

**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
NORTHERN MARIANAS HOUSING CORPORATION**

**PUBLIC NOTICE**

This Notice is paid by the NMHC with HUD funds.

**NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND  
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS  
03/08/2024**

Government of the Commonwealth of the Northern Mariana Islands  
Northern Marianas Housing Corporation  
Saipan MP, 96950  
Telephone(s): (670)234-9447/6866

These notices shall satisfy the above-cited two separate but related procedural notification requirements.

**REQUEST FOR RELEASE OF FUNDS**

On or after March 25, 2024, the *Government of the Commonwealth of the Northern Mariana Islands* will submit a request to the U.S. Department of Housing and Urban Development, Washington D.C., for the release of Community Development Block Grant - Disaster Recovery (CDBG-DR) Supplemental Appropriations for Disaster Relief Act, 2019 P.L. 116-20, enacted on January 27, 2020, announced via Federal Register Notice, to undertake the following activity and purposes in Saipan, Commonwealth of the Northern Mariana Islands:

| Project/Activity Type  | Purpose                   | Location                  | Total Project Cost  |
|--|---------------------------|---------------------------|---|
| Mountain View Estates<br><br>The "Mountain View Estates" project proposes to build five (5) housing units: each consisting of two (2) bedrooms and one (1) bathroom. | Affordable Rental Housing | Carolinas Heights, Tinian | Approximately \$800,000.00 of CDBG-DR funds; no other funds are to be used. |

**FINDING OF NO SIGNIFICANT IMPACT**

The Government of the Commonwealth of the Northern Mariana Islands has determined that the above-listed project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on the Northern Marianas Housing Corporation (NMHC) website at [www.nmhcgov.net](http://www.nmhcgov.net) or NMHC Community Development Block Grant - Disaster Recovery (CDBG-DR) website at [www.cnmi-cdbgdr.com](http://www.cnmi-cdbgdr.com) ; or on file at the NMHC Central Office in Garapan, Saipan or NMHC CDBG-DR Office in Beach Road, Chalan Lulau, Saipan, examined during regular work hours, Monday through Friday except CNMI Holidays, from 7:30 a.m. to 4:30 p.m.

## **PUBLIC COMMENTS**

Any individual, group, or agency may submit written comments on the ERR to Northern Marianas Housing Corporation. You may submit comments to the following options: via mail to P.O. Box 500514, Saipan, MP 96950; direct delivery to the central office in Garapan, Saipan or drop-box located in front of the building; and via email at [officemanager@nmhcgov.net](mailto:officemanager@nmhcgov.net). All comments received by **March 25, 2024, 4:00 p.m.** will be considered by the Government of the Commonwealth of the Northern Mariana Islands prior to authorizing the submission of a request for release of funds. Comments should specify which Notice they are addressing.

## **ENVIRONMENTAL CERTIFICATION**

The Government of the Commonwealth of the Northern Mariana Islands certifies to the U. S. Department of Housing and Urban Development (HUD), Washington D.C. that the Government of the Commonwealth of the Northern Mariana Islands and Governor Arnold I. Palacios consent to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process, and that these responsibilities have been satisfied. The U. S. Department of Housing and Urban Development (HUD), Washington D.C. approval of the certification satisfies its responsibilities under the National Environmental Policy Act (NEPA) of 1969 and related laws and authorities, and allows the Government of the Northern Mariana Islands to use Program Funds.

## **OBJECTIONS TO RELEASE OF FUNDS**

The U. S. Department of Housing and Urban Development (HUD) Washington D.C will accept objections to its release of fund and the Government of the Northern Mariana Islands certification for a period of **fifteen days** following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the Government of the Northern Mariana Islands; (b) the Government of the Northern Mariana Islands has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by U. S. Department of Housing and Urban Development (HUD); or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Ms. Tennille Smith Parker, DRSI Division Director, HUD, via email at [Tennille.S.Parker@hud.gov](mailto:Tennille.S.Parker@hud.gov) or via telephone (202)402-4649. Potential objectors should contact e U.S. Department of Housing and Urban Development to verify the actual last day of the objection period.

/s/

**Arnold I. Palacios**  
**Governor of the CNMI**



U.S. Department of Housing and Urban  
Development

451 Seventh Street, SW  
Washington, DC 20410  
www.hud.gov

espanol.hud.gov

## **Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58**

### **Project Information**

**Project Name:** Mountain View Estates

**Responsible Entity:** Commonwealth of the Northern Mariana Islands (CNMI)

**Grant Recipient (if different than Responsible Entity):** N/A

**State/Local Identifier:** Commonwealth of the Northern Mariana Islands (CNMI)

**Preparer:** Kenny M. Diaz, CDBG-DR Housing Supervisor

**Certifying Officer Name and Title:** Arnold I. Palacios, Governor of the Commonwealth of the Northern Mariana Islands

**Grant Recipient (if different than Responsible Entity):** N/A

**Consultant (if applicable):** N/A

**Direct Comments to:** Jesse S. Palacios, Corporate Director  
Northern Marianas Housing Corporation  
P.O. Box 500514, Saipan, MP 96950  
Email: [officemanager@nmhc.gov](mailto:officemanager@nmhc.gov)

**Project Location:**

The “Mountain View Estates” project is located in Carolinas Heights, on the island of Tinian, and the project is located on Lot Number 060 T 04.

**Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**

The “Mountain View Estates” project proposes to build five (5) housing units, each consisting of two (2) bedrooms and one (1) bathroom.

**Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:**

The Northern Marianans Housing Corporation (NMHC), Community Development Block Grant Disaster Recovery (CDBG-DR), Affordable Rental Housing Development Program, is aware of the housing needs of Low-and Moderate-Income (LMI) families who have been affected by Super Typhoon Yutu. The CNMI has not been able to recover from the disaster quickly enough to meet the community’s housing needs. By completing “Mountain View Estates,” the proposed project, families will have an opportunity to recover.

The proposed project will contribute to addressing some of the market demands for affordable housing and the current housing shortages our island is experiencing. The project will be built in a neighborhood that was not previously served by an affordable housing project. As a result, NMHC is able to bring the benefits of the Affordable Rental Housing Development Program available to a greater percentage of Saipan’s population.

**Existing Conditions and Trends [24 CFR 58.40(a)]:**

None

**Funding Information**

| Grant Number                      | HUD Program   | Funding Amount |
|-----------------------------------|---|----------------|
| B-19-DV-69-0001 & B-19-DV-69-0002 | Community Development Block Grant – Disaster Recovery (CDBG-DR) | \$800,000.00   |

**Estimated Total HUD Funded Amount:**

\$800,000.00

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:**

\$800,000.00; no other funds to be used.

**Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

|  |  |   |
|--|--|---|
| <p><b>Compliance Factors:</b></p> <p>Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6</p>  | <p>Are formal compliance steps or mitigation required?</p>                             | <p>Compliance determinations</p>  |
| <p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b></p>   |  |   |
| <p><b>Airport Hazards</b></p> <p>24 CFR Part 51 Subpart D</p>  | <p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p> | <p>The Commonwealth Ports Authority has determined that the project site is free from the Airport Runway Clear Zones.</p> <p><b>(See Appendix A)</b></p>  |
| <p><b>Coastal Barrier Resources</b></p> <p>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>          | <p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p> | <p>The Division of Coastal Resources Management has determined that the project site is wholly situated outside of DCRM's designated Areas of Particular Concern (APC). The proposed project is not likely to cause direct and significant impact to coastal resources.</p> <p><i>*A One-Start permit from the Division of Environmental Quality (DEQ) will be required.</i></p> <p><b>(See Appendix B)</b></p> |
| <p><b>Flood Insurance</b></p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p> | <p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p> | <p>The Department of Public Works has determined that the project site is outside of the Special Flood Hazard Area. Additionally, this project does not require flood insurance.</p> <p><b>(See Appendix C)</b></p>   |

**STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT  
24 CFR 50.4 & 58.5**

|   |   |   |
|---|---|---|
| <p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p> | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The United States Environmental Protection Agency State Implementation Plan (SIP) Status Report has shown “No designated areas for this pollutant” in the northern Marianas Islands.</p> <p><i>*DEQ stated that water suppression, tarp coverage, or other best management practices must be implemented to control fugitive dust from construction activities.</i></p> <p><b>(See Appendix D)</b></p>   |
| <p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>                     | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The Division of Coastal Resources Management has determined that the project site is wholly situated outside of DCRM’s designated Areas of Particular Concern (APC). The proposed project is not likely to cause direct and significant impact to coastal resources.</p> <p><i>*A One-Start permit from the Division of Environmental Quality (DEQ) will be required.</i></p> <p><b>(See Appendix B)</b></p>   |
| <p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</p>                            | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The Division of Environmental Quality has concurred that there are no concerns of the project site being situated within one mile of an NPL (“Superfund”) site, within ½ mile of CERCLIS site, nor adjacent to any other known or suspected sited contaminated with toxic chemicals or radioactive source and determines it does not pose a health hazard.</p> <p><i>*A One-Start permit from the Division of Environmental Quality (DEQ) will be required.</i></p> <p><b>(See Appendix D)</b></p> |

|   |   |  |
|---|---|--|
| <p><b>Endangered Species</b></p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>                           | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The Division of Fish and Wildlife has indicated that they have no record of T&amp;E on the project site.</p> <p><i>*The project will require future assessment from DFW.</i></p> <p><i>*No land clearing activities are to take place until an application is submitted and approved by DFW.</i></p> <p><b>(See Appendix E)</b></p>                       |
| <p><b>Explosive and Flammable Hazards</b></p> <p>24 CFR Part 51 Subpart C</p>   | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The project is located at an Acceptable Separation Distance (ASD) from any above-ground explosive or flammable fuels or chemicals containers according to "Siting of HUD-Assistance Projects Near Hazardous Facilities" (Appendix F, pp.51-52) or the project will expose neither people nor building to such hazards.</p> <p><b>(See Appendix D)</b></p> |
| <p><b>Farmlands Protection</b></p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>  | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The Natural Resources Conservation Service has determined that the project site is not located in a protected Farmland area and is not applicable to irreversibly converting farmland to non-agricultural use.</p> <p><b>(See Appendix F)</b></p>   |
| <p><b>Floodplain Management</b></p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>                               | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The Department of Public Works has determined that the project site is outside of the Special Flood Hazard Area,</p> <p><b>(See Appendix C)</b></p>   |
| <p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The Historic Preservation Office has concurred with the "Potential to Affect Historic Properties" determination of Applied Archaeology, Inc.</p>  |

|   |   |   |
|---|---|---|
|   |   | <p><i>*Archaeological Monitoring is recommended during excavation and /or ground disturbance work activity.</i></p> <p><b>(See Appendix G)</b></p>  |
| <p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p> | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The project does not involve development of noise sensitive uses or the project is not within line-of-sight of an arterial roadway or railroad or ambient noise level is 65 LDN (or CNEL) or less, based upon the HUD Noise Assessment Guidelines (NAG) study for calculating noise levels.</p> <p><b>(See Appendix D)</b></p> |
| <p><b>Sole Source Aquifers</b></p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>                  | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>There are no Sole Source Aquifers in the Commonwealth of the Northern Mariana Islands.</p> <p><b>(See Appendix I)</b></p>  |
| <p><b>Wetlands Protection</b></p> <p>Executive Order 11990, particularly sections 2 and 5</p>   | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The project does not involve new construction within or adjacent to wetlands, marshes, wet meadows, mud flats, or natural ponds per field observation and maps issued by the USDI Fish and Wildlife Service or U.S. Corps of Engine.</p> <p><b>(See Appendix D)</b></p>  |
| <p><b>Wild and Scenic Rivers</b></p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>                                     | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>There are no Wild and Scenic Rivers in the Commonwealth of the Northern Mariana Islands.</p> <p><b>(See Appendix J)</b></p>  |
| <p><b>ENVIRONMENTAL JUSTICE</b></p>   |   |   |
| <p><b>Environmental Justice</b></p> <p>Executive Order 12898</p>  | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The proposed project won't have and adverse effects to the environment or human health. As a result, the project complies with Executive Order 12898.</p>  |



**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]:

Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:**

Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

| Environmental Assessment Factor  | Impact Code | Impact Evaluation   |
|--|-------------|---|
| <b>LAND DEVELOPMENT</b>  |             |   |
| Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design | N/A         | There are no Zoning Laws on Tinian.   |
| Soil Suitability / Slope / Erosion / Drainage / Storm Water Runoff               | 2           | Soil suitability for the proposed project is suitable. The project involves the new construction of housing units.  |
| Hazards and Nuisances including Site Safety and Noise                            | 2           | The Proposed project would involve the new construction of affordable housing units. Contractors who obtain a permit must abide by the conditions, such as construction safety and noise. |

| Environmental Assessment Factor             | Impact Code | Impact Evaluation   |
|---|-------------|---|
| <b>SOCIOECONOMIC</b>                        |             |   |
| Employment and Income Patterns              | 2           | No adverse impact is anticipated from the project on employment and income within the project area. |
| Demographic Character Changes, Displacement | 2           | There are no character changes or displacement for this project.                                    |

| Environmental Assessment Factor                   | Impact Code | Impact Evaluation  |
|---|-------------|--|
| <b>COMMUNITY FACILITIES AND SERVICES</b>          |             |  |
| Educational and Cultural Facilities               | 2           | There is no adverse impact on educational and cultural facilities.         |
| Commercial Facilities                             | 2           | There is no adverse impact on Commercial Facilities.                       |
| Health Care and Social Services                   | 2           | There is no adverse impact on Health Care and Social Services Facilities.  |
| Solid Waste Disposal / Recycling                  | 2           | There is no adverse impact on Waste Water and Recycling Facilities.        |
| Waste Water / Sanitary Sewers                     | 2           | There is no adverse impact on Water Supplies Facilities.                   |
| Water Supply                                      | 2           | There is no adverse impact on Waste Water and Sanitary Sewer Facilities    |
| Public Safety: Police, Fire and Emergency Medical | 2           | There is no adverse impact to Public Safety Services                       |
| Parks, Open Space, and Recreation                 | 2           | There is no adverse impact on Parks, Open Space, and Recreation Facilities |
| Transportation and Accessibility                  | 2           | There is no adverse impact on Transportation and Accessibility Services.   |

| Environmental Assessment Factor          | Impact Code | Impact Evaluation   |
|--|-------------|---|
| <b>NATURAL FEATURES</b>                  |             |   |
| Unique Natural Features, Water Resources | 2           | There is no adverse impact on Natural Features and Water Resources.   |
| Vegetation, Wildlife                     | 2           | There is no adverse impact on Vegetation and Wildlife.  |
| Other Factors                            | 2           | In accordance with state laws and regulations, all construction activities are required to go through the permit process. |

| Environmental Assessment Factor | Impact Code | Impact Evaluation                                |
|---------------------------------|-------------|--|
| <b>CLIMATE AND ENERGY</b>       |             |  |
| Climate Change Impacts\         | 2           | There is no adverse impact on Climate Change.    |
| Energy Efficiency               | 2           | There is no adverse impact on Energy Efficiency. |

**Additional Studies Performed:**

None

**Field Inspection** (Date and completed by):

Site Inspection was conducted and completed by Elias C. Borja and Tyrone M. Aquinoc on September 26, 2022. The project site was also inspected by David Perzinski of Applied Archaeology, Inc. on February 5, 2024.

**List of Sources, Agencies and Persons Consulted** [40 CFR 1508.9(b)]:

1. Commonwealth Ports Authority (CPA)
2. Division of Coastal Resources Management (DCRM)
3. Department of Public Works (DPW)
4. Division of Environmental Quality (DEQ)
5. Division of Fish and Wildlife (DFW)
6. Natural Resources Conservation Service (NRCS)
7. Historic Preservation Office (HPO)

**List of Permits Obtained:**

Before commencing any construction activities, the selected contractor will be responsible to obtain all required permits.

**Public Outreach** [24 CFR 50.23 & 58.43]:

The Northern Marianas Housing Corporation (NMHC), Community Development Block Grant-Disaster Recovery (CDBG-DR), must publish a notice in the local newspapers, on the NMHC website, and on social media platform to review the completed environmental assessment and allow the public to provide feedback.

**Cumulative Impact Analysis** [24 CFR 58.32]:

According to the seven (7) Government Agencies determinations and/or concurrences, they do not find the project to impact the quality of the human environment significantly. All construction contractors must obtain the required permits in accordance with state laws and regulations before commencing any construction activities.

**Alternatives** [24 CFR 58.40(e); 40 CFR 1508.9]:

None

**No Action Alternative** [24 CFR 58.40(e)]:

None

**Summary of Findings and Conclusions:**

The Northern Marianas Housing Corporation (NMHC), Community Development Block Grant-Disaster Recovery (CDBG-DR), does not find the project to impact the quality of the human environment significantly. The "Mountain View Estates" will be beneficial to the community.

They will contribute to addressing some of the market demands for affordable housing and the current housing shortages our island is experiencing.

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

| Law, Authority, or Factor | Mitigation Measure |
|---------------------------|--------------------|
|                           |                    |
|                           |                    |
|                           |                    |
|                           |                    |

**Determination:**

**Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]  
The project will not result in a significant impact on the quality of the human environment.

**Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]  
The project may significantly affect the quality of the human environment.

Preparer Signature: Kenny M. Diaz Date: 2-27-24

Name/Title/Organization: Kenny M. Diaz, CDBG-DR Housing Supervisor

Reviewer Signature: [Signature] Date: 2/27/2024

Name/Title: Jesse S. Palacios, Corporate Director

Certifying Officer Signature: [Signature] Date: 2/28/24

Name/Title: Arnold J. Palacios, Governor of the Northern Mariana Islands

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

# APPENDIX A

*Commonwealth Ports Authority (CPA)*



# Commonwealth Ports Authority

Francisco C. Ada / Saipan International Airport  
PO BOX 501055 • SAIPAN • MP • 96950  
Phone: (670) 237-6500/01 Fax: (670) 234-5962  
E-Mail Address: [cpa.admin@pticom.com](mailto:cpa.admin@pticom.com) Website: <https://cnmiports.com>



January 25, 2024

Mr. Melvin B. Sablan  
CDBG-DR Housing Administrator  
Northern Marianas Housing Corporation  
PO Box 500514  
Saipan, MP 96950

Subject: Request for Determination of Effect  
Lot Number 060 T 04  
Tinian

Dear Mr. Sablan:

This is in reference to your letter dated January 18, 2024 requesting for a determination of effect for lot number Lot Number 060 T 04 on Tinian. The project indicated is under the CDBG-DR Program.

