

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

**PUBLIC NOTICE**  
**03/28/2023**

This Notice is paid by NMHC with HUD funds.

**NOTICE OF FINDING OF NO SIGNIFICANT IMPACT  
AND NOTICE OF INTENT TO REQUEST A RELEASE OF FUNDS**

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

This notice shall satisfy the above-cited two separate but related procedural notification requirements.

**REQUEST FOR RELEASE OF FUNDS**

On or after April 14, 2023, 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
Construction of Lotus Homes, LLC. Multi Family/Apartment Project (GAP FILLER)	The Northern Marianas Housing Corporation (NMHC) recognizes the continuing need for affordable rental housing for our low-income families and especially for those who have been affected by Super Typhoon Yutu.	Gualo Rai, Saipan Lot No. TR.22642 NEW-2	\$8,000,000.00

**FINDING OF NO SIGNIFICANT IMPACT**

The Government of the Commonwealth of the Northern Mariana Islands has determined that the above-listed projects 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) and is ready for public viewing on the Northern Marianas Housing Corporation (NMHC) website at [www.nmhcgov.net](http://www.nmhcgov.net) or [www.cnmi-cdbgdr.com](http://www.cnmi-cdbgdr.com); or you may visit the on file at the NMHC Central Office in Garapan, Saipan or NMHC CDBG-DR Office in Beach Road Chalan Laulau, Saipan 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 disagreeing with this determination or wishing to comment on the project may submit written comments to the Northern Marianas Housing Corporation. You may submit comments from 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 **April 14, 2023, 4:30 p.m.**, will be considered by the Government of the Commonwealth of the Northern Mariana Islands prior to authorizing submission of a request for release of funds. Commentors should specify which part of this Notice they are addressing.

## RELEASE OF FUNDS

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. acceptance of the certification satisfies its responsibilities under the National Environmental Policy Act of 1969 and related laws and authorities, and allows the Government of the Northern Mariana Islands to use Program Funds.

## OBJECTION TO RELEASE OF FUNDS

The U. S. Department of Housing and Urban Development (HUD) Washington D.C. will accept objections to its release of funds and the Government of the Northern Mariana Islands certification for a period of **fifteen days** following anticipated submission date or its actual receipt of the request (whichever is later) only if it is 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 the U. S. Department of Housing and Urban Development regulations at 24 CFR Part 58; (c) the grant recipient has incurred cost not authorized by 24 CFR Part 58 before approval of the release of funds by the U. S. Department of Housing and Urban Development; 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 of 24 CFR Part 58 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) ; Tel: (202)402-4649. Potential objectors should contact the U.S. Department of Housing and Urban Development to verify the actual last day of the objection period.



Arnold I. Palacios  
Governor, CNMI



U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov](http://www.hud.gov)  
[espanol.hud.gov](http://espanol.hud.gov)

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

### **Project Information**

**Project Name:** Lotus Homes, LLC. Multi-Family/ Apartment Project

**Responsible Entity:** Northern Marianas Housing Corporation

**Grant Recipient** (if different than Responsible Entity):

**State/Local Identifier:** B-19-DV-69-0001 & B-19-DV-69-0002

**Preparer:** Tricia Elaine B. Tenorio, Planner

**Certifying Officer Name and Title:** Jesse S. Palacios, Corporate Director

**Grant Recipient** (if different than Responsible Entity):

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

**Direct Comments to:** Jesse S. Palacios  
Northern Marianas Housing Corporation  
P.O. Box 500514  
Saipan, MP 96950

**Project Location:** Gualo Rai, Saipan, MP 96950 / Lot No. TR.22642 NEW-2

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

The proposed Project consist of new construction of a four-story structure, a one-story office structure, one story generator facility children's playground area that are part of the Northern Marianas Housing Corporation (NMHC) Low Income Housing Tax Credit (LIHTC)'s project.

The Project has a shortfall of \$8 million that needs to fulfill, be committed, prior to closing with the equity investor and construction lender. The Project has been designed and the drawings have been submitted for approval.

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

The Northern Marianas Housing Corporation (NMHC) recognizes the need for Low-income to Moderate-income families struggling from the onset from Super Typhoon Yutu. The Commonwealth of the Northern Mariana Islands (CNMI) has yet to recover from this devastating disaster, to meet the needs of housing for the community. The Project will enable families with a chance to recover with the assistance of the LIHTC program.

The proposed Project will satisfy some of the demands the CNMI is currently facing on shortages for affordable housing.

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

The island is need of affordable housing for low to moderate income family who cannot find homes catering to their financial needs. Lotus Homes with the assistance of the LIHTC program would help mitigate the lack of affordable rental housing in Saipan.

**Funding Information**

Grant Number	HUD Program	Funding Amount
B-19-DV-69-0002 & B-19-DV-69-0002	Community Development Block Grant-Disaster Recovery (CDBG-DR)	\$8,000,000.00

**Estimated Total HUD Funded Amount: \$8,000,000.00**

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$43,034,020.00**

HUD CDBG-DR Funds Request: \$8,000,000.00  
Tax Credit Proceeds: \$35,034,020.00

**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.



<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Commonwealth Ports Authority has determined that the project site is free from the Airport Clear Zones and Accident Potential Zones.  -Appendix A
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Division of Coastal Resources Management (CDRM) has determined that the project is not located in a state that does not contain CBRS Unit and Other Protected Area.  -Appendix B
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Department of Public Works (DPW) has determined that the Project is NOT in a Special Flood Hazard Area.  -Appendix C
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.5</b>		
<b>Clean Air</b>  Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Division of Environmental Quality (DEQ) has concurred with the determination of the NMHC that there will be no impact on Air Quality for the Project.  -Appendix D
<b>Coastal Zone Management</b>  Coastal Zone Management Act, sections 307(c) & (d)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Division of Coastal Resources Management (CDRM) has determined that the project is not located in DCRM's Area of Particular Concern (APC) or has no effect on any Coastal Zone Management.  -Appendix B

<b>Contamination and Toxic Substances</b>  24 CFR Part 50.3(i) & 58.5(i)(2)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Division of Environmental Quality (DEQ) has concurred with the determination of the NMHC that there is no suspected sites contaminated with toxic chemicals or radioactive materials.  -Appendix D
<b>Endangered Species</b>  Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Division of Fish and Wildlife (DFW) has determined that the Project area is already developed and appears to have no habitat for T&E species. No effects to T&E species are anticipated.  -Appendix E
<b>Explosive and Flammable Hazards</b>  24 CFR Part 51 Subpart C	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Division of Environmental Quality (DEQ) has concurred with the determination of the NMHC that the Project site is located at an acceptable separation distance from any above ground explosive or flammable fuel or chemical containers. The Project will not expose such hazard to people or buildings.  -Appendix D
<b>Farmlands Protection</b>  Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Natural Resources Conservation Service (NRCS) has determined that the Project site is not located in a protected Farmland Area.  -Appendix F
<b>Floodplain Management</b>  Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Department of Public Works (DPW) has determined that the Project is NOT in a Special Flood Hazard Area.  -Appendix C
<b>Historic Preservation</b>  National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Historic Preservation office (HPO) has concurred with the determination of the NMHC that there will be "no historic properties affected".  Appendix G
<b>Noise Abatement and Control</b>  Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Division of Environmental Quality (DEQ) has concurred with the determination of the NMHC that the construction will not involve development of noise sensitive uses or is within a major roadway or railroad.

		-Appendix D
<b>Sole Source Aquifers</b>  Safe Drinking Water Act of 1974, as amended, particularly section 1424€; 40 CFR Part 149	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	There are no Sole Source Aquifers located in the CNMI -Appendix H
<b>Wetlands Protection</b>  Executive Order 11990, particularly sections 2 and 5	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Division of Coastal Resources Management (CDRM) has determined that the project is situated on a developed area or not situated on a wetland area which is therefore in compliance with the Wetlands Protection -Appendix B
<b>Wild and Scenic Rivers</b>  Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The are no Wild and Scenic Rivers in the CNMI. -Appendix I
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b>  Executive Order 12898	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Proposed Project will not result in any adverse effect to the environment or human health.

**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	2	Pursuant to the Zoning regulations, the Project activity is acceptable -Appendix J
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The Soil description per the USDA Soil Conservation Service for the proposed project is Laolao-Akina. Detailed Description as follows: Moderately deep, well drained, strongly sloping to steep soils; on volcanic uplands. The soil survey indicated that it can be used for recreational development -Appendix K
Hazards and Nuisances including Site Safety and Noise	2	The Project involves construction.  The Contractors obtaining a permit must adhere to the permitting requirements, such as construction safety and noise.
Energy Consumption	2	The Construction activity may require little to no use of energy, other than equipment that requires the use of fossil fuels and electrical generator.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	2	No impact is anticipated from the Project on employment and income.
Demographic Character Changes, Displacement	2	There will be no displacement on the proposed project.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	There will be no adverse impact on educational and cultural facilities.
Commercial Facilities	2	There will be no adverse impact on commercial facilities.
Health Care and Social Services	2	There will be no adverse impact on Health Care and Social Services.
Solid Waste Disposal / Recycling	2	There will be no adverse impact on Solid Waste Disposal or Recycling facilities.
Waste Water /	2	There will be no adverse impact on Waste Water and

Sanitary Sewers		Sanitary Sewers.
Water Supply	2	There will be no adverse impact on Water Supply facilities.
Public Safety - Police, Fire and Emergency Medical	2	There will be no adverse impact on Public Safety Services
Parks, Open Space and Recreation	2	There will be no adverse impact on Parks, Open Spaces, and Recreational facilities.
Transportation and Accessibility	2	There will be 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 will be no adverse impact on the Unique Natural Features and Water Resources.
Vegetation, Wildlife	2	There will be no adverse impact on vegetation and wildlife
Other Factors	2	State Laws and Regulations requires all construction activities to go through a permitting process.

#### **Additional Studies Performed:**

A private firm, Micronesian Environmental Services, completed an Environmental Impact Assessment for the Lotus Homes, LLC. Construction project.

**Field Inspection** (Date and completed by): July 2020

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

- Commonwealth Ports Authority (CPA)
- Division of Coastal Resources Management (DCRM)
- Department of Public Works (DPW)
- Division of Environmental Quality (DEQ)
- Division of Fish and Wildlife (DFW)
- USDA, NRCS
- Historic Preservation Office (HPO)



- Zoning Office
- USDA Soil Conservation Service

**List of Permits Obtained:**

- DCRM Major Siting Permit No. SMS-2020-X-065
- HPO Major Site Plan Permit No. 2019-4120

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

The NMHC will publish a public notice on the local newspapers, NMHC website and social media outlet to review the completed environmental review and allow the public to make comments.

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

As consulted with the state regulatory agencies, there will be no adverse impact on the environment as the construction commence.

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

N/A

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

N/A

**Summary of Findings and Conclusions:**

NMHC does not find the proposed project to pose any significant impact to the environment and the end users. The Project will be beneficial to the community by providing additional affordable apartment rental units to the housing stock market.

**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.

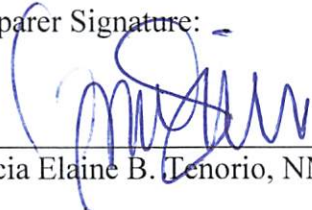
Law, Authority, or Factor	Mitigation Measure

**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:

  
\_\_\_\_\_  
Tricia Elaine B. Tenorio, NMHC Planner

Date: 07/14/2022

Certifying Officer Signature:

  
\_\_\_\_\_  
Jesse S. Palacios, NMHC Corporate Director

Date: 7/15/2022

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

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://cnmports.com>



February 2, 2022

2/2/22 JP

Jesse S. Palacios  
Corporate Director  
Northern Marianas Housing Corporation  
PO Box 10001 PMB 381  
Saipan, MP 96950

Dear Director Palacios:

Subject: Request for Determination of Effect  
LOTUS HOMES, LLC Development Project  
Lot TR 22642 NEW-2 Gualo Rai, Saipan

This is in reference to your letter dated January 31, 2022 requesting Determination of Effect for the LOTUS HOMES, LLC Development Project in Gualo Rai, Saipan.

