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COASTAL ZONE MANAGEMENT ACT
GENERAL CONSISTENCY DETERMINATION FOR THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Submitted to:

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COASTAL ZONE MANAGEMENT ACT GENERAL CONSISTENCY DETERMINATION

This document provides the Commonwealth of the Northern Mariana Islands (CNMI) with the National Oceanic and Atmospheric Administration (NOAA) Coral Reef Conservation Program (CRCP) General Consistency Determination pursuant to the Coastal Zone Management Act (CZMA) of 1972, as amended, and 15 Code of Federal Regulations (CFR) Part 930, Subpart C, for the implementation of CRCP activities that may have reasonably foreseeable effects on coastal uses or resources of the Commonwealth of the Northern Mariana Islands' coastal zone.

The CNMI developed the CNMI Coastal Management Program, which was approved by NOAA in 1980. The lead agency is the Division of Coastal Resources Management under the Bureau of Environmental and Coastal Quality. The primary authority for the Coastal Management Program is the CNMI Coastal Resources Management Act of 1983. The CNMI Coastal Management Program encompasses several enforceable policies that guide the use, protection, and development of land and ocean resources within the CNMI's coastal zone.

The CRCP published a Notice of Availability of a Programmatic Environmental Impact Statement (PEIS) in the *Federal Register* (FR) on July, 17, 2020 ([85 FR 43544](#)). The PEIS was developed in accordance with the National Environmental Policy Act of 1969, as amended (NEPA). The Notice of Availability of a Record of Decision (ROD) was published in the FR on August 27, 2020 ([85 FR 52955](#)). The PEIS and the accompanying ROD are available on CRCP's website (<https://coralreef.noaa.gov/about/enviro-compliance.html>). The coral reef conservation and restoration activities to be implemented by CRCP are described in the CRCP PEIS, Chapter 2 – Description of Proposed Action and Alternatives. Reasonably foreseeable coastal effects are described in Chapter 4 of the CRCP PEIS. The CRCP supports in-water activities throughout the territorial waters around the Commonwealth of the Northern Mariana Islands; land-based restoration activities are expected to take place in the watersheds associated with these areas:

- Achugao, West Takpochau, and Lao Lao Watersheds on the island of Saipan
- Talakhaya Watershed and Sabana Upland on the island of Rota

The CRCP is implemented pursuant to the Coral Reef Conservation Act of 2000 (CRCA) and Executive Order 13089 - Coral Reef Protection. Projects implemented or funded by CRCP vary in size, complexity, geographic location, and CRCP involvement, and often benefit diverse coral reef species, habitats, and ecosystem types. The CRCP conducts research and monitoring to gather data on the existence and condition of coral reef ecosystems to support state, territorial, and federal conservation, management, and restoration efforts. NOAA implements the CRCP across four of its line offices (i.e., National Ocean Service, Office of Oceanic and Atmospheric Research, National Marine Fisheries Service, and National Environmental Satellite, Data, and Information Service) and in coordination with other federal, state, and local agencies; private conservation organizations; and research and academic institutions. A significant amount of this support is administered through grants and cooperative agreements. CRCP activities are prioritized based on available funding and the responsiveness to the priorities in its strategic plan, including jurisdictional needs.

Approach to Federal Consistency

In order to facilitate CZMA review for future activities, CRCP is pursuing a General Consistency Determination at a programmatic-level evaluation of the CRCP Preferred Alternative, which consists of activities that support the CRCP Strategic Plan. The CRCP Strategic Plan focuses on four themes:

- Increase resilience to climate change;
- Improve fisheries' sustainability;
- Reduce land-based sources of pollution; and
- Restore viable coral populations.

Appendix A provides a list of CRCP activities that support each of these themes. At any given time, the CRCP implements a subset of these activities. For example, the CRCP supports biennial coral reef monitoring through the National Coral Reef Monitoring Program (NOAA-led monitoring) and also provides the CNMI funding to conduct annual monitoring. Many of the research activities, the watershed restoration activities, and the activities to reduce physical impacts to corals are individually-funded projects that may have a one-to-three-year project period.

The CRCP evaluated the coral reef conservation and restoration activities according to the enforceable policies of the CNMI Coastal Management Program to make a consistency determination for each type of activity analyzed in the CRCP PEIS. As described later in this general consistency determination, the CRCP finds that the described activities have a range of coastal effects that include: reasonably foreseeable effects on coastal uses or resources; insignificant direct or indirect (cumulative and secondary) coastal effects; no effects on any coastal use or resource; or direct or indirect environmental benefits. Rather than provide a separate negative determination under 15 CFR § 930.35 for some of these activities, the CRCP is covering all of the activities under this one general consistency determination.

