

## Focusing on EJ Process:

Representation, Participation, and Decision-making

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# The Transportation – Civil Rights Connection

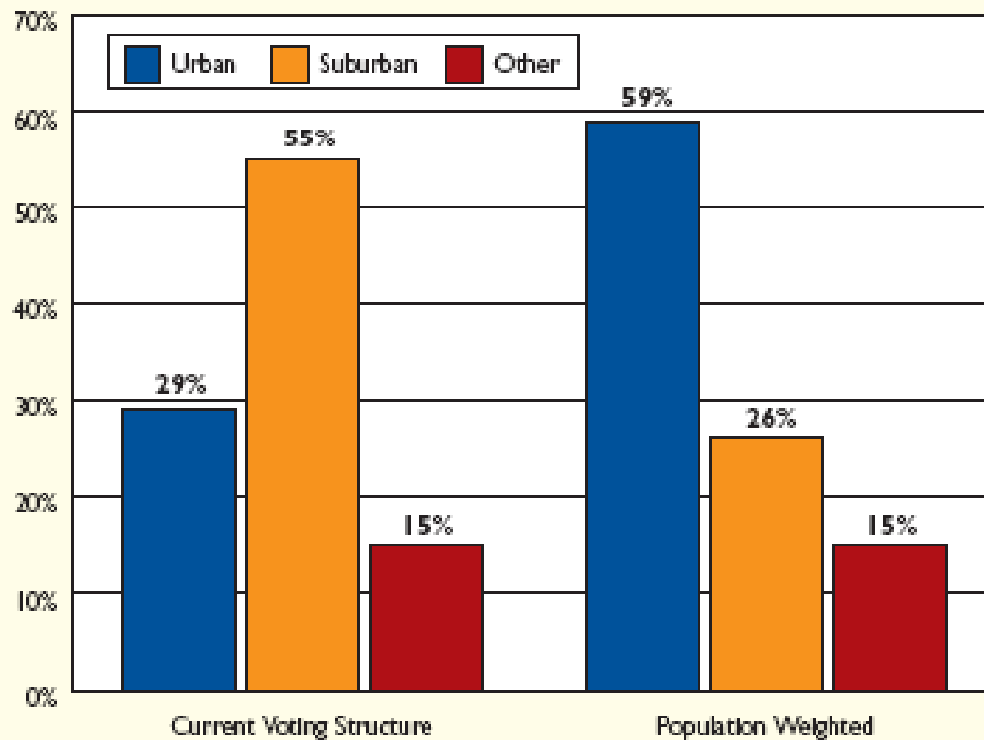
## Section 601 of Title VI

“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal Financial assistance.”

--42 U.S.C. Section 2000d

# Representation, Participation, and Decision-making

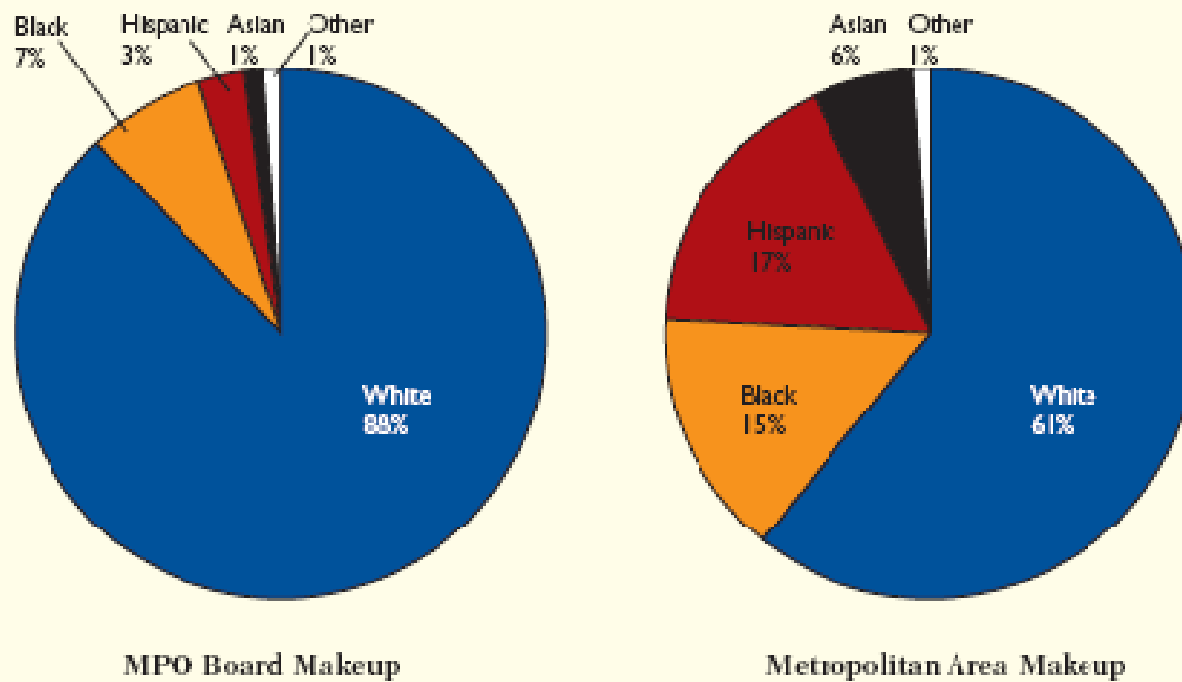
Figure 1. Differences between unweighted and population weighted voting on MPO boards (2004)



