



Title VI Analysis  
February 2020

## Executive Summary

### Regulatory Requirements

Nassau Inter-County Express or NICE operated by Transdev is conducting an Equity Analysis under Title VI of the Civil Rights Act of 1964 to evaluate a proposal to introduce three new shuttle routes. In compliance with the Federal Transit Administration's (FTA) Circular 4702.1B, NICE will conduct a study which requires NICE Bus to evaluate a proposal to reduce service in order to maintain current Nassau County funding for 2017.

### NICE Bus Service Profile

NICE service covers Nassau County, New York and serves the County's 1.3 million residents over 285 square miles. The service area extends to Suffolk County in the East and into Queens to the West. The area is comprised of both suburban and urban areas. The service provides approximately twenty-four million rides annually, or approximately 85,000 per day.

### Title VI Guidelines

In compliance with Federal Transit Administration Circular 4702.1B dated October 1, 2012 which requires that Under Title VI of the Civil Rights Acts of 1964, NICE evaluates significant system-wide service changes and proposed improvements at the planning and programming stages to determine whether those changes have a discriminatory impact on minority and low income populations.

An analysis will be conducted by Nassau Inter-County Express (NICE) for all service changes that meet the definition of a Major Service Change as provided in NICE's system-wide service standards and policies, which equals a change of 25 percent change in transit revenue vehicle hours. In order to address the mandates in Title VI of the Civil Rights Act of 1964, as well as the Environmental Justice (EJ) provisions in Presidential Executive Order 12898, the service change analysis will evaluate minority (Title VI protected classes) as well as low-income populations (persons who are either members of a minority and/or at or below the U.S. Department Of Health and human Services poverty guidelines). NICE's approach must include:

- A description of the methodology used to determine the impact of the service change
- A determination as to whether the proposed change would have discriminatory impacts
- An analysis of modifications to avoid, minimize, or mitigate potential discriminatory impacts
- A description of what, if any, action was taken by the agency in response to the analysis conducted

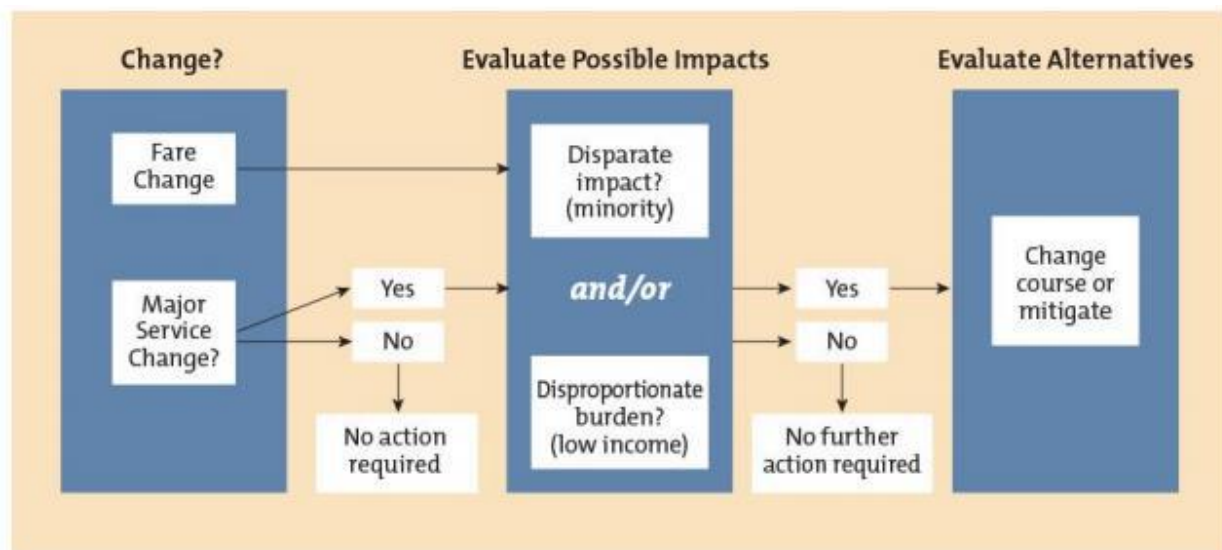
## Background

NICE Bus has established four new shuttle routes; one covering the Port Washington area, one operating between Freeport and Oceanside, one operating between the Hicksville Railroad Station and Bethpage and one operating in the Merrick Area. In accordance with the Major Service Change Policy, new service is classified as a major service change and is subject to the Title VI evaluation process.

As a recipient of Federal financial assistance, NICE Bus must ensure that service changes – both increases and reductions – comply with Title VI of the Civil Rights Act of 1964, which states:

*“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.”*

The FTA has provided specific implementing guidelines and regulations for complying with Title VI in Circular 4702.1B (“Circular”). Due to the interrelated nature of race/ethnicity and income, the Circular instructs transit agencies to consider impacts on low-income populations as well as minority populations; the assessment of potential Title VI issues related to service changes is completed through a service equity analysis.



## Major Service Change Policy

All changes in service meeting the definition of Major Service Change are subject to a Title VI Equity Analysis prior to Board approval of the service change. A NICE Bus Title VI Equity Analysis will be completed for all Major Service Changes and will be presented to the Bus Transit Committee for its consideration and included in the subsequent NICE Bus Title VI Program report with a record of action taken by the Bus Transit Committee.

A Major Service Change is defined as:

A change in service of 25 percent or more of the number of route miles, or a 25 percent or more of the number of revenue vehicle hours of service on a daily basis for the day of the week for which a change is made, or;

A new transit route is established.

