

On My Mind
4/10/09

I rescind my rant (see last week's column). Thanks to information provided through some admittedly belated dialogue with John Scott, president of Ampro, the firm doing the clearing in Marpi, and some fancy footwork on the part of the administration and its spokesperson Franz Reksid, my perspective has changed, and the only remaining question on my mind is "why now?"

A number of people had congregated at the Marpi site yesterday morning to participate in an interview with KSPN's Lanni Walker regarding the clearing. Scott explained to the group that the site contained the most concentrated collection of unexploded ordnance in the CNMI because it had been a munitions storage area in preparation for the bombing of Japan during World War II. Though a fire in the 60's had burned for two weeks, that only served to scatter the munitions that were there, and though a collection effort was made during Trust Territory times, there remained, said Scott, so much ordnance that he'd had to stop the collecting effort this week because Ampro's bunker/storage area was already full. A first detonation is scheduled for April 24.

Though there is no risk of the ordnance exploding if stepped on, Scott said it contains volatile explosives and therefore is a danger if the ordnance catches fire or is tampered with in any way. It also presents a security risk, he noted.

The Ampro contract includes a re-seeding of the area upon completion of the clearing. Scott said they'd cleared the mostly tangentangen and other weeds in the area, but left the indigenous trees standing. He assured his listeners that that was the extent of the Ampro involvement; clearance of unexploded ordnance under an EPA-funded Brownfield grant.

While early information had tied the clearing to homestead development, Franz Reksid of the Department of Public Lands reminded the group that the DPL director has already publicly stated that there is no money for homestead development, nor is any likely for the next several years. A DPL staffer said DPL intended to keep the area groomed like a golf course in the interim - a rash promise indeed given the costs involved and the present state of the economy!

All in all, it was a most useful exchange of information! While Scott was open and forthcoming - among other things, he volunteered that in light of the oncoming rainy season, he would be altering his approach to minimize erosion - Reksid's comments were less reassuring. He explained that a Marpi homestead was included in the Saipan master land use plan, despite the fact that the zoning laws label Marpi as rural (zoning is only a year old, said Reksid), and later said he did not know where a copy of the master plan could be found. He did reveal that the master plan is apparently undergoing revision to accommodate changes in demographics and the zoning laws, but could offer no time table

as to when that revision might be available for review and comment.

The fundamental question of why it was decided to clear that area now was, of course, not answered, though two possible answers - both of which could apply - have surfaced. One says that the Brownfield grant provides enough slack (extra dollars) to provide continuing funding for some DPL staff; the other says that the homestead angle was deliberately invoked as an election ploy. Public light on the matter has made it clear that the two issues are separate and independent of each other; the clearing will continue, but whether homestead development will follow is not at all certain.

Hopefully, between Ampro and DPL, billboards will now be erected to inform the public - and tourists - as to why the clearing is taking place, and that restoration of the area will occur as the clearing is completed.

Another Marpi issue is the butchering of flame trees in the vicinity of the construction site for the Buddhist temple being built there. Pruning trees is one thing, but what's been done to those trees can by no means be called pruning if for no other reason than that after the cutting, the trees are all off-balance; they no longer have a natural, rounded shape.

They are being slaughtered, it turns out, because CUC plans to string power poles along there for the temple.

Particularly since it is such a relatively short distance, is there any reason those lines can't be put underground? Perhaps even combined with cable tv and phone lines and all put underground together? And if there isn't going to be a well dug there, how about combining the digging and related costs, and putting water underground there at the same time?

The debate about Article XII, the article in the CNMI Constitution that prohibits the ownership of land by anyone not of CNMI descent, is heating up as the Covenant-provided date for a possible change comes closer. So far, it has tended to be a rather divisive subject, discussed or written about in terms of "either-or" - either wipe it out, or keep it.

It might be more fruitful - and bring broader acceptance - if those extremes were discarded, and the discussion focused on ways to keep what is good about the article, and to change what isn't.

What's good about the article is that it guarantees that the very limited amount of land that comprises the CNMI will always stay in the hands of local people. Under the Covenant and Constitutional provisions, neither foreigners nor "outlanders" are able to take permanent possession of land belonging to the local islanders. It assures them a permanent home. And it ensures that neither fast-talking investors nor unscrupulous agents can take advantage of them, deprive them of their last asset - their land.

What's bad about it is that unfortunately, at present that asset doesn't always do much good, because it has been considered unacceptable as collateral. If a person's only asset is land, s/he has no way of raising capital to begin a business, to invest in any way, to derive a profit or an income, from the use of that land, so long as s/he continues to make use of it as his/her residence.

Isn't there any way that could be changed - so that banks would be required to accept land as collateral, so that value could be realized without having to lease the land to someone else? This is a unique situation, and it seems to me that unique, outside-the-box solutions are called for here, rather than the standard restrictive bank protocols.....

In the same vein, could not means be found to allow long-term residents a means of making or retaining any long-term investment in land they may have made?

Another problem with Article XII as it stands is the definition of what constitutes a person of Northern Marianas descent. There is no reason that this definition could not be changed to extend the qualification to further descendants. Conceivably, at some point there will be so little affiliation with the CNMI that ownership of land in the CNMI will no longer be an issue.

Finance, economics, are not my forte, but surely means can be found to save what is good about Article XII, and change only what is not, without throwing the whole thing out?

Short takes:

One would hope that the fine tooth of federal oversight finds the notice that the CNMI government is planning on using stimulus funds to continue funding a bloated government rather than initiating legitimate economic stimulus strategies, and rejects it forthwith.

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CUC has finally admitted that it will need additional staff if it is to continue providing reliable power after the Aggrekko contract expires. How likely is it that the legislature and the administration will ensure that CUC gets what it needs in time? Stand by, Aggrekko! Don't be in too much of a hurry to leave!

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And, finally: that the Marianas Visitors Authority remained silent, invisible, regarding the Marpi Brownfield clearing issue - an issue obviously and directly affecting tourists - is unconscionable. That agency sure needs some serious re-structuring!