



U.S. Department
of Transportation
**Federal Aviation
Administration**

Air Traffic Organization
Western Service Area
Engineering Services

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SUBJECT: Coastal Zone Management Act, Consistency Determination for the Proposed Francisco C. Ada/Saipan International Airport, Electrical Line Distribution Power Cable Replacement Project, Saipan, Commonwealth of the Northern Mariana Islands

Dear Mr. Salas:

The Department of Transportation, Federal Aviation Administration (FAA) is proposing to construct the proposed Electrical Line Distribution (ELD) Power Cable Replacement Project at Francisco C. Ada/Saipan International Airport (GSN), Saipan, CNMI. The project is a federal action that would require Coastal Zone Management Act (CZMA) review by the CNMI Division of Coastal Resources Management (DCRM) for consistency with the enforceable policies of CNMI's Coastal Management Program. FAA previously sought concurrence from DCRM for a Negative Determination finding on December 20, 2023, and has since reassessed the proposed project and reached a Consistency Determination for the enforceable policies of the CNMI's Coastal Management Program.

Description of the Project

The purpose of the project is to demolish and replace certain existing electrical infrastructure and install new electrical infrastructure to support the FAA facilities. The project would eliminate the existing power feed from the airport's electrical vault and install new backup generators to make FAA's facilities independent from the airport's generators. The project is needed to address the current electrical infrastructure issues at the airport to provide for safe maintenance and reliability of FAA's facilities.

The main components of the project are the installation of new conduits within a concrete duct bank, new generators with belly tanks and shelters, new manholes and transformers. Existing equipment will be removed or demolished. Asbestos-containing material (ACM), if present, will be disposed of properly by the contractor. The proposed project's scope will involve work at the (a) localizer (LOC) end (Runway 25); (b) MALSR end (Runway 7); and (c) glideslope (GS) building.

- a) Localizer (LOC): From the LOC end (Runway 25), the project would install a new utility owned power pole just inside the Airport Operations Area (AOA) near the intersection of Flame Tree

Road and Continental Road, which will provide a new commercial source for the new generator shelter, LOC and PAPI at the Runway 25 end of GSN. The new service feed will come from a new rack located adjacent to the new pole. A new FAA service disconnect will be installed on the rack and feed a new step-up transformer. A new ductbank containing a 2400-volt feeder will be installed approximately 1,100 feet (ft) to the LOC facility. At the LOC facility, a new step-down transformer and power distribution rack will be installed to feed the new generator shelter, LOC and precision approach path indicator (PAPI) lights. The project would install a new 30-kilowatt (KW) generator with a sub-base (belly tank) fuel tank to back up the LOC and PAPI facilities. The tank will have a capacity of 336 gallons and will be housed in a 20-foot (ft) by 12 ft shelter. There will be no external fuel tank. Due to extreme weather (such as typhoons) and the remoteness of Saipan, the generator backup power is necessary.

- b) Medium Intensity Approach Light System with Runway Alignment Indicator Lights (MALSR): From the MALSR end (Runway 7), the project would install a new service feed originating at the non-directional beacon (NDB) facility. This would be approximately 1,700 ft from the MALSR location. The new MALSR generator will be located outside of the Runway Safety Area (RSA). Power will then feed to the existing MALSR shelter from this location. A new start/stop (SS) rack will be installed with a new meter and disconnect for the MALSR. This will feed a new 50 KW generator shelter. The new 50 KW generator will have a sub-based (belly tank) fuel tank with a 643-gallon capacity. The generator will be housed in a self-contained 20 ft by 12 ft shelter. There will be no external fuel tank. A multi-discharge system (MDS) will be installed for the transient voltage surge suppressors (TVSS); the MDS will be mounted on the new SS rack.
- c) Glideslope (GS) Building: At the GS building, the project would install a new 15 kilovolt-amp (kVA) transformer, rack and MDS for the GS building and TVSS. All the old equipment will be removed or demolished.

The project would trench approximately 6,400 linear ft with a width of approximately 1.5 ft wide, or a total of 9,600 square feet (sq. ft). Ten (10) new 35-ft long, 12 to 20-inch diameter pre-stressed spun concrete power poles will be installed by Commonwealth Utilities Corporation (CUC) along Route 304 (As Gonno Road) for the Runway 7 MALSR facilities. The project would also install a new CUC-owned power pole just inside the Airport Operations Area (AOA) near the intersection of Flame Tree Road and Continental Road.

Consistency Basis

Federal Aviation Administration has performed a separate analysis under the National Environmental Policy Act of 1969 (NEPA), as amended and in accordance with applicable Council on Environmental Quality regulations and FAA Orders and has determined the proposed activity qualifies for a Categorical Exclusion (CE). Per FAA:

Project is categorically excluded (CE) from conducting an environmental assessment (EA) per FAA Order 1050.1F, Paragraph 5-6.3. g. "Replacement or upgrade of power and control cables for existing facilities and equipment, such as airfield or approach lighting systems (ALS), commercial space launch site lighting systems, visual approach aids, beacons, and electrical distribution systems as described in FAA Order 6850.2, Visual Guidance Lighting Systems, or airport

surveillance radar (ASR), commercial space launch site surveillance radar, Instrument Landing System (ILS), and Runway Visual Range (RVR). Also, Paragraph 5-6.4.o. Minor trenching and backfilling where the surface is restored and the excavated material is protected against erosion and run-off during the construction period." There are no extraordinary circumstances.

