



Ralph DLG. Torres
Governor

Arnold I. Palacios
Lt. Governor

Commonwealth of the Northern Mariana Islands

OFFICE OF THE GOVERNOR

Bureau of Environmental and Coastal Quality

DEQ: P.O. Box 501304, DCRM: P.O. Box 10007, Saipan, MP 96950-1304

DEQ Tel.: (670) 664-8500/01; Fax: (670) 664-8540

DCRM Tel.: (670) 664-8300; Fax: (670) 664-8315

www.deq.gov.mp and www.crm.gov.mp



Eli D. Cabrera
Administrator

Zabrina S. Cruz
Director, DEQ

Richard V. Salas
Director, DCRM

April 11, 2022

Barbara Alberti
Superintendent
National Park Service - American Memorial Park
PO Box 5198 CHRB
Beach Road, Garapan
Saipan, MP 96950

RE: DEQ Water Quality Certification – WQC-2022-001 (1.A.2 (AMME)); Request to extend WQC expiration date

Dear Ms. Alberti:

On April 4, 2022, we received your request letter to extend the Section 401 Water Quality Certification (WQC) for the **American Memorial Park Repair/Replacement of Shoreline Structures** (Project) to be installed in the waters of Smiling Cove and Outercove Marinas, Saipan, CNMI.

The Division of Environmental Quality (DEQ) previously issued a Water Quality Certification with conditions for this Project on January 3, 2022 (WQC-2022-001). The Water Quality Certification provided that extensions may be granted upon submission of evidence of authorized extension of the original permit, and provided that a new Water Quality Certification would be required in the event of changes in construction practices, site conditions, or issuance of a new permit.

The U.S. Army Corps of Engineers (USACE) verified this Project under the 2017 Nationwide Permits (NWP) 3, 13, and 16 on January 8, 2022.

The verification previously issued by USACE under the 2017 NWPs was valid until March 19, 2022. The Project activities did not commence prior to that date, and you have requested that USACE extend its authorization of the Project by reissuing verification of the Project under the 2021 NWPs 3, 13, and 16, which went into effect on February 25, 2022. As a result, Water Quality Certification of the Project must be extended under the 2021 NWPs in order to remain valid.

USACE has stated that it intends to extend its authorization by reverifying the Project under the 2021 NWPs 3, 13, and 16. The 2021 NWPs under which the Project will be reverified (NWPs 3, 13, and 16) had no substantive changes from the previous 2017 NWPs. Additionally, you have stated that there will be no

changes or modifications made to the proposed Project activities submitted in your original certification request.

Due to the understanding that no substantive changes have been made to the NWP's and the proposed Project activities, DEQ hereby extends the Water Quality Certification with Conditions (WQC-2022-001) to the Project as verified under the 2021 NWP's. Please ensure that you and your contractors carefully review the certification conditions.

You must notify DEQ of any substantial changes to the project that may require reconsideration of this determination.

If you have any questions regarding this determination or conditions, please contact our office at telephone numbers 664-8500/8501.

Sincerely,



Eli D. Cabrera,
Administrator

Attachments (2)

1. WQC-2022-001 - issued January 3, 2022
2. Request to extend WQC expiration date - received April 4, 2022

cc: Tim Clark (NPS-AMME); Albert Williams (USACE); John Gourley (Micronesian Environmental Services)