



Commonwealth of the Northern Marianas Islands  
**Commonwealth Office of Transit Authority**  
Office of the Governor



*"Driving You Forward"*

**ACKNOWLEDGEMENT**

I hereby acknowledged that I have approved the Commonwealth Office of Transit Authority's Title VI Plan Update on May 24, 2019.

  
\_\_\_\_\_  
ALFREDA P. CAMACHO  
Special Assistant for Public Transportation

5/24/19  
\_\_\_\_\_  
DATE





Commonwealth of the Northern Marianas Islands  
**Commonwealth Office of Transit Authority**  
Office of the Governor



*"Driving You Forward"*

## **Title VI Plan Update**

Date Updated: May 22, 2019

Date Update Approved: May 24, 2019

### **I. Plan Statement**

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

Commonwealth Office of Transit Authority (COTA) 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 the Title VI in Federal Transit Administration (FTA) Circular 4702.1B.

This plan was developed to guide the COTA in its administration and management of Title VI-related activities.

#### **Title VI Coordinator Contact Information:**

**Mr. Juan Diego B. Songsong**  
**Commonwealth Office of Transit Authority**  
**Office of the Governor**  
**Suite 216, Marianas Business Plaza**  
**Susupe**  
**Commonwealth of the Northern Mariana Islands**  
**Caller Box 10007**  
**Saipan, MP 96950**  
**Tel: (670) 664-2682, Ext. 104**  
**Fax: (670) 664-2692**  
**Email address: [diego.songsong@gov.mp](mailto:diego.songsong@gov.mp)**  
**COTA Website: [www.cnmicota.wixsite.com/cota-mp](http://www.cnmicota.wixsite.com/cota-mp)**

## **II. Title VI Information Dissemination**

Title VI information posters shall be prominently and publicly displayed in the COTA facility and on their revenue vehicles. The name of the Title VI Coordinator is available on the COTA's website, at [www.cnmicota.wixsite.com/cota-mp](http://www.cnmicota.wixsite.com/cota-mp). Additional information relating to nondiscrimination obligation can be obtained from the COTA Title VI Coordinator.

Title VI information shall be disseminated to COTA employees annually via the Employees Education form (**Appendix A**) in payroll envelopes. This form reminds employees of the COTA's policy statement, and of their Title VI responsibilities in their daily work and duties.

During New Employees Orientation, new employees shall be informed of the provisions of Title VI, and the COTA's expectations to perform their duties accordingly.

All employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgement of Receipt (**Appendix B**).

## **III. Subcontractors and Vendors**

All subcontractors and vendors who receive payments from COTA where funding originates from any Federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contract shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

## **IV. Record Keeping**

The Title VI Coordinator will maintain permanent record, which include, but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of the COTA Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

## **V. Title VI Complaint Procedures**

**How to file a Title VI Complaint? (Complaint Form-Appendix C)**

The complainant may file a signed, written complaint to one hundred and eighty (180) days from the date of the alleged discrimination. The complaint should include the following information:

- Your name, mailing address, and how to contact you (i.e., telephone number, email address, etc.)
- How, when, where and why you believe you were discriminated against. Include the location, names and contact information for any witnesses.
- Other information that you deem significant

The Title VI Complaint Form may be used to submit the complaint information. The complaint may be filed in writing with COTA at the following address:

Commonwealth Office of Transit Authority  
 Office of the Governor  
 Suite 216, Marianas Business Plaza, Susupe  
 Caller Box 10007  
 Saipan, MP 96950

**NOTE:** COTA encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 180 calendar days from the alleged date of discrimination.

**What happens to the complaint after it is submitted?**

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by COTA will be directly addressed by COTA. COTA shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, COTA shall make every effort to address all complaints in an expeditious and thorough manner.

A letter of acknowledging receipt of complaint will be mailed within seven days (**Appendix D**). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

**How will the complainant be notified of the outcome of the complaint?**

COTA will send a final written response letter (see **Appendix E** or **F**) to the complainant. In the letter notifying complainant that the complaint is not substantiated (**Appendix F**), the complainant is also advised of his or right to 1) appeal within seven calendar days of receipt of the final written decision from COTA, and/or 2) file complaint externally with the U.S. Department of Transportation and/or the FTA. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

**Federal Transit Administration Office of Civil Rights  
Attention: Title VI Coordinator  
East Building, 5<sup>th</sup> Floor-TCR  
1200 New Jersey Ave., SE Washington, DC 20590**

## **VI. Limited English Proficiency (LEP) Plan**

Upon request you may be provided a copy of the COTA approved LEP Plan.

## **VII. Community Outreach (Public Participation Plan)**

Community Outreach is a requirement of the Title VI. Recipients and sub-recipients shall seek out and consider the viewpoints of minority and low-income populations in the course of conducting public outreach. Recipients have a wide latitude to determine what specific measures are most appropriate and should make this determination based on the composition of the affected population, the public involvement process, and the resources of the recipient. As an agency receiving federal financial assistance, we have made the following community outreach efforts:

1. Northern Marianas Veteran's Resource Fair at the Multi-Purpose Center on February 22, 2017;
2. San Vicente School Canary Walk on February 25, 2017;
3. American Red Cross Walk-A-Thon on April 1, 2017;
4. Autism Awareness Month on Tinian on April 22, 2017;
5. Tinian Hot Dog Walk on Tinian on April 23, 2017;
6. Autism Awareness Month on Rota in May 2017;
7. 29<sup>th</sup> Pacific Islands Environment Conference at the Saipan World Resort on June 14, 2017;
8. KKMP Radio Station Interview on June 28, 2017;
9. COTA Administrative Building & Maintenance Facility Public Hearing at the Tanapag Youth Center on July 26, 2017;

10. **Center for Living Independently -CNMI Annual Mini Workshop at the Pacific Islands Club on December 11, 2017;**
11. **32<sup>nd</sup> American Red Cross Walkathon on April 14, 2018;**
12. **Pika Festival on the island of Tinian, CNMI on April 17, 2018;**
13. **Kagman Community Health Center 5<sup>th</sup> Anniversary on April 21, 2018;**
14. **Micronesia Island Forum at the Fiesta Resort on April 26, 2018;**
15. **Saipan Chamber of Commerce- COTA update the Chamber of Commerce on Public Transportation on May 2, 2018;**
16. **Rotary Club of Saipan- COTA update the club on Public Transportation on May 8, 2018;**
17. **Northern Marianas College (NMC) Block Party at the As Terlaje Campus on September 17, 2018;**
18. **KKMP Radio Station Interview on October 19, 2018;**
19. **COTA Emergency Shelter Outreach (Substance Abuse Rehabilitation Center, Tanapag Middle School & Kagman Elementary School) on November 17, 2018;**
20. **Youth Christmas Holiday Relief Fair at the Kagman Community Center on December 15, 2018;**
21. **Youth Christmas Holiday Relief Fair Koblerville Youth Center on December 20, 2018;**
22. **Youth Christmas Holiday Relief Fair at the Chalan Kanoa Youth Learning Center on December 22, 2018;**
23. **CNMI Parent Development Workshop at the Kanoa Resort on March 1, 2019;**
24. **33<sup>rd</sup> American Red Cross Walkathon on April 13, 2019;**
25. **Center for Living Independently (CLI) Mini Workshop at the Pacific Islands Club on April 26, 2019;**

26. Joeten-Kiyu Public Library Community Mobile Information Literacy Fair on April 27, 2019;
27. U.S. Department of Veteran Affairs Town Hall Meeting & Resource Fair at American Memorial Park on May 7, 2019;
28. Division of Youth Services (DYS) Family Fund Day at Tronkun Daok on May 11, 2019; and
29. Pre-Employment Transition Services Conference on Post-Secondary Education at the Fiesta Resort on May 17, 2019.

