

Federal Colonias Policy in California: Too Broad and Too Narrow

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Abstract

In this article, we compare colonias in Texas and California and evaluate the federal policy relating to them. In Texas, designated colonias are recently subdivided but unregulated housing settlements that lack infrastructure. California's designated colonias are old communities, with varying demographics, infrastructure needs, and jurisdictional authority. Because subdivisions are strongly regulated in California, we did not expect to find designated colonias there. In actuality, there are over 30.

However, federal policy is based on Texas colonias, and we argue that it is too broad because it fails to distinguish between inherently distinct areas and investment needs. Paradoxically, the federal criteria for defining colonias are also too narrow. Many locally designated colonias in California do not qualify for funding because they are not close to the Mexican border or exceed the population ceiling. Ironically, some of the colonias that fail to qualify have the worst housing conditions.

Keywords: Federal government; Infrastructure; Low-income housing

Introduction

For planners and policy makers in the United States, the housing settlements called colonias—subdivisions without basic physical infrastructure—are a relatively recent phenomenon. Because of their Spanish name, many policy makers regard them as alien and out of place in this country. Most of the designated colonias are along the southern border of Texas and were developed between the 1960s and the 1980s. Colonia developers subdivided land, mostly in peri-urban areas, where regulations prescribing minimum standards for housing conditions and basic services were weak or nonexistent. This development model of subdividing and selling land to individual buyers, without the provision of physical infrastructure, is also the dominant method of housing

delivery for low-income groups in most developing countries, including Mexico.

Emphasizing access to land, as this model does, allows for an incremental approach. Unlike conventional housing processes, an incremental development approach starts with the occupation of land and is followed over time by the gradual construction of dwellings and the provision of infrastructure. This helps lower the initial cost, increasing affordability and access to housing. For the poor in developing countries, it is almost impossible to access conventional housing finance, and the only strategy for owning a home is through incremental development. However, this implies incremental consumption as well. With their inadequate infrastructure and substandard housing conditions, these settlements have become the visual metaphors for urban poverty and housing deficiencies in the developing world.

The recognition of such Third World-like developments in Texas drew political and public attention (U.S. Congress 1988). As early as the late 1980s, the popular media in the form of the *Washington Post*, *Newsweek*, and *Life* magazine featured stories on the state's colonias with their poor living conditions (Hill 2003). More elaborate television programs on colonias in Texas, such as *The Other America* on CBS's *60 Minutes* (1995) and *The Forgotten Americans* on public television (Galan 2000), followed. One consequence of the heightened public attention is that the conventional wisdom on colonias in Texas now guides the federal government's policy on colonias in general. The Cranston-Gonzalez National Affordable Housing Act of 1990 obligated the U.S. Department of Housing and Urban Development (HUD) to earmark Community Development Block Grant (CDBG) funding for upgrading the housing and infrastructure of colonias. It mandated a set-aside for the improvement of colonias in all the states along the U.S.–Mexico border: namely, Texas, New Mexico, Arizona, and California. The underlying logic was that since colonias follow the pattern of low-income housing delivery in Mexico, they were likely to be found in all the border states.

Despite this conventional wisdom, we did not expect to find colonias in California. Our reading of the literature suggested that the lax enforcement of weak subdivision regulations in Texas explained the development of colonias there (Ward 1991). Because California has a legacy of robust land development regulations (Fulton 1991), such unregulated, substandard subdivisions seemed unlikely. To our surprise, California does have designated colonias. Its Department of Housing and Community Development (HCD) recognized 15 communities in Imperial County, a border county, as colonias, and these are eligible for HUD funding (State of California 2002). This discovery led to our research project.

Our preliminary review indicated that the literature did not explain or discuss California's designated colonias. We found references to colonias in the state's Chicana/o Studies literature (Palerm 1991; Rochin 1989), but these scholars do not focus on settlements designated through the policy process as colonias because of poor housing and infrastructure. On the contrary, they refer to rural communities with a majority of Hispanic residents as colonias. We acknowledge, nonetheless, overlaps between these demographically based colonias and the policy-designated ones. Our primary interest, however, is in the latter, and our research had two key objectives. First, given California's strong land development regulations, we were interested in understanding how the designated colonias in California were formed and in documenting how they compare with the more recognized settlements in Texas. Second, we were interested in evaluating the effectiveness of the Texas-informed federal policy for designated colonias in California.

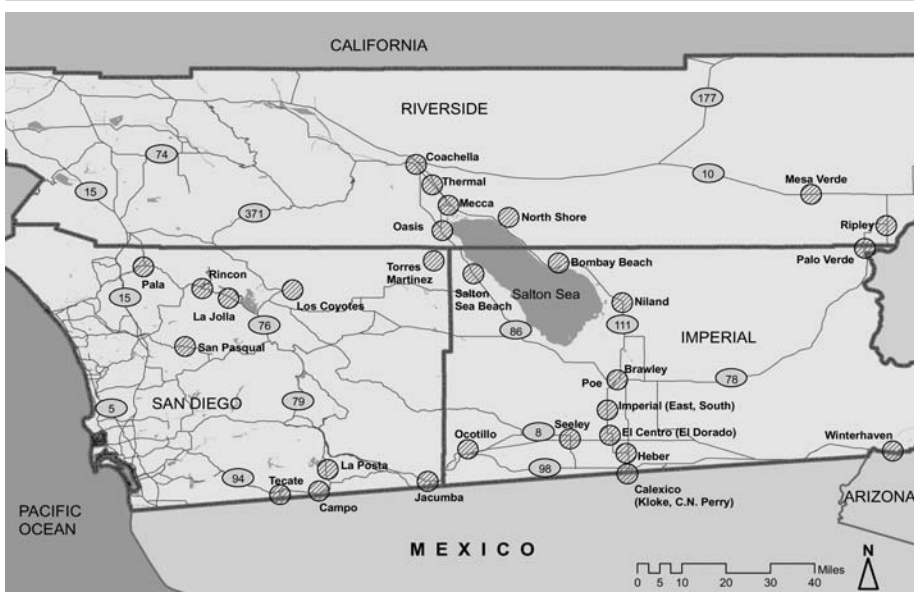
Our research suggests that the concept of colonias in policy discourse is too broad and that our initial skepticism at finding colonias in California was partially justified. The designated colonias there are different from recognized colonias in Texas. Although there has been debate in Texas about the appropriate definition of a colonia, the literature indicates that these settlements are relatively recent, peri-urban, and homogeneously Hispanic. They result from subdividing land, frequently in floodplains, without providing infrastructure, and have housing that is below standard but is being incrementally expanded and improved (Davies and Holz 1992; Ward 1991; Ward and Carew 2000, 2001; Ward, de Souza, and Giusti 2004).

