

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

§ 1412. Delegation of Authority to the Governor.

On behalf of the Commonwealth, the Governor may execute a lease to the United States of America which shall contain the following verbatim grant of Commonwealth waters:

“Grant by Commonwealth. The Commonwealth does hereby grant, demise, and let unto the United States, subject to all the terms, covenants and conditions hereinafter set forth, and the United States does hereby accept and rent from the Commonwealth pursuant to Covenant § 802 waters of the Commonwealth immediately adjacent to the leased surface lands on Tinian and Farallon de Medinilla Islands, Commonwealth of the Northern Mariana Islands, herein above leased to the United States by the Corporation. The United States shall have the right within the waters to facilitate access and egress to the leased surface lands and to construct reasonable port facilities; provided, that the United States shall disturb to the minimum extent possible the seabed and subsoil in exercising its right of construction. The Commonwealth retains the right, without undue interference to the rights of the United States under this Lease Agreement to exploit the living and nonliving resources of the waters immediately adjacent to the leased surface lands.”

Source: Covenant § 802; PL 3-40, § 2.