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Equitable Urban Rail in Austin

Austin's transportation infrastructure is struggling to keep up with its rapid growth – the city's population increased by 20.4% between 2000 and 2010. Austin has the worst congestion of cities its size in the country. Transportation is consistently ranked as a top concern by citizens. It is especially problematic in the central city, where jobs, tourist destinations, universities, and housing cluster tightly together. It is these problems that spurred the creation of the Austin Strategic Mobility Plan (ASMP) by the City of Austin. One of its first products was the Urban Rail proposal, which is intended to address the ASMP's goals of sustainability, livability, and mobility and move towards its vision of an "integrated mobility network." The Urban Rail – explained as a combination of the modern street car and light rail – was chosen to complement other fixed transportation in the area, as well as destinations that are unlikely to relocate in the near future. When all the phases of construction are complete, the route will run 16.5 miles. It will connect to Capital MetroRail's commuter Red Line, as well as Lone Star regional rail. Though specific stops have yet to be announced, some of the stated destinations will be the state capitol, the University of Texas campus, and the Austin-Bergstrom International Airport. Figure 1 places the rail in context of the city, and shows some of these key areas. More potential benefits of Urban Rail will be discussed later. After many periods of public comment and a Pre-NEPA (National Environmental Policy Act) Environmental Study, the proposal is now in the midst of completing an environmental impact statement. The draft of this document is set to go

to the public in spring 2012. In November 2012, the project could show up for referendum as a bond package.