Consultation for the project is ongoing with the U.S. Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act of 1973 (ESA), as amended. There is no proposed or designated critical habitat in the vicinity of the project site; therefore, the proposed action will have no effect on critical habitat for listed species. On December 27, 2023, FAA determined that with the implementation of conservation measures, the proposed project "may affect, but is not likely to adversely affect" the endangered nightingale reed warbler (*Acrocephalus luscini*), and would have "no effect" on the listed plants (*Dendrobium guamense*, *Heritiera littoralis*, and *Solanum guamense*), humped tree snail (*Partula gibba*), Micronesian megapode (*Megapodius laperouse*), and Mariana fruit bat (*Pteropus mariannus mariannus*). FAA is seeking concurrence from USFWS for these determinations.

Consultation for the project is ongoing with the CNMI Historic Preservation Office (HPO) under Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended. The FAA's letter initiating consultation with the HPO was received by the HPO on December 22, 2023. The FAA is seeking the HPO's concurrence with our determination of "no historic properties adversely affected" based upon archival research and discussions with HPO staff.

The enforceable policies of CNMI's Coastal Management Program include those listed and discussed below, as provided by DCRM to FAA. Further information is available in the enclosed Major Siting Permit application, which is provided as supplemental information to this letter.

Northern Mariana Islands Administrative Code (NMIAC)

Chapter 15-10 Coastal Resources Management (CRM) Rules and Regulations

- 15-10-020: Definitions
- 15-10-101(c): Early Action for Flood Zone Risk Reduction
- 15-10-105: APC Permits for Minor and Other Developments
- 15-10-301: General Standards for all CRM Permits
- 15-10-303: Standards to Avoid Adverse Impacts
- 15-10-305 §§ (a)-(d)&(f)-(k): General Criteria for CRM Permits
- 15-10-311: Specific Criteria; Areas of Particular Concern; Impact Avoidance, Minimization, and Mitigation Required
- 15-10-315: Criteria; Areas of Particular Concern; Lagoon and Reefs
- 15-10-320: Specific Criteria; Areas of Particular Concern; Managaha and Anjota Islands
- 15-10-325: Specific Criteria; Areas of Particular Concern; Coral Reefs
- 15-10-330: Specific Criteria; Areas of Particular Concern; Wetlands and Mangroves
- 15-10-335: Specific Criteria; Areas of Particular Concern; Shorelines
- 15-10-340: Specific Criteria; Areas of Particular Concern; Ports and Industrial Areas
- 15-10-345: Specific Criteria; Areas of Particular Concern; Coastal Hazards
- 15-10-350: Height Density, Setback, Coverage, and Parking Guidelines
- 15-10-505: Specific Criteria for Major Sitings
- 15-10-610(e): Mandatory Conditions

15-10-101 (c): Early Action for Flood Zone Risk Reduction

Consistent. The entire project site is outside any coastal hazard APC and the 100-year and 500-year floodplains (FEMA, 2006). Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) Map Panel 6900000110C designates three areas south of RWY 25 as Zone A, “special flood hazard areas subject to inundation by the 1% annual chance flood” for which no Base Flood Elevations have been determined (FEMA 2006). The proposed action would not result in any increase in flood levels within this zone or the surrounding community during the occurrence of the base flood discharge (100-year storm).

15-10-305 §§ (a)-(d)&(f)-(k): General Criteria for CRM Permits

Consistent. Please see discussion below for these general criteria.

(a) CUMULATIVE IMPACT. FAA has considered the impact of existing uses and activities on coastal resources and determined that the added direct and secondary impacts of the proposed project will not result, when added to the existing use, in a significant degradation of the coastal resources. Measures have been incorporated to avoid or minimize effects on coastal resources to the maximum extent practicable. These include minimizing the extent of vegetation disturbance for installation of new power poles and implementing best management practices for soil erosion and sediment control during construction.

(b) COMPATIBILITY. The proposed project would address electrical infrastructure issues at an existing airport and would not result in any changes to land or water uses. Therefore, this proposed activity is compatible with existing adjacent uses and is not contrary to designated land and water uses.

(c) ALTERNATIVES. FAA has determined that a reasonable alternative site does not exist for the proposed project since the proposed action involves upgrades and improvements at an existing airport facility.

(d) CONSERVATION. FAA has examined the extent of the impact of the proposed project, including construction, operation, maintenance and intermittent activities, on its watershed and receiving waters, marine, freshwater, wetland, and terrestrial habitat, and has determined that the proposed project would preserve, to the extent practicable, the physical and chemical characteristics of the site necessary to support water quality and living resources now and in the future. The western sector of the project encompassing the MALSR and glideslope (GS) is located within the Isley watershed, while the eastern sector encompassing the localizer (LOC) is within the Dandan watershed. No mass grading activities are proposed in either of these watersheds since much of the project site has already been graded for development of the airfield and roads, and the sites are over 60 feet above mean sea level and 150 feet from coastal waters. Construction would be in accordance with an Environmental Protection Plan (EPP) and would incorporate best management practices (BMPs) to minimize and control erosion and sediment loss. The proposed action does not involve any discharge of stormwater or wastewater into surface or coastal waters.

(f) RIGHT TO A CLEAN AND HEALTHFUL ENVIRONMENT. The proposed project will 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. The proposed action is located over 150 feet

from the Saipan coastline. No construction is proposed in any marine ecosystems, including reefs, marine meadows, salt ponds, mangroves and other significant natural areas. The proposed action does not involve any discharge of stormwater or wastewater into surface or coastal waters. Fugitive dust and emissions from diesel-fueled heavy equipment vehicles are potential pollution sources which may temporarily affect air quality. Construction of the proposed electrical improvements would have short-term impacts on air quality; however, these impacts would be minimized by best management practices. After construction, the emergency generators would be operated in compliance with the required permits from BECQ. Therefore, there would be no long-term impacts to these resources after construction is complete.

