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Public Notice

From the COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
COASTAL MANAGEMENT PROGRAM
of the DIVISION OF COASTAL RESOURCES MANAGEMENT

DATE: March 9, 2023

NOTICE OF PROGRAM CHANGE REQUEST: Pursuant to 15 CFR Part 923, Subpart H, the Commonwealth of the Northern Mariana Islands (CNMI) Division of Coastal Resources Management (DCRM), the state Coastal Management Program (CMP), hereby gives public notice for a proposed program change request submitted to the National Oceanic and Atmospheric Administration's Office for Coastal Management (NOAA OCM). These include minor changes to previously approved regulations, as well as substantive changes which would incorporate a suite of enforceable policies for CZMA Section 307 federal consistency review. NOAA OCM must approve the changes and applicable enforceable policies before they can be incorporated into the CMP. The program approval areas that apply to this program change are Uses Subject to Management, Special Management Areas, and Authorities and Organization. DCRM is requesting concurrence from NOAA OCM to formally incorporate the following changes:

New:

- Northern Mariana Islands Administrative Code (NMIAC) Chapter 15-20 Water Sports Regulations – Repealing previous Jet Ski Rules and Regulations at NMIAC §§ 15-20-101 to 15-20-405 and adopting new Water Sports Regulations at NMIAC §§ 15-20-001 to 15-20-705. Effective 08/07/2021. Enforceable Policies at § 15-20-015 Definitions; § 15-20-115 Maximum Number of Permits; Part 200 Commercial Water Sports Operations; Part 400 Designated Areas of Operation; Part 500 Personal, Recreational and Non-Commercial Uses.
- NMIAC Chapter 65-20 Division of Environmental Quality (DEQ) Drinking Water Regulations. Effective 7/30/2005. Enforceable Policies at § 65-20-010 Definitions; Part 100 CNMI Public Water System Regulations (all sections excluding enforceable mechanisms at § 65-20-142 Emergency Powers of the Director, § 65-20-144(a)(2) Prohibition against Tampering with Public Water Systems, § 65-20-148 Enforcement of Regulations, and § 65-20-150 Penalties for Violation of Regulations); Part 200 CNMI National Primary Drinking Water Regulations; Part 300 CNMI National Secondary Drinking Water Regulations (all sections excluding the appendices).
- NMIAC Chapter 65-20 DEQ Drinking Water Regulations – Regulating Certain Per- And

Polyfluoroalkyl Substances (PFAS). Effective 4/7/2022. Enforceable Policies at § 65-20-202 Definitions; § 65-20-212 Maximum Contaminant Levels; § 65-20-218 Special Regulations, Including Monitoring Regulations and Prohibition on Lead Use.

- NMIAC Chapter 65-140 DEQ Well Drilling and Well Operations. Effective 12/27/2004. Enforceable Policies at § 65-140-010 Definitions; Part 300 Well Siting Criteria; Part 400 Well Construction Criteria; Part 500 Well Development and Disinfection; Part 600 Pump Testing and Water Quality Sampling Requirements; Part 700 Well Drilling Activity Reporting for Well Operations Permit Application; Part 800 Water Supply Capacity Guidelines; Part 1000 Well Operations Permit Obligations; Part 1100 Exemptions for Seawater Wells; Part 1200 Exemptions for Wells Predetermined to Undergo Reverse Osmosis Treatment; Part 1600 Test Wells; Part 1700 Monitoring Wells and Comprehensive Hydrogeologic Investigations; Part 1800 Discontinued Use of Wells; Part 1900 Requirements for Destruction of Abandoned Wells; Part 2000 Groundwater Management Zones; Part 2200 Groundwater Protection.

- NMIAC Chapter 65-90 DEQ Underground Injection Control Regulations. Effective 1/25/1985. Enforceable Policies at § 65-90-010 Definitions; Part 100 Classification of Injection Wells; Part 200 Prohibited Activities; Part 300 Permitted Activities; Part 400 Access to Records.

- NMIAC Chapter 65-120 DEQ Wastewater Treatment and Disposal Rules and Regulations. Effective 7/2/2009. Enforceable Policies at § 65-120-010 Definitions; Part 100 Construction and Operation of an IWDS or OWTS; Part 200 Applicability of Regulations to Existing and New IWDS, OWTS, and Confined Animal Facilities; Part 300 IWDS and OWTS Permit Application Requirements; Part 400 IWDS General Design Parameters; Part 500 Identify Average Daily Wastewater Flow Rate; Part 600 Septic Tank Design and Construction; Part 700 Percolation Testing Procedures; Part 800 Leaching Field Design and Construction; Part 900 Seepage Pit Design and Construction; Part 1000 IWDS and OWTS Siting Criteria; Part 1100 Holding Tanks; Part 1200 Inspection of Work in Progress; Part 1300 IWDS Certification for Use; Part 1400 IWDS Maintenance; Part 1500 Cleaning Wastewater Systems, Disposal of Wastewater Requirements and Procedures; Part 1600 OWTS Design and Construction, and Treated Wastewater Effluent Re-use; Part 1700 Animal Waste Management; Part 1800 Temporary Toilets Facilities; Part 2100 Right of Entry.

