocommons.com/maps/199657>.

are intended to focus growth and investment in a subset of the region's transit-served neighborhoods that local governments have self-nominated.

Community-driven investments that answer "yes" to the four questions above are essential both to achieving equity and to realizing the GHG reduction goals in SB 375 and Plan Bay Area. Low-income people of color in COCs face a very high risk of displacement, fueled in significant part by local, regional, and state policies that encourage transit-oriented development. Coupled with private market interest, these policies are contributing to severe upward pressures on housing costs in these neighborhoods.⁴ This, in turn, is forcing out many vulnerable residents, disrupting communities and causing substantial negative health impacts.

Displacement of low-income families from neighborhoods near transit also has GHG impacts: It robs the transit system of the "high-propensity transit riders" who use it the most.⁵ When these low-income residents are replaced by more affluent ones, transit ridership declines, feeding a cycle of transit service cuts and fare increases.⁶ When those same low-income residents can no longer afford to live near frequent and affordable transit, they are forced to drive to jobs and other destinations from often-distant places, including the ex-urban Bay Area and the Central Valley, stressing families and increasing GHG emissions.⁷ This project would ensure that transportation investments serve the needs of existing residents, and that infrastructure funding supports the development of affordable housing that can help existing families stay in their gentrifying communities.

Conclusion

While the 6 Wins Network recognizes that it is breaking new ground by submitting this response to MTC's Call for Projects, we believe that the new Underserved Community Benefits Program proposed here is one that offers the opportunity to launch Plan Bay Area on a win-win path to success and that promises to become a national model for community-based planning with healthy triple-bottom-line outcomes for equity, environment, and the economy. (For the connection to health, see the 6 Wins letter dated September 23, 2015, proposing that MTC and ABAG study an updated version of the Equity, Environment and Jobs scenario.)

Accordingly, we request that MTC analyze this proposal, issue an RFP for community outreach and engagement in Communities of Concern during 2016, and each year thereafter, make annual 12-month grants in the amount of \$2 million to community-based organizations with members in those communities, and fund the programs and projects in each of those communities that are identified as priorities through these community-led planning processes using a \$2 billion share of discretionary revenues over the first four years of the new Plan.

⁴ Causa Justa :: Just Cause, "Development Without Displacement," p. 47.

⁵ Dukakis Center for Urban and Regional Policy, "Maintaining Diversity in America's Transit-Rich Neighborhoods" (October 2010), available at http://www.northeastern.edu/dukakiscenter/wp-content/uploads/2011/12/TRN_Equity_final.pdf.

⁶ TransForm and California Housing Partnership Corporation, "Why Creating and Preserving Affordable Homes Near Transit is a Highly Effective Climate Protection Strategy" (May 2014), 3, 7-10, available at <http://www.chpc.net/dnld/AffordableTODResearch051514.pdf>.

⁷ Id.

To discuss planning grants, please contact the organizations listed in Attachment B. Please contact Public Advocates (rmarcantonio@publicadvocates.org) with respect to the project-level performance evaluation of this proposed project.

Very truly yours,

Anthony Panarese
Alliance of Californians for Community Empowerment

Miya Yoshitani
Asian Pacific Environmental Network

Carl Anthony
Breakthrough Communities

Wendy Alfsen
California Walks

Dawn Phillips
Causa Justa :: Just Cause

Tim Frank
Center for Sustainable Neighborhoods

M. Paloma Pavel
Earth House Center

Gloria Bruce
East Bay Housing Organizations

Kathryn Gilje
Genesis

Joshua Hugg
Housing Leadership Council of San Mateo County

Jill Ratner
New Voices Are Rising

Omar Medina
North Bay Organizing Project

Richard Marcantonio
Public Advocates

Joel Ervice
Regional Asthma Management Program

Tim Little
Rose Foundation for Communities and the Environment

Jennifer Martinez
San Francisco Organizing Project/Peninsula Interfaith Action

Rev. Kirsten Snow Spalding
San Mateo County Union Community Alliance

Peter Cohen and Fernando Marti
SF Council of Community Housing Organizations

Rev. Earl W. Koteen
Sunflower Alliance

Clarrissa Cabansagan
TransForm

Bob Allen
Urban Habitat

Derecka Mehrens
Working Partnerships USA

Enclosures: Attachment A (Web-Based Application Form)
Attachment B (CBOs and Contact Information)

Cc: Adam Noelting (anoelting@mtc.ca.gov)
Alix Bockelman (abockelman@mtc.ca.gov)
Ken Kirkey (kkirkey@mtc.ca.gov)

Attachment A: Web-Based Project Application Form

1. PROJECT TYPE & PROGRAM CATEGORIES MATRIX

Field	Description
Project/Program Type	Uncommitted

2. COMMITTED STATUS

1. *Is this project/program 100% funded through Local Funds?* No.
2. *Does this project/program have a full funding plan?* No.
3. *Will this project/program have a certified EIR or Record of Decision for EIS by September 30, 2015?* No.