### **The process**

The COTA uses a variety of methods to inform, increase awareness, and engage the public during the development of plans and programs. The medium used and the degree to which the public is encouraged to be involved varies depending on the planning activity. The COTA uses the following methods and techniques:

- **News Media:** COTA staff distributes meeting agendas and public notices associated with transit plans and programs, and public announcements for special studies using press releases to our media contact list.
- **Contact Lists:** COTA staff maintains an extensive list of public participation contacts that includes representatives of:
  - Commonwealth Public Transportation Advisory Board
  - Military and Veterans Affairs Office
  - Northern Marianas College
  - Council on Developmental Disabilities
  - Office on Aging
  - Non-Profit Organizations (i.e., Northern Marianas Protection and Advocacy Systems, Inc., Center for Living Independently in the Commonwealth of the Northern Mariana Islands)
  - News Media
  - Social Services Agencies
  - Office of Vocational Rehabilitation
  - Public School System
  - Department of Public Works
  - Commonwealth Ports Authority

- Community Organization (i.e., American Red Cross, Rotary Club, Saipan Chamber of Commerce)
  - Other interested Parties
- **Public meetings, Workshops, & Open Houses:** These activities provide opportunities for public input throughout the planning process. The results and comments obtained at these meetings are incorporated into the appropriate planning documents. The COTA strives to provide widespread access to these forums by conducting them at accessible times and locations. In addition, presentations at partner agencies meetings are scheduled to inform and engage. Supplemental materials such as questionnaires, surveys, and handouts of presentation materials may be distributed to interested parties, and posted on the website to accommodate those unable to participate in person.
  - **Public Information Presentations:** COTA staff will, upon request, present before any civic organization, school, special interest group, neighborhood, or other group to inform, increase awareness about COTA's planning functions, plans, programs, or special studies.
  - **Surveys:** Surveys, which may be project-specific, are used during the updates of plans for data gathering. The survey process and the survey results are incorporated into their respective planning documents.
  - **Information Booths/Kiosks:** The COTA periodically sets up and maintains information booths or kiosks at locations and special events.
  - **Visualization Techniques:** COTA staff relies on maps, graphics, and PowerPoint presentations to describe and discuss transportation plans and programs. Products include maps, charts, graphs, and pictures, which are used extensively within the documents and supplement materials to existing and future conditions of transportation systems and to illustrate recommendations.
  - **Radio/TV:** This media is periodically used to provide increased focus for broad reach to the general public for special projects. The COTA also uses this media when reaching out to specific populations, such as members of a community where an upcoming public meeting will be taking place, or members of a community where English is not the primary language in use.
  - **COTA Website at [www.cnmicota.wixsite.com/cota-mp](http://www.cnmicota.wixsite.com/cota-mp):** COTA maintains a website about its activities and programs, including publications, and other relevant information.
  - **Board Meetings.** The COTA Advisory Board holds quarterly meetings and the public is invited to attend.



- **Public Meetings.** When new services is proposed information is disseminated to the neighborhoods affected and public meetings are scheduled.
- **Customer Complaint Process.** Citizens may call the COTA's Title VI Coordinator at Tel: 670-664-2682 to lodge a complaint or comment. All complaints/comments are researched and response is given back to the citizen. The COTA's transit comment/complaint process is updated annually as needed.
- **Annual Federal Grant Application.** We submit to the Department of Transportation annually an application for funding. The application requests funding for both capital and operating assistance. Part of the annual application is a public notice, which includes a 30-day public comment period.

**VIII. The COTA will provide updated information on our website, [www.cnmicota.wixsite.com/cota-mp](http://www.cnmicota.wixsite.com/cota-mp) regarding any investigations, lawsuits and/or complaints lodged against the transit system in order to comply with federal regulations. The format used in this notification is below:**

List of Investigations, Lawsuits and Complaints

	Date	Basis of complaint (race, color, or national origin)	Status	Action(s) Taken
<b>Investigations</b>				
1.				
2.				
<b>Lawsuits</b>				
1.				
2.				
<b>Complaints</b>				
1.				
2.				

**Investigations**

As of May 22, 2019, COTA has no active lawsuits, investigations, or complaints alleging discrimination on the basis of race, color, or national origin with respect to service or other transit benefits.

**IX. Systemwide Service Standards and Policies**

To prevent discriminatory service design or operation, the FTA 49 CFR Section 21.5(b) (2) and (7), Appendix C to 49 CFR part 21 requires transit agencies to adopt systemwide service standards and system service policies. Systemwide service standards are required for vehicle load, vehicle headway, on-time performance, service availability, distribution of transit amenities, and vehicle assignment.

## **Service Standards**

### **Vehicle Load Standards:**

Vehicle Load Factor is described as follows by FTA Circular 4702.1B:

Vehicle load can be expressed as the ratio of passengers to the total numbers of seats on a vehicle. For example, on a 40-seat bus, a vehicle load of 1.3 means all seats are filled and there are approximately 12 standees. A vehicle load standard is generally expressed in terms of peak and off-peak times.

The average of all loads during the peak operating period should not exceed vehicles' achievable capacities, which are 14 passengers for a 15' mini-bus, 22 passengers for 29' medium-duty buses.

Vehicle Type	Average Passenger Capacities			Maximum Load Factor
	Seated	Standing	Total	
ADA accessible 29' medium-duty bus	22	0	22	1.0
ADA Accessible 15' mini-bus	14	0	14	1.0

### **Vehicle Headway Standards:**

Vehicle Load Factor is described as follows by FTA Circular 4702.1B:

Vehicle headway is the amount of time between two vehicles traveling in the same direction on a given line or combination of lines. A shorter headway corresponds to more frequent service. Vehicle headways are measured in minutes (e.g. 15 minutes). Headways and frequency of service are general indications of the level of service provided along a route. Vehicle headway is one component of the amount of travel time expended by a passenger to reach his/her destination.

Service operates on Route 1A (part of the Core Route) every 120 minutes or better from early morning to late in the evening, six days a week. On weekdays, 120 minutes or better service

should begin no later than 6:30 a.m. and continue until 7:00 p.m. On Saturdays, 120 minutes or better service should begin by 6:30 a.m. and continue until 4:00 p.m.

Service on routes 1B, 2, 3, and 4 will not be available when Flame Tree Line 1A (part of the core route) is implemented. Notices will be issued to the general public at least sixty (60) days prior to the implementation of any additional routes.

Scheduling involves the consideration of a number of factors including: ridership productivity, transit/pedestrian friendly streets, density of transit-dependent population and activities, relationship to major transportation developments, land use connectivity, and transportation demand management and funding availability.

### **WEEKDAY (Monday to Saturday)**

#### **Flame Tree Line 1A (Route 1A)**

6:30 am-19:00 (Every 120 minutes)

#### **Flame Tree Line 1B (Route 1B)**

“No Service at this time”

#### **Route 2: As Matus-Garapan (Feeder Service)**

“No Service at this time”

#### **Route 3 Kagman - Navy Hill – Garapan (Feeder Service)**

“No Service at this time”

#### **Route 4: Kagman – Dandan – Northern Marianas College (Feeder Service)**

“No Service at this time”

### **SATURDAY**

#### **Flame Tree Line 1A (Route 1A)**

6:30 am-16:00 (Every 120 minutes)

#### **Flame Tree Line 1B (Route 1B)**

“No Service at this time”

#### **Route 2: As Matus-Garapan (Feeder Service)**

“No Service at this time”

#### **Route 3 Kagman - Navy Hill – Garapan (Feeder Service)**

“No Service at this time”

**Route 4: Kagman – Dandan – Northern Marianas College (Feeder Service)**

“No Service at this time”

**SUNDAY**

“No Service”

**On-Time Performance Standards:**

On-time performance is described as follows by FTA Circular 4702.1B:

On-time performance is a measure of runs completed as scheduled. This criterion first must define what is considered to be “on time.” For example, a transit provider may consider it acceptable if a vehicle completes a scheduled run between zero and five minutes late in comparison to the established schedule. On-time performance can be measured against route origins and destinations only, or against origins and destinations as well as specified time points along the route. Some transit providers set an on-time performance standard that prohibits vehicles running early (i.e., ahead of schedule) while others allow vehicles to run early within a specified window of time (e.g., up to five minutes ahead of schedule). An acceptable level of performance must be defined (expressed as a percentage). The percentage of runs completed system-wide or on a particular route or line within the standard must be calculated and measured against the level of performance for the system.

A vehicle is considered on time if it departs a scheduled time point no more than 1 minute early and no more than 5 minutes late. COTA’s on-time performance is 90% or greater. The COTA continuously monitors on-time performance and system results are published and posted as part of monthly performance reports covering all aspects of operations.

**Service Availability Standards:**

Service availability is described as follows by FTA Circular 4702.1B:

Service availability is a general measure of the distribution of routes within a transit provider’s service area. For example, a transit provider might set a service standard to distribute routes such that a specified percentage of all residents in the service area are within a one-quarter mile walk of bus service or a one-half mile walk of rail service. A standard might also indicate the maximum distance between stops or stations. These measures related to coverage and stop/station distances might also vary by population density.

The Commonwealth Office of Transit Authority will distribute transit service so that 90% of all residents and businesses in the service area are within ¼ mile walk of bus service.

## **Service Policies**

### **Background**

FTA requires that all providers of fixed route public transportation develop qualitative policies for the following procedures. These policies are to be set by individual transit providers; therefore, these policies will apply to individual agencies rather than across the entire transit industry.

- Vehicle Assignment
- Transit Amenities

### **COTA's Vehicle Assignment Policy**

Vehicle assignment is described as follows by FTA Circular 4702.1B:

Vehicle assignment refers to the process by which transit vehicles are placed into service in depots and on routes throughout the transit provider's system. Policies for vehicle assignment may be based on the age of the vehicle, where age would be a proxy for condition. For example, a transit provider could set a policy to assign vehicles to depots so that the age of the vehicles at each depot does not exceed the system-wide average. The policy could also be based on the type of vehicle. For example, a transit provider may set a policy to assign vehicles with more capacity to routes with higher ridership and/or during peak periods.

