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OFFICE OF THE GOVERNOR

Bureau of Environmental and Coastal Quality

Division of Coastal Resources Management

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Frances A. Castro
Director

Notice of Routine Program Change
From the CNMI COASTAL MANAGEMENT PROGRAM
of the CNMI DIVISION OF COASTAL RESOURCES MANAGEMENT

DATE: December 2, 2015

NOTICE: Pursuant to 15 CFR Section 923.84 (federal Coastal Zone Management Act regulations), notice is hereby given that the National Oceanic and Atmospheric Administration's Office for Coastal Management (OCM) has finished reviewing CNMI's October 28, 2015 request that 2 CMC §§ 1501-1543, the codified statute of PL 3-47, be incorporated into the CNMI Coastal Management Program (CMP).

OCM has concurred that the changes are routine program changes and has approved the incorporation of the changes as enforceable and non-enforceable policies of the CNMI CMP.

Federal consistency will apply to the changes approved by OCM as enforceable policies as of December 2, 2015.

ADDITIONAL INFORMATION:

OCM's approval letter with the list of approved changes is provided below.

The Routine Program Change memo submitted to NOAA can be access on the DCRM website:

<http://crm.gov.mp/resources/files/Routine%20Program%20Change%20Memo%202015.pdf>

If you have any questions regarding this notice, please contact DCRM at 670-664-8311.



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office for Coastal Management
Silver Spring Metro Center, Building 4
1305 East-West Highway
Silver Spring, Maryland 20910

NOV 30 2015

Fran Castro, Director
Division of Coastal Resource Management
Bureau of Environmental and Coastal Quality
PO Box 10007
Saipan, MP 96950-1304

Dear Ms. Castro:

Thank you for the Commonwealth of the Northern Mariana Islands' October 13, 2015, request that 2 CMC §§1501- 1543, the codified statute of PL 3-47, be incorporated into the Commonwealth of the Northern Mariana Islands Coastal Management Program. You requested that the changes described below be incorporated as routine program changes (RPCs), pursuant to Coastal Zone Management Act (CZMA) regulations at 15 C.F.R. part 923, subpart H, and the National Oceanic and Atmospheric Administration's (NOAA's) Office for Coastal Management's¹ *Program Change Guidance (July 1996)*. The Office for Coastal Management's decision deadline for the request received on October 28, 2015, is November 25, 2015.

Based on our review of your submission, we concur that the changes are RPCs and we approve the incorporation of the changes as enforceable and non-enforceable policies of the Commonwealth of the Northern Mariana Islands Coastal Management Program. Federal Consistency will apply to the approved changes to enforceable policies only after you publish notice of this approval pursuant to 15 C.F.R. § 923.84(b)(4) and the Office for Coastal Management's *Addendum to the July 1996 Program Change Guidance (November 2013)*. Please include in the public notice the list of changes provided in this letter, and please send a copy of the notice to the Office for Coastal Management.

CHANGES APPROVED

See enclosed list of the changes incorporated into the Commonwealth of the Northern Mariana Islands Coastal Management Program.

¹ NOAA's Office for Coastal Management was formerly the Office of Ocean and Coastal Resource Management and the Coastal Services Center; these two offices were integrated in September 2014 into the Office for Coastal Management.

QUALIFICATIONS

As a general qualification, we note that the Commonwealth may not incorporate enforceable policies by reference. If an approved enforceable policy refers to another statute, regulation, policy, standard, guidance, or other such requirement or document (hereinafter "referenced policy"), the referenced policy itself must be submitted to and approved by the Office for Coastal Management as an enforceable policy in order to be applied under the federal consistency review provisions of the CZMA. Therefore, no referenced policy in these approved enforceable policies may be applied for federal consistency unless that referenced policy been separately approved by the Office for Coastal Management.

PUBLIC AND FEDERAL AGENCY COMMENTS

The Office for Coastal Management received no comments on this RPC submission.

Thank you for your cooperation in this review. Please contact Dana Okano at (670) 234-0005, if you have any questions.

Sincerely,



Joelle Gore, Chief
Stewardship Division

Enclosure: Policies Approved and Incorporated into the Commonwealth of the Northern Mariana Islands Coastal Management Program

Enclosure to the Office for Coastal Management's November 30, 2015, Approval of the Incorporation of Changes to the Commonwealth of the Northern Mariana Islands (CNMI) Coastal Management Program

Changes marked with an asterisk (*) are incorporated into the Commonwealth of the Northern Mariana Islands Coastal Management Program, but do not contain enforceable policies that can be used for Federal Consistency.

Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in Commonwealth
ADDED:		mm/dd/yyyy	mm/dd/yyyy
Short Title	*2 CMC § 1501	08/26/1980	02/11/ 1983
Coastal Resources Management Policy	2 CMC §1511	08/26/1980	02/11/ 1983
Coastal Resources Management Office: Powers, Functions and Duties	*2 CMC § 1512	08/26/1980	02/11/ 1983
Coastal Resources Management Program: Territorial Jurisdiction	2 CMC § 1513	08/26/1980	02/11/ 1983
Coastal Advisory Council	*2 CMC § 1521	06/17/1998	06/17/1998
Coastal Advisory Council: Functions.	*2 CMC § 1522	08/26/1980	02/11/ 1983
Coastal Resources Management: Regulatory Powers	*2 CMC § 1531	05/02/ 1990	05/02/ 1990
Coastal Resource Management: Permit Process	*2 CMC § 1532	08/26/1980	02/11/ 1983
Coastal Resources Management: Appeals Board	*2 CMC § 1541	08/26/1980	02/11/ 1983
Coastal Resources Management: Private Actions	*2 CMC § 1542	08/26/1980	02/11/ 1983
Coastal Resources Management: Penalties	2 CMC § 1543	08/26/1980	02/11/ 1983
MODIFIED:			
Changed "Marianas Visitors Bureau" to "Marianas Visitors Authority."	* Subsection (a) § 1521	06/17/1998	06/17/1998
Addition of the Commonwealth Utilities Corporation as a coastal resources management agency	* Section 8 § 1531	05/02/ 1990	05/02/ 1990
Removes redundant language on publishing proposed regulations in the Commonwealth Register	* Section 8 § 1531	08-26-1980	02/11/ 1983
DELETED:			
Requirement of an annual report was not included in 2 CMC 1501-1543	* Section 13		

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