

Title VI Equity Analysis

NICE Battery Electric Bus (BEB) Charging Facility Site Selection

June 1, 2021 – DRAFT



**Nassau County
Department of Public Works**



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Background and Project Description

Nassau Inter-County Express (NICE), is a major suburban transit system on Long Island, New York. NICE is operated through a public/private partnership between Nassau County and Transdev Services, Inc., under a management and license agreement. NICE has a fixed route fleet with 278 low emission compressed natural gas (CNG) buses that operate through a network composed of 38 fixed routes serving 96 communities, 48 Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) stations, 5 MTA New York City Transit (NYCT) subway stations, plus shopping centers, colleges, museums, parks, theaters, beaches, retail, commercial, industrial, educational, health, social and residential clusters. Fixed route service is provided 24 hours a day, seven days a week serving residents of Nassau, Suffolk and Queens Counties. With a service area population of over 1.3 million, average pre-pandemic weekday ridership neared 100,000 for fixed route and paratransit customers. As such, NICE provides a critical link to the LIRR, NYCT and the Suffolk County Area Transit system (SCAT). Over 80% of NICE customers are transit dependent.

NICE currently operates from a fixed route facility at Mitchel Field in Garden City (also known as the Senator Norman J. Levy Bus Facility), and paratransit operates from the Stewart Avenue facility in Garden City. NICE also operates from the Rosa Parks Hempstead Transit Center adjacent to a LIRR terminal and shares an intermodal facility with the LIRR in Mineola, New York. NICE will operate the Battery-Electric Bus (BEB) Charging Facility, which is the focus of this Title VI Analysis.

Summary of NICE Facility Milestones

- In 1988, the 279,348 square foot Mitchel Field Facility was constructed on a 16-acre parcel. The parcel was acquired from the federal government in 1973.
- In 2004, NICE transitioned its fleet to Compressed Natural Gas (CNG) buses. Fueling for these buses occurs on-site at a fueling station that was recently upgraded in 2018.
- In 1975, Nassau County acquired title to the “Purex” property (650 Commercial Ave, Garden City), immediately north of, and adjacent to, the Mitchel Field Facility. Between 1990 and 2012, the Purex property was used as a groundwater treatment facility. The system was shut down in April of 2012.
- Nassau County acquired additional lots from the Long Island Rail Road in 1976 (Lot 23) and 2014 (Lot 24), which run between the Purex property and the Mitchel Field Facility.
- In 2018, the New York State Department of Environmental Conservation (NYSDEC) and New York State Department of Health (NYSDOH) approved the use of the County-owned Purex property to create a single level surface parking area.
- In 2020, Nassau County began planning for its first procurement of battery-electric buses (BEBs).
- The County has evaluated whether it would be able to site the BEB Charging Facility’s charging infrastructure within the existing Mitchel Field Facility, or on the unimproved Purex site, immediately adjacent and contiguous to the Mitchel Field Facility. The two options were evaluated in the Title VI Analysis.



Study Purpose

The purpose of this Title VI Equity Analysis is to analyze the two options for a NICE-operated Battery-Electric Bus (BEB) Charging Facility to ensure the locations were selected without regard to race, color, or national origin. This study also compares the equity impacts of the two options:

1. 700 Commercial Avenue, Garden City (Mitchel Field Facility) – Site serves as the primary depot for NICE operations, maintenance, and fleet storage. There are no residents or businesses located on the property. The site is adjacent to other industrial, commercial and office uses.
2. 650 Commercial Avenue, Garden City (Purex Site) - Site currently has a structure that houses a former water treatment facility. The site is vacant and has no residents or businesses located on the property. The site is adjacent to other industrial, commercial and office uses, and is approximately 950 feet from the nearest residential property. See area map on page 7.

The County evaluated whether it would be able to site the charging infrastructure within the existing Mitchel Field Facility, or on the Purex site, immediately adjacent and contiguous to the Mitchel Field Facility. Per FTA C 4702.1B, Title VI equity analyses for the location of facilities must occur in the planning stage before a preferred site has been selected. Sites have been evaluated as part of the BEB Charging Facility Initiative's planning process and the Nassau County Planning Commission (NCPC) will be notified of the two site options at a public hearing on June 24, 2021.

Title VI Compliance

Nassau County is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

Title 49 CFR Section 21.9(b)(3) states, “In determining the site of location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part.” Title 9 CFR part 21, Appendix C, Section (3)(iv) provides, “The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.”

