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# **The Struggle over Parcel C**

*How Boston's Chinatown Won a  
Victory in the Fight Against  
Institutional Expansionism and  
Environmental Racism*

**ANDREW LEONG**

*An Occasional Paper*

**INSTITUTE FOR ASIAN AMERICAN STUDIES**

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*The views contained in this paper are those of the author and not necessarily of the Institute for Asian American Studies.*



## THE STRUGGLE OVER PARCEL C

### *How Boston's Chinatown Won a Victory in the Fight Against Institutional Expansionism and Environmental Racism*

ANDREW LEONG

"[T]he Coalition to Protect Parcel C for Chinatown effectively killed the garage with a skillfully orchestrated media campaign and a series of high-profile events that painted the plan as a sellout of the community."

—Larry Smith, Chief Operating Officer  
*Boston Globe*, October 22, 1994

#### Introduction

For the last fifty years, Boston's Chinatown has been a shrinking community. Squeezed in by highways on two sides, its land is being gradually consumed by two medical institutions, Tufts University Medical School and New England Medical Center.<sup>1</sup> During the last few decades, these two medical institutions have swallowed up nearly one third of the land in Boston's Chinatown.<sup>2</sup> Despite this, both medical institutions want more. In its latest attempt at institutional expansion, New England Medical Center made an offer to the City of Boston in early 1993 to acquire a small

plot of land in Chinatown called Parcel C, for the purposes of building an eight-story, four hundred and fifty-five car garage on Parcel C.

No one could have foreseen what came next—an astonishing outcry and level of protest. Almost immediately, the Chinatown community launched a fierce protest against New England Medical Center's attempt to buy Parcel C. Literally thousands in this small community came out in opposition against the hospital's proposed garage.

The Chinatown community's response to New England Medical Center's latest attempt at expansion was important, however, not just

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because it was vocal or widespread. Ultimately, the struggle to stop the proposed garage became more than a simple protest. It evolved into a sophisticated, but impassioned, grassroots movement, in which residents, social service organizations, activists, and college students worked arm-in-arm with environmental groups, legal services lawyers, progressive scientists, and health care advocacy groups. Not only did the Chinatown community stop a garage, it developed methods and structures for community activism and grassroots organizing that will last well beyond this struggle.

The reasons for the widespread opposition against New England Medical Center's proposed garage, by what is normally a quiet and politically inactive community, were various and complex. Part of the Chinatown community's intensely negative reaction to New England Medical Center's garage proposal stemmed from the long history surrounding Parcel C, and the always tense relationship between Chinatown and New England Medical Center over the land control issues. Part of the reaction was pure self-preservation. Chinatown residents knew that New England Medical Center's garage was going to present a significant environmental hazard to their neighborhood. A great deal of the outrage, though, involved another party—the City of Boston. In approving New England Medical Center's garage proposal, the City government had broken an important promise to Chinatown.

### **Boston's Chinatown**

Chinatown is forty-three acres in size. It has a population of about 5,000, of which many are recent immigrants.<sup>3</sup> Over two-thirds of

Chinatown residents speak Chinese at home.<sup>4</sup> Twenty eight percent of Chinatown residents live below the federal government's poverty line.<sup>5</sup>

Chinatown has the distinction of being the most crowded neighborhood in Boston, with over 111 residents per acre.<sup>6</sup> It also has the least amount of open space per resident in Boston, at a ratio of about a half-acre for 5,000 residents.<sup>7</sup> There is a chronic shortage of housing in Chinatown.<sup>8</sup> Many recent Chinese immigrants who wish to live in Chinatown are often forced to find housing in other communities.<sup>9</sup>

Not surprisingly, many of Chinatown's housing problems originate from the policies of City Hall. A small, quiet neighborhood of color with very few votes, Chinatown is not a likely candidate to receive more benefits than burdens from the political establishment. In particular, like so many urban communities, Chinatown's housing and land development problems have their roots in the City's urban renewal policies of the 1960's.

During the era of urban renewal in Boston, the Boston Redevelopment Authority, which is the land development and zoning agency for the City of Boston, took basically a seize and destroy philosophy. The Authority conducted wholesale taking of homes by eminent domain in several neighborhoods, including Chinatown. The Authority demolished these homes, then sold the land to developers for upscale housing, or in Chinatown's case, institutional use.<sup>10</sup> In Chinatown, it is estimated that over seven hundred Chinatown residents were displaced by urban renewal.<sup>11</sup> Later on, much of this land was sold to Tufts and New England Medical Center.<sup>12</sup>

Highways are another cause of

Chinatown's problems. In the 1950's and 1960's, the federal government built two major highways, the Massachusetts Turnpike and the Southeast Expressway, straight through the heart of Chinatown.<sup>13</sup> Because of these highways, Chinatown suffers from serious air pollution problems.<sup>14</sup> Along with the medical institutions, these highways are also responsible for the chronic traffic congestion in Chinatown.<sup>15</sup> These problems are only predicted to worsen with the construction of one of the major exit ramps for the new Central Artery on the border of Chinatown.<sup>16</sup> The building of the highways are an additional reason that Chinatown has a chronic housing shortage, since their construction cost Chinatown a large portion of its land base and its housing stock.<sup>17</sup>

It is in this context of a severe housing shortage, serious air pollution problems, chronic traffic congestion, a critical lack of open space, and the ever-present appetite of the medical institutions for land that one must view the struggle over Parcel C. Parcel C was not just about one plot of land, or one environmental hazard. It was a reaction to history—a history in which powerful institutions and callous government agencies have continually mistreated a small and vulnerable community. It represented a critical step in the struggle for Chinatown's survival. Even if the Chinatown community did not win the battle over Parcel C, it would send a message to Tufts and New England Medical Center—that the community could, and would, fight for its survival.

