DCRM Permitting in the CNMI

Promoting Development and a Healthy Environment.

Know Your CRM

MAJOR SITING PERMIT

Bureau of Environmental and Coastal Quality

Division of Coastal Resources Management

Caller Box 10007

Saipan, MP 96950

www.crm.gov.mp

COASTAL RESOURCES MANAGEMENT

Financial assistance provided by the Coastal Zone Management Act of 1972, as amended, administered by the Office of Coastal Resource Management, National Oceanic and Atmospheric Administration (NOAA).

The statements, findings, conclusions and recommendations are those of the authors and do not necessarily reflect the views of NOAA.

This is Version 2 of the Major Siting Guidance Manual. This living document shall continue to undergo periodic updates as rules, regulations, and policies change.

This Manual was prepared for convenience only and is not incorporated into CNMI laws and regulations. It is not intended and should not be relied upon as legal authority. But we sure hope it is helpful!

TABLE OF CONTENTS

1. PERMITTING: IT’S EASIER THAN YOU THINK!

1. PERMITTING: IT'S EASIER THAN YOU THINK!

The Division of Coastal Resources Management (DCRM) knows – trust us, we *really* know – that the permitting process can be confusing, time-consuming, and frustrating for EVERYONE involved.

So, how do we change this from a frustrating situation into a Win-Win?

It's easier than you think!

- *We want to help you!*
- *We share the same interests:*
  - ✓ We want development projects to be resilient to natural disasters. **So Do You!**
  - ✓ We want to save time and money. **So Do You!**
  - ✓ We want the permit process to be predictable, transparent, and efficient. **So Do You!**
  - ✓ We support economic development. **So Do You!**
  - ✓ We want to sustain our beautiful and productive coastal resources for the economic and social benefits they provide to residents and visitors. **So Do You!**
  - ✓ We want your project to succeed. **So Do You!**

WIN-WIN APPROACH

Typically, we learn of your project at the permitting phase.

- ✓ We want to help you from the moment you have a great idea for a project!
- ✓ Our early and continued involvement throughout project planning will save you time and money.
- ✓ You can develop your Environmental Impact Assessment as you go through this early coordination process.

As summarized in the table, there are specific ways we can assist at every phase of project planning.

Project Phase	Great Idea!	Site Selection	Assess Existing Conditions	Site Plan/Design	Permit
Tasks	Prepare a Brief Description: • Purpose of the project. • Need for the project. • Basic Project Requirements.	Identify a site that: • Complies with regulations. • Is available for use. • Meets your basic project requirements.	• Compile existing site information. • Conduct all field studies required.	• Avoid adverse impacts to the extent practicable. • Incorporate agency design requirements. • Prepare Operations Plan and Construction Plan.	• Prepare complete & accurate applications. • Meet with agencies as you prepare applications.
Outcome	**Brief Project Description**	**Best Project Site**	**Understanding of Site Opportunities and Constraints**	**Best Design at the Best Site**	**Permit /Approval**
Benefit to You	A good start to saving time and money.	Avoid significant adverse impacts early- *when it is easy and costs you nothing*.	Identify “no build areas” before design.	• Enhance property value. • Reduce operating costs. • Reduce permits required.	Permit will be granted with minimal conditions.
We Can Help	Get you started on the right track.	Coordinate with other agencies to develop permit/approval plan.	• Assist in identifying special studies required • Direct you toward existing information.	• Provide guidance for mitigation. • Prepare final permit/approval list.	Assist with application preparation.

Scoping: Meet with anyone who may be interested in or have information on your project.

Project Purpose. Project Requirements.	Alternatives Analysis. Mitigation.	Existing Conditions. Permits Required.	Project Description. Alternatives Analysis. Mitigation.	Impact Analysis. Compile EIA to support permit application.

Top 10 Tips for Achieving Win-Win:

Throughout this Guide we provide tips for getting on the right track for a Win-Win outcome and staying there.

These are the **Top 10**:

1. Consult with us **early** as soon as you have a development idea so we can make sure you START on the right track. Consult with us **often** to make sure you STAY on the right track. **We want to help!**
2. Consult with any agency, board, service provider, neighbor, non-profit, etc., who may have an interest in or relevant data for your project. This process is called “scoping”.
3. **Document** all communications, alternatives you considered, and decisions you made to reduce adverse impacts as a result of scoping.
4. Include an environmental professional (i.e., scientist, planner or engineer) on your team from the very beginning who is familiar with the CNMI regulatory system and local environment.
5. Do not wait until you prepare the Major Siting Permit application form to begin the required Environmental Impact Assessment (EIA). Draft the EIA sections as you proceed through site selection and design.
6. Invest the time and resources necessary to fully understand the existing conditions, opportunities, and constraints at your project site **before** you design the project. Agencies require specific professional studies and surveys for permit applications.
7. Select a site and develop a design that can legally move forward **before** preparing final engineering drawings and permit applications.
8. Do not wait until you prepare the Major Siting Permit application form to anticipate and minimize adverse impacts to the environment. Incorporate mitigation, to the extent practicable, during site selection, design, operations planning, and construction planning.
9. Submit a **COMPLETE** Major Siting Permit application the **first** time.
10. At every opportunity make decisions and volunteer actions to turn constraints into opportunities and enhance your project’s beneficial impacts beyond regulatory requirements.

This Guide

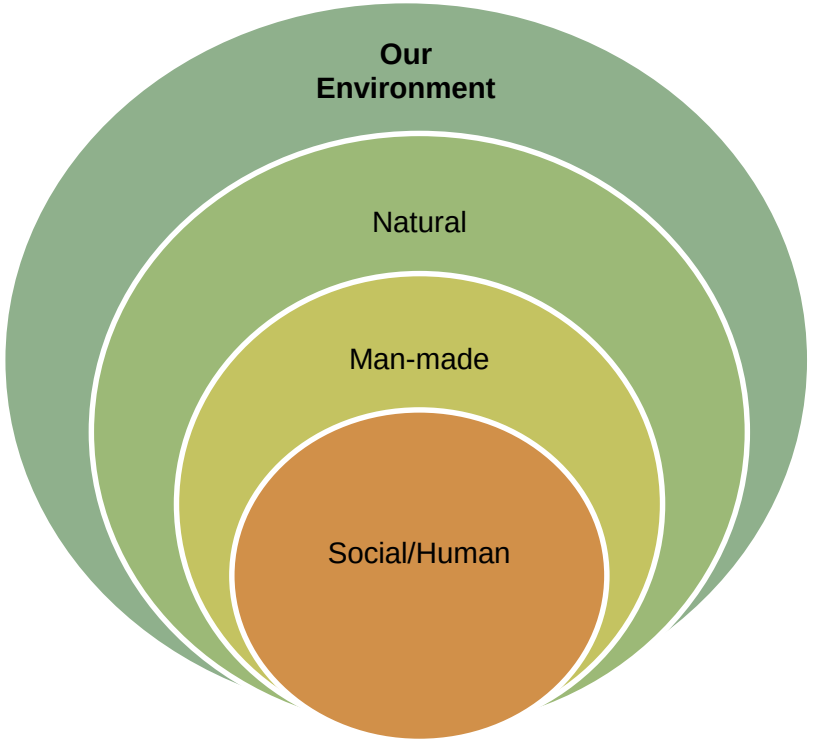
This Guide is a tool specifically designed to assist you in getting a Coastal Resources Management (CRM) Major Siting Permit for your project.

The Guide will answer your questions:

- Why is a Major Siting Permit required?
- What other approvals may be required?
- What is the process for getting a Major Siting Permit?
- How do I reduce adverse impacts?
- Where is the best location for my project?
- What are the important concepts for preparing an Environmental Impact Assessment?
- What resources are readily available to me?

Remember, CNMI regulatory agencies are here to help you start on the right track and stay there!

Comply with requirements and create successful projects that result in Win-Win outcomes for you and the community!



Environment includes the natural, man-made, and social/human conditions of the world in which we live.

Look for these icons:

Key Points are listed at the beginning of each section.

Tips on achieving Win-Win.

The Glossary (Section 8) provides definitions for key terms and acronyms.

The Resource Toolbox (Section 7) provides website addresses and screen shots to help you find readily accessible information.

This Guide relies on the NMIAC Chapter 15-10, revised in January 2018.

2. OUR COASTAL ZONE

2. OUR COASTAL ZONE

Key Points:

1. The CNMI Coastal Zone includes all of CNMI.
2. DCRM is the agency that manages the CNMI Coastal Resources Management Act and administers permits for development within the CNMI Coastal Zone, depending on the urgency and magnitude of the project:
   a. **Temporary Permit**
   b. **Areas of Particular Concern (APC) Permits**
   c. **Major Siting Permit**
3. A Major Siting Permit is required when the project is large-scale and may directly and significantly impact the coastal environment or coastal resources.
4. Other agencies (federal and CNMI) have management and approval authority for development within the Coastal Zone. Their jurisdictions overlap with the CNMI Coastal Zone.
5. Our staff can help you with agency consultation throughout project development.

CNMI Coastal Zone

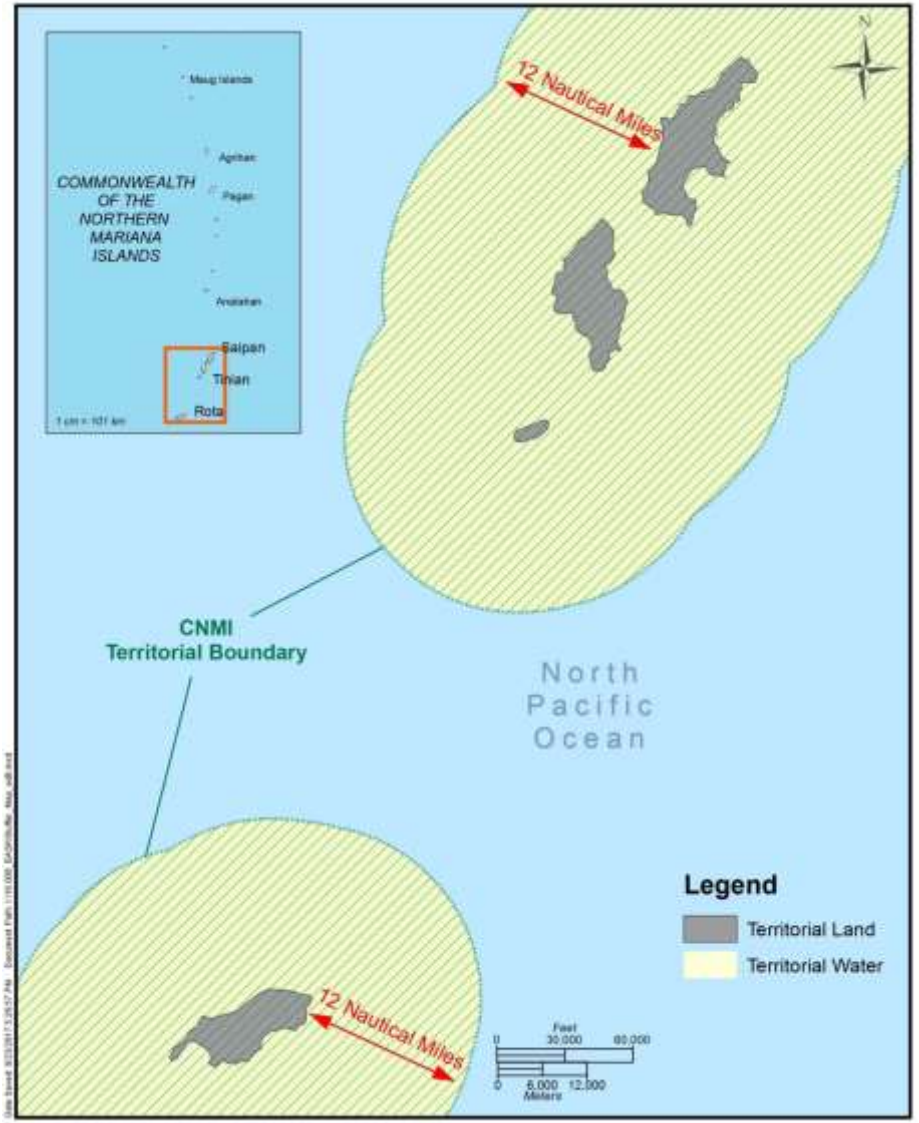
All Territorial Lands + All Territorial Waters

CNMI Coastal Zone: "…*areas shall extend seaward to the extent of the territorial waters of the Commonwealth and shall further extend to all land areas of the Commonwealth" (Source: Commonwealth Code Title 2 § 1500 et seq.).*

CNMI Territorial Waters: "…*seaward within **12 nautical miles** of the high tide line (Source: U.S. Coastal Zone Management Act of 1972, 16 USC §§1451-1464).*

CNMI Submerged Land: *"public lands beneath navigable waters" within 3 nautical miles from high tide (Source: Commonwealth Code Title 2§ 1201).*

The Commonwealth Code is available online.



DCRM Manages the CNMI's Coastal Resources

Why?

We promote conservation and wise development around our coastal resources to ensure future generations will continue to benefit from the CNMI's healthy and productive environment.

How?

We manage the CNMI Coastal Zone in accordance with the CNMI Coastal Resources Management Act. Specific tasks include:

1. Identify specific coastal areas (e.g., Areas of Particular Concern) that warrant additional management protection because they are unique or important resources.
2. Review all development projects in the Coastal Zone for potential significant adverse impacts on coastal resources.
3. **Administer the coastal resources management permit process to ensure significant adverse effects are avoided.**
4. Outline actions required to maintain healthy and productive coastal ecosystems, and to have environmentally, economically, and socially vibrant and resilient coastal communities.
5. **Enable interagency coordination** in the permitting process to avoid and mitigate impacts to coastal resources and the human environment.

CRM Permits

All projects in CNMI are within the CNMI Coastal Zone. Consult with our staff early for help to identify what permits and approvals are required for your project.

CRM permits are:

1. **Temporary Permit**: For emergency repairs before or immediately after an environmentally disastrous event (e.g., typhoons, tsunamis, storms, earthquakes, shipwrecks, oil spills).

2. **Area of Particular Concern** (**APC) Permit**: For developments located in an APC or which may have direct and significant adverse impacts on an APC.

3. **Major Siting Permit**: For all major (large-scale) developments, uses, or activities that are either in or outside an APC and have the potential to, significantly or cumulatively, impact coastal resources.

NOTICE OF APPLICATION
DIVISION OF COASTAL RESOURCES MANAGEMENT
Caller Box 10007, Gualo Rai Center, Saipan
Tel. No. 664-8300 Fax No. 664-8315
As of June 9, 2017

COASTAL RESOURCES MANAGEMENT

THE FOLLOWING IS A PUBLIC ANNOUNCEMENT OF THE COASTAL PERMIT APPLICATIONS AS RECEIVED BY THE DCRM OFFICE:

APPLICANT	DATE APPLICATION RECEIVED	APPLICATION PROJECT DESCRIPTION	LOCATION	TYPE	STATUS
1. Commonwealth Office of Transit Authority (COTA)	6/6/2017 SPI-2017-X-069	Soil Investigation	Lower Base, Saipan	Ports & Industrial	Approved - 6/21/2017
2. Skywalker Holdings, LLC	6/6/2017 SW-2017-X-070	Pre-fabricated Residential Home	Papago, Saipan	Wetlands & Mangroves	Approved - 6/20/2017
3. Ocean Sports Corp.	6/8/2017 SLR-2017-X-071	Marine Sports SCUBA Tour Operation	Garapan, Saipan	Lagoon & Reef	Approved - 6/21/2017

*__Note:__ DCRM publishes public notice of application on Friday of that week it is received. If an application is received on or after Thursday of that week, it will then be published the following Friday.

One-Start Permit:

Any development disturbing over 100 square meters requires an Earthmoving Permit through the BECQ's Division of Environmental Quality (DEQ) One-Start Permit program.

The expedited process eliminates the need for the applicant to go from agency to agency for project review. The applications are entered into a One-Start database and are made accessible to the One-Start agencies at the same time.

One-Start Agencies:

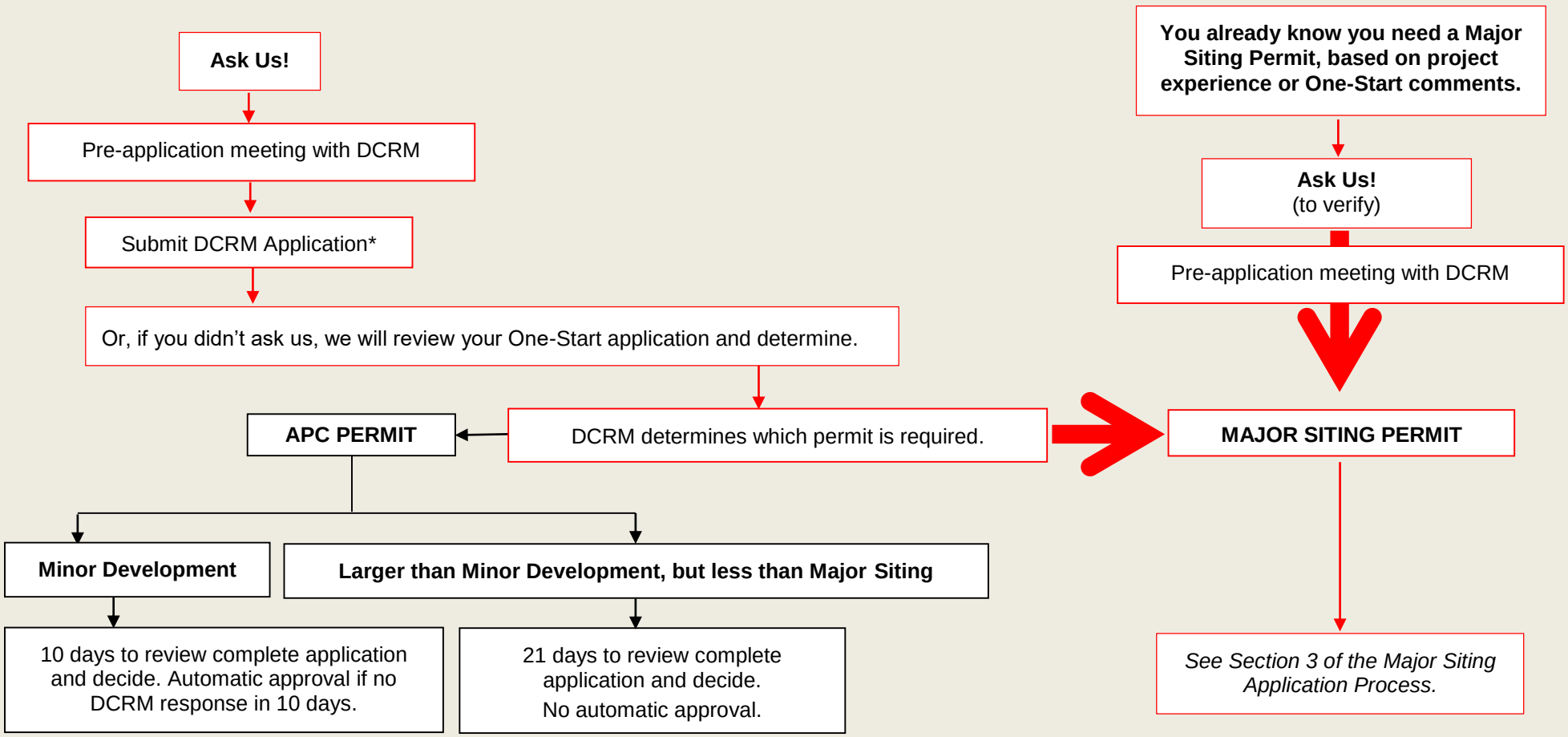
- DEQ
- Division of Fish and Wildlife
- Historic Preservation Office
- DCRM

Each agency submits comments on the potential resources that may be affected.

DCRM reviews the applications and either issues a One-Start permit clearance, requests conditions, or requires a CRM Permit before the One-Start Earthmoving Permit is granted.

One-Start agencies have 21 days to make determinations on complete applications, but may "stop the clock" if more information is needed.

How do you know a Major Siting Permit is required?



Overlap of Agency Responsibility in the CNMI Coastal Zone

In addition to our responsibility for protecting coastal resources in the CNMI Coastal Zone, other agencies (federal and CNMI) administer permits and approvals for development in the CNMI Coastal Zone.

To make it even more confusing, some agencies, like DCRM and the US Army Corps of Engineers, administer multiple types of permits. Each agency's area of responsibility varies according to their governing regulation.

Key to Diagram

DCRM 1 3 4

Major Siting Permit 1 Emergency/Temporary Permit, APC/Minor Permit. 3

Department of Public Lands (DPL) 2

CNMI Public Land leases. Does not include land use permits – see Zoning on page 52.

Department of Land and Natural Resources (DLNR) 2

Submerged Lands Leases.

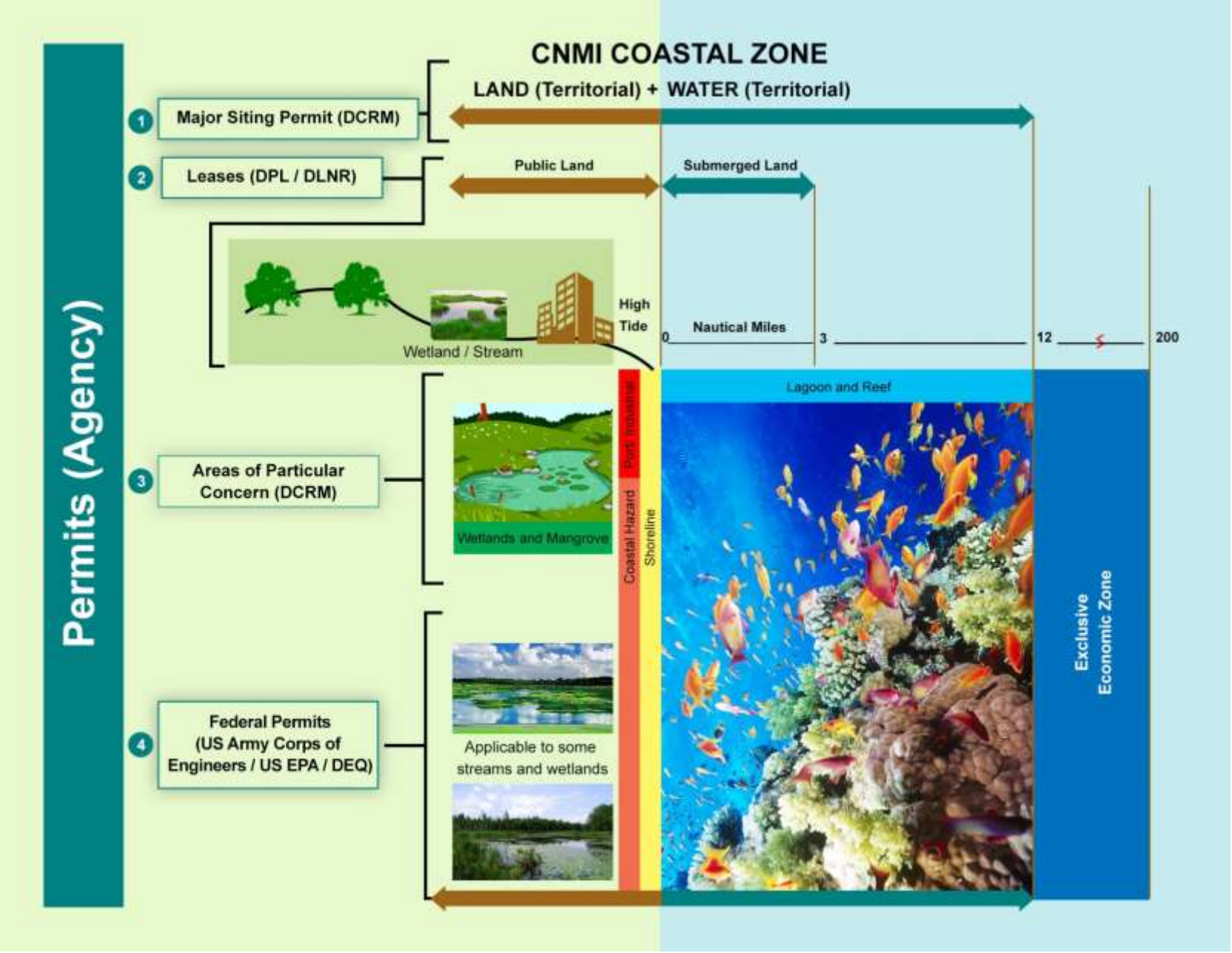
US Army Corps of Engineers 4

Protect national water resources:

1. Rivers and Harbors Act, Section 10. Permit for construction/excavation/deposition in or over waters of the US that are influenced by tides.
2. Clean Water Act, Section 404. Permit for dredge or fill in waters of the US, includes some wetlands and streams.
3. Clean Water Act, Section 401. Water Quality Certification is required if a Section 404 permit required (Administered by DEQ).

The agency contact information is provided in the Resource Tool Box.

Conceptual Overview of Agency Jurisdiction



Summary Table of Other Agency Permits/Approvals

CNMI AGENCY	PERMIT/APPROVAL					
Department of Commerce	• Corporation Registration/Business License.					
Zoning Office	• Compatible Land Use Permit for Commercial and Residential Development.	• Commercial Building, Other Signage Clearance.	• Zoning Inquiry/Clearance.	• Temporary Use.		
Department of Public Works	• Engineering Design.	• Building Permit.	• Right-Of-Ways Certification.	• Occupancy Permit.		
Division of Environmental Quality	• Clean Water Act, Section 401 Water Quality Certification.	• Earthmoving & Erosion Control Permit (One Start).	• National Pollutant Discharge Elimination System Permit (via US EPA).	• Aboveground Storage Tank permit to Install/Operate.	• Well drilling/ operating permit.	• Air Permit to Construct and Operate.
Historic Preservation Office	• Historic Preservation Office Clearance: Applicants should ensure that the preparation of an EIA includes appropriate scoping, identification of historic, archaeological, and cultural resources, assessment of effects upon them, and suggested mitigation for any negative impacts. This typically involves a subsurface testing as part of an archaeological inventory survey, conducted by an archaeologist meeting the Professional Qualifications Standards of the Secretary of the Interior as posted in 36 CFR Part 61. If project is a federal undertaking as defined in 36 CFR Part 800.16(y), Section 106 consultation should be initiated as early as possible.					
Department of Lands and Natural Resources/Division of Fish and Wildlife	• Submerged Lands Lease.	• Marine Sanctuary Clearance.	• Scientific Research Clearance.	• ESA Incidental Take Permits / SUMBA credits for Nightingale Reed-warblers.		
Department of Public Lands	• Public Land Agreement.					
Commonwealth Utilities Corporation	• Water Connection.	• Electrical service connection.	• Sewer connection permit.			
FEDERAL AGENCIES	**PERMIT/APPROVAL**					
US Army Corps of Engineers	• Rivers and Harbors Act Section 10 / Clean Water Act, Section 404.					
US Fish and Wildlife Service / National Marine Fisheries Service	• Endangered Species Act, Section 7.					

How do you know which permits you need?

ASK US! As soon as you have a development idea and long before you submit <u>any</u> permit applications!

Scoping = Project Consultation

Consultation <u>before</u> submitting any application allows you to identify ALL permits and approvals that may be required, assess the best site for your project, and address community concerns.

Document and organize <u>all</u> project communications. Hire an Environmental Professional to help.

Use a system such as a Permit/Approval Plan of Attack Table (see below) to help you track agency communications and permit requirements.

A similar table can be used to track communication with others: contact person, organization, topic discussed, format, date, unresolved issues, and solution/action taken.

Looking Ahead to Site Selection and Environmental Impact Assessment:

Scoping: Consultation with anyone who may be interested in or have information on the potential impacts of your project: agencies, boards, associations, non-profits, community groups, neighbors, and service providers.

The purpose of the consultation is early identification of the permits required, issues or concerns, the geographic extent of the impact analysis, existing data available, and special studies that might be required. Consultation defines the "scope" of the project.

How?

1. Prepare a brief description of your project's purpose and basic requirements.
2. Communicate using any format:
    a. One-on-one conversation (telephone, in-person or email).
    b. Form letter requesting comment from neighbors and other community groups.
    c. Letters to agencies and service providers requesting specific data: fire protection, police protection, potable water, sewer, traffic/transportation, and education.
    d. A project web-based page or profile that invites comments.
3. Document and save all communication.

Benefits to You:

- Regulations and comments are easier and cheaper to address (or avoid) before and during design than during the permit process.

Permit/Approval Plan of Attack Table

Permit/ Approval Name	Agency/ Contact	What approvals are required before?	Application Requirements	Agency Review Time	Anticipated Date of Application Submittal	Communications (Date/Who?)	Concerns/ Issues	Status
1.								
2.								

Know the CRM Regulations

1. Download the Regulations (www.crm.gov.mp), read them, and refer to them often.
2. Consult with DCRM early and often to discuss your project and the regulations.

TITLE 15
BUREAU OF ENVIRONMENTAL AND COASTAL QUALITY
DIVISION OF COASTAL RESOURCES MANAGEMENT
CHAPTER 15-10, COASTAL RESOURCES MANAGEMENT RULES AND REGULATIONS
Jan. 2018 Revision[1]

[1] This Guide reflects 2018 revisions to NMIAC Chapter 15-10.

3. MAJOR SITING PERMIT APPLICATION

3. MAJOR SITING PERMIT APPLICATION

Key Points:

1. There are only 3 Steps to the Major Siting Permit application process:
   - ✓ Step 1. You prepare and submit an application.
   - ✓ Step 2. We review your application to verify it is complete and route it to the CRM Agency Board for certification of completeness.
   - ✓ Step 3. The CRM Agency Board reviews the application for compliance with the regulations, facilitates a public hearing, and makes the decision on your permit application.

2. A *Complete* application =

   All checklist items + **Quality** of information + Demonstrated **Regulatory Compliance** and **Mitigation**.

Application Review Process: Only 3 Steps!

1. **You prepare the Coastal Application for Major Siting Permit[1].**

Download DCRM Coastal Application for Major Siting Permit and DCRM checklist.

   a. You have to meet with us at least once before you submit your application, but if you read this guide you know that we want you to visit us often.

   b. Complete the application form, compile attachments, and use our checklist to confirm the application package is complete.

2. **The CRM Agency Board has 30 days to review the application for *Completeness***. DCRM may stop the clock on the review of incomplete applications (*not yours - because you read this Guide!*) until supplemental submissions are provided.

3. **The CRM Agency Board has 60 days to review the certified complete application and make a decision**. This step includes a public notification within the first 14 days, followed by a public hearing.

   CRM Agency Board makes the decision:

   1) Grant the permit (with or without conditions) or

   2) Deny the permit*

*Note: There is an appeal process that is not described in this Guide (NMIAC §15-10-235).

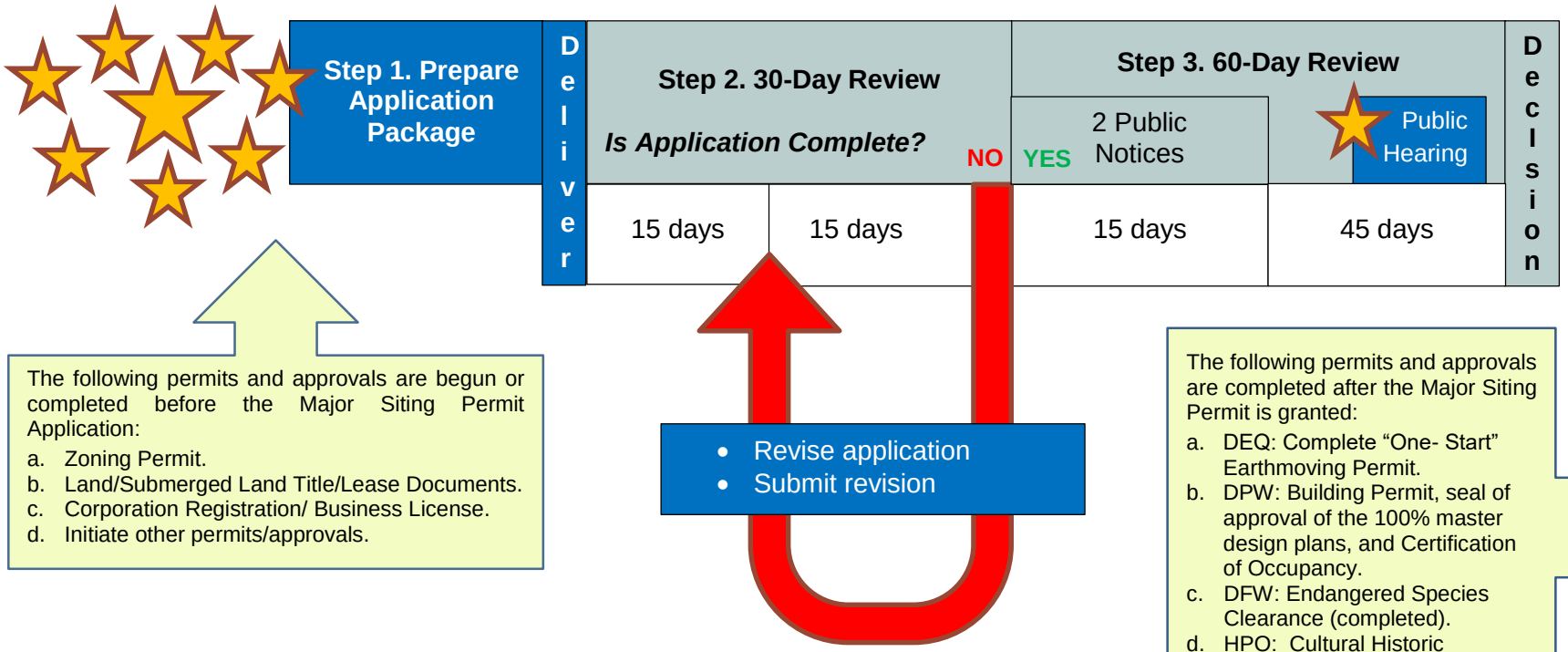
As this guide recommends, most components of the application package are developed as you design your project, including early consultation with agencies and others (Scoping).