Enforceable Policies of the Commonwealth of the Northern Mariana Islands (CNMI) Coastal Management Program

a. *The following sections from the CNMI Coastal Resource Management Rules and Regulations, which can be found in the Northern Mariana Islands Administrative Code (NMIAC), Chapter 15-10 (<http://www.cnmilaw.org/pdf/admincode/T15/T15-10.pdf>):*

- 15-10-020: Definitions
- 15-10-025: Conflicts with Regulations of Other CNMI Government Agencies

Discussion: Consistent. The Proposed Action includes 1) monitoring, mapping, and research, 2) coral restoration, 3) land-based watershed restoration activities, 4) buoy installation and marine debris removal, and 5) outreach activities. The Proposed Action, or portions of the action, conducted from the high tide line to 150 feet inland from the high tide line will conform to CRM regulations. The Proposed Action, or

portions of the action, more than 150 feet from the high tide line will conform to applicable zoning requirements, unless the Zoning agency and the CRM agencies agree otherwise.

- 15-10-301: General Standards for all CRM Permits
- 15-10-305: General Criteria for CRM Permits

Discussion: Not applicable. Policies 15-10-301 and 15-10-305 pertain to the government of the CNMI.

- 15-10-315: Criteria; Areas of Particular Concern (APC); Lagoon and Reefs

Discussion: Consistent. This APC includes “the area consisting of a partially enclosed body of water formed by sand spits, bay mouth bars, barrier beaches, or coral reefs within the Commonwealth.” The Proposed Action includes projects proposed for location within the lagoon and reef APC. These projects can be classified as *highest* under the Use Priority for this APC such as:

- ❖ “Projects promoting conservation of open space, high water quality, important ecosystem qualities, or historical and cultural resources” (15-10-315(c)(1)(i)),
- ❖ “Projects preserving high value coral reef and seagrass areas supporting fish and wildlife habitat” (15-10-315(c)(1)(vii)).

Several projects would also be conducted in the seagrass habitat within the lagoon and reef APC. These projects can be classified as *highest* under the Use Priority for this APC such as:

- ❖ “Preservation of natural seagrass beds, which protect the shoreline from erosion and prevent the movement of sand in the lagoon” (15-10-315(d)(2)(i)).

- 15-10-320: Specific Criteria; Areas of Particular Concern; Managaha and Anjota Islands

Discussion: Consistent. This APC covers the entirety of Managaha Island above the high water mark, and overlaps with the Shoreline APC. The Proposed Action includes projects proposed within these APCs, including mapping, monitoring, and research. These projects can be classified as *highest* under the Use Priority for this APC, such as:

- ❖ “Maintenance of the island as an uninhabited place used only for cultural and passive recreational purposes” (15-10-320(b)(1)).

- 15-10-325: Specific Criteria; Areas of Particular Concern; Coral Reefs

Discussion: Consistent. The Proposed Action includes projects proposed for location within the Coral Reefs APC. Several projects can be classified as *highest* under the Use Priority for this APC such as:

- ❖ “Maintenance of highest levels of primary productivity” (15-10-325(b)(1)(i)).
- ❖ “Creation of underwater preserves in pristine areas or restoration projects in impacted areas” (15-10-325(b)(1)(ii)).

Other projects can be classified as *moderate* under the Use Priority for this APC such as:

- ❖ “Mitigation or experimental coral enhancement projects” (15-10-325(b)(2)(i)).

- 15-10-330: Specific Criteria; Areas of Particular Concern; Wetlands and Mangroves

Discussion: Consistent. The APC Wetlands and Mangroves includes “areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.” The Proposed Action includes projects proposed for location within this APC, including projects that involve watershed restoration actions. These projects can be classified as *highest* under the Use Priority for this APC such as:

- ❖ “Preservation and enhancement of wetland and mangrove areas” (15-10-330(c)(1)(i)).
- ❖ “Preservation of wildlife, primary productivity, conservation areas and historical properties in wetland and mangrove areas.” (15-10-330(c)(1)(ii)).

