

Brief summary of each program change for Guam Coastal Management Program’s 2023 Program Change (GU-2023-1)

- 1.1. Changes in GCMP’s Program Authorities Relative to CLTC.
- 1.1.1. Guam Undersea Access for Homes Act (GUAHA), 21 GCA Ch. 75A Art. 2.

1.1. Change in GCMP’s Program Authorities Relative to CLTC.

The proposed change under the principal responsibility of CLTC is the addition of 21 GCA Ch. 75A Art. 2, which authorizes the CLTC to enter into submerged lands License Agreements for submerged lands under its jurisdiction. The submerged lands covered under this law are within the submerged lands conveyed to the Government of Guam under U.S. Public Law 93-435.

1.1.1. Guam Undersea Access for Homes Act (GUAHA), 21 GCA Ch. 75A Art. 2.

Legal citation. Title of policy, section, or other descriptor.	Summary of changes		How the management program is different	
	Description	Legislative History	Effect on coastal uses or resources	Effect on enforceable policies
21 GCA Ch. 75A Art. 2 §75A201. Title.	This new provision establishes the title for the Article, which is the “Guam Undersea Access for Homes Act (GUAHA).”	This provision was added by Guam Pub. Law No. 36-108 §2. The effective date for this provision was September 29, 2022.	This provision has no significant coastal effects.	This provision does not have any effect on GCMP’s enforceable policies.
21 GCA Ch. 75A Art. 2 §75A202. Legislative Findings and Intent.	This new provision describes the findings and intent of the Guam Legislature for the Article. The Article is intended to provide a uniform policy to govern the leasing of submerged lands to support and facilitate the construction of fiber optic submarine cables between Guam and the rest of the world.	This provision was added by Guam Pub. Law No. 36-108 §2. The effective date for this provision was September 29, 2022	This provision has no significant coastal effects.	This provision does not have any effect on GCMP’s enforceable policies.
21 GCA Ch. 75A Art. 2 §75A203. Authorization to Enter into Commercial	This new provision authorizes the CLTC to enter into submerged lands License Agreements for submerged lands under its jurisdiction. The cable easement is non-exclusive but shall not have unreasonable	This provision was added by Guam Pub. Law No. 36-108 §2. The effective date for	This provision has effects on public access, fishing, development in submerged lands,	This provision has effects on DP 1, DP 4, DP 5, RP 3, RP 4, RP 5, RP 7, and RP 8.

Brief summary of each program change for Guam Coastal Management Program's 2023 Program Change (GU-2023-1)

1.1. Changes in GCMP's Program Authorities Relative to CLTC.

1.1.1. Guam Undersea Access for Homes Act (GUAHA), 21 GCA Ch. 75A Art. 2.

<p>Submerged Lands License Agreements with Telecommunication Providers.</p>	<p>interference from CLTC with continued operation and maintenance of the landing pipes and manholes.</p>	<p>this provision was September 29, 2022</p>	<p>recreation, historic or cultural preservation, ocean waters, submerged aquatic vegetation, shellfish, fish, invertebrates, corals, tidal wetlands, hazards management, and beaches.</p>	
<p>21 GCA Ch. 75A Art. 2 §75A204. Compensation for Submerged Lands License Agreements.</p>	<p>This new provision establishes compensation for cable landings and annual license fees.</p>	<p>This provision was added by Guam Pub. Law No. 36-108 §2. The effective date for this provision was September 29, 2022</p>	<p>This provision has no significant coastal effects.</p>	<p>This provision does not have any effect on GCMP's enforceable policies.</p>
<p>21 GCA Ch. 75A Art. 2 §75A205. License Agreement Requirements.</p>	<p>This new provision sets forth a number of requirements for license agreements entered into under this Article, including the payment of interest on any areas, payment of taxes by the licensee, general liability insurance, retained rights of the general public to use the seafloor, water column, and sea surface for fishing and other recreational purposes, while anchoring or any destructive activities are prohibited, limitations on the use of the licensed property, compliance with environmental laws, compliance with authorizations, permits, etc., and that improvements to the licensed property belong to the CLTC upon termination/expiration of the license agreement.</p>	<p>This provision was added by Guam Pub. Law No. 36-108 §2. The effective date for this provision was September 29, 2022</p>	<p>This provision has effects on public access, fishing, development in submerged lands, recreation, historic or cultural preservation, ocean waters, submerged aquatic vegetation, shellfish, fish, invertebrates, corals, tidal wetlands, hazards management, and beaches.</p>	<p>This provision has effects on DP 1, DP 4, DP 5, RP 3, RP 4, RP 5, RP 7, and RP 8.</p>

