

# APPENDIX P5

---

## Environmental Justice & Title VI Analysis: Title VI Report



## P5 Title VI Report

This section summarizes the results of the Title VI analysis, called out separately to satisfy federal requirements related to nondiscrimination in the metropolitan planning process. For more information on the regulatory framework underlying this analysis, see Appendix P1.

### Title VI Analysis and Results

The purpose of this analysis is for SJCOG to demonstrate compliance with federal regulations related to Title VI of the Civil Rights Act of 1964. The U.S. Department of Transportation's (DOT) Title VI regulations prohibit recipients of federal transportation funds from utilizing criteria or methods of administration that have the effect of subjecting persons to discrimination based on their race, color or national origin. As an operating entity within DOT, the Federal Transit Administration (FTA) provides more specific guidance to metropolitan planning organizations on how to demonstrate Title

VI compliance (see Appendix P1 and P2 for more details).

The first step in the analysis is to identify the combined share of federal and state transit investments in the Draft Plan (Table P5-2). The investments included in the plan total \$12.5 billion over a 24-year period, for a wide range of projects that include roadway maintenance, highway projects, active transportation programs and transit operations. Of the total Draft Plan investments, \$4.7 billion are allocated to transit operations, maintenance, modernization and expansion. Therefore, public transit makes up a significant share of investments made in the Draft Plan, approximately 38% of the \$12.5 billion total. Of the total Draft Plan investments made in public transit, 29.6% percent (or \$1.4 billion) comes from various federal and state sources, listed in Appendix P2. The Title VI analysis is conducted on this amount (\$1.4 billion).

**Table P5-1. Share of Population and Public Transit Commute by Minority Status**

	Total	Minority	Non-Minority
Total Population	742,603	506,094	236,509
Percent of Total Population		68.2%	31.8%
Commute Population	303,147	199,455	103,692
Percent of Commute Population		65.8%	34.2%
Public Transit Commuters	5,055	3,656	1,399
Percent of Total Public Transit Commuters		72.3%	27.7%

Source: U.S. Census Bureau, American Community Survey 2015-2019 Five Year Estimates

This analysis relies on a calculated share of transportation system usage. The share of public transit commuters by minority status was determined by dividing the estimate of minority commuters with the total estimate of commuters by public transit (Table P5-1). Compared to their share of the total commute population (65.8%), minority commuters make up a greater share of total public transit commuters (72.3%).

Next, federal and state investments in transit are allocated to minority and non-minority populations using the same methodology used in the transportation investment analysis found in Appendix

P4. Essentially, federal and state investments in public transit are allocated to minority or non-minority populations based on their respective share of use for means of transportation to work. This allocation of funding to minority and non-minority populations based on their use of the transit system constitutes “benefit.” The results for each subgroup are compared to estimate the relative benefit accrued to minority and non-minority populations. The total state and federal public transit benefit to minority populations is approximately \$999 million, compared to \$382 million to non-minority populations (Table P5-2).

**Table P5-2. Disparate Impact Analysis Results, Population and Commuter Based**

	Total	Minority	Non-Minority
Total State and Federal Funding for Public Transit	\$1,380,741,432	\$998,613,388	\$382,128,044
Per Capita Benefit		\$1,973	\$1,616
Per Commuter Benefit		\$5,007	\$3,685
Share of Total State and Federal Investment		72.3%	27.7%
Total Draft Plan Public Transit Funding	\$4,663,930,878	\$3,373,161,482	\$1,290,769,396
Per Capita Benefit		\$6,665	\$5,458
Per Commuter Benefit		\$16,912	\$12,448
Share of Total Draft Plan Investment		72.3%	27.7%

Finally, investments are distributed on a per capita basis, so that investment benefits allocated to the region's minority transit commuters can be compared to investment benefits allocated to the region's non-minority commuters. The results from this analysis are summarized in Table P5-2.

Following FTA guidance, SJCOG's disparate impact analysis of Draft Plan investments reveals that, on a per capita basis, minority populations in the region would receive \$1,973 of federal and state public transit investment benefits compared to \$1,616 for non-minority populations. The share of investments based on a per capita basis is proportional to the share of minority (68.2%) and non-minority (31.8%) populations in the region. On a transit commuter basis, minority riders would receive \$5,007 of the federal and state public transit investment benefit compared to \$3,685 for non-minority transit riders. The share of investment benefits based on a per-commuter basis is proportional to the share of

minority (72.3%) and non-minority (27.7%) transit ridership. For additional comparison, the disparate impact analysis was also applied to the total Draft Plan investment in public transit.

Based on this analysis, the minority population of San Joaquin County benefits more from public transit funding than the non-minority population on a per capita basis, as well as a per commuter basis. The minority population subgroup garnering more of the benefit due to higher usage of transit for work commutes. As a result, investments in public transit generally have a greater benefit for minority populations proportionate to their share of use and their share of the regional population. Therefore, based on the results presented in Tables P5-1 and P5-2, SJCOG concludes that the Draft Plan is in compliance with Title VI of the Civil Rights Act of 1964 for the distribution of federal and state transit funds.