If changes in service on a route to be effective at more than one date within any fiscal year would equal or exceed 1(a) and/or 1(b) above, the changes in total will be considered a Major Service Change, and an equity analysis will be completed in advance of action on the proposed change.

## Disparate Impact Policy

Testing for Disparate Impact evaluates effects on minority riders or populations as compared to nonminority riders or populations. "Minority" is defined as all persons who identify as being part of racial/ethnic groups besides white, non-Hispanic.

Major Service Changes – a Major Service Change to a line will be considered to have a Disparate Impact if condition 1 and either condition 2(a) or 2(b) below is found to be true:

1. The percentage of impacted minority population in the service area of the line exceeds the percentage of minority population of the NICE Bus System as a whole, and;
2. (a) In the event of service reductions, the service change has an adverse effect on the minority population in the service area of the line.
2. (b) In the event of service additions, the addition is linked to other service changes that have adverse effects on the minority population in the service area of the line, or; the service addition on the subject line is linked with a service change(s) on other line(s) that have adverse effects on the minority population in the service area of that line or lines.

For lines with Major Service Changes, if the percentage of minority population in block groups 1 served by the impacted portion of the line (sum of minority population in all impacted block groups divided by the total population in all impacted block groups) exceeds the percentage of minority population of Nassau County as a whole, the impacts of changes to the line will be considered disparate.

## Evaluation Methodology

Impacts of the proposed service changes on residents of the study area are determined based on the change in access to transit. Access to transit is measured as the number of bus trips that serve a given population. Since Census data is used for this analysis, service change impacts are determined by Census division. For Minority populations, the Census “block” divisions are used. For Low-Income populations, the Census “block group” divisions are used. In the analysis, the number of transit trips serving each Census division is calculated for both the existing service and the proposed Concept Plan. The change in service level is calculated for each census division by subtracting current total trips from future total trips, as shown:

$$\begin{array}{l} \text{Future trips available} \\ \text{within census division} \\ \text{(modified/planned bus} \\ \text{routes)} \end{array} - \begin{array}{l} \text{Current trips available} \\ \text{within census division} \\ \text{(existing bus routes)} \end{array} = \begin{array}{l} \text{Change in service} \\ \text{by census division} \end{array}$$

Under the population method, the average percent change in service is calculated by assigning weights to each division’s individual percent change according to its population makeup. This is achieved by multiplying each division’s population by the percent change in that division, summing the results for all analyzed areas, and dividing the sum by the total population of the analyzed census divisions, as shown:

$$\text{Avg } \% \Delta = \frac{\sum \text{Population}_i \times \text{Percent Change}_i}{\sum \text{Population}_i}$$

## ROUTES AFFECTED

The following is a summary of the proposed service changes and customers affected:

Routes Affected			
Route	Summary of Changes	Avg Ridership	Affected
<i>Port Washington Shuttle</i>	New Service	75	75
<i>Bethpage Shuttle</i>	New Service	n/a	n/a
<i>Merrick Shuttle</i>	New Service	n/a	n/a
<i>Oceanside Shuttle</i>	New Service	n/a	n/a

Of these routes the only route to be defined as a minority route, as well as a low-income route, in accordance with the 2019 Title VI plan, is the Oceanside Shuttle.

## METHODOLOGY

The main steps in completing the Service Change Analysis included:

- Determine if route is minority or low income
- Establishing service equity impact analysis thresholds
- Evaluating whether planned service changes will have a disparate impact on populations protected under the Title VI and whether low-income populations will bear a disproportionate burden of the changes
- Recommending methods to avoid, minimize or mitigate impacts as needed
- Propose alternatives to service changes.

NICE collected onboard survey data in order to assess ridership characteristics. Data on age, race, income, minority status, ability to speak English and type of fare used are provided in the 2019 NICE Bus System Wide Survey. In order to help identify the Title VI populations, demographic data from the region and transit providers were examined. Data for the county were compiled in order to provide context and comparison for the survey data. A full FTA mandated system survey was completed and filed in 2019. Data collected in the survey were compiled and compared to the US Census Survey data from the 2017 American Community Survey.

The Title VI guidelines identify disparate impacts as impacts to the minority population, while disproportionate burdens address impacts on low-income populations. The assessment of these potential impacts was also completed using the onboard survey data.

## Major Service Changes – System Level

To determine the system-wide impacts of service changes on more than one line, the percentage of impacted minority population (sum of minority population in all impacted block groups divided by the minority population of the NICE Bus System as a whole) is compared to the percentage of impacted nonminority population (sum of non-minority population in all impacted block groups divided by the nonminority population of the NICE Bus System as a whole). Comparisons of impacts between minority and nonminority populations will be made for all changes for each respective day of service — weekday, Saturday, and Sunday. If the percentage of impacted minority population differs from the percentage of impacted non-minority population by more than 20 percent, the overall impact of changes will be considered disparate.