### **Background and History of Parcel C**

Parcel C is a small plot of land bordered by Oak Street, Nassua Street, May Place, and

Ash Street.<sup>18</sup> It is in the heart of residential Chinatown.<sup>19</sup> Oak Street, which is the major street abutting Parcel C, is residential, and measures only thirty feet wide.<sup>20</sup> Yet literally hundreds of people travel Oak Street on foot every day, probably because it serves as the bridge between the western and eastern half of residential Chinatown. Oak Street is also the location of Acorn Day Care and its adjoining children's playground.

Acorn Day Care, which is the only public day care facility in Chinatown, is five feet away from Parcel C. In fact, it is so close to Parcel C that New England Medical Center's proposed garage would have been near enough to this building's fire escape to violate the fire code.<sup>21</sup> Across the street from Parcel C is a row of modest brick homes and a housing development under construction.<sup>22</sup>

About one hundred feet away from Parcel C, there is a complex that houses an elementary school, a community health center, and a social services provider.<sup>23</sup> This complex also contains a low-income housing development for the elderly and disabled.<sup>24</sup> Also one hundred feet from Parcel C is another low income housing development.<sup>25</sup> As one can see from this description, Parcel C is a very hazardous place to put a 455-car garage.

The history of Parcel C extends back to the time of urban renewal. A large portion of the parcel was formed when the Boston Redevelopment Authority seized and demolished the homes of several Chinese residents.<sup>26</sup> After the land was taken, the Authority entered into an agreement with Tufts and New England Medical Center in which the medical institutions were given the right to buy the land.<sup>27</sup> Tufts and New England Medical Center made various plans for the land, but ultimately never did anything

with it. For over twenty years, the land lay vacant.

On an adjoining piece of land, the Chinatown community was making good use of one of the few pieces spared from urban renewal. The Quincy School Community Council, one of the largest human service providers in Chinatown, had been renting a small three-story building from the Boston Redevelopment Authority since 1969. In that building, the group held English as a Second Language programs, conducted an after school program, and ran Acorn Day Care.

In 1986, New England Medical Center submitted a proposal to build an 850-car garage on Parcel C. This proposal would have meant the demolition of the Acorn Day Care building and the adjoining children's playground. The concept of a such a huge garage was immediately greeted with opposition by both the Chinatown Neighborhood Council, City Hall's advisory group on Chinatown matters, and the Boston Redevelopment Authority. This garage proposal was ultimately defeated.<sup>28</sup>

In 1988, in an effort to preserve the Acorn Day Care building for community use, the Boston Redevelopment Authority announced its decision to hand over title of the land and building to the Quincy School Community Council.<sup>29</sup> New England Medical Center's reaction was swift and callous. The hospital sued the Authority to stop the transfer of the Acorn Day Care building and playground.<sup>30</sup>

The community immediately protested New England Medical Center's decision to sue.<sup>31</sup> The Mayor of Boston declared that the City would not accept the hospital's attempt to interfere with the transfer of the Acorn Day Care building and would not be intimidated by the hospital's lawsuit.<sup>32</sup> Subsequently, a

court threw out New England Medical Center's lawsuit.<sup>33</sup> New England Medical Center appealed, but before the appeal was heard, the City, Chinatown, and New England Medical Center negotiated a settlement.<sup>34</sup>

As part of the settlement, New England Medical Center agreed to sell back a plot of land neighboring Acorn Day Care and to refrain from opposing the Boston Redevelopment Authority's transfer of the Acorn building to the community. In return, New England Medical Center was given the right to buy two neighboring parcels of land.<sup>35</sup> Because the land faced Washington Street, a major artery, it was very lucrative. New England Medical Center immediately made plans to build two huge, nine-story buildings on these new parcels, totaling over 370,000 gross square feet.

As for Chinatown, it got the Acorn Day Care building and playground.<sup>36</sup> Chinatown also got a commitment from the Boston Redevelopment Authority and New England Medical Center that the remaining parcel formed out of the lawsuit's settlement would be reserved for community use.<sup>37</sup> Thus, Parcel C was born. The Authority promised that Parcel C would be reserved for a community center, and pledged its assistance in building this center. The Authorities first steps toward fulfilling this promise consisted of providing a \$15,000 technical assistance grant and helping six community groups to incorporate as the Chinatown Community Center, Inc.<sup>38</sup> The Chinatown Community Center, Inc. would be the developer of Parcel C.

### **A Deal is Cut**

By 1993, things had changed. Mayor

Raymond Flynn was gone. The Boston Redevelopment Authority had a new executive director,<sup>39</sup> and a multimillion dollar debt.<sup>40</sup> The Chinatown Neighborhood Council was composed of business interests instead of community activists, and New England Medical Center was funding the Council's operating expenses.<sup>41</sup> The real estate boom, which was supposed to fund the Chinatown Community Center, had gone bust. The economy was still in a recession, and money was scarce.

