Healthy Parks, Schools and Communities for All: Park Development and Community Revitalization

Robert García, Zoe Rawson, Meagan Yellott, and Christina Zaldaña

Policy Report
March 2009
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Preface

This Policy Report includes this narrative text and maps prepared using geographic information system (GIS) tools and 2000 census data. GreenInfo Network (www.greeninfo.org), in consultation with The City Project, created the demographic analyses and maps using ESRI software. All green space data is taken from GreenInfo Network's California Protected Areas Database (www.calands.org). As used in this report, “parkland” includes all protected open space in a county with public access, ranging from small urban parks (where that data is available) to national forests and parks. Many counties have large areas of land owned by the U.S. Bureau of Land Management or the U.S. Forest Service or other agencies.

Child obesity statistics and information about school districts that do not enforce state physical education requirements are from the California Center for Public Health Advocacy.

The work underlying this Policy Report is made possible in part by the generous support of the California Endowment, the Rosalinde and Arthur Gilbert Foundation, the John Randolph Haynes and Dora Haynes Foundation, the Kresge Foundation, Union Bank of California, Whole Systems Foundation, and other sources. USC Prof. Steve Koletty and his students in the Department of Geography have provided valuable research assistance over the years.

The City Project is a project of Community Partners. We gratefully acknowledge their support.
I. Executive Summary

A diverse and growing alliance supports the distribution of park funds to achieve healthy, livable communities for all.

This Policy Report specifically addresses criteria and guidelines for allocating $400 million in park funds under California’s Prop 84, as discussed below. However, this Report addresses the broader implications of equal access to parks. The criteria and guidelines at issue here can serve as a best practice example to establish standards to measure progress and equity and to hold public officials accountable for the distribution of park funds generally, including federal, state, county, local, and economic stimulus funds for parks and green natural spaces. This Report is specifically addressed to the California Department of Parks and Recreation. However, this Report is also addressed to a broader audience including park and social justice advocates, policy makers, and park agencies.

California voters in November 2006 approved $40.2 billion in park and clean water, flood control, housing, education, and transportation infrastructure bonds under Prop 84, including $400 million in park funds. AB 31 defined legislative criteria for allocating the park funds under Prop 84. The California Department of Parks and Recreation is drafting guidelines to implement the legislative criteria to distribute the park funds through a competitive grant process. This Report specifically addresses these guidelines.

The proposed guidelines should ensure funds reach the most park poor and economically poor communities first. This will ensure that diverse voters who have passed park resource bonds over the past ten years will receive their fair share, fulfill the intent of bond measure and legislation, and help achieve compliance with laws that guarantee equal access to public resources including parks.

This Report recommends that the proposed guidelines under AB 31 address the following concerns.

1. Projects in communities that are both park poor and economically poor should receive top priority over other projects.

   Park funds should be allocated based on need, not greed. Under a standard that targets communities with the greatest need first, park projects should receive top priority based on park poverty and economic poverty combined. Park poverty is less than three acres of parks per thousand residents under the proposed guidelines. Economic poverty is under $47,959 median household income. Prioritizing park poverty and economic poverty combined will help achieve equal justice in access to public resources for the most underserved communities, based on race, ethnicity, and income under civil rights and environmental justice laws. People of color and low income people ensured the passage of park bonds over the past ten years, as discussed below. People of color and low income people disproportionately suffer from unfair disparities in access to park, school, and health resources, and suffer disproportionately from child obesity, diabetes, and other diseases related to the lack of places for physical activity and healthy eating. Map 2001 shows the communities that are park poor and economically poor, and are disproportionately populated by people of color, in the hatched red hot spots. Using park poverty alone without economic poverty will not accomplish important public policy goals of improving the quality of life, health, and environment for the most underserved communities.

   This Report therefore recommends that the guidelines should provide 18 priority points if a proposed project area is both park poor and economically poor as a way of emphasizing the importance to the state of addressing the most severe needs in places where there is in all likelihood the least amount of political mobilization to champion the interest and need of the local residents.
(2) Park projects that address physical, psychological, and social health, including childhood obesity and diabetes levels, should receive priority.

The draft guidelines ignore human health.

Applying public health criteria to infrastructure investments could improve health and the quality of life in communities across the state and nation.5 This is the first generation in the history of the country in which children will have a lower life expectancy than their parents if obesity is not reversed.6

Human health including obesity and diabetes levels should be a significant factor in determining “community challenges and project benefits,” “challenges,” and “youth at high risk” in prioritizing park funds under the guidelines. The draft guidelines do not address human health. Thus, for example, the draft guidelines award priority points if the “community challenges and project benefits” include recreational, social, cultural, educational and environmental conditions.7 Similarly, “challenges” are defined to include lack of safe and affordable recreational opportunities, low performing schools, significant poverty, high crime rates, brown fields, low property values, and residential overcrowding.8 “Youth at high risk” is defined to include criminal activity, school failure or dropout, juvenile delinquency, gangs, adolescent pregnancy, or substance abuse.9 Each of these enumerations should explicitly include physical, psychological, and social health including obesity and diabetes levels. The guidelines should address the relationship between physical activity, active recreation, and human health. The human health benefits of parks and green space, and park and health disparities based on race, ethnicity, and income, are discussed below.