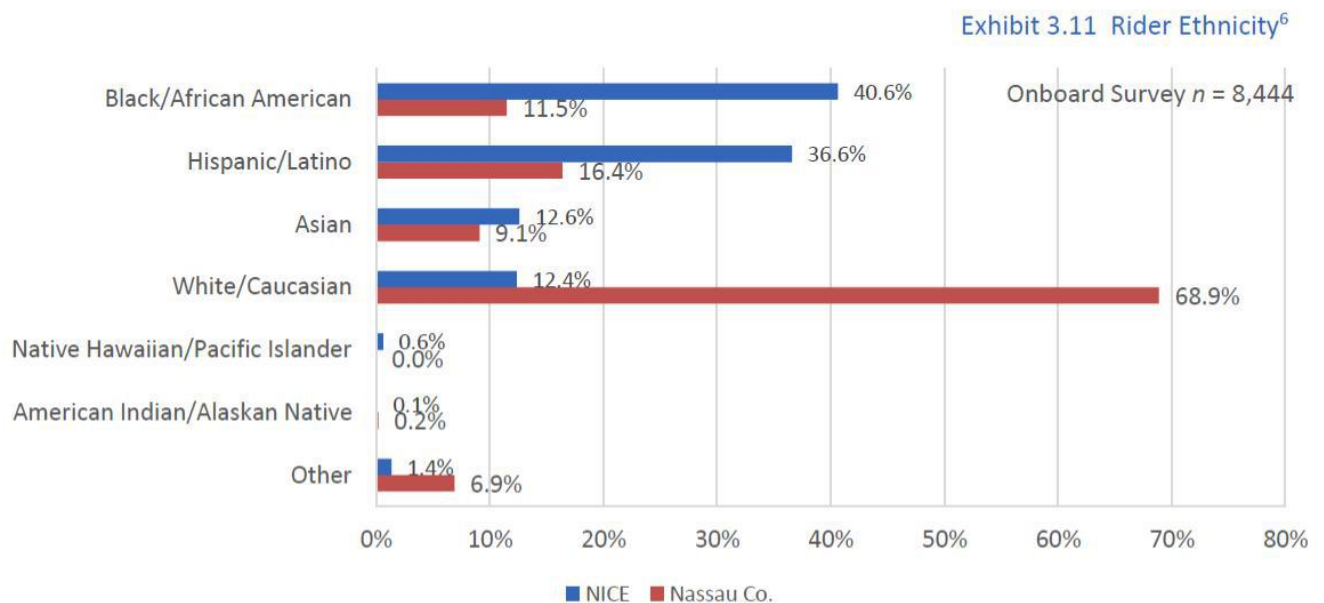
## Disproportionate Burden Policy

Testing for Disproportionate Burden evaluates potential effects on low-income riders or populations, defined as at or below 150% of the U.S.Department of Health and Human Services Poverty Guidelines. The line and system level evaluations are identical to those used to determine potential Disparate Impacts, but comparing low-income and higher income populations rather than minority and non-minority populations.

## Ridership Analysis

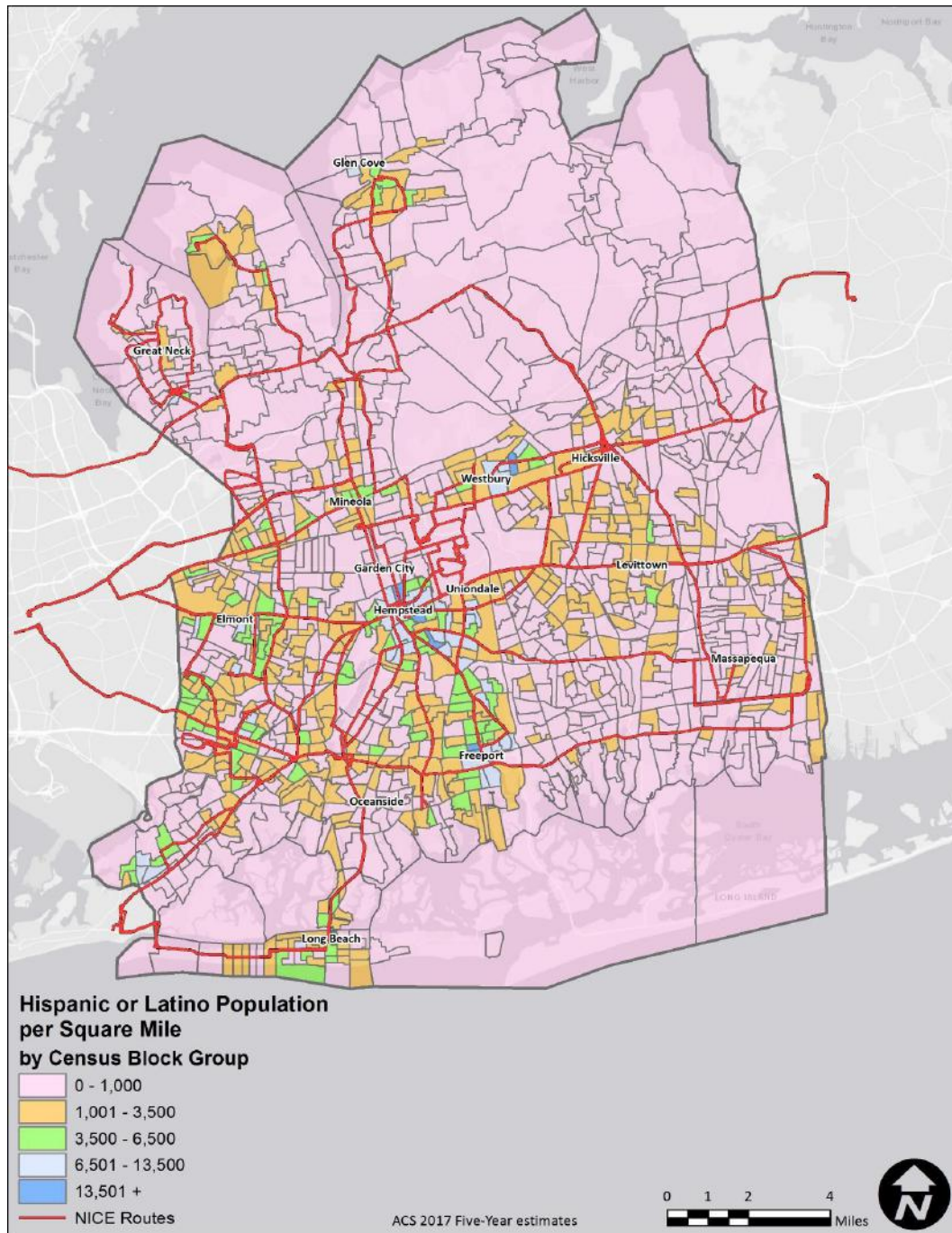
### Survey Population Demographics

The most recent system wide survey shows Black or African American was the most frequently selected response cited by 43.4 percent of those surveyed. Persons of Hispanic/Latino heritage made up 28.3 percent of those sampled. Respondents identifying themselves as White represented 14.3 percent, while 8.8 percent identified themselves as Asian.



