

CHAPTER 4: TITLE VI AND ENVIRONMENTAL JUSTICE

The Federal Transit Administration (FTA) requires recipients of federal funding, including Metro Transit, to conduct a Title VI Service Equity Analysis for any proposed service change that meets the agency's major service change threshold. The purpose of the analysis is to "to evaluate system-wide service changes and proposed improvements at the planning and programming stages to determine whether those changes have a discriminatory impact." The changes included in the West End and Route 9 Transit Study Recommended Plan meet the threshold for a "major service change" as defined in Metro Transit's Title VI Policy, and this analysis fulfills this requirement.

To provide direction to recipients of federal funding, the FTA issued Circular 4702.1B, *Title VI Requirements and Guidelines for Federal Transit Administration Recipients*, in 2012, which replaced Circular 4702.1A issued in 2007. This document outlines Title VI evaluation procedures for recipients of FTA-administered transit program funds and includes guidance for a variety of equity evaluations.

Note that the service change area excludes portions of the route with non-stop service. Also, this analysis includes all of routes 9, 25, 604, 649 and 675, even though portions of these routes are excluded from the study.

FTA Definitions

Minority

The FTA defines a minority person as one who self-identifies as American Indian/Alaska Native, Asian, Black or African American, Hispanic or Latino and/or Native Hawaiian/Pacific Islander. For the purposes of this evaluation, non-minority persons were defined as those who self-identify as non-Hispanic white. All other persons, including those identifying as two or more races and/or ethnicities, were defined as minority persons. The distribution of minority populations within one-quarter mile of the existing and proposed route alignments is shown in **Figure 16**. Note that the service area change excludes portions of the route with non-stop service.

In this document, minorities are often referred to as persons of color.

Low-Income

While low-income populations are not an explicitly protected class under Title VI, the FTA recognizes the inherent overlap between Title VI and Environmental Justice principles and requires transit providers to evaluate the impact of service and fare changes to low-income populations and to identify any disproportionate burden placed on those populations by the proposed changes. The FTA defines a low-income person as one whose household income is at or below the poverty guidelines set by the Department of Health and Human Services (DHHS). The distribution of low-income and non-low-income populations within the service change area is shown in **Figure 17**.

Disparate Impact, Disproportionate Burden, and the Four-Fifths Threshold

The Federal Transit Administration defines "disparate impacts" as facially neutral policies or practices that disproportionately affect members of a group identified by race, color or national origin, and the recipient's policy or practice lacks a substantial legitimate justification. If the results of the analysis indicate a potential for disparate impacts, further investigation is required. Metro Transit has defined its disparate impact threshold using the "four-fifths rule." If the quantitative results indicate that the service changes in the West End and Route 9 Transit Study Recommended Plan show evidence of adverse effects to minority populations, this could be evidence of a disparate impact and would require additional analysis.

Metro Transit uses a similar approach when comparing the distribution of benefits and adverse impacts for low-income and non-low-income populations. However, when the distributions for low-income populations fall outside of the four-fifths threshold, this is referred to as a disproportionate burden rather than a disparate impact.

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 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 Recommended Plan. The change in service level is calculated for each census division by subtracting current total trips from future total trips, as shown:

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

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:

$$Avg \% \Delta = \frac{\sum Population_i \times Percent\ Change_i}{\sum Population_i}$$

Evaluation of Impacts

In total, 137,325 people live in census blocks within the area that is experiencing a change in service, which is different from the study area population because all of routes 9, 25 and 675 are included. This population includes 37,640 minority persons, 99,685 non-minority persons, 22,780 low-income persons and 110,422 non-low-income persons. It should be noted that the American Community Survey Census data cannot determine low-income status for persons residing in group quarters. These include, but are not limited to, populations living in dormitories, group homes, nursing facilities and correctional facilities. For this reason, the combined total of low-income and non-low-income populations is 133,202 – slightly lower than that estimated population as a whole. The average percent change in service levels for each target population group is summarized in **Table 7** and illustrated in **Figure 18**.

Table 7: Average Service Level Change by Population Group

Population Group	Population of Service Change Area	Average Percent Service Change	Four-Fifths Threshold (Minimum)
Minority	37,640	-0.03%	-2.7%
Non-Minority	99,685	-3.4%	-
Low-Income	22,780	-1.0%	-2.0%
Non-Low-Income	110,422	-2.5%	-
Total	137,325	-2.5%	-

The proposed service changes result in an overall slight decrease in transit service availability for all population groups. The average individual in the service change area experiences a 2.5 percent decrease in transit service.

The average minority individual in the service change area experiences a 0.03 percent decrease in transit service. This value is higher than the average decrease of 3.4 percent for non-minority individuals. Therefore, this analysis identifies no potential for disparate impact to minority populations due to the proposed service changes.

The average low-income individual in the service change area experiences a 1.0 percent decrease in transit service. This value is higher than the average decrease of 2.5 percent for non-low-income individuals. Therefore, this analysis identifies no potential for disproportionate burdens to low-income populations due to the proposed service changes.