COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

CIVIC CENTER, SAIPAN, MARIANA ISLANDS

VOLUME 6 NUMBER 11

PAGE 3221 to PAGE 3365

DATE OF PUBLICATION: NOVEMBER 15, 1984



# Commonwealth

## Register

Published monthly by the Registrar of Corporation Office of the Attorney General Saipan, Mariana Islands 96950

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Office of Registrar of Corporations Commonwealth of the Northern Mariana Islands

#### ADOPTED REGULATIONS

#### DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENTAL SERVICES

#### Authority

In accordance with Public Law 1-8, Chapter 12, Section 3, the Department of Public Health and Environmental Services has the responsibility of administering all government-owned health care facilities and of adopting relevant regulations as deemed necessary. The Director of Public Health and Environmental Services has the responsibility of carrying out the duties of the Department. In accordance with those duties, the Director of Public Health and Environmental Services promulgated a schedule of fees for the provision of health services. The proposed fee schedule was adopted and implemented after the expiration of a period of time designated for public comment.

#### Subject Matter

The adopted regulations include the following subjects:

- 1. Fees for issuing business permit.
- 2. Fees for issuing health certificate.
- 3. Fees for issuing immunization certificate.
- 4. Fees for issuing and reproduction of medical records.
- 5. Fees for issuing and reproduction of duplicates on all public health forms.
- 6. Fees for family planning service and issuing of supplies.
- 7. Fees for Intra Uterine Device (IUD).
- 8. Fees for Pap Smear Service.
- 9. Fees for burial plot adult size, 15 years and over.
- 10. Fees for burial plot childrens' size, under 15 years of age.

#### Public Comment

During the period of time designated for public comment on the proposed rules and regulations, the Department of Public Health and Environmental Services received no comments or complaints on the proposed rules and regulations with regard to the present CNMI Uniform Medical Fee schedule.

Since there is no comment or complaint from the general public, the Department of Public Health and Environmental Services adopted these rules and regulations. Copies of the adopted regulations may be obtained from the office of the Director, or the Office of the Administrator, Division of Public Health in Chalan Kanoa, Saipan, CM 96950.

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The Department of Public Health and Environmental Services is soliciting views, opinions, facts and data for and against the adopted regulations from the general public.

Anyone interested in commenting on the adopted regulations may do so by submitting comments in writing to the Department of Public Health and Environmental Services, Terlaje Hill, Saipan, CM 96950, within 30 days from the date this notice is published in the Commonwealth Register.

10/94 DATE:

llagomez, M.O Director, Public Health and Environmental Services

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#### I MA ADAPTA NA AREKLO

#### DEPATTAMENTO HINEMLO PUBLIKO YAN ENVIRONMENTAL NA SETBISTO

#### Atoridat

Gi papa i lai Publiko 1-3, Kapitilu 12, Seksiona 3, Depattamento Hinemlo Publiko yan Environmental na Setbisio gaige i responsibilidad na para hu administra todo fasilidat hinemlo ni gaige gi halom gobietnon Commonwealth ya sina ha man adapta otro siha na areklo yangen nesesario para hu chogue. I Direcktot Hinemlo Publiko yan Environmental na Setbisio gai responsibilidad na hulie na i che'cho depattamento ma chochoque. Ginen este na responsibilidad anai sina i Direktot Hinemlo Publiko yan Environmental na Setbisio man langos areklon apas pot setbision hinemlo. Este na propositon eskaleran apas (fee schedule) ni para uma umentaye i presiente na CNMI Unifotme Medicat Escaleran Apas ma adapta yan ma implementa despues de ahupos i tiempo ni manahe i publiko para hu nahalom hafa na opinion pot este na asunto.

#### Asunto

I ma adapta na areklo saonao lokkue este siha:

- 1. Apas para licensian cometcio.
- 2. Apas para certificon hinemlo.
- 3. Apas para certificon bacuna.
- 4. Apas para copia documenton medicat.
- 5. Apas para doble copia gi todo fotma i public health.
- 6. Apas para setbision Family Planning yan probecion.
- 7. Apas para Intra-Uterine Devise (IUD).
- 8. Apas para Pap Smear na setbisio.
- 9. Apas para solat matai para manamko, 15 anios para hulo.
- 10. Apas para solat matai para famaguon, papa i 15 ano na idat.

#### Opinion Publiko

Durantin i tiempo ni manmanahe i publiko para hu nahalom opinion niha pot i ma propoposito na areklo yan regulasion Depattamenton Hinemlo Publiko yan Environmental na Setbisio taya ma resibe na opinion pot i ma propoposito na areklo yan regulasion ni para uma unmentaye i presiente na CNMI Unifotme Medicat Escaleran Apas.

Pot i taya nota yan queha ginen i publiko henerat, i Depattamenton Hinemlo Publiko yan Environmental na Setbisio ha adapta este na areklo yan regulasion. Kopia pot i ma adaptan este na regulasion sina machule ginen i ofisian i Direktot pat i oficinan i Administradot i Division i Hinemlo Publiko giya Chalan Kanoa, Saipan, CM 96950. The stamenton Hinemlo Publiko yan Environmental na Setbision man man solisita opinion siha fabot de pat kontra pot este na areklo ni esta ma adapta ginen i publiko henerat.

Haye interesao para hu nahalom opinionna pot este na areklo ni ma adapta esta, hu tugi yan una halom gi Depattamenton Hinemlo Publiko yan Environmental na Setbisio, Okso Terlaje, Saipan, CM 96950, gi halom trenta dias anai ma langos este na notisia ginen Commonwealth Register.

18/19/24 DATE:

illagomez, M.Q. 'ose-Т.Л Direktot, Hinemlo Publik 7an Environmental na Setbi

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#### ADOPTED FEE SCHEDULE TO THE CNMI UNIFORM MEDICAL FEE SCHEDULE

#### License and Permit

1. 2.	License & Permit for Business establishment (original)\$ License & Permit for Business establishment (duplicate)	10.00 5.00			
Health Certificate					
1. 2.					
Immu	nization Certificate				
1. 2. 3.	Immunization certificate for school enrollment (original) Immunization certificate for school enrollment (duplicate) Immunization certificate for traveler	1.50 .75 2.00			
Repr	oduction of Medical Records				
1.	Reproduction of medical records per copy	.25			
Repr	oduction of Duplicate Copies of Forms				
1.	Reproduction of duplicate copies on all public health forms per copy	.25			
Fami	ly Planning Services and Supplies				
1. 2.	Initial Visit Return Visit	4.00			
Spec	cial Obstetrical Procedures				
1. 2.	IUD. Pap Smear	25.00 10.00			
Buri	al Plot				
1. 2.	Burial plot adult size, 15 years and over Burial plot childrens'size, under 15 years of age	150.00 75.00			

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Commonwealth of the Northern Mariana Islands

Department of Public Safety Saipan, CM 96950

Tel: 6333/6431

#### PUBLIC NOTICE

Adoption of Boating Safety Regulation

The Director of Public Safety of the Commonwealth of the Northern Mariana Islands in accordance with CMC Sections 5453, 5457, 5459 and 5460, wishes to advice the public that the Boating Safety Act of 1982 Rules and Regulations for the Commonwealth of the Northern Mariana Islands published in the Commonwealth Register, Vol.6 No.9 dated September 15, 1984 its intention to adopt permanent rules and regulations.

Notice is hereby given that the Director of Public Safety adopted such Rules and Regulations as published, without change, on September 15, 1984.

These adopted regulations are available for the public inspection at the office of the Director of Public Safety and copies may be obtained from the office of the Attorney General.

CERTIFIED BY:

F ZIX B. CABRERA Director of Public Safety

DATE

: Nov. 10 1984

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## Commonwealth of the Northern Mariana Islands

Department of Public Safety Saipan, CM 96950

Tel: 6333/6431

NUTISA PUPBLEKU

Ma'adoptan Regulasion Inadalen Bumoti

I Direktot i 'Public Safety' osea "Proteksion Pupbleku" Commonwealth i Sangkattan siha na Islas Marianas sigun gi CMC seksion 5453, 5457, 5459 yan 5460, ha disisia na u akonseha i pupbleku na i Akton Inadahen Bumoti gi 1982 na Areklamento yan Regulasion para i Commonwealth osea Commonwealth Register, Vol. 6 No. 9 ni areklamento yan regulasion siha.

I Nutisia malalaknos na i Direktot i "Public Safety" ha adopta i mansangan un areklamento yan Regulasion taimanau ha' nai mapupbleka sin hafa na tinilaika, gi September 15, 1984.

Todu este i manma 'adopta na regulasion mana' guaguaha para u ma'ina ni pupbleku gi ufisinan i Direcktot i 'Public Safety' ya sina machule' i kopia ginen i ufisinan i "Attorney General" osea Abugao Hinirat.

Sinettefifika as:

Direktot i Public Safety

Fecha

Nm. 10, 14

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COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS ALCOHOLIC BEVERAGE CONTROL BOARD c/o COMMERCE & LABOR 4TH FLOOR, NAURU BUILDING

Filed this Corporations Office of Registrar of Commonwealth of the Northern Mariana Isla

PROPOSED RULES AND REGULATIONS FOR THE ALCOHOLIC BEVERAGE CONTROL BOARD

The Alcoholic Beverage Control Board, pursuant to Title 11 of the Mariana Islands District Code and in accordance with the provisions of 1 CMC Section 9104(a) hereby gives notice to the public of its intention to promulgate rules and regulations to carry out the intent and purpose of Title 11 of the Mariana Islands District Code.

All interested persons will be given a reasonable opportunity to submit their views, and comments in writing concerning the proposed regulations. Written comments must be submitted to the Chairperson of the Alcoholic Beverage Control Board not later than the close of business thirty (30) calendar days following the date of publication of this Notice.

DATED this 10th day of November, 1984.

Submitted by:

Chairperson Alcoholic Beverage Control Board

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#### COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS ALCOHOLIC BEVERAGE CONTROL BOARD c/o COMMERCE & LABOR 4TH FLOOR, NAURU BUILDING

Office of Registrar of Corporations Commonwealth of the Northern Mariana Islands

Filed this

#### PRUPOSITON AREKLO YAN REGULATION SIHA PARA I ALCOHOLIC BEVERAGE CONTROL BOARD

I Cuetpo nu i gumobebetna i bandan alcohot sigun i Titulo ll gi Lain Distriton Marianas yan sigun i provision l CMC Sectiona 9104(a) guine pago ha nanae noticia para i publico pot i intentionna na para unaguaha areglamento anai para sina una posible i intension yan i proposito i Titulo ll gi lain i Distriton Marianas.

Todos man interesao na persona para u fanma nae risonable na opportunidad para uma submite i linie niha yan comento gi ma tugi na manera pot i proposito na areglamento. Este na comento debe de umatugi ya u manae guato i cabesan i cuetpo ni i gumobebetna i bandan alcohot ti u mas ki trenta dias despues de i fecha nai ma publica este na noticia.

Ma fecha este gi <u>10 12</u> dia gi <u>Novembe</u>, 1984.

Sumatmimite:

FRANCISCO TOMOKANE

Chairperson Alcoholic Beverage Control Board

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#### RULES AND REGULATIONS OF THE ALCOHOLIC BEVERAGE CONTROL BOARD

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#### I. GENERAL PROVISIONS

Office of Registrar of Corperations Commonwealth of the Northern Martena Islands

Section 1. Authority:

These proposed rules and regulations have been promulgated for adoption pursuant to Title 11 of the Mariana Islands District Code.

Section 2. Purpose:

To establish uniform regulations in order to carry out the intent and purpose of Title 11 of the Mariana Islands District Code.

Section 3. Definitions:

The definition applicable to a particular word set forth in 11.04.010 of Title 11 of the Mariana Islands District Code shall govern whenever any word contained in that section is used herein.

II. LICENSES

Section 1. License Applications:

a. Applications for any Alcoholic Beverage Control License or transfer of any license authorized under Title 11, Mariana Islands District Code, shall be submitted upon proper forms to be provided and approved by the Alcoholic Beverage Control Board.

b. Each application must be properly and completely filled out and accompanied by any and all required data supplementing the application form. If the Board feels that additional information is necessary, consideration of the application may be postponed and a reasonable period of time may be afforded the applicant to comply with this requirement.

c. A deposit of \$25.00 to cover the cost of processing the application must accompany all applications for license. Full payment of the prorated license fee is due and payable at the time the license is issued.

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Section 2. Type of License:

Class Class 1 - Manufacturer's License.....\$250.00 Class 2 - Wholesale Agent's License.....\$250.00 Class 3 - Retail Dealer's On-Sale License: Beer and Wine

	J		Beer and Wine	30.00
Class	4	-	Retail Dealer's Off-Sale License: Beer and Wine\$ General\$	25.00 30.00
Class	5	-	Temporary Beer License\$	10.00
Class	6	_	Club License	00.00

Fee

Section 3. Duration:

The license is issued for a period of one year. It commences on July 1 and terminates upon June 30.

Section 4. Renewal:

To renew a license, the fee must be paid on or before June 30. Failure to do so will cause the license to be automatically suspended. However, it may be reinstated if the fee is paid within 3 days of June 30th. The license will be automatically revoked on July 31 if not so reinstated.

Section 5. Qualifications of Prospective Licensees:

a. Prior to the Board considering an application for an Alcoholic Beverage Control License, a thorough investigation into an applicant's background will be conducted by the ABC Board. The Board may inquire into an applicant's:

- 1. moral character;
- 2. prior criminal record;
- 3. whether he/she has been adjudged insane;
- 4. location of the premises to determine whether the premises would be a nuisance;

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- 5. past business conduct and practices;
- 6. condition of premises; and
- 7. any and all other matters and things which in the judgment of the Board pertain to or affect the matter of the application, its issuance or the exercise of the license applied for.

The Board will carefully consider the results of this investigation and may make a determination as to approval or disapproval of the application.

b. Where the applicant for a license is a corporation, all individuals who own stock in such corporation or officers or directors of the corporation or are otherwise involved in any way as proprietors, managers, employees or agents of the business being considered for licensing, shall be listed by legal name in the current application on file with the Board. No license shall be issued or renewed unless these listings are complete and legally accurate and reveal sufficient compliance with all pertinent provisions of Title 11 and or these regulations as made applicable.

Section 6. Review:

Upon inspection and investigation, the Board shall consider the application and shall within 15 days give its decision, granting or refusing, the application.

a. If the Board decides in favor of the applicant or licensee, the Board shall promptly notify the applicant or licensee of its decision. If the Board decides otherwise, it shall issue an appropriate decision and order. The decision and order shall be accompanied by separate findings of facts and conclusions of law. The Board shall within a reasonable time send a certified copy thereof to the applicant or licensee.

b. Where an application for license has been denied, a person aggrieved by such a denial shall be entitled to a review of the decision by the Governor.

c. Judicial review shall be as provided by law.

Section 7. Premises Qualifications:

a. All premises licensed or proposed to be licensed shall be constructed, arranged, furnished,

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equipped, maintained and operated in such manner as may be prescribed by the Board.

b. Licensed premises, including furnishings, equipment and paraphernalia on the premises, shall be kept in clean and sanitary condition, and drinking glasses must be effectively sterilized. There must be installed on licensed premises where liquor is consumed, separate and adequate toilet facilities for men and women, which facilities must have the approval of the Department of Public Health and Environmental Services.

#### Section 8. Transfer of License:

a. Where a license has been issued to or in the name of a partnership, no substitution, addition, removal or other change to the licensed partnership shall be made until the proposed change has first been considered by the Board upon application for transfer between two distinct business entities.

b. No application for transfer of a license will be considered by the Board unless the applicant has met the same personal qualifications as that required of an applicant for an original license.

#### Section 9. Responsibilities of the Licensee:

a. It shall be the responsibility of a licensee to notify the Board Chairman in writing of any and all changes in a licensed business ownership, management, agents or any other changes which materially affect or modify the data on file and recorded as the basis for granting or renewal of such license prior to the time such change occurs. Failure to do so within twenty-four (24) hours of such change shall require an immediate temporary suspension of the license pending investigation and review by the Board. This suspension of the license shall remain in effect until removal, modification or other action as may be deemed necessary and appropriate action.

b. All Class 3, retail on-sale, general establishments shall have a duly registered manager or assistant manager on the premises, in the absence of the licensee and daily during the hours of 7:00 p.m. until closing. The manager or assistant manager shall be capable of maintaining order and responsible for compliance to laws and regulations that pertain to the licensed premises.

c. A licensee proposing to transfer or who is in the process of transferring his license to

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Find: er party shall remain responsible for the conduct of the licensed business and liable for compliance with all terms of the licensed business and all laws and regulations pertaining thereto until such time as the Board has approved the transfer and the transferred license has been re-issued in the new licensee's name.

d. A licensee shall post a list of employees and their specified duty hours on the premises where such list shall be at all times available for inspection by duly authorized representatives of the Board. These specified work periods shall clearly indicate the hours when each employee is considered to be on duty.

e. Licensees of Class 3, retail on-sale, general establishments, shall register or cause to be registered with the ABC Board, the names of employees employed by his establishment and engaged in the mixing and/or the serving of alcoholic beverages, within 24 hours after employment.

f. The "stacking" of liquor for consumption by customers is prohibited. No customer shall be permitted to have more than one drink at a time.

g. Refill prohibited. A licensee shall not refill any distilled spirits' containers with distilled spirits nor keep, offer for sale or sell distilled spirits from a container that has been refilled. Immediately upon emptying a container, a licensee shall destroy it.

h. Every license issued and in effect under Title 11 shall at all times be conspicuously posted and exposed to view, convenient for inspection, on the licensed premises.

Section 10. Prohibitions:

a. At no time under any circumstances shall any liquor be sold or furnished by any licensee:

- 1) to any person under the age of 21;
- to any person at the time under the influence of liquor;
- after 2:00 a.m. and before 9 a.m if licensee holds an on-sale license;
- 4) before 7:00 a.m. and after 10:00
   p.m. if the licensee holds an
   off-sale license;
- 5) when election polls are open for voting;

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thereof of any licensed premises shall consume or be permitted to consume any alcoholic beverage while on duty on such premises.

c. A licensee, his agent or employee shall not permit any minor under the age of eighteen (18) years to mix or serve any alcoholic beverages at any on-sale establishment.

#### Section 11. Revocation of Licenses:

A license of any class may be revoked on any of the following grounds:

a. Where the continuation of a license would be contrary to the public interest;

b. Violation of, causing or permitting a violation of, or failure or refusal by a licensee to comply with any provision of this Title or any regulation of the Board adopted under Title 11;

c. Misrepresentation of a material fact by any applicant in obtaining or renewing a license;

d. A plea, verdict or judgment of guilty or nolo contendere to any public offense involving moral turpitude.

#### Section 12. <u>Procedure on Revocation or Suspension of</u> <u>License</u>:

The Board may revoke any license or suspend the right of the licensee to use his license for the violation of any provision of Title 11 or for any rule or regulation applicable thereto.

In every case where it is proposed to revoke or suspend the exercise of any license, the licensee shall be given:

a. Notice and hearing; the notice to be given at least five (5) days before hearing;

b. At the hearing, the licensee shall be entitled to be heard in person or through counsel and shall be given a full and fair opportunity to present any facts showing that the alleged cause or causes for the proposed action do not exist;

c. The testimony taken shall be under oath and taken stenographically or by machine, but the parties shall not be bound by strict rules of evidence;

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d. Copies of any transcript made at the hearing shall be given to the licensee upon his request and at his expense.