In recognition of these realities, the Chinatown Community Center, Inc. scaled back its plans for a community center from 90,000 to 50,000 square feet. The group also approached New England Medical Center about forming a joint venture. To their dismay, New England Medical Center's only offer for a joint project was to build a small 10,000 square foot community center in exchange for the rest of Parcel C. Yet again, New England Medical Center wanted to build a huge garage on Parcel C. To no one's surprise, the Chinatown Community Center, Inc. rejected this offer immediately.<sup>42</sup>

But the Chinatown Community Center, Inc. was not the only place New England Medical Center could pitch its offer. New England Medical Center approached the next logical player. The hospital made an offer to the Boston Redevelopment Authority that an agency swimming in red ink found too good to pass up—two million dollars for Parcel C and an easy approval process. Needless to say, the Authority became a major backer of the hospital's garage plans.<sup>43</sup>

New England Medical Center also made the same offer to the Chinatown Neighborhood Council. In return for Parcel C, New England Medical Center would build

a 10,000 square foot community center—or even better, provide \$1.8 million in cash to the community. The money would be given in trust to the Council for distribution.<sup>44</sup>

In March 1993, the Chinatown community found out about the New England Medical Center deal. A veritable storm of criticism hailed forth. On May 17, 1993, when New England Medical Center formally presented its deal for approval to the Chinatown Neighborhood Council, over one hundred community members showed up to the Council's meeting. For the next several hours, speaker after speaker decried the hospital's garage proposal. Despite this intense opposition, the lure of 1.8 million dollars proved too much. The Chinatown Neighborhood Council approved the deal that night.<sup>45</sup>

### **The Community Organizes**

With the approval of the New England Medical Center garage proposal by the Council, community activists and residents geared up for the next round of the struggle. Many were veterans of previous community struggles against Tufts and New England Medical Center, City Hall, and other government agencies. In fact, two of the groups that belong to the Chinatown Community Center, Inc. specialized in grassroots advocacy and community organizing.<sup>46</sup> Experienced in protest strategies, media relations, and community mobilization, they immediately went to work in using all of these avenues to oppose the hospital's garage proposal.

Activists soon found out that the Boston Redevelopment Authority would hold a hearing on June 10, 1993 to determine whether to give preliminary approval to the hospital's garage proposal. The day before the hearing, a

rally was organized in front of New England Medical Center to demonstrate the opposition of the Chinatown community to the garage proposal. Over 250 people showed up to protest.<sup>47</sup> It was the beginning of the community's effort to use media against the garage. Opponents of the garage knew that despite whatever angle the press would take, putting out the facts in the media alone would garner them public support.

The opposition against the garage did not simply consist of a rally. Residents and community activists also began circulating petitions well before the June 10 hearing. By the time the hearing was held, opponents of the garage had over 2,500 signatures ready to deliver to the board of the Boston Redevelopment Authority. At the June 10 hearing, community residents and activists again spoke louder against the garage. And yet again, the attraction of 2 million dollars pulled harder than the public's protest. Despite tremendous opposition from the Chinatown community, the Boston Redevelopment Authority gave its preliminary approval to the deal with New England Medical Center.<sup>48</sup>

Even worse, the Boston Redevelopment Authority totally discounted the community's opposition to the proposed garage. Instead, the Authority had the audacity to suggest that the Chinatown community actually favored the proposed garage because the Chinatown Neighborhood Council had approved the deal. The Authority and City Hall held out the council as the true representatives of the Chinatown community, despite the fact that 2,500 community members had registered their protest against the garage proposal.<sup>49</sup> Like so many minority "leaders" that are recognized as legitimate by white governments, the Chinatown Neighborhood Council acted as

City Hall's puppet, approving actions that were ultimately detrimental to the Chinatown community. The Boston Redevelopment Authority believed it could shield itself against criticism using these minority stooges.

After the June 10 Boston Redevelopment Authority hearing, the struggle against the garage looked bleak. City Hall had taken its position, and proved immune to community protest. The Boston Redevelopment Authority had its token Chinatown group to hold out as "true community representatives." The power of money appeared too strong to fight. Yet community members were not willing to give up the struggle. It was too great an injustice and harm, for them to ignore. Despite what looked like formidable odds, the activists and residents prepared to continue the struggle.

The first and most critical step for activists was have the community itself define the goals and strategies of the struggle against the garage. Too many times, an ostensibly community-based struggle leaves out the participation of the people most critical to the process—the residents, the workers, the people most affected by the outcome of the struggle. Added to that tendency, was the historical exclusion of Chinatown residents, especially the elderly and recent immigrants, from the political process due to language and cultural barriers. It would be too easy for the Parcel C struggle to become a struggle of and by experienced English-speaking activists, in which the Chinatown community itself had no real ownership.

Given the level of emotion Parcel C provoked among residents, however, it was not difficult to take measures that would prevent the community from being disempowerment by its own activists as well as by New England

Medical Center and the City. The opposition to the garage proposal was formalized into an inclusive coalition, called the Coalition to Protect Parcel C for Chinatown. The steering committee of the Coalition was elected by community members at an open meeting. Four of the nine Coalition steering committee members were Chinatown residents. Both Coalition steering committee meetings and general meetings were conducted in Cantonese and English.