(3) Projects for the joint and shared use of parks, schools, and pools should receive priority.

The draft guidelines ignore the joint and shared use of parks, schools, and pools, and simply assert without explanation that “a school is not a park.”10 The guidelines should address the need for the joint and shared use of parks, schools, and pools to make optimal use of scarce land, money, staff, and other public resources. Projects that include the joint use of parks, schools, and pools should receive priority. The presence of schools with playing fields or pools open after school and on weekends should be taken into account in determining acres of parks per thousand residents. AB 31 encourages joint use of parks and schools.11

(4) The guidelines should explicitly call for compliance with state and federal civil rights laws guaranteeing equal access to public resources, as well as CEQA.

The draft guidelines address at length compliance with the California Environmental Quality Act (CEQA).12 The guidelines should address the need for park agencies and municipalities to comply with laws guaranteeing equal access to public resources including parks, including laws that prohibit intentional discrimination and unjustified discriminatory impacts based on race, color, or national origin. The Department of Parks and Recreation should affirmatively comply with these laws. The Department should provide technical assistance for park projects, park agencies and municipalities to comply with these laws, just as the guidelines provide assistance in other areas.13 Relevant laws are discussed below, including Title VI of the Civil Rights Act of 1964 and its regulations, the President’s Order on Environmental Justice, California Government Code 11135 and its regulations, and the California statutory definition of environmental justice, Government Code 65040.12.

(5) The guidelines should implement principles of equitable development: invest in people, invest in stronger communities, invest in the open, and invest in justice.

These principles are summarized in Section V below.

***

In addition to the specific recommendations above, this Policy Report recommends that public
officials develop a state-wide vision and strategic plan for the investment of resource bonds to alleviate real and perceived inequities in access to parks and recreation. The plan should begin with a needs assessment, and provide standards for green access and equity to measure progress and to hold public officials accountable. The park poverty and economic poverty criteria under AB 31 are a best practice example for such standards. The principles in Section V below in many respects present the framework for a strategic plan.

Part II discusses the allocation of environmental benefits and burdens in California, with an emphasis on places for physical activity in parks and schools. Part III discusses important lessons learned from the passage of resource bonds in the past decade. Part IV(A) discusses the values at stake and consolidates findings about equity, health, and the environmental benefits of parks and green space. Part IV(B) discusses legal and policy justifications for equal access to parks and recreation. Part V presents principles of equitable development and recommendations to ensure that everyone—especially people of color and others in low-income communities—benefits equally from infrastructure investments in parks and green space.

The struggle to maximize public access to parks and recreation while ensuring the fair treatment of people of all colors, cultures, and incomes can transform California into a more livable, democratic, and just place to live and raise children for generations to come.

II. The Fair Distribution of Environmental Benefits and Burdens

There are unfair inequities in the distribution of environmental benefits, including green space, and environmental burdens, including toxic sites, between more and less affluent communities in California. A survey by the Public Policy Institute of California reported that, first, 64% of Californians say that poorer communities have less than their fair share of well-maintained parks and recreational facilities. Latinos are far more likely than non-Hispanic Whites (72% to 60%) to say that poorer communities do not receive their fair share of parks and recreational facilities. Second, a majority of residents (58%) agree that compared to wealthier neighborhoods, lower-income and minority neighborhoods have more than their fair share of toxic waste and polluting facilities.¹⁴

A. Parks, Schools and Human Health

This Policy Report analyzes access to park, school, and health resources in California in several ways.

Map 2001 shows the communities that are park poor and economically poor, and are disproportionately populated by people of color, in the hatched red hot spots.

Map 1, *Green Access and Equity for California*, is a multivariable map showing in red the counties with the greatest green access needs in combined terms of the fewest acres of parks per thousand residents, the highest levels of child obesity, the highest levels of poverty --- and the most children and people of color. The counties with the greatest green access needs include Los Angeles, San Bernardino, Orange, San Diego, Riverside, Fresno, Santa Clara, and Sacramento.¹⁵
This Map shows in red the counties with the combined highest levels of child obesity, fewest acres of parks per thousand residents, highest levels of poverty, and most children and people of color. The counties with the lowest combined levels are shown in yellow-green. The counties in orange are in between. The Map also shows 37 public school districts that do not enforce physical education requirements of 200 minutes of instruction every 10 school days.