Any order of revocation or suspension by the Board upon the licensee shall be in addition to any penalty that might be imposed upon the licensee upon his conviction in a criminal prosecution for violation of Title 11.

Section 13. Appeal:

Where the Board revokes or suspends a license issued to a licensee, the person aggrieved by such revocation or suspension shall be entitled to a review of the decision by the Governor.

DATED this 10th day of November, 1984. FRANCISCO TOMOKANE Chairperson Alcoholic Beverage Control Board Submitted by:



## Commonwealth of the Northern Mariana Islands

Department of Public Health & Environmental Services Division of Environmental Quality Saipan, Mariana Islands 96950



Cable Address: Gov. NMI Saipan Tel. 6984/6114

PROPOSED AMENDMENT UNDERGROUND INJECTION CONTROL REGULATIONS FOR PUBLIC LAW 3-23 DEPARTMENT OF PUBLIC HEALTH & ENVIRONMENTAL SERVICES

The Director of the Department of Public Health and Environmental Services of the Commonwealth of the Northern Mariana Islands hereby proposes amendment to the regulations establishing requirements for any underground injection of hazardous wastes of fluids used for extraction of minerals, oil, and energy, and of certain other fluids with potential to contaminate groundwater in order to protect underground sources of drinking water which were published in the Commonwealth Register Volume 6, Number 5, May 15, 1984, Page 2802-2813. These amended regulations will be promulgated pursuant to the authority granted the Director of Public Health and Environmental Services under Public Law 3-23. The regulations prohibit deep injection of wastes, injection of hazardous wastes, injection of fluids associated with oil and gas mining, solution mining, and other categories identified in the proposed regulations. They allow all other types of injection to exist, subject to applicable regulations. They do not apply to drinking water supply wells, water production wells, monitoring well drilling, development, and rehabilitation processes.

Copies of the regulations and proposed amendments may be obtained from the Department of Public Health and Environmental Services, Division of Environmental Quality, located at Dr. Torres Hospital, Saipan, CM 96950.

Anyone interested in commenting on these amendments may do so by submitting comments in writing to the Director, Public Health and Environmental Services, Dr. Torres Hospital, Saipan, CM 96950 within 30 days from the date this notice is published in the Commonwealth Register.

14 Hra

DR. JOSE T. VILLACOMEZ Director

Department of Publicalth and Environmental Services

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### Commonwealth of the Northern Mariana Islands

Department of Public Health & Environmental Services Division of Environmental Quality Saipan, Mariana Islands 96950



Cable Address: Gov. NMI Saipan Tel. 6984/6114

NOTISIAN MA PROPOSA NA AMENDASION MADULOK PAPA' TANO' NA AREKLAMENTO SIHA PARA I LAI PUBLIKO 3-23 GINEN I DEPATTAMENTON HINEMLO" PUBLIKO YAN ENVIRONMENTAL NA SETBISIO

I Direktot i Depattamenton Hinemlo' Publiko van i Environmental na Setbisio gi Commonwealth gi sankattan siha na isla ha proposa amendasion areklamento para uma establesi maseha hafa na klasen madulok papa' tano' pot peligrosu na trompeson. fluids para mana' suhan i minerals, lana, energy yan pot otro metton na fluids ni sina pumesible para u tatme i hanom papa' tano' ni para u prinitehi i hale' papa' tano' pot hanom magimen ni ma proklama gi Commonwealth Register, Vol. 6, Numeru 5, May 15, 1984, pahina 2802-2813. Este na areklamento siempre uma propone pinetsigi para i ma na'i na atoridat i Direktot i Depattamenton Hinemlo' yan Environmental na Setbisio para i lai Publiko 3-23. I areklamento ha prohibi taddong na madulok trompeson, madulok fluids ni dumadanna' yan lana, minan gasilina, minan diritiyon, madulok piligrosu na trompeson, yan otro siha na katigurat ni ma aidentifika gi areklamento. Ma petmiti todu otro na klasen dinilok para i gagaige, sigun gi areklamento. Ti ha aplilika i suplika na hanom tupo' yan produkto na hanom tupo', pat i mamanenea na madulok tupo' development, yan rehabilitation processes.

Kopian i ma proposa na regulasion yan i amendasion siha sina machule' ginen i Depattamenton Hinemlo Publiko yan Setbision <u>Environmental</u>, Dibision i Kualidat Environmental, Dr. Torres Hospital, Saipan, CM 96950.

Hayi i interesao pot i ma proposa na amendasion madulok papa' tano' na areklamento u sangan gi matuge' na manera guatu gi Direktot i Depattamenton Hinemlo' Publiko yan <u>Environmental</u> na Setbisio, <u>Dr. Torres Hospital</u>, <u>Saipan, CM 96950</u> gi halom 30 dias na tiempo desde i ha'ani anai este na notisia ma publika gi halom i Commonwealth Register.

14, NN. 84

VILLAGOMEZ, Direktot

i Depattamenton Hinemio' yan Setbision Environmental

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#### COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

SAIPAN, MARIANA ISLANDS

#### AMENDMENTS TO UNDERGROUND INJECTION CONTROL REGULATIONS

Part III(s) of the Underground Injection Control Regulations is hereby amended to read as follows:

(s) "Pollutant" means any fluid that contains a contaminant, or dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, celler dirt and industrial, municipal, and agricultural waste discharged in water. It does not mean sewage from vessels.

Part 5.3 of the Underground Injection Control Regulations is hereby amended to read as follows:

5.3 Owners and operators of Class V Wells are prohibited from causing or allowing movement of fluid, by injection or otherwise, containing any contaminant into underground sources of drinking water where the presence of that contaminant may cause a violation of the CNMI Drinking Water Regulation, or which in the opinion of the Department may adversely affect the health of persons.

Part 6.1 of the Underground Injection Control Regulation is hereby amended as follows:

6.1 These regulations do not prohibit the construction, installation, operation or maintenance of any type of injection well not included in Classes I-IV, provided that there is compliance with these regulations and other applicable regulations and statutes. Any project, or proposed project, that may cause underground injection of hazardous wastes, of fluids used for extraction of minerals, oil, and energy and of certain other fluids with potential to contaminate ground water, in addition to being subject to these regulations, is subject to the Coastal Resources Management regulations governing projects which are designated as a "Major Siting," or which are located or proposes to be located in an "Area of Particular Concern," as defined in the Coastal Resources Management regulations.

14 Nov. 184 Date

JOSE /L. VILLAGOMEZ, Director

Department of Public Health and Environmental Services

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#### PROPOSED RULES AND REGULATIONS

#### OFFICE OF COASTAL RESOURCES MANAGEMENT

THE COASTAL RESOURCES MANAGEMENT OFFICE OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS IS PROPOSING TO PROMULGATE NEW RULES AND REGULATIONS FOR THE PROTECTION AND PRESERVATION OF OUR VALUABLE COASTAL RESOURCES. THESE REGULATIONS WILL BE USED UNDER THE AUTHORITY OF CNMI PUBLIC LAW NO. 3-47.

The purpose of these regulations is to establish permitting standards and requirements necessary for the control of activities within defined coastal areas such as wetlands, mangroves, and other designated areas of particular concern, as determined by the Coastal Resources Management Office and Program Agency Officials.

The proposed regulations include the following subject areas:

- 1. CRM permit requirements
- 2. Exceptions to CRM permit requirements
- 3. CRM permit process
- 4. Standards for CRM permit issuance
- 5. CRM permit conditions
- 6. CRM permit amendment
- 7. Enforcement of CRM permit
- 8. Enforcement of CRM standards and policies
- 9. Public information and education
- 10. CRM Coastal Advisory Council
- 11. CRM Public Records
- 12. CRM Access to records

Copies of the proposed regulations may be obtained from the Coastal Resources Management Office, 6th Floor Nauru Building.

Anyone interested in commenting on the proposed CRM Rules and Regulations may do so by submitting commenst in writing to, CRM Administrator, Coastal Resources Management Office 6th Floor Nauru Building, Saipan, CM 96950, within thirty (30) days from the date this notice is published in the Commonwealth register.

Acting Deputy Administrator, CRMO

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VOL. 6 NO. 11

NOVEMBER 15, 1984 PAGE 3240

#### MAPROPONI NA AREKLAMENTO YAN REGULASION I UFISINAN I

#### COASTAL RESOURCES MANAGEMENT

I UFISINAN I COASTAL RESOURCE MANAGEMENT GI COMMONWEALTH I SANGKATTAN SIHA NA ISLAN MARIANAS MANPROPOPONI POT PARA U NA MATUNGO I NUEBO NA AREKLAMENTO YAN REGULASION POT PARA PROTEKSION YAN MA ADAHEN I PRESIOSON I URIYAN TANO TA. ESTE NA REGULASION PARA U MAUSA GI PAPA I ATURIDAT I CNMI LAIN PUBLEKU NUMIRU 3-47.

I entension este siha na regulasion pot para u ma estapblisa yan u mapetmiti i mas prisente na mudelu yan ginagao ni maditetmina yan matattitiyi yan manasaonao na ahesia anai prisisu na u gote i aktebidat siha gi halom i mansangan na lugat siha tatkomu i finasisonyan, kanada yan ottro siha ni madisikna ni mantinitika i maproponi na regulasion ha inglulusu i mansigiente siha na patte:

- 1. Ginagagao na petmison i CRM
- 2. Fuera na ginagao petmison i CRM
- 3. Macho guen i petmison i CRM
- 4. Presente na mudelu pot para malaknos i petmison CRM
- 5. Konsision i petmison CRM
- 6. Ma amendan i petmison CRM
- 7. Ma apreban i petmison CRM
- 8. Ma apreban i presente na mudelu yan areklon i CRM
- 9. Enfotmasion yan edukasion i pupbleku
- 10. Akonsihon i CRM coastal
- 11. Dokumenton pupbleku pot CRM
- 12. Ma usan yan direchon i dokumenton i CRM

Sina machule i kopia ni maproposni na regulasion ginen i ufisinan i Coastal Resource Management gi mina sais bibendan i Nauru Building.

Hayi enterisao na u fanna i ayudu pot i maproponi na areklamento yan regulasion i CRM u tugi'i i atmenestradot gi Coastal Resource Management gi mina sais bibenda gi Nauru Building gi entalo i trenta (30) dias desde ki mapubleka-na gi Commonwealth Register.

Acting Deputy Administrator, CRMO

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#### OFFICE OF COASTAL RESOURCES MANAGEMENT

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#### PROPOSED RULES AND REGULATIONS

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#### OFFICE OF COASTAL RESOURCES MANAGEMENT

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PROPOSED RULES AND REGULATIONS

Department of Natural Resources Department of Commerce and Labor Department of Community and Cultural Affairs Department of Public Health Department of Public Works

#### Section 1. SHORT TITLE.

These Rules and Regulations shall be cited as the "Coastal Resource Management Rules and Regulations of 1984."

#### Section 2. AUTHORITY.

Pursuant to the authority of CNMI Public Law 3-47 §§8(d) and 9(c), and 1 CMC § 9115, the following Rules and Regulations are hereby established. They shall apply to all areas designated by CNMI P. L. 3-47, §7, as subject to the jurisdiction of the CRM Program.

Section 3. PURPOSE.

These Rules and Regulations govern practice and procedure within the federally-approved CRM Program and set standards for the CRM Program in implementing its responsibilities, as approved by the Office of Coastal Resources Management, U.S. Dept. of Commerce. Provisions of these Rules and Regulations are not intended to negate or otherwise limit

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the authority of any agency of the Commonwealth Government with respect to coastal resources, provided that actions by agencies shall be consistent with provisions contained herein. These rules and regulations shall be consistent with the Federal Coastal Zone Management Act (CZMA) and applicable rules and regulations.

Section 4. CONSTRUCTION.

These Rules and Regulations shall be construed to secure the just and efficent administration of the CRM Program and the just and efficient determination of the CRM Permit process. In any conflict between a general rule or provision and a particular rule or provision, the particular shall control over the general.

Section 5. DEFINITIONS.

A. "<u>APC</u>" means an Area of Particular Concern consisting of a delineated geographic area within the coastal zone which is subject to special management within the standards established in Section 9(B). APC's addressed in these Rules and Regulations include lagoon and reef, wetland and mangrove, shoreline, and port and industrial, all of which are separately defined herein. APC's shall also include new APC's as may be designated hereinafter.

B. "<u>Aquaculture or Mariculture Facility</u>" means a facility, either land or water based, for the culture or COMMONWEALTH REGISTER VOL. 6 NO. 11 NOVEMBER 15, 1984 PAGE 3254

commercial production of aquatic plants or animals, for research or food production, sales or distribution.

C. "<u>Beach</u>" means an accumulation of unconsolidated deposits along the shore with their seaward boundary being at the low-tide or reef flat platform level and extending in a landward direction to the strand vegetation or first change in physiographic relief to topographic shoreline.

D. "<u>Coastal Land</u>" means all lands and the resources thereon and therein located within the jurisdiction of the CRM Program.

E. "<u>Coastal Resources</u>" means all coastal lands and waters and the resources therein located within the jurisdiction of the CRM Program.

F. "<u>Conclusions of Law</u>" means statements of the propositions of law that the decision maker arrives at after, and as a result of, finding certain facts in a case.

G. "CRM" means Coastal Resources Management.

H. "<u>CRM Administrator</u>" means the Coastal Resources Management Program Administrator, appointed by the CNMI Governor to administer the CRM Program, pursuant to CNMI P. L. 3-47, 2.

I. "<u>CRM Agency Official</u>" means a designated representative of a Coastal Resources Management Regulatory Agency; such agencies include the departments of Natural Resources, Commerce and Labor, Public Works, Public Health and

Environmental Services (Division of Environmental Quality), and Community and Cultural Affairs (Division of Historic Preservation).

J. "CRM Appeals Board" means the Coastal Resources Management Appeals Board, consisting of three members appointed by the CNMI Governor, pursuant to CNMI P. L. 3-47, §10.

K. "<u>CRM Coastal Advisory Council</u>" means the council established by CNMI P. L. 3-47, §5, comprised of the mayors of Rota, Tinian, Saipan and the Northern Islands, the Special Assistant for Carolinian Affairs, Chairman of the Marianas Public Land Corporation, the Executive Director of the Commonwealth Ports Authority, the Executive Director of Marianas Visitors Bureau, the President of the Chamber of Commerce, and the Historic Preservation Officer. In addition, the council includes one member of the public representing fisheries, one member of the public representing the construction industry, one member of the public representing a subsistence lifestyle and one staff member each from the Commonwealth Legislature House and Senate Committees on Resources and Development.

L. "<u>CRM Office</u>" means the Coastal Resources Management Office, within the Office of the CNMI Governor, headed by the CRM Administrator, pursuant to CNMI P. L. 3-47, §2.

M. "<u>CRM Permit</u>" means a permit that is issued by CRM Agency Officials for a proposed project that is subject to CRM COMMONWEALTH REGISTER VOL. 6 NO. 11 NOVEMBER 15, 1984 PAGE 3256

Program jurisdiction.

N. "<u>CRM Program</u>" means the Coastal Resources Management Program established by CNMI P. L. 3-47, including the CRM Office, the CRM Administrator, the CRM Agency Officials, the CRM Appeals Board, and the CRM Coastal Advisory Council, all of which are charged with implementing coastal resources management in the Commonwealth of the Northern Mariana Islands.

O. "<u>CRM Variance</u> " means a variance, issued by the CRM Program agency officials which provides for commencement of a proposed project on a site subject to CRM jurisdiction without obtaining a CRM Permit prior to initiation and completion of the project.

P. "<u>Degradation</u>" means a diminution or reduction of strength, efficacy, value or magnitude.

Q. "Development" means the placement or erection of any solid material or structure, discharge or disposal of any dredge materials or of any gaseous, liquid, solid, or thermal waste, the grading, removing, dredging, mining, or extraction of any materials, a change in the density or intensity of use of land including, but not limited to, subdivision of land and any other division of land including lot parcelling, a change in the intensity of use of water, the ecology related thereto, or the access thereto, a construction or reconstruction, demolition, or alteration of any structure, including any facility of any

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private or public utility, and the removal of significant vegetation.

R. "<u>Direct and Significant Impact</u>" means the impact which is causally related to or derives as a consequence of a proposed project, use, development, activity or structure which contributes to a material change or alteration in the natural or social characteristics of all coastal resources.

S. "Endangered or Threatened Wildlife" means species of plants or animals which are: 1) determined to be of such limited numbers as to be in immediate danger of extinction or reduction to a critically low population level in and around the Commonwealth of the Northern Mariana Islands if subjected to continued taking or reduction, or alteration of habitat; or 2) so designated by the U.S. Department of Interior's Fish and Wildlife Service on the latest list of "Endangered and Threatened Wildlife and Plants."

T. "<u>Findings of Fact</u>" means determinations of fact by way of reasonable interpretation of evidence.

U. "Lagoon and Reef APC" means that geographic area of particular concern consisting of a partially enclosed body of water formed by sand spits, baymouth bars, barrier beaches or coral reefs, of the Northern Mariana Islands chain.

V. "<u>Littoral Drift</u>" means the movement of sedimentary material within the nearshore zone under the influence of tides, COMMONWEALTH REGISTER VOL. 6 NO. 11 NOVEMBER 15, 1984 PAGE 3258

waves, and currents.

W. "<u>Major Siting</u>" means any proposed project which has the potential to directly and significantly impact coastal resources, as provided for in Section 9(D) of these regulations.

X. "<u>Marine Resources</u>" means those resources found in or near the coastal waters of the Commonwealth such as fish, dissolved minerals, aquatic biota and other resources.

Y. "<u>Party</u>" means a person, legal or natural, or any department of government, organization or other entity that is a CRM Permit applicant or intervernor, or a successor in interest thereto.

Z. "<u>Permit Holder</u>" means a person or entity that holds the beneficial interest in a CRM Permit and may be either a CRM Permit applicant, a successor in interest if the project site has been sold, leased, or otherwise transferred, or a real party in interest if the benefit of the CRM Permit is for one other than the applicant or a successor in interest.

AA. "<u>Person</u>" means the Government of the United States of America or any agency or department thereof; or the Government of the Commonwealth or any agency or department or any municipality thereof; any sovereign state or nation; a public or private institution; a public or private corporation, association, partnership, or joint venture, or lessee or other occupant of property, or individual, acting singly or as a group.

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The term "person" does not otherwise apply to the United States or any agency or instrumentality of the United States Government with respect to the requirement to obtain coastal permits or with respect to penalties, or to the Commonwealth of the Northern Mariana Islands with respect to obtaining coastal permit or with respect to penalties.

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BB. "<u>Port and Industrial APC</u>" means the land and water areas of particular concern surrounding the commercial ports of the Northern Mariana Islands chain which consists of projects, industrial uses, and all related activities.

CC. "<u>Project</u>" means any structure, use, development or other activity subject to CRM Program jurisdiction.

DD. "<u>Resources</u>" means natural advantages and products including, but not limited to, marine biota, vegetation, minerals, and scenic, aesthetic, cultural and historic resources subject to the jurisdiction of the CRM Program.

