



GUAM COASTAL MANAGEMENT PROGRAM

AND

FINAL ENVIRONMENTAL IMPACT STATEMENT

Amendments to Volumes 1 & 2 of 2

September 1994

**GUAM COASTAL MANGEMENT PROGRAM
AND
FINAL ENVIRONMENTAL IMPACT STATEMENT**

addendum

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GUAM COASTAL MANAGEMENT PROGRAM
AND
FINAL ENVIRONMENTAL IMPACT STATEMENT

Addendum

PART A

(amending Volume 1 of 2)

FORWARD

This document amends the Guam Coastal Management Program and Final Environmental Impact Statement, dated July 1979, which defines the Guam Coastal Management Program, and upon which program approval by the Office of Ocean and Coastal Resource Management was based.

Part A of this document merely corrects and updates information in Volume 1 of 2, and includes the laws and executive orders which were added to the program since approval. It is not meant to replace the existing document, but to work with it as a companion addendum. Part B, however, does replace the 1979 Volume 2 of 2.

For clarification, the following commissions which appear throughout the text, are changed to reflect their more current titles. The changes were not made throughout the document, as it would have required rewriting almost the entire document. Because these are merely name changes, no authorities are changed.

1979 DOCUMENT

Territorial Planning Commission (TPC)

Central Planning Council (CPC)
Subdivision Development Review
Committee (SDRC)
Office of Coastal Zone Management (OCZM)

1994 DOCUMENT

Territorial Land-Use Commission
(TLUC)
Territorial Planning Council (TPC)
Development Review
Committee (DRC)
Office of Ocean and Coastal
Resource Management
(OCRM)

PART ONE: INTRODUCTION

A. The Federal Coastal Zone Management Act

In response to the recognition of the importance of the coastal areas of the United States, Congress passed the Coastal Zone Management Act (CZMA), which was signed into law on October 27, 1972, (P.L. 92-583). That Act has been amended nine times since and was last reauthorized by P.L. 101-508. (copy of CZMA attached). The federal authority for implementation of the CZMA is the Office of Ocean and Coastal Resource Management, (OCRM), within the National Oceanic and Atmospheric Administration, (NOAA).

The Coastal Zone Management Act of 1972, and its amendments, affirm a national interest in the effective protection and careful development of the coastal zone, by providing assistance and encouragement to coastal States [and Territories] to develop and implement national programs for managing their coastal areas. The CZMA states, *"(t)here is a national interest in the effective management, beneficial use, protection, and development of the coastal zone"* (§302[a]). The statement of Congressional findings goes on to describe how competition for the utilization of coastal resources, brought on by the increased demands of population growth and economic expansion, has led to the degradation of the coastal environment, including the *"loss of living marine resources, wildlife, nutrient-rich areas, permanent and adverse changes to ecological systems, decreasing open space for public use, and shoreline erosion."* The CZMA then states, *"(t)he key to more effective protection and use of the land and water resources is to encourage States [and Territories] to exercise their full authority over the land and waters in the coastal zone by assisting [them]....in developing land and water use programs...for dealing with [coastal] land and water use decisions of more than local significance."* (§302[h]).

Section 305 of the CZMA, authorized the States and Territories to develop coastal management programs, and funding was provided. Guam applied for and completed that process, in accordance with guidance provided in 15 CFR Part 923. In summary, the requirements for program approval are that a State develop a management program which:

- (1) Identifies and evaluates those coastal resources recognized in the Act that require management or protection by the State;
- (2) Reexamines existing policies or develops new policies to manage these resources. These policies must be specific, comprehensive and enforceable, and must provide an adequate degree of predictability as to how coastal resources will be managed.

- (3) Determines specific uses and special geographic areas that are to be subject to the management program, based on the nature of identified coastal concerns. Uses and areas to be subject to management should be based on resource capability and suitability analyses, socio-economic considerations and public preferences;
- (4) Identifies the inland and seaward areas subject to the management program;
- (5) Provides for the consideration of the national interest in the planning for and siting of facilities that meet more than local requirements; and
- (6) Includes sufficient legal authorities and organizational arrangements to implement the program and to insure conformance to it.

B. The Guam Coastal Management Program.

The Government of Guam developed the Guam Coastal Management Program consistent with the requirements for federal approval, and in August of 1979 received approval by the federal government for implementation of the Program (GCMP).

The GCMP was developed as a network program, with a series of inter-related Government of Guam agencies making up the program. The Core program is located within the Bureau of Planning. Other agencies which are part of the program, through their authorities for permitting, enforcement, review, and/or planning include; Department of Agriculture, Department of Parks and Recreation, Department of Land Management, (including Territorial Land-Use Commission/Territorial Seashore Protection Commission), Department of Public Works, Guam Environmental Protection Agency and Territorial Planning Council (replaces old Central Planning Council).

The boundaries of the "coastal zone" for Guam were determined to be the entire island mass, seaward to the extent of Guam's authorities. Boundaries are defined by the landward limits to which activities may be expected to produce impacts on coastal waters. Because the entire island has been designated a "coastal zone" in the context of the CZMA, the GCMP applies islandwide. All of Guam's land and sea areas, and all its land-use and resource related planning and regulatory agencies, programs and laws fall within the concern of this program.