The following are maps that represent the minority /low income populations with NICE Bus route overlays for Nassau County. The data was gathered from the 2013-2017 American Community Survey. Each map represents a minority population's distribution across the county, and the system routes are overlaid for comparison/assessment of their access to existing service. A similar analysis was done for the low income population in the county. Legends with concentrations are located at the bottom right of each map.

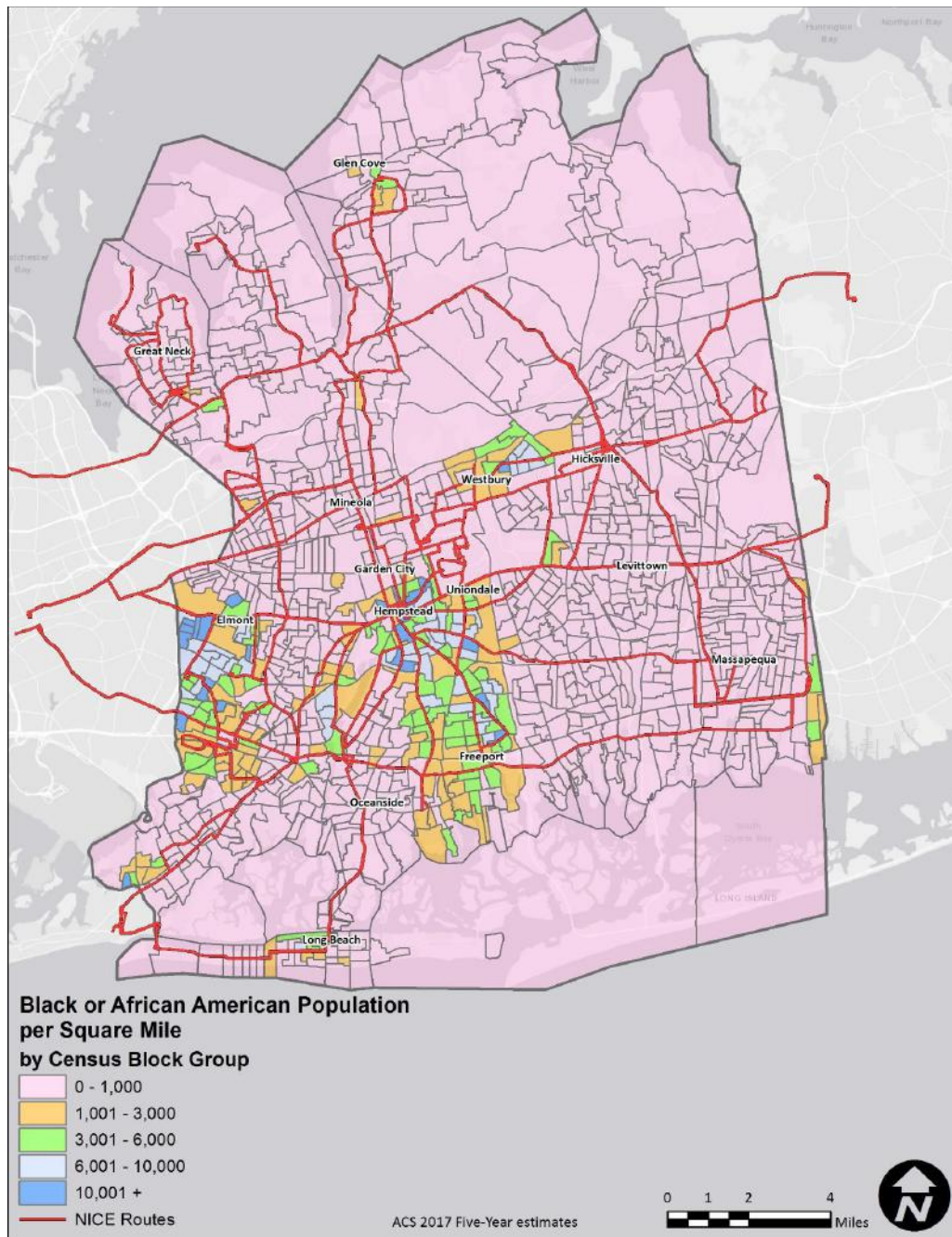
## Hispanic /Latino Populations



Hispanic/Latino populations are primarily clustered around transit lines. There is one modest concentration in the far northeast portion of the county (Glen Cove), with transit service from the Long Island Railroad (LIRR). Other key concentrations are located in or near Westbury, Hempstead, Freeport,

Roosevelt, Hewlett Bay Park, Inwood, and Long Beach. Nearly all routes serve one or more census blocks that include 22 percent or more of individuals who identify themselves as Hispanic/Latino.

