

TITLE 10: LOCAL LAWS
DIVISION 1: FIRST SENATORIAL DISTRICT (ROTA)

§ 1821. Prohibitions.

All persons are hereby prohibited from taking or in any way harassing or disturbing all varieties of wildlife, including but not limited to coconut crabs, fruitbats, deer, and Marianas crow; all plant life, including any fungi, forest vegetation or grasses, with the exception of those plants that possess medicinal properties and/or those that have been used in traditional healing practices; and any soil, including soil, sand or rock, within or from the area in Rota known and referred to as Wedding Cake Mountain. For the purposes of this article, “taking” shall be given its common meaning and shall include but not be limited to: hunting by any method, unless in the designated season; fishing by any method; trapping by any method; and/or harvesting, logging and/or gathering by any method, whether such act effect the entire plant form or any part thereof. For the purposes of this article, “harassing or disturbing” shall be given its common meaning and shall include but not be limited to: darting, driving or herding the animals out of the area by any means; destruction of nesting areas; excavation of surface land for the removal of any type of soil or plant life; mining operations; and/or any other activities which result in the disruption of normal patterns of behavior or growth of any wildlife within in the area or the destruction of plant life or soil/rock/coral composition. Further, any activities, including recreational, commercial, and agricultural activities, which are not specifically listed above and that the Director of the Department of Natural Resources, in consultation with the Chief of Fish and Wildlife and the resident director of the Department of Natural Resources, deems to be detrimental to the scenic coastal environment adjacent to the Wedding Cake Mountain area is hereby prohibited.

Source: Rota LL 9-3, § 2.

Commission Comment: Rota LL 9-3 took effect October 13, 1994. According to Rota LL 9-3, § 1:

Section 1. Findings. The Rota Legislative Delegation finds that a large variety of indigenous wildlife and forest vegetation exists within the Wedding Cake Mountain Area on Rota. The Delegation further finds that the conservation of such wildlife, including but not limited to coconut crabs, fruitbats and various species of birds, is of the utmost importance to not only the current residents and future generations, but also to the tourist industry which provides a substantial boost to the local economy. The Delegation further finds that the Local Law Act of 1983, [1 CMC § 1401 et seq.], defines a local bill as one that pertains exclusively to matters within one senatorial district and specifically lists conservation of wildlife, hunting and fishing matters as being included herein. Further, the Delegation finds that the Director of the Department of Natural Resources, in consultation with the Chief of Fish and Wildlife, is qualified to enforce conservationist restrictions as well as implement conservation techniques within the Wedding Cake Mountain area. Therefore, it is the purpose of this local bill to prohibit persons from engaging in certain ac-

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activities within the Wedding Cake Mountain area that may have an adverse impact on the indigenous wildlife and vegetation and to charge the Director of Natural Resources with the implementation and enforcement of such prohibitions.

With respect to the references to the “Director” of the Department of Natural Resources and the department itself, see Executive Order 94-3 (effective August 23, 1994), reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the Commission comment to 1 CMC § 2001.