Vehicles shall be assigned to specific routes and trips according to the following guidelines. These guidelines may be modified if operational and scheduling needs require:

- 29' Medium-Duty Bus: The standard bus for all routes except Route 3
- 15' Mini-Bus: The standard for Route 3 due to its steep topography and will be used as spare. This bus may also be used as start-up to gauge ridership or routes with lower ridership.

Medium buses are deployed on frequent service and other high-ridership routes, so these buses carry a higher share of ridership than their numerical proportion of the overall bus fleet. All buses are equipped with air conditioning.

Bus assignments take into account the operating characteristics of buses of various lengths, which are matched to the operating characteristics of the route. Start-up or local routes with lower ridership may be assigned small buses rather than the 29-foot buses. Route 3 will be more ideally served with a mini bus given the steep topography.

### **COTA's Transit Amenities Policy**

Transit amenities are described as follows by FTA Circular 4702.1B:

Transit amenities refer to items of comfort, convenience, and safety that are available to the general riding public. Fixed-route transit providers must set a policy to ensure equitable distribution of transit amenities across the system. Policies in this area address how these amenities are distributed within a transit system, and the manner of their distribution determines whether transit users have equal access to these amenities. This...is not intended to impact funding decisions for transit amenities. Rather, this... applies after a transit provider has decided to fund an amenity.

Transit amenities are distributed on a system-wide basis. Transit amenities include shelters and benches. The location of transit is determined by factors such as ridership, individual requests, staff recommendations, and vendor preference (in the case of shelters which feature advertisements).

## **X. Title VI Equity Analysis**

COTA has completed a Title VI Equity Analysis during the planning stages with regard to the selection of its proposed administrative building and maintenance facility's location in Lower Base, Saipan without regard to race, color, or national origin.

## **XI. Sub-recipient Title VI Plan**

At this time and as an entity that operates a transit system, COTA does not plan or budget for sub-grant awards to private or public entities; therefore, COTA does not have any sub-recipients. However, COTA does bid and contract out goods and services to private entities to meet COTA's grant goals and milestones. Although COTA does not sub-awards its FTA grants to private and public entities, COTA does ensure its contractor's comply with FTA requirements and FTA Contract Clauses as applicable.

## **Appendix A**

### **Employee Annual Education Form**

#### **Title VI Policy**

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.

All employees of the Commonwealth Office of Transit Authority (COTA) are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches you with a question or complaint, direct him or her to Juan Diego B. Songsong, Title VI Coordinator.

In all dealings with citizens, use courtesy titles (i.e. Mr., Mrs., Ms., or Miss) to address them without regard to race, color or national origin.

## **Appendix B**

### **Acknowledgement of Receipt of Title VI Plan**

I hereby acknowledge the receipt of the Commonwealth Office of Transit Authority Title VI Plan. I have read the plan and am 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 4702.1B.

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**Your signature**

---

**Print your name**

---

**Date**



## Appendix C

### COTA Title VI Complaint Form

**Instructions:**

You have one-hundred eighty (180) calendar days from the date of alleged discrimination to submit your complaint. Please fill the form below.

**Contact Information**

---

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**Discrimination Complaint**

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Name of Staff Person that You

Believe Discriminated Against You: \_\_\_\_\_

Date of Alleged Incident: \_\_\_\_\_

You were discriminated because of:

- Race
- Color
- National Origin

**Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also attach any written material pertaining to your case:**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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Commonwealth Office of Transit Authority  
Suite 216, Marianas Business Plaza  
Caller Box 10007, Saipan, MP 96950  
Phone: 670-664-2682 | Fax: 670-664-2692 | [www.cnmicota.wixsite.com/cota-mp](http://www.cnmicota.wixsite.com/cota-mp)

## **Appendix D**

### **Letter Acknowledging Receipt of Complaint**

**Today's Date**

**Ms. Jo Doe**

**P.O. Box 123**

**Saipan, MP 96950**

**Dear Ms. Doe:**

**This letter is to acknowledge receipt of your complaint against Commonwealth Office of Transit Authority alleging\_\_\_\_\_.**

**An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by calling 670-664-2682, or write to me at Caller Box 10007, Saipan MP 96950.**

**Sincerely,**

**Juan Diego B. Songsong, Title VI Coordinator**

## **Appendix E**

### **Letter Notifying Complainant that the Complaint Is Substantiated**

Today's Date

Ms. Jo Doe

P.O. Box 123

Saipan, MP 96950

Dear Ms. Doe:

The matter referenced in your letter of \_\_\_\_\_ (date) against the COTA alleging Title VI violation has been investigated. (An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. (If a hearing is requested, the following sentence may be appropriate.) You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Juan Diego B. Songsong, Title VI Coordinator

## **Appendix F**

### **Letter Notifying Complainant that the Complaint Is Not Substantiated**

Today's Date  
Ms. Jo Doe  
P.O. Box 123  
Saipan, MP 96950

Dear Ms. Doe:

The matter referenced in your complaint of \_\_\_\_\_ (date) against the COTA alleging \_\_\_\_\_ has been investigated. The results of the investigation did not indicate that the provisions of the Title VI of the Civil Rights Act of 1964 had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

The COTA has analyzed the materials and facts pertaining to your case for evidence of the COTA's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and I am closing this matter in our files.

You have the right to 1) appeal within seven calendar days of receipt of this final written decision from COTA, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at

Federal Transit Administration Office of Civil Rights  
Attention: Title VI Program Coordinator  
East Building, 5<sup>th</sup> Floor-TCR  
1200 New Jersey Ave., SE  
Washington, DC 20590

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

Juan Diego B. Songsong, Title VI Coordinator

## Appendix G

**Samples of Narrative to be included in posters to be displayed on COTA's website and in public areas of the COTA's office, including the reception desk, meeting rooms, revenue vehicles, facilities, etc. This public notice is also translated into Carolinian, Chamorro and Filipino (Tagalog) languages.**

### TITLE VI

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "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" (42 U.S.C. Section 2000d).

COTA 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 the Federal Transit Administration (FTA) Circular 4702.1B. If you feel you are being denied participation in or being denied benefits of the transit services provided by COTA, or otherwise being discriminated against because of your race, color, national origin, you may contact:

**Juan Diego B. Songsong, Title VI Coordinator**

**Commonwealth Office of Transit Authority**

**Suite 216, Marianas Business Plaza**

**Susupe**

**Caller Box 10007, Saipan, MP 96950**

**Tel: (670) 664-2682**

**Fax: (670) 664-2692**

**Email: [diego.songsong@gov.mp](mailto:diego.songsong@gov.mp)**

**Website: [www.cnmicota.wixsite.com/cota-mp](http://www.cnmicota.wixsite.com/cota-mp)**

## Appendix H

### Advisory Board Composition

#### MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES

Title 49; CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, “deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program.” Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.

Commonwealth Public Transportation Advisory Board (CPTAB). CPTAB is comprised of representatives from Saipan, Rota, Tinian and Northern Islands. The board has the authority and primary responsibility to conduct reviews related to transit activities and advise the Special Assistant for Public Transportation (Executive Body) on appropriate measures to be taken for the overall planning direction of the region.

<b>COMMUNITY</b>	<b>REPRESENTATIVE(S)</b>
CNMI-wide	A representative from the business community (VACANT)
CNMI-wide	Alfreda P. Camacho, Special Assistant for Public Transportation
CNMI-wide	Patricia Kapileo, Public School System
CNMI-wide	James A. Ada, Secretary of Public Works
Municipality of Tinian & Agrihan	Edwin P. Aldan, Mayor of Tinian & Agrihan
Municipality of Rota	Efraim M. Atalig, Mayor of Rota

Statistical Data of Communities:

The information below was provided through the CNMI Department of Commerce

Demographic Estimates located at: <http://commerce.gov.mp/wp-content/uploads/2012/12/2010-Census-Demographics-Profile-Summary-by-District.pdf>

Geographic Area	Total Pop	White	Black	Asian	Hawaiian & Pacific Islanders	Other	Two or More Ethnic Origins	Hispanic
Saipan	48220	1021	45	24562	16210	109	6227	46
Tinian	3136	57	6	1463	1222	8	374	6
Rota	2527	39	4	883	1368	0	231	2
1.2% of the population identifies as two or more races.								

Race and Gender Statistics for CPTAB Committee Members:

	RACE		GENDER	
	Pacific	White	Male	Female
CPTAB Members	5	0	3	2



## Commonwealth Office of Transit Authority Office of the Governor

### Limited English Proficiency Policy Plan

#### Introduction

The purpose of a Limited English Proficiency (LEP) Policy Plan is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to limited English proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance, and;

#### Executive Order 13166

Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirement of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964—National Origin Discrimination against Persons With Limited English Proficiency." (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies such as the Commonwealth Office of Transit Authority and governments, private and non-profit entities, and sub recipients.



