



The Senate

NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. Box 500129
Saipan, MP 96950

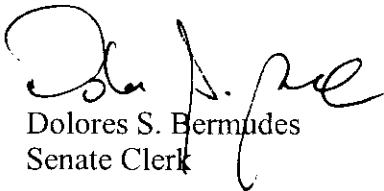
April 29, 2008

Kitty Simonds
Executive Director
Western Pacific Regional Fishery Management Council
1164 Bishop Street, Suite 1400
Honolulu, Hawaii 96813

Dear Director Simonds:

I have the honor of transmitting herewith a certified copy of Senate Joint Resolution No. 16-04, entitled, "A Senate Joint Resolution to respectfully request that the President of the United States refrain from unilaterally creating a Northern Islands National Monument and imposing the regulatory burdens appurtenant thereto upon the People of the Commonwealth of the Northern Mariana Islands without the consent of the local government." S.J.R. No. 16-04 was adopted by the Senate on April 22, 2008 and by the House of Representatives on April 24, 2008, Sixteenth Northern Marianas Commonwealth Legislature.

Sincerely,



Dolores S. Bermudes
Senate Clerk

Attachment



**THE SENATE
SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

SENATE JOINT RESOLUTION NO. 16-04

Introduced by: Sen. Paul A. Manglona; Sen. Felix T. Mendiola; Sen. Paterno S. Hocog; Sen. Pete P. Reyes; Sen. Maria Frica T. Pangelinan; Sen. Luis P. Cirsostimo; Sen. Jude U. Hofschneider; Sen. Joseph M. Mendiola; Sen. Henry H. San Nicolas

A SENATE JOINT RESOLUTION

TO RESPECTFULLY REQUEST THAT THE PRESIDENT OF THE UNITED STATES REFRAIN FROM UNILATERALLY CREATING A NORTHERN ISLANDS NATIONAL MONUMENT AND IMPOSING THE REGULATORY BURDENS APPURTENANT THERETO UPON THE PEOPLE OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS WITHOUT THE CONSENT OF THE LOCAL GOVERNMENT.

1 WHEREAS, The Papahānaumokuākea Marine National Monument (formerly the Northwestern
2 Hawaiian Islands Marine National Monument) was created by President George W. Bush on June 15, 2006
3 under the 1906 Antiquities Act, after years of research; and

4 WHEREAS, a similar monument is being considered which would include the waters adjacent to the
5 islands which comprise the Northern Mariana Islands; and

6 WHEREAS, The Pew Charitable Trusts (Pew) wrote to the Governor of the Commonwealth of the
7 Northern Mariana Islands (CNMI) on December 20, 2007 and suggested that the CNMI concur that the 200-
8 mile EEZ surrounding Uracas, Maug and Asuncion Islands be designated by U.S. President George W. Bush as a
9 marine sanctuary or monument; and

10 WHEREAS, the Governor of the CNMI responded to the Pew in a letter dated March 19, 2008
11 expressing his appreciation of Pew's interest in the environs of the Northern Islands of the CNMI, while
12 respectfully declining the suggestion of designating any marine sanctuary or monument in the Northern Mariana
13 Islands; and

14 WHEREAS, the CNMI Senate and the House of Representatives did attentively listen to a presentation
15 given by Pew representatives Mr. Jay Nelson and Mr. Angelo Villagomez about the suggested marine sanctuary
16 on March 26, 2008; and

17 WHEREAS, the Legislature has been made aware of many concerns raised by citizens of the CNMI and
18 has begun to conduct investigations into the possible repercussions that would accrue to the People of the CNMI
19 were the President to unilaterally designate the proposed monument; and

SENATE JOINT RESOLUTION NO. 16-04

1 WHEREAS, it is the sense of the Senate that the majority of the citizens of the CNMI have not and
2 would not formally endorse such a proposal, until such time that more information is gathered and considered,
3 and until the People of the CNMI have been offered meaningful opportunities to comment and influence any
4 regulations which will govern access to and conduct within any monument that might be established; and

5 WHEREAS, no such opportunities have occurred, as there has been little to no dialogue between the
6 governments of the Commonwealth of the Northern Mariana Islands and the United States of America on this
7 issue; and

8 WHEREAS, designation of the said CNMI marine monument would result in the complete and total
9 closure of all types of extractive fishing and mining activities within a 115,000 square-mile area of the CNMI
10 EEZ; and

11 WHEREAS, the establishment of any proposed marine monument, marine sanctuary, or national park
12 may conflict with the Commonwealth's efforts in establishing its own fishery industry, mining activities and
13 other potential extractive uses throughout the CNMI, which is substantive justification warranting further study;
14 and

