

TITLE 2: NATURAL RESOURCES
DIVISION 1: MARITIME AND COASTAL RESOURCES

§ 1512. Coastal Resources Management Office: Powers, Functions and Duties.

The Coastal Resources Management Office has the following powers, functions and duties:

- (a) To coordinate the planning and implementation of the coastal resources management policies by the Commonwealth government;
- (b) To review and monitor Commonwealth government activities for their consistency with the coastal resources management policies;
- (c) To provide for coordination and decisions on whether federal activities affecting the coastal resources of the Commonwealth are consistent with the coastal resources policies and regulations;
- (d) To administer all programs and receive all funding provided by the federal government regarding coastal resources management related programs;
- (e) To review and act on the subgranting of federal funds to carry out coastal resources management objectives;
- (f) To regularly publish the status of permit activities and the means by which any person may request a public hearing;
- (g) To establish and operate a broad and effective public education and information program;
- (h) To provide staff support for the Coastal Advisory Council and Appeals Board;
- (i) To ensure the consistency of permit decisions with the coastal resources management policies and regulations set forth in 2 CMC §§ 1511 and 1531;
- (j) To coordinate the permit process;
- (k) To promote the economic development of coastal resources consistent with coastal resources management policies;
- (l) To ensure that any proposed modifications to the coastal resources management regulations provided for in 2 CMC § 1531 are consistent with the coastal resources management policies set forth in 2 CMC § 1511; and
- (m) To initiate the intergovernmental conflict resolution procedures described in 2 CMC § 1532(d) when interpretation by the Coastal Resources Management Office of the Commonwealth's obligations under this chapter conflicts with the interpretation of any other Commonwealth department, agency, office, or instrumentality.

Source: PL 3-47, § 4.

Commission Comment: See also 1 CMC § 2081.

Executive Order 94-3, the "Second Reorganization Plan of 1994" (effective August 23, 1994), reorganized the Commonwealth government executive branch, changed agency names and official titles and effected numerous other revisions. According to Executive Order 94-3, §§ 206, 401(a), (b), (d) and (e) [**Section 401 VACATED by PL 11-47, § 2**] and 402(a):

Section 206. Coastal Resources Management.

- (a) The Coastal Resources Management Office is transferred to the Department of Lands and Natural Resources.

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(b) The Coastal Advisory Council is abolished and its functions transferred to the Development Advisory Council established by Section 402 of this plan.

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Section 401. Development Appeals Board. [Section 401 VACATED by PL 11-47, § 2]

(a) There is hereby established a Development Appeals Board consisting of nine members, including five from Saipan, two from Rota, and two from Tinian. Not more than three of the members from Saipan, and not more than five members of the entire Board shall be associated with a single political party. Members of the Board shall be appointed by the Governor with the advice and consent of the Senate for terms of two years, except that of the members first appointed, five shall serve for one year and four shall serve for two years, as the Governor shall determine. The members of the Board shall be compensated at the rate established for board members of government corporations and councils by 1 CMC § 8247.

(b) Except as provided in subsection (c) of this Section, the Development Appeals Board shall hear appeals of adverse decisions of agencies and instrumentalities regarding permits and other approvals for private sector development.

. . . .

(d) The Board may, subject to appropriations, hire employees under Civil Service procedures or contract for professional services to assist it in carrying out its duties. The Board may, by agreement, utilize the services of employees of other agencies of the government on a reimbursable or non-reimbursable basis.

(e) The Coastal Resources Appeals Board and the Building Safety Code Review Board are abolished and their functions transferred to the Development Appeals Board.

. . . .

Section 402. Development Advisory Council.

(a) There is hereby established a Development Advisory council consisting of nine members, including five from Saipan, two from Rota and two from Tinian, who shall be appointed by and serve at the pleasure of the Governor. The Council is allocated to the Department of Lands and Natural Resources for purposes of administration and coordination. The Council shall advise the governor, the head of any agency involved in the development process, the Development Appeals Board (including the Board of Zoning Appeals), the Zoning Board of Rota, the mayors, the Legislature, and the respective delegations regarding the effect of government policies and actions on private sector development in the Commonwealth. The Council may comment upon or intervene in any application for or hearing, appeal, or other proceeding concerning any permit or approval required for development.

The full text of Executive Order 94-3 is set forth in the Commission comment to 1 CMC § 2001.

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Section 401 of Executive Order 94-3 was vacated in its entirety by PL 11-47, § 2. PL 11-47 took effect on November 20, 1998.