After review of the location, we found the property to be free from the Airport Clear Zones and Accident Potential Zones. As such, the determination of effect is hereby given.

Should you have any questions or require additional information, please feel free to contact us.

Sincerely,

CHRISTOPHER S. TENORIO  
Executive Director

cc: file

4-27-21

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## NORTHERN MARIANAS HOUSING CORPORATION

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

Email: [nmhc@nmhc.gov.mp](mailto:nmhc@nmhc.gov.mp)

Website: <http://www.nmhc.gov.mp>

Tels: (670) 234-6866

234-9447

Fax: (670) 234-9021

January 31, 2022

Christopher Tenorio  
Executive Director  
Commonwealth Ports Authority  
P.O. Box 501055  
Saipan, MP 96950

Re: Request for a Determination of Effect for the LOTUS HOMES, LLC Development Project

Dear Mr. Tenorio:

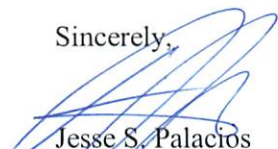
The Northern Marianas Housing Corporation (NMHC) is in the process of preparing the Environmental Assessment Statutory Checklist (24 CFR § 58.35) for the LOTUS HOMES, LLC Development Project. The project site is located in Gualo Rai, Saipan on lot number Tr. 22642 NEW-2. (Please see attached map)

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

In order for our office to complete the Environmental Review, an Environmental Assessment Statutory Checklist (24 CFR § 58.35) must be completed. We kindly request your office to issue a Determination of Effect based on HUD requirement on Airport Clear Zones and Accident Potential Zones 24 CFR 51d for the location mentioned above.

If you have any questions or concerns, please do not hesitate to contact myself or Ms. Tricia Tenorio at the numbers listed above.

Sincerely,

  
Jesse S. Palacios  
Corporate Director

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

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

**Tinian Field Office:** Tel. (671) 433-9213  
Fax. (670) 433-3690

**Project Site Property: Lot TR. 22642 NEW-2 (10,227 m²)**

**Micronesian Environmental Services**

Date:	July 2020
Figure No:	6

This Subdivision is Approved In Accordance With the Subdivision Law (22 CMR 1.0511)	
Theresa J. O'Brien	28.11.20
Zoning Administrator	
<b>Sewage Disposal Limitation</b>	
Lots in this subdivision have not been approved for wastewater disposal system (WDS). Even though this subdivision must meet the sewage disposal effect at the time of application for a building permit.	
<b>Right of Access</b>	
The Zoning Administrator or representative of the applicant shall provide and maintain of reasonable access to view, enter, and exit, and use of buildings located both during construction and during occupancy with the lot.	
Approved	date

Date: July 2020

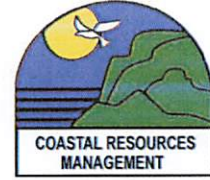
Figure No: 6

# Appendix B





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.dcrm.gov.mp](http://www.dcrm.gov.mp)



Eli D. Cabrera  
Administrator

Richard V. Salas  
Director, DCRM

June 15, 2022

Ref No: PRM22-171/307-22-031

Jesse S. Palacios  
Corporate Director  
Northern Marianas Housing Corporation  
P.O. Box 500514  
Saipan, MP 96950  
Email: [jspalacios@nmhcgov.net](mailto:jspalacios@nmhcgov.net)

**RE: DCRM Concurrence – Lotus Homes, LLC Development Project**

Dear Mr. Palacios,

The Division of Coastal Resources Management (DCRM) is in receipt of your letter dated January 31, 2022 requesting for our concurrence on the Northern Marianas Housing Corporation's (NMHC) determination of effect on the above-subject development. The project site is identified as Lot No. TR, 22642 NEW-1 in Gualo Rai, Saipan, and is funded by the U.S. Department of Housing and Urban Development (USHUD) under the Community Development Block Grant (CDBG).

On March 31, 2022, DCRM issued a non-concurrence determination on NMHC's determination on the Lotus Homes project. However, our office conducted a second review and noticed an error on our part. Therefore, DCRM hereby concurs with NMHC's determination that Lotus Homes, LLC Development project has no effect to coastal resources provided that the Permittee, its contractor, subcontractors, or any persons involved in the project must adhere to the terms and conditions of Permit No. SMS-2020-X-065. Moreover, DCRM agrees with NMHC that this project - a) is not located in DCRM's Areas of Particular Concern (APC) or has no effect on any Coastal Zone Management; (b) is not located in a state that does not contain Coastal Barrier Resources System (CBRS) Unit and Other Protected Area (OPA); (c) is situated on a developed area or situated on a wetland area which therefore is in compliance with Wetland Protection: Executive Order 11990, particularly Sections 2 and 5; and, (d) that Micronesian Environmental Services has completed the Environmental Impact Assessment in July 2020. Moreover, Lotus Homes, LLC development project was permitted by DCRM under Major Siting Permit No. SMS-2020-X-065.

To the extent that this new project will require issuance of a federal license or permit subject to 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.

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very long letter, and it contains a great deal of information about the state of the country at that time. The President talks about the war with Mexico, and about the situation in the South. He also talks about the economy, and about the need for more money. The letter is written in a very formal style, and it is full of references to the Constitution and to the laws of the country.

2. The second part of the document is a report from the Secretary of the Treasury, dated January 3, 1862. It is a very long report, and it contains a great deal of information about the state of the Treasury at that time. The Secretary talks about the amount of money that the Treasury has, and about the amount of money that it needs. He also talks about the different ways that the Treasury can get more money, and about the different ways that it can spend money. The report is written in a very formal style, and it is full of references to the Constitution and to the laws of the country.

3. The third part of the document is a report from the Secretary of the Interior, dated January 3, 1862. It is a very long report, and it contains a great deal of information about the state of the Interior at that time. The Secretary talks about the different parts of the Interior, and about the different things that are going on in each part. He also talks about the different ways that the Interior can be managed, and about the different ways that it can be improved. The report is written in a very formal style, and it is full of references to the Constitution and to the laws of the country.




DCRM does not anticipate that this project will likely 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 valid One Start permit from the Division of Environmental Quality (DEQ), will be required. This application will enable the DEQ, DCRM, Historic Preservation Office (HPO), and all other applicable regulatory agencies to review your project's compliance more thoroughly.

We look forward to continued coordination as NMHC plans and seeks permits for this important project. Should you have any questions or need assistance, please call Ms. Sam Sablan at (670) 664-8300 for assistance.

Sincerely,



 RICHARD V. SALAS  
Director  
Division of Coastal Resources Management

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*[Handwritten signature]*

7



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.dcrm.gov.mp](http://www.dcrm.gov.mp)



Eli D. Cabrera  
Administrator

Richard V. Salas  
Director, DCRM

March 31, 2022

Ref No: PRM22-055/307-22-031

Jesse S. Palacios  
Corporate Director  
Northern Marianas Housing Corporation  
P.O. Box 500514  
Saipan, MP 96950  
Email: [jspalacios@nmhcgov.net](mailto:jspalacios@nmhcgov.net)

**RE: Concurrence of Determination of Effect – Lotus Homes, LLC Development Project**

Dear Mr. Palacios,

The Division of Coastal Resources Management (DCRM) is in receipt of your letter dated January 31, 2022 requesting for our concurrence on the Northern Marianas Housing Corporation's (NMHC) determination of effect on the above-subject development. The project site is identified as Lot No. TR, 22642 NEW-1 in Gualo Rai, Saipan, and is funded by the U.S. Department of Housing and Urban Development (USHUD) under the Community Development Block Grant (CDBG).

As stated in your letter, NMHC has determined that Lotus Homes, LLC Development project has no effect as follows - a) is not located in DCRM's Areas of Particular Concern (APC) or has no effect on any Coastal Zone Management; (b) is not located in a state that does not contain Coastal Barrier Resources System (CBRS) Unit and Other Protected Area (OPA); (c) is situated on a developed area or situated on a wetland area which therefore is in compliance with Wetland Protection: Executive Order 11990, particularly Sections 2 and 5; and, (d) that Micronesian Environmental Services has completed the Environmental Impact Assessment in July 2020 and is therefore, familiar with the necessary permits that needs to be obtained for project to commence including previous application for the proposed project was received by DCRM on March 2020.

Based on the information provided, DCRM cannot concur with your determination since Lotus Homes, LLC development project – (a) obtained a Major Siting Permit, No. SMS-2020-X-065 but expired on December 30, 2022 without completing the project. Permittee has not requested to amend the terms of its permit. As a result, Lotus Homes, LLC does not have a valid permit to construct. However, DCRM does concur with NMHC's determination since – (b) the CNMI is not within Coastal Barrier Resource System (CBRS) Unit and other Protected Area (OPA), this provision is not applicable to Lotus Homes, LLC; and, (c) the project site is on a developed area and is not on or near a wetland area or any environmentally sensitive area. This provision is also not applicable to Lotus Homes, LLC. To the extent that this new project will require issuance of

project will require issuance of a federal license or permit subject to 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 likely 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 valid One Start permit from the Division of Environmental Quality (DEQ), will be required. This application will enable the DEQ, DCRM, Historic Preservation Office (HPO), and all other applicable regulatory agencies to review your project's compliance more thoroughly.

We look forward to continued coordination as NMHC plans and seeks permits for this important project. Should you have any questions or need assistance, please call Ms. Sam Sablan at (670) 664-8300 for assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Salas', with a stylized flourish at the end.

RICHARD V. SALAS

Director

Division of Coastal Resources Management

508





## NORTHERN MARIANAS HOUSING CORPORATION

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

Email: [nmhc@nmhc.gov.mp](mailto:nmhc@nmhc.gov.mp)

Website: <http://www.nmhc.gov.mp>

Tels: (670) 234-6866

234-9447

Fax: (670) 234-9021

January 31, 2022

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

Re: **Concurrence of Determination of Effect** – LOTUS HOMES, LLC Development Project

Dear Mr. Salas,

The Northern Marianas Housing Corporation (NMHC) is kindly requesting **concurrence** for the Determination of Effect from your agency for the LOTUS HOMES, LLC Development Project. The project site is located in Gualo Rai, Saipan on lot number Tr. 22642 NEW-2. (Please see attached map and Scope of work)

As a requirement with the Department of Housing and Urban Development (HUD) environmental review, we are required to obtain concurrence from all regulatory agencies.

The proposed project will be funded under the Community Development Block Grant (CDBG) administered by the United States Department of Housing and Urban Development.

**NMHC has determined that there is no effect on the following:**

**1. Coastal Zone Management Act Sections 307 (c) and (d):**

- a. The Project is to construct a 4 storey complex. The project is not located in and will not affect any Coastal Zone Management*

**2. Coastal Barrier Resource Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]:**

- a. The CNMI is not within Coastal Barrier Resource System (CBRS) Unit and Other Protected Area (OPA).*

**3. Wetlands Protection: Executive Order 11990, particularly sections 2 and 5:**

- a. The Project site is on a develop area.*  
*b. The Project is not situated on or near a wetland area or any environmentally sensitive area*

**4. The Micronesian Environmental Services had completed and Environmental Impact assessment in July 2020 for the Lotus Homes, LLC Development Project.**

- a. Lotus Homes, LLC is familiar with the necessary permits that needs to be obtained for project to commence.*  
*b. Previous application for proposed project received by DCRM on March 2020.*

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

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

Tinian Field Office: Tel. (671) 433-9213  
Fax. (670) 433-3690



Upon agreement of our determination please sign below indicating concurrence of your agency.

If you have any questions or concern, please do not hesitate to contact our office at the numbers listed above.

