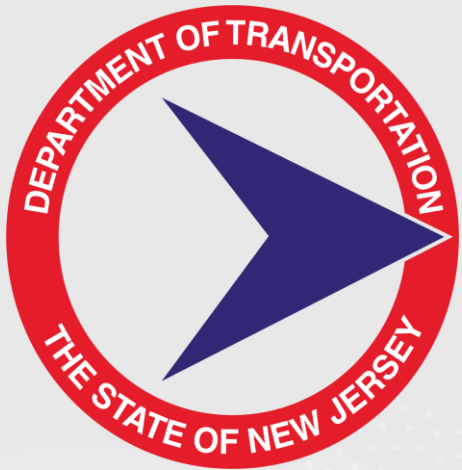


# Title VI and Urban Planning: The Connection

New Jersey Department of Transportation  
Title VI Nondiscrimination Programs Unit



## **The Team:**

**Chrystal Section - Supervisor**

**Randyn Love – Affirmative Action Specialist**

**Gabby Zalot - Affirmative Action Specialist Trainee**

**Israel Jimoh - TES**

# Title VI Nondiscrimination Programs

Include:

- Title VI
- Environmental Justice (EJ)
- Limited English Proficiency (LEP)
- Americans with Disabilities Act (ADA)

# What is Title VI?

- **Essence of the Federal Law:**

**“No person in the United States shall on the grounds 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.”**

## **Who is protected?**

- The word "person" includes anyone in the U.S. (including undocumented individuals).

# NJDOT Title VI Nondiscrimination Responsibilities

- Develop and implement Title VI compliance and ADA Transition plans.
- Monitor NJDOT programs and activities for Title VI compliance, including conducting comprehensive reviews.
- Monitor subrecipients' to ensure Title VI compliance in their programs and activities.
- Investigate Title VI complaints received from the public.
- Ensure LEP persons have access to NJDOT programs/services.
- Attend Scope Team/Core Group meetings to ensure EJ and ADA are being addressed when/if appropriate



# New Jersey Environmental Justice Law



- Requires the DEP to evaluate the environmental and public health impacts on overburdened communities when reviewing permit applications for certain facilities
- Overburdened communities:
  - At least 35% of the households qualify as low income
  - At least 40% of the residents identify as a minority or from a Tribal group
  - At least 40% of the households are not proficient in English
- “These rules are an important part of the process to protect communities impacted by cumulative impacts of pollution from unwanted facilities in their neighborhood”

[Fact Sheet: New Jersey Environmental Justice Law - New Jersey Environmental Justice Alliance \(NJEJA\)](#)  
[Office of the Governor | Governor Murphy Announces Nation's First Environmental Justice Rules to Reduce Pollution in Vulnerable Communities](#)

# Environmental Justice at NJDOT

- New Jersey EO 215 (1989)
  - “Objective is to reduce or eliminate the potential adverse social, economic, and environmental impacts of projects initiated or funded by the State of NJ”
  - Must submit an EA or EIS to the NJDEP in support of major construction projects
- National Environmental Policy Act of 1969 (NEPA)
  - “Establishes a national environmental policy and provides a framework for environmental planning and decision making by Federal agencies”
  - Considers key determinants of environmental justice including socioeconomic and demographic data, and present environmental burdens within the community



National Environmental Policy Act (NEPA) | Environmental Review Toolkit | FHWA  
extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.nj.gov/transportation  
/eng/pdf/EnvOverviewRegsPermits2016.pdf



# Title VI and Urban Planning: The Connection

Title VI of the Civil Rights Act of 1964 plays a crucial role in urban planning today by ensuring that federally funded programs and projects do not discriminate based on race, color, or national origin. Here are a few key responsibilities that connect Title VI and Urban Planning:

## 1. Equitable Distribution of Resources

- Urban planners should ensure that federal funds are used equitably across all communities. This includes fair access to public transportation, housing, parks, schools, and other critical infrastructure.