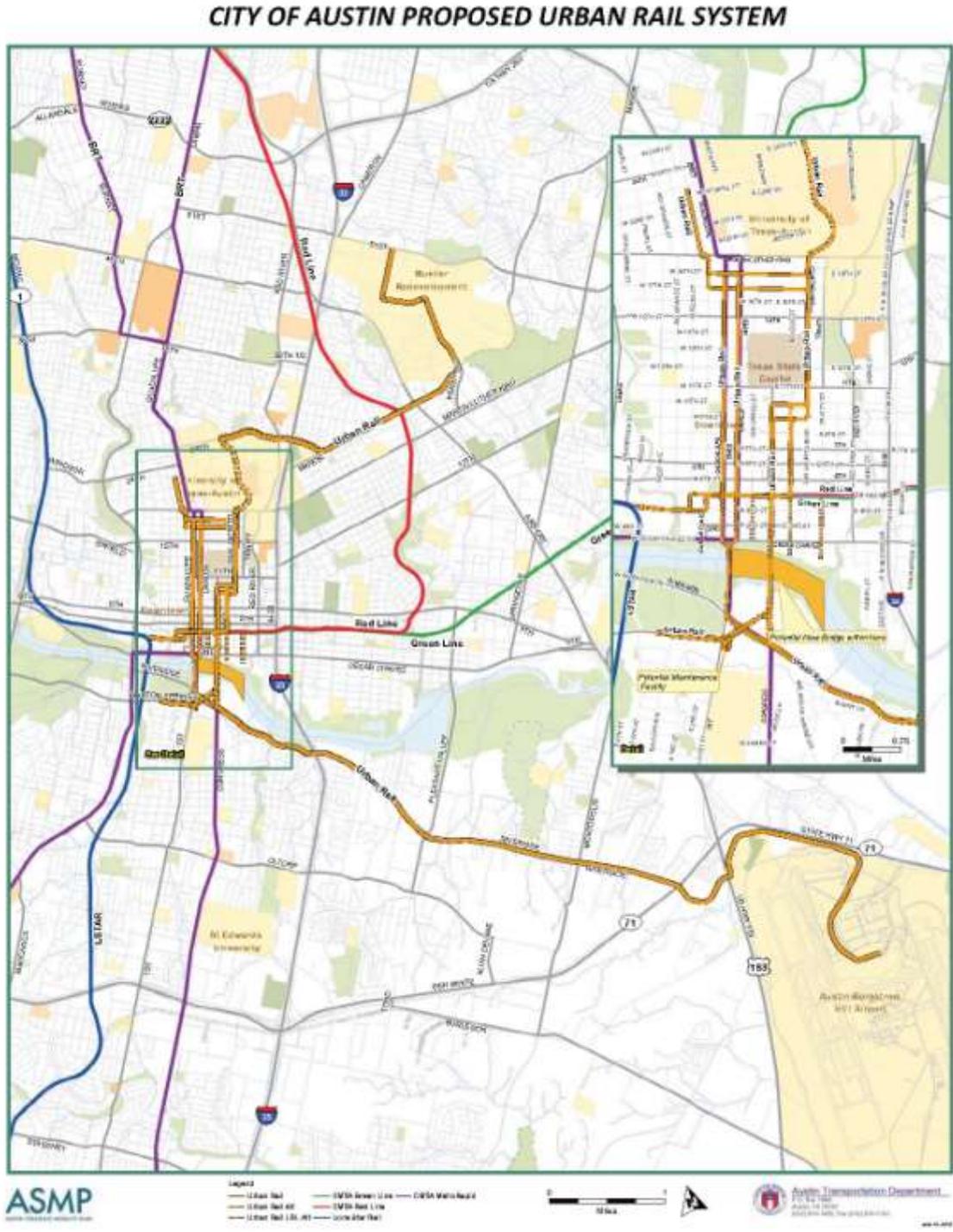


Figure 1

The 1970 National Environmental Policy Act (NEPA) has several functions, but the most relevant to transportation planning is the requirement that most projects using any amount of federal funding must complete an Environmental Assessment (EA). If any significant environmental consequences of the project become apparent during this assessment, then a more in-depth Environmental Impact Statement (EIS) is needed. In 1994, Executive Order 12898—titled Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations—required that “environmental justice” be considered as part of these environmental assessments. The statement considers environmental injustice to be “disproportionately high and adverse human health or environmental effects of [the agency’s] programs, policies, and activities on minority populations and low-income populations.” Compliance with environmental justice includes consideration of the demographics of people affected by the project, as well as effective public participation and community representation in most decisions. The principles of outcome equity that should be considered are equality, ability to pay, maximum benefit, and serving the least advantaged first.

Environmental justice is an especially important consideration in transportation projects. Transportation has an enormous impact on quality of life for any income bracket – it affects recreation opportunities and neighborhood cohesiveness. Most significant is the effect on economic mobility. Access – including both physical infrastructure and affordability – to quality employment is a key factor in a person’s economic status. Commuting represents a higher financial burden on the working poor, because the proportion of yearly income spent on travel is greater, even if the dollar value is not. For this population, the cost burden of commuting is 6.1 percent. For other workers this statistic is only 3.8 percent, but for low-income workers who *drive* to work, the number is as high as 8.4 percent. Since automobiles are often not the most

feasible option, low income households rely on various forms of public transportation for commuting. Many workers in this situation thus come to rely on access to public transportation to maintain their livelihoods, making them the most vulnerable to changes in this area.

Given these considerations, the Urban Rail project has the potential to affect low income residents in Austin in a major way – both positively and negatively. To aid evaluations of environmental justice, the Capital Area Metropolitan Planning Organization (CAMPO) identified census tracts in the 5 county Capital Area in which more than half of the residents are minority or low income, called “Environmental Justice Areas.” Since Urban Rail is a project of the City of Austin, this discussion will focus on those areas within the Austin city limits. Environmental justice (EJ) areas in the city tend to cluster along and east of Interstate Highway 35 (Figure 2).