## Summary

To determine the Commonwealth Office of Transit Authority's extent of obligation to provide LEP service, the Commonwealth Office of Transit Authority undertook a U.S. Department of Transportation four factor LEP analysis which considers the following:

- 1) The number or proportion of LEP persons eligible in the Commonwealth Office of Transit Authority service area who may be served or likely to encounter a Commonwealth Office of Transit Authority program, activity, or service.
- 2) The frequency with which LEP individuals come in contact with a Commonwealth Office of Transit Authority service.
- 3) ~~The nature and importance of the program, activity or service provided by the Commonwealth Office of Transit Authority to the LEP population.~~
- 4) The resources available to the Commonwealth Office of Transit Authority and the overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

### 5) Four Factor Analyses

1. **The number or proportion of LEP persons eligible in the Commonwealth Office of Transit Authority service area who may be served or likely to encounter a Commonwealth Office of Transit Authority program, activity, or service.** Data from the U.S. Census Bureau indicated that the size of language groups other than English in the CNMI is 71% or less of the total population of 53,883. The Commonwealth Office of Transit Authority examined the US Census report from 2010 and the Bureau's American Community Survey and was able to determine that approximately 71% or 38,257 people within the Commonwealth Office of Transit Authority service area age 5 and older spoke a language other than English at home with only 8,354 speak English. Of the 40,702 reporting they speak other languages than English, 7,381 or 18% of respondents speak other languages less frequently than English. 13,476 speak other languages equally often as English; 19,054 speak other languages more frequently than English and 791 does not speak English. The Filipino language comprised the largest non-English speaking language group with 46% or 19,017. The other largest non-English speaking language group was Chamorro languages at 29% or 11,819 while the other indigenous Carolinians comprised of 2,466 speak their native tongue at home.

There are Asian languages with population of 5 years and over or 6,897 that speak Chinese, Korean and Other Asian languages at home. According to the census, at least 3,316 Chinese, 2,295 Koreans and 1,286 other Asian languages spoken at home.

2. **The Commonwealth Office of Transit Authority assessed the frequency at which staff and drivers have or could possibly have contact with LEP persons, via verbally surveying drivers and dispatchers.** Because the Commonwealth Office of Transit Authority was created in August 2011 and the initial or first FTA fund was awarded in December 2012, COTA has not had any requests for interpreters and/or translated Commonwealth Office of Transit Authority documents. However, COTA made an effort in translating the COTA's Title VI requirement

into Tagalog (Filipino) Language and is made available in COTA's website and Call-A-Ride paratransit vehicles.

**3. The nature and importance of the program, activity, or service provided by the Commonwealth Office of Transit Authority to the LEP Community.** There aren't any large geographic concentrations of any one type of LEP individuals in the Commonwealth Office of Transit Authority service area. The overwhelming majority of the population native tongues of Chamorro and Carolinian uses or speaks English as a second language.

Therefore, there is a lack of any social service professional and leadership organizations within the Commonwealth Office of Transit Authority service that focuses on outreach or membership of LEP individuals.

**4. The resources available to the Commonwealth Office of Transit Authority and overall costs.** The Commonwealth Office of Transit Authority assessed the available resources that could be used for providing LEP assistance. This included identifying how much a professional interpreter and translation service would cost on an as needed basis, which documents would be the most valuable to be translated if and when the populations would support it.

#### **LEP Guidelines**

The Commonwealth Office of Transit Authority will use the following guidelines to assist persons with limited English proficiency.

1. The Commonwealth Office of Transit Authority will have the Census Bureau's "I Speak Cards" available at the Commonwealth Office of Transit Authority Operations building. Although staff may not be able to provide immediate translation assistance, we will utilize the cards to identify language needs.
2. If an interpreter is needed immediately, in person or on the telephone, staff will use the "I Speak Cards" to help determine what language assistance is needed. Staff shall then contact Chamorro Carolinian Language Policy Commission for assistance. The Commonwealth Office of Transit Authority will add to our webpage the Title VI Policy and Complaint Procedures.
3. The Commonwealth Office of Transit Authority will educate our staff on the following procedures.
  - a. Understanding the Title VI Policy and LEP responsibilities;
  - b. How to access language assistant services via (670) 322-9982/3.
  - c. Document language assistance requests
  - d. The procedure if a Title VI and/or LEP complaint is filed.

Based on the Four Factor Analysis review, the Commonwealth Office of Transit Authority will provide a meaningful access to limited English proficiency persons and hereby approved its Limited English Proficiency Plan or LEP. Moreover, the LEP Plan will be included at the October 17, 2013 Commonwealth Public Transportation Advisory Board (CPTAB) regular meeting agenda for the boards review and concurrence.

Approved by,

/s/

**THOMAS J. CAMACHO**  
Special Assistant for Public Transportation


Commonwealth Office of Transit Authority  
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Website: [www.cota.gov.mp](http://www.cota.gov.mp)

Concurred by the majority of Commonwealth Public Transportation Advisory Board members present and voting during its  Regular  Special Meeting held on October 22, 2013.


Attested by,

Date: 10/22/13

  
**HON. MELCHOR A. MENDIOLA**  
Board Secretary, CPTAB

Concurred by,

Date: 10/23/13

  
**THOMAS J. CAMACHO**  
Chairman



Commonwealth Office of Transit Authority

## **Policy on Public Participation and Comment (Public Participation Plan)**

### **Introduction and Policy Statement**

The Commonwealth Office of Transit (COTA) is committed to providing an open and visible decision-making process to which Northern Mariana Islands residents have equal access. Therefore, it is the policy of the Commonwealth Office of Transit Authority to actively solicit the involvement of citizens in the public decision-making process, through public notification, media exposure, village meetings, and public hearings.

Further, it is the policy of the Commonwealth Office of Transit Authority to offer early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions. This includes seeking out and considering the viewpoints of minority, low-income, and limited English proficiency (LEP) populations (as well as older adults and people with limited mobility) in the course of conducting public outreach activities, consistent with Federal Transit Administration (FTA) Circular 4702.1B ("Title VI Requirements and Guidelines for Federal Transit Administration Recipients").

### **Background and Purpose**

The purpose of this plan is to promote public involvement in transit planning decision-making activities. This plan will establish formal procedures that allow for, encourage, and monitor public participation within the COTA service area including, but not limited to, minority individuals, persons with Limited English Proficiency (LEP), and low-income populations. This document describes proactive public outreach strategies and procedures.

procedures.

The foundation for these efforts is stated in **Title VI of the Civil Rights Act of 1964:**

"...No person in the United States shall, on the basis of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program receiving Federal financial assistance..."

**-Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000)**

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Further reinforcement was established by the President's 1994 Executive Order on Environmental Justice, which states:

"...Each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and ~~activities on minority populations and low-income populations...~~"

---

**-Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994**

### **Public Involvement Plan**

It shall be the policy of the Commonwealth Office of Transit Authority that, when a project, services, program or issue may have identifiable impacts on a neighborhood or citizen group, a Public Involvement Plan shall be submitted to the Office of the Special Assistant for Public Transportation at the beginning of the project or program. The Plan shall be designed to:

1. Ensure responsiveness to the level of interest and concern expressed by the public;
2. Ensure visibility and understanding by the agencies, groups and individuals who may participate; and
3. Ensure that public involvement is carefully and systematically included as part of the decision-making process.

### **Public Involvement Principles**

The following principles will be used to develop the Public Involvement Plan for the Commonwealth Office of Transit Authority projects and programs:

- When a project (e.g., construction activity) may affect a neighborhood, special neighborhood meetings will be scheduled early in the project planning process. Notices will be sent to organized neighborhood groups and any individual who has requested notification.
- All public hearing notices shall be written in clear, concise and understandable language and will incorporate graphics when it aids the message. The notices will clearly be identified as a Commonwealth Office of Transit Authority notice.
- The Public Involvement Plan will reflect the COTA's policy to provide early and continuous opportunities for the public to be involved in the identification of the impacts of proposed decisions. It will also reflect the COTA's policy to seek out the viewpoints of minority, low-income, and Limited English Proficiency (LEP) populations, as well as older adults and people with limited mobility, in the course of conducting public outreach and involvement activities, consistent with the COTA's Title VI Program, Executive Order 13166 on access for individuals with Limited English Proficiency, and U.S. Department of Transportation (DOT) LEP Guidance.
- The Public Involvement Plan will be tailored to the populations affected and the type of plan, program, or service under consideration.
- Public meetings will be held in locations that are accessible to transit riders and people with disabilities, and will be scheduled at times that are convenient for members of the public.
- Public meetings and hearings will be broadly advertised in the community in both English, Chamorro and Carolinian (e.g., through posters onboard buses and at major transit stops and facilities, the COTA's website, local print media, social media, and email notification to the COTA's outreach mailing list) and notification will be provided regarding the availability of language assistance.

