

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

Public Hearing for: Proposed Trolley System Changes

The Metropolitan Transit System (MTS) Board of Directors will hold a Public Hearing for the implementation of a new Trolley line, the Copper Line, to operate between El Cajon Transit Center and Santee Town Center. The Copper Line would replace all Orange and Green Line service north of El Cajon Transit Center and would operate similar frequencies and hours as current Green Line service to Santee. The changes would take effect in or after September 2024 . If approved, the action by the San Diego Metropolitan Transit System (MTS) Board of Directors would implement the Copper Line and related changes to the Orange and Green Lines.

The Public Hearing will be held on June 20, 2024 at 9:00 a.m., James R. Mills Building, 10TH Floor, Board Meeting Room; 1255 Imperial Avenue, San Diego, CA, 92101-7490. The public may alternatively participate via webinar during the meeting itself. Instructions for joining the webinar can be found under Agenda & Materials:

<https://www.sdmts.com/about/meetings-and-agendas/board-meetings>

Those who wish to submit remarks but cannot participate in the webinar may provide their comments to MTS no later than 1:00 p.m., June 19, 2024, by writing to MTS Planning, 1255 Imperial Ave. Suite 1000, San Diego CA 92101, or by email at (webform) <https://www.sdmts.com/inside-mts/current-projects/copper-line-east-county-connector>.





Title VI Analysis

Copper Line

Prepared by the Metropolitan Transit System
June 2024

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Executive Summary

The San Diego Metropolitan Transit System (MTS) has conducted a Title VI analysis of the 2024 proposed implementation of the San Diego Trolley Copper Line, as required by the Federal Transit Administration (FTA). Title VI is a Federal statute and provides that no person 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. The purpose of this analysis is to ensure that MTS is in compliance with Title VI requirements. MTS has followed FTA's guidelines, published in FTA Circular 4702.1B on October 1, 2012.

The critical elements of this analysis involve a determination of whether or not disparate impacts to minority populations or disproportionate burdens to low-income populations would result from the change. As defined in MTS Policy 42:

A disparate impact is found when there is a difference in adverse effects between minority and non-minority populations such that: the adversely affected population is 10 percent or greater minority than the total MTS service area average; or, the benefitting population is 10 percent or more non-minority than the total MTS service area average.

A disproportionate burden is found when there is a difference in adverse effects between low-income and non-low-income populations such that: the adversely affected population is 10 percent or more "low-income" than the total MTS service area average; or, the benefitting population is 10 percent or greater "non-low-income" by percentage of total population than the total MTS service area average.

The study found that there is no disparate impact and no disproportionate burden resulting from the implementation of the San Diego Trolley Copper Line.

Introduction

The San Diego Metropolitan Transit System (MTS) is proposing to implement a new Trolley Line that will replace the easternmost segments of the existing Green and Orange Lines. The Copper Line will operate largely the same frequency and span-of-service as the current Green Line.

The implementation of the Copper Line is considered to be a major service change under MTS Policy 42.5B, and as a result the Federal Transit Administration (FTA) requires the execution of a Title VI analysis (FTA C 4702.1B). This Title VI analysis involves the evaluation of the implementation of the Copper Line as a major service change to determine whether or not it will have a disparate impact on both minority and low-income groups. If disparate impacts or disproportionate burdens are found, this analysis will identify the available service alternatives and mitigation strategies that can be used to minimize them.

Background

Qualification as Major Service Change

The definition of a major service change, as used within MTS Policy 42, was developed with public input as part of a public engagement process during June 2013 when MTS held a public hearing to solicit feedback from stakeholders. According to the policy, MTS will conduct a Title VI analysis on any of the following changes before a final implementation decision is made:

- A change that is greater than 25 percent of a route's weekly in-service miles or hours.
- An increase or reduction in the average weekly span-of service of more than 25 percent.
- The implementation of a new route or the discontinuation of an existing route.
- A routing change that affects more than 25 percent of a route's Directional Route Miles and more than 25 percent of the route's bus stops.