(g) EFFECT ON EXISTING PUBLIC SERVICES. The proposed project would improve electrical infrastructure for the FAA's facilities at the Saipan International Airport by shifting the power feed to come from CUC's power lines at the eastern and western ends of the airport. This activity would not place excessive pressure on existing facilities and services to the detriment of the Commonwealth's interests, plans and policies.

(h) ADEQUATE PUBLIC ACCESS. No development is proposed within or near marine waters. The proposed action is located over 150 feet of the Saipan coastline and would be constructed within CPA property and along existing road shoulders. Therefore, the proposed action would not result in any change to public access to the shoreline.

(i) SETBACKS. The project is located outside the 100-year and 500-year floodplains (FEMA, 2006). No steep, erosion-prone areas are located within the project site, which is mostly flat or gently sloping terrain. The project site is over 150 ft from the coast and away from wave inundation areas. The project would install improvements to the electrical infrastructure at Saipan International Airport, therefore, the location within installation crash and sound zones (AICUZ) is unavoidable. Two fault lines cross the project area; however, since the project requires connectivity to the key FAA facilities within the airfield the presence of fault lines within the project area is unavoidable. The project would construct mostly buried horizontal structures (such as duct banks and manholes) that would be less vulnerable than vertical structures during seismic events. The few vertical structures installed by the project would be low-profile structures, such as the two generator shelters (each 10 ft high) and equipment racks (each 6 ft high). These vertical structures would not be installed over either of the two known fault lines in the project area.

(j) MANAGEMENT MEASURES FOR CONTROL OF NONPOINT SOURCE POLLUTION. No mass grading activities are proposed in the project watersheds since much of the project site has already been graded for development of the airfield and roads, and the sites are over 60 feet above mean sea level and 150 feet from coastal waters. Construction would be in accordance with an Environmental Protection Plan (EPP) and would incorporate best management practices (BMPs) to minimize and control erosion and sediment loss. The proposed action is not located in any APCs does not involve any discharge of stormwater or wastewater into surface or coastal waters, thereby avoiding potential nonpoint source pollution impacts on downstream APCs.

(k) BUFFERS FOR ENVIRONMENTALLY SENSITIVE AREAS. The entire project site is outside any coastal hazard APC and the 100-year and 500-year floodplains (FEMA, 2006). Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) Map Panel 6900000110C designates three areas south of RWY 25 as Zone A, "special flood hazard areas subject to inundation by the 1% annual chance

flood” for which no Base Flood Elevations have been determined (FEMA 2006). The proposed action would not result in any increase in flood levels within this zone or the surrounding community during the occurrence of the base flood discharge (100-year storm). The proposed project is located outside of wetlands, highly erodible slopes, and shorelines, and would avoid these sensitive areas.

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

Consistent. The proposed action is not located within or near any Lagoon and Reef Area of Particular Concern (APC). The project is located over 150 feet from the nearest Saipan coastline and marine waters. The project would not discharge any stormwater or wastewater to the coastline or marine waters.

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

Consistent. The proposed action is not located within or near the Managaha and Anjota Islands APC. The project is located over 150 feet from the nearest Saipan coastline and marine waters.

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

Consistent. The proposed action is not located within or near any Lagoon and Reef APC. The project is located over 150 feet from the nearest Saipan coastline and marine waters. The project would not discharge any stormwater or wastewater to the coastline or marine waters.

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

Consistent. The project site is not located within any wetlands or Wetland APC and does not overlay any soil units that are considered hydric soils by the U.S. Soil Conservation Service.

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

Consistent. The project is located over 150 feet from the nearest Saipan coastline and marine waters. The project would not discharge any stormwater or wastewater to the coastline or marine waters.

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

Consistent. The proposed action is not located within or adjacent to the CPA marine ports but out of necessity is located within Saipan International Airport and CPA property. The project would address electrical infrastructure issues at the airport and is consistent with the existing airport and industrial uses.

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

Consistent. The entire project site is outside any coastal hazard APC and the 100-year and 500-year floodplains (FEMA, 2006). Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) Map Panel 6900000110C designates three areas south of RWY 25 as Zone A, “special flood hazard areas subject to inundation by the 1% annual chance flood” for which no Base Flood Elevations have been determined (FEMA 2006). The proposed action would not result in any increase in flood levels

within this zone or the surrounding community during the occurrence of the base flood discharge (100-year storm).

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

Consistent. The proposed action has a setback of over 150 feet from the nearest Saipan shoreline. The proposed emergency generator shelter and equipment rack would be 10 feet and 6 feet high, respectively, and would not comprise high-rise development. The project would not require additional parking spaces at Saipan International Airport.

15-10-505: Specific Criteria for Major Sitings

Consistent. Please see discussion below for specific criteria.

(a) Project Site Development. The proposed project site development is compatible with existing and projected uses of the Saipan International Airport and surrounding area.

(b) Minimum Site Preparation. The proposed project is located at the Saipan International Airport, which has pre-existing infrastructure that will require a minimum of site preparation (e.g. excavation, filling, removal of vegetation, utility connection) to provide power feeds at the western and eastern ends of the airport. No mass grading is required since the site has already been leveled in the past for development of the existing airfield, and much of the vegetation that will be disturbed comprises open, grassy fields and maintained lawns.

(c) Adverse Impact on Fish and Wildlife. The proposed project would not adversely impact fragile fish and wildlife habitats, or other environmentally sensitive areas. According to vegetation mapping by the U.S. Forest Service (USFS), the project would disturb the following vegetation classes: Urban Vegetation; Urban and Built-Up; *Leucaena leucocephala* (Tangantangan); and Mixed Introduced Forest; no wetlands would be disturbed by the project. Vegetation removal has been minimized by realignment of the new power poles near the MALSRA array along Route 304 to place these in the road shoulder no more than 10 feet from the road pavement. This would minimize disturbance of the tangantangan thicket in this area. At the area north of RWY 25, disturbance of the tangantangan patch has been minimized to a 10 ft x 20 ft area for a new power pole, transformer and equipment rack. The remainder of the trenching in this location would disturb the existing grass and weed community.