- 15-10-335: Specific Criteria; Areas of Particular Concern; Shorelines

Discussion: Consistent. The APC Shoreline includes “the area between the high tide line or the edge of a shoreline cliff and 150 feet inland on the islands of the Northern Mariana Islands chain.” The Proposed Action includes projects proposed for location within the shoreline APC. These projects can be classified as *highest* under the Use Priority for this APC such as:

- ❖ “Preservation of fish and wildlife habitat or native vegetation” (15-10-335(e)(1)(iv)).
- ❖ “Preservation of natural open areas of high scenic beauty and/or scientific value” (15-10-335(e)(1)(v)).

- 15-10-340: Specific Criteria; Areas of Particular Concern; Ports and Industrial Areas

Discussion: Consistent. This APC includes “the land and water areas of particular concern surrounding the commercial ports of the Northern Mariana Islands which consist of projects, industrial uses, and all related activities.” The Proposed Action includes projects proposed for location within the port and industrial APC, including the estuarine, lagoon, and shallow water areas adjacent to the ports of Saipan, Tinian, and Rota. These projects include mapping, monitoring, and research of benthic environments, and estuarine wetland (mangrove) restoration. These projects are consistent with the Management Standards for this APC, such as:

- ❖ “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” (15-10-340(b)(1)).

These projects can be classified as *highest* under the Use Priority for this APC such as:

- ❖ “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” (15-10-340(c)(iii)).

- 15-10-345: Specific Criteria; Areas of Particular Concern; Coastal Hazards

Discussion: Consistent. “Areas identified as a coastal high hazard flood zone (V & VE) in the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) are considered a coastal hazards APC.” The Proposed Action includes projects proposed for location within the coastal hazards APC. These projects can be classified as *highest* under the Use Priority for this APC such as:

- ❖ “Projects which preserve or enhance the natural defense of the shoreline against storm wave attack and flooding without the use of shoreline hardening/armoring” (15-10-345(d)(1)(i)).
- ❖ “Preservation of fish and wildlife habitat or native vegetation” (15-10-345(d)(1)(iv)).
- ❖ “Preservation of natural open areas of high scenic beauty and/or scientific value” (15-10-345(d)(1)(v)).

- 15-10-350: Height Density, Setback, Coverage, and Parking Guidelines

Discussion: Not applicable. The Proposed Action does not include facilities/building developments.

- 15-10-501: Determination of Major Siting

Discussion: Consistent. The Proposed Action includes activities/projects that may be considered a major siting. A “major siting” means any proposed project which has the potential to directly and significantly impact coastal resources” including “any project with the potential for affecting coastal resources which requires a federal license, permit or other authorization from any regulatory agency of the U.S. government.” Individual projects will be consulted with the CZM and would apply for a major siting permit if required.

- 15-10-505: Specific Criteria for Major Sitings
- 15-10-610: Mandatory Conditions

Discussion: Not applicable. Policies 15-10-505 and 15-10-610 pertain to the government of the CNMI.

b. *Public Law No. 3-47* (<https://dcrm.gov.mp/about-dcrm/dcrm-mission/>):

1. Encourage land-use master planning, floodplain management, and the development of zoning and building code legislation.

Discussion: Not applicable. The Proposed Action would not encourage new legislation. The Proposed Action would be conducted in accordance with existing legislation and in coordination with the government of the CNMI.

2. Promote, through a program of public education and public participation, concepts of resource management, conservation and wise development of coastal resources.

Discussion: Consistent. The Proposed Action includes 1) monitoring, mapping, and research, 2) coral restoration, 3) land-based watershed restoration activities, 4) buoy installation and marine debris removal, and 5) outreach activities. The Proposed Action includes a component of education such as development of signage, and in-situ activities that would promote concepts of resource management, conservation and wise development of coastal resources (see Appendix A).

3. Promote more efficient resources management through:
 - Coordination and development of resource management laws and regulations into a readily identifiable program;
 - Revision of existing unclear laws and regulations;
 - Improvement of coordination among Commonwealth agencies;
 - Improvement of coordination between Commonwealth and federal agencies;
 - Establish of educational and training programs for Commonwealth government personnel and refinement of supporting technical data.

Discussion: Not applicable. This policy pertains to the government of the CNMI.

4. Plan for and manage any use or activity with the potential for causing a direct and significant impact on coastal resources. Significant adverse impacts shall be mitigated to the extent practicable.