[American Planning Association](#)  
[Civil Rights Division | Title VI of the Civil Rights Act of 1964](#) - U.S. Department of Justice



# Title VI and Urban Planning: The Connection

## 2. Environmental Justice

- Urban planning projects should address environmental burdens that disproportionately impact low-income and minority communities.

## 3. Public Participation and Language Access

- Title VI requires meaningful access for all residents in the decision-making process. Urban planners should engage diverse communities, provide materials in multiple languages, and ensure that limited-English-proficient (LEP) populations can participate in public hearings and planning activities.



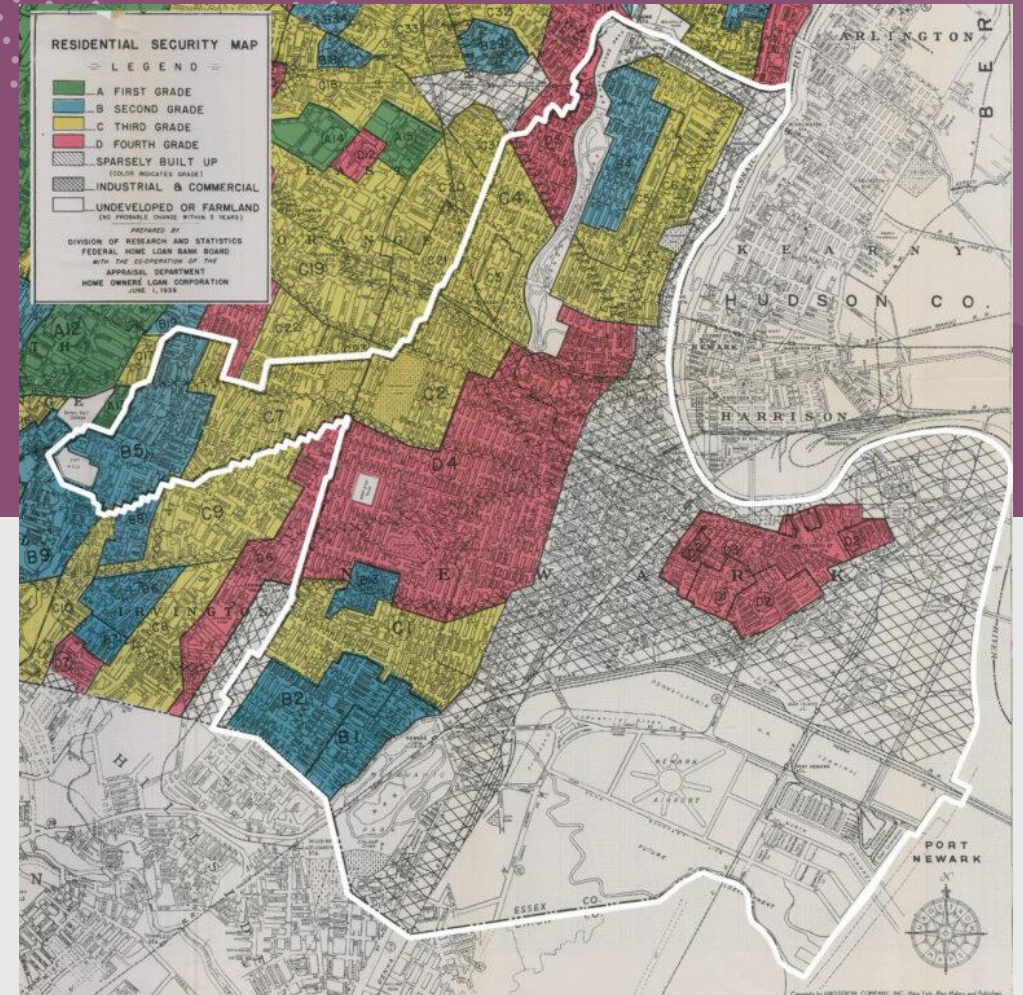
# Title VI and Urban Planning: The Connection

## 4. Non-Discriminatory Transportation Planning

- Transportation plans and projects, such as transit routes and infrastructure improvements, should comply with Title VI to ensure they do not exclude or disproportionately burden minority communities.