(d) Cumulative Environmental Impact. The proposed project would avoid and minimize adverse primary, secondary, or cumulative environmental impacts. FAA has considered the impact of existing uses and activities on coastal resources and determined that the added direct and secondary impacts of the proposed project will not result, when added to the existing use, in a significant degradation of the coastal resources. Measures have been incorporated to avoid or minimize effects on coastal resources to the maximum extent practicable. These include minimizing the extent of vegetation disturbance for installation of new power poles and implementing best management practices for soil erosion and sediment control during construction.

(e) Full project proposal required. The proposed project is a full and complete project.

(f) Future Development Options. The proposed project would improve electrical infrastructure at Saipan International Airport. This action is compatible with existing and future uses at the airport, would be restricted to the airport operations area (except for new power poles along Route 304), and would not affect the range of future development in the surrounding area.

(g) Mitigation of Adverse Impacts. The project is located outside the 100-year and 500-year floodplains (FEMA, 2006). Measures have been incorporated to avoid or minimize effects on coastal resources to the maximum extent practicable. These include minimizing the extent of vegetation disturbance for installation of new power poles and implementing best management practices for soil erosion and sediment control during construction.

(h) Cultural-historical/Scenic Values. The proposed project would address existing electrical infrastructure issues at Saipan International Airport, hence, siting alternatives were not considered. The Saipan International Airport is the former site of the Japanese Period Aslito Field Airport and the Isley Field, B-29 long-range Bomber base (SHARC 2011). Isley Field was listed on the National Register of Historic Places in 1981 (National Register No. 81000667), and was listed on the National Register of Historic Places as a National Historic Landmark (National Register No. 85001789) in 1985 in recognition of its place in U.S. history. The listing included Isley Field with two other separate geographic areas (the landing beaches in Saipan Lagoon and Marpi Point) that are closely united in terms of their World War II history. No known cultural or historic resources are within the immediate vicinity of the project undertaking, aside from Isley Field. FAA is seeking concurrence from the CNMI HPO with a finding that the proposed action may affect but would not adversely affect the Isley Field Historic District and Isley Field National Historic Landmark.

(i) Watershed Conservation. The western sector of the project encompassing the MALSR and glideslope (GS) is located within the Isley watershed, while the eastern sector encompassing the localizer (LOC) is within the Dandan watershed. No mass grading activities are proposed in either of these watersheds since much of the project site has already been graded for development of the airfield and roads, and the sites are over 60 feet above mean sea level and 150 feet from coastal waters. Construction would be in accordance with an Environmental Protection Plan (EPP) and would incorporate best management practices (BMPs) to minimize and control erosion and sediment loss. The proposed action does not involve any discharge of stormwater or wastewater into surface or coastal waters.

15-10-610(e): Mandatory Conditions

Consistent. The proposed project would prevent the discharge of construction site chemicals through the proper use of best management practices as described in the document Construction Site Chemical and Material Control Handbook for the following activities: material delivery and storage; material use, spill prevention and control; hazardous waste management; concrete waste management; vehicle and equipment cleaning, maintenance and fueling. The proposed project is over 150 feet away from the nearest marine waters and not located within or near any surface water bodies and their tributaries.

CRM Act of 1983, CNMI PL 3-47, 2 Commonwealth Code (CMC) §§ 1501-1543

- 2 CMC § 1511: Coastal Resources Management Policy

- 2 CMC § 1513: Coastal Resources Management Program: Territorial Jurisdiction

2CMC§1511.(a)(1) Encourage land-use master planning, floodplain management, and the development of zoning and building code legislation.

Consistent. The proposed action would not develop new facilities that require land-use master planning. The proposed action would not perform construction or demolition within an existing flood hazard area. The proposed action is consistent with and supports the existing airport land use within the Industrial Zone designated for the Saipan International Airport.

2CMC§1511.(a)(2) Promote, through a program of public education and public participation, concepts of resource management, conservation and wise development of coastal resources.

Consistent. The proposed action is not located within 150 feet of the Saipan coastline. No marine water or surface water-dependent development is proposed. The proposed action would minimize potential effects on terrestrial resources through best management practices.

2CMC§1511.(a)(3) Promote more efficient resources management through: (A) Coordination and development of resources management laws and regulations into a readily identifiable program, (B) Revision of existing unclear laws and regulations, (C) Improvement of Coordination among Commonwealth of the Northern Mariana Islands ' agencies, (D) Improvement of coordination between Commonwealth and federal agencies , (E) Establishment of educational and training programs for Commonwealth government personnel and refinement of supporting technical data.

Consistent. This policy is not applicable to the proposed action.

2CMC§1511.(a)(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.

Consistent. The proposed action is not located within 150 feet of the Saipan coastline. No marine water or surface water-dependent development is proposed. Measures have been incorporated to avoid or minimize effects on coastal resources to the maximum extent practicable. These include minimizing the extent of vegetation disturbance for installation of new power poles and implementing best management practices for soil erosion and sediment control during construction.

The proposed action would minimize potential effects on terrestrial resources through best management practices such that adverse impacts would be avoided. The proposed action would disturb mostly previously disturbed grass and weed communities that are maintained by CPA for airfield operations. The exceptions are two patches of tangantangan in the eastern and western sectors of project site.