Discussion: Consistent. The Proposed Action includes 1) monitoring, mapping, and research, 2) coral restoration, 3) land-based watershed restoration activities, 4) buoy installation and marine debris removal, and 5) outreach activities. The Proposed Action included the development of a PEIS, which considered the environmental effects of the activities. The Proposed Action would require best management practices and mitigation measures imposed through compliance with relevant statutes that would minimize many adverse environmental impacts.

5. Give priority for water-dependent development and consider the need for water-related and water-oriented locations in its siting decisions.

Discussion: Consistent. The Proposed Action includes 1) monitoring, mapping, and research, 2) coral restoration, 3) land-based watershed restoration activities, 4) buoy installation and marine debris removal, and 5) outreach activities. The Proposed Action does not involve development or construction siting decisions of any kind. Watershed restoration activities would be conducted in existing restoration sites to reduce land-based sources of pollution, and would be located primarily within the upland areas, or shallow estuarine wetlands that have no water-dependent uses. CRCP activities do not include, require, or encourage construction activities. While the CRCP does not support in-water construction activities that affect natural shoreline processes, the CRCP may support in-water coral reef restoration and protection activities such as the development of new coral nurseries, expansion of existing in-situ coral nurseries, outplanting and translocation of coral fragments for coral reef restoration, and the deployment of mooring, storm, marker buoys to help reduce physical impacts to sensitive ecosystems.

6. Provide for adequate consideration of the national interest, including that involved in planning for, and in the siting of, facilities (including energy facilities in, or which significantly affect, the Commonwealth's coastal zone) which are necessary to meet requirements which are other than local in nature.

Discussion: Not applicable. The Proposed Action does not include facilities.

7. Not to permit to the extent practicable, development of identifiable hazardous lands, including floodplain, erosion-prone areas, storm wave inundation areas, air installation crash and sound zones and major fault lines, unless it can be demonstrated that such development does not pose unreasonable risks to the health, safety or welfare of the people of the Commonwealth, and complies with applicable laws.

Discussion: Consistent. The Proposed Action includes land-based watershed restoration activities that may overlap with FEMA flood zones. The Proposed Action involves stormwater best management practices that are designed to reduce flood hazards within floodplains, and does not involve development or construction siting decisions of any kind.

8. Mitigate, to the extent practicable adverse environmental impacts, including those aquifers, beaches, estuaries and other coastal resources while developing an efficient and safe transportation system.

Discussion: Not applicable. The Proposed Action does not involve the development of a transportation system.

9. Require any development to strictly comply with erosion, sedimentation, and related land and water use districting guidelines, as well as other related land and water use policies for such areas.

Discussion: Consistent. The Proposed Action includes 1) monitoring, mapping, and research, 2) coral restoration, 3) land-based watershed restoration activities, 4) buoy installation and marine debris removal, and 5) outreach activities. Watershed Land-based watershed restoration activities would be conducted to reduce erosion. These would be conducted in coordination with the government of CNMI.

10. Maintain or improve coastal water quality through control of erosion, sedimentation, runoff, siltation, sewage and other discharges.

Discussion: Consistent. The Proposed Action includes 1) monitoring, mapping, and research, 2) coral restoration, 3) land-based watershed restoration activities, 4) buoy installation and marine debris removal, and 5) outreach activities. Maintenance and improvement of coastal water quality is one of the purposes of the Proposed Action. Specifically, watershed restoration activities would improve the water quality by controlling erosion, sedimentation, runoff, siltation, sewage and other discharges.

11. Recognize and respect locations and properties of historical significance throughout the Commonwealth, and ensure that development which would disrupt, alter, or destroy these, is subject to Commonwealth laws and regulations.

Discussion: Consistent. The Proposed Action includes 1) monitoring, mapping, and research, 2) coral restoration, 3) land-based watershed restoration activities, 4) buoy installation and marine debris removal, and 5) outreach activities. The Proposed Action would not would disrupt, alter, or destroy locations and properties of historical significance. All projects implemented under the Proposed Action will undergo analysis of compliance with the National Historic Preservation Act through

consultations with the State Historic Preservation Office (CNMI HPO). Consultations include an assessment of whether the Proposed Action is located in proximity to areas on the National Historic Register, as well as locations near historically and culturally sensitive areas as determined by the CNMI HPO. Projects will only be implemented with concurrence from the CNMI HPO that actions would not disrupt, alter, or destroy properties of historical significance.

12. Recognize areas of cultural significance, the development which would disrupt the cultural practices associated with such areas, which shall be subject to a consultation process with concerned ethnic groups and any applicable laws and regulations.