The Southern California Association of Governments (SCAG) calls for a multiagency effort and public transportation to improve access for all to parks throughout Southern California in the 2008 Regional Transportation Plan (RTP) Environmental Justice Report. According to SCAG, “Public parks serve all residents... However, not all neighborhoods and people have equal access to these public resources,” including local, state, and national parks. The following SCAG map shows the unequal distribution of parks and low income neighborhoods in the Southern California counties of Los Angeles, Ventura, San Bernardino, Riverside, Imperial, and San Diego. Where there are parks, there generally are no poor people. Where there are poor people, there are virtually no parks.
To diversify access to and support for green space, the Santa Monica Mountains Conservancy, National Park Service, Anahuak Youth Association, and The City Project have developed a Transit to Trails pilot project to take inner city youth on mountain, beach, and river trips. Transit to Trails programs would serve all people, but would be particularly useful to the working poor with limited or no access to cars. Transit to Trails would reduce traffic congestion and parking problems, improve air quality, and reduce run-off of polluted water into rivers and the ocean. It would also reduce dependency on the automobile and fossil fuels.\textsuperscript{16}

Schools can provide safe places to play, but many school districts do not enforce state physical education requirements. Map 1 shows by county 37 public school districts that do not enforce physical education requirements, as discussed below. Los Angeles and San Bernardino each have seven such school districts. Children have no place to play even in physical education classes in such schools.\textsuperscript{17}

Thirty-seven out of 71 school districts failed to enforce state physical education laws that require elementary schools to provide 200 minutes of physical education every ten days, according to a study for 2004-2006 based on public records obtained from the California Department of Education. The 37 school districts that do not enforce physical education requirements are shown in Map 1.\textsuperscript{18}

Nationally, there are disparities in access to safe places to play based on race, ethnicity, income, and poverty. While 87\% of non-Hispanic respondents reported that “there are safe places for children to play” in their neighborhood, only 68\% of Hispanics, 71\% of African Americans, and 81\% of Asians agreed, according to the Census Bureau survey “A Child’s Day.”\textsuperscript{19} Almost half (48\%) of Hispanic children under 18 in central cities were kept inside as much as possible because their neighborhoods were perceived as dangerous. The same was true for more than 39\% of black children, 25\% of non-Hispanic white children, and 24\% of Asian children.\textsuperscript{20} Non-Hispanic White children and youth were most likely to participate in after school sports, with Hispanic children and children in poverty least likely.\textsuperscript{21} Children involved in sports and extracurricular activities tend to score higher on standardized tests and are less likely to engage in antisocial behavior.\textsuperscript{22}
While Map 2001 shows access to parks at the census tract level, Map 1 shows combined green access need at the county level because more precise data is not presently available for all variables for every county. County averages can mask dramatic disparities in access to green space within the county. As reported in the Los Angeles Times, for example, there are large disparities in the amount of park acreage for L.A. residents.23

The prevalence of childhood obesity for 128 cities and communities in Los Angeles County are presented in the following map published by the County Health Department. The prevalence of childhood obesity varied significantly among cities and communities, from a low of 4% in Manhattan Beach to a high of 37% in Maywood, and was found to be strongly associated with economic hardship. The Health Department found a higher prevalence of obesity in cities or communities where the economic burden (higher poverty, lower educational attainment, more dependents, etc.) was greater compared to other cities and communities in the county of Los Angeles. Cities with less open area set aside as parks, recreational area, or wilderness area were more likely to have a higher prevalence of children who are obese.24
The county report ignores significant health disparities based on race and ethnicity. Latino and black children are disproportionately overweight and unfit compared to non-Hispanic white and Asian children.

### Overweight and Unfit Children in California

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Overweight</th>
<th>Unfit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Latino</td>
<td>34%</td>
<td>45%</td>
</tr>
<tr>
<td>African American</td>
<td>29%</td>
<td>46%</td>
</tr>
<tr>
<td>White</td>
<td>20%</td>
<td>34%</td>
</tr>
<tr>
<td>Asian</td>
<td>18%</td>
<td>36%</td>
</tr>
</tbody>
</table>

Diversifying access to and support for parks and green space in urban and rural areas is an important part of achieving equal access to natural public places. National park attendance has eroded for years. The number of annual visitors to Yosemite has dropped 20 percent since 1996. Overnight park stays in particular have declined. California is a "majority-minority" state, but park attendance does not reflect the demographics of the state and has not expanded enough among seniors, foreign tourists, and non-Hispanic white families. The Angeles National Forest provides 78% of the public space in the Los Angeles region, and lies within an hour’s drive of most of Los Angeles, but few people of color go there.
Recreation is the predominant use of the forests in Southern California. Yet only 1% of the visitors to the forest are black, and only 11% are Hispanic. Zero percent of the visitors to the wilderness areas of the Angeles National Forest are black.

