



FEDERAL TRANSIT ADMINISTRATION

**AASHTO National Civil Rights
Subcommittee Training
Symposium
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**Federal Requirements for
Environmental Justice Analyses**

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EJ vs. Civil Rights

	Title VI	Environmental Justice
Authority	Based on Civil Rights Act of 1964. Federal statute.	Based in Executive Order 12898. Executive Branch policy.
Implementation	Recipients and subrecipients of federal funding (e.g., states, local governments, transit providers)	Federal agencies implement through improved internal management and stakeholder participation
Rights & Remedies	Discrimination and disparate impact complaints filed with Federal agencies. Disparate treatment complaints can be filed in court.	Not enforceable in court and does not create any rights or remedies.

Title VI of the Civil Rights Act:

"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."

Environmental Justice

Identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of Federal programs, policies, and activities on minority populations and/or low-income populations (collectively “Ej populations”).

FTA Circular 4703.1

- Environmental Justice Policy Guidance for FTA Recipients” became effective August 15, 2012
- Circular does NOT present new requirements

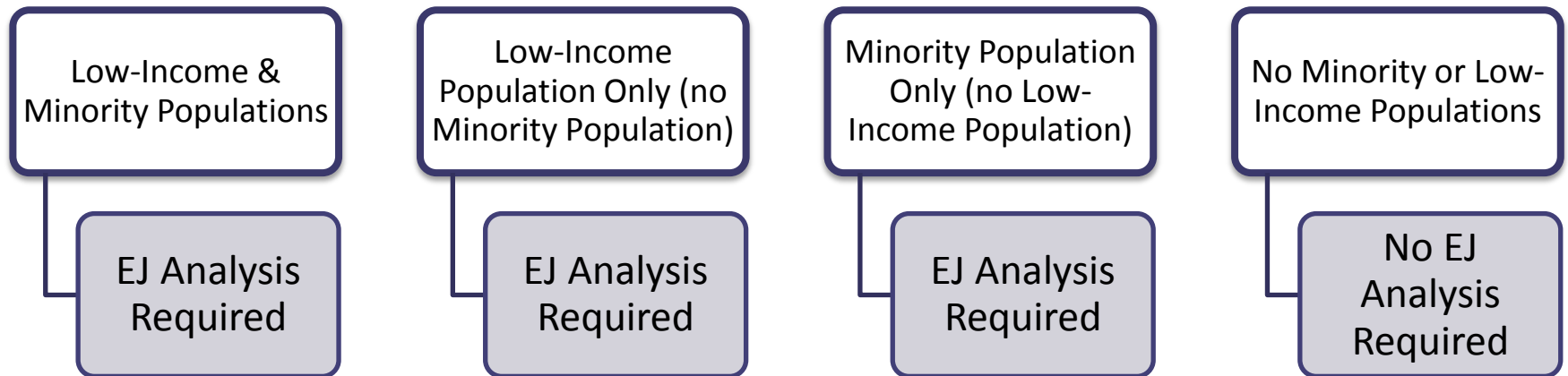


Guiding Principles

- To avoid, minimize, and mitigate disproportionately high and adverse effects.
- To ensure the full and fair participation by all potentially affected communities
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