15 WHEREAS, designation of the CNMI marine monument by President Bush would be a permanent and
16 nearly irrevocable federal action that rightfully should require consideration of the needs and opinions of the
17 People of the CNMI and the potential of lost opportunities for economic benefit to the CNMI; and

18 WHEREAS, the CNMI is committed to continue with the existing marine resource management system
19 established by the Magnuson-Stevens Act that involves partnership with the National Marine Fisheries Service
20 and the Western Pacific Regional Fisheries Management Council; and

21 WHEREAS, the CNMI fervently opposes the transfer of any form of marine resource management
22 authority over CNMI waters to the National Oceanic and Atmospheric Administration, National Marine
23 Sanctuary Program, or any other Federal Agency; and

24 WHEREAS, the CNMI Constitution has already specifically identified the islands of Uracas, Maug and
25 Asuncion as wildlife conservation areas with the waters surrounding them already acting as *de-facto* Marine
26 Protected Areas, accessible only upon satisfaction of conditions determined by the People of the CNMI; and

27 WHEREAS, the establishment of the proposed monument seems likely to wrest control of access to
28 these islands from the People of the CNMI, and transfer that control to those with little familiarity with the
29 resources in question, the history of the islands, and the culture and traditions of their people; and

30 WHEREAS, the People of the CNMI have a strong affinity for the ocean, even going so far as to require
31 in our Constitution a clean environment, such that propriety should require the consultation with and

SENATE JOINT RESOLUTION NO. 16-04

1 consideration of the needs and wishes of the People of the CNMI occur before any monument is established;
2 now, therefore,

3 BE IT RESOLVED, by the Senate of the Sixteenth Northern Marianas Commonwealth Legislature, the
4 House concurring, that the Senate respectfully requests that the President of the United States refrain from
5 unilaterally creating a Northern Islands National Monument and imposing the regulatory burdens appurtenant
6 thereto upon the People of the Commonwealth of the Northern Mariana Islands without the consent of the
7 People, through their local government; and

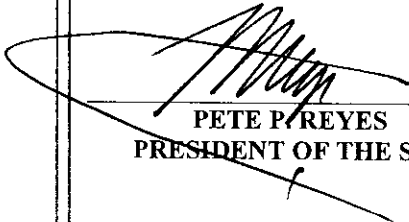
8 BE IT FURTHER RESOLVED, that the Senate on behalf of the People of the CNMI, the House
9 concurring, does not support the establishment, creation, or designation of a marine monument, marine
10 sanctuary, or national park in the vicinity of any of the Northern Islands of the CNMI at this time and feels that
11 study, discussion, and deliberation is necessary before any further action is taken; and

12 BE IT FURTHER RESOLVED, that the Senate, the House concurring, hereby requests that the CNMI
13 Washington Representative join with the People of the CNMI in officially conveying this sentiment to the White
14 House, the United States Congress and the federal agencies mentioned herein, in a unified effort to prevent any
15 designation of a marine monument, marine sanctuary, or national park in the CNMI until such time as the People
16 of the CNMI have had adequate opportunity to consider and give input on the issue; and


17 BE IT FURTHER RESOLVED, that the President of the Senate and the Speaker of the House of the
18 Sixteenth Northern Marianas Commonwealth Legislature shall certify and the Senate Legislative Secretary and
19 the House Clerk shall attest to the adoption of this joint resolution and thereafter transmit certified copies to the
20 Honorable George W. Bush, President of the United States of America; the Honorable Dirk Kempthorne,
21 Secretary of the United States Department of Interior; the Honorable Nick J. Rahall II, Chairman of the
22 Committee on Natural Resources, United States House of Representatives; the Honorable Jeff Bingaman,
23 Chairman of the United States Senate Committee on Energy and Natural Resources; Bill Robinson, Regional
24 Administrator, NMFS Pacific Islands Regional Office; Kitty Simonds, Executive Director, Western Pacific
25 Regional Fishery Management Council; the Honorable Benigno R. Fitial, Governor of the Commonwealth of the
26 Northern Mariana Islands; the Honorable Pete A. Tenorio, CNMI Washington Representative; Dr. Ignacio Dela
27 Cruz, Secretary, Department of Lands and Natural Resources; Mr. Angelo Villagomez, Pew Charitable Trust
28 Representative; and Mr. Jay Nelson, Pew Charitable Trust Representative.

ADOPTED BY THE SENATE ON APRIL 22, 2008
AND BY THE HOUSE OF REPRESENTATIVES ON APRIL 24, 2008.

CERTIFIED BY:




PETE PREYES
PRESIDENT OF THE SENATE



ARNOLD I. PALACIOS
SPEAKER
HOUSE OF REPRESENTATIVES

ATTESTED BY:



MARIA FRISCA T. PANGELINAN
SENATE LEGISLATIVE SECRETARY



EVELYN C. FLEMING
HOUSE CLERK