



## Keeping Industrial Polluters Out of Austin's Latino and African American Communities: From Dumping Ground to Fertile Fields for Community Action

### People Organized in Defense of Earth and her Resources (PODER)

"All those eighteen-wheelers were parked on the street and all these fumes were coming into our yard and I noticed that slowly our trees were starting to get wilty and die. But we were afraid to speak up because the monsters, the eighteen-wheelers, it was like they had the power."

Josephine Zamarripa, PODER community activist

#### "Hey, this is in our backyard!"

As the high-tech boom hit Austin, Texas, in the late 1980s, what caught Susan Almanza's attention was that all the manufacturing facilities seemed to be slated for construction in and around her east Austin neighborhood. She didn't know a whole lot about either high-tech manufacturing or local zoning codes, but she did know some of the history of some high-tech plants in other states; a history of air, water and soil pollution that those states were still dealing with. "We knew that they had left a legacy in California and Arizona and had destroyed a lot of things and contaminated the people," says Almanza. "And we kind of looked at ourselves and said, 'Hey, this is in our backyard. It's right here. It's in our community. What are we going to do?'"

Almanza, no stranger to activism, having participated in everything from Vietnam war protests to the lettuce boycotts during high school, made a straightforward enough decision: It was time to start a community group to begin investigating why and how it was that east Austin had seemingly become the designated dumping ground for community-unfriendly industrial and commercial land uses in the city.

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Just a few months after Almanza had brought up concerns about high-tech manufacturing coming to Austin, friend and fellow neighborhood activist, Sylvia Herrera, was scanning the local papers. She discovered a public notice placed by Mobil Oil, one of the six petroleum manufacturers and distributors with huge tank facilities located adjacent to Herrera's neighborhood. "They wanted to expand their facility, which meant they wanted to continue to emit benzene and all these other chemicals into the air," says Herrera.

The Mobil Oil notice was the spark that fused Almanza and Herrera together in an alliance in defense of their besieged neighborhood, and brought their newly formed organization to the forefront) inspired them to create a new community group that they called "People Organized in Defense of Earth and her Resources" (PODER).

What developed in the wake of the group's formation was a remarkable, door-to-door, neighborhood-to-neighborhood and community-to-city hall campaign, a campaign that would reverberate through the corridors of corporate and political power and launch a small community group on a trajectory of remarkably effective community action that continues today.

### **The First Big Fight**

It wasn't just the Mobil expansion that Almanza and Herrera decided to take on in their fight to protect their neighborhood. They decided to take on all six of the multinational petroleum corporations with storage facilities in their backyard, demanding that the whole complex be shut down and cleaned up.

In going up against six multi-billion dollar, multi-national corporations, Almanza and Herrera and their growing team of neighborhood activists realized they needed some war chest of their own, so they applied for a grant to the Citizens' Clearinghouse for Hazardous Waste.. The CCHW gave PODER \$2,000. "That's what we beat them with," says Almanza. "Two thousand dollars. But we used it to the maximum, for flyers, for printing brochures. Nobody was getting paid."

In fact, PODER "beat them" with a lot more than \$2,000. They beat them with grit, persistence, organization and sophistication. The campaign included reaching from traditionally Latino communities into African American neighborhoods. It included forming alliances with some of the more "mainstream" west side environmental groups. It included presentations before the city council on the impact of the tank farm on the health of neighborhoods. It included a well-planned and executed media campaign. And it included a lot of basic door-to-door and neighborhood-by-neighborhood grassroots organizing, including a specific effort to organize all the neighborhoods adjacent to the tank farm.

"When I came to PODER I was living across the street from a fifty-two acre tank farm, six major oil companies," says Janie Rangel, a member of the Gardens Neighborhood Association, a Board Chair of PODER and also a member of the Tank Farm Area

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Neighborhood Council. "And people were getting sick. So we did health surveys and found that a lot of people in that neighborhood were dying of cancer."

At that, many in the community didn't think that PODER had a chance against the multi-nationals, says Rangel. "People would tell us, 'Forget it. Don't fight the tank farm. They're just going to buy you out. You can't win this fight.' And we kept saying, 'No, we're going through with this. We're going to shut them down.'"

Within a year, PODER had achieved a stunning victory. Not only would Mobil *not* be expanding, all six of the companies agreed to relocate tank facilities away from east Austin.

It was an early and powerful indication that diverse communities could be organized to preserve and protect their homes and their neighborhoods; an early and powerful awakening across the east side of Austin to the fact that neighborhoods working together could exert tremendous control over their own destinies.

