

TITLE 2: NATURAL RESOURCES
DIVISION 1: MARITIME AND COASTAL RESOURCES

§ 1701. Lau Lau Bay Boat Launching Site.

(a) *Designation of Lau Lau Bay Boat Launching Site.* The shore fronting Bantalan Aliman at Lau Lau Bay is hereby designated as a boat launching site.

(b) *Authorization.* The Secretary of the Department of Lands and Natural Resources, in consultation with the Department of Public Safety Boating Safety Section, Coastal Resources Management, and the Division of Environmental Quality, is authorized to establish this site and to temporarily delineate the boat launching corridor to provide for the immediate use of the boat launching site by fishermen and boating safety officials until a permanent structure is established. The Secretary is further authorized to promulgate rules and regulations consistent with the intent of this section.

Source: PL 16-49 §§ 2-3 (January 6, 2010), modified.

Commission Comment: The Commission changed “this Act” to “this section” in subsection (b) pursuant to 1 CMC § 3806(d). Public Law 16-49, which was enacted into law by override on January 6, 2010, contained severability and savings clause provisions and the following:

Section 1. Findings and Purpose. The Legislature finds that Lau Lau Bay is a popular recreational site for many locals. It is also a significant historical fishing site which continues to be used by locals today. Historically, flying proas and larger fishing canoes were launched off of Lau Lau Bay, and later the Germans and the Japanese also used this site as a port. The Legislature also finds that many local fishermen fish as a means to provide for their families and that during these harsh economic times, that fishing for many families has become a necessity.

The Legislature also finds that Lau Lau Bay is located adjacent to Forbidden Island, Tank Beach, and Marine Beach which are other very popular local and tourist sites. The Legislature further finds that although this area is visited heavily by tourists and locals that there are no readily accessible boat launching sites in the vicinity. Recent tragic events demand that the government take steps to remedy this problem.

On March 23, 2007, four students drowned when a big wave struck the group on the southern side of Forbidden Island. The Boating Safety Section of the Department of Public Safety launched a rescue operation, while a U.S. Navy chopper assisted by conducting an aerial search of the area. The Legislature further finds that there have been many reported drownings in this area even prior to this recent tragedy and that it is time to take action. The Legislature finds that rescue boats launching from the Smiling Cove Marina are confronted with many challenging variables in trying to conduct a search and rescue operation on the east side of the island. Rescue times can vary depending upon weather and water conditions, and can have an impact on the success of the rescue operation.

The Legislature finally finds that it would be in the best interest of the public to provide a boat launching site at Lau Lau Bay. Every minute in a rescue operation is precious, and can make a difference in "rescuing" rather "recovering" a drowning victim. Therefore, the purpose of this Act is to establish a boat launching site at Lau Lau Bay to assist our local subsistence fishers, to improve emergency response times, and ultimately to save lives.