

**TITLE 25**

**ENVIRONMENTAL PROTECTION**

**SUBTITLE I**

**FSM ENVIRONMENTAL PROTECTION ACT**

**CHAPTERS**

- 1 General Provisions (§§ 101-103)**
- 2 FSM Environmental Protection Board (§§ 201-210)**
- 3 Enforcement (§§ 301-308)**

**Editor's note:** Former chapters 1 through 4 of this title were designated subtitle I at the time of the first cumulative supplement in order to distinguish the provisions of the Trust Territory Environmental Protection Act from the FSM Environmental Protection Act, which was codified in chapters 5 through 7 of subtitle II. Section 1 of PL 17-57 repealed chapters 1 through 4 of this title. Section 2 of PL 17-57 renumbered chapters 5 through 7 as chapters 1 through 3, respectively. Chapters 1 through 3 are designated as subtitle I to retain the integrity of the FSM Environmental Protection Act and to allow for future enactment of other laws on environmental protection not a part of the FSM Environmental Protection Act. The subtitle II designation is removed as no longer currently necessary. Section 3 of PL 17-57 designated this title as the Federated States of Micronesia Environmental Protection Act, but the original designation of this title as Environmental Protection is retained to comport with standard code format. The "Federated States of Micronesia" in subtitle I is changed to "FSM" to shorten the subtitle's designation.

**[FORMER SUBTITLE I**

**TT ENVIRONMENTAL QUALITY PROTECTION ACT**

**REPEALED BY SECTION 1 OF PL 17-57]**

**CHAPTERS**

- 1 General Provisions (§§ 101-104) [REPEALED]**
- 2 Environmental Protection Board (§§ 201-208) [REPEALED]**
- 3 Enforcement (§§ 301-309) [REPEALED]**

## **4 District Advisory Boards [REPEALED]**

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### **SUBTITLE I**

## **FSM ENVIRONMENTAL PROTECTION ACT**

### **CHAPTER 1**

#### **General Provisions**

#### **SECTIONS**

- § 101. Short title.**
- § 102. Public policy.**
- § 103. Definitions.**

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law by President Manny Mori on June 15, 2012.

### **§ 101. Short title.**

This subtitle may be cited as the Federated States of Micronesia Environmental Protection Act.

**Source:** PL 3-83 § 1; PL 17-57 § 3.

**Editor's note:** The "Federated States of Micronesia" in this subtitle I is changed to "FSM" to shorten the subtitle's name.

### **§ 102. Public policy.**

(1) It is the policy of the Federated States of Micronesia to use all practicable means, consistent with other considerations of national policy, to improve and coordinate governmental plans, functions, programs, and resources to the end that the inhabitants of the Federated States of Micronesia may:

- (a) fulfill the responsibilities for each generation as trustee of the environment for succeeding generations;
- (b) enjoy safe, healthful, productive, and aesthetical and culturally pleasing surroundings;
- (c) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable or unintended consequences;
- (d) preserve important historic, cultural, and natural aspects of our Micronesian heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice; and
- (e) remain responsible members of the global community by complying with the international legal obligations accepted by the Federated States of Micronesia upon ratifying or acceding to international environment agreements.

(2) The effort to protect and preserve the environment will be carried forward in close consultation with the States in the formulation of policy, enforcement, and other activities.

(3) The Federated States of Micronesia recognizes that each person has a responsibility to contribute to the preservation and enhancement of the environment.

**Source:** PL 3-83 § 2; PL 17-57 § 4.

**Cross-reference:** The statutory provisions on the President and the Executive are found in title 2 of this code. The statutory provisions on the Congress of the Federated States of Micronesia are found in title 3 of this code. The statutory provisions on the FSM Supreme Court and the Judiciary are found in title 4 of this code.

The website of the FSM National Government contains announcements, press releases, news, forms, and other information on the National

Government at <http://fsmgov.org>.

The FSM Supreme Court website contains court decisions, rules, calendar, and other information of the court, the Constitution, the code of the Federated States of Micronesia, and other legal resource information at <http://www.fsmsupremecourt.org/>.

The official website of the Congress of the Federated States of Micronesia contains the public laws enacted by the Congress, sessions, committee hearings, rules, and other Congressional information at <http://www.fsmcongress.fm/>.

### **§ 103. Definitions.**

The following words, for the purpose of this subtitle, shall have the following meanings:

- (1) “Director” means the Director of the Office of Environment and Emergency Management;
- (2) “Exclusive Economic Zone” means the exclusive economic zone defined in title 18 of this code;
- (3) “Office” means the Office of Environment and Emergency Management of the Federated States of Micronesia;
- (4) “Person” means the Federated States of Micronesia, a State, municipality, political subdivision, a public or private institution, corporation, partnership, joint venture, association, firm, or company organized or existing under the laws of the Federated States of Micronesia or any State or country, lessee or other occupant of property, or individual, acting singly or as a group;
- (5) “Pollutant” means one or more substances or forms of energy which, when present in the air, land, or water, are or may be harmful or injurious to human health, welfare, or safety, to animal or plant life, or to property, or which unreasonably interfere with the enjoyment by the people of life or property.

**Source:** PL 3-38 § 3; PL 5-21 § 10; PL 17-57 § 5.

**Cross-reference:** The statutory provisions on the President and the Executive are found in title 2 of this code.

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