CRM Agency Board

COASTAL RESOURCES MANAGEMENT

[1] See NMIAC § 15-10-200 CRM Permit Process.

Step by Step Application Process



LEGEND:

= Mandatory meeting with DCRM.

= Meetings with DCRM and others who may have an interest in your project.

= DCRM & CRM Agency Board.

= Applicant.

= Timing of some other permit and approvals.

Win-Win

We have shared goals and objectives:

- Best project design at the best location.
- Save time and money.
- Predictable, transparent, and efficient permit process.

We support wise, sustainable use of coastal resources. This means projects should -- to the greatest extent practicable -- avoid negative impacts to yield positive outcomes for the developer and the CNMI environment.

Let us help you streamline the application process and produce Win-Win outcomes for the economy and the environment.

Practicable

adjective prac·ti·ca·ble \ˈprak-ti-kə-bəl\

1: capable of being put into practice or of being done or accomplished: feasible.
a **practicable** plan

2: capable of being used: usable.
a **practicable** ship

A Complete Application =

All required information.

+ **Quality** information (i.e., accurate, sufficient detail for analysis, organized).
+ **Regulatory Compliance and Mitigation** is clearly demonstrated.

Commonwealth of the Northern Mariana Islands
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Bureau of Environmental and Coastal Quality
Division of Coastal Resources Management
Gualo Rai Center, Suite 303
Lower Gualo Rai Middle Road
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Tel: (670) 664-8300; Fax: (670) 664-8315
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Eliceo D. Cabrera
Administrator

Janice E. Castro
Director, DCRM

COASTAL APPLICATION FOR A MAJOR SITING PERMIT

A coastal permit is required to perform work regulated by the provisions of NMIAC § 15-10.

PROJECT LOCATION: Street / Village / Island			**DCRM OFFICE USE ONLY** Received by:
Owner's Name: / DBA:			Coastal Permit No.:
Mailing Address / Island / Zip Code			Date Received / Date Distributed
Name of Contractor or Representative (if any) / Address:			60 Days Deadline Date:
Contractor's CNMI License No.:	Type of land: Public ◯ Private ◯	Lot No.:	Receipt No.: / Date of Receipt:
Telephone No. / Email Contact:			Amount Paid:
Funding Source. Check all that apply. Individual__ Business__ CNMI__ Federal__ Foundation__	*Estimated Project Cost:		Date Certified Complete:

New ____

Amendment ___ *(Complete pages 1 through 4 only)*

Submit a **complete** application the first time! Check with DCRM Permitting Staff before you submit!

Application Package Content

The Major Siting Permit application package includes a large number of supporting documents, many of which are also required for other permit applications, like the Zoning Permit.

We have a checklist online to help you verify the application is complete!

Major Siting Permit Application Package Component	Other Permits That Require Similar Information
1. Application Form and Checklist	
2. Environmental Impact Assessment	
3. Zoning Permit (required prior to Major Siting Permit) CNMI approved construction plans: master site plan, floor plans, site plan, erosion control plans, coverage plan showing lot density, floor plans, view corridor plan, elevation plans	
4. Land Title/Lease Documents	Zoning Permit
5. Submerged Lands Lease (If Applicable)	Zoning Permit
6. Authorization Letter/Contract. For any authorized representative that is not the applicant	
7. Business License for Commercial Buildings and Structures	Zoning Permit
8. Affidavit of Truth	
9. Certification	
10. Receipt CNMI treasurer for filing fees	
11. (Optional) LEED Checklist to support reduced fees	
12. Estimated Cost	
13. Copies of CNMI and Federal Permits or status of review	Zoning Permit and Earthmoving Permit (final drawings)
14. Adjacent Property Description	
15. Names of and letters notifying adjacent property owners of the proposal	
16. Estimates of daily peak utilities demands based on CUC rates	Zoning and Building Permit

Major Siting Permit Application Package Component	Other Permits That Require Similar Information
Technical Studies	
1. Traffic Analysis	
2. Archaeological Survey/Recovery Report	HPO approvals
3. Soil/Geotesting Report	Multiple permits
4. Biological Assessment	DLNR approvals
5. Solid Waste Estimate & Management Plan	
6. Human Resources Management Plan	
Figures	
1. View Corridor Plan (≥ 6 Stories Or ≥ 60 feet in height)	Zoning Permit
2. Location & Current Condition (Site Map And Description)	Zoning Permit
3. Conceptual Erosion Control & Drainage Plans Including	Zoning Permit; Earthmoving Permit includes final plans
4. Slope & Elevation Map/Topographic Map	Zoning Permit
5. Watershed and Drainage Map	Earthmoving permit
6. Preliminary Drainage & Erosion Control Map	Zoning Permit
7. Preliminary Storm Water Management Plan	Earthmoving permit
8. Map Showing Distance of All Proposed Structures From APCs	
9. Vicinity Map	Zoning Permit

Application Fees

The Major Siting Permit administrative fee ranges from $200 to $2,000 based on total construction costs.

As an incentive for reducing impacts on the environment, the fee may be reduced if **Leadership in Energy and Environmental Design (LEED) or Low Impact Development (LID)** principles and **Energy Star®** products are incorporated into the design.

See Section 4 for more about LEED and Energy Star®.

Looking Ahead to Mitigation:

Apply LEED and LID principles, and use Energy Star products to reduce adverse impacts to the environment.

NMIAC §15-10-205: Discounted fees for qualifying "green" and/or "low impact development" projects. Discounts may be applied for application and administration fees at the recommendation of the Permit Manager and approval of the DCRM Director as provided in subpart (1) below.

*(1) Tiered permit discounts for qualifying **"Energy Star"** rated or "**LEED certifiable**" projects are available as follows:*

Tier 1 Reduction	*Building design and construction are "LEED Certifiable", scoring between 40-49 points on the LEED v4 Building Design and Construction Checklist*	*10% fee reduction*
Tier 2 Reduction	*Building design and construction are "LEED Silver Certifiable", scoring between 50-59 points on the LEED v4 Building Design and Construction Checklist*	*15% fee reduction*
Tier 3 Reduction	*Building design and construction are "LEED Gold Certifiable", scoring between 60-79 points on the LEED v4 Building Design and Construction Checklist*	*20% fee reduction*
Tier 4 Reduction	*Building design and construction are "LEED Platinum Certifiable", scoring between 80-110 points on the LEED v4 Building Design and Construction Checklist*	*25% fee reduction*

"LEED Certifiable" means that project proposal meets or exceeds current standardized rating systems for "Leadership in Energy and Environmental Design" (LEED) criteria and Guiding Principles established by the United States Green Building Council as assessed by application of the LEED v4 Building Design and Construction Checklist.

As an incentive for reducing impacts on the environment from development, the permit fee may be reduced if specific “best management practices” can be incorporated into your project design. These practices include on-site recycling to reduce 50% or more of the operational waste stream and/or the redevelopment / rehabilitation of existing buildings.

NMIAC §15-10-205: Discounted fees for qualifying building redevelopment and “best practices” in development projects. Discounts may be applied for application and administration fees at the recommendation of the Permit Manager and approval of the DCRM Director as provided in subpart (2) below.

(2) Tiered permit discounts for qualifying building redevelopment and best practices are available as follows:

Tier 1 BMP Reduction	*Permittee or its operators implements and maintains on-site recycling and composting programs to reduce 50% or more of the waste stream; AND/OR* *Project installs, utilizes, and maintains “Energy Star” rated high efficiency / LED lighting and appliances*	*5% fee reduction*
Tier 2 BMP Reduction	*Applicant redevelops or rehabilitates 15% - 25% of the existing building.*	*10% fee reduction*
Tier 3 BMP Reduction	*Applicant redevelops or rehabilitates 26% - 50% of the existing building.*	*20% fee reduction*
Tier 4 BMP Reduction	*Applicant redevelops or rehabilitates 51% - 74% of the existing building.*	*30% fee reduction*
Tier 5 BMP Reduction	*Applicant redevelops or rehabilitates 75% of the existing building.*	*50% fee reduction*

If you have questions about whether your project may qualify for these incentives, please ask us!

4. MITIGATION OF IMPACTS

4. MITIGATION OF IMPACTS

Key Points:

1. "Environment" is defined as the natural, man-made and social/human conditions of the world we live in.
2. There are 5 ways to minimize adverse impacts to the environment:
    a. Avoid adverse impacts,
    b. Minimize adverse impacts,
    c. Restore affected area,
    d. Loss offset, or
    e. Compensate for the adverse impact.
3. Everyone is responsible for mitigation.
4. Avoiding adverse impact is the preferred mitigation strategy and is the most cost effective for you.
5. Some mitigation is required by law. Permit conditions can be considered mandatory mitigation measures.
6. There are many other ways to voluntarily reduce impacts (i.e., LEED principles, Construction BMPs).

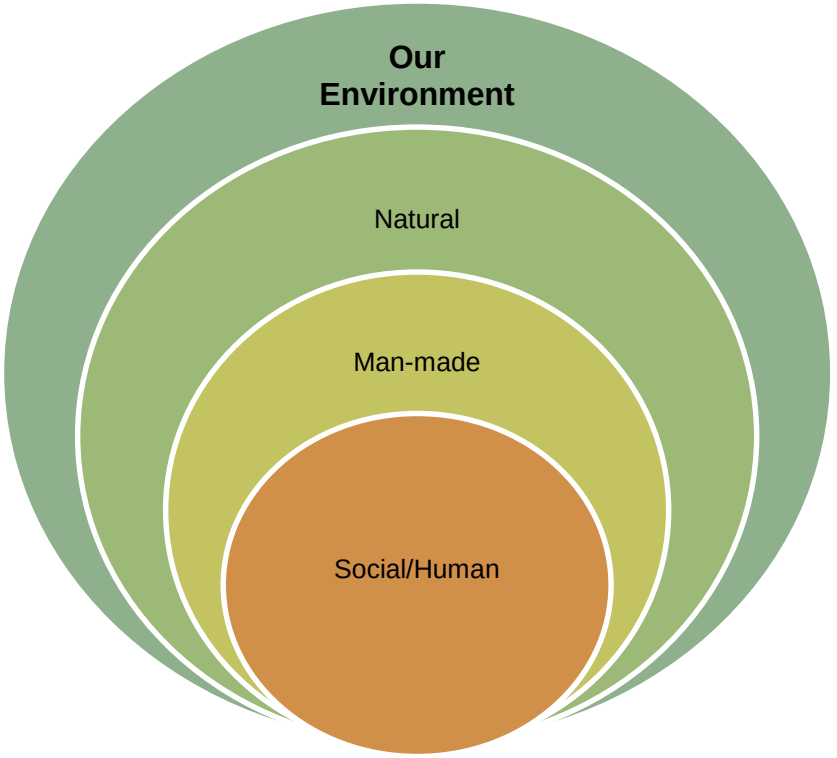
A silt curtain contains the soils and sediments disturbed during coastal construction.

What is Mitigation?

Mitigation:
Specific human actions that serve to avoid, minimize, restore, offset or compensate for adverse impacts to the environment for the benefit of current and future generations.

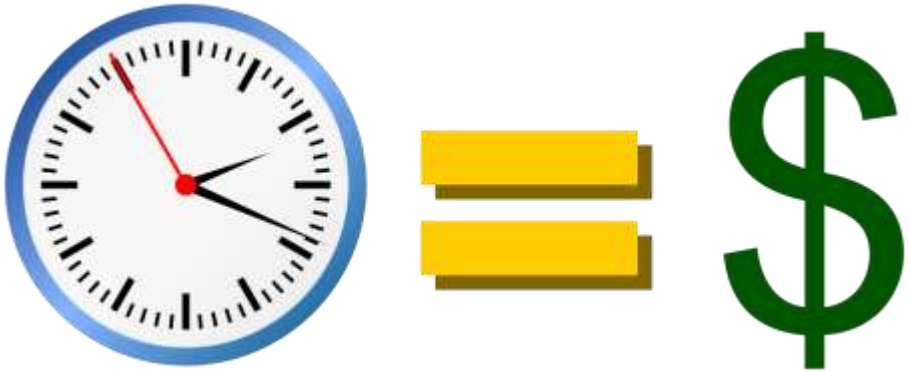
Environment:
The natural, physical and social/human conditions of the world in which we live.

Mitigation, like a pillow, minimizes the impact of a fall.



Why Mitigate Adverse Impacts?

- **You have to comply.** DCRM regulations were adopted to avoid and mitigate the adverse human impacts to the environment. The permit approval process assesses compliance with the regulations.
- **You want to build smart.** It is a wise investment to develop a project that operates efficiently and protects the CNMI environment for future generations. This is a good business model!
- **Win-Win Benefits for You:**
  - ✓ Faster agency review and permit approvals.
  - ✓ Fewer conditions added to the permit.
  - ✓ Reduced project design, operations, and maintenance costs.
  - ✓ Reduced risk of damage from coastal hazards.
  - ✓ Reduced number of permits/approvals required, especially if sensitive areas are avoided altogether.



✓ Protecting your investment in the CNMI environment now and for future generations is **the right thing to do!!**

tip!

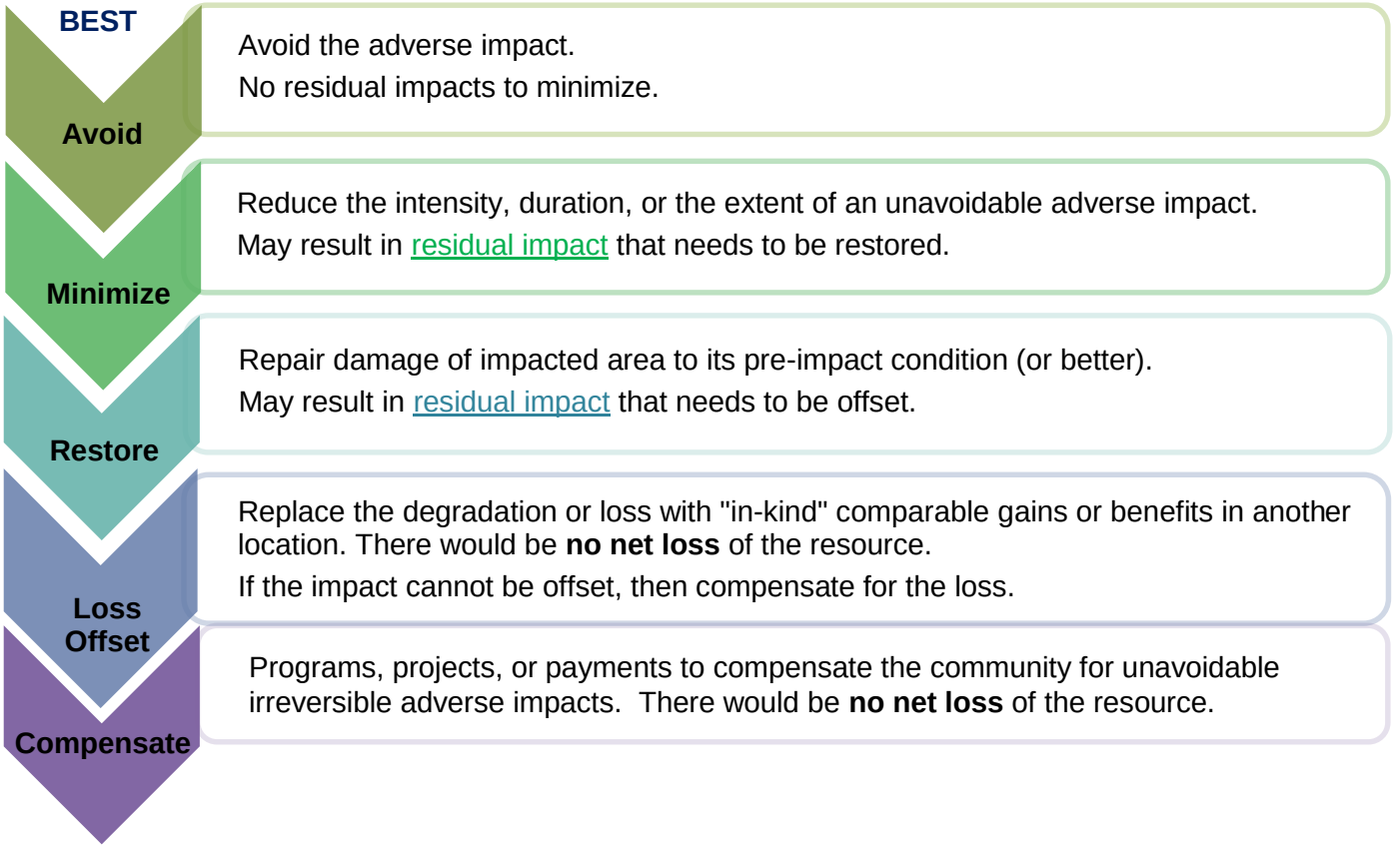
Incorporate mitigation into all phases of the project: site selection, design, construction, and operations to demonstrate your commitment to sustainable development.

Mitigation Priorities

Five types of mitigation[1] are applied to adverse impacts in a systematic order of priority. Begin with **avoiding** significant adverse impacts to the extent practicable. This is the easiest and least expensive mitigation type.

When the adverse impact cannot be avoided, minimized or restored at the site, then the developer considers offsite mitigation to counter-balance the loss or damage. The counter-balance action must be of equal or greater benefit than the loss. This is referred to as **No Net Loss**.

No Net Loss:
Unavoidable residual impacts that cannot be minimized or reduced are counter-balanced by actions that result in equivalent or greater benefits /gains.



[1] *Application of the Mitigation Hierarchy In The Environmental Impact Assessment Process To Achieve No Net Loss/Net Gain In Key Coastal Ecosystems in the Commonwealth of the Northern Mariana Islands (2017).*

WORST

Mitigating the Impact of a Car Accident

Avoid	Minimize	Impact	Restore	Offset	Compensate
					
Don't Drive.	Drive but: • Don't drink and drive • Maintain car in good condition • Obtain auto insurance	Car accident due to bee sting. Unavoidable direct impacts to car and tree.	**Car Direct Impact** Fix the car's scratches and dents. There is no residual direct car impact to mitigate.	IF the car cannot be "restored", then replace the car. There is no residual direct car impact to mitigate.	Not required. No residual mitigation required.
			Tree Direct Impact Can't restore the dead tree. There is residual tree impact to mitigate.	Remove the dead tree and replace with a tree of the same species, similar shape and approximate age. There is no residual tree impact to mitigate.	IF the tree is irreplaceable because it is the last one of its kind, then the driver would need to pay (compensate) the community for the loss of the future benefit provided by the tree over its natural life. This could be a cash payment or a program to protect other unique trees.
			Car Indirect Impact Car insurance mitigates the financial impact to the driver related to the car repair/replacement. No residual impact, except insurance premiums may increase.		

1. Avoid Adverse Impact

AVOIDING adverse impacts is the highest priority!

Why? Because it is the easiest to implement, most economical for you, and best for the environment.
Examples:

Mitigation	How?	Benefits to You
Avoid protected, unique, and sensitive areas (e.g., Areas of Particular Concern).	Choose an alternative site or establish an adequate protective buffer between the project and the sensitive areas.	Reduces the number of permits and time associated with approvals.
Avoid risk of fuel spills.	Use electric vehicles and landscaping equipment.	Fuel cost savings and reduced noise.
Avoid construction/maintenance impacts to historic sites.	Use hand tools to clear vegetation in the vicinity of historic sites, instead of heavy equipment.	Inadvertent physical disturbance of a historic property will stop a project and trigger Historic Preservation Office consultation.
Avoid peak commuter traffic hours.	Alter the daily work schedule.	May eliminate the need for costly intersection improvements and adverse impacts on community traffic.
Avoid coastal hazard risks.	Select a site further inland and uphill.	Avoid trauma of impacts to human health and the cost of repairing structural damage associated with coastal disasters.
Avoid impacts to marine life.	Avoid in-water construction during coral spawning periods.	Avoid the cost associated with marine monitoring during in-water construction and costs associated with restoring the marine environment.

THIS: Design structures to avoid floodwaters.

NOT THIS: Build near shorelines because they may shift over time.

tip!

To reduce your risk exposure as well as potential negative effects of your development, your project should avoid adverse impacts to the greatest extent practicable.

2. Minimize Adverse Impact

If adverse impacts can't be avoided, then **minimize** the impacts.

Why? Minimizing actions help reduce, decrease, prevent, redirect, reorient, or remove adverse impacts.
Examples:

Mitigation	How?	Benefits to You
Reduce the area of ground disturbance during construction.	Scale down or reduce building footprints. Use erosion control blankets. Phase construction to reduce area of disturbance occurring at one time.	Minimizes costs of potential damage due to stormwater runoff to adjacent property and surface waters, and costs associated with construction on eroded soils.
Minimize impact to scenic views and coastal hazard impacts.	Minimize building surface area exposed to shore. Site building perpendicular to the shore.	Reduces the magnitude of physical damage and retains views to the ocean.
Reduce the amount of stormwater to be managed during operations.	Increase the area of pervious paving at the site to allow rain water to soak into the ground at the site.	Minimizes stormwater flow offsite to adjacent properties or reduces the onsite stormwater infrastructure to reduce costs.
Increase energy efficiency during operations.	Use lights that go off automatically if there is no motion in a room. Use energy-efficient appliances.	Reduces your electric bill.
Reduce community and worker exposure to air pollution that can affect their respiratory systems.	Control construction dust by covering the disturbed soil or spraying it lightly with water.	Minimizes costs associated with addressing the health complaints and reduced worker productivity.
Reduce the noise impact.	Use noise dampening controls, noise barriers, or buffers to reduce the impact of noise generated by heavy equipment. Meets regulated ambient noise standards.	Avoids the cost of a noise variance. Reduces the nuisance for workers, occupants and guests that may deter them from your business.

THIS: Anchor and maintain silt curtain to retain dirt and sand on site.

NOT THIS: Construction fence is not properly anchored.

3. Restore Impacted Area

If impacts can't be avoided or minimized, then **restore** the damaged area to pre-existing conditions.

Why? Restoration includes actions that remedy, rectify, replace, or remediate physical or functional damage associated with the project or activities at the site. It is a best practice to ensure that restoration occurs at or near the project site if not on the property where the impact occurs.

Examples:

Mitigation	How?	Benefits to You
Address pre-existing contamination.	Clean-up areas that are contaminated by historical releases of hazardous materials or waste or illegal trash dumping.	Limits the risk and liability associated with someone being harmed by exposure to these materials.
Address removal of natural habitat that was removed by a phase of the development.	Restore the natural habitat.	Natural resources and other aesthetic improvements add value to the development.
Address the temporary construction materials.	Remove temporary construction traffic control devices and restore public roadways to pre-construction roadway conditions. Remove temporary fencing, posts, silt curtains, and coffer dams.	Avoids risk of traffic accidents and associated costs.
Address natural waterways that were temporarily diverted for construction.	Restore natural waterways per permit requirements.	Regulatory compliance avoids payment of fines. Natural resources and other aesthetic improvements add value to the development.
Address existing beach paths that cover historical native vegetation habitat.	Relocate existing man-made beach paths away from native plants to allow them to recover and spread.	This will enhance the shoreline capacity to assimilate storm surge and naturally buffer strong waves.

THIS: Replant or encourage beach vegetation. Native plants hold sand and replenish the beach after storms.

NOT THIS: Remove vegetation and expose sand to wind because it can be washed or blown away.

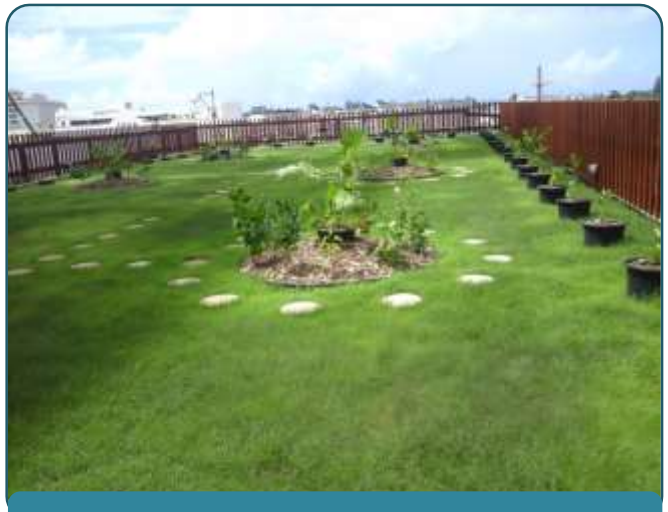
4. Offset the Adverse Impact

If an adverse impact cannot be avoided, minimized, or restored, then calculate the loss and replace the loss at a greater value than the calculated loss. The goal is **NO NET LOSS** of an environmental resource or function!

Why? Offsets are environmentally beneficial activities undertaken to counterbalance an adverse environmental impact. The impact can be a physical loss (acres) of habitat or a loss of function. Offsets must generate **greater** benefits than the project's negative impact. When applicable, offsets tend to be mandated and approved by the regulatory agency. Loss offset is appropriate when there is greater value to the CNMI resource as a whole, if resources are applied to enhancing the resource in another location.

Examples: These mitigation measures are generally required as permit conditions.

- A proposed public roadway project blocks access to a property, but the project offsets the loss by providing an alternative access to the property that is just as convenient or more convenient for the affected property owner.
- Native vegetation is permanently removed from the project site, but the project offsets the impacts by establishing a larger contiguous area of native vegetation in another suitable location.
- Increasing seagrass bed coverage offshore to offset proposed shoreline hardening will help capture sand and reduce beach erosion and has multiple ecological benefits.
- Provide project workforce housing for large projects, to offset the impact on the supply of affordable housing for CNMI residents.



THIS: A green roof on Saipan helps reduce stormwater runoff and has added benefits of lowering energy costs and reducing humidity in the building.

No Net Loss: Residual impacts that cannot be avoided, minimized, or reduced are counter-balanced by equivalent or greater benefits /gains.

5. Compensate for the Adverse Impact

THE MITIGATION OF LAST RESORT!

Compensate only if no other type of mitigation would be effective.

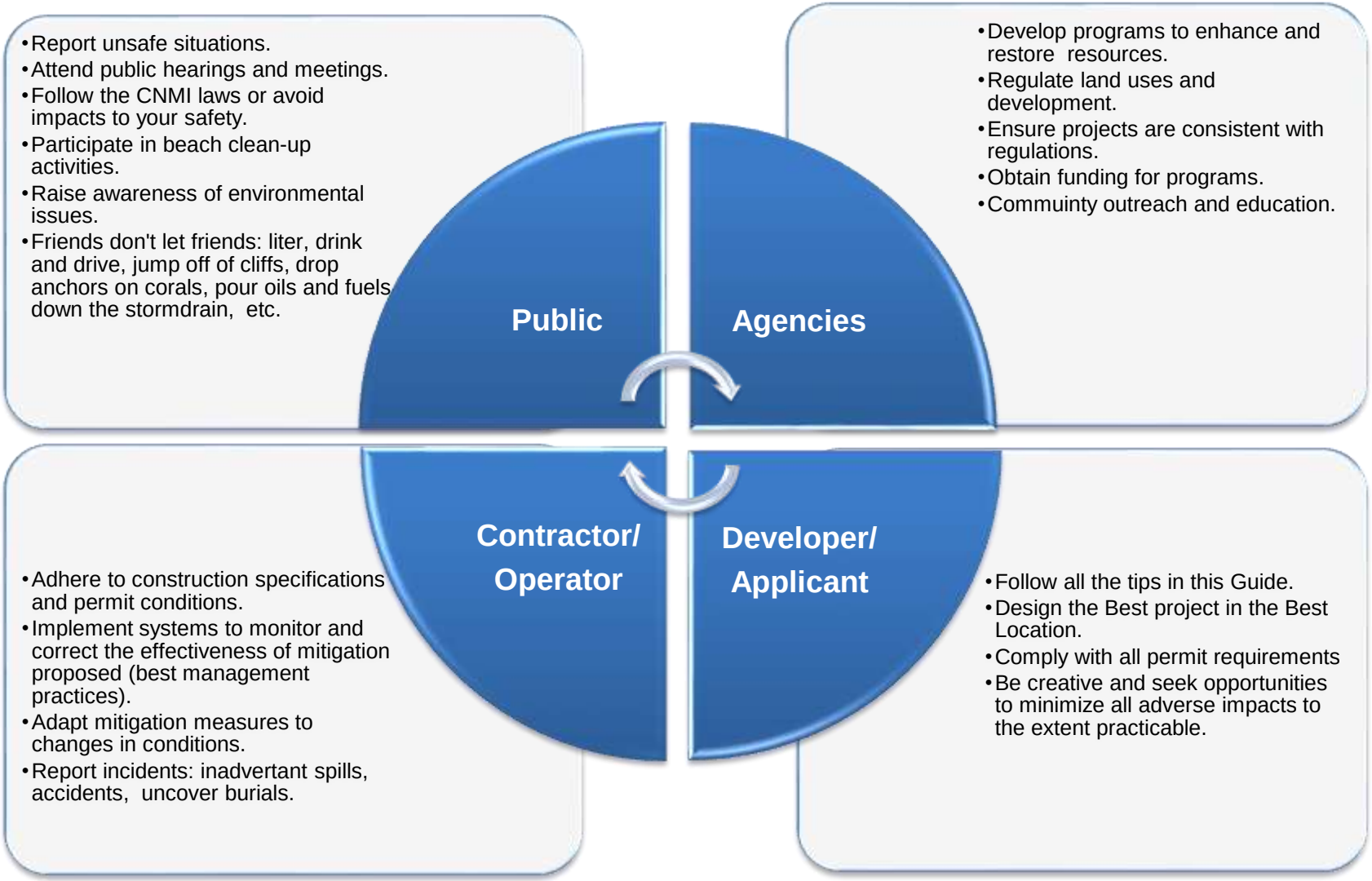
Why? Compensation, like offsets, is generally required by law and tends to be expensive. The purpose and need for the project must be compelling enough to outweigh the adverse impact.

Examples: These mitigation measures are generally required as permit conditions.

- For wetlands and some protected bird species, the amount of compensation is determined by federal and CNMI agencies and includes mitigation banks, in-lieu fee programs, or permittee-responsible mitigation.
  - The Saipan Upland Mitigation Bank Area sells credits for the loss of Nightingale Reed-Warblers, an endangered species.
  - In some cases, developers that impact wetlands may purchase an ecologically similar wetland, and restore or enhance the habitat.
- A new public roadway is proposed that requires demolition of three residences. Compensatory mitigation could be a combination of relocation assistance for residents, new homes, and payment as compensation.
- Compensate for the impact to native species by funding programs to protect their habitats. For example: Fund a cockroach bait trap program to prevent cockroaches from eating swiftlets (native species) nests that are attached to the sides of caves. Improve swiftlets reproductive success by protecting their nests.

Nightingale reed-warbler.
Photo credit: Scott Vogt

Everyone is Responsible for Mitigation



Sometimes mitigation is required by law…

- ✓ Speed limits
- ✓ Airport security
- ✓ Hard hats for construction workers

…and sometimes mitigation is just the right thing to do:

- ✓ Pick up litter and throw it away
- ✓ Hold a child's hand when crossing a street
- ✓ Turn lights off when you leave a room

Required Mitigation

Mandatory or Required Mitigation is codified in the regulatory agency regulations or attached to agency permit conditions. Compliance with the required mitigation is generally non-negotiable and often the regulations describe enforcement procedures.