Brief summary of each program change for Guam Coastal Management Program's 2023 Program Change (GU-2023-1)

1.1. Changes in GCMP's Program Authorities Relative to CLTC.

1.1.1. Guam Undersea Access for Homes Act (GUAHA), 21 GCA Ch. 75A Art. 2.

<p>21 GCA Ch. 75A Art. 2 §75A206. Default and Termination.</p>	<p>This new section establishes provisions which shall apply to and be incorporated into submerged lands License Agreements.</p>	<p>This provision was added by Guam Pub. Law No. 36-108 §2. The effective date for this provision was September 29, 2022</p>	<p>This provision has no significant coastal effects.</p>	<p>This provision does not have any effect on GCMP's enforceable policies.</p>
<p>21 GCA Ch. 75A Art. 2 §75A207. Deposit of Revenues and Fees.</p>	<p>This new provision requires that revenues from fees and interest will be deposited into the Chamorro Land Trust Survey and Infrastructure Fund.</p>	<p>This provision was added by Guam Pub. Law No. 36-108 §2. The effective date for this provision was September 29, 2022</p>	<p>This provision has no significant coastal effects.</p>	<p>This provision does not have any effect on GCMP's enforceable policies.</p>
<p>21 GCA Ch. 75A Art. 2 §75A208. Authorization to Adopt New Fees After 2031.</p>	<p>This new provision authorizes CLTC to adopt landing and license fees beginning January 1, 2032.</p>	<p>This provision was added by Guam Pub. Law No. 36-108 §2. The effective date for this provision was September 29, 2022</p>	<p>This provision has no significant coastal effects.</p>	<p>This provision does not have any effect on GCMP's enforceable policies.</p>
<p>21 GCA Ch. 75A Art. 2 §75A209. Guam Coastal Management to Recommend Optimal Submerged Cable Landings Sites.</p>	<p>This new provision requires that GCMP shall establish guidelines for initial and periodic review of optimal areas for the landing of submarine cables which shall be compatible with and minimize adverse impacts.</p>	<p>This provision was added by Guam Pub. Law No. 36-108 §2. The effective date for this provision was September 29, 2022</p>	<p>This provision has effects on public access, fishing, development in submerged lands, recreation, historic or cultural preservation, ocean waters, submerged aquatic vegetation, shellfish, fish, invertebrates, corals, tidal wetlands,</p>	<p>This provision has effects on DP 1, DP 4, DP 5, RP 3, RP 4, RP 5, RP 7, and RP 8.</p>

Brief summary of each program change for Guam Coastal Management Program's 2023 Program Change (GU-2023-1)

1.1. Changes in GCMP's Program Authorities Relative to CLTC.

1.1.1. Guam Undersea Access for Homes Act (GUAHA), 21 GCA Ch. 75A Art. 2.

			hazards management, and beaches.	
21 GCA Ch. 75A Art. 2 §75A210. Establishment of Fees.	This new provision authorizes BSP to establish a schedule of fees to be charged for applications when construction, installation, or repair/upgrade of conduit infrastructure or cables is required, which recover costs associated with review/approval of applications.	This provision was added by Guam Pub. Law No. 36-108 §2. The effective date for this provision was September 29, 2022	This provision has no significant coastal effects.	This provision does not have any effect on GCMP's enforceable policies.
21 GCA Ch. 75A Art. 2 §75A211. Exemption from Commercial Leases and Licenses.	This new provision excludes the submerged lands license agreements from commercial leases and licenses under 21 GCA §§ 75122 or 75A122.	This provision was added by Guam Pub. Law No. 36-108 §2. The effective date for this provision was September 29, 2022	This provision has no significant coastal effects.	This provision does not have any effect on GCMP's enforceable policies.
21 GCA Ch. 75A Art. 2 §75A212. Other Submerged Licenses Allowed.	This provision ensures that submerged license agreements are not construed to prevent CLTC from leasing, licensing, or reserving submerged lands for other purposes consistent with law and environmental concerns.	This provision was added by Guam Pub. Law No. 36-108 §2. The effective date for this provision was September 29, 2022	This provision has no significant coastal effects.	This provision does not have any effect on GCMP's enforceable policies.