EE. "<u>Shoreline APC</u>" means that geographic area of particular concern consisting of the area between the mean high water mark or the edge of a shoreline cliff and one hundred fifty (150) feet inland on the islands of the Northern Mariana Islands chain.

FF. "Under Penalty of Perjury" means any statement, oral or written, certified as true and correct under penalty of perjury, pursuant to CNMI P. L. 3-48, and which precludes the

necessity of a notarized affidavit for written statements, as in the following example:

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I declare under the penalty of perjury that the foregoing is true and correct and that this declaration was executed on \_\_\_\_\_\_ at \_\_\_\_\_, CNMI.

# (Signature)

GG. "<u>Water-dependent Use</u>" means a waterfront location that is necessary for its physical function, such as seaports and other similiar facilities.

HH. "<u>Water-oriented Use</u>" means facing or overlooking the shoreline or water, but not requiring a location on the shoreline or waterfront, such uses include but are not limited to restaurants, hotels, and residential developments. Such uses must have adequate setbacks from the shoreline.

II. "Wetland and Mangrove APC" means any geographic area of particular concern which include areas inundated by surface or ground water with a frequency sufficient to support a prevalence of plant or aquatic life that require saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands include swamps, marshes, mangroves,

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lakes, natural ponds, surface springs, streams, estuaries and similiar areas in the Northern Mariana Islands chain.

JJ. "<u>Federally Excluded Lands</u>" those federal lands the use of which is owned, leased, or by law subject solely to the discretion of or which are held in trust by the federal government, its officers or agents.

KK. "<u>Hazardous Material</u>" means a material or combination of materials which may: a) cause or contribute to an increase in mortality or an increase in serious illness; b) pose a potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of or otherwise managed.

LL. "<u>Impact</u>" is any modification in an element of the environment, including modification as to quality, quantity, aesthetics, or human or natural use thereof.

MM. "<u>Infrastructure</u>" means those structures, support systems, and appurtenances necessary to provide the public with such utilities as are required for economic development, including but not limited to systems providing water, sewerage, transportation, and energy.

NN. "<u>Infrastructure Corridors</u>" means a strip or strips of land, not including highways, forming passageways which carry infrastructure.

00. "<u>Coastal Resources Management Program Boundaries</u>" the coastal waters (including the lands therein and thereunder) and the adjacent shorelands (including the waters therein and thereunder), strongly influenced by each other and in proximity to the shoreline and further including islands, transition, and intertidal areas, salt marshes, wetlands and beaches, which boundaries extend seaward to the extent of the territorial waters of the Commonwealth. The Coastal Resources Management boundaries extend inland from the shorelines to include the total land areas of the Commonwealth, with the exception of federally-excluded lands.

PP. "<u>Coastal Waters</u>" All waters and the submerged lands under the marine resources located within the boundaries of the Coastal Resources Management Program.

QQ. "<u>Water-related Use</u>" means requiring water itself as a resource, but does not require a waterfront location. Includes most industries requiring cooling water, or industries that receive raw material via navigable waters for manufacture or processing. Such uses must have adequate setbacks, as required by the CRM office.

RR. "<u>Minor Permits</u>" are those permits specified in Section 7(D)(iv) of these regulations.

SS. "<u>Intervenors</u>" means a department, agency or •official of the CNMI or Federal Government or an individual who

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has a property interest that may be affected by the permit application or could show that the general public interest would be adversely affected by the proposed CRM Permit project.

TT. "Underground Injection" means a "well injection."

UU. <u>"Well Injection"</u> means the subsurface emplacement of "fluids" through a bored, drilled, or driven "well", or through a dug well, where the depth of the dug well is greater than the largest surface dimension.

VV. <u>"Fluid"</u> means any material or substance which flows or moves whether in a semisolid, liquid, sludge, gas, or any other form or state.

WW. <u>"Well"</u> means a bored, drilled or driven shaft, or a dug hole, whose depth is greater than the largest surface dimension.

Section 6. CRM PERMIT REQUIREMENT.

A. <u>When CRM Action Required.</u> Prior to the commencement of a proposed project wholly or partially within an APC, or which constitutes a Major Siting under Section 9(D) herein, the party responsible for initiating the proposed project shall obtain a CRM Permit.

B. <u>Multiple APC Permit.</u> If a proposed project is to be located in more than one APC, CRM Permit standards and policies for each applicable APC shall be evaluated in a single

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CRM Permit decision.

# Section 7. EXCEPTIONS TO CRM PERMIT REQUIREMENTS.

A. <u>Excluded Federal Lands</u>. Notwithstanding the language of Section 6, a CRM Permit shall not be required for proposed projects on federal lands the use of which is by law subject solely to the discretion of the Federal Government, its officers and agents, or lands leased or held in trust by the Federal Government; provided that all activities on federally-excluded lands shall be consistent with these rules and regulations and applicable Federal and Commonwealth laws.

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B. CRM Variances.

i. <u>General CRM Variance Requirements.</u> A CRM Permit shall not be required for proposed projects granted a CRM Variance by the CRM Administrator. A party seeking a CRM Variance shall submit a petition for CRM Variance to the CRM Office stating facts sufficient to establish conformity with variance standards listed below. A petition for CRM Variance shall be signed by the petitioner or its designated representative under penalty of perjury.

ii. CRM Variance Issuance. Upon application, the CRM Program Agency Officials may grant, by their unanimous approval, a CRM Variance if the applicant demonstrates that:

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- a. 1) enforcement of the applicable CRM regulations will cause the applicant extreme difficulty and undue hardship, and
  - such hardship results from conditions peculiar to the applicants property, and
  - 3) such conditions could not reasonably have been anticipated by the CRMO when the regulations were adopted, and
  - 4) the proposed project is consistent with the spirit, purpose and intent of the CRMP regulations and the policies set out in Section 3 of P.L. 3-47; or
- b. there is an urgent need to provide emergency services or repairs as a result of catastrophe.

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If the CRM Administrator issues a CRM Variance, it shall be in writing, accompanied by findings of fact and conclusions of law, and subject to the following notice provisions.

iii. Notice of CRM Variance and Intervention. If a variance is sought under B(iii)(a) of this section, the CRM Administrator shall publish notice of a proposed CRM Variance in a newspaper of general circulation within the Commonwealth at least two (2) weeks prior to its issuance. The notice shall state the essential terms of the petition for CRM Variance, and invite petitions for intervenor in opposition to, or in support of, the CRM Variance. Petitions for intervenor shall be filed within fourteen (14) days of first publication of the notice at the CRM Office in Saipan, and shall conform to the requirements of intervenor as provided in \$8(G). The decision on the variance application shall be published within ten (10) days in a local newspaper of general circulation.

If the variance is sought under B(iii)(b) of this Section, the CRM Administrator shall follow these notice requirements where practicable.

iv. <u>Review of Issuance of Variance</u>. Parties denied a CRM Variance may not appeal that decision but may seek a CRM Permit through normal permit procedures. Existing intervenors who oppose the granting of a CRM Variance may seek review of the variance granted before the CRM Appeals Board.

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#### C. EXEMPTION FROM COASTAL PERMIT REQUIREMENTS.

(i) A coastal permit may not be required for the following types of projects, except as set forth in clauses ii and iii of this subsection C. Any relief from coastal permit requirements does not remove a project proponent's responsibility to comply with CRM Program goals and policies, nor does it exempt a project from any other commonwealth regulatory authority.

(a) A proposed project situated completely outside of any APC and which does not constitute a major siting.

(b) Agricultural activities on lands which have been historically used for such activities; cutting of trees and branches by hand tools, not driven by power or gas.

(c) Hunting, fishing, and trapping.

(d) The preservation of scenic, historic, and scientific areas including wildlife preserves which do not require any development.

(e) Construction of small scale nonintensive projects such as single family dwellings, duplexes, out buildings, and small neighborhood business outside of an APC.

(ii) If any proposed project exempted bySubsection C (i), above, may have a direct and significantimpact on coastal resources, then the project proponent shall

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notify the CRM Office and provide such information regarding the proposed projects as may be required by the CRM Office in deciding whether the proposed project requires a coastal permit.

(iii) Should it be found that a particular proposed project exempted by Subsection C(i) above may have a direct and significant impact on coastal resources, the CRM Office or its designee may conduct such investigation(s) as may be appropriate to ascertain the facts and may require the person(s) applying for such proposed project(s) to provide all of the necessary information regarding the project in order that a determination may be made as to whether the proposed project requires a coastal permit.

D. PERMITS FOR MINOR DEVELOPMENTS UNDER EXPEDITED PROCEDURES.

(i) Applications for permits for minor developments shall be expeditiously processed so as to enable their promptest feasible disposition.

(ii) Applications for permits for minor developments shall be considered and determined by the CRM Program Administrator utilizing these CRM rules and regulation.

(iii) Failure of the CRM Program Administrator to approve or deny an application for a minor permit within 10 working days from receipt of application shall be treated as

approval of the application, provided that the CRM Progra Administrator may extend the deadline by not more than an additional 10 days where necessary.

(iv) Minor developments shall include:

 a. Normal maintenance and repair activities of existing structures or developments which cause only minimal adverse environmental impacts;

b. Normal maintenance and repair of: roads; existing rights of way; underground utility lines, including water, sewer, power and telephone; minor appurtenant structures to such; pad mounted transforms and sewer pump stations provided that normal maintenance and repair shall not include the extension or expansion of existing lines, structures or rights of way;

c. Temporary pala pala construction for fundraising, carnival or cultural activities;

d. Construction of picnic shelters (pala palas), picnic tables and/or barbeque pits;

e. Construction of non-concrete volleyball or tennis courts;

f. Temporary photographic activities (such as advertising sets) which are demonstrated by the applicant to have an insignificant impact on coastal resources;

g. Public landscaping and beautification projects;

h. Memorial and monument projects covering 10 square meters or less;

i. Security fencing which does not impede public access;

j. Placement of swimming, navigation or temporary or small boat mooring bouys;

k. Single family residential expansion
including sewer connection;

l. Archeological/Scientific research, evaluated on a case by case basis, and found by CRMO to cause no adverse environmental impacts;

m. Agricultural activities

n. Debris incineration

o. Normal maintenance and repair of existing drainage channels;

p. Strip clearing for survey sighting

activities, except in Wetland APC;

q. Construction of bus stop shelters; r. Construction of an accessory building incident to an existing acceptable activity in the Port and Industrial APC.

### (v) Condition for minor permits.

a. In granting or extending a minor permit, the CRM Program Administrator may attach conditions or modifications and restrictions regarding the location, character or other features of the proposed development to ensure that mitigating measures are employed to minimize impacts on coastal resources.

b. Issuance of a minor permit does not exempt the applicant from otherwise complying with the goals, policies and use regulations of CRM.

c. When denying a permit, the CRM Program Administrator shall make findings of fact in support of stated conclusions that the proposed development would be inconsistent with the specific objectives and policies of the CRMP. If a minor permit is denied, the applicant has the option to treat the project as major.

# (vi) Appeal.

Any decision to grant or deny the issuance of

a minor permit by the CRM Program Administrator may be appealed to the CRM Appeals Board by either the applicant or an aggrieved party.

### (vii) Minor Permits: Evaluation.

CRM minor permit application will involve a full evaluation of individual and cumulative impacts, and include an application review, site inspection and the issuance of a standard permit (with appropriate conditions). The conditions to be attached to this minor permit will be based on a case-by-case evaluation of each particular project.

In the case of projects to be located on Rota and Tinian, the above mentioned review will be conducted by the respective Coastal Coordinator and the permit application will be sent to Saipan for the approval and certification by the CRM Program Administrator. For projects proposed for location on Saipan, permit application will be reviewed and processed by CRMO.

#### Section 8. CRM PERMIT PROCESS.

All persons proposing to conduct any activities affecting or which may affect the coastal resources of the Commonwealth shall apply for a CRM Permit. A pre-application conference shall be conducted with the applicant by the staff of

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the CRM Program, at a designated time. The pre-application conference shall be held to discuss the proposed activity, to provide the applicant with information pertaining to the CRM Program goals, policies, and requirements, and to answer questions the applicant may have regarding the CRM Program and its requirements. The following permit process shall govern all coastal permit applications.

A. <u>Application</u>. CRM permit application forms shall be maintained at the CRM Office on Saipan. Copies of the application form shall also be maintained at CRM Branch Offices on Rota and Tinian. CRM Permit applicants shall complete and file an application for each proposed project within an APC, or those constituting a Major Siting as defined in Section 5 herein. The following conditions shall apply to all CRM Permit applications:

i. <u>Copies</u>. The applicant shall file an original
CRM Permit application with exhibits and attachments, and five
(5) copies thereof.

ii. Filing Location. CRM Permit applications

shall be filed at the CRM Office in Saipan, though filing may be at the CRM Branch Office on Rota or Tinian, if the proposed project is to be on either of those islands.

iii. <u>Certification</u>. CRM Permit applications shall be certified by the applicant that the information supplied in the application and its exhibits and attachments is true. The certification shall be by affidavit or declaration under the penalty of perjury.

iv. <u>Attachments.</u> CRM Permit applications shall, to the extent necessary, contain attachments and necessary supporting materials including statements, drawings, maps, etc., which are relevant to the CRM Permit application.

Except for minor permit applications, CRM shall require the applicant to demonstrate by a fair preponderance of evidence that the project will not have a significant adverse impact on the coastal environment or its resources. Adverse impacts may include but are not limited to:

a. The alteration of chemical or physical properties of coastal or marine waters so that they no longer provide a suitable habitat for natural biological communities;

b. The accumulation of toxins, carcinogens or pathogens which threaten the welfare of man or aquatic organisms;

c. Disruption of the ecological balances in coastal or marine waters upon which natural biological COMMONWEALTH REGISTER VOL. 6 NO. 11 NOVEMBER 15, 1984 PAGE 3275 communities depend;

The addition of man-made substances foreign to d. the coastal or marine environment for which organisms have had no opportunity for adaptation and whose impacts are largely known;

> The disruption or burial of bottom e.

communities; or

Interference with fishing activities. f.

Fees. CRM Permit applications shall be v. accompanied by a non-refundable CRM Permit application fee in accordance with the following fee schedule, by check made payable to the CNMI Treasurer.

> No fee for government projects. (a) \$10.00 fee for minor permits and variances. (b) For all others, the fee shall be as follows: (c)

FEE AMOUNT	SIZE OF PROJECT
\$25.00	Under or equal to \$30,000.00
\$75.00	Over \$30,000, but less than or equal to \$50,000.00
\$150.00	Over \$50,000.000, but less than or equal to \$250,000.00
\$200.00	Over \$250,000.00, but less than or equal to \$500,000.00
\$275.00	Over \$500,000.00, but less than or equal to \$1,000,000.00
\$350.00	Over \$1,000,000.00.

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vi. <u>Information</u>. CRM Permit applications shall require the following for review by the CRM Office:

a. applicant's name,

- b. applicant's representative (if any),
- c. site owner (if different from applicant),
- d. owner's representative (if any),
- e. project name,
- f. site description and location,
- g. construction methods,

h. vegetation description, and wildlife and wildlife habitat description,

- i. excavation requirements,
- j. distance from mean high water,
- k. environmental impacts:
  - (1) air,
  - (2) noise,
  - (3) water;
- 1. budget,

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m. other necessary permits,

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n. adjacent site descriptions,

o. alternative site construction,

p. adjacent property owners,

q. current and projected utility

requirements and connections,

r. exhibits:

(1) vicinity or location map,

(2) topographic view or site plan,

(3) elevation,

(4) title documents,

(5) certification of truth of statements

s. effect on statutory policy set out in

Section 3 of P.L. 3-47

t. proof of conformity with applicable standards contained in these regulations.

The above information shall be notorized or declared inder penalty of perjury.

vii. <u>Certification of Completion of Application</u>. Within thirty (30) days of the date on which an application for a CRM Permit is received by the CRM Office, the CRM

Administrator shall review the application and certify its completion to the applicant or notify the applicant of any defects or omitted necessary information. The time commencing review of an application specified in Section 8(C) shall begin on the date an application is certified complete.

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B. <u>Notice of Application</u>. The CRM Office shall cause notice of each application for CRM Permit to be published in a newspaper of general circulation within the Commonwealth within fifteen (15) days of receipt of the application. The notice shall state the nature, scope and location of the proposed project, invite comments by the public, provide information on requesting a public hearing, and also for petitioning by intervenor in the permit process pursuant to Section 8(F).

C. <u>Review of Application</u>. The CRM Administrator and the CRM Agency Officials shall have sixty (60) days following certification of completion of application to grant or deny a CRM Permit. For purposes of Section 9(a) of the Coastal Resources Management Act of 1983 (P. L. 3-47), the term "receipt of any request for review" shall mean CRM Certification of completion of a permit application. The CRM Office shall review the application, publish notice of its contents, schedule a CRM Permit hearing if mandatory or requested by a party or intervenor, and transmit the application to the CRM Agency officials for review. The CRM Office shall provide technical

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findings on the impacts of proposed project to assist CRM Agency officials in reaching a unanimous decision on CRM Permit applications and ensure compliance of CRM Permit decisions with these Rules and Regulations and CNMI P. L. 3-47. Where a decision could not be reached, the matter shall be submitted to the Governor for his determination pursuant to Section 9(d) of P.L. 3-47.

D. <u>CRM Permit Hearing</u>. When a hearing on a permit application is required or requested pursuant to Section 8(B), the CRM Administrator shall schedule the hearing, inform the party or parties involved of the hearing date and publish notices of the hearing two times in a newspaper of general circulation in the Commonwealth at least fourteen (14) days prior to the hearing.

i. <u>When Permit Hearing Appropriate</u>. The CRM Administrator shall schedule a CRM Permit hearing if:

a. the proposed project constitutes a Major Siting within the definition established by Section 5, or as determined by the CRMO pursuant to Section 9(D); or

b. the proposed project does not constitute a Major Siting but falls within one of the coastal APC's and the

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applicant or an intervenor submits a written request for hearing.

c. If the CRM agency officials require a hearing on a proposed project.

ii. <u>Review Period</u>. The sixty-day period of review shall be begin on the day the application is certified to be complete by the CRM office.

iii. <u>Presiding Officer</u>. The CRM Administrator or his designee shall preside at CRM Permit hearings. The presiding officer shall control the taking of testimony and evidence. Evidence offered in a hearing need not conform with any prescribed rules of evidence; further, the presiding officer may allow and limit evidence and testimony in any manner he reasonably determines to be just and efficient.

iv. <u>Public Invited</u>. CRM Permit hearings shall be open to the public.

v. <u>Location</u>. Public meetings may be held at any location within the Commonwealth. Public hearings pursuant to permit applications shall be conducted on the island where the proposed project is located. Appellate hearings shall be held on the same island as the permit hearings, or if no CRM Permit hearing was held, on the island of where the proposed project is located. All other public hearings shall be conducted on Saipan.

vi. <u>Parties</u>. Any party to a hearing on a CRM COMMONWEALTH REGISTER VOL. 6 NO. 11 NOVEMBER 15, 1984 PAGE 3281

Permit application may appear on its own behalf. Parties may appear through an authorized representative of a partnership, corporation, trust of association. An authorized employee or officer of a government department or agency may represent the department or agency in any hearings.

vii. <u>Record.</u> The CRM Office shall provide for audio recordation or a stenographic record of CRM Permit hearings. Transcription of the record shall not be required unless requested by a CRM Permit applicant or intervenor, or the CRM Administrator, and except for the latter, any party requesting transcription shall pay the costs incurred in the preparation of the transcript. Public access to the contents of the record, and CRM records retention responsibilities, are discussed in Section 16.