### Black/African American

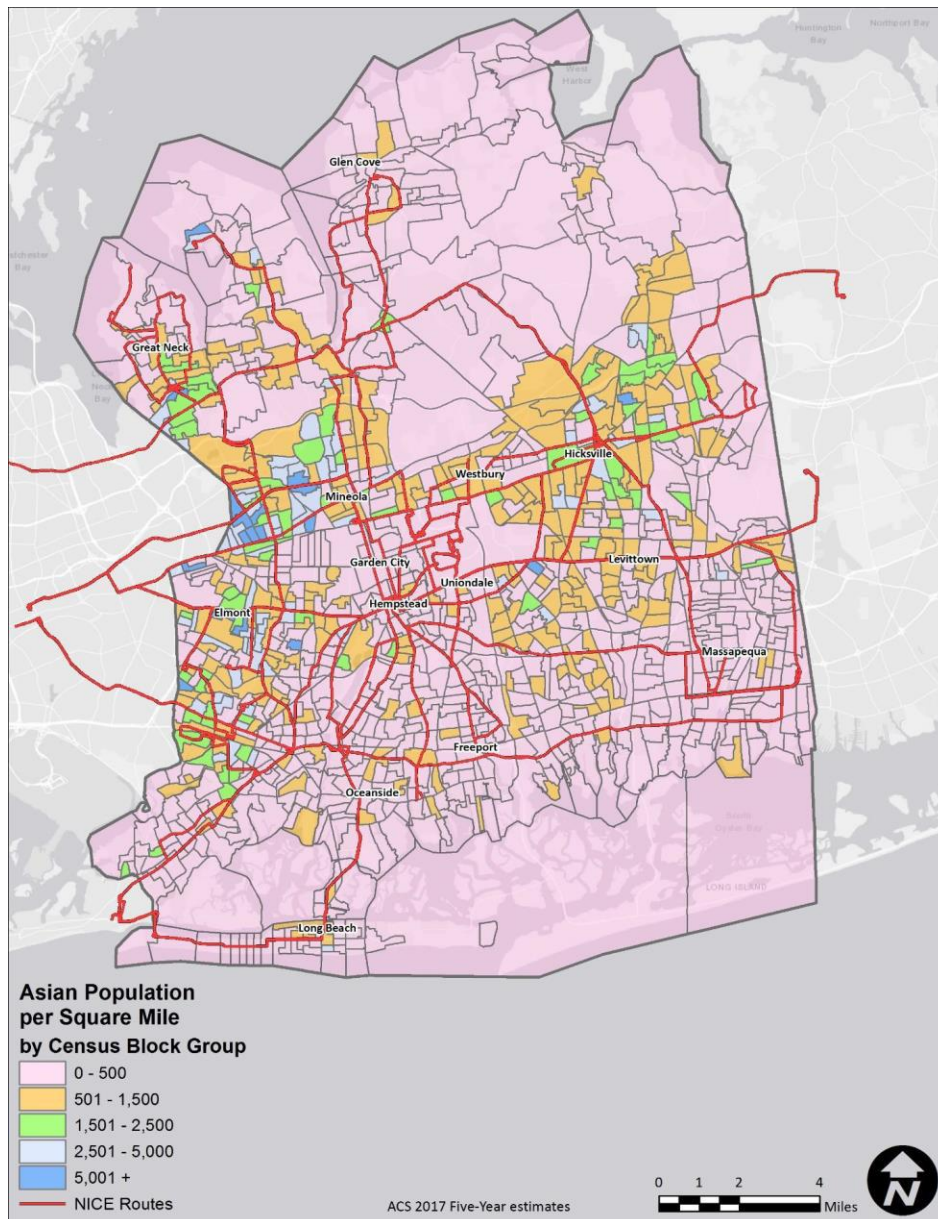


Black/African-American populations are primarily concentrated through central Nassau County (Hempstead, Freeport, Roosevelt, Lynbrook, Garden City, and Westbury) and far west Nassau County



(Elmont). A majority of the routes in the southern portion of the county travel through one or more census block with a substantial Black/African-American population.