The authority of this program over federally owned lands, and on activities occurring on federal lands, are defined by §307 of the CZMA and 15 CFR Part 930, and are implemented through the "Procedures Guide for Achieving Federal Consistency with the

Guam Coastal Management Program" (attached). These authorities allow for Territorial review of federal activities, federally supported activities, and federally licensed or permitted activities, to ensure maximum practicable consistency with the policies of the Territory of Guam as iterated through the policies of the GCMP.

The original Program Document for the Guam Coastal Management Program (Guam Coastal Management Program and Final Environmental Impact Statement) may be obtained at the Bureau of Planning. This document provides a renewed look at the approved program, the additions and amendments to the local, legal framework (body of laws), and some analysis to GCMP efforts.

CHAPTER 1. - SUMMARY

A. Authorizing Legislation.

At the time of program development, the authorizing legislation was Public Law 12-200. That law has subsequently been repealed and reenacted as Public Law 20-147. For the Bureau, and particularly the GCMP, little changed with the repeal and reenactment. Specific applicability of the law to the GCMP (and Bureau) follows.

§62017 (re)creates the Bureau of Planning, with divisions, sections or units to..."*coordinate and assist in...long-range planning programs for the ...infrastructure and suprastructure development of Guam. Expertise, either singly or collectively, should be evident in such areas as community facilities, **conservation**, cultural development, demography, economics, education, **environment**, finance, **infrastructure**, **land utilization**, **natural resources**, **transportation**, **urban and rural design**, utilities, and visitor industry.*" Those bolded areas of concern being the purview of the GCMP.

Under the powers of the Bureau, §62019, (through its divisions, sections, etc.), the GCMP is authorized to perform the following functions.

" (a) *Grants. To apply for and accept grants, loans, contributions, appropriations and assistance from the Federal government and from any other sources, public or private, and enter into and carry out contracts or agreements in connection therewith, and include in any contract for financial assistance with the Federal laws as it may deem reasonable and appropriate...;*

(b) *Contracts. To contract for any professional services if such work or services cannot satisfactorily be performed by its employees;*

(c) *Studies. To conduct, or cause to be conducted, investigations, studies, surveys, research and analysis relating to physical, human, social, and economic development of Guam and to publish the results thereof;*

(d) *Policies. To develop and recommend territorial policies to foster and promote the improvement of planning activity and development quality;*

(e) *Private Services. To utilize to the fullest extent possible, the services, facilities and information of public and private agencies and organizations and individuals in order that duplication of effort and expenses may be avoided;*

(f) *Appraise Plans. To review, appraise and make such use as it sees fit of all existing plans, inclusive of the 1978 Kabales Na Planu Para Guahan, and those presently being prepared;*

(g) Data Bank. To develop an information system and data bank for the continual collection and storage of public information needed or utilized in the development plan process;

CHAPTER 2. - INSTITUTIONAL AND RESOURCE SETTING

A. Major Natural Resources and Human Activities.

The intensity and frequency of natural activities, and the major, economic changes and advances which have occurred subsequent to GCMP approval, warrant changes to the information in the Final EIS for the GCMP.

1. PHYSICAL SETTING

Climate

Guam experiences major storms and/or typhoons, with winds greater than 75 mph sustained. While the likelihood of typhoons is greatest during July through September, major typhoons can and have been experienced throughout the year. Typhoon Russ struck in December 1990; Typhoon Yuri in November 1991; Omar in August 1992; and typhoons Brian, Elsie, Hunt and Gay struck Guam between October and December of 1992. While no accurate figures exist, it is probable that Omar was a supertyphoon, with winds in excess of 155 mph. Two days prior to landfall, Typhoon Gay had winds exceeding 225 mph sustained.

Seismic Conditions

Guam is located on a tectonic plate under which the Pacific Plate is subducting. The area is an extremely active section of the "ring of fire". On August 8, 1993, at 6:35 p.m., Guam experienced an 8.2 magnitude "great" quake, which lasted for 64 seconds. This was the third quake exceeding 8.0 in this century, the twenty-sixth exceeding 7.0.

B. Institutional Framework

1. POPULATION

The change, both in total population numbers as well as population make-up, which has occurred in the Final EIS, is indicative of the changes which have occurred in economic, development, and resource management areas, and must be understood in order to avoid the error of analysis of issues based on stateside realities. Changes between 1979 and 1994 in population and projections are as follows:

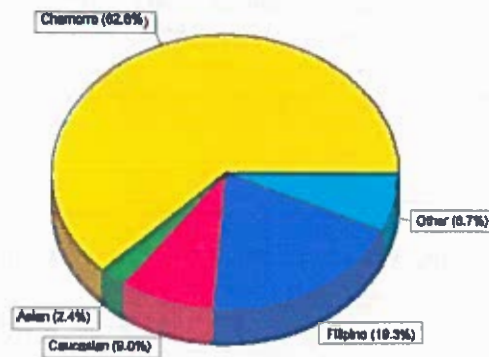
Population	1994	projected for 1994 in 1979
	145,800	170,000 - 225,000

The size of the error between the 1979 projections and the realized population in 1994 is sizeable.