Indeed, the victory would strongly inform future PODER organization and campaigning. By acting as the hub connecting neighborhood associations throughout the east side, PODER was naturally magnifying the power of already organized sections of the city. "It has become a very tight network," says Daniel Florez, with the River Bluff Neighborhood Association and a PODER board member. "And this, I believe, is one of the things that has created so much momentum for us."

### **Stamping out New Fires**

But as soon as PODER would stamp out one fire, it seems that another would spring up. In the case of a Browning-Ferris, Inc. (BFI) recycling center, that fire would spring up quite literally.

Having just put the tank farm fight behind it--although PODER would have to continue to be vigilant that the oil and gas companies followed through on site cleanup--another new and unwelcome neighbor arrived on the east side. In this case a recycling center operated by the waste processing giant BFI.

"When the tank farm moved out it was on to BFI," says Rangel. The recycling center moved in adjacent to both the former tank farm site and her house, she says. Soon, trash from the recycling center was blowing all over the neighborhood.

"It was all part of a 'Keep Austin Beautiful,' campaign," says Florez "And all of the recycling, all of the trash from all over the city gets cleaned up and brought over here."

When the facility caught fire and burned for three days, it brought the issue to a head. While no other properties were threatened directly by the fire, the smoke and ash from the fire helped focus everyone's attention on the incompatibility of such an industrial use smack in the middle of a neighborhood.

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But rather than simply attack BFI as an insensitive corporate behemoth, PODER opted for a different strategy, a strategy that Linda Rife, who was doing community and government relations for BFI in Austin at the time, found to be remarkably enlightened.

When PODER and its member associations first approached the company about relocating the recycling center, says Rife, "It wasn't anger. It wasn't, 'We want you out!' It was, 'We want our community to be residential, and industrial doesn't work with residential.' So it didn't become incredibly personal. That made it easy for me to go back to the company and say, 'Look, they don't hate you. They think you are doing good things in the world. The problem is you are in the wrong area of town.'"

Not that PODER was shy about being confrontational, but even when they organized street demonstrations advocating that the recycling center be moved, they would first contact Rife to tell her what their plans were so that she and the company could be prepared to respond.

At the same time PODER was using its carefully groomed relationships with the media to get the message out, consistently. "We do our homework and have our facts together and the media really likes that," says Herrera, who says a good working relationship with the media is an absolutely essential component of effective community action. "And we're very clear about what the message is. You have to have the concise sound bites about what you're trying to accomplish."

Meanwhile, says Herrera, PODER was also pursuing a short-term and long-term strategy with regard to the center. "It was, 'Okay, what can we do in the short term to help address some of the concerns, like hours of operation and truck traffic. It was a matter of sitting down and saying, 'Okay, here's the problem, how can everybody come together on it.'"

PODER's willingness to sit down and reasonably negotiate a settlement in the BFI case only added to the organization's growing credibility and respect. And in the end, it meant another impressive victory for neighborhoods on the east side. PODER, BFI and the city hammered out a deal whereby the city purchased the BFI site, allowing BFI to relocate to an area better suited for the recycling center.

"I know it took longer than PODER would have liked," says Rife. "But in the long run what I credit Sylvia and Susana for was their tenacity as they just kept coming up with ideas for how to work through this. They were willing to work with us and take some risks. Plus they were very clear on what it was they ultimately wanted. It wasn't a hundred different things."

### **Addressing Deeper Causes**

What the BFI campaign highlighted, though, was that such regular neighborhood-versus-industrial use conflicts weren't coincidences, that they had deep roots. They had deep roots in the attitude of the Austin power structure that existed through the 1950s and into the 1960s, an era that both Herrera and Almanza say they remember well, as they grew

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up Hispanic in a predominantly Anglo culture. "People looked down on us because we were brown and we spoke Spanish. In school I saw people spanked and get their mouths washed out with soap for speaking Spanish," says Almanza.

While the cultural manifestations of being a minority were frequently all too clear in Austin, there were some less obvious, but very significant manifestations of the imbalance of power, as well. One of those manifestations was the wholesale zoning changes that took place in the city in the 1940s and 1950s. These changes were engineered by a political power structure bent on protecting certain parts of Austin from incompatible commercial and industrial uses by dumping them in the predominantly Latino and African American neighborhoods on the east side of town.

Huge swaths of single family homes had been redesignated commercial and industrial without those living in them ever being told that it was happening, which is why so many industrial and commercial entities--from radiator repair shops to tire recycling centers--were being plunked down amid housing. The rezoning had another alarming consequence. Residents on the east side whose houses had, for example, been damaged or destroyed by fire and who wanted to rebuild, discovered that the city wouldn't issue permits because the land in question had long since been rezoned non-residential.

