Economic Stimulus, Green Space, and Equal Justice
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Economic Stimulus, Green Space and Equal Justice

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A. Introduction

Even in the midst of the worst economic crisis since the Great Depression, people across the United States voted to tax themselves to provide billions of dollars to create green space in November 2008, when they also elected Barack Obama as the first black President of the United States in a wave of hope and change. In the first hundred days, the Obama administration has launched a $787 billion economic stimulus package to get the nation back to work, and additional megafunds have become available for green space from other federal, state and local sources.

The massive amounts of funding available for public infrastructure projects including green space offers an exceptional opportunity to promote economic vitality, environmental quality and equal justice for all, including low income communities and communities of color. These communities disproportionately suffer from disparities in access to green space, including parks and school fields, and related human health problems that stem in part from the lack of places for physical activity and recreation. People of color and low income communities must receive their fair share of public investments in infrastructure projects including green space. Solutions to many social problems – unemployment, environmental degradation, no place to play, little hope for disadvantaged youth, obesity, rebuilding the nation’s infrastructure for generations to come – must be tied to a vision for a new America that includes stimulus projects to improve the lives of all residents.

Economic stimulus and green infrastructure projects including green space in parks and schools can help get the nation back to work building healthy, livable communities for all. Green space is an economic stimulus. A recent study by New York State, for example, shows that state parks give back more than five times the state investment, with billions of dollars in annual economic impacts in addition to 20,000 jobs. Green space including parks and school fields are a form of infrastructure. Indeed, the New York Times recently cited the creation of parks, schools, and transit in Los Angeles along the Los Angeles River and Wilshire Boulevard as examples of what needs to be done to reinvent the nation’s cities. Drawing on New Deal lessons, green infrastructure projects can provide multiple benefits including places for physical activity in parks and school fields; local green jobs for youth and small and disadvantaged business enterprises; Conservation Corps type programs to open job and career paths and to permanently improve national, state and local parks; and public transit to parks and trails.

The California experience offers valuable lessons for hope and change. In 2008, the California legislature enacted legislative criteria to invest park funds in communities that are park poor and income poor. Park poor is defined as three acres or less of parks per thousand residents. Income poor is defined as $47,959 median household income or less. This legislation is a best practice example to establish standards to measure progress and equity, and to hold public officials accountable for infrastructure investments in multi-benefit green spaces, including federal, state, regional, county, and local park and school funds. These criteria apply specifically to $400 million in park bond funds under a state-wide resource bond, Proposition 84, passed in 2006, but the lessons for equal access to public resources including green space go far beyond those specific funds.
The following map shows the communities throughout California that are park poor and income poor, as well as the communities that are disproportionately populated by people of color. The hatched red hot spots are the most underserved communities in the state. Investing in the park poor and income poor communities will provide economic stimulus and the multiple benefits of green space in underserved communities, and help achieve compliance with civil rights laws mandating equal access to public resources including green space, as discussed below.
Park Acreage, Median Household Income and People of Color

Less than 3 acres parkland per 1000 people and Below $47,959 Median Household Income

Less than 3 acres parkland per 1000 people and Above $47,959 Median Household Income

More than 3 acres parkland per 1000 people and Below $47,959 Median Household Income

More than 3 acres parkland per 1000 people and Above $47,959 Median Household Income

Over State Average for People of Color
State Average = 53.3%

Data mapped by census blockgroup using 2000 census data.
There is a convergence of tools and opportunities for promoting equal access to green space:

1. Megafunds are available for green space;

2. Green space in parks and schools provides multiple benefits;

3. New guidance by the United States Office of Budget and Management mandates that recipients of economic stimulus funds comply with equal protection laws.

4. The California legislation provides standards to measure progress and equity and hold public officials accountable, a best practice example to breathe substance into equal protection laws.