1. **Regulations:** Agencies (federal and CNMI) impose restrictions (mitigation) on routine human activity (e.g., traffic speed limits) and development. Agencies review the permit applications to determine if a project meets the legal requirements.
2. **Permit Conditions:** CRM permits have standard permit conditions and additional project-specific conditions. All conditions are clearly stated in the permit. Standard conditions include:
    a. **Timing and Duration:** Maximum project duration is 3 years, unless approved in the permit or an extension is requested and granted after the permit is issued (additional fees may apply).
    b. **Compliance with other Law(s):** The CRM permit is valid only if the permitted project is in compliance with other necessary governmental permits.
    c. Where appropriate, the project shall **preserve, enhance, or establish buffers** along surface water bodies and their tributaries.
    d. **Best Management Practices (BMP) and Standard Operating Procedures (SOP).** The conditions include reference to two BMP guidance documents to be followed during construction:
        a. Construction Site Chemical and Material Control Handbook.
        b. CNMI Erosion & Sediment Control Field Guide.

These two BMP guidance documents are available online. Visit crm.gov.mp for more online publications!

Best Management Practices (BMP): Techniques or methods that are considered the industry standard for protecting the environment during construction and operation.

The permits and construction bid documents often require adherence to a specific construction BMP reference or guidance to follow.

Best Management Practices

Soil and Vegetation Disturbance + Rainfall = Poor Water Quality and **Damage to Natural Habitats**

As illustrated in these photos[1], grading and the removal of vegetation loosens soils. The bare soil is prone to erosion that can create unsafe conditions. Rainfall may wash the disturbed soils off of the site carrying dirt and contaminants into surface water or storm drains, and ultimately into coastal waters. The sediment load and poor water quality may be harmful to people, and wildlife and their habitats (i.e., cover corals and seagrasses, fill wetlands).

[1] Source: *CNMI Erosion & Sediment Control Field Guide*, Prepared by Horsley Witten Group, April 2009.

BMPs for mitigating the adverse impacts related to erosion and stormwater flow during construction include[1]:

- ✓ Minimize the area of clearing and grading to preserve natural vegetation and topography.
- ✓ Avoid grading on steep slopes, if possible.
- ✓ Phase the construction to minimize the area of disturbance at one time.
- ✓ Physically block stormwater from entering natural and manmade waterways (e.g., drains, culverts, and pipes).
- ✓ Protect surface waters by maintaining a buffer from grading activities.
- ✓ Avoid construction in heavy rainfall.
- ✓ Stabilize soils with erosion control fabric and replant as soon as possible.
- ✓ Retain stormwater onsite and allow it to permeate through the soils.

Sediment and erosion control BMPs are important, but there are also BMPs for managing other impacts, related to:

- Trash
- Dust
- Noise
- Traffic
- Hazardous materials

THIS: Stabilize sloped soils with fabric or erosion control blankets to hold soil in-place.

NOT THIS: The construction site is too close to the stream and lacks physical barriers to protect the stream from stormwater.

[1] Source: *CNMI Erosion & Sediment Control Field Guide,* Prepared by Horsley Witten Group. April 2009.

Standard Operating Procedures (SOP)

Standard Operating Procedures: Written step-by-step instructions for everyone to follow for a specific routine task. SOPs are used to document compliance with a regulation or to monitor and document the performance of a BMP, a process or a piece of equipment.

SOP Benefits:

- Increases the efficiency of performing routine tasks.
- Improves the quality and consistency of monitoring, reporting and corrective action.
- Verifies BMP measures are effective.
- Verifies permit conditions are met and demonstrates compliance with regulations.

Format: Generally, there is a checklist or form to complete (see sample Rain Garden SOP form) that prompts the user for the required information, generally an observation.

Commit to preparing SOPs along with BMPs in your project description.

Construction phase SOP examples:

- Erosion Control Plans include SOPs for inspecting, correcting, and adjusting erosion and sediment control structures, which are BMPs.
- Health and Safety Plans include SOPs for routine inspections of worker safety equipment, daily health and safety briefings, and accident reporting (BMPs).
- Solid Waste Management Plans include SOPs with specific instructions for site housekeeping, waste storage and hauling, and recycling procedures (BMPs).

Operations phase SOP examples:

- Landscaping SOPs document the process for inspecting the irrigation system and the application of pesticides (BMPs).
- Maintenance SOPs are prepared for major equipment or systems, such as swimming pools, elevators, and fire protection (BMPs).

Stormwater BMP Inspection Form – Rain Garden

Address: _____

Owner: _____

Legal: _____

Date: _____ E-mail: _____ Phone: (___) ___-____

I. GENERAL INSPECTION RESULTS					
Item	Inspection Results				BMP's in General
1	☐	Apparent problems	☐	No problems	BMP does not appear to be well maintained.
2	☐	Design flaws	☐	No flaws	BMP observed to have significant design flaws which lessen its effectiveness.
3	☐	Unauthorized modifications	☐	No modifications	BMP has unauthorized modifications that reduce its effectiveness.
4	☐	BMP removed	☐	BMP present	BMP has been destroyed or removed from property.
5	☐	Trash	☐	No Trash	Trash and debris has accumulated on/in BMP. Yard waste in BMP.
6	☐	Contaminated	☐	Uncontaminated	Evidence of Oil, gasoline. Contaminants or other pollutants.
7	☐	Smells	☐	Doesn't smell	Unpleasant odors from the BMP.
II. BMP SPECIFIC INSPECTION RESULTS - RAINGARDEN					
Item	Inspection Results				BMP : Raingarden
1	☐	Sediment accumulated	☐	No sediment accumulated	Sediment depth exceeds 2 inches on more than 10% of vegetated treatment area or interferes with BMP performance.
2	☐	Erosion or scouring	☐	No erosion or scouring	Eroded or scoured areas (including spillway) due to flow channelization, higher flows, wind or water.

Voluntary Mitigation

Anticipate adverse impacts and commit to mitigation measures that are not required by law.

- Leadership in Energy and Environmental Design (LEED) and Low Impact Development (LID) design and operations.
- Use of Energy Star®-certified products.
- Select a licensed contractor that has demonstrated compliance with permit conditions.
- Alter the timing of activities to reduce impacts. For example, adjust construction schedule to avoid peak traffic.
- Provide community benefit, such as a "shortcut" through the site for pedestrians.
- Attractive design and architecture.

Win-Win: These practices are easy and inexpensive for you to implement. The energy-saving and water-saving measures will lower your operating costs. They are beneficial to the environment and enhance community good-will.

THIS: Natural lighting reduces energy use.

THIS: A rock garden reduces irrigation water use.

The Project Description in the Environmental Impact Assessment needs to describe ALL of the alternatives considered and mitigation commitments, including voluntary measures.

Leadership in Energy and Environmental Design (LEED)

A Green Building is a Smart Building!

LEED is an internationally recognized building certification process that encourages the development and operation of resource efficient "**Green Buildings."** The design and operations of these buildings:

- ✓ Conserve water.
- ✓ Reduce waste.
- ✓ Conserve energy and rely on renewable resources.

Win-Win:

Benefits to You:

- ✓ Increased building value.
- ✓ Higher lease rates.
- ✓ Decreased utility costs.
- ✓ Lower Major Siting Permit application fee (pending adoption of new regulations).
- ✓ Easy and cost effective to implement.

Benefits to Everyone:

- ✓ Diversion of waste from a landfill extends the life of the landfill.
- ✓ Conserves potable water resources.
- ✓ Reduces air emissions associated with fuel-powered electric generation.

More information on LEED is available online.

LEED Certification: The process and training is administered by the US Green Building Council (USGBC).

Trained third party inspectors provide an objective assessment of the project based on a point system.

Points are assigned for meeting Green Building goals and objectives for each of the following categories:

1. Integrative process.
2. Location and transportation.
3. Sustainable sites.
4. Water efficiency.
5. Energy and atmosphere.
6. Materials and resources.
7. Indoor environmental quality.

There are four levels of achievement (certification) based on the overall project score, as follows from least to most "Green":

1. Certified.
2. Silver.
3. Gold.
4. Platinum (most points).

LEED GOLD Certification: Building E, Guam Community College

LEED Facts

for LEED BD+C: New Construction (v2.2)

Certification awarded Jul 2011

Gold	**41**
Sustainable sites	9/14
Water efficiency	4/5
Energy & atmosphere	7/17
Material & resources	4/13
Indoor environmental quality	14/15
Innovation	3/5

The water-saving elements reduce the use of potable water and the associated costs:

- ✓ Low water use plumbing fixtures.
- ✓ Rainwater catchment, reduces reliance on potable water for irrigation.

Divert solid waste from the landfill:

- ✓ Reuse materials from the original building.

The energy-saving elements reduce the use of energy produced from fossil fuels and reduce the electric bill costs:

- ✓ Roof-top photovoltaic panels rely on solar energy.
- ✓ Solar water heaters rely on solar energy.
- ✓ Occupancy sensors automatically turn off the lights in a room when it is empty.
- ✓ Daylight harvesting provides lighting to interior spaces through the roof, reducing the demand for lighting.
- ✓ Low-E glazing on windows refracts the solar heat away from the interior of the building, reducing the demand for air conditioning. water-saving technology.

Low Impact Development (LID)

LID: A stormwater management approach that relies on cost-effective, small landscaping features to retain stormwater onsite and allow it to permeate the soils naturally.

There are various design techniques that capture the stormwater and control the direction and speed of the flow onsite allowing it to permeate the soils, be filtered by vegetation, evaporate, or be reused onsite. LID measures mimic pre-development hydrology.

Win-Win:

- ✓ Allows recharge of aquifers.
- ✓ Conserves water.
- ✓ Naturally filters stormwater onsite.
- ✓ Reduces natural hazards due to erosion.
- ✓ Encourages productive use of rooftops and other areas.

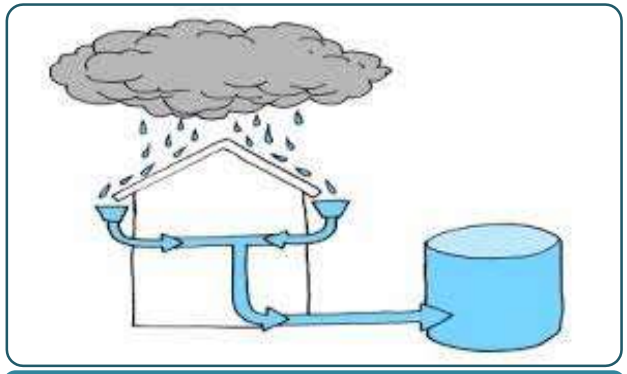
Benefits to You:

- ✓ Reduced impact of pollutants to surface waters and adjacent properties.
- ✓ Attractive landscape features benefit the community and occupants.
- ✓ Less expensive than end of pipe management because design tends to be self-sustaining, requiring minimal maintenance.
- ✓ Does not reduce developable area.
- ✓ Reduces the radiant heat associated with large paved areas.

More LEED information is available online. https://www.usgbc.org/leed

THIS: Pervious paving.

NOT THIS: Stormwater flow from a paved parking lot carries oils left by parked cars to nearby ditches.



Rain catchment systems collect water for irrigation or other reuse. This reduces the use of tap water for irrigation and saves money.

Unlined drainage swale controls the flow to allow it to permeate the soils..

Pervious paving allows water to permeate soils onsite instead of collecting in storm drains and pipes.

The Tanapag Middle School Rain Garden reuses rainwater for irrigation of plants.

The Green Roof atop the H.S. Lee building provides natural cooling which saves considerable electricity costs and is attractive for occupants.

Energy Star®

The Energy Star® certification is awarded to those products that meet the US Environmental Protection Agency standards for energy efficiency. The products are certified to save energy without sacrificing features or functionality.

The objective is to reduce reliance on non-renewable electricity and reduce the carbon dioxide air emissions associated with non-renewable electricity.

These products get to use the Energy Star® label on their packaging.

Win-Win Benefits:

- ✓ Energy cost savings.
- ✓ Federal tax benefits.
- ✓ Reduce air emissions.
- ✓ Easy mitigation to implement at no extra cost.

5. CHOOSING THE BEST SITE FOR YOUR PROJECT

5. CHOOSING THE BEST SITE FOR YOUR PROJECT

...even if you think you already have one.

Key Points:

1. Use a systematic process for selecting the **Best Site** for your project.
2. The **Best Site**:
   - ✓ Complies with the regulatory requirements.
   - ✓ Is available for lease/purchase.
   - ✓ Can accommodate your basic project requirements.

What are your Project's Basic Requirements?

In Section 2, we introduced the concept of "Scoping"[1]. In preparation of agency consultations and other scoping activities, it is helpful to have a clear and concise written description or Fact Sheet of your project, which will evolve over time.

Prior to site selection, you will not have a location, but the description answers the basic questions about your project: Who? What? When? Why? and How?

The project description ensures you have a consistent message when meeting with various people.

Looking Ahead to the Environmental Impact Assessment (EIA):

The EIA requires a **Purpose and Need** statement and a **Project Description**. Refer to Section 6 for more detail.

Project Description:

1. The purpose of and need for your project. What problem is being solved by your project and how? What type of land use is proposed?
2. Project description and the basic project requirements that must be met for you to proceed with the development:
   a. Acres of developable land required.
   b. Types of structures and their use.
   c. The water, power and sewer demand.
   d. Specific siting requirements (e.g., water- dependent).
   e. Minimum height.
   f. Noise, waste or air emissions that would require special treatment.
   g. Waste materials that require special handling.
   h. Technology proposed. Is it new?

These are **Need to Have** project elements, not **Nice to Have**.

[1] Scoping is a more rigorous and defined process in federal regulations and some other jurisdictions.

Scoping:

Consultation with anyone who may be interested in or have information on the potential impacts of your project.

Why?
The purpose of the consultation is early identification of:

- Permits required.
- Issues or concerns.
- Geographic extent of the impact analysis.
- Existing data available.
- Special studies that may be required.

How?

1. Prepare your brief project description.
2. Discuss project and share your project description any way that you prefer:
   a. By telephone, in-person or email.
   b. Form letter requesting comment from neighbors and other community groups.
   c. Letters to agencies and service providers requesting specific data or comment on potential impacts to the services they provide: fire protection, police protection, potable water, sewer, traffic/transportation, and education.
   d. Establish a project web-based page or profile and invite comment.
3. **Document** and save all communications.

When?

- Meet with us as soon as you have an idea.
- The Site Selection Process will involve a lot of agency communication that is considered scoping.
- After Site Selection, update the project description and expand scoping to include other entities.

4-steps to finding the Best Site

Verify that your project can be built at the site BEFORE investing in site design and entering into landowner agreements.

The **BEST SITE**:

- ✓ Complies with regulatory requirements.
- ✓ Is available for lease/purchase.
- ✓ Can accommodate your basic project requirements.

Use this 4-Step site selection process or another systematic process to identify or verify the best site for your project:

Steps 1 and 2: Ensure Environmental Compliance.
Step 3: Verify the preferred site(s) is/are available for lease or purchase.
Step 4: Review existing conditions at the site for fatal flaws.

Benefits to You: Save Time and Money

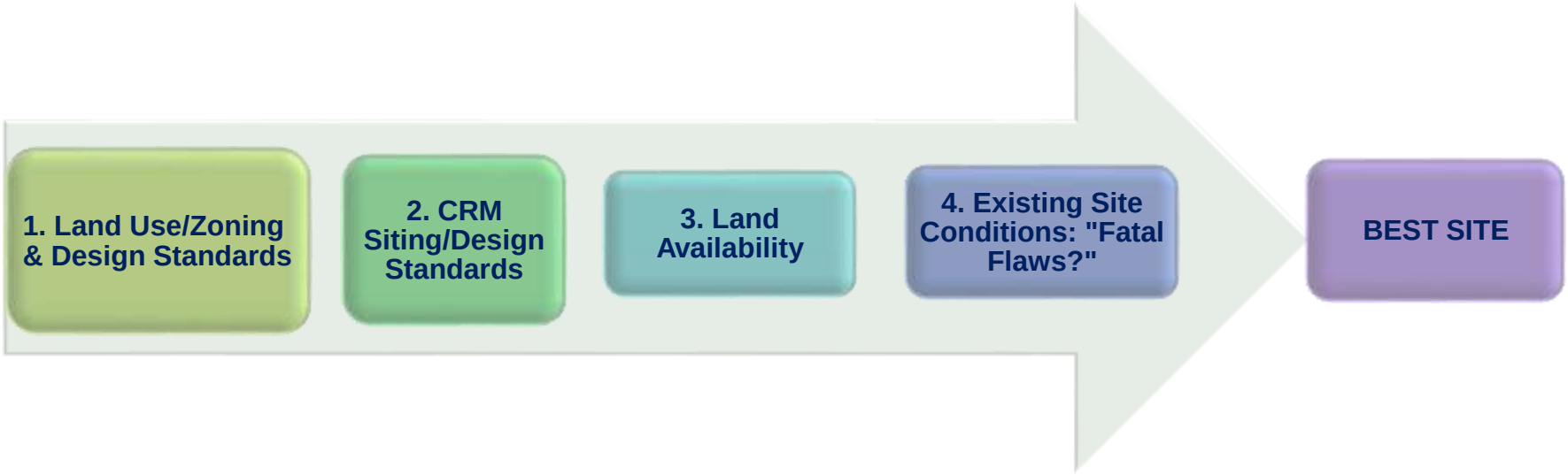
- ✓ By identifying the best site before investing in engineering design.
- ✓ Through early awareness of site-specific conditions that will add cost to the project development such as:
  - Regulatory challenges and community concerns.
  - Potential adverse impacts that would need to be mitigated.
  - Permits and approvals that would be required.
  - Site specific technical studies or resource assessments that would be required.

Looking Ahead to the Environmental Impact Assessment (EIA):

Alternatives: The EIA requires a discussion of alternative locations considered to verify that you have done your best to research and select the best site for your project. At a minimum, the site needs to meet basic legal requirements for a permit to be issued. Refer to Section 6 for more detail.

Include an environmental professional (i.e., scientist, planner or engineer) on your team from the very beginning who is familiar with the CNMI regulatory system and local environment. This person can help you with scoping and site selection.

Site Selection Process



Document agency consultation, the site selection process, and findings for the Major Siting Permit Application, Environmental Impact Assessment.

- Retain records of agency consultation regarding the sites considered.
- Use a table like this one to track your findings and decisions.

Site #	1. Meets Zoning Siting & Design Standards? *Yes/No. Describe.*	2. Meets CRM Siting & Design Standards? *Yes/No. Describe.*	3. Landowner commitment to lease or sale? *Yes/No.*	4. Any site conditions that are fatal flaws for development? *Yes/No. Describe.*	Decision: Retain Site? *Yes/No. Describe.*
1					
2					

Step 1. Land Use/Zoning & Design Standards

1A. CNMI Public Land Use Plans.

Land use plans guide development in accordance with community values and consideration of compatible land uses. Broad land use districts are delineated. An updated CNMI Comprehensive Public Land Use Plan is being developed. We do not provide more information on Step 1A. in this Guide. Please ask us!

Village maps for Saipan, Tinian, and Rota are online.

1B. Zoning (Saipan Only).

The Commonwealth Zoning Board administers the Saipan Zoning Law of 2013[1] and issues zoning permits for development in Saipan. The law applies to all public and private lands. A Zoning Permit is required for development and must be obtained before submitting a Major Siting Permit application. As shown in the screen capture, the Island of Saipan is divided into 12 land use zoning districts, as listed in the map legend (e.g., agriculture, residential, rural). Each district has specific land use and design restrictions, as described in the Saipan Zoning Law.

The other CNMI islands do not have zoning codes at this time (but see CRM Design Standards).

The Saipan Zoning Law, permit application forms and Zoning maps are available online.

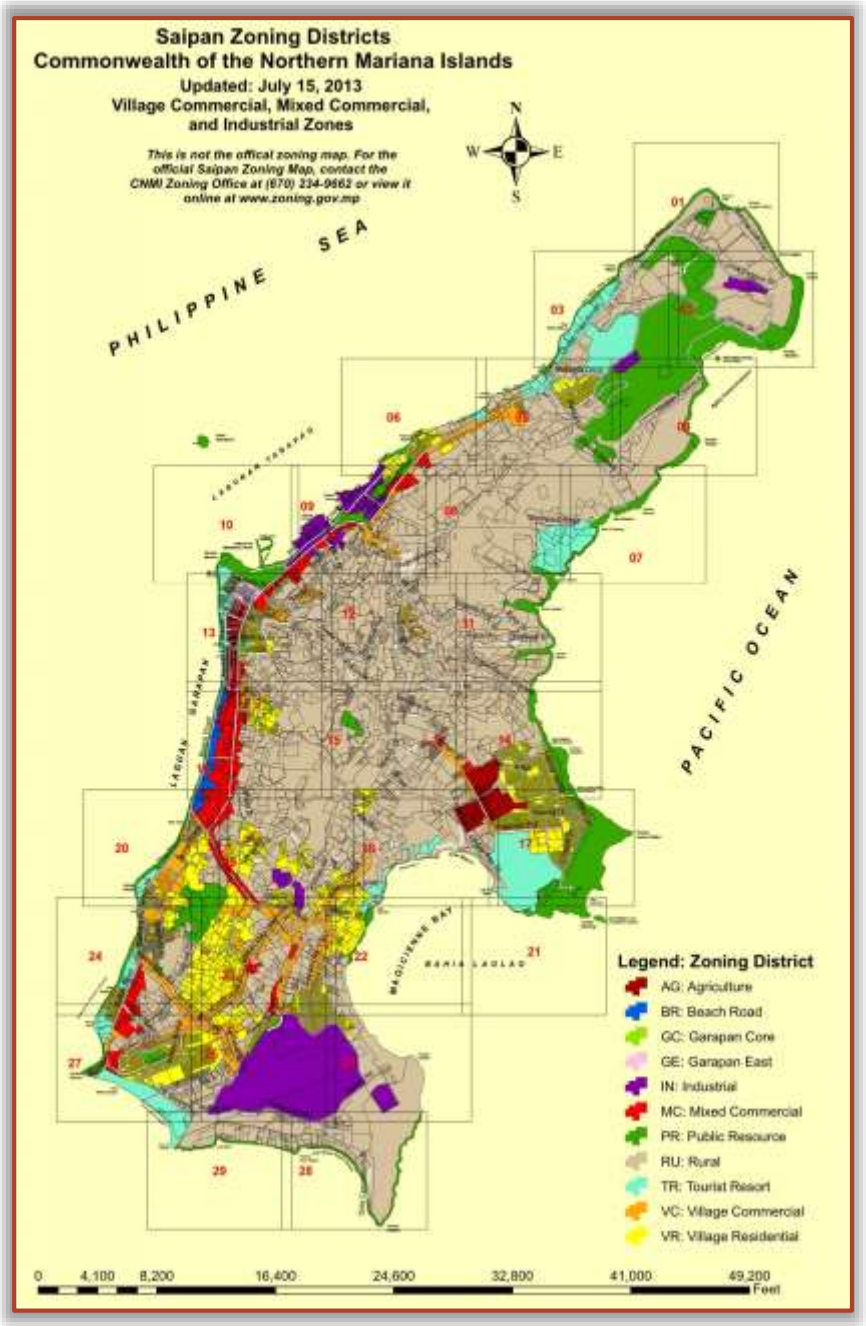
1C. CRM Design Standards.

CRM Shoreline Setbacks and Shoreline Areas of Particular Concern (APC) design standards apply to all development projects, even on Saipan.

CRM mandatory design standards for height, setbacks, coverage, parking, and density apply to projects on Rota, Tinian, and the Northern Islands, where there are no zoning laws.

The next pages walk you through Step 1B. and 1C.

[1] Saipan Zoning Law of 2013, 10 CMC §3511.


Saipan Zoning Districts
Commonwealth of the Northern Mariana Islands
Updated: July 15, 2013
Village Commercial, Mixed Commercial,
and Industrial Zones
This is not the offical zoning map. For the official Saipan Zoning Map, contact the CNMI Zoning Office at (670) 234-9662 or view it online at www.zoning.gov.mp
N
W
E
S
PHILIPPINE SEA
PACIFIC OCEAN
MAGICIENNE BAY
Legend: Zoning District
AG: Agriculture
BR: Beach Road
GC: Garapan Core
GE: Garapan East
IN: Industrial
MC: Mixed Commercial
PR: Public Resource
RU: Rural
TR: Tourist Resort
VC: Village Commercial
VR: Village Residential
0 4,100 8,200 16,400 24,600 32,800 41,000 49,200
Feet

Step 1B. Zoning (Saipan Only)

Refer to the Zoning regulations to determine where your project type (land use) is allowed, following these steps:

Saipan Zoning Law of 2013 available online.

1. Review Table 1. in the Zoning Law.
2. Find the "Use" in the first column that best describes your project. For example: Forestry (See text box).
3. Read across the row to determine the Zoning District(s) [Table 1. top row] your project is "Permitted" (P).
4. The (C), "Conditional" indicates zones where the project may be permitted, but only under certain conditions.
5. "Blank" cells in the table indicate that the type of project/land use is not permitted in the corresponding Zone listed in the top row.

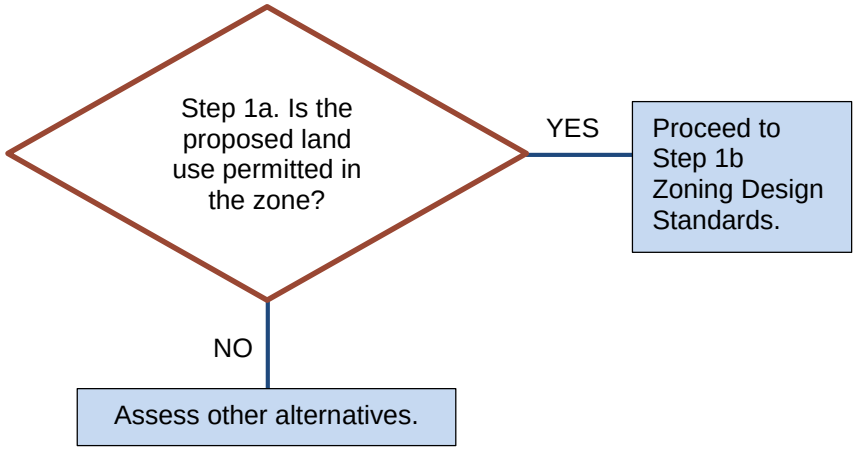


Table 1 Table of Permitted Conditional and Temporary Uses

Uses	Agricultural	Rural	Village Residential	Village Commercial	Mixed Commercial	Industrial	Garapan Core	Garapan East	Beach Road	Tourist Resort	Public Resource	Adult Business Park
Aquaculture (Small Scale)	P	P[1]	C	C	C							
Farms	P	P			P	P						
Forestry	P	C				P						
Greenhouse or nursery	P	P		P	P	P						
Residential Uses												
Single-family dwelling	P[2]	P	P	P	P	C	P[3]	P[3]	P[3]	P[3]	C[4]	
Planned development up to 48 ft		P[1]	P	P	P		C	C	P	P		
Planned development over 48 ft		C[1]		C	C		C	C	C	C		
Mixed uses			C	P	P		P	P	P	P		
Mobile home		P[1]	C	C	P							
Multifamily or apartment up to 48 ft		P[1]	P	P	P		P	P	P	P		
Multifamily or apartment over 48 ft		C[1]		C	C		P	P	C	C		
Residential accessory buildings	P	P	P	P	P		P	P	P	P	P	
Accessory apartment		P	P	P	P							
Townhouse, duplex		P[1]	P	P	P		P	P	P	P		

EXAMPLE: A "Forestry" project is the proposed land use.

- "Forestry" is only Permitted (P) in the Agriculture, and Industrial Zones.
- Forestry may be permitted in the Rural Zone, under certain conditions (C).

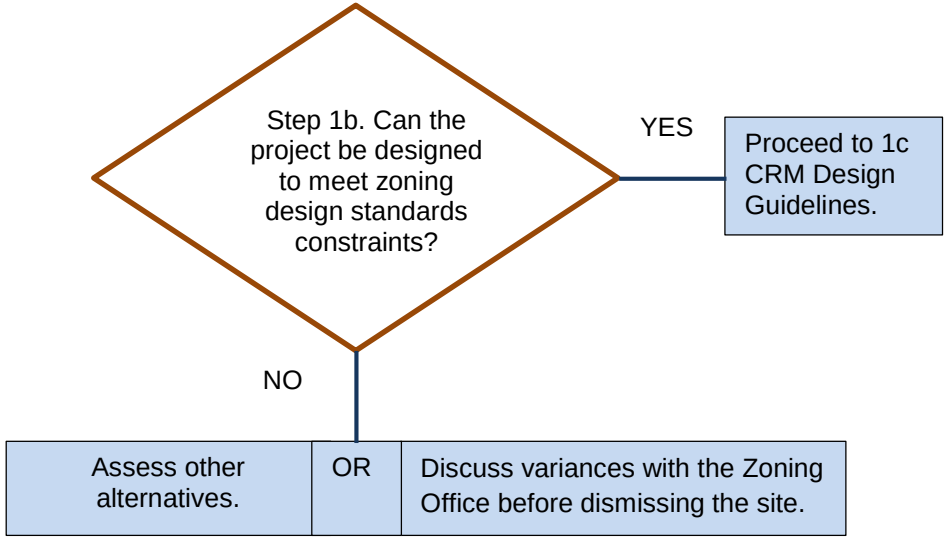
Step 1B. Zoning Design Standards

Although your Saipan project may be *Permitted* or *Conditionally Permitted* within the land use zone, it must also meet the **design standards specific to that zone**, as defined in the zoning code[1]. (See the screen shot from the Zoning Law).

These design standards limit the developable area on a property through:

- Setbacks from the property boundary.
- Parking requirements.
- Height and density limits.

Determine if the site can meet your project requirements with the CRM design restrictions.



Saipan Zoning Law of 2013 Article 5

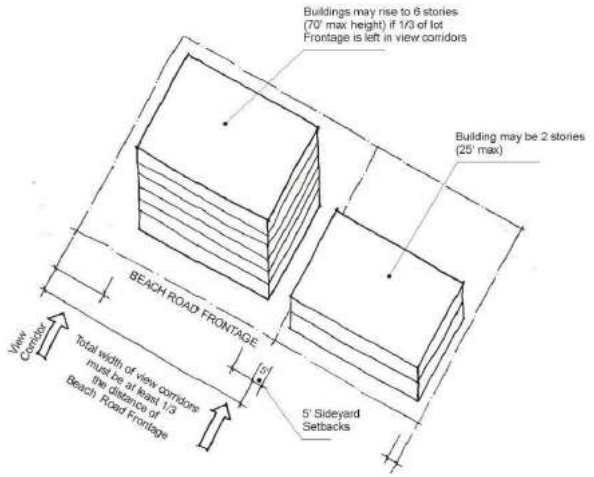


Figure 2. Illustration of building height options for the Beach Road Zoning District

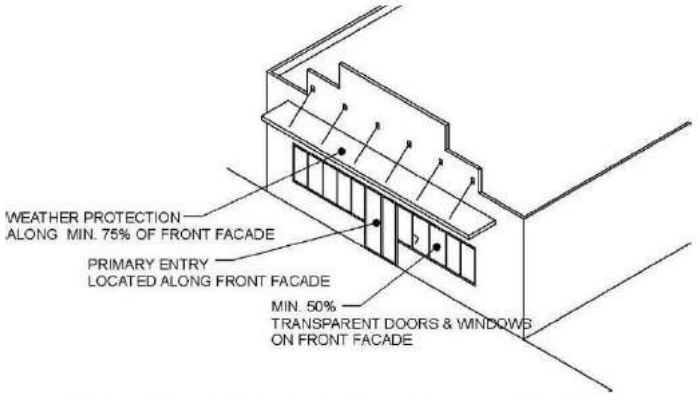


Figure 3. Illustration of requirements for a pedestrian-oriented facade

44

[1] Saipan Zoning Law of 2013, 10 CMC §3511 https://www.cnmilaw.org/pdf/cmc_section/T10/3511

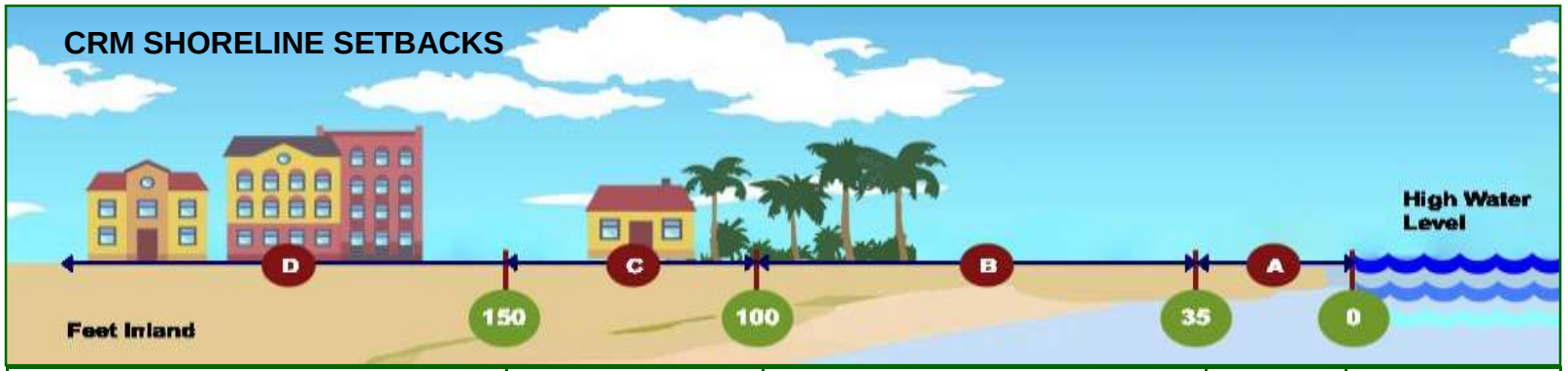
Step 1C. CRM Design Guidelines

On all islands, follow CRM regulations, which include management standards and use priorities for development within the Areas of Particular Concern (See Step 2) and near the shoreline (Shoreline Setbacks). On Saipan, for projects proposed more than 150 feet from the high tide line, zoning standards supersede CRM regulations where requirements overlap and conflict with one another.[1]

Setback:
A mandatory space between the development and the resource or activity being protected.

