



EXECUTIVE ORDER NO. 2005 - 36

RELATIVE TO DECLARING A STATE OF EMERGENCY TO EXPEDITE THE RESPONSE TO THE SEXUAL PREDATOR OPERATIONS AS OF 12: 00 A.M. NOVEMBER 6, 2005

WHEREAS, at approximately 12:00 A.M. on Sunday, November 6, 2005, the Guam Police Department initiated an investigation relative to a complaint reporting an eleven year old female minor and a fifty nine year old male adult missing. The female minor was later located and through her interview it was revealed that the male adult, Mr. William San Nicolas, had sexually assaulted her. Mr. San Nicolas has a criminal history dating back to 1964. He has previously been arrested for criminal sexual conduct involving minors; and

WHEREAS, San Nicolas is considered armed and dangerous and poses a serious threat to the island. His apprehension and arrest is vitally necessary for the safety and well being of the community; and

WHEREAS, in response to this complaint, the Guam Police Department had activated all personnel to assist in the operations of this incident, thereby necessitating the deployment of contractual needs/supplies, equipment, and personnel which required overtime and holiday compensation and other response and recovery of expenses required in order to ensure immediate apprehension of this suspect.

NOW, THEREFORE, I, FELIX P. CAMACHO, *I Maga Lahen Guahan*, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam as amended, do order:

1. **Declaration of State of Emergency.** A state of emergency exists due to the immediate need to apprehend the abovementioned suspect since he is a threat to the safety of the community.
2. **Emergency Procurement and emergency expenses.** Pursuant to 5 G.C.A. 5215, authorizing emergency procurement upon executive order, this Executive Order shall authorize emergency procurement to the Guam Police Department for overtime, and goods and services necessary to respond appropriately to the search and apprehension of the suspect.
3. **Exemption from Overtime prohibitions of Executive Order 95-11 and Executive Order 2005-28.** Notwithstanding the provisions of Executive Order No.95-11 and Executive Order No. 2005-28, all employees to include exempt and non-exempt employees, for the Guam Police Department employees who were required to participate in the search.
4. **Documentation of Expenses.** The Guam Police Department is hereby instructed to keep appropriate documentation on all expenses pertaining to the emergency for inspection by the Executive and Legislative Branches and the Public Auditor of Guam.

SIGNED AND PROMULGATED at Hagatna, Guam this 14th day of November, 2005.

FELIX P. CAMACHO
I Maga' lãhen Guahan
Governor of Guam



EXECUTIVE ORDER NO. 2005- 35

**RELATIVE TO THE INTERIM ADOPTION OF THE GUAM
STORMWATER MANAGEMENT CRITERIA FOR DEPARTMENT OF
PUBLIC WORKS AND OTHER GOVERNMENT OF GUAM PROJECTS**

WHEREAS, Guam's surface and groundwater resources are among the island's most valuable natural features, providing the island with drinking water, world-class recreational opportunities, diverse coral reef ecosystems and marine resources, all of which are dependent on clean water; and,

WHEREAS, nonpoint source pollution is caused by rainfall moving over and through the ground. As the water moves it picks up and carries natural and human-made pollutants, finally depositing them into, rivers, wetlands, coastal waters and even underground sources of drinking water. These pollutants include fertilizers, pesticides, oil, grease, toxic chemicals, sediment, bacteria and nutrients; and,

WHEREAS, the proper management of stormwater plays a critical role in efforts to reduce nonpoint source pollution and maintain water quality in surface and groundwater resources, which directly affect the health of the public and our environment; and,

WHEREAS, careful attention to stormwater management also is critical to ensure that homes, businesses and other developments do not suffer from flooding and other problems after heavy rainfalls; and,

WHEREAS, recent storm and rainfall events have highlighted the need for more careful planning of development, as Guam has experienced increasingly serious flooding and landslide problems in some residential and commercial areas; and

WHEREAS, Guam's *Storm Drainage Manual* was adopted in 1980 and has not been updated for more than two decades; in the 25 years since the manual was created, significant development throughout the island, advances in technology, and a renewed attention to maintaining high water quality have made it necessary to update stormwater management criteria to ensure the protection of public health and the environment; and

WHEREAS, the *CNMI and Guam Stormwater Management Criteria* was finalized in 2004 after public meetings and a comment period, while a manual to accompany the new criteria is in development and expected to be finalized in 2006; and

WHEREAS, the Department of Public Works is set to begin a series of secondary road projects across the island, and should plan these projects to ensure that public health, the environment, and future development along these new roads will be protected from any adverse effects related to runoff from the new roadways; and

WHEREAS, the Government of Guam should strive to set an example for the community, and should be held to a high standard for public projects that will affect the entire island;



NOW, THEREFORE, I, FELIX P. CAMACHO, Governor of Guam, Pursuant to the authority vested in me by the Organic Act of Guam, as amended, do hereby declare that:

1. The *CNMI and Guam Stormwater Management Criteria* is hereby adopted in the interim for all Government of Guam projects, to include new roads and road repairs authorized by the Fiscal Year 2006 budget law 28-68;
2. The Department of Public Works shall use the new criteria to design stormwater management systems intended to protect Guam's water resources and reduce problems associated with stormwater runoff, such as localized flooding and other issues; and
3. This interim adoption will not apply to private development, which may follow the 1980 standards until such time as the formal adoption process for the new criteria is complete.

SIGNED AND PROMULGATED at Hagåtña, Guam this 21st day of October, 2005.

FELIX P. CAMACHO

I Maga' lãhen Guahan

Governor of Guam