

**July 19, 1995**

TO : Chairman, Land and Personal Rights  
Committee

FM : Chairman, Subcommittee on Public Land

SUBJ : Subcommittee Report #1 on Section  
3 of Article XI: Permanent Preserves

Your Subcommittee on Public Land met on Friday, July 14, 1995 and Tuesday, July 18, 1995 with the staffs of the Department of Land and Natural Resources and the Marianas Visitors Bureau to consider proposed amendments to Section 3 of Article XI :Permanent Preserves.

Your subcommittee was tasked to identify the specific sites to be designated as permanent preserves which shall be maintained as uninhabited areas due to the value of these resources for conservation, recreational, medicinal, ecological or aesthetic purposes.

Your subcommittee prepared a **revised** Section 3 recommending new languages with respect to allowable activities in the preserves so that the Marianas Land Bureau (bureau) has some flexibility in allowing small scale private development in some preserves. The most important component of the preserve concept is the preservation of critical areas for recreational and cultural uses of the people of the Commonwealth and the protection of our fragile island ecosystem.

Public land is a public trust that must be enjoyed by the people of the Commonwealth. The rapid disappearance of prime public beach to outside investors is a serious concern of many local people. Although, the present CNMI Constitution states that 150 feet from the mean high water mark is a public domain and the public is guaranteed public access, local people are reluctant to go to those areas immediately adjacent to hotel.

Your subcommittee is cognizant of the need to stimulate economic development in the Commonwealth. Therefore, in order to allow flexibility to the bureau, a compromise is reached by reserving some public beaches as preserve where limited permanent public facilities (pavilion, toilet, and etc.) may be built. These areas may not be leased, sold or dedicated to any private use in any way. In other areas, private developer may lease certain portion of the preserve to build recreational and cultural facilities and limited permanent structures for the enjoyment of our present and future generations.

It is the feeling of the members that beaches which are prime sites for medicinal plants and are wildlife habitats must be protected. These areas may also be nesting grounds for the endangered green turtles (hagan, Chelonia mydas), and the hawksbill turtle (hagan karai, Eretmochelis imbricata) which must be protected under local law and under the U.S. Endangered Species Act. In Rota, several marine preserves are presently protected under local law.

As proposed, the preserves will fall under the responsibility of the Marianas Land Bureau; however, a joint management approach may be allowed by law between the bureau and the agencies responsible for park management and wildlife protection. Deeds of public land to Department of Land and Natural Resources will be allowed.

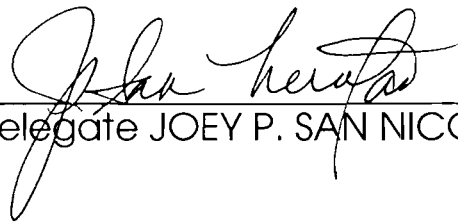
Any development to the preserves must conform to the comprehensive land master plan with respect to public land including priority which will be prepared by the bureau after intensive public hearing.

This report is accompanied by specific land map submitted by the Department of Land and Natural Resources which identified some of the preserves. The other areas are identified in the enclosed general maps for each island and specific locations. These areas must be delineated and surveyed by the bureau.


In order to avoid a land rush, your subcommittee recommend that a provision be incorporated that any commercial lease of public land between June 5, 1995 and the ratification of this article will be declared null and void. It is further

recommended that the Third Constitutional Convention notify all concerns of the concerns of the convention.

Respectfully submitted,

  
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Delegate JOEY P. SAN NICOLAS, Chair

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Delegate JOHN O. DLR. GONZALES

  
\_\_\_\_\_  
Delegate BENJAMIN T. MANGLONA

attachments

cc: Delegate Joaquin P. Villagomez  
Mr. Howard Willens  
Ms. Deanne Siemers

Article XI: COMMONWEALTH LANDS

Section 1: Public Lands (same)

Section 2: Submerged Lands (same)

Section 3: Permanent Preserves

There are hereby established permanent preserves which shall be maintained as uninhabited areas to be used for cultural and recreational purposes, to preserve wildlife, medicinal and other plant life, to conserve water resources, to provide community farm lands.

- a. **Permanent Preserves where limited permanent public facilities (restroom, picnic shelter) and playground equipment may be build. These areas may not be sold, leased, or dedicated to any private use in any way.**

Saipan:

1. Puntan Susupe (Susupe Regional Park)
2. Unai Chalan Kiya (Civic Center Beach/Vietnam's Memorial Monument, /Kilili Beach, Saipan)
3. Unai Chalan Kanoa (Chalan Kanoa District #4 San Isidro Beach Park)
4. Puntan Afetna (Afetna Beach Park, San Antonio south of Pacific Island Club Resort)
5. Tanapag Beach Park, Saipan
6. Kalabera Cave
7. Garapan Central Park
8. Kagman Homestead Park
9. Unai Dankolu, Unai Dikiki, (Coral Ocean Point Resort Unai Denikuio)
10. Unai Peo (Ladder Beach)
11. Unai Makpe (Wing Beach )
12. Unai Halaihai (Marine Beach)
13. Unai Lao!ao Kattan (Tank Beach)
14. Puntan Muchot Shoreline (Micro Beach area - immediately north of Hyatt Hotel)

Tinian

1. Kammer Beach
2. Taga Beach

Rota

1. Pinatang Park
2. Tatachog Public Beach

**b). Permanent preserves for recreational purposes. A five year lease is allowed in this preserve to promote economic development. Permanent private or public structures are allowed.**