5. A diverse and growing alliance – including Anahuak Youth Sports Association, Dr. Robert Bullard of the Environmental Justice Resource Center at Clark Atlanta University, Robert Bracamontes of the Acjachemen Nation, Juaneño Tribe, California Center for Public Health Advocacy, Caminando con Fé/Walking with Faith, Policy Link, and Social and Public Art Resource Center (SPARC) – supports equal access to green space to achieve healthy livable communities for all, including social justice, health, youth, job, and environmental advocates.7

This Report details resources available for green space, the economic stimulus and other benefits provided by green space projects, and current disparities in access to green space and other safe places for physical activity for low income communities and communities of color. The Report describes the consequences of such disparities, the benefits that could be reaped if resources were allocated fairly, and laws and policies justifying change. Much of the Report is based specifically on the urban park movement in California, including information on best practices currently in place in the state, that can be applied across the country. The report ends with recommendations for equitable investments in green space throughout California and the country.

B. Economic Stimulus, Green Jobs, and Wealth Creation

Funding for green space projects includes but most certainly is not limited to economic stimulus funds. Federal, state, and local funds are available in addition to economic stimulus funds.

Across the nation, voters approved 62 of 87 open space referendums providing billions of dollars for parks and green space in November 2008.8 The people have spoken. Green space matters, even in the worst of economic times.

Congress in March 2009 approved the largest expansion of the wilderness system in 15 years, bestowing the highest level of federal protection on 2 million acres in nine states, and launching one of the most ambitious river restoration efforts in the West. For example, 700,000 acres will be protected in California, and Senator Barbara Boxer is working to protect an additional 1.4 million acres for the state.9 President Obama’s budget could provide from $400 million up to $900 million per year to fully fund the federal Land and Water Conservation Fund, providing a steady source of money for the acquisition of park land, the protection of significant landmarks and the expansion of outdoor recreational opportunities.10 The Fund is the federal government’s main vehicle for buying open space.

The American Recovery and Reinvestment Act (ARRA) provides $787 billion in economic stimulus funds to get the nation back to work.11 California, for example, will receive $31 billion to address state budget shortfalls and supplement existing state spending, and could receive billions more through competitive grant programs. The Santa Monica Mountains National Recreation Area will receive over $10 million. This is one of the largest allocations to a single national park and the largest single year
investment in capital projects since the national recreation area was established in 1978.\textsuperscript{12} The economic stimulus package includes natural resource, environmental protection, and transportation provisions.\textsuperscript{13} To coordinate California's response to the federal economic stimulus bill, the governor has created a Federal Economic Recovery Task Force and appointed the nation’s first Inspector General specifically tasked to oversee implementation of the economic stimulus.\textsuperscript{14} The oversight process should include compliance with the equal protection laws to ensure underserved communities receive their fair share of the benefits, as discussed below.

Green space is an economic stimulus. Parks and recreation help strengthen and stimulate the economy through sports and recreation-related sales of clothing, equipment, fees and services, the revenues generated from the tourism and hospitality industries, and increased property values.\textsuperscript{15} According to the recent study by New York State, the economic benefits exceed the direct costs of the state park system by a benefit-to-cost ratio of more than five to one; the park system generates more than $5 in benefits for every $1 in costs. The annual economic impact of the park system is close to $2 billion in output and sales for private businesses, in addition to 20,000 jobs.\textsuperscript{16} A recent progress report provides a suggested methodology for measuring the economic value of a city park system based on seven factors that can be more or less quantified, including property value, tourism, direct use, health savings, the value of volunteer work, clean water, and clean air.\textsuperscript{17} The Gates project by Christo in Central Park in New York City purportedly cost $20 million and generated an estimated $254 million in economic activity, according to the City of New York.\textsuperscript{18}

Transportation infrastructure investments should provide transit alternatives to cars and highways. More than 80% of gas taxes go to highways and bridges, less than 20% to transit.\textsuperscript{19} Transit can provide choices for people who have none, fight global warming, and reduce oil dependency. Transit to Trails is a pilot project to take inner city youth on mountain, beach, and river trips. 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{20}