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>% of Visitors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Hispanic White</td>
<td>79%</td>
</tr>
<tr>
<td>Latino</td>
<td>11%</td>
</tr>
<tr>
<td>Asian/Pacific Islander</td>
<td>7%</td>
</tr>
<tr>
<td>Black</td>
<td>1%</td>
</tr>
<tr>
<td>Native American</td>
<td>1%</td>
</tr>
<tr>
<td>Other</td>
<td>1%</td>
</tr>
</tbody>
</table>

It is important to note that different cultures value and use parks differently. Parks and recreation programs should serve the diverse needs of diverse users. Numerous studies document how people attach different values to green space and use green space differently, both in urban and non-urban contexts.

Los Angeles City Controller Laura Chick has published an audit of the City Recreation and Parks Department that provides lessons for assessing statewide access to parks and recreation. The Controller's audit highlights the need for: developing and implementing a strategic plan to improve parks and recreation in every community, and to eliminate real and perceived inequities; defining standards to measure equity and progress, and to hold public officials accountable; a community needs assessment to ensure parks and recreation programs serve the needs of the community as defined by the community; a fair system of park financing; shared use of parks and schools to make optimal use of land, money, and resources; and improved community safety, real and perceived. As of this writing in March 2009, the City has failed to implement the Controller's recommendations.

Extending the lessons of the Controller's audit to the state level, there should be a state-wide vision and strategic plan for distributing funds for parks and green space. Standards and criteria to measure needs and equity should be defined for distributing funds for green space, and to achieve a fair system of finance. The standards should be used to measure progress and to hold public officials accountable. There should be park needs assessments at the state, county, local, and federal levels to guide planning and investments. There should be shared use of parks, schools, and other facilities to make optimal use of land, money, and resources. There should be an audit of state park and resource bonds since 1999 (including Propositions 12, 13, 40, 50, and 84) to document who benefits and who gets left behind from the investment of public resources. A limited 2005 study of Prop 12 funds, for example, found disappointing results on whether park bonds were serving underserved communities.

Before 1927, no comprehensive plan existed for preserving California's recreational, natural, and cultural treasures. A broad coalition formed a campaign for a state park bill in 1927. The following year, the newly-established State Park Commission began gathering support for the first state park bond issue. In 1928, Californians voted nearly three to one in favor of a $6 million park bond. Frederick Law Olmsted, Jr., completed a statewide survey of potential parklands that defined basic long-range goals and provided guidance for the acquisition and development of state parks. The plan became a model for other states.

It is time once again to develop a long term vision and strategic plan not only for the state park system but for county and local parks and school fields that will maximize public access to and support for natural public places while ensuring the fair treatment of people of all races, cultures, and incomes.
B. Toxic Sites

The recent national study, Toxic Wastes and Race at Twenty 1987-2007, documents that California has the nation’s highest concentration of people of color living near hazardous waste facilities. Statewide, 81% are people of color. Greater Los Angeles is the worst in the nation, with 1.2 million people living less than two miles from 17 hazardous waste facilities. 91%, or 1.1 million, are people of color. The study, conducted by researchers at four universities for the United Church of Christ, examined census data for neighborhoods adjacent to 413 facilities nationwide that process or store hazardous chemical waste produced by refineries, metal plating shops, drycleaners, and battery recyclers, among others. Although about one-third of United States residents are nonwhite, more than half of the people living near such facilities were Latino, African American or Asian American, according to the report.

The report follows up on the 1987 study, Toxic Waste and Race in the United States, that is widely considered to have resulted in the growth of the environmental justice movement by linking race and income to elevated levels of environmental and industrial risk. (Toxic sites are not mapped in the present Policy Report.)

III. Resource Bonds: Diversifying Support for Parks and Recreation

Recent park and resource bonds provide two important lessons. People of color and low income people make a difference in passing bonds for parks, clean water, and clean air. It is necessary to ensure that the benefits and burdens of infrastructure investments are distributed fairly by targeting low income communities of color.

In 2002, California voters passed Proposition 40, at that time the largest resource bond in United States history, which provided $2.6 billion for parks, clean water and clean air. Prop 40 passed with the support of 77% of Black voters, 74% of Latino voters, 60% of Asian voters, and 56% of non-Hispanic White voters. 75% of voters with an annual family income below $20,000, and 61% with a high school diploma or less, supported Prop 40 – the highest among any income or education levels. Prop 40 demolished the myth that a healthy environment is a luxury that communities of color and low-income communities cannot afford or are not willing to pay for.