Sincerely,



Jesse S. Palacios  
Corporate Director

---

**Division of Coastal Resources Management Concurrence:**

**Based on the information you have supplied, the CNMI Division of Coastal Resources Management (DCCRM) does not believe that this project will have a significant impact on the 1.) Coastal Zone Management Act, Sections 307 (C) and (D) 2.) Coastal Barrier Resources Act as amended by the Coastal Barrier Improvement Act of 1990 [16USC 3501] 3.) Wetlands Protection: Executive Order 11990, particularly sections 2 and 5. Your project may require permits from DCRM or other local or federal agencies, and your responsibility to obtain them is not obviated by this letter.**

---

**Richard V. Salas, Acting Director**  
**Division of Coastal Resources Management**

---

**Date:**

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

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

**Tinian Field Office:** Tel. (671) 433-9213  
Fax. (670) 433-3690

**Project Site**

**Lot TR. 22642 NEW-2 (10,227 m<sup>2</sup>)**

**Map Details:**

- North Arrow:** Located at the bottom left, pointing towards the top right.
- Roads:** BORDO LN, BOYD LN, and other local streets are shown.
- Utility Lines:** Various lines representing water, sewer, and power are indicated.
- Adjacent Lots:** Numerous lots are labeled with their IDs and areas, such as TR. 20642-1 through TR. 20642-100.

Date: July 2020

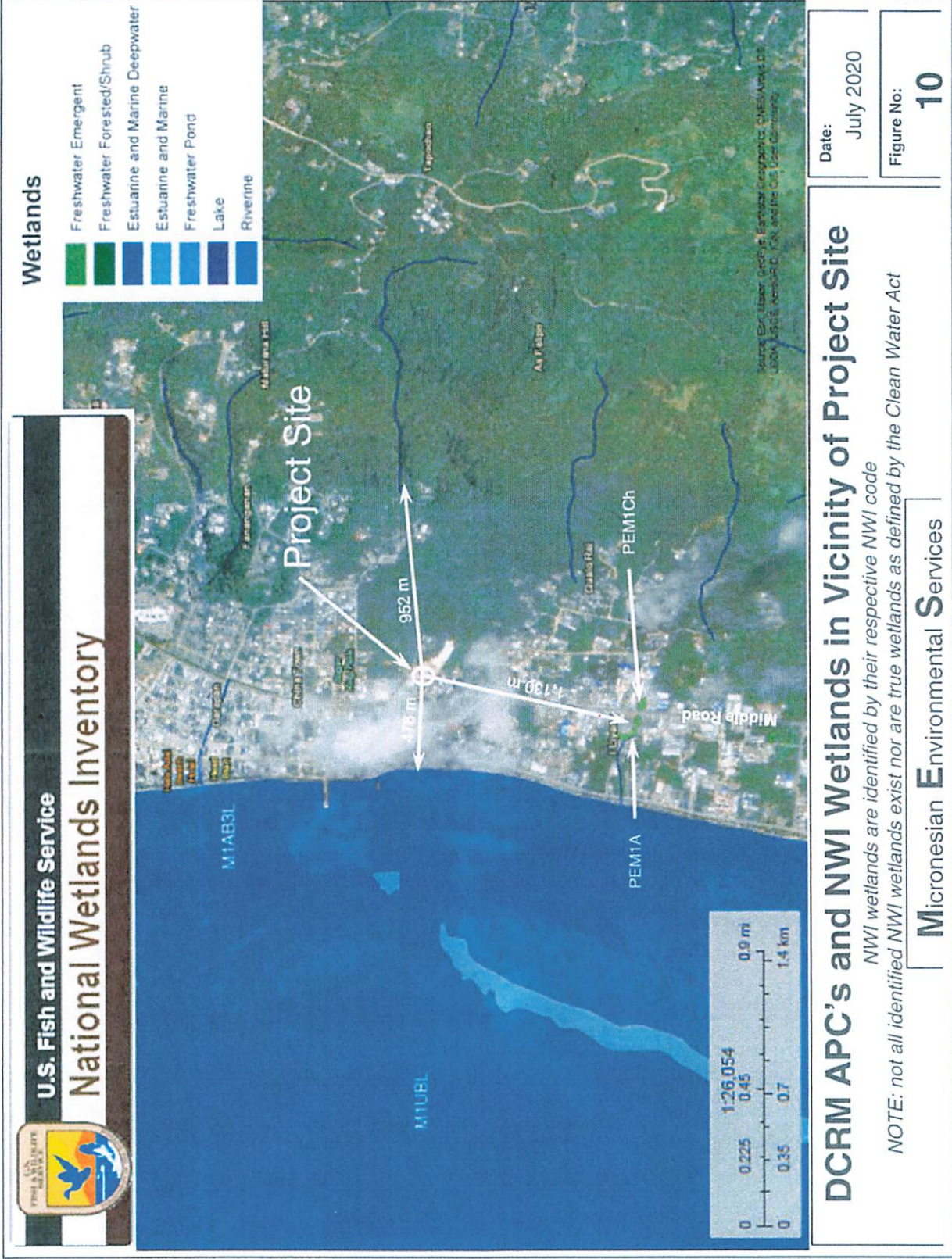
Figure No: 6

**Project Site Property: Lot TR. 22642 NEW-2 (10,227 m<sup>2</sup>)**

**Micronesian Environmental Services**



# LOTUS HOMES APARTMENTS



# Appendix C



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 18, 2022  
Serial No. PW22-0183

Mr. Jesse S. Palacios  
Corporate Director  
Northern Marianas Housing Corporation  
Saipan, MP 96950

**Subject: Determination of Special Flood Hazard Area – New Career & Technical Education Center Building**

Dear Mr. Palacios:

This letter is in response to your email request letter, dated January 31, 2022, for the determination of Special Flood Hazard Area for a proposed LOTUS HOMES LLC Development project located in Gualo Rai, Saipan. Lot# TR. 22642 NEW-2.

After a thorough review of the Flood Insurance Rate Map (FIRM Panel No. 6900000034C) and other source materials, this office has determined that the aforementioned lot is **NOT in the Special Flood Hazard Area**. See attached map.

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 number 234-2726.

Sincerely,

JAMES A. ADA  
Secretary of Public Works

cc: Building Safety Code Division



# Special Flood Hazard Areas - Saipan







## NORTHERN MARIANAS HOUSING CORPORATION

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

Email: [nmhc@nmhc.gov.mp](mailto:nmhc@nmhc.gov.mp)

Website: <http://www.nmhc.gov.mp>



Tels: (670) 234-6866

234-9447

234-7689

234-7670

Fax: (670) 234-9021

January 31, 2022

Mr. James Ada  
Secretary of Public Works  
Department of Public Works  
2<sup>nd</sup> Floor JCT Bldg., San Jose  
Saipan, MP 96950

RE: Determination of Special Flood Hazard Area- **LOTUS HOMES, LLC Development Project**

Dear Secretary Ada,

The Northern Marianas Housing Corporation (NMHC) is in the process of preparing the Environmental Assessment Statutory Checklist (24 CFR § 58.36) for the LOTUS HOMES, LLC Development Project. The project site is located in Gualo Rai, Saipan on Lot No. Tr. 22642 NEW-2. (Please see attached map)

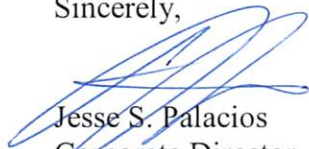
The project will be funded by the United States Department of Housing and Urban Development (U.S. HUD) Community Development Block Grant (CDBG).

We would like to request your assistance in determining if the aforementioned lot number is located in a Special Flood Hazard Area. The purpose of this request is to complete our environmental review and for our office to proceed with the proposed project.

If you have any questions or concern, please feel free to contact me or Ms. Tricia Tenorio at the numbers listed above.

Thank you in advance for your assistance and prompt attention to our request.

Sincerely,



Jesse S. Palacios  
Corporate Director

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

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

Tinian Field Office: Tel. (671) 433-9213  
Fax. (670) 433-3690



# LOTUS HOMES APARTMENTS



Project Site Property: Lot TR. 22642 NEW-2 (10,227 m²)

Micronesian Environmental Services

Date: July 2020  
Figure No: 6

# Appendix D



## NORTHERN MARIANAS HOUSING CORPORATION

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

Email: [nmhc@nmhc.gov.mp](mailto:nmhc@nmhc.gov.mp)

Website: <http://www.nmhc.gov.mp>

Tels (670) 234-6866

234-9447

Fax: (670) 234-9021

January 31, 2022

Mrs. Zabrina Shai-Cruz  
Acting Director  
Division of Environmental Quality  
P.O. Box 501304  
Saipan, MP 96950

**RE: Concurrence of Determination of Effect – LOTUS HOMES, LLC Development Project**

Dear Mrs Shai-Cruz:

The Northern Marianas Housing Corporation (NMHC) is kindly requesting *concurrence* for the Determination of Effect from your agency for the LOTUS HOMES, LLC Development Project. The project site is located in Gualo Rai, Saipan on lot number Tr. 22642 NEW-2. (Please see attached map and Scope of work)

As a requirement with the Department of Housing and Urban Development (HUD) environmental review, we are required to obtain concurrence from all regulatory agencies.

The proposed project will be funded under the Community Development Block Grant (CDBG) administered by the United States Department of Housing and Urban Development.

NMHC has determined that there is no effect on the following:

**a. Impact of the project on air quality: .**

*-NMHC has determined that there will be no impact on air quality.*

**b. Proximity to any known or suspected sites contaminated with toxic chemicals or radioactive materials:**

*-NMHC has determined that there is no suspected or visual indication of toxic chemicals or radioactive materials.*

**c. Project involved in development of noise sensitive uses or within a major roadway or railroad:**

*-NMHC has determined that the construction will not involve development of noise sensitive uses or is within a major roadway or railroad.*

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Fax. (670) 532-9441

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Fax. (670) 433-3690

**d. Separation from ground explosive or flammable fuel or chemical containers:**

- *NMHC has determined that the project site is located at an acceptable separation distance from any above ground explosive or flammable fuel or chemical containers. The project will not expose such hazards to people or buildings. (Please see attached above ground storage tank maps, separation distance chart done by NMHC and ASD/AST guidance chart issued by DEQ for your reference.)*

**e. Micronesian Environmental Services conducted an Environmental Impact Assessment for LOTUS HOMES, LLC in July 2020.**

Upon agreement of our determination please sign below indicating concurrence of your agency.

If you have any questions or concern, please do not hesitate to contact our office at the numbers listed above.


Sincerely,

  
Jesse S. Palacios  
Corporate Director

---

**Division of Environmental Quality Concurrence:**

Based on the information you have supplied, 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.

  
Zabrina Shigi-Cruz, Acting Director  
Division of Environmental Quality  
03/11/2022  
Date:

**"NMHC is an equal employment and fair housing public agency"**

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

**Tinian Field Office:** Tel. (671) 433-9213  
Fax. (670) 433-3690

## Lotus Homes, LLC Development Project – NEPA Review

PROPERTY IDENTIFICATION:	APPLICANT NAME:	PROJECT ACTIVITY:
Lot No. TR 22642 NEW-2 Lotus Homes, LLC (Gualo Rai, Saipan)	Northern Marianas Housing 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.

### BRANCH: Site Assessment and Remediation (SAR)

In respect to the following project site in question, there are NO concerns of that site 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.

#### UXO Safety

- No concerns surrounding the 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 Branch (SAR)**

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

# **Map Images**



## Lotus Homes, LLC Development Project

In the first yellow circle, there are no CERCLIS related sites within a 1/2 mile radius from the project area.  
In the second green circle, there are no NPL "Superfund" related sites within a 1 mile radius from the project area.





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



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 is to obtain them is no obviated by this concurrence. Be advised of the comments, recommendations and requirements from the DEQ programs below.