3. BASIC INFORMATION

Field	Description
Project Title	Underserved Community Benefits Planning and Implementation Program
Project/Program Description	Regional program to dedicate \$2 billion of regional discretionary funds in the first 4 years of the Plan to projects and programs identified as priorities through a community-led process in COCs, with annual planning grants to CBOs.
County	Regional
Sponsor Agency	MTC
Operating Agency	Local transit operators and cities, depending on type and location of the individual projects or programs identified through a community-led process.
Implementing Agency	Local transit operators and cities, depending on type and location of the individual projects or programs identified through a community-led process.

4. COST

Field	Description
Capital Cost (2017\$)	Allocations to be determined by annual community-led process, subject to criteria below.
Environmental/Design (2017\$)	
Right-of-Way (ROW) (2017\$)	
Construction (2017\$)	
Rolling Stock (2017\$)	
Operations & Maintenance Start (2017\$)	Allocations to be determined by annual community-led process, subject to criteria below.
Operations (2017\$)	
Maintenance (2017\$)	

5. ESTIMATED BENEFIT BY MODE

Field	Description
Auto	To be determined by community-led process.
Transit	
Bike	
Pedestrian	
Freight	

6. SCHEDULE

Field	Description
Certified Environmental Document Date	N/A
Capital Start Year	FY 2017-18
Environmental/Design	
Right-of-Way (ROW)	
Construction	
Rolling Stock	
Operations & Maintenance Start Year	FY 2017-18
Operations	
Maintenance	

7. MODELING

Field	Description
Notes	<p>The Underserved Community Benefits Program is regional in scope, consisting of a planning phase (first round to be completed during 2016), and an implementation phase, to be funded during each of the first four fiscal years of Plan Bay Area 2040.</p> <p><u>Planning Phase:</u> Beginning in 2016, MTC will provide \$2 million in annual grants to community-based organizations with low-income and minority members or constituents in one or more of the Bay Area's 35 "Communities of Concern." A per capita share of this planning grant fund will be allocated to each Community of Concern (COC), and awarded to one or more community-based organizations (CBOs) with close ties to low-income residents and residents of color in each COC, to convene and lead inclusive priority-setting discussions. Through those CBO-led discussions, with technical assistance from regional, local and transit agencies, residents of each COC will come together to reach consensus on their highest priority unmet needs – and on the transportation projects and programs, and sustainable communities infrastructure – that would best address those needs in their communities.</p>

Implementation Phase: MTC will assign \$2 billion (approximately 25 percent of the “discretionary” portion of Plan Bay Area 2040 revenues in the first four years of the new Plan) to the transportation projects and programs, and transit-oriented development infrastructure (e.g., for affordable housing), identified as priorities through the community-led process conducted in the Planning Phase in each COC.

Criteria: While investments will be selected by local residents to meet the priority needs they identify, the program will be governed by these criteria:

1. The local package of investments for each Community of Concern must address one or more important unmet needs of underserved residents in that community, and must do so in a significant way relative to the dollar amount of the investment.
2. Local low-income families, residents, workers and small locally owned businesses must be the primary beneficiaries of the package of investments.
3. Each package of investments must avoid harms to underserved residents of the community, and in particular must reduce the risk that existing low-income residents will be displaced from their community.
4. Each package of investments must promote the creation and retention of quality living- and middle-wage jobs, and give low-income residents access to a meaningful share of those jobs. Capital projects must include a Project Labor Agreement to the full extent permitted by law.
5. Each package of investments must do its share in helping the region achieve its target for greenhouse gas (GHG) reduction.

While this program would direct investment to many of the same geographies as two existing regional programs – the Lifeline Transportation Program, and the OneBayArea Grant (OBAG) program – the new program would differ from both in significant respects.

First, unlike those programs, in which investment decisions are made by the countywide Congestion Management Agencies (CMAs), under this new program, existing low-income and minority residents of each COC would make those decisions. Second, this program would differ from Lifeline in scale. Over six years (2006-2012), MTC invested \$172 million in Lifeline projects regionally, just under \$30 million a year. (Plan Bay Area, pp. 7-8.) Plan Bay Area continues that level of funding, assigning \$800 million over 28 years to Lifeline. (Id.) This new program, by contrast, would front-load that approximate amount in each of the first four years of the new Plan, in recognition of the crucial role that PDAs play in achieving regional goals; the overall benefit to the economy of increasing economic opportunity for low-income residents; the massive threat of displacement that PDA development poses to low-income communities of color; and the risk to the region of the continuing displacement of low-income families, high-propensity transit riders, and low-wage workers from transit-oriented neighborhoods. Finally, this program would differ from OBAG in its focus on meeting the self-identified needs of low-income residents in and near PDAs.

Low-Income Communities of Color in the Bay Area

Plan Bay Area's equity analysis identified 35 "Communities of Concern." These places have an aggregate population of 1.38 million residents, or 20 percent of the Bay Area's total population,⁸ of whom 81 percent are people of color and 45 percent live in low-income households (defined as below 200% of the federal poverty level).