Vegetation removal has been minimized in the western sector by realignment of the new power poles near the MALSR array along Route 304 to place these in the road shoulder no more than 10 feet from the road pavement. Further minimization of vegetation disturbance in the eastern sector would restrict removal of the tangantangan patch to a 10-foot by 20-foot area; the remainder of the installation and trenching for electrical infrastructure would occur within the open and maintained grassy field and perimeter road.

The tangantangan thickets of the project site are considered suitable habitat for the nightingale reed warbler (*Acrocephalus luscini*a), an endangered bird species. Although it was not detected, there is a

potential for this species to be present where suitable tangantangan thickets are available at the eastern and western sectors. The project would disturb these tangantangan thickets for a power pole in the eastern sector (approximately 10 ft by 20 ft area) and for ten power poles in the western sector; however, since this land cover type is abundant on Saipan, the disturbance within these patches would not significantly affect the overall habitat availability for this species. Additional pre-construction surveys will be performed to confirm there are no nightingale-reed warblers in the vicinity of the proposed construction limits.

2CMC§1511.(a)(5) Give priority for water-dependent development and consider the need for water-related and water-oriented locations in its siting decisions.

Consistent. No water-dependent or water-related development is proposed. The proposed action is not located within 150 feet of the Saipan coastline.

2CMC§1511.(a)(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.

Consistent. The proposed action would address electrical infrastructure issues at an existing airport facility. No new facility planning is required for the proposed action.

2CMC§1511.(a)(7) Not permit to the extent practicable, development of identified hazardous lands including floodplains, 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.

Consistent. The project is located outside the 100-year and 500-year floodplains (FEMA, 2006). No steep, erosion-prone areas are located within the project site, which is mostly flat or gently sloping terrain. The project site is over 150 ft from the coast and away from wave inundation areas. The project would install improvements to the electrical infrastructure at Saipan International Airport, therefore, the location within installation crash and sound zones (AICUZ) is unavoidable. Two fault lines cross the project area; however, since the project requires connectivity to the key FAA facilities within the airfield the presence of fault lines within the project area is unavoidable. The project would construct mostly buried horizontal structures (such as duct banks and manholes) that would be less vulnerable than vertical structures during seismic events. The few vertical structures installed by the project would be low-profile structures, such as the two generator shelters (each 10 ft high) and equipment racks (each 6 ft high). These vertical structures would not be installed over either of the two known fault lines in the project area.

2CMC§1511.(a)(8) Mitigate to the extent practicable adverse environmental impacts, including those on aquifers, beaches, estuaries and other coastal resources while developing and efficient and safe transportation system.

Consistent. The proposed action would support the safe and efficient air transportation operations at the Saipan International Airport. No development is proposed within or adjacent to beaches, estuaries and coastal resources is proposed. The proposed action is not located within 150 feet of the Saipan coastline. Almost the entirety of the Saipan International Airport and much of this project are located

within a Class I Groundwater Management Zone (GMZ) of Saipan. Class I GMZs are established as critical groundwater protection areas capable of supplying high quality fresh water and shall receive the highest level of environmental protection. A small section in the western extent of the project is located within a Class II GMZ. Class II GMZs are established as important protection areas considered capable of supplying good quality groundwater, but generally of lower quality (e.g. higher chlorides concentration) than Class I GMZs. Several deep wells, two water tanks and a water catchment are located within the airport property. The proposed action does not involve any injection or discharge of wastewater into the ground water and would not adversely affect these Class I and Class II GMZs. A dozen deep wells are located in the vicinity of the project activities; however, these wells would not be disturbed by the project.

2CMC§1511.(a)(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.

Consistent. The western sector of the project encompassing the MALS and glideslope (GS) is located within the Isley watershed, while the eastern sector encompassing the localizer (LOC) is within the Dandan watershed. No mass grading activities are proposed in either of these watersheds since much of the project site has already been graded for development of the airfield and roads, and the sites are over 60 feet above mean sea level and 150 feet from coastal waters. Construction would be in accordance with an Environmental Protection Plan (EPP) and would incorporate best management practices (BMPs) to minimize and control erosion and sediment loss. The proposed action does not involve any discharge of stormwater or wastewater into surface or coastal waters.

2CMC§1511.(a)(10) Maintain or improve coastal water quality through control of erosion, sedimentation, runoff, siltation, sewage and other discharges.

Consistent. No mass grading activities are proposed since much of the project site has already been graded for development of the airfield and roads, and the sites are over 60 feet above mean sea level and 150 feet from coastal waters. Construction would be in accordance with an EPP and would incorporate BMPs to minimize and control erosion and sediment loss. The proposed action does not involve any discharge of stormwater or wastewater into surface or coastal waters, and the project would support the maintenance of coastal water quality.

2CMC§1511.(a)(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 and any applicable federal laws and regulations.

Consistent. The Saipan International Airport is the former site of the Japanese Period Aslito Field Airport and the Isley Field, B-29 long-range Bomber base (SHARC 2011). Isley Field was listed on the National Register of Historic Places in 1981 (National Register No. 81000667). The nomination form noted: "Of the B-29 bases in the Marianas, Isley Field was the most important and has the greatest number of features that recall its World War II history....there are 27 intact structures, two runways, and hundreds of hardstands and foundations from the U.S. period. Concrete and asphalt roads have survived as have other relics of the Japanese and American bases." Isley Field was listed on the National Register of Historic Places as a National Historic Landmark (National Register No. 85001789) in 1985 in recognition of its place in U.S. history. The listing included Isley Field with two other separate geographic areas (the

landing beaches in Saipan Lagoon and Marpi Point) that are closely united in terms of their World War II history. No known cultural or historic resources are within the immediate vicinity of the project undertaking, aside from Isley Field. FAA is seeking concurrence from the CNMI HPO with a finding that the proposed action may affect but would not adversely affect the Isley Field Historic District and Isley Field National Historic Landmark.