**Request from:**  
Northern Marianas Housing Corp.

**Project Site:**  
Lotus Home, LLC development Project

**Project Description:**  
New Construction

**Date:** 03/11/2022

Wastewater, Earthmoving, & Erosion Control	Water Quality/Nonpoint Source	Clean Air Program
-A One-Start Permit had been obtained for the proposed Lotus Homes project in 12/2020. If the existing permit is expired, the applicant must renew it's permit with BECQ before continuing the proposed project activities. If any changes to the existing permitted plans are to be made, the applicant shall notify BECQ and get an amended permit to include the change before moving forward with the new plans.	Extra care should be taken to implement all Best Management Practices during construction in accordance with the Major Siting Permit, One-start Permit, and Guam-CNMI Stormwater Manual.	• Water suppression, tarp coverage, or other best management practices must be implemented to control fugitive dust from construction activities. • Please refer to BECQ's Generator Guidelines for permit requirements and generator enclosures
Safe Drinking Water	Toxic Waste Management	Solid Waste Management
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.	-The Lotus Homes was issued a DCRM Major Siting Permit (SMS-2020-X-065) which will expire on 12/30/22 and a DEQ One-Start Permit (2020-COM-026). Both permits covers 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.  -All waste generated shall be disposed according to applicable regulations.  -If HE will be utilized at these project sites, the company performing the activities shall have spill response equipment readily available in case of a incident.	All solid waste to be generated from this project/s shall be taken to the Landfill or to a recycling facility.
Storage Tanks	Site Assessment & Remediation	Pesticides
No concerns in regards to the Storage Tanks Branch.	Please See Attached Document for SAR Branch Review	If a pre or post construction pesticide treatment is to be performed, a permit must be needed from DEQ.



# NORTHERN MARIANAS HOUSING CORPORATION

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

Email: [nmhc@nmhc.gov.mp](mailto:nmhc@nmhc.gov.mp)

Website: <http://www.nmhc.gov.mp>

Tels: (670) 234-6866

234-9447

Fax: (670) 234-9021

January 31, 2022

Mrs. Zabrina Shai-Cruz  
Acting Director  
Division of Environmental Quality  
P.O. Box 501304  
Saipan, MP 96950

## RE: Concurrence of Determination of Effect – LOTUS HOMES, LLC Development Project

Dear Mrs Shai-Cruz:

The Northern Marianas Housing Corporation (NMHC) is kindly requesting **concurrence** for the Determination of Effect from your agency for the LOTUS HOMES, LLC Development Project. The project site is located in Gualo Rai, Saipan on lot number Tr. 22642 NEW-2. (Please see attached map and Scope of work)

As a requirement with the Department of Housing and Urban Development (HUD) environmental review, we are required to obtain concurrence from all regulatory agencies.

The proposed project will be funded under the Community Development Block Grant (CDBG) administered by the United States Department of Housing and Urban Development.

### NMHC has determined that there is no effect on the following:

**a. Impact of the project on air quality: .**

*-NMHC has determined that there will be no impact on air quality.*

**b. Proximity to any known or suspected sites contaminated with toxic chemicals or radioactive materials:**

*-NMHC has determined that there is no suspected or visual indication of toxic chemicals or radioactive materials.*

**c. Project involved in development of noise sensitive uses or within a major roadway or railroad:**

*-NMHC has determined that the construction will not involve development of noise sensitive uses or is within a major roadway or railroad.*

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

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

Tinian Field Office: Tel. (671) 433-9213  
Fax. (670) 433-3690



**d. Separation from ground explosive or flammable fuel or chemical containers:**

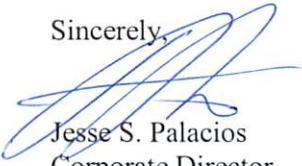
- *-NMHC has determined that the project site is located at an acceptable separation distance from any above ground explosive or flammable fuel or chemical containers. The project will not expose such hazards to people or buildings. (Please see attached above ground storage tank maps, separation distance chart done by NMHC and ASD/AST guidance chart issued by DEQ for your reference.)*

**e. Micronesian Environmental Services conducted an Environmental Impact Assessment for LOTUS HOMES, LLC in July 2020.**

Upon agreement of our determination please sign below indicating concurrence of your agency.

If you have any questions or concern, please do not hesitate to contact our office at the numbers listed above.

Sincerely,



Jesse S. Palacios  
Corporate Director

---

**Division of Environmental Quality Concurrence:**

Based on the information you have supplied, 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.

---

Zabrina Shai-Cruz, Acting Director  
Division of Environmental Quality

---

**Date:**

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

[illegible]

Date: \_\_\_\_\_

July 2020

Figure No:

9

**Project Site Property: Lot TR. 22642 NEW-2 (10,227 m<sup>2</sup>)**

**Micronesian Environmental Services**

## CNMI AST FIRE WIDTH CHART

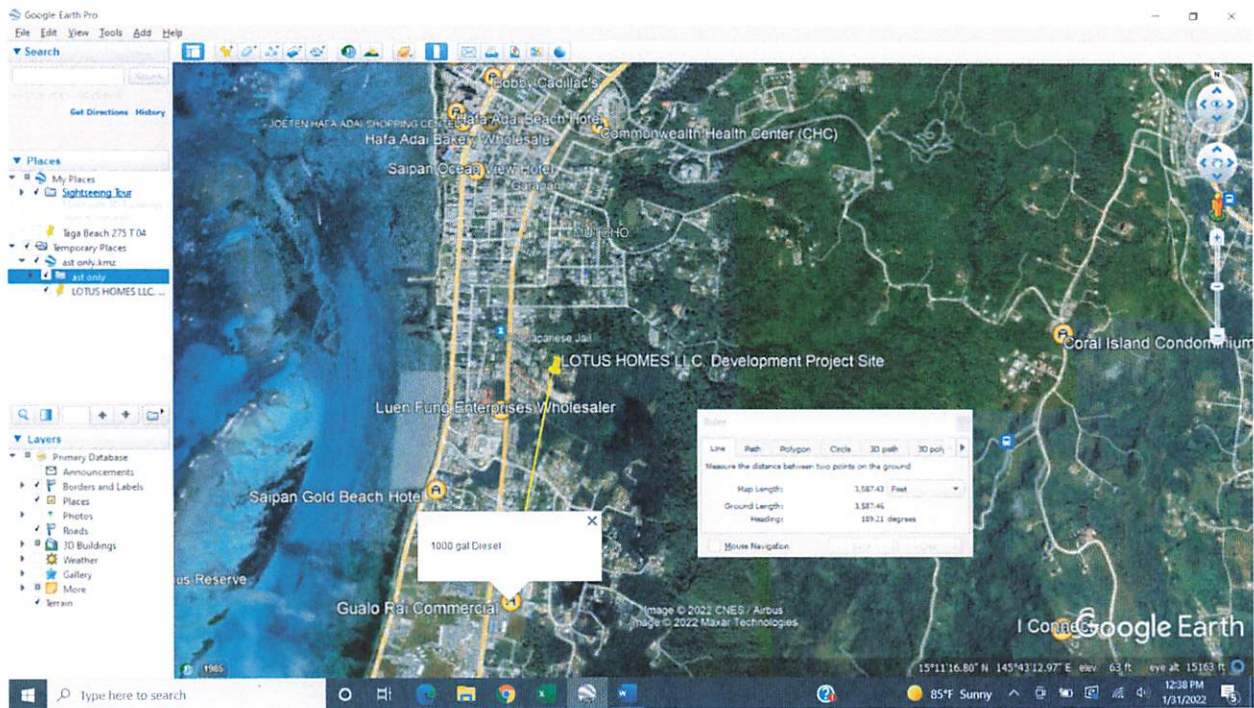
	tank volume - gallons	fire width - feet	ASD feet Thermal Radiation Curve 1 - Buildings	ASD feet Thermal Radiation Curve 2 - People
1	500	45	36	220
2	600	49	40	240
3	700	53	42	250
4	750	55	44	255
5	900	60	47	260
6	950	62	48	265
7	1,000	63	50	270
8	1,100	66	52	280
9	1,400	75	58	320
10	1,500	77	60	325
11	1,700	82	65	340
12	2,000	89	68	360
13	2,500	100	75	400
14	3,000	110	85	440
15	3,200	113	87	445
16	4,000	126	95	480
17	4,400	133	100	520
18	4,500	134	105	525
19	5,000	141	110	550
20	6,000	155	115	580
21	6,203	157	117	590
22	8,000	179	130	650
23	10,000	200	145	700
24	15,000	245	175	850
25	23,000	303	210	1,000
26	25,000	316	220	1,050
27	30,000	346	260	1,130
28	55,000	469	320	1,500
29	113,196	673	440	2,000
30	231,000	961	600	2,600
31	504,000	1,420	900	3,800
32	840,000	1,833	1,100	4,400
33	1,050,000	2,049	1,250	5,000
34	1,164,657	2,158	1,300	5,300

### **Assessment of ASD and ASTs**

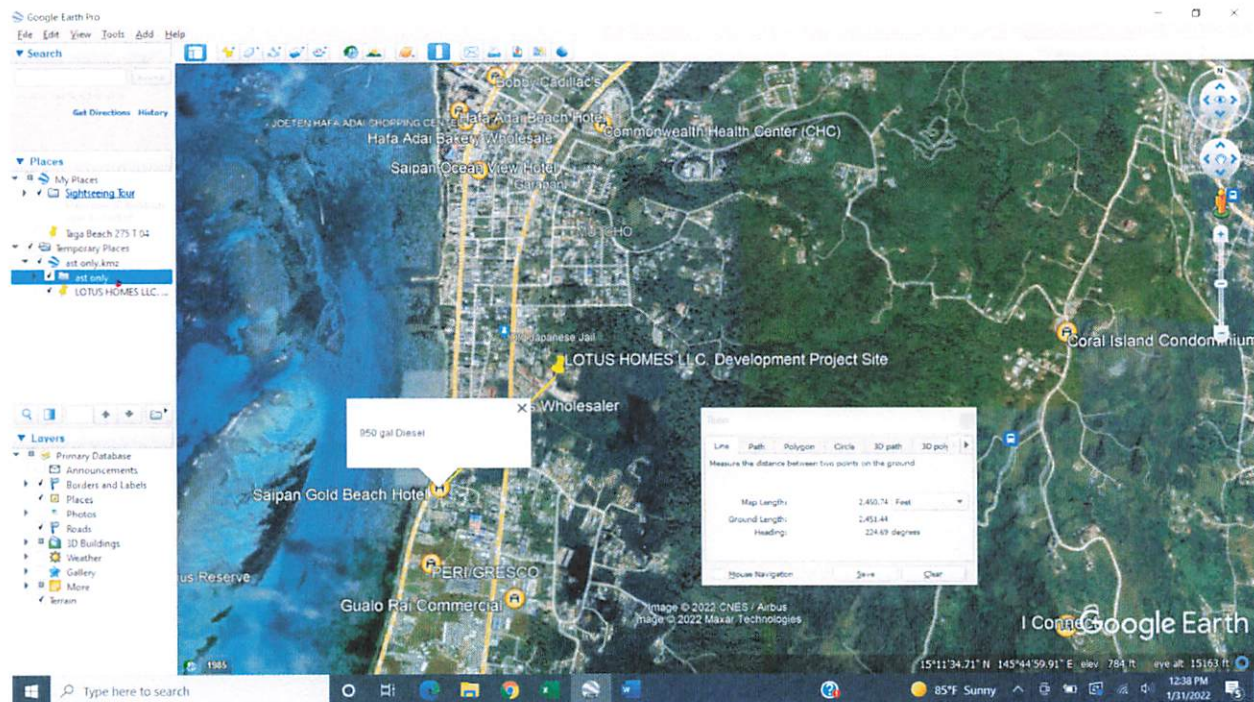
**Note:**  
**The Lotus Homes, LLC. Development Project is within the Acceptable Separation Distances from the Above Storage Tanks.**  
**We have determined that the project site will not be affected by the Hazards posed by the Fuel storage tanks**  
**\*\*\*Pls. see attached chart provided by DEQ.**



