

AN ACT

To create the "Rock Islands Conservation Area" by establishing conservation zoning for the rock islands of Koror.

THE PEOPLE OF THE STATE OF KOROR REPRESENTED IN THE STATE LEGISLATURE DO ENACT AS FOLLOWS:

1 Section 1. Title. This Act shall be known as the Rock Islands Conservation Area Act.

2 Section 2. Legislative findings and purpose. The Sixth Koror State Legislature finds
3 that the creation of a conservation area for Koror's rock islands is essential to protect them
4 from future development, to protect Koror's future as a tourist destination, and to protect the
5 habitats of several endangered species. The Legislature further finds that the current zoning
6 map does not clearly establish the zoning for many of Koror's rock islands, and designation
7 of the rock islands as a conservation area is necessary to meet these goals. The purpose of this
8 Act is to establish conservation zoning for all rock islands within the Rock Islands
9 Conservation Area that are not already zoned.

10 Section 3. Rock Island Conservation Area created. There is hereby established the
11 Rock Island Conservation Area, comprising of all rock islands under the territorial
12 jurisdiction of the State of Koror, unless otherwise excepted. The Rock Island Conservation
13 Area as described herein shall encompass the area shown in the drawing attached and
14 incorporated by this reference. All territorial waters of the State of Koror within the
15 designated Rock Island Conservation Area, and all reef flats, submerged reefs, and all other
16 submerged living and non-living resources of the State of Koror within the Rock Islands
17 Conservation Area, and from the high tide watermark shall for the purposes of this Act, and
18 for the purposes of enforcing the zoning laws, be included as part of the Rock Islands
19 Conservation Area.

20 Section 4. Rock Islands: Exclusions from Rock Islands Conservation Area. The Rock
21 Islands Conservation Area does not include the following:

- 22 1. The islands of Malakal and Arakebesang.

- 1 2. The Koror Mainland, which does not, for purposes of this Act, include the
- 2 southeast portion of the island as designated on the attached map.
- 3 3. Any other small islets or islands joined to Malakal, Arakebesang or Koror
- 4 Mainland by causeway or bridge.
- 5 4. Ngerur Island.

6 Section 5. Zoning for conservation area established. All rock islands and territorial
7 waters, reef flats, and other submerged areas within the Rock Islands Conservation Area as
8 described in Section 3 of this Act are hereby zoned "Conservation Zone" (CD). This Act
9 shall not affect any zone designation as shown on the official Koror Zoning Map as of the
10 effective date of this Act. The official Koror Zoning Map of the State of Koror shall be
11 amended to reflect this designation. No dredging, filling, or other reclamation activities may
12 be carried on in the Rock Islands Conservation Area without the prior approval of the Koror
13 Planning Commission, which shall be guided by the standards set forth for the Conservation
14 zone (CD) and conditional uses allowed in a Conservation zone (CD), and by any other
15 applicable laws. In the event that any lease, sublease, assignment, use right, or other grant of
16 any portion of the Rock Islands Conservation Area is given or granted to any person or
17 entity or otherwise allows development within the Rock Islands Conservation Area, then the
18 grantee or recipient, and any successors in interest, may not engage in or conduct any
19 improvements of any kind without first complying with the Koror subdivision law, as found
20 at 31 PNCA 4001-4306, and without first obtaining all approvals and authorizations required
21 under the Koror Subdivision laws and this Act. This Act shall not affect or alter any national
22 or state law and regulations promulgated thereunder, and shall not relieve any person of the
23 obligation to obtain any permit, license, or permission as may be required by national or state
24 law or any regulations promulgated pursuant to national or state law, including but not
25 limited to building permits, earthmoving permits, sanitation requirements, and water
26 "classification" restrictions.

SIXTH KOROR STATE LEGISLATURE

Sixth Special Session, June 1999

KSPLA NO. K6-100B-99
(Intro. as Bill No. 6-35.LD3)

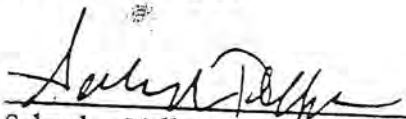
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Section 6. Severability. In the event that a court of competent jurisdiction determines that any part or portion of this law is invalid, then the offending portion may be stricken, and the remaining portions shall continue in full force and effect.

Section 7. Effective date. This Act shall become effective upon its becoming law by operation of the Koror State Constitution.