Nassau County is required to conduct a Title VI equity analysis to ensure the location is selected without regard to race, color, or national origin. Per guidance in the circular, this analysis must:

- Include outreach to persons potentially impacted by the siting of the facility;
- Compare impacts of various siting alternatives;
- Determine if cumulative adverse impacts might result due to the presence of other facilities with similar impacts in the area; and
- Occur before the selection of the preferred site.

If disparate impacts are identified, the least discriminatory alternative must be implemented.



Community Outreach

On June 1st, 2021, Nassau County opened a 30-day public comment period on the Title VI Equity Analysis. Notices were posted on the [Nassau County Planning Department](#) website as well as the [NICE](#) website. The comment period will close on June 30, 2021. Comments will be accepted via an online submission form.

Additionally, Nassau County staff will be presenting the purpose and process of this study at the June 24th, 2021 NCPC meeting. Notification of this public meeting will be made via a notice on the Nassau County Planning Department website as well as emailed notices to Nassau County legislators, local municipal officials, and commissioners of the NCPC. The public will have the opportunity to send in their comments for the public comment portion of the June 24th meeting via email. Public comments for the NCPC will be held open for three business days following the meeting. The NCPC will then review and read public comments into the record, seven days after the meeting. A recording of the meeting will be posted on the Nassau County Planning Department website within twenty-four hours of the meeting. A verbatim transcript will also be available. At the conclusion of the 30-day comment period, the final Title VI Equity Analysis will be posted on the Nassau County and NICE websites.



Benefits and Burdens Analysis

Nassau County reviewed benefits and burdens of each site to determine any impacts that might adversely affect the community. There would be no displacement of residents or operating businesses at any of the two sites considered. None of the sites have residential properties within the immediate surrounding area, therefore, no persons are impacted by the siting of an electric charging facility.

