

ENFORCEMENT PROCEDURE

- UNDER THE COASTAL RESOURCES MANAGEMENT OFFICE RULES & REGULATION AND/OR PUBLIC LAW 3-47, THE ENFORCEMENT PROCEDURE IS UNDER :
- SECTION 14
- SECTION 15



SECTION 14

COMPLIED

A letter is issued advising not to violate any permit condition in the future and that future violations may result in fines being imposed

When a violation has been determined, a **Warning Notice** is issued with a notice of intent of what action CRMO will undertake if there is no compliance within 30 days.

NO COMPLIANCE

No compliance after 30 days from the issuance of Warning Notice. CRM shall issue a Permit Enforcement Notice. The notice shall inform the permit holder of the intended action to be taken, inform of their responsibilities and rights that they object to the statement of fact or conduct constituting the violation in the notice, shall request for an enforcement hearing within 30 days of service of the notice and that failure to request for a hearing the proposed sanction will be imposed.

FAILED TO REQUEST HEARING

If the Permit Holder failed to request for an enforcement hearing within 30 days from the issuance of Permit Enforcement Notice. CRM may order any or all of the following remedies.

1. Revocation of the CRM permit in its entirety.
2. Suspend the permit temporarily for a given period until the permittee conforms with any specific permit conditions.
3. Corrective measures may be ordered so that the project conforms to the CRM permit conditions

REQUEST HEARING

Upon receipt of the request for enforcement hearing. CRM shall schedule the enforcement hearing within 15 days.

Within 10 days of the close of the enforcement hearing CRM shall issue a decision and shall order the following remedies.

SECTION 15

WARNING NOTICE

Upon determination that a violation of law subject to CRM jurisdiction has occurred, the CRM Administrator may issue a **Cease & Desist Order**, shall state notice of intent to undertake legal proceedings unless corrective measures are undertaken, and shall provide for a period which compliance shall be affected.

Upon determination that a person other than a permit holder is in violation of Public Law 3-47 CRM shall promptly issue two types of an **Enforcement Notice**.

The decision of the CRM Administrator shall be final. Appeal of an Enforcement decision or Administrative Order shall be to the Commonwealth Superior Court within 30 days following service of the written enforcement decision.

FAILED TO REQUEST HEARING

Failure to provide a written request for an enforcement hearing within the prescribed period shall be deemed a waiver of defense and the right to an enforcement hearing and the fine, as set in the enforcement notice, shall upon expiration of the 7 day period, become immediately due and payable to the CNMI Treasurer. All fines shall be paid by check made payable to the Treasure of the CNMI. A copy of the payment receipt shall be provided to the CRM office by the violator

Upon receipt of the request for enforcement hearing CRM shall schedule the enforcement hearing within 15 days.

Within 10 days after CRM conducts the enforcement hearing, CRM shall issue a written decision.

REQUEST HEARING

RESPONSE TO NOTICE

If the party to whom enforcement notice is sent objects to the finding of violation, or seeks an enforcement hearing on the request for an enforcement hearing within 7 days of service of the enforcement notice.

SECTION 15

1

ENFORCEMENT NOTICE FOR COMPLETED VIOLATION

If acts constituting a violation are completed and the violation is not of an ongoing nature, the enforcement notice shall include statement of the facts and conducts constituting the violation, the amount of an impose fine, if any, a warning not to repeat the unlawful activity and a statement that a hearing on the findings of violation and the size of the fine is available upon request for an enforcement hearing within 7 days of service of the enforcement hearing .

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ENFORCEMENT NOTICE FOR CONTINUING VIOLATION

If acts constituting a violation are of an ongoing nature or likely to be repeated, the enforcement notice shall include a statement of facts and conduct constituting the violation, a statement of impose, continuing fine, if any, an order to cease and desist the activity giving rise to a violation, a warning that additional may be impose for failure to cease and desist the prohibited activity and a statement that an enforcement hearing on the finding of a violation or size of the fine is available if the CRM Administrator is so requested, in writing within 7 days of service of the enforcement notice.