If your project is located less than 150 feet from the high tide line, or if it is not located on Saipan, then the CRM mandatory design guidelines[2] for height, setbacks, coverage, parking, and density are applicable.

Shoreline Setback design standards dictate the allowable buildings, the maximum height of the buildings and the parking allowance in the Shoreline APC, which extends from the high tide line to 150 feet inland. The distance from the high tide line is divided into four intervals: A, B, C and D, each with different standards. As shown in the graphic below, the development restrictions are greater near the water. This helps protect coastal resources and your project from potential negative impacts of shoreline change, storm surge, and sea level rise.

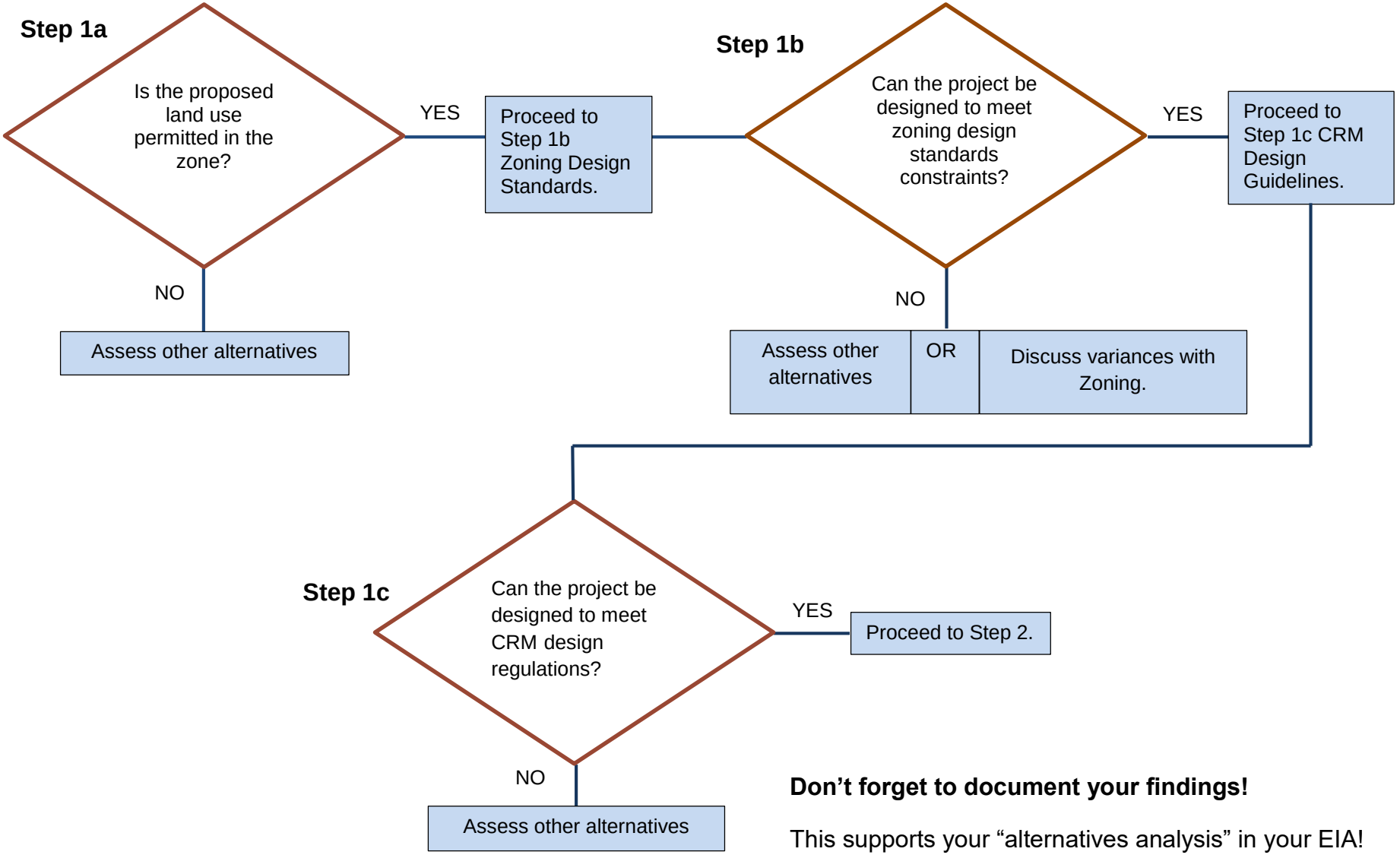


D	C	B	A	Standards
Multi-Story	1-Story	No vertical construction that obstructs views to ocean.	0	**Buildings**
Depends on type of structure	12 feet	0	0	**Height Limit**
Allowed	Allowed with conditions	0	0	**Parking**

[1] NMIAC 15-10-025(a)
[2] NMIAC §15-10-350

Step 1 Summary Land Use/Zoning Flow Chart

Review the applicable CRM guidelines to determine if the site can meet your project requirements with the CRM design restrictions.



Don’t forget to document your findings!

This supports your “alternatives analysis” in your EIA!

Step 2: CRM Areas of Particular Concern

APC: A geographic area subject to special management through CRM regulations because of its unique and important environmental properties.

There are 5 APCs designated in CNMI:

1. **Shoreline** (NMIAC §15-10-335) - The area between the high tide line and 150 feet inland.
2. **Lagoon and Reef** (NMIAC §15-10-315) - 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 area extending seaward from the water line to the outer slope of the reef as well as Managaha and Ajota Islands. Managaha and Ajota islands (NMIAC §15-10-320). Coral Reefs (NMIAC §15-10-325).
3. **Wetlands and Mangrove** (NMIAC §15-10-330) - Those areas which are inundated by surface or ground water with a frequency sufficient to support a prevalence of plant or aquatic life that requires saturated or seasonally saturated soil conditions.
4. **Port and Industrial** (NMIAC §15-10-340) - Those land and water areas surrounding the commercial ports of CNMI, including Saipan, Tinian, and Rota.
5. **Coastal Hazard** (NMIAC §15-10-345) - Those areas identified as a Coastal Flood Hazard Zones by the Federal Emergency Management Agency (FEMA).

Interactive online map of APCs of Saipan.

How do you know if the project is an Acceptable land use within the APC?

ASK US!

For each APC, CRM regulations[1] describe:

1. Area Defined.
2. Management Standards.
3. Use Priorities: highest, moderate, lowest, and **unacceptable**.

   Unacceptable uses and projects that do not meet the specific APC management standards will **NOT** be permitted.

Review online interactive APC maps. (Similar to checking Zoning Maps)

Process: For those sites that meet Step 1 criteria:

1. Find the site(s) on the online APC maps.
2. Determine whether it is in or near an APC. Note which APCs are affected.
3. Read the "Use Priorities" section of the regulations for that specific APC and verify that your proposed use qualifies as an "acceptable use".
4. Review the "Management Standards" section of the regulations and verify your project the requirements meet the standards.

Interactive online maps of APCs of Rota and Tinian

The following sections introduce the specific APCs, their Management Objectives, Use Priorities, and Design Standards.

[1] NMIAC §15-10-300

Shoreline APC

Importance: The shoreline is very important for tourism, the economy, recreation, cultural use and food (subsistence fishing).

Location: The shoreline starts at the high tide line and extends 150 feet inland. It is measured on a horizontal plane, not along the ground surface. The 150 feet can be measured from the edge of high sea cliffs when it is unsafe to survey where the ocean meets the land.

Acceptable Uses:

- Traditional cultural and historical practices.
- Preservation of fish and wildlife habitat.
- Preservation of natural open areas with scenic beauty or scientific value.
- Public parks and recreation facilities.
- Reorienting and consolidating pathways to the beach or ocean that encourage growth of native, sand-holding plants.
- Activities that prevent beach erosion using natural methods, such as habitat improvement or dune walkovers.
- Floating, non-permanent docks or post & pier wooden boardwalks that would withstand long-term impacts of natural coastal processes.
- Removal of waste, garbage and hazardous debris.
- Water-dependent projects or water-oriented projects that provided prevent pollution and enhance the above activities.

Marina and small boat harbor projects have a high potential for polluting the ocean, harming marine life, and damaging fish and reefs. These projects must be designed to control pollution associated with fueling, boat repair, fishing waste, sewage, and the storage and use of chemicals. Boating infrastructure should be located together instead of using new, undeveloped shore areas.

Shoreline Setbacks. CRM enforces the shoreline setbacks that provide a development buffer from the coastline as described NMIAC§ 15-10-350(b) and in Section 5, Step 1c of this Guide.

Shoreline Setback and Shoreline APC regulations are not the same. Consider and show both restrictions on site plans.

Unacceptable Uses: Those uses that are not safe or increase risk to public health and natural resources, do not have to be near the water, and would physically harm the shoreline APC natural processes (like sand removal).

- Removing, excavating, grading, or taking sand, coral, gravel or rocks, except for cultural practices, because the materials absorb storm wave energy and prevent flooding.
- Interrupting natural shoreline or beach processes that moves sand by waves, wind or currents.
- Erecting unauthorized walls or barriers that stabilize land but prevent beaches from naturally moving inland, causing them to disappear.
- Developing too close to a cliff can lead to embankment collapse, and adverse impacts to wildlife, water quality, or scenic views.
- Disposal of litter or refuse.

Management Standards:

- Minimize impacts on wildlife, marine life, fish, corals, and aesthetics.
- Removed hazards and debris from the shoreline area.
- Improve or increase public shoreline access, and natural hazard mitigation and buffers.
- Projects should not harden shorelines or diminish beach width, since wide sandy beaches absorb waves, and dissipate their energy.
- Comply with CRM Shoreline Setbacks, as described in Section 5, Step 2.

Potential Mitigation Measures:

- Allow sand to move naturally in response to waves, wind and currents can help keep the beach wide and healthy.
- Avoid cluttering the shoreline with above ground structures to make it easier for subsistence fishing from shore.
- Create soft-scape and remove hardscape (like walls and asphalt) to improve the area's natural resistance to storm forces. Wave energy can be absorbed and dissipated by softscape to reduce damage to buildings and infrastructure.
- Leave native plants on the edge of the beach and in the APC to help prevent beach erosion.
- Maintain a buffer between development and the edge of a cliff.

Beach and soil erosion at Micro Beach.

Photo by Daisy Dempan, http://www.saipantribune.com/index.php/funds-still-being-sought-for-amp-erosion-study/

Lagoon and Reef APC

Importance: The lagoon and reef protect the islands from storms. These areas provide habitat for coral, seaweed, and seagrass beds that support marine life. Seagrass beds filter dirt and sediment out of the water and are nurseries for commercial and recreational fish. Holes and crevices in the reef provide places for fish and marine life to hide from predators, allowing them to grow and reproduce. The lagoon and reefs provide the easiest, safest place to catch fish and appreciate the natural beauty, which is good for tourism.

Location: The APC includes the sheltered waters and submerged lands between the shoreline and the reef shelf offshore.

Acceptable Uses:

- Enhancement of public recreation or public access to the marine environment.
- Protection and preservation of historic and cultural resources.
- Non-polluting aquaculture projects.
- Improvements to water clarity or quality and reduction of sources of marine pollution.
- Eliminating discharges of sewage, stormwater, or pollution into lagoon waters.
- Supports sustainable yields of edible marine resources or help preserve fish and wildlife or their habitat.
- Water-dependent projects which are compatible with adjacent uses and have minimal adverse impacts.
- Non-structural techniques to prevent beach or shore erosion, such as preserving seagrass beds and native plants along the shoreline because they retain sand as a buffer against erosion.

Seagrasses: *Halodule and Enhalus acoroides*

Photo Source: CNMI Coral Reef Initiative website: http://cnmicoralreef.com/

Unacceptable Uses:

- Dredging, excavating, breaking, or removing sand, aggregate, corals, or coral fragments because these materials are important to ocean processes.
- Placing fill of any kind into the lagoon smothers marine habitats.
- Damaging or removing corals or seagrass beds, as they provide protection from storms and provide habitat for marine life.
- Discharging or releasing sewage, oil, gas, petroleum products, or other hazardous materials because it kills fish, corals, seagrass, and marine life.
- Dumping trash, litter, garbage, appliances or other debris into the lagoon, or on shore where they can be washed into the lagoon.

Management Standards:

- Because the area contains the most easily accessible fish, seagrass, seaweed, and other marine resources it is important to ensure that these resources are available for the future.
- Projects must be compatible with the subsistence uses of the lagoon.
- Living marine resources are to be managed to maximize sustainable yield, especially fisheries.
- Projects should not diminish or change natural fresh water inputs to the lagoon or reef.
- Projects should not alter circulation patterns in the lagoon, on the reef, or along the shore.
- All projects must take every action to not pollute or dirty the waters of the lagoon or reef such as dumping sewage, silt, fuel, or toxic wastes or cleaners into marine waters.
- Projects should seek to preserve historic objects and areas of cultural significance.

Potential Mitigation Measures:

- Jet skis and outboard motor boats should transit in deep waters of the lagoon, not over shallow areas that may have corals, sea grass, or seaweed beds. This protects the submerged plants from degradation and prevents propellers from being damaged.
- When delineating swimming areas, select locations that have natural sandy or barren bottoms rather than disturbing seagrass habitat where the plants help prevent beach erosion.
- Contact DCRM before installing moorings in the lagoon or reef for private use.
- Successful transplanting of seagrass.

Wetlands and Mangroves APC

Importance: Wetlands capture and stabilize dirt, sediment, and contaminants. They absorb large amounts of water like a sponge to prevent flooding, especially in coastal areas. They filter water slowly allowing it to seep into the ground to recharge aquifers that refresh springs, wells, and drinking water supplies. Wetlands attract a variety of birds, fish, and aquatic organisms.

Mangroves grow along the edge of the coastline and help control erosion and cushion damaging waves. Many types of fish and aquatic life require Mangrove swamps to grow and mature.

Location: Wetlands are frequently or seasonally saturated with water, but may be dry during the year. They can be found at high elevations, such as near Kagman High School, or in low-lying lands like Susupe and Tanapag. Wetlands can be identified by their hydrology, soils, and vegetation.

Acceptable Uses:

- Projects that help preserve, restore, or enhance wetlands, wetland birds, wetland plants, or a wetland's hydrology.
- Activities that protect or restore mangrove areas, or remove invasive species from wetland habitat.
- Wildlife sanctuaries, conservation areas, and education activities.
- Protection of historic properties.

Unacceptable Uses:

- Landfill, trash dump, or other waste like appliances.
- Pushing dead trees, palms, or dirt into low-lying, wet areas to raise the ground's surface.
- Grading, grubbing, or placing fill into a wetland is not allowed without a permit.

Mariana Common Moorhen
Source: http://endangeredanimalofthemarianas.blogspot.com/

Management Standards:

- Avoid altering natural drainage patterns or the amount or direction of surface and sub-surface water flow into a wetland.
- Do not destroy or degrade natural habitat in, near or adjacent to a wetland. Mangrove stands are to be preserved.
- Avoid filling wetlands, because they serve as flood control.
- Prohibit the discharge of toxic substances, dumping of sewage, or altering the nutrient and oxygen levels in a wetland.

Potential Mitigation Measures:

- Create or improve a wetland. For example, the Costco Wetland Mitigation Pond was intended to offset the impacts of constructing the Costco Building. It is designated to protect, preserve, and enhance freshwater wetlands habitat and species.

Lake Susupe wetland on Saipan
Photo credit: Laura Williams

Mangrove forest, Saipan
Photo credit: Lainie Berry

Port and Industrial APC[1]

Importance: Harbor facilities are critical to CNMI's economy but they have very limited space. The Commonwealth Ports Authority may indicate that a proposed project is compatible with the APC standards, but obtaining written confirmation from CRM agency is prudent and recommended.

Location: The APC includes the lands and waters surrounding the CNMI's commercial ports. In Saipan, the APC includes the reclaimed dump, commercial port and docks, and industrial areas around Lower Base Road.

Acceptable Uses:

- Business activities that are water-dependent such as container shipping or support services.
- Industrial activities and uses that would cause significant pollution, traffic congestions, or other adverse impacts, if situated outside the APC.
- Energy production facilities that require frequent deliveries of petroleum or fuel.

Unacceptable Uses: Uses and activities which would have a significant adverse impact on other APCs, the American Memorial Park, Anjota Preserve, historic properties, and other significant coastal resources.

Management Standards:

- Ports and industrial development should be based on long-term economic and social needs.
- Locate similar uses together to maximize the use of the limited space for port and industrial operations.
- Encourage infill projects to help conserve shoreline locations for truly water-dependent uses.
- Incorporate navigation safety and security measures into port projects.
- Prevent expansion of port uses into wildlife sanctuaries on Rota and elsewhere.

[1] Photo Source: *CNMI Coastal Resources Management Program, Office of the Governor, Section 309 Assessment and Strategy Report* 2011-2015, March 2011.

Potential Mitigation Measures:

- Avoid creating drainage systems that direct rain water or stormwater runoff into adjacent marine waters.
- Use storm drains for rainfall only. Educate and inform all staff to not dispose of waste in storm drains and prevent water pollution.
- Plant vegetated swales to capture runoff from roads and parking areas.
- Place barriers and absorbent tubes along the edge of impervious surfaces to capture contaminants and prevent water pollution.
- Store toxic chemicals and materials above and off the ground to prevent soil contamination.
- Cover barrels and drums with lids to keep rain water out and prevent leaks.
- Include a spill response plan in all proposals within the APC.

Coastal Hazard APC

Importance: Reduce risks to public health and safety by not developing in flood prone areas. Projects must ensure that buildings, people, and infrastructure are reasonably safe from flood damage and are located inland and above coastal hazard areas.

Location: The APC includes High Risk Coastal Flood Hazard Areas designated as V and VE on the FEMA, Flood Insurance Rate Maps. These areas have the additional hazard risk associated with storm waves.

The Flood Hazard Maps (See screen capture next page) and the CNMI Climate & Hazards Viewer are available online.

Acceptable Uses:

- Retain or restore natural buffers to wave run-up and storm surge, like replanting mangroves, adding vegetated berms, and protecting seagrass beds.
- Public shoreline parks or recreation areas that create open space to allow flood waters to spread out, and dissipate wave energy.
- Preservation of natural resistance to the force of storms provided by sandy beaches and sand dunes.
- Redirection of foot and vehicle traffic away from the vegetation on sandy berms or at the back of the beach, as these plants hold windblown sand to cushion incoming waves and help prevent erosion and land loss.

Unacceptable Uses:

- Shoreline armoring, except in a port or marina or where permitted.
- Degrading natural resistance or removing natural buffers to waves and storms.
- Disrupting natural coastal processes, such as the movement of sand along a beach or shoreline.
- Hindering the free movement of waves or storm surge or deflecting waves to neighboring properties.
- Endangering human life or safety due to its design or siting.

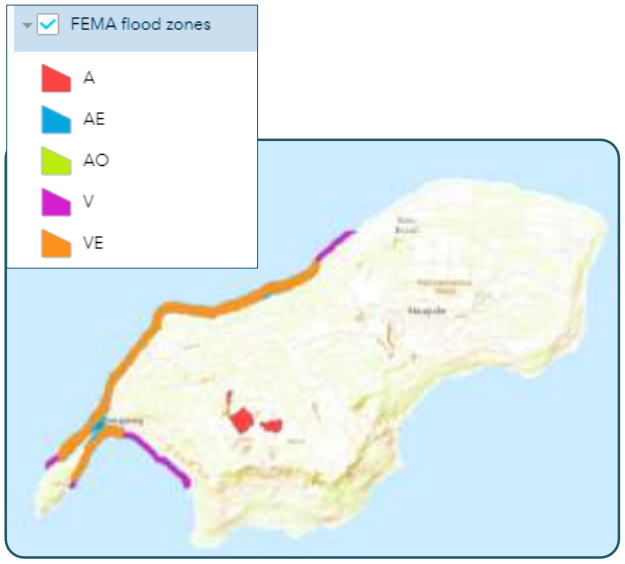
Management Standards:

- Avoid building above-ground structures in a V or VE Coastal Flood Hazard Zone. (Refer to the screen capture, “Rota FEMA Flood Zones”).
- Avoid altering or negatively impacting natural buffers to storms, such as beaches, wetlands, and cliff lines.
- Enhance or facilitate recreational or cultural activities.
- Minimize the building surface area facing coastal hazards, to minimize impact of high winds, wave energy, storm surge, and flooding.
- Project design plans must be certified by a CNMI licensed structural engineer to protect human life and safety and comply with the building code.

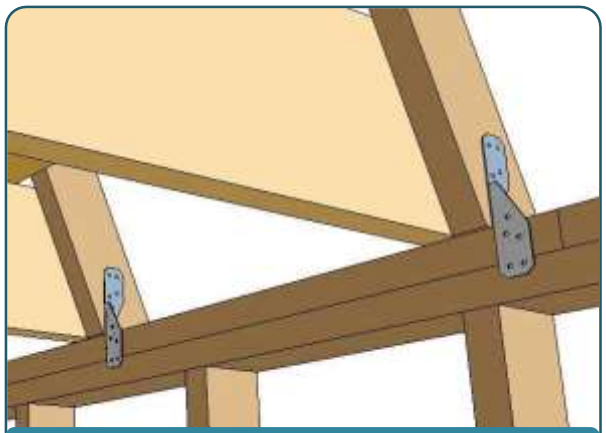
Potential Mitigation Measures:

A wide variety of cost-effective mitigation measures are available for homes and businesses in coastal high hazard flood zones. These improvements often pay for themselves after a storm because they averted costly damages and repairs.

- Build dwellings on posts and piers, not a slab on grade foundation.
- Design the lowest beam holding up the floor of the dwelling to be well above the flood depth.
- Install hurricane clips to prevent wind damage and roof failure during typhoons or big storms.
- Create a continuous load path using metal straps that connects the roof to the walls and the walls to the foundation.
- Anchor buildings to foundations with high strength, salt-resistant galvanized or stainless-steel bolts or reinforced post and piers.
- Waterproof all electrical connections. Raise fuse boxes up and electrical outlets well above the base flood elevation.
- Place air conditioning units and electrical appliances on sturdy, anchored risers to avoid salt water inundation during flooding.
- Elevate the dwelling above flood waves. Don’t construct housing using slab on grade foundation.



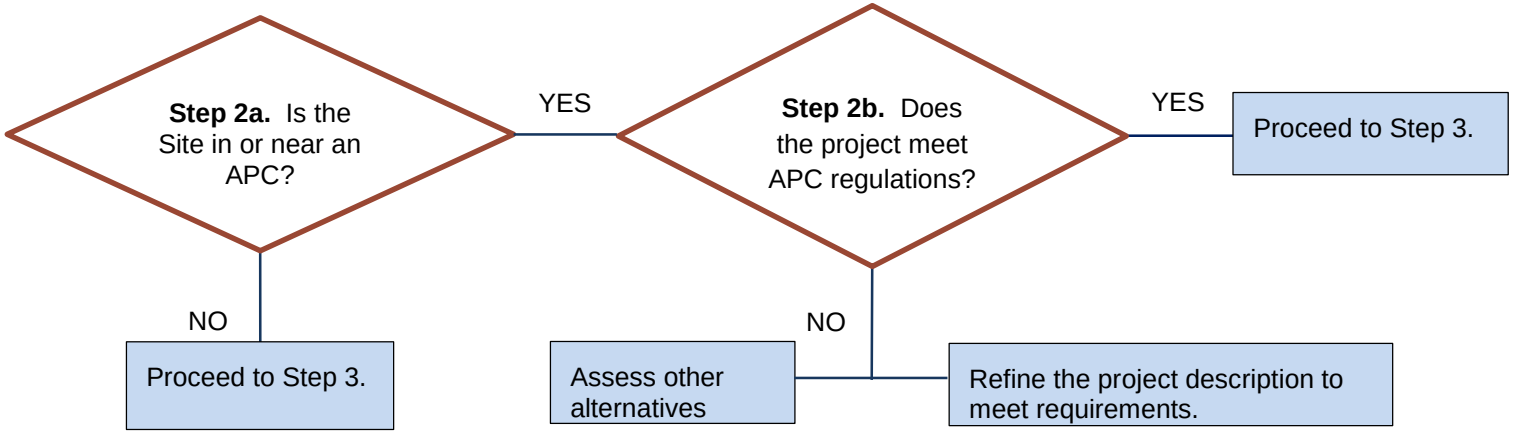
BECQ Public Permitting App: Rota Flood Zones.



Hurricane Clips

Step 2: APC Screening Flow Chart

For each affected APC:



Don’t forget to document your findings!

Step 3: CNMI Land Ownership/Lease

You must include evidence of landowner "commitment" (Lease/ Title documents) in the Major Siting Permit Application.

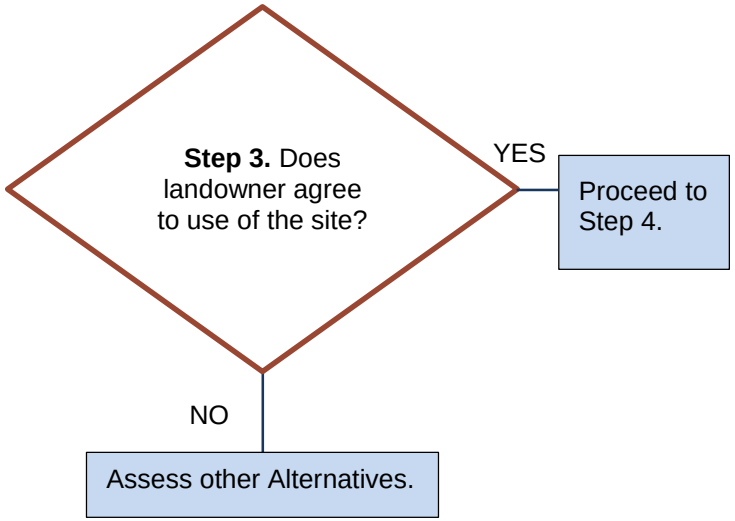
Is your project site public or private land?

A. CNMI, Public Land: Consult with the following agencies:

1. Department of Public Lands: Manages public lands and administers the public land lease process.
2. Department of Land and Natural Resources: Submerged Lands Lease.

B. Private Land:

1. Only a person of Northern Mariana Islands descent ("NMD") is allowed to own land in CNMI.
2. Persons of Non-NMD are allowed to lease land for a maximum of 55 years.



Due Diligence:

- Purchase a Preliminary Title Report: it reports record owner of the property, property leases, and mortgages or liens on the property.
- Verify the information. Often these public records are not current.
- Hire surveyor to conduct Boundary Survey to confirm lot.
- Obtain legal assistance to prepare land use lease or purchase agreement.

Don't forget to document your findings!

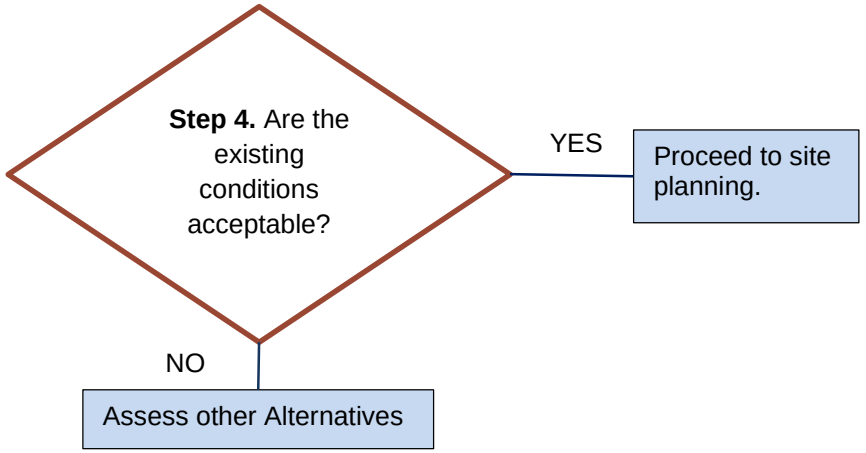
Step 4: Existing Site Conditions: Fatal Flaws?

The site is retained for consideration in Step 4 because it meets regulatory requirements and is available for use.

Step 4: Identify **fatal flaws** at the site that would eliminate the site from consideration because the constraints are too difficult, expensive, or numerous for site development.

Examples of "fatal flaws":

- **Historic sites**, protected species/habitats, streams, wetlands, groundwater sources, and their protective buffers may collectively limit the area available for development, to the extent it does not meet your basic project requirements.
- The presence of **hazardous materials** or waste could require lengthy investigation and clean-up that would delay development and be prohibitively expensive.
- The presence of **steep slopes, flood hazards, seismic hazards, and poor soil/geologic conditions** may increase the risks to constructability and public health and safety.
- Lack of access to or insufficient capacity of **roadways, public utilities, police and fire protection** may be a burden on the community services or result in prohibitive project costs associated with developing private utilities or roadways.
- **Controversy** or general lack of public or government support for the project at the location will decrease the chances of obtaining the discretionary regulatory approvals.



During Scoping, an agency may advise that the site is not suitable or feasible for permitting. If this happens, find another site!

Don't forget to document your findings!

Existing Site Conditions Research

How? Ask Us!

- ✓ **Scoping:** Consult with anyone who may be interested in or have information on the potential impacts of your project: agencies, boards, associations, non-profits, community groups, neighbors, and service providers. (See Section 2, Other Agencies)
- ✓ Site visit with technical experts.
- ✓ Online research.
- ✓ Consult with agencies that have permit/approval authority.

Looking Ahead to the EIA:

Existing Conditions: The EIA includes a section describing Existing Conditions. The "fatal flaws" test is usually based on readily available site information.

The *Best Site* will require a more in-depth Existing Conditions assessment, based on engineering studies and other assessments required by agencies.