Because this change is the implementation of a new route (Copper Line), it qualifies under MTS Policy 42 as a major service change. The complementing changes to the Green and Orange Lines are not included in this analysis since the changes to those routes do not meet any of the above criteria for a major service change.

Purpose of MTS Service Changes

The implementation of the Copper Line is expected to improve overall Trolley network reliability by removing the highly variable single-track segment along Cuyamaca Street from the Green and Orange Lines. This segment affects the entire rail network because the Green Line is scheduled between Blue and Orange Lines in several locations, including the Orange Line in La Mesa and the Blue Line between Old Town and Sante Fe Depot. Delays on the Green Line compound into schedule impacts to all three lines. It is proposed that the Copper Line be implemented to replace Green and Orange Line service north of El Cajon Transit center, including the Cuyamaca Street single track segment, as early as September 2024. Actual implementation date would depend on the completion of the capital improvements already underway that would be required to accommodate this change.

Definition of Low-income and Minority Groups

FTA Circular 4702.1B encourages recipients to use a locally developed threshold for low-income person that is "at least as inclusive as the HHS poverty guidelines." In coordination with SANDAG, MTS defines a low-income person as an individual whose household income is at or below 200 percent of the poverty level as defined by the United States Census Bureau. The FTA defines minority persons as the following: American Indian and Alaska Native, Asian, African American, Hispanic or Latino, and Native Hawaiian or other Pacific Islander.

Disparate Impact and Disproportionate Burden to Low-income and Minority Populations

This analysis considers the percentage of minority and low income persons by route in each census block group that the route serves. It identifies which route changes could potentially have a disparate impact or disproportionate burden. In order to provide the standard for the analysis, this section defines the criteria that MTS considers to be qualifications for a disparate impact or disproportionate burden.

The FTA defines a disparate impact as "a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient's policy or practice

lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin (FTA C 4702.1B Chapter I-2).”

MTS Policy 42.6b uses the phrase, “disparate impact,” when speaking of minorities, and the phrase, “disproportionate burden,” when speaking of low-income impacts. This report uses these phrases to differentiate the two. Both are defined as follows:

A **disparate impact** is found when there is a difference in adverse effects between minority and non-minority populations such that: the adversely affected population is 10 percent or greater minority by percentage of total population than the total MTS service area average; or, the benefitting population is 10 percent or more non-minority than the total MTS service area average. *For example, if the total MTS service area average is 55% minority, then a proposed service change that adversely affects a population that is 65% minority or greater would be defined as a disparate impact.* If MTS chooses to implement a proposed major service change despite a finding of a disparate impact, MTS may only do so if there is a substantial justification for the change, and there are no alternatives that would have a less disparate impact and still accomplish the goals of the change (MTS Policy 42.6b).

A **disproportionate burden** is found when there is a difference in adverse effects between low-income and non-low-income populations such that: the adversely affected population is 10 percent or more “low-income” than the total MTS service area average; or, the benefitting population is 10 percent or greater “non-low-income” by percentage of total population than the total MTS service area average. *For example, if the total MTS service area average is 20% “low-income,” then a proposed service change that benefits a population that is 90% or greater “non-low-income” would be defined as a disproportionate burden.* If MTS chooses to implement a proposed change despite a finding of disproportionate burden, MTS may only do so if steps are taken to avoid or minimize impacts where practicable, and MTS provides a description of alternatives available to affected low-income populations (MTS Policy 42.6b).

Table 2 shows the total MTS service area averages for minority and low-income populations, based on the data from the 2021 American Community Survey 5-year estimates:

Table 1: Service Area Averages

Population	Service Area Average
Minority	57.6%
Low-income	25.1%

Proposed Service Changes

The following section provides a profile of the Copper Line with two maps of the route: one with percentage of low-income population census block groups, and one with percentage of minority census block groups.