By contrast, California's recognized colonias are relatively older and more ethnically heterogeneous, with deficient and decaying infrastructure and housing in need of rehabilitation. Most of them are best described as old rural communities and towns that need infrastructure upgrades and investment in housing. Some are retirement communities and others are found on American Indian tribal lands. Further, there is no good reason for such infrastructure-poor towns and rural communities to be limited to the border region in California. Why should Southern California communities designated as colonias be included under the federal CDBG set-aside program but not an old farming village in the state's Central Valley or an old mining town in Appalachia? Research from New Mexico and Arizona also suggests that designated colonias in other states differ substantially from the conventional colonias of Texas (Huntoon and Becker 2001; Koerner 2002).

We are not arguing that funding is not needed in the designated colonias of California. On the contrary, our research suggests that more policy initiatives and funding support are required. In addition to the 15 colonias desig-

nated in Imperial County and recognized by the HCD, we found another 17 colonias—8 in Riverside County and 9 in San Diego County—designated by their local governments, including sovereign Indian tribes (see figure 1 and table 1). Areas can be designated as colonias by a resolution of the county government or tribal council, but the designation does not guarantee eligibility for, or access to, federal funds. The designated colonias outside of Imperial County unfortunately do not meet HUD’s eligibility criteria. The infrastructure and housing investment needs of the colonias in Riverside and San Diego Counties are similar to, if not more severe than, the deficits in Imperial County. But Riverside and San Diego Counties are metropolitan statistical areas (MSAs) with over a million people, which disqualifies them from HUD’s CDBG set-aside for colonias.¹ We assume that the MSA criterion was not a problem in Texas.

Figure 1. Map of California’s Colonias



¹ CDBG money is split among states (dispersed to nonentitled communities through a state community development agency) and local jurisdictions that are designated as entitlement communities. Entitled counties are those whose populations are over 200,000, excluding the populations of entitled cities (those that are the central city of an MSA or have a population of over 50,000). The CDBG set-aside for colonias is disbursed through the state HCD. However, Riverside and San Diego Counties are entitlement communities, so they receive CDBG funding directly from HUD. Our research shows that both counties invest some of these funds in their colonias, although they do not have programs that distinguish these communities. Allocating state-level CDBG funds to colonias within these counties might create an incentive for county governments to ignore their colonias. But it is not clear which of the possible funding structures would provide more money for improving housing and living conditions in recognized colonias.

Table 1. Designated Colonias in California

Imperial County	Riverside County	San Diego County
1. Brawley County Water District	1. City of Coachella	1. Campo*
2. Bombay Beach	2. Mecca	2. Jacumba
3. C.N. Perry	3. Mesa Verde	3. La Jolla*
4. East Colonia	4. North Shore	4. La Posta*
5. El Dorado	5. Oasis	5. Los Coyotes*
6. Heber	6. Ripley	6. Pala*
7. Kloke Tract	7. Thermal	7. Rincon*
8. Niland	8. Torres-Martinez*	8. San Pasqual*
9. Ocotillo		9. Tecate
10. Palo Verde		
11. Poe		
12. Salton Sea Beach		
13. Seeley		
14. South Colonia		
15. Winterhaven		

Source: Authors' research and State of California 2002.

*Tribal colonia.

In addition to HUD, funding is also available from the U.S. Department of Agriculture (USDA) and the U.S. Environmental Protection Agency (EPA). Some designated colonias, however, do not qualify for funding from these agencies either. EPA limits its colonia funding to places along the Mexican border, which it defines on the basis of the North American Free Trade Agreement (NAFTA) as up to 62 miles (100 kilometers) north of the border. USDA limits its colonia funding to rural areas with less than 20,000 residents. As a result, many California communities are not eligible.

We conclude that the federal policy for colonias in the border states is by default based on an interpretation of the Texas experience. The Cranston-Gonzalez National Affordable Housing Act of 1990 generalized on the basis of Texas that colonias exist in all the border states. Thus, federal agencies have also used conditions in Texas colonias to define the eligibility criteria for funding in the four border states. Federal policy is achieving some success in dispensing funds for needed improvements in communities in California, but agencies are using paradoxical definition and designation criteria: They are both too broad and too narrow. Our research suggests that policies appear to treat settlements that are inherently different the same way, but consider intrinsically similar settlements differently. California colonias receiving federal fund-

ing have different development histories and needs from designated colonias in Texas. At the same time, designated colonias in California that succeed in accessing federal funds are similar to many of the other communities in the state that cannot meet federal eligibility criteria. Recognizing these shortcomings suggests the need for a reassessment of policies and implementation criteria.

The main body of this article presents the evidence to support these arguments.² Our emphasis is on the nontribal colonias. The tribal colonias are the eight American Indian reservations that have been designated as colonias and received colonia funds from USDA. They share a number of characteristics with the nontribal colonias, but they are sovereign and independent of county and state regulations, so comparisons are not as informative.³ The first section of the article focuses on the literature and evidence from Texas, discusses the policies for colonias there, and introduces the federal colonia programs. The following two sections present our findings on the colonias in California. First, we examine the colonias in Imperial County, compare them with the archetypal colonias of Texas, and highlight key differences. Next we discuss the designated colonias in Riverside and San Diego Counties, which are not recognized by HCD or HUD. In the conclusion, we reiterate our main arguments and share our policy and research recommendations.

