March 19, 2020
Serial No. 20-1644

The Honorable Hokkons Baules
Senate President
10th Olbiil Era Kelulau
Ngerulmud, Palau National Capitol
Republic of Palau 96939

Re: Signing Statement for SB 10-24, SD2, HD3, CD1, PD1

Dear Senate President Baules:

I am pleased to be able to sign into law SB 10-24, SD2, HD3, CD1, PD1, an important bill that will ensure development projects in Palau are reviewed for their health and social impacts. I want to especially thank you for accepting my proposed revisions to the bill; by passing PD1, you avoided creating a new, separate administrative hurdle for those who seek to develop projects here in Palau, choosing instead to just strengthen the existing practice already in place.

This bill works by making two changes to the Palau National Code. First, it adds a new subsection (b)(2) to Section 129 of Title 24. This new subsection mandates that, as part of the Environmental Quality Protection Board’s review of proposed new developments, Environmental Assessments and Environmental Impact Statements include provisions evaluating the health and social impacts of the proposed project. There is an exception to this requirement where a project is consistent with state zoning laws; the purpose of this exception is to encourage developers to place their projects in appropriate locations, rather than somewhere that will fundamentally alter the character of our communities. Additionally, in order to ensure that health and social impacts are considered on the same level as environmental impacts, the new subsection requires that environmental, health, and social impacts receive equal weight.

Second, the bill adds a new Section 105 to Title 34 of the Palau National Code. This new section requires that EQPB provide a copy of all Environmental Assessments and Environmental Impact Statements to the Bureau of Public Health. The Bureau of Public Health will then be required to review the Environmental Assessments and Environmental Impact Statements, and to provide a written report to EQPB if the Bureau finds that a project would adversely affect the health or society of the Republic.
Finally, I note that this new law will not take effect for six months from today. The delay is necessary so that EQPB can develop new regulations, so that the Bureau of Public Health can create the internal processes it needs to comply with the requirements of this new law, and so that project developers who are currently in the process of submitting Environmental Assessments will have time to include health and social impact information.

I thank you again for your work on this important bill and permitting me to sign it into law today.

Sincerely,

Tommy E. Remengesau, Jr.
President of the Republic of Palau

CC: Speaker of the House of Delegates Sabino Anastacio
March 19, 2020
Serial No. 20-1644

The Honorable Sabino Anastacio
Speaker of the House of Delegates
10th Olbiil Era Kelulau
Ngerulmud, Palau National Capitol
Republic of Palau 96939

Re: Signing Statement for SB 10-24, SD2, HD3, CD1, PD1

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Sincerely,

Tommy E. Remengesau, Jr.
President of the Republic of Palau

CC: Senate President Hokkons Baules
The Senate
TENTH OLBIIl ERA KELULAU
P.O. Box 8, Ngerulmud
Republic of Palau 96939

Thirteenth Regular Session
January 2020

INTRODUCED AS SENATE BILL NO. 10-24, SB2, HD3, CD1, PDl

AN ACT

SEE TITLE INSIDE

INTRODUCED BY SENATOR (S) Stevenson J. Kuartei

DATE INTRODUCED February 14, 2017

SENATE ACTION

FIRST READING: February 14, 2017
REFERRED TO: Health and Education
STANDING COMMITTEE REPORT NO.: 10-13
DATE ADOPTED: March 9, 2017
SECOND READING: March 9, 2017
LEGAL FORMAT: Proper
REVIEW: March 10, 2017
THIRD READING: March 21, 2017
FINAL READING:

HOUSE ACTION

FIRST READING: March 23, 2017
REFERRED TO: Health, Social and Cultural Affairs
STANDING COMMITTEE REPORT NO.: 10-35
DATE ADOPTED: October 31, 2017
SECOND READING: October 31, 2017
LEGAL FORMAT: Proper
REVIEW: March 20, 2019
THIRD READING: March 20, 2019
FINAL READING: February 6, 2020/March 6, 2020

CONFERENCE COMMITTEE ACTION

DATE: January 28, 2020
COMMITTEE REPORT NO.: 10-6
DATE PASSED: February 6, 2020
FINAL READING: February 6, 2020

Ann L. Pedro
CLERK OF THE SENATE

Marcelio Ngirikelau
CLERK, HOUSE OF DELEGATES
AN ACT

To amend Titles 24 and 34 of the Palau National Code to require the Ministry of Public Health to review certain development projects, to require the Environmental Quality Protection Board to consider health and social impacts of development projects; and for other related purposes.