Green infrastructure projects should create green collar jobs for local workers and should benefit small and disadvantaged business enterprises, and youth. Targeted assistance should be provided to those who have been most affected by the economic crisis, including the unemployed, underemployed, dislocated workers, and low-income youth and adults, and populations often excluded from economic opportunities including women and people of color. Training investments, bridge programs, and apprenticeship programs should focus on creating career ladders that allow workers to access higher-skilled jobs and transition to more modern technologies.\textsuperscript{21}

California has launched a program for 1,000 at risk youth with $20 million from economic stimulus and other funds.\textsuperscript{22} National park backers are calling for the creation of a service corps similar to the New Deal’s Civilian Conservation Corps that left a lasting imprint on the nation through Yosemite and other parks.\textsuperscript{23}

The economic stimulus package also provides $50 million for the arts.\textsuperscript{24} New Deal projects offer valuable lessons for economic stimulus and infrastructure investments. New Deal projects included 8,000 parks and 40,000 schools. The Civilian Conservation Corps expanded open space.\textsuperscript{25} 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. Painters taught high school classes and painted murals on public buildings depicting ordinary life. 15,000 musicians gave 225,000 performances in symphony orchestras, jazz groups, and free concerts in parks. Classics and contemporary works staged for 30 million viewers included productions with mixed and black casts. Writers wrote popular guides to each state, major cities, and interstate routes.\textsuperscript{26} Robert Moses was a mastermind in attracting New Deal
dollars and transformed the New York park, public housing, and transportation systems with New Deal and other federal funds. The difference New Deal programs made in people’s lives is incalculable.

The New Deal was not a square deal for all, however. Prof. Ira Katznelson's book When Affirmative Action Was White documents how New Deal policies excluded blacks, and increased income and wealth disparities. A continuing legacy is that the average black family holds just 10% of the assets of the average white family. The Federal Housing Authority sanctioned racially restrictive housing covenants, for example. Robert Moses transformed New York with New Deal and other federal funds largely to the exclusion of African Americans. Blacks could not get many New Deal jobs. Civil rights laws must guarantee equal access to the economic stimulus package today.

C. Diversifying Support for Parks and Recreation

California offers important lessons for diversifying support for and access to green space. People of color and low income people have helped ensure the passage of park bonds over the past several years. In 2002, diverse 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.

California voters in November 2006 approved $40.2 billion in park and clean water, flood control, housing, education, and transportation infrastructure bonds, including $400 million in park funds under Proposition 84. People of color were crucial to the passage of Prop 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.

To ensure that the $400 million in park funds under Prop 84 reach underserved communities, the California legislature enacted AB 31. AB 31 legislatively defines the criteria of park poverty and income poverty to be used in the competitive grant process for distributing Prop 84 park funds.

The California park bond experience provides valuable lessons. First, people of color and low income communities will support properly framed investments that include the values of green space in communities of color and low income communities. Second, people of color and low income people must receive their fair share of the benefits of green space. Third, support for and access to green space must continue to be diversified to help ensure the availability of future green infrastructure funds.

D. Inequitable Distribution of Environmental Benefits and Burdens

Unfair inequities exist in the distribution of environmental benefits, including green space, and environmental burdens, including toxic sites, between less affluent and disadvantaged communities, and between communities of color and non-Hispanic whites. These trends have been documented in California and across the nation. The California legislature explicitly recognized the need to address disparities in green space when it enacted the criteria for investing park funds in park poor and income poor communities.

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.” 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. Non-Hispanic White children and youth were most likely to participate in after school sports, with Hispanic children and children in poverty least likely. Children involved in sports and extracurricular activities tend to score higher on standardized tests and are less likely to engage in antisocial behavior.

These national trends are borne out at the state, regional, and local level. A survey by the Public Policy Institute of California reported that 64% of Californians believe 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. A majority of residents (58%) also agree that compared to wealthier neighborhoods, lower-income and minority neighborhoods have more than their fair share of toxic waste and polluting facilities.

As an example of the regional level, communities with the lowest 20% income levels have virtually no parks in Southern California, according to GIS mapping and analyses by the Southern California Association of Governments (SCAG). Additionally, there is virtually no public transportation to federal or state parks. SCAG calls for a multiagency effort to improve park access for all income levels.