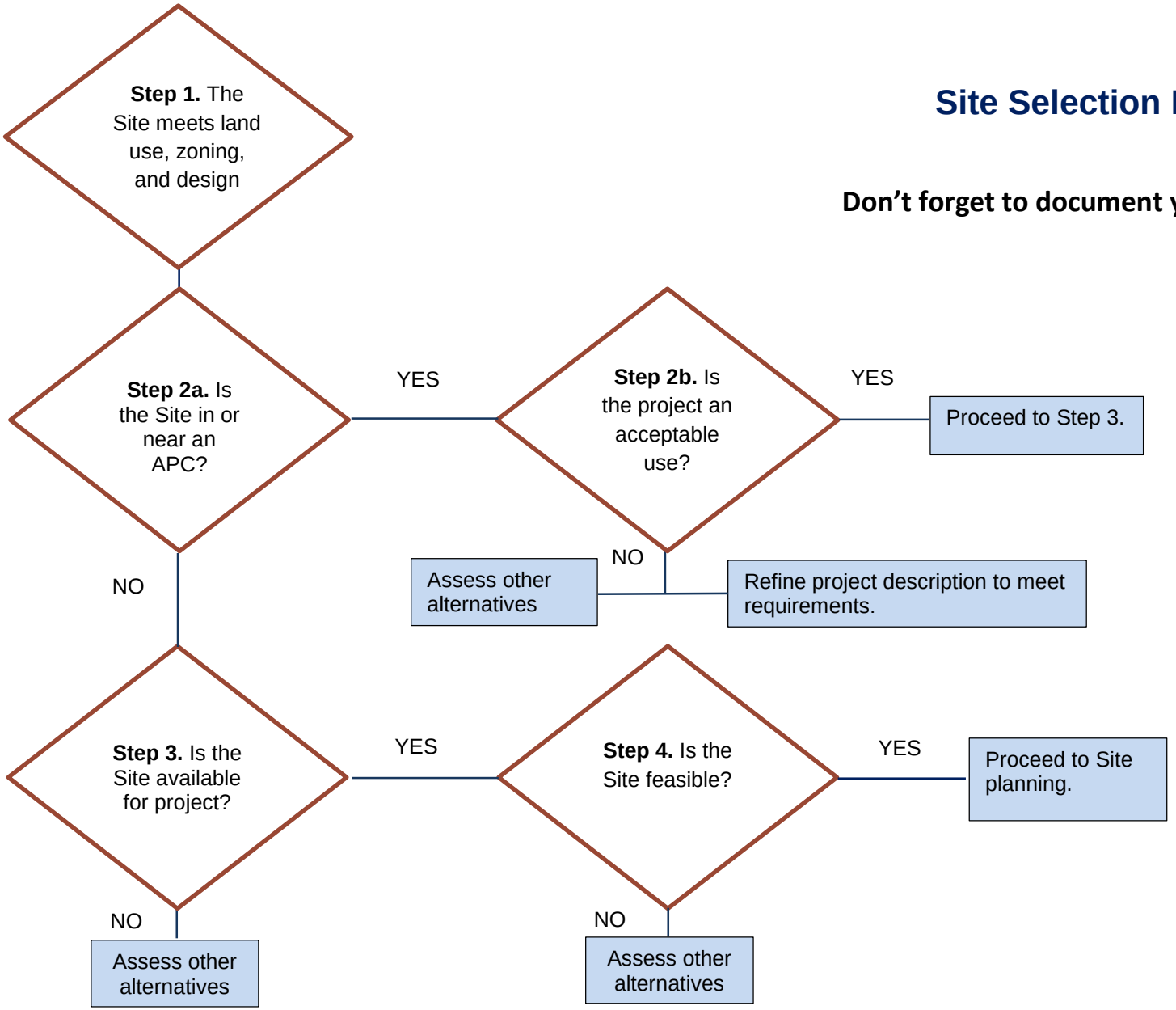
The following are general environmental topics recommended for an assessment of existing site conditions:

1. **Earth Resources:**
   a. Geology: topography, geologic hazards: slope stability, surface faulting, seismic shaking, liquefaction, volcanic eruption.
   b. Soils.
2. **Water Resources:**
   a. surface water
   b. groundwater
   c. groundwater development conditions
3. **Air Quality**
4. **Ambient Noise**
5. **Hazards:**
   a. Natural: storms, storm surge, tsunami, flooding, coastal erosion, king tides, sea-level rise, storm water runoff.
   b. Hazardous/regulated materials.
6. **Socio-economic Setting:**
   a. demographics.
   b. public services: medical, police, fire protection, solid waste.
   c. education.
   d. economy: by sector.
   e. visual/scenic resources/open space.
   f. recreation.
   g. land use.
7. **Infrastructure:**
   a. utilities: water, power, sewer, storm drainage.
   b. access, roadways/traffic.
   c. pedestrian access.
8. **Archaeological and Historic Resources**
9. **Biological Resources:**
   a. Vegetation: APCs, coverage, unique/protected, limestone forest.
   b. Birds: protected/unique, habitats, migratory.
   c. Other wildlife: fruit bat, coconut crab, reptile, sea turtles.
   d. Marine resources: protected unique: APCs, species, and habitats.

BECQ Public Permitting App and other online resources have information on existing conditions.

Site Selection Flow Chart

Don't forget to document your findings!



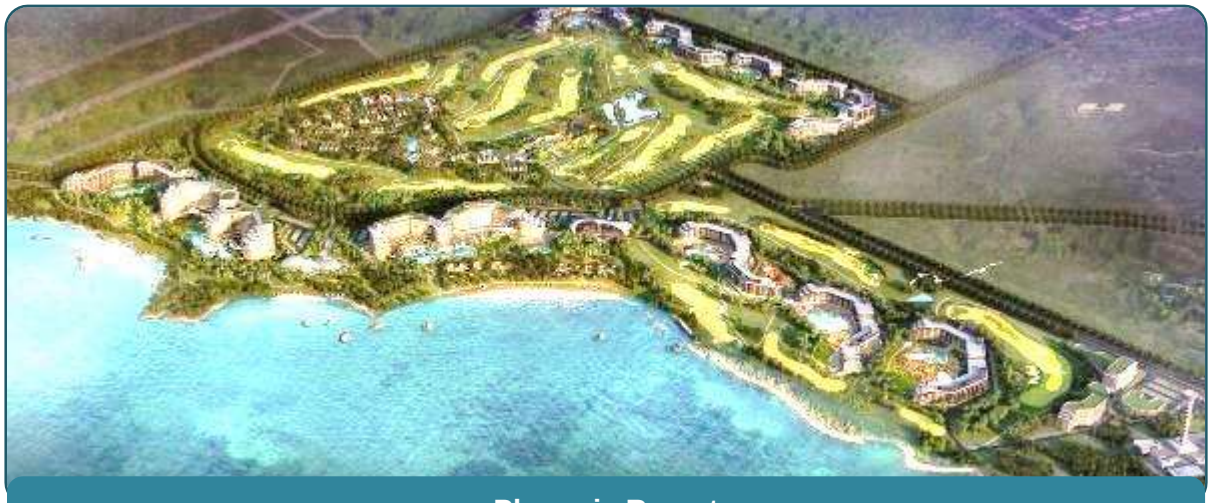
Congratulations! You have the Best Site for your project!

- ✓ The proposed land use complies with regulatory requirements.
- ✓ It is available for lease/purchase.
- ✓ It can accommodate your basic project requirements.

You documented all communications regarding the site selection, but confirm the following with agencies:

- ✓ The permits and approvals that are required for development at the *Best Site*.
- ✓ All agency application requirements, including professional studies.
- ✓ Community concerns.
- ✓ Potential adverse impacts that will need to be mitigated to the extent practicable in design.
- ✓ Design standards: setbacks, parking, height, etc., that need to be met.

NEXT STEP is Design!



Plumeria Resort
Photo Source: https://www.hofschneider-eng.com/projects

Mitigate by Design

What is Good Site Design?

- ✓ Maximizes the site opportunities and turns constraints into advantages.
- ✓ Meets the purpose and need of the project.
- ✓ Is comfortable for the occupants.
- ✓ Is visually appealing (inside and out).
- ✓ Incorporates mitigation for potential adverse impacts.
- ✓ Enhances beneficial impacts for the community.
- ✓ Uses innovative concepts.

View corridor refers to the line-of-sight and viewshed from a specific physical location, including but not limited to scenic vistas, roads and public open spaces.

Structures 6^{+} stories or over 60 feet in height require a view corridor plan. It shows projected aesthetic impacts of the project from one datum line perpendicular to the nearest shoreline or beach. It provides an inventory of existing views, impacts on existing views, and proposed mitigation measures to protect scenic views.

How?

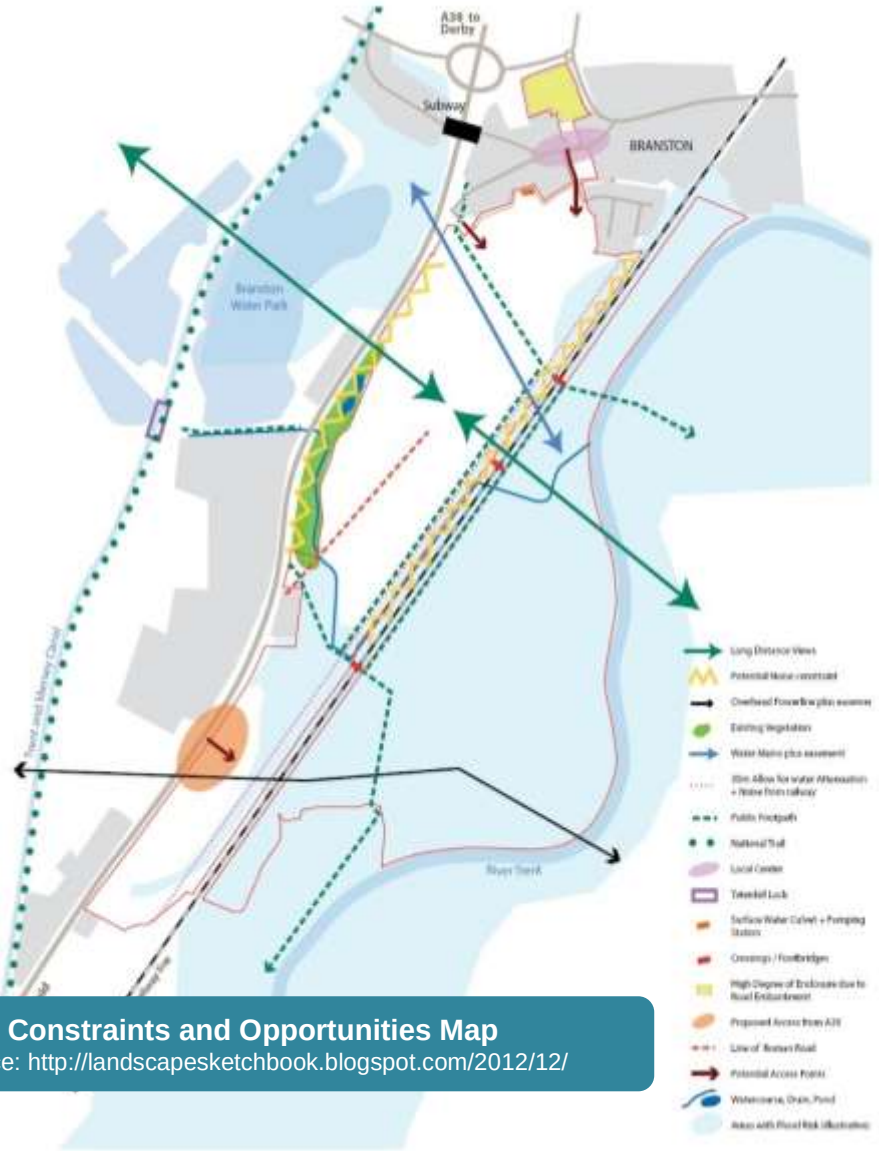
Develop an accurate site plan of existing conditions based on additional research and the professional expertise and studies that may be required by agencies. Some professional consultants and potentially applicable studies that may be needed are shown in the following table:

Professional	Study
Land Surveyor	Map topography, boundaries, and natural and manmade features.
Architect/Planner	View Corridor Plan required for 6 story or more buildings or buildings 60-ft. or greater in height.
Geotechnical Engineer	Studies of soil and geology.
Biologist (terrestrial or marine)	Biological Assessment.
Archaeologist	Major Siting projects require a field survey for review and clearance by the Historic Preservation Office. The presence of historic properties may require additional surveys and management plans.
Environmental Scientist	Survey/remediation for hazardous materials.
Traffic Engineer	Traffic assessment conditions. Traffic impact assessment is required for projects providing 50 new rooms or employing 20 or more fulltime personnel.
Oceanographer/Coastal Engineer	Currents and bathymetry, and coastal processes, including coastal hazards.
Environmental Planner	Conduct research, review technical studies by others, prepare the EIA, encourage the incorporation of mitigation throughout the process.

Map Existing Conditions, Constraints, and Opportunities:

Items to Consider and Map:

- Natural and built environment.
- Constraints: “NO BUILD” areas that must be avoided:
  a. zoning
  b. setbacks
  c. historic sites
  d. protected species habitat
- Constraints on development to be addressed in design:
  a. steep topography
  b. irregularly shaped parcel
- Opportunities: characteristics that are valued by developer:
  a. access to utilities and roadways
  b. views from the site
- Opportunities: characteristics that are valued by the community:
  a. scenic views
  b. parks
  c. access to the beach
- Opportunities and constraints from adjacent land uses:
  a. stormwater flow onto your site
  b. incompatible land use
  c. aesthetics/safety of adjacent uses
- Seek opportunities to benefit or enhance the community in design.



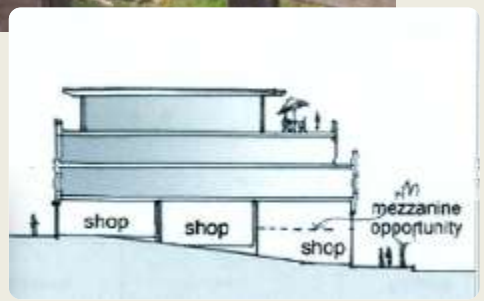
Constraints and Opportunities Map
Source: http://landscapesketchbook.blogspot.com/2012/12/

Site Design

Think about all the mitigation measures of Section 4 that would avoid or minimize constraints and impacts, increase the number of beneficial impacts, and save money. For example:

- **Slopes:** Develop **with** the steep slope, reduce the need for retaining walls, and the amount of grading and fill. This may also enhance views from the site.
- **Views:** Enhance views to and from the site (i.e., scenery, landmarks).
- **Paving:** Use pervious paving and other LID measures for managing stormwater to avoid having to install underground stormwater treatment and drainage systems, and to capture stormwater for reuse.
- **Natural resources:** A limestone forest that needs to be retained, could be an opportunity for social and recreational benefit, i.e., hiking trails, and would enhance the aesthetics of the site.
- **Surface water:** This may constrain the developable area, but a new pedestrian access to streams and wetlands is a recreational, educational and biological benefit, especially when natural habitats are enhanced.

THIS:
Develop with the steep slope and avoid flood hazards.



NOT THIS:

1. Retaining wall is required to stabilize the change in natural topography.

2. Impervious paving results in stormwater runoff.

6. ENVIRONMENTAL IMPACT ASSESSMENT

6. ENVIRONMENTAL IMPACT ASSESSMENT

Key Points:

The EIA content is developed throughout project design, beginning with site selection.

1. Adverse impacts have been considered and mitigated to the extent practicable throughout site selection and site design.
2. EIA Content:
   - Purpose of the project.
   - Project Description/Proposed Action.
   - Existing Conditions/Affected Environment.
   - Impact Analysis.
   - Consistency with Major Siting Permit Criteria.

3. Impacts are assessed for construction and operations phases of a project:
   - No impact/Beneficial.
   - Adverse:
     - Less than significant-no mitigation.
     - Significant mitigable to less than significant.
     - Significant non-mitigable.

Mariana Fruit Bat
Source: *Comprehensive Wildlife Strategy for the Commonwealth of the Northern Mariana Islands.* DFW.

Blue Starfish
Source: CNMI Coral Reef Initiative website: http://cnmicoralreef.com/

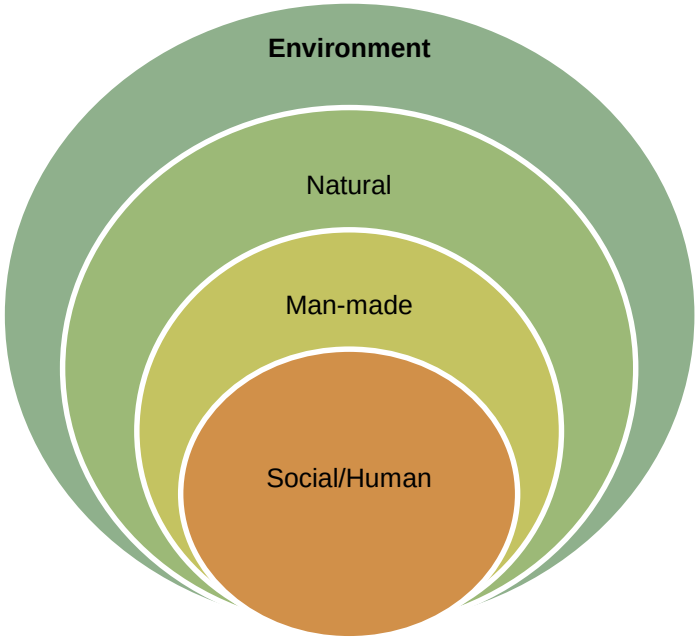
EIA Intent and Organization

The EIA is a document you prepare and submit to us as part of the Major Siting Permit application. It provides DCRM, the CRM Agency Board, and the public an opportunity to review your project description and assess whether your project: (1) mitigates potential adverse environmental impacts to the extent practical, and (2) is consistent with the *Coastal Resources Management Rules and Regulations.*

Impact:
Project-induced change in the existing **environment** during the construction or operations phases of the project.

By Now, You Have:

- ✓ Read the CRM rules and regulations.
- ✓ Followed the suggestions in this Guide.
- ✓ Consulted with us repeatedly, beginning as soon as you had the idea for a project.
- ✓ Identified **Best Project** in the **Best Site**, saving everyone time and money in the permit process.
- ✓ Mitigated potential impacts to the extent practicable in the site selection.
- ✓ Developed some EIA sections throughout project scoping, site selection and design.



Next: Prepare the EIA in accordance with the DCRM regulations.[1] The regulations do not dictate EIA organization. Section 6 organization mimics a typical EIA outline, as follows:

- Project Purpose and Need.
- Project Development/Description (Includes: Alternatives, Regulatory Compliance).
- Existing Conditions/Affected Environment.
- Impact Analysis/Mitigation.
- Specific Criteria for Major Sitings.

[1] This Guide references updates in NMIAC Chapter 15-10 that were adopted in January 2018.

YOU ARE HERE

Project Phase	Great Idea!	Site Selection	Assess Existing Conditions	Site Plan/Design	Permit
Tasks	Prepare a Brief Description: • Purpose of the project. • Need for the project. • Basic Project Requirements.	Identify a site that: • Complies with regulations. • Is available for use. • Meets your basic project requirements.	• Compile existing site information. • Conduct all field studies required.	• Avoid adverse impacts to the extent practicable. • Incorporate agency design requirements. • Prepare Operations Plan and Construction Plan.	• Prepare complete & accurate applications. • Meet with agencies as you prepare applications.
Outcome	**Brief Project Description**	**Best Project Site**	**Understanding of Site Opportunities and Constraints**	**Best Design at the Best Site**	**Permit /Approval**
Benefit to You	A good start to saving time and money.	Avoid significant adverse impacts early- *when it is easy and costs you nothing*.	Identify "no build areas" before design.	• Enhance property value. • Reduce operating costs. • Reduce permits required.	Permit will be granted with minimal conditions.
We Can Help	Get you started on the right track.	Coordinate with other agencies to develop permit/approval plan.	• Assist in identifying special studies required • Direct you toward existing information.	• Provide guidance for mitigation. • Prepare final permit/approval list.	Assist with application preparation.

Develop your Environmental Impact Assessment (EIA) as you go through the phases.

Project Purpose. Project Requirements.	Alternatives Analysis. Mitigation.	Existing Conditions. Permits Required.	Project Description. Alternatives Analysis. Mitigation.	Impact Analysis. Compile EIA.

Scoping: Meet with anyone who may be interested in or have information on your project.

EIA Project Purpose and Need

Intent:

The intent is to justify the project and has three basic components:

1. Need: A concise statement that provides the factual foundation for why the project is needed. What problem is being solved by the project?
2. Purpose: Describes how the proposed project addresses the need.
3. Basic project requirements that must be included in the project for it to meet the purpose and need.

When:

Prepared before Site Selection (Section 5) and Scoping.

Guidance:

- The need or problem to be solved should support CNMI policy, mission statement, or programmatic goals and objectives for the sustainability and enhancement of the CNMI environment (i.e., physical, natural and social conditions).
- The purpose of the project is a solution to the need and assists CNMI in meeting their goals and objectives. Clearly state how the project "solves the problem" or meets the need. Conversely, the project should not conflict or contradict CNMI policy.
- The proposed project has basic requirements that must be met for the project to successfully "solve the problem". Project alternatives are considered and dismissed or retained for EIA analysis based on whether they meet the basic project requirements.

Permits are discretionary, so it is up to you to justify to the community and approving agencies the need for the project.

Examples of Purpose and Need Statements

Poor Example:	**Good Example:**
Company Pave It proposes to build Mega Village, which will be a chain store destination resort on the coastline of Rota. The 100-acre project would include shopping, dining, and 2,000 guest rooms. It will be located right on the coastline and all guests will have an ocean view. **Need/Purpose:** The project is needed because it is a smart investment and will satisfy the stockholders of Company Pave It. **Why is this a poor example?** • CNMI may have policy statements that broadly encourage economic growth in the tourism industry and support job creation on Rota, but the Purpose and need statement does not mention these as the need for the project. • The shoreline development is not consistent with and contradicts the Coastal Zone Management Program. • The need for the project is not compelling enough for CRM Agency Board to approve the potential significant adverse impacts on the CNMI Coastal Zone.	Elder Care, LLC is proposing the development of Elder Care Village, comprised of two six-story multi-family residential buildings with 164 affordable senior housing units, a two-story 7,500 sq. ft. multi-purpose building, parking lot for 100 vehicles, and related improvements at Green Street in Village z. The affordable senior housing project will be developed on 3.81 acres of land identified as Lot X. The surrounding land uses are residential and access to the site is from Green Street (*refer to a Location Map*). **Need:** ***Affordable housing has been and continues to be an important need within the CNMI as a whole***. Population and household growth have exceeded the development of new housing units, exacerbating the demand for housing and increasing housing costs. The CNMI Housing Planning Study, 2016, projected a demand for 1,000 new units on Saipan 2015-2025. The study also notes that there is additional demand for ownership of affordable senior housing. Existing affordable senior housing developments on Saipan have lengthy waiting lists, a testament to the high demand present. The demand for affordable senior housing is anticipated to continue to grow as the population ages. **Purpose:** The proposed project will provide 164 one-bedroom units for rent to seniors who earn up to 30 percent, 50 percent, and 60 percent of the area median income. ***The proposed project will provide much needed affordable rental housing for seniors.***

EIA Project Description/Proposed Action

Intent: This is your opportunity to demonstrate to DCRM, the CRM Agency Board, and the public that the final project complies with DCRM regulations, and avoids and minimizes anticipated adverse impacts, to the extent practicable.

Guidance:

The Project Description includes:

1. All aspects of the proposed action: demolition, construction and operations, including mitigation measures (including those required by law).
2. The alternatives considered and decisions made to avoid adverse impacts.
3. A summary of project compliance with applicable regulations.
4. Summary of Scoping.

Sufficient project detail is required for the reader to understand the scope and potential impacts of the project. Use tables, graphics, bullets, and lists to simplify the presentation.

Project Description describes every decision made that avoided and minimized adverse impacts.

Project Description Worksheet:

- Use a table like the following Project Description Worksheet to organize your thoughts on project description.
- The table is organized by project phase.
- The project characteristics (second column) to be described are organized in the table by location, design, construction, and operations. The characteristics will vary by project, but this is a basic list.
- The last column prompts you to think about and record every decision made as the project evolved that would mitigate adverse impacts, even if the decision was required by law.

Project Description Worksheet

Project Phase	Proposed Project Characteristics: (Simple Facts)	How Did You Get To The Proposed Action?
Location/Setting	• Address. • Acreage/Boundaries. • Existing Land uses: site, adjacent, and vicinity. • Proposed land use overview. • Existing buildings/pavement/access routes. • Ownership/lease- length of lease. • Overview of notable features (opportunities and constraints on development): landmarks, wetlands, streams, historic/cultural sites, scenic views, evidence of erosion, contaminated sites, location of APCs relative to site, zoning districts. **Figures:** Vicinity Map, aerial photos.	1. Location alternatives considered: Describe Site Selection process, findings and decisions (Section 5). 2. If site-specific studies were conducted that contributed to the decisions that reduced impacts, then describe the decision and cite the report. 3. In conclusion, you have identified the "Best Site" relative to other alternatives considered because it complies with land use regulations. Legal compliance is mitigation.
Design/Site Plan	• Proposed buildings and accessory structures: use, height, elevations, occupancy, regulatory setbacks, orientation of buildings. • Technology proposed: proven or experimental? • Infrastructure capacity and project demand. Design features to connect to existing infrastructure or develop private infrastructure. Includes: power, emergency power, water, sewer, solid waste, fire /police protection, traffic, roadways. • Building code compliance. • Refer to the summary table of agency consultation and clearly state how the site design meets the requirements agency consultation and permits and approvals required/status: utility clearances, zoning clearance, setbacks, and all design standards. • Building materials, lighting, paving, security fencing. • Aesthetic features. **Figures:** Detailed Site Plans, View Corridor Plan, Slope and Elevations, Watershed and Drainage, Stormwater. Management, APC Locations, and new or innovative technology. (See DCRM EIA Checklist).	1. As the design evolved, **voluntary** or **required** changes were made to reduce adverse environmental impacts or add benefit. Such as: • Change building orientation and reduce height to reduce impact on coastal views and view corridor. • Provide public access through the site. • Protect a landmark. • Incorporate LID and LEED principles. • Use of Energy Star products. 2. Did the professional studies and reports identify impacts that were addressed in design? e.g., steep slopes, historic sites. 3. Refer to communications from agencies that required a design change or said there would be **no** impact to resource(s) or level(s) of service. 4. Describe how you addressed enhanced the site opportunities and turned constraints into benefits. (See Good Design discussion later in this Section).

Project Phase	Proposed Project Characteristics: (Simple Facts)	How Did You Get To The Proposed Action?
Operations	*Operations phase characteristics may overlap with Design Characteristics. They can be combined.* • Activities. • Number of employees and occupants /shift work. • Hours of operation. • Effluents/discharges/air emissions/noise/odors/solid waste management. • Operational permits and compliance. • Access/security control. • Commitment to operations plans, BMPs, SOPs for reducing adverse impacts. • Benefits to the community: economic, social, recreation.	1. Refer to the design discussion if operational impacts were addressed in the design. 2. Refer to comments received during scoping that required or recommended a reduction in the operational impacts. 3. List voluntary mitigation measures: energy-saving and water saving measures. 4. Permit requirements and conditions are mitigation.
Construction	• Schedule/phasing; estimated costs; workforce; hours of construction. • Area of construction limits, access control, traffic control. • Demolition/construction activities and methods. • Quantify extent of grading; vegetation clearing; dredging. • List construction permit conditions and required mitigation plans: spill prevention and control, health and safety, solid waste management plan, erosion control, water quality monitoring. • Protection measures for vulnerable areas on site: historic, protected species, landmarks. • Benefits: waste reduction, economics, traffic control. **Figures:** refer to drawings in Zoning Permit or other construction.	1. Describe aspects of construction that were revised (voluntarily or required) to avoid and minimize construction impacts: use of recycled building materials; stormwater management onsite; adjust work schedule to avoid traffic. 2. Commit to hiring a reputable construction contractor. 3. Permit requirements and conditions are mitigation.

Don’t forget to highlight beneficial impacts!

Write-up: Project Description Outline

1. **Proposed Action:**
   - 1.1. Location:
     - 1.1.1. Proposed Action
     - 1.1.2. Alternatives Considered
     - 1.1.3. Mitigation Commitment
   - 1.2. Design and Operations:
     - 1.2.1. Proposed Action
     - 1.2.2. Alternatives Considered
     - 1.2.3. Mitigation Commitment
   - 1.3. Construction Phase
     - 1.3.1. Proposed Action
     - 1.3.2. Alternatives Considered
     - 1.3.3. Mitigation Commitment
2. **Scoping:**
   - 2.1. Methods
   - 2.2. Summary (Table)
     - Contact
     - Date
     - Format: letter, meeting, newspaper announcement
     - Topics discussed
     - Key issues and how they were addressed in the project description
     - Any unresolved issues or controversy?
3. **Regulatory Compliance (Table):**
   - 3.1. Summary Table

     For each of the permits, approvals and relevant laws list:
     - the agency
     - the regulation name and citation
     - list each condition (required mitigation) to be met (i.e., parking spaces, height, setbacks)
     - brief statement on how the project meets the condition (*refer to EIA section for detail*).

House of Taga
Source: http://www.tourgs.co.kr/information/

tip!

Include as much mitigation in your Project Description (e.g., BMPs, site planning, innovation, technology selected) as you can, to simplify the EIA impact analysis and reduce the need for additional mitigation.

EIA Existing Conditions/Affected Environment:

Intent: A concise description of existing environmental conditions within the project's area of influence. This is the baseline used to assess potential adverse impacts. The level of detail varies based on the project, the anticipated impact, and the geographic range of project impacts.

Refer back to Section 5, Step 4 in the Site Selection process for the list of environmental characteristics to consider.

Guidance:

Suggestions to simplify your Existing Conditions Section	For Example
Describe **relevant** environmental characteristics only. Don't describe conditions that would not be affected by your project.	A new school EIA would not describe marine transportation.
Reduce the area of influence that is described, based on the project description and commitments to mitigation.	Your Project Description already commits to mitigation for construction and operation that retains all stormwater onsite. There will be no anticipated stormwater flow off of the site. Limit your discussion of existing conditions to the site and the potential impact of stormwater onto your site.
Seek written **concurrence/approval** from public service providers (i.e., police, fire department, education administrator, utility providers) that the project would not impact the quality or level of service to the community. The agencies managing those services are the recognized experts at assessing existing conditions and impacts.	a. If you have determination from the Commonwealth Utilities Commission that there is sufficient water capacity to accommodate your project, then you do not need to justify the agencies determination. They are the experts. Do not prepare a lengthy description of utility capacity, quality and distribution. b. If you have a letter from the Police Department stating the existing level of service in the area is sufficient, and your project would not impact the level of service for your neighbors, then don't describe the number of police cars and officers.
The level of detail provided is proportional to the anticipated impact.	Your project demolishes and replaces a building. The entire site and adjacent properties have been disturbed by previous development. The discussion of protected wildlife habitats or historic resources at the site would be very short, especially if you have letter from DLNR or HPO clearance.
Identify near-term planned or forecasted projects that would mitigate your project's adverse impacts.	Your project would have an adverse impact on the level of service at an intersection. CNMI already has plans to install a traffic light to address the pre-existing problem by a specific date.
Recognize the area of influence for an environmental characteristic may extend beyond the site boundaries.	Noise, air emissions, traffic, and social impacts may extend beyond the site boundaries. Describe the sensitive receptors such as the proximity of schools and hospitals. UNLESS your project description includes mitigation for noise that is proven to reduce the noise level to acceptable levels before the site boundary.

Do not waste time discussing resources that are not relevant to the area of potential impact.

Existing Conditions Write-up:

Use simple language and short sentences, figures, and photos to improve readability.

Here is an example of an outline for water resources:

X.X Water Resources

X.X.1 Introduction/Regulatory Framework

- *Describe the regulatory authorities for water resources affected by your project.*

X.X.2 Area of Influence

- *Describe area of influence for each environmental characteristic relevant to your project.*
- *Refer to mitigation measures in the project description that led to a reduced area of influence.*
- *Describe offsite sensitive receptors to the impact.*
- *Refer to documents that support a reduced area of influence.*

X.X.3 Existing Condition: Surface Water

- *Describe each surface water body and location its location relative to your site.*
- *Describe the characteristics of the water: quality, flow, watershed source, current use, and receiving waters.*
- *Cite all sources of information.*
- *The level of detail is based on the risk your project would impact the surface water.*

X.X.4 Existing Condition: Groundwater

- *Describe watershed. Note your groundwater protection zone if one is established.*
- *Describe the characteristics of the groundwater sources at or in the vicinity of the site.*
- *Cite all sources of information.*
- *The level of detail is based on the risk your project would impact the groundwater sources.*
- *Note if you have included mitigation in your project description that would AVOID impacts to Water Resources*

EIA Impact Analysis and Mitigation Measures

Intent: A description of potential construction and operation phase project impacts on the Existing Conditions. The impact assessment should detail adverse and beneficial, short-term and long-term; unavoidable, irreversible and reversible and cumulative impacts. The discussion includes proposed mitigation measures to address adverse impacts.

