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January 25, 2022

Ricard V. Salas  
Director  
Division of Coastal Resources Management  
3<sup>rd</sup> Floor, Gualo Rai Center  
Chalan Pale Arnold  
P.O. Box 501304  
Saipan, MP 96950

**SUBJECT: Coastal Zone Management Act, Negative Determination for the Proposed Francisco C. Ada/Saipan International Airport, Airport Rescue and Fire Fighting Facility, Rapid Refill Project, Saipan, Commonwealth of the Northern Mariana Islands**

Dear Mr. Salas:

The Commonwealth of the Northern Mariana Islands (CNMI), Commonwealth Ports Authority (CPA) is proposing to utilize federal grant funds from the Federal Aviation Administration (FAA), Airport Improvement Program (AIP) to finance the proposed Francisco C. Ada/Saipan International Airport (GSN), Airport Rescue and Fire Fighting (ARFF) Facility, Rapid Refill Project, Saipan, CNMI. The AIP grant amount for this project is projected to exceed the \$1,000,000 threshold established by the CNMI Division of Coastal Resources Management (DCRM) for FAA's AIP grant program that would require Coastal Zone Management Act (CZMA) review by DCRM.

**Description of the Project**

The proposed project would replace the existing water tanks, high-capacity water pumps, electronic controls, yard piping, and overhead ARFF vehicle refill piping within the existing ARFF facility at GSN (See Enclosure 1 for graphical depiction of project features).

The main components of the project are the construction of two new pre-stressed concrete tanks at 250,000 gallons each along with a new high-capacity triplex booster pump. Since the new tanks will be located outside the existing ARFF footprint, new piping will be installed to the appropriate systems for fire protection, ARFF operations, and domestic supply. The proposed project's scope will include: demolition of the existing (2) steel water tanks and replacing them with two pre-stressed concrete tanks at a nearby location; demolition and replacement of existing piping and electrical controls within the ARFF facility; and the demolition and replacement of hydrants, pumps and piping serving the ARFF facility.

The water to fill the two new tanks will be sourced through an existing Commonwealth Utilities Corporation (CUC) water well labeled IF-208 located within the ARFF facility. It is important to note that Well IF-208 will need to be recommissioned upon installation of a new granular activated carbon (GAC) filtration system specifically for the well. It is our understanding that the CUC has agreed with CPA to install the GAC system which is not within the AIP grant's scope of work. The GAC system will not be federally funded under the FAA AIP grant that CPA is seeking.

### **Negative Determination Basis**

The proposed project will not be located in or within 150 feet of any of the five designated Area of Particular Concern (APC) within the CNMI which includes: the Shoreline APC; the Lagoon and Reef APC; the Wetland and Mangrove APC; the Port and Industrial APC; and, the Coastal Hazard APC. The proposed project is not located seaward of a line 150 feet inland of the high hazard floodplain.

Consultation for the project was conducted with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act of 1973 (ESA), as amended. The Service concurred with the FAA's determination that the proposed project "may affect, but not likely to adversely affect" the Mariana common moorhen (*Gallinula choropus guami*) with the implementation of the following conservation measures:

- Vegetation clearing will occur between December 1 through June 30 to avoid the CNMI wet season when Marianas common moorhens would be most likely to use the proposed project area. If vegetation clearing is to be conducted outside this window, the Service and CNMI Division of Fish and Wildlife must be notified prior to any vegetation removal.
- Prior to any vegetation removal regardless of season, a biologist experienced in locating moorhen nests will search for active nests in areas identified as having potential habitat for the Marianas common moorhen.
- Any habitat where a Marianas common moorhen is observed will require a minimum 25- meter buffer from all construction activities. The perimeter of the property nearest any identified Marianas common moorhen habitat would also be excluded using 36-inch high plastic construction fencing placed on rebar posts to increase visual obstruction and reduce disturbance to the species and its habitat.

The Service's ESA consultation response letter is included as Enclosure 2 to this letter for your review.

Consultation for the project was conducted 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 21, 2021. The FAA sought the HPO's concurrence with our determination of "no historic properties affected" based upon research of the area and the inclusion of an archaeological monitoring program that would be implemented. The HPO had 30 days to respond to the FAA's Section 106 consultation letter. The 30 day review period ended on January 19, 2022. As of the date of this letter, the 30 day review period has lapsed and the

FAA has not received a response to the consultation letter. No objection to the FAA's determination of "no historic properties affected" was made by the HPO within the 30 day period, therefore, under 36 Code of Federal Regulations Part 800.4(d)(1)(i), the FAA's responsibilities under Section 106 have been fulfilled. CPA will conduct the archaeological monitoring as prescribed in the FAA's Section 106 consultation letter

The FAA's Section 106 letter initiating consultation with the HPO is included as Enclosure 3 to this letter.

The FAA is drafting the appropriate level of environmental documentation under the National Environmental Policy Act of 1969 (NEPA), as amended and in accordance to applicable Council on Environmental Quality regulations and FAA Orders. The completion of the NEPA document pends the outcome of DCRM's concurrence with the FAA's negative determination. The finalized NEPA document will sent to DCRM upon completion.

### **FAA's Negative Determination**

Based upon the negative determination basis provided above, the FAA issues a negative 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: [kevin.h.nishimura@faa.gov](mailto:kevin.h.nishimura@faa.gov).

Sincerely,



Kevin Nishimura  
Environmental Protection Specialist  
Federal Aviation Administration  
Honolulu Airports District Office

Enclosure 1: Project Documents

Enclosure 2: Section 7 Consultation, USFWS Response Letter

Enclosure 3: Section 106 Consultation, FAA Consultation Initiation Letter