Texas colonias and the federal programs

By the late 1980s, policy makers in Texas, including the state comptroller, were alarmed by the colonias and publicly derided them as the state's "Third World" (*Texas Observer* 1989, quoted in Davies and Holz 1992, 119). Four main factors combined to facilitate the development of these colonias: a poor population with an unmet demand for affordable housing, an underused supply of land, a lack of regulations on the subdividing of rural land, and a legal mechanism for selling lots. Many of the state's Mexican immigrants from

² We conducted the research over a 30-month period between January 2003 and June 2005. It is based on both primary and secondary data from multiple sources, including a comprehensive review of the literature; site visits to all the state's colonias (except for La Posta and Rincon, two inaccessible tribal colonias in San Diego County); and semistructured, open-ended interviews with a limited number of residents and civil society representatives, in addition to at least one public official from every agency involved in identifying, designating, upgrading, or funding improvements for colonias in California. Further, we reviewed every available public document on colonias in California, including funds dispersed, notice of funds available, definitions, designation criteria, and county resolutions designating areas as colonias.

³ The tribal colonias are also eligible for direct funding support through HUD's Indian CDBG program. Moreover, the tribal colonia designation is not limited to individual settlements within reservations but rather can extend to the entire area. We recognize the need for, and recommend, additional research on designated tribal colonias.

the bracero program (1942 to 1964) and first-generation Mexican Americans had very low incomes and could not afford market-rate rental property or access traditional housing finance. Entrepreneurial developers recognized this demand and began to legally subdivide rural land into housing lots. Although Texas law required developers to provide infrastructure such as water, sewers, and roads for housing developments inside city limits, no regulations on providing infrastructure in rural subdivisions were enforced until 1989 (Ward 1991). Moreover, although many of these developments were in floodplains, they were not illegal. The developers sold the land using a contract for deed,⁴ which until its amendment in 1995 allowed for the sale of unimproved lots, with the purchase price paid in installments. The title was transferred to buyers only after they had paid off the property in full, giving the seller the right to reclaim the lot and keep all payments after a single default. The system was still attractive to low-income buyers because it was simple and no down payment was required. There was, however, the potential for abuse by sellers because there was no foreclosure period or protection for the buyer's equity. Many lots in Texas colonias were repossessed and resold, sometimes more than once, by unscrupulous developers (Ward 1991).⁵

The logic of incremental development

Ward (1991) reframed the policy perspective on Texas colonias in his seminal work, *Colonias and Public Policy in Texas and Mexico: Urbanization by Stealth*, by comparing them with the *colonias populares* of Mexico. He illustrated the high degree of similarity between the housing development processes

⁴ Contract for deed is also known as contract of sale or land installment contract and is not unique to Texas. Many other states including California have similar provisions (Price 2001). However, we did not find any evidence that contract for deed was used in the designated colonias of California. It is also likely that states like California have more regulatory safeguards and provisions to protect the rights of buyers using a contract for deed.

⁵ Another key problem is the higher health risk and incidence of disease in the colonias. A number of articles in public health and medical journals point out that health problems in these areas and communities are similar to those found in the developing world (Davidhizar and Bechtel 1999; Leach et al. 2000; Redlinger, O'Rourke, and VanDerslice 1997). In their article entitled "Health and Quality of Life within Colonias Settlements along the United States and Mexico Border," Davidhizar and Bechtel argued that the limited water and sanitation infrastructure is at the heart of the problem (1999). Several studies of children along the U.S.–Mexico border indicate a prevalence of diseases common to the developing world and associated with overcrowding and unsanitary living conditions. Redlinger, O'Rourke, and VanDerslice (1997) found that 16.9 percent of the children they studied had hepatitis A and recommend improved disposal systems for excreta and educational programs to combat this disease. Similarly, Leach et al. (2000) found cryptosporidiosis, an infection caused by an intestinal parasite known as *Cryptosporidium parvum*, at levels comparable to those seen in Brazil and Venezuela in children living along the Texas-Mexico border. They recommend public health measures focusing on safe and sanitary drinking water.

and logic of the colonias on both sides of the border. He observed that as was the case in Mexico and most of the developing world, the housing process in Texas colonias was based on incremental development, with a gradual improvement in housing and infrastructure. Recognizing the immense poverty in the state, Ward (1991) argued that Texas policy makers could learn from Mexico. First, they could support the upgrading of colonias as viable neighborhoods through public infrastructure investments guided by community participation. Second, the state could actively promote incremental development as an affordable housing strategy.

Policy responses in Texas

Contrary to Ward's (1991) call for supporting colonias and incremental development as an integral part of housing policy, Texas policy makers have focused on preventing the development of colonias and modestly upgrading existing ones. In 1987, the state legislature began approving bills and resolutions to provide funds for moving water, wastewater, and sewage in colonias (see table 2). After the Texas legislature reformed subdivision rules in 1989 with Senate Bill 2 and again in 1995 with House Bill 1001, it modified the contract for deed procedure and added protections for buyers' rights with Senate Bill 336 in 1995. Since 2001, the Texas legislature has also involved county governments more actively in upgrading and regulating colonias.⁶

Most of the legislative action in Texas was based on the assumption that colonias were confined to the border region. The state limited its policies to this region, which it defined as up to 150 miles north of the border with Mexico. But many policy makers recognized that colonias were not so limited and that funding was needed in other parts of the state. An important bill was introduced in the 77th session of the Texas legislature (2001): House Bill 829 proposed to change the state's definition of a colonia by eliminating the requirement that colonias be within a certain distance of the border, but it was defeated.⁷ In 2006, however, the Texas Office of Rural Community Affairs

⁶ The first action, House Bill 666 (2001), changed the rules governing conflicts between counties and cities over jurisdiction and responsibilities for peri-urban areas. The bill aimed to facilitate the improvement process for failing sewer and water systems. The second action, House Bill 1445 (also 2001), mandated city or county approval for all subdivision plats (Koerner 2002).

⁷ The bill was amended in committee and reintroduced, proposing another definition for infrastructure-deficient communities, calling them "non-border colonias." The premise was that settlements exhibiting all the characteristics of a colonia were found throughout the state, yet were ineligible to receive funds for water projects because of their distance from the border. However, HB 829 did not make it out of committee a second time. For more information, see Texas Legislature Online (n.d.). Subsequent research has also argued that colonias exist in Texas far beyond the border region, but adequate policy responses are lacking (Ward 2004).