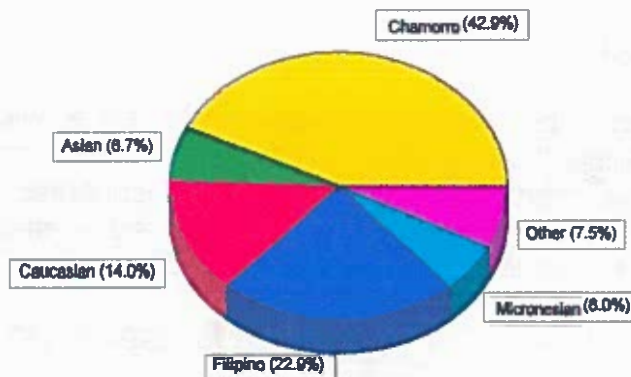
The changes which have occurred in ethnic balance within the population are impressive. Resulting from both emigration of the local population and increased immigration from (in particular) Asian countries. The chart below shows both the 1979 figures (from the GCMP Final EIS), and the most recent figures based upon the 1990 census.

Much of the change shown in ethnic balance can be attributed to U.S. policy, as well as the instabilities of many Asian political systems. These "incalculables" are largely responsible for the direction and scope of development as well as environmental attitude changes over the past fifteen years.

1979



1994



2. ECONOMIC OVERVIEW

The 1980s saw a period of growth and expansion on Guam, unequaled anywhere in the world at that time. Beginning with the approval of Guam's first, true, high-rise hotel in 1984, the next seven years saw an explosion of foreign investment, foreign labor, escalation of land values, and a shift in the sharing of both benefits and costs toward a more even, island-wide distribution. Six golf courses, scattered throughout the island, were added to the two existing courses, with more than a dozen others approved. Thousands of new hotel rooms were added, with tens of thousands more approved. Hundreds of condominiums rooms were built, with thousands more approved.

During a period when the United States was deep in recession, with unemployment approaching double digits, Guam was experiencing an extended development/investment boom period and unemployment consistently below 3%, with drops to below 2%. Single development investment in the hotel industry ranged from a low of \$60 million for a simple hotel, to more than \$1 billion spent on a single resort (first phase of three phases only).

The results of this boom period were that quality of life, wages, opportunities, and quality of housing all improved. Commercial development expanded to meet the more affluent society. On the other side, the cost of living, pressures on existing infrastructure, shortage of housing and amenities for lower and moderate income persons were all exacerbated.

3. INDUSTRIES FOR GROWTH

Manufacturing

In 1979, Guam counted watch assembly, textiles, a brewery, feed mill, and an oil refinery as existing manufacturing. Due to a variety of factors, each of those industries is now gone.

Investigations into "clean" industrial activities, such as computer chip manufacturing, revealed that hidden costs might also be involved. That example not only requires a substantial amount of fresh water in its process, but also produces highly toxic waste products resulting from the "washing" process. While Guam continues to investigate manufacturing as a feasible method of economic diversification, the more mature governmental process of 1994 will allow for a more thorough impact analysis than was available in 1979.

4. PUBLIC ATTITUDES CONCERNING LAND USE

Concerns expressed in the 1979 document, relating to shoreline access,

controls on development, particularly along the shoreline, and the need for more recreational areas, have been amplified and expanded on in the intervening years. The demand for a comprehensive land-use plan, more predictability in community development, and land needs for future generations, has been demanded by the people of Guam in response to a disgust for the political manipulation of land controls experienced in and after the boom years. The public of Guam, the business community, and the entire range of government experts worked together over a more than two year period to develop such a plan in ITano Ta.

CHAPTER 3. - PROGRAM POLICIES

The policies of the GCMP have not changed since 1979 adoption of the program. These policies, as iterated in Executive Order 78-37, not only establish the basis for the GCMP, but are mandatorily applicable to all agencies, boards and commissions of the Government of Guam. It is worthwhile to reiterate those policies in this document. They are divided into three general categories: Government processes, development, and resources.

Following the listing and iteration of policies, is an analysis of the policies and the enforcing authorities (agency and law) for each policy.

A. Governmental Processes Policy:

More effective administration of natural resources related laws, programs, and policies shall be achieved through:

- revision of unclear and outdated laws and regulations,
- improved coordination among local agencies
- improved coordination between territorial and federal agencies
- educational and training programs for local government personnel, and refinement of supporting technical data.

B. Development Policies:

1. Shore Area Development

Intent: To insure environmental and aesthetic compatibility of shore land uses.

Policy: Only those uses shall be located within the Seashore Reserve which:

- enhance, are compatible with or do not generally detract from the surrounding coastal area's aesthetic and environmental quality and beach accessibility; or
- can demonstrate dependence on such a location and the lack of feasible alternative sites.