Figure 1: Copper Line and MTS Low-Income Population by Census Tract

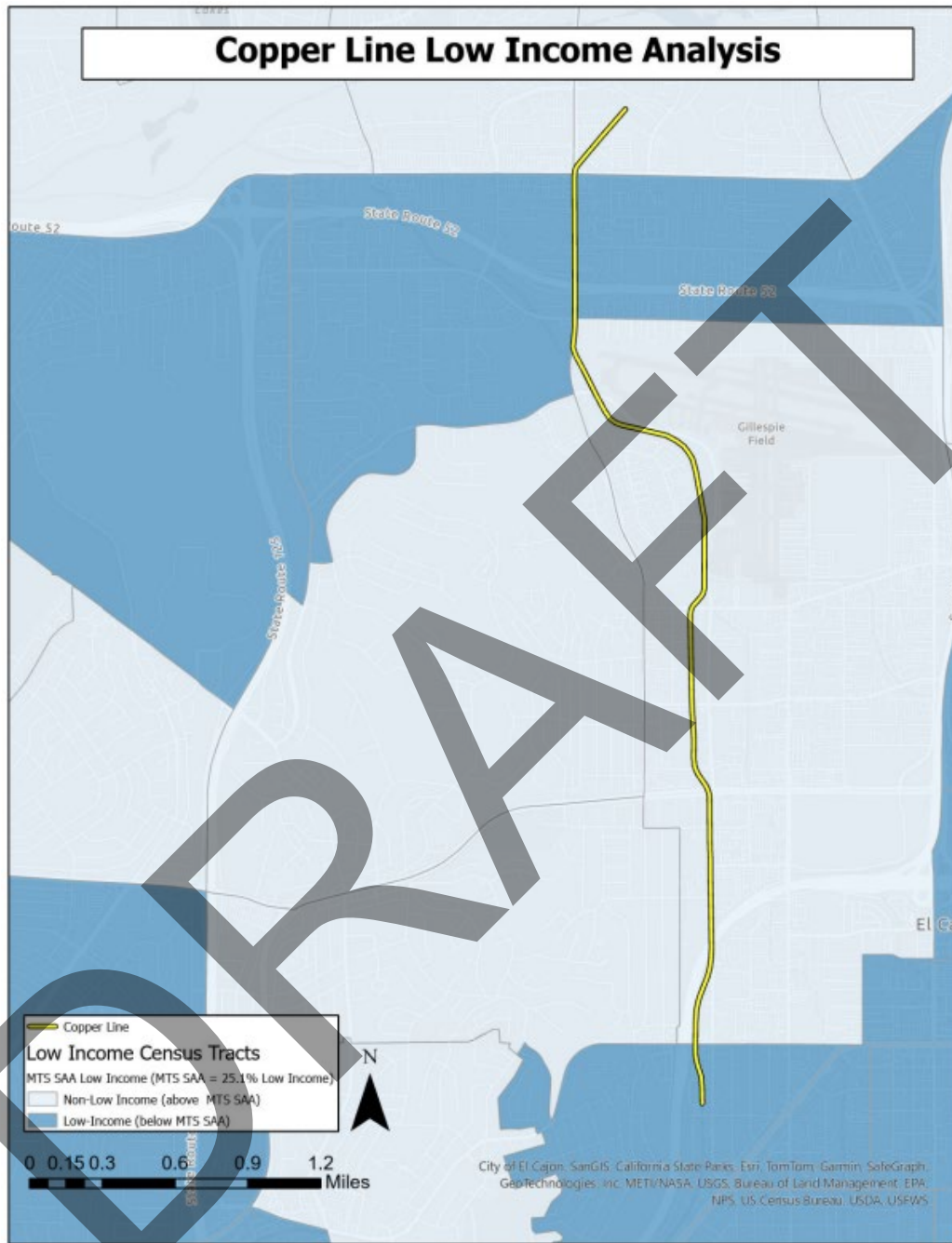
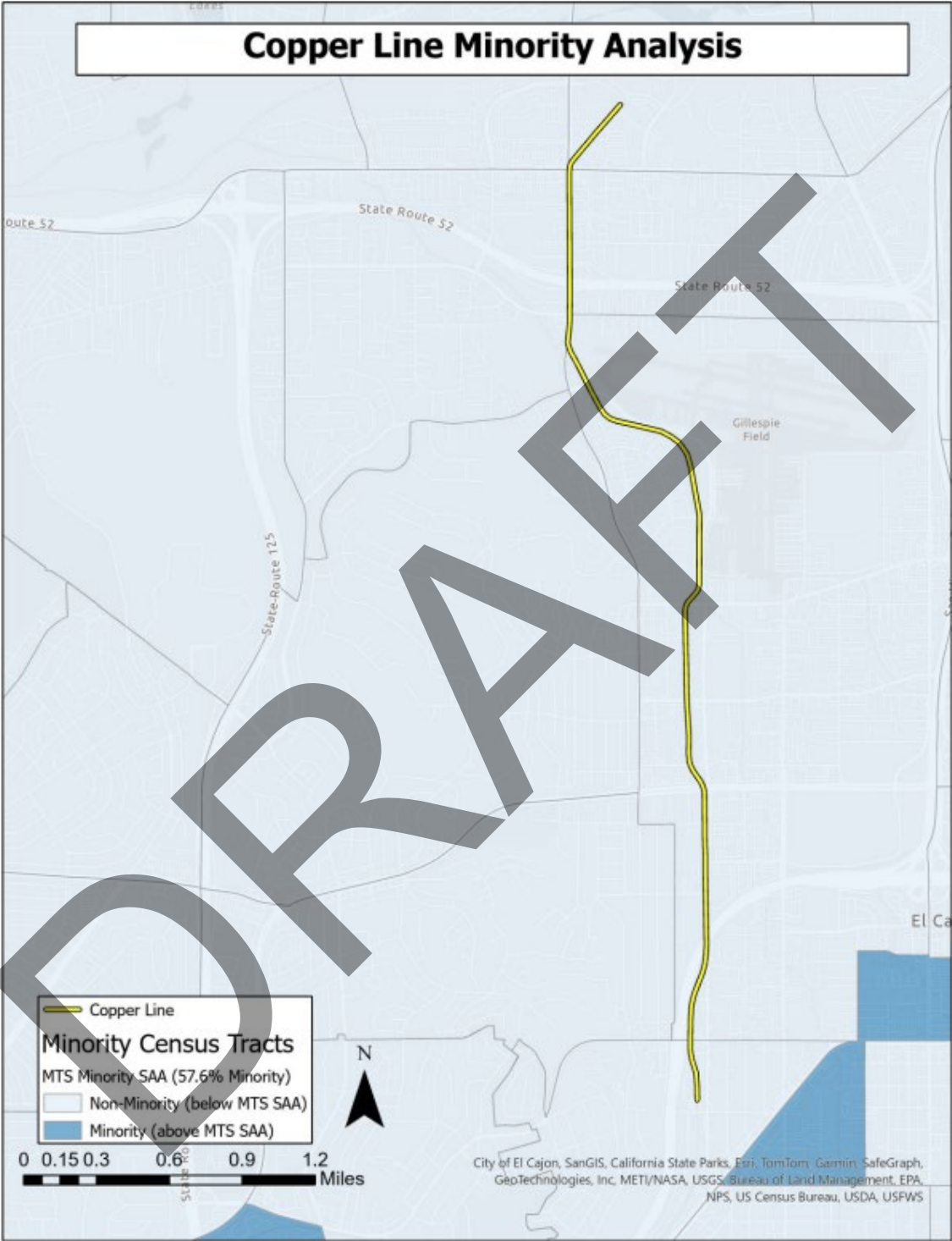