Table 2. Key Policy Responses in Texas

Year	Policy Action
1987	SB 896 consolidated subdivision regulations, and SB 408 expanded municipal extraterritorial jurisdictions.
1989	SB 2 established the Texas Water Development Board's Economically Distressed Area Program, called for model subdivision rules, and made subdivision regulations stricter.
1991	SB 1189 increased the reach of laws preventing colonia formation and made them stricter.
1993	HB 2079 increased the enforcement powers of the Texas Attorney General.
1995	HB 1001 significantly changed subdivision regulations, and SB 336 modified contract for deed procedures.
1997	Four SBs made minor changes to subdivision regulations.
1999	SB 1421 and SB 710 further modified subdivision regulations.
2001	Over 10 bills expanded colonias programs and funding and revised contract for deed procedures, subdivision and septic tank regulations, and building codes.

Source: Texas Attorney General n.d. (b).
SB = Senate Bill; HB = House Bill.

successfully launched the Non-Border Colonia Fund to support water and sewer facility improvements beyond the border region (Arosemena and Hartzell 2006). The state's experience with the limitations of the border region as a useful criterion for disbursing funds suggests that federal agencies should be cautious about defining colonias on the basis of distance from the border.

The colonia programs of federal agencies

The Cranston-Gonzalez National Affordable Housing Act of 1990 enacted one of the most significant national policy actions related to colonias by stipulating that part of HUD's CDBG funds in the four border states be set aside for upgrading colonias. This policy was important because it exported the awareness and definition of a colonia to the other three states. In addition to allocating responsibility to HUD, the Cranston-Gonzalez National Affordable Housing Act of 1990 also inspired EPA and USDA Rural Development (USDA-RD) to develop funding programs for colonias. Together with providing funds for moderate upgrading, the initiatives of all three federal agencies attempt to stop the formation of new colonias by refusing aid to areas not in existence before 1989 or 1990.

HUD's CDBG colonias set-aside program. The CDBG set-aside is the primary federal vehicle for assisting colonias, and it is complemented by the possibility of institutional technical assistance in the form of HUD's colonia specialists. Ten percent of state CDBG funds are set aside annually for colonias projects in Texas, New Mexico, and Arizona. In California, the set-aside has been between

2 and 5 percent because HUD recognizes fewer colonias in that state.⁸ HUD defines a colonia as

[An] identifiable community, outside of a Metropolitan Statistical Area with a population exceeding one million, that is within 150 miles of the U.S.-Mexico border in Arizona, California, New Mexico, and Texas and that has a lack of potable water supply, inadequate sewage systems, and a shortage of decent, safe and sanitary housing. (2003)⁹

EPA. In 1993, three institutions were created within EPA to address border environmental infrastructure in tandem with the signing of NAFTA with Mexico: the Border Environmental Cooperation Commission (BECC), the Border Environmental Infrastructure Fund (BEIF), and the North American Development Bank (NADBANK). BECC has two primary functions, a Project Development Assistance Program, through which it issues project and technical assistance grants, and a project certification program, which makes projects eligible for grants from BEIF and subsidized loans from NADBANK. The programs are limited to the U.S.–Mexico international boundary, defined in NAFTA as 100 kilometers or 62 miles from the border (EPA 2003).

USDA–RD. The main channel of USDA–RD assistance to colonias is through the Rural Utilities Service, which provides funds for water and wastewater projects in colonias, although the department also considers colonias in a rural rental housing loan program. The Rural Utilities Service (Regulation 1777.4) defines a colonia as follows:

Any identifiable community designated in writing by the State or county in which it is located; determined to be a colonia on the basis of objective criteria including lack of potable water supply, lack of adequate sewage systems, and lack of decent, safe, and sanitary housing, inadequate roads and drainage; and existed and was generally recognized as a colonia before October 1, 1989. (USDA–RD, Rural Utilities Service n.d.)

These federal agencies also have other restrictions on their funds that can limit communities' access to them. For example, although USDA does not have a rural element in its definition, its colonia funds go through the Rural Utilities

⁸ There are an estimated 1,800 colonias in Texas, 138 in New Mexico, and 77 in Arizona (Donelson and Huguin 2001; Koerner 2002; Texas Attorney General n.d.(a)).

⁹ The MSA condition is used to distinguish rural areas from suburban communities. In addition, HUD requires eligible colonias to have been developed before the Cranston-Gonzalez National Affordable Housing Act of 1990.

Service, which stipulates that the population of beneficiary communities cannot exceed 20,000. Additionally, to be eligible for HUD colonia funds, communities must have a certain percentage of households whose income is below the county's area median income. Table 3 summarizes and compares the criteria used by the three agencies. The variations suggest that colonias can be difficult to define.

Table 3. Criteria Used by Federal Agencies to Define Colonias

	HUD	EPA	USDA
U.S.–Mexico international boundary*		X	
Within 150 miles of the border	X		
Low income	X	X	
Rural	X		X
Unincorporated		X	
Lack of basic infrastructure	X	X	X
Substandard housing	X	X	X
Recognized by the county	X		X
Predating 1989 or 1990	X		X

Source: EPA 2003, HUD 2003, and USDA–RD, Rural Utilities Service n.d.

*This is defined in NAFTA as 100 kilometers or 62 miles from the border.

Compared with Texas, the literature on colonias in New Mexico (Koerner 2002; Simmons 1997) and Arizona (Donelson and Holguin 2001; Huntoon and Becker 2001) is limited, but it does suggest that colonias are not easily defined in those states. Researchers point out that the designated colonias in New Mexico and Arizona tend to be older and more heterogeneous than those in Texas and emphasize the need for states to develop their own policy frameworks. Our findings for California are similar.

California's HUD-recognized colonias and their access to federal funds

Because of its stringent land development regulations, we did not expect California to have colonias, but chanced on a policy document listing 15 designated settlements (State of California 2002). All them are in Imperial County. To access the CDBG funds set aside for California, county and state (HCD) officials used HUD's definition and criteria to designate these colonias in four waves: 1991, 1993, 1995, and 2002. Six of the colonias were later incorporated by the cities of Brawley, Calexico, Imperial, and El Centro.

The development of California's colonias

As was the case in Texas, designated colonias in California were developed before the introduction of land subdivision requirements. But unlike Texas, most of Imperial County's designated colonias were developed almost a hundred years ago as agriculture in the Imperial Valley began to prosper with irrigation from the Colorado River. Table 4 shows their age and also notes which of them are distinct town sites rather than peri-urban settlements. As the table indicates, all the colonias were developed before 1929, a key year in California's land use planning history. In that year, the state's Subdivision Map Act was revised "to require subdividers to dedicate land for streets and sidewalks, provide utility easements, and conform their subdivision configurations to major roads" (Fulton 1991, 144). Throughout the 1930s, a series of amendments to the Act gave progressively more power to local governments to control the development of subdivisions and exact improvements from developers (Fulton 1991).