After review of the lot and its location, we determined that the aforementioned lot is free from the Airport Runway Clear Zones. As such, the determination of effect is hereby given.

Should you have questions, please feel free to contact us.

Sincerely,

WENDI L. PRATER  
Acting Executive Director

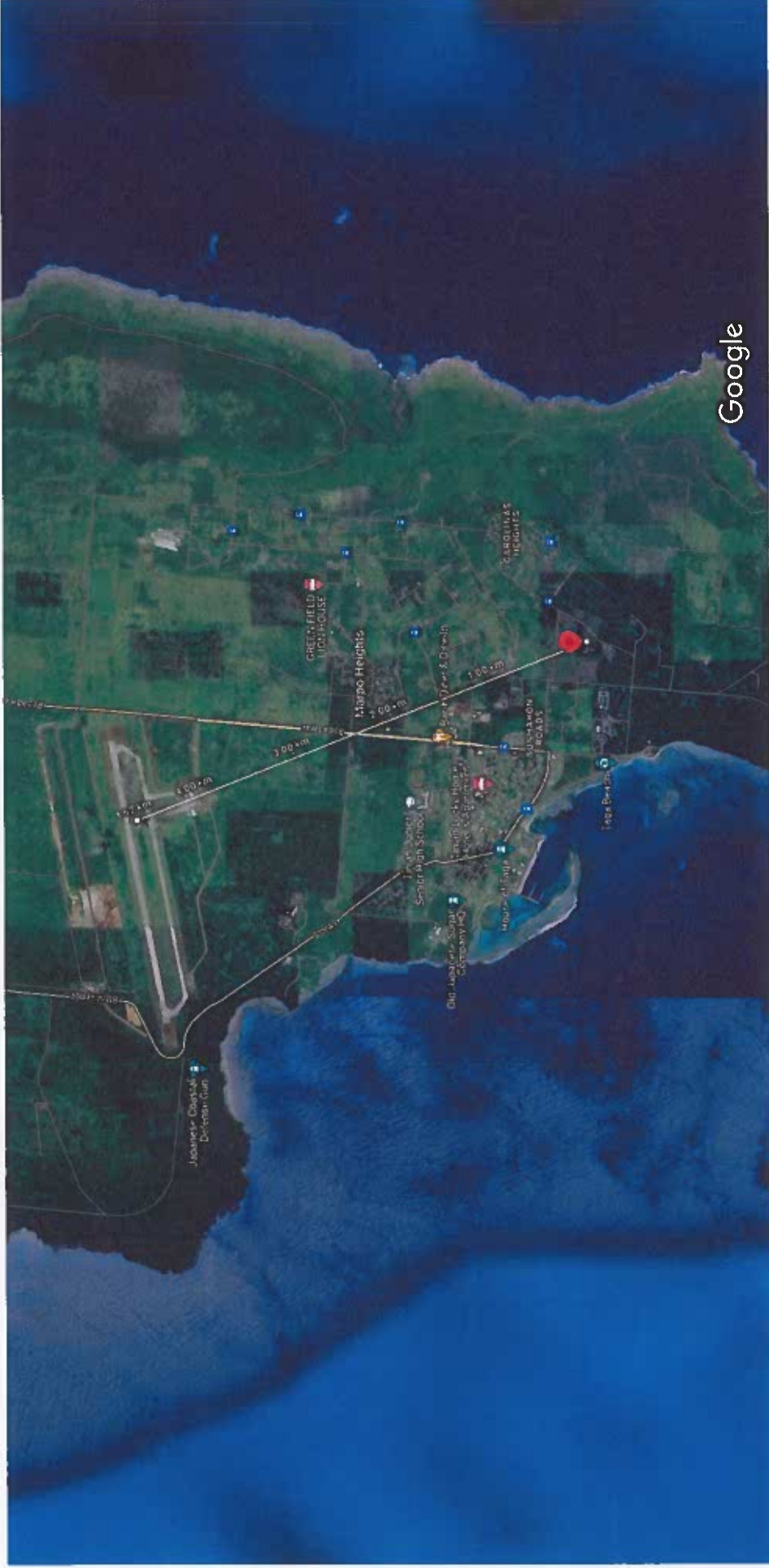
cc: ELCO



**NMHC- CDBG-DR  
RECEIVED**

By: JMVR  
Date: 01/30/2024  
Time: 11:55 am

Google Maps 14°57'38.3"N 145°38'26.0"E



Imagery ©2024 Airbus, CNES / Airbus, Landsat / Copernicus, Maxar Technologies, Map data ©2024 Google 500 m





## Airport Hazards (CEST and EA)

| General policy  | Legislation | Regulation               |
|---|-------------|--------------------------|
| It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.                           |             | 24 CFR Part 51 Subpart D |
| <b>References</b>   |             |                          |
| <a href="https://www.hudexchange.info/environmental-review/airport-hazards">https://www.hudexchange.info/environmental-review/airport-hazards</a> |             |                          |

- 1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?**

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within the applicable distances to a military or civilian airport.*

Yes → *Continue to Question 2.*

- 2. Is your project located within a Runway Potential Zone/Clear Zone (RPZ/CZ) or Accident Potential Zone (APZ)?**

Yes, project is in an APZ → *Continue to Question 3.*

Yes, project is an RPZ/CZ → *Project cannot proceed at this location.*

No, project is not within an APZ or RPZ/CZ

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within either zone.*

- 3. Is the project in conformance with DOD guidelines for APZ?**

Yes, project is consistent with DOD guidelines without further action.

**Explain how you determined that the project is consistent:**

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

No, the project cannot be brought into conformance with DOD guidelines and has not been approved. → *Project cannot proceed at this location.*

Project is not consistent with DOD guidelines, but it has been approved by Certifying Officer or HUD Approving Official.

**Explain approval process:**

**If mitigation measures have been or will be taken, explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

### **Worksheet Summary**

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The Project site is located in Carolinas Heights, Tinian, MP 96952 on Lot Number 060 T 04

Commonwealth Ports Authority has determined that the project site is free from the Airport Runway Clear Zones.

**Are formal compliance steps or mitigation required?**

Yes

No



**NORTHERN MARIANAS HOUSING CORPORATION**  
**Community Development Block Grant – Disaster Recovery (CDBG-DR) Division**

P.O. BOX 500514, Saipan, MP 96950-0514

Email: [cnmi-cdbg-dr@nmhcgov.net](mailto:cnmi-cdbg-dr@nmhcgov.net)

Website: <http://www.cnmi-cdbgdr.com>

Tels: (670)233-9447

233-9448

233-9449

233-9450

Fax: (670)233-9452

January 18, 2024

Mr. Leo B. Tudela  
Executive Director  
Commonwealth Ports Authority  
P.O. Box 501055  
Saipan, MP 96950

**Re: Request for a Determination of Effect**

Dear Mr. Tudela,

The Northern Marianas Housing Corporation (NMHC) is in the process of preparing the Environmental Assessment Statutory Checklist (24 CFR § 58.36) for **Esteban M. Borja, Jr.; Mountain View Estates** multifamily or apartment project located at **Carolinas Heights**, on the island of **Tinian**. The **Mountain View Estates** project site is located on **Lot Number 060 T 04**.

The proposed project will be funded by the Department of Housing and Urban Development (HUD) through the Community Development Block Grant - Disaster Recovery Program (CDBG-DR).

In order for our office to complete the Environmental Assessment, an Environmental Assessment Statutory Checklist (24 CFR § 58.36) must be completed. We kindly request your office to issue a Determination of Effect based on the HUD requirement on Airport Clear Zones and Accident Potential Zones 24 CFR 51d for the location mentioned above.

If you have any questions or require additional information, please feel free to contact Jolina P. Ada at [drhousing specialist1@nmhcgov.net](mailto:drhousing specialist1@nmhcgov.net) or our office at (670)233-9447/9448/9449/9450.

Sincerely,

  
Melvin B. Sablan  
*CDBG-DR Housing Administrator*

Enclosure(s): Scope of Work  
Map of Property

Cc: Corporate Director  
File



**Tinian Field Office**  
Tel: (670)433-9213  
Fax: (670)433-3690

**“NMHC is an equal employment and fair housing public agency”**

**CDBG-DR Office**  
Tel: (670)233-9447/9448/9449

**Rota Field Office**  
Tel: (670)532-9410  
Fax: (670)532-9441

# APPENDIX B

*Division of Coastal Resources Management (DCRM)*



Commonwealth of the Northern Mariana Islands  
**OFFICE OF THE GOVERNOR**  
**Bureau of Environmental and Coastal Quality**  
Division of Coastal Resources Management  
P.O. Box 501304, Saipan, MP 96950  
Tel: (670) 664-8300; Fax: (670) 664-8315  
[www.dcrn.gov.mp](http://www.dcrn.gov.mp)



Eli D. Cabrera  
Administrator

Richard V. Salas  
Director, DCRM

January 22, 2024

Ref No: PRM24-060/307D-24-018

Melvin B. Sablan  
CBDG-DR Housing Administrator  
Northern Marianas Housing Corporation  
P.O. Box 500514  
Saipan, MP 96950  
Email: [drloansupervisor@nmhc.gov.net](mailto:drloansupervisor@nmhc.gov.net)

**RE: Determination of Effect – Mountain View Estates**

Dear Mr. Sablan,

The Division of Coastal Resources Management (DCRM) is in receipt of your letter dated January 27, 2023, requesting for our concurrence for the proposed above-subject project. As stated in your letter, the new construction will require our concurrence before the project commences. Moreover, the project will be funded through the Community Development Block Grant-Disaster Recovery Program (CDBG-DR Program), a federally funded program from the U.S. Department of Housing and Urban Development (U.S. HUD).

As proposed, the Northern Marianas Housing Corporation (NMHC) has reviewed the following project as follows:

| <u>Name of Recipient</u> | <u>Lot No.</u> | <u>Location</u>           | <u>Type of Project</u> |
|--------------------------|----------------|---------------------------|------------------------|
| 1. Esteban M. Borja      | 060 T 04       | Carolinas Heights, Tinian | New Construction       |

NMHC has determined that the aforementioned project is not - a) not located within DCRM's designated Areas of Particular Concern (APCs) with respect to the CNMI's Coastal Regulations and its State Implementation Plan (SIP); (b) not located in a state that does not contain Coastal Barrier Resources System (CBRS); (c) not likely to have any adverse effects and will not cause destruction or modifications of a wetland which therefore is in compliance with Executive Order 11990; and, (d) not located within proximity of a Wild or Scenic River. Based on these four components, DCRM hereby concurs with NMHC's determination.

This concurrence is limited to the aforementioned four components and does not certify DCRM's concurrence that there are no impacts to all coastal resources, including compliance with Executive Order 11988 – Floodplain Management, or other US HUD requirements for federal financial assistance. Moreover, to the extent that this new project will require issuance of a federal license or permit or trigger federal consistency review, submission of a consistency determination certifying that issuance of the federal license or permit complies with the enforceable policies of the CNMI Coastal Management Program (CMP) may be necessary.

DCRM does not anticipate that this project will cause significant public controversy and believes that the public and other agencies will be supportive of this activity. However, given that the project is or will be federally funded, a One-Start permit from the Division of Environmental Quality (DEQ) will be required. This application will enable the DEQ, DCRM, the Division of Fish and Wildlife (DFW), and the Historic Preservation Office (HPO) to review your project proposals more thoroughly. Moreover, as this project will be duly permitted by relevant CNMI agencies, DCRM anticipates that this project will not conflict with any CNMI environmental, conservation, or land use laws and regulations.

We look forward to continue coordination as NMHC plans and seeks permits for this important improvement project. Should you have any questions or need assistance, please contact our Permitting Section at (670) 664-8300.

Sincerely,



**RICHARD V. SALAS**  
Director  
Division of Coastal Resources Management

RECEIVED  
NMHC-CDBG-DR



## Coastal Barrier Resources (CEST and EA)

| General requirements  | Legislation   | Regulation |
|---|---|------------|
| HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS. | Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501) |            |
| References  |   |            |
| <a href="https://www.hudexchange.info/environmental-review/coastal-barrier-resources">https://www.hudexchange.info/environmental-review/coastal-barrier-resources</a>                             |   |            |

Projects located in the following states must complete this form.

|             |           |               |                |                |                |
|-------------|-----------|---------------|----------------|----------------|----------------|
| Alabama     | Georgia   | Massachusetts | New Jersey     | Puerto Rico    | Virgin Islands |
| Connecticut | Louisiana | Michigan      | New York       | Rhode Island   | Virginia       |
| Delaware    | Maine     | Minnesota     | North Carolina | South Carolina | Wisconsin      |
| Florida     | Maryland  | Mississippi   | Ohio           | Texas          |                |

### 1. Is the project located in a CBRS Unit?

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a CBRS Unit.*

Yes → *Continue to Question 2.*

Federal assistance for most activities may not be used at this location. You must either choose an alternate site or cancel the project. In very rare cases, federal monies can be spent within CBRS units for certain exempted activities (e.g., a nature trail), after consultation with the Fish and Wildlife Service (FWS) (see [16 USC 3505](#) for exceptions to limitations on expenditures).

### 2. Indicate your selected course of action.

After consultation with the FWS the project was given approval to continue  
 → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map and documentation of a FWS approval.*

Project was not given approval  
Project cannot proceed at this location.



## **Worksheet Summary**

### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project site is located in Carolinas Heights, Tinian, MP 96952 on Lot Number 060 T 04.

The Division of Coastal Resources Management has determined that the project site is wholly situated outside DCRM's designated Areas of Particular Concern (APC). The proposed project is not likely to cause direct and significant impact to coastal resources.

**Are formal compliance steps or mitigation required?**

Yes

No

## Coastal Zone Management Act (CEST and EA)

| General requirements   | Legislation  | Regulation      |
|--|--|-----------------|
| Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans. | Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d)) | 15 CFR Part 930 |
| References   |  |                 |
| <a href="https://www.onecpd.info/environmental-review/coastal-zone-management">https://www.onecpd.info/environmental-review/coastal-zone-management</a>  |  |                 |

Projects located in the following states must complete this form.

|                 |          |               |                          |                |                |
|-----------------|----------|---------------|--------------------------|----------------|----------------|
| Alabama         | Florida  | Louisiana     | Mississippi              | Ohio           | Texas          |
| Alaska          | Georgia  | Maine         | New Hampshire            | Oregon         | Virgin Islands |
| American Samona | Guam     | Maryland      | New Jersey               | Pennsylvania   | Virginia       |
| California      | Hawaii   | Massachusetts | New York                 | Puerto Rico    | Washington     |
| Connecticut     | Illinois | Michigan      | North Carolina           | Rhode Island   | Wisconsin      |
| Delaware        | Indiana  | Minnesota     | Northern Mariana Islands | South Carolina |                |

**1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?**

Yes → Continue to Question 2.

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.

**2. Does this project include activities that are subject to state review?**

Yes → Continue to Question 3.

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.

**3. Has this project been determined to be consistent with the State Coastal Management Program?**

Yes, with mitigation. → Continue to Question 4.

Yes, without mitigation. → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.

No, project must be canceled.

Project cannot proceed at this location.

**4. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the State Coastal Management Program letter of consistency) and any other documentation used to make your determination.*

### **Worksheet Summary**

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project site is located in Carolinas Heights, Tinian, MP 96952 on Lot Number 060 T 04.

The Division of Coastal Resources Management has determined that the project site is wholly situated outside DCRM's designated Areas of Particular Concern (APC). The proposed project is not likely to cause direct and significant impact to coastal resources

**Are formal compliance steps or mitigation required?**

Yes

No



**NORTHERN MARIANAS HOUSING CORPORATION**  
**Community Development Block Grant – Disaster Recovery (CDBG-DR) Division**

P.O. BOX 500514, Saipan, MP 96950-0514

Email: [cnmi-cdbg-dr@nmhcgov.net](mailto:cnmi-cdbg-dr@nmhcgov.net)

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233-9448

233-9449

233-9450

Fax: (670)233-9452

January 18, 2024

Mr. Richard V. Salas  
Director  
Division of Coastal Resources Management  
P.O. Box 10007  
Saipan, MP 96950

**Re: Request for a Determination of Effect**

Dear Mr. Salas,

The Northern Marianas Housing Corporation (NMHC) is in the process of preparing the Environmental Assessment Statutory Checklist (24 CFR § 58.36) for **Esteban M. Borja, Jr.; Mountain View Estates** multifamily or apartment project located at **Carolinas Heights**, on the island of **Tinian**. The **Mountain View Estates** project site is located on **Lot Number 060 T 04**.

The proposed project will be funded by the Department of Housing and Urban Development (HUD) through the Community Development Block Grant - Disaster Recovery Program (CDBG-DR).

In order for our office to complete the Environmental Assessment, an Environmental Assessment Statutory Checklist (24 CFR § 58.36) must be completed. We kindly request your office to issue a Determination of Effect based on Coastal Zone Management Act Sections 307 (c) and (d) for the location mentioned above.

If you have any questions or require additional information, please feel free to contact Jolina P. Ada at [drhousingspecialist1@nmhcgov.net](mailto:drhousingspecialist1@nmhcgov.net) or our office at (670)233-9447/9448/9449/9450.

