THE SENATE
TWENTIETH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SENATE RESOLUTION NO. 20-05

Introduced by: Senators Arnold I. Palacios, Justo S. Quitigua, Sixto K. Igisomar, Francisco M. Borja, Francisco Q. Cruz, Jude U. Hofschneider, Steve K. Mesngon and Teresita A. Santos

A SENATE RESOLUTION

To respectfully request that Secretary Ryan Zinke, U.S. Department of the Interior and Secretary Wilbur Ross, U.S. Department of Commerce, restore fishing and mineral resource extraction rights to the Commonwealth of the Northern Mariana Islands (CNMI) that were taken through the proclamation establishing the Marianas Trench Marine National Monument; to recommend that the fishery management within the Marianas Trench National Marine Monument be returned to the Western Pacific Regional Fishery Management Council as authorized by the Magnuson-Stevens Fishery Conservation and Management Act while mineral resource extraction be treated as other submerged lands found in the CNMI; and to convey disapproval of the establishment of any National Marine Sanctuary in the CNMI.

WHEREAS, in December 2007, a member of the Pew Environment Group made a presentation during an annual meeting of the Mariana Islands Nature Alliance (MINA) and asked that the local non-government organization be the lead in assisting Pew in its campaign to have a Marine National Monument established in the CNMI; and

WHEREAS, in early 2008, MINA declined Pew’s offer to lead the environmental campaign for establishing a Marine National Monument in the CNMI; and

WHEREAS, in the Spring of 2008, the Pew Environment Group created and financed the “Friends of the Monument” group to manage Pew’s campaign to establish a Marine National Monument in the CNMI; and

WHEREAS, on 19 March 2008, Governor Benigno R. Fitial responded to a letter from the Pew Global Ocean Legacy and informed it that the CNMI was “not prepared to embrace the National Monument proposal” that Pew was advocating; and
WHEREAS, on 29 April 2008, Governor Benigno R. Fitial wrote to then President George W. Bush informing him that he does “not support Pew’s proposed creation of a Marine National Monument in the Northern Mariana Islands”; and

WHEREAS, in the Spring of 2008, despite the opposition of a Marine National Monument by Governor Benigno R. Fitial and most of the local stakeholders, the Pew Environment Group chose to mount an intensive campaign to support the designation of a Marine National Monument in the CNMI; and

WHEREAS, on 6 June 2008, Mayor of the Northern Mariana Islands Valentin I. Taisakan requested then President George W. Bush “to allow us, the people of the Commonwealth of the Northern Mariana Islands, ample time to seriously study the possible effect of the proposed Marine National Monument with hope that you call for consultation with the CNMI through the Covenant Section 902 Talk”; and

WHEREAS, on 9 June 2008, Saipan Mayor Juan Borja Tudela wrote to then President George W. Bush informing him that he does not “support having a Marine National Monument designated in the Northern Mariana Islands” and that the “existing resource management authorities, the Western Pacific Regional Fishery Management Council and the National Marine Fisheries Service” be allowed to continue managing marine resources; and

WHEREAS, on 12 June 2008, Tinian Mayor Jose P. San Nicolas wrote to then President George W. Bush requesting that he “not designate any portion of the CNMI as a Marine National Monument”; and

WHEREAS, on 15 July 2008, Rota Mayor Joseph S. Inos wrote to then President George W. Bush informing him that he “does not support the designation of a Marianas National Monument in the Mariana Islands as it conflicts with our traditional and sustainable use of marine resources and completely bypasses public and stakeholder involvement”; and

WHEREAS, on 6 August 2008, Senate President Pete P. Reyes and Speaker of the House Arnold I. Palacios wrote then President George W. Bush informing him of their opposition to the proposed Marianas Trench Marine National Monument being advocated for by the Pew Environment Group; and

WHEREAS, in September 2008, Senate Joint Resolution 16-04 informed then President George W. Bush that the people of the Commonwealth of the Northern Mariana
Islands, as represented by both houses of the sixteenth Legislature, strongly opposes the
creation of a Marine National Monument in the CNMI; and

WHEREAS, on 27 October 2008, Guam Governor Felix P. Camacho informed the
White House's Council on Environmental Quality Chairman James Connaughton that he did
not support a Marine National Monument in the Marianas archipelago; and

WHEREAS, on 20 November 2008, the entire membership at the 10th Micronesian
Chief Executives' Summit informed then President George W. Bush that they opposed the
creation of a Marine National Monument in the Commonwealth of the Northern Mariana
Islands. Those signing the letter included Honorable Emmuel Mori, President, Federated States
of Micronesia (FSM); Honorable Felix P. Camacho, Governor of Guam; Honorable Tommy
R. Remengsau Jr., President, Republic of Palau; Honorable Benigno R. Fitial, Governor of the
Commonwealth of the Northern Mariana Islands; Honorable Litokwa Tomeing, President,
Republic of the Marshall Islands; Honorable Sebastian Anefal, Governor, Yap State (FSM);
Honorable John Ehsa, Governor, Pohnpei State (FSM); Honorable Robert Weilbacher,
Governor, Kosrae State (FSM); and Honorable Wesley Simina, Governor, Chuuk State
(FSM); and