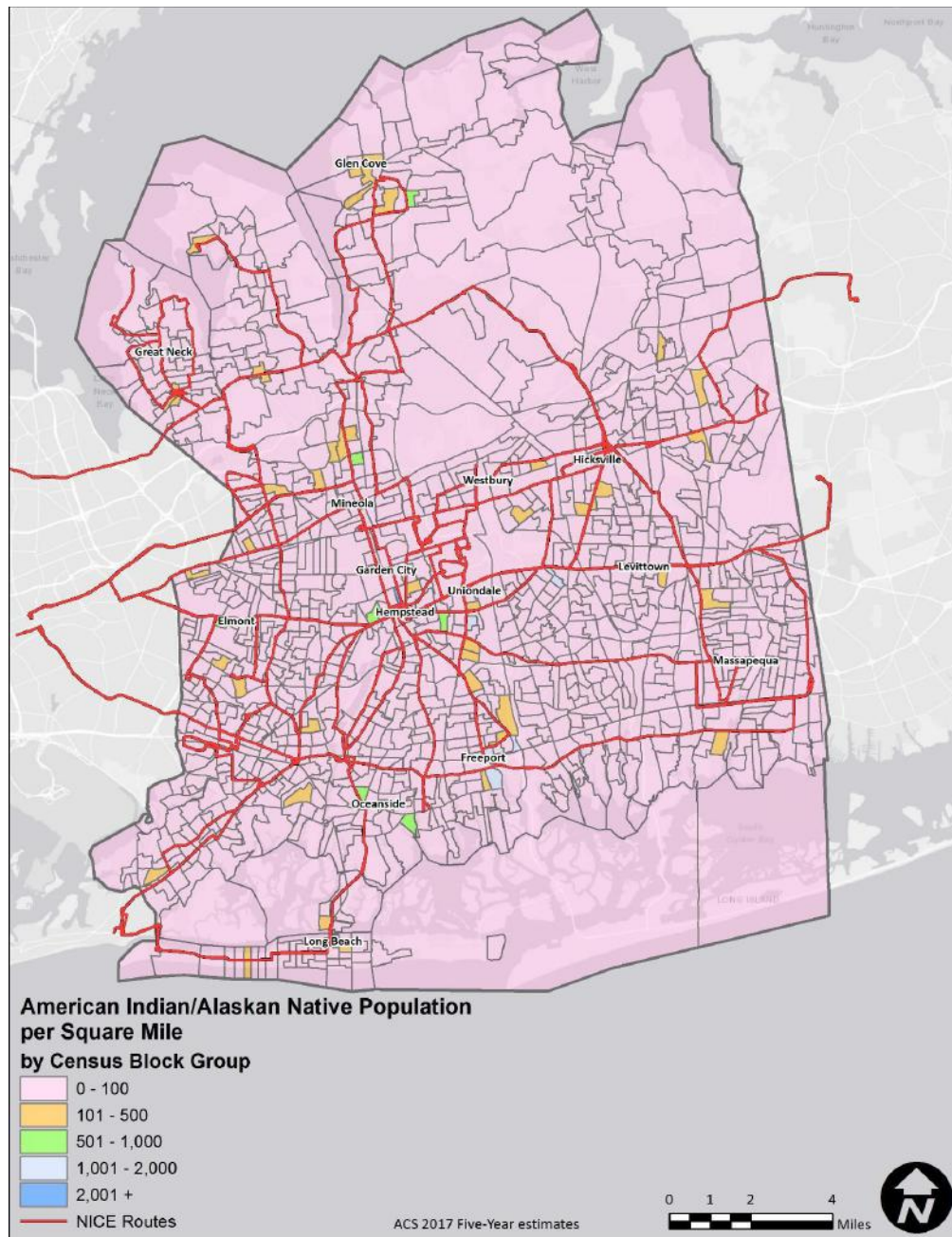
### Asian



Asian populations are primarily concentrated in the northern half of the county; however the sub-population is fairly evenly dispersed with a few areas of higher densities. These denser areas are comprised of census blocks in Hicksville, New Hyde Park, West Hempstead, Franklin Square, and Valley Stream. Two areas in eastern Nassau County have an absence of NICE service – Muttontown and

Syosset (Syosset, however, is served by the LIRR). The majority of the routes in the northern portion of the county travel through one or more census block with a substantial Asian population.