During the first open meeting, the community made clear its goal—no garage on Parcel C at all costs. The community didn't want any compromises. Residents stated very firmly that their opposition to the hospital's garage was stemmed from the environmental dangers that a garage would pose to them, their families, and their loved ones. Elderly women and teenagers expressed their fears that the additional traffic generated by the garage would cause more accidents. Three residents had already died after being struck by cars near the Parcel C site.<sup>50</sup> Residents were also concerned that the air pollution caused by cars using the garage would harm their health. They felt no amount of additional community benefits money was worth those risks.

A structure for the Coalition was also developed during that first open meeting. The steering committee would make day-to-day decisions for the Coalition. Important decisions, it was understood, would be brought back to the community during open general meetings. Subcommittees were also formed in specific areas: media relations, legal strategy, outreach to Chinatown community members, and outreach to other communities. The Coalition was ready for a sophisticated, multi-faceted, and well-orchestrated fight.

After the meeting, these committees quickly went about devising strategies in their respective areas. Many of these strategies were ultimately successful, although they took longer than the Coalition had ever imagined. It was not until the media campaign had generated over seventy-five articles and several television broadcasts, the community organizers had several rallies, after a year and a half of legal advocacy, and thousands of letters, that the Coalition had an effect. But ultimately, that effect was a victory, and well worth the effort.

### **The Environmental Front**

As the mainstream public has finally recognized, communities of color are disproportionately impacted by environmental hazards.<sup>51</sup> Chinatown has not been spared this environmental racism. From the air pollution caused by the Massachusetts Turnpike and the Southeast Expressway to the overcrowding caused by the medical institutions' expansion, the residents of this community have always been burdened by numerous environmental dangers.<sup>52</sup> A garage on Parcel C seemed only to further this history of environmental injustice against Chinatown.

Chinatown residents did not need a growing nationwide awareness of the ravages of environmental racism to understand what was happening in their community. The first reaction that residents had toward the garage proposal was alarm over the environmental consequences of several thousand additional new cars that a 455-car garage would generate. The burgeoning movement against environmental racism, however, did prove of great assistance in the struggle against the proposed garage.

Because of the new awareness of environmental racism, the Coalition was able to form alliances with and obtain the assistance of groups that would have never previously gotten involved in a struggle in Chinatown. Both mainstream environmental groups, such as the Sierra Club and the American Lung Association, and environmental justice groups, such as the Environmental Diversity Forum, joined with the Coalition. The Coalition was able to obtain legal support from the Conservation Law Foundation, which advocated against the proposed garage with state environmental agencies and provided advice and support to the Coalition's own lawyers. Because of the strength of their reputations with state environmental officials and their specialized knowledge of environmental issues, the support of these environmental groups proved invaluable.

One of the most difficult obstacles the Coalition faced was getting scientific and technical consultants to counter New England Medical Center's scientific studies. Most of the private consultants in the Boston area were too expensive for a grassroots organization. Fortunately, the Coalition was able to obtain the assistance of an affiliate of the Department of Environmental Health at Boston University's School of Public Health. Because of their emphasis on urban environmental problems, these experts could provide scientific information on the dangers of air pollution in minority communities. They also referred the Coalition to an inexpensive firm that conducted air pollution monitoring.

One of the most important allies of the Coalition came not from the environmental movement, but the health care movement. Health Care for All, a Massachusetts-based advocacy organization, had been targeting the

wealthy Boston teaching hospitals that were not fulfilling their obligations toward the urban communities in which they were situated. Because of the controversy over Parcel C, Health Care for All chose to focus on New England Medical Center, and joined hand-in-hand with the Coalition.<sup>53</sup> Health Care for All proved most effective in bringing critical public attention to New England Medical Center, especially when the group revealed that the hospital had paid thousands of dollars for antique pillow cushions for its CEO.

Finally, with a heightened awareness that acts of environmental racism were not isolated occurrences, the Coalition itself saw the advantage of establishing working relationships with other communities of color that were being threatened by environmental hazards.<sup>54</sup> With lines of communications now open, these communities were able to give each other technical assistance, and more importantly, moral support. The groups engaged in struggles against environmental racism were able to see that they were not alone, and to derive support from one another's victories. When the struggles of each community group started to wear them down, that moral support was the most critical factor of all.

### **The Referendum**

As discussed earlier, one of the most important results of the Parcel C struggle was the opportunity it provided for community members, especially the elderly and the young, to have a voice in what happened in Chinatown. Too many times, residents and community members had been denied the ability to participate in decisions affecting Chinatown. The Parcel C struggle was different—the Coalition

was dedicated to ensuring that residents and community members would make the ultimate decision about the proposed garage.

The Coalition hit upon the perfect method of both providing a means for the residents and community to have their voices heard, and showing City Hall and the rest of Boston conclusively that the Chinatown community did not want a garage on Parcel C. The Coalition would sponsor a referendum over the proposed garage. It would be true democracy in action. Each and every resident and community member would be given the opportunity to vote on whether they wanted a garage on Parcel C.<sup>55</sup>

To maximize the credibility of the referendum, the Coalition brought in a neutral third party to run the actual voting—the American Friends Service Committee. The Coalition knew that any referendum it sponsored would be attacked by the Chinatown Neighborhood Council and New England Medical Center as unfair, but the involvement of the AFSC would enhance the legitimacy of the referendum to the media and the general public. Voting would take place over the course of two days, and would be monitored by the AFSC and volunteers approved by that group.