"A lot of people who actually owned their houses didn't even know they had been rezoned," says Steve Rossiter, a neighborhood planner with the city who has been working with east side neighborhoods on comprehensive planning. The planning includes updating current zoning regulations to make them more compatible with the residential nature of the east side. "And it wasn't until they got to the stage of trying to rebuild a house that had been damaged or destroyed that they found out they couldn't repair or rebuild because it was no longer a permitted use." Rossiter said.

Another problem raised by the incompatible zoning, adds Almanza, was that homeowners were having a hard time getting financing, including securing things like mortgage insurance.

### **Coming Up With a New Vision and a New Plan**

While it was dawning—painfully in many cases—on residents of the east side that the conflicts they were having with industrial and commercial uses and over their ability to repair or rebuild their houses had roots in zoning code, getting the city to look at the problem comprehensively wasn't easy at first.

Again, PODER took a short-term/long-term strategy with regard to the problem. In the short term, they had to figure out some way to blunt the impacts of current zoning. In the long term, they needed to work with the city on a whole new planning and zoning scheme for the east side.

The first push on the short-term goal was simply to get the city to mandate neighbor notification of any permit requests by commercial industries for new or expanded uses on

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the east side (a policy that is actually routine in many other cities and towns). "People made a huge whoop and holler over that," says Almanza. "We were just asking for an overlay district that required developers to come meet with us. In west Austin or any other part of town, when a developer comes in they come in and talk to the neighborhood associations. But not on the east side. They didn't have to consult with us or anything. All we were saying was that the city has to inform us. We have the right to know. We have the right to a public hearing."

As usual, PODER stated its case reasonably but tenaciously, and again they made progress, winning the creation of an overlay zone, a zone in which all new and expanded commercial ventures had to undergo neighborhood review before the city would approve any projects or issue any permits.

But longer term changes clearly needed to be made, and the first opportunity that arose to make those changes came when the city announced it would be looking at doing an overall plan for what was known as the Go Valley (Govalle) Neighborhood on the east side.

PODER petitioned for a seat at the planning table, thinking that it was a natural fit, and also suggesting that any plan that was developed look more broadly than at one neighborhood but to the larger east side community.

The city balked. Planners questioned whether PODER had a legitimate interest in the process. City officials wanted PODER to sign a memorandum of understanding outlining the organization's role in the planning process. "The city was trying to say, 'You can't be involved because you don't live there, right inside these little boundaries. And it was saying that only those people that do count,'" says Herrera. "And we as a community felt we had really come to a good point in working with business owners and different residents and other community organizations and all of a sudden we get a memo from the city saying that it is yanking staff off the project."

The process stalled. But again, PODERs patience, tenacity and reasoned approach to the problem ended up moving the process forward. Helped by a key change in planning personnel at the city level, and the city and PODER were back discussing the plan. "None of it was taken personally by PODER," says Rossiter. "It was always, 'How can we make this work. We've been away, and there were significant problems, and we should talk about those.' So we were able to begin talking again, communicating. I think that was really crucial."

Besides, says Rossiter, it was clear to him what PODER brought to the table in terms of any broad community planning process. "We really need groups like PODER to work with so that even if residents weren't coming to meetings we knew they were channeling information through their representatives at PODER. We knew that PODER was conducting outreach meetings with parents at schools, and things like that. It was a very accessible way to get input from the community because people, for whatever reason, and

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often quite rightly, just don't want to talk to the city; they don't trust the city because they're scarred by what has happened in the past."

Once the process regained momentum, it moved smoothly, free of bureaucratic constraints. "The second time we just had an understanding that we were going to work together," says Rossiter. "And it was, 'Whoever is a stakeholder and whoever has an interest come along, and you'll have a say and you'll be respected.' So we just got to work."

The goal of the planning process was straightforward enough: to ensure that incompatible uses weren't being thrown together on the east side, and to revisit zoning designations in a way that made sense for the communities on the east side. "So that people weren't living and going to school in areas where there was going to be industry which could have a number of impacts," says Rossiter. "You know, storing hazardous materials, for one thing and parking of large trucks in neighborhoods, and traffic, noise, odor all those things. So the main idea was to rezone these properties so that it became mainly a residential area."

The new plan not only called for rezoning significant portions of the east side, it also called for sidewalk and lighting improvements, improvements to dangerous intersections and calls for ways to deal with such long-running hazards as idling eighteen wheelers parked in front of people's houses.

"It was an overwhelming amount of work," says Almanza. But in the end all sides say it was an extremely valuable exercise, not only because it began to bring order and common-sense change to the east side's previously haphazard and ill-conceived zoning, but in that it helped rebuild the city-community partnership.

"I think we achieved a lot through the neighborhood plan," says Rossiter. "But there's still a whole other range of issues that need to be addressed, issues that we in planning don't have the power to deal with. And unfortunately with [municipal] budgets being the way they are, it doesn't look like there's going to be many resources directed toward building sidewalks or doing need improvements to other infrastructure."