E. <u>Filing of Documents.</u> Documents filed in support of, or in opposition to, CRM Permit applications shall conform to the following standards.

i. <u>Form and Size.</u> Pleadings and briefs shall be bound by staple in the upper left hand corner and shall be typewritten upon white paper 8 1/2 by 11 inches in size. Tables, maps, charts, exhibits or appendices, if larger, shall be folded to that size where practicable. Text shall appear on one side of the paper and shall be double-spaced, except that footnotes and quotations in excess of a few lines may<sup>\*</sup> be

single-spaced.

ii. <u>Title and Number.</u> Petitions, pleadings, briefs, and other documents shall show the title and number of the proceeding and the name and address of the party or its attorney.

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iii. <u>Signatures.</u> The original of each application, petition, amendment or other legal document shall be signed in ink by the party or its counsel. If the party is a corporation or a partnership, the document may be signed by a corporate officer or partner. Motions, petitions, notices, pleadings and briefs may be signed by an attorney. Certifications as to truth and correctness of information in the document shall be by affidavit or declaration under penalty of perjury by the person charged with making the statements contained therein.

iv. <u>Copies.</u> Unless otherwise required, there shall be filed with the CRM Office an original and five (5) copies of each document.

F. Intervenor.

i. <u>Petition for Intervenor</u>. Petitions for intervenor shall be in writing and filed with the CRM Administrator no later than fourteen (14) days following the first publication of the notice of the CRM Permit Application as provided in Section 8(B).

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### ii. Intervenors allowed.

a. <u>Government</u>. All departments, agencies or official representatives of the Commonwealth or Federal governments may be admitted as parties upon timely filing of a petition for intervenor.

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b. <u>Interested Landholders.</u> All persons who have a property interest in the land subject to the CRM Permit application or who lawfully reside on the land subject to the CRM Permit application, or who is an adjacent landowner, shall be admitted as parties upon timely filing of a petition for intervenor.

c. <u>Injury to the public</u>. Any person who can show that the general public would be adversely affected by the proposed CRM Permit project shall be admitted as parties upon timely filing of a petition for intervenor.

iii. <u>Discretionary Denial of Intervenor</u>. The CRM Administrator shall grant the petition for intervention if any of the above criteria is satisfied except that the CRM Administrator may deny an otherwise qualified petitioner the opportunity to intervene if:

a. the position of the petitioner is
 substantially the same as the position of an existing party, and
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b. the existing party is capable of adequately representing the rights of the petitioner.

iv. <u>Contents of Petition for Intervention</u>. The Petition shall, where applicable, refer to the following:

a. the nature of the petitioner's right to intervene,

b. the nature and extent of the petitioner's property interests, and if an abutting property possessor or owner shall provide, a description or map of the property,

c. the effect of a decision in the permit process on the petitioner's interest, whether it be property or otherwise,

d. the extent that the petitioner's interest will not be represented by existing parties,

e. the extent that the petitioner's interest differs from that of existing parties,

f. how the petitioner's intervention will assist in developing a complete record and promote the public interest.

v. <u>Opposition to Intervention</u>. If any party opposes a petition for intervention, the party shall file its response to the petition within seven (7) days after being served with the petition for intervention.

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vi. <u>Grant or Denial of Petition</u>. A petition for intervenor shall be decided by the CRM Administrator within seven (7) days of receipt of the petition or seven (7) days of receipt of a response in opposition thereto, whichever is later. The CRM Administrator shall issue his decision in writing which shall state findings as to whether the petition satisfies the criteria for intervention.

vii. <u>Appeal of Decision of Petition to Intervene.</u> A party aggrieved by a decision of the CRM Administrator on a petition for intervention is appealable to the CRM Appeals Board, as provided in these regulations.

G. <u>Decision on CRM Permit</u>. The CRM Agency Officials shall review the CRM Permit application, hearing transcripts, if any, CRMO technical findings, supporting documentation, and relevant laws and rules and regulations, and issue a unanimous written decision to grant, deny or grant with condition a CRM Permit in accordance with the policies of CNMI P. L. No. 3-47 and applicable rules and regulations. In reviewing a CRM Permit application, the following procedures shall apply.

i. <u>Voluntary Disqualification</u>. CRM Agency Officials participating in decisions regarding CRM Permits shall do so in an impartial manner. They shall not contribute to decisions on CRM Permits where there exists an appearance of bias, or where actual bias may prevent them from exercising

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independent judgment. Should a CRM Agency Official determine, after considering the subject matter of a CRM Permit application, that bias, or the appearance of bias, might appear to prevent him from exercising independent judgment, he shall excuse himself from that decision and appoint an alternate with comparable qualifications to act in his stead.

Disqualification by Challenge. If a CRM ii. Agency Official refuses to disqualify himself under Section 8(G) (i), an applicant or intervenor may petition the CRM Administrator, at any time prior to the issuance of a permit decision, for disqualification of a CRM Agency Official because of bias or the appearance of bias. A petition for disqualification shall be accompanied by a declaration under the penalty of perjury containing facts supporting the assertion of bias. The CRM Administrator shall review the petition and determine whether the facts give rise to a significant inference of bias, and if so, he shall inform the challenged CRM Agency Official, who shall disqualify himself. If a CRM Agency Official is disqualified, the CRM Administrator shall appoint a qualified alternate from the same Department, to act in the disqualified CRM Official's stead. Alternates are also subject to disqualification by challenge of a party or intervenor.

iii. <u>Unanimous Decision Required</u>. Decisions regarding issuance or denial of CRM Permits by the CRM Officials

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shall be by unanimous vote. Disagreements among the CRM Agency Officials shall be mediated by the CRM Administrator, and he shall assist in the preparation of a joint decision in order to achieve unanimous consent. Further, the CRM Administrator shall certify that each CRM Permit decision complies with CNMI P. L. 3-47 and applicable rules and regulations.

iv. <u>Deadlock Resolution by Governor</u>. In the event that the unanimity required by Section 8(G)(iii) is not obtained, and/or the CRM Administrator is unable to certify that a unanimous decision of CRM Agency Officials complies with CNMI P. L. 3-47 and/or applicable rules and regulations, the CRM Administrator shall forward the CRM Permit application to the Governor for resolution of the deadlock.

a. <u>Referral.</u> Determination that a deadlock exists regarding a decision over a CRM permit application shall be made by the CRM Administrator within the sixty-day period of review by CRM Agency Officials specified by Section 8(C). A deadlock CRM Permit application shall be referred to the Governor for resolution within (10) days following this determination.

b. <u>Supporting Documentation</u>. In addition to the deadlocked CRM Permit application, the CRM Administrator shall forward all supporting documentation, including additional briefs, if any, filed by the applicant or any intervenor, and

statements of support or opposition by CRM Agency Officials. If a deadlock results solely from the CRM Administrator's denial of certification of compliance with CRM laws, then he shall supply a statement of his objections. If a deadlock results from a dispute among CRM Agency Officials, then statements reflecting the divergent views on the CRM Permit application shall be obtained from the CRM Agency Officials and forwarded with the CRM Permit application to the Governor for his review.

c. <u>Decision</u>. After receipt of the deadlocked CRM Permit application and accompanying documents, briefs and statements referred to above, the Governor shall have thirty (30) days to render his decision. He may either grant, deny or conditionally grant a CRM Permit, but he must issue written findings of fact and conclusions of law for his decision.

d. <u>Review.</u> The decision of the Governor in a deadlock resolution under this section shall be conclusive for purposes of permit issuance or denial. Parties or intervenors objecting to the Governor's decision may, if they seek review of the Governor's decision, appeal directly to the Appeals Board.

v. Written Findings and Conclusions. Decisions rendered by the CRM Agency Officials on granting, denying or conditionally granting CRM Permits shall be accompanied by written findings of fact and conclusions of law. The CRM Office shall assist the CRM Agency Officials in preparing a consensus

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draft of findings of fact and conclusions of law for signature by CRM Agency Officials and the CRM Administrator.

vi. <u>Issuance of CRM Permit.</u> If the CRM Agency Officials unanimously agree on the issuance or conditioned issuance of a CRM Permit and the CRM Administrator certifies that the CRM Permit complies with CNMI P. L. 3-47, and applicable rules and regulations, the CRM Permit shall be issued. In the case of a deadlocked CRM Permit application, if the Governor finds that it is proper to grant or conditionally grant a CRM Permit, then the CRM Office shall prepare a written CRM Permit stating the terms and conditions of issuance, and obtain the signatures of the following on the CRM Permit:

a. The CRM Agency Officials

b. The CRM Administrator

vii. "<u>He Who Decides Must Hear</u>." In those cases where public hearing is held on a CRM Permit application, the CRM Agency Officials shall review and consider the matters discussed or presented at the hearing. To this end, CRM Agency Officials shall, whenever practicable, attend CRM Permit hearings, and if unable to attend a hearing, they shall listen to the audio recording of the hearing or obtain and read a stenographic transcript prior to rendering any decision on the affected CRM Permit application.

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H. <u>Appeal of CRM Permit Decision</u>. Any person aggrieved by a decision of the CRM Agency Officials to grant, deny or condition a CRM Permit or variance may appeal the decision to the CRM Appeals Board by filing a notice of appeal with the CRM Office within thirty (30) days of the issuance of the CRM Permit decision.

i. <u>Any Person Aggrieved</u>. "Any person aggrieved" shall mean any applicant or intervenor whose position as advanced in the CRM Permit process is substantially adverse to the decision rendered. The CRM Administrator shall then schedule an appellate hearing before the CRM Appeals Board.

ii. <u>Disqualification; Voluntary or by Challenge</u>. In the same manner and for the same reasons specified for CRM Agency Officials in Section 8(G), the three members of the CRM Appeals Board shall render decisions on CRM Permit Applications in an impartial manner. They shall voluntarily disqualify themselves for bias or the appearance of bias, and they are subject to disqualification by challenge in the manner prescribed for CRM Agency Officials in Section 8(G).

iii. <u>Quorum, Vote.</u> At least (2) members of the CRM Appeals Board shall constitute a quorum and must be present to act upon review of a CRM Agency Official decision, and at least the vote of two members is necessary for Board action on the appeal.

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iv. <u>Briefs, Statements.</u> Any aggrieved person that requests an appeal before the CRM Appeals Board shall file with the CRM Office within fifteen (15) days following its request for appeal a written statement of objections to the CRM Permit decision. In addition, any existing party or existing intervenor may, within five (5) days of receipt of appellant's statement, submit to the CRM Office a statement or brief providing arguments in support of or in opposition to, the permit decision. Statements filed under this subsection shall be filed in accordance with the format and standards listed in Section 8(E).

v. <u>Papers Considered by CRM Appeals Board.</u> For the purpose of reviewing the CRM Permit application decision, the CRM Appeals Board shall receive and review the following:

a. findings of fact and conclusions of law adopted by the CRM Agency Officials,

b. CRM Permit application,

c. CRM Permit, if isssued,

d. record of the CRM Permit hearing, if any,

e. statements filed with the CRM Office in support of or in opposition to, the appeal, and

f. any other documents, correspondence or

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testimony considered in the permit-decisionmaking process.

vi. <u>Oral Argument.</u> Upon written request to the CRM Office by the appellant or other party to the appeal, oral argument shall be permitted. The scope of oral argument shall be limited to the written statements in support of, or in opposition to, the appeal. Oral argument shall be scheduled by the CRM Administrator before the full membership of the CRM Appeals Board. Oral argument shall be heard after the submission of written statements by the appellant and opponents, if any, and within twenty-five (25) days after the issuance of the CRM Permit by CRM Agency Officials.

vii. <u>Scope of Appeal.</u> In reviewing the CRM Permit decision of CRM Agency Officials, the CRM Appeals Board shall reverse the decision below, and remand if necessary when:

a. it is clearly erroneous in light of CRM
 rules and regulations and the policies established in CNMI P. L.
 3-47; or

b. it is in violation of applicable federal or CNMI constitutional or statutory provisions; or

c. it is arbitrary or capricious; or

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d. it was not issued in accordance with required procedures.

viii. <u>Written Decision</u>. After reviewing the record and considering the arguments, the CRM Appeals Board, shall render a written decision detailing the reasons in support of its determination. The decision of the Board shall be the final administrative decision, subject to judicial review. In drafting its decision, the Appeals Board may utilize the resources of the CRM office.

ix. <u>Automatic Affirmance.</u> If no decision is rendered by the CRM Appeals Board within thirty (30) days of the date the notice of appeal was received by the Coastal Resources Management Office, the CRM Administrator shall issue a notice of summary affirmance of the CRM Permit decision. The party or parties aggrieved by the CRM Permit decision, as defined at Section 8(H)(i), may then appeal to the Commonwealth Trial Court, pursuant to Section 8(I).

I. <u>Commonwealth Trial Court.</u> Any aggrieved person may seek judicial review of a final CRM Program action, ruling, or order, provided that he has exhausted his administrative remedies as set forth in these regulations. Actions may include

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declaratory judgments and complaints for prohibitory or mandatory injunctions.

i. <u>Scope of Review.</u> To the extent necessary to review a CRM Permit decision and when presented, the reviewing court, pursuant to 1 CMC §9112(b), shall decide relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of CRM Program rules and regulations. The reviewing court shall hold unlawful and set aside CRM Program action, findings, and conclusions found to be:

a. arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law,

b. contrary to constitutional right, power, privilege, or immunity,

c. in excess of statutory jurisdiction, authority or limitations, or short of statutory rights,

d. contrary to procedures required by law,

e. unsupported by substantial evidence on the record taken as a whole.

Section 9. STANDARDS FOR CRM PERMIT ISSUANCE.

A. <u>General Standards for all CRM Permits</u>. In the course of reviewing all CRM Permits for proposed projects located wholly, partially or intermittently within an Area of Particular Concern (APC), or designated as a Major Siting, the

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CRM Agency Officials and the CRM Administrator, shall base their decisions on technical findings and the policy set out in Section 3 of P.L. 3-47, and shall apply the following general standards.

i. <u>Cumulative Impact.</u> The CRM Administrator and CRM Agency Officials shall determine the impact of existing uses and activities on coastal resources, and determine whether the added impact of the proposed project seeking a CRM Permit will result, when added to the existing use, in a significant degradation of the coastal resources.

ii. <u>Compatibility.</u> The CRM Administrator and CRM Agency Officials shall determine, to the extent practicable, whether the proposed project is compatible with existing adjacent uses and is not contrary to designated land and water uses being followed or approved by the Commonwealth Government, its departments or agencies.

iii. <u>Alternatives</u>. The CRM Administrator and CRM Agency Officials shall determine whether or not a reasonable alternative site exists for the proposed project.

iv. <u>Conservation</u>. The CRM Administrator and CRM Agency Officials shall determine, to the extent practicable, the extent of the impact of the proposed project on the marine, freshwater, wetland and terrestrial habitat, and preserve, to the extent practicable, the physical and chemical

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characteristics of the site necessary to support living resources.

Compliance with Local and Federal Laws. The CRM v. Administrator and CRM Agency Officials shall require compliance with federal and CNMI laws, including, but not limited to, air and water quality standards, land use, federal and CNMI Constitutional standards, and applicable permit processes necessary for completion of the proposed project.

Right to a Clean and Healthful Environment. vi. Projects shall be undertaken and completed so as to maintain and, where appropriate, enhance and protect the Commonwealth's inherent natural beauty and natural resources, so as to ensure the protection of the people's constitutional right to a clean and healthful environment.

Effect on Existing Public Services. Activities and uses which would place excessive pressure on existing facilities and services to the detriment of the Commonwealth's interests, plans, and policies, shall be discouraged.

в. Specific Standards; Areas of Particular Concern. Prior to the issuance of any CRM Permit for a proposed project within an APC, the CRM Agency Officials and the CRM Administrator shall evaluate the proposed project in terms of its compatability with the standards and relative priorities

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listed below, and with the General Standards provided above in Section 9(A). If more than one project requiring a CRM Permit is proposed for a particular location, the project determined by the CRM Regulatory Officials to be the most compatible with the General and Specific standards provided herein shall be given priority over the less compatible project.

i. Lagoon and Reef APC; Management Standards.

a. Any project proposed for location within the Lagoon and Reef APC shall be evaluated to determine its compatibility with the following standards:

(1) subsistence usage of coastal areas and resources shall be insured;

(2) living marine resources, particularly fishery resources, shall be managed so as to maintain optimum sustainable yields;

(3) significant adverse impacts to reefsand corals shall be prevented;

(4) lagoon and reef areas shall be managed so as to maintain or enhance subsistence, commercial and sportfisheries;

(5) lagoon and reef areas shall be managed so as to assure the maintenance of natural water flows, natural circulation patterns, natural nutrient and oxygen levels, and to avoid the discharge of toxic wastes, sewage, petroleum products,

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siltation and destruction of productive habitat; (6) areas and objects of historic and cultural significance shall be preserved and maintained; and (7) underwater preservation areas shall be

designated.

ii. Lagoon and Reef APC; Use Priorities.

a. <u>General Lagoon and Reef APC's</u>. Activities listed within a use priority category are neither priority-ranked nor exhaustive. Use priority categories for the lagoon and reef APC's of the Northern Mariana Islands as follows:

(1) Highest.

(a) projects promoting conservationof open space, high water quality, historic and culturalresources;

(b) projects promoting or enhancingpublic recreation and access;

(c) water dependent projects which are compatible with adjacent uses;

(d) sport and small-scale taking of edible marine resources within sustainable levels;

(e) activities related to the

prevention of beach erosion;

(f) Projects preserving fish and

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wildlife habitat.

(2) Moderate.

(a) commercial taking of ediblemarine resources within sustainable levels;

(b) aquaculture projects which do not adversely affect the productivity of coastal waters or natural beach processes;

(c) piers and docks which are constructed with floating materials or which, by design, do not impede or alter natural shoreline processes and littoral drift.

(3) Lowest.

(a) point source discharge of drainage water which will not result in significant permanent degradation in the water quality of the lagoon;

(b) dredge and fill activity for the purpose of constructing piers, launching facilities, infrastructure, and boat harbors, if designed to prevent or mitigate adverse environmental impacts;

(4) Unacceptable.

(a) discharge of untreated sewage,petroleum products, or other hazardous materials;

(b) taking of sand and aggregate materials not associated with permitted activities and uses;

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(c) destruction of coralline reef

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matter not associated with permitted activities and uses; (d) dumping of trash, litter,

garbage, or other refuse into the lagoon, or at a place on shore where entry into the laggoon is inevitable;

(e) dredge and fill activities not associated with permitted construction of piers, launching facilities, infrastructure and boat harbors.

b. <u>Lagoon and Reef APC; Managaha.</u> Use priority categories for Managaha Island (Saipan), in addition to those listed for general Lagoon and Reef APC's, shall be as follows:

(1) <u>Highest</u>.

 (a) maintenance of the island as an uninhabited place used only for cultural and passive recreational purposes;

(2) Moderate.