2CMC§1511.(a)(12) Recognize areas of cultural significance, the development of 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.

Consistent. The proposed action would construct improvements to the electrical infrastructure within and adjacent to the Saipan International Airport. The proposed action would not develop areas recognized as culturally significant or disrupt the cultural practices associated with such areas.

2CMC§1511.(a)(13) Require compliance with all local air and water quality laws and regulations and any applicable federal air and water quality standards.

Consistent. The proposed action is not located within 150 feet of the Saipan coastline and does not involve any discharge of stormwater or wastewater into surface or coastal waters. Construction would be in accordance with an Environmental Protection Plan (EPP) and would incorporate best management practices (BMPs) to minimize and control erosion and sediment loss. Fugitive dust and emissions from diesel-fueled heavy equipment vehicles are potential pollution sources which may temporarily affect air quality. Construction of the proposed electrical improvements would have short-term impacts on air quality; however, these impacts would be minimized by best management practices. After construction, the emergency generators would be operated in compliance with the required permits from BECQ.

2CMC§1511.(a)(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.

Consistent. Based on archival research and coordination with the Saipan Historic Preservation Office, no known cultural or historic resources are within the immediate vicinity of the project undertaking, aside from Isley Field. FAA is seeking the concurrence of the CNMI HPO with a finding that the proposed action may affect but would not adversely affect the Isley Field Historic District and Isley Field National Historic Landmark.

The proposed action is located over 150 feet from the Saipan coastline. No construction is proposed in any marine ecosystems, including reefs, marine meadows, salt ponds, mangroves and other significant natural areas. The proposed action is not located within any proposed or existing critical habitat for listed species or any CNMI or federal wildlife preserve, or designated and potential pristine marine and terrestrial communities.

The proposed action would disturb mostly previously disturbed grass and weed communities that are maintained by CPA for airfield operations. The exceptions are two patches of tangantangan in the eastern and western sectors of project site. Vegetation removal has been minimized in the western sector by realignment of the new power poles near the MALSR array along Route 304 to place these in

the road shoulder no more than 10 feet from the road pavement. Further minimization of vegetation disturbance in the eastern sector would restrict removal of the tangantangan patch to a 10-foot by 20-foot area; the remainder of the installation and trenching for electrical infrastructure would occur within the open and maintained grassy field and perimeter road.

2CMC§1511.(a)(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.

Consistent. The proposed action is located over 150 feet from the Saipan coastline. No construction is proposed in any marine ecosystems, including reefs, marine meadows, salt ponds, mangroves and other significant natural areas. The proposed action is not located within or near any proposed or existing critical habitat for listed species or any CNMI or federal wildlife preserve.

2CMC§1511.(a)(16) Manage the development of the local subsistence, sport and commercial fisheries, consistent with other policies.

Consistent. No marine water or surface water-dependent development is proposed. The proposed action is not located within 150 feet of the Saipan coastline.

2CMC§1511.(a)(17) Protect all coastal resources, particularly sand, corals and fish from taking beyond sustainable levels and in the case of marine mammals and any species on the Commonwealth and Federal Endangered Species List, from any taking whatsoever.

Consistent. No development is proposed within or near marine waters. The proposed action is not located within 150 feet of the Saipan coastline. No take of marine mammals, sand, corals and fish is proposed. No take of any threatened or endangered species on the CNMI and Federal Endangered Species Lists is proposed. The tangantangan thickets of the project site are considered suitable habitat for the nightingale reed warbler (*Acrocephalus luscini*), an endangered bird species. Although it was not detected, there is a potential for this species to be present where suitable tangantangan thickets are available at the eastern and western sectors. The project would disturb these tangantangan thickets for a power pole in the eastern sector (approximately 10 ft by 20 ft area) and for ten power poles in the western sector; however, since this land cover type is abundant on Saipan, the disturbance within these patches would not significantly affect the overall habitat availability for this species. Additional pre-construction surveys will be performed to confirm there are no nightingale reed warblers in the vicinity of the proposed construction limits. FAA is seeking the concurrence of USFWS with a determination that the proposed action may affect, but would not adversely affect, the nightingale reed warbler.

2CMC§1511.(a)(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.

Consistent. The project received Zoning Clearance from the Saipan Zoning Office on October 20, 2023 for electrical infrastructure activities within the airport's Industrial Zone. The proposed action would be compliant with sign, litter, zoning, building codes, and related land-use laws in the Commonwealth.

2CMC§1511.(a)(19) Discourage, to the maximum extent practicable, visually objectionable uses so as not to significantly degrade scenic views.

Consistent. The project would not significantly degrade scenic views. The majority of the proposed action would install either buried electrical infrastructure or low-rise components, such as manholes and transformers. New emergency generator shelters and equipment racks would be 10 feet and 6 feet high above ground level, respectively. These new structures would be clustered next to existing FAA facilities (MALSR and Localizer shelters). Thus, their addition to the airfield would not be obtrusive or visually objectionable.

2CMC§1511.(a)(20) Encourage the development of recreation facilities which are compatible with the surrounding environment and land-uses.

Consistent. No recreational facilities are proposed for development by the proposed action. The proposed action is compatible with the environment and land uses within and surrounding the Saipan International Airport and Route 304.

2CMC§1511.(a)(21) Encourage the preservation of traditional rights of public access to and along the shorelines consistent with the rights of private property owners.