Still, PODERs powers of persuasion have proved themselves in other parts of city government. For example, the city parks department began working on plans to intensively redevelop a key park along the Colorado River (*Roy Guerrero Colorado River Park*) on the east side of Austin, including putting in baseball diamonds, soccer fields. While residents weren't against all such development, they were concerned that the parks department was going to considerably alter the landscape along the river front, "because we very much care about nature and have a close relationship with nature," says Daniel Llanes Again, PODER and its allies were able to fashion a compromise whereby certain parts of the park were designated for more intense recreational use and other parts were kept wild.

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### **Giving Voice to Community**

Since the early days of tank farm fights and broader action on the planning front, PODER has continued to operate on a number of levels in the name of community health and well-being. The group continues to operate in its role as convener of general interests and advocate on specific issues.

Issues of traffic, hazardous waste and incompatible business development continue to occupy the organization. The group continues to make progress on pushing for safer streets, moving incompatible businesses away from schools and neighborhoods and pushing for more sensible planning for the area, generally.

But most important, say those involved with PODER, the group has unleashed the power of the community, illustrating to people on the east side that they have a voice, and that they can stand up for themselves. "I remember going to a press conference at one of our neighborhood schools," says Janie Rangel, "and Josephine Zamarripa was there and they asked her, 'Ms. Zamarripa, what are the issues that you have?' And she went into her purse and pulled out a little mini-roll of paper and she just kept unrolling it and unrolling it there were so many issues. I was so proud of her. I think we have all learned that we've got a voice."

### **Looking to the Future**

PODER activists understand clearly the backlog of issues and the importance of ongoing community vigilance and action when it comes to improving and maintaining the quality of life on the east side. Meanwhile, new sets of sometimes entirely unexpected issues arise, including most recently, problems of gentrification and rising housing costs and property taxes on the east side.

This is why PODER has consistently pushed one other major component of its approach to activism, and that is involving community youth so that fresh blood will circulate into the movement. "It's one of the real challenges," says Herrera, "because of all the different things that are happening in our society and the things that youth is being bombarded with constantly. So one of our challenges is getting and keeping youth involved in our activities."

It's a strategy that can pay off in unexpected ways. Among those whose future would be shaped by working with PODER was Raul Alvarez, who as a graduate student helped do door-to-door health surveys for PODER during the tank farm fight, and who subsequently worked on a range of transportation planning surveys and campaigns for the organization.

Having worked on building power in the streets, Alvarez decided that it would be a good idea to have someone on the inside as well. In 2002 Alvarez ran for and was elected to the Austin City Council. "I think PODER's ability to reach out to young people and getting them plugged into community has real value. Folks like myself get plugged into

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community issues early and they see the necessity and the value of getting involved in making your community a better place."

Formally, PODER also started "Young Scholars for Justice," which among other things has looked at the issue of disproportionately harsh discipline for youth of color students in Austin schools. But young PODER activists do a wide variety of other real, ground level work in the whole area of community improvement.

Erika Gonzales, for example, has been helping pull together teams of youngsters to survey bus riders in Austin about the quality of service, and what riders would recommend by way of improvements. "We went and gave personal testimony to the city council and we also made up a brochure." As a result, the city did such things as expand hours of service, install bike racks on buses and build new bus shelters.

It is an area of organizing the PODER activists say they will continually push, because they understand it's where the future of the organization lies. "We don't forget about the youth because they are us tomorrow," says Janie Rangel. "They will be here tomorrow, protecting the environment."

### **Maintaining a Crucial Connection**

In considering the scope and sweep of issues in which PODER is either very or partially involved, it would be easy to forget the fundamental tenet under which the organization first formed: a deep connection and attachment to the earth and to the environment.

"All these issues are interwoven," says Herrera. "You might be working on one real specific environmental piece, but you come to find out its connected. It has to do with land use or zoning, and people might not consider that to be environmental. But it's all tied together and so it's hard to categorize and say, 'Well, this is more important than that.'"

PODER reclaims that connection regularly, and in some very creative ways. For example, PODER has "reclaimed Earth Day," says Rangel. "We changed our real anniversary, May 1, to Earth Day, April 22. And we go back to the indigenous ways to show environmentalists and other people how to really honor Mother Earth, through dance, poetry, song and as a family."

And whenever Susana Almanza testifies before the city council, she starts out with a short saying: "There was a time that we were all sisters and brothers; the night sky, our ceiling; the earth our mother; the sun our father; our parents are leaders and justice our guide."

On the east side of Austin, Texas, that time has arrived as PODER and its neighborhood and community partners work to live that saying every day.

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