

ETC & I

A BILL FOR AN ACT

To amend the Kosrae State Code: by repealing Section 19.826 of Title 19 at Chapter 8 of the Kosrae State Code; and for other purposes

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

1 Section 1. Purpose. The purpose of this act is to amend the Kosrae State Code by
2 repealing Section 19.826 of Title 19 at Chapter 8.

3 Section 2. Amendment. Title 19, Chapter 8, Section 19.826 of the Kosrae State
4 Code is hereby repealed: :

5 ~~"Section 19.826. Establishment of the Mahkontowe Conservation Area:~~

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

10 ~~(2) The Goals of the Mahkontowe Conservation Areas are to (1) preserve~~
11 ~~Kosrae's natural and cultural resources and culture by protecting and~~
12 ~~prohibiting any human activities particularly economic development,~~
13 ~~harvesting of natural resources and collection, displacement, and destruction~~
14 ~~of cultural sites and artifacts within the core and buffer zones; (2) to boost~~
15 ~~the economy of the State with eco-tourism activities supporting creation of~~
16 ~~jobs and other opportunities.~~

17 ~~(3) The Mahkontowe Conservation Area is located within the interior~~
18 ~~terrestrial areas of Kosrae, with a total area of 15 square kilometers~~
19 ~~consisting of Zones namely; the Core, Buffer, and Transition.~~

20 ~~(4) The Mahkontowe Conservation Area shall comprise of the Core and~~
21 ~~Buffer Zones as prescribed for protection and prohibiting of human~~
22 ~~activities relating to any economic development, harvesting, and~~
23 ~~exploitation of biodiversity and natural resources, collection, displacement~~
24 ~~and destruction of cultural sites and artifacts.~~

25 ~~(5) The Mahkontowe Conservation Area Core Zone:~~

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~~(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 Mahkontowe 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 Mahkontowe 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 Mahkontowe 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 Mahkontowe 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.~~

TWELFTH KOSRAE STATE LEGISLATURE

TENTH SPECIAL SESSION, JUNE 2020

L.B. No.

12-152

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(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.

Date: 6/15/20

Introduced by: 
By Request