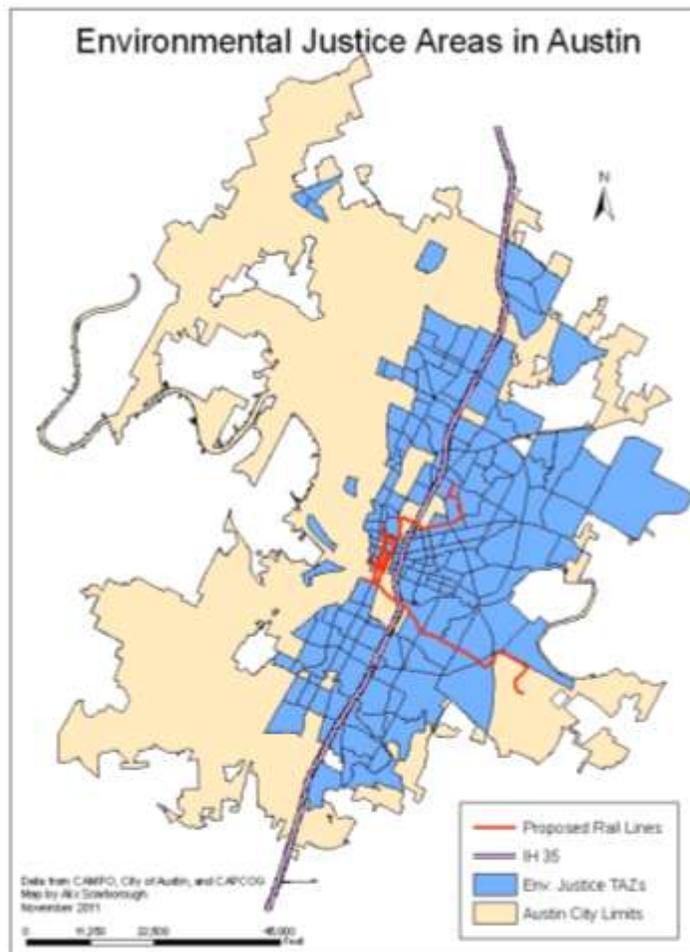


Figure 2

Looking more closely at the area around the proposed Urban Rail in Figure 3, it is clear that the project will be located in an area with many low- to moderate- income households. This makes the project especially sensitive to environmental justice concerns. Figure 3 also shows the areas within a half mile walking distance from the Urban Rail, highlighted in pink. These highlighted areas contain approximately 21% of Austin’s EJ population, and 13% of the city’s total population (see figure 4). This indicates that EJ areas have strong potential to be served by the rail; however, the degree to which this occurs will depend on several factors that have yet to be decided.