Locally, for example, Los Angeles county illustrates disparities in access to park, school, and health resources. Los Angeles is park poor, and there are unfair disparities in access to parks and school fields. Children of color living in poverty with no access to a car have the worst access to parks, and to school fields with five acres or more of playing fields, and suffer from the highest levels of child obesity. The following map illustrates the demographics of access to parks and school fields. The lack of green space in communities of color and low income communities is not an accident of unplanned growth, but a continuing legacy of a history and pattern of discriminatory land use, housing, transportation, and economic policies dating back to the New Deal and beyond.
The Los Angeles County health department has documented the link between the lack of space for physical activity and high rates of obesity for 128 cities and communities in Los Angeles County. The Health Department found a higher prevalence of obesity in cities or communities where the Economic Hardship Index (which uses metrics including crowded housing, poverty, unemployment, lower educational attainment, more dependents, and lower median income) was greater compared to cities and communities with lower economic hardships. Cities with less parks, recreation areas or wilderness area were more likely to have a higher prevalence of children who are obese.45

Parks are not the only places for physical activity. Schools can provide safe places to play, but many school districts do not enforce state physical education requirements. Thirty-seven out of 71 school districts failed to enforce California physical education laws that require elementary schools to provide 200 minutes of physical education every ten days, according to a study based on public records from the California Department of Education.46 Children often have no place to play even in physical education classes in such schools.

Agencies should make optimal use of scarce land and public resources through the shared use of parks, schools, and pools, but often do not.47 For example, the Los Angeles Unified School District, the second largest in the nation, had only 30 joint use agreements out of 600 schools as of 2006.48

The economic stimulus package includes $106 billion for the nation’s schools.49 The federal government should prioritize projects that include the shared use of parks, schools and pools, and require shared use for agencies to receive economic stimulus and other federal funds. The federal No Child Left Behind law should also require that quality physical education be taught in every public school, and that state physical education laws be enforced.50

The lack of environmental benefits including green space in communities of color and low income communities is aggravated by the disproportionate placement of toxic sites in those communities. These communities have toxic sites instead of parks. Brownfields can be converted to green fields to transform environmental degradation into environmental benefits. A national study, *Toxic Wastes and Race at Twenty 1987-2007*, documents that although about one-third of United States residents are nonwhite, more than half of the people living near hazardous waste facilities are Latino, African American or Asian American.51 California has the nation's highest concentration of people of color living near such facilities -- 81% state wide.52 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, of those people are of color.53 The study 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.

**E. Beyond Economic Vitality for All**

Parks, school fields, beaches, rivers, mountains, forests, and other green spaces offer multiple benefits beyond dollars and cents to those who can access them. These benefits include the simple joys of playing in the park or school field; social cohesion, or bringing people together; improved physical, psychic, and social health; youth development and academic performance; conservation values of clean air, water, and land, and habitat protection, and climate justice; art, culture and historic preservation; spiritual values in protecting the earth and its people; and sustainable regional planning. Fundamental principles of equal justice and democracy justify equal access to these benefits.

*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.\textsuperscript{54} The United States was founded in part for the pursuit of happiness.\textsuperscript{55}

\textit{Human Health}

Human health includes more than reducing obesity and diabetes and includes the contributions of the built environment and physical activity to the full development of the person and community through youth development and gang and crime prevention.

\textit{Physical Activity}

This is the first generation in the history of the country in which children could have a lower life expectancy than their parents if obesity is not reversed.\textsuperscript{56} The Centers for Disease Control and the President’s Council on Fitness and Sports have targeted increasing the proportion of adolescents who engage in moderate physical activity for at least 30 minutes on five or more of the previous seven days by 2010.\textsuperscript{57} The Robert Wood Johnson Foundation has committed $500 million to stop and reverse child obesity by 2015.\textsuperscript{58}

Parks and school fields should be accessible by foot, bicycle, transit, and other means. Parks and school fields should provide diverse programs to encourage use and bring people into the park. Programs should include physical activity to address health, obesity and diabetes for all age groups, from children and youth to seniors. Grass roots groups and other non-profits should be involved in community outreach and engagement and in helping to provide the programs, such as soccer and other sports.\textsuperscript{59}

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.\textsuperscript{60}

\textit{Youth Development}

Publicly funded youth programs – including green job corps programs like those discussed above -- can keep students in school and out of the regular job market while developing permanent career opportunities. 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 teamwork, build character and improve academics.\textsuperscript{61}

\textit{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.\textsuperscript{62} 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 living in greener environments reduces the number of health complaints.