- NMIAC Subchapter 155-10.2 Department of Public Works (DPW) Flood Damage Prevention Regulations. Effective 10/25/1993. Enforceable Policies at § 155-10.2-005 Definitions; § 155-10.2-010 Lands to Which These Regulations Apply; § 155-10.2-015 Basis for Establishing the Areas of Special Flood Hazards; § 155-10.2-025 Compliance; § 155-10.2-035 Interpretation; § 155-10.2-105 Building Permit Required; § 155-10.2-115 Interpretation of Firm Boundaries; § 155-10.2-120 Alteration of Watercourse; Part 200 Provision for Flood Hazard Reduction; Part 300 Variance and Appeal Procedures.

- NMIAC Chapter 65-80 DEQ Solid Waste Management (SWM) Regulations. Effective 6/29/2001. Enforceable Policies at § 65-80-010 Definitions; § 65-80-102 Exemptions; § 65-80-725 Standard Conditions

- NMIAC Chapter 65-80 DEQ Solid Waste Management (SWM) Regulations – Relating to Recycling, Composting, Salvage, and Construction and Demolition Waste. Effective 11/7/2021. Enforceable Policies at § 65-80-010 Definitions; § 65-80-108 Permit by Rule; § 65-80-601 Applicability; § 65-80-610 Application for Permit; § 65-80-615 Operating Conditions; § 65-80-620 Recordkeeping and Reporting Requirement; § 65-80-801 Applicability; § 65-80-810

Application for Permit - General Requirements; § 65-80-820 Operating Conditions; § 65-80-830 Recordkeeping and Reporting Requirement.

- 2 Commonwealth Code (CMC) § 3513, § 3517, § 3518, § 3519, Commonwealth Solid Waste Management Act of 1989; Public Law (PL) 6-30, as amended by PL 11-103. Effective 9/29/1999. Enforceable policies at 2 CMC § 3513 Definitions; 2 CMC § 3517 Recycling; 2 CMC § 3518 Prohibited Activities.
- 2 CMC § 3111, § 3112, § 3131, Commonwealth Environmental Protection Act; PL 3-23, as amended by PL 11-103. Effective 10/8/1982. Enforceable policies at 2 CMC § 3111 Policy and Purpose.
- 2 CMC § 3131(c), § 3131(h), § 3131(i), § 3513(m), § 3518(b), Commonwealth Environmental Amendments Act of 1999; PL 11-103. Effective 9/29/1999. Enforceable policies amended at 2 CMC § 3513(m) and 2 CMC § 3518(b).
- 2 CMC § 3331, Commonwealth Groundwater Management and Protection Act of 1988; PL 6-12. No enforceable policies.
- 2 CMC § 7126 Building Safety Code; Public Law 6-45, § 1 (§ 7126). Effective 2/2/1990. No enforceable policies.

Revised:

- NMIAC § 15-10 Coastal Resources Management (CRM) Rules and Regulations – Creating Incentives for Building Redevelopment and Stormwater Management. Effective 4/7/2022. Enforceable Policies at § 15-10-020 Definitions; § 15-10-101 Types of CRM Permits and When Permits are Required; § 15-10-505 Specific Criteria for Major Sitings.
- NMIAC § 15-10 CRM Rules and Regulations – Specifying The Location of Public Hearings. Effective 4/7/2022. No enforceable policies.
- NMIAC § 15-10 CRM Rules and Regulations – Allowing Remote Participation of CRM Agency Officials. Effective 9/7/2022. No enforceable policies.

These regulations and statutes may be accessed at the Commonwealth Law Revision Commission webpage: <https://cnmilaw.org/index.php#gsc.tab=0>.

This notice serves to inform the public of the proposed program changes CNMI DCRM has submitted to NOAA OCM for federal approval. The submission is available for review and comment on the NOAA Program Change Website at <https://coast.noaa.gov/czmprogramchange/#/public/home>, under file number CNMI 2023-1 and can also be accessed on the DCRM website at: <https://dcrm.gov.mp/our%20programs/permitting/federal-consistency/>. Comments on the Program Change should be submitted to NOAA OCM on the NOAA Program Change Website by March 30, 2023, within 21 days of the date of this notice. If you have any questions regarding this notice or would like additional information, please contact DCRM at (670) 664-8300 or fedcon@dcrm.gov.mp.