### American Indian/Alaskan Native

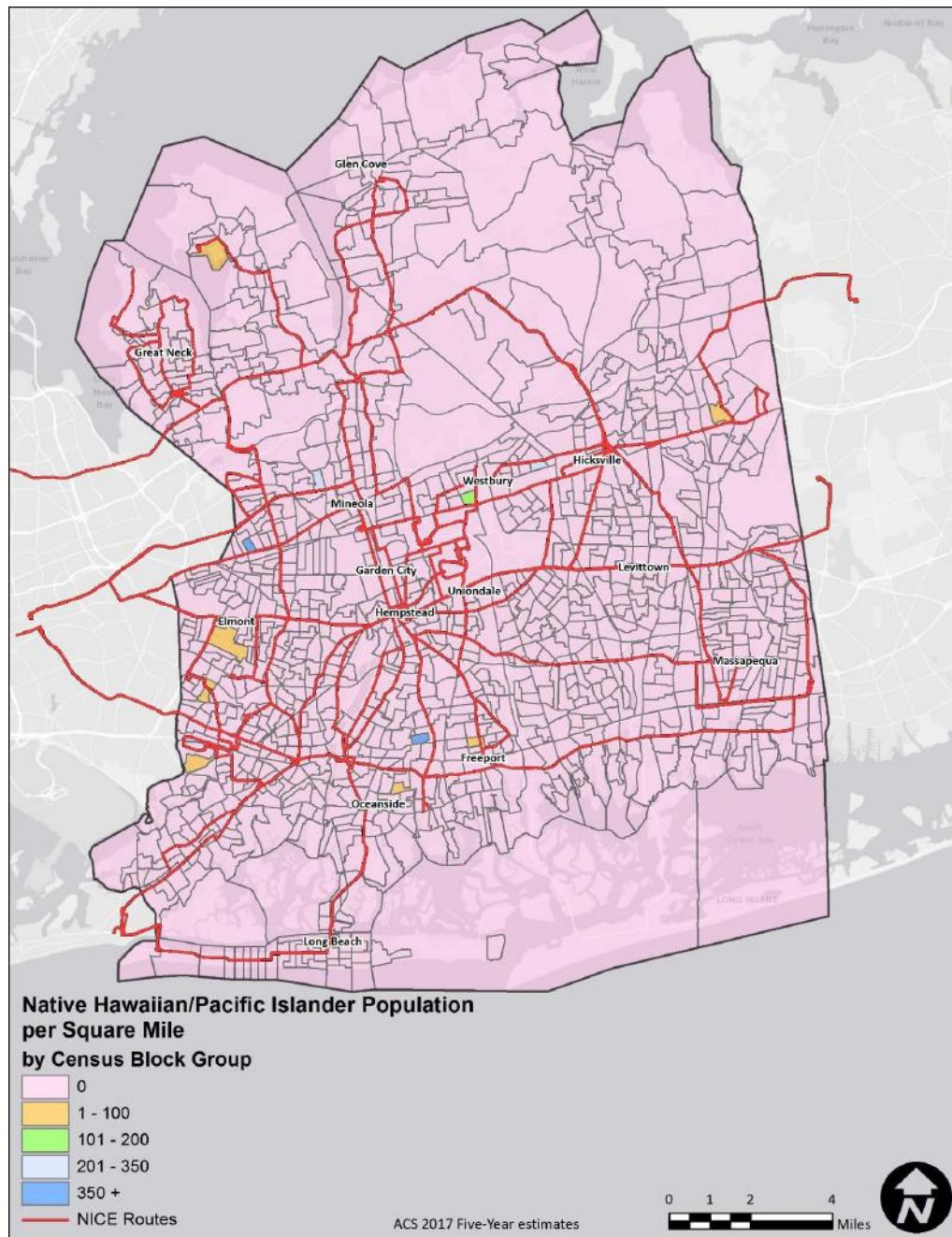


American Indian/Alaskan Native populations are moderately concentrated across the county, but are primarily clustered around transit service. These small concentrations are located in or near Williston Park, Hicksville, Westbury, Baldwin, Lynbrook, Westwood, Island Park, and Long Beach. There is one



moderately dense area in the far northeast portion of the county (east of Jericho) that is not currently served by NICE.

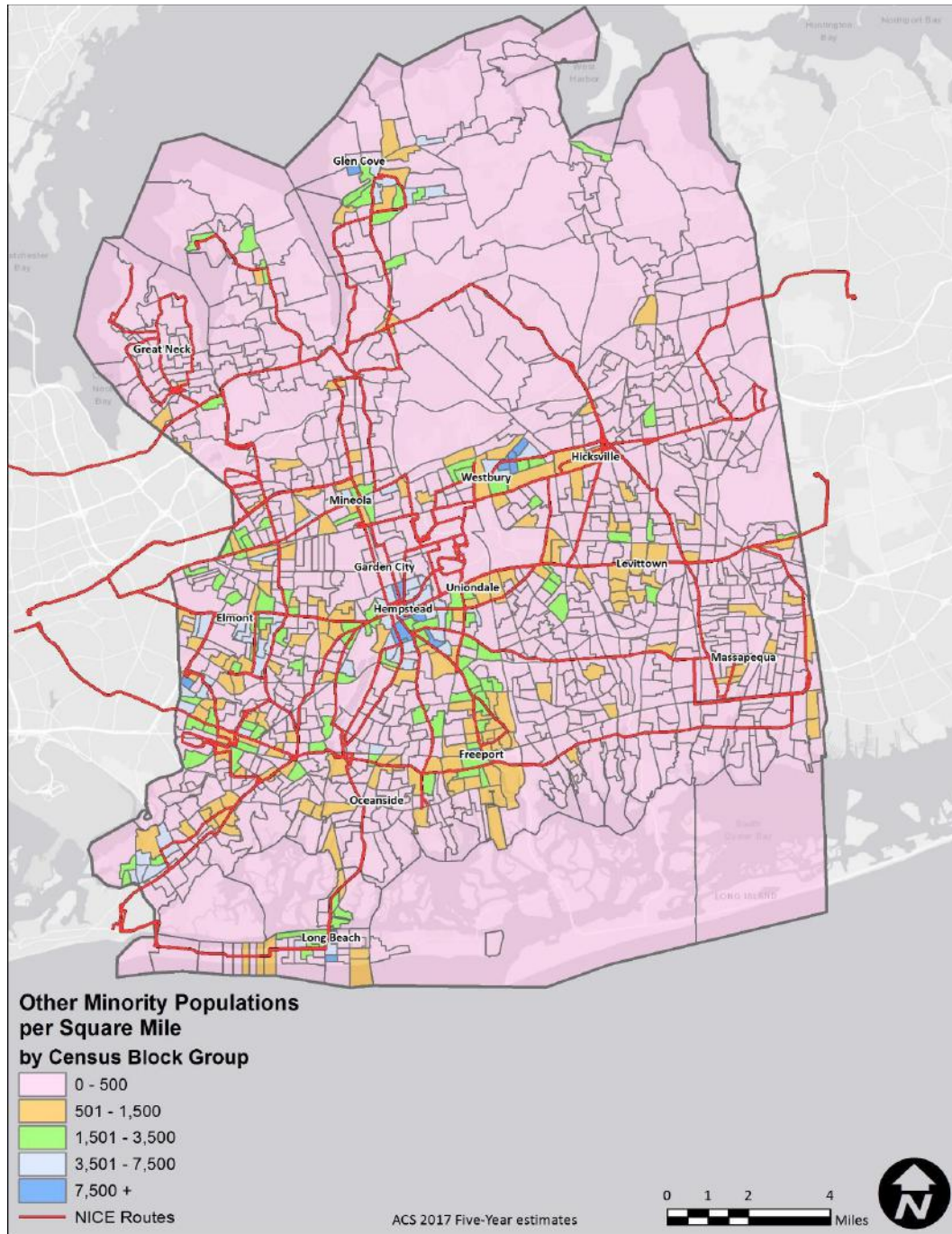
### Hawaiian/Pacific Islander



There are no significant concentrations of persons identifying themselves as being Native

Hawaiian/Pacific Islander in Nassau County. Small low-density pockets exist in the vicinity of New Hyde Park and Locust Valley.