2. Urban Development

Intent: To cluster high impact uses such that coherent community design, function, infrastructure support and environmental compatibility are assured.

Policy: Commercial, multi-family, industrial and resort-hotel zone uses and uses requiring high levels of support facilities shall be concentrated within urban districts as outlined on the Land Use Districting Map.

3. Rural Development

Intent: To provide a development pattern compatible with environmental and infrastructure support suitability and which can permit traditional lifestyle patterns to continue to the extent practicable.

Policy: Rural districts shall be designated in which only low density residential and agricultural uses will be acceptable. Minimum lot size for these uses should be one-half acre until adequate infrastructure including functional sewerage is provided.

4. Major Facility Siting

Intent: To include the national interest in analyzing the siting proposals for major utilities, fuel and transport facilities.

Policy: In evaluating the consistency of proposed major facilities with the goals, policies and standards of the Comprehensive Development and Coastal Management Plans, the Territory shall recognize the national interest in the siting of such facilities including those associated with electric power production and transmission, petroleum refining and transmission, port and air installations, solid waste disposal, sewage treatment, and major reservoir sites.

5. Hazardous Areas

Intent: Development in hazardous areas will be governed by the degree of hazard and the land use regulations.

Policy: Identified hazardous lands, including floodplains, erosion-prone areas, air installations, crash and sound zones and major fault lines shall be developed only to the extent that such development does not pose unreasonable risks to the health, safety or welfare of the people of Guam, and complies with the land use regulations.

6. Housing

Intent: To promote efficient community design placed where the resources can support it.

Policy: The government shall encourage efficient design of residential areas, restrict such development in areas highly susceptible to natural and manmade hazards and recognize the limitations of the island's resources to support historical patterns of residential development.

7. Transportation

Intent: To provide transportation systems while protecting potentially impacted resources.

Policy: The Territory shall develop an efficient and safe transportation system, while limiting adverse environmental impacts on primary aquifers, beaches, estuaries and other coastal resources.

8. Erosion and Siltation

Intent: To control development where erosion and siltation damage is likely to occur.

Policy: Development shall be limited in areas of 15% or greater slope by requiring strict compliance with erosion, sedimentation, and land use districting guidelines, as well as other related land use standards for such areas.

C. CONSERVATION OF NATURAL RESOURCES OVERALL POLICY:

The value of Guam's natural resources as recreational areas, critical marine and wildlife habitats, the major source of drinking water, and the foundation of the island's economy shall be protected through policies and programs affecting such resources.

D. RESOURCE POLICES:

1. Air Quality

Intent: To control activities to insure good air quality.

Policy: All activities and uses shall comply with all local air pollution regulations and all appropriate Federal air quality standards in order to ensure the maintenance of Guam's relatively high air quality.

2. Water Quality

Intent: To control activities that may degrade Guam's drinking, recreational, and ecologically sensitive waters.

Policy: Safe drinking water shall be assured and aquatic recreation sites shall be protected through the regulation of uses and discharges that pose a pollution threat to Guam's waters, particularly in estuarine, reef and aquifer areas.

3. Fragile Areas

Intent: To protect significant cultural areas, and natural marine and terrestrial wildlife and plant habitats.

Policy: Development in the following types of fragile areas shall be regulated to protect their unique character.

- historical and archeological sites
- wildlife habitats
- pristine marine and terrestrial communities
- limestone forests
- mangrove stands and other wetlands

4. Living Marine Resources

Intent: To protect marine resources in Guam's waters.

Policy: All living resources within the territorial waters of Guam, particularly corals and fish, shall be protected from over harvesting and, in the case of marine mammals, from any taking whatsoever.

5. Visual Quality

Intent: To protect the quality of Guam's natural scenic beauty.

Policy: Preservation and enhancement of, and respect for the island's scenic resources shall be encouraged through increased enforcement of and compliance with sign, litter, zoning, subdivision, building and related land-use laws. Visually objectionable uses shall be located to the maximum extent practicable so as not to degrade significant views from scenic overlooks, highways and trails.

6. Recreation Areas

Intent: To encourage environmentally compatible recreational development.

Policy: The Government of Guam shall encourage development of varied types of recreational facilities located and maintained so as to be compatible with the surrounding environment and land uses, adequately serve community centers and urban areas and protect beaches and such passive recreational areas as wildlife and marine conservation areas, scenic overlooks, parks and historical sites.

7. Public Access

Intent: To ensure the right of public access.

Policy: The public's right of unrestricted access shall be ensured to all non-federally owned beach areas and all territorial recreation areas, parks, scenic overlooks, designated conservation areas and their public lands; and agreements shall be encouraged with the owners of private and federal property for the provision of releasable access to and use of resources of public nature located on such land.

8. Agricultural Lands

Intent: To stop urban types of development on agricultural land.

Policy: Critical agricultural land shall be preserved and maintained for agricultural use.

In order to better understand the relationship between the GCMP, its network of agencies, and the laws, executive orders, and rules & regs which support the implementation of the program and its policies, the following analysis was completed.