## 5. Fair Housing and Zoning Practices

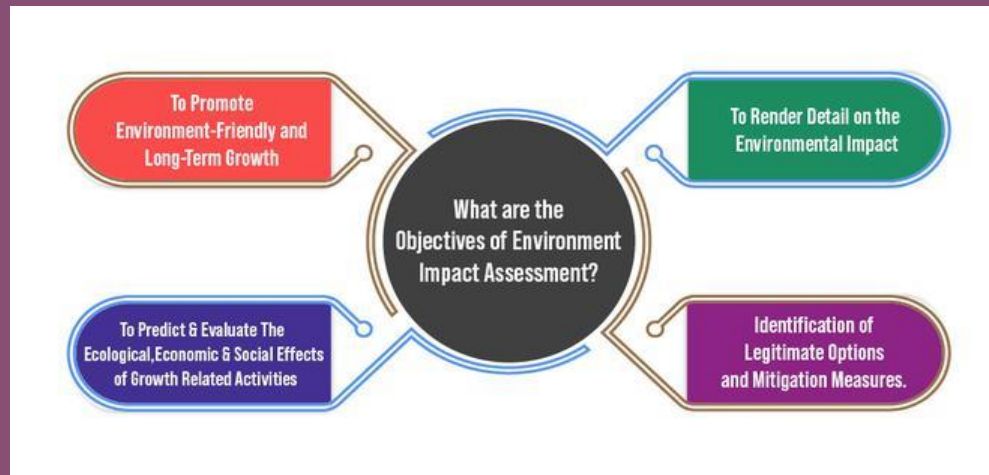
- Title VI supports fair housing initiatives by influencing urban planning policies that combat discriminatory zoning practices, segregation, and gentrification.



[What Is Zoning Reform and Why Do We Need It?](#)

[Redlining & Manufactured Decline – Newark Changing](#)

# Title VI and Urban Planning: The Connection



## 6. Impact Assessments and Compliance Monitoring

- Urban planners have a responsibility to assess how proposed projects affect protected populations.

## 7. Address Disparities in Disaster Resilience

- Planners should consider how Title VI applies to climate resilience and disaster preparedness, ensuring that historically underserved communities receive adequate protection and recovery resources.





# Title VI and Urban Planning: The Connection

To conclude, by aligning urban planning practices with Title VI, cities and regions can promote:

- Fairness
- Reduce disparities
- Build inclusive sustainable communities





## WHY DO WE NEED THESE PROGRAMS?

The Interstate  
Highway Act of  
1956 and a  
Newark, NJ Case  
Study

[National Interstate and Defense  
Highways Act \(1956\) | National Archives](#)