## Gualo Rai Commercial

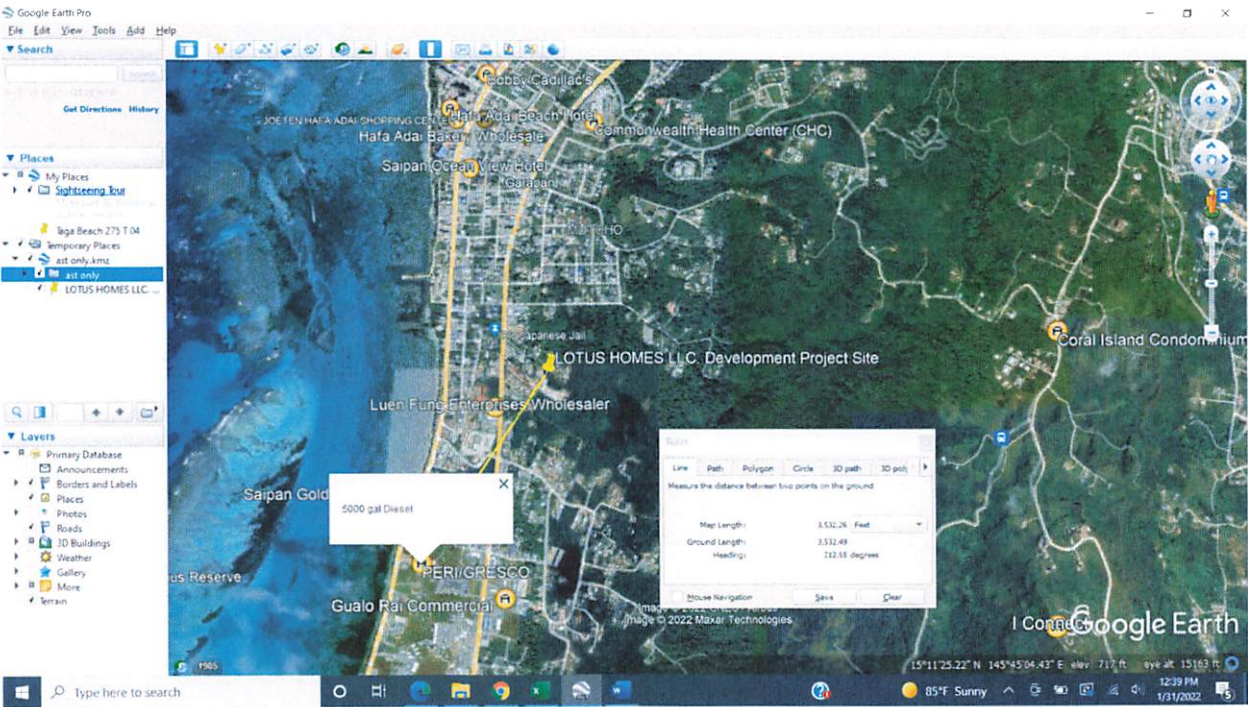


## Saipan Gold Beach Hotel

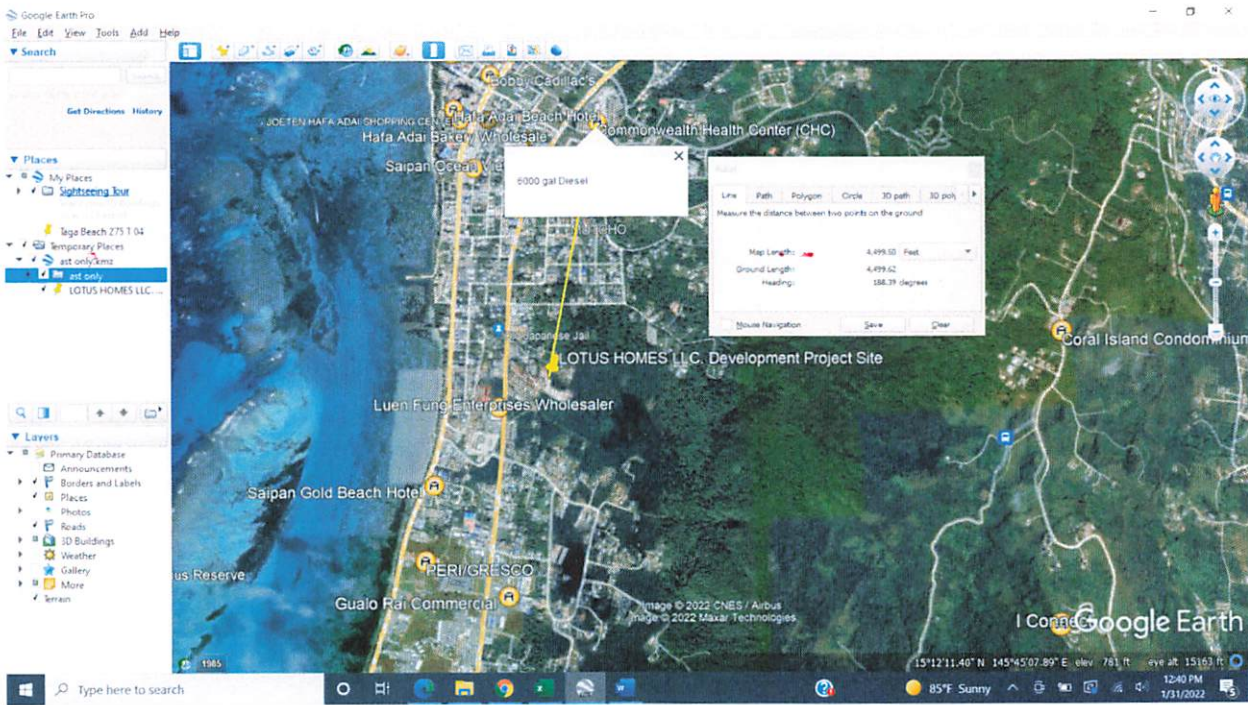




PERI/GRESCO



CHCC



# Appendix E



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

February 16, 2022

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

IR-22-13: Request for a Determination of Effect for Threatened and Endangered Species

Dear Mr. Palacios:

Your agency requested information from the Division of Fish and Wildlife for potential impacts on threatened or endangered (T&E) species from the proposed Lotus Homes, LLC development project located on Lot No. 22642-NEW-2 in Gualo Rai, Saipan.

Our comments are as follows:

Based on satellite imagery, the project area is already developed and appears to have no habitat for T&E species. No effects to T&E species are anticipated.

*This letter is not a permit or approval of the proposed projects.* Our response is based solely on the information you provided, our current knowledge, and professional experience. The information that we provide may assist you in project planning. If you have any questions, or if I can be of further assistance, please don't hesitate to contact me at (670) 664-6032.

Sincerely,

Frances G. Sablan  
Assistant Wildlife Biologist, DFW

Cc: Manny M. Pangelinan, Director, DFW





## NORTHERN MARIANAS HOUSING CORPORATION

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

Email: [nmhc@nmhc.gov.mp](mailto:nmhc@nmhc.gov.mp)

Website: <http://www.nmhc.gov.mp>

Tels: (670) 234-6866

234-9447

Fax: (670) 234-9021

January 31, 2022

Mr. Manuel M. Pangelinan  
Director  
Division of Fish and Wildlife  
P.O. Box 10007  
Saipan, MP 96950

Re: Concurrence of Determination of Effect – **LOTUS HOMES, LLC Development Project**

Dear Mr. Pangelinan,

The Northern Marianas Housing Corporation (NMHC) is in the process of preparing the Environmental Assessment Statutory Checklist (24 CFR § 58.35) for the LOTUS HOMES, LLC Development Project. The project site is located in Gualo Rai, Saipan on lot number Tr. 22642 NEW-2. (Please see attached map)

As a requirement with the Department of Housing and Urban Development (HUD) environmental review, we are required to obtain concurrence from all regulatory agencies.

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

**NMHC has determined that there is no effect on the following:**

**a. Endangered Species:**

*-NMHC has determined that there will be no impact on Endangered Species for the LOTUS HOMES, LLC Development Project*

**b. Micronesian Environmental Services has completed and Environmental Impact assessment on JULY 2020 on ESA Threatened & Endangered Species with the findings:**

- 1. There will be no effect.*
- 2. There is no wildlife habitat on the project site as it has been cleared.*
- 3. No listed species were identified or expected during the T&E survey conducted on the site during site visits. This conclusion was supported by DFW letter dated 19 September 2018.*

Upon agreement of our determination please sign below indicating concurrence of your agency.

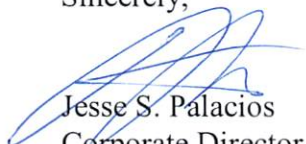
If you have any questions or concerns, please do not hesitate to contact our office at the numbers listed above.

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

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

Tinian Field Office: Tel. (671) 433-9213  
Fax. (670) 433-3690

Sincerely,



Jesse S. Palacios  
Corporate Director

---

**Division of Fish and Wildlife Concurrence:**

**Based on the information you have supplied, the CNMI Division of Fish and Wildlife does not believe that this project will have a significant impact on the environment as defined by the Endangered Species Act of 1973. 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.**

---

**Manuel M. Pangelinan**  
**Division of Fish and Wildlife**

---

**Date:**

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

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

**Tinian Field Office:** Tel. (671) 433-9213  
Fax. (670) 433-3690



[illegible]

July 2020

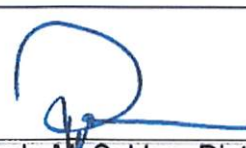
9

**Micronesian Environmental Services**

# Appendix F

## U.S. Department of Agriculture

**FARMLAND CONVERSION IMPACT RATING**

<b>PART I</b> (To be completed by Federal Agency)		Date Of Land Evaluation Request <b>02.01.2022</b>				
Name of Project <b>LOTUS HOMES, LLC Development</b>		Federal Agency Involved <b>Northern Marianas Housing Corp.</b>				
Proposed Land Use <b>Gualo Rai, Saipan, Tract no. 22642-New</b>		County and State <b>Saipan, MP</b>				
<b>PART II</b> (To be completed by NRCS)		Date Request Received By NRCS <b>2 Feb 2022</b>		Person Completing Form: <b>S. Takai</b>		
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 <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	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				
<b>PART III</b> (To be completed by Federal Agency)		Alternative Site Rating				
		Site A	Site B	Site C	Site D	
A. Total Acres To Be Converted Directly						
B. Total Acres To Be Converted Indirectly						
C. Total Acres In Site						
<b>PART IV</b> (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						
<b>PART V</b> (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)						
<b>PART VI</b> (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)				
TOTAL SITE ASSESSMENT POINTS		160	0	0	0	0
<b>PART VII</b> (To be completed by Federal Agency)						
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
TOTAL POINTS (Total of above 2 lines)		260	0	0	0	0
Site Selected:		Date Of Selection		Was A Local Site Assessment Used?		
				YES <input type="checkbox"/> NO <input type="checkbox"/>		
Reason For Selection:						
						
Name of Federal agency representative completing this form: <b>Pamela M. Sablan, District Conservationist</b> Date: <b>02 FEB. 2022</b>						

(See Instructions on reverse side)