Discussion: Consistent. The Proposed Action recognizes areas of cultural significance. Specific activities of the Proposed Action will be subject to a further consultation process with concerned ethnic groups and any applicable laws and regulation as applicable.

13. Require compliance with all local air and water quality laws and regulations and any applicable federal air and water quality standards.

Discussion: Consistent. The Proposed Action would be in compliance with all Federal and local air and water quality laws, regulations and standards. For example, the Proposed Action includes vessel operations. These could result in pollution from exhaust, fuel and oil, etc. Many of the research vessels permitted as a result of the proposed action have spill-prevention plans, which will allow a rapid response to a spill in the event one occurs. Vessels and vessel operations would be in compliance with water and air quality standards.

14. Not permit, to the extent practicable, development with the potential for causing significant adverse impact in fragile areas such as designated and potential historic and archaeological sites, critical wildlife habitats, beaches, designated and potential pristine marine and terrestrial communities, limestone and volcanic forests, designated and potential mangrove stands and other wetlands.

Discussion: Consistent. The Proposed Action includes 1) monitoring, mapping, and research, 2) coral restoration, 3) land-based watershed restoration activities, 4) buoy installation and marine debris removal, and 5) outreach activities. The Proposed Action includes activities that have no potential for causing significant adverse impact in fragile areas. All activities under the Proposed Action will be implemented following consultation and permitting with the Commonwealth's authorities that have jurisdiction over fragile areas, including marine protected areas and forest conservation areas managed by the CNMI Department of Lands and Natural Resources, and culturally or historic sensitive areas managed by the CNMI HPO. The activities will be consistent with all Federal and Local policies. The potential impacts to these areas are described in the PEIS.

15. Manage ecologically significant resource areas for their contribution to marine productivity and value as wildlife habitats, and preserve the functions and integrity of reefs, marine meadows, salt ponds, mangroves and other significant natural areas.

Discussion: Consistent. The Proposed Action includes 1) monitoring, mapping, and research, 2) coral restoration, 3) land-based watershed restoration activities, 4) buoy installation and marine debris removal, and 5) outreach activities. The Proposed Action includes management of ecologically significant resource areas. The impacts to these are described in the PEIS.

16. Manage the development of the local subsistence, sport and commercial fisheries, consistent with other policies.

Discussion: Consistent. The Proposed Action includes 1) monitoring, mapping, and research, 2) coral restoration, 3) land-based watershed restoration activities, 4) buoy installation and marine debris removal, and 5) outreach activities. The Proposed Action includes management of the development of the local subsistence, sport and commercial fisheries. The activities will be consistent with other Federal and Local policies. The impacts to these are described in the PEIS.

17. Protect all coastal resources, particularly sand, coral and fish from taking beyond sustainable levels and in the case of marine mammals and any species on the Commonwealth Endangered Species List, from any taking whatsoever.

Discussion: Consistent. The Proposed Action includes 1) monitoring, mapping, and research, 2) coral restoration, 3) land-based watershed restoration activities, 4) buoy installation and marine debris removal, and 5) outreach activities. The Proposed Action includes takes of coral but these would not be beyond the sustainable levels. A permit pursuant to CNMI regulations in Title 85 and the CNMI Endangered Species Act would be sought for activities that may affected CNMI's listed species.

18. Encourage preservation and enhancement of and respect for, the Commonwealth's scenic resources through the development of, increased enforcement of, and compliance with, sign, litter, zoning, building codes, and related land use laws.

Discussion: Consistent. The Proposed Action includes 1) monitoring, mapping, and research, 2) coral restoration, 3) land-based watershed restoration activities, 4) buoy installation and marine debris removal, and 5) outreach activities. The Proposed Action would encourage preservation and enhancement of and respect for, the Commonwealth's scenic resources. The Proposed Action would be in compliance with sign, litter, zoning, building codes, and related land use laws. The Proposed Action also includes the development of outreach materials that would encourage preservation and enhancement of and respect for these resources.

19. Discourage, to the maximum extent practicable, visually objectionable uses so as not to significantly degrade scenic views.