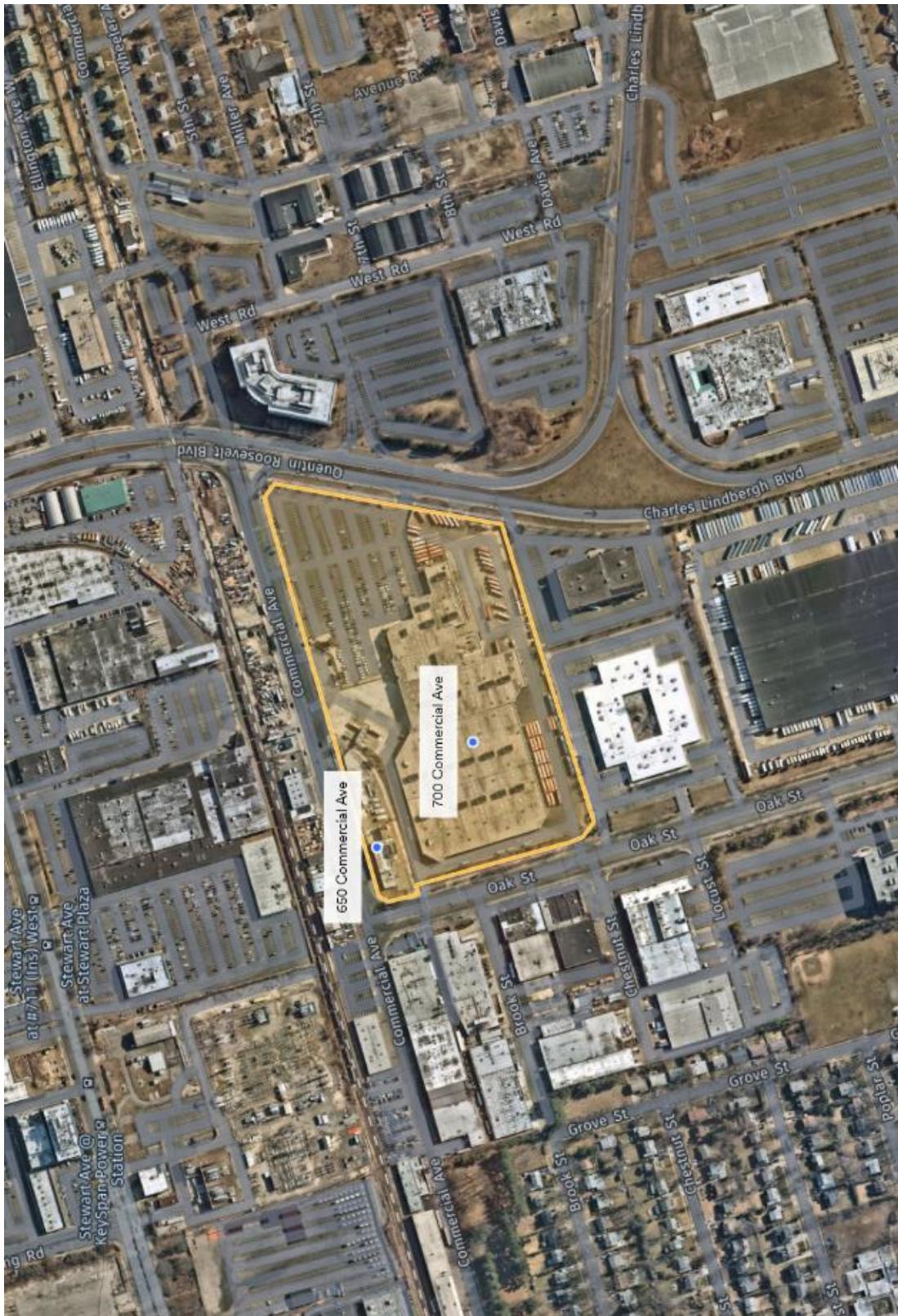
Table 1: Benefits & Burdens

Site	Benefits/Positive Impacts	Burdens/Adverse Impacts
700 Commercial Ave, Garden City (Mitchel Field Facility)	<ul style="list-style-type: none">- Less construction activity (no building demolition).- Lower overall construction cost.- BEBs will be on the same physical property as all other buses in the fleet.- Proximate to future Bus Rapid Transit services in the Nassau Hub area.- No impacts to surrounding land uses upon facility completion.	<ul style="list-style-type: none">- Prevents future expansion of additional charging stations adjacent to currently proposed chargers.
650 Commercial Ave, Garden City (Purex Site)	<ul style="list-style-type: none">- Aids in efficient vehicle movement and will enhance overall transit operations.- BEBs will be located immediately next to the Mitchel Field Facility and will have dedicated area for charging.- Site provides opportunity for additional BEB vehicles in the fleet.- Provides dedicated infrastructure that will allow for efficient movement of the fleet for fueling/charging purposes.- Proximate to future Bus Rapid Transit services in the Nassau Hub area.- No impacts to surrounding land uses upon facility completion.	<ul style="list-style-type: none">- Former water treatment structures will need to be demolished.- Higher overall construction costs.



Maps

Aerial View





Site Location Maps



**650 Commercial Ave, Garden City
(Purex Site)**
Owner: Nassau County



**700 Commercial Avenue, Garden City
(Existing Mitchel Field Facility)**
Owner: Nassau County



Alternatives Equity Analysis and Cumulative Impacts

While location, logistics, future BEB fleet expansion compatibility, size and other criteria were considered, Nassau County analyzed demographics to ensure the site selection would have no disparate impact due to race, color, or national origin. Nassau County looked at the U.S. Census Tract shared by both sites and compared it to the demographics for Nassau County as a whole.

Table 2: Demographic Data

	650 & 700 Commercial Ave Block Group 1, Census Tract 4073.01	Nassau County
Total Population	7,230	1,356,509
White	5,132	922,873
Non-White	2,098	433,636
Non-White %	29.02%	31.97%
Population under Poverty Line	292	74,291
Percentage under Poverty Line	8.1%	5.6%
Median Income (Households)	\$104,787	\$116,100
Limited English Proficiency (LEP) %	1.8%	5.5%

Source: Data from U.S. Census 2019 American Community Survey 5 Year Estimates

Conclusions

The locations identified and evaluated for consideration for a new NICE BEB Charging Facility were selected without regard to race, color, or national origin. An evaluation of the minority population rate (non-white), poverty rate, median income, and Limited English Proficiency (LEP) rate for the proposed sites and Nassau County as a whole, indicated the following. Census Tract 4073.01 had a lower percentage of non-white residents and a lower percentage of LEP residents compared to Nassau County as a whole. The Census Tract does have a slightly higher poverty rate and slightly lower median income (households) than Nassau County as a whole. However, neither of the proposed sites have residents or businesses on the properties.

650 Commercial Avenue should be considered as a candidate for the BEB Charging Facility since it will allow for future expansion of NICE's BEB fleet, while 700 Commercial Ave does not. A larger BEB fleet will provide greater benefits to the local minority, low income, and LEP populations, with improved air quality from the elimination of vehicle emissions, lower vehicle noise levels, and a more efficient public transportation operation. While the selected sites have lower income and poverty levels than the County as a whole, adverse impacts to these populations is not anticipated.