

GOVERNMENT OF GUAM
OFFICE OF THE GOVERNOR
AGANA, GUAM

EXECUTIVE ORDER NO. 85-19

FLOOD DAMAGE PROTECTION

WHEREAS, the flood hazard areas of Guam are subject to periodic inundation which can result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare; and,

WHEREAS, these flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately flood proofed, elevated or otherwise protected from flood damage also contributed to the flood loss, and

WHEREAS, the purpose of this Executive Order is:

- (1) To protect human life and health;
- (2) To minimize expenditure of public money for costly flood control projects;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business interruptions;
- (5) To minimize damage to public facilities and utilities such as water and gas mains, electric telephone and sewer lines, streets and bridges located in areas of special flood hazard.

- (6) To help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future blight areas;
- (7) To insure that potential buyers are notified that property is in an area of special flood hazard; and
- (8) To insure that those who occupy the areas of special flood hazard assume responsibility for their actions; and,

WHEREAS, methods of reducing flood losses include, but are not limited to:

- (1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increase in erosion or in flood heights or velocities;
- (2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- (4) Controlling, filling, grading, dredging, and other development which may increase flood damage; and
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas;

WHEREAS, Executive Order 78-20 was earlier promulgated in order to implement the above-outlined purpose;

WHEREAS, The Department of Public Works and the Territorial Planning Commission have newly promulgated regulations to effect the above-outlined purpose, and said regulations are pending final approval before the Guam Legislature;

WHEREAS, it is necessary and appropriate to provide interim guidelines relating to Flood Damage Protection and the regulatory

provisions applicable thereto, until such time as said regulations are fully promulgated and approved;

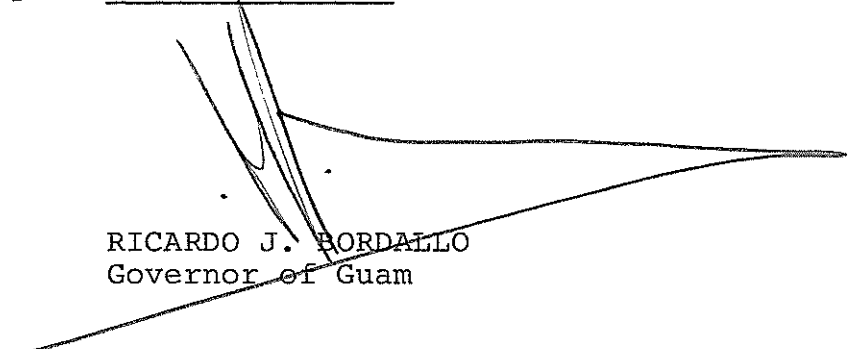
WHEREAS, I am charged by the Organic Act of Guam with the faithful execution of the laws of the United States; and,

WHEREAS, participation of Guam in the above-mentioned Flood Damage Protection program must be accomplished by November 15, 1985 according to guidelines of the United States government;

NOW, THEREFORE, by virtue of the authority vested in me by the Organic Act of Guam, and 10 Guam Code Annotated, Chapter 65, flood damage protection is declared to be an area of particular concern in the planning and management of Guam's land and water resources and the attached Flood Damage Prevention regulations promulgated by the Department of Public Works and the Territorial Planning Commission are hereby adopted as interim guidelines in order to effect the purpose of this Executive Order.

This Executive Order supersedes Executive Order 78-20.

Promulgated this 13 day of NOVEMBER, 1985.



RICARDO J. BORDALLO
Governor of Guam

Countersigned:



EDWARD D. REYES
Lieutenant Governor

Date: 11/13/85