



TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM 96910
U. S. A.

EXECUTIVE ORDER NO. 90-09

ESTABLISHING THE DEVELOPMENT REVIEW COMMITTEE

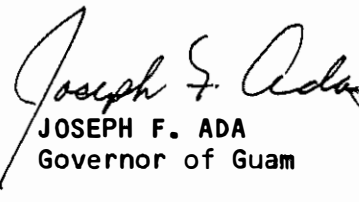
- WHEREAS, Guam's unprecedented economic and development activity provides the Territory of Guam with many opportunities of an extremely positive nature, but also poses significant risk to our environment, our culture, and the very quality of life that has made Guam such a wonderful place to live and visit; and
- WHEREAS, it is increasingly vital that Territorial Land Use Commission/Territorial Seashore Protection Commission exercise care and caution in the conduct of its activities and that all the laws and regulations governing land and water use in this Territory are followed to the letter; and
- WHEREAS, the concerns of other governmental bodies that are tasked with review of these projects must be taken into serious consideration by the Territorial Land Use Commission/Territorial Seashore Protection Commission when a decision is to be made with respect to the approval of projects; and
- WHEREAS, there is a need for an effective intergovernmental mechanism for review and analysis of various development activities brought before the Territorial Land Use Commission/Territorial Seashore Protection Commission; and
- WHEREAS, it is desirable that such review be coordinated through a committee composed of various representatives of government agencies involved in land and water use related activities.
- NOW, THEREFORE, I, JOSEPH F. ADA, Governor of the Territory of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, do hereby order that:

1. The Development Review Committee is created with the following duties and responsibilities:
 - A. Developing and providing official position statements by GovGuam agencies on applications submitted under the Zoning and Subdivison laws, the Territorial Seashore Protection Act and other such laws as may be enacted by the Legislature.
 - B. Advising applicants of the procedures and requirements for submitting applications.
 - C. Advising applicants on alternatives to ensure that proposed projects comply with applicable law.
 - D. Promoting and assuring the compliance of development with all appropriate governmental policies and plans.
 - E. To establish such rules and regulations as necessary to effectively carry out those duties and responsibilities as outlined above.



2. The Committee shall be composed of representatives appointed by the respective agency directors from the following agencies or departments:
 - A. Planning Division, Department of Land Management, the Territorial Planner of which shall be the Chairperson.
 - B. Building Permit Section, Department of Public Works.
 - C. Department of Public Works (other than Building Permits Section).
 - D. Guam Environmental Protection Agency.
 - E. Department of Parks and Recreation.
 - F. Public Utility Agency of Guam.
 - G. Bureau of Planning.
 - H. Chamorro Language Commission.
 - I. Department of Agriculture.
 - J. Department of Commerce.
3. The Attorney General's Office shall provide assistance as deemed necessary.
4. Executive Order No. 78-2 and 85-10 are repealed in its entirety.
5. No project application shall be forwarded to the Territorial Land Use Commission/Territorial Seashore Protection Commission until such time as the Development Review Committee has had full opportunity to review the project to the satisfaction of constituent members. If, however, the committee review process exceeds three (3) months in duration, the Committee will justify its extended review in writing, explaining the reasons why the review will continue.
6. Should the TLUC/TSPC disagree with recommendations made by the Development Review Committee and contemplate action contrary to recommended action, then the TLUC/TSPC shall take no action on the proposed project immediately and shall instead provide justification for its disagreement, in writing, to the Development Review Committee. The Committee shall have two (2) weeks to respond, after which the TLUC/TSPC may take action on the proposal.

SIGNED AND PROMULGATED at Agana, Guam, this 25TH day of MAY, 1990.


JOSEPH F. ADA
Governor of Guam

COUNTERSIGNED:


FRANK F. BLAS
Lieutenant Governor of Guam