Sincerely,

  
Melvin B. Sablan  
*CDBG-DR Housing Administrator*

Enclosure(s): Scope of Work  
Map of Property

Cc: Corporate Director  
File



Tinian Field Office  
Tel: (670)433-9213  
Fax: (670)433-3690

**“NMHC is an equal employment and fair housing public agency”**

CDBG-DR Office  
Tel: (670)233-9447/9448/9449

Rota Field Office  
Tel: (670)532-9410  
Fax: (670)532-9441

# APPENDIX C

*Department of Public Works (DPW)*



Commonwealth of the Northern Mariana Islands  
Office of the Secretary of Public Works  
2<sup>nd</sup> floor-Oleai Joeten Commercial Center  
Saipan, MP 96950



February 07, 2024  
Serial No. PW24-0074

Melvin B. Sablan  
CDBG-DR Housing Administrator  
Northern Marianas Housing Corporation  
Saipan, MP 96950

**Subject: Determination of Special Flood Hazard Area Lot no. 060 T 04  
Carolinas Heights, Tinian**

Dear Mr. Sablan,

This is in response to your request letter dated January 18, 2024 for the determination of Special Flood Hazard Area as part of a regulatory compliance checklist for the proposed multifamily or apartment project located on lot number 060 T 04 in the Carolinas Heights, Tinian.

After a thorough review of the Flood Insurance Rate Map and other source materials, this office has determined that the aforementioned location is **OUTSIDE of the Special Flood Hazard Area**. See attached maps.

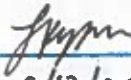
Should you have any questions or concerns, please do not hesitate to contact Mr. Edwin Tmarsel, Flood Administrator of our Building Safety Code Division at the telephone numbers: (670) 234-2726/2296.

Sincerely,

  
RAY N. YUMUL  
Secretary of Public Works

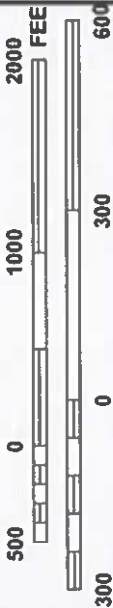


**NMHC- CDBG-DR  
RECEIVED**

By:   
Date: 2/12/2024  
Time: 9:51 AM



MAP SCALE 1" = 1000'



PANEL 0180C

# FIRM

FLOOD INSURANCE RATE MAP  
COMMONWEALTH OF THE  
NORTHERN MARIANA  
ISLANDS

PANEL 180 OF 332  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY NUMBER PANEL SUFFIX  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS 690000 C180 C

Notice to User: The Map Number shown below should be used when placing map orders. The Community Identifier shown above should be used on insurance applications for the subject community.



MAP NUMBER  
6900000180C

MAP REVISED  
APRIL 3, 2006

Federal Emergency Management Agency



This is an official FIRMlets showing a portion of the above-referenced flood map created from the MSC FIRMlets Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.

## Flood Insurance (CEST and EA)

| General requirements  | Legislation   | Regulation  |
|---|---|---|
| Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained. | Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128) | 24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b). |
| Reference   |   |   |
| <a href="https://www.hudexchange.info/environmental-review/flood-insurance">https://www.hudexchange.info/environmental-review/flood-insurance</a>   |   |   |

**1. Does this project involve mortgage insurance, refinance, acquisition, repairs, construction, or rehabilitation of a structure, mobile home, or insurable personal property?**

No. This project does not require flood insurance or is excepted from flood insurance. →  
*Continue to the Worksheet Summary.*

Yes → *Continue to Question 2.*

**2. Provide a FEMA/FIRM map showing the site.**

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

**Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?**

No → *Continue to the Worksheet Summary.*

Yes → *Continue to Question 3.*

**3. Is the community participating in the National Flood Insurance Program or has less than one year passed since FEMA notification of Special Flood Hazards?**

Yes, the community is participating in the National Flood Insurance Program.

For loans, loan insurance or loan guarantees, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less



Provide a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance.

→ *Continue to the Worksheet Summary.*

- Yes, less than one year has passed since FEMA notification of Special Flood Hazards. If less than one year has passed since notification of Special Flood Hazards, no flood insurance is required.

→ *Continue to the Worksheet Summary.*

- No. The community is not participating, or its participation has been suspended.

Federal assistance may not be used at this location. Cancel the project at this location.

### **Worksheet Summary**

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project site is located in Carolinas Heights, Tinian, MP 96952 on Lot Number 060 T 04.

The Department of Public Works has determined that the project site is situated outside of the Special Flood Hazard Area. Additionally, this project does not require flood insurance.

**Are formal compliance steps or mitigation required?**

Yes

No

## Floodplain Management (CEST and EA)

| General Requirements  | Legislation           | Regulation |
|---|-----------------------|------------|
| Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable. | Executive Order 11988 | 24 CFR 55  |
| <b>Reference</b>  |                       |            |
| <a href="https://www.hudexchange.info/environmental-review/floodplain-management">https://www.hudexchange.info/environmental-review/floodplain-management</a>   |                       |            |

1. Does [24 CFR 55.12\(c\)](#) exempt this project from compliance with HUD's floodplain management regulations in Part 55?

Yes

Provide the applicable citation at 24 CFR 55.12(c) here. If project is exempt under 55.12(c)(7) or (8), provide supporting documentation.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

No → Continue to Question 2.

2. Provide a FEMA/FIRM or ABFE map showing the site.

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs) or Advisory Base Flood Elevations (ABFEs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

**Does your project occur in a floodplain?**

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes

Select the applicable floodplain using the FEMA map or the best available information:

Floodway → Continue to Question 3, Floodways

- Coastal High Hazard Area (V Zone) → *Continue to Question 4, Coastal High Hazard Areas*
- 500-year floodplain (B Zone or shaded X Zone) → *Continue to Question 5, 500-year Floodplains*
- 100-year floodplain (A Zone) → *The 8-Step Process is required. Continue to Question 6, 8-Step Process*

### 3. **Floodways**

**Is this a functionally dependent use?**

- Yes

The 8-Step Process is required. Work with your HUD FEO to determine a way to satisfactorily continue with this project. Provide a completed 8-Step Process, including the early public notice and the final notice.

→*Continue to Question 6, 8-Step Process*

- No

Federal assistance may not be used at this location unless a 55.12(c) exception applies. You must either choose an alternate site or cancel the project at this location.

### 4. **Coastal High Hazard Area**

**Is this a critical action?**

- Yes

Critical actions are prohibited in coastal high hazard areas. Federal assistance may not be used at this location. Unless the action is excepted at 24 CFR 55.12(c), you must either choose an alternate site or cancel the project.

- No

**Does this action include construction that is not a functionally dependent use, existing construction (including improvements), or reconstruction following destruction caused by a disaster?**

- Yes, there is new construction.

New construction is prohibited in V Zones ((24 CFR 55.1(c)(3)).

- No, this action concerns only a functionally dependent use, existing construction(including improvements), or reconstruction following destruction caused by a disaster.

This construction must have met FEMA elevation and construction standards for a coastal high hazard area or other standards applicable at the time of construction.

→ Continue to Question 6, 8-Step Process

5. **500-year Floodplain**

**Is this a critical action?**

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes → Continue to Question 6, 8-Step Process

6. **8-Step Process.**

**Does the 8-Step Process apply? Select one of the following options:**

8-Step Process applies.

Provide a completed 8-Step Process, including the early public notice and the final notice.

→ Continue to Question 7, Mitigation

5-Step Process is applicable per 55.12(a)(1-3).

Provide documentation of 5-Step Process.

Select the applicable citation:

55.12(a)(1) HUD actions involving the disposition of HUD-acquired multifamily housing projects or "bulk sales" of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).

55.12(a)(2) HUD's actions under the National Housing Act (12 U.S.C. 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in good standing under the NFIP.

55.12(a)(3) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for "substantial improvement" under § 55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.

55.12(a)(4) HUD's (or the recipient's) actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the

Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10) and that the footprint of the structure and paved areas is not significantly increased.

→ *Continue to Question 7, Mitigation*

8-Step Process is inapplicable per 55.12(b)(1-4).

Select the applicable citation:

- 55.12(b)(1) HUD's mortgage insurance actions and other financial assistance for the purchasing, mortgaging or refinancing of existing one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24), where the action is not a critical action and the property is not located in a floodway or coastal high hazard area.
- 55.12(b)(2) Financial assistance for minor repairs or improvements on one- to four-family properties that do not meet the thresholds for “substantial improvement” under § 55.2(b)(10)
- 55.12(b)(3) HUD actions involving the disposition of individual HUD-acquired, one- to four-family properties.
- 55.12(b)(4) HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR part 573) of loans that refinance existing loans and mortgages, where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance.
- 55.12(b)(5) The approval of financial assistance to lease an existing structure located within the floodplain, but only if—
  - (i) The structure is located outside the floodway or Coastal High Hazard Area, and is in a community that is in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24);
  - (ii) The project is not a critical action; and
  - (iii) The entire structure is or will be fully insured or insured to the maximum under the NFIP for at least the term of the lease.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

## **7. Mitigation**

**For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

**Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.**

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology
- Planting or restoring native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conservation Service conservation easements or similar easements
- Floodproofing of structures
- Elevating structures including freeboarding above the required base flood elevations
- Other

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

### **Worksheet Summary**

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project site is located in Carolinas Heights, Tinian, MP 96952 on Lot Number 060 T 04.

The Department of Public Works has determined that the project site is situated outside of the Special Flood Zone Area.

**Are formal compliance steps or mitigation required?**

Yes

No



**NORTHERN MARIANAS HOUSING CORPORATION**  
**Community Development Block Grant – Disaster Recovery (CDBG-DR) Division**

P.O. BOX 500514, Saipan, MP 96950-0514

Email: [cnmi-cdbg-dr@nmhcgov.net](mailto:cnmi-cdbg-dr@nmhcgov.net)

Website: <http://www.cnmi-cdbgdr.com>

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233-9448

233-9449

233-9450

Fax: (670)233-9452

January 18, 2024

Mr. Ray N. Yumul  
Secretary of Public Works  
Department of Public Works  
2nd Floor, Joeten Commercial Center, Oleai  
Saipan, MP 96950

**Re: Request for a Special Flood Hazard Area**

Dear Mr. Yumul,

The Northern Marianas Housing Corporation (NMHC) is in the process of preparing the Environmental Assessment Statutory Checklist (24 CFR § 58.36) for **Esteban M. Borja, Jr.; Mountain View Estates** multifamily or apartment project located at **Carolinas Heights**, on the island of **Tinian**. The **Mountain View Estates** project site is located on **Lot Number 060 T 04**.

The proposed project will be funded by the Department of Housing and Urban Development (HUD) through the Community Development Block Grant - Disaster Recovery Program (CDBG-DR).

In order for our office to complete the Environmental Assessment, an Environmental Assessment Statutory Checklist (24 CFR § 58.36) must be completed. We kindly request your assistance in determining if the location mentioned above is in a Special Flood Hazard Area.

If you have any questions or require additional information, please feel free to contact Jolina P. Ada at [drhousing specialist1@nmhcgov.net](mailto:drhousing specialist1@nmhcgov.net) or our office at (670)233-9447/9448/9449/9450.

Sincerely,

A handwritten signature in blue ink, appearing to read "Melvin B. Sablan", is written over a light blue circular background.

Melvin B. Sablan  
*CDBG-DR Housing Administrator*

Enclosure(s): Scope of Work  
Map of Property

Cc: Corporate Director  
File



**Tinian Field Office**  
Tel: (670)433-9213  
Fax: (670)433-3690

**“NMHC is an equal employment and fair housing public agency”**

**CDBG-DR Office**  
Tel: (670)233-9447/9448/9449

**Rota Field Office**  
Tel: (670)532-9410  
Fax: (670)532-9441



# APPENDIX D

*Division of Environmental Quality (DEQ)*

**Northern Marianas Housing Corporation (NMHC) – Lot No. 060 T 04,  
Mountain View Estates (Carolinas Heights, Tinian) – NEPA Review**

| <b>Property Identification</b>                  | <b>Applicant Name:</b>   | <b>Project Activity</b> |
|---|--|-------------------------|
| Lot No. 060 T 04<br>(Carolinas Heights, Tinian) | Esteban M. Borja Jr.;<br>Northern Marianas Housing<br>Corporation (NMHC) | New Construction        |

1. **Toxic/Hazardous/Radioactive, Material, Contamination, Chemical or Gases:** That the project does not involve new development for habitation; OR the project involves new development for habitation but is not located within one mile of an NPL (“Superfund”) site, within ½ mile of a CERCLIS site, nor adjacent to any other known or suspected sited contaminated with toxic chemicals or radioactive source determines it does not pose a health hazard.

**BECQ-DEQ BRANCH: Site Assessment and Remediation (SAR)**

In respect to the following project site in question, there are NO concerns of the sites being situated within one mile of an NPL (“Superfund”) site, or within ½ mile of a CERCLIS site, nor adjacent to any other known or suspected site contaminated with toxic chemicals or radioactive sources and determines it does not pose a health hazard.

However, there are some Formerly Used Defense Sites (FUDS) within a few lot areas (indicated below) that have completed assessment or clean up, or are in the process of removal at which UXO safety measures must be practiced at all times.

- **Tinian Southern Dump Site**  
**Coordinates: 14°56’34.50”N / 145°37’41.79”E**

The **Tinian Southern Dump Site** was an area identified by Carmen Sanchez of the Tinian HPO Office as a potential UXO dump site after WWII, in which the US military would sometimes bulldoze UXOs off cliffs into the water. Although the UXO dump site is nearly out of range from the given boundaries, there is potential for unexploded ordinances within the project site area.

## **UXO Safety**

- No concerns surrounding this lots. However, the owners should take precautions in the event of any intrusive activities such as land excavations. Reason being that there could be a possibility of UXO or Unexploded Ordnance in the area. In the event UXO is discovered, work should STOP, and DFEMS be contacted.
- Even if it is indicated that there is no record of inventory there is a potential for Unexploded Ordnance (UXO) to be found in the subject site. Although, if UXO is discovered during excavation or mining activities, it is recommended that work is ceased and that the Department of Public Safety (DPS) and Department of Fire and Emergency Medical Services (DFEMS) is contacted.
- It is important that if an Unexploded Ordnance ("UXO") is encountered with the surface activities, work must stop and the Site Safety Officer must contact the Department of Fire and Emergency Medical Services ("DFEMS") at 911. DFEMS is the contact for the removal of Unexploded Ordinances that are discovered on-site.
- If UXO is frequently being discovered on the sub-surface due to land clearing activities, the need for a UXO Technician should be considered. The role of the UXO Technician is to provide safety support and monitor for any UXO during excavation activities.
  - Always remember the 3R's of UXO Safety:
    - **Recognize** – when you may have come across a munition, and that munitions are dangerous.
    - **Retreat** – do not approach, touch, move, or disturb a suspect munition, but carefully leave the area.
    - **Report** – immediately what you saw and where you saw it to local law enforcement – call 911.

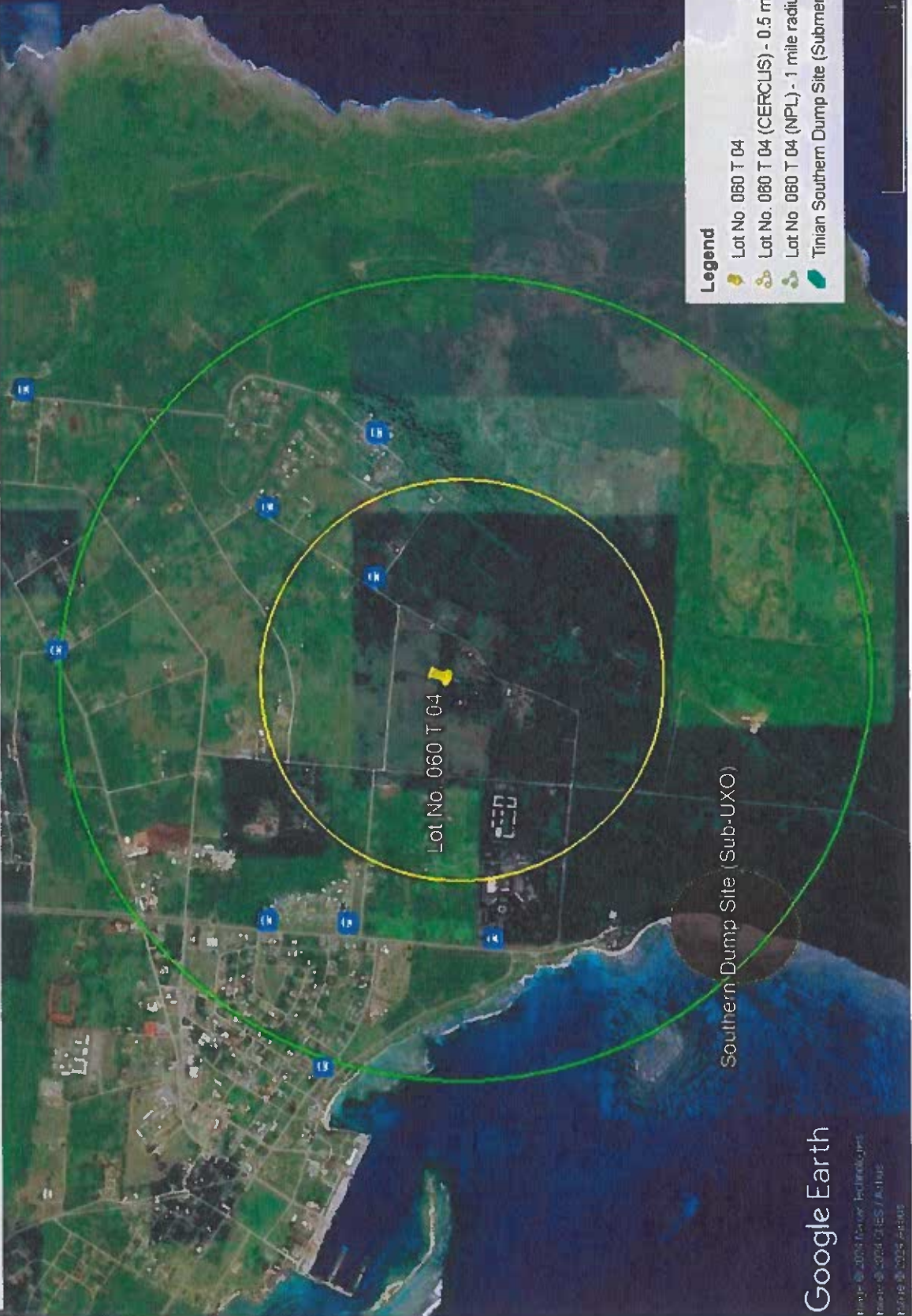
## **BECQ-DEQ Site Assessment & Remediation (SAR)**

- Joshua C. Santos (Manager – Site Assessment & Remediation)
- Anthony A. Castro (Env. Specialist – Site Assessment & Remediation)

# Map Images

## Lot No. 060 T 04 (Carolinas Heights, Tinian) - Esteban M. Borja Jr.

In the yellow circle, there are no CERCLUS related sites within a 1/2 mile radius from the project area. In the green circle, there are no Superfund "NPL" related sites within a 1 mile radius from the project area. The Tinian Southern Dump Site (indicated in red) is a Formerly Used Defense Site (FUDS) at which the U.S. military dumped UXOs off a cliff into water. UXO awareness and safety should be practiced.