### **Goals, Objectives and Desired Outcomes for Public Participation**

The goal of the plan is to offer a variety of opportunities for the general public to engage in transit planning and decision-making activities at COTA in accordance with FTA Circular 4702.1B Chapter III-5 Promoting Inclusive Public Involvement. The objectives of the plan are as follows:

- To determine what non-English languages and other barriers may exist to public participation within the Northern Mariana Islands.
- To provide a general notification of meetings, particularly forums for public input, in a manner that is understandable to all populations in the area.
- To hold meetings in locations which are accessible and reasonably welcoming to all area residents, including, but not limited to, minority, LEP, and low-income members of the public.
- To utilize a variety of communication methods to capture public input from populations which are typically not likely to attend or engage in public meetings.
- Provide a range of opportunities and venues for public participation, including in-

- person and online engagement.
  - Identify and engage key audiences and constituencies for transportation planning information and feedback.
  - Connect with a broad range of residents that is reflective of the demographics and geography of the region.
  - Elicit input from identified audiences and constituencies regarding regional transportation policies and planning.
  - Educate stakeholders and the general public about the COTA's role in regional transportation policies and planning.
- 

Public participation includes a broad range of activities geared to inform stakeholders, interested parties, and the general public about a topic and providing opportunities for the public at-large, as well as specific stakeholders, to participate and engage in the processes used to create policies. Technology is increasingly used to connect with audiences, and the rapidly changing nature of technology means new methods and communications channels become available regularly.

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### **Identification of Stakeholders**

Stakeholders are those who are either directly or indirectly affected by a plan, project, services or program based on decisions related to recommendations or implementation actions. Those who may be adversely affected or who may be denied benefit of a plan's recommendation(s) are of particular interest in the identification of specific stakeholders.

General stakeholders within the COTA service area include, but are not limited to:

- Major Employers
- College and School Districts
- Non-profit and private business community
- Public (including minority, LEP, and low-income populations)
- Commonwealth Public Transportation Advisory Board Meetings
- Transit Advocates

The COTA staff periodically meets with social service providers, transit advocates, public members, and other agencies through forums such as the Commonwealth Public Transportation Advisory Board meetings and CNMI Council on Developmental Disabilities.

### Direct Stakeholders

According to the U.S. Census Bureau, 53,883 residents exist within the Northern Mariana Islands as indicated in the table below:

Geographic Area	Total Pop	White	Black	Asian	Hawaiian & Pacific Islanders	Other	Two or More Ethnic Origins or Races	Hispanic
Saipan	48220	1021	45	24562	16210	109	6227	46
Tinian	3136	57	6	1463	1222	8	374	6
Rota	2527	39	4	883	1368	0	231	2

Source: U.S. Census Bureau, 2010 Census

1.2% of the population identifies as two or more races.

Techniques utilized to engage the general population includes public notices of meetings in the local newspapers, on the COTA website, via social media, Survey Monkey, IdeaScale's Online Dialogue, written and oral announcements at Commonwealth Public Transportation Advisory Board (CPTAB) meetings, and community meetings. While these techniques will continue, the COTA will strive to proactively engage members of the public with other cost-effective approaches utilizing a broad range of electronic messaging techniques with the installation of an innovative intelligent transportation system scheduled to go online by December 2013.

### Minority Populations

In reference to the table above, minority populations comprise over half (30,354 or 56.3 percent) of the percentage of the population in the Northern Mariana Islands. Asian individuals are the largest minority, with 49.9 percent of the total population. This total includes Filipinos with 19,017; 3,659 Chinese; 2,253 Koreans; 1,979 other Asians. A small number of Hawaiian and Pacific Islander individuals account for 3,437 or 6.4. Persons who consider themselves to be of more than one race account for 1.2 percent of the total population.

### LEP Populations

Per COTA's newly incorporated Limited English Proficiency Plan (LEP), reasonable efforts will be made to engage LEP populations using techniques such as the development of public notices in appropriate non-English languages that will provide contact information where individuals can be informed of the affected project or services to provide input or comments. Other efforts could include conducting focus groups in concentrations of LEP populated areas may also be established for the purpose of gaining input from a particular defined portion of the community. In addition, non-profit organizations and other



advocacy groups can be utilized to disseminate information to LEP populations. Such non-profit organizations, advocacy groups, or other organizations can provide insight into the needs of LEP populations.

#### Low-income Populations

To ensure low-income households are not under-served, COTA will ensure that low-income populations will be given every reasonable opportunity to provide input on transportation plans and programs to avoid disproportionate harm, or lack of benefit, of ~~transportation programs and projects.~~

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In summary, methods of gaining input either directly or indirectly from minority, LEP, and low-income population groups include a wider range of notification techniques, focus group meetings or informal interviews, if required, and the use of agency or advocacy group contacts through non-profit or private organizations.

#### Public Comment Process for Fare Increases and Major Service Changes

Consistent with FTA Circular 9030.1D, it shall be the policy of the Commonwealth Office of Transit Authority to solicit public opinion and consider public comment before raising fares or implementing a major service change. A public hearing is required prior to implementation of a fare increase or a major service change. A "major" service change is defined as a modification that affects 25% or more of a single route, or 25% or more of all routes. Additional public involvement strategies, such as public meetings, village meetings, or other outreach to affected individuals will be implemented as appropriate to solicit public comment for consideration in advance of the public hearing. Public comments received will be compiled and considered prior to finalizing the COTA's recommendation to the Commonwealth Public Transportation Advisory Board (CPTAB) regarding a fare increase or major service change. A summary of the public comments received will be provided as part of the staff report submitted to CPTAB for the fare increase or major service reduction in question.

The public hearing will be scheduled as part of a regular Commonwealth Public Transportation Advisory Board meeting, and advertised broadly through the COTA's website, the COTA's islandwide outreach mailing list, and poster and flyers to be posted at conspicuous public locations, on buses/vans, and at bus stops. The hearing will also be advertised through targeted outreach to neighborhood groups or other organizations and individuals, as appropriate to the proposed change. Notices regarding the public hearing will be provided in both English, Chamorro and Carolinian. The Special Assistant for Communications & Protocol/Governor's Press Secretary will additionally post notice of the public hearing in the Executive Branch Website at [www.gov.mp](http://www.gov.mp).

The following procedures, strategies, techniques, and media will be utilized to engage and notify the public in the public hearing process prior to CPTAB approval:

- Place printed materials on buses: interior cards, flyers, and/or comment cards describing the proposed changes.
- Information available on website.
- Social media outlets: email blasts, Facebook, Twitter.
- Press releases and meetings with local media representatives.
- Presentations to professional, citizen, and student organizations.
- User and non-user surveys.
- Use of various illustrative visualization techniques to convey the information, including, but not limited to, charts, graphs, photos, maps, and the Internet.

**Additional information on process for soliciting public comment on service changes**

Proposed service changes are developed by the Commonwealth Office of Transit Authority staff. Once proposals are finalized, printed information is created that explains the proposed changes. These informational materials (available in English, Chamorro and Carolinian) are placed on the buses and used as handouts at public informational meetings and hearings. Flyers and posters that direct interested individuals to these materials are also posted on the buses, at COTA's offices, and are provided to facilities (libraries, senior citizen centers, human service organizations, schools, etc.) which are likely to be impacted by the service changes.

Any interested individual is invited to make comments. Comments may be submitted in person at the public informational meetings and public hearings. They may also be submitted by mail and by Comment Card. In addition, comments may be submitted over the phone to COTA's representatives, via email, and online via the Authority's website.

Information about scheduled public meetings is and will be available via:

1. Bus posters
2. Bus stop posters
3. CPTAB meeting agenda
4. Posters in COTA offices
5. COTA website
6. Appropriate venues, such as senior centers, human service organizations, and schools
7. Email notification and social media

All comments received are reviewed by COTA's staff and considered in the final decisions. The goal of the Commonwealth Office of Transit Authority is to always provide the best possible service to the most current riders or potential riders.

**Conclusion**

This document will serve as the Public Participation Plan for the COTA. A public comment period to obtain input in regards to the proposed plan will be thirty (30) days. The announcement of the plan will be advertised in a manner reasonably expected to reach the general public including minorities, LEP, and low- income populations prior to approval by the CPTAB.

The plan will be available for review on the COTA website, www.cota.gov.mp and at the COTA administrative office. If materials are requested in LEP languages and in alternative format such as Braille, large type print, audio/CD recording, and/or Braille, staff will make these documents readily available and will make every reasonable attempt to accommodate those needs.