### Other Minority Populations

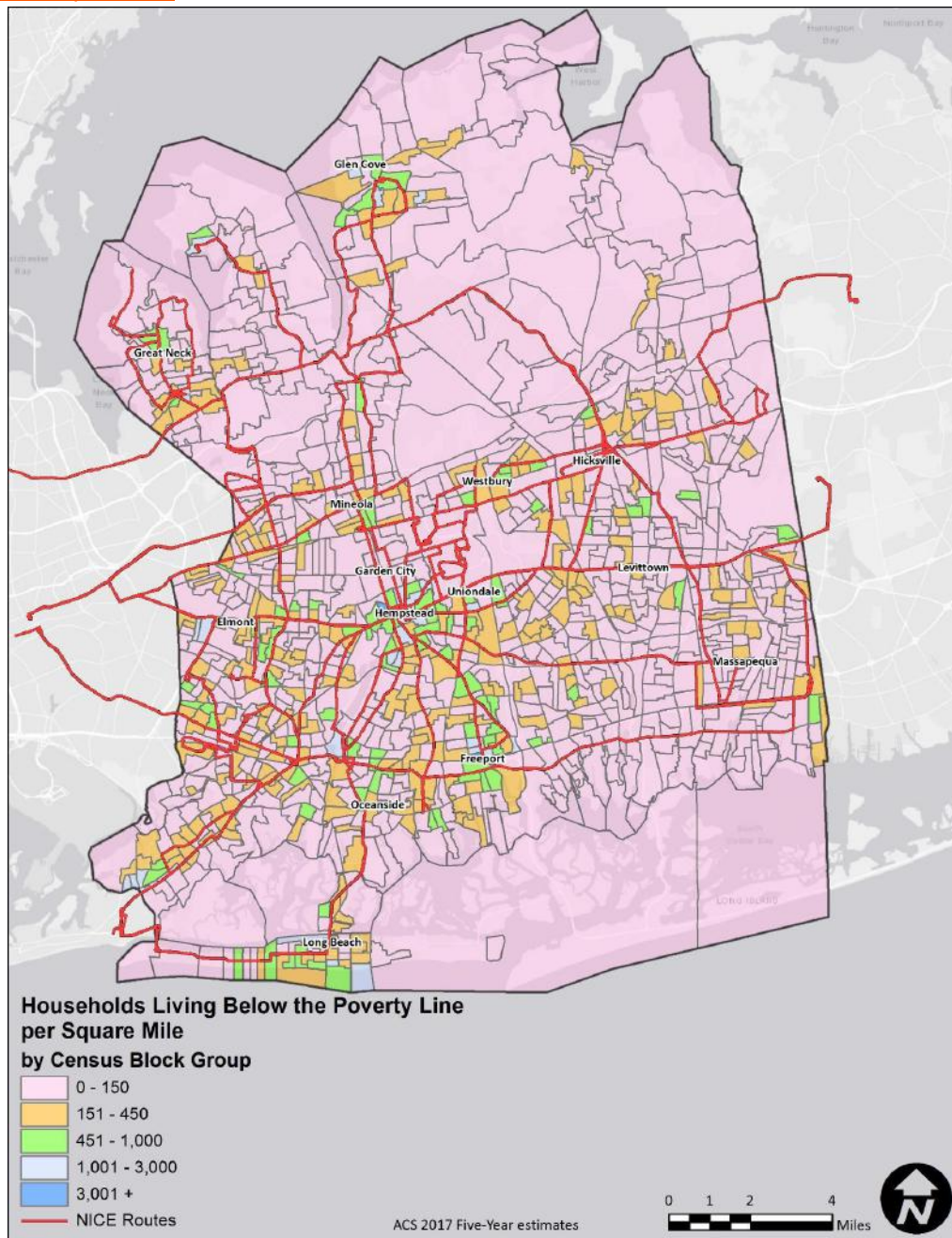


Other minority populations (those who indicated being something other than those cited above on the



2010 census) are dispersed through northern and central Nassau County, including Sea Cliff, Hempstead, Westbury, and Freeport.

### Low-Income Populations



Low-income residents are primarily clustered around central Nassau. Areas with a more dense concentration include Westbury, Hempstead, Freeport Roosevelt, Glen Cove and Inwood. There are several modest concentrations in the far northeast portion of the county which currently is not served by

NICE. Nearly all routes serve one or more census blocks that include a 4.6 percent or greater concentration of individuals considered to be low-income.

## SERVICE EQUITY ANALYSIS

Minority Population of Service Area			
Route	Census Tracts Along Route	Average Population in Service Area	Difference
<i>Port Washington Shuttle</i>	33.77%	38.63%	-4.86%
<i>Oceanside Shuttle</i>	40.98%	38.63%	2.35%
<i>Bethpage Shuttle</i>	22.15%	38.63%	-16.48%
<i>Merrick Shuttle</i>	27.05%	38.63%	-11.58%

Low-Income Population of Service Area			
Route	Census Tracts Along Route	Average Population in Service Area	Difference
<i>Port Washington Shuttle</i>	8.90%	10.12%	-1.22%
<i>Oceanside Shuttle</i>	12.90%	10.12%	2.78%
<i>Bethpage Shuttle</i>	6.77%	10.12%	-3.35%
<i>Merrick Shuttle</i>	7.94%	10.12%	-2.18%

## CONCLUSIONS TO SERVICE EQUITY ANALYSIS

The analysis indicates that these changes will introduce new and improved service to low-income and minority populations on one of the new routes, the Oceanside Shuttle. As these changes are being made as an independent addition to the fixed route network without any cuts or alterations to existing service, there will be no disparate impacts associated with the addition of these services.

## RECOMMENDATIONS

It is recommended that these service changes be implemented, as they expand service to low-income and minority populations. As mentioned in the 2019 Title VI Survey, nearly 90% of NICE riders are minority. In recent years NICE has taken major steps to improve the quality of existing service, specifically in terms of reliability and on-time performance, increasing OTP from the low 70% range to the mid 80% range. Additional increases in operator headcount and peak vehicle availability have led further operational performance increases. These service additions will build on much of the operational progress achieved by NICE without having any cuts or significant changes to existing service.