Commonwealth of the Northern Mariana Islands  
 OFFICE OF THE GOVERNOR  
 Bureau of Environmental and Coastal Quality  
 Division of Environmental Quality



|              |                                       |
|--------------|---------------------------------------|
| Date         | February 20, 2024                     |
| Request From | Northern Marianas Housing Corporation |
| Project Name | Mountain View Estates                 |
| Project Type | New Construction                      |

Based on your requests, the Division of Environmental Quality does not believe that this project will have a significant impact on the environment as defined by the National Environmental Protection Act. Your project may require permits from DEQ or other local or federal agencies, and your responsibility to obtain them is not obviated by this concurrence. Be advised of the comments, recommendations and requirements from the DEQ programs below.

|   |  |
|---|--|
| Wastewater, Earthmoving, & Erosion Control                                | -A One-Start earthmoving permit is required for the proposed construction of a 3-bedroom, 2-bathroom Residential/multifamily apartment. -An Individual Wastewater Disposal System (commonly known as a septic system) permit is also required for the proposed residential apartment prior to construction.  |
| Water Quality/Nonpoint Source   | No comments or concerns from WQS/NPS.  |
| Clean Air Program   | Water suppression, tarp coverage, or other best practices must be implemented to control fugitive dust from construction activities.   |
| Safe Drinking Water   | All components of the water system should be certified lead free. • Recommended to install rooftop rain catchment to be used as water source for building if possible. • All tanks and water system fittings should be NSF 61 approved for drinking water. Any connections to CUC or other water systems should use some form of backflow prevention.  |
| Toxic Waste Management  | 1. New Construction: The One-Start Permit condition shall cover all potential discoveries of hazardous waste or material. All parties pertaining to the project shall cease activities upon discovery of any hazardous materials or unusual substance or objects, and shall notify the discovery to DEQ. Failure to report findings may result in enforcement proceedings.<br>2. All household hazardous waste and universal waste generated from the rehabilitation/reconstruction shall be disposed of properly and in accordance with applicable state and federal regulations.<br>3. If heavy equipment will be utilized at these project sites, the company performing the activities shall have spill response equipment readily available in case of an incident. |
| Solid Waste Management  | Recycle materials to be generated shall be taken to DEQ permitted facilities and non-recyclable materials must be disposed of according to the DEQ Solid Waste Management Regulations.   |
| Storage Tanks   | The Storage Tanks Branch has no comments or concerns   |
| Site Assessment & Remediation (Brownfields & Formerly Used Defense Sites) | Please see attached document for SAR review  |
| Pesticides  | A pesticide treatment permit from DEQ is required for pre or post construction pesticide treatment/applications.   |

**RECEIVED**  
 DATE BY 2/22/2024  
 W/m

- [Air Quality Implementation Plans](#)
- [SIP Status Reports](#)
- [State Designated Area Reports](#)
- [National Designated Area Reports](#)
- [NAAQS Designated Area Reports](#)
- [State Infrastructure Reports](#)
- [National Infrastructure Reports](#)

You are here: [EPA Home](#) > [Air Quality Implementation Plans](#) > [SIP Status Reports](#) > Status of Northern Mariana Islands Designated Areas

## Status of Northern Mariana Islands Designated Areas

### Northern Mariana Islands Areas by NAAQS

**NOTE:** As of 03/12/2021, these reports are no longer being updated. For the latest information, see the [SIP Status Tools](#).

Jump to Northern Mariana Islands section for: [CO \(1971\)](#) [Lead \(1978\)](#) [Lead \(2008\)](#) [NO2 \(1971\)](#) [Ozone-1Hr \(1979\)](#) [Ozone-8Hr \(1997\)](#) [Ozone-8Hr \(2008\)](#) [Ozone-8Hr \(2015\)](#) [PM-10 \(1987\)](#) [PM-2.5 \(1997\)](#) [PM-2.5 \(2006\)](#) [PM-2.5 \(2012\)](#) [SO2 \(1971\)](#) [SO2 \(2010\)](#)

|  |
|--|
| <p><b>Northern Mariana Islands CO (1971) Areas</b> <a href="#">Return to map</a></p> <p>No designated areas for this pollutant.</p>                                    |
| <p><b>Northern Mariana Islands Lead (1978) Areas</b> <a href="#">Return to map</a> <a href="#">Top of page</a></p> <p>No designated areas for this pollutant.</p>      |
| <p><b>Northern Mariana Islands Lead (2008) Areas</b> <a href="#">Return to map</a> <a href="#">Top of page</a></p> <p>No designated areas for this pollutant.</p>      |
| <p><b>Northern Mariana Islands NO2 (1971) Areas</b> <a href="#">Return to map</a> <a href="#">Top of page</a></p> <p>No designated areas for this pollutant.</p>       |
| <p><b>Northern Mariana Islands Ozone-1Hr (1979) Areas</b> <a href="#">Return to map</a> <a href="#">Top of page</a></p> <p>No designated areas for this pollutant.</p> |
| <p><b>Northern Mariana Islands Ozone-8Hr (1997) Areas</b> <a href="#">Return to map</a> <a href="#">Top of page</a></p> <p>No designated areas for this pollutant.</p> |
| <p><b>Northern Mariana Islands Ozone-8Hr (2008) Areas</b> <a href="#">Return to map</a> <a href="#">Top of page</a></p> <p>No designated areas for this pollutant.</p> |
| <p><b>Northern Mariana Islands Ozone-8Hr (2015) Areas</b> <a href="#">Return to map</a> <a href="#">Top of page</a></p> <p>No designated areas for this pollutant.</p> |
| <p><b>Northern Mariana Islands PM-10 (1987) Areas</b> <a href="#">Return to map</a> <a href="#">Top of page</a></p> <p>No designated areas for this pollutant.</p>     |
| <p><b>Northern Mariana Islands PM-2.5 (1997) Areas</b> <a href="#">Return to map</a> <a href="#">Top of page</a></p> <p>No designated areas for this pollutant.</p>    |
| <p><b>Northern Mariana Islands PM-2.5 (2006) Areas</b> <a href="#">Return to map</a> <a href="#">Top of page</a></p> <p>No designated areas for this pollutant.</p>    |
| <p><b>Northern Mariana Islands PM-2.5 (2012) Areas</b> <a href="#">Return to map</a> <a href="#">Top of page</a></p> <p>No designated areas for this pollutant.</p>    |
| <p><b>Northern Mariana Islands SO2 (1971) Areas</b> <a href="#">Return to map</a> <a href="#">Top of page</a></p> <p>No designated areas for this pollutant.</p>       |
| <p><b>Northern Mariana Islands SO2 (2010) Areas</b> <a href="#">Return to map</a> <a href="#">Top of page</a></p> <p>No designated areas for this pollutant.</p>       |

## Explosive and Flammable Hazards (CEST and EA)

| General requirements  | Legislation | Regulation               |
|---|-------------|--------------------------|
| HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.   | N/A         | 24 CFR Part 51 Subpart C |
| <b>Reference</b>  |             |                          |
| <a href="https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities">https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities</a> |             |                          |

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

No

→ Continue to Question 2.

Yes

Explain:

→ Go directly to Question 5.

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes

→ Continue to Question 3.

3. Within 1 mile of the project site, are there any current *or planned* stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are **NOT** covered under the regulation include:

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR
- Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 version of National Fire Protection Association (NFPA) Code 58.

If all containers within the search area fit the above criteria, answer “no.” For any other type of aboveground storage container within the search area that holds one of the



flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "yes."

No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide all documents used to make your determination.

Yes

→ Continue to Question 4.

4. Visit HUD's website to identify the appropriate tank or tanks to assess and to calculate the required separation distance using the [electronic assessment tool](#). To document this step in the analysis, please attach the following supporting documents to this screen:

- Map identifying the tank selected for assessment, and showing the distance from the tank to the proposed HUD-assisted project site; and
- Electronic assessment tool calculation of the required separation distance.

Based on the analysis, is the proposed HUD-assisted project site located at or beyond the required separation distance from all covered tanks?

Yes

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

No

→ Go directly to Question 6.

5. Is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present?

Please visit HUD's website for information on calculating Acceptable Separation Distance.

Yes

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.

No

→ Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.  
Continue to Question 6.

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Mitigation measures may include both natural and manmade barriers, modification of the project design, burial or removal of the hazard, or other engineered solutions. Describe selected mitigation measures, including the timeline for implementation, and attach an implementation plan. If negative effects cannot be mitigated, cancel the project at this location.

Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an unacceptable separation distance, provide approval from a licensed professional engineer.

**Worksheet Summary**

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project site is located in Carolinas Heights, Tinian, MP 96952 on Lot Number 060 T 04.

The project is located at an Acceptable Separation Distance (ASD) from any above-ground explosive or flammable fuels or chemicals containers according to "Siting of HUD-Assistance Projects Near Hazardous Facilities" (Appendix F, pp.51-52) or the project will expose neither people nor building to such hazards.

**Are formal compliance steps or mitigation required?**

Yes

No

## Contamination and Toxic Substances (Multifamily and Non-Residential Properties)

| General requirements   | Legislation | Regulations                         |
|--|-------------|-------------------------------------|
| It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property. |             | 24 CFR 58.5(i)(2)<br>24 CFR 50.3(i) |
| <b>Reference</b>   |             |                                     |
| <a href="https://www.hudexchange.info/programs/environmental-review/site-contamination">https://www.hudexchange.info/programs/environmental-review/site-contamination</a>  |             |                                     |

**1. How was site contamination evaluated?<sup>1</sup> Select all that apply.**

- ASTM Phase I ESA
- ASTM Phase II ESA
- Remediation or clean-up plan
- ASTM Vapor Encroachment Screening
- None of the above

→ Provide documentation and reports and include an explanation of how site contamination was evaluated in the Worksheet Summary.

Continue to Question 2.

**2. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)**

- No

**Explain:**

The Division of Environmental Quality has concurred that there are no concerns of the Project site being situated within one mile of an NPL ("Superfund") site, within ½ mile of a CERCLIS site, nor adjacent to any other known or suspected sited contaminated with toxic Chemicals or radioactive source and determines it does not pose a health hazard.

<sup>1</sup> HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site. For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

→ Based on the response, the review is in compliance with this section.  
Continue to the Worksheet Summary below.

Yes.

→ Describe the findings, including any recognized environmental conditions (RECs), in Worksheet Summary below. Continue to Question 3.

### 3. Mitigation

Document the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental effects cannot be mitigated, then HUD assistance may not be used for the project at this site.

#### Can adverse environmental impacts be mitigated?

Adverse environmental impacts cannot feasibly be mitigated

→ Project cannot proceed at this location.

Yes, adverse environmental impacts can be eliminated through mitigation.

→ Provide all mitigation requirements<sup>2</sup> and documents. Continue to Question 4.

### 4. Describe how compliance was achieved. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls<sup>3</sup>, or use of institutional controls<sup>4</sup>.

---

<sup>2</sup> Mitigation requirements include all clean-up actions required by applicable federal, state, tribal, or local law. Additionally, provide, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

<sup>3</sup> Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, without limitation, caps, covers, dikes, trenches, leachate collection systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, without limitation, slurry walls and ground water pumping systems.

<sup>4</sup> Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would allow for unrestricted use of the property. Institutional controls may include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.

**If a remediation plan or clean-up program was necessary, which standard does it follow?**

Complete removal

→ *Continue to the Worksheet Summary.*

Risk-based corrective action (RBCA)

→ *Continue to the Worksheet Summary.*

### **Worksheet Summary**

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project site is located in Carolinas Heights, Tinian MP, 96952 on Lot Number 060 T 04.

The Division of Environmental Quality has concurred that there are no concerns of the Project site being situated within one mile of an NPL ("Superfund") site, within ½ mile of a CERCLIS site, nor adjacent to any other known or suspected sited contaminated with toxic Chemicals or radioactive source and determines it does not pose a health hazard.

**Are formal compliance steps or mitigation required?**

Yes

No

## Environmental Justice (CEST and EA)

| General requirements   | Legislation           | Regulation |
|--|-----------------------|------------|
| Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project. | Executive Order 12898 |            |
| <b>References</b>  |                       |            |
| <a href="https://www.hudexchange.info/environmental-review/environmental-justice">https://www.hudexchange.info/environmental-review/environmental-justice</a>  |                       |            |

**HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.**

**1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?**

Yes → Continue to Question 2.

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

**2. Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?**

Yes

**Explain:**

→ Continue to Question 3. Provide any supporting documentation.

No

**Explain:**

→ Continue to the Worksheet Summary and provide any supporting documentation.

**3. All adverse impacts should be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

Mitigation as follows will be implemented:

→ Continue to Question 4.

No mitigation is necessary.

**Explain why mitigation will not be made here:**

→ Continue to Question 4.

**4. Describe how the affected low-income or minority community was engaged or meaningfully involved in the decision on what mitigation actions, if any, will be taken.**

→ Continue to the Worksheet Summary and provide any supporting documentation.

### **Worksheet Summary**

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is located in Carolinas Heights, Tinian, MP 96952 on Lot Number 060 T 04.

The proposed project won't have any adverse effects to the environment or human health. As a result, the project complies with Executive Order 12898.

**Are formal compliance steps or mitigation required?**

Yes

No



## Air Quality (CEST and EA)

| General Requirements  | Legislation   | Regulation                |
|---|---|---------------------------|
| The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP. | Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d)) | 40 CFR Parts 6, 51 and 93 |
| Reference   |   |                           |
| <a href="https://www.hudexchange.info/environmental-review/air-quality">https://www.hudexchange.info/environmental-review/air-quality</a>   |   |                           |

### Scope of Work

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

Yes

→ Continue to Question 2.

No

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

### Air Quality Attainment Status of Project's County or Air Quality Management District

2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?

Follow the link below to determine compliance status of project county or air quality management district:

<http://www.epa.gov/oaqps001/greenbk/>

No, project's county or air quality management district is in attainment status for all criteria pollutants

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

Yes, project's management district or county is in non-attainment or maintenance status for one or more criteria pollutants.

Describe the findings:

→ Continue to Question 3.

3. Determine the estimated emissions levels of your project for each of those criteria pollutants that are in non-attainment or maintenance status on your project area. Will your project exceed any of the *de minimis* or *threshold* emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?

No, the project will not exceed *de minimis* or threshold emissions levels or screening levels

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Explain how you determined that the project would not exceed *de minimis* or threshold emissions.

Yes, the project exceeds *de minimis* emissions levels or screening levels.

→ Continue to Question 4. Explain how you determined that the project would not exceed *de minimis* or threshold emissions in the Worksheet Summary.

4. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

**Worksheet Summary**

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is located in Carolinas Heights, Tinian, MP 96952 on Lot Number 060 T 04.

The United States Environmental Protection Agency State Implementation Plan (SIP) Status Report has shown "No designated areas for this pollutant" in the Northern Marianas Islands.

**Are formal compliance steps or mitigation required?**

Yes

No

## Noise (CEST Level Reviews)

| General requirements  | Legislation  | Regulation                   |
|---|--|------------------------------|
| HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.   | Noise Control Act of 1972<br><br>General Services Administration<br>Federal Management Circular<br>75-2: "Compatible Land Uses at Federal Airfields" | Title 24 CFR 51<br>Subpart B |
| References  |  |                              |
| <a href="https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control">https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control</a> |  |                              |

### 1. What activities does your project involve? Check all that apply:

- New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

→ Continue to Question 4.

- Rehabilitation of an existing residential property

NOTE: For modernization projects in all noise zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details.

→ Continue to Question 2.

- A research demonstration project which does not result in new construction or reconstruction, interstate, land sales registration, or any timely emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

- None of the above

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

2. Do you have standardized noise attenuation measures that apply to all modernization and/or minor rehabilitation projects, such as the use of double glazed windows or extra insulation?

Yes

Indicate the type of measures that will apply (check all that apply):

Improved building envelope components (better windows and doors, strengthened sheathing, insulation, sealed gaps, etc.)

Redesigned building envelope (more durable or substantial materials, increased air gap, resilient channels, staggered wall studs, etc.)

Other

Explain:

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below and provide any supporting documentation.

No

→ Continue to Question 3.

3. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).

Describe findings of the Preliminary Screening:

→ Continue to Question 6.

4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).

Indicate the findings of the Preliminary Screening below:

There are no noise generators found within the threshold distances above.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing the location of the project relative to any noise generators.

Noise generators were found within the threshold distances.

→ Continue to Question 5.

**5. Complete the Noise Assessment Guidelines to quantify the noise exposure. Indicate the findings of the Noise Assessment below:**

Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Indicate noise level here:

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide noise analysis, including noise level and data used to complete the analysis.

Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in 24 CFR 51.105(a))

Indicate noise level here:

**Is the project in a largely undeveloped area<sup>1</sup>?**

No

→Your project requires completion of an Environmental Assessment (EA) pursuant to 51.104(b)(1)(i). Elevate this review to an EA-level review.

Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

Yes

→Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). Elevate this review to an EIS-level review.

Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

---

<sup>1</sup> A largely undeveloped area means the area within 2 miles of the project site is less than 50 percent developed with urban uses or does not have water and sewer capacity to serve the project.

Unacceptable: (Above 75 decibels)

Indicate noise level here:

**Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). You may either complete an EIS or provide a waiver signed by the appropriate authority. Indicate your choice:**

Convert to an EIS

→ Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

Provide waiver

→ Provide an Environmental Impact Statement waiver from the Certifying Officer or the Assistant Secretary for Community Planning and Development per 24 CFR 51.104(b)(2) and noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

**6. HUD strongly encourages mitigation be used to eliminate adverse noise impacts. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review.**

Mitigation as follows will be implemented:

→ Provide drawings, specifications, and other materials as needed to describe the project's noise mitigation measures.

Continue to the Worksheet Summary.

No mitigation is necessary.

**Explain why mitigation will not be made here:**

→ Continue to the Worksheet Summary.

### **Worksheet Summary**

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is located in Carolinas Heights, Tinian, MP 96952 on Lot Number 060 T 04.

The project does not involve development of sensitive uses or the project is not within line-of-sight of an arterial roadway or railroad or ambient noise level is 65 LDN (or CNEL) or less, based upon the HUD Noise Assessment Guidelines (NAG) study for calculating noise levels.

**Are formal compliance steps or mitigation required?**

Yes

No



## Wetlands (CEST and EA)

| General requirements   | Legislation           | Regulation  |
|--|-----------------------|---|
| Executive Order 11990 discourages that direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed. | Executive Order 11990 | 24 CFR 55.20 can be used for general guidance regarding the 8 Step Process. |
| <b>References</b>  |                       |   |
| <a href="https://www.hudexchange.info/environmental-review/wetlands-protection">https://www.hudexchange.info/environmental-review/wetlands-protection</a>  |                       |   |

**1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance?**

The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order.

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

Yes → *Continue to Question 2.*

**2. Will the new construction or other ground disturbance impact an on- or off-site wetland?**

The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands.

No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map or any other relevant documentation to explain your determination.*

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

→ You must determine that there are no practicable alternatives to wetlands development by completing the 8-Step Process.

Provide a completed 8-Step Process as well as all documents used to make your determination, including a map. Be sure to include the early public notice and the final notice with your documentation.

Continue to Question 3.

3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Which of the following mitigation actions have been or will be taken? Select all that apply:

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology through infiltration
- Native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conservation Service conservation easements
- Compensatory mitigation

**Worksheet Summary**

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is located in Carolinas Heights, Tinian, MP 96952 on Lot Number 060 T 04.

The project does not involve new construction within the adjacent to wetlands, marshes, wet Meadows, mud flats, or natural ponds per field observation and maps issued by the USDI Fish and Wildlife Service or U.S. Corps of Engineer.

**Are formal compliance steps or mitigation required?**

Yes

No



# NORTHERN MARIANAS HOUSING CORPORATION

## Community Development Block Grant – Disaster Recovery (CDBG-DR) Division

P.O. BOX 500514, Saipan, MP 96950-0514

Email: [cnmi-cdbg-dr@nmhcgov.net](mailto:cnmi-cdbg-dr@nmhcgov.net)

Website: <http://www.cnmi-cdbgdr.com>

Tels: (670)233-9447  
233-9448  
233-9449  
233-9450  
Fax: (670)233-9452

January 18, 2024

Ms. Zabrina S. Cruz  
Director  
Division of Environmental Quality  
P.O. Box 501304  
Saipan, MP 96950



Dear Ms. Cruz,

The Northern Marianas Housing Corporation (NMHC) is in the process of preparing the Environmental Assessment Statutory Checklist (24 CFR § 58.36) for **Esteban M. Borja, Jr.; Mountain View Estates** multifamily or apartment project located at **Carolinas Heights**, on the island of **Tinian**. The Mountain View Estates project site is located on **Lot Number 060 T 04**.

The proposed project will be funded by the Department of Housing and Urban Development (HUD) through the Community Development Block Grant - Disaster Recovery Program (CDBG-DR).

Before we commence any **Mountain View Estates** multifamily or apartment project activity on this lot, we are required to obtain a certification from your office for the following:

- **Explosive or Flammable Operations:**
  - That the project is located at an Acceptable Separation Distance (ASD) from any above-ground explosive or flammable fuels or chemicals containers according to “Siting of HUD-Assistance Projects Near Hazardous Facilities” (Appendix F, pp.51-52) **OR** the project will expose neither people nor building to such hazards.
- **Toxic/Hazardous/Radioactive, Material, Contamination, Chemical or Gases:**
  - That the project does not involve new development for habitation **OR** the project involves new development for habitation, but is not located within one mile of an NPL (“Superfund”) site, within ½ mile of a CERCLIS site, nor adjacent to any other known or suspected sited contaminated with toxic chemicals or radioactive source determines it does not pose a health hazard.
- **Environmental Justice:**
  - That the project site is suitable for its proposed use and the project won’t be adversely affected by existing environmental conditions.



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Tinian Field Office  
Tel: (670)433-9213  
Fax: (670)433-3690

CDBG-DR Office  
Tel: (670)233-9447/9448/9449

Rota Field Office  
Tel: (670)532-9410  
Fax: (670)532-9441



# NORTHERN MARIANAS HOUSING CORPORATION

## Community Development Block Grant – Disaster Recovery (CDBG-DR) Division

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Website: <http://www.cnmi-cdbgdr.com>

Tels: (670)233-9447

233-9448

233-9449

233-9450

Fax: (670)233-9452

- **Sole Source Aquifers:**
  - That the project is not located within an area designated by EPA as being supported by sole source aquifer **OR** the project need not be referred to EPA for evaluation according to the HUD-EPA (Region IX) Sole Source Aquifer Memorandum of Understanding of 1990.
- **Air Quality:**
  - That the project is located within an “attainment” area **OR** if within a “nonattainment” area, the project conforms with the EPA-approved State Implementation Plan (SIP).
- **Noise Abatement and Control:**
  - That the project does not involve development of noise sensitive uses **OR** the project is not within line-of-sight of an arterial roadway or railroad **OR** ambient noise level is 65 LDN (or CNEL) or less, based upon the HUD Noise Assessment Guidelines (NAG) study for calculating noise levels.
- **Wild and Scenic Rivers:**
  - That the project is not located within a mile of a listed Wild and Scenic River or that it will have no effects on the natural, free flowing or scenic qualities of a river.
- **Wetlands Protection:**
  - That the project does not involve new construction within or adjacent to wetlands, marshes, wet meadows, mud flats or natural ponds per field observation and maps issued by the USDI Fish & Wildlife Service or U.S. Corps of Engineers.

Should your office determine the presence of explosives, flammable, toxic, hazardous, or radioactive materials on or within a mile of the above lot, please include the appropriate mitigation disclosure and clearance documents.

If you have any questions or require additional information, please feel free to contact Jolina P. Ada at [drhousing specialist1@nmhcgov.net](mailto:drhousing specialist1@nmhcgov.net) or our office at (670)233-9447/9448/9449/9450.

Sincerely,

Melvin B. Sablan  
CDBG-DR Housing Administrator

Enclosure(s): Scope of Work  
Map of Property

Cc: Corporate Director  
File



Tinian Field Office  
Tel: (670)433-9213  
Fax: (670)433-3690

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**Community Development Block Grant – Disaster Recovery (CDBG-DR) Division**

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233-9448

233-9449

233-9450

Fax: (670)233-9452

**Division of Environmental Quality Concurrence:**

Based on your requests above, the CNMI Division of Environmental Quality does not believe that this project will have a significant impact on the environment as defined by the National Environmental Policy Act. Your project may require permits from DEQ or other local or federal agencies, and your responsibility to obtain them is not obviated by this letter.

A handwritten signature in cursive script that reads "Zabrina S. Cruz".

**Zabrina S. Cruz, Director**  
**Division of Environmental Quality**

02/20/2024

**Date**



**Tinian Field Office**  
Tel: (670)433-9213  
Fax: (670)433-3690

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**CDBG-DR Office**  
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**Rota Field Office**  
Tel: (670)532-9410  
Fax: (670)532-9441

# APPENDIX E

*Division of Fish and Wildlife (DFW)*



# Commonwealth of the Northern Mariana Islands

## Division of Fish & Wildlife

### Department of Lands and Natural Resources

Lower Base, P.O. Box 10007  
Saipan, MP 96950



Telephone: 670-664-6000  
Fax: 670-664-6060

January 24, 2024

Melvin B. Sablan  
CDBG-DR Housing Administrator  
Northern Marianas Housing Corporation  
P.O. Box 500514  
Saipan, MP 96950

IR-24-12: Information Request, Review for Multifamily or Apartment Project

Dear Mr. Sablan:

Your agency has requested information from the Division of Fish and Wildlife regarding potential impacts to threatened or endangered (T&E) species from for Esteban M. Borja Jr.; Mountain View Estates multifamily or apartment project. The project is located at Carolina Heights, on the Island of Tinian. **This letter is NOT a permit or approval of the proposed projects. NO land clearing activities or construction can begin until an application has been submitted and approved by DFW.**

Based on our records, satellite imagery, and scope of work, the parcel appears partially forested with potential habitat for T&E species. However, DFW has no record of T&E species on this or the adjacent lots so we are unaware of any possible effects to T&E species. This project requires future assessment from DFW.

Our response is based solely on the information you provided, our current knowledge, and professional experience. The information that we provide may assist with project planning, including information required to comply with the preparation of an Environmental Assessment Statutory Checklist.

Sincerely,

Yanghongfan Wang  
Threatened and Endangered Species Biologist

Cc: Michael Tenorio, Acting Director



**NMHC- CDBG-DR  
RECEIVED**

By: X. Diaz  
Date: 2-9-24  
Time: 11:17am



## Endangered Species Act (CEST and EA)

| General requirements   | ESA Legislation  | Regulations     |
|--|--|-----------------|
| Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service ("FWS" and "NMFS" or "the Services"). | The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i> ); particularly section 7 (16 USC 1536). | 50 CFR Part 402 |
| <b>References</b>  |  |                 |
| <a href="https://www.hudexchange.info/environmental-review/endangered-species">https://www.hudexchange.info/environmental-review/endangered-species</a>  |  |                 |

### 1. Does the project involve any activities that have the potential to affect species or habitats?

- No, the project will have No Effect due to the nature of the activities involved in the project.  
 → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

- No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office.  
 Explain your determination:

- Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

- Yes, the activities involved in the project have the potential to affect species and/or habitats. → Continue to Question 2.

### 2. Are federally listed species or designated critical habitats present in the action area?

Obtain a list of protected species from the Services. This information is available on the [FWS Website](#) or you may contact your [local FWS](#) and/or [NMFS](#) offices directly.

- No, the project will have No Effect due to the absence of federally listed species and designated critical habitat.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.*

Yes, there are federally listed species or designated critical habitats present in the action area. → *Continue to Question 3.*

**3. What effects, if any, will your project have on federally listed species or designated critical habitat?**

No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate.*

May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

→ *Continue to Question 4, Informal Consultation.*

Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

→ *Continue to Question 5, Formal Consultation.*

**4. Informal Consultation is required**

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

**Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?**

Yes, the Service(s) concurred with the finding.

→ *Based on the response, the review is in compliance with this section. Continue to Question 6 and provide the following:*

- (1) *A biological evaluation or equivalent document*
- (2) *Concurrence(s) from FWS and/or NMFS*
- (3) *Any other documentation of informal consultation*

*Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.*

No, the Service(s) did not concur with the finding. → Continue to Question 5.

**5. Formal consultation is required**

Section 7 of ESA (16 USC 1536) mandates consultation to resolve potential impacts to federally listed endangered and threatened species and critical habitats. If a HUD assisted project may affect any endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

→ Once consultation is complete, the review is in compliance with this section. Continue to Question 6 and provide the following:

- (1) A biological assessment, evaluation, or equivalent document
- (2) Biological opinion(s) issued by FWS and/or NMFS
- (3) Any other documentation of formal consultation

**6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that will be implemented to mitigate for the impact or effect, including the timeline for implementation.**

Mitigation as follows will be implemented:

No mitigation is necessary.

**Explain why mitigation will not be made here:**

### **Worksheet Summary**

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is located in Carolinas Heights, Tinian, MP 96952 on Lot Number 060 T 04.

The Division of Fish and Wildlife has indicated that they have no record of T&E on the project site.

**Are formal compliance steps or mitigation required?**

Yes

No



**NORTHERN MARIANAS HOUSING CORPORATION**  
**Community Development Block Grant – Disaster Recovery (CDBG-DR) Division**

P.O. BOX 500514, Saipan, MP 96950-0514

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January 18, 2024

Mr. Michael C. Tenorio  
Acting Director  
Division of Fish and Wildlife  
P.O. Box 10007  
Saipan, MP 96950

**Re: Request for a Determination of Effect**

Dear Mr. Tenorio,

The Northern Marianas Housing Corporation (NMHC) is in the process of preparing the Environmental Assessment Statutory Checklist (24 CFR § 58.36) for **Esteban M. Borja, Jr.; Mountain View Estates** multifamily or apartment project located at **Carolinas Heights**, on the island of **Tinian**. The **Mountain View Estates** project site is located on **Lot Number 060 T 04**.

The proposed project will be funded by the Department of Housing and Urban Development (HUD) through the Community Development Block Grant - Disaster Recovery Program (CDBG-DR).

In order for our office to complete the Environmental Assessment, an Environmental Assessment Statutory Checklist (24 CFR § 58.36) must be completed. We kindly request your office to issue a Determination of Effect based on HUD requirement on the Endangered Species Act 50 CFR 402 for the location mentioned above.

If you have any questions or require additional information, please feel free to contact Jolina P. Ada at [drhousing specialist1@nmhcgov.net](mailto:drhousing specialist1@nmhcgov.net) or our office at (670)233-9447/9448/9449/9450.

Sincerely,

Melvin B. Sablan  
*CDBG-DR Housing Administrator*

Enclosure(s): Scope of Work  
Map of Property

Cc: Corporate Director  
File



**Tinian Field Office**  
Tel: (670)433-9213  
Fax: (670)433-3690

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**CDBG-DR Office**  
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**Rota Field Office**  
Tel: (670)532-9410  
Fax: (670)532-9441

# APPENDIX F

*Natural Resources Conservation Service (NRCS)*

**FARMLAND CONVERSION IMPACT RATING**

**PART I (To be completed by Federal Agency)** Date Of Land Evaluation Request **January 18, 2024**

Name of Project **Mountain View Estates | Lot No. 060 T 04** Federal Agency Involved **NMHC CDBG-DR**

Proposed Land Use **Affordable Rental Housing** County and State **Carolinas Heights, Tinian, MP 96952**

**PART II (To be completed by NRCS)** Date Request Received By NRCS **18 JAN 2024** Person Completing Form: **S. TAKAI**

Does the site contain Prime, Unique, Statewide or Local Important Farmland? (If no, the FPPA does not apply - do not complete additional parts of this form) YES  NO  Acres Irrigated \_\_\_\_\_ Average Farm Size \_\_\_\_\_

Major Crop(s) \_\_\_\_\_ Farmable Land In Govt. Jurisdiction Acres: \_\_\_\_\_ % \_\_\_\_\_ Amount of Farmland As Defined in FPPA Acres: \_\_\_\_\_ % \_\_\_\_\_

Name of Land Evaluation System Used \_\_\_\_\_ Name of State or Local Site Assessment System \_\_\_\_\_ Date Land Evaluation Returned by NRCS \_\_\_\_\_

**PART III (To be completed by Federal Agency)** Alternative Site Rating

|   | Site A | Site B | Site C | Site D |
|---|--------|--------|--------|--------|
| A. Total Acres To Be Converted Directly   | N/A    |        |        |        |
| B. Total Acres To Be Converted Indirectly |        |        |        |        |
| C. Total Acres In Site                    |        |        |        |        |

**PART IV (To be completed by NRCS) Land Evaluation Information**

|  |  |  |  |  |
|--|--|--|--|--|
| A. Total Acres Prime And Unique Farmland   |  |  |  |  |
| B. Total Acres Statewide Important or Local Important Farmland                     |  |  |  |  |
| C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted            |  |  |  |  |
| D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value |  |  |  |  |

**PART V (To be completed by NRCS) Land Evaluation Criterion** Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)

**PART VI (To be completed by Federal Agency) Site Assessment Criteria** (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)

|   | Maximum Points | Site A   | Site B   | Site C   | Site D   |
|---|----------------|----------|----------|----------|----------|
| 1. Area In Non-urban Use  | (15)           |          |          |          |          |
| 2. Perimeter In Non-urban Use                                       | (10)           |          |          |          |          |
| 3. Percent Of Site Being Farmed                                     | (20)           |          |          |          |          |
| 4. Protection Provided By State and Local Government                | (20)           |          |          |          |          |
| 5. Distance From Urban Built-up Area                                | (15)           |          |          |          |          |
| 6. Distance To Urban Support Services                               | (15)           |          |          |          |          |
| 7. Size Of Present Farm Unit Compared To Average                    | (10)           |          |          |          |          |
| 8. Creation Of Non-farmable Farmland                                | (10)           |          |          |          |          |
| 9. Availability Of Farm Support Services                            | (5)            |          |          |          |          |
| 10. On-Farm Investments   | (20)           |          |          |          |          |
| 11. Effects Of Conversion On Farm Support Services                  | (10)           |          |          |          |          |
| 12. Compatibility With Existing Agricultural Use                    | (10)           |          |          |          |          |
| <b>TOTAL SITE ASSESSMENT POINTS</b>                                 | <b>160</b>     | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> |
| <b>PART VII (To be completed by Federal Agency)</b>                 |                |          |          |          |          |
| Relative Value Of Farmland (From Part V)                            | 100            | 0        | 0        | 0        | 0        |
| Total Site Assessment (From Part VI above or local site assessment) | 160            | 0        | 0        | 0        | 0        |
| <b>TOTAL POINTS (Total of above 2 lines)</b>                        | <b>260</b>     | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> |

Site Selected: \_\_\_\_\_ Date Of Selection \_\_\_\_\_ Was A Local Site Assessment Used? YES  NO

Reason For Selection: \_\_\_\_\_

Name of Federal agency representative completing this form: **PAMBA M. SABIA, D.C.** Date: **18 JAN. 2024**

(See instructions on reverse side)

Form AD-1006 (03-02)

**RECEIVED**  
DATE/BY 1/19/2024

## Farmlands Protection (CEST and EA)

| General requirements  | Legislation  | Regulation                     |
|---|--|--------------------------------|
| The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.                           | Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.) | <a href="#">7 CFR Part 658</a> |
| Reference   |  |                                |
| <a href="https://www.hudexchange.info/environmental-review/farmlands-protection">https://www.hudexchange.info/environmental-review/farmlands-protection</a> |  |                                |

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

Yes → Continue to Question 2.

