



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

EXECUTIVE ORDER NO. 90- 19

RELATIVE TO RESERVING CERTAIN GOVERNMENT-OWNED
LAND FOR LAND USE PERMIT PURPOSES

WHEREAS, the demand for private and public land brought about by the incessant development activities and the increase in population growth continue to deplete the island's scarce land resource, and prudence compels us to wisely and effectively manage our valuable, but meager, public land inventory; and

WHEREAS, P.L. 17-40, Section 13600 through Section 13601, as amended by P.L. 17-81, authorized the Government of Guam to grant permits for the use of any suitable government real property, not otherwise occupied or in use, for any lawful purposes, and

WHEREAS, the current Land Use Permit Program has proven to be flawed, ineffective and inadequate in fulfilling the intent of the law and has created, rather than solved, land use problems; and

WHEREAS, the Government of Guam must resolve the short-comings of the current LUP Program, provide direction to the orderly development of the territory, and exercise control over the use of our precious but exhaustible land resources; and

WHEREAS, the Government of Guam recognizes an urgent need to revise the present LUP Program because of its inability to meet the needs of our society and its deleterious effects on the rapidly dwindling inventory of Government lands;

NOW, THEREFORE, I, JOSEPH F. ADA, Governor of Guam, by virtue of the authority vested in me by the Organic Act and the laws of Guam, do hereby order that:

1. The following government lands shall be reserved exclusively for Land Use Permit purposes. The Department of Land Management shall cause the survey and subdivision of these public parcels into acre lots and, after having been publicly advertised, allocate lots to qualified Land Use Permit applicants for two (2) year periods on a first-come, first-served basis.

Subsistence Farming Purposes:

Lot 7138, Yigo	145.70 acres
Lot 7054, Yigo	31.99 acres
Lot 7055, Yigo	37.50 acres
Lot 10154, Yigo	214.50 acres
Lot 10125-R8, Dededo	519.25 acres
Lot 10122-R17, Dededo	443.30 acres
Lot 5401N, Mangilao	30.12 acres
Lot 5402S, Mangilao	89.90 acres



2. The Committee shall actively search for, and identify as quickly as possible, sufficient acreage in the southern portion of Guam for inclusion in the permit program for subsistence farming.

3. Lot No. 10119-R8, consisting of approximately 120 acres of government land in Yigo shall be surveyed, subdivided into acre lots, for lease on a temporary basis for a two (2) year period to non-profit organizations.

4. The Director, Department of Land Management shall develop and publish for public information a Quarterly Progress Report to include data such as, but not limited to, the number of Land Use Permit applications received, number of permits issued, acreage committed, and the balance available under the various LUP Program categories; number of inspections scheduled and completed; number of violations cited; number of cases referred to the AG for prosecution, and violators prosecuted, and such other information from which the success of the Program may be evaluated.

5. The Department of Land Management shall develop such rules and regulations, consistent with the Administrative Adjudication Act, for the proper implementation of this Program.

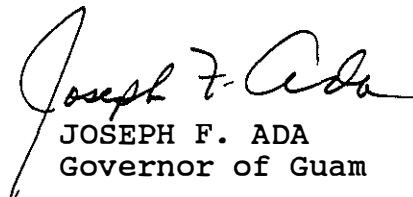
6. Existing Land Use permittees occupying areas not specified above shall be encouraged to relocate to the new sites but in no event shall be forced to do so.

7. No new applications for subsistence farming or for non-profit use shall be accepted by the Department of Land Management for areas not designated for Land Use Permit purposes by this Executive Order.


8. Item 6 of Executive Order No. 88-30 is repealed in its entirety to allow DLM to accept applications for subsistence farming and non-profit use in the areas designated by this Executive Order.

9. Applications for temporary uses other than subsistence farming, residential use, and non-profit use can be accepted by the Department of Land Management for government lands not identified in this Executive Order provided that none of the Agencies listed in Executive Order 90-09 (DRC) have any objections to the proposed uses, and further provided that those lands are first included in the Guam Public Land Use Plan.

SIGNED AND PROMULGATED at Agana, Guam this 17th day of September 1990.


JOSEPH F. ADA
Governor of Guam

COUNTERSIGNED:


FRANK F. BLAS
Lieutenant Governor