On September 12 and 13, 1993, over 1,700 members of the Chinatown community voted on New England Medical Center's garage proposal. By an enormous margin of 1692 to 42, the community overwhelmingly rejected the hospital's garage.<sup>56</sup> The Coalition was ecstatic. This proved once and for all that Chinatown did not want a garage on Parcel C. City Hall could waver on the Chinatown Neighborhood Council's approval as much as it wanted—no group of puppets could speak as strongly as the community had spoken in the

referendum.

### **Organizing in a Non-English Speaking Community**

Because many Chinatown residents are recent immigrants, organizing in Chinatown always presents unique issues. As mentioned earlier, over two thirds of Chinatown residents speak Chinese at home. About 35 percent of Chinatown residents speak little or no English, and less than one third of Chinatown residents speak English very well.<sup>57</sup> Many of the strongest opponents of the garage were the elderly, who were also the least likely to speak any English. In fact, two members of the Coalition's steering committee were limited English speakers.

Fortunately, many of the activists in the Coalition were bilingual, and had extensive experience in community organizing in Chinatown. Rallies, petition drives, and letter-writing campaigns were all conducted in English and Chinese. The Coalition knew the strategies and methods to get non-English speakers, who might otherwise become very alienated from the struggle, to become active. By outreaching to Chinatown residents through the Chinese language press and door-to-door leafleting, the Coalition was able to bring residents out en masse.

One method that the Coalition used very successfully in keeping non-English speakers and the Chinatown community as a whole informed was to hold regular community-wide general meetings, conducted in Chinese and in English. Before each of these meetings, the Coalition would publicize the meeting extensively by calling people, leafleting, and publishing notices in the Chinese press to ensure that a wide segment of the Chinatown community attended.

The Coalition used these meetings to update the Chinatown community about recent events in the Parcel C struggle, such as communications with New England Medical Center and the City, the success or failure of legal strategies, and the Coalition's own future plans. The meetings were also an optimal time for getting the residents to be proactive. Coalition members would ask those attending the meetings to write letters, sign petitions, or help in preparing events. The meetings also helped sustain the momentum of the struggle and move it forward. Most important, the meetings were critical in receiving general community input. At the general meetings, the Coalition steering committee would have residents vote on important issues. Without these regular meetings, the community would have become isolated from the struggle.

### **Victories in Environmental Law**

One of the major victories of the Coalition's fight against New England Medical Center's garage was in the legal arena. With the assistance of Greater Boston Legal Services, the Coalition was able to persuade a state environmental agency to require New England Medical Center to conduct a full environmental review of its proposed garage. Ultimately, this environmental review took over a year. This not only forced New England Medical Center to justify its garage on environmental grounds, but it gave the Coalition the time that it needed to achieve a victory through the political process.

Because the garage proposal involved the sale of land by the Boston Redevelopment Authority, New England Medical Center had to fulfill the requirement of the Massachusetts Environmental Policy Act.<sup>58</sup> The hospital was

required to give a preliminary environmental report to the state environmental agency. On the basis of that preliminary report, the state agency would decide whether or not to require a full environmental impact report from the hospital.<sup>59</sup>

In its report, New England Medical Center included scientific studies demonstrating that it did not need to prepare a full impact report.<sup>60</sup> The Coalition knew that it had to respond to the preliminary report. It had to convince the state agency to require the hospital to prepare a full environmental impact report. The state environmental agency offered the best chance for government intervention on the side of the community—it was a neutral party, not a city agency, and could not be bought off or pressured by the hospital. Lawyers from Greater Boston Legal Services drafted a lengthy response to the hospital's report. Coalition members and allies, such as the Sierra Club and the American Lung Association, also sent in responses. And when the state agency held a hearing on the Parcel C garage proposal, the Coalition was prepared.

At the August 31, 1993 hearing on the hospital's garage proposal, the Coalition presented a tremendous amount of evidence against the garage to the state environmental agency—testimony from Oak Street residents that lived across from Parcel C, reports from the staff at South Cove Community Health Center, data that volunteers collected on traffic volume around Parcel C, and even a graphic picture showing the proposed garage 5 feet away from Acorn Day Care.<sup>61</sup> Despite their unfamiliarity with environmental law, the Coalition and its attorneys were ultimately persuasive. The community won a resounding victory when the state environmental agency

ordered New England Medical Center to conduct a full environmental review of its garage proposal. Even better, the state agency ordered the hospital to focus on the areas of air pollution, traffic, and open space and recreation—the very areas that the community was most concerned about.<sup>62</sup>

Of course, both the Coalition and the lawyers realized that this was only an environmental review process, and could not actually stop the hospital's garage. State law only forced the hospital to study the environmental dangers of the garage and to mitigate them. Still, this victory gave the Coalition more time to conduct its political and media campaign. More important, the state environmental agency had validated the concerns of the Chinatown community about the hazards of New England Medical Center's proposal.