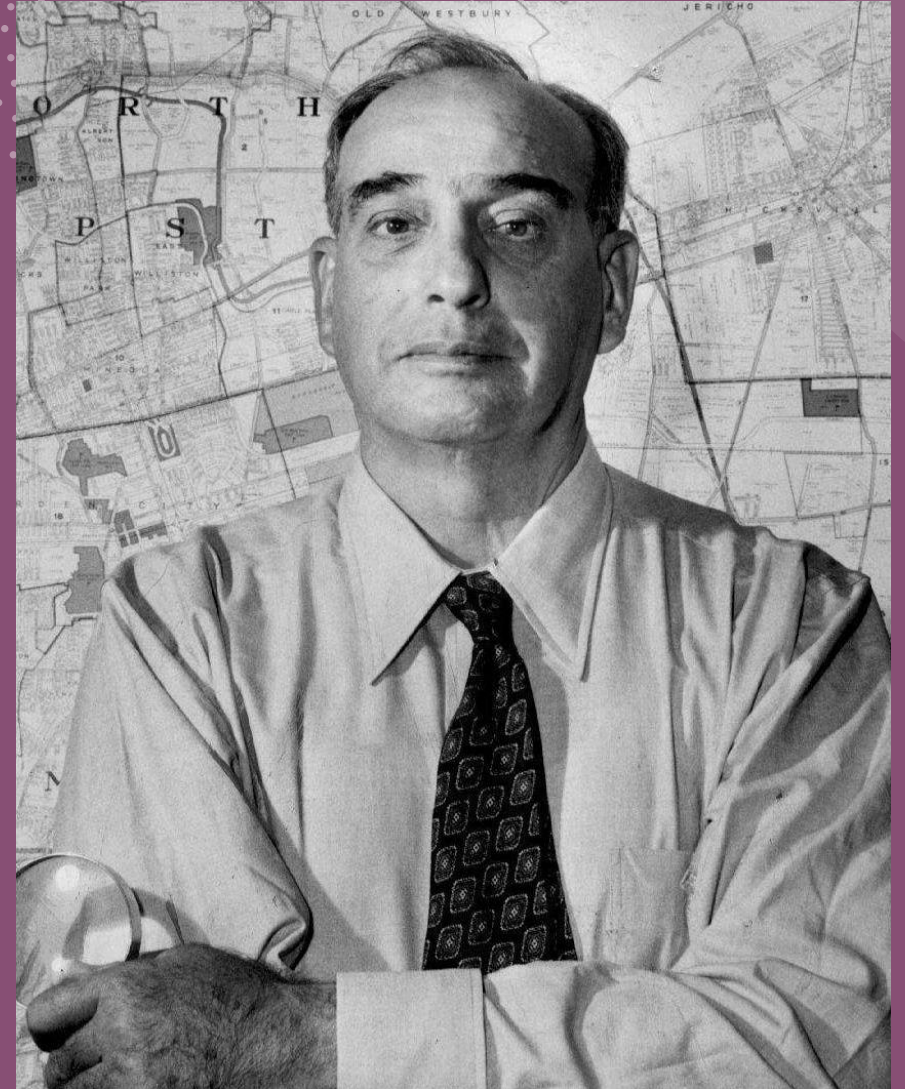


# Racial Intentions

"new urban expressways must go right through cities and not around them if they [are] to accomplish their purpose of removing Black communities"

"there was an 'understanding' that the proposed route of [I-20] would be the temporary boundary between the White and [Black] communities"

White Men's Roads Through Black Men's Homes; article written by Deborah Archer



# Notable Newark Highways

- I-280
  - Started in 1957 and was a product of the Interstate Highway Act of 1956
- I-78
  - Also a product of the Act, finally completed in 1989
- Route 21
  - Built and planned in the 1930s, not fully completed until 2000





# Urban to Suburban Shift

- Newark's population in 1930: 440,000 vs. Newark's population in 1960: 329, 248
- In 1940: 10.6% of Newark's population was Black vs. In 1970: Blacks represented 54.2% of Newark's population
- Livingston Township: grew from a population of 9,932 in 1950 to 23,124 in 1960
- Average distance between White and Black neighborhoods in 1960: less than a mile vs. 2000: several miles between

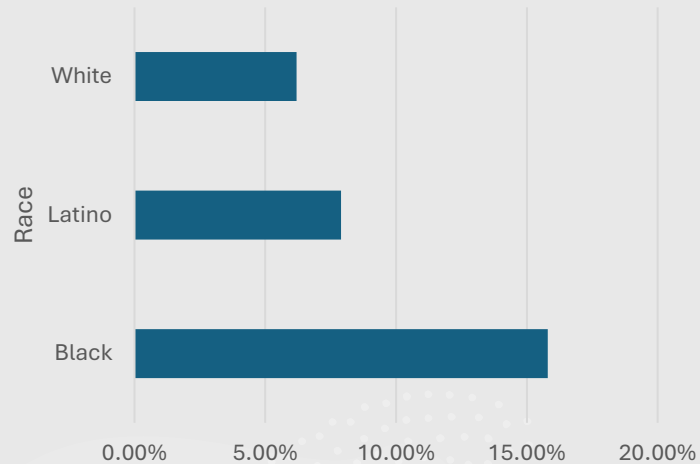
[Newark Before the Comeback: A City Marked by White Flight, Poor Policy | NJ Spotlight News](#)