In November 2006, the role of people of color was crucial to the passage of California's Proposition 84, a $5.4 billion park and water bond. Only 45% of non-Hispanic whites favored Prop 84. Latinos supported Prop 84 by 84%. Latinos gave Prop 84 an 800,000 vote margin, accounting for Prop 84's margin of victory. There are important lessons to be learned from the experience with park and resource bonds. Prop 84 demonstrates that communities of color can propel properly framed initiatives to success even when the non-Hispanic white vote is opposed. An equally important lesson is that it is necessary to ensure that the benefits and burdens of infrastructure bonds and other public work investments are distributed fairly. A 2005 study of Prop 12 funds, for example, found disappointing results as to whether park bonds were serving underserved communities. There is more at stake than just Prop 84 park funds totaling $400 million -- that is only 1% of the $40 billion in infrastructure bonds passed in November 2006 alone.

IV. VALUES, POLICIES, AND LAWS

A. The Values at Stake

Parks, school and sport fields, beaches, rivers, mountains, forests, and other natural public places are places to have fun and bring people together. Having fun and social cohesion complements other values including physical, psychic, and social health; youth development and academic performance;
conservation values of clean air, water, and land, habitat protection, and climate justice; economic vitality for all; culture, heritage, and art; spiritual values in protecting people and the earth; and sustainable regional planning. Fundamental principles of equal justice and democracy underlie each of these other values.

**Fun**

Fun is not frivolous. Children have the right to the simple joys of playing in parks, school fields, and other safe public places. The United Nations recognizes the right to play as a fundamental human right. The United States was founded in part for the pursuit of happiness.

**Human Health**

**Physical Activity**

Recent evidence-based research illustrates the profound health implications of the lack of parks and recreation. The precipitous decline in children’s physical activity levels, and escalating rates of childhood obesity and diabetes, are alarming national health trends. More than one out of every four adolescents in California (29%) -- nearly one million teenagers -- get less than the recommended levels of physical activity. Inactivity and obesity are even more significant in ethnic and low income minority groups. Physical activity among youth can help prevent childhood obesity, diabetes, and related conditions. Children who are physically fit perform better in school. After engaging in physical activity, children perform better on tasks requiring concentration. Physical education quality and quantity are particularly deficient for less affluent students and those in racial and ethnic groups at high risk for overweight and obesity.

Access to safe parks or other places for physical activity, along with other characteristics of the neighborhoods where adolescents live, have an important effect on whether teens meet recommendations for physical activity, and whether they get any activity at all. In California, the percent of teens engaging in regular physical activity is higher when teens have access to a safe park than when they have no access. In addition, the percentage of teens who get no physical activity at all is higher among those with no access to a safe park than among those who do. Regular physical activity, along with a healthful diet, is key to preventing obesity and many chronic health conditions associated with obesity. Insufficient physical activity contributes to obesity and to risk of complications and death from chronic conditions, such as Type 2 diabetes, heart disease, hypertension, and some cancers. It is also associated with greatly increased costs for medical care and lost productivity, estimated to cost California approximately $13 billion a year.

**Youth Development**

Active recreation and team sports can promote positive choices and help reduce youth violence, crime, drug abuse, and teen pregnancy. Sports and recreation can provide life-long lessons in team work, build character and improve academics.

**Stress, Depression, and Mental Functioning**

In the environments of modern cities, parks and open spaces provide needed reprieve from the everyday stressors that lead to mental fatigue, improving the health of adults and children by reducing stress and depression and improving the ability to focus, pay attention, be productive, and recover from illness. Evidence shows that spending time in parks can reduce irritability and impulsivity and promote intellectual and physical development in children and teenagers by providing a safe and engaging environment to interact and develop social skills, language and reasoning abilities, as well as muscle strength and coordination. Researchers have found associations between contact with the natural environment and improvements in the functioning of children with Attention Deficit and Hyperactivity Disorder (ADHD). Contact with natural environments, such as trees, has also been found to be associated with increases in the psychological resources of individuals living in public housing to make changes that will improve their lives, and decreases in “mental fatigue” and finding problems insurmountable.

**Recovery from Illness**

Parks and green space also have direct healing effects. A classic study demonstrated that views of
trees enhances the recovery of surgical patients and shortens the duration of hospitalizations. Research demonstrates that people who live in greener environments reduces the number of health complaints.

**Social Cohesion**

Greener parks satisfy needs for interaction by enticing residents into public spaces with trees, lush lawns and playgrounds. In a study conducted at a large public housing development in Chicago, Illinois, vegetated areas were found to be used by significantly more people and those individuals were more likely to be engaged in social activities than similar areas without vegetation. Social interaction and neighborhood spaces have been identified as key facets of healthy communities supporting social networks, social support, and social integration that have been linked to improvements in both physical and mental health. Sociability may alleviate some forms of mental illness and contribute to a sense of belonging and community. Neighborhood workdays for park and/or garden maintenance and improvement efforts foster common purpose and sense of ownership among residents. Perhaps most importantly, parks become a source of community pride and inspiration for further community improvements and revitalization.