Source: Author's analysis of MPO data

# Representation, Participation, and Decision-making

Figure 2. Racial/Ethnic Composition of MPO Voting Board Members and Current Composition of the Corresponding Metropolitan Areas



Source: Author's analysis of MPO data

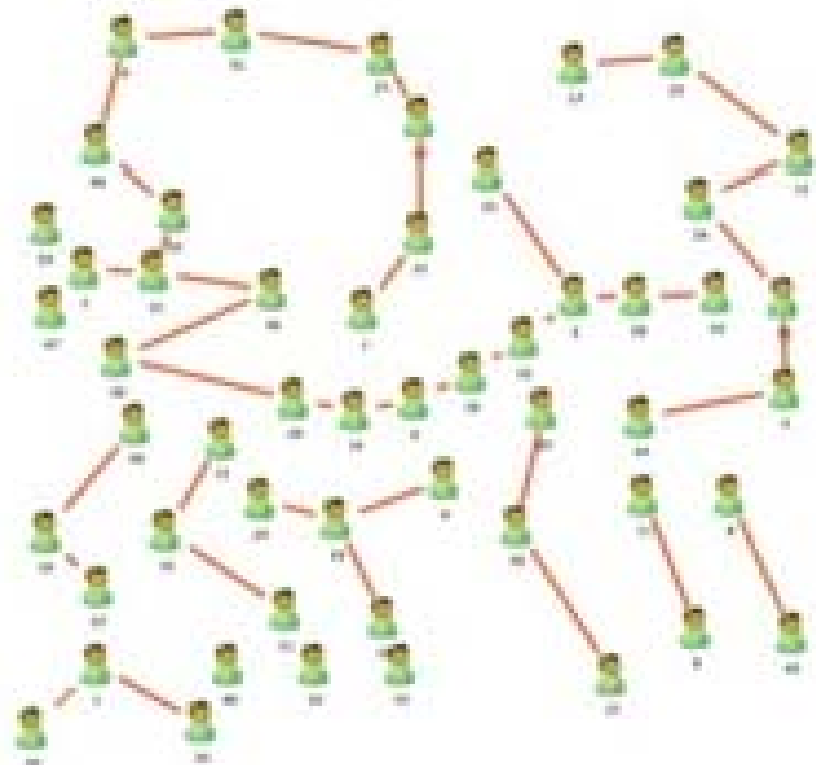
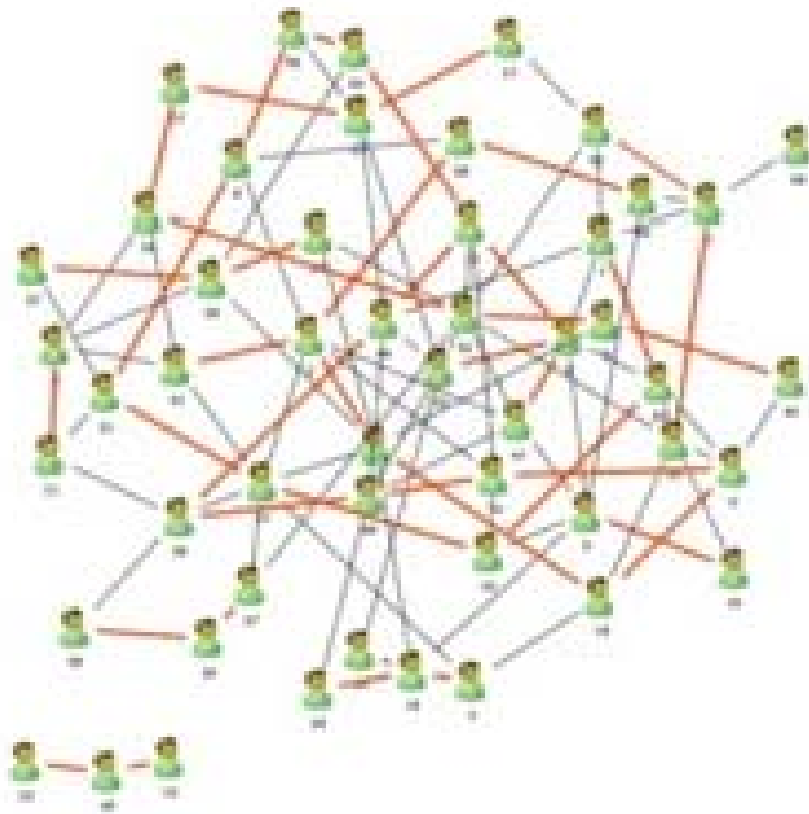
# A Case Study In Transportation Equity