(a) improvements for the purposes of sanitation and navigation;

(3) Lowest.

(a) Commercial activity situated on the island related to cultural and passive recreational pursuits; and

(4) Unacceptable.

(a) development, uses or activities

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which preclude or deter or are unrelated to the use of the island by residents of the Commonwealth for cultural or passive recreational purposes.

c. <u>Lagoon and Reef APC; Anjota Island.</u> Use Priority Categories for Anjota Island (Rota) shall be as follows:

(1) Highest.

(a) maintenance of that part of the island outside the port and industrial APC as a wildlife sanctuary and for passive recreation; and

(2) Unacceptable.

(a) expansion of the Port and Industrial section of Anjota Island which would encroach upon or have significant adverse impact upon the maintenance of a wildlife preserve or upon recreational uses of the island.

d. <u>Lagoon and Reef APC; Coral Reefs</u>. The Use Priority Categories for the Coral Reefs of Saipan, Tinian, and Rota shall be as follows:

(1) Highest.

(a) maintenance of highest levels of primary productivity;

(b) creation of underwater preservesin pristine areas;

(2) <u>Moderate</u>.

(a) dredging of moderately

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productive corals and reefs associated with permitted uses and activities;

(3) Lowest.

(a) taking corals for cultural use(i.e. production of lime)

(4) Unacceptable.

(a) destruction of reefs and coralsnot associated with permitted projects; and

(b) taking corals for other than scientific study.

iii. Wetland and Mangrove APC; Management Standards.

a. Any project proposed for location within the wetland and mangrove APC shall be evaluated to determine its compatibility with the following standards:

(1) significant adverse impact on natural drainage patterns, the destruction of important habitat and the discharge of toxic substances shall be prohibited; adequate water flow, nutrients, and oxygen levels shall be ensured.

(2) the natural ecological and

hydrological processes and mangrove areas shall be preserved;

(3) critical wetland habitat shall be

maintained and, where possible, enhanced so as to increase the potential for survival of rare and endangered flora and fauna; (4) public land-holdings in and adjacent

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to the wetland and mangrove APC shall be maintained and, to the extent possible, increased, for the purpose of access and/or hazard mitigation, through land trades with Marianas Public Land Corporation, land purchasers, creation of easement, or through taking by eminent domain.

(5) wetland resources shall be utilized for appropriate agriculture, recreation, education, public open space and other compatible uses which would not degrade productivity.

iv. Wetland and Mangrove APC; Use Priorities.

a. Activities listed within a use priority category are neither priority ranked nor exhaustive. Use priority categories for the wetland and mangrove APC are as follows:

(1) Highest.

(a) preservation and enhancement of wetland and mangrove areas;

(b) preservation of wildlife, primary productivity, conservation areas and historical properties in both wetland and mangrove areas;

(2) Moderate.

(a) non-intensive agriculturebenefitted by innundation; low density grazing;

(b) infrastructure corridors designed

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to avoid significant adverse impacts to natural hydrological processes and values as wildlife habitat;

(c) non-commercial recreation including light duty, elevated, non-permanent structures such as footbridges, observation decks and similar nonenclosed recreational and access structures;

(3) Lowest.

(a) residential development designed
 to avoid adverse environmental impacts and which is not
 susceptible to damage by flooding;

(4) Unacceptable.

(a) land fill and dumping not
 associated with flood control and infrastructure corridors or
 other allowable activities and uses;

(b) land clearing, grading, or removal of natural vegetation not associated with allowable activities, which would result in extensive sedimentation of wetland, mangrove areas and coastal waters.

v. Shoreline APC; Management Standards.

a. Any project proposed for location within the shoreline APC shall be evaluated to determine its compatibility with the following standards:

(1) the impact of onshore activities uponwildlife, marine or aesthetic resources shall be minimized;

(2) the effects of shoreline developmenton natural beach processes shall be minimized;

(3) the taking of sand, gravel, or other aggregates and minerals from the beach and near shore areas shall not be allowed;

(4) removal of hazardous debris and frombeaches and coastal areas shall be strongly encouraged;(5) where possible public land holdings

along the shore shall be maintained and increased, for the purpose of access and hazard mitigation, through land trades with Marianas Public Land Corporation (MPLC), land purchases, creation of easements, and where no practicable alternative exists, through the constitutional authority of eminent domain; and

b. In addition to deciding whether the proposed project is consistant with the above standards, CRM Agency Officials shall consider the following in their review of coastal permit applications:

(i) Whether the proposed project is waterdependent or water-oriented in nature.

(ii) Whether the proposed project is to facilitate or enhance coastal recreational, subsistence, or cultural opportunities. (i.e., docking, uut, fishing, swimming,

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picnicing, navigation devices).

(iii) Whether the existing land use, including the existence of roadways, has irreversibly committed the area to uses compatible with the proposed project, particularly water oriented uses, and provided that the proposed project does not create adverse cumulative impacts,

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(iv) Whether the proposed project is a single-family dwelling in an existing residential area and would occur on private property owned by the same owner as of the effective date of the program, of which all or a significant portion is located in the Shoreline APC, or no reasonable alternative is open to the property owner to trade land, relocate, or sell to the government.

(v) Whether the proposed project would be safely located on a rocky shoreline and would not cause significant adverse impacts to wildlife, marine, or scenic resources.

(vi) Whether the proposed project is designed to prevent or mitigate shoreline erosion.

(vii) Whether the proposed project would be more appropriately located in the Port and Industrial APC.

vi. Shoreline APC; Use Priorities.

a. Activities listed within a use priority category are neither priority ranked nor exhaustive. Use

priority categories for the shoreline APCs of the entire Northern Mariana Islands chain are as follows:

> (1)Highest.

(a) public recreational uses of beach areas, including the creation of public shoreline parks and the construction of structures enhancing access and use such as barbeque grills, picnic tables, docks, shelters, or boardwalks;

> (b) compatible water-dependent

development which cannot be reasonably accomodated in other locations;

> (c) traditional cultural and historic

practices;

(d) preservation of fish and wildlife

habitat;

(e) preservation of natural open areas of high scenic beauty and scientific value;; (f) activities related to the

prevention of beach erosion through non-structural means;

(2)Moderate.

(a) single-family dwellings in

existing residential areas;

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(b) agriculture/aquaculture which

requires or is enhanced by conditions inherent in this APC; (c) improvements to or expansion of

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existing water-oriented structures which are compatible with designated land uses and do not otherwise conflict with or obstruct public recreational use of coastal areas or other water-dependent or water-related uses;

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(3) Lowest.

(a) projects which result in growth
 or improvements to existing commercial, non-recreational public,
 or multi-unit residential uses;

(b) water related and new water-oriented development compatible with designated land uses, which cannot be accomodated in other locations and which neither conflicts with recreational uses nor restricts access to or along the shoreline;

# (4) Unacceptable.

(a) new commercial structures,industrial structures, or non-recreational public structureswhich are not water-dependent, water-oriented or water-related;

(b) disposal of litter and refuse; and

(c) the taking of sand for other than

cultural usage, and mining of gravel and extraction of minerals, oil and gas, or other extractive uses.

vii. Port and Industrial APC; Management Standards.

a. Any project proposed for location within the port and industrial APC shall be evaluated to determine its

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compatibililty with the following standards:

(1) Projects shall be undertaken and completed so as to maintain and, where appropriate, enhance and protect the Commonwealth's inherent natural beauty and natural resources and so as to ensure the protection of the people's constitutional right to a clean and healthful environment;

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(2) In the siting of port and industrial

development, consider its suitability in terms of meeting the long term economic and social expectations of the Commonwealth. (3) Recognize the limited availability

of the Port and Industrial resources in making allocation decisions.

(4) Ensure that development is done with respect for the Commonwealth's inherent natural beauty and the people's constitutionally protected right to a clean and healthful environment.

(5) Develop improvements to infrastructure in the Port and Industrial APC.

(6) Prohibit projects which would result in significant adverse impacts, including cumulative impacts on coastal resources outside the Port and Industrial APC.

(7) Conserve shoreline locations for water dependent projects.

(8) Consider and assist in resolution of

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possible conflicts by identifying and planning for the potential exercise of Military Retention Area options affecting port resources.

(9) Locate, to the maximum extent practicable, petroleum based coastal energy facilities within the Port and Industrial APC.

(10) Consider development proposals from the perspective of federal port related opportunities and constraints which are applicable to the Commonwealth.

(11) the amount of shoreline frontage utilized by any project, regardless of the extent to which the project may be water-dependent, shall be minimized to the greatest extent practicable.

viii. Port and Industrial APC: Use Priorities.

a. Activities listed within a use priority category are neither priority ranked nor exhaustive. Use priority categories for the port and industrial APCs in the entire Northern Mariana Islands chain are as follows:

(1) Highest.

outside the Port and Industrial APC and would not be sited

(a) water-dependent port and
 industrial activities and uses located on the APC shoreline.
 (b) Industrial uses that are not
 water-dependent but would cause adverse impacts if situated

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directly on the Port and Industrial APC shoreline, and would not preclude the opportunity for water-dependent activities and uses.

(c) industries and services that support water-dependent industry and labor, which are not located on the Port and Industrial APC shoreline and do not interfere with water-dependent uses.

(2) Moderate.

(a) recreational boating facilities;

(b) clearing, grading or blasting

which do not have long terms adverse effects an environmental quality, drainage patterns, or adjacent APC, so long as the activity is related to the permitted project.

(3) Lowest.

(a) indefinite storage or stockpiling of hazardous materials;

(b) indefinite storage of goods, not awaiting waterborne transport, in a shorefront location;

acceptable in other APCs and which do not enhance or are not reasonably necessary to support permissible uses, activities and priorities in the port and industrial APC;

(4) Unacceptable.

(a) non-port and industrial related activities and uses which, if permitted, would result in

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(c) uses or activities which are

conversion to other uses at the expense of Port and Industrial related growth, or would induce port and industrial related growth into other APCs or areas; and

(b) uses and activities which would have an adverse impact on other APCs, the American Memorial Park, Anjota Preserve, historic properties, and other significant coastal resources.

C. Standards for APC Creation and Modification.

i. <u>Authority</u>. The CRM Agency Officials or the CRM Administrator may seek designation of any area within the Commonwealth as an APC or propose a change in any APC boundary. Further, the CRM Administrator may review requests from private parties for designation or modification of APC's.

Procedure. Requests for new or modified APCs ii. shall include detailed documentation supporting the APC designation or boundary change. The documentation shall be based on criteria set forth in subparagraph iii below, but may include other information pertinent to the area nominated or proposed boundary change. Within thirty (30) days of a nomination or proposed boundary change, the CRM Administrator shall circulate it to the CRM Agency Officials and the CRM Coastal Advisory Council. The CRM Administrator shall, within that same period, publish notice of the nomination or proposed boundary change, describing the area involved, in a newspaper of VOL. 6 NO. 11 NOVEMBER 15, 1984 PAGE 3313 COMMONWEALTH REGISTER

general circulation within the Commonwealth. The CRM Office shall be available to receive public comment for a period of forty-five (45) days from the date such notice is published. Within the forty-five (45) day comment period the CRM Agency Officials and the CRM Coastal Advisory Council shall submit to the CRM Office comments and recommendations, and a public hearing shall be conducted by the CRM office. Within thirty (30) days after the closure of the comment period, the CRM Coastal Advisory Council shall, after adequate consideration of the comments received, issue a recommendation on the nomination to the CRM Agency Officials who shall make the final decision regarding the proposed creation or modification.

iii. <u>Criteria for Creation and Modification</u>. In reviewing a request for designation or modification of an APC, the CRM Administrator and the CRM Agency Officials shall consider whether the areas requiring special management are:

a. areas of unique, scarce, fragile, or vulnerable natural habitat; have a unique or fragile physical configuration (e.g. Saipan Lagoon); are of historical significance, cultural value, or scenic importance (including resources on or determined to be eligible for the National or CNMI Register of Historic Places);

b. areas of high natural productivity or essential habitat for living resources, including fish,

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wildlife, and endangered species and the various trophic levels in the food web critical to their well-being;

c. areas of substantial recreational value or potential;

d. areas where developments and facilities are dependent either upon the utilization of, or access to, coastal waters or geographic significance for industrial or commercial development or for dredge spoil disposal;

e. areas of urban concentration where shoreline utilization and water uses are highly competitive;

f. areas which, if development were permitted, might be subject to significant hazard due to storms, slides, floods, erosions, settlement, and salt water intrusion;

g. areas needed to protect, maintain, or replenish coastal lands or resources including coastal flood plains, aquifiers and their recharge areas, estuaries, sand dunes, coral and other reefs, beaches, offshore sand deposits;

h. areas needed for the preservation or restoration of coastal resources due to the value of those resources for conservation, recreational, ecological, or aesthetic value.

iv. <u>New APC Standards and Use Priorities</u>. Upon a determination to designate a new APC, the CRM Administrator shall draft management standards and use priorities.

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Designation of the area as an APC and publication of the new Standards and Use Priorities shall be effected by publication of the designated APC and Standards and Use Priorities in the Commonwealth Register pursuant to 1 CMC, D.W. 9, Chapter 1.

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D. Determination of Major Siting. The determination of whether a proposed project, inside or outside a coastal APC, constitutes a Major Siting shall be issued by the CRM office based on a documented consensus of CRM Program agencies stating the rationale therefor. Major Sitings requiring a CRM permit, shall include but not be limited to the following:

i. energy related facilities, waste water
 treatment facilities, pipelines, transportation facilities,
 surface water control projects, harbor structures.

ii. sanitary land fills, disposal of dredged
materials, mining activities, quarries, basalt extraction,
incinerator projects;

iii. dredging and filling in marine or fresh waters, point source discharge of water or air pollutants, shoreline modification, ocean dumping, artifical reef construction;

iv. proposed projects with potential for significant adverse effects on submerged lands, groundwater recharge areas, cutural areas, historic or archeological sites and properties, designated conservation and pristine areas, or

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uninhabited islands, sparsely populated islands, mangroves, reefs, wetlands, beaches and lakes, areas of scientific interest, recreational areas, limestone, volcanic and cocos forest, and endangered or threatened species or marine mammal habitats;

v. major recreational developments and major urban
or government developments;

vi. construction and major repair of highways and infrastructure development;

vii. aquaculture or mariculture facilities, and silvaculture or timbering operations; and

viii. any project with the potential of affecting coastal resources which requires a federal license, permit or other authorization from any regulatory agency of the U.S. Government.

ix. any project, or proposed project, that may cause underground injection of hazardous wastes, of fluids used for extraction of minerals, oil, and energy and of certain other fluids with potential to contaminate ground water. Any such project, or proposed project, shall be primarily governed by the CNMI Underground Injection Control Regulations, and supplemented by these regulations.

x. any other proposed project which, by consensus of the CRM Agency Officials, has the potential for causing a

direct and significant impact on coastal resources.

All major sitings shall be in conformity with the policy enumerated in Section 3 of P.L. 3-47.

E. <u>Specific Standards; Major Sitings</u>. The CRM Agency Officials and the CRM Administrator shall evaluate a proposed project which may constitute a major siting based on the specific standards listed below, as well as the general standards for all CRM Permits listed in Section 9(A) above.

i. <u>Project Site Development</u>. The proposed project site development shall be planned and managed so as to ensure compatibility with existing and projected uses of the site and surrounding area.

ii. <u>Minimum Site Preparation</u>. Proposed projects shall, to the extent practicable, be located at sites with pre-existing infrastructure, or which require a minimum of site preparation (e.g. excavation, filling, removal of vegetation, utility connection).

iii. Adverse Impact on Fish and Wildlife. The proposed project shall not adversely impact fragile fish and wildlife habitats, or other environmentally sensitive areas.

iv. <u>Cumulative Environmental Impact</u>. The proposed project site shall be selected in order to minimize adverse primary, secondary or cumulative environmental impacts.

v. Future Development Options. The proposed

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project site shall not unreasonably restrict the range of future development options in the adjacent areas.

vi. <u>Mitigation of Adverse Impact</u>. Wherever practicable, adverse impact of the proposed project on the environment shall be mitigated.

vii. <u>Cultural-historic Values</u>. Consider siting alternatives that promote the Commonwealth's goals with respect to cultural-historic values.

### Section 10. CRM PERMIT CONDITIONS.

A. <u>Use of Conditions in CRM Permits.</u> CRM Agency Officials may delineate the scope of an approved activity, or otherwise limit CRM Permits, by issuing conditions to CRM Permits. The conditions shall be set out individually in writing, shall be accompanied by a specific reason for each condition, and shall be issued contemporaneously with the CRM permit. Satisfaction of or compliance with the CRM Permit conditions shall be required for the CRM Permit to be valid. In permitted projects of an ongoing nature, the requirement of satisfaction of or compliance with CRM Permit conditions shall continue for the duration of the permitted activity. Violation of a CRM Permit condition, at any time, shall be cause for the CRM Administrator to take enforcement action pursuant to Sections 12 and 13.

B. <u>Purpose and Scope.</u> The purpose of issuing CRM COMMONWEALTH REGISTER VOL. 6 NO. 11 NOVEMBER 15, 1984 PAGE 3319

Permits subject to specific conditions is to ensure that a permitted project complies with the Standards for CRM Permit Issuance listed in Section 9, and CRM Program policies. Any lawful condition consistent with the standards and policies referred to above may be the basis of a CRM Permit condition.

C. <u>Mandatory Conditions</u>. All CRM Permits shall contain at least the following conditions.

i. <u>Inspection</u>. The CRM Administrator or his designee shall have the right to make reasonable inspections of the out-of-doors portions of a permitted project site at any reasonable time in order to assess compliance with the CRM Permit and its conditions.

ii. <u>Timing and Duration</u>. Permitted physical development of the project site subject to a CRM Permit shall begin within one (1) year of the date of the issuance of the CRM Permit, and be completed within three (3) years. The permittee shall deliver to the CRM Office a Completion Certificate. If the project is not completed within three (3) years, the permit will be reviewed by CRM agency officials who will do one of the following: (1) extend or amend the permit or (2) terminate the permit. Conditions attached to the permit shall be of perpetual validity unless action is taken to amend, suspend, revoke or otherwise modify the CRM Permit.

iii. <u>Duty to Inform</u>. The CRM Permit holder, COMMONWEALTH REGISTER VOL. 6 NO. 11 NOVEMBER 15, 1984 PAGE 3320

whether it be the applicant, a successor in interest, or a real party in interest, shall be required to notify the CRM Administrator in writing if it has knowledge that any information in the CRM Permit application was untrue at the time of its submission or if it has knowledge of any unforeseen adverse environmental impacts of the permitted project. A CRM permit holder shall further have the duty to inform any successor in interest of the permit granted and the conditions attached thereto, if any; and the successor in interest shall, within five (5) days thereafter, advise the CRM office of its interest in writing.

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iv. <u>Compliance with Other Law</u>. The CRM Permit is valid only if the permitted project is otherwise lawful and in compliance with other necessary governmental permits.

#### Section 11. CRM PERMIT AMENDMENT.

An amended CRM Permit shall be required of all projects before they are significantly altered or substantially expanded. Such an amendment shall require submittal of a revised CRM Permit application to the CRM Office. Alterations and expansions requiring amended CRM Permits include, but are not limited to, project changes which exceed \$5,000.00 of the monetary value of the permitted project as described in the original CRM Permit Application. Where, however, a substantially new project is proposed, a new and different

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permit must be obtained.