**Conservation and Climate Justice**

Parks and natural open spaces promote conservation values including clean air, water, and ground, habitat protection, and climate justice. Green spaces in parks, schools, sports fields, and other public places can help clean water through natural filtration. Flood control basins can provide green space for parks and playing fields. California would benefit state-wide from investment in parks in underserved communities in the fight to stop global warming and achieve climate justice. Green construction can also create green jobs for local workers and small business enterprises. Green spaces can help reduce the urban carbon footprint and global warming. Such land could otherwise be used for economic activities that generate heat and carbon.

Global warming is fundamentally an issue of human rights and environmental justice that connects the local to the global. With rising temperatures, human lives—particularly in people of color, low-income, and indigenous communities—are affected by compromised health, financial burdens, and social and cultural disruptions. Moreover, those who are most affected are least responsible for the greenhouse gas emissions that cause the problem—both globally and within the United States. These communities are the least able to bear the burdens of correcting it absent appropriate conservation, economic, and equitable measures.

**Culture, Heritage, and Public Art**

Park projects should receive priority for celebrating diverse culture, heritage, and art. Cultural, historical and artistic monuments should reflect the diversity of a place and its people. People of color and women have been vital to the creation of Los Angeles throughout the history of the City and the area. Yet with almost 900 official cultural and historical landmarks in the City of Los Angeles as of January 2008, only about 76 relate to people of color, women, and Native American tribes. The California Department of Parks and Recreation recognized the need to serve the needs of diverse users in its seminal study *Five Views: An Ethnic Historic Site Survey for California* (1988). The Great Wall of Los Angeles by UCLA Prof. Judy Baca and SPARC (Social and Public Art Resource Center), one of the country’s great monuments to inter-racial harmony, is a best practice example of public art in a public park that celebrates diversity, democracy and freedom. Park projects with public art celebrating diversity, democracy, and freedom should receive significant priority in funding.

The successful struggle to stop a proposed toll road through the sacred Acjachemen site of Panhe and San Onofre State Beach illustrates profound values of Native Americans, religious freedom, democracy, and equal justice.

**Economics, Jobs, and Wealth Creation**

Parks and recreation help strengthen and stimulate the economy through recreation-related sales of
clothing, equipment, fees and services, the revenues generated from the tourism and hospitality industries, and increased property values. Tens of billions of dollars in infrastructure bonds and economic stimulus funds can be used to create local jobs and an even playing field for small business enterprises. Affordable housing and other forms of wealth creation can help stop gentrification and displacement when parks and schools revitalize communities. It is necessary to ensure that the economic benefits are distributed equitably.

New Deal projects offer lessons for economic stimulus, parks, schools, jobs for youth, and public art. New Deal projects included 8,000 parks and 40,000 schools. The Civilian Conservation Corps expanded open space. Part-time jobs kept high school and college students in school and out of regular markets. The New Deal created work for artists, musicians, actors, and writers. The difference New Deal programs made in people’s lives is incalculable.  

Spiritual Values in Protecting the Earth and its People

Social justice and stewardship of the earth motivate spiritual leaders. The United Church of Christ has published the environmental justice studies on toxics in 1987 and 2007 discussed above. Cardinal Roger Mahony, and the Justice and Peace Commission of the Catholic Archdiocese of Los Angeles, have actively supported equal access to parks and natural space. Nobel Peace Prize Laureate Rigoberta Menchú has praised the work of The City Project and Anahuak Youth Sports Association to promote equal access to parks and recreation as a way of giving children hope and saying no to violence. In 2004, the Nobel Committee awarded the Peace Prize to the Kenyan woman Wangari Muta Maathai for planting trees and speaking out for women. The award for Ms. Maathai is an explicit mainstream recognition that there is more at stake in caring for creation than mainstream environmental values.

Equal Justice and Democracy

Fundamental principles of equal justice and democracy underlie each of the values above. The Maps and demographic analyses in this Policy Report document unfair disparities in access to parks and green space. As a matter of simple justice, parks, school fields, and other natural public places are a public resource, and the benefits and burdens should be distributed equally.

B. Legal and Policy Justifications for Equal Access to Parks and Recreation

Standards and criteria for distributing $400 million in Prop 84 park funds and other 2006 infrastructure bonds should be implemented to ensure the fair distribution of the benefits and burdens of public work projects. Proactively complying with cross-cutting federal and state laws can help achieve equal access to parks and recreation statewide.

Federal and state laws prohibit both intentional discrimination and unjustified discriminatory impacts for which there are less discriminatory alternatives in the provision of public resources, including access to parks and other public lands. An important purpose of the statutory civil rights framework is to ensure that recipients of public funds do not maintain policies or practices that result in discrimination based on race or ethnicity. The legislative, planning and administrative processes are available proactively to achieve compliance with civil rights laws as well as environmental, educational, and other laws.