It took New England Medical Center until February 28, 1993 to complete the full environmental impact report. Even though the report took eight months to complete, the Coalition realized upon reading it that the report was still incomplete and full of misrepresentations. The Coalition realized that it had grounds to request a second, more complete and more accurate environmental impact report. Again, the Coalition's lawyers sent a lengthy response to the hospital's report, refuting inaccuracies and pointing out omissions page by page. Individual Coalition members, the Coalition's architect, the Conservation Law Foundation, the Coalition's scientific experts, and Health Care for All also sent in responses.

The Coalition again prevailed. The state environmental agency ruled that New England Medical Center's full environmental impact report was inadequate and deficient, and ordered the hospital to prepare a second,

supplemental report.<sup>63</sup> The Coalition was ecstatic about this victory. Not only had the state agency validated their concerns about the environmental hazards of the proposed garage, the agency had also validated the community's long-standing sentiment that New England Medical Center had a habit of making misrepresentations and omissions. Finally, there was a government agency, unlike the City, that was not willing to let the hospital get away with it.

### **Translation of Environmental Documents**

One goal the Coalition developed was to have the above environmental documents translated into Chinese. The Coalition wanted the residents to be able to read and comment upon the documents for themselves. After all, there was no one better qualified to look for factual flaws in New England Medical Center's studies on traffic and environment in Chinatown than the residents who lived there. Unfortunately, the Coalition did not have the resources to translate the environmental impact report, which was comprised of 240 pages of text and 680 pages of appendices.<sup>64</sup> Therefore, the Coalition asked the state environmental agency to require New England Medical Center to translate the document.<sup>65</sup>

The Coalition wanted the environmental documents to be translated so that the non-English speaking residents could meaningfully participate in the environmental review process. After all, without a Chinese translation, many of the people who would bear the brunt of the environmental ills of the proposed garage, and who were most concerned about the issue, would be excluded. On the other hand, obtaining a Chinese translation of

the environmental review documents would be another step, like the referendum, toward eliminating the historical exclusion of Chinese speakers.

The Coalition prevailed in part. Because the Coalition had made its request for a translation after the full environmental report had been prepared, the state agency felt the Coalition's request was too late. The state agency, however, did decide that parts of the second, supplemental environmental report, which had not yet been prepared, should be translated into Chinese.<sup>66</sup> This also constituted a major victory for the Coalition and many of its member groups, since it was the first time that a government agency in Massachusetts had required the translation of an environmental document into Chinese.

Not only did the state agency require a Chinese translation of the supplemental environmental report, the agency also proposed that New England Medical Center meet with the Coalition, and come to an agreement as to which portions of the supplemental report should actually be translated.<sup>67</sup> Unlike City Hall, the state environmental agency was recognizing the Coalition as an equal, and as the representative of the Chinatown community. The state agency was forcing the City and New England Medical Center to deal with the Coalition.

Although the supplemental environmental report was never written, the Coalition's success in this matter alone was a significant outcome of the Parcel C struggle. The Coalition's actions set a precedent in Massachusetts: when an environmental issue affects a linguistic minority, translation of critical documents should be the norm. This was especially important to Chinatown and the Massachusetts Asian American community,

because government agencies usually translated documents for these groups less often than for other non-English speaking populations.

### **Conclusion**

Ultimately, the Coalition and the Chinatown community won its battle against New England Medical Center's proposed garage. The victory took a year and a half, and was by no means complete. Although the media, the state environmental agency and the general public recognized that the Coalition was the representative body for the Chinatown community, City Hall and the Mayor's Office did not. When the City finally reversed its decision over Parcel C, it deliberately excluded the Coalition from the process.

On October 21, 1994, the Coalition received a call from a reporter at the *Boston Herald*. Did they know that the Mayor's Office had issued a press release about Parcel C? New England Medical Center was withdrawing its garage proposal. In addition, Mayor Thomas Menino was going to sign an agreement with the Chinese Consolidated Benevolent Association over Parcel C. This agreement would preserve Parcel C for housing and would forbid all institutional use on the land. The Benevolent Association was also going to be given oversight authority over Parcel C.<sup>68</sup>

The Coalition was stunned. No one from the Mayor's Office had spoken to them about a settlement. No one had asked them to sit at the negotiation table or even give their input. Furthermore, the Benevolent Association was made up of the same people who sat on the Chinatown Neighborhood Council, and had approved the hospital's garage proposal less than two years ago. The Coalition had been

shut out, and the community sold out.

It took a few days for the Coalition members to realize they had also won. There would be no garage on Parcel C. The Coalition had stopped New England Medical Center. It was amazing—a grassroots coalition of residents and organizations had stopped one of the most powerful institutions in Boston.

Of course, the Coalition realized there was, and still is, more work to do. Not only is the Benevolent Association made up of the same people as the Neighborhood Council, but it is notorious for squandering land and money given to it in trust for the community. Only a few years ago, the Benevolent Association had taken land that was given to them to build housing, and rented it to a supermarket. The Benevolent Association had also spent all of the rental income in mysterious and untraceable ways.<sup>69</sup> The Coalition and its members have the unpleasant task of ensuring that the same events do not occur with Parcel C.

Despite the victory over Parcel C, the community groups and residents that made up the Coalition have a long, hard road before there is significant success in the larger struggle—the struggle to preserve Chinatown in the face of institutional expansion. Even as the Parcel C fight was concluding, a new proposal for expansion was being advanced by Tufts University Schools of Medicine and Nutrition to build three new high rise buildings in residential Chinatown.<sup>70</sup> It seems that as long as the medical institutions are around, the struggle for Chinatown's survival will continue.