Figure 2: Copper Line and MTS Minority Population by Census Tract



Title VI Methodology

The FTA guidelines allow transit agencies to use either ridership or population as a basis to determine disparate impacts and disproportionate burdens. Whichever basis is selected should be used throughout the analysis. MTS has selected population as the basis to ensure consistency with past analyses.

The analysis compares the population in Census block groups affected by the proposed change (defined as within 1/4 mile of an affected route) with the population in the service area. The data source is the 2021 5-year estimates from the American Community Survey.

The definitions of disparate impact and disproportionate burden included in MTS Policy 42 are used in this analysis. The definitions require that the percentage of adversely affected minority or low-income populations be no more than 10 percent higher than the percentage of minority or low-income populations within the MTS service area for a service reduction. Conversely, for a service improvement or new service, the percentage of benefitted non-minority or non-low-income populations cannot be more than 10 percent higher than the percentage of non-minority and non-low-income populations within the service area.

This analysis uses the definition of low-income persons included in FTA Circular 4702.1B. The Circular encourages recipients to use a locally developed threshold for low-income persons that are “at least as inclusive as the HHS poverty guidelines.” This analysis defines low-income persons as individuals whose household income is at or below 200 percent of the poverty level as defined by the United States Census Bureau.

The formats provided in Tables 1 and 2 in Appendix K of FTA Circular 4702.1B are used to present the results of the analysis, as recommended by FTA.

Title VI Evaluation Results

Table 3 presents minority and low-income population data within the MTS service area.

Table 2: Population Data within the MTS Service Area

Service Area Population	Minority Population	Percent Minority	Low Income Population	Percent Low Income
2,370,598	1,399,454	57.6%	594,013	25.1%

Table 4 presents minority and low-income population data for census block groups affected by the proposed route implementation.

Table 3: Census Tract Population Affected by Implementation of the Copper Line

# Census Tracts	Total Population Race/Ethnicity	Minority Population Affected	Percent Minority	Total Population Low Income/ Non-Low Income	Low Income Population Affected	Percent Low Income Affected
4	14,762	6,718	45.5%	13,571	11,676	86.0%

The determination of the impacts must identify whether a project proposal would be a benefit or a burden. For service changes, typically this is related to changes in the availability of service or the level of service provided. Since the Copper Line is proposed to operate approximately the same level of service as the service it is replacing, other benefits or burdens must be identified to determine the impacts to affected

populations. These were identified through staff input and from the results of a public engagement process in April through June of 2024. They are listed below:

Potential benefits of proposal:

- Enhanced reliability and schedule adherence for entire MTS Rail network, including Orange and Green Lines.
- Increased reliability specific to the El Cajon-Santee segment covered by the Copper Line, as it would no longer be subject to delays elsewhere in the network.
- Minor improvements for traffic delays in the City of Santee may result due to shorter train consists.

Potential burdens of proposal:

- Additional transfer required for passengers traveling between stations north of El Cajon Transit Center and stations south/west of El Cajon Transit Center.
- Reduced frequency between El Cajon Transit Center and Arnele Station, which is currently covered by both Green and Orange Lines.

These impacts, primarily to MTS system riders – beneficial or burdensome – are relatively minor. The largest burden would be incurred by those that may require an additional cross-platform, timed transfer. This number of affected passengers would be less than one percent of MTS system ridership. The less quantifiable improvement of better network reliability would benefit potentially half of MTS riders that use the three existing Trolley lines.

Statistically, the population of the affected census tracts has a minority population that is far lower than the systemwide average and a low-income population that is far higher than the systemwide average. If the implementation of the Copper Line were clearly a benefit, it could be interpreted as both a benefit to the low-income population as well as a disproportionate benefit to a non-minority population. If it were clearly a burden, it could be interpreted as a disproportionate burden to low-income populations but no Title VI impact to minority communities.

For the purposes of this analysis, while there are potentially both benefits and burdens identified by MTS and stakeholders, these are overall minor since there are no material changes to the level of service provided under the proposal. Therefore, MTS concludes that there is no disproportionate burdens or disproportionate benefits resulting from the proposed implementation of the Copper Line.