# Section 12. ENFORCEMENT OF CRM PERMITS.

A. <u>Purpose</u>. The provisions of this Section are intended to establish procedures whereby the CRM Admnistrator may enforce the terms and conditions of CRM Permits. The actions of the CRM Administrator based upon this Section are directly reviewable only by the Commonwealth Trial Court pursuant to Section 8(I).

B. <u>Grounds for Action</u>. The CRM Administrator shall take action to enforce compliance with CRM Program policies and CRM Permit conditions in any of the following cases.

i. <u>Misstatement.</u> The CRM Permit applicant, a party, or any participant in a hearing on the CRM Permit application made a material misstatement that directly and significantly affected the CRM Permit decision.

ii. <u>Permit Violation</u>. The CRM Permit applicant, its successor in interest, or a real party in interest has violated a material term or condition of the CRM Permit.

iii. <u>Supervening Illegality</u>. The permitted project, as constructed or operated, has become unlawful by subsequent case law, statute, regulation, or other illegality.

iv. <u>New Environmental Impact</u>. The permitted project has a newly discovered adverse environmental impact.

. C. <u>Warning</u>. The CRM Administrator, upon a COMMONWEALTH REGISTER VOL. 6 NO. 11 NOVEMBER 15, 1984 PAGE 3322

determination that a permitted project violates one or more provisions of Section 12(B), may issue a cease and desist order to the CRM Permit holder declaring notice of intent to undertake CRM Permit suspension or revocation proceedings unless the CRM Permit holder accomplishes corrective measures. The cease and desist order shall state corrective measures necessary to satisfy CRM Permit compliance and provide for a period in which compliance shall be effected. This warning procedure shall not affect the CRM Administrator's duties and responsibilities under Section 12(D).

D. <u>Permit Enforcement Notice</u>. If, within thirty (30) days of determining a violation under Section 12(B), the CRM Administrator has issued a cease and desist order under Section 12(C), and the CRM Permit holder has failed to take corrective action, or continues to be in violation of its CRM Permit, the CRM Administrator shall issue a written Permit Enforcement Notice to issue to the CRM Permit holder.

i. <u>Content of Notice</u>. A Permit Enforcement Notice shall include a statement of facts or conduct constituting the violation, and shall indicate the intended action to be taken by the CRM Administrator. A Permit Enforcement Notice shall provide for Permit Enforcement hearings, if requested, and inform the CRM Permit holder of his responsibilities and rights under this Section.

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ii. <u>Service</u>. A Permit Enforcement Notice shall be delivered by the CRM Office staff in person to the CRM Permit holder, or served by certified U.S. mail addressed to the CRM Permit holder, or his designated agent.

iii. <u>Response to Notice.</u> If the CRM Permit holder disagrees with the facts or conduct constituting violation in the Permit Enforcement Notice, and desires a Permit Enforcement hearing, it shall respond in writing to the CRM Administrator within thirty (30) days of service of the Permit Enforcement Notice. This reponse shall include a written statement indicating the CRM Permit holder's arguments.

iv. <u>Emergency Suspension</u>. If the CRM Administrator determines that a CRM Permit holder has willfully violated a provision of Section 12(B), or the public health, safety, or welfare imperatively requires immediate action, the CRM Admnistrator may order emergency summary suspension of a CRM Permit pending proceedings for revocation or other action, notwithstanding any notice requirement under this section. If a Permit Enforcement Hearing is requested, the proceeding shall be promptly instituted and determined pursuant to Section 8(D).

E. <u>Permit Enforcement Hearing</u>. Upon receipt of a request for Permit Enforcement Hearing, the CRM Administrator shall schedule a hearing within fifteen (15) days. Permit Enforcement Hearings shall conform to the provisions of Section

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8(D). The CRM Administrator shall issue a decision within ten (10) days of the close of the Permit Enforcement Hearing, and all orders shall be in writing and accompanied by written findings of fact and conclusions of law.

F. <u>Remedies.</u> Upon a determination by the CRM Administrator and/or CRM agency officials that a violation did occur, the CRM Administrator may order any or all of the following remedies.

i. <u>Revocation</u>. The CRM Permit may be revoked in its entirety.

ii. <u>Suspension</u>. The CRM Permit may be temporarily suspended for a given period, or until the occurence of a given event or satisfaction of a specific condition.

iii. <u>Corrective Measures</u>. Measures may be ordered of the CRM permit holder so that the project conforms to the CRM Permit terms and conditions.

Section 13. ENFORCEMENT OF CRM STANDARDS AND POLICIES.

A. <u>Purpose</u>. The provisions of this Section are intended to establish procedures whereby the CRM Administrator and/or CRM Agency Officials may enforce penalties against persons conducting activities or participating in projects within the jurisdiction of the CRM Program either without a required CRM Permit or CRM Variance, or in violation of a CRM permit or variance terms and conditions. Remedies listed herein COMMONWEALTH REGISTER VOL. 6 NO. 11 NOVEMBER 15, 1984 PAGE 3325

are cumulative and not exclusive and shall be in addition to remedies provided in Section 12 and those at law or equity. The actions of the CRM Administrator and/or CRM Agency Officials based upon this Section are reviewable by the Commonwealth Trial Court.

B. <u>Investigation</u>. The CRM Administrator shall have the authority to direct investigations of suspected or known violations of CNMI P. L. 3-47 or CRM rules and regulations. The CRM Administrator may direct the investigation of any fact, circumstance, or activity that is reasonably related to his duties and responsibilities. If practicable, the CRM Administrator shall first request the person or persons having knowledge or custody of the information to voluntarily produce or allow access to it. If voluntary production of, or access to, the information is not forthcoming, the CRM Administrator may implement the following measures to compel disclosure.

i. Authority to Search.

(a) <u>Consent from Permit Application</u>. The CRM Administrator of his designee may enter at any reasonable time the site of a proposed project for which there exists a signed CRM Permit application on file with the CRM Office pursuant to the consent granted in the application.

# (b) Permit Authorization. The CRM

Administrator or his designee may enter at any reasonable time COMMONWEALTH REGISTER VOL. 6 NO. 11 NOVEMBER 15, 1984 PAGE 3326

the site of a project for which there has been granted a CRM Permit.

(c) <u>Search Warrant</u>. The CRM Administrator may, if necessary, apply to the Commonwealth Trial Court for a search warrant allowing entry onto a project site on land or water subject to CRM Program jurisdiction, pursuant to applicable law of administrative searches, regardless of the existence of a pending CRM Permit application or a currently valid CRM Permit.

C. <u>Prohibited Activities.</u> The CRM Administrator may act pursuant to this Section upon a reasonable determination that a violation of CNMI P. L. 3-47 or CRM rules and regulations has occurred. Such violations include, but are not limited to, projects undertaken without a required CRM Permit or CRM Variance and activities that do not conform to CRM Permit terms and conditions. Specific provisions regarding CRM Permit revocation, suspension, or other action affecting the status of an issued CRM Permit, as provided in Section 12, are in addition to, and not exclusive of, the remedies in this section.

D. <u>Warning</u>. Upon a determination that a violation of law subject to CRM Program jurisdiction has occurred, the CRM Administrator may issue cease and desist order to the person(s) responsible for the violation and stating notice of intent to undertake legal proceedings unless corrective measures are

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undertaken. The letter shall state the corrective measures necessary and shall provide for a period in which compliance shall be effected.

E. <u>Enforcement.</u> Upon a determination that a person other than a CRM Permit holder is in violation of CNMI P. L. 3-47 or applicable rules and regulations, the CRM Administrator shall promptly issue an Enforcement Notice to the offending party. The Enforcement Notice shall be delivered personally to the offending party or, if such service is not reasonably possible, it may be sent by certified mail to his residence or place of business.

i. Content of Enforcement.

a. <u>Completed Violation</u>. If acts constituting a violation are already complete and the violation is not of an ongoing nature, the Enforcement Notice shall include a statement of the facts and conduct constituting the violation, the amount of an imposed fine, if any, a warning not to repeat the unlawful activity, and a statement that a hearing on the fine is available if the CRM Administrator is so requested in writing within seven (7) days of service of the Enforcement Notice.

b. <u>Continuing Violation</u>. If acts constituting a violation are of an ongoing nature or likely to be repeated, the Enforcement Notice shall include a statement of facts and conduct constituting the violation, a statement of an imposed,

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continuing fine, if any, an order to cease and desist the activity giving rise to a violation, a warning that additional fines may be imposed for failure to cease and desist the prohibited activity, and a statement that an Enforcement Hearing on the fine is available if the CRM Administrator is so requested in writing within seven (7) days of service of the Enforcement Notice.

ii. <u>Response to Notice.</u> If the party to whom Enforcement Notice is sent objects to the finding of violation, or seeks an Enforcement Hearing on the fine, he shall submit a written reponse to the Enforcement Notice stating his arguments, and requesting an Enforcement Hearing within seven (7) days of service of the Enforcement Notice. Failure to provide written response or to demand an Enforcement Hearing within the prescribed period shall be deemed a waiver of defenses and the right to an Enforcement Hearing and the fine, as set in the Enforcement Notice shall upon expiration of the seven (7) day period, become immediately due and payable to the CNMI Treasurer. All fines shall be paid by check made payable to the Treasurer of the CNMI. A copy of the payment receipt shall be provided the CRM Office by the violator.

F. <u>Determination of Fines.</u> The CRM Administrator shall, in his sound discretion, set fines in an amount calculated to compel compliance with applicable law and shall

consider the value of the existing and potential value of the damage to the environment proximately caused by the violation. In no event, however, shall any fine imposed exceed the ceiling imposed by Section 12 of P. L. 3-47.

G. <u>Enforcement Hearing</u>. If a written reponse to an Enforcement Notice is filed with the CRM Office, requesting an Enforcement Hearing, an Enforcement Hearing shall be conducted by CRM Administrator in accordance with the provisions of Section 8(D). The decision of the CRM Administrator shall be final as within the CRM Program. Appeal from an enforcement decision shall be directly to the Appeals Board within thirty (30) days following issuance of a written enforcement decision by the CRM Administrator.

H. <u>Enforcement by Commonwealth Trial Court.</u> Fines and cease and desist orders issued by the CRM Administrator for purposes of enforcement constitute official agency orders, and must be complied with or by persons determined in violation of CRM Program policies or CRM Permit conditions. In the event fines are imposed, or cease and desist orders issued, and compliance with either is refused, the CRM Administrator shall have the power to file in the Commonwealth Trial Court seeking court enforcement.

Attorney General Representation. Whenever it is necessary for the CRM Administrator to file an action in the COMMONWEALTH REGISTER VOL. 6 NO. 11 NOVEMBER 15, 1984 PAGE 3330

Commonwealth Trial Court for enforcement of imposed fines or cease or desist orders, he shall be advised and represented by the Office of the Attorney General.

a. <u>Collection of Civil Fines</u>. The CRM Administrator shall, with the advise and representation of the Attorney General, file an action in the Commonwealth Trial Court for nonpayment of fines imposed.

b. <u>Cease and Desist Orders.</u> The CRM Administrator shall, with the advise and representation of the Attorney General, file an action for injunctive relief in the Commonwealth Trial Court for failure to comply with a cease and desist order.

I. <u>Enforcement by Criminal Prosecutions</u>. If the CRM Administrator has reason to believe that a person in violation of CRM Program policies or CRM Permit conditions has committed criminal offense within the definition provided in CNMI P. L. 3-47, §12, he shall promptly submit a report of the violation to the Attorney General.

## Section 14. PUBLIC INFORMATION AND EDUCATION.

The CRM Office shall make information and educational materials available to the public and CRM Agency Officials. The CRM Office, under the direction of the CRM Administrator, shall assist a CRM permit applicant, any CRM Permit intervenors, a CRM

Variance applicant, a CRM Agency Official, the Governor, and the COMMONWEALTH REGISTER VOL. 6 NO. 11 NOVEMBER 15, 1984 PAGE 3331

CRM Appeals Board by explaining the policies and procedures of the CRM Permit process.

i. <u>Vernacular</u>. When requested and reasonably necessary, the CRM Office shall provide translation of official business into the appropriate vernacular.

ii. <u>Media</u>. The CRM Office shall, to the extent practicable, develop and maintain a continuing program of public information and education. Information regarding coastal resources management and conservation shall be disseminated through newspapers, television, radio, posters and brochures supplied by the CRM Office.

iii. <u>Public Hearings.</u> Any hearing or meeting held for purposes of the CRM Permit or Enforcement process, or the Coastal Advisory Council, shall be open to the public.

iv. <u>APC Maps.</u> The CRM Office shall maintain a current series of island maps clearly designating APC's showing the areas of particular concern.

### Section 15. CRM COASTAL ADVISORY COUNCIL.

Pursuant to CNMI P. L. 3-47 §6, a CRM Coastal Advisory Council (CAC) shall be established, consisting of those members listed in Section 5(E) herein.

A. <u>Adopt Internal Procedures</u>. The CAC shall adopt internal procedures which shall govern its meetings, provided

COMMONWEALTH REGISTER

that CAC shall have no coastal resources management regulatory authority of its own.

B. <u>Advise CRM.</u> The CAC shall advise the CRM Office and the CRM Administrator on any proposed change in the CRM Program or the CRM Permit process, or any proposed rules and regulations considered useful for implementing the CRM Program.

C. <u>Conduct Meetings</u>. The CAC shall conduct meetings from time to time in public sessions, in order to receive information from the public on the impact or advisability of programs and policies in the CRM Program. Meetings shall be scheduled by the Council, or as requested by CRM Administrator, as he deems necessary for purposes of obtaining input and advice, and shall be scheduled at least twice each calender year.

Section 16. CRM PUBLIC RECORDS.

A. <u>Retention</u>. The CRM Office shall retain and preserve the following documents for a minimum of five (5) years following the receipt or acquisition, unless the CRM Office determines that they shall be retained for a longer period of time. After five (5) years, all pertinent materials shall be safely stored.

i. <u>CRM Permit Application Materials</u>. All applications, permits, variances, pleadings, motions,

COMMONWEALTH REGISTER

affidavits, charts, petitions, statements, briefs or other documentation submitted in support of or opposition to applications for CRM permits or Variances, or prepared by the CRM Office in the course of the CRM Permit Process shall be retained and preserved.

ii. <u>CRM Hearing Records</u>. Stenographic or tape recordings of all CRM Permit or Enforcement Hearings, and written minutes of CAC meeting shall be retained and preserved.

iii. <u>Coastal Resources Materials.</u> All studies, guides, plans, policy statements, charts, special reports, educational materials or other information obtained or prepared by the CRM Office in order to provide public information and education shall be retained and preserved.

B. <u>Public Access to CRM Records.</u> All CRM Program records shall be available for inspection for a period of five (5) years by any person during established business hours at the CRM Office in Saipan. The public's right to inspect records shall not extend to any record otherwise deemed confidential by law.

i. <u>Minutes and Transcripts.</u> Minutes of CAC meetings and transcripts or tapes of CRM Permit or Enforcement Hearings shall be made available upon request to the public within thirty days after the meeting or hearing involved, except

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where the disclosure would be inconsistent with law, or where the public distribution of minutes of meetings held in executive session would defeat the lawful purpose of the executive meeting. All CRM Permit or Enforcement Hearings must be open to the public, and all transcripts of the hearings shall be made available upon request; provided, however, that those persons requesting transcription shall pay the costs of transcription at the time of the request.

ii. <u>Copies of Documents.</u> Copies of CRM public records shall be made available to any member of the public requesting them provided that reasonable fees or costs incurred in reproducing the records shall be paid by check into the CNMI Treasury by the requesting party.

iii. <u>Denial of Inspection</u>. Any person aggrieved by a denial of access to CRM Program records, or transcription or copying thereof may apply to the Commonwealth Trial Court for an order directing inspection or copies or extracts of CRM Program public records. The Court shall grant the order after hearing upon finding that the denial was not for just and proper cause.

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Section 17. CRM ACCESS TO RECORDS.

The Administrator, on behalf of himself, the CRM Office, the CRM Agency Officials, the Governor, the CRM Appeals Board, and the CRM Coastal Advisory Council, shall have access to such records necessary for conducting official CRM business.

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A. <u>CNMI Government Records.</u> The CRM Administrator shall have access to relevant CNMI governmental records for the purpose of obtaining information for official CRM business. This access may include government reports, reviews, policy statements, and any other data not protected as confidential by law. The CRM Administrator shall keep his requests reasonable in scope, and accompany his requests for information with payment for copying or gathering of specific information.

B. <u>Private Records</u>. The CRM Administrator shall request from interested parties such records and documents deemed necessary for the CRM permit process.

### Section 18. COMPUTATION OF TIME.

In computing any period of time under these Rules and Regulations, the time begins with the day following the act, event, or default, and includes the last day of the period unless it is a Saturday, Sunday, or legal holiday, in which event the period runs until the end of the next work day. When

the prescribed period of time is ten (10) days or less, Saturdays, Sundays, or holidays within the designated period shall be excluded from the computation.

## Section 19. FEDERAL CONSISTENCY.

## A. General Law.

Federal activities and development projects which directly affect the coastal zone must be conducted or supported in a manner which is, to the maximum extent practicable, consistent with the CRM Program. Federally licensed or permitted activities and the provisions for federal financial assistance for activities affecting land or water uses of the coastal zone must be consistent with the CRM Program. Furthermore, any Federal agency proposing to undertake any development project in the coastal zone shall insure that the project is, to the maximum extent practicable, consistent with the CRM Program. The implementation of these federal consistency provisions will be carried out in accordance with section 307 of the CZMA and Federal Regulations at 15 CFR Part 930.

B. Standards for Determining Consistency.

The CRMO shall apply the following enforceable standards in making consistency determinations:

i. The goals and policies set forth in CNMI Public Law3-47;

ii. The standards and priorities set forth in these COMMONWEALTH REGISTER VOL. 6 NO. 11 NOVEMBER 15, 1984 PAGE 3337

Regulations;

iii. Federal air and water quality standards and regulations, to the extent applicable to the Commonwealth of the Northern Mariana Islands; and

iv. Air and water quality standards and regulations of the CNMI, including, but not limited to, the CNMI Underground Injection Control Regulations and the CNMI Drinking Water Regulations; and

v. Any additional policies, regulations, standards, priorities and plans that are enforceable and incorporated into any amendment of the CRM Program in the future.

. Federal Activities and Development Projects.

i. A Federal development project includes any Federal activity involving the planning, construction, modification, or removal of public works, facilities, or other structures, and the acquisition, utilization, or disposal of land or water resources.

ii. "Federal activities" include those Federal agency actions which are either development projects or licenses, permits, or assistance actions as described hereinbelow. Examples include Federal agency activities requiring a Federal permit, Federal assistance to entities other than the local

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government. Although Federal lands in the CNMI are excluded from the CRM Program jurisdiction pursuant to Section 7 of P.L. 3-47, federal activities occuring on federal lands which result in spillover impacts which directly affect the Commonwealth's coastal zone must be consistent, to the maximum extent practicable, with the CRM Program.