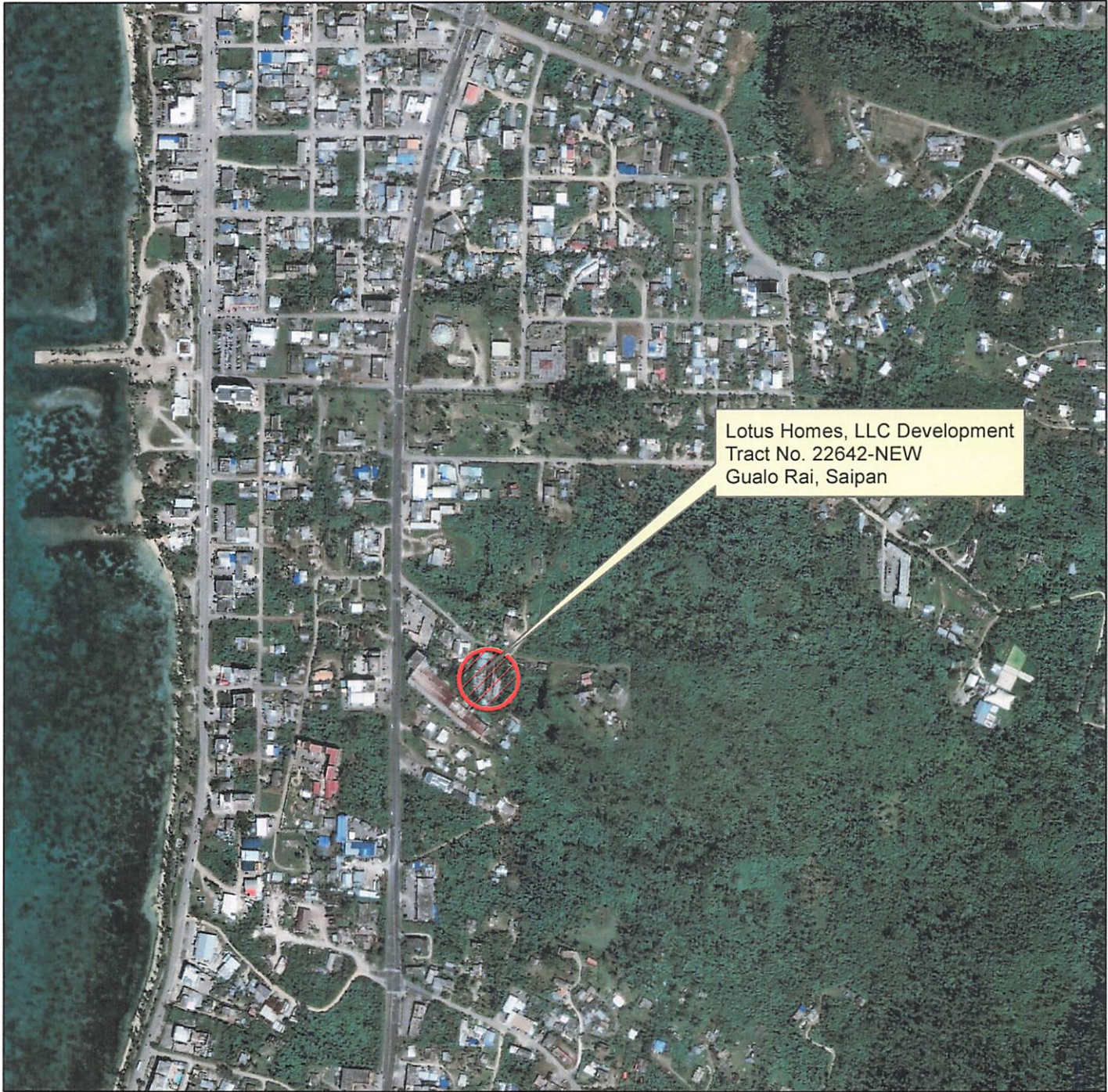
Form AD-1006 (03-02)



# Prime and Unique Farmlands Map

USDA-NRCS

Map Prepared by Pamela M. Sablan, District Conservationist - 02/2/2022  
Response to Categorically Excluded Statutory Checklist  
"Lotus Homes, LLC - Development Project - Gualo Rai, Saipan"



Prepared with assistance from USDA-Natural Resources Conservation Service



 Project Location



## U.S. Department of Agriculture

**FARMLAND CONVERSION IMPACT RATING**

<b>PART I</b> (To be completed by Federal Agency)		Date Of Land Evaluation Request <b>02.01.2022</b>				
Name of Project <b>LOTUS HOMES, LLC Development</b>		Federal Agency Involved <b>Northern Marianas Housing Corp.</b>				
Proposed Land Use <b>Gualo Rai, Saipan, Tract no. 22642-New</b>		County and State <b>Saipan, MP</b>				
<b>PART II</b> (To be completed by NRCS)		Date Request Received By NRCS		Person Completing Form:		
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 <input type="checkbox"/>	NO <input type="checkbox"/>	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				
<b>PART III</b> (To be completed by Federal Agency)		Alternative Site Rating				
		Site A	Site B	Site C	Site D	
A. Total Acres To Be Converted Directly						
B. Total Acres To Be Converted Indirectly						
C. Total Acres In Site						
<b>PART IV</b> (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						
<b>PART V</b> (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)						
<b>PART VI</b> (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)				
TOTAL SITE ASSESSMENT POINTS		160	0	0	0	0
<b>PART VII</b> (To be completed by Federal Agency)						
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
TOTAL POINTS (Total of above 2 lines)		260	0	0	0	0
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>				
Reason For Selection:						
Name of Federal agency representative completing this form:						
Date:						

(See Instructions on reverse side)

Form AD-1006 (03-02)

## **STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM**

- Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006. The Land Evaluation and Site Assessment (LESA) process may also be accessed by visiting the FPPA website, <http://fppa.nrcs.usda.gov/lesa/>.
- Step 2 - Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The USDA Office Information Locator may be found at [http://offices.usda.gov/scripts/ndISAPI.dll/oip\\_public/USA\\_map](http://offices.usda.gov/scripts/ndISAPI.dll/oip_public/USA_map), or the offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days.
- Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form and return the form with the final selected site to the servicing NRCS office.
- Step 7 - The Federal agency providing financial or technical assistance to the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA.

## **INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM** (For Federal Agency)

**Part I:** When completing the "County and State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

**Part III:** When completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them or other major change in the ability to use the land for agriculture.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities planned build out capacity) that will cause a direct conversion.

**Part VI:** Do not complete Part VI using the standard format if a State or Local site assessment is used. With local and NRCS assistance, use the local Land Evaluation and Site Assessment (LESA).

1. Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, power line and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighed a maximum of 25 points and criterion #11 a maximum of 25 points.
2. Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule after submitting individual agency FPPA policy for review and comment to NRCS. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites, Modifications or Mitigation).

**Part VII:** In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, convert the site assessment points to a base of 160.

Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

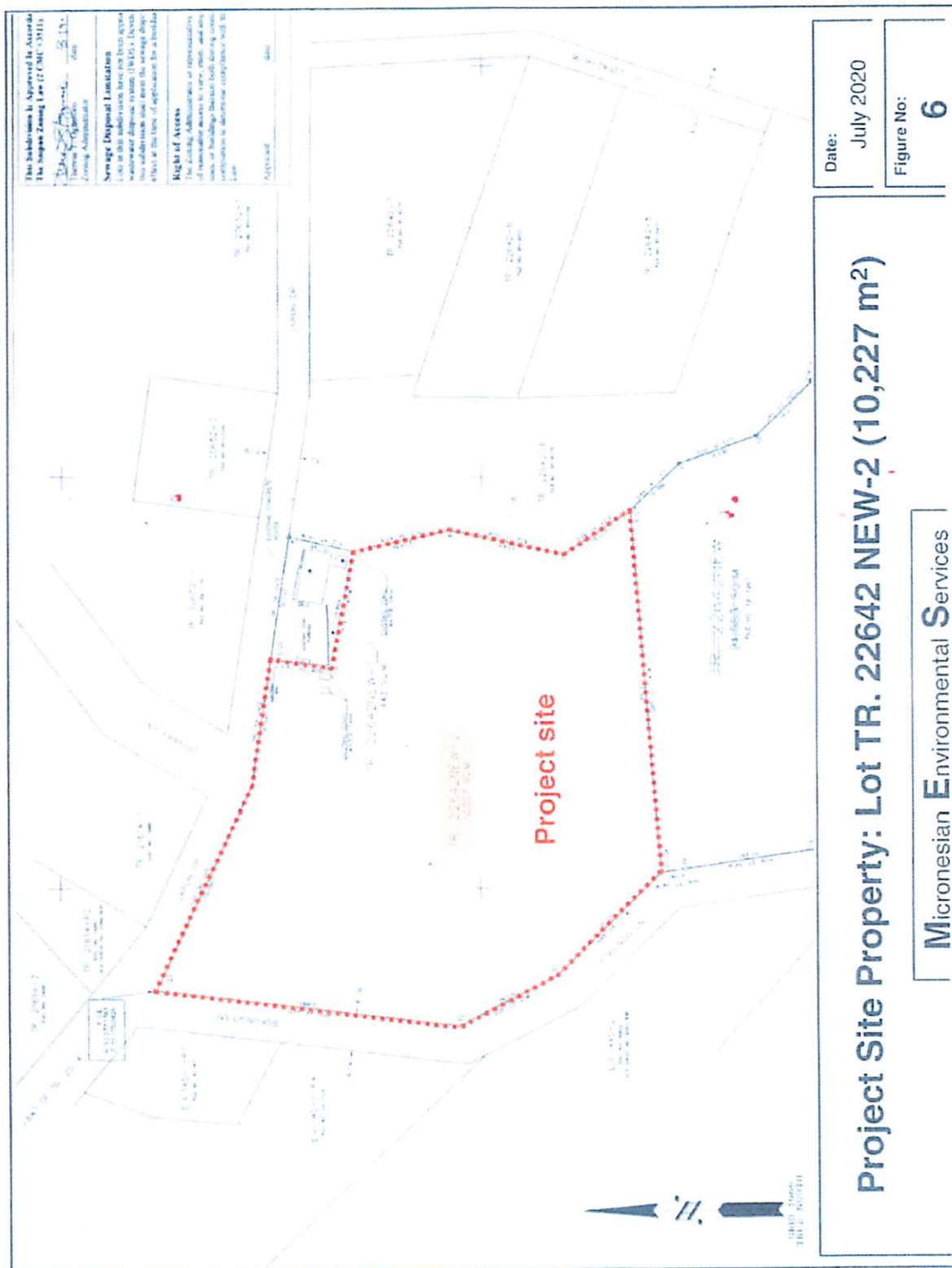
$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$
---

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.

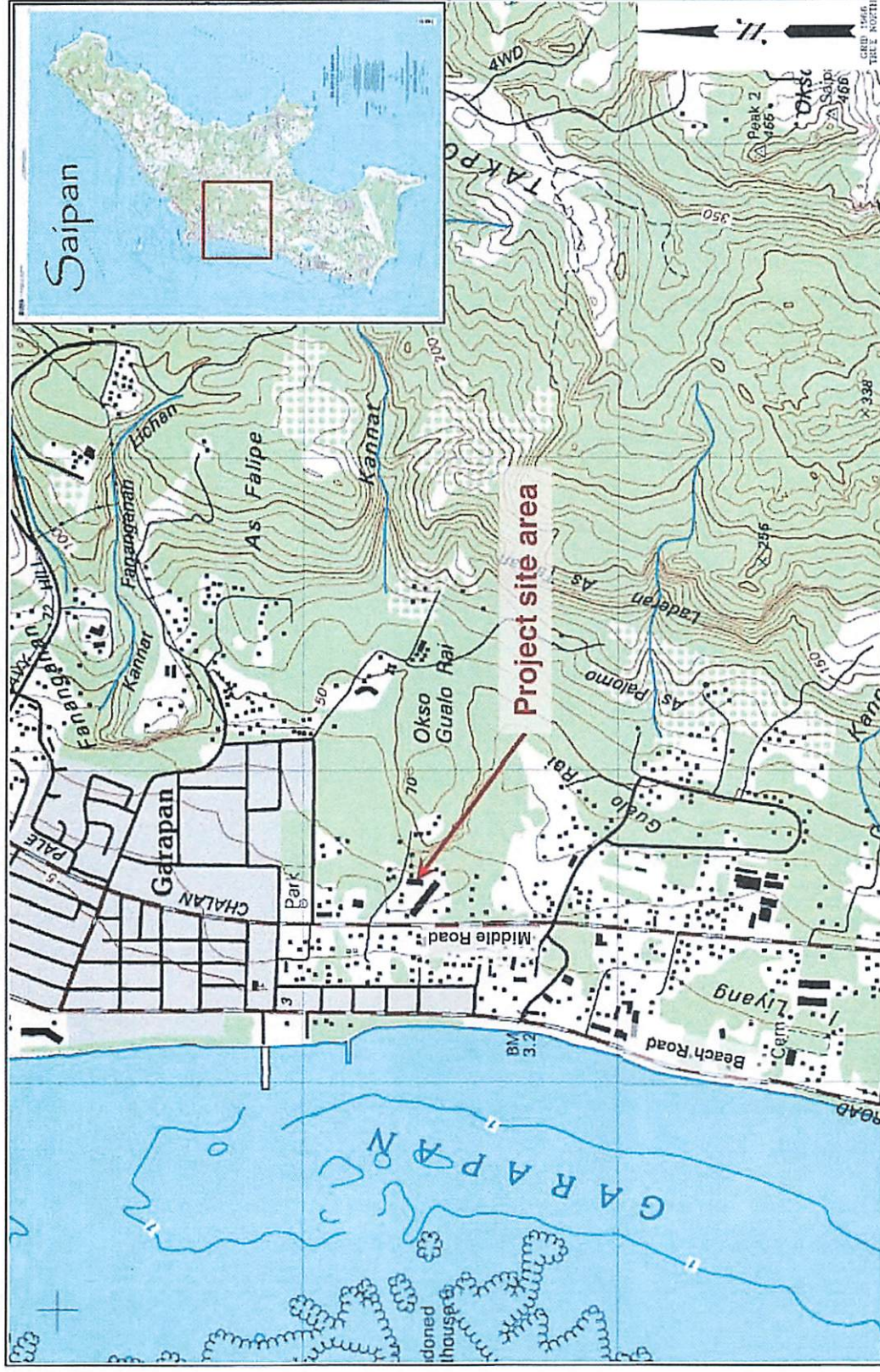


# LOTUS HOMES APARTMENTS





# LOTUS HOMES APARTMENTS



Date: July 2020

Figure No: 1

## General Vicinity of Project Site on USGS Topographic Map

(Modified from 1999 USGS Topographical Map of Saipan)