Members of the public can also obtain information about the plan by contacting COTA by phone at (670) 664-2686 (COTA), One-Call/One-Click Transportation Information Service Center by dialing a soon-to-be-assigned 3-Digit number, email at cota@gov.mp, or via ~~standard mail to Commonwealth Office of Transit Authority, Caller Box 10007, Saipan, MP 96950.~~ For callers with speech or hearing impaired, please dial 7-1-1 to access the Telecommunication Relay Services to speak to a Operator Assistant.

Reviewed and Approved by,

Date: 10/19/13

  
**THOMAS J. CAMACHO**  
Special Assistant for Public Transportation


Concurred by the majority of Commonwealth Public Transportation Advisory Board members present and voting during its  Regular  Special Meeting held on October 22, 2013.

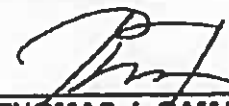
Attested by,

Date: 10/22/13

Concurred by,

Date: 10/23/13

  
**HON. MELCHOR A. MENDIOLA**  
Board Secretary, CPTAB

  
**THOMAS J. CAMACHO**  
Chairman

# Title VI Equity Analysis

## COTA Bus, Vehicle Maintenance and Repair Facility



During the planning stage of COTA's new facilities, a Title VI equity analysis is required. The purpose of the study is to ensure that COTA selects a location without regard to race, color, or national origin.

The property is located in Lower Base, Saipan. The Commonwealth Recorder refers to it as Lot No. 206 E 02, containing an area approximately 7,114 square meters.

This Title VI equity analysis must compare the equity impacts of four possible sites for a new COTA maintenance facility. All four sites are on Saipan and located in Lower Base, As Gono and Puerto Rico. From the data gathered, input from the community and discussions (in this study), it is clear that *the only logical site for the new COTA maintenance facility is Lower Base (DPW).*

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## Commonwealth Office of Transit Authority (COTA)

2<sup>ND</sup> FLOOR, NMIRF BLDG., ISA DRIVE, CAPITOL HILL

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Caller Box 10007, Saipan, MP 96950

Phone: 670-664-2682; Fax: 670-664-2692

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# Title VI Equity Analysis: COTA bus, vehicle maintenance and repair facility

## 1 INTRODUCTION

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During the planning stage of COTA's new facilities, a Title VI equity analysis is required. The purpose of the study is to ensure that COTA selects a location without regard to race, color, or national origin.

## 2 METHODOLOGY

---

To effect a successful analysis, the COTA evaluators took a logical approach with the following steps:

Step 1: Review census demographic data

Step 2: Review the most recent surveys of community needs and expectations of public transit

Step 3: Review the findings and recommendations of 2013 feasibility study

Step 4: Present the facilities concept and relocation plans to the community; solicit public input

Step 5: Evaluate information from the four steps above; make recommendations

Step 6: Prepare final report

## 3 DESCRIPTION OF THE PROPERTY

---

### 3.1 LOCATION OF THE PROPERTY

The property is located in Lower Base, Saipan, next door to the CUC Power Plant. The Commonwealth Recorder refers to it as Lot No. 206 E 02, containing an area approximately 7,114 square meters.

### 3.2 LAND DESIGNATION / ACQUISITION

In July of 2015, COTA executed an agreement with the CNMI Department of Lands and Natural Resources for Lot NO 206 E 02, a parcel of land on which to build an operations and maintenance facility.



## **4 INTENDED USE OF THE PROPERTY**

COTA intends to use the property described above as Lot No 206 E 02, to develop, construct, and maintain a transportation maintenance and repair facility and other structures incidental to the operation of public transportation.

The facilities described in this study are part of the long-term plans for public transportation in the CNMI. These facility and location shall be the central and main offices from which COTA will conduct operations and maintenance activities.

### **4.1 MAINTENANCE FACILITY**

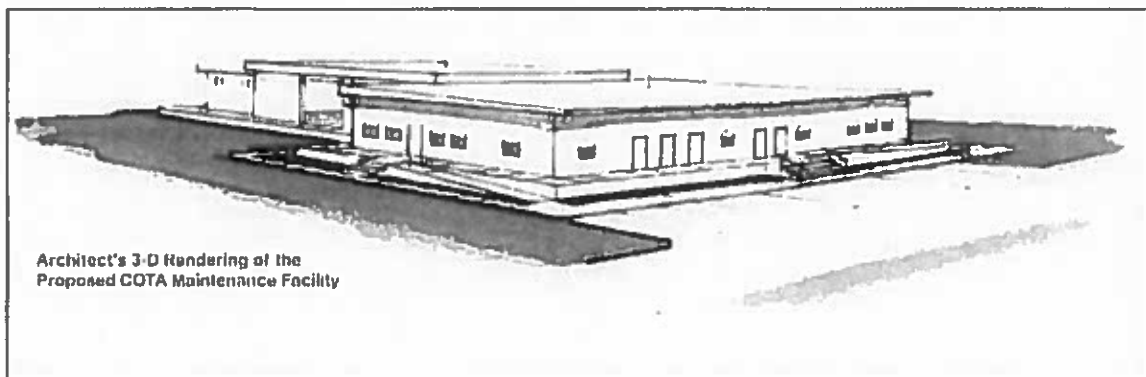
The proposed maintenance facility consists of a concrete building with approximately 6,800 square feet of total floor space. The building will have 2 maintenance bays (one with a pit); dispatch and scheduling center; tool room; storage and parts rooms; operations and mobility supervisors offices; conference and training room; accessible latrines with locker room and showers (one each for male and female); break room and lounge; and electrical room. The maintenance facility will support all vehicles physically located on the island of Saipan.

Routine service of all vehicles shall be conducted in the maintenance facility. Any major engine repair, bodywork, and painting shall be done by a contractor at the contractor's facility.

Small quantities of oil, lubricants and repair parts shall be maintained in the parts room and issued out as needed. Historical data of usage shall determine the minimum stockage quantities of each item.

A tool-room keeper shall maintain specialty tools and shop tools that are not part of the general mechanic tool sets. These are issued out as needed.

The maintenance facility shall be equipped with all the standard safety equipment and systems of a facility of its type and purpose.



#### 4.2 VEHICLE WASH PAD

The vehicle wash pad is not within the maintenance building itself but located nearby on the COTA property. This is a concrete pad with wastewater containment and processing systems. Vehicles returning at the end of the day shall be washed before being parked for the night.

#### 4.3 HAZARDOUS MATERIAL ACCUMULATION POINT

This is a concrete pad with security fence, controlled access and a spill containment system. COTA will not have any refueling operations on the property. It also does not plan to store hazardous waste or items of environmental interest above reportable quantities. As such, COTA plans to register as an extremely small quantity waste generator.

#### 4.4 PARKING LOTS

There shall be four different parking lots on the property. These lots are accident and salvage parking; maintenance, repair and service parking; customer and employee parking; and the fleet ready line.

#### 4.5 TRAFFIC FLOW PLAN

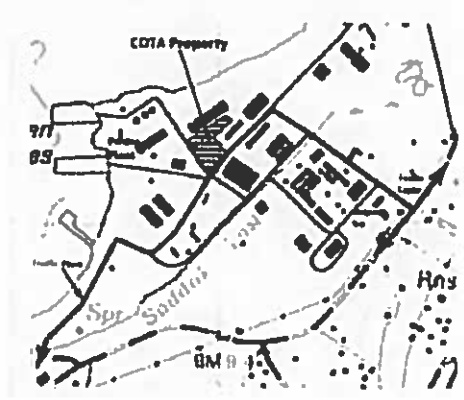
COTA admin vehicles, employee vehicles and visitors' vehicles will enter the site from a single driveway. This two-way access functions as entrance and exit. Transit vehicles are not to park in this area but may enter if serving a paratransit rider.

Vehicles of the transit fleet will have a single entrance and a single exit following a one-way traffic pattern. Vehicles returning at the end of a shift will all go to the wash pad for cleaning before parking on the vehicle ready line.

Vehicles that need minor maintenance shall pull up to the maintenance bay where qualified maintenance personnel will assess it. For repairs done on the same day, the vehicle is brought into one of three maintenance bays. After repairs are completed, maintenance personnel moves it to the vehicle ready line. Operators of vehicles requiring maintenance on subsequent days, parks the vehicle in the short-term or long-term maintenance parking.

The primary route for transit vehicles departing the property exits on the south end of the property and travel north to the traffic light (see diagram). Both departing and returning vehicles shall pass through the traffic light on Chalan Pale Arnold. This will ensure that COTA vehicles will have little impact on the traffic flow of Chalan Pale Arnold.

Although the likelihood of needing another exit route, the alternate route for departing vehicles shall be southbound until it reaches Chalan Pale Arnold.





## **5 COMMUNITY OUTREACH AND PUBLIC COMMENTS**

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TCRP Report 53 (1999) and TCRP Report 58 (2000) presented the public transportation paradigm that establishes the customer's experience as the central, strategic focus of management.