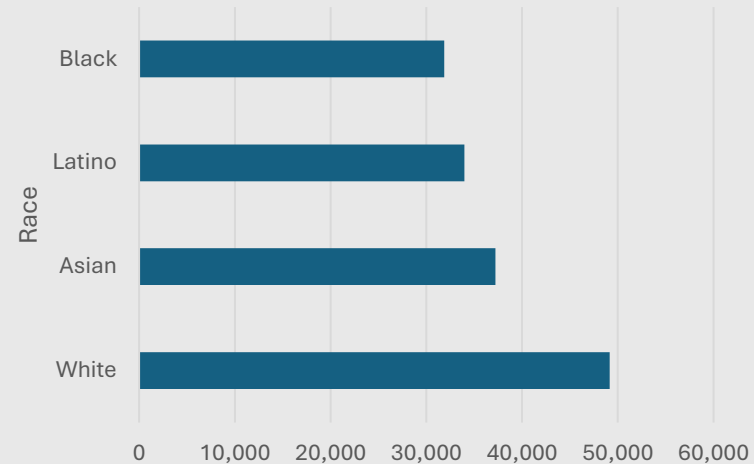
# Economic Effects



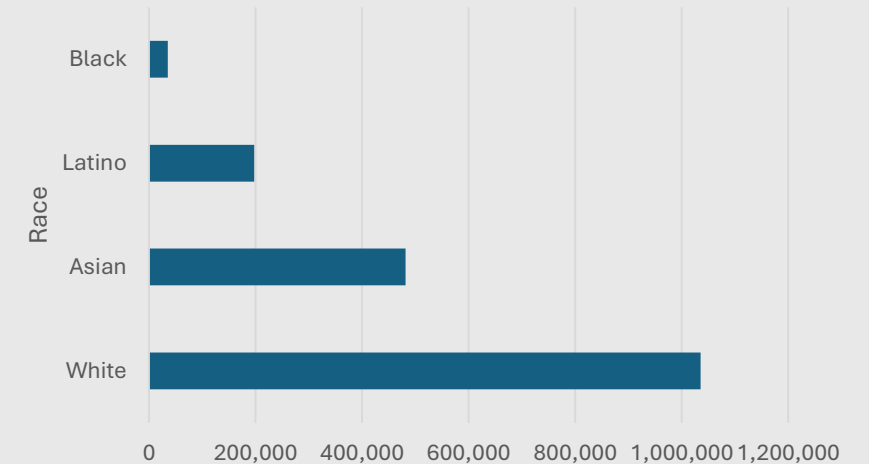
Unemployment Rate



Median Household Income



Business Value





# Environmental Impacts

- Around 3,000 trucks pass through five city intersections in the South Ward on an average weekday
- Elevated levels of asthma concerns
- "Oftentimes, it's the overburdened communities who get the cleanest buses last, but we're saying the overburdened communities should get those buses first"

Residents of Newark track trucks to highlight air pollution • New Jersey Monitor

South Ward Environmental Alliance | An environmental justice organization.



# Orange, New Jersey: Community Impact

- Construction of I-280 started in 1961 and was completed 12 years later in 1972
- "The worst blow [to Orange] was delivered by the bulldozers and wrecking balls that built Interstate 280"
- "That road really knocked the hell out of the town"



[Knocked Down, Yes. Knocked Out, Never.; The Town of Orange, No Stranger to Bad News, Struggles to Make Sense of Police Shooting and Its Aftermath - The New York Times](#)