The original Subdivision Map Act, the first land use law passed by the California state legislature, was approved in 1907. The act imposed procedural requirements, mandating developers to file maps of subdivisions. Its objec-

Table 4. Age of the Colonias in Imperial County

Name	Distinct Town Site	Jurisdiction	Year of Annexation	Year of Designation	Approximate Year of Development
Brawley County Water District	No	City of Brawley	1982	1995	1902
Bombay Beach	Yes	County of Imperial	NA	1993	1919
C.N. Perry	No	City of Calexico	1993	1991	1902
East Colonia	No	City of Imperial	2001	1993	1901
El Dorado	No	City of El Centro	1996	1993	1905
Heber	Yes	County of Imperial	NA	1993	1903
Kloke	No	City of Calexico	1993	1991	1902
Niland	Yes	County of Imperial	NA	2002	1905
Ocotillo	Yes	County of Imperial	NA	1993	1903
Palo Verde	Yes	County of Imperial	NA	1993	1903
Poe	No	County of Imperial	NA	1991	1902
Salton Sea Beach	Yes	County of Imperial	NA	1993	1928
Seeley	Yes	County of Imperial	NA	2002	1909
South Colonia	No	City of Imperial	2001	1993	1901
Winterhaven	Yes	County of Imperial	NA	1993	1916

Source: Authors' research and interviews by the authors with the Imperial County Assessor's Office; State of California 2002.

NA = not applicable.

tive was to maintain precise records of property transactions and to keep track of ownership to provide buyers with clear title. But the act did not impose any prescriptive or substantive requirements on developers. In 1929, the regulatory framework changed and became more demanding.

Housing and infrastructure conditions

Although the colonias in Imperial County are different in terms of their political jurisdiction, size, and population, most of them need housing rehabilitation and improvements to their insufficient or aging infrastructure. The stock varies in both kind and condition. There are manufactured houses, mobile homes, and stick-frame (post and beam) houses. It is common for the manufactured houses and mobile homes to have subsequent additions, including decks with awnings and extra rooms. Many of the colonias have a small mobile home section, with manufactured and stick-frame homes in most of the area. Some of the colonias have more homogeneous housing. For example, Salton Sea Beach is composed almost entirely of manufactured housing, both single- and double-wide units.

Housing conditions also vary. Some units are ready to collapse and need immediate attention, but others, for example in the C.N. Perry colonia, are sufficiently well built and in such good condition that classifying their communities as colonias is awkward. An assessment in 2003 indicated that about half of the houses in the unincorporated colonias of Imperial County need rehabilitation (Imperial County Community and Economic Development [ICCED] 2003b).¹⁰ In addition, the vacancy rate in most colonias is high—up to 60 percent (see table 5). We surmise that the vacancy rate is due to a combination of abandoned houses and seasonal residents.¹¹

Water infrastructure is similarly varied. Some of the designated colonias, like Bombay Beach, have had main water lines and individual household connections for many years. Others like the East Colonia and the South Colonia have been recently connected with the help of federal grants, but in most

¹⁰ The needing rehabilitation classification is based on criteria established by HCD. These criteria are based on the number of major or minor repairs needed in five areas: foundation, roofing, siding, windows, and electrical. If no repairs or one minor repair is needed, the unit is sound; two minor repairs or one major repair qualify as a minor need, while three minor or two major repairs or a combination thereof is defined as moderate. If repairs are required in all structural areas, then needs are substantial, and if the cost of repair is estimated to exceed the cost of replacing the structure, it is classified as dilapidated. Structures classified as having minor needs or above are considered to need rehabilitation.

¹¹ Like the low-occupancy rates in Texas colonias, which are primarily caused by lots being purchased as a long-term investment and not subsequently built on (Ward and Carew 2000), a high vacancy rate can prove problematic in providing infrastructure and services. Lower density of residents or units is likely to increase the cost of providing service for existing households.

Table 5. Housing Conditions in Imperial County's Unincorporated Colonias

Name	Units That Need Rehabilitation (%)	Vacancy Rate (%)
Bombay Beach	52	60
Heber	25	4
Niland	69	20
Ocotillo	54	43
Palo Verde	53	40
Poe	53	NA
Salton Sea Beach	73	48
Seeley	40	5
Winterhaven	43	16

Source: ICCED 2003b and U.S. Bureau of the Census 2000.

NA = not available.

of the recently serviced communities, households have not yet paid for and connected their individual lines. One exception is Kloke, where all the residents were hooked up by the city of Calexico with the help of grant money. In addition to affordability, our research suggests that many residents prefer trucked-in water, particularly for drinking and cooking. Even in communities that have had water lines and household connections for a while, many residents buy potable water from private distributors.¹²

At the other extreme are the communities of Oasis and the city of Coachella colonia, which still do not have water lines. In communities with old water supply systems, a key problem is funding for repairs and upgrading. For example, North Shore and Tecate have particularly dilapidated systems. Most of the communities, moreover, do not have a back-up water supply, so even if the system needs only minor repairs, it has to be shut down.

The wastewater situation is worse. Fewer colonias have sewer lines, and many homes use private septic tanks. Most of the older wastewater systems need funds for improvements and repairs. Where new wastewater lines have been laid, few households have paid for individual connections. Some of the communities are too far away from large population centers or have too small a population to justify the large cost of a sewer treatment system. In places like Ocotillo, the water table is low, the soil is absorbent, and septic tanks work fairly well. But in Palo Verde, the water table is high, and there have been prob-

¹² This might be explained by the quality of the water or the reliability of the service. We are developing a research project to better understand the water problems in colonias, including residents' expectations of water quality from lines and trucks.

lems with backed-up tanks and overflowing sewage. Another key, and easily apparent, deficiency in almost all the colonias is the lack of or shortage of paved roads, sidewalks, gutters, storm drains, and streetlights. In these areas, unpaved roads are a significant source of particulate matter pollution.