The Commonwealth Public Transportation Advisory Board (CPTAB) and the Commonwealth Office of Transit Authority (COTA) hosted a forum on Wednesday, July 29, 2015. A COTA outreach team conducted the forum at the Garapan Elementary School Cafeteria from 6:00 p.m. to 7:30 p.m. They gathered public input on the plans for construction of COTA's new facilities. Public input and comments are essential to ensuring that the process and plans do not discriminate against people based on race, color or national origin.

### **5.1 PRESENTER**

Vince Merfalen, Acting Special Assistant for Public Transportation

### **5.2 AGENDA OF THE FORUM**

- ✓ Welcome
- ✓ Introduction and overview
- ✓ Transit Location Plan
- ✓ Proposed Facilities
- ✓ Vehicle & Traffic Flow
- ✓ Timeline
- ✓ Public Input and Comments
- ✓ Conclusion

### **5.3 NUMBER OF PEOPLE WHO ATTENDED THE FORUM**

Two

## **6 DISCUSSION**

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### **6.1 ALTERNATIVE SITES**

This Title VI equity analysis must compare the equity impacts of various siting alternatives, and the analysis must occur before the selection of the preferred site.

#### **6.1.1 Alternative 1**

Lot No. 071 E Tract 05, 06 and 10; Block No 189. Located in Lower Base, Saipan. COTA rejected this site for two reasons. First is because the water table below the surface of the property is high. Construction and long-term developments on the property will require a built up of the surface area by at least 3 feet. This property is also in the path of water run-off from the hills to the east and prone to flooding. Diverting the water's path will adversely affect an adjacent wetland area.

### 6.1.2 Alternative 2

Approximately 27,017 square meters, Part of Lot 57-3 located in As Gono, Saipan. COTA rejected this site because of its close proximity to residential housing, a public elementary and public high school, and the Saipan International Airport. This location will have to undergo a rezoning in order for COTA to establish a public transit operation on it. As such, the small number of residents in the immediate area would almost certainly be impacted if this site were selected as the primary.

### 6.1.3 Alternative 3

This site is located in Puerto Rico, Saipan. The Commonwealth Recorder refers to it as Lot No. 114 D 01, containing an area approximately 11,260 square meters as filed on May 17, 1994 (file no. 94-1266). This location has a documented history and hazardous material contamination with the CNMI Bureau of Environmental and Coastal Quality and US EPA. Accepting this property will obligate COTA to remediate the contamination, an expenditure that is unplanned and unfunded.

### 6.1.4 Alternative 4

Approximately 7,114 square meters, part of Lot No. 206 E 02. This site is located in Lower Base, Saipan next to a CUC power plant

## 6.2 THE PREFERRED SITE

The preferred site is located in Lower Base, Saipan next to a CUC power plant. The Commonwealth Recorder refers to it as Lot No. 206 E 02, containing an area approximately 7,114 square meters. It is currently a vacant lot located in Lower Base, Saipan. The property and the surrounding area is listed in the Commonwealth Registry as an "Industrial Zone".

The northern boundary is approximately 670 feet from the high-water mark of the shoreline. The southwestern boundary faces a power plant. Minimal vehicle traffic moves to and from the plant. It will not be of any significance to public transit vehicles. The southeastern boundary is adjacent to a public road. This is the road onto which transit vehicles deploy and return each workday.

### 6.2.1 Displacement of persons and businesses

The preferred site is a vacant lot and property of the CNMI government. It is located within a built-up area with paved roads along the eastern boundary of the property. There are no persons or businesses that will need to vacate the property or relocate in order that COTA establishes public transit operations here.

### 6.2.2 Comparison of the preferred site to the alternative sites

For specific reasons, COTA rejected the alternative sites located at Lower Base, As Gono, and Puerto Rico, Saipan (see discussion 6.1 above). All the alternative sites are not feasible options for the new COTA facilities. As such, the only remaining alternative is the Lower Base site, Lot No. 206 E 02. Zoning of the preferred site is proper for the type of activity COTA proposes.

### 6.2.3 Benefits and negative impacts on minority & low-income populations

#### 6.2.3.1 Benefits:

- ✓ A new maintenance and repair facility will ensure quicker turn-around on minor maintenance and repair of transit vehicles. This will minimize any delays and interruptions of service to all

**COTA clients especially those with disabilities and those of minority and low-income populations.**

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- ✓ **The new location is close to the capitol village of the CNMI and the downtown section of Saipan. It is also within 2 miles of the US Army Reserve Center, the only us military facility in the CNMI. These areas make up the majority of destinations of COTA's current riders.**
- ✓ **The new location will position COTA for implementation of a fixed-route transit service. Small to Medium-sized busses will efficiently deploy to the seven planned routes and return at the end of each day's operation. The planned fixed-route service is less costly than the paratransit service that COTA currently provides. Any savings that COTA realizes, they shall pass on directly to its consumers.**

**6.2.4 Negative Impacts on minority & low-income populations**

**None**

**6.3 MITIGATION OF NEGATIVE IMPACTS**

**Since there are no negative impact on minority and low-income populations, there is no mitigation necessary.**

## **7 CONCLUSION AND RECOMMENDATION**

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**7.1 CONCLUSION:**

**This Title VI equity analysis must compare the equity impacts of three possible sites for a new COTA maintenance facility. All four sites are on Saipan and located in Lower Base, As Gono and Puerto Rico. From the data gathered, input from the community and the discussions above, it is clear that the only logical site for the new COTA maintenance facility is Lower Base.**

**7.2 RECOMMENDATION:**

**Initiate plans immediately for the design and construction of the new facility on the Lower Base property.**

## APPENDIX A: LOCATION AND AREA MAP

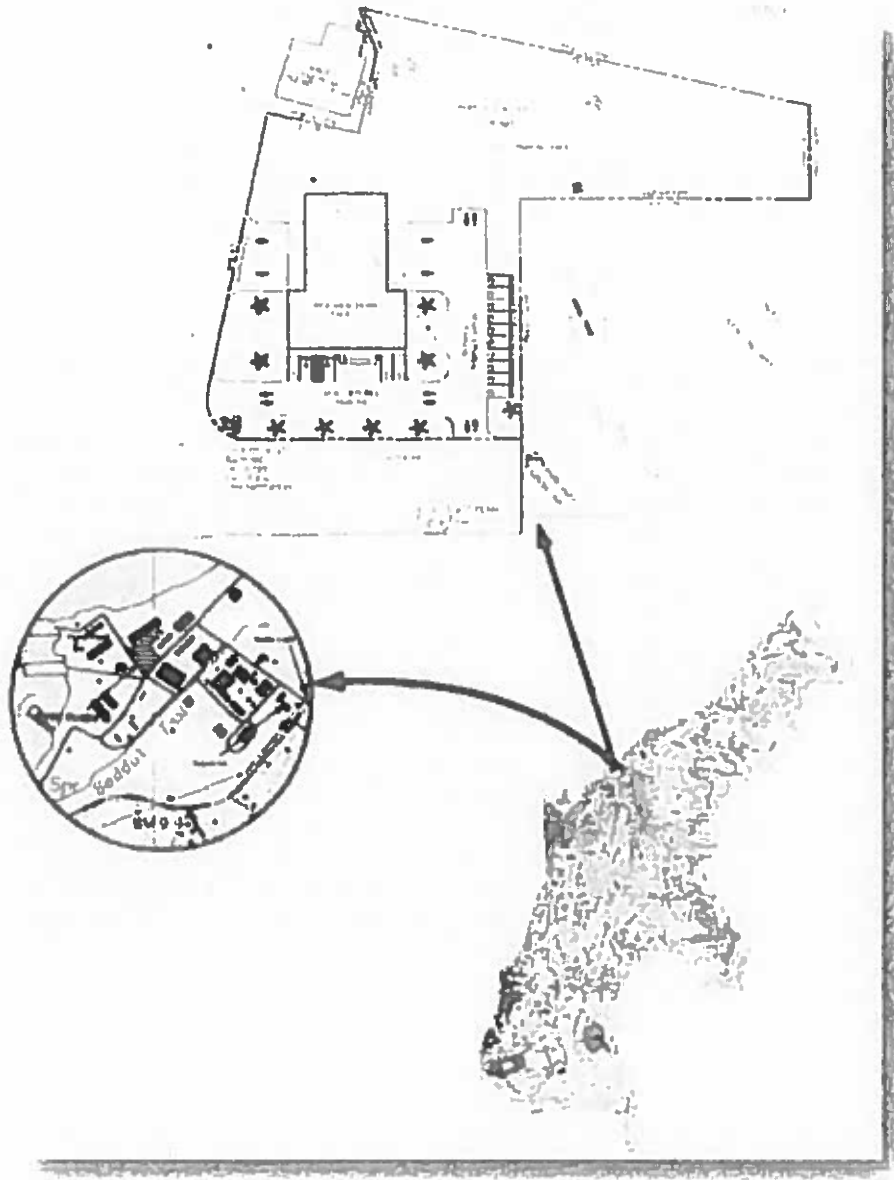
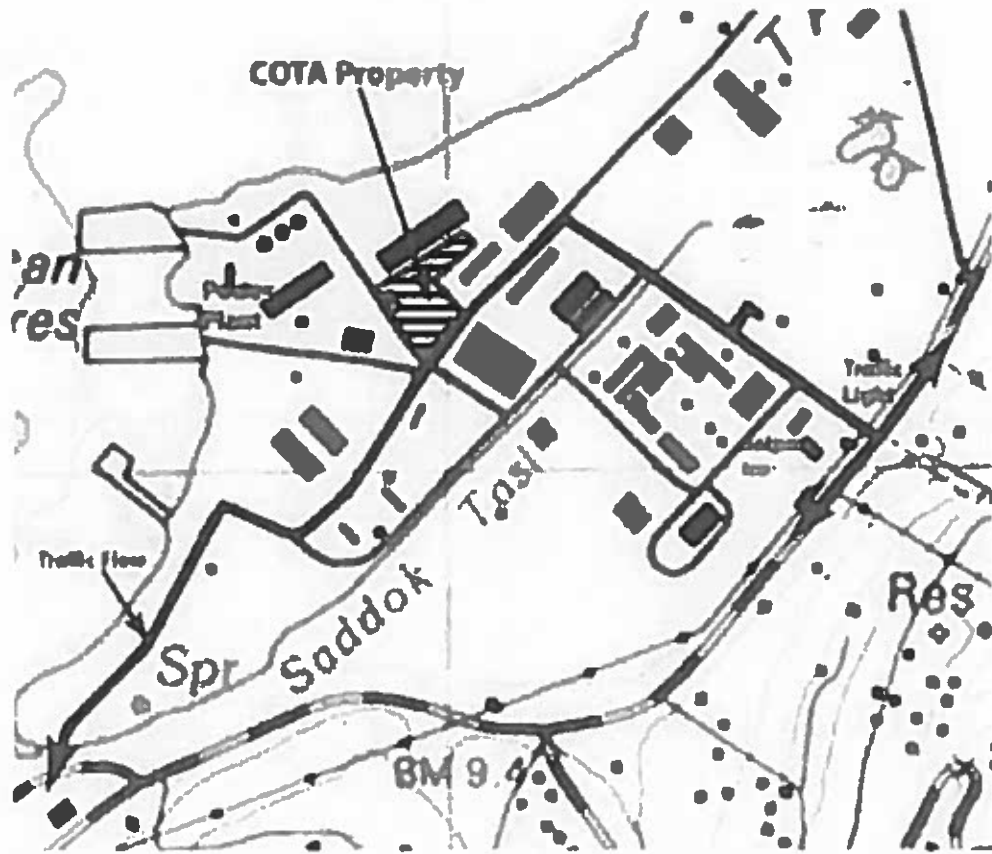