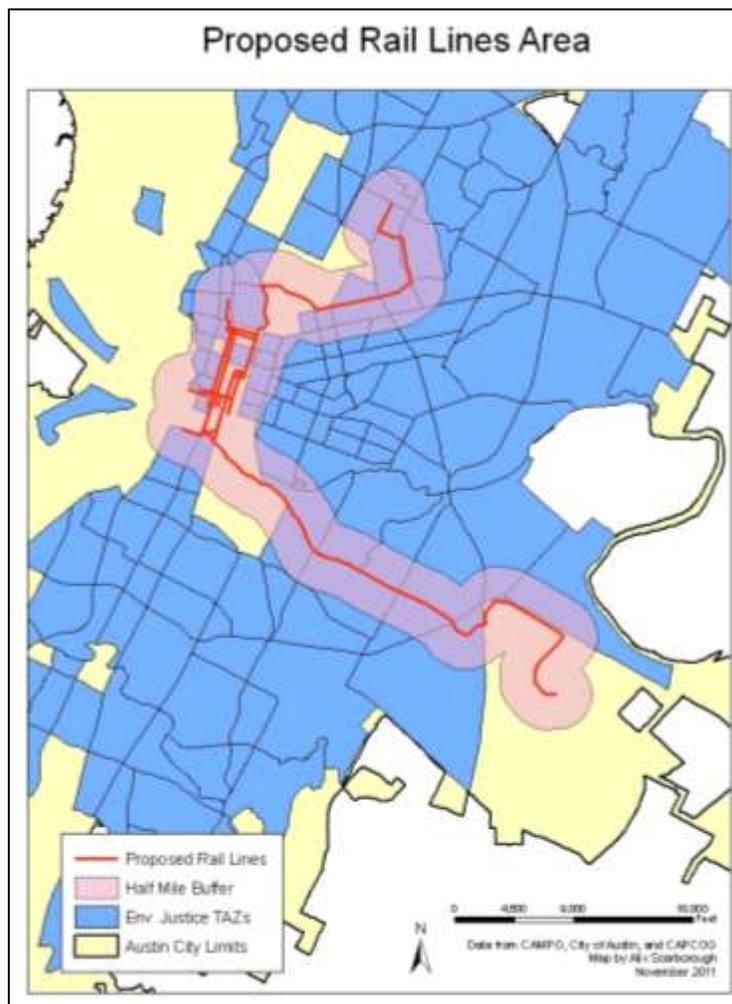


Figure 3

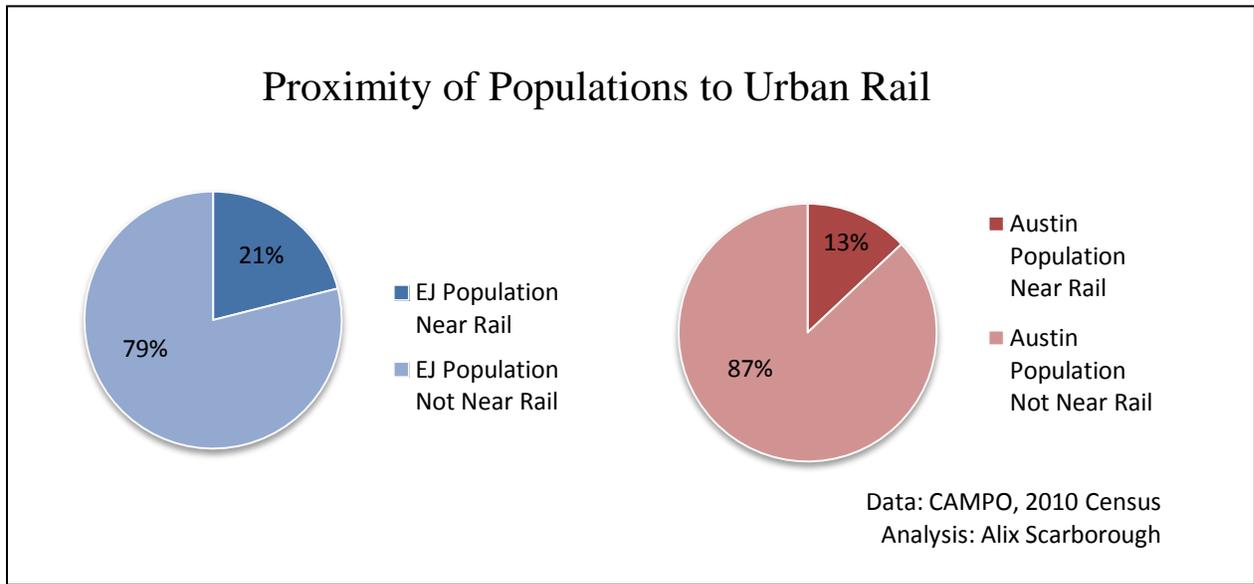


Figure 4

The City of Austin completed a Pre-NEPA Environmental Study in August 2010. The study considered land use, visual resources, water resources, biological resources, cultural resources, air resources, geological resources, hazardous materials, noise resources, and environmental justice. The statement is not as in-depth as an EIS, but intended to give an overview of the potential impacts of the project before looking in more detail at each aspect.

The Pre-NEPA Environmental Study predicted that the Urban Rail route would not “significantly affect the socioeconomic conditions” because the line crosses through a diverse array of neighborhoods. However, this statement is misleading in several aspects. Though the tracks may be laid through a low-income neighborhood, quality service is not guaranteed. The location of stops, connections to other modes of transportation, hours of operation, frequency of service, and price all affect the real equality of the project. In addition, indirect consequences of Urban Rail can occur. The most notable is transit oriented development near transit stops, and the possibility of rapid growth, rising property values, and gentrification associated with this.