Social Cohesion—Bringing People Together

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.

Green parks satisfy needs for interaction by enticing residents into public spaces with trees, lush lawns and playgrounds. 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 building, pride and inspiration for further community improvements and revitalization. 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 contribute to a sense of belonging and community and alleviate some forms of mental illness. 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.

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. For example, California would benefit from investment state-wide in parks in underserved communities in the fight to stop global warming and achieve climate justice. 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. Parks make cities more liveable, and people in liveable cities might live more efficiently and thus reduce their impact on the environment.

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

Parks provide important places to celebrate diverse culture, heritage and art. Cultural, historical and artistic monuments should reflect the diversity of a place and its people. 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). 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 Great Wall of Los Angeles by UCLA Prof. Judy Baca and SPARC (Social and Public Art Resource Center), one of the nation’s greatest monuments to inter-racial harmony, is a best practice example of public art in a public park. Prof. Baca and SPARC are working with The City Project to restore and extend the Great Wall and create interpretive pilot projects on the Heritage Parkscape along the Los Angeles River to celebrate diversity, democracy and freedom, using $2.1 million in state and other grants.

The struggle to stop a proposed toll road through the sacred Acjachemen site of Panhe and San Onofre State Beach illustrates the profound values of religious freedom, democracy, and equal justice for Native Americans that can be celebrated in parks. Native American sites must be preserved.

Spiritual Values in Protecting the Earth and its People

Social justice and stewardship of the earth motivate spiritual leaders to support parks, green space and equal justice. The United Church of Christ published the environmental justice studies on toxics in 1987 and 2007 discussed above. Cardinal Roger Mahony and the Justice and Peace Commision 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. 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.

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

Civil rights protections were under full-scale assault under the Bush administration. There is hope for change if the Obama administration enforces and strengthens civil rights protections to provide equal access to the economic stimulus funds and other public resources. The first bill that President Obama signed into law was the Lilly Ledbetter Fair Pay Restoration Act, which restored the right to seek access to justice in court for employment discrimination. The Office of Management and Budget has circulated guidance for economic stimulus recipients specifying that grant making agencies ensure that recipients comply with Title VI of the Civil Rights Act of 1964, which is discussed below, as well as other equal opportunity laws and principles. The guidance, for example, emphasizes the need to support small and disadvantaged business enterprises, engaging in sound labor practices, promoting local hiring, and engaging with community-based organizations.
Title VI of the Civil Rights of 1964 and its implementing regulations guard against both (1) unjustified discriminatory impacts for which there are less discriminatory alternatives, and (2) intentional discrimination based on race, color, or national origin by recipients of federal funds. States including California have parallel laws. These laws guarantee equal access to public resources, including economic stimulus projects and green space. 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 economic stimulus, funding, contracting, planning, and administrative processes are available proactively to achieve compliance with civil rights laws. Compliance with civil rights laws should be combined with environmental, educational, and other laws. The OMB economic stimulus guidelines recognize such opportunities.

California laws also guard against intentional discrimination and unjustified discriminatory impacts by recipients of state funds under Government Code section 11135 and its regulations. 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 Mountains Recreation and Conservation Authority, a joint powers authority, has adopted an environmental justice policy statement in line with civil rights laws. The California Coastal Commission has adopted a land use plan for Malibu that incorporates California’s statutory definition of environmental justice. These are best practices for other 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 forty-eight out of the 100 largest cities in the country.