Consistent. No development is proposed within or near marine waters. The proposed action is located over 150 feet of the Saipan coastline and would be constructed within CPA property and along existing road shoulders. Therefore, the proposed action would not result in any change to public access to the shoreline.

2CMC§1511.(a)(22) Pursue agreements for the acquisition and/or of any lands necessary to guarantee traditional public to and along the shorelines.

Consistent. No development is proposed within or near marine waters. The proposed action is located over 150 feet of the Saipan coastline and would be constructed within CPA property and along existing road shoulders. Therefore, the proposed action would not result in any change to traditional public access to and along the shoreline.

2CMC§1511.(a)(23) Encourage agricultural development and the use preservation and maintenance of critical agricultural lands for agricultural uses.

Consistent. The *Soil Survey of the Islands of Aguijan, Rota, Saipan, and Tinian, Commonwealth of the Northern Mariana Islands* describes five soil units underlying the areas proposed for construction of the new electrical infrastructure at Saipan International Airport and along Route 304. None of these soil units meet the requirements for prime farmland when irrigated (Young, 1989).

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- **Air and water quality standards of the CNMI, per 15 CFR § 923.82(e), including:**
 - NMIAC Chapter 65-130 Water Quality Standards
 - NMIAC Chapter 65-10, Air Pollution Control Regulations

Consistent. The proposed action is not located within 150 feet of the Saipan coastline and does not involve any discharge of stormwater or wastewater into surface or coastal waters. Construction would be in accordance with an Environmental Protection Plan (EPP) and would incorporate best management practices (BMPs) to minimize and control erosion and sediment loss. Fugitive dust and emissions from diesel-fueled heavy equipment vehicles are potential pollution sources which may temporarily affect air

quality. Construction of the proposed electrical improvements would have short-term impacts on air quality; however, these impacts would be minimized by best management practices. After construction, the emergency generators would be operated in compliance with the required permits from BECO.

- **NMIAC Chapter 15-20 Water Sports Regulations**

- Part 001 General Provisions:
 - § 15-20-015 Definitions
- Part 100 Permit Issuance:
 - § 15-20-115 Maximum Number of Permits
- Part 200 Commercial Water Sports Operations [All Sections]
- Part 400 Designated Areas of Operation [All Sections]
- Part 500 Personal, Recreational and Non-Commercial Uses [All Sections]

Consistent. The proposed action does not propose any activities within or near marine or surface waters, and would have no impact on designated areas for water sports recreation and commercial operations.

- **NMIAC Chapter 65-20 Division of Environmental Quality (DEQ) Drinking Water Regulations**

- Part 001 General Provisions:
 - § 65-20-010 Definitions
- Part 100 CNMI Public Water System Regulations:
 - All Sections excluding
 - § 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
 - § 65-20-150 Penalties for Violation of Regulations
- Part 200 CNMI National Primary Drinking Water Regulations [All Sections]
- Part 300 CNMI National Secondary Drinking Water Regulations [All Sections excluding the appendices]

Almost the entirety of the Saipan International Airport and much of this project are located within a Class I Groundwater Management Zone (GMZ) of Saipan. Class I GMZs are established as critical groundwater protection areas capable of supplying high quality fresh water and shall receive the highest level of environmental protection. A small section in the western extent of the project is located within a Class II GMZ. Class II GMZs are established as important protection areas considered capable of supplying good quality groundwater, but generally of lower quality (e.g. higher chlorides concentration) than Class I GMZs. Several deep wells, two water tanks and a water catchment are located within the airport property. The proposed action does not involve any injection or discharge of wastewater into the ground water and would not adversely affect these Class I and Class II GMZs. A dozen deep wells are located in the vicinity of the project activities; however, these wells would not be disturbed by the project.

- **NMIAC Chapter 65-140 DEQ Well Drilling and Well Operations**

- Part 001 General Provisions:
 - § 65-140-010 Definitions
- Part 300 Well Siting Criteria [All Sections]

- Part 400 Well Construction Criteria [All Sections]
- Part 500 Well Development and Disinfection [All Sections]
- Part 600 Pump Testing and Water Quality Sampling Requirements [All Sections]
- Part 700 Well Drilling Activity Reporting for Well Operations Permit Application [All Sections]
- Part 800 Water Supply Capacity Guidelines [All Sections]
- Part 1000 Well Operations Permit Obligations [All Sections]
- Part 1100 Exemptions For Seawater Wells [All Sections]
- Part 1200 Exemptions for Wells Predetermined to Undergo Reverse Osmosis Treatment [All Sections]
- Part 1600 Test Wells [All Sections]
- Part 1700 Monitoring Wells and Comprehensive Hydrogeologic Investigations [All Sections]
- Part 1800 Discontinued Use of Wells [All Sections]
- Part 1900 Requirements For Destruction of Abandoned Wells [All Sections]
- Part 2000 Groundwater Management Zones [All Sections]
- Part 2200 Groundwater Protection [All Sections]

Consistent. Almost the entirety of the Saipan International Airport and much of this project are located within a Class I GMZ of Saipan. A small section in the western extent of the project is located within a Class II GMZ. Several deep wells, two water tanks and a water catchment are located within the airport property. The proposed action does not involve any injection or discharge of wastewater into the ground water and would not adversely affect these Class I and Class II GMZs. A dozen deep wells are located in the vicinity of the project activities; however, these wells would not be disturbed by the project.

- **NMIAC Chapter 65-90 DEQ Underground Injection Control Regulations**

- Part 001 General Provisions:
 - § 65-90-010 Definitions
- Part 100 Classification of Injection Wells [All Sections]
- Part 200 Prohibited Activities [All Sections]
- Part 300 Permitted Activities [All Sections]
- Part 400 Access to Records [All Sections]

Consistent. The proposed action does not involve any underground injection or discharge of wastewater into the ground water and would not adversely affect the Class I and Class II GMZs within the project site.