LOOKING  
TOWARDS THE  
FUTURE



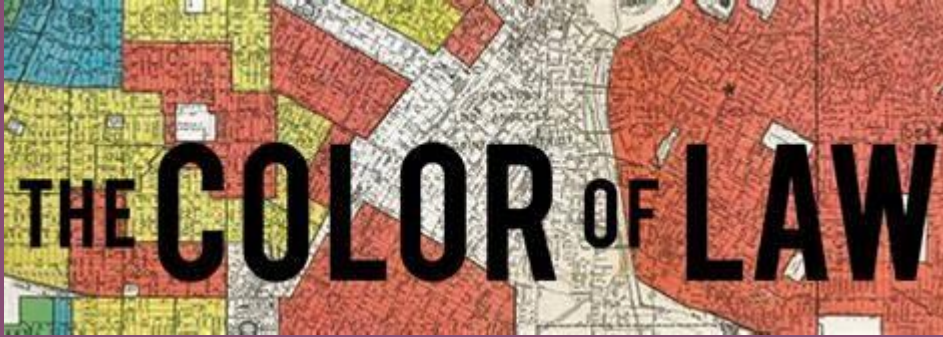


# Same Mission, Different Roles

- Title VI: Prevent new projects from repeating the mistakes of the past and acting in a discriminatory manner
  - Including the implementation of Environmental Justice, Limited English Proficiency, and ADA statutes and orders
- Urban Planning: Shape and revitalize existing communities (many of which have already been scarred by highway construction) and plan new communities that adhere to standards of equity







# Resources

## VANDERBILT LAW REVIEW

VOLUME 73

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NUMBER 5

## ARTICLES

**“White Men’s Roads Through Black Men’s Homes”: Advancing Racial Equity Through Highway Reconstruction**

*Deborah N. Archer\*\**

### Title VI and Urban Planning

- *White Men’s Roads Through Black Men’s Homes; Deborah Archer*
- *The Color of Law; Richard Rothstein*
- [Civil Rights Division | Title VI of the Civil Rights Act of 1964](#)
- [American Planning Association](#)
- [The Role of Title VI and Environmental Justice in Transportation Planning](#)
- [What Is Zoning Reform and Why Do We Need It?](#)
- [Resilience Roundtable: Disaster Recovery](#)

### Environmental Justice

- [Fact Sheet: New Jersey Environmental Justice Law - New Jersey Environmental Justice Alliance \(NJEJA\)](#)
- [NJDEP | Environmental Justice | What are Overburdened Communities \(OBC\)?](#)
- [extension://efaidnbmnnnibpcajpcglclefindmkaj/https://ejnet.org/ej/cerrell.pdf](https://efaidnbmnnnibpcajpcglclefindmkaj/https://ejnet.org/ej/cerrell.pdf)
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- [National Environmental Policy Act \(NEPA\) | Environmental Review Toolkit | FHWA](#)
- [extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.nj.gov/transportation/eng/pdf/EnvOverviewRegsPermits2016.pdf](https://efaidnbmnnnibpcajpcglclefindmkaj/https://www.nj.gov/transportation/eng/pdf/EnvOverviewRegsPermits2016.pdf)
- [Office of the Governor | Governor Murphy Announces Nation’s First Environmental Justice Rules to Reduce Pollution in Vulnerable Communities](#)

### Case Study

- [Racial Wealth Divide in Newark | Prosperity Now](#)
- [Residents of Newark track trucks to highlight air pollution • New Jersey Monitor](#)
- [South Ward Environmental Alliance | An environmental justice organization.](#)
- [Knocked Down, Yes. Knocked Out, Never.; The Town of Orange, No Stranger to Bad News, Struggles to Make Sense of Police Shooting and Its Aftermath - The New York Times](#)
- [National Interstate and Defense Highways Act \(1956\) | National Archives](#)
- [Newark Before the Comeback: A City Marked by White Flight, Poor Policy | NJ Spotlight News](#)



# EQUITABLE CITIES

## Charles T. Brown Founder & CEO of Equitable Cities

- Charles T. Brown is the founder and principal of **Equitable Cities**, a minority- and veteran-owned urban planning, public policy and research firm focused on the intersection of transportation, health and equity.
- Charles is an award-winning expert in planning and policy and has been interviewed by several notable outlets including the New York Times, Washington Post, Los Angeles Times, the Guardian, VICE and Bloomberg CityLab.