**Notes**

1. Historically, there is a very close relationship between Tufts University and New England Medical Center. The hospital has always been the primary teaching affiliate of Tufts University School of Medicine. Indeed, New England Medical Center and parts of Tufts University became formally one institution since 1962 or earlier, when the two institutions renamed the group "T-NEMC." The entity T-NEMC was the title-holder of several pieces of real estate within the Tufts-New England Medical Center facilities. For this reason, even though Tufts and New England Medical Center later separated into two distinct entities in the mid-1980's, in many respects, they still function as one institution.
2. In 1990, the two medical institutions owned 27 percent of the land in Chinatown. Boston Redevelopment Authority, Chinatown Community Plan (1990), 58 [hereinafter "Chinatown Community Plan"]. Since 1990, New England Medical Center has acquired the two parcels which were part of the settlement of its lawsuit, discussed below. These two parcels total over 370 gross square feet. New England Medical Center, Draft Environmental Impact Report for Parcel C Garage, 1-27.
3. The Chinatown Coalition, Chinatown Community Assessment Report, 13 (1994) (Citing Boston Redevelopment Authority's Summary of the 1990 United States Census) [hereinafter "Chinatown Coalition Report"].
4. *Ibid.*, at Appendix A, vi.
5. Chinatown Coalition Report at 13 (Citing Boston Redevelopment Authority's Summary of the 1990 United States Census).
6. Chinatown Community Plan, 64.
7. This translates into a ratio of about 9,600 persons per acre of open space. Compare this to the ratio of persons to acre of open space in the wealthy, predominantly white neighborhood of Back Bay/Beacon Hill, which has a ratio of 210 persons per acre. Chinatown is also one of the few neighborhoods in Boston without a public library branch. It has very few outdoor recreational facilities. Chinatown Coalition Report, 26-27.
8. Chinatown Community Plan, 30-36. For example, in September 1994, when a mixed income housing development in Chinatown began to accept applications for rentals, over 1,600 people waited in line for eighty-eight units. ["1,000 Wait in Chinatown for Hours for New Housing," *Boston Globe*, August 28, 1994]. Chinatown has the lowest vacancy rate in Boston—3.2 percent. There are 1,431 units of housing for a population of about 5,000. Chinatown Community Plan, 31.

9. Chinatown Community Plan, 31–32.
10. See Kennedy, *Planning the City Upon a Hill*, (Amherst: University of Massachusetts Press, 1992), 200–220.
11. Boston Redevelopment Authority, Diagnostic Report of Residents to be Relocated—South Cove Urban Renewal Project (1967), 7.
12. See 1996 Cooperation Agreement between the Boston Redevelopment Authority and Tufts-New England Medical Center.
13. Chinatown Community Plan, 23.
14. During the early 1990s the Massachusetts Department of Environmental Protection's monitor for carbon monoxide at Essex Street in Chinatown showed several violations of limits set by the Environmental Protection Agency. Furthermore, in 1987, carbon monoxide levels at the Kneeland Street portal of the Dewey Square Tunnel, adjacent to Chinatown, were estimated at eight different locations. These carbon monoxide levels were some of the highest in the City of Boston. At five out of the eight locations, modeled projections of carbon monoxide levels exceeded the EPA's limit. Massachusetts Department of Public Works, Final Supplement Environmental Impact Report for Central Artery (I-93)/Tunnel (I-90) Project, 4.11.
15. Chinatown suffers from "chronic traffic congestion, while pedestrian safety in the heavily concentrated residential areas has been threatened. Chinatown Community Plan, 18. In addition, "the neighborhood is also fragmented and isolated by heavy traffic in its midst or circulating at its borders, while it suffers from a deteriorating environmental quality." *Ibid.*, 64.
16. Palmer, "Pike Exit to Back Bay Pushed," *Boston Globe*, Nov. 15, 1994.
17. Chinatown Community Plan, 23.
18. Suffolk County Registry of Deeds, Book 16512, 171.
19. Chinatown Community Plan, 138A.
20. New England Medical Center, Draft Environmental Impact Report for Parcel C Garage, 1–4.
21. Testimony of Chia-Ming Sze, Architect, before the Executive Office of Environmental Affairs, August 31, 1993.

22. Oak Terrace, which was completed in December 1994.
23. Quincy Elementary School, South Cove Community Health Center, and Quincy School Community Council. See Chinatown Coalition Report, 29.
24. Quincy Towers.
25. Tai Tung Village, which has 240 units of housing.
26. See Suffolk County Registry of Deeds, Book 8072, 276–288; Suffolk County Registry of Deeds, Book 8094, 639–647.
27. The 1966 Cooperation Agreement between the Boston Redevelopment Authority and Tufts-New England Medical Center provides that the hospital could acquire certain parcels of land in the South Cove Urban Renewal area, including land that now makes up Parcel C.
28. Bagley, "NEMC Car Garage is Rejected by No Vote in Neighborhood Council," *Sampan*, February 1987.
29. Pantridge, "Medical Center, BRA Face Off in Chinatown," *Boston Herald*, June 30, 1988.
30. *Ibid.*
31. "Protesters Fight Medical Center Expansion Plan," *Boston Herald*, July 8, 1988.
32. O'Malley, "NEMC Files Suit to Take Oak Street Building," *Sampan*, July 6, 1988.
33. See *New England Medical Center v. Boston Redevelopment Authority*. Suffolk Sup. Ct. 88-3649 (Decision denying application for permanent injunction dated November 16, 1988), appeal denied, (Appeals Ct. Docket No. 88-J-784). Further appeal of the case was dismissed by Joint Motion from all parties in 1991.
34. See Land Disposition Agreement, Suffolk County Registry of Deeds, Book 16512, 175.
35. *Ibid.*
36. *Ibid.*
37. New England Medical Center, Master Plan 1990–2000 (1990).

