

On My Mind  
6/8/01

Questions concerning not only the village homestead program itself, but also the means by which it continues to be implemented were brought to the forefront as a result of last week's public hearing on the Office of Public Land's CRM permit application to open a homestead area in "Tanapag Heights."

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The 284 homesteads slated for the Tanapag area will be built on a hillside, and as a result, nearly half the lots will have slopes ranging from 25-40%, another hundred lots will have slopes ranging from 15-35%, and only 60 lots will be "nearly level," according to the handout provided by the engineering firm that has prepared the homestead layout.

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That statistic by itself should raise red warning flags: the erosion, as infrastructure is installed and houses built, will be substantial, posing a major threat not only to the lower areas of the homestead and to the wetlands in and around the area, but also to the lagoon into which it will eventually flow. In addition to wetland areas, the homestead site also contains "numerous intermittent streams," according to the handout - which also stand to be adversely affected by the erosion.

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Sad to relate, despite the excavation that will have to be done to accommodate phone, water and sewer lines, no thought is being given to putting the power lines underground as well.

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The area, in addition to being deeply sloped, encompasses two freshwater springs, both currently used by the Commonwealth Utilities Corporation as part of the "city" water system. How they will survive all the construction is not at all clear. But wells may have to be dug as well, since the springs do not provide an adequate water supply for the area.

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Clearly, given its topography, this hillside can hardly be considered a favorable site for residential development - or any other kind of development, for that matter. Yet that is exactly what OPL has, apparently, been forced to do - once again try to carve a village homestead site into an inhospitable piece of land. Why? Because public land is shrinking, while demand for homestead lots continues to grow.

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The question of what to do when no more land is available for homesteads has always been there - but it has been pushed aside as a problem for tomorrow, not today. The difficulties that homesteaders will face in Tanapag Heights as they attempt to create a large enough level surface on which to build their homes should give clear evidence that tomorrow has now arrived - the fate of the homestead program is desperately in need of resolution. It's a pity that this is an election year, guaranteeing that such difficult decisions will not even be addressed, much less resolved any time soon.

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The proposed addition of 284 new families to Tanapag - the smallest village on Saipan, and the

most intact - brings to the fore another aspect of the homestead program: the practice of drawing lots as a means of distributing homestead sites. Intended, no doubt, as an effort to be "fair," the practice has had, over the years, a devastating effect on the social fabric of the CNMI.

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Denying homestead applicants the right to maintain ties to their home village, the practice has instead created artificial villages composed of strangers who have nothing in common except the fact that they all are of either Chamorro or Carolinian ancestry. Family ties, loyalties to school and church, to other community activities and functions, have all been disregarded, ignored, dismissed as unimportant in the effort to be "fair" in the assignment of homestead lots.

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As a result, the "new" villages develop without focus. Neighbors do not know each other, have no ties to each other, feel no relationship to each other. There is no common thread - such as church or school or village athletic team to bring people together, to generate community spirit, to foster a sense of loyalty or belonging. Without such communal qualities, there are no bounds to mitigate against vandalism, theft, burglary. The homestead program, in effect, throws a mix of people into so-called melting pots - without providing anything as unifying force to help the different people meld into a coherent village.

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If these same conditions - the injection of strangers with no loyalties, no ties to present villagers - are imposed on Tanapag, it threatens to severely disrupt the strong sense of community that still prevails in this small northern village. There is little doubt that crime rates will increase, and tensions will rise - as has happened in other homesteads. On the other hand, if priority were given to present Tanapag residents in the assignment of homestead lots in the proposed new Tanapag Heights homestead - so that villagers could stay together within their community - this disruptive threat could be significantly minimized, thereby preserving the integrity of this last enclave of traditional rural living on Saipan.

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The requirement that village homesteads be assigned by lottery is not law. It is only a regulation. It is high time that the negative impact of drawing lots be openly acknowledged, that this disruptive practice be done away with, and that more socially responsive regulations be enacted.

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It's a good thing that the <I>Tribune</I>'s circulation is as limited as it is. The totally erroneous headline on today's front page might otherwise cause considerable panic. 'Kagman water polluted,' indeed! There's not a single sentence in the entire story that supports that headline.

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The truth is that Kagman farmers have all been trained in the use and application of pesticides under USDA- sponsored programs. Each must file a management plan indicating, among other things, the amount and kind of fertilizer and pesticide to be applied to his lot, and each plan must be approved by the soil and water conservation district.

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Does Congressman Pangelinan really believe that either the federal or the CNMI government would spend all that money, would put together an area-wide watershed plan and not take into

account the necessary precautions to control the amount of contamination released in the area, to protect the quality of the water being collected?

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For reasons known only to himself, Congressman Pangelinan stubbornly continues to refuse any and all attempts to enlighten him on what the Kagman watershed project is all about. If he's got aspirations for re-election, it would behoove him to show a little more openness, flexibility and willingness to learn.....

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While the U.S. Army Department of Defense may not have responded to the CNMI's letter accusing it of being a potentially liable party in regard to clean up of PCB's in Tanapag, the Army has commented on the emergency regulations under which the charge was made.

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In a letter addressed to the Acting Director of DEQ, Lieutenant Colonel Ronald Light, U.S. Army District Engineer, wrote: "The regulation neither cites nor describes a clear and unequivocal waiver of sovereign immunity by the United States Congress which would allow the Commonwealth to assert...jurisdiction over a department, agency, or instrumentality of the federal government."

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"The CNMI also exceeds its authority to regulate federal property...." It claims to create a CNMI property right in federal property. "The Commonwealth is not empowered to encumber federal property rights," says the letter.

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Since the Army doesn't accept the validity of the regulations to begin with, it's not surprising that it hasn't bothered to waste time putting together answers to charges made under them.

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Does the CNMI AG - read Murphy Peterson - really think he can take on the U.S. Army? My, my, what an ego! More to the point - what a disastrous prospect for CNMI's limited resources.

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Would that it were possible to impose a moratorium on all bills - and other legislative acts - between now and elections in November! Political agendas are distorting every budget request, every attempt to improve the economy, every move to try solve problems of government inefficiency and waste.

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"Lame duck" presidents lose their power because the members of Congress recognize that out-going presidents no longer have the influence of sitting presidents, and thus need not be accommodated. Unfortunately, there doesn't seem to be much of a parallel for "lame duck" legislators.