Guidance:

- Impact analysis is challenging even for the most experienced EIA writers:
  - Every project is different.
  - Although technical expertise is not required, the author will review technical reports by experts. The author needs to understand the basics of scientific methods, and be able to assess flaws in the methods or conclusions. The author is responsible for presenting the scientific material in a manner that the public can understand.
  - Identifying a threshold of significance requires an understanding of the resource and the governing regulations.
- The impact analysis should be focused on only those resources that are relevant to the project, as suggested in the Existing Conditions section of this Guide.
- The impact analysis assumes the mitigation described in the Project Description will be implemented. The applicant has already committed to these actions to reduce impacts. The impact analysis is intended to address those impacts that were not or could not be reduced to less than significant in the project description.
  - This Guide section begins with an introduction to the various types of impacts.
  - Mitigation concepts were described in Section 4 of this Guide.

Save time and money on the impact analysis by anticipating impacts and committing to specific mitigation(s) in the EIA Project Description. Identify how proposed mitigation will reduce impacts in your EIA narrative.

Impact Severity and Analysis

Not relevant. Not all aspects of the environment are relevant to your project.

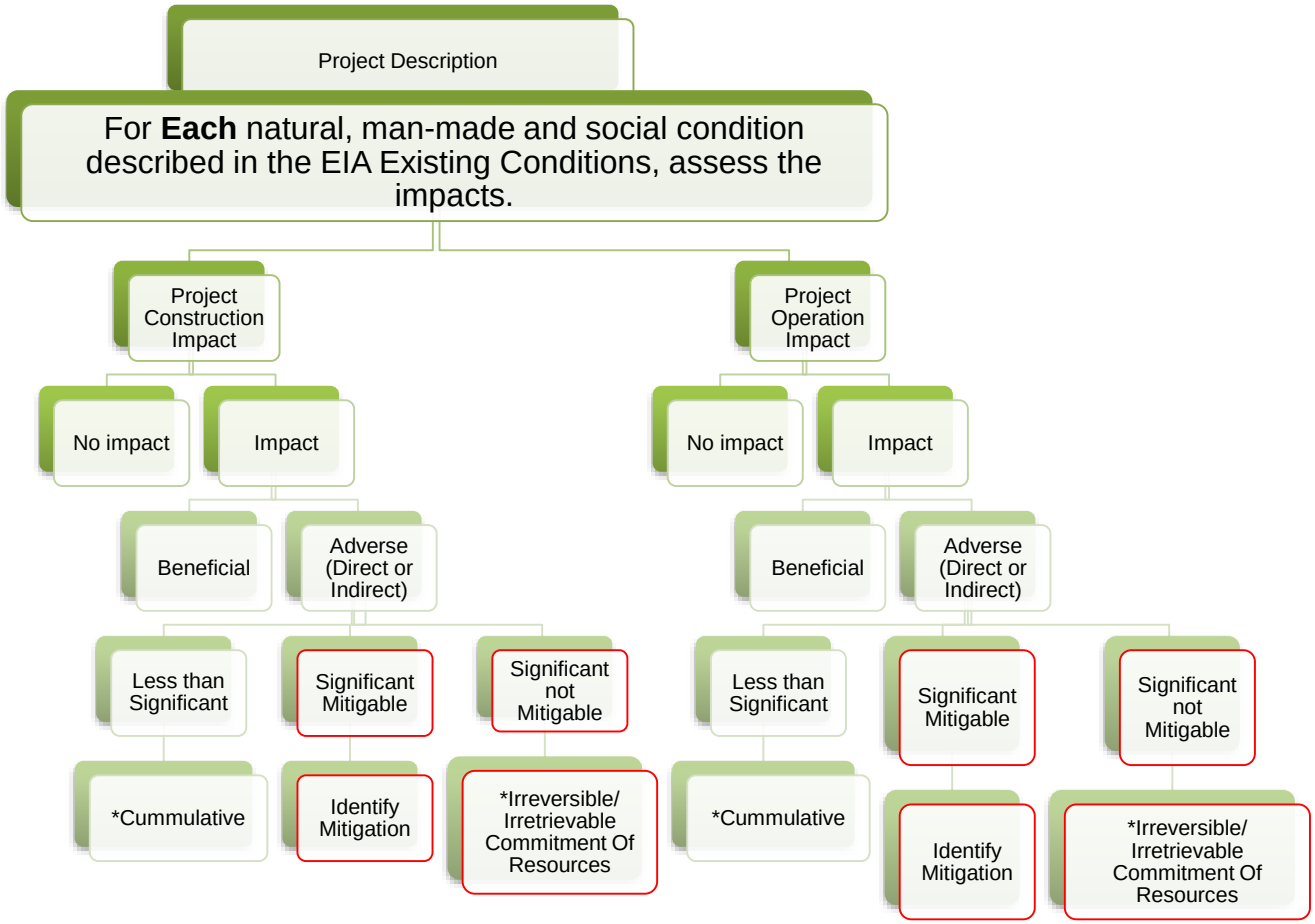
No impact. The project would not have an adverse impact on the existing conditions**.**

Beneficial. The project would improve or enhance the existing conditions.

Adverse. The project would harm the existing conditions.

- **Less than significant.** Minor adverse impact but does not require mitigation.
- **Significant and mitigable to less than significant.** Adverse impact requires mitigation and the mitigation would effectively reduce the impact to less than significant.
- **Significant adverse impact not mitigable to less than significant.** Adverse impacts on the existing conditions that cannot be mitigated to less than significant. These are unavoidable adverse impacts.

*Other impacts are described later.



The number of impacts to be assessed can be overwhelming, unless you:

✓ Only discuss **relevant** conditions in the Existing Conditions.

What is a Significant Adverse Impact?

The intensity and context of an impact determine the significance threshold. The EIA describes the "significance criteria" so that the reader knows the standard being used. The significance threshold is based on two sources:

1. **Regulatory Standards**.
    a. This is the easiest threshold to define because limits are defined for you.
    b. The regulations and their administrative rules are very specific about limits of acceptability.
    c. They may be quantitative limits, geographic limits, or behavioral limits.
    d. Your project has a significant adverse impact if it:
        i. Exceeds water quality, air, or ambient noise standards.
        ii. Impacts federal or CNMI protected species and their habitats.
        iii. Impacts federal or CNMI listed historic properties or cultural sites.
        iv. Impacts safe air and sea navigation.
        v. Is not an accepted use in an APC or Zoning District.
        vi. Is not constructed in accordance with the CNMI Building Code standards for safe structures.
        vii. Fails to meet other standards defined by applicable government regulations.

> **Example:** NMIAC § 65-10-415. Control of Fugitive Dust and Other Particulate Matter
> *(b) No person shall cause or permit the discharge of visible emissions of fugitive dust beyond the lot line of the property on which the emissions originate.*
>
> One of the EIA air quality significance thresholds is: *Any discharge of visible emissions of fugitive dust beyond the lot line of the project is a significant adverse impact on air quality.*

    e. Included in this list of regulatory compliance is the written statement from a permitting or approving agency that your project would not have a significant impact on their level of service:
        i. There are sufficient utilities for your project.
        ii. There is sufficient police protection to support your project.

2. Agency Policy.

a. The policy must be clearly stated in published document and generally accepted as current.
b. Policies consist of objectives or goals but do not define thresholds to be met.
c. The threshold of significance has a subjective component.
d. We, the agency requiring the EIA, have published criteria (described in later in this Guide section) that we use in assessing significance:
    i. Major Siting Permit Criteria
    ii. General and Specific Criteria
e. You may choose to hire technical experts to prepare project-specific technical studies on the existing conditions and assess the project impact:
    i. Socio-economics.
    ii. Traffic.
    iii. Coastal processes and sediment transport.
    iv. Hazardous materials investigations.
f. There are recurring themes across agency policies:
    i. Do not cause harm to public health and safety.
    ii. Protect unique resources.
    iii. Address uncertainties or unique risks.
    iv. Provide assurance of project success if it involves new technology.
    v. Provide the CRM Agency Board the information they need to make an informed decision and approve your proposed project!

Example: NMIAC § 15-10-305 General Criteria for CRM Permits
(f) Right to a Clean and Healthful Environment. 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, so as to ensure the protection of the people's constitutional right to a clean and healthful environment.

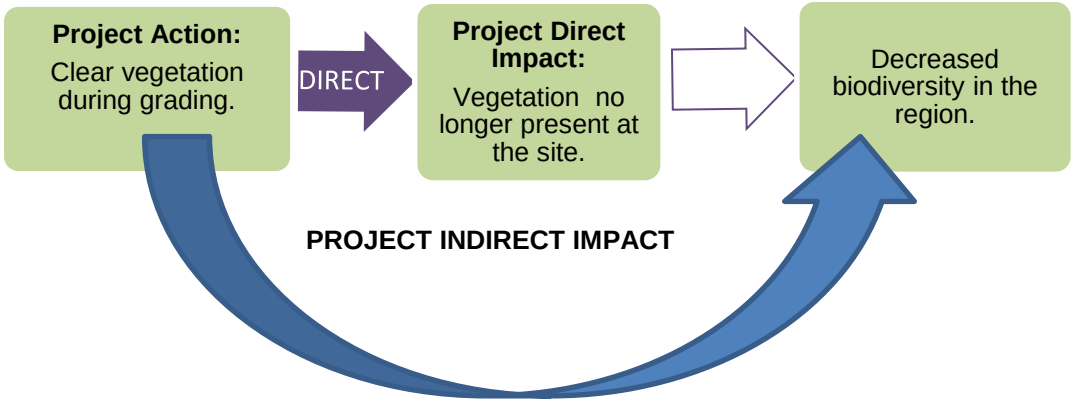
The underlined words outline the threshold for significance:
Any project construction or operational impact that does not maintain, enhance or protect natural beauty and natural resources is a significant impact on the population rights to a Clean and Healthful environment.

An objective assessment of this impact can be tricky but the point is- natural beauty and resources are important to the approving agency and you will mitigate any impacts to natural beauty and resources.

Relationship Between the Project Action and the Impact

Every impact identified in the impact analysis is further defined based on:

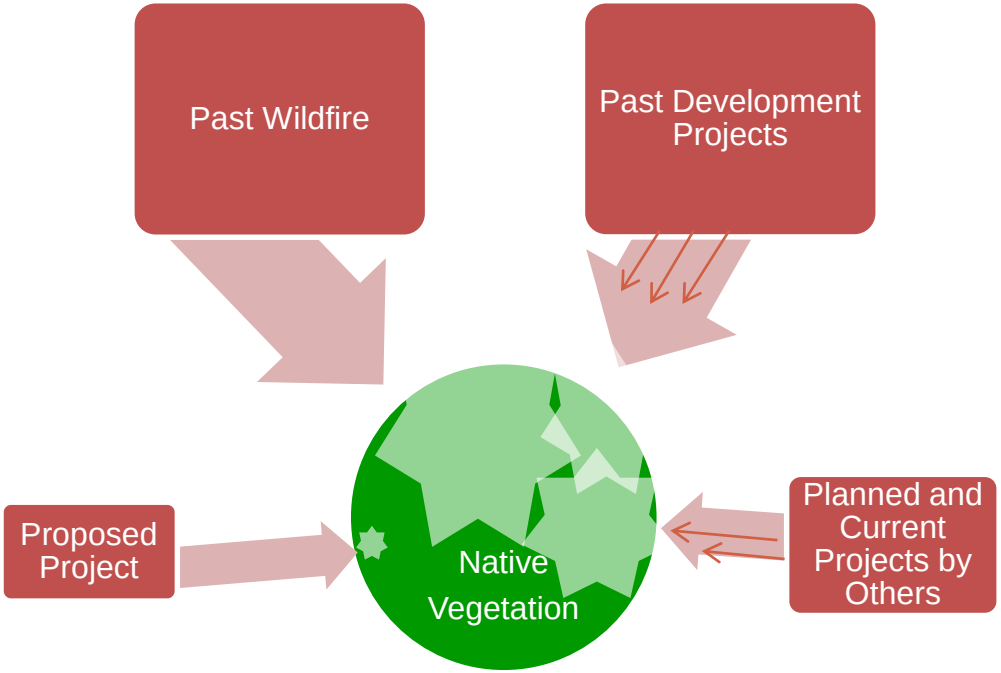
- ✓ the path or route of the impact. (See inset)
- ✓ duration of the impact (short-term or long-term).



Route of the impact:

1. **Direct Impacts**: A simple relationship between the action and the impact ["cause and effect"]. This relationship tends to be the easiest to assess, measure, monitor, and control. (See purple arrow in diagram)
2. **Indirect Impacts:** The action has consequences beyond the direct measurable impact. These impacts are often difficult to observe because they can occur at a distance from the project site or in the future. The assessment of indirect impacts tends to be based on general scientific knowledge or regional observations. (See blue arrow in diagram)
3. **Cumulative Impacts:** An impact that results when the project has a minor impact (less than significant) on a resource but when considered in combination with the past, present, and future impacts from other actions (natural or man-made); the impact to the resource is magnified. This is the most difficult project impact to assess, measure, and monitor because:
   - It is difficult to identify past and future impacts to the resources.
   - The geographic area of influence is broad.
   - The time period chosen for future and past impacts greatly impacts the significance of impact.

Cumulative Impact Example



Fact: The loss of native vegetation is proven, through extensive biological research, to result in decreases in biodiversity.

Health of the resource: Declining rapidly**.** The total acreage of native vegetation has or will have declined by 65% within in 5 years due to:

- Past actions: wildfire and development projects.
- Future actions: planned development projects.
- Current actions: development projects by others.

Project's direct impact on native vegetation: less than significant because the threshold was identified as 1 acre and the project would remove only ¼ acre.

Project's cumulative impact on native vegetation: may be significant when considered with impacts of all past, present, and future projects because the health of the resource is so poor.

Direct, Indirect and Cumulative Impact Example

If this were your project, you would have avoided all of these impacts in the project design by:

1) providing a better trash management system and / or

2) finding a way to store and deliver water that did not involve plastic bottles.

By assessing actions early, potential consequences can be avoided, creating “Win-Win” outcomes!

Project: Fishing: 1 fisherman fishing from his boat, with a cooler of bottled water. Empty water bottles are tossed into the boat.

Need: Food for dinner

Purpose: Catch fish

Beneficial Impact:

- Fisherman drinks a lot of bottled water and stays hydrated.
- Catches fish.

Direct Impact: **less than significant adverse**

- Empty water bottles accumulate in the bottom of the boat, usually.
- Occasionally, wind carries an empty bottle overboard before it lands in the boat. This floating bottle is ugly, but its only one bottle.

Indirect Impact: **less than significant adverse**

- A large fish may eat the bottle or part of the bottle, but one bottle will not result in a significant impact to the fish population.
- The plastic bottle and line eventually degrade into smaller pieces that could be ingested by marine life, but less than significant impact on marine resources.
- The debris could eventually degrade into its chemical components that are toxic to marine life, but less than significant impact on marine resources.

Cumulative Impact: Significant, but mitigable.

1. On this windy fishing day there are many incidents of a single plastic bag or bottle being blown into the ocean (present).
2. Historically, millions of plastic bottles (and plastic fishing lines) have ended up in the CNMI Coastal Zone. They are in various stages of degradation and toxin release (past).
3. Plastic bags and bottles will continue to find their way to the ocean (future).
4. The toxin level in the water makes fish sick or is accumulated in their tissue (past, present, and future).
5. The affected fish are consumed by other marine creatures or humans and they too get sick (past, present, and future).

Cumulative Impact Mitigation:

- Public education.
- Ban import of plastic bags and bottles into CNMI.
- Trash cleanup.
- Deterrents: Fines for littering.

These are: expensive, controversial, not in your control (e.g., bans, fines), and difficult to monitor the effectiveness of any mitigation.

Sample of Impact Analysis Write-up:

Source: Obyan Beach Resort EIA of 1995.

Notice that cumulative impacts are included in the impacts section. This is an option.

12.0. Solid Waste Disposal

Significance Criteria. *The project will have a significant impact if project actions generate waste stream which substantially exceeds or jeopardizes the available capacity to handle and dispose of waste as determined by existing and planned landfill capacities.*

Phase I Construction Effect. The effect of construction is adverse and significant and cannot be mitigated. It is significant because the Phase I construction period waste would exceed available capacity of the present Puerto Rico sanitary landfill facility. It cannot be mitigated because there are no alternative disposal areas and a planned new landfill would not be completed before project construction.

Construction waste would generate solid waste such as cardboard packaging materials, packing material, boxes, pallets, scrap metal, empty cement bags, used form-work, empty containers, rubble, plastics, glass, sanitary wastes, rubber, masonry and asphalt products, and biodegradable waste (weeds, shrubs, wood, and other organic matter). Food containers, cigarette packages, leftover food, and aluminum foil also contribute solid wastes to the construction site.

Phase I operations Effect. The effect is considered adverse. It is not considered significant because a new sanitary landfill would be operational when operations begin.

Proposed Phase I operations are expected to generate a substantial volume of solid waste. The material is expected to be disposed by a commercial sanitation company at the new Kalabera sanitary landfill. Using the average current daily disposal rate for Saipan and the projected 130 tons per day operational capacity of the new landfill, the project would have the following results.

Phase	Employees	Visitors	Total	Daily Volume	% of Daily Landfill capacity
Phase I operations	475	990	1,465	4.3	4.3%

Phase II Construction Effect. The effect is considered adverse. It is not considered significant because a new sanitary landfill would be operational during Phase II construction.

Buildout Operation Effects. The effect is adverse, but it is not considered significant because a new sanitary landfill would be operational during Phase II construction. The projected solid waste volumes that can be accommodated in the new facility and the effect of the project on capacity are as follows:

Phase	Employees	Visitors	Total	Daily Volume	% of Daily Landfill capacity
Phase I operations	475	990	1,465	4.3	4.3%
Phase II operations	1,000	2,860	3,860	11.4	11.4
	1,475	3,850	5,325	15.7	15.8%

Cumulative Effect. Until the new municipal solid waste facility is completed, any project which generates solid waste would have an adverse effect which is significant.

Summary of Effects. The initial construction phase results in an adverse impact which is significant and cannot be mitigated. All remaining phases have adverse effects on capacity which are not significant because they are within planned available capacities.

Planned Mitigation. None.

Impact after Mitigation. Phase 1 construction results in an unavoidable adverse effect. The effect of remaining phases on solid waste disposal capacity is not significant.

Obyan Beach Resort Project Description • Environmental Impact Assessment

Other Impacts: Irreversible and Irretrievable Commitment of Resources

Intent: Consider the extent your project would use or destroy non-renewable resources and the impact of that loss on future generations. The impact on the resource cannot be reversed, except perhaps in the distant future.

Examples:

1. Raw materials used in construction (i.e., lumber, sand, fossil fuels) may be replaced over a long period of time or recovered during demolition.
2. A solid waste landfill site will not be available for other land uses during its life span. Even when it is closed the potential land uses will be limited.
3. *Environmental Assessment for the ATISA GUAM – CNMI Submarine Cable System*, Duenas, Camacho & Associates, Inc., September 2016, excerpts:

   "The temporary use of the environment in the form of construction of the ATISA cable system would be associated with non-permanent impacts to air quality, noise, and transportation while providing economic benefits to the local workforce through construction contracts. Long-term benefits include the improvements to the CNMI's communication network, which would enhance long-term productivity."

Other Impacts: Short-Term (temporary) Uses of the Environment Versus the Maintenance and Enhancement of Long-Term Productivity

Intent: Consider the balance or "trade off "between the environmental impacts during life of the project (short-term) and the long-term (maybe greater than 30 years) impacts (beneficial or adverse).

Examples:

1. Restrictions on fishing in a specific habitat are established, specifically to allow natural resources to recover. Short-term impacts on public access would be related to: recreation, water sport businesses, tourism, mining, commercial fishing, and marine transportation. When the goals are met (long-term) and access is restored, the improved resources would provide greater social benefit than if left unprotected. This is enhancement of long-term productivity.
2. *Environmental Assessment for the ATISA GUAM –CNMI Submarine Cable System, Duenas, Camacho & Associates, Inc.*, September 2016, excerpts:

   > "The Proposed Action Alternative would consume negligible amounts of fossil fuels and utilize human labor during the 25-day construction and cable landing at each site. The efficient completion of construction would minimize the demand on fossil fuels and human labor resources.
   >
   > The use of the proposed cable landing sites is a long-term commitment of marine habitat that can be considered irreversible since it is unlikely that the landed cables will be removed after they have been laid in place and colonized by corals, as has occurred at other cable landing sites in northern Guam.
   >
   > The landings are all proposed on public lands, which is a long-term (25-year) commitment of public land resources. There would be little noticeable adverse impact on these lands from the cables, which will be buried on shore and where feasible in Saipan and Rota. Additionally, the cable portion near shore will be armored in articulated pipe that blends into the substrate."

EIA Major Siting Permit Criteria

Intent: The CRM Agency Officials approve Major Siting Permits based on specific criteria that need to be met: General and CRM permits; Specific: APCs; and Specific: Major Sitings. This EIA section demonstrates that the applicant has reviewed the requirements and the proposed project meets the criteria. CRM reviews and determines if they concur with the findings.

Guidance:

Provide a summary statement supporting each of the criteria and include a reference to the specific EIA section that provides more detail. See **NMIAC §15-10-206** for more details on permit application contents.

If any of the following criteria were not addressed in the EIA, then revise the EIA to include them.

General Criteria CRM:

- Cumulative Impact.
- Land Use Compatibility.
- Alternatives for siting.
- Conservation of coastal resources (watershed and receiving waters, marine, freshwater, wetland, and terrestrial habitat, and preserve, to the extent practicable, the physical and chemical characteristics) to support water quality and living resources now and in the future.
- Compliance with local and federal laws.
- People's constitutional right to a clean and healthful environment.
- Effect on existing public services.
- Adequate access.
- Setbacks.
- Management measures for control of non-point source pollution.
- Buffers for environmentally sensitive areas: CRM may require additional buffers.

Specific Criteria:

- **APC: Siting criteria relevant to APCs §15-10-300.**
- **Avoidance, minimization, and mitigation §15-10-105, 206, 225, 303, 305, 311, and 505.**

Specific Criteria: Major Sitings (§15-10-505):

- Compatible site development.
- Minimum site preparation.
- No adverse impact to fish and wildlife.
- Avoid and minimize cumulative effect.
- Future development options.
- No segmentation of project, even if phased construction.
- Mitigation of impacts.
- Cultural-historic scenic values. This is an assessment of views to or from a site or a collection of related sites for religious, social or cultural associations.
- Watershed conservation.

EIA Figures

Intent: Enhance readability and understanding of the project with a visual image.

Guidance:

- Specific drawings and figures are required for the Major Siting Permit Application that is relevant to the EIA. It may be useful to the reader of the EIA if the drawings were reformatted to specifically support the EIA text and included in the EIA.
- **Seek simplicity.** The most effective figure is one that can be readily understood without referring to the corresponding text. In some cases, a simple line-drawing may be more effective than a more sophisticated graphic.
- **Visuals.** Photos, artistic renderings, visual impact simulations, and other visuals are very helpful.
- **Label key elements** that are discussed in the text. For a figure to be effective, features discussed in the text should be labeled on the figure. Readers are likely to become frustrated if the figures do not clearly identify features discussed in the text.
- **Make important elements stand out against the background.** The background of a figure—e.g., the base map—should provide enough information to orient the reader, but not so much that it distracts from the primary focus of the figure.
- **Ensure that the legend is clear and complete.** Including a clear and complete legend should be a standard practice.
- **Read application instructions** for specific figures required.
- **Include citations for figures**. The credibility of data depends on whether the data can be traced back to its source.
- **Include scale and north arrow on maps.** Maps should always include a scale and a north arrow. If the map is not to scale, that fact should be noted on the map.

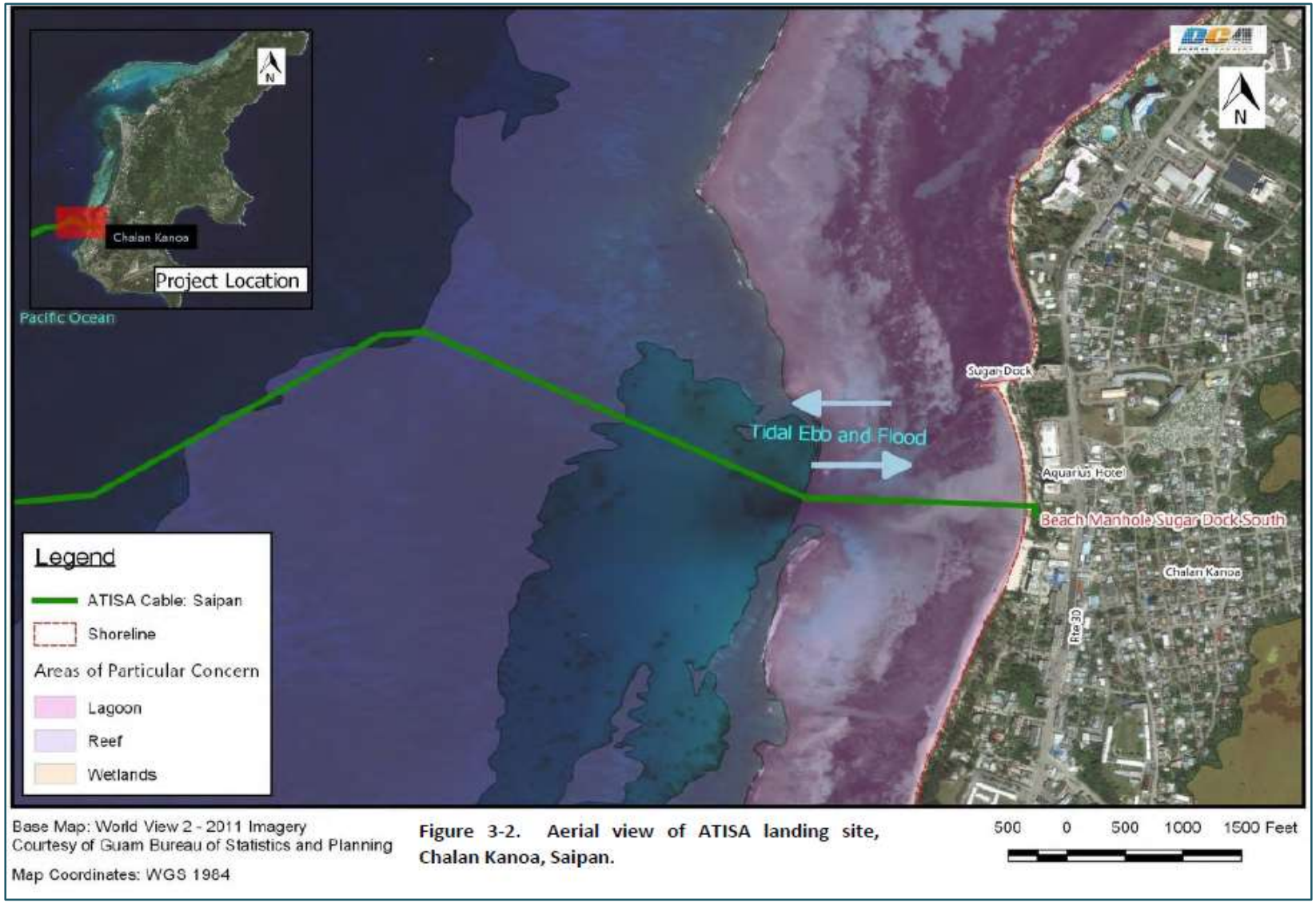


Figure 3-2. Aerial view of ATISA landing site, Chalan Kanoa, Saipan.

Good example of a Site Plan showing the APC boundaries.

Source: Environmental Assessment for the ATISA GUAM – CNMI Submarine Cable System, Duenas, Camacho & Associates, Inc., September 2016.

The Zoning Permit Application Site Plan Checklist

The Zoning Permit drawings are required for the Major Siting Permit Application. Refer to these in the EIA rather than submitting them twice in the Major Siting Permit Application. This is a good checklist for site plan format, in general. The content for the CRM would include additional information, like APC boundaries.

Major Site Plan Application Checklist

RETURN THIS CHECKLIST WITH YOUR APPLICATION

File No._____

The following is a list of materials and plans which must be submitted in order to have a complete application. For some applications, it will not be necessary to submit all of the listed materials. Consult with the Zoning Office if you have questions. Please do not turn in your application until all materials which apply to your proposal have been checked off.

	Office Use Only: Provided or N/A	Office Use Only: Missing
Pre-Application Meeting. A pre-application meeting with a Zoning Officer is recommended within the three months immediately prior to submittal		
Application and Fees		
1. Completed and signed Major Site Plan Application		
2. Receipt from the CNMI Treasurer for filing fees (see fee schedule)		
Site Plan Format		
3. One paper copy set and one reduction, if necessary, to 8½" x 11" or 11" x 17"		
4. One electronic copy in PDF format		
5. Drawn at not less than 1 inch = 50 feet (unless alternate is approved)		
6. Using English language		
7. Scale, drawing legend and north arrow		
Site Plan Contents The following information shall be included on the site plan or in attached documents.		
8. Notations – show:		
A. Zoning district(s) of adjacent property		
B. Proposed name and location of the development		
C. Names, addresses and phone numbers of i. Owner, lessee or developer (either one) ii. Preparer of the site plan		
D. Stamp of a licensed engineer or surveyor		
9. Property boundaries, contours, rights-of-way – show:		
A. Property boundaries and dimensions and survey reference points		
B. Existing and proposed finished contours at 2 foot intervals		
C. Name, location, ownership, and dimensions of existing and proposed rights-of-way and easements on the site and adjacent to the site		
10. Buildings and structures – show:		
A. Location and dimensions of structures to remain or to be removed		
B. Number of proposed dwelling units by type		
C. Exterior elevations including building materials and type of construction		
D. Dimensioned building elevations drawn at 1/8" = 1' or a comparable scale showing at least the building facade and one other building wall		
E. Location and design of service and storage areas		
11. Article 5 Zoning District Requirements - show compliance with:		
A. Lot area		
B. Front yard setback		
C. Side yard setback		
D. Rear yard setback		
E. Site design requirements		
F. Building design requirements		
G. Landscaping requirements		
12. New commercial, multifamily or institutional building: A. Multi-story building facing a public street with a facade over 100 ft - show 2 of features listed in Section 604(c)(1) B. Commercial structure over 40,000 ft: cluster smaller uses and activities near entrance OR provide at least 600 sf of pedestrian-oriented space near entry Section 604(c)(2)		
C. Show at least 2 elements of human scale per Section 604(d) and if over 3 stories high or more than 100 ft wide, show at least 3 elements		
D. If it faces a street, park or public walkway, show at least 3 design elements per Section 604(e)		
E. If it has a blank wall with area of 400 sf OR ground level wall over 4 ft high and longer than 15 ft wide without window or door – treat per Section 604(f)		
F. If it is visible from a public ROW, pedestrian area or parking lot, meet building material requirements per Section 604(g)		
G. Provide roof insulation to effective level of R19 (Section 604(h))		
H. Show 2 measures to save energy and resources per Section 604(h)(2)		
I. Provide landscape plan per Section 804(c)		
13. Multiple building/large lot developments If more than one hectare or more than 2 primary buildings (except in IN zone),		
A. Provide a master plan showing elements in Section 605(c)(1)		
B. Describe and/or illustrate how requirements of Section 605(c)(3) are met		
14. Pedestrian access and amenities. For nonresidential and mixed use development, describe and/or illustrate how any applicable requirements of 606(c) are met		
15. Neighborhood design and subdivision layout – for residential and mixed-use developments greater than 10,000 sm:		

The Zoning Permit Major Site Plan Application Checklist is available online.

	Office Use Only	
	Provided or N/A	Missing
K. If a residential subdivision with more than 25 lots or multifamily – meet parks and open space requirements in Section 607(k)		
L. Provide a landscaping plan per Article 8		
16. **Institutional residential use**, meet Section 608		
17. **Service or storage or outdoor sales area**, meet Section 609		
18. **Shoreline** - if within 150 ft, meet Section 610		
19. **Storm surge floodplain**, if in, meet Section 611(b)		
20. **River or stream floodplain**, if in, meet Section 611(c)		
21. **Wetland** – if in, meet Section 612		
22. **Groundwater management or wellhead protection area** – if in, meet Section 613		
23. **Stormwater management** – meet Section 614		
24. **Land clearing and earthmoving** – meet Section 615		
25. **Adult gambling machine business** – meet Section 616		
26. **Utilities**		
A. State sources of water and electrical power, and method of sewage disposal.		
B. Describe how water, electrical and sewer services meet the requirements of Section 618 of the SZL and of CUC, DEQ, and/or BEH as appropriate.		
27. **Roads, parking, sidewalks**		
A. Show location and dimensions of proposed parking areas, driveways, roadways, sidewalks, curbs, and gutters.		
B. Show calculations for number of parking stalls per Tables 7 and 8, Section 902.		
C. Show width & length of stalls & aisles & stall angle in degrees (Section 904).		
D. **Landscaping** - if more than 14 stalls etc. landscape per Section 804(e)(1)		
E. **Impervious surface** - minimize per Section 804(f)		
F. **Disability parking** per Section 905(e)		
G. **Driveway width** - per Section 905(d)		
H. **Minimize/share driveways** per Section 905(e)		
I. **Road access for residential uses** meet Section 905(f)(1)		
J. **Road access for nonresidential uses** - meet Section 905(f)(2)		
K. **Separate access points** - per Section 905(g)		
L. **Curb barrier** – provide per Section 905(h)		
M. **Conflicting driveways** – avoid per Section 905(i)		
N. **Clear view of intersections** – maintain per Section 905(k)		
28. **Lighting**. Show location, type, size, materials, and shielding of any outdoor lighting and describe compliance with Section 1005.		
29. **Signs**. Location, type, size, and materials of any signage (see sign application)		
30. **Phasing**. Description or illustration of project stages or phasing, if applicable.		