Demographics and growth

Even though the maps of most of the town sites are locked—meaning that the county planning department will not allow further subdivisions around them—there is still the potential for infill growth. In addition, the lot sizes in some of the colonias are large enough to be further subdivided into smaller parcels. This is more likely in the colonias that are incorporated into cities and have more demand for additional housing. As table 6 indicates, one notable growth trend in Imperial County is the decrease in the population of Ocotillo, Palo Verde, and Poe during the 1990s, and another is that Niland and Salton Sea Beach are growing at a much slower rate than the rest of the county. The table also highlights two key variables in the demographics of the unincorporated colonias of Imperial County that distinguish them from conventional colonias in Texas. First, a number of the colonias have a disproportionate number of elderly residents, for example, more than a fifth of the population of Bombay Beach, Ocotillo, Palo Verde, and Salton Sea Beach is over 65. Many are seasonal residents, known as “snowbirds.” They are mostly white retirees

Table 6. Demographics of Imperial County’s Unincorporated Colonias (2000)

Name	Population	Population Change from 1990 to 2000 (%)	Over 65 (%)	Hispanic (%)	Rental (%)
Bombay Beach	366	41	32	19	28
Heber	250	20	9	98	27
Niland	1,142	7	15	55	30
Ocotillo	296	-22	23	20	28
Palo Verde	236	-12	32	19	25
Poe	160	-14	NA	NA	27
Salton Sea Beach	392	6	40	22	21
Seeley	1,624	39	7	82	35
Winterhaven	529	54	16	56	56
Imperial County	142,361	39	10	72	41

Source: ICCED 2003a and U.S. Bureau of the Census 2000.

Note: Unfortunately, because the incorporated colonias in Imperial County are not within specific measuring units of the census, it is impossible to gather detailed demographic data on them without survey work. The cities of Brawley, El Centro, Imperial, and Calexico do not keep data on the areas designated as colonias separately from the data for the city. But because of a recent study (ICCED 2003b), there is more demographic data on the unincorporated colonias.

who come from other parts of the country and live in California only during the winter. Their settlements are designed as modest retirement retreats, with minimal services or facilities but easy access to bodies of water for views and recreation. Second, the large elderly population is correlated with a lower Hispanic population. Only about a fifth of the residents in these colonias are Hispanic. This is quite different from Texas, where colonias are not retirement communities and the population is almost uniformly Hispanic (Ward 1991).

Colonias in California and Texas

We did not expect Texas-like, unregulated, substandard subdivisions in California. Many of the Texas colonias were developed between the 1960s and 1980s, with a surge during the 1980s (Larson 2002). California's designated colonias, by contrast, were developed close to a century ago, before the state instituted strict subdivision regulations. Therefore, in a number of settlements, some infrastructure services were never provided. In others, the government subsequently provided some services, but because the settlements are old, the infrastructure needs repairs and reinvestment. Our findings are similar to those in previous research on Arizona and New Mexico, suggesting that many of the designated colonias in these two states are older settlements (Donelson and Holguin 2001; Huntoon and Becker 2001; Koerner 2002). In addition, in California many of these old settlements were developed as retirement or recreation communities, and unlike colonias in Texas, they are not predominantly Hispanic. Moreover, many of California's designated colonias have housing, but units are often vacant and need rehabilitation. This is different from Texas, where colonias tend to have empty lots. The differences between California and Texas suggest that the federal operating definition of colonias is too broad since it fails to appreciate significant distinctions, investment needs, and priorities. But how should policy makers more narrowly define colonias?

Defining colonias

As we continued our research, we found more designated colonias, including eight in Riverside County, which is just north of Imperial County and within HUD's 150-mile-wide border region. In 1996, the director of the USDA Rural Utilities Service issued a memorandum authorizing USDA-RD to accept colonia designations by the County of Riverside for water, wastewater, and housing improvement funding (Board of Supervisors, Riverside County, 2004). This opportunity prompted the Board of Supervisors to designate Mesa Verde, Ripley, and Oasis as colonias in 1997 and Mecca, North Shore, and Thermal in 1999 (Board of Supervisors, Riverside County, 1997, 1999).

Our site visits to these colonias indicated that they are similar to the designated colonias in Imperial County.¹³ Riverside County's colonias, however, do not qualify for the HUD designation and CDBG set-aside. Unlike Imperial County, Riverside County is an MSA with over a million residents, thereby exceeding a key criterion that HUD uses to distinguish rural areas and thus colonias. More recently, at the request of Coachella, the county designated an area within the city limits as a colonia (Board of Supervisors, Riverside County, 2004). Coachella's city manager was familiar with colonias programs from previous experience in Imperial County. He also knew that because of the city's location in Riverside County it would not be able to access HUD funding, but he hoped to access USDA funds. Although the city exceeds the population ceiling of 20,000 used by USDA to classify an area as urban, Coachella has continually been exempted from this rule (USDA–RD n.d.). Nevertheless, USDA has not yet accepted the city's request for colonias funds. Our research indicates that the agency is likely to deny the request because the city's population is growing rapidly and now exceeds 25,000.¹⁴ Unfortunately, the designated colonia will not qualify for funding from EPA either. Although it lies within HUD's defined border region, the city of Coachella is more than 62 miles north of the border and thus outside EPA's border region. While we acknowledge the need to target funds narrowly to settlements that need investment, we disagree with the emphasis on distance from the border and population size as appropriate criteria.¹⁵

USDA officials in Southern California also actively informed the many sovereign tribes in the region that with the colonias designation, they would be eligible to receive funding for the water and wastewater improvement projects most of them need. As a consequence, the Torres-Martinez tribe of Desert Cahuilla Indians in Riverside County designated their reservation as a colonia. In addition, several tribes in San Diego County were also interested in the opportunity to access USDA funds. Seven designated their reservations as colonias in their individual tribal councils and have succeeded in accessing USDA

¹³ We do not have complete data on the age of the colonias in Riverside and San Diego Counties, but our research suggests that they are similar to Imperial County in this respect. For example, the original subdivision maps for Mecca in Riverside County and Jacumba in San Diego County were drawn in 1915 and 1919, respectively (Map #009, Riverside County Assessor's Office, and Map #1707, San Diego County Assessor's Office).

¹⁴ This surmise is based on interviews with the City Manager of Coachella and with a Community Development Specialist, USDA–RD, Indio, in March 2005.