ANALYSIS OF EXISTING AUTHORITIES

PERMITTING AND ENFORCEMENT

Authorities and Responsibilities for Network Agencies

of the

Guam Coastal Management Program

DEPARTMENT OF AGRICULTURE

While the Department of Agriculture (DAg), consists of three divisions, Agriculture, Forestry and, Division of Aquatic and Wildlife Resources, it is the third which holds the strongest, daily connection with the Guam Coastal Management Program (GCMP).

The Division of Agriculture had, until recently, the primary responsibility for long term leasing of public properties for the purpose of agricultural production. This Division reviewed applications for long term (five years or more) leasing of large amounts of public lands (five acres or more), to ensure the applicants had the ability to undertake production farming.

The Division identified lands which were suitable for all types of agriculture (tillage, hydroponics, etc.), finalized lease agreements with the applicants, and transmitted those leases to the Governor and legislature for approval. It is at the Governor's Office that the GCMP reviews and comments (recommends approval/disapproval) for the Governor.

Prior to implementation of the lease, or any other project located in northern Guam, Guam Environmental Protection Agency (GEPA), under the authority of the Federal Safe Drinking Water Act, Section 1424 (c) and Guam Safe Drinking Water Act, Title 10, Chapter 53, Guam Code Annotated, reviews and approves the project for compliance with necessary protection practices for the primary source aquifer.

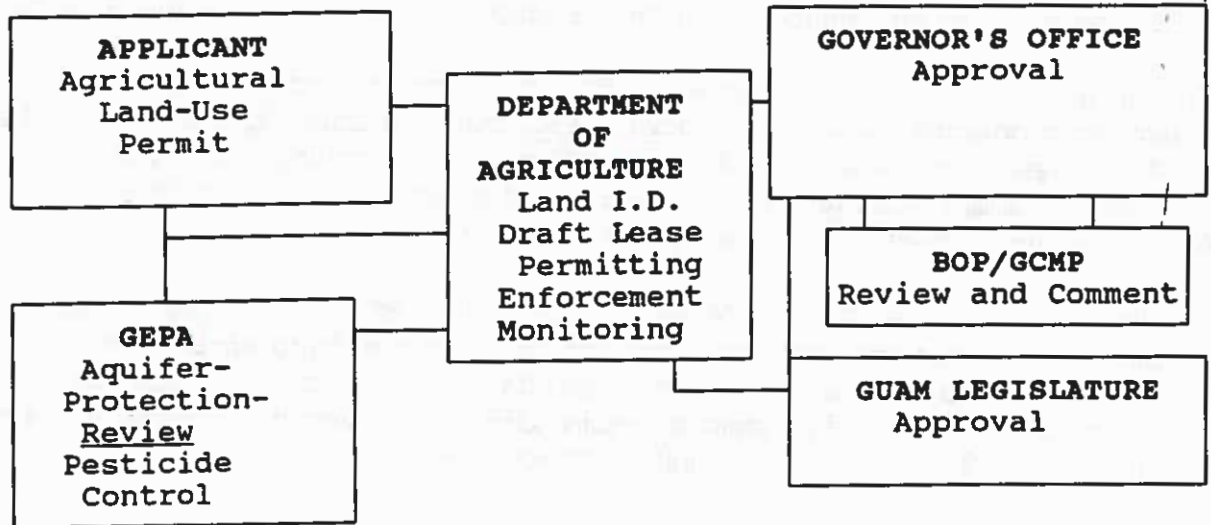
It is through this review that GEPA ensures plans for pesticide and fertilizer uses are consistent with approval level, and plans for animal waste disposal, and for irrigation practices, are adequate to ensure against degradation of ground water resources. Large scale use of nutrients and pesticides require GEPA approved training and licensing, which is guaranteed through the Aquifer Protection Review.

With court ordered implementation of the Chamorro Land Trust Act, this agricultural leasing process is in flux. The role Department of Agriculture will play in the new system has not yet been established, as the rules and regulations necessary to carry out the Act have not yet been promulgated. The roles of GCMP and GEPA, however, are expected to remain as they are.

Monitoring and Enforcement of this program is the responsibility of the Department. Lack of production on a significant portion of the leased land after five years, or other violations of the lease agreement, result in the loss of the lease. Agricultural land agents within the Department perform not only enforcement and monitoring functions, but assist the farmers with the proper crop technology and best farming practices as well.

This division is also responsible for the identification and management of agricultural preserves, through authority of Title XIV, Chapter VII of the Guam Code Annotated.

AGRICULTURAL LAND LEASE FLOW CHART



Division of Forestry does not issue permits, nor does it enforce. Its function is to plant, or provide for others to plant. This division has planted tens of thousands of trees throughout Guam, which helps in soil stabilization and habitat creation/protection. In addition, this division provides assistance in island beautification efforts through roadside plantings and nursery production for large scale efforts.

Division of Aquatic and Wildlife Resources is the primary contact and coordinating agency with the Guam Coastal Management Program within the Department of Agriculture. This division issues permits and licenses for hunting and fishing, through Title XII, Chapter IV, Article I of the Guam Code Annotated, as well as permits for live coral harvesting and use of fishing nets, through Title XIII, Chapter IV, Article V of the Guam Code Annotated.