Figure 1: Site Plan and Area Map – Lower Base, Salpan

APPENDIX B: TRAFFIC FLOW DIAGRAM





GOV. COMM. 18-194  
(HOUSE)

**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

**Eloy S. Inos**  
Governor

**Jude U. Hofschneider**  
Lieutenant Governor

Honorable Joseph P. Deleon Guerrero  
Speaker, House of Representatives  
Eighteenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Honorable Ralph DLG. Torres  
Senate President, The Senate  
Eighteenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

13 JUN 2014

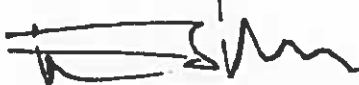


Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law House Bill No. 18-140, entitled, "To amend Public Law No. 17-43 to give the Commonwealth Office of Transit Authority (COTA) the power to adopt rules and regulations in furtherance of its duties; and for other purposes," which was passed by the House of Representatives and the Senate of the Eighteenth Northern Marianas Commonwealth Legislature.

This bill becomes Public Law No. 18-50. Copies bearing my signature are forwarded for your reference.

Sincerely,

  
ELOY S. INOS

cc: Lt. Governor; Lt. Governor's Legal Counsel; Attorney General's Office; Press Secretary; Commonwealth Office of Transit Authority; Public Auditor; Special Assistant for Administration; Special Assistant for Programs and Legislative Review

13650 CLERK'S OFFICE

RECEIVED BY  
DATE TIME



*Eighteenth Legislature  
of the  
Commonwealth of the Northern Mariana Islands*  
**IN THE HOUSE OF REPRESENTATIVES**

**Second Regular Session**

**October 24, 2013**

Representative Antonio P. Sablan, of Saipan, Precinct 1 (*for himself*) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

**H. B. No. 18-140**

**AN ACT**

**TO AMEND PUBLIC LAW NO. 17-43 TO GIVE THE  
COMMONWEALTH OFFICE OF TRANSIT AUTHORITY (COTA)  
THE POWER TO ADOPT RULES AND REGULATIONS IN  
FURTHERANCE OF ITS DUTIES; AND FOR OTHER PURPOSES.**

The Bill was referred to the House Committee on Public Utilities, Transportation, and Communications, which submitted Standing Committee Report 18-83, adopted on January 9, 2014.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON  
FIRST AND FINAL READING, FEBRUARY 11, 2014;  
*without amendments* and transmitted to the  
THE SENATE.**

The Bill was referred to the Senate Committee on Public Utilities, Transportation, and Communications, which submitted Standing Committee Report 18-58, adopted on May 2, 2014.

**THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, MAY 2, 2014;  
*without amendments* and returned to  
THE HOUSE OF REPRESENTATIVES.**

**THE BILL WAS FINALLY PASSED ON FEBRUARY 11, 2014.**

A handwritten signature in black ink, appearing to be "L. Muña", written over a horizontal line.

**Linda B. Muña, House Clerk**



*Eighteenth Legislature  
of the  
Commonwealth of the Northern Mariana Islands*  
**IN THE HOUSE OF REPRESENTATIVES**

Fourth Day, Third Regular Session

February 11, 2014

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**H. B. 18-140**

AN ACT

**TO AMEND PUBLIC LAW NO. 17-43 TO GIVE THE COMMONWEALTH OFFICE OF TRANSIT AUTHORITY (COTA) THE POWER TO ADOPT RULES AND REGULATIONS IN FURTHERANCE OF ITS DUTIES; AND FOR OTHER PURPOSES.**

**Be it enacted by the Eighteenth Northern Marianas Commonwealth Legislature:**

1           Section 1. Findings and Purpose. The Legislature created the Commonwealth Office  
2 of Transit Authority (COTA) to administer federal grants from the Federal Transit  
3 Administration. COTA's primary duties are to assess the transportation needs of the  
4 Commonwealth and to develop a public transportation system. Under the current law, COTA  
5 does not have the authority to adopt rules and regulations. The Legislature finds that COTA  
6 should have the authority to adopt rules and regulations to carry out its duties.

7           Section 2. Amendment. Section 2 (b) of Public Law No. 17-43, which is codified as  
8 1 CMC § 20161 is amended by adding a new subsection (b) (1) to read as follows:

9                   “(b) (1) The Special Assistant may adopt rules and regulations as necessary to  
10 carry out the duties and responsibilities of the Commonwealth Office of Transit  
11 Authority.”



**HOUSE BILL 18-140**

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1           **Section 3. Severability.** If any provisions of this Act or the application of any such  
2 provision to any person or circumstance should be held invalid by a court of competent  
3 jurisdiction, the remainder of this Act or the application of its provisions to persons or  
4 circumstances other than those to which it is held invalid shall not be affected thereby.

5           **Section 4. Savings Clause.** This Act and any repealer contained herein shall not be  
6 construed as affecting any existing right acquired under contract or acquired under statutes  
7 repealed or under any rule, regulation, or order adopted under the statutes. Repealers  
8 contained in this Act shall not affect any proceeding instituted under or pursuant to prior law.  
9 The enactment of the Act shall not have the effect of terminating, or in any way modifying,  
10 any liability, civil or criminal, which shall already be in existence on the date this Act  
11 becomes effective.

**HOUSE BILL 18-140**

1           Section 5. Effective Date. This Act shall take effect upon its approval by the  
2 Governor, or its becoming law without such approval.

Attested to by:



*Linda B. Muña, House Clerk*

Certified by:



**SPEAKER JOSEPH P. DELEON GUERRERO**  
*House of Representatives*  
*18<sup>th</sup> Northern Marianas Commonwealth Legislature*

*APPROVED* this *13<sup>TH</sup>* day of *JUNE*, 2014



**ELOY S. INOS**  
*Governor*  
*Commonwealth of the Northern Mariana Islands*