

ACT NO. 6572

BILL NO. 24-0308

TWENTY-FOURTH LEGISLATURE OF THE VIRGIN ISLANDS OF THE UNITED STATES

Regular Session

2002

To amend title 12, chapter 1 of the Virgin Islands Code to establish the St. Croix East End Marine Park and authorize the establishment of other marine parks

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SECTION 1. Title 12, chapter 1, Virgin Islands Code is amended by designating the existing language in section 97 as subsection (a) of §97, by designating the language in section 98 as subsection (b) of §97, and by inserting a new section 98 to read as follows:

“§98 St. Croix East End Marine Park Established; establishment of territorial system of marine parks authorized

(a) To protect territorially significant marine resources, promote sustainability of marine ecosystems, including coral reefs, sea grass beds, wildlife habitats and other resources and to conserve and preserve significant natural areas for the use and benefit of future generations, there is established, as a unit of the territorial system of marine parks, the St. Croix East End Marine Park.

(1) The Park is comprised of the area that begins at the highest tide at the western-most point of Cheney Bay (17° 45' 39" N, 64° 40' 5" W); extends out to the three-nautical mile territorial boundary; the border follows the three-nautical mile territorial boundary around the eastern tip of St. Croix and ends at the highest tide line at the western-most point of Great Pond Bay (17° 71' 35" N 66° 57" W), excluding any area under federal jurisdiction, and shall be administered pursuant to the St. Croix East End Marine Park Management Plan.

(2) The Park includes a No-take Area, Turtle Wildlife Area, Recreation Area and Open Area, as prescribed in the St. Croix East End Marine

Park Management Plan prepared by the Virgin Islands Program of the Nature Conservancy for the Virgin Islands Department of Planning and Natural Resources and approved by the Virgin Islands Coastal Zone Management Commission on July 19, 2002.

(b) The Virgin Islands Coastal Zone Management Commission, established in title 12, chapter 21, section 904 (a) Virgin Islands Code, may establish other marine parks throughout the United States Virgin Islands as part of a territorial system of marine parks.

(c) The Commission may accept on behalf of the Government of the Virgin Islands, donations, bequests and gifts of funds and any interests in real property for the purpose of establishing the territorial system of marine parks.

(d) In addition to all powers specifically assigned to the Commission, the Commission shall have the primary authority for the implementation of this section, including, without limitation, the power and duties to:

(1) advise, consult, and enter into agreements with agencies of the United States Virgin Islands, agencies of the Federal Government and with other agencies and persons necessary to carry out the purpose of this section;

(2) apply for, accept and administer grants from the Federal Government and from other sources, public or private, for carrying out the purpose of this section;

(3) promulgate, after due notice and hearing, such rules and regulations pertaining to the designation, establishment, management, control and use of territorial marine parks, and other matters as may be necessary to carry out the purpose of this section; and

(4) perform all acts necessary to carry out the purposes and requirements of this section;

(e) The Commission may establish within the system of marine parks no-take zones, recreational zones, wildlife preserve zones and open zones pursuant to rules and regulations.

(f) As used in this section, the following terms have the meanings set forth in this subsection:

(1) "Commission" means the Virgin Islands Coastal Management Zone Commission established by title 12, chapter 21, section 904 (a) of the Virgin Islands Code.

(2) "No-Take Zone" means an area where all living marine resources are protected through prohibitions on fishing and the removal or disturbance of any living or non-living marine resource, except as necessary for research or monitoring to evaluate park effectiveness.

(3) "Open Zone" means an area where there are no restrictions on fishing, boating, and diving activities, as prescribed by rules and regulations not inconsistent with this section.

(4) "The Park" means the St. Croix East End Marine Park established in section 98, subsection (a) of this chapter.

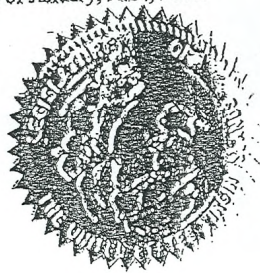
(5) "Recreational Zone" means an area designated for snorkeling, diving, boating, recreational take fishing, catch and release fishing, and bait fishing and where activities that would compromise the recreational values of the area are prohibited.

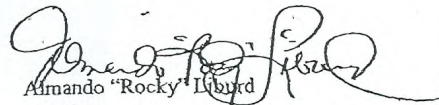
(6) "St. Croix East End Marine Park Management Plan" means the document that sets forth the management objectives, policies and strategies for managing the Park and addresses the Park's administrative structure, resource use, boundaries, use zones, financial support, staffing and monitoring plans and which was prepared by the Virgin Islands Program of the Nature Conservancy for the Virgin Islands Department of Planning and Natural Resources, commissioned by the University of the Virgin Islands under the Division of Coastal Zone Management VI Marine Park Project (NOAA Award No. NA07020513) and approved by the Virgin Islands Coastal Zone Management Commission on July 19, 2002.

(7) "Wildlife Preserve Zone" means an area where some or all of the biological resources are protected from removal or disturbance. The term includes reserves established to protect threatened or endangered species.

Thus passed by the Legislature of the Virgin Islands on December 23, 2002.

Witness our Hands and the Seal of the Legislature of the Virgin Islands this 9th
Day of January, A.D., 2003.




Armando "Rocky" Lizard
President


Donald G. Cole
Legislative Secretary