



# COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

**Eloy S. Inos**  
Governor

**Jude U. Hofschneider**  
Lieutenant Governor

## **EXECUTIVE ORDER No. 2013-24**

**SUBJECT:** DECLARATION OF EXECUTIVE REORGANIZATION OF THE DIVISION OF ENVIRONMENTAL QUALITY AND THE COASTAL RESOURCES MANAGEMENT OFFICE UNDER THE OFFICE OF THE GOVERNOR

**AUTHORITY:** Article III, § 15 of the Constitution of the Commonwealth of the Northern Mariana Islands.

**WHEREAS**, Section 15, Article III of the CNMI Constitution empowers the Governor to make changes to the allocation, functions, and duties of offices, agencies, and instrumentalities of the executive branch necessary for efficient administration; and

**WHEREAS**, Section 15, Article III of the Constitution states that if such changes affect existing law, they shall be set forth in executive orders which shall be submitted to the legislature and shall become effective sixty (60) days after submission, unless specifically modified or disapproved by a majority of the members of each house of the legislature; and

**WHEREAS**, the Coastal Resources Management Office (CRMO) and the Division of Environmental Quality (DEQ) share many duties and responsibilities with respect to the protection and management of the natural resources of the CNMI; and

**WHEREAS**, integrating CRMO and DEQ will help to achieve a more ideal CNMI representation to the public and to U.S. Federal Agencies (i.e., USEPA, USNOAA) by fully integrating and collaborating in the architecture of their agencies' grants, strategic goals, and objectives; and

**WHEREAS**, the integration will establish an efficient and economical agency that will benefit the public by having a more efficient permitting process, eliminating overlapping and redundant responsibilities and attaining positive collaboration in common areas of environmental management by sharing resources while engaged in similar purposes, mission and duties; and

**WHEREAS**, both DEQ and CRM are currently established as part of the Office of the Governor pursuant to 1 CMC § 2650 and 1 CMC § 2081, respectively; and

**WHEREAS**, the functions, duties and responsibilities assigned by law to CRMO under Title 2, Division 1 and to DEQ under Title 2, Division 3 of the Commonwealth Code can be more effectively organized and carried out by an integrated agency within the Office of the Governor; and

**WHEREAS**, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the executive branch;

**NOW, THEREFORE**, I, Eloy S. Inos, Governor of the Commonwealth of the Northern Mariana Islands, pursuant to the powers vested in me by the Constitution and statutes of the Commonwealth of the Northern Mariana Islands, do hereby,

**DECLARE** that efficient management of the natural resources of the CNMI requires the reorganization of CRMO and DEQ within the Office of the Governor

**ORDER** that pursuant to my constitutional reorganization powers:

1. There is hereby established the Bureau of Environmental and Coastal Quality (BECQ) to be headed by an Administrator, under which there shall be two Divisions: the Division of Environmental Quality (DEQ) and the Division of Coastal Resources Management (DCRM).
2. The Director of DEQ on the effective date of this Executive Order is hereby designated as the Administrator of the BECQ.
3. The Directors of DCRM and DEQ shall be appointed by the Administrator of BECQ.
4. All the statutory authority, powers, duties, functions and responsibilities of the Division of Environmental Quality found in Title 1, Division 2, Part 1, Chapters 12, Article 5 and Title 2, Division 3 of the Northern Mariana Islands Commonwealth Code, and any regulations promulgated thereby, are hereby transferred to the BECQ, and the Director of the re-established DEQ within BECQ shall have responsibility for the day-to-day operations and supervision of the DEQ.
5. All the statutory authority, powers, duties, functions and responsibilities of the CRMO found in Title 1, Division 2, Part 1, Chapter 1, Article 3 and Title 2, Division 1, Chapters 5 and 6 of the Northern Mariana Islands Commonwealth Code and applicable regulations, are hereby transferred to BECQ, and the Director of the DCRM within the BECQ shall have responsibility for the day-to-day operations and supervision of the DCRM.
6. The Director of DCRM shall assume all of the legal responsibilities of the CRMO Administrator under Title 1, Division 2, Part 1, Chapter 1, Article 3 and Title 2,

Division 1, Chapters 5 and 6 of the Northern Mariana Islands Commonwealth Code and applicable regulations.


7. The administration of the DCRM shall be under the supervision of the Administrator. Subject to the overall direction of the Administrator, the Director of the DCRM shall have supervision and be responsible for all matters concerning the Coastal Resources Management Program. The Director of DCRM within BECQ shall implement the Coastal Zone Management Act in the CNMI as specified by law, manage the Coastal Resources Management Program, and assume all statutory and regulatory authority, powers, duties, functions and responsibilities of the Administrator of the CRMO as set forth in Title 1, Division 2, Part 1, Chapter 1, Article 3 and Title 2, Division 1, Chapters 5 and 6 and applicable regulations.
8. All other provisions of, and statutory authority, powers, duties, functions and responsibilities pursuant to, the Coastal Resources Management Act of 1983, 2 CMC §§ 1501-1543, shall remain unchanged.
9. The expenditure authority for BECQ and its constituent offices, including the DCRM, shall be the Governor or his designee.
10. All records and property (real or personal) of the CRMO and all the personnel used in the administration of the CRMO (including employees whose chief duties relate to such administration) are hereby transferred to the BECQ. All personal property transferred shall maintain their grant identity and shall be used exclusively to support and enhance specific project objectives. All personnel transferred pursuant to Executive Order shall maintain their current positions and status in the classified civil service or in the excepted service as the case may be. The Office of Personnel Management shall ensure an orderly transfer of personnel.
11. The unexpended balances of appropriations, allocations, allotments, or other funds available for the use of the CRMO on the effective date of the transfer are transferred to the DCRM within BECQ on the effective date of this transfer. In the transfer of such funds, an amount shall be included for the liquidation of obligations incurred prior to the transfer. Subsequent to the transfer, CRMO operations shall be reflected in the annual budget of the BECQ. The Department of Finance, however, shall not co-mingle any funds from federal grantors to CRM and/or DEQ and shall maintain the separate accounts currently in place.
12. The Administrator of BECQ shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Executive Order, consistent with the Coastal Resources Management Act of 1983, 2 CMC §§ 1501-1543.

**PROVIDE** that all rules, orders, contracts and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Executive Order shall continue to be effective until revised, amended, repealed or terminated.

**PROVIDE** that if any provision of this Executive Order or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Executive Order or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

**PROVIDE** that in accordance with the Constitution, this plan shall become effective 60 days after submission to the Legislature, unless specifically modified or disapproved by a majority of members in each house of the Legislature.

**SIGNED AND PROMULGATED** this 12<sup>TH</sup> day of November, 2013.



A handwritten signature in black ink, appearing to read 'Eloy S. Inos', is written over a horizontal line. The signature is stylized and cursive.

**ELOY S. INOS**  
Governor