- **NMIAC Chapter 65-120 DEQ Wastewater Treatment and Disposal Rules and Regulations**

- Part 001 General Provisions:
 - § 65-120-010 Definitions
- Part 100 Construction and Operation of an Individual Wastewater Disposal System (IWDS) or Other Wastewater Treatment Systems (OWTS) [All Sections]
- Part 200 Applicability of Regulations to Existing and New IWDS, OWTS, and Confined Animal Facilities [All Sections]
- Part 300 IWDS and OWTS Permit Application Requirements [All Sections]
- Part 400 IWDS General Design Parameters [All Sections]
- Part 500 Identify Average Daily Wastewater Flow Rate [All Sections]

- Part 600 Septic Tank Design and Construction [All Sections]
- Part 700 Percolation Testing Procedures [All Sections]
- Part 800 Leaching Field Design and Construction [All Sections]
- Part 900 Seepage Pit Design and Construction [All Sections]
- Part 1000 IWDS and OWTS Siting Criteria [All Sections]
- Part 1100 Holding Tanks [All Sections]
- Part 1200 Inspection of Work in Progress [All Sections]
- Part 1300 IWDS Certification for Use [All Sections]
- Part 1400 IWDS Maintenance [All Sections]
- Part 1500 Cleaning Wastewater Systems, Disposal of Wastewater Requirements and Procedures [All Sections]
- Part 1600 OWTS Design and Construction, and Treated Wastewater Effluent Re-use [All Sections]
- Part 1700 Animal Waste Management [All Sections]
- Part 1800 Temporary Toilets Facilities (TTF) [All Sections]
- Part 2100 Right of Entry [All Sections]

Consistent. The proposed project would not generate wastewater or affect existing wastewater infrastructure at the Saipan International Airport.

- **NMIAC Subchapter 155-10.2 Department of Public Works (DPW) Flood Damage Prevention Regulations**

- Part 001 General Provisions:
 - § 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
- Part 100 Administration:
 - § 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 [All Sections]
- Part 300 Variance and Appeal Procedures [All Sections]

Consistent. The entire project site is outside any coastal hazard APC and the 100-year and 500-year floodplains (FEMA, 2006). FEMA Flood Insurance Rate Maps (FIRM) Map Panel 6900000110C designates three areas south of RWY 25 as Zone A, “special flood hazard areas subject to inundation by the 1% annual chance flood” for which no Base Flood Elevations have been determined (FEMA 2006). The proposed action would not result in any increase in flood levels within this zone or the surrounding community during the occurrence of the base flood discharge (100-year storm).

- **NMIAC Chapter 65-80 Division of Environmental Quality (DEQ) Solid Waste Management (SWM) Regulations**

- Part 001 General Provisions:
 - § 65-80-010 Definitions

- Part 100 General Permit Requirements - Solid Waste Management Activities/Facilities:
 - § 65-80-102 Exemptions
 - § 65-80-108 Permit by Rule
- Part 600 Recycling and Materials Recovery Facilities:
 - § 65-80-601 Applicability
 - § 65-80-610 Application for Permit
 - § 65-80-615 Operating Conditions
 - § 65-80-620 Recordkeeping and Reporting Requirement
- Part 700 Collection: Requirements for Commercial Waste Haulers:
 - § 65-80-725 Standard Conditions
- Part 800 Miscellaneous Facilities/Activities:
 - § 65-80-801 Applicability
 - § 65-80-810 Application for Permit - General Requirements
 - § 65-80-820 Operating Conditions
 - § 65-80-830 Recordkeeping and Reporting Requirement

Consistent. The proposed project would not generate long-term solid waste. Solid waste generated during construction would be properly disposed of at an approved landfill or recycling facility.

- **2 CMC § 3513 Commonwealth SWM Act of 1989; PL 6-30, as amended**
 - 2 CMC § 3513 Definitions [All Sections]
 - 2 CMC § 3517 Recycling [All Sections]
 - 2 CMC § 3518 Prohibited Activities [All Sections]

Consistent. The proposed project would not generate long-term solid waste. Solid waste generated during construction would be properly disposed of at an approved landfill or recycling facility.

- **2 CMC § 3112 Commonwealth Environmental Protection Act; PL 3-23, § 4**
 - 2 CMC § 3112 Definitions [All Sections]
- **Commonwealth Environmental Amendments Act of 1999; PL 11-103, §6, §8**
 - PL 11- 103, §6, §8; which amended the following:
 - 2 CMC §3513(m) debris staging areas
 - 2 CMC §3518(b)

Consistent. The proposed project would not collect, transport, process, or dispose of solid waste or hazardous waste in such a manner as to degrade the environment, create a public nuisance, create a health or safety hazard, or in a manner otherwise contrary to this chapter. Solid waste would be transported with the proper precautions to prevent the solid waste from falling off the vehicle. No burning of solid waste is proposed by the project, including burning of trees, bush, grass, or other organic detritus of land clearing or landscaping.

FAA's Consistency Determination

Based upon the consistency determination basis provided above, the FAA has concluded that **the proposed action is consistent to the maximum extent practicable with the enforceable policies of CNMI's Coastal Management Program.** Therefore, FAA is issuing a consistency determination for the proposed project and seeks DCRM's concurrence. Please review the information provided in this letter and the enclosed project information.

If you have any questions, please contact me by email at: john.louie@faa.gov.

Sincerely,

John Louie, P.E.
Environmental Engineer
FAA Air Traffic Organization
WSA Engineering Services
AJW-2W16E
El Segundo, CA

Enclosure: Major Siting Permit Application