THE PEOPLE OF PALAU REPRESENTED IN THE OLBIIIL ERA KELULAU DO ENACT AS FOLLOWS:

Section 1. Legislative Findings. The Olbiil Era Kelulau recognizes the profound impact of development activities on the overall health and social wellbeing of the citizens and population of the Republic. The Olbiil Era Kelulau further recognizes the critical importance of maintaining a healthy environment which is conducive to the overall health, welfare and development of the Republic’s population.

The Olbiil Era Kelulau finds that all major development projects should be reviewed by the Ministry of Health so that the Ministry can assess the impact of development projects and intercede when necessary to bring health and social factors to light prior to project approval.

Section 2. Amendment. Title 24 of the Palau National Code is amended to add a new subsection (b)(2) to Section 129 as follows:

“(a) . . .

(b) The Board shall establish and provide for the continuing administration of a permit system, whereby a permit shall be required for the discharge by any person of any pollutant in the air, land, or water, or for the conduct by any person of any activity, including, but not limited to, the operation, construction, expansion, or alteration of any installation which results in or may result in the discharge of any pollutant in the air, land, or water. The Board shall also provide for the issuance, modification, suspension, revocation, and termination of such permits, and for the posting of an appropriate bond.

(1) Where the activity for which a permit is sought under the preceding clause includes the operation, construction, expansion, or alteration of a motel, hotel, hotel complex, guesthouse, or other lodging
facility that offers sleeping accommodations to guests in exchange for
remuneration, the Board shall, in addition to any other generally
applicable factor, consider:

\[ \ldots \]

(2) For any permit system developed pursuant to this section, unless
the proposed activity is consistent with state zoning laws, the Board
shall require through regulation the consideration of the health and
social impacts of the activity. In evaluating whether to grant any
permit, the Board shall give equal weight to the projected
environmental, health, and social impacts of the proposed activity.

(c) \[ \ldots \]

"\ldots"

Section 3. Amendment. Title 34 of the Palau National Code is amended to
add a new Section 105 as follows:


(a) The Environmental Quality Protection Board shall inform the Ministry of
Health of any project that submits an Environmental Assessment or Environmental
Impact Statement, and provide a copy of the Environmental Assessment or
Environmental Impact Statement to the Ministry of Health.

(b) The Ministry of Health shall be responsible for reviewing the sections of
the Environmental Assessment or Environmental Impact Statement relating to the
health and social impacts of the proposed development project.

(1) The Ministry of Health may partner with other government entities,
on-governmental or non-profit organizations, or private sector
organizations that have the requisite expertise to review Environmental
Assessments and Environmental Impact Statements for health and
social impact issues.

(2) The Ministry of Health may verify the information submitted and
the credentials of the individual submitting the Environmental
Assessment or Environmental Impact Statement and may request
additional information in order to make an informed determination
regarding potential health and social effects of project development.

(c) If the Ministry of Health finds, based on its review of an Environmental
Assessment or Environmental Impact Statement, that a project would adversely
affect the health or society of the Republic, it shall report in writing the adverse
findings to the Environmental Quality Protection Board."

Section 4. Effective date. This Act shall take effect six (6) months from the
date of its approval by the President of the Republic of Palau, or upon becoming law
without such approval.

Passed on: March 06, 2020
Approved this 10\textsuperscript{th} day of March, 2020.

H. E. Tommy E. Remengesau, Jr.
President, Republic of Palau