June 07, 2018

The Honorable Tulensa W. Palik
Speaker
Eleventh Kosrae State Legislature
Tofol, Kosrae FM 96944

Dear Mr. Speaker:

Kulo nu sin God ke moul lasr. Paing kom a Honorable Members ke Sroasr Masap kewa.

Nga ke akkalemeye la nga insese a sain L.B. No. 11-261, nu ke Masap, Su orala Kosrae State Law No. 11-156

"TO AMEND TITLE 19 AT CHAPTER 8, BY ADDING A NEW SECTION 19.826 OF THE KOSRAE STATE CODE, TO ESTABLISH THE MAHKONTOWE CONSERVATION AREA UNDER THE PROTECTED AREAS ACT OF 2010; AND FOR OTHER PURPOSES."

Certified copy ke masap se inge pa attached nuke letter luk.

Kulo ma lulap.

Lyndon H. Jaekson
Governor, State of Kosrae
June 4, 2018

The Honorable Lyndon H. Jackson
Governor
State of Kosrae
Federated States of Micronesia 96944

Dear Governor Jackson,

I have the honor to transmit herewith for your consideration and action on L.B. No. 11-261, TO AMEND TITLE 19 AT CHAPTER 8, BY ADDING A NEW SECTION 19.826 OF THE KOSRAE STATE CODE, TO ESTABLISH THE MAHKINTOWE CONSERVATION AREA UNDER THE PROTECTED AREAS ACT OF 2010; AND FOR OTHER PURPOSES; which passed the Legislature, Eighteenth Special Session, by two-thirds of the members of the Legislature, a quorum is present.

Respectfully yours,

[Signature]

Andy J. Andrew
Chief Clerk
Kosrae State Legislature

Enclosures:
LEGISLATIVE BILL No. 11-261

ELEVENTH KOSRAE STATE LEGISLATURE
EIGHTEENTH SPECIAL SESSION
MAY 09, 2018

A BILL FOR AN ACT

TO AMEND TITLE 19 AT CHAPTER 8, BY ADDING A NEW SECTION 19.826 OF THE KOSRAE STATE CODE, TO ESTABLISH THE MAHKOHNTOWE CONSERVATION AREA UNDER THE PROTECTED AREAS ACT OF 2010; AND FOR OTHER PURPOSES.

INTRODUCED BY: Floor Leader Jurinson M. Charley by request

DATE: May 24, 2018

ACTION BY THE LEGISLATURE

PASSED FIRST READING: June 01, 2018

REFERRED TO:

PASSED SECOND READING: June 04, 2018

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Andy J. Andrew
Chief Clerk
Kosrae State Legislature
LEGISLATIVE BILL No. 11-261

We hereby certify that the foregoing Bill has passed Second and Final Readings in the Legislature, Eighteenth Special Session, 2018, by two-thirds of the members of the Legislature, a quorum is present.

Tulenwa W. Palik  
Speaker  
Eleventh Kosrae State Legislature

Andy J. Andrew  
Chief Clerk  
Kosrae State Legislature
A BILL FOR AN ACT

To amend Title 19 at Chapter 8, by adding a new Section 19.826 of the Kosrae State Code, to establish the Mahkontowe Conservation Area under the Protected Areas Act of 2010; and for other purposes.

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

Section 1. Purpose. The Mahkontowe Conservation Area is to demonstrate the ancient historical, cultural, social and agricultural and natural environmental significance of the Mahkohntowe, the Kosrae’s Sleeping Lady, for three purposes: (1) to create the Mahkontowe Conservation Area under the Protected Areas Act of 2010, supported by Title 19 of the Kosrae State Code for the purpose of preserving Kosrae natural environment and culture, (2) to boost the economy of the State in an historic manner with an eco-tourism site and variety of activities; and (3) to create job and facilities opportunities for self-employment.

Section 2. Amendment. Title 19 of the Kosrae State Code is hereby amended by adding a new Section 19.826 to read as follows:

“Section 19.826. Establishment of the Mahkontowe Conservation Area.

(1) It is hereby, established the terrestrial protected area known as the Mahkohntowe Conservation Area which shall be subject to the provision of the Protected Areas Act of 2010 and be administered by the Kosrae Island Resource Management Authority (KIRMA).

(2) The Goals of the Mahkontowe Conservation Areas are to (1) preserve Kosrae’s natural and cultural resources and culture by protecting and prohibiting any human activities particularly economic development,
harvesting of natural resources and collection, displacement, and
destruction of cultural sites and artifacts within the core and buffer zones,
(2) to boost the economy of the State with eco-tourism activities
supporting creation of jobs and other opportunities.
(3) The Mahkontowe Conservation Area is located within the interior
terrestrial areas of Kosrae, with a total area of 15 square kilometers
consisting of Zones namely; the Core, Buffer, and Transition.
(4) The Mahkontowe Conservation Area shall comprise of the Core and
Buffer Zones as prescribed for protection and prohibiting of human
activities relating to any economic development, harvesting, and
exploitation of biodiversity and natural resources, collection, displacement
and destruction of cultural sites and artifacts.
(5) The Mahkontowe Conservation Area Core Zone:
(i) The Core Zone has an area of 1,371.73 hectares (13.7 sq km) and
is centrally located among the other zones. The Core Zone shall be
a no take and development zone, meaning all economic
development and natural resources and biodiversity extractive
activities are prohibited. The Core Zone is larger than the rest of
the zones, which should not subtract from the level of protection
and enforcement it shall receive. The Core Area is subject to
current Kosrae State law regarding protected and endangered
species.
(ii) The Core Zone boundaries shall be established through regulations by KIRMA.

(6) The Mahkontówe Conservation Areas Buffer Zone:

(i) The Buffer Zone begins at the boundary of the Core Zone and extends 50 meters beyond the Core Zone. It has an area of 86.9 hectares (0.86 sq. km) and adjoins the Core Zone and Transitional Zone. It is the second smallest portion of the Mahkontówe Conservation Area and forms the perimeter around the Core Zone and also spreads out from the Core Zone by 50 meters. The Buffer Zone is to insulate the Core Zone from human activities and developmental pressures most likely to occur in the Transition Zone.

(ii) The boundaries of Buffer Zone shall be established by regulation by KIRMA.

(7) The Mahkontówe Conservation Area Transition Zone:

(i) The Transition Zone begins at the end of the Buffer Zone and extends a distance of 25 meters away from the Buffer Zone. It has an area of 44.18 hectares (0.44 sq. km) and adjoins the Buffer Zone. It forms the perimeter around the Buffer Zone and takes up the smallest area of the entire Mahkontówe Conservation Area. The Transition Zone is a flexible area which can contain agricultural activities, settlements, and other uses related to the
conservation, management, and visitation to the Mahkontowe
Conservation Area. Commencement of new construction of
Mahkontowe Area requires contractors to have a Kosrae
Development Permit and to abide by the Kosrae State
Environmental Impact Assessments guidelines and the Kosrae
State Land Use Plan.

(ii) The boundaries of the Transition Zone shall be established by
regulation by KIRMA.

Section 3. Effective Date. This act takes effect upon the approval of the
Governor or upon its becoming law without such approval.

PASSED BY THE ELEVENTH KOSRAE STATE LEGISLATURE ON THE 4th DAY
OF JUNE, 2018.

Tulensa W. Palik
Speaker, Eleventh Kosrae State Legislature

Attested by:
Chief Clerk
Lyndon H. Jackson  
Governor, State of Kosrae

Date: 6/11/18