¹⁵ Another example of the misdirected narrowness in colonia definition and funding eligibility criteria is the difference in housing conditions between the towns of Ripley in Riverside County and Palo Verde in Imperial County. The two are only about 10 miles apart. Although housing conditions in Ripley are noticeably worse than they are in Palo Verde, their location in different counties means that Ripley is not eligible for HUD funds, while Palo Verde is.

funds. A few years ago, a member of the San Diego Board of Supervisors successfully lobbied for the colonias designation for the communities of Tecate (population of 100) and Jacumba (population of 700) (Board of Supervisors, San Diego County, 2002, 2003a). They have succeeded in accessing USDA funds as well. The colonias in San Diego County, however, like the colonias in Riverside County, are not eligible for HUD's CDBG set-aside because the county is also an MSA with over a million residents.

Housing and infrastructure conditions

Our site visits indicated that the colonias in Riverside County have housing and infrastructure conditions as bad as, if not worse than, those found in Imperial County. Many of the units are dilapidated, although there has been no systematic assessment of the housing conditions as there was in Imperial County. Like the town site colonias in Imperial County, the communities of Mecca, Thermal, Ripley, and Mesa Verde are distinct towns. Some of the worst housing conditions we observed were in Oasis and the city of Coachella. The data provided by the latter indicate that 90 percent of the colonia's housing is substandard and that 90 percent of its residents have low or very low incomes (City of Coachella 2004).

Similarly, a recent report prepared for the San Diego Board of Supervisors (2003b) identifies improved housing and water systems as the infrastructure and housing investment priorities for tribal areas. Our site visits also show that most of the housing in tribal colonias needs rehabilitation, although many exhibit signs of current construction and efforts at other improvements (for example, roads being paved on the Campo reservation and construction of housing on the Rincon reservation). A key obstacle to the upgrading of living conditions in the tribal colonias is their low density and relatively dispersed housing, which increase the cost of networked infrastructure.

Demographics and growth

Colonias in Riverside County are demographically more homogeneous than those in Imperial County. With the exception of North Shore and Mesa Verde, the residents are predominantly Hispanic. The data presented in table 7 are from 1990, but on the basis of our interviews with officials, we assume that not only is the population higher today, but the vacancy rate is also lower.¹⁶ North Shore, like two other Imperial County colonias—Bombay Beach and

¹⁶ Even though comparison data were not readily available because of changes in the census tract block groups between 1990 and 2000—block groups in the resolutions designating Thermal, Oasis, North Shore, Mesa Verde, Ripley, and Mecca as colonias are not found in the

Table 7. Demographics of Riverside County's Nontribal Colonias (1990)

Name	Population	Housing Units	Over 65 (%)	Hispanic (%)	Vacancy Rate (%)
Thermal	4,460	1,104	4	92	7
Oasis	2,838	790	4	91	15
North Shore	631	373	20	32	49
Mesa Verde	3,278	395	3	40	40
Ripley	1,048	352	8	72	16
Mecca	5,402	1,059	4	98	1
City of Coachella	556	NA	NA	NA	NA

Source: City of Coachella 2004 and U.S. Bureau of the Census 1990.

NA = not available.

Salton Sea Beach—is located near the Salton Sea. It is, however, slightly different from them and the other colonias in Riverside County in that it shares some characteristics of a retirement or recreation community and might be undergoing a demographic transition. Our interviews and a dissertation written on the area (DuBry 2004) suggest that it is changing from a predominantly white retirement community to a working-class Hispanic town. The Desert Alliance for Community Empowerment (DACE), a local nonprofit, is actively developing new affordable housing there, and most of the buyers are Hispanic families.¹⁷

Of course, the tribal colonias are not predominantly Hispanic. Nonetheless, the majority of the population on the Pala, Rincon, and Torres-Martinez Reservations is Hispanic (see table 8). We presume that this suggests the existence of a significant number of nonmember residents on tribal land.¹⁸ The low vacancy rates in the tribal colonias, ranging from 3 percent to 9 percent except for La Jolla, and the high rate of population growth in most of the tribal colonias in the 1990s imply a strong demand for housing in the county. In addition,

2000 census—most public and nonprofit officials we interviewed agreed that there has been significant population growth in most of the colonias.

¹⁷ This information comes from our interviews with a Community Development Specialist for USDA–RD in Indio, an attorney for the California Rural Legal Assistance in Coachella, and the Project Manager for DACE in Riverside County in March 2005. Our interviews also suggest that the real estate market in the area has been extremely active since the middle of 2004. Winterhaven in Imperial County appears to be on a similar transition path. Its name suggests that it was developed as a retirement or recreation community. Its demographics, however, indicate that it is changing from a retirement settlement to a one dominated by Hispanics, since only 16 percent of its residents are over 65 and a little more than half of the population is Hispanic (table 6).

¹⁸ This is also implicit in Board of Supervisors, San Diego County, 2003b.

Table 8. Demographics of the Tribal Colonias

Name	Population	Population Change from 1990 to 2000 (%)	Housing Units	Over 65 (%)	Hispanic (%)	Rental (%)	Vacancy Rate (%)
La Posta	18	80	6	6	16	0	0
Los Coyotes	70	21	23	3	2	22	0
La Jolla	390	157	143	5	16	34	18
Pala	1,573	47	408	3	51	40	4
San Pasqual	752	47	228	4	45	37	6
Campo	351	25	111	4	17	37	9
Rincon	1,495	11	385	6	60	49	3
Torres-Martinez	4,146	184	933	4	92	60	8

Source: Board of Supervisors, San Diego County, 2003b and U.S. Bureau of the Census 1990, 2000.

the relatively high share of rental tenure in the colonias that also have a high share of Hispanic residents suggests that some of the demand for affordable housing is being met with rental units located on tribal land. The possibility that tribes are developing affordable rental housing on their land merits further research.

The experience from San Diego, Riverside, and Imperial Counties indicates that there is a strong need for affordable housing in the area. Although the designated colonias in these counties are different from the settlements in Texas, the strategy of incremental development might be a potential approach to increasing access to affordable housing and therefore deserves policy attention. In addition, these counties also need funds to rehabilitate existing housing. But in San Diego and Riverside Counties, the limitations on accessing funding suggest that the prevailing criteria in federal colonia improvement programs are too narrow. Although our research does not answer the question of how to define colonias, it nonetheless emphasizes the need to revisit and reassess the prevailing definition, funding criteria, and funding programs.