No

**Explain how you determined that agricultural land would not be converted:**

The Natural Resources Conservation Service has determined that the project site is not located in a protected Farmland area and is not applicable to irreversibly converting farmland to non-agricultural use.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting your determination.

2. Does "important farmland," including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the Farmland Protection Policy Act, occur on the project site?

You may use the links below to determine important farmland occurs on the project site:

- Utilize USDA Natural Resources Conservation Service's (NRCS) Web Soil Survey <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>
- Check with your city or county's planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as non-agricultural does not exempt it from FPPA requirements)
- Contact NRCS at the local USDA service center <http://offices.sc.egov.usda.gov/locator/app?agency=nrcs> or your NRCS state soil scientist [http://soils.usda.gov/contact/state\\_offices/](http://soils.usda.gov/contact/state_offices/) for assistance

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.



Yes → Continue to Question 3.

**3. Consider alternatives to completing the project on important farmland and means of avoiding impacts to important farmland.**

- Complete form **AD-1006**, "Farmland Conversion Impact Rating" [http://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb1045394.pdf](http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf) and contact the state soil scientist before sending it to the local NRCS District Conservationist.  
(NOTE: for corridor type projects, use instead form **NRCS-CPA-106**, "Farmland Conversion Impact Rating for Corridor Type Projects: [http://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb1045395.pdf](http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045395.pdf).)
- Work with NRCS to minimize the impact of the project on the protected farmland. When you have finished with your analysis, return a copy of form AD-1006 (or form NRCS-CPA-106 if applicable) to the USDA-NRCS State Soil Scientist or his/her designee informing them of your determination.

**Document your conclusion:**

Project will proceed with mitigation.

**Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

Project will proceed without mitigation.

**Explain why mitigation will not be made here:**

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

## **Worksheet Summary**

### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is located in Carolinas Heights, Tinian, MP 96952 on Lot Number 060 T 04.

The Natural Resources Conservation Service has determined that the project site is not located in a protected Farmland area and is not applicable to irreversibly converting farmland to non-agricultural use.

**Are formal compliance steps or mitigation required?**

Yes

No

# Prime and Unique Farmlands Map

USDA-NRCS

Map Prepared by Pamela M. Sablan, District Conservationist - 01/18/2024  
Response to Categorically Excluded Statutory Checklist  
"Esteban M. Borja Jr. - Affordable Rental Housing - Carolinas Heights, Tinian"



Project Location



United States  
Department of  
Agriculture

Natural Resources Conservation Service



**NORTHERN MARIANAS HOUSING CORPORATION**  
**Community Development Block Grant – Disaster Recovery (CDBG-DR) Division**

P.O. BOX 500514, Saipan, MP 96950-0514

Email: [cnmi-cdbg-dr@nmhcgov.net](mailto:cnmi-cdbg-dr@nmhcgov.net)

Website: <http://www.cnmi-cdbgdr.com>

Tels: (670)233-9447

233-9448

233-9449

233-9450

Fax: (670)233-9452

January 18, 2024

Ms. Pamela M. Sablan  
District Conservationist  
Natural Resources Conservation Service  
P.O. Box 5082 CHRB  
Saipan, MP 96950

**Re: Request for a Determination of Effect**

Dear Ms. Sablan,

The Northern Marianas Housing Corporation (NMHC) is in the process of preparing the Environmental Assessment Statutory Checklist (24 CFR § 58.36) for **Esteban M. Borja, Jr.; Mountain View Estates** multifamily or apartment project located at **Carolinas Heights**, on the island of **Tinian**. The **Mountain View Estates** project site is located on **Lot Number 060 T 04**.

The proposed project will be funded by the Department of Housing and Urban Development (HUD) through the Community Development Block Grant - Disaster Recovery Program (CDBG-DR).

In order for our office to complete the Environmental Assessment, an Environmental Assessment Statutory Checklist (24 CFR § 58.36) must be completed. We kindly request your office to issue a Determination of Effect based on HUD requirement on the Farmland Protection Policy Act of 1981, particularly sections 1504 (b) and 1541; 7 CFR Part 658.

If you have any questions or require additional information, please feel free to contact Jolina P. Ada at [drhousing specialist1@nmhcgov.net](mailto:drhousing specialist1@nmhcgov.net) or our office at (670)233-9447/9448/9449/9450.

Sincerely,

  
Melvin B. Sablan  
*CDBG-DR Housing Administrator*

Enclosure(s): Scope of Work  
Map of Property

Cc: Corporate Director  
File



**Tinian Field Office**  
Tel: (670)433-9213  
Fax: (670)433-3690

**“NMHC is an equal employment and fair housing public agency”**

**CDBG-DR Office**  
Tel: (670)233-9447/9448/9449

**Rota Field Office**  
Tel: (670)532-9410  
Fax: (670)532-9441

# APPENDIX G

*Historic Preservation Office (HPO)*



Commonwealth of the Northern Mariana Islands  
 Division of Historic Preservation  
 Department of Community & Cultural Affairs  
 Buildings A-15 and A-16 Cactus St. Garapan  
 Caller Box 10007  
 Saipan, MP 96950



February 12, 2024

TEL: 664-2120-25  
 FAX: 664-2139

Serial: 36182  
 File: 6.7.24.21 - (Tinian – FY' 2024)

Jesse S. Palacios  
 Corporate Director  
 Northern Marianas Housing Corporation  
 P.O. Box 500514  
 Saipan, MP 96950

**RE: Section 106 Concurrence on Northern Marianas Housing Corporation's (NMHC) Affordable Rental Housing Supported by CDBG-DR Funding, Carolinas Heights area (Lot No. 060 T 04), Tinian**

Dear Mr. Palacios,

Thank you for reaching out to the Historic Preservation Office (HPO) in regards to Section 106 consultation for the above subject project.

The HPO had conducted a careful review of the accompanying general documentation you have provided and concurs with your findings of **Potential to Affect Historic Properties** determination and recommends archaeological monitoring during excavation and/or ground disturbance work activities for the NMHC's CDBG-DR client listed below.

- **Esteban M. Borja Jr. - Lot No. 060 T 04 - (Carolinas Heights, Tinian)**

In addition to the archaeological monitoring condition of the proposed project during excavation, we also ask that if the particulars of the project should be altered to include other areas not yet designated, or in the event of unforeseen findings of human remains occur during construction activities, then the project must cease, and notify the HPO for discussion on mitigation measures.

If there are any questions or comments you may have, please feel free to reach out to HPO at (670) 664-2120.

Sincerely,

John D. Palacios  
 Acting State Historic Preservation Officer

cc: HPO, Tinian



**NMHC- CDBG-DR  
 RECEIVED**

By:   
 Date: 2/15/2024  
 Time: 1:15 PM

## Historic Preservation (CEST and EA)

| General requirements  | Legislation  | Regulation   |
|---|--|--|
| Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects | Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) | <a href="#">36 CFR 800 "Protection of Historic Properties"</a> |
| <b>References</b>   |  |  |
| <a href="https://www.hudexchange.info/environmental-review/historic-preservation">https://www.hudexchange.info/environmental-review/historic-preservation</a>   |  |  |

### Threshold

#### Is Section 106 review required for your project?

- No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the [PA Database](#) to find applicable PAs.)

**Either provide the PA itself or a link to it here. Mark the applicable exemptions or include the text here:**

→ Continue to the Worksheet Summary.

- No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

**Either provide the memo itself or a link to it here. Explain and justify the other determination here:**

The project is located in Carolinas Heights, Tinian, MP 96952 on Lot Number 060 T 04.

Archaeological monitoring is recommended during any subsurface construction activities within the APE.

→ Continue to the Worksheet Summary.

- Yes, because the project includes activities with potential to cause effects (direct or indirect). → Continue to Step 1.

### **The Section 106 Process**

After determining the need to do a Section 106 review, initiate consultation with regulatory and other interested parties, identify and evaluate historic properties, assess effects of the project on properties listed on or eligible for the National Register of Historic Places, and resolve any adverse effects through project design modifications or mitigation.

Note that consultation continues through all phases of the review.

Step 1: Initiate consultation

Step 2: Identify and evaluate historic properties

Step 3: Assess effects of the project on historic properties

Step 4: Resolve any adverse effects

### **Step 1 - Initiate Consultation**

The following parties are entitled to participate in Section 106 reviews: Advisory Council on Historic Preservation; State Historic Preservation Officers (SHPOs); federally recognized Indian tribes/Tribal Historic Preservation Officers (THPOs); Native Hawaiian Organizations (NHOs); local governments; and project grantees. The general public and individuals and organizations with a demonstrated interest in a project may participate as consulting parties at the discretion of the RE or HUD official. Participation varies with the nature and scope of a project. Refer to HUD's website for guidance on consultation, including the required timeframes for response. Consultation should begin early to enable full consideration of preservation options.

Use the [When To Consult With Tribes checklist](#) within [Notice CPD-12-006: Process for Tribal Consultation](#) to determine if you should invite tribes to consult on a particular project. Use the [Tribal Directory Assessment Tool \(TDAT\)](#) to identify tribes that may have an interest in the area where the project is located. Note that consultants may not initiate consultation with Tribes.

**Select all consulting parties below (check all that apply):**

- State Historic Preservation Officer (SHPO)
- Advisory Council on Historic Preservation
- Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native
- Hawaiian Organizations (NHOs)

**List all tribes that were consulted here and their status of consultation:**

- Other Consulting Parties



**List all consulting parties that were consulted here and their status of consultation:**

**Describe the process of selecting consulting parties and initiating consultation here:**

*Provide all correspondence, notices, and notes (including comments and objections received) and continue to Step 2.*

**Step 2 - Identify and Evaluate Historic Properties**

**Define the Area of Potential Effect (APE), either by entering the address(es) or providing a map depicting the APE. Attach an additional page if necessary.**

Gather information about known historic properties in the APE. Historic buildings, districts and archeological sites may have been identified in local, state, and national surveys and registers, local historic districts, municipal plans, town and county histories, and local history websites. If not already listed on the National Register of Historic Places, identified properties are then evaluated to see if they are eligible for the National Register.

Refer to HUD's website for guidance on identifying and evaluating historic properties.

**In the space below, list historic properties identified and evaluated in the APE.**

Every historic property that may be affected by the project should be listed. For each historic property or district, include the National Register status, whether the SHPO has concurred with the finding, and whether information on the site is sensitive. Attach an additional page if necessary.

Provide the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination.

**Was a survey of historic buildings and/or archeological sites done as part of the project?**

If the APE contains previously unsurveyed buildings or structures over 50 years old, or there is a likely presence of previously unsurveyed archeological sites, a survey may be necessary. For Archeological surveys, refer to HP Fact Sheet #6, [Guidance on Archeological Investigations in HUD Projects](#).

- Yes → *Provide survey(s) and report(s) and continue to Step 3.*

Additional notes:

- No → *Continue to Step 3.*

**Step 3 - Assess Effects of the Project on Historic Properties**

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. ([36 CFR 800.5](#)) Consider direct and indirect effects as applicable as per HUD guidance.

**Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.**

- No Historic Properties Affected

**Document reason for finding:**

- No historic properties present. → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*
- Historic properties present, but project will have no effect upon them. → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to ([36 CFR 800.4\(d\)\(1\)](#)) and consult further to try to resolve objection(s).

- No Adverse Effect

**Document reason for finding:**

**Does the No Adverse Effect finding contain conditions?**

Yes

**Check all that apply:** (check all that apply)

- Avoidance
- Modification of project
- Other

**Describe conditions here:**

→ *Monitor satisfactory implementation of conditions. Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

No → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to [\(36 CFR 800.5\(c\)\(2\)\)](#) and consult further to try to resolve objection(s).

Adverse Effect

**Document reason for finding:**

Copy and paste applicable Criteria into text box with summary and justification.

Criteria of Adverse Effect: [36 CFR 800.5](#)

Notify the Advisory Council on Historic Preservation of the Adverse Effect and provide the documentation outlined in [36 CFR 800.11\(e\)](#). The Council has 15 days to decide whether to enter the consultation (Not required for projects covered by a Programmatic Agreement).

→ *Continue to Step 4.*

#### **Step 4 - Resolve Adverse Effects**

Work with consulting parties to try to avoid, minimize or mitigate adverse effects. Refer to HUD guidance and [36 CFR 800.6 and 800.7](#).

#### **Were the Adverse Effects resolved?**

Yes

**Describe the resolution of Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation:**

**For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Provide signed Memorandum of Agreement (MOA) or Standard Mitigation Measures Agreement (SMMA). Continue to the Worksheet Summary.*

No

The project must be cancelled unless the "Head of Agency" approves it. Either provide approval from the "Head of Agency" or cancel the project at this location.

**Describe the failure to resolve Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation and "Head of the Agency":**

**Explain in detail the exact conditions or measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Provide correspondence, comments, documentation of decision, and "Head of Agency" approval. Continue to the Worksheet Summary.*

**Worksheet Summary**

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is located in Carolinas Heights, Tinian, MP 96952 on Lot Number 060 T 04.

Archaeological monitoring is recommended during any subsurface construction activities within the APE.

**Are formal compliance steps or mitigation required?**

Yes

No



**NORTHERN MARIANAS HOUSING CORPORATION**  
**Community Development Block Grant – Disaster Recovery (CDBG-DR) Division**  
P.O. BOX 500514, Saipan, MP 96950-0514  
Email: [cnmi-cdbg-dr@nmhcgov.net](mailto:cnmi-cdbg-dr@nmhcgov.net)  
Website: <http://www.cnmi-cdbgdr.com>

Tels: (670)233-9447  
233-9448  
233-9449  
233-9450  
Fax: (670)233-9452

February 9, 2024

Mr. John D. Palacios  
Acting State Historic Preservation Officer  
Historic Preservation Office  
P.O. Box 500090  
Saipan, MP 96950

**Re: Determination of “Historic Properties Affected” for NMHC Affordable Rental Housing Supported by CDBG-DR Funding**

Dear Mr. Palacios,

This letter pertains to **Esteban M. Borja, Jr.; Mountain View Estates** multifamily or apartment project located at **Carolinas Heights**, on the island of Tinian, Commonwealth of the Northern Marianas Islands. The **Mountain View Estates** project site is located on **Lot Number 060 T 04**.

The proposed project will be funded by the Department of Housing and Urban Development (HUD) through the Community Development Block Grant - Disaster Recovery Program (CDBG-DR).

This project has been identified as an “undertaking” with respect to the National Historic Preservation Act (NHPA) of 1996, as amended. This consultation is therefore being conducted in accordance with Section 6 of the NHPA and implementing regulations found in 36 CFR § Part 800.

The project site was inspected by Mr. Dave Perzinski of Applied Archaeology, Inc.

Based on their findings, which was stated in the "Evaluation and Recommendation" section of their survey report:

“Based on the above findings, Applied Archaeology finds that the proposed undertaking has the **POTENTIAL TO AFFECT HISTORIC PROPERTIES** during the construction of the affordable rental properties. To mitigate any adverse effect to potential sites or deposits within the APE, **ARCHAEOLOGICAL MONITORING** is recommended during any subsurface construction activities within the APE.”

For your review, copies of these reports are attached herewith.



**Tinian Field Office**  
Tel: (670)433-9213  
Fax: (670)433-3690

**“NMHC is an equal employment and fair housing public agency”**

**CDBG-DR Office**  
Tel: (670)233-9447/9448/9449

**Rota Field Office**  
Tel: (670)532-9410  
Fax: (670)532-9441



**NORTHERN MARIANAS HOUSING CORPORATION**  
**Community Development Block Grant – Disaster Recovery (CDBG-DR) Division**

P.O. BOX 500514, Saipan, MP 96950-0514

Email: [cnmi-cdbg-dr@nmhcgov.net](mailto:cnmi-cdbg-dr@nmhcgov.net)

Website: <http://www.cnmi-cdbgdr.com>

Tels: (670)233-9447

233-9448

233-9449

233-9450

Fax: (670)233-9452

If you agree with our determination, please sign and date on the area provided and return it to our NMHC CDBG-DR office, located on the 3<sup>rd</sup> floor of the Ladera Bldg. along Beach Road. If you disagree, we request that you submit a written response to our request so that we can continue the consultation process.

If you have any questions or require additional information, please feel free to Jolina P. Ada at [drhousingspecialist1@nmhcgov.net](mailto:drhousingspecialist1@nmhcgov.net) or our office at (670)233-9447/9448/9449/9450.