- Darensburg v. MTC
- Issues examined
- Lessons learned
- Accountability framework

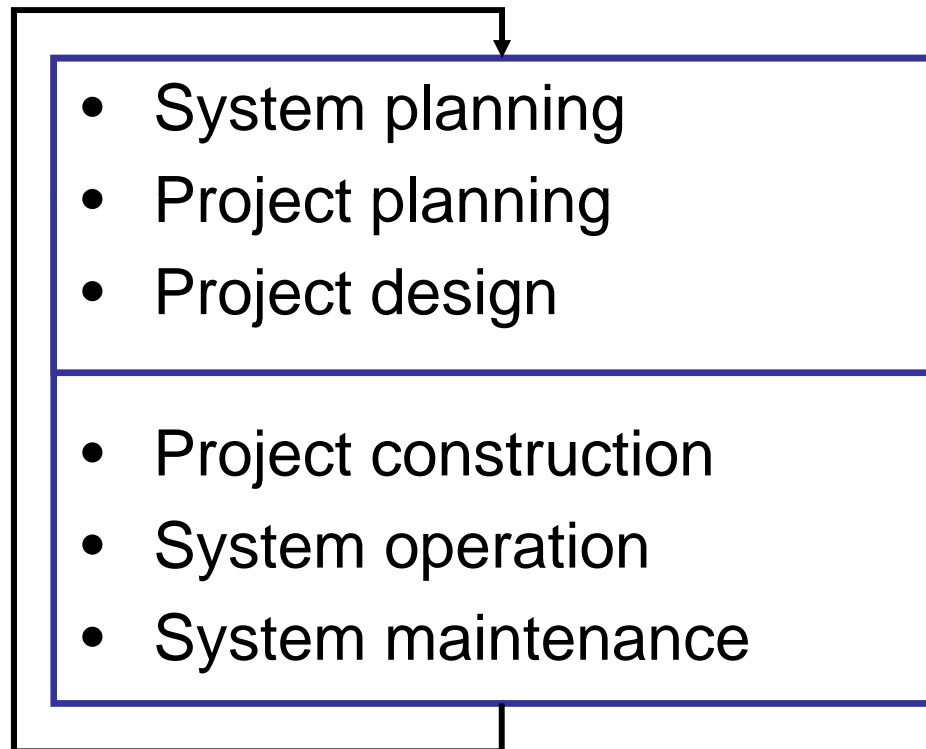
# Representation, Participation, and Decision-making

- **Information and analysis**  
Residents ↔ planning organizations
- **Continuity**  
Information throughout system/process
- **Transparency**  
Continuous and accessible information
- **Integrity**  
Presentation of material facts, etc.