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iii. In the event that a Federal agency plans to undertake a Federal activity, including a development project, which is likely to directly affect the coastal zone, the Federal agency must notify the CRMO of the proposal at least ninety (90) days before any final decision on the Federal action, unless both the Federal agency and CRMO agree to an alternative notification schedule. Such notification must include a brief statement indicating how the proposed project will be undertaken in a manner consistent, to the maximum extent practicable, with the CRM Program. The Federal agency's consistency determination must be based upon an evaluation of the relevant provisions of the CRM Program. Consistency determinations must include:

a. A detailed description of the proposed project;

b. The project's associated facilities;

c. The combined, cumulative coastal effect of the project; and

d. Data and information, sufficient to support theFederal agency's conclusion;

iv. If CRMO does not issue a written response within forty-five (45) days from the receipt of the Federal agency notification, the Federal agency may presume CRMO's agreement that the activity is consistent with the CRM Program. Requests for an extension of time may be made for a period of not more than 15 days, unless the Federal agency agrees to longer or additional extension requests. CRMO agreement shall not be presumed if CRMO requests an extension of time within the 45 day review period.

f. CRMO concurrence with or objection to a Federal agency's consistency determination must be set forth in writing with reasons and information supporting the agreement or disagreement and sent to the federal agency. In case of disagreement, CRMO will attempt to resolve its differences with the Federal agency's consistency determination within the 90day notification period.

g. In the event that CRMO and the Federal agency are unable to come to an agreement on the manner in which a federal activity or development project may be conducted or supported in a manner consistent, to the maximum extent practicable, with the CRMP, the CRMO or Federal agency may request mediation of the disagreement pursuant to the procedures set forth in Section 307 of the federal Coastal Zone Management Act of 1972 (P.L. 92-583, as amended) and 15 CFR 930 Subpart H.

D. Federal Licenses and Permits.

i. Federal licenses and permits include any authorization, certification, approval, or other form of permission which any Federal agency is empowered to issue to an applicant.

ii. An applicant includes any individual or organization, except a Federal agency, who, following management program approval, files an application for a Federal license or permit to conduct an activity affecting the coastal zone.

iii. An applicant for a federal license or permit for an activity affecting the coastal zone must file, along with the application, a certification that the activity will be conducted in a manner consistent with the CRM Program. A copy of the application and certification, along with all necessary data and information, should also be sent to the CRMO. The federal agency shall not issue the license or permit unless CRMO concurs in the consistency certification or its concurrence is presumed because CRMO has failed to respond in six (6) months. The applicant's consistency certification statement, which will then be reviewed along with the application by the CRMO, must be accompanied by sufficient information to support the applicant's consistency determination.

iv. The federal agency licenses and permits that the CRM Office will review for consistency with the CRMP are those

listed in Attachment A, incorporated and made a part hereof. If in the future it is found that the issuance of other types of Federal permits and licenses cause direct and significant impact on coastal land and water resources, the said listing will be expanded as necessary.

CRMO shall be responsible for providing the above list to the relevant Federal agencies who in turn shall make the information available to applicants.

If any project which requires a federal license or v. permit also requires a coastal permit, applications for both should be filed simultaneously. A certification of consistency with the CRM Program shall be filed with both applications. The issuance or denial of a CRM permit will indicate consistency or the lack of consistency with the CRM Program and the CRMO shall notify the Federal agency of the CRM permitting decision for its use in its federal permitting decision. A Federal agency shall not issue a federal license or permit if CRMO objects to the applicant's certification statement, unless the Secretary of Commerce decides, pursuant to Section 307(c)(3)(A) or (B) of the CZMA, and 15 CFR 930, Subpart H, that the activity is consistent with the objectives or purposes of the CZMA, or is necessary in the interest of national security.

vii. A certification of consistency shall include the following clause:

"The proposed activity complies with the CNMI CRM Program and will be conducted in a manner consistent with such program."

Supporting information must be attached to the certification. This information will include a detailed description of the proposal, a brief assessment of the probable coastal zone effects, and a brief set of findings indicating that the proposed activity, its associated facilities, and their effects, are all consistent with the provisions of the CRM Program, including the applicable standards listed in Section 19(B) above.

viii. Interested parties may assist the applicant in providing information to the CRMO. In addition, the CRMO will, upon the request of the applicant, provide assistance to the applicant in developing the assessment and findings required.

ix. CRMO review begins at the time the Office receives both the applicant's consistency certification and the supporting information and determines that the information is complete. Timely public notice of the proposed activity will be made by CRMO. The public notice will include a summary of the proposal, an announcement that information submitted by the applicant is available for public inspection, and a statement that public comments are invited.

x. At the earliest practicable time, and within six (6) COMMONWEALTH REGISTER VOL. 6 NO. 11 NOVEMBER 15, 1984 PAGE 3343

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months after the date of receipt, the CRMO will notify the issuing Federal agency of its concurrence or objection. If CRMO has not issued a decision within three (3) months after the date of receipt, it must notify the applicant and the Federal agency of the status of the matter and the basis for further delay, if any.

In the event that CRMO objects to the applicant's consistency determination, the Office must set out its objection in writing with reasons and supporting information and alternative measures, if they exist, which, if adopted, would permit the activity to be conducted in a manner consistent with the CRM Program. A CRMO objection will include a statement informing the applicant of a right to appeal to the Secretary of Commerce as provided for in Section 307 of the federal Coastal Zone Management Act, as amended.

E. Federal Assistance.

i. "Federal assistance" means assistance provided under a Federal grant program to an applicant agency through grant or contractual agreements, loans, subsidies, guarantees, insurance, or other forms of financial aid for activities which affect the coastal zone.

ii. An applicant refers to any unit of the CNMI government, which, following CRM Program consistency concurrance, submits an application for Federal assistance.

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The CRMO shall be notified of any application iii. submitted to the Planning and Budget Affairs Office for any federal assistance program listed in the Catalog of Federal Domestic Assistance in addition to applications to the Office of Ocean and Coastal Resource Zone Mangement for Coastal Energy Impact Program grants through the CNMI clearinghouse process which provides for the evaluation, review and coordination of Federally assisted programs pursuant to Presidential Executive Order 12372 and CNMI Public Law 3-68.

iv. Application for federal assistance for activities affecting the coastal zone must go through the clearinghouse notification and review process to ensure that the CRMO has an opportunity to review the proposed action for consistency with the CRMP. Such applications must include a certification of consistency which meets the information requirements set out in these regulations.

v. If a coastal permit is required for a project utilizing federal assistance, then the coastal permit and the federal assistance applications shall be filed simultaneously.

vi. In the event that CRMO finds that the proposed federal assistance is not consistent with the CRMP, the application shall not be approved unless the CRMO's objection is resolved through informal discussions among the Federal Program agency, the applicant and the CRMO or the objection is set aside NOVEMBER 15, 1984 PAGE 3345 VOL. 6 NO. 11

on appeal to the Secretary of Commerce pursuant to Section 307 of the federal Coastal Zone Mangement Act. CRMO's objection must be set forth in writing with reasons, and supporting information and alternative measures. The Planning and Budget Office must then notify the applicant agency and the Federal agency of CRMO's objection and must inform the applicant agency of its right to appeal to the Secretary of Commerce. If CRMO does not object to an application proposal during the clearinghouse process, the Federal agency may grant the federal assistance.

### Section 20. REPEALER.

The Rules and Regulations promulgated pursuant to CNMI Executive Order Number 15 are hereby repealed in their entirety upon the effective date of these Rules and Regulations.

## Section 21. SEVERABILITY PROVISION.

If any provision of these Rules and Regulations, or the application of any provision of these Rules and Regulations to any person or any other instrumentality or circumstances shall be held invalid by a court of competent jurisdiction, the remainder of these Rules and Regulations and the application of the affected provision to other persons, instrumentalities and circumstances, shall not be affected thereby.

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Section 22. EFFECTIVE DATE.

These Rules and Regulation shall become effective upon approval of both Houses of the NMI Legislature pursuant to CNMI P. L. 3-47 §8(e).



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# Commonwealth of the Northern Mariana Islands Office of the Governor

Saipan, Mariana Islands 96950

Phone: 6407/6408/6581 Telex: 783-622 Cov. NAI

Date: October 24, 1984

EXECUTIVE ORDER NO. 01-84

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Disaster Emergency Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands declared readiness Condition II, effective 10:00 a.m. on October 24, 1984 for Rota; and

WHEREAS, in accordance with provisions of the Commonwealth of the Northern Mariana Islands' Disaster Emergency Plan, the declaration automatically puts into execution the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that the operational portions of the CNMI Disaster Emergency Plan be executed, effective 10:00 a.m. on October 24, 1984 for Rota, continuing so long as required by the disaster situation.

TENORIO PEDRO P Governor



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# Commonwealth of the Northern Mariana Islands Office of the Governor

Saipan, Mariana Islands 96950

Phone: 6407/6408/6581 Telex: 783-622 (600, NAI

Date: October 24, 1984

EXECUTIVE ORDER NO. 02-84

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Disaster Emergency Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands declared readiness Condition III, effective 11:00 a.m. on October 24, 1984 for Saipan and Tinian; and

WHEREAS, in accordance with provisions of the Commonwealth of the Northern Mariana Islands' Disaster Emergency Plan, the declaration automatically puts into execution the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that the operational portions of the CNMI Disaster Emergency Plan be executed, effective 11:00 a.m. on October 24, 1984 for Saipan and Tinian, continuing so long as required by the disaster situation.

TENORIO

Governor

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# Commonwealth of the Northern Mariana Islands Office of the Governor

Saipan, Mariana Islands 96930

Thone: 6407/6408/6581 Jelex: 783-622 (6au, NAI)

Date: October 24, 1984

EXECUTIVE ORDER NO. 03-84

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Disaster Emergency Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands declared Typhoon Condition III, effective 2:00 p.m. on October 24, 1984 for Saipan and Tinian; and

WHEREAS, in accordance with provisions of the Commonwealth of the Northern Mariana Islands' Disaster Emergency Plan, the declaration automatically puts into execution the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that the operational portions of the CNMI Disaster Emergency Plan be executed, effective 2:00 p.m. on October 24, 1984 for Saipan and Tinian, continuing so long as required by the disaster situation.

PEDRO P/ TENORIO Governor

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NOVEMBER 15, 1984

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# Commonwealth of the Northern Mariana Islands Office of the Governor

Saipan, Mariana Islands 96950

Phone: 6407/6408/6581 Telex: 783-622 Gov. NAII

Date: October 24, 1984

EXECUTIVE ORDER NO. 04-84

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Disaster Emergency Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands declared Typhoon Condition II, effective 2:00 p.m. on October 24, 1984 for Rota; and

WHEREAS, in accordance with provisions of the Commonwealth of the Northern Mariana Islands' Disaster Emergency Plan, the declaration automatically puts into execution the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that the operational portions of the CNMI Disaster Emergency Plan be executed, effective 2:00 p.m. on October 24, 1984 for Rota, continuing so long as required by the disaster situation.

TENORIO

Governør

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# Commonwealth of the Northern Mariana Islands Office of the Governor

Saipan, Mariana Islands 96950

Phone: 6407/6408/6581 Telex: 783-622 Gov. NAI

Date: October 24, 1984

EXECUTIVE ORDER NO. 05-84

SUBJECT: Execution of the Commonwealth of the NOrthern Mariana Islands Disaster Emergency Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands declared <u>Typhoon Condition II, effective 8:00 p.m. on</u> October 24, 1984 for Saipan and Tinian; and

WHEREAS, in accordance with provisions of the Commonwealth of the Northern Mariana Islands' Disaster Emergency Plan, the declaration automatically puts into execution the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that the operational portions of the CNMI Disaster Emergency Plan be executed, <u>effective 8:00 p.m. on October 24, 1984 for</u> <u>Saipan and Tinian</u> continuing so long as required by the disaster situation.

PEDRO P. TENORIO Governor

COMMONWEALTH REGISTER



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# Commonwealth of the Northern Mariana Islands Office of the Governor

Saipan, Mariana Islands 96950

Bhong: 6407/6408/6581 Telex: 783-622 Gov. NAIJ

Date: October 25, 1984

EXECUTIVE ORDER NO. 06-84

Execution of the Commonwealth of the Northern Mariana Islands' SUBJECT: Disaster Emergency Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands declared Typhoon Condition I, effective 1:00 a.m. on October 25, 1984 for Rota; and

WHEREAS, in accordance with provisions of the Commonwealth of the Northern Mariana Islands' Disaster Emergency Plan, the declaration automatically puts into execution the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that the operational portions of the CNMI Disaster Emergency Plan be executed, effective 1:00 a.m. on October 25, 1984 for Rota, continuing so long as required by the disaster situation.

TENORIO

Governor

Passed to Governor 10/25/84 1:20 A.M. R.S. 9 minuto7

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# Commonwealth of the Northern Mariana Islands FOR OFFICIAL USE Office of the Governor Saipan, Mariana Islands 96950

NOVEMBER 9, 1984

CABLE ADDRESS GOV. NMI SAIPAN REPLY TO: Rev. & Tax.

EPT. or ACTIVITY

day of Filed this Office of Registrar)of Corporations PUBLIC NOTICE

PROPOSED AMENDMENT NO. 20384 REVENUE AND TAXATION REGULATIONS NO. 8301

The Director of Finance advices the public that the "Proposed Amendment No. 20384" to Revenue and Taxation Regulations No. 8301, as amended, is to be deleted from the Commonwealth Register, pages 2626 through 2634, volume 6, number 3, which was published on March 15, 1984. The proposed amendment will not be adopted.

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Date

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NOVEMBER 15, 1984 PAGE 3354



## Commonwealth of the Northern Mariana Islands Office of the Governor Saipan, Mariana Islands 96950

NOBIEMBRE 9, 1984

FOR OFFICIAL USE CABLE ADDRESS GOV. NMI SAIPAN REPLY TO: Rev. & Tax. DEPT. or ACTIVITY

Filed this day of

Office of Registrar of Corporations Commonwealth of the Northern Mariana Islands NOTISIAN PUBLIKU

MA INTENSIONA NA AMENDASION NO. 20384 REVENUE YAN TAXATION REGULASION NO. 8301

I Direktot i Finansiat ha-abibisa i publiku na i "Ma Intensiona na Amendasion No. 20384" gi Revenue yan Taxation Regulasion No. 8301, komo ma-amenda, umana suha gi Commonwealth Register, i pahina 2626 esta i 2634, gi volume 6, numero 3, ni ma publika gi dia 15 de Matso, 1984. I ma intensiona na amendasion ti uma adopta.

gitol Finansiat Akting i

Fecha

COMMONWEALTH REGISTER



## **OFFICE OF THE ATTORNEY GENERAL**

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

5TH FLOOR, NAURU BUILDING SAIPAN, CM 96950

PHONE: 6207.7111

REXFORD C. KOSACK ATTORNEY GENERAL

### PUBLIC NOTICE

All corporations organized for profit under Commonwealth law and all nonprofit corporations must annually file an exhibit of their affairs as of December 31 on a form provided by the Registrar of Corporations by April 1st of the following year. Section 5.4 and 5.5 of the Regulations on Corporations, Territorial Register, Volume 1 No. 1 - July 15, 1974. If a corporation has failed or neglected, for a period of two years in succession, to file an annual exhibit the Registrar may disincorporate the corporation after providing notice of such intention by mailing notice to the corporation and by publishing notice of such intention. Section 6.2 of the Regulations on Corporations.

The following corporations have failed to file an annual exhibit for a period of 2 years in succession. Each has been mailed notice to this effect. On October 15, 1984 a list of those corporations was published in the Commonwealth Register with notice of an intent to dissolve them. Such notice was also posted at five public places on the island of Saipan and published in the newspaper.

The Registrar of Corporations will take steps to dissolve the following corporations during the month of December, 1984.

DATED: 1000mber 15, 1984.

ORD C. KOSACK

Attorney General

#### LIST OF CORPORATIONS

### Domestic Corporations:

1. ABS CORPORATION 2. A & K ASSOCIATES 3. AIRBORN MINERAL CONSULTANTS INTERNATIONAL, INC. 4 AIR MARIANAS INCORPORATED 5. ALDAN MARIANAS RESOURCES, INC. 6. ALLIED PACIFIC BANK, INC. 7. AMEIRCAN HOT LINE (SAIPAN), INC. 8. AMI. INC. 9. ASIA-PACIFIC DEVELOPMENT BANK, LTD. 10. ATLAS DEVELOPMENT CORPORATION 11. BADU-O'CONNEL TOUR AND TRAVEL SERVICES. INC. 12. BANK OF MARIANAS, INC. 13. BIBANG AGRICULTURAL DEVELOPMENT CO. 14. BOTTLING COMPANY OF MICRONESIA, INC. 15. CBI MARIANAS, INC. 16. C E D SERVICES, LTD. 17. C & S CONCRETE & BLOCK PRODUCT, INC. 18. C & S TERMITE & PEST CONTROL, INC. 19. CABRERA ENTERPRISES, INC. 20. CENTRAL PACIFIC DEVELOPMENT CORPORATION 21. CHESHIRE GUARANTY TRUST COMPANY, LTD. 22. COMMONWEALTH COIN, INC. 23. COMMONWEALTH CONSTRUCTION AND LANSCAPING COMPANY, INC. 24. COMMONWEALTH DEVELOPMENT CORPORATION 25. COMMONWEALTH ENTERPRISES, INC. 26. COMMONWEALTH FISHERIES, INC. 27. COMMONWEALTH FISHERMEN'S COOPERATIVE ASSOCIATION 28. COMMONWEALTH FUNDING CORPORATION 29. COMMONWEALTH HOTEL, INC. 30. COMMONWEALTH MERCHANT BANK, LTD. 31. COMMONWEALTH OIL COMPANY, INC. 32. COMMONWEALTH SHIPPING, LTD. 33. COMMONWEALTH TAPIOCA STARCH INDUSTRY, INC. 34. COMMONWEALTH TRAVEL AGENCY, INC. 35. CONSTRUCTION MANAGEMENT GROUP, INC. 36. COSMOS CONSTRUCTION CORPORATION 37. DESCANZO CLUB, INC. 38. DILMAR SAIPAN, INC. 39. E'SAIPAN MOTORS, INC. 40. ELECTRONIC MAIL SYSTEMS, INC. 41. ELIAS P. SABLAN, INC. 42. ENJOY TOURS, INC. 43. 1ST COMMONWEALTH BANK, INC. 44. F.G.S. INC. 45. F & F CORPORATION 46. F & M ENTERPRISES, INC. 47. FAR EAST SHOE FACTORY, INC. 48. FARGO MICRONESIA, INC. 49. FASHIONS D'ITALIA, INC. 50. FEDCO, LTD.