In addition, the region's "Fair Housing and Equity Assessment" (ABAG, March 2015) notes that several areas outside of designated "Communities of Concern" meet HUD's definition of "Racially/Ethnically Concentrated Areas of Poverty."⁹ In these places, more than 50 percent of residents are people of color, and more than 40 percent have incomes below the federal poverty level.

Plan Bay Area "Discretionary" Revenues

Like its predecessors, Plan Bay Area 2040 will assign "discretionary" revenues over the planning period. However, while the new Plan will span a decades-long planning period, it will remain in effect for only four years before it is replaced by the next regional transportation plan.

In Plan Bay Area 2013, \$60 billion in "discretionary" revenues were "available for assignment to projects and programs through Plan Bay Area." (Plan Bay Area, p. 13.) As noted in the MTC staff report of May 26, "[d]iscretionary revenues in the [new] Plan are projected to be almost equal to those for Plan Bay Area, with only a .01% decrease." Over the first four years of that 28-year Plan, these "discretionary" revenues will amount to approximately \$8 billion.

Setting aside a meaningful share of these near-term "discretionary" revenues to meet the self-identified needs of low-income residents of disadvantaged communities has precedent both in state law and in Plan Bay Area itself. SB 535 (de León 2012) requires at least 25 percent of California's Cap and Trade auction proceeds to be invested to benefit disadvantaged communities. And Supervisor John Gioia's amendment to Plan Bay Area committed MTC, should it receive a share of those revenues, to allocate them through a process that "will specifically ensure that at least 25 percent of these revenues will be spent to benefit disadvantaged communities in the Bay Area, and to achieve the goals of Plan Bay Area." (Plan Bay Area, p. 66.)

Assigning these revenues to meeting the needs of underserved communities will promote social equity in the new Plan Bay Area. In particular, it will ensure that the region is demonstrably complying with US DOT's Order on Environmental Justice, which prohibits not only the denial of a fair share of the Plan's benefits to low-income and minority populations, but also any "significant delay in the receipt" of those benefits. As noted in

⁸ Plan Bay Area Equity Analysis, Appendix B.1.

⁹ FHEA, p. 2 and Table on pp. 67-68.

	the cover letter, it meets the criteria MTC has set for the Call for Projects and, in particular, will promote many of Plan Bay Area's other goals and performance measures while also promoting its land use pattern
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8. FUNDING

Field	Description
Prior Funding	\$0
Committed Funding by Source	\$0
Discretionary Funding by Source	\$2,000,000,000 over 4 years (FY 2017-18 through FY 2020-21) (Note: Each Community of Concern will be assigned a per capita share of implementation revenues based on its share of the Bay Area's total Community of Concern population. For instance, the "SF Downtown/Chinatown/North Beach/Treasure Is." COC, with a population of 27,333, or 1.98 percent of the total COC population of 1.38 million, will be assigned a four-year implementation budget of \$39.6 million.)
<i>OneBayArea Grant</i>	N/A
<i>RTIP</i>	N/A
<i>Anticipated Local Discretionary Funds</i>	N/A
<i>Regional Discretionary Funds</i>	\$2,000,000,000 over 4 years (FY 2017-18 through FY 2020-21)

9. CONTACT

Field	Description
First Name	Richard
Last Name	Marcantonio
Title	Managing Attorney
Phone	415-431-7430
Agency	Public Advocates Inc.
Email	rmarcantonio@publicadvocates.org

Attachment B: Community-Based Organizations and Contact Information

Organization	Contact Person	Contact Email	Phone No.
Alliance of Californians for Community Empowerment (ACCE)	Anthony Panarese	apanarese@calorganize.org	510-269-4692
Asian Pacific Environmental Network (APEN)	Miya Yoshitani	miya@apen4ej.org	510-834-8920 (Oakland) 510-236-4616 (Richmond)
California Walks	Wendy Alfsen	wendy@californiawalks.org	510-292-4435
Cause Justa :: Just Cause	Dawn Phillips	dawn@cjjc.org	510-763-5877 (Oakland) 415-487-9203 (Mission, SF) 415-864-8372 (Bayview, SF)
East Bay Housing Organizations (EBHO)	Gloria Bruce	gloria@ebho.org	510-663-3830
Genesis	Mary Lim Lampe	marylimlampe@gmail.com	510-882-3404
North Bay Organizing Project (NBOP)	Susan Shaw	sshaw@northbayop.org	707-481-2970
San Francisco Organizing Project/Peninsula Interfaith Action (SFOP/PIA)	Jennifer Martinez	jennifer@sfop.org	650-796-4160
San Mateo County Union Community Alliance (SMCUCA)	Rev. Kirsten Snow Spalding	kss@well.org	510-207-6346
Sunflower Alliance	Rev. Earl W. Koteen	Rev.Earl.W.Koteen@gmail.com	916-441-0018
Working Partnerships USA	Derecka Mehrens	derecka@wpusa.org	408-809-2120