Discussion: Consistent. The Proposed Action includes 1) monitoring, mapping, and research, 2) coral restoration, 3) land-based watershed restoration activities, 4) buoy installation and marine debris removal, and 5) outreach activities. Land-based watershed restoration activities would be conducted to reduce erosion and not to significantly degrade the health of the environment and the scenic views. These would be conducted in coordination with the government of the CNMI. All activities involving buoy installation or maintenance will comply with the standards set in the CNMI's *Recreational Mooring Buoy Program Enhancement and Maintenance Report* (CNMI DCRM 2017). Activities that could potentially impact scenic views will be subject to a watershed analysis as part of the CNMI Bureau of Environmental and Coastal Quality's permitting process, and implemented only upon determination that the activity will not significantly degrade scenic views.

20. Encourage the development of recreation facilities which are compatible with the surrounding environment and land uses.

Discussion: Not applicable. The Proposed Action does not involve development of recreation facilities.

21. Encourage the preservation of traditional rights of public access to and along the shorelines consistent with the rights of private property owners.

Discussion: Consistent. The Proposed Action includes 1) monitoring, mapping, and research, 2) coral restoration, 3) land-based watershed restoration activities, 4) buoy installation and marine debris removal, and 5) outreach activities. Watershed restoration activities would take place within the boundaries of federally leased or public lands in the CNMI, with consultation and permitting from the CNMI Department of Public Lands. Actions involving mangrove restoration may also occur in locations designated as territorial submerged lands. These projects will also comply with the permitting authority of the CNMI Department of Lands and Natural Resources, and ensure no disruptions to public access. Any other restrictions to land access from adjunct private property owners resulting from implementation of watershed restoration activities would be temporary and done in coordination with the CNMI government.

22. Pursue agreements for the acquisition of use of any lands necessary to guarantee traditional public access to and along the shorelines.

Discussion: Not applicable. The Proposed Action does not include the acquisition of use of lands.

23. Encourage agricultural development and the preservation and maintenance of critical agricultural lands for agricultural uses.

Discussion:

Consistent. The Proposed Action is unlikely to take place on or near commercial or private agricultural lands. Watershed restoration activities in the form of best management practices to reduce erosion may be implemented along streams near private grazing lands or piggeries. Activities in these areas will be conducted in coordination with the USDA Natural Resources Conservation Service office in the CNMI and the CNMI Division of Agriculture to ensure preservation of critical agricultural uses.

- c. *Air and water quality standards and regulations of the CNMI, including:*

- DEQ Underground Injection Control Regulations (NMIAC, title 65, chapter 90)
- DEQ Drinking Water Regulations (NMIAC, title 65, chapter 20)
- DEQ Well Drilling and Well Operations Regulations (NMIAC, §65-140-005, §65140-010)
- DEQ Wastewater Treatment and Disposal Rules and Regulations (NMIAC, §65-120010, and §65-120 Part 1700)
- DEQ Water Quality Standards (NMIAC, §65-130, Part 200, Part 400, Part 500)

Discussion: Consistent. The Proposed Action does not include wells or contamination of underground waters. Watershed restoration activities would enhance the water quality, and health and habitat of the area.

- d. *Any additional policies, regulations, standards, priorities and plans that are approved by NOAA's Office for Coastal Management as enforceable policies of the CNMI Coastal Management Program for CZMA federal consistency review purposes.*

Discussion: Consistent. The Proposed Action would be conducted by the CRCP which is housed within the NOAA's Office for Coastal Management. The NOAA's Office for Coastal Management reviewed and approved the Proposed Action as described in the CRCP PEIS.

Determination

The CRCP made a General Consistency Determination on a programmatic level for the enforceable policies under the CNMI Coastal Management Program. Based on the information, data, and analysis contained herein and in the CRCP PEIS, the CRCP has determined that the Proposed Action, coral reef conservation and restoration activities as described in Chapter 2 of the CRCP PEIS and listed in Appendix A of this document, is consistent to the maximum extent practicable with the enforceable policies of the CNMI Coastal Management Program.

Pursuant to 15 CFR § 930.41, the CNMI Coastal Management Program has 60 days from the receipt of this letter to concur with or object to this General Consistency Determination, or to request an extension under 15 CFR § 930.41(b). The CNMI's concurrence will be presumed if the CNMI's response is not received by CRCP on the 60th day after receipt of this determination.

Please contact the CRCP Deputy Director, Harriet Nash, with any comments or questions at harriet.nash@noaa.gov or by telephone at 240-533-0773.