LIST OF CORPORATIONS Domestic Corporations (con't)

51. FINANCIAL MANAGEMENT CORPORATION 52. FINANCIAL MANAGEMENT INTERNATIONAL, INC. 53. FIRST SAIPAN TITLE INSURANCE & ESCROW CO., INC. 54. FRESCO INDUSTRIES, INC. 55. FUETSA, INC. 56. GL&M, INC. 57. GARAPAN GARDEN, INC. 58. GRAND PACIFIC, INC. 59. GRATONIK ENTERPRISES, INC. 60. GENERAL TRANSPORTATION, INC. GREENMOUNT DEVELOPMENT MARIANA CORPORATION 61. 62. GRIDLEY REALTY, LTD. 63. HARWICK SAIPAN, INC. 64. HERBINO CORPORATION 65. INDEPENDENT INDEMNITY INSURANCE, INC. 66. INDO-PACIFIC INTERNATIONAL, INC. 67. INOUE OVERSEAS, INC. 68. INTER-CONTINENTAL FINANCING CONSULTANTS CORPORATION 69. INTER-ISLAND DEVELOPMENT CO., INC. 70. INTER PACIFIC BUILDERS AND TECHNOLOGICAL 71. INTERNATIONAL DEVELOPMENT CORPORATION 72. INTERNATIONAL SECURITY ALARM, INC. 73. INVESTORS, INC. 74. ISLAND RESOURCES DEVELOPMENT, INC. 75. ISLAND TRADING CORPORATION 76. J. P. CARPIO & ASSOCIATES, INC. 77. JACK'S INCORPORATED 78. JACO, INC. 79. JAPAN/COMMONWEALTH COMPANY, LTD. 80. JAPAN-MICRO DEVELOPMENT CORP. 81. JAPAN NORTHERN MARIANAS ASSOCIATES 82. JUAN C. TENORIO & ASSOCIATES, INC. 83. K.E.N. ENTERPRISES, INC. 84. K.K. INDUSTRIES, INC. 85. L & T INTERNATIONAL CORPORATION 86. LEISURE CORPORATION 87. LOTUS-EATERS PRESS, LTD. 88. M. S. VILLAGOMEZ ENTERPRISES, INC. 89. M & Y, INC. 90. M Y SAIPAN CORPORATION MANAGEMENT CONSULTANTS, INC. 91. 92. MARIANA DEVELOPMENT CORPORATION 93. MARIANAS AIRWAYS, INC. 94. MARIANAS AMERICAN PACIFIC, INC. 95. MARIANAS AQUA SPORTS, INC. 96. MARIANAS AUTOMOTICE CLINIC, INC. 97. MARIANAS CAMACHO'S & SAKAMOTO DEVELOPMENT COMPANY 98. MARIANAS CHAIN ENTERPRISES, INC. 99. MARIANAS COMMUNITY ACTION CREDIT UNION

100. MARIANAS CAMACHO-SAKAMOTO DEVELOPMENT CO., INC.

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#### IST OF CORPORATIONS

Domestic Corporations (con't):

101. MARIANAS GENERAL CONSTRUCTION COMPANY 102. MARIANAS FISHING CORPORATION, INC. 103. MARIANAS FLOATING THEATRE RESTAURANT, INC. 104. MARIANAS FOOD CORPORATION 105. MARIANAS FOOD, LTD. 106. MARIANAS HOUSING CORPORATION 107. MARIANAS INVESTMENT CORPORATION 108. MARIANAS JAPAN BUSINESS CONSULTANTS, INC. 109. MARIANAS OCEAN CARRIAGE, INC. 110. MARIANAS PACIFIC BANK, INC. 111. MARIANAS PACIFIC DISTRIBUTORS, INC. 112. MARIANAS RAINBOW, LTD. 113. MARIANAS RESORT DEVELOPMENT, INC. 114. MARIANAS SERVICE CENTER, INC. 115. MARIANAS SINSHENG CORPORATION 116. MARIANAS TECHNICAL SERVICES, CORP. 117. MARIANAS TRADING CORPORATION 118. MARIANAS TROPICAL CLUB, INC. 119. MARIANAS TUG SERVICE, INC. 120. MARINE MERCHANT BANK AND TRUST CO., LTD. 121. MARUSHIN SAIPAN, INC. 122. MATUA BEACH TRADING AND DEVELOPMENT COMPANY 123. MERCHANT BANK AND TRUST CO., LTD. 124. MICRO MED., INC. 125. MICRON, INC. 126. MICRONESIA RESORT DEVELOPMENT CORPORATION 127. MICRONESIAN INDEPENDENT OIL REFINERY, INC. 128. MICRONESIAN LIFE AND HEALTH PLAN, INC. 129. MICRONESIAN MANUFACTURING CORPORATION 130. MICRONESIAN PACIFIC HOTEL CORP. 131. MICRONESIAN TEXTILE INDUSTRIES, INC. 132. M I C CORPORATION 133. MIDWAY MOTORS, INC. 134. MIKE'S JEWELRY, INC. 135. N.M.I. CORPORATION 136. N & N CORPORATION 137. NEW CENTURY CORPORATION 138. NICKROBERT SUPPLIES, INC. 139. NORTHERN MARIANA ENTERPRISE CORPORATION 140. NORTHERN MARIANAS ADVENTURE, INC. 141. NORTHERN MARIANAS GENERAL DEVELOPMENT CO., INC. 142. O.B. CORPORATION 143. OCEANIA CO., INC. 144. OCEANIC RESOURCE DEVELOPMENT, INC. 145. OHARA ENTERPRISES, INC. 146. ORIENT COMMERCE BANK, INC. 147. ORIENTAL EXPORTERS AND IMPORTERS CO. 148. OVERSEAS CONSTRUCTION CO., INC. 149. PMS DISTRIBUTION, INC. 150. PACIFIC AIR TAXI CORPORATION

LIST OF CORPORATIONS Domestic Corporations (con't)

151. PACIFIC BASIN HOTEL AND DEVELOPMENT CORPORATION 152. PACIFIC CREATIVE SERVICE, INC. 153. PACIFIC DEVELOPMENT CONSULTANTS CORPORATION 154. PACIFIC ENERGY CORPORATION 155. PACIFIC INDUSTRIES, INC. (TT) 156. PACIFIC INDUSTRIES, INC. (NMI) 157. PACIFIC INTERNATIONAL BANKS, INC. 158. PACIFIC ISLANDS TRADERS, INC. 159. PACIFIC KOREA CORPORATION 160. PACIFIC-MARIANA, INC. 161. PACIFIC MICRONESIAN LONGSHOREMEN, CO. 162. PACIFIC PROPERTIES, INC. 163. PACIFIC PROPERTIES MANAGEMENT CORPORATION 164. PACIFIC OUALITY CONSTRUCTION, INC. 165. PACIFIC SECURITY BANK, INC. 166. PACIFIC TRADING COMPANY, LTD. 167. PACIFICA, INC. 168. PAKO CORPORATION 169. PANGELINAN FAMILY, LTD. 170. PANGELINAN MARKETING CORPORATION 171. PARADISE INVESTMENT & DEVELOPMENT, INC. 172. PARAS AND ASSOCIATES 173. PETROCO (CNMI), INC. 175. PETROMAR, INC. 176. PRODUCTS CONSULTANTS, INC. 177. PYRAMID SERVICE, INC. 178. R & K SAIPAN 179. R M L CORPORATION 180. RSA DEVELOPMENT CORP. 181. REMATAU CORPORATION 182. RODRIOUEZ CORPORATION 183. ROTA FISHING COOPERATIVE ASSOCIATION 184. ROTA FRUITS, INC. 185. ROTA INDUSTRIAL DEVELOPMENT, INC. 186. ROTA MARINE CORPORATION 187. ROTA PRODUCER'S ASSOCIATION 188. ROTA SHIPPING AND BUSINESS CORPORATION 189. ROTA SHOPPING CENTER, INC. 190. ROYAL SAIPAN, INC. 191. S & S ENTERPRISES, INC. 192. SABLAN, TAKAI & ASSOCIATES, INC. 193. SAI-KO CORPORATION 194. SAIPAN ASAHI FARM, INC. 195. SAIPAN AUTOMOTIVE SUPPLY, INC. 196. SAIPAN BANK AND TRUST, LTD. 197. SAIPAN COMMUNITY THEATER, INC. 198. SAIPAN COMPANY, INC. 199. SAIPAN DEVELOPMENT CORPORATION 200. SAIPAN ENERGY CORPORATION

### LIST OF CORPORATIONS

Domestic Corporations (con't)

201. SAIPAN ENTERPRISES CORPORATION 202. SAIPAN ENTERPRISES INCORPORATED 203. SAIPAN EXECUTIVE CLUB, INC. 204. SAIPAN FINANCIAL, INC. 205. SAIPAN FISHING COMPANY, LTD. 206. SAIPAN FISHING COOPERATIVE ASSOCIATION 207. SAIPAN FISHING CORPORATION 208. SAIPAN GENERAL MERCHANDISE, INC. 209. SAIPAN KYUSHU KYOWA CORPORATION 210. SAIPAN INTERNATIONAL INVESTMENT CORP. 211. SAIPAN LADY TAX FREE SHOP, INC. 212. SAIPAN LAUNDRY AND DRY CLEANERS, INC. 213. SAIPAN MORTAGE CO., INC. 214. SAIPAN PARADISE VACATION CLUB, INC. 215. SAIPAN PRINTING, INC. 216. SAIPAN REALTY COMPANY, INC. 217. SAIPAN RECYCLING & GENERAL SERVICES, INC. 218. SAIPAN RUST-PROFFING, INC. 219. SAIPAN SAILFISH, INC. 220. SAIPAN SAILING CRUISES, INC. 221. SAIPAN SAZANAMI CO., LTD. 222. SAIPAN SCRAP & SALVAGE CORPORATION 223. SAIPAN TOURS, INC. 224. SAIPAN TRUST AND GUARANTY BANK, LTD. 225. SAIPAN UNIVERSALAJ GEVIROJ CO., INC. 226. SAIPAN WHOLESALERS, INC. 227. SAMURAI CORPORATION, INC. 228. SANCO, INC. 229. SEA MARIANAS, INC. 230. SERAL ENTERPRISES, INC. 231. SEVEN STARS SAIPAN, INC. 232. SOUPAC ROTA ENTERPRISES CO., INC. 233. SOUTH PACIFIC ENTERPRISES, INC. 234. SOUTH PACIFIC, INC. 235. SOUTH SEA ISLANDS FOODS SERVICE, INC. 236. SOUTHWORTH ENTERPRISES, INC. 237. SPECS, INC. 238. STANDARD GROUP CORPORATION 239. STAR OF MARIANA, INC. 240. SUNNY PLAZA CORPORATION MARIANAS 241. SUSSEX ELECTRICAL CONTRACTING OF MICRONESIA, INC. 242. T & T COMPANY, INC. 243. TAIPAN, INC. 244. TEMENGIL LAUNDROMAT SERVICES 245. TINIAN AGENCIES, INC. 246. TINIAN COMMUNITY CREDIT UNION 247. TINIAN PRODUCERS' ASSOCIATION 248. TRANSPACIFIC DEVELOPMENT COMPANY 249. TRANS-WORLD COMMERCIAL BANK, LTD. 250. TRASEN OF MICRONESIA, INC.

LIST OF CORPORATIONS Domestic Corporations (con't)

251. TRIAD SAIPAN BUILDERS, INC.

- 252. TROPICAL DEVELOPMENT CO., INC.
- 253. TROPICSETTE, INC.
- 254. TURTLE TOURS MICRONESIA, INC.
- 255. UDUI REALTY CORPORATION
- 256. UNAI CO., LTD.
- 257. UNIVERSE INSURANCE UNDERWRITERS (MICRONESIA), INC.
- 258. VILLAGOMEZ REAL ESTATE DEVELOPMENT, INC.
- **259. VINNELL MARIANAS CORPORATION**
- 260. WESPAC TRADING, LTD.
- 261. WORLDWIDE SHIPPING SERVICES, INC.
- 262. YPO INCORPORATED

#### FOREIGN CORPORATIONS:

1. ASIAN-PACIFIC FINANCE COMPANY, INC. 2. BALLY SAIPAN CORPORATION 3. BARON INDUSTRIES GROUP, INC. BARRY, INC. dba PACIFIC ISLAND MOVERS 4. BROTHERS-SISTERS FAMILY CORPORATION 5. CARL ROSE, INC. 6. 7. CHAMORRO EMPLOYEES LABOR UNION CORPORATION CHINA SEA DEVELOPMENT CORPORATION 8. 9. COMMONWEALTH PACIFIC GUAM INTERNATIONAL, INC. 10. DEVELOPERS, INC. 11. FEDERAL INSURANCE COMPANY 12. KAISER CEMENT CORPORATION 13. L & S CORPORATION 14. MCGREGOR PACIFIC, INC. 15. MARIANAS GOODWILL CORPORATION 16. MARIANAS INTERNATIONAL TRAVEL AGENCY, INC. 17. MARIANAS TRAVEL AGENCY, INC. MORNING SUN, INC. 18. 19. PACIFIC ISLAND ENGINEERS, INC. 20. PACIFIC NORTHERN OIL CORPORATION 21. PETER'S INTERNATIONAL (GUAM), INC. 22. RELIANCE INSURANCE COMPANY 23. REPUBLIC GEOTHERMAL, INC. 24. SAIPAN OCEAN RECREATION ACTIVITIES CORPORATION 25. TRADITION AIR TRANSPORT, INC. 26. UKRIT ASSOCIATES, INC. 27. UNITED MICRONESIA DEVELOPMENT ASSOCIATION 28. UNITED PACIFIC INSURANCE COMPANY 29. WESTERN PACIFIC ELECTRIC, INC.

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### HIST OF CORPORATIONS (con't :

### OFFSHORE BANKING:

1.	AMERICAN BANK AND TRUST COMPANY LIMITED
2.	
-	COLONIAL CHARTERED BANK LIMITED
	COMMERCIAL BANK AND TRUST COMPANY LIMITED
	COMMERCIAL BANK OF COMMERCE LIMITED
-	COMMERCIAL CREDIT BANK LIMITED
	CONTINENTAL BANK AND TRUST COMPANY LIMITED
	CONTINENTAL BANK OF COMMERCE LIMITED
	CONTINENTAL CHARTERED BANK LIMITED
	DOMINION BANK OF COMMERCE LIMITED
	DOMINION COMMERCE BANK LIMITED
	EUROPEAN BANK OF COMMERCE LIMITED
13.	EUROPEAN CREDIT BANK LIMITED
	FIDELITY CHARTERED BANK LIMITED
15.	FIRST GLOBAL BANK LIMITED
16.	FIRST INTERNATIONAL BANK LIMITED
17.	FIRST PACIFIC BANK LIMITED
18.	GIBRALTAR BANK OF COMMERCE LIMITED
19.	GIBRALTAR CHARTERED BANK LIMITED
20.	GLOBAL BANK OF COMMERCE LIMITED
21.	GLOBAL CREDIT BANK LIMITED
22.	HERITAGE BANK AND TRUST COMPANY LIMITED
23.	MERCHANTS CHARTERED BANK LIMITED
24.	NORTH AMERICAN BANK AND TRUST COMPANY LIMITED
25.	REPUBLIC CHARTERED BANK LIMITED
26	ROYAL BANK AND TRUST COMPANY LIMITED
27.	ROYAL CREDIT BANK LIMITED
	UNITED WORLD BANK OF COMMERCE LIMITED

### NON-PROFIT CORPORATIONS:

- 1. AGHURUBW SOCIETY
- 2. CAROLINIAN PARENTS ADVISORY COUNCIL
- 3. COMMISSION ON THE STATUS OF WOMEN
- 4. COMMITTEE TO RE-ELECT VICENTE MASGA SABLAN TO CONGRESS, INC.
- 5. COMMITTEE TO RE-ELECT VICENTE TORRES ATTAO TO CONGRESS, INC.
- 6. COMMONWEALTH DEMOCRATIC PARTY, INC.
- 7. COMMONWEALTH POPULAR DEMOCRATIC PARTY, INC.
- 8. CRAFTMEN'S GUILD OF SAN ROQUE
- 9. ISLAND YOUTH COUNCIL, LTD.
- 10. KIWANIS CLUB OF SAIPAN, INC.
- 11. KOREAN PRESBYTERIAN CHURCH OF SAIPAN
- 12. MARIANA ISLANDS COMMUNITY SCHOOL, INC.
- 13. MARIANA ISLANDS LIVESTOCK CENTER, INC.
- 14. MARIANAS FISHERIES, INC.
- 15. MICRONESIAN PALM SOCIETY

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LIST OF CORPORATIONS Non-profit Corporations (con't)

- 16. MICRONESIAN REGIONAL TOURISM COUNCIL, INC.
- 17. MOTORCYCLE CLUB OF THE MARIANA ISLANDS
- 18. NORTHERN MARIANA BEAUTY PAGEANT ASSOCIATION
- 19. NORTHERN MARIANAS ARCHEOLOGICAL SOCIETY INCORPORATION
- 20. NORTHERN MARIANAS/ASIA PACIFIC COMMERCE AND TRADE ASSOCIATION, INC.
- 21. NORTHERN MARIANAS ASSOCIATION FOR THE DISABLED, INC.
- 22. NORTHERN MARIANAS MOTORCYCLE CLUB
- 23. NORTHERN MARIANAS SOCIETY OF PROFESSIONAL ENGINEERS, ARCHITECTS AND LAND SURVEYORS
- 24. OLEAI CIVIC SENIOR YOUTH ORGANIZATION
- 25. ORGANIZATION OF MARIANAS SOCIAL WORKERS
- 26. PACIFIC CULTURAL CORPORATION
- 27. PACIFIC CULTURAL DEVELOPMENT, INC.
- 28. PACIFIC RESEARCH AND DEVELOPMENT AGENCY, INC.
- 29. PROVINCE OF ST. MARY OF THE CAPUCHIN ORDER WITH MICRONESIA
- ROTA CHAMBER OF COMMERCE, INC. 30.
- 31. SAIPAN COMMUNITY CHURCH
- 32. SAIPAN DRUM CORPS INCORPORATED
- 33. SAIPAN 4-H CLUB
- 34. SAIPAN HOUSING CORPORATION
- 35. SAIPAN INTERNATIONAL EDUCATION CENTER, INC.
- 36. SAIPAN DAY CAMP AND RECREATION ASSOCIATION
- 37. SAIPAN SEVENTH-DAY ADVENTIST DENTAL CLINIC
- 38. SAIPAN STINGRAY SWIM TEAM, INC.
- 39. SAIPAN STOCKMAN'S COOPERATIVE ASSOCIATION
- 40. SAN VICENTE VILLAGE SPORTS CLUB
- 41. TINIAN MOTORCYCLE CLUB
- 42. WESTERN PACIFIC FOUNDATION OF OTOLOGY
- 43. MARIANAS TOURIST ASSOCIATION

#### PARTNERSHIP ASSOCIATION:

- 1. JUAN C. TENORIO & ASSOCIATES, INC.
- 2. MARCOM PARTNERSHIP
- 3. PCT PARTNERSHIP



## **OFFICE OF THE ATTORNEY GENERAL**

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

5TH FLOOR, NAURU BUILDING SAIPAN, CM 96950

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REXFORD C. KOSACK ATTORNEY GENERAL

## PUBLIC NOTICE

For those subscribers without the entire six year set, we have endeavored to reproduce the adopted regulations at a reasonable cost. For approximately \$75 the reader will receive 1,283 pages of regulations with an index, arranged and tabulated by subject matter, with a spiral binding. Orders will still be accepted until December 15, 1984. Contact Mrs. Darlene Sasamoto, Acting Registrar of Corporations, Office of the Attorney General, at 7771/ 6207 or 7111.

We hope that these services will provide easier access to the Commonwealth Register for the subscriber.

NOVEMBER 15, 1984 DATED:

Attorney General