



Commonwealth of the Northern Mariana Islands

Division of Environmental Quality

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June 26, 1995

Jose R. Lifoifoi, Chairman
Committee on Land and Personal Rights
Third Northern Mariana Island Constitutional Convention
Caller Box 10007
Saipan, MP 96950

Dear Mr. Chairman:

Thank you for the opportunity to provide comments on the proposal of the formation of the Commonwealth Environmental Protection Board. In general, we agree with the intent of the proposal for the formation of a Commonwealth Environmental Protection Board but we are also concerned about the potentially large direct impact this proposal may have on our agency. Our comments are as follows:

- 1) As we understand it, one of the principal goals of the Environmental Protection Board is to provide the public with one-stop permitting. Although this idea has merit, it will be difficult to implement. The permitting for the affected agencies involves different areas of expertise. For example, the Historical Preservation Office will examine its permit from a completely different perspective from that of the Division of Environmental Quality. There will be no practical time-saving aspect of the revised permit issuance process.
- 2) **The closest way to create a "one-stop" permitting process is to physically relocate all of the affected agencies to one structure or location.** There are very definite advantages to this arrangement but this proposal should be examined from a cost-effective basis. The advantages are that the public will be able to inquire on the status of their permits in an expedited manner and the permitting agencies can coordinate when overlapping jurisdictions arise on an affected project. The disadvantage of this proposal is identifying funding for each of the affected agencies to perform the office and lab moves. Other than physical relocation, we can see no real advantage to combining these agencies under one Board for the purposes of permitting. Without physically relocation, the public will view the Board as another layer of bureaucracy.
- 3) We are concerned about the combining of personnel, assets, and funds from the different agencies into one Board. There may be some legal and programmatic difficulties if the federal funds were to be used for anything

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other than its intended purpose. We suggest that the Committee seek clarification and guidance from each agency on what restrictions there may be with their federal funding. We will be willing to discuss the restrictions we receive from the United States Environmental Protection Agency.

4) We also believe that the Committee should consider the affect of direct politics on the role of a regulatory agency. Ideally, the regulatory agency is mandated by specific laws and regulations with responsibilities to perform regardless of the changes in the political climate. It is quite conceivable that the elected Board will be comprised of members of different political parties. The elected members will represent conflicting agendas and the result may be a political gridlock of the regulatory process.

It is our understanding that the Third Constitutional Convention is in the process of reviewing quite a large number of proposals. We appreciate the effort you have put into seeking our input into this single proposal and we will be willing to explain to the Committee in greater detail, some of our thoughts on this matter. I can be reached at 234-1011 or by fax at 234-1003.

Sincerely,

A handwritten signature in black ink, appearing to read 'John I. Castro, Jr.', with a long horizontal line extending to the right.

JOHN I. CASTRO, JR.
DIRECTOR

cc: Secretary, DPW