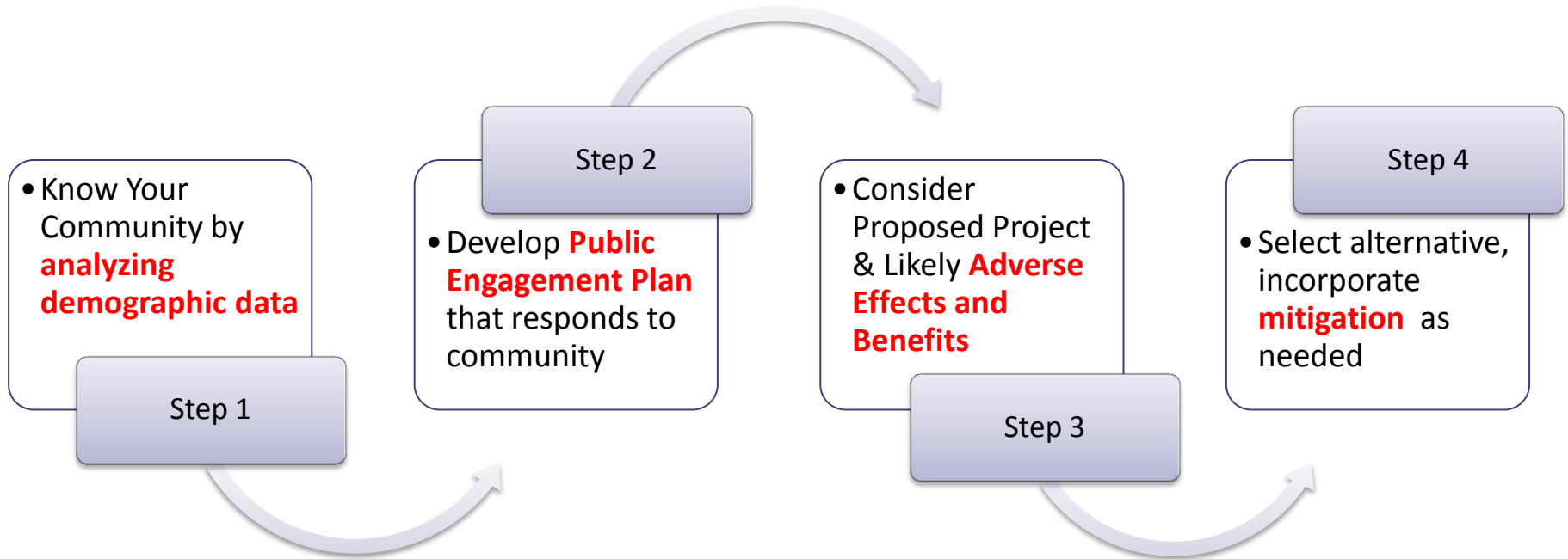


EJ in Planning & Service Delivery

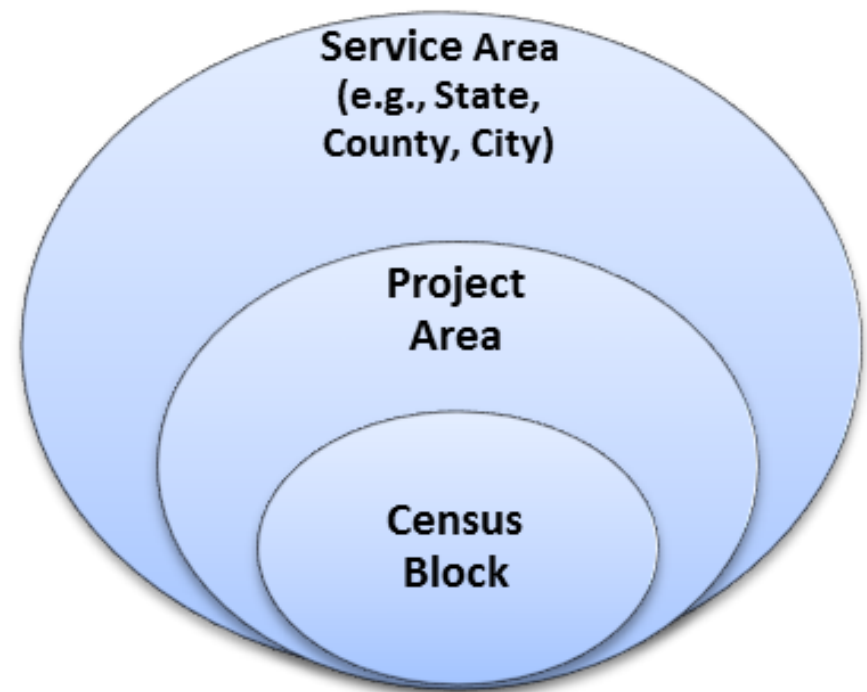
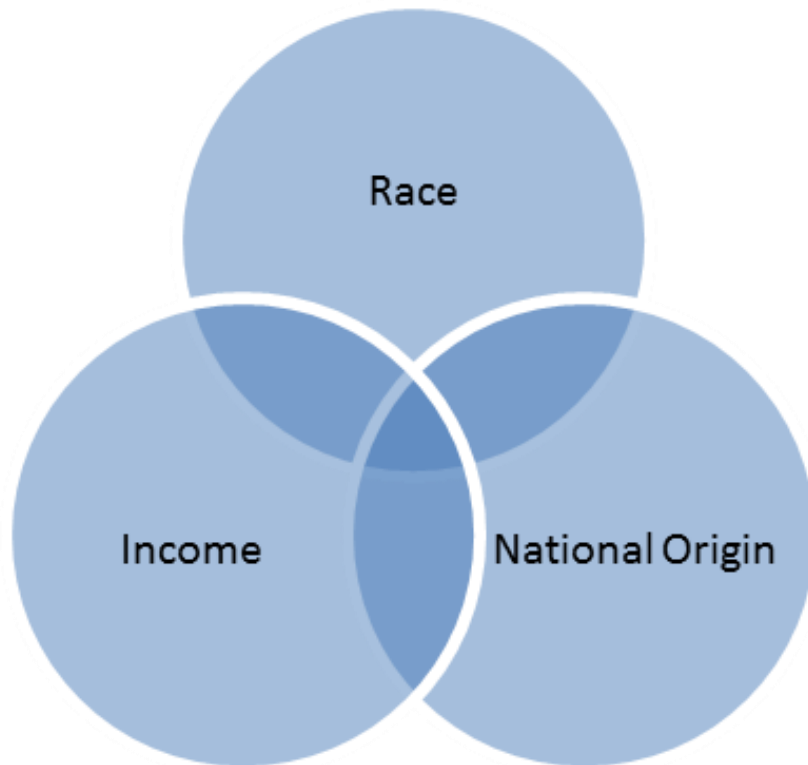