The aforementioned factors fall primarily under the categories of benefits and burdens. A third way to influence environmental justice is by considering who pays for the project. Funding for a project like Urban Rail can come from a variety of sources, usually some combination of municipal and federal funds, local taxes, and user fees. The Urban Rail project is currently estimated to cost \$1.3 billion to construct, not including maintenance and operation costs moving forward. The local taxpayer aspect of cost will most likely come into play in November 2012, as Austin residents vote on Urban Rail in the form of a bond package. If local taxes and user fees bore the brunt of this cost, however, the system would be far from affordable for most Austinites, whether or not they actually used the service. This is not, of course, to caution away from taxpayer financial backing—even those who do not ride transit will benefit from (theoretically) having fewer cars on the road. But both these taxes and the user fees must be kept within a reasonable range if it is to be a viable option for residents who have lower incomes. Federal funds should be utilized, such as those from the Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). In addition, the city can consider implementing a program to provide travel vouchers for those living in poverty, so they are able to use transit services for free or a reduced fee.

Another consideration in making this project equitable is the location of stops. The project is primarily advertised as providing service to high-profile tourist destinations and the University of Texas. While this is crucial, and will likely reduce congestion in those areas, these are not the only needs that should be taken into account. The Urban Rail should prioritize linking low-income and minority neighborhoods to quality employment centers, providing expanded opportunities to those who have been disadvantaged. Stops should also include grocery stores,

clinics, schools, and other necessities. In addition to linking to the commuter rail and regional rail, Urban Rail should connect to bus hubs and hike and bike trails.

To truly accommodate commuter trips for a diverse group of people, it is necessary to choose appropriate hours of operation and frequency of service. Lower paying jobs may not accommodate the 9 to 5, Monday through Friday schedule that the commuter line assumes. Equity requires that service run at odd hours, or at least expanded hours from the existing services. In addition, if residents are relying on transit, it is crucial that service is frequent and timely. Being late to work one day may be the ticket to unemployment in a high turnover job.

Transit oriented development (TOD) is the least direct result of a rail project, and usually the one over which the municipality has the least control. However, TOD can have the greatest long-term impacts. Unlike setting a bus route, investment in rail requires implementation of fixed, physical infrastructure. This guarantees a substantial number of pedestrians around rail stops as they enter and exit the train, and possibly stick around if there is pedestrian-friendly development in the area. This is a huge draw for private investors, and often leads to rapid growth. In Austin, much of the rail corridor will go through low-income neighborhoods near downtown and other highly desirable locations. The availability of public transit increases property values and can lead to the construction of high-end retail, towering condos, and corporate headquarters. The residents who have lived in the neighborhood for generations can no longer afford the area and are forced to relocate, moving away from families and employment as their land is purchased and built out.

This is a worst-case scenario for low-income residents. There is also the possibility that TOD will spawn mixed-use villages with affordable housing, attainable employment, mixed

retail, corner stores, schools, and clinics. Several cities have made this work, but it doesn't often come as a natural result of free market development.

Three strategies that have had marked success in equitable TOD are non-profit developers, community benefits agreements, and TOD funds. Local non-profit agencies are often sensitive to a community's unique needs. In Oakland, CA, the Unity Council conducted charrettes and workshops to vision what was needed in the neighborhood, and created a plan providing a mixed-income housing and jobs center that would support small businesses. With the help of federal grants, private loans, and "creative capital financing," the group was able to break ground and build the first phase. The Unity Council is currently pulling together financing for Phase II.

A similar approach is that of the community benefits agreement (CBA). A CBA is a "private, legally-binding contract between a developer and a community coalition that codifies the commitments the developer has made regarding how the project will benefit the surrounding community." Like non-profit development, this approach involves much community participation and input, as well as discussions with the city. A CBA in Minneapolis, MN, included provisions for percentage of affordable housing, a requirement of living wages for all jobs, and public art.

TOD funds put more control in the hands of the city by allocating money with which they can preserve and create affordable housing along transit corridors. The City of Denver created a TOD fund by matching a grant from the MacArthur Foundation, and has since received investments from many banks and community organizations.

Utilizing these TOD strategies, as well as the other considerations mentioned, can help create a truly equitable transportation system for the City of Austin. Proper implementation will

require research and financial commitment, but the expanded opportunities for those who have been disadvantaged is well worth the investment, and consistent with the Imagine Austin Comprehensive Plan's core principles of action. Urban Rail has the potential to "provide paths to prosperity for all" and help Austin "develop as an affordable and healthy community," while at the same time easing traffic and making Austin a more desirable place to live and visit.

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