



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, P.O. Box 12688
Oakland, CA 94604-2688
(510) 464-6000

Attachment C

2009

July 14, 2009

Thomas M. Blalock, P.E.
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James Fang
VICE PRESIDENT

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GENERAL MANAGER

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3RD DISTRICT

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5TH DISTRICT

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6TH DISTRICT

Lynette Sweet
7TH DISTRICT

James Fang
8TH DISTRICT

Tom Radulovich
9TH DISTRICT

Mr. Francis Chin, General Counsel
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Re: Urban Habitat's Complaint to the MTC Programming and Allocation
Committee regarding BART's Oakland Airport Connector Project

Dear Mr. Chin:

Please be advised that I have reviewed the letter of Mr. Bob Allen, Transportation and Housing Program Director for Urban Habitat, dated July 8, 2009. In that letter Mr. Allen contends that in the absence of a Title VI report, the MTC cannot move forward with any decision to provide BART with Federal Funds for the OAC project.

While the public records request made earlier last month by Public Advocates was not understood to be requesting the Title VI report, I am pleased to advise you that BART has prepared the documentation required to satisfy FTA requirements. BART has prepared the necessary Title VI Triennial Report (2007) in compliance with FTA Circular No. FTA C 4702 1A. The next Triennial Report (2010) will be completed later this year and will encompass proposed fare and service changes in the entire system.

BART has a policy in place for the evaluation of fare and service changes that has been approved by the FTA through every Triennial audit. At this stage in the OAC Project, a separate report would appear unwarranted under our procedures.

Yours very truly,

OFFICE OF THE GENERAL COUNSEL

Byron K. Toma, Staff Attorney