Sincerely,

Jesse S. Palacios  
*Corporate Director*

**CONCURRED BY:**

\_\_\_\_\_  
John D. Palacios  
*Acting State Historic Preservation Officer*

\_\_\_\_\_  
Date

Enclosure(s): Scope of Work  
Map of Property  
Applied Archaeology Survey Report

Cc: CDBG-DR Housing Administrator  
File



**Tinian Field Office**  
Tel: (670)433-9213  
Fax: (670)433-3690

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Tel: (670)233-9447/9448/9449

**Rota Field Office**  
Tel: (670)532-9410  
Fax: (670)532-9441



# APPENDIX H

*Commonwealth Zoning Board*



**NORTHERN MARIANAS HOUSING CORPORATION**  
**Community Development Block Grant – Disaster Recovery (CDBG-DR) Division**  
P.O. BOX 500514, Saipan, MP 96950-0514  
Email: [cnmi-cdbg-dr@nmhcgov.net](mailto:cnmi-cdbg-dr@nmhcgov.net)  
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Tels: (670)233-9447  
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233-9450  
Fax: (670)233-9452

January 18, 2024

Ms. Therese T. Ogumoro  
Zoning Administrator  
Commonwealth Zoning Board  
P.O. Box 10007  
Saipan, MP 96950

**Re: Request for a Zoning Certification**

Dear Ms. Ogumoro,

The Northern Marianas Housing Corporation (NMHC) is in the process of preparing the Environmental Assessment Statutory Checklist (24 CFR § 58.36) for **Esteban M. Borja, Jr.; Mountain View Estates** multifamily or apartment project located at **Carolinas Heights**, on the island of **Tinian**. The **Mountain View Estates** project site is located on **Lot Number 060 T 04**.

The proposed project will be funded by the Department of Housing and Urban Development (HUD) through the Community Development Block Grant - Disaster Recovery Program (CDBG-DR).

We kindly request for your concurrence in certifying that the project is acceptable based on the Zoning law. This concurrence will not constitute an approval for a permit.

If you have any questions or require additional information, please feel free to contact Jolina P. Ada at [drhousing specialist1@nmhcgov.net](mailto:drhousing specialist1@nmhcgov.net) or our office at (670)233-9447/9448/9449/9450.

Sincerely,

  
Melvin B. Sablan  
*CDBG-DR Housing Administrator*

Enclosure(s): Scope of Work  
Map of Property

Cc: Corporate Director  
File



**Tinian Field Office**  
Tel: (670)433-9213  
Fax: (670)433-3690

**“NMHC is an equal employment and fair housing public agency”**

**CDBG-DR Office**  
Tel: (670)233-9447/9448/9449

**Rota Field Office**  
Tel: (670)532-9410  
Fax: (670)532-9441

# APPENDIX I

*Sole Source Aquifers*

## Sole Source Aquifer Designations in EPA, Region 9

The U.S. EPA's Sole Source Aquifer Program was established under Section 1424(e) of the U.S. Safe Drinking Water Act (SDWA.) Since 1977, it has been used by communities to help prevent contamination of groundwater from federally-funded projects. It has increased public awareness of the vulnerability of groundwater resources.

**How did this program start?** SDWA regulations implementing the sole source aquifer statute were first proposed in 1977 for the Edwards Underground Reservoir in San Antonio, Texas. These regulations guided U.S. EPA in the subsequent designation of 64 sole source aquifers across the United States.

**What does the Sole Source Aquifer Program do?** The Sole Source Aquifer program allows for EPA environmental review of any project which is financially assisted by federal grants or federal loan guarantees. These projects are evaluated to determine whether they have the potential to contaminate a sole source aquifer. If there is such a potential, the project should be modified to reduce or eliminate the risk, or federal financial support may be withdrawn. This doesn't mean that the Sole Source Aquifer program can delay or stop development of landfills, roads, publicly owned wastewater treatment works or other facilities. Nor can it impact any direct federal environmental regulatory or remedial programs, such as permit decisions.

The Sole Source Aquifer Program's review authority extends only to projects funded with **federal assistance** that are to be implemented in designated sole source aquifer areas. (For regulations applicable to new private development, you should consult with your local, county or state environmental health agency.)

Typical projects reviewed by the U.S. EPA include housing projects undertaken by Housing and Urban Development, and highway construction and expansion projects undertaken by the Federal Highway Administration. In 1991, the U.S. EPA reviewed 152 federal assistance projects totaling \$571 million; of these projects, 25 had to be modified to prevent contamination of sole source aquifers. Modifications included the redesign of bridges and highways to prevent spills of hazardous materials.

**How do you designate an aquifer as a "Sole Source" Aquifer?** As the name implies, only a "sole source" aquifer can qualify for the program. To be a sole source, the aquifer must supply more than 50% of a community's drinking water. Any individual, corporation, association, or federal, state or



local agency may petition the U.S. EPA for sole source aquifer designation, provided the petition includes sufficient hydrogeologic information. An outline describing how such petitions should be prepared is contained in *The Sole Source Aquifer Designation Petitioner Guidance*, copies of which are available at EPA Regional offices (see contact information below.)

**What about Boundaries?** Determination of sole source aquifer boundaries is a difficult aspect of the designation process since the "designated area includes the surface area above the aquifer and its recharge area." Thus, some sole source aquifers extend across state boundaries. The 10,000 square-mile Eastern Snake River Aquifer, for example, includes portions of Idaho, Nevada, Utah, and Wyoming.

In Region 9: nine sole source aquifers have been designated in the following areas as shown on the map: Upper Santa Cruz and Avra Basin Aquifer, covering parts of Pima, Pinal, and Santa Cruz Counties, Arizona; Naco-Bisbee Aquifer, Arizona; Ocotillo-Coyote Wells, Imperial County, California; Fresno Aquifer, California; Scotts Valley Aquifer, Santa Cruz County, California; Campo-Cottonwood Aquifer, San Diego County, California; Northern Guam Aquifer, Guam; Southern Oahu Aquifer, Hawaii; and Molokai Aquifer, Hawaii.

Region 9 SSA maps are on the web at [www.epa.gov/safewater/ssanp.html](http://www.epa.gov/safewater/ssanp.html). For more information about SSA designation and project reviews, please call David Albright, manager of the Ground Water Office, at (415) 972-3971 or email [albright.david@epa.gov](mailto:albright.david@epa.gov).



## Sole Source Aquifers (CEST and EA)

| General requirements  | Legislation  | Regulation      |
|---|--|-----------------|
| The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health. | Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349) | 40 CFR Part 149 |
| Reference   |  |                 |
| <a href="https://www.hudexchange.info/environmental-review/sole-source-aquifers">https://www.hudexchange.info/environmental-review/sole-source-aquifers</a>   |  |                 |

**1. Does your project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?**

Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

No → *Continue to Question 2.*

**2. Is the project located on a sole source aquifer (SSA)<sup>1</sup>?**

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area.*

Yes → *Continue to Question 3.*

**3. Does your region have a memorandum of understanding (MOU) or other working agreement with EPA for HUD projects impacting a sole source aquifer?**

Contact your Field or Regional Environmental Officer or visit the HUD webpage at the link above to determine if an MOU or agreement exists in your area.

Yes → *Provide the MOU or agreement as part of your supporting documentation. Continue to Question 4.*

No → *Continue to Question 5.*

**4. Does your MOU or working agreement exclude your project from further review?**

Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination and document where your project fits within the MOU or agreement.*

No → *Continue to Question 5.*

---

<sup>1</sup> A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

**5. Will the proposed project contaminate the aquifer and create a significant hazard to public health?**

Consult with your Regional EPA Office. Your consultation request should include detailed information about your proposed project and its relationship to the aquifer and associated streamflow source area. EPA will also want to know about water, storm water and waste water at the proposed project. Follow your MOU or working agreement or contact your Regional EPA office for specific information you may need to provide. EPA may request additional information if impacts to the aquifer are questionable after this information is submitted for review.

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide your correspondence with the EPA and all documents used to make your determination.*

Yes → *Work with EPA to develop mitigation measures. If mitigation measures are approved, attach correspondence with EPA and include the mitigation measures in your environmental review documents and project contracts. If EPA determines that the project continues to pose a significant risk to the aquifer, federal financial assistance must be denied. Continue to Question 6.*

**6. In order to continue with the project, any threat must be mitigated, and all mitigation must be approved by the EPA. Explain in detail the proposed measures that can be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

**Worksheet Summary**

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is located in Carolinas Heights, Tinian, MP 96952 on Lot Number 060 T 04.

There are no Sole Source Aquifers in the CNMI.

**Are formal compliance steps or mitigation required?**

Yes

No



# APPENDIX J

*Wild and Scenic Rivers*



# NATIONAL WILD AND SCENIC RIVERS SYSTEM



NATIONAL SYSTEM

MANAGEMENT

RESOURCES

PUBLICATIONS

CONTACT US

50 YEARS

SITE INDEX



## HAWAII

Hawaii has approximately 3,905 miles of river, but no designated wild & scenic rivers



esri

+ View larger map

Hawaii does not have any designated rivers

### EXPLORE DESIGNATED RIVERS



Hawaii

Choose A River

*Dark and foreboding one minute, sun-drenched and exploding with color the next, tropical rivers span every mood.*



## Wild and Scenic Rivers (CEST and EA)

| General requirements  | Legislation   | Regulation      |
|---|---|-----------------|
| The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development. | The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c)) | 36 CFR Part 297 |
| References  |   |                 |
| <a href="https://www.hudexchange.info/environmental-review/wild-and-scenic-rivers">https://www.hudexchange.info/environmental-review/wild-and-scenic-rivers</a>   |   |                 |

### 1. Is your project within proximity of a NWSRS river as defined below?

**Wild & Scenic Rivers:** These rivers or river segments have been designated by Congress or by states (with the concurrence of the Secretary of the Interior) as wild, scenic, or recreational

**Study Rivers:** These rivers or river segments are being studied as a potential component of the Wild & Scenic River system.

**Nationwide Rivers Inventory (NRI):** The National Park Service has compiled and maintains the NRI, a register of river segments that potentially qualify as national wild, scenic, or recreational river areas

No

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map identifying the project site and its surrounding area or a list of rivers in your region in the Screen Summary at the conclusion of this screen.*

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

→ *Continue to Question 2.*

### 2. Could the project do any of the following?

- Have a direct and adverse effect within Wild and Scenic River Boundaries,
- Invade the area or unreasonably diminish the river outside Wild and Scenic River Boundaries, or
- Have an adverse effect on the natural, cultural, and/or recreational values of a NRI segment.

Consultation with the appropriate federal/state/local/tribal Managing Agency(s) is required, pursuant to Section 7 of the Act, to determine if the proposed project may have an adverse effect on a Wild & Scenic River or a Study River and, if so, to determine the appropriate avoidance or mitigation measures.

Note: Concurrence may be assumed if the Managing Agency does not respond within 30 days; however, you are still obligated to avoid or mitigate adverse effects on the rivers identified in the NWSRS

No, the Managing Agency has concurred that the proposed project will not alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Yes, the Managing Agency was consulted and the proposed project may alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Continue to Question 3.*

- 3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

### **Worksheet Summary**

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is located in Carolinas Heights, Tinian, MP 96952 on Lot Number 060 T 04.

There are no Wild and Scenic Rivers in the CNMI

**Are formal compliance steps or mitigation required?**

Yes

No

# REPORTS

**APPLIED ARCHAEOLOGY, INC.**  
**ARCHAEOLOGICAL SURVEY REPORT**

---

**Report Title:** Survey of An Affordable Rental Housing Site in Carolinas Heights, Tinian, for the Northern Marianas Housing Corporation, CDBG-DR

**Island:** Tinian

**Village:** Carolinas Heights

**Lot/Tract Number:** 060 T 04

**GPS Coordinates:** N 14.960637, E 145.640556

**Lot Size:** 10,000 square meters (1.0000 ha)

**Applicant Name:** Esteban Borja

**Program Type:** Affordable Rental Housing

**Principal Investigator:** Michael F. Dega, Ph.D.

**NMHC Field Representative:** Elias Borja, Tyrone Aquiningoc, Elvin Reyes, Dolores Palacios

**Field Inspection by:** David Perzinski, M.A.

**Inspection Date:** 2/5/2024

**Report Prepared by:** D. Perzinski

**Report Date:** 2/8/2024

**Evaluation:** Potential to Affect Historic Properties

**Recommendations:** Archaeological Monitoring

**Description of the Undertaking:** The proposed undertaking would consist of the construction of an affordable rental housing complex and may include the installation of associated utilities. The work may also entail asphalt removal, and grading/filling activities required for the project. This activity has been found to meet the definition of an undertaking pursuant to Title 36 Code of Federal Regulations § 800.16(y). As a result, Northern Marianas Housing Corporation is required to comply with Section 106 of the NRHP.

The project area of potential effect (APE), background, and findings are presented below and illustrated in Figures 1 through 11.



Figure 1: Aerial Image Showing the Location of APE and Previously Identified Sites (Google Earth, 2022).





Figure 2: Aerial image showing location of studies and sites near the APE.



*Figure 3: Lot 060 T 04 View west along southern boundary from southeast corner (photo: D. Perzinski 2/5/24).*



*Figure 4: Lot 060 T 04 View northwest from southeast corner (photo: D. Perzinski 2/5/24).*



*Figure 5: Lot 060 T 04 View of interior tangantangan growth (photo: D. Perzinski 2/5/24).*



*Figure 6: Lot 060 T 04 View of interior grassy area (photo: D. Perzinski 2/5/24).*



*Figure 7: Lot 060 T 04 View of cobble mound near northwest corner of lot (photo: D. Perzinski 2/5/24).*



*Figure 8: Lot 060 T 04 View of soil mound (right) and cobble mound (left) (photo: D. Perzinski 2/5/24).*



Figure 9: Photomosaic map of Tinian in 1946 showing location of APE (courtesy of CNMI-HPO).



Figure 10: Portion of 1953 map of southwestern Tinian showing location of APE (Courtesy of CNMI-HPO)..

# CNMI-HPO National Historic Landmarks and Sensitive Areas



Figure 11: USGS Map showing NMHC ARH APE within archaeologically sensitive zone.

## SEARCH:

### **Previous Inventories:**

**Within APE: 1**

**Within 500 meters: 2**

### **Previously Recorded Sites:**

**Within APE: 0**

**Within 500 meters: 3**

### **NRHP of NHL Sites**

**Within APE: 0**

**Within 500 meters: 0**

**Within HPO Archaeological Sensitivity Zone? Yes**

## RESULTS OF FIELDWORK:

**Methods:** Archaeological field inspection and pedestrian survey.

**Topography of Survey Area:** The lot is located on a moderate east to west slope that has some undulation across the ground surface.

**Elevation:** 32-43 meters

**Soils:** Young (1989:10) described the soils as shallow and moderately steep Dandan-Chinen soils that are well drained and located on limestone plateaus on Tinian and Rota. On site observations of the surface soil noted strong brown clay loam agricultural soils.

**Vegetation:** The vegetation in the APE consists of secondary tangantangan (*Leucaena leucocephala*), coral berry, lantana and various vines and grasses.

### **Has the APE been disturbed? If yes, describe:**

Currently the APE is undeveloped and unused with a thick secondary forest of tangantangan (Figures 2-5). During the Japanese Plantation Era, the APE was within "Agricultural Land #1" and under sugar cane cultivation. A photomosaic of the island taken in 1946 shows the project area in former agricultural fields (Figure 8). During WWII it is likely that the APE, like the rest of Tinian, endured bombing and combat operations. Following the war it is unclear if any cleanup activities took place on the land, though a U.S. Army unit was headquartered to the south of the APE (Figure 9).

### **Survey Results:**

**Eligible Properties: 0**

**Isolates: 5**



## **SUMMARY OF FINDINGS:**

Per 36 CFR §800.4(b)(1), Applied Archaeology made reasonable and good faith identification efforts to determine if any historic properties exist within or near the area of potential effect. The research included literature searches for previous archaeological studies and searches on the NRHP and National Historic Landmark databases. Applied Archaeology also conducted a pedestrian survey and pre-construction inspection to identify any existing sites or deposits and evaluate the undertaking's potential to affect historic properties within the APE.

A literature search at the CNMI HPO identified a singly archaeological survey that was conducted on portions of Carolinas Heights that included the APE. Bodner (1994) identified three sites within 500 m of the APE that included two historic Japanese Period house sites (TN-4-307 and TN-4-309) and a Japanese defensive position (TN-?-308). Both house sites contained remnant foundations and scatters of household goods (bottle glass, ceramics). The defensive position was described as a "slight oblong depression lined with rock-filled metal drums" (Bodner, 1994:60). Historic photographs and maps show that the land was used for agriculture during the Japanese Period and appears to have laid fallow, or occasionally cleared, in the ensuing years.

The pedestrian survey identified five soil and cobble mounds within the property that may have functioned as agricultural clearing mounds or possibly Japanese defensive positions. The mounds were identified in the western portion of the land, but due to many swarms of boonie wasps and several stings to the crew, the eastern one-third of the lot was not surveyed.

## **EVALUATION AND RECOMMENDATION:**

An archaeological assessment and pedestrian survey covering 100% of the APE was conducted on February 5, 2024, by Applied Archaeology. Observations were made on the current site conditions and probability of subsurface deposits were made based on previous archaeological research in the area, historic aerial photos, and the level of disturbance to the existing property. Based on historic aerial photos it appears that the APE was formerly within agricultural fields. The current pedestrian survey of the project area covered 100% of the APE found evidence of agricultural clearing mounds and/or Japanese defensive positions in the western portion of the property.

Based on the above findings, Applied Archaeology finds that the proposed undertaking has the **POTENTIAL TO AFFECT HISTORIC PROPERTIES** during the construction of the affordable rental properties. To mitigate any adverse effect to potential sites or deposits within the APE, **ARCHAEOLOGICAL MONITORING** is recommended during any subsurface construction activities within the APE. If during the course of any unmonitored construction activities any archaeological or historic sites or deposits are encountered, all construction activities will cease. HPO will be notified of the find and work will cease until measures are taken to minimize or reduce harm to the site or deposit.

Signature of Principal Investigator:

A handwritten signature in black ink, appearing to read "M. F. Dega". The signature is written in a cursive style with a prominent loop at the beginning.