Saipan

1. Maddock (Grotto)
2. Unai Fahang (Jeffries Beach)
3. Unai Talufofo (Talofofo Beach)
4. Unai I Hasngot (Old Man By the Sea)

Tinian

Rota

**c). Permanent preserves for recreational and conservation purposes. No permanent structures are to be allowed on the bird island; however, permanent private or public recreational facilities are allowed on the land portion. The land areas may be leased on a five-year basis to interested developer. These preserves shall not be sold.**

Saipan

1. Unai Hakmang/Islata Maigo Luao (Forbidden Island)
2. Islata Maigo Fahang/Unai Fanonchuluyan (Bird Island Area)

Tinian

Rota

**d) Permanent preserves for conservation purposes. No permanent structures may be built in the preserves. No land designated as a preserve may be sold, leased, or dedicated to any private use in any way.**

Saipan

1. Kagman Wildlife Conservation Area  
Puntan Hakmang
2. Naftan Wildlife Conservation Area (Puntan Maftan)

Tinian

Rota

1. Bird Sanctuary (Chenchun)

**e) Permanent Preserves where limited permanent public recreational facilities (restroom, picnic shelter) and playground equipments may be build. These areas may not be sold, leased, or dedicated to any private use in any way.**

Saipan:

1. Navy Hill Softball Field
2. Garapan Regional Park (Matsui area)
3. As Matuis Public Park
4. Kagman Public Park
5. Dandan Homestead Park

**e. Permanent Preserves for recreational purposes. Permanent public or private cultural, recreational and playground equipments and facilities (restroom, picnic shelter, etc.) may be build. These areas may be leased on a five year basis. These areas shall not be sold.**

Saipan:

1. Capitol Hill Open Grounds

Tinian

Rota

**f) Permanent preserve for medicinal purposes. No clearing of beach vegetation is allowed within 150 feet from the mean high water mark. These areas may not be sold, leased, or dedicated to any private use in any way.**

Saipan

1. Unai Opyan (Obyan Beach)

Tinian

Rota

**h) Permanent preserves where limited grazing is allowed; local ranches are allowed to lease on an annual basis. These areas shall not be sold.**

Saipan

1. Commonwealth Forest (Marpi)

Tinian

Rota

**i) Permanent preserves for recreational, cultural, wildlife, and medicinal purposes. No permanent structure may be built in the preserves. No land may be sold. A five-year lease is allowed for economic development.**

Saipan

1. Isleta Managaha (Managaha Island)

Tinian

Rota

## Maps of Public Parks and Beaches

### I. Saipan

1. Killili Beach, Saipan  
049 H 01 23, 301 square meters  
Cadastral Plat of 049 H 01  
Susupe, Saipan  
DLS Check No. 094 H 00  
12/10/93

Division of Lands and Survey  
Department of Natural Resources  
Commonwealth of the Northern Mariana Islands  
Capitol Hill, Saipan, MP 96950

2. Civic Center Beach, Susupe, Saipan  
054 H 01  
23,836 sq. m.  
Cadastral Plat of 054 H 01  
DLS Check No. 054 H 00  
7/7/94

Division of Lands and Survey  
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3. Vietnam's Memorial Monument, Susupe  
055 H 01  
DLS Check No. 055 H 00  
Cadastral Survey Plat of 055 H 01  
4/27/95

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4. Susupe Regional Park  
050 H 01 (TR-21869)  
16,545 square meters  
Cadastral Plat of 050 H 01  
12/10/93

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5. Chalan Kanoa District #4 San Isidro Beach Park  
7/17/91  
Department of Public Works  
Commonwealth of the Northern Mariana Islands  
Capitol Hill, Saipan, MP 96950

6. Afetna Beach Park, San Antonio  
028 I 01  
5,829 sq. m.  
Cadastral Plat of 028 I 01  
DLS Check No. 028 I 00

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7. Garapan Shoreline  
010 D 30  
010 D 31  
010 D 38  
010 D 39  
010 D 41  
010 D 50  
Plat No. 010 D 00  
12/14/90  
Division of Lands and Survey  
Department of Resources and Development  
Trust Territory of the Pacific Islands  
Saipan Island

8. Lower Base Beach  
163 E 01  
6,492 sq. m.  
Cadastral Plat of 163 E 01  
DLS Check No. 163 E 00

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9. Tanapag Beach Park

Division of Lands and Survey  
Department of Resources and Development  
Trust Territory of the Pacific Islands  
Saipan Island  
Cadastral Parcel Index Sheet No. 13

10. Marine Beach/Tank Beach  
DLS Check No. 011 G 22  
December 9, 1993

Parcel Split of 011 G 01  
Kagman, Saipan

Castro and Associates  
P.O. Box 352, Saipan MP 96950

11. Susupe Basketball Court  
003 H 27  
1,304 square meter  
1/15/71

Division of Lands and Survey  
Department of Resources and Development  
Trust Territory of the Pacific Islands  
Saipan Island  
Cadastral Plat - Susupe Village  
003 H 00

12. Navy Hill Softball Field  
106 D 01  
6,873 square meter

Cadastral Plat of 106 D 01  
DLS Check No. 106 D 00  
3/22/93

Division of Lands and Survey  
Department of Natural Resources  
Commonwealth of the Northern Mariana Islands  
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- II. Tinian  
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- III. Rota  
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