PASSED: August 30, 2000

CERTIFIED BY:


Salvador Tellames, Speaker
6th Koror State Legislature

ATTESTED TO BY:


Charlyne Uong, Clerk
6th Koror State Legislature

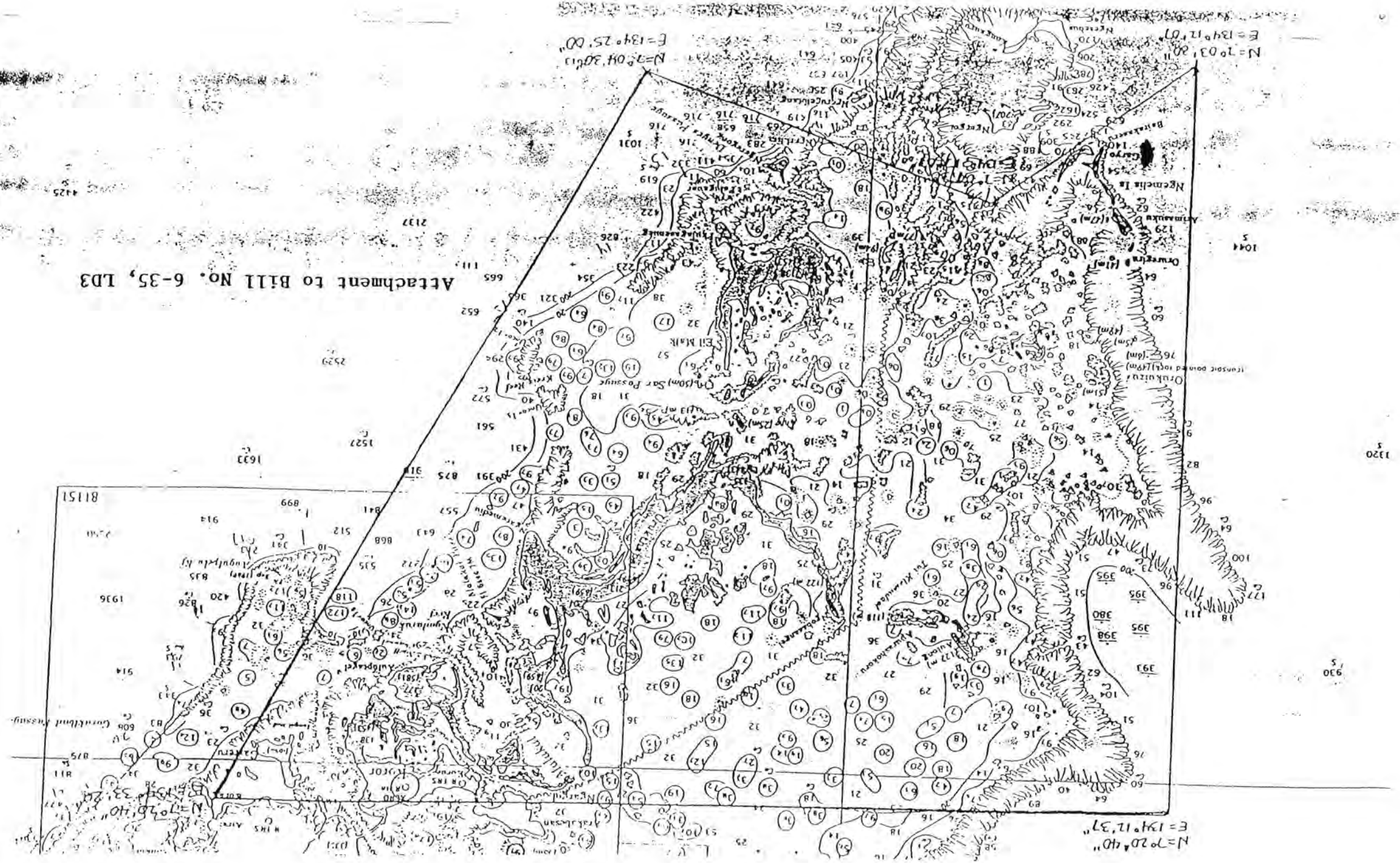
APPROVED THIS _____ DAY OF _____, 2000.

John C. Gibbons
Governor, Koror State

APPROVED THIS _____ DAY OF _____, 2000.

Ibedul Y. M. Gibbons
Chairman, House of Traditional Leaders

*Lapsed
September 19*



Attachment to Bill No. 6-35, LD3

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