Michael F. Dega, Ph.D., Applied Archaeology

## REFERENCES

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- 1994 *Reconnaissance Archaeological Site Survey of the MPLC Agricultural Homesteads and Carolinas Heights Homestead Subdivision Marpo and North Carolinas Areas, Tinian, Commonwealth of the Northern Mariana Islands.* International Archaeological Research Institute, Inc., Honolulu, HI. Prepared for Marianas Public Land Corporation, Saipan, Mariana Islands 96950.

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In Progress

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- 1960 *The Vegetation of Micronesia. I. General Descriptions, the Vegetation of the Marianas Islands, and a Detailed Consideration of the Vegetation of Guam.* Bulletin of the American Museum of Natural History 119, Article 1. New York.

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- 1980 *Cultural Resource Inventory of the House of Taga Latte Site on Tinian.* Prepared for Historic Preservation Office of the Commonwealth of the Northern Mariana Islands, Saipan, Contract Number S80-108. Pacific Studies Institute, Agana, Guam.

Welch, David J.

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Young, Fred

1989

*Soil Survey of the Islands of Aguijan, Rota, Saipan and Tinian.* CNMI Soil Conservation Service, United States Department of Agriculture.



**NORTHERN MARIANAS HOUSING CORPORATION**  
 Community Development Block Grant – Disaster Recovery (CDBG-DR) Division  
 P.O. BOX 500514, Saipan, MP 96950-0514

Email: [cnmi-cdbg-dr@nmhcgov.net](mailto:cnmi-cdbg-dr@nmhcgov.net)  
 Website: <http://www.cnmi-cdbgdr.com>

Tels: (670)233-9447  
 233-9448  
 233-9449  
 233-9450  
 Fax: (670)233-9452

**Initial Site Inspection Checklist (New Construction)**

|  |                                 |
|--|---------------------------------|
| Project Location & Lot Number: <u>Carolinas Heights, Tinian-LOT# 060 T 04</u>  |                                 |
| Applicant Name(s) & Contact Number: <u>Esteban M. Borja Jr. (670)-286-7382</u> |                                 |
| Inspector(s): <u>Elias C. Borja/Tyrone M. Aquinoc</u>                          | Date Completed: <u>09/26/22</u> |

Please provide further information in the comments section for each of the items listed below:

| FINDINGS   | YES | NO | N/A | COMMENTS              |
|--|-----|----|-----|-----------------------|
| Identifiable Boundary Markers                              |     | ✓  |     |                       |
| Substantially Uneven Terrain                               | ✓   |    |     | <i>sloped terrain</i> |
| Property has been cleared                                  |     | ✓  |     |                       |
| Waterways present or near property                         |     |    |     |                       |
| Registered in the National Register of Historic Properties |     | ✓  |     |                       |

\* All inspection reports must be accompanied by pictures of the site being inspected.

Further Notes: Please see attached report  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I certify to the best of my knowledge and understanding that all information on this form is correct.

*Elias C. Borja*  
 Inspector Signature

*Esteban M. Borja Jr.*  
 Client Signature



Tinian Field Office  
 Tel: (670)433-9213  
 Fax: (670)433-3690

“NMHC is an equal employment and fair housing public agency”

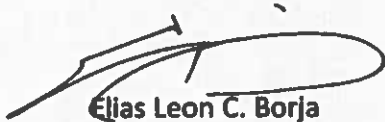
CDBG-DR Office  
 Tel: (670)233-9447/9448/9449

Rota Field Office  
 Tel: (670)532-9410  
 Fax: (670)532-9441

## Initial Inspection Report

**Client: Esteban M. Borja Jr.**  
**Location: Carolinas Heights, Tinian**  
**Lot Number: 060 T 04**  
**Inspection Date: 09/26/22**

Met with client Esteban M. Borja at his property at around 1430PM. I took photos of the property and discussed with him the extent of the proposed lot to be constructed on. Client states that there are five markers total, although only one boundary marker is currently identifiable (South West). There are existing utility services available but no service is currently connected to the lot. The property sits on a sloped area of a hillside with a single dirt road providing access to and from the property. The property appears to be overgrown with vegetation and there is no access in or around the property. The client is currently working with a surveying company to properly mark all boundary markers. Once the lot is cleared and all markers are identified, a second inspection will be performed on the lot.



**Elias Leon C. Borja**  
**Construction Inspector-Tinian**





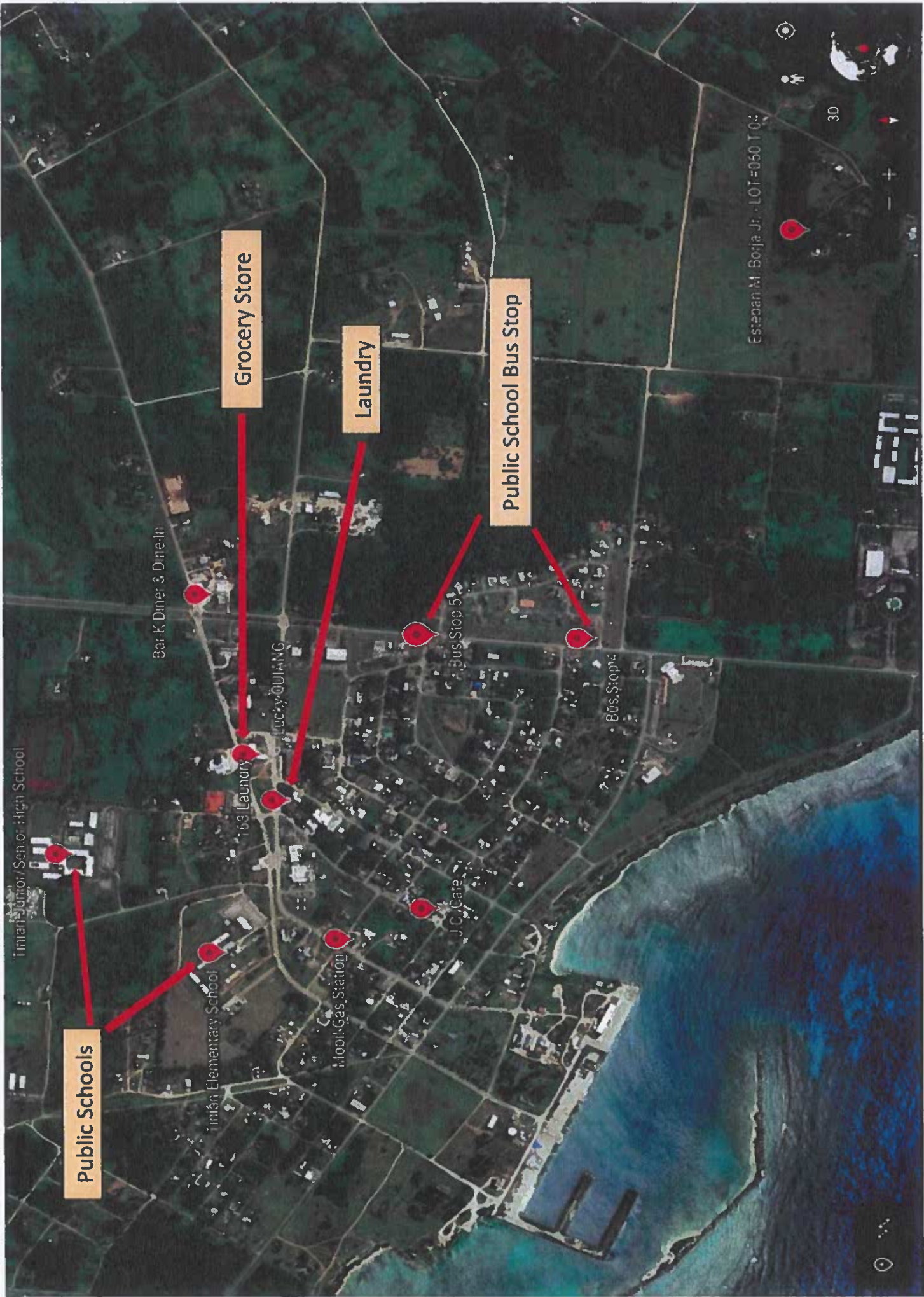


**Existing Utilities Present  
(Power & Water)**



**Potential Southeast  
Boundary Location**





Public Schools

Grocery Store

Laundry

Public School Bus Stop

Tinian Junior/Senior High School

Tinian Elementary School

Bar-K Diner & Dine-In

168 Laundry

LUCKY QUANG

Mobil Gas Station

J.C. Gate

Bus Stop 5

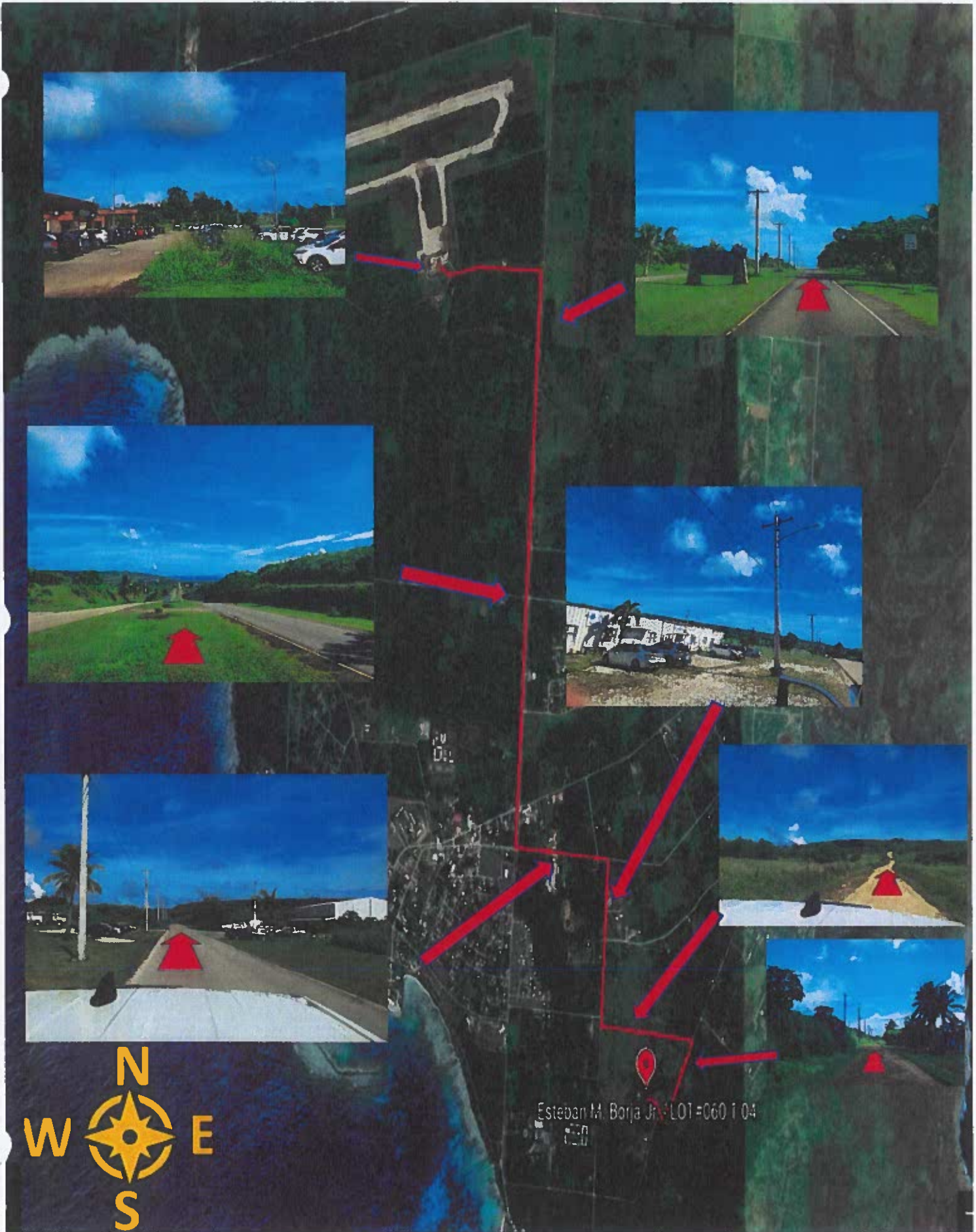
Bus Stop 4

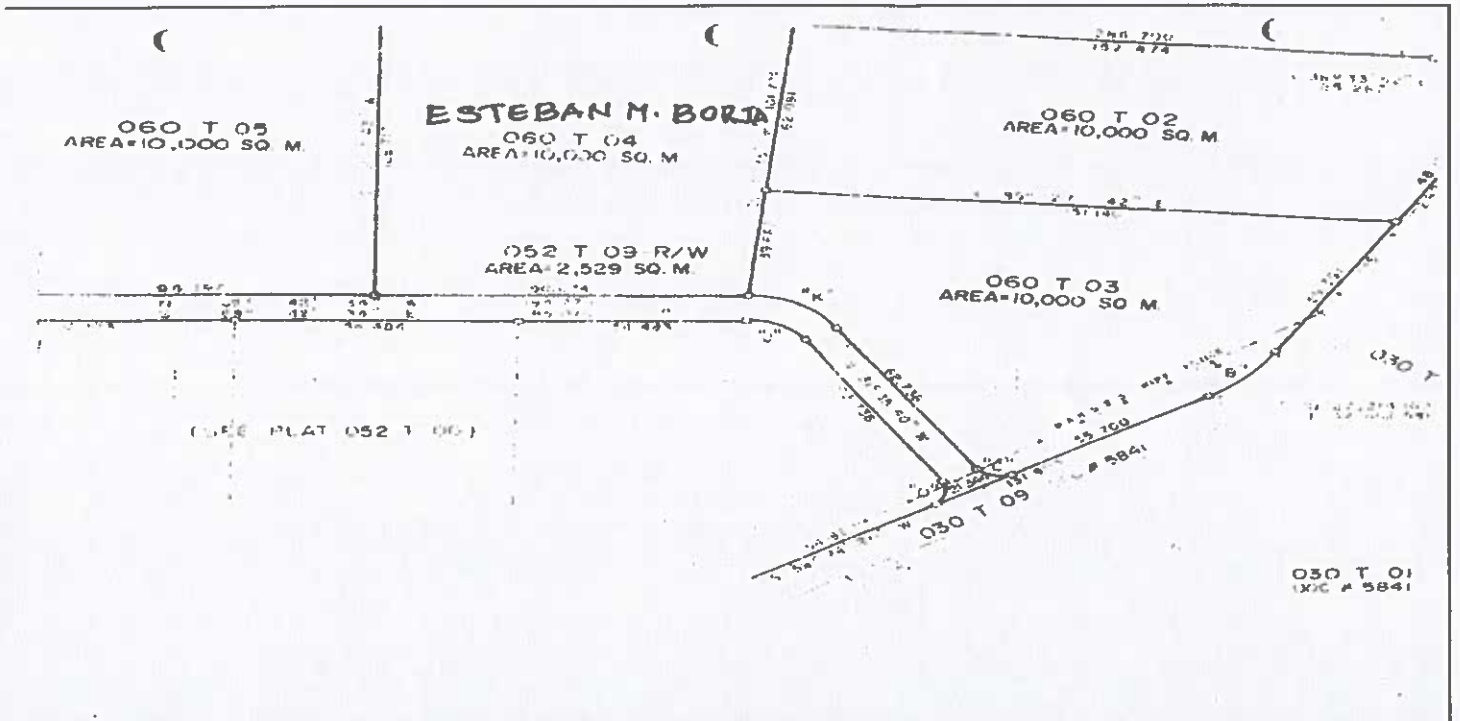
Esteban M. Borja Jr. - LOT #060 T.O.

3D



Esteban M. Barja Jr. LOT=060104





# SCOPE OF WORK/ DRAWINGS



# HONG YE RENTAL & CONSTRUCTION LTD

3786 Afetnas Rd, Saipan, MP 96950

Office: (670) 235-8770 | [info@hyconstr.com](mailto:info@hyconstr.com) | <https://hyconstr.co/>

## Scope of Work for 5-Unit Apartment Building Tinian CDBGDR Raquel Borja

### 1. Project Overview

Location: Tinian, Northern Mariana Islands

Building Type: U-shaped apartment building, Design-Build

Units: 5 apartments, each with 2 bedrooms and 1 bathroom, measuring 900 square feet each

### 2. Design and Planning

Approach: Design-Build for streamlined planning and construction

Architectural Design:

- U-shaped layout for optimal space utilization and privacy
- Each unit measures 900 square feet
- Provision for natural light and ventilation

Structural Design:

- Compliance with local building codes
- Earthquake and typhoon-resistant design

Utility Planning:

- Electrical, plumbing, and sewage systems
- Water supply and drainage

### 3. Construction Materials

Primary Material: CMU or hollow block construction

Roofing: Concrete roof slab, typhoon-resistant

Flooring: Ceramic tiles over concrete floor slab

Windows: Aluminum, typhoon-resistant

Doors: Solid mahogany, durable and aesthetically pleasing

### 4. Construction Process

Site Preparation: Clearing, grading, and foundation work

Building Construction:

- Laying CMU blocks for walls
- Installation of concrete roof slab, doors, and windows
- Interior and exterior finishing with ceramic tiles and other materials

Utilities Installation: Electrical, plumbing, and HVAC systems

Landscaping: Basic landscaping for common areas

### 5. Project Management

Timeline: 10 months from commencement to completion

Budget: Estimated cost breakdown TBD

Quality Control: Regular inspections and compliance checks

Safety Management: Adherence to safety protocols

### 6. Legal and Regulatory Compliance



# HONG YE RENTAL & CONSTRUCTION LTD

3786 Afetnas Rd, Saipan, MP 96950

Office: (670) 235-8770 | [info@hyconstr.com](mailto:info@hyconstr.com) | <https://hyconstr.co/>

Permits and Approvals: Securing necessary local permits

Environmental Regulations: Ensuring environmental compliance

## **7. Warranty and Maintenance**

Warranty Period: 1 year for construction and materials