Title VI of the Civil Rights of 1964 and its implementing regulations guard against both (1) intentional discrimination based on race, color or national origin, and (2) unjustified discriminatory impacts for which there are less discriminatory alternatives, by applicants for or recipients of federal funds. California laws also guard against intentional discrimination and unjustified discriminatory impacts by recipients of state funds under Government Code section 11135. In addition, California law defines environmental justice as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.”

The California Coastal Commission adopted a local coastal plan requiring Malibu to maximize public
access to the beach while ensuring the fair treatment of people of all races, cultures, and incomes in 2002. Commissioner Pedro Nava told the Los Angeles Times he hoped to set a precedent for other communities. The Mountains Recreation and Conservation Authority has adopted an environmental justice policy statement that is a best practice example for other state agencies.

Elected officials should be increasingly sensitive to, and held accountable for, the impact of their actions on communities of color, especially now that people of color are in the majority in California (and in forty-eight out of the 100 largest cities in the country).

V. PRINCIPLES AND RECOMMENDATIONS

Natural public places, including parks, school and sport fields, rivers, beaches, forests, mountains, and trails, are a necessary part of any urban infrastructure for healthy, livable, just communities. This Policy Report recommends the following principles of equitable development to ensure that everyone—especially people of color and others in low-income communities—benefits equally from infrastructure investments. Simply put, invest in people, invest in stronger communities, invest in the open, invest in justice.

Principle 1. Infrastructure decisions involving natural public places have widespread impacts on health, housing, development, investment patterns, climate justice, and quality of life. The process by which those decisions are reached, and the outcomes of those decisions, must be fair and beneficial to all.

Principle 2. Infrastructure investments should be guided by a state and regional vision for a comprehensive web of communities, parks, schools, beaches, forests, rivers, mountains, and transit to trails to achieve results that are equitable; promote human health, the environment, and economic vitality; and serve diverse community needs.

Principle 3. Infrastructure areas should be planned together in complementary rather than conflicting ways to serve health, education, human service, and environmental needs; to fulfill critical governmental and societal responsibilities; and to produce equitable results. For example, green parks and schools with sport fields can be used as flood control basins and can clean water and mitigate polluted storm water runoff. Shared use of schools and parks can provide places and policies for physical activity and healthy eating to improve health. Transit can provide access to trails. Green space can contribute to climate justice.

Principle 4. Budget priorities within infrastructure areas should be thoroughly assessed through an equity lens. For example, there is a need for both active and passive recreation in natural public places. Urban and wilderness park advocates, and advocates for active and passive recreation, should work together rather than at cross purposes. Schools must develop the body and mind of the child through physical education as well as academics through the four r’s: reading, ’riting, ’rithmatic, and recreation. School districts should enforce physical education laws.

Principle 5. Employment, economic, and environmental benefits associated with building and maintaining infrastructure, including parks, schools, and other natural public places, should be distributed fairly among all communities. Local green jobs with livable wages should go first to local residents. Job training should be provided for those who need it to qualify for jobs. There should be a level playing field for small, women, and minority business enterprises. Affordable housing should be provided near parks and schools that are revitalizing neighborhoods, in order to prevent gentrification and displacement.

Principle 6. Revenues to support infrastructure improvements should be collected and allocated to distribute benefits and burdens fairly. Resources for parks and recreation should be targeted to the most underserved communities to overcome park, school, and health disparities, while generating state-wide benefits by diversifying access to and support for parks and green space.

Principle 7. Infrastructure decision-making should be transparent and include mechanisms for everyone
to contribute to the planning and policymaking process. For example, citizenship, voter registration, and get out the vote drives can engage new voters – including young people, immigrants, and others -- to elect officials and decide ballot measures. Full environmental impact reports and statements, including assessments of health impacts, for parks and schools should be required to provide full and fair information and enable effective public participation. Audits and reports on park bond funds and park agencies can illuminate inequities and provide blueprints for reform. Community benefits agreements can help. Community oversight bodies can review infrastructure investments. Access to justice through the courts can be a profoundly democratic means of ensuring the fair distribution of public resources, particularly for traditionally disempowered communities. Public officials should recognize that litigation can provide them the hammer to get things done. Foundations should fund access to justice through the courts.

Principle 8. Standards for measuring equity and progress should be articulated and implemented to guide planning and investments, and to hold agencies accountable for building healthy, livable communities for all. The AB 31 criteria for park poverty and economic poverty are a best practice example.

Principle 9. In making infrastructure investments and decisions involving natural public places, recipients of federal and state funds should proactively comply with federal and state laws that ensure equal access to public resources, including Title VI of the Civil Rights Act of 1964 and its implementing regulations, California Government Code 11135 and its implanting regulations, and the California statutory definition of environmental justice. Compliance with civil rights, environmental, education, physical education, and other laws should be combined.