7. RESOURCE TOOL BOX

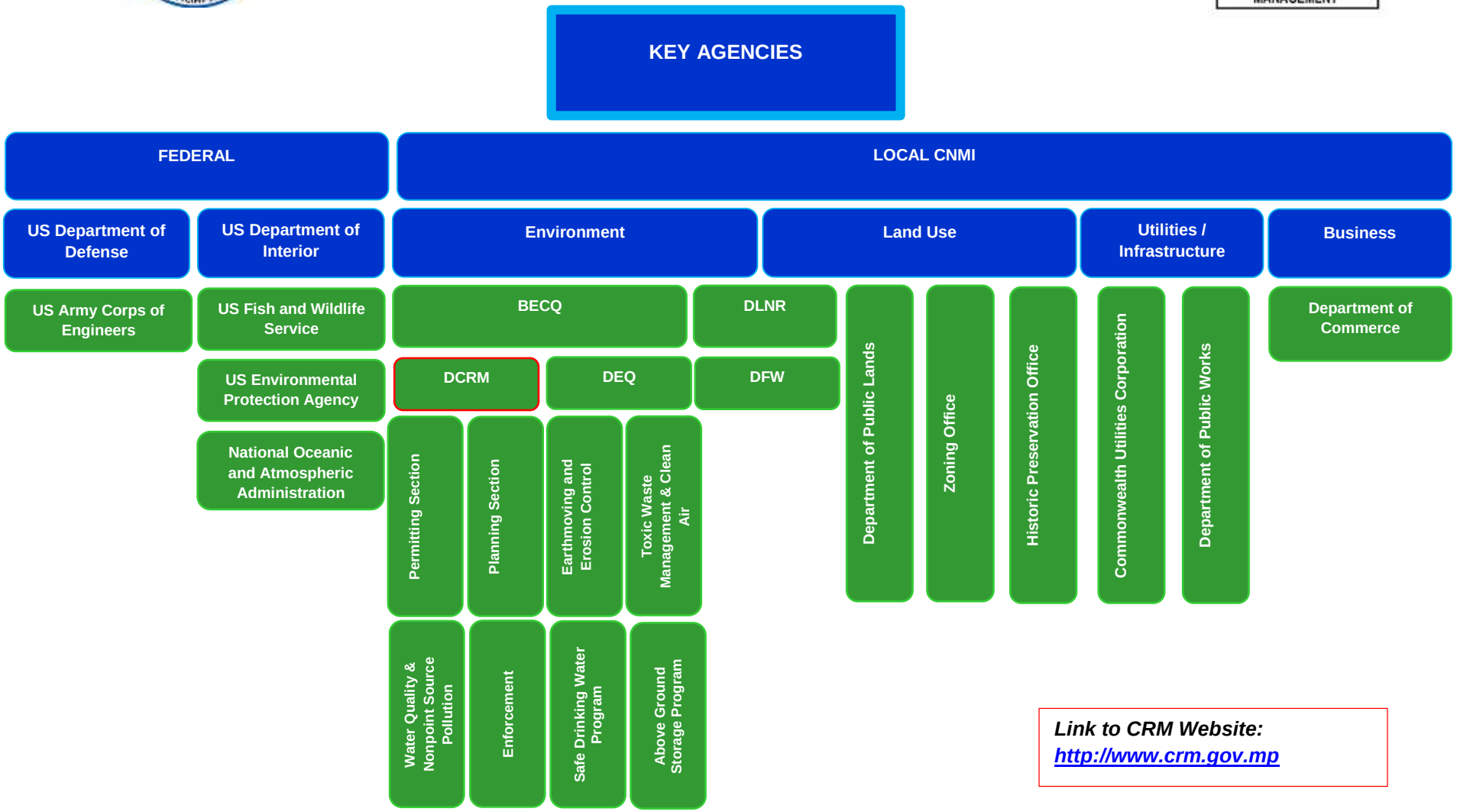
7. RESOURCE TOOL BOX

A. Permitting Agency Contacts
B. DCRM Permitting FAQ
C. Division of Coastal Resources Management Regulations
D. Major Siting Permit Application Form
E. Saipan-Zoning Maps/Resources
F. CNMI Department of Public Lands
G. Areas of Particular Concern
H. BECQ Public Permitting App
I. DCRM Publications
J. Mitigation Resources
K. CRM Agency Board – Additional Guidance for Focused Resource Areas

The locations and content of these resources are subject to change. Please consult with DCRM.

A. Permitting Agency Contacts

Commonwealth of the Northern Mariana Islands
Development – Key Agencies



Link to CRM Website:
http://www.crm.gov.mp

AGENCY DIRECTORY			
AGENCY	***Location***	***Contact Number***	***Website***
DCRM	*Gualo Rai Center, Chalan Pale Arnold - Middle Rd, Garapan*	*(670) 664-8300*	*http://crm.gov.mp*
DPW	*Joeten Gualo Rai Building*	*(670) 235-5827/8*	*http://www.dpw.gov.mp*
DEQ	*Gualo Rai Center, Chalan Pale Arnold - Middle Rd, Garapan*	*(670) 664-8500*	*http://deq.gov.mp*
Historic Preservation Office	*Airport Road, Saipan*	*(670) 664-2120*	*http://www.cnmihpo.net*
Department of Lands and Natural Resources	*Lower Base Rd Drive, Saipan MP 96950*	*(670) 322-9834*	*http:www.cnmi.dlnr.mp*
Division of Fish and Wildlife	*Lower Base Drive, Saipan MP 96950*	*(670) 664-6000*	*http://www.cnmi-dfw.com*
Department of Public Lands	*2nd Floor, Joeten Dandan Commercial Building, Chalan Monsignor Guerrero*	*(670) 234-3751/52/53/54*	*http://www.dpl.gov.mp*
Commonwealth Utilities Corporation	*3rd Floor, Joeten Dandan Commercial Building, Chalan Monsignor Guerrero*	*(670) 664-6164*	*http://www.cucgov.org*
Department of Commerce	*Capital Hill, Saipan*	*(670) 664-3000*	*http://commerce.gov.mp*
Zoning Office	*2nd Floor, Joeten Dandan Commercial Building, Chalan Monsignor Guerrero*	*(670) 234-9661/2/3*	*http://www.zoning.gov.mp*
US Army Corps of Engineers	*Building 230, Fort Shafter Honolulu, HI 96858*	*(808) 835-4715*	*http://www.pod.usace.army.mil*
US Fish and Wildlife Service	*300 Ala Moana Blvd Rm 3-122 Honolulu, HI 96850*	*(808) 792-9400*	*https://www.fws.gov/pacificislands*

B. DCRM Permitting FAQ

BECQ-DCRM
PERMITTING IN THE CNMI

If you want to build a house or commercial building, clear land, or otherwise develop property in the Commonwealth, you may need a coastal permit.

BECQ's DCRM is here to help!

Division of Coastal Resources Management
P.O. Box 501304, Saipan, MP 96950
(670) 664-8300

Update: July 2015

This guide was printed to support introductory permitting questions. Financial assistance was provided by the Coastal Zone Management Act of 1972, as amended, administered by the Office of Ocean and Coastal Resources Management, National Oceanic and Atmospheric Administration.

DO I NEED A DCRM PERMIT?

All persons or business entities proposing any major site development to conduct any activity within DCRM's areas of particular concern must apply for a DCRM permit.

All Earthmoving activities are overseen by DCRM's sister agency, DEQ. DCRM reviews "One Start" applications to ensure proposed activities will not have impacts on Areas of Particular Concern.

DCRM Permitting in the CNMI
Promoting Development and a Healthy Environment

WHAT TYPE OF DCRM PERMIT DOES MY PROJECT REQUIRE?

DCRM issues three (3) types of permits:

- A **"Temporary Permit"** is issued for emergency repairs before or immediately after an environmentally disastrous event including, but not limited to, typhoons, tsunamis, storms, earthquakes, shipwrecks, or oil or other hazardous material spills.
- An **"APC Permit"** is required for all non-major developments that are located in or which may have a direct and significant adverse impact to an **"Area of Particular Concern"**. Minor APC permits can be issued for minor developments that occur within an APC.
- A **"Major Siting Permit"** is required for all major developments, uses, or activities that have the potential to significantly impact coastal resources.

Division of Coastal Resources Management

The DCRM Program manages five (5) areas of particular concern (APCs):

- Lagoon and Reef
- Wetlands and Mangroves
- Shorelines
- Ports and Industrial
- Coastal Hazards

This map is intended to provide basic guidance. Applications are assessed on a case-by- case basis to ensure proposals will have no significant impacts to regulated Areas of Particular Concern.

WHAT IS AN APC?

"Areas of Particular Concern" or "APCs" are areas within DCRM's jurisdiction that are subject to special management because of unique and important environmental properties. APCs have specific permitting and evaluation requirements. All developments or proposed projects that are situated in or may adversely affect an "APC" are evaluated for significant adverse impacts including cumulative effects, compatibility, alternatives, conservation, compliance with local and Federal Laws, right to a clean and healthy environment, effects on existing public services, adequate access to public beaches, setbacks, and sufficient management measures for control of nonpoint source pollution. Ask our office for what you'll need to get your project application started!

HOW LONG UNTIL I GET MY DCRM PERMIT?

Permit reviews are conducted as quickly as possible. The amount of time a permit takes to process depends on the permit type.This chart highlights milestones and expected timelines for the DCRM permitting processes. Please check with our office to make sure you have everything you need to submit a complete application to help us expedite this process!

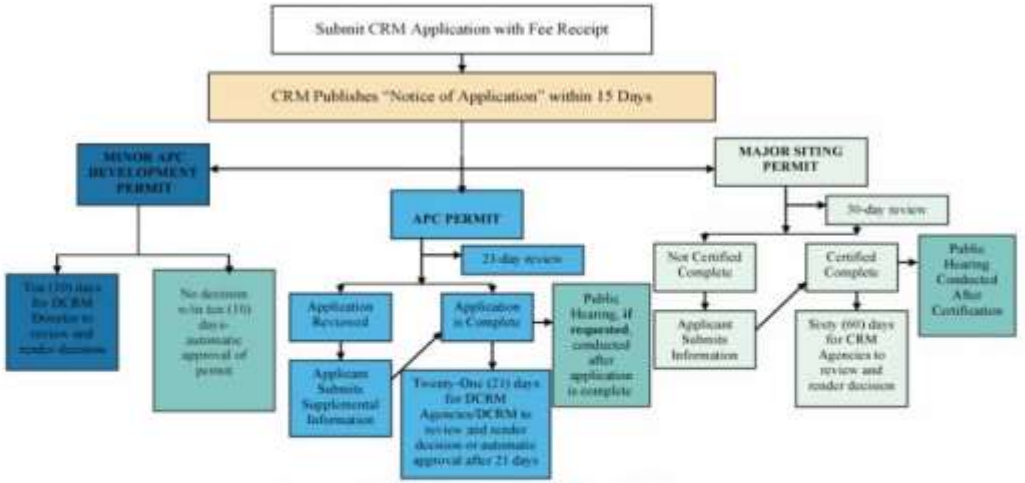
HOW CAN I GET A DCRM PERMIT?

Permit application forms are available at the DCRM offices in Saipan, Tinian, or Rota and on the DCRM website: www.crm.gov.mp

APC or Temporary Permit applications must be filed at the DCRM Branch office in Tinian or Rota if the proposed project is to be on either of those islands. A Major Siting Permit application and its attachments are filed at the Saipan DCRM office.

You can also find and file these forms online on the permitting page at www.crm.gov.mp

GENERAL PERMITTING PROCESS



Pursuant to §15-10-220(a)(2)(3) & (4) of the CRM Rules and Regulations, a public hearing for APC or Minor Development permit applications must be scheduled if, a minimum of five (5) individuals OR one DCRM Agency member, makes a request. Public hearings are scheduled at least 14 days after the second public notice.

Visit www.crm.gov.mp to see if your project is in an APC.

C. DCRM Regulations

Link to Commonwealth Code (html) https://www.cnmilaw.org/frames/CommonwealthCode.html

Link to CRM Regulations (html):
https://www.cnmilaw.org/admincode/Title15/T15.html

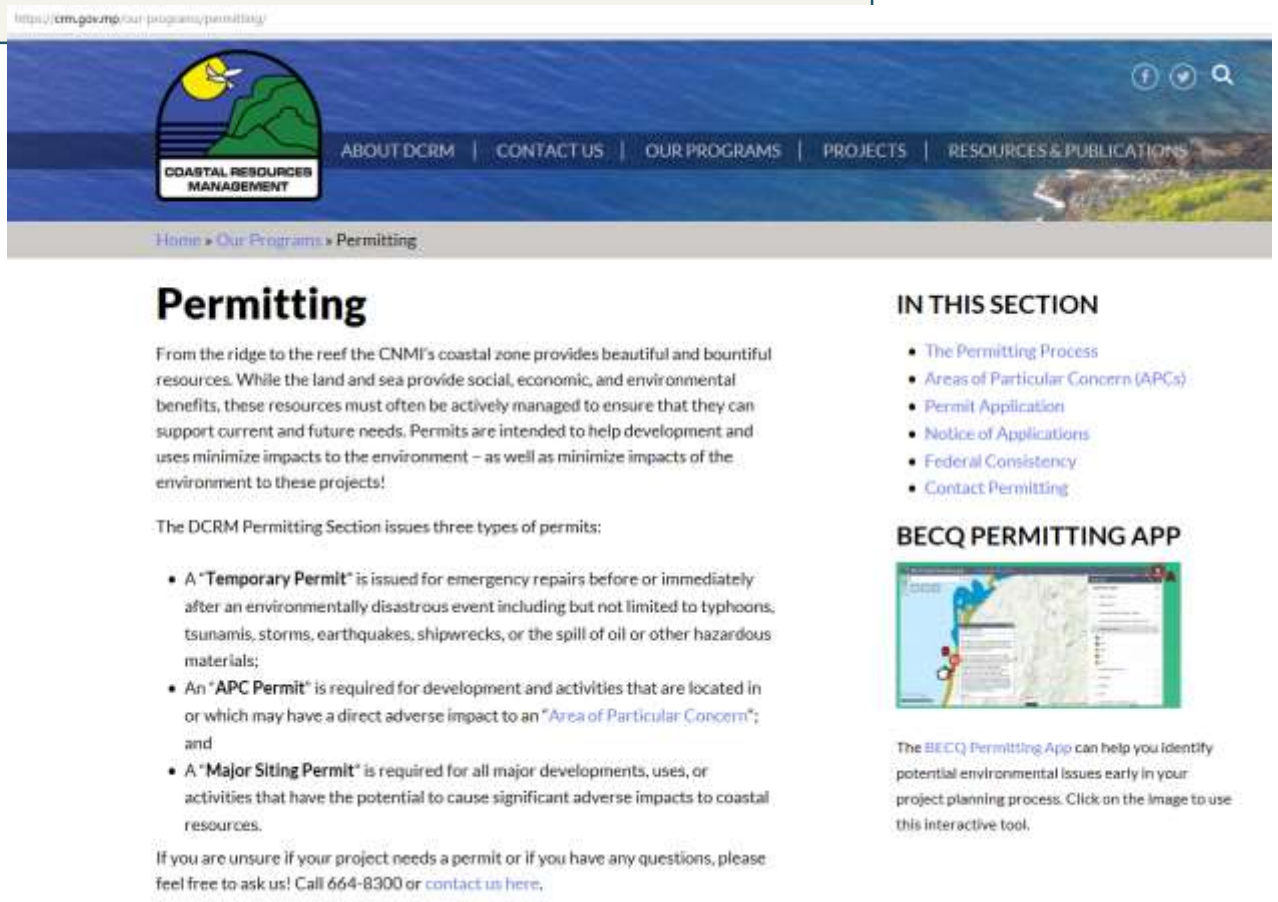
D. DCRM Application Forms

Link: https://crm.gov.mp/our-programs/permitting/online-permit-application-system/

Visit “Our Programs” -> “Permitting” for more on:

- The permit process.
- Permitting Tips.
- APC description and maps.
- Permit application forms.

Note – you can register to online to join the DCRM Online Permitting System.



E. Saipan-Zoning Maps/Resources

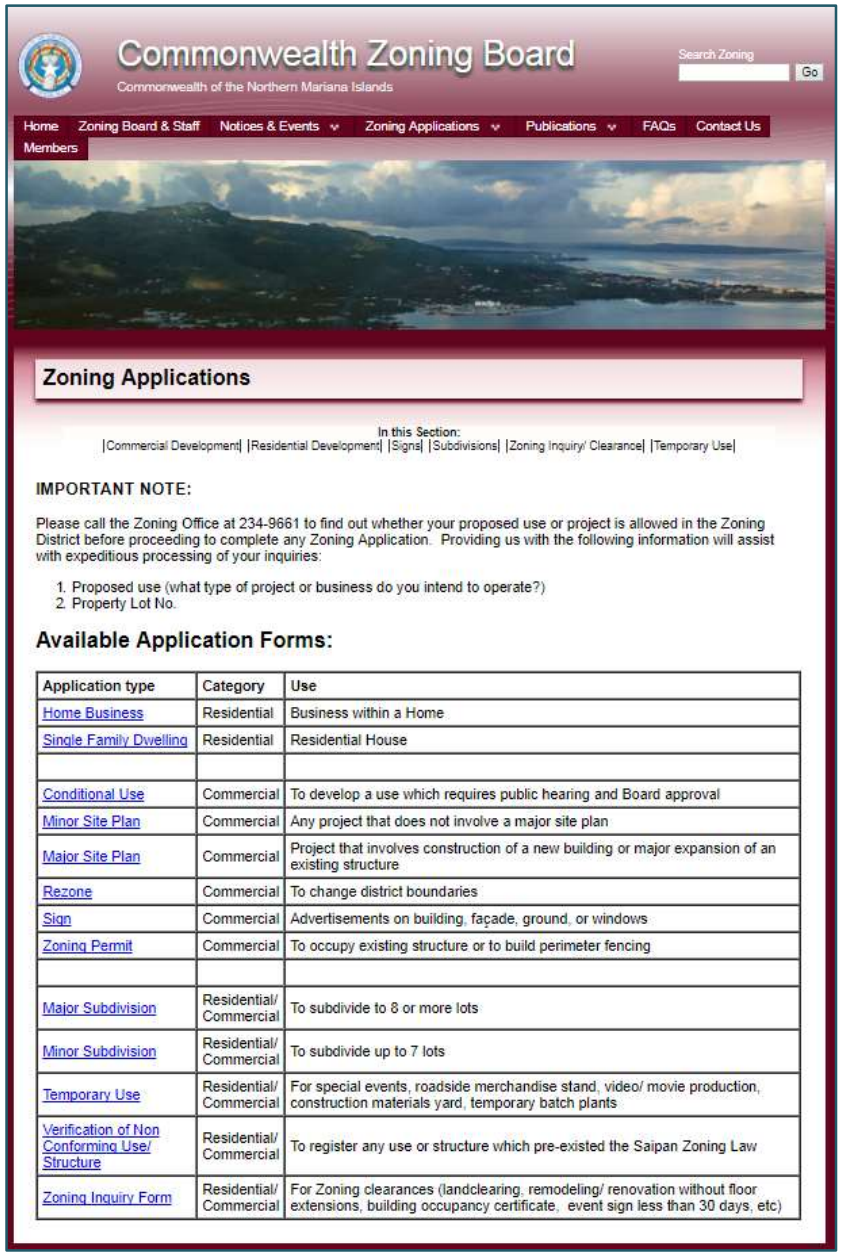
Office of Zoning
Link: http://www.zoning.gov.mp

Zoning Applications:
http://www.zoning.gov.mp/sec.asp?secID=2
Link: http://www.zoning.gov.mp/sec.asp?secID=2

Home Business Application/Permit
http://www.zoning.gov.mp/resources/files/Applications/Commercial_HomeBusAppl%207-18-11.pdf

Major Site Plan Application
http://www.zoning.gov.mp/resources/files/Applications/Commercial_MajorSitePlan.pdf

Zoning Permit Application
http://www.zoning.gov.mp/resources/files/Applications/Commercial_ZoningApplication.pdf



Commonwealth Zoning Board
Commonwealth of the Northern Mariana Islands
Search Zoning Go
Home | Zoning Board & Staff | Notices & Events | Zoning Applications | Publications | FAQs | Contact Us | Members

Zoning Applications

In this Section:
|Commercial Development| |Residential Development| |Signs| |Subdivisions| |Zoning Inquiry/ Clearance| |Temporary Use|

IMPORTANT NOTE:

Please call the Zoning Office at 234-9661 to find out whether your proposed use or project is allowed in the Zoning District before proceeding to complete any Zoning Application. Providing us with the following information will assist with expeditious processing of your inquiries:

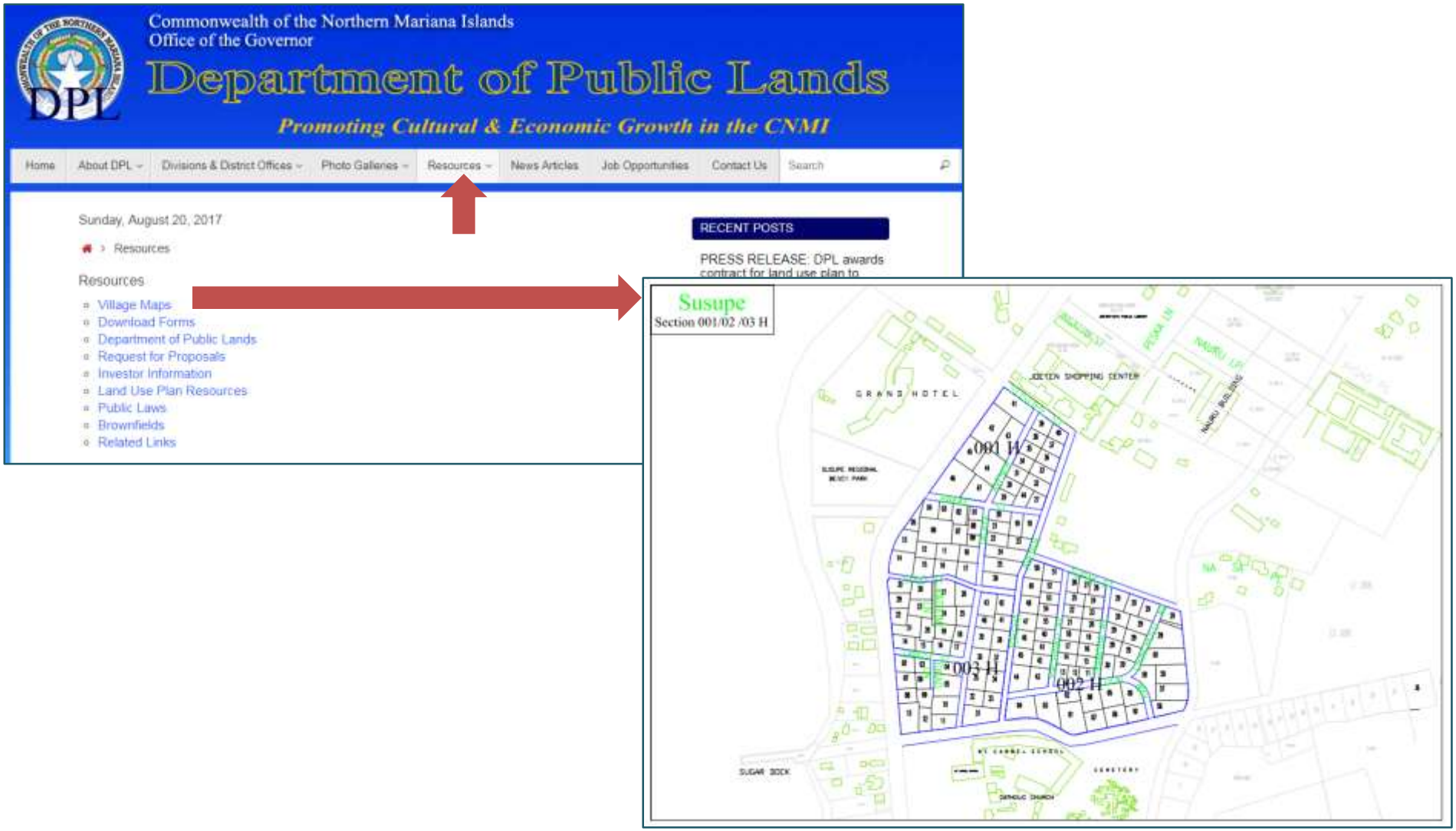
1. Proposed use (what type of project or business do you intend to operate?)
2. Property Lot No.

Available Application Forms:

Application type	Category	Use
Home Business	Residential	Business within a Home
Single Family Dwelling	Residential	Residential House
Conditional Use	Commercial	To develop a use which requires public hearing and Board approval
Minor Site Plan	Commercial	Any project that does not involve a major site plan
Major Site Plan	Commercial	Project that involves construction of a new building or major expansion of an existing structure
Rezone	Commercial	To change district boundaries
Sign	Commercial	Advertisements on building, façade, ground, or windows
Zoning Permit	Commercial	To occupy existing structure or to build perimeter fencing
Major Subdivision	Residential/ Commercial	To subdivide to 8 or more lots
Minor Subdivision	Residential/ Commercial	To subdivide up to 7 lots
Temporary Use	Residential/ Commercial	For special events, roadside merchandise stand, video/ movie production, construction materials yard, temporary batch plants
Verification of Non Conforming Use/ Structure	Residential/ Commercial	To register any use or structure which pre-existed the Saipan Zoning Law
Zoning Inquiry Form	Residential/ Commercial	For Zoning clearances (landclearing, remodeling/ renovation without floor extensions, building occupancy certificate, event sign less than 30 days, etc)

F. CNMI Department of Public Lands

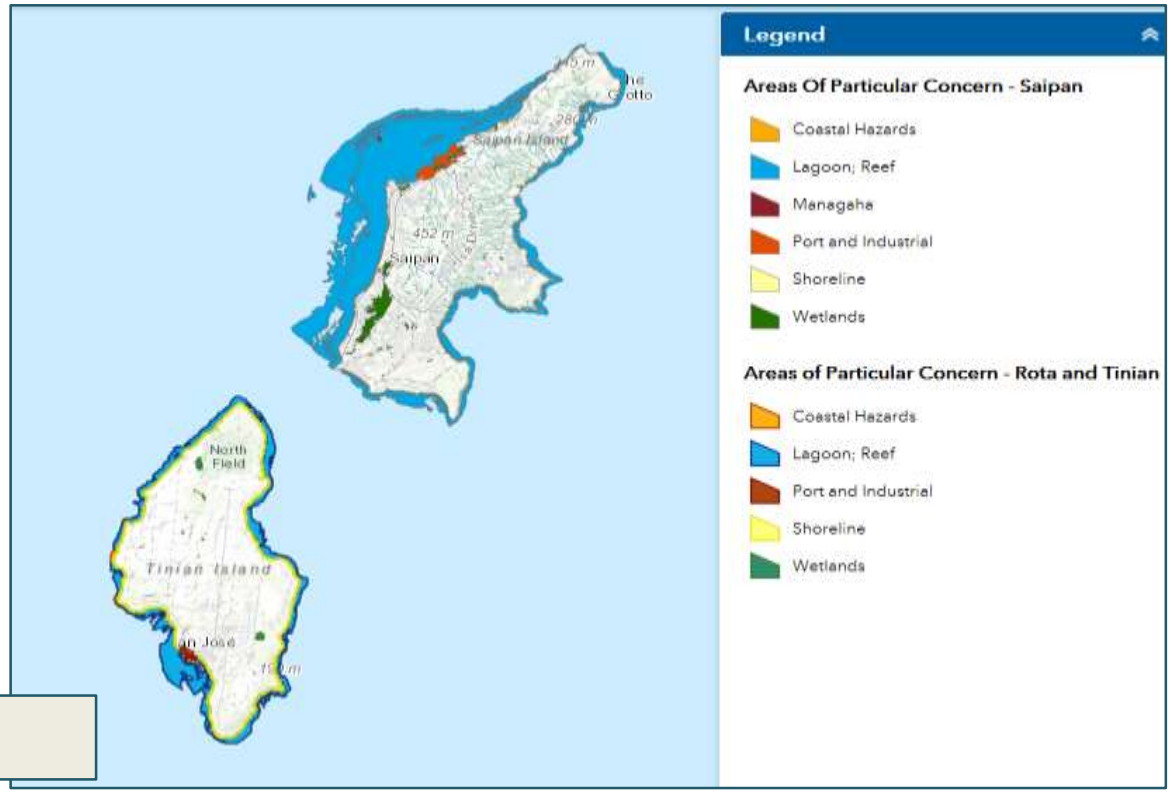
Link: http://www.dpl.gov.mp/resources/



G. Areas of Particular Concern

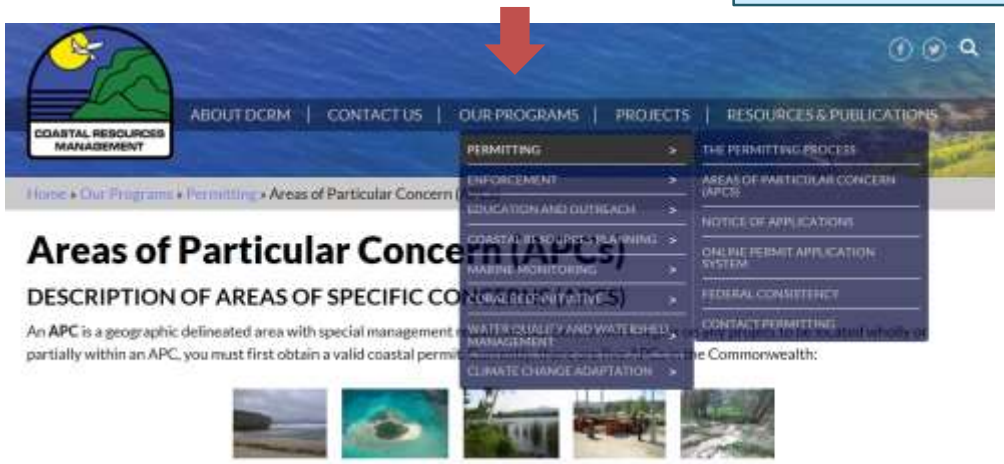
Interactive APC Maps:

Link:
http://dcrm.maps.arcgis.com/home/index.html



Permit Section:

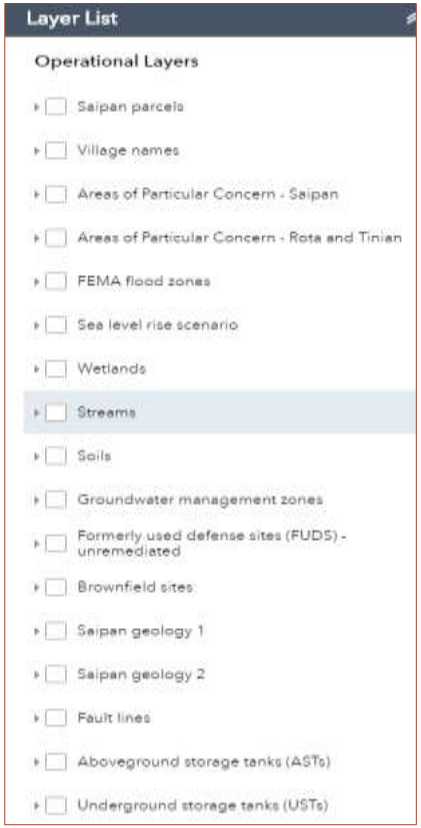
- APC description and maps.



H. BECQ Public Permitting App

ARCGIS webpage
Link: http://arcg.is/2mtiZDk

App Features:
- Coastal permitting-related geospatial information.
- "Before you Build" guide.
- Permit report printer.
- Search by parcel number.