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38. Lowe, "Center Commitments Should be Honored," *Sampan*, March 19, 1993.
39. The new Executive Director, Paul Barrett, would become well-known for his promotion of massive institutional expansion projects at the expense of local communities. See Gendron, "Big Projects Pit Residents Against City Hall," *Boston Herald*, July 20, 1993.
40. See Walker, "Flynn Allies May Face Layoffs," *Boston Globe*, March 31, 1994.
41. See New England Medical Center, Draft Environmental Impact Report for Parcel C Garage, 8–3.
42. Lowe, "Center Commitments Should be Honored," *Sampan*, March 19, 1993.
43. Cassidy, "Chinatown to Vote on Garage Proposal," *Boston Globe*, May 15, 1993.
44. Tong, "Chinatown Neighborhood Council Approves Controversial Garage Plan," *Boston Globe*, May 23, 1993.
45. *Ibid.*
46. These groups were the Chinese Progressive Association and the Asian American Resource Workshop.
47. See Gendron, "Chinatown Residents Protest New Garage Plan," *Boston Herald*, June 9, 1993.
48. "BRA Supports NEMC Garage on Oak Street," *Sampan*, June 18, 1993.
49. *Ibid.*
50. See "The Real Problem with Parcel C," *Boston Globe*, June 3, 1993. One of the streets near Parcel C, Washington Street, was identified as one of the twenty-six most dangerous locations for pedestrian fatalities in the City of Boston. Boston Transportation Department—Pedestrian Safety Task Force, Report on Pedestrian Safety (1992), 9.
51. See, e.g., Executive Order 12898, printed at 59 Fed. Reg. 7629 (February 16, 1994) (mandating that all Federal agencies make achieving environmental justice for minority populations a part of their missions).
52. See section A, *supra*, notes 12–16.
53. See Gendron, "Activists Slam NEMC Service Record" *Boston Herald*, November 10, 1993.

54. The Coalition established working relationships with the Coalition Against the Asphalt Plant, Dudley Street Neighborhood Initiative, and the Environmental Diversity Forum.
55. Voting in the referendum was limited to Chinatown residents and Asian Americans in Massachusetts. The reason that all Asian Americans in Massachusetts were permitted to vote was because so many non-Chinatown residents had a stake in what happened in Chinatown. Chinatown is really the heart of the Asian American community in Massachusetts, and in some ways, all of New England. Because of institutional expansion and urban renewal, the very ills that had brought about the Parcel C struggle, many Chinese Americans had been prevented from living in Chinatown or had been driven out. Even though these Chinese Americans lived in Quincy or Allston-Brighton, they still needed Chinatown for its groceries, its ESL classes, its employment agencies, its community health center, and its vocational training classes.
56. Gendron, "Chinatown Vote Says No to Garage," *Boston Herald*, September 15, 1993.
57. Chinatown Coalition Report, 13 and Appendix A, vi.
58. Mass. Gen. Law, ch. 30, secs. 61 and 62.
59. Code of Massachusetts Regulations, ch. 301, Part 11.
60. New England Medical Center, Environmental Notification Form for the Parcel C Garage Project (July, 1993).
61. Van Schuyver, "State Hears Opposition to Chinatown Garage Plan," *Boston Globe*, September 1, 1993.
62. Certificate of the Secretary of Environmental Affairs on the Environmental Notification Form for the Parcel C Garage (September 9, 1993).
63. Certificate of the Secretary of Environmental Affairs on the Draft Environmental Impact Report for the Parcel C Garage (April 29, 1994).
64. Actually, the Coalition did not want a full translation of all 240 pages, because the full environmental impact report was written in highly technical and obtuse language. Instead, the Coalition wanted an understandable, but thorough, abstract of the significant portions of the report. The difficulty with so many of these environmental review documents, which are supposed to be written in terms comprehensible to the general public, is that they are not understandable to the average reader.
65. This strategy was actually suggested to the Coalition's attorneys by Luke Cole, an attorney at the

Center on Race, Poverty, and the Environment, who had successfully used it in an environmental struggle involving a Spanish-speaking community.

66. Certificate of the Secretary of Environmental Affairs on the Draft Environmental Impact Report for the Parcel C Garage, 7–8.

67. *Ibid.*

68. Gendron, "Menino: Developer Puts the Brakes on Chinatown Garage," *Boston Herald*, October 22, 1994.

69. "CCBA Uses Community Housing Money to Cover Its Own Expenses," *Sampan*, March 18, 1994.

70. "Tufts Plan Questioned at Chinatown Meeting," *Sampan*, August 5, 1994.