The legislative criteria for park poverty and income poverty under California law is a best practice example to provide standards to measure progress and equity in access to green space including parks and school fields, and to hold public officials accountable, under the civil rights laws. Park poor and income poor communities overlap with communities of color, as illustrated in the first map above. Investing in park poor and income poor communities can help alleviate the disparities in access to park, school, and health resources discussed above.

G. Recommendations for Equitable Access to Parkland

Green spaces, including parks, school fields, rivers, beaches, forests, mountains, and trails, are a necessary part of any infrastructure for healthy, livable, just communities. The following recommendations for equitable development would help ensure that everyone—especially children and youth of color and others in low-income communities—benefits equally from infrastructure investments.

1. Prioritize green space projects based on need in communities that are both park poor and income poor. The California legislative criteria for investing park funds in park poor and income poor communities is a best practice example.

2. Prioritize projects that address physical, psychological, and social health needs, including childhood obesity and diabetes levels. Applying public health criteria to infrastructure investments could improve health and the quality of life in communities. Green space in parks and schools can provide opportunities for physical activity to reduce obesity, improve academics, bring people together and provide positive alternatives to gangs, crime and violence. Parks and school fields should be accessible and should provide programs to encourage the use of the parks.
3. **Prioritize projects that involve the joint use of parks, schools and pools to make optimal use of scarce land, money, and public resources, and expand open space opportunities in densely developed communities.** The joint use of parks, schools, and pools and other multi-benefit green spaces can clean the air and water, provide flood control, promote climate justice, and convert toxic sites and brownfields to green fields. The federal No Child Left Behind law should also require that quality physical education be taught in every public school, and that state physical education laws should be enforced.

4. **Fund Conservation Corps and Youth Job Programs.** Conservation Corps and youth job programs should be strengthened and expanded to create green jobs and to keep young people in school, physically active and healthy, and out of gangs. Youth programs also lead to permanent jobs and careers as stewards of the environment.

5. **Prioritize cultural, historical, and public art projects that celebrate diversity, democracy and freedom parks and other public places. Native American sites must be preserved.**

6. **Fund Transit to Trails.** Transportation funding should support transit to trails as alternatives to single occupancy vehicles in order to provide access to parks, mountains, beaches and rivers.

7. **Infrastructure projects should create green collar jobs for local workers, small and disadvantaged business enterprises, and youth.**

8. **Funding agencies should ensure compliance with civil rights laws guaranteeing equal access to public resources including parks and recreation programs.** Compliance with civil rights laws should be combined with other laws including environmental and education laws, as discussed in the OMB economic stimulus guidelines.

9. **Projects should implement principles of equitable development: invest in people, invest in stronger communities, invest in the open, invest in justice.**

10. **Implement strategic plans to improve parks and recreation in every neighborhood.** In conjunction with the specific recommendations above, public officials should develop a vision and strategic plan to alleviate inequities in access to parks and recreation.

### H. Conclusion

Before 1927, no comprehensive plan existed for preserving California's recreational, natural, and cultural treasures. 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.

California currently has the opportunity to create a new plan to invest economic stimulus and other megafunds to get the state back to work, to build and restore the state’s infrastructure for generations to come, and to become a new model for other states. Park poverty and income poverty criteria under California law are a best practice example for standards to measure progress and equity and to hold public officials accountable. The struggle to maximize public access to parks and recreation while ensuring the fair treatment of communities of all colors, cultures, and incomes can transform California into a more
livable, democratic, and just place to live. Applying the research-based evidence, principles, laws, and recommendations above to invest park and recreation funds generally, to implement the criteria to invest park funds in park poor and income poor communities, and to guide other infrastructure investments will help create healthy, livable, communities for all throughout California and beyond.

References

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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, Kaiser Permanente, the Kresge Foundation, Southern California Edison, Union Bank of California Foundation, Whole Systems Foundation, and other sources.

A revised version of this work is forthcoming in the journal IMPACT: A Multidisciplinary Journal Addressing the Issues of Urban Youth.

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


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Enough about “Gates” as Art; Let’s Talk about that Price Tag

Saving Federal Arts Funds: Selling Culture as an Economic Force

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