Data Access:

Data Access - DCRM's projects and ongoing monitoring programs result in a large quantity of data. In an effort to share and distribute this information DCRM has developed an Open Data Portal. This portal currently serves spatial data related to a variety of projects.

DCRM Open Data
- http://becq1.dcrm.opendata.arcgis.com/

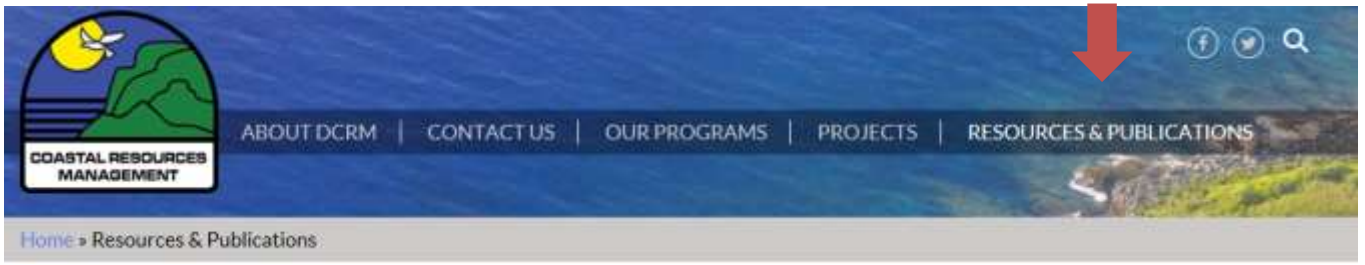
BECQ Maps & Apps - http://dcrm.maps.arcgis.com/home/index.html

Use the interactive BECQ maps : http://dcrm.maps.arcgis.com/home/index.html

I. DCRM Publications & Data

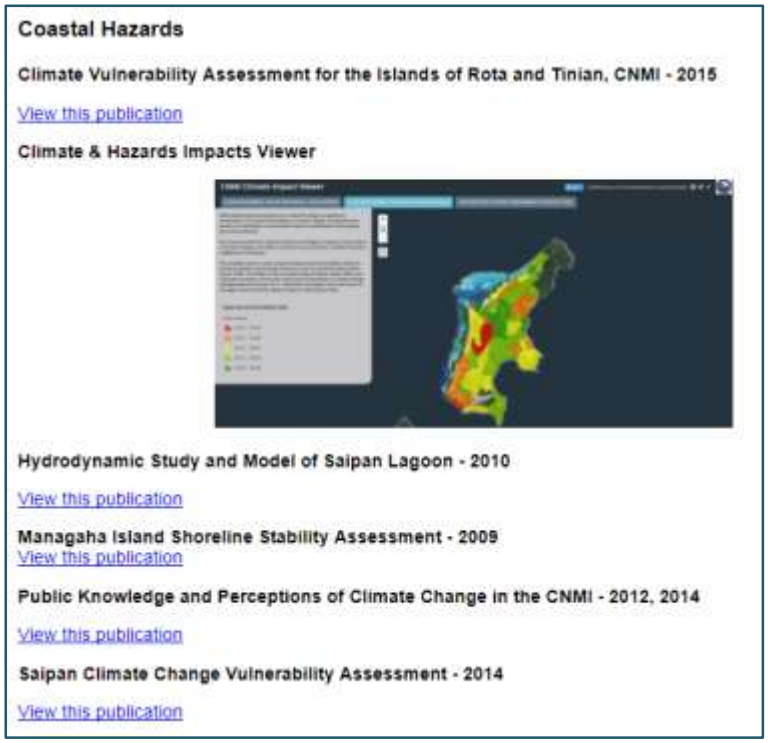
DCRM website:

Link: http://www.crm.gov.mp



Publications:

- BECQ – DCRM Rules and Regulations. http://crm.gov.mp/resources/files/TITLE%2015-10.pdf
- Coastal Resources Management Act. http://crm.gov.mp/resources/files/Coastal%20Resources%20Management%20Act.pdf
- Construction Site Chemical and Material Control Handbook. http://crm.gov.mp/resources/files/crmbooklet.pdf
- Public Shoreline Access Guide (and Map). http://crm.gov.mp/resources/files/ShorelineAccessGuide2015(1).pdf
- Saipan Lagoon Use Survey. https://www.dropbox.com/s/hbor18rbu8r4pvl/BECQ-DCRM%20SLUMP%20User%20Survey%20%26%20Mapping%20Report%20FINAL.pdf?dl=0
- Corals and Reef Reports (2003 – 2015).
- Stormwater Management, Wetlands, and Water Quality Resources.
- Coastal Hazards.
- Beach Tips / Green Tips / Reef Tips.
- Videos.
- *And Much More!...*



J. Mitigation Resources

LEED, US Green Building Council

Link: https://www.usgbc.org/leed

Energy Star

Link: https://www.energystar.gov/buildings/facility-owners-and-managers

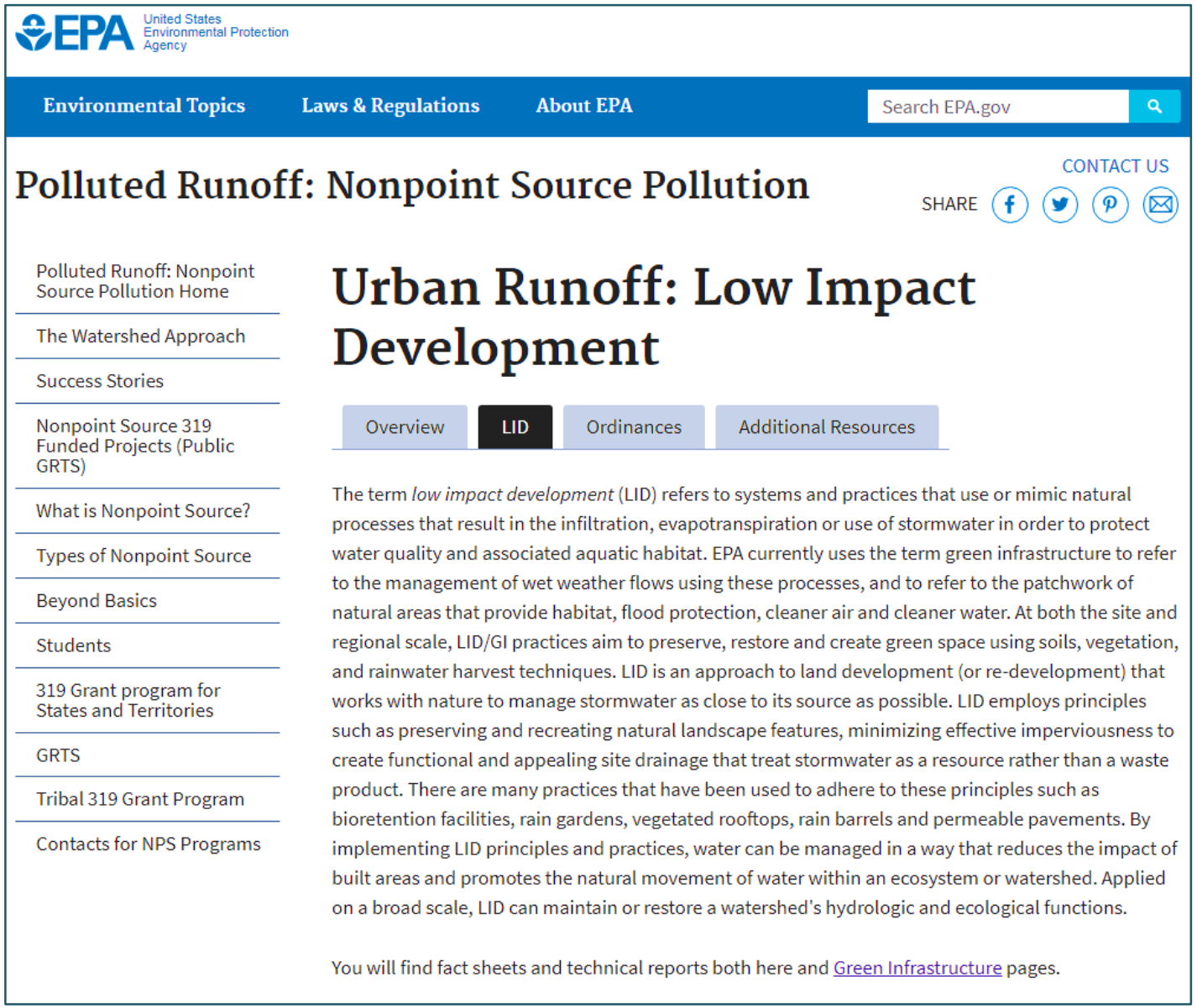
LEED, or Leadership in Energy and Environmental Design, is changing the way we think about how buildings and communities are planned, constructed, maintained and operated. Leaders around the world have made LEED the most widely used third-party verification for green buildings, with around 2.2 million square feet being certified daily.

LEED works for all buildings—from homes to corporate headquarters—at all phases of development. Projects pursuing LEED certification earn points across several areas that address sustainability issues. Based on the number of points achieved, a project then receives one of four LEED rating levels: Certified, Silver, Gold and Platinum.

LEED-certified buildings are resource efficient. They use less water and energy and reduce greenhouse gas emissions. As an added bonus, they save money. Learn more about why LEED continues to be the leading benchmark in green building.

Low Impact Development (Stormwater Management)

Link: https://www.epa.gov/nps/urban-runoff-low-impact-development



United States Environmental Protection Agency

Environmental Topics | Laws & Regulations | About EPA | Search EPA.gov

Polluted Runoff: Nonpoint Source Pollution

CONTACT US

SHARE

- Polluted Runoff: Nonpoint Source Pollution Home
- The Watershed Approach
- Success Stories
- Nonpoint Source 319 Funded Projects (Public GRTS)
- What is Nonpoint Source?
- Types of Nonpoint Source
- Beyond Basics
- Students
- 319 Grant program for States and Territories
- GRTS
- Tribal 319 Grant Program
- Contacts for NPS Programs

Urban Runoff: Low Impact Development

Overview | LID | Ordinances | Additional Resources

The term *low impact development* (LID) refers to systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater in order to protect water quality and associated aquatic habitat. EPA currently uses the term green infrastructure to refer to the management of wet weather flows using these processes, and to refer to the patchwork of natural areas that provide habitat, flood protection, cleaner air and cleaner water. At both the site and regional scale, LID/GI practices aim to preserve, restore and create green space using soils, vegetation, and rainwater harvest techniques. LID is an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Applied on a broad scale, LID can maintain or restore a watershed's hydrologic and ecological functions.

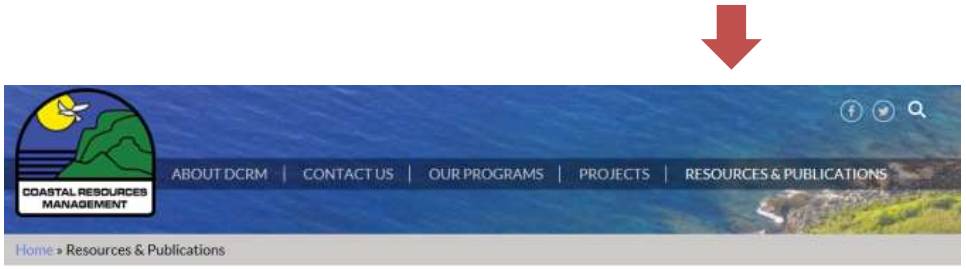
You will find fact sheets and technical reports both here and Green Infrastructure pages.

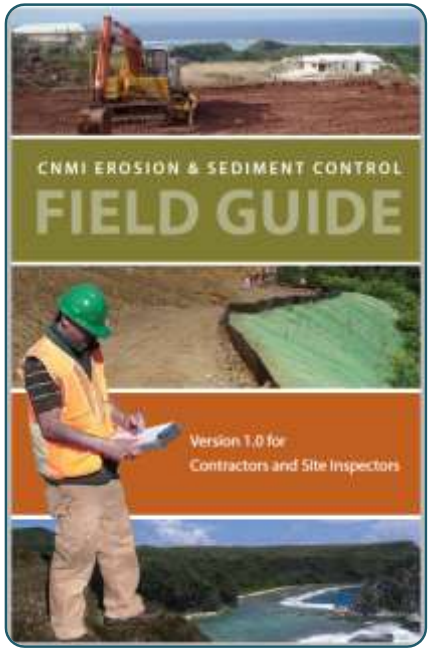
Best Management Practices: Construction/ Erosion and Sediment Control/Stormwater

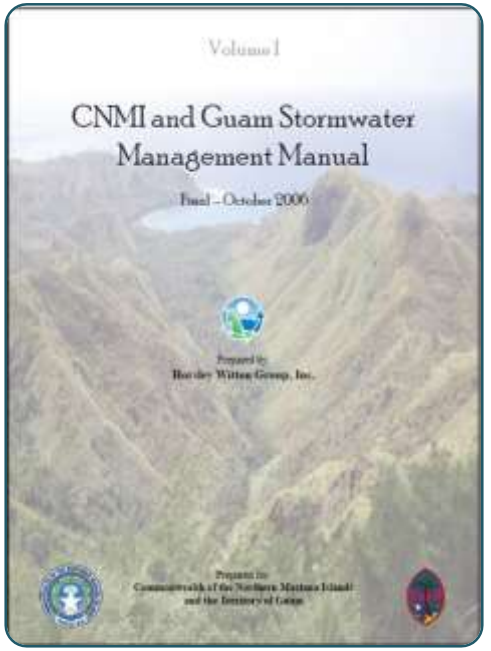
Link to CRM Publications, BMP Guidance:

- Construction Site Chemical and Material Control Handbook
- CNMI Erosion and Sediment Control Field Guide
- CNMI and Guam Stormwater Management Manual

Visit crm.gov.mp for these and more resources!







K. CRM Agency Board – Additional Guidance for Focused Resource Areas

The CRM Agency Board works together to identify and address multiple resource management focal areas through the major siting review process. Here, you will find agency specific recommendations from partner agencies from the Departments of Commerce, Lands and Natural Resources, Public Works, the Division of Environmental Quality, the Commonwealth Utilities Corporation, and the Historic Preservation Office.

Department of Commerce

The CNMI Department of Commerce is committed to developing sound solutions that would help stimulate the Commonwealth Economy by promoting a favorable business environment, attract private capital investment, infrastructure investment, research grants, and job development. Special divisions within the Department manage specific business types such as banking, and alcohol, beverage, and tobacco control, as well as business insurance and registration.

To start your business in CNMI, you must register your company. Once you complete all of the Office of the Registrar's requirements for compliance, the next step is to apply for a license to operate a business in the Commonwealth.

To support their mission of promoting sound, favorable business environment and job development, the Department of Commerce requires the following components be included in the CRM Major Siting Application:

- A CNMI business license is required to operate commercial businesses in CNMI;
- A human resources plan that details positions the proposed development will create and how opportunities for advancement will be provided to workforce members; and
- Applicants must acknowledge their intent to comply with CNMI requirements to hire at least 30% local workforce.

Supporting information that Commerce may require includes:

- ✓ Business license requirements
  - Business License Application, *New and Renewal*
  - Worker's Compensation Application for Clearance, *New and Renewal*
  - Articles & By-Laws, *New Corporation Only*
  - Partnership Agreement & Registration, *New Partnership Only*
  - LLC Certificate of Organization, Articles of Organization, *New LLC Only*
  - IN A-Status (Non-US), *New and Renewal*
  - Vicinity Map, *New and Renewal*
  - Annual Corporate Report, *Renewal Only*
  - Original Business License, *Renewal Only*
- ✓ Monthly filing of BGRT (Business Gross Revenue Tax)
- ✓ Quarterly and annual filing of BGRT and Individual/Corporate Income Tax Returns

Additional information regarding socio-economic impacts including potential impacts – positive or negative – to infrastructure and social services are also reviewed to ensure the proposed development will have no significant negative direct or cumulative impacts to existing businesses or the CNMI community at large. If you have questions about what Commerce will require for your EIA, please contact *(670) 664-3000*.

Department of Lands and Natural Resources

Under the Department of Lands and Natural Resources (DLNR), the Division of Fish and Wildlife (DFW) provides for the conservation of fish, game, and listed (threatened and endangered) species for the benefit of the people of the CNMI. The DLNR and DFW is responsible for ensuring wildlife conservation on all of the Northern Mariana Islands (CNMI).

Because DLNR-DFW is entrusted by the public to conserve listed species, all projects that may impact an endangered species and/or their critical habitat must have clearance from DFW before a project can lawfully proceed. DFW may require the applicant to conduct a biological assessment that meets DFW standards prior to permit determination. DFW will issue a set of conditions to which the project must adhere to avoid, minimize, or mitigate "take" of endangered species and other impacts to natural resources.

To support this mission, DFW recommends pre-application meetings for major siting projects. To schedule a meeting to discuss your proposed project, please contact Ms. Carly Eakin at eakin.dfw@gmail.com or call DLNR at (670) 322-9834.

Additional information DLNR-DFW will expect you to include in your CRM Major Siting Application is:

- The location and timing (seasonal and daily) of any soil and/or vegetation disturbance and operation of heavy machinery;
- Plans for revegetation of any disturbed areas that are not planned to be hardscaped. DFW and the Division of Forestry can help advise which plant species are appropriate for the project site but may require the proposal of a planting plan for large areas requiring revegetation

The permittee is advised that any permits issued do not supersede any and all requirements of the Division of Fish and Wildlife. The issuance of a Permit Decision, and the permit granted, does not act as a waiver of other CNMI agency permit requirements. The language contained in the permit shall not be construed as an express or implied waiver of the need of Permittee to obtain other permits which may be needed and required by law, rule or regulation from any other CNMI governmental entities.

Department of Public Works

The Department of Public Works' (DPW) broad responsibilities that are especially relevant to the CRM Major Siting Permit process include managing public highways and drainage as well as solid waste implementation of the Building Safety Code in the Commonwealth of the Northern Mariana Islands (CNMI). DPW's mandates include ensuring roads and drainage systems are built and maintained, solid waste is properly managed – including appropriately reduced and segregated – and that buildings are safety constructed for the benefit of the people of the CNMI.

DPW sets construction standards to ensure safe structures for residential and commercial buildings and issues building permits to residential and commercial developers certifying that structures meet regulations in the Uniform Building Code and the CNMI Building Safety Code. DPW enforces the following construction codes and design standards:

i. International Building Code (IBC) 2009
ii. International Fire Code (IFC) 2009
iii. National Electric Code (NEC) 2008
iv. International Plumbing Code (IPC) 2009
v. International Mechanical Code (IMC) 2009
vi. ADA Guidelines (ADAG) 2010
vii. American Society of Civil Engineers (ASCE) 7 – 10
viii. American Concrete Institute (ACI) 318
ix. CNMI Flood Damage Prevention (NFIP), P.L. 6-45
x. NFPA 13, Installation of Fire Sprinkler Systems
xi. NFPA 72, Automatic Fire Alarm Systems
xii. CNMI Tropical Energy Code (Revised) 2014
xiii. Road Cutting, Trenching and Design Rules and Regulations, P.L. 5-41
xiv. Manual on Uniform Traffic Control Devices (MUTCD) 2009 Revision 2
xv. Roadside Design Guide (AASHTO) 2011

To ensure compliance with these standards, construction design plans are required for all major siting permit applications. For major siting projects that propose fifty (50) or more new rooms or twenty-five (25) or more full-time staff positions, a traffic impact analysis is required. Traffic impact analysis may also be requested for projects that do not meet these thresholds should additional information be required by the CRM Agency Board. Both DPW and DEQ require submission of solid waste management plans using EPA waste generation and diversion standards to support effective management of Saipan's landfill and implement CNMI recycling and waste diversion requirements. If you have questions about what DPW will require for your EIA, please contact *(670) 235-5827*.

Division of Environmental Quality

The CNMI Division of Environmental Quality (DEQ) is a branch of the Bureau of Environmental and Coastal Quality that aims to serve the public through wise management of CNMI natural resources, and by supporting healthy communities, a sustainable environment, and a vibrant economy.

DEQ programs include Wastewater, Earthmoving, and Erosion Control (WEEC), Pesticides and Storage Tanks (PeST), Safe Drinking Water, Site Assessment and Remediation, Waste and Air Quality Management, and Water Quality Surveillance. Each of these programs implement different mandates with the aim to protect public health, the environment, and the environment of the CNMI.

Content of EIA submissions will vary depending on what the proposal entails – for example, not all developments will drill wells or install above ground storage tanks for generators; and each of these activities require separate and additional permitting. A summary of these permit application types is included here for your reference.

Because these programs are complex and requirements may vary, DEQ encourages their staff to attend pre-application meetings to guide developers about what information and permits may be required early in the process.

At minimum, EIAs for major siting development applications should include the following:

- Conceptual erosion control and drainage plans including (i) slope & elevation map / topographic map; (ii) watershed and drainage map; (iii) preliminary drainage and erosion control map; and (iv) preliminary storm water and nonpoint source management plan; and

- Solid waste management plan for construction and operation phases using DEQ-approved waste generation projections for 100% occupancy.

If you have questions about what additional information might be required in your EIA application, you are encouraged to request that DEQ technical staff attend your pre-application meeting – just ask us! We are here to help!

TYPES OF DEQ APPLICATIONS

Application type	Category	DEQ Branches	* Supporting Documents Required Upon Submission of a Completed Application	Required Days to Process Permit
Earthmoving & Erosion Control	Residential	Wastewater, Earthmoving & Erosion Control	Zoning Permit; Design Plans, Stormwater/Erosion Control Plans, Maps (Vicinity/Topo)	21 Days (*If no other requirements needed*)
Earthmoving & Erosion Control	Commercial	Wastewater, Earthmoving & Erosion Control	Zoning Permit; Design Plans, Stormwater/Erosion Control Plans, Maps (Vicinity/Topo), Authorization Letter	21 Days (*If no other requirements needed*)
Receive/Haul Excavated Materials	Residential/Commercial	Wastewater, Earthmoving & Erosion Control	Zoning Permit; Stormwater/Erosion Control Plans, Maps (Vicinity/Topo), Authorization Letter	21 Days (*If no other requirements needed*)
U.S Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES)	Major Construction	Wastewater, Earthmoving & Erosion Control		
Air Pollution Control	Standard/Minor Source (Construction & Operations)	Waste & Air Quality Management	2 Copies of Completed Data, Siting Information, Plan Description, Specifications, Drawings, Other	14 Days or 21 - 45 Days for Major Source
Termiticide Treatment (Structural-Soil Treatment at Construction Sites)	Commercial Handlers	Pesticides & Storage Tanks		
Aerial Treatment	Major Source (Construction & Operations)	Pesticides & Storage Tanks		
Other Pesticide Treatment	Commercial Pesticide Handlers	Pesticides & Storage Tanks		
Hazardous Waste Management	Commercial/Industrial Hazardous Handlers (Generators & Transporters)	Pesticides & Storage Tanks		
Storage Tanks (Aboveground & Underground)	Commercial & Industrial Use	Pesticides & Storage Tanks		
Waste & Litter Control	No Permit Issuance	Waste & Air Quality Management		

Commonwealth Utilities Corporation

The Commonwealth Utilities Corporation (CUC) operates the electric power and water services on the three main islands of the Commonwealth of the Northern Mariana Islands (CNMI) - Saipan, Tinian, and Rota. Currently wastewater service is available only in the Island of Saipan and is not yet established in the islands of Tinian and Rota.

As a semi-autonomous agency of the CNMI government, the CUC has an independent Board of Directors (BOD), appointed by the Governor, whose members serve a concurrent four-year term.

The Commonwealth Utilities Corporation is dedicated to excellent customer service and providing reliable, environmentally sensitive and effective Power, Water and Wastewater services for the people of the CNMI at the lowest reasonable cost while ensuring the safety of our employees and the community.

To support this mission, CUC has implemented a policy *requiring pre-application meetings* for major siting projects. To schedule a meeting to discuss your proposed project and its utility needs, please contact Ms. Betty Diaz at betty.diaz@cucgov.org.

Additional information CUC will expect you to include in your CRM Major Siting Application is:

- Power, water, and utility demands (certified by a CNMI licensed professional engineer);
- Documentation of pre-application utility meeting with CUC; and
- Construction schedule indicating to the greatest extent practicable when demand loads are expected to come on-line.

The permittee is advised that any permits issued do not supersede any and all requirements of the Commonwealth Utilities Corporation. The issuance of a Permit Decision, and the permit granted, does not act as a waiver of other CNMI agency permit requirements. The language contained in the permit shall not be construed as an express or implied waiver of the need of Permittee to obtain other permits which may be needed and required to obtain connections to water, sewer and electrical power under CNMI law and/or CUC Rules and Regulations, or to obtain other permits which may be needed and required by law, rule or regulation from any other CNMI governmental entities.

Any upgrade or improvement of the infrastructure for connection to the Permittee is sole responsibility of the permittee. Permittee is encouraged to submit their utility services applications to CUC early to avoid project delays.

Historic Preservation Office

The CNMI contains a wealth of historic and cultural properties whose preservation, study and interpretation is vital to the development of self-understanding and self-pride on the part of our people, and to the interest of the international science in understanding the history and cultures of the people and environment of the Pacific Islands. The Historic Preservation Office (HPO) was established by the passage of the CNMI Historic Preservation Act of 1982 (Public Law 3-39).

The intent of Public Law 3-39 is to:

(1) Ensure the identification and protection of significant archaeological, historical, and cultural resources in the Commonwealth;

(2) Educate the public concerning matters relating to local history, archaeology, culture and historic preservation; and

(3) Develop historic and cultural properties to allow them to contribute to the cultural, social, and economic growth of our citizens.

To support this mission, HPO has implemented a policy *recommending pre-application meetings* for major siting projects. If projects are proposed in the sensitive areas shown in the map at right, or near known archaeological or historical sites, pre-application consultation is required. To schedule a meeting to discuss your proposed project and its potential scoping and survey needs, please contact HPO at (670) 664-2120.

Applicants should ensure that the preparation of an EIA includes appropriate scoping, identification of historic, archaeological, and cultural resources, assessment of effects upon them, and suggested mitigation for any negative impacts. This typically involves a subsurface testing as part of an archaeological inventory survey, conducted by an archaeologist meeting the Professional Qualifications Standards of the Secretary of the Interior as posted in 36 CFR Part 61. If project is a federal undertaking as defined in 36 CFR Part 800.16(y), Section 106 consultation should be initiated as early as possible.

8. GLOSSARY

8. GLOSSARY

Acronym	Term	Definition
APC	Area of Particular Concern	A delineated geographic area within CRM jurisdiction that is subject to special management because of its unique and important environmental properties, and is subject to specific criteria permit evaluations (NMIAC§15-10-020).
BMP	Best Management Practices	A measure, facility, activity, practice, structural or non-structural device, or combination of practices that are determined by DCRM Director based on available science and policy to be the most effective and practicable (including technological, economic, and institutional considerations) means of achieving environmental quality goals (NMIAC§15-10-020).
CNMI	Commonwealth of the Northern Mariana Islands	
	CNMI Coastal Zone	All territorial lands and waters.
	CNMI Submerged Land	Public lands beneath navigable waters within 3 nautical miles from the high tide.
	CNMI Territorial Waters	Waters that extend seaward within 12 nautical miles of the high tide line.
	Cumulative Impact	An impact that results when the project has a minor impact (less than significant) on a resource but when considered in combination with the minor impacts from other actions (natural or man-made); the impact to the resource is magnified.
	Direct Impact	A simple relationship between the action and the impact [“cause and effect”]. This relationship tends to be the easiest to assess, measure, monitor and control.
	Environment	The natural, man-made and social/human conditions of the world in which we live.
EIA	Environmental Impact Assessment	A document that describes the proposed project (construction and operation), the existing site conditions, the potential project impacts, and proposed mitigation for adverse impacts.
	Energy Star®-Certified	Energy Star certification is awarded to those products that meet the US Environmental Protection Agency standards energy efficiency. The products are certified to save energy without sacrificing features or functionality.
	Impact/Effect	Project-induced change in the existing environment, during the construction or operations phases.
	Indirect Impact	The action has consequences beyond the direct measurable impact. These impacts are often difficult to observe because they can occur at a distance from the project site or in the future.

LEED	**Leadership in Energy and Environmental Design**	**Criteria and Guiding Principles established by the United States Green Building Council as assessed by application of the LEED v4 Building Design and Construction Checklist.**
	LEED certifiable	The project proposal meets or exceeds current standardized rating systems for LEED criteria and Guiding Principles established by the United States Green Building Council as assessed by application of the LEED v4 Building Design and Construction Checklist.
LID	Low Impact Development	A stormwater management approach that relies on cost-effective, small, landscaping features to retain stormwater onsite and allow it to permeate the soils naturally.
	Major Siting	Any proposed project which DCRM determined has the potential to directly and significantly impact coastal resources.
	Mitigation	Specific human actions that serve to avoid, minimize, restore, offset or compensate for adverse impacts to the environment for the benefit of current and future generations.
	No Net Loss	Residual impacts that cannot be avoided minimized, or reduced are counter-balanced by equivalent or greater benefits/gains.
	Practicable	Capable of being put into practice or of being done or accomplished. Feasible.
	Scoping	Consultation with anyone who may be interested in or have information on the potential impacts of your project, including agencies, boards, associations, non-profits, community groups and service providers.
	Setback	Mandatory buffer between the development and the resource or activity being protected, including human health.
NMIAC	Northern Mariana Islands Administrative Code	
SOP	Standard Operating Procedure	Written step-by-step instructions for everyone to follow for a specific routine task. SOPs are used to document compliance with a regulation or to monitor and document the performance of a BMP, a process or a piece of equipment.
	View Corridor	View corridor refers to the line-of-sight and view shed from a specific physical location, including but not limited to scenic vistas, roads and public open spaces.
	View Corridor Plan	Structures 6 stories or more or greater than 60 feet in height require a view corridor plan indicating projected aesthetic impacts of the proposed development from one datum line perpendicular to the nearest shoreline or beach and providing an inventory of existing views, impacts on existing views, and proposed mitigation measures to protect scenic views.

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&

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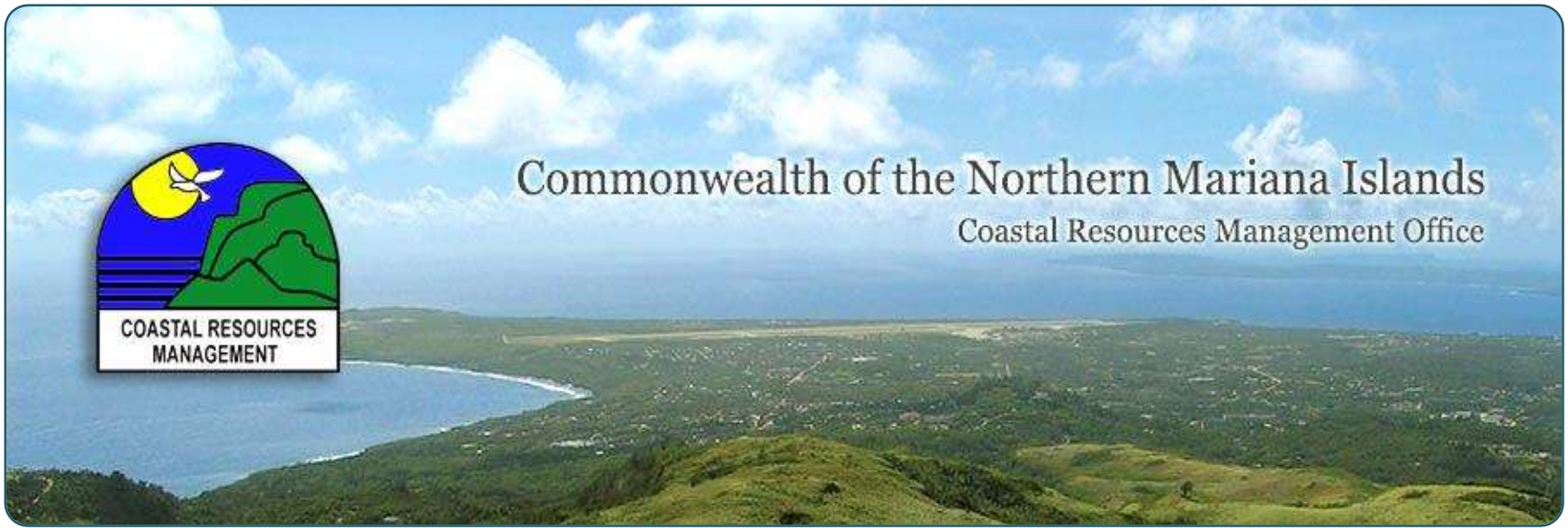
Version 2 Update by DCRM



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