Micronesian Environmental Services



## LOTUS HOMES APARTMENTS



### General Vicinity of Project Site on Google earth Photograph

*Modified from Google Earth aerial photograph taken on 8 December 2016*

Date: July 2020

Figure No: 2

Micronesian Environmental Services

# Appendix G





## NORTHERN MARIANAS HOUSING CORPORATION

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

Email: [nmhc@nmhc.gov.mp](mailto:nmhc@nmhc.gov.mp)

Website: <http://www.nmhc.gov.net>

Tels: (670) 234-7689

234-6866

234-9447

Fax: (670) 234-9021

Serial No. 35045  
File No. 6.7.22.21



April 27, 2022

Ms. Rita C. Chong-Dela Cruz  
Administrator  
CNMI Historic Preservation Office  
Department of Community and Cultural Affairs (DCCA)  
P.O. Box 500090  
Saipan, MP 96950  
(670)664-2120

RE: Concurrence from HPO -**LOTUS HOMES, LLC Development Project**

Dear Ms. Chong-Dela Cruz:

Our agency would like to request for your favorable approval in concurring with our determination of "No Historic Properties Affected" for the LOTUS HOMES, LLC Development Project. The project site is located in Gualo Rai, Saipan on lot number Tr. 22642 New-2. (Please see attached map and scope of work).

As a requirement with the Department of Housing and Urban Development (HUD) environmental review, we are required to obtain concurrence for the Historical Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800.

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

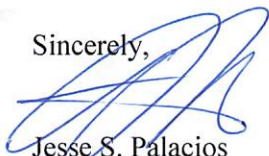
**NMHC has determined the following:**

- a. The Project involves a new construction of a complex
- b. On July 2020, Micronesian Environmental Service, completed an Environmental Impact Assessment from CNMI HPO
  1. The Project site has been previously cleared of all former buildings associated with the abandoned garment manufacturing facility.
  2. The Historic Preservation Office approved the EM&EC permits and demolition of the on-site Japanese associated structures.
  3. All cultural mitigation issues have been fully addressed through insurance of EM&EC permits.
  4. Therefore, it was agreed that NO formal archeological survey report was required.
- c. There will be no historical properties affected

Upon agreement of our determination, please sign below indicating concurrence of your agency.

If you have any questions or concerns, please feel free to contact our office at the numbers listed above.

Sincerely,



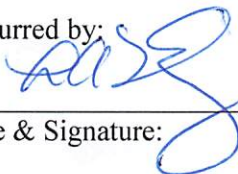
Jesse S. Palacios  
Corporate Director

---

Concurrence:

Based on our research and consultation, we have reached a finding of “no historic properties affected”. In accordance with §800.4(d)(1)(i), your office has thirty days to object. If you concur with the findings in this submission, please sign and date on the line below and return as noted above. If you do not concur, we request that you express your concerns and objections clearly in writing so that we may continue the consultation process as needed. Please also indicate in your non-concurrence letter if there are other sources of information that should be checked, and if there are other parties you believe should be included in the consultation process.

Concurred by:



Name & Signature:

28 April 2022

Date:





## NORTHERN MARIANAS HOUSING CORPORATION

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

Email: [nmhc@nmhc.gov.mp](mailto:nmhc@nmhc.gov.mp)

Website: <http://www.nmhcgov.net>

Tels: (670) 234-7689

234-6866

234-9447

Fax: (670) 234-9021

January 31, 2022

Ms. Rita C. Chong-Dela Cruz  
Administrator  
CNMI Historic Preservation Office  
Department of Community and Cultural Affairs (DCCA)  
P.O. Box 500090  
Saipan, MP 96950  
(670)664-2120

RE: Concurrence from HPO -**LOTUS HOMES, LLC Development Project**

Dear Ms. Chong-Dela Cruz:

Our agency would like to request for your favorable approval in concurring with our determination of "No Adverse Effect" for the LOTUS HOMES, LLC Development Project. The project site is located in Gualo Rai, Saipan on lot number Tr. 22642 New-2. (Please see attached map and scope of work).

As a requirement with the Department of Housing and Urban Development (HUD) environmental review, we are required to obtain concurrence for the Historical Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800.

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

**NMHC has determined the following:**

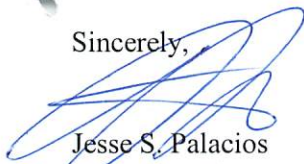
- a. **The Project involves a new construction of a complex**
- b. **On July 2020, Micronesian Environmental Service, completed an Environmental Impact Assessment from CNMI HPO**
  1. **The Project site has been previously cleared of all former buildings associated with the abandoned garment manufacturing facility.**
  2. **The Historic Preservation Office approved the EM&EC permits and demolition of the on-site Japanese associated structures.**
  3. **All cultural mitigation issues have been fully addressed through insurance of EM&EC permits.**
  4. **Therefore, it was agreed that NO formal archeological survey report was required.**
- c. **There will be no historical properties affected**

Upon agreement of our determination, please sign below indicating concurrence of your agency.

If you have any questions or concerns, please feel free to contact our office at the numbers listed above.

**"NMHC is an equal employment and fair housing public agency"**

Sincerely,



Jesse S. Palacios  
Corporate Director

---

Concurrence:

Based on our research and consultation, we have reached a finding of “no historic properties effected”. In accordance with §800.4(d)(1)(i), your office has thirty days to object. If you concur with the findings in this submission, please sign and date on the line below and return as noted above. If you do not concur, we request that you express your concerns and objections clearly in writing so that we may continue the consultation process as needed. Please also indicate in your non-concurrence letter if there are other sources of information that should be checked, and if there are other parties you believe should be included in the consultation process.

Concurred by:

---

Name & Signature:

---

Date:

# LOTUS HOMES APARTMENTS



**Project Site Property: Lot TR. 22642 NEW-2 (10,227 m<sup>2</sup>)**

Micronesian Environmental Services

Date: July 2020  
Figure No: 6

This Subdivision is Approved in Accordance with the Subdivision Law (26 CMC 130115).  
The Subdivision is Approved by the Planning Commission on 07/15/2020.  
Sewage Disposal Limitation: The Subdivision is approved for a maximum of 100 units of residential development. The Subdivision is approved for a maximum of 100 units of residential development. The Subdivision is approved for a maximum of 100 units of residential development.  
Right of Access: The Subdivision is approved for a maximum of 100 units of residential development. The Subdivision is approved for a maximum of 100 units of residential development. The Subdivision is approved for a maximum of 100 units of residential development.  
Approval: date

# Appendix H

US  
EPA  
ARCHIVE DOCUMENT





## 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).

# Appendix I

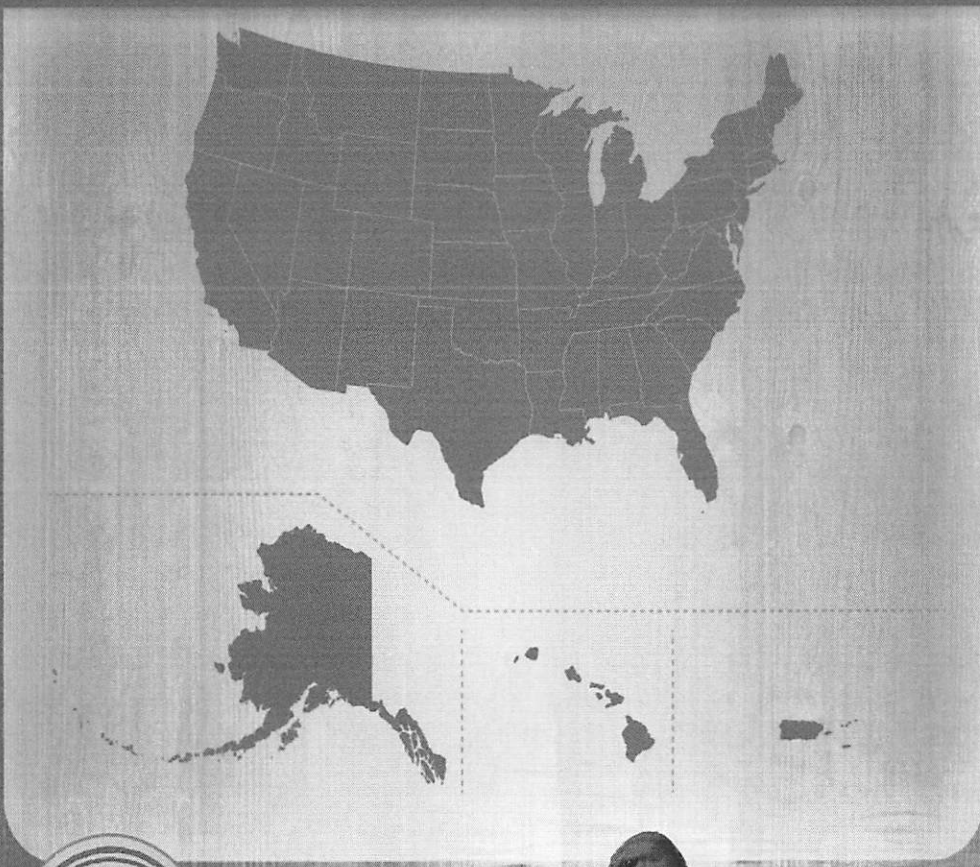
ahz - Darin x

Contact Us - American M x

Explore Designated River x

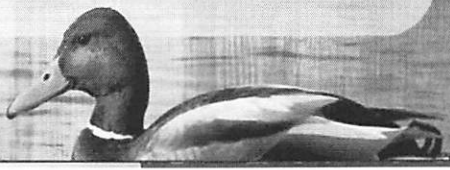
[www.rivers.gov/map.php](http://www.rivers.gov/map.php)

EXPLORE DESIGNATED RIVERS





EXPLORE THE MAP ABOVE  
OR SEARCH FOR RIVERS  
IN THE MENUS BELOW.



## Nationwide Rivers Inventory

[Authorizations](#) | [History](#) | [Eligibility Descriptions](#)  
[NRI Consultation Instructions](#) | [Outstandingly Remarkable Values](#)  
[Potential Classification](#) | [Wild and Scenic Rivers System](#)  
[Nationwide Rivers Inventory Home](#)

[River Projects](#)

[More About Rivers](#)

[Publications/Online Resources](#)

[Federal Partners](#)

[Nonprofit Partners](#)

[Rivers Home](#)

### Download NRI GIS Data

[Alaska NRI GIS Data](#)

[Hawaii NRI GIS Data](#)

[Lower 48 NRI GIS Data](#)

[UPDATED OR NRI Data](#)

[Puerto Rico NRI GIS Data](#)

The National Park Service is compiling information to update this database. Please contact Joan Harn (joan\_harn[at]nps.gov) if you are aware of any changes to be made.

Please contact Sheila Wakisa (sheila\_wakisa[at]nps.gov) to order a CD of GIS files.

The Nationwide Rivers Inventory (NRI) is a listing of more than 3,400 free-flowing river segments in the United States that are believed to possess one or more "outstandingly remarkable" natural or cultural values judged to be of more than local or regional significance. Under a 1979 Presidential Directive, and related Council on Environmental Quality procedures, all federal agencies must seek to avoid or mitigate actions that would adversely affect one or more NRI segments. Click here for instructions on the process of consulting with the NPS on projects potentially affecting NRI segments.