Engaging the Community

Engage EJ Populations At All Stages of Project Development



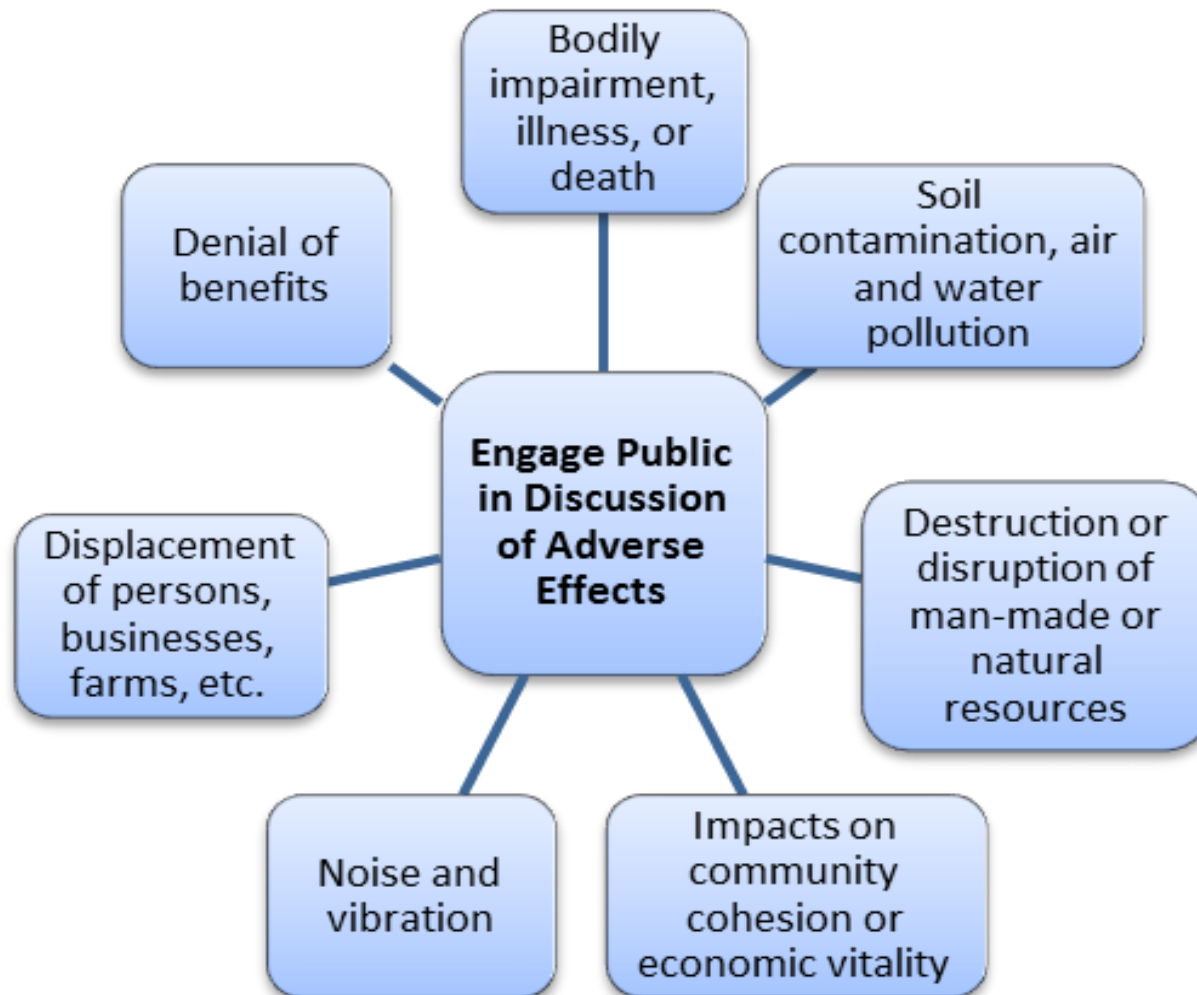
Demographic Data



Engaging the Community



Adverse Effects



Alternatives and Mitigation

Avoid

- Alternative location
- Revise design/
Reconfigure facility or site



Minimize

- Limitations during construction (e.g. night work, construction hours)
- Considerations during operations (e.g. limit operational periods)

Mitigate

- Measures (e.g. sound walls, aesthetic treatments, etc.)



Conclusion

- EJ principles should be considered in all DOT programs, policies and activities



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