In addition to this issuance of permits and licenses, this division is the primary authority for enforcement activities under these same statutes, for the purposes iterated above, as well as being the enforcement authority for the Endangered Species Act (for species on both the federal and local endangered and threatened species lists), which includes the authority (through Section 12325 of Title XIII) for both identification and management of endangered plant and animal species. Further, this division is responsible for the identification, management and enforcement of wildlife conservation areas through Title XIII, Chapter IV, Article III of the Guam code Annotated.

The Department of Agriculture reports quantitative information on these areas to the GCMP for use in the quarterly progress reports.

Department of Agriculture works closely with the GCMP as a primary reviewer for federal consistency determinations, and is one of the three agencies, (with GCMP and GEPA), in wetland review.

Department of Agriculture and GCMP have over the years, and continue to, work very closely in improving public education efforts in areas of wildlife and the environment.

In terms of DAG's participation in the GCMP, through implementation of the policies as iterated in E.O 78-37, the authorities by policy are as follows. Authorities cited are by Government Code of Guam (GCG) unless otherwise noted.

Shore Area Development: Land Conservation Act, Section 12603(c); Conservation Areas, Section 12350; Traditional rights-of-way to the ocean shore, P.L. 19-05, Section 112; Public lands (fast & submerged) leasing program, E.O. 87-19; Establishment of Development Review Committee (DRC), E.O. 90-09; Adoption of official wetland map for Guam, E.O. 90-13; operation of DRC, E.O. 90-15.

Rural Development: Land Conservation Act, Section 12601 (d); Endangered Species Act of Guam, P.L. 15-36; Yard area and setback requirements in agricultural subdivisions, P.L. 15-57; enforcement and penalties for endangered species act, P.L. 15-97; forestry and conservation lands, P.L. 16-62; land-use permit system, P.L. 17-40; agricultural land-lease program, E.O. 79-20; creation of Anao nature preserve, E.O. 87-36; DRC, E.O. 90-09; Wetland map, E.O. 90-13.

Water Quality: Seashore Protection Act, Sections 13416 (c)(2)(b)-(d), (c)(4)(c)(2), (e)(4)(d), 13417 (a)(3)(i), (a)(3)(d); Conservation Areas, Section 12350.

Fragile Areas: Land Conservation Act, Section 12603 (b), (c); Coral Harvesting Law, Sections 12380-4; Conservation Areas, Section 12350; Endangered Species Act, Section 12325; endangered species, P.L. 15-36; enforcement and penalties for endangered species act, P.L. 15-97; coral protection and taking techniques, P.L. 16-39; conservation reserves, P.L. 16-62; Prohibition of Jet Skis in Tumon Bay, P.L. 17-86; Creation of Anao Reserve, E.O. 87-36; leasing of lands for agriculture over water lens, E.O. 88-30; closure of Agana Bay during Manahac Run, E.O. 89-10; adoption of RWUMP, E.O. 89-31; adoption of wetland map, E.O. 90-13.

Living Marine Resources: Land Conservation Act, Section 12603 (b)(c); Coral Harvesting Law, Sections 12380-4; Game and Fish Laws, Sections 12303-12311-12385; Conservation Areas, Section 12350; Endangered Species Act, Section 12325; endangered species, P.L. 15-36; net fishing, P.L. 15-66; penalties, P.L. 15-97; wildlife taking, P.L. 16-39; conservation reserves, P.L. 16-62; talaya fishing, P.L. 16-112;

prohibition of jet skis, P.L. 17-86; use of submerged properties, E.O. 87-19; manahac fishing, E.O. 89-10.

Visual Quality: Land Conservation Act, Section 12629.

Recreation Areas: Land Conservation Act, Section 12603; Conservation Areas, Section 12350; conservation reserves, P.L. 16-62; talaya fishing, P.L. 16-112; protection of manahac fishing, E.O. 89-10; DRC, E.O. 90-09.

Agricultural Lands: Land Conservation Act, Section 12601-3; agricultural subdivisions, P.L. 15-57; land lease, E.O. 79-20; leasing over water lens, E.O. 88-30.

GUAM ENVIRONMENTAL PROTECTION AGENCY

In regard to oversight of permit issuance, particularly in regard to the number of permits for development or earth alteration reviewed and approved/disapproved, Guam Environmental Protection Agency (GEPA) is probably the single most important element of the Guam Coastal Management Program.

Under authority of NEPA at the federal level, and DRC related executive order (E.O. 90-10) at the local level, GEPA can require either an environmental assessment or an environmental impact statement for a wide range of development activities. Their authorities re: Aquifer Protection Review process, Environmental Protection Plan requirements (for earth moving or other activities with anticipated impacts), Erosion Control Plans, Well Drilling & Operating Permits, Pollution Discharge Permit, Air Pollution Source Construction and Operating Permit, Open Burning Permit, Underground Injection Control Permit, Spill Prevention Control and Countermeasure Plan Clearance, Sewer Connection/Septic Tank Permit, Solid Waste Collection and Disposal Permit, Hazardous Waste Management Permit, and Pesticide Dealer and Applicator License, make up a large portion of the environmental protection net which is applied to new construction.