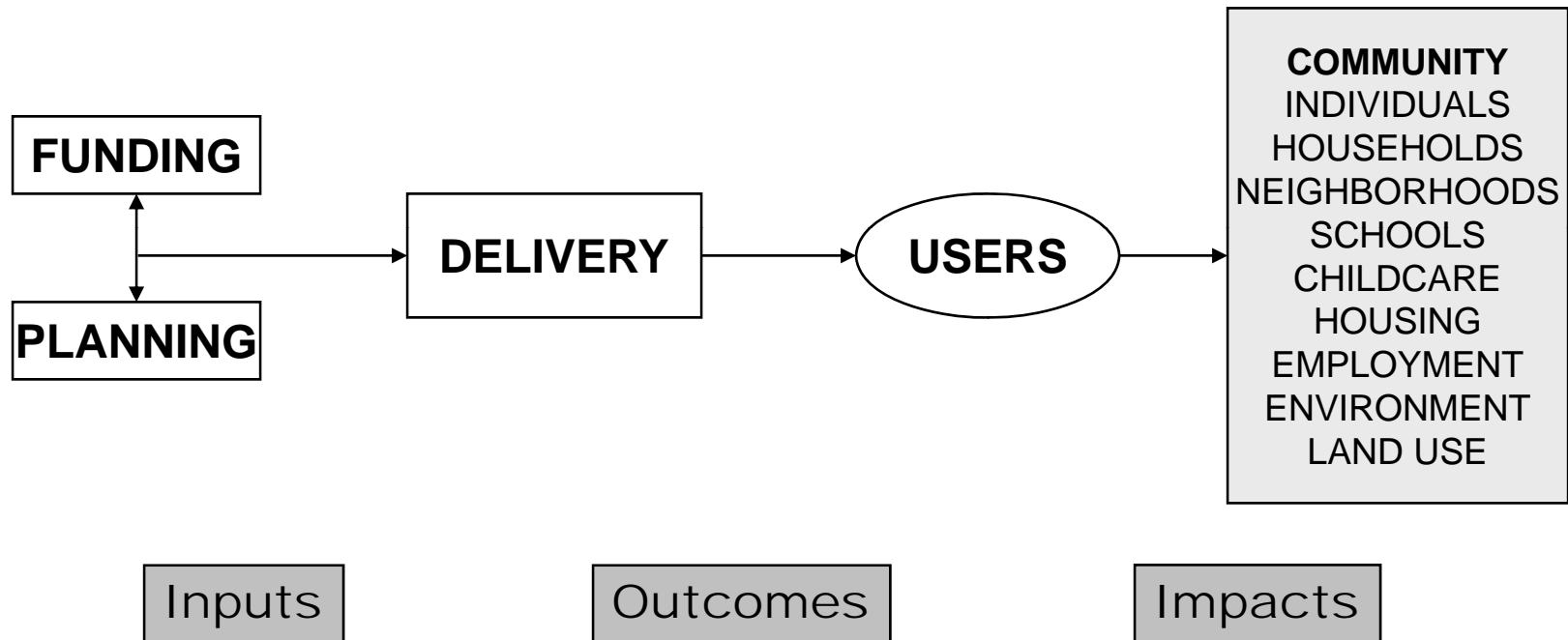
# Representation, Participation, and Decision-making



# Representation, Participation, and Decision-making



# Transportation Equity Outcomes



# FTA Holds Back on BART OAC Funding

After months of disheartening news in 2009 in which agency after agency rubber-stamped BART's ill-conceived Oakland Airport Connector project, it was welcome news to learn that the Federal Transit Administration decided to withhold \$70 million of ARRA stimulus funding, which BART needs to build the OAC. This announcement comes just a few months after Public Advocates filed a complaint with the FTA. That complaint asserted that BART's action on the OAC violated Title VI of the Civil Rights Act, and that the OAC was thus not eligible for federal funding until BART took a close look at the project's environmental justice effects. The FTA agreed. In a letter addressed to Steve Heminger and Dorothy Dugger, the FTA requires BART to carry out analysis of the OAC's equity impacts, or else say goodbye to the funding:

*I write to inform you of the . . . [FTA's] serious concern regarding . . . [BART's] pursuit of federal assistance for the Oakland Airport Connector (the Project). Specifically, FTA is concerned with the preliminary results of a recent Title VI compliance review for BART, which revealed that BART failed to conduct an equity analysis for service and fare changes for the Project. In light of this development, MTC and BART are now in danger of losing federal funding for the project, including . . . [ARRA] funds. MTC and BART must now face a choice between continuing to pursue federal funding for the Project (which will require immediate corrective action of the Title VI non-compliance) or committing the ARRA funds to alternative projects within the Bay Area.*