Principle 10. Government agencies, foundations, and the philanthropic community should dedicate resources to enable minority-led and community based organizations to serve their communities and actively participate in infrastructure planning and investments.

VI. CONCLUSION

Applying the research-based evidence, principles, recommendations, and laws above to invest park funds generally, to implement Prop 84 and AB 31 specifically, and to guide other infrastructure investments will help create healthy, livable, communities for all throughout California and beyond.

References

1. Robert García is Executive Director and Counsel of The City Project in Los Angeles, California; Zoe Rawson is a Staff
Attorney, Meagan Yellott is Director of Special Projects, and Christina Zaldaña is Program Director. Amanda Recinos, Associate Director, and Rhonda Friberg, GIS Specialist, of GreenInfo Network prepared the maps in this Report in consultation with The City Project.


7. February Draft Guidelines at 41.
10. February Draft Guidelines at 57.
11. See Public Resources Code § 5643(b).


18. The 71 school districts are listed in Table 9G. The information is from the study by Harold Goldstein, California Center for Public Health Advocacy, Dropping the Ball: California Schools Fail to Meet Physical Education Mandates (June 8, 2006).


20. 33% of Hispanic children in suburban areas were kept inside because of perceived dangers, followed by 25% of Blacks and 15% of non-Hispanic Whites. The number of Asian respondents in metropolitan areas outside central cities was not statistically significant. Id. at 19-20.

21. Non-Hispanic White children were most likely to participate in sports – 45% of both 6- to 11- and 12- to 17-year-old children, compared to 26% and 42% of Asians; 24% and 35% of blacks; and 21% and 35% of Hispanics. Only 26% of 6- to 17-year-old children in poverty participated in after school sports, compared to 46% living at twice the federal poverty level or higher. Id. at 13-14.

22. Id. at 13, citing Joseph Mahoney, School Extracurricular Activity Participation as a Moderator in the Development of Antisocial Patterns, 71 Child Development 502-16 (2000), and National Institute of Child Health and Human Development Early Child Care and Youth Development Research Network (NICHD), Are Child Developmental Outcomes Related to Before- and After-School Care Arrangements? Results from the NICHD Study of Early Child Care, 75 Child Development 284-95 (2004).


29. See, e.g., Robert García and Aubrey White, Healthy Parks, Schools, and Communities: Mapping Green Access and Equity for the Los Angeles Region 14 (The City Project Policy Report 2006; Alison H. Deming & Lauret E. Savoy, ed., The Colors of...
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30. The Controller’s audit of Recreation and Parks is available in three parts at www.cityprojectca.org/blog/wp-content/fiscalmanagementCityParks11102005_01.pdf; www.cityprojectca.org/blog/wp-content/RecreationandCommunityServicesAudit.pdf; and www.cityprojectca.org/blog/wp-content/MaintanceAudit10192006.pdf.


34. Id. at 61, 62, 154.

35. Id. at x, 52, 152.


44. A.F. Taylor et al., Coping with ADD: The Surprising Connection to Green Play Settings, 33 Environment and Behavior 54-77 (2001).


51. See www.cityprojectca.org/ourwork/publicart.html.

52. Five Views is available at www.cityprojectca.org/blog/archives/708.

53. See www.cityprojectca.org/ourwork/publicart.html. Democracy, diversity and freedom are values celebrated in the Mission Statement for the Manzanar National Historic Site. Id.

54. The draft guidelines allocate only one point for public art. February Draft Guidelines at 33.


56. See Public Comments submitted by Ruth Coleman, Director, California Department of Parks and Recreation to California High Speed Rail Authority 11 (August 19, 2004).


60. See video of Ms. Menchu on The City Project’s YouTube website at http://www.youtube.com/profile?user=CityProjectCA.


62. See generally García and White, Healthy Parks, Schools, and Communities, at 8-19, 21-24, supra; Regina Austin, “Not Just for the Fun of It!: Governmental Restraints on Black Leisure, Social Inequality, and the Privatization of Public Space, 71 S. Cal. L. Rev. 667, 711-12 (1998).


69. See www.cityprojectca.org/blog/archives/1216.


71. These principles are adapted from the work on equitable strategies for infrastructure investment by PolicyLink and others. See, e.g., Victor Rubin, Safety, Growth, and Equity: Infrastructure Policies that Promote Opportunity and Inclusion 3 (PolicyLink 2006), www.policylink.org/pdfs/Safety_Growth_Equity.pdf. PolicyLink cites the struggle for the Los Angeles State Historic Park at the Cornfield in Los Angeles as example of equity principles guiding urban park development. Id. at 11.