In addition, GEPA's enforcement authorities in wetlands, litter, and clean water areas of concern, along with their authority for declarations of unsafe coastal waters (based on regular testing), are significant in achieving the goals of the GCMP.

GEPA and the GCMP coordinate on a daily basis in all areas of environmental and development issues. As a member of the DRC, GEPA ensures GCMP policy concerns which are supported by the plethora of laws and regulations which are the responsibility of the agency, are addressed.

GEPA and GCMP work together on community activities, such as environment week displays, roadway clean-ups, etc.

In terms of GEPA's participation in the GCMP, through implementation of the policies as

iterated in E.O. 78-37, the authorities by policy are as follows.

Shore Area Development: Guam Safe Drinking Water Act, Title 10, Chapter 53; Water Pollution Control Act, Sections 57044-57047; Soil Erosion and Sediment Control Regulations.

Urban Development: Toilet Facilities & Sewage Disposal, Section 57061; Guam Safe Drinking Water Act, Section 1424 (c); Air Pollution Control Act, Title 10, Chapter 49.

Rural Development: Toilet Facilities & Sewage Disposal, Section 57061-3; Guam Safe Drinking Water Act, Title 10, Chapter 53; well drilling and operating, Title 10, Chapter 46.

Hazardous Areas: Soil Erosion and Sedimentation Control Regs.

Housing: Toilet Facilities & Sewage Disposal, Chapters 57063 & 57064.

Transportation: Erosion and Sedimentation Control Regs.

Erosion & Siltation: Erosion and Sedimentation Control Regs; Guam Safe Drinking Water Act, Title 10, Chapter 53.

Air Quality: Air Pollution Control Act, Sections 57100-57105; E.O. 90-10, Procedures for EA.

Water Quality: Water Resources Conservation Act, Sections 57020 - 57033; Water Pollution Control Act, Sections 57040-57051; Toilet Facilities and Sewage Disposal, Sections 57060-57094; Guam Safe Drinking Water Act, Title 10, Chapter 53; P.L. 16-62, regulates soil and water conservation; P.L. 16-70, hazardous waste management; P.L. 17-87, implementation of the groundwater management program; E.O. 88-30, agricultural leasing over northern aquifer; E.O. 89-5, establishes priorities for public groundwater supply in northern lens.

Fragile Areas: Water Pollution Control Act, Sections 57045-57048; Guam Safe Drinking Water Act, Title 10, Chapter 53; E.O. 90-10, requirements for EA; E.O. 90-13, protection of wetlands.

Visual Quality: Litter Control, Section 57170.

DEPARTMENT OF PARKS AND RECREATION

Department of Parks and Recreation (DPR) serves the Guam Coastal Management Program through its two divisions; Parks, and Historic Preservation.

The Parks Division is responsible for management of the Guam Territorial Seashore Park, which encompasses more than a thousand acres in southern Guam, for Dano Park, on the barrier island of Cocos, and for a wide range of public, beachfront parks throughout Guam. Additionally, this division handles issues of public access.

The Historic Preservation Division is responsible, through the Guam Historic Preservation Board, with management, protection, development, restoration, and analysis of all historic and pre-historic sites on Guam, whether they fall on private, federal, or GovGuam properties.

DPR issues use permits for parks, but more importantly, serves as a "sign-off" agency for building permits, clearing and grading permits, and seashore protection act permits.

In terms of DPR's participation in the GCMP, through implementation of the policies as iterated in E.O. 78-37, the authorities by policy area as follows:

Shore Area Development: Territorial Beach Areas Act, Sections 13454, 13456; Territorial Parks Act, Section 12609; Underwater Historic Sites, Sections 13985.31, 13985.34; P.L. 17-86, prohibition of jet skis in Tumon; P.Lo 20-151, historic preservation laws; E.O. 89-31, adoption of Recreational Water-Use Management Plan.

Housing: Territorial Beach Areas Act, Section 13450(e).

Fragile Areas: Territorial Beach Areas Act, Sections 13451 (b),(c); Territorial Parks, Sections 26009-26009.1; Historic Preservation Laws, Sections 13985-13985.35; P.L. 16-62, Territorial Park System; P.L. 17-86, prohibition of jet skis in Tumon; P.L. 20-151, historic preservation laws and programs; E.O. 87-36, creation of Anao nature preserve; E.O. 88-22, underwater historic properties; E.O. 89-9, preserving historic sites on Guam; E.O. 89-24, disposition or archaeologically recovered human remains.

Visual Quality: Territorial Parks, Sections 26009, 26009.1.

Recreational Areas: Territorial Beach Areas Act, Sections 13450(d), 134151-5; Historic Preservation Laws, Section 13985.2; P.L. 16-62, establishes territorial park system; P.L. 17-86, prohibition of jet skis in Tumon; P.L. 19-05, traditional rights-of-way to the ocean shore; E.O. 87-36, establishing Anao nature preserve; E.O. 89-10, closure of Agana Bay for Manahac runs; E.O. 89-31, adoption of RWUMP.