The NRI is a source of information for statewide river assessments and federal agencies involved with stream-related projects. For any group concerned with ecosystem management, the inventory can provide the location of the nearest naturally-functioning system which might serve as a reference for monitoring activities. It also serves as a listing of plant and animal species for restoration efforts on a similar section of river. For the recreationalist, it provides a listing of free-flowing, relatively undisturbed river segments.

[Click here to hear an audio explanation of the NRI \(wav file 4MB\)](#)

[Click on the map below to view a state's database.](#)



The NRI is managed by the Rivers, Trails, & Conservation Assistance Program.

[Challenge Cost Share Program](#) | [Federal Lands to Parks](#) | [Hydropower Relicensing Program](#)

[Land and Water Conservation Fund](#) | [Conservation and Outdoor Recreation](#) | [National Trails System](#)

[Partnership Wild and Scenic Rivers](#) | [Rivers and Trails Program](#) | [Urban Park and Recreation Recovery](#)



# Appendix J



## NORTHERN MARIANAS HOUSING CORPORATION

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

Email: [nmhc@nmhc.gov.mp](mailto:nmhc@nmhc.gov.mp)

Website: <http://www.nmhc.gov.mp>



Tels: (670) 234-6866

234-9447

234-7689

234-7670

Fax: (670) 234-9021

January 31, 2022

Ms. GERALYN C. DELA CRUZ  
Zoning Administrator  
Zoning Board  
Caller Box 10007  
Saipan, MP 96950

Re: Request for Zoning Certification

Dear Ms. Dela Cruz,

The Northern Marianas Housing Corporation (NMHC) is in the process of preparing the Environmental Assessment Statutory Checklist (24 CFR § 58.36) for the LOTUS HOMES, LLC Development Project located in Gualo Rai, Saipan on Lot number Tr. 22642 NEW-2.

***NOTES:** MICRONESIAN ENVIRONMENTAL SERVICES, completed and Environmental Impact Assessment for LOTUS HOMES, LLC development project on July 2020. They are familiar with the required permits needed to obtain in order to commence with the project. Major site plan permit No. 2019-4120 was issued December 2019, however project was put on hold.*

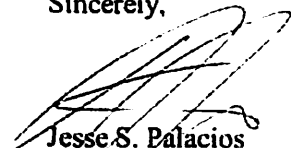
Therefore, our agency is kindly requesting for your concurrence in certifying that the project is acceptable based on the Zoning Law. This concurrence will not constitute as approval for a permit.

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

Attached with this letter is a signature portion for your concurrence.

If you have any questions or concerns, please feel free to contact myself or Mr. Jacob Muna at the numbers listed above.

Sincerely,

  
Jesse S. Palacios  
Corporate Director

**"NMHC is an equal employment and fair housing public agency"**

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

Tinian Field Office: Tel. (671) 433-9213  
Fax. (670) 433-3690

---

(Zoning Use)

This certification is granted to the Northern Marianas Housing Corporation (NMHC) to proceed with their project based on Section 404(a) (citation) of the Saipan Zoning Law.

This certification will not constitute as an approval for a permit. The NMHC and/or Contractor must apply for a permit prior to any construction work. If the NMHC and/or Contractor fails to apply for a Zoning permit, the Zoning Office will issue a violation notice and impose fines for failure to abide by the Zoning Law.

Certified by:



Geralyn C. Dela Cruz  
Zoning Administrator

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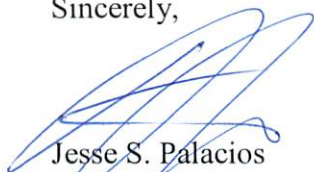
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Sincerely,



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Certified by:

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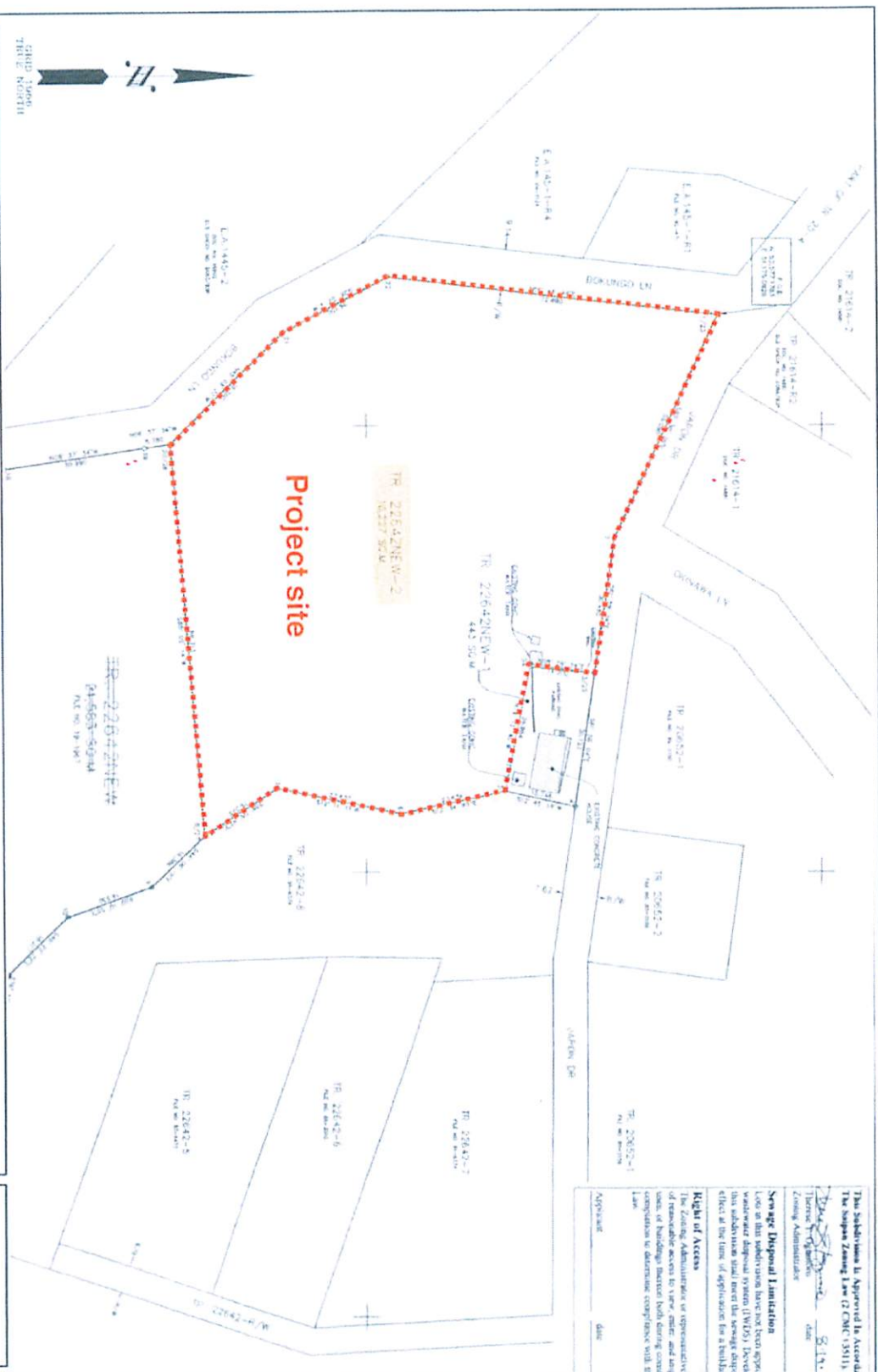
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# LOTUS HOMES APARTMENTS



**Project Site Property: Lot TR. 22642 NEW-2 (10,227 m²)**

**Micronesian Environmental Services**

Date: July 2020  
Figure No: 6

# Appendix K

reddish brown clay surface layer over a reddish brown and yellowish red clay and silty clay subsoil.

The Dandan soils formed in sediment and are 50 to 100 centimeters deep over porous limestone. Typically, these soils have a very dark brown clay loam and dark brown clay surface layer over a dark reddish brown and reddish brown clay subsoil.

This unit is used for commercial and subsistence farming, grazing, watershed, and wildlife habitat. It can be used for urban and recreational development.

This unit is well suited to commercial and subsistence crops, and it includes some of the best farmland in the Northern Marianas. It is limited mainly by small areas of shallow Chinen soils. Irrigation is needed for high yields during the dry season.

This unit is well suited to grazing. It is limited mainly by the low quality of the forage in forested areas.

This unit is moderately suited to both urban and recreational development. The main limitation is low soil strength.

This unit is underlain by porous limestone. The infiltration of rainwater into the limestone recharges the ground water supplies. Forested areas provide habitat for wildlife.

#### Soils on Uplands

This group consists of three map units. It makes up about 62 percent of Saipan, 5 percent of Tinian, and 25 percent of Rota.

#### 11. Laolao-Akina

*Moderately deep, well drained, strongly sloping to steep soils; on volcanic uplands*

This unit is on Saipan, Tinian, and Rota. About 40 percent of the unit on Saipan has slopes of 30 to 60 percent. Most of the small areas of this unit on Tinian have slopes of less than 15 percent. On Rota, 65 percent of the unit has slopes of 30 to 60 percent. Slopes are long and irregular and are broken in places by slumps. Many slopes have been deeply dissected by streams. Most areas of Laolao soils are forested, although some areas are in savannah. All areas of Akina soils are in savannah. Areas of Akina soils have many unvegetated slumps or badlands.

This unit makes up about 17 percent of Saipan, 1 percent of Tinian, and 2 percent of Rota. On Saipan, it is about 60 percent Laolao soils, 25 percent Akina soils, and 5 percent Agfayan Variant soils. On Tinian, it is almost entirely Laolao soils. On Rota, about 75 percent of the unit is Laolao soils and most of the rest is Akina soils. The remaining 10 percent is small areas of

Chinen, Kagman, and Takpochao soils.

The Laolao soils formed in residuum derived from andesitic marine tuff and tuffaceous sandstone.

Typically, these soils have a dark reddish brown and dark brown clay surface layer over a red or dark red clay subsoil. Soft volcanic saprolite is at a depth of 50 to 100 centimeters. The profile is strongly acid to neutral and has a moderate amount of calcium.

The Akina soils formed in residuum derived from tuff or tuff breccia. Typically, these soils have a dark reddish brown and dark brown clay surface layer over a red or dark red clay subsoil. Soft volcanic saprolite is at a depth of 50 to 100 centimeters. The profile is strongly acid throughout and is low in bases such as calcium.

This unit is used for commercial and subsistence farming, homesites, wildlife habitat, and watershed. It can be used for grazing and recreational development.

The main limitations for farming are slope and the low fertility of the Akina soils. About 25 percent of the unit is suitable for commercial farming. Tree crops can be grown in the steeper areas of Laolao soils.

The main limitations for grazing are slope in some areas and the poor quality of the forage. The savannah grasses generally are of poor quality.

The main limitations for urban development are the steepness of slope and low soil strength.

The main limitation for recreational development is slope. Exposed subsoil material is difficult to revegetate.

Most of the streams in the Northern Marianas are on or near this unit. The plant cover on the soils affects the quality and flow of the water in these streams. Wildfires adversely affect the water quality by removing the plant cover, thereby exposing the soils to erosion. The watershed can be improved by preventing wildfires and planting adapted forest trees. These practices will also improve the habitat for wildlife.

#### 12. Rock Outcrop-Takpochao-Luta

*Shallow and very shallow, well drained, strongly sloping to extremely steep soils, and Rock outcrop; on limestone escarpments*

This map unit is on Rota. Rock outcrop generally dominates the steeper areas, and Takpochao and Luta soils are between the areas of Rock outcrop. Slopes are irregular and abrupt, and there are many vertical cliff faces and narrow benches. The vegetation is native forest.

This unit makes up about 23 percent of Rota. It is about 40 percent Rock outcrop, 35 percent Takpochao soils, and 25 percent Luta soils.

Rock outcrop consists of white, porous limestone