

RALPH DLG. TORRES
Governor



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

February 17, 2022

GOV22-022

Ms. Kristina Kekuewa
Pacific Islands Regional Director
NOAA Office of National Marine Sanctuaries
1845 Wasp Blvd.
Honolulu, HI 96818
Via E-mail: Kristina.Kekuewa@noaa.gov.

SUBJECT: Request for Extension of Time Period for Submission of Public Comments

Director Kekuewa:

Hafa Adai and Tirow!

This communication shall serve to formally request a ninety (90) day extension of time for the public comment period to remain open with regards to the Office of National Marine Sanctuaries ("ONMS") of the National Oceanic and Atmospheric Administration ("NOAA")'s review of the nomination of the Mariana Trench National Marine Sanctuary ("NMS") at the five-year interval. The notice request for written comments was issued in the Federal Register published on January 21, 2022. *See* 87 Fed. Reg. 3284 (2022). The notice required comments to be received by February 22, 2022. *Id.* There are a number of reasons necessitating an extension of time to ensure meaningful public participation and review of this revised proposal by the government and people of the Commonwealth of the Northern Mariana Islands ("CNMI").

First, in order to produce meaningful public comments from the various agencies, the CNMI must allocate limited staff and man-hours on reviewing and producing responses. The CNMI government does not have a large amount of personnel and resources available to review and draft comments to federal government requests for comments. The manpower required to conduct reviews and comments for this particular subject matter is even more limited. The desirability of maintaining the nomination as a NMS requires a careful consideration of matters related to science, policy, culture and politics. These are matters that the government and people of the CNMI do not want to take lightly, hastily or cursorily. However, only providing thirty days' notice does not allow the CNMI to properly address this important subject matter. This would result in the ONMS making a decision without the proper input of the CNMI, the political unit and people most affected by any decision regarding possible designation of a NMS. Given the analysis involved, and given the CNMI's limited resources available to do the work, combined with the sheer importance of the subject matter to the government and people of the CNMI, an extension of time is more than justified.

Second, we do not believe that public outreach by the ONMS and partner NMS sponsors was sufficient to ensure views of the public were heard. To the government's knowledge, ONMS only

conducted one virtual meeting (aka a “Zoom” meeting) for the public. To our knowledge, this virtual meeting was minimally advertised, and as a consequence, sparsely attended. Only five people participated and gave comments. Even for the small population of the CNMI, such a turnout can hardly represent the views of the public. The ONMS also apparently met with members of the CNMI legislature. Although this is laudable and important as members of the legislature are representatives of their constituents, many of these members are not experts on the issues involved and it is unknown whether the legislators actually consulted with their constituents on the matter.

The CNMI is unique when it comes to communicating to the public. The CNMI has three official languages, English, Chamorro and Carolinian. Even though most residents of the CNMI read and speak English as a first language, Chamorro and Carolinian are often spoken at home due to the respect accorded our elders who may not be so proficient in English. Also, many people tend to rely on friends, family and neighbors to convey information such as notices of meetings. It often must take an intensive public information campaign employing multiple points of dissemination to get a message to the people. Such messaging often must include newspaper announcements, posters, radio, internet social media, and public townhall style meetings. It should also include announcement in the local vernacular of Chamorro and Carolinian and other languages to reach the widest audience. This is the best practice employed by other federal agencies and should have been the practice employed with this notice and request for comment considering the import of the subject matter.

The CNMI has much experience dealing with federal government efforts to obtain public comments in areas such as Environmental Impact Statements, Section 106 historic properties review, national park designations and other areas of federal action. The CNMI government wishes to take the proposed extension of time for public comments to reach out to the community, to inform the community of the proposed NMS designation, to seek the communities’ views and report those views, or encourage the community to independently submit comments. The CNMI government, through its agencies has experience in reaching out and informing and soliciting comments from the community. Our Indigenous Affairs Office and Carolinian Affairs Office have the ability to do this in the vernacular languages. In order to ensure informed comments from the public, and given the importance of the subject matter, we believe it would be reasonable to extend the comment period.

For all of the above noted reasons, I hereby request a ninety (90) day extension of the time for public comment with regard to the ONMS of NOAA’s five-year review of the nomination of the Mariana Trench National Marine Sanctuary (“NMS”). *Si Yu’us Ma’ase* and thank you for your attention to this matter. We look forward to a favorable timely response.

Sincerely,



RALPH DLG. TORRES

Governor

Commonwealth of the Northern Mariana Islands