WHEREAS, on 6 January 2009, President George W. Bush signed Presidential
Proclamation No. 8335 that designated 95,216 square miles of submerged lands and waters of
the Mariana archipelago as a Marine National Monument, with management authority placed
with the Department of the Interior (U.S. Fish and Wildlife Service) and Department of
Commerce (National Marine Fisheries Service); and

WHEREAS, since January 2009, the responsible federal management authorities
failed to meet the January 2011 deadline for development of management plans as required by
the Presidential Proclamation No. 8335 and these plans are still not complete today; and

WHEREAS, since January 2009, the responsible federal management authorities
failed to include the CNMI in a meaningful co-management agreement over monument
resources, as promised during the assessment period; and

WHEREAS, since January 2009, there have been no measurable economic benefits
associated with designation of the Marianas Trench Marine National Monument, as promised
during the assessment period; and
WHEREAS, since January 2009, no Marianas Trench Marine National Monument visitors center has been established, as promised during the assessment period; and

WHEREAS, since January 2009, there has been no funding increase to the U.S. Coast Guard to step up marine surveillance, protection and enforcement in Monument waters, as promised during the assessment period; and

WHEREAS, in 2013 the U.S. Congress passed Public Law 113-34 that conveyed ownership of the nearshore (0 to 3 nautical miles offshore) waters to the CNMI Government. Later, President Obama withheld the conveyance of the nearshore marine areas are surrounding the Monument islands of Uracus, Maug and Asuncion until such time as the CNMI Government agreed to management of these waters under existing Monument guidelines. The Federal Government inferred unencumbered conveyance of nearshore marine areas surrounding every island in the CNMI during the assessment period; and

WHEREAS, on 26 April 2017, President Donald J. Trump signed Executive Order 13792 titled “Review of Certain National Monuments Established Since 1996.” As lead agency, the Department of the Interior is accepting public comments through July 10, 2017, on certain National Monuments designated or expanded under the Antiquities Act of 1906 since 1 January 1996 where the designation covers more than 100,000 acres or where the Secretary determines that the designation was made without adequate public outreach and coordination with relevant stakeholders. The Marianas Trench National Marine Monument is included in the list of monuments to be reviewed under this Executive Order; and

WHEREAS, on 28 April 2017, President Donald J. Trump signed Executive Order 13795 titled “Implementing an America-First Offshore Energy Strategy.” As lead agency, the Department of Commerce is accepting public comments through July 28, 2017, on certain National Monuments designated or expanded under the Antiquities Act of 1906 within the last 10 years. The Marianas Trench National Marine Monument is included in the list of monuments to be reviewed under this Executive Order;

THEREFORE, BE IT RESOLVED that the Senate of the Twentieth Northern Marianas Commonwealth Legislature respectfully requests that Secretary Ryan Zinke, U.S. Department of the Interior, and Secretary Wilbur Ross, U.S. Department of Commerce, restore the fishing and mining extraction rights that were taken from the CNMI through the
unilateral designation of the Marianas Trench Marine National Monument to their rightful
owners, the people of the Northern Mariana Islands; and

BE IT FURTHER RESOLVED that the Senate recommends that fishing
management for all federal waters now within Marine National Monuments be returned the
respective regional fishery management council as authorized by the Magnuson-Stevens
Fishery Conservation and Management Act; that mineral resource extraction for all Marine
National Monuments be under the auspices of the current federal mineral resource mining
law; and that National Marine Sanctuaries not be established in the CNMI as they are neither
needed nor wanted; and

BE IT FURTHER RESOLVED that the President of the Senate shall certify, and the
Senate Legislative Secretary shall attest to the adoption of this resolution and thereafter the
Senate Clerk shall transmit a certified copy to the Honorable Donald J. Trump, President of
the United States of America; the Honorable Ryan Zinke, Secretary of the U.S. Department
of the Interior; the Honorable Rob Bishop, Chairman of the Committee on Natural
Resources, U.S. House of Representatives, 114th United States Congress; the Honorable
Lisa Murkowski, Chairperson of the Committee on Energy and Natural Resources, U.S.
Senate, 114th United States Congress; the Honorable James Mattis, Secretary of the U.S.
Department of Defense; the Honorable Wilbur Ross, Secretary of the U.S. Department of
Commerce; the Honorable Ted Boling, Acting Director of the Council on Environmental
Quality; the Honorable Ralph DLG. Torres, Governor of the Commonwealth of the Northern
Mariana Islands; the Honorable Rafael S. Demapan, Speaker of the 20th House of
Representatives; and the Honorable Gregorio Kilili Camacho Sablan, CNMI Delegate to the
U.S. Congress, 114th United States Congress.

ADOPTED BY THE SENATE ON JULY 11, 2017.

CERTIFIED BY:

[Signature]
ARNOLD I. PALACIOS
President of the Senate

ATTESTED BY:

[Signature]
JUSTO S. QUIJUGUA
Senate Legislative Secretary