References

2017. CNMI Recreational Mooring Buoy Program Enhancement and Maintenance Report. CNMI Bureau of Environmental and Coastal Quality. https://dcrm.gov.mp/wp-content/uploads/crm/PCRCP_MooringBuoy_FINALREPORT.pdf

2015. Procedures Guide for Achieving Federal Consistency with the Commonwealth of the Northern Mariana Islands Coastal Management Program.

<https://dcrm.gov.mp/wp-content/uploads/crm/PROCEDURES-GUIDE-federal-consistency-Sept-2018.pdf>

Appendix A: Activities under the CRCP mapped to focus areas in the CRCP Strategic Plan

Activity	CRCP Areas of Focus			
	Improve Fisheries Sustainability	Address Land-based Sources of Pollution	Address Climate Change	Restore Viable Coral Populations
Monitoring, Mapping, and Research				
Biological Monitoring				
<i>SCUBA and/or Snorkel Surveys</i>	X	X	X	X
<i>Stationary Cameras</i>	X	--	--	X
<i>Fisheries Monitoring and Detection Using Echosounder</i>	X	--	--	X
Geological and Oceanographic Monitoring				
<i>Moored Instruments, and Water Quality Monitoring</i>	X	X	X	X
<i>Antifouling and Lubricants for Instruments</i>	X	--	X	--
<i>Drifters</i>	X	--	X	X
<i>Automated Underwater Vehicles and Remotely Operated Vehicles</i>	X	--	X	--
<i>Marine Sediment Monitoring</i>	X	--	X	--
<i>Terrestrial Sediment Monitoring</i>	X	X	X	--
Socioeconomic Monitoring	X	X	X	X
Coral Reef Mapping				
<i>In-water Echosounder</i>	X	--	X	--
<i>Aerial</i>	X	X	X	X
<i>Satellite</i>	--	X	X	X
Common Research Activities				
Tagging				
<i>Fish</i>	X	--	--	--
<i>Shark</i>	X	--	--	--
<i>Corals</i>	--	--	X	X

Collection of biological samples				
<i>Coral</i>	--	X	X	X
<i>Fish and Other Invertebrates</i>	X	--	--	--
<i>Algae/Seagrass</i>	--	X	X	X
Coral Restoration and Interventions				
Coral Restoration				
<i>In-situ Nursery Development/ Enhancement</i>	--	--	--	X
<i>Nursery Maintenance</i>	--	--	--	X
<i>Coral Transplantation</i>	--	--	--	X
Other Coral Interventions				
<i>Urchin Propagation and Outplanting</i>	--	--	--	X
<i>Invasive and Nuisance Algae Control/Removal</i>	--	--	--	X
<i>Corallivore Control</i>	--	--	--	X
<i>Coral Disease Control</i>	--	--	--	X
<i>Coral Genomics, Stress Hardening, and Survival Analysis</i>	--	--	--	X
<i>Potential Future Coral Intervention Activities</i>	--	--	--	X
Watershed Management and Restoration				
Technical Support for Watershed Management Plans	--	X	--	--
Vegetative Planting	--	X	--	--
Unpaved Road/Trail Stabilization	--	X	--	--
Stormwater Control Best Management Practices				
<i>Bioretention Cells (Rain Gardens)</i>	--	X	--	--
<i>Baffle Boxes</i>	--	X	--	--
<i>Culvert Repair or Replacement</i>	--	X	--	--
<i>Curb/Grate Inlet Basket (with Filter)</i>	--	X	--	--
<i>Swale</i>	--	X	--	--

Stormwater Pond/Sediment Basins	--	X	--	--
Constructed Wetlands	--	X	--	--
Low Impact Development	--	X	--	--
Streambank and Ghut (ephemeral streams) Stabilization	--	X	--	--
Fencing	--	X	--	--
Elevated Boardwalks and Delimitation of Sensitive Areas	--	X	--	--
Reduce Physical Impacts to Coral Reef Ecosystems				
Boat Mooring Buoy Installation				
<i>Recreational/Day Use Moorings</i>	--	--	--	X
<i>Storm Buoys</i>	--	--	--	X
<i>Marker Buoys</i>	--	--	--	X
Debris Removal	--	--	--	X
Outreach/Education and Program Operations				
Outreach/Education				
<i>Signage</i>	X	--	--	X
<i>In-situ Education Activities</i>	X	X	X	X
<i>Other Outreach Activities</i>	X	X	X	X
Data Analysis and Modeling	X	X	X	X
Program and Interagency Coordination/Administration	X	X	X	X
Operational Activities (Vessels)	X	X	X	X