Conclusion and recommendations

In the 1980s and 1990s, policy makers, planners, and scholars become aware of Third World–like housing subdivisions without basic physical infrastructure in Texas. These areas were given the name colonias, and they became the symbols of poverty, globalization, and transnationalism across the Texas–Mexico border. Although public policy, popular opinion, and the Spanish name link colonias to Mexico, our interpretation of the literature suggests that weak subdivision regulations and their lax enforcement in Texas, not the

geographical closeness to Mexico, explain the development of these settlements. Because California has a strong history of land development regulations, we were puzzled to find 15 communities designated as colonias there. They are in Imperial County and are recognized by the state and federal governments. Subsequently, we found another 17 designated colonias. Riverside County, San Diego County, and several American Indian tribes in the two counties have designated communities within their jurisdictions as colonias.

Our research indicates that the designated colonias in California are unlike the conventional colonias of Texas. They differ in a number of ways, including demographics and institutional jurisdiction. The key distinction, however, is that the designated colonias in Texas are relatively recent, substandard subdivisions without infrastructure, while most of California's designated colonias are old towns and rural communities with deficient and decaying infrastructure.

The differences between Texas and California suggest that the operating definition of colonias in public policy and debate is too broad since it fails to appreciate significant distinctions. Our California-based assessment echoes some of the findings of scholars in New Mexico and Arizona. It seems that in these states, a colonia is a community designated by a county, state, or tribe to be eligible for federal funds, rather than a discernible type of settlement. As different settlement forms of different ages and in different types of areas are included under the colonias designation, the logic of the policy becomes less clear and reassessment becomes necessary.

Nonetheless, federal policy makers have tried to define colonias narrowly. The key aspects that they have decided to focus on, however, seem wrong. Our research suggests that the definitions and eligibility criteria they have selected are too narrow. In California, half of the locally designated colonias are ineligible for funding because they are within an MSA with over a million residents, not because their housing and infrastructure conditions are different or better. HUD does not consider the 17 unrecognized colonias to be rural and thus does not consider them colonias. USDA expects colonias to be rural as well. But five designated colonias do not meet the agency's criterion for being rural because they are in cities whose population exceeds 20,000. Similarly, many of the colonias in Imperial County are incorporated by cities and are therefore not eligible to receive EPA funding.

Our biggest concern, however, is with the flawed premise limiting colonias to the border region and the basis on which this region is defined. For example, in the case of California, most of the colonias in Riverside County do not meet EPA's criterion for being in the border region (within 62 miles of it). Assuming that colonias are limited to the border region and that the border region can easily be defined is problematic.

We therefore have reached a paradoxical conclusion: Federal colonias policy is both too broad and too narrow. It is too broad because communities designated as colonias are heterogeneous, with different development forms, trajectories, and logic. At the same time, it is also too narrow because many settlements and communities that have similar housing conditions, development histories, and infrastructure needs but are separated by a few miles are treated differently. We urge policy makers to revisit the colonia programs, particularly the definitions and funding criteria. Because the current problem is both the breadth and narrowness of the definition, there are several implications for policy reform:

1. Federal policy should narrowly define colonias to target funding for upgrading and improving them. Although a narrower definition is important from the perspective of both equity and efficiency, proximity to the border should not be used as a criterion. In retrospect, it is not surprising that with federal funding available for infrastructure upgrades, local governments have designated communities as colonias. But from the fairness perspective, it is not clear that California's designated colonias are as deserving as those of Texas. Neither is it clear that the most deserving colonias in California are the most successful in accessing funding or that colonias deserve funding priority over undesignated areas. This suggests the need to narrow the definition of colonias and to assess just how equitable current funding practices are. This entails an evaluation of HUD's CDBG allotments and set-aside policies.
2. We suspect that the designated colonias in California represent only the tip of the iceberg. It is likely that there are many old towns and rural areas that need infrastructure and housing investments, and there is no reason for such settlements to be limited to the border region. California and the other states should lobby the federal government to reconsider existing rural development policies and programs. Our research and the California experience suggest the need for a new program, or several narrowly defined programs, to improve housing and infrastructure in old towns and rural areas. Further, it was believed that the deficiencies were not the government's responsibility in Texas because land developers were responsible for the lack of infrastructure and property buyers were also culpable since they had not paid for adequate and appropriate levels of services. If, however, the infrastructure deficiencies are a function of age, decay, newer standards, and the neglect of the public sector, as in California, it suggests the need for government support, both federal and state, in improving and upgrading the infrastructure.

3. California's experience with the existing federal programs for colonias suggests that their plurality makes it difficult to track and coordinate investments. If new infrastructure improvement programs are introduced, it is likely to make coordination even more necessary. We suggest that the state government take the lead in centralizing and coordinating information about the various programs to fund improvements. The information can subsequently be shared with federal, state, and regional agencies, local governments, residents, nonprofits, and local universities that might help with technical assistance.
4. State and federal governments should lead research efforts that explore the possibility of new technologies and alternative methods of providing affordable infrastructure and housing. There might also be a lesson to be learned from Texas. Colonias there, like the informal settlements in developing countries, follow an incremental development strategy. Incremental development is based on lower initial standards that can be improved over time. In the developing world as well as in the Texas colonias, health and safety problems can be associated with incremental development. Nonetheless, it might be possible to develop ownership-based housing for the very poor, which starts with low, albeit safe, standards that improve gradually to match more conventional expectations. Pilot programs implemented by the public sector or through public-nonprofit partnerships can provide an opportunity to evaluate such strategies.

As our assessment indicates, policy makers have numerous avenues for improving existing policies and the lives of residents of neighborhoods and communities with poor infrastructure. Federal colonias policy in California is far from satisfactory. The funding and designation criteria are too narrow in many ways, but the concept is too broad in others. Federal programs, however, have helped fund infrastructure and housing improvements in many communities. More important, they have helped highlight a key need for investment in old towns and rural communities with aging housing and infrastructure. Meeting these needs will require new funding programs and innovative practices. We suspect that such programs and practices will be relevant to more than just the state of California or the border region.

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