

**TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH**  
**LEGISLATURE**  
**IN THE HOUSE OF REPRESENTATIVES**

January 16, 2024

Third Regular Session, 202~~3~~<sup>4</sup>

H. L.B. 24- 42

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**A LOCAL BILL FOR AN ACT**  
**FOR THE FIRST SENATORIAL DISTRICT**

To amend the Wedding Cake Mountain Wildlife Conservation Area, to authorize the Mayor of Rota to plan, construct, and maintain a pedestrian pathway at Wedding Cake Mountain and access to the Grotto, and to initiate actions necessary to qualify for federal grants, and for other purposes.

**BE IT ENACTED BY THE FIRST SENATORIAL DISTRICT**  
**DELEGATION PURSUANT TO CHAPTER 4, DIVISION 1, TITLE 1 OF**  
**THE COMMONWEALTH CODE:**

1           **SECTION 1. FINDINGS AND PURPOSE.**

2           The Rota Legislative Delegation finds that Rota Local Law 9-3 established  
3           the Wedding Cake Mountain Wildlife Conservation Area to protect wildlife, plant  
4           life, soils, and the scenic coastal environment of the Taipingot Peninsula on Rota.  
5           Over the years, public use of the Wedding Cake area and nearby natural attractions,  
6           including the Grotto, has increased. Unmanaged foot traffic has the potential to  
7           damage fragile habitat, accelerate erosion, and increase risks to visitor safety.

1           A properly planned and constructed pathway system, including steps,  
2 railings, and related safety and interpretive improvements, will help channel  
3 visitors to designated areas, reduce uncontrolled trampling of vegetation, protect  
4 wildlife, and improve overall public safety while enhancing the visitor experience.

5           The Mayor of Rota is the appropriate local executive authority to  
6 coordinate, plan, and implement pathway and access improvements within the  
7 conservation area in partnership with relevant Commonwealth and federal  
8 agencies. Federal grants and cooperative agreements may be available to assist with  
9 planning, environmental compliance, construction, and maintenance of such  
10 improvements, and it is in the public interest to clearly authorize the Mayor of Rota  
11 to undertake all necessary steps to qualify or pre-qualify for such funding.

12           The purpose of this Act is, therefore, to amend Rota Local Law 9-3, as  
13 codified, to expressly authorize the Mayor of Rota to plan, construct, and maintain  
14 a pathway at Wedding Cake Mountain and access to the Grotto, in a manner  
15 consistent with the conservation purposes of the area, and to authorize actions  
16 needed to qualify for federal grants and assistance.

1           **Section 2. Amendment.** Title 10, Division 1, Chapter 8, Article 2 of the  
2 Commonwealth Code (Wedding Cake Mountain Wildlife Conservation Area), is  
3 amended by adding a new § 1823 to read as follows:

4           “§ 1823. Pathway and Access Improvements; Mayor of Rota.

5           (a) Authority. Subject to compliance with applicable federal laws and  
6 regulations, the Mayor of Rota is hereby authorized to plan, design, construct,  
7 improve, and maintain pedestrian pathways and related improvements within the  
8 Wedding Cake Mountain Wildlife Conservation Area, including, but not limited to:

9                   (1) A pedestrian pathway, steps, railings, viewing platforms, and  
10 similar improvements within the Wedding Cake Mountain area; and

11                   (2) Safe pedestrian access and pathway improvements to and from  
12 the Grotto and any designated viewing or staging areas associated with the  
13 Wedding Cake Mountain Wildlife Conservation Area.

14           (b) Conservation Standards. All pathways and improvements authorized  
15 under this section shall:

16                   (1) Be planned, designed, and implemented in consultation with the  
17 Department of Lands and Natural Resources, Division of Fish and Wildlife,

1 and the Bureau of Environmental and Coastal Quality, and any other  
2 relevant agencies;

3 (2) Be sited and constructed to minimize disturbance to wildlife,  
4 plant life, soils, cultural resources, and the scenic coastal environment;

5 (3) Be consistent with any applicable management plans or  
6 regulations adopted for the Wedding Cake Mountain Wildlife Conservation  
7 Area; and

8 (4) Incorporate, to the greatest extent practicable, erosion control,  
9 safety, and resource-protection measures.

10 (c) Federal Grants and Other Assistance. The Mayor of Rota is hereby  
11 authorized to:

12 (1) Apply for, receive, and expend federal grants, cooperative  
13 agreements, and other external funding for the planning, environmental

1 review, design, construction, and maintenance of the pathways and  
2 improvements authorized in this section;

3 (2) Enter into agreements or memoranda of understanding with  
4 Commonwealth, federal, or private entities as may be necessary to  
5 implement such projects; and

6 (3) Provide or coordinate any required local match or in-kind  
7 contributions, subject to applicable procurement and fiscal laws.

8 (d) Pre-Qualification Activities. The Mayor of Rota shall be fully  
9 authorized to undertake all planning, feasibility studies, environmental compliance  
10 activities, engineering, and other preparatory actions necessary for the project to  
11 qualify or pre-qualify for federal grants, cooperative agreements, or other  
12 assistance; provided that all such activities shall be conducted in compliance with  
13 applicable Commonwealth and federal laws and regulations.

14 (e) Relation to Existing Prohibitions. Nothing in this section shall be  
15 construed to:

16 (1) Repeal or weaken the prohibitions outlined in 10 CMC § 1821,  
17 except to the limited extent necessary to carry out the construction and

1 maintenance of pathways and improvements expressly authorized herein in  
2 a manner consistent with conservation purposes; or

3 (2) Exempt any person or agency from compliance with applicable  
4 Commonwealth or federal environmental, cultural, or historic preservation  
5 requirements.

6 (f) Rules and Regulations. The Mayor of Rota, in consultation with the  
7 Department of Lands and Natural Resources and the Division of Fish and Wildlife,  
8 may promulgate rules and regulations, consistent with this Article, to implement  
9 the authority granted under this section.”

10 **SECTION 3. SEVERABILITY.**

11 If any provision of this Act or the application of any such provision to any  
12 person or circumstance should be held invalid by a court of competent jurisdiction,  
13 the remainder of this Act or the application of its provisions to persons or  
14 circumstances other than those to which it is held invalid shall not be affected  
15 thereby.

16 **SECTION 4. SAVINGS CLAUSE.**

17 This Act and any repealer contained herein shall not be construed as  
18 affecting any existing right acquired under contract or acquired under statutes  
19 repealed or under any rule, regulation or order adopted under the statutes. Repealers  
20 contained in this Act shall not affect any proceeding instituted under or pursuant to  
21 prior law. The enactment of the Act shall not have the effect of terminating, or in

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1 any way modifying, any liability, civil or criminal, which shall already be in  
2 existence on the date this Act becomes effective.

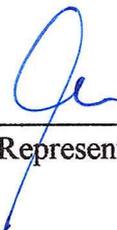
3 **SECTION 5. EFFECTIVE DATE.**

4 This Act shall take effect upon its approval by the Governor or it becoming  
5 law without such approval.

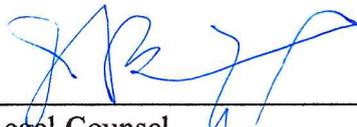
Prefiled: 11/16/2014

Date: \_\_\_\_\_

Introduced by: \_\_\_\_\_

  
Representative Julie M.A. Ogo

Reviewed for Legal Sufficiency by:

  
\_\_\_\_\_  
Legal Counsel