Public Access: Territorial Beach Areas Act, Sections 13450, 13451, 13454-6; P.L. 16-62, establishing territorial park system; P.L. 19-05, traditional rights-of-way to ocean shore; E.O. 87-36, creation of Anao nature reserve as an educational and conservation area; E.O. 88-22, management of underwater historic properties; E.O. 89-10, closure of Agana Bay during Manahac runs; E.O. 89-31, adoption of RWUMP.

DEPARTMENT OF LAND MANAGEMENT

Department of Land Management (DLM) serves functions of the GCMP through several of its divisions; Planning Division and Land Administration Division, but also as the staff agency to the Territorial Land-Use Commission and Chair of the Development Review Committee.

Land Administration Division is responsible for all transactions which include the use, exchange, sale of public properties.

Planning Division is responsible for review of building permit applications, business licenses, proposed uses within the Territorial Seashore Reserve, and clearing and grading permits. Through these reviews, they ensure that the proposed activities meet the requirements of the whole range of development regulations and laws, including the Zoning Law, Subdivision Law, Territorial Seashore Protection Act, etc.

This division also serves as the Chair for the Development Review Committee, and staff to the Territorial Land-Use Commission.

In terms of DLM's participation in the GCMP, through implementation of the policies as iterated in E.O. 78-37, the authorities by policy are as follows:

Shore Area Development: Territorial Seashore Protection Act, Sections 13416, 13417; Territorial Beach Areas Act, Sections 13454, 13456; Zoning Law, Section 17203 (b); Submerged Lands Permit, U.S.P.L. 93-435; Public Rights Provision, Sections 13980-2; Land Use Districts, E.O. 78-23; Wetland Rules and Regulations, E.O. 78-21; Flood Hazard Rules and Regulations, E.O. 78-20; P.L. 15-61, Section 1, requirements for "accessory buildings"; P.L. 15-140, placement of free standing signs; P.L. 19-05, traditional rights-of-way to ocean shore; E.O. 87-19, commercial leasing of public fast and submerged lands; E.O. 89-31, adoption of RWUMP; E.O. 90-09, reestablishment of DRC; E.O. 90-10, procedures for EA; E.O. 90-13, wetland map adoption; E.O. 90-15, guidelines for operation of DRC.

Urban Development: Zoning Law, Section 17100; Subdivision Law, Section 18005(f); Land-Use Districts, E.O. 78-23; P.L. 15-61, Section 1, accessory buildings; P.L. 15-100, signs; P.L. 15-140, free standing signs; P.L. 16-70, P.L. 16-77, signs (size on buildings); E.O. 90-09, reestablishing DRC; E.O. 90-10, guidelines for EA; E.O. 90-13 wetlands map; E.O. 90-15, guidelines for DRC.

Rural Development: Zoning Law, Section 17100; Subdivision Law, Section 18005(f); Land-Use Districts, E.O. 78-23; P.L. 15-57, Sections 7 & 8, agricultural subdivisions; P.L. 15-61, accessory buildings; P.L. 17-40, land-use permit program; P.L. 18-32, disposition of public property; P.L. 19-05, traditional right-of-way to ocean shore; E.O. 87-19,

commercial leasing of public property; E.O. 90-09, reestablished DRC; E.O. 90-10, guidelines for EA; E.O. 90-13, wetlands map; E.O. 90-15, DRC guidelines.

Major Facilities Siting: Zoning Law, Section 17100; Land Use Districts, E.O. 78-23.

Hazardous Areas: Zoning Law, Section 17100; Seashore Protection Act, Section 13417(a)(3)(e); Subdivision Law, Section 18005(f).

Housing: Zoning Law, Sections 17100, 17605; Seashore Protection Act, Sections 13416(c)(4), (c)(5); Subdivision Law, Section 18001; Land Use Districts, E.O. 78-23; Flood Hazard Rules & Regs, E.O. 78-20; P.L. 15-57, lot size for agricultural subdivisions; E.O. 90-09, DRC; E.O. 90-15, guidelines for DRC.

Transportation: Land-Use Districts, E.O. 78-23; Subdivision Law, Sections 18005(e), 18400 (a), (b).

Erosion & Siltation: Seashore Protection Act, Section 13417(a)(3)(e); Subdivision Law, Section 18400(c); Land Use Districts, E.O. 78-23.

Air Quality: Subdivision Law, Section 18005(e).

Water Quality: Seashore Protection Act, Sections 13416(c)(2)(b)-(d), (c)(4)(c)(2), (e)(4)(d), 13417(a)(3)(i), (a)(3)(d); Subdivision Law, Section 18400(d), Land Use Districts, E.O. 78-23.

Fragile Areas: Seashore Protection Act, Sections 13416(c)(2), (c)(4)(c), (d), 13417(a)(3)(c); Submerged Lands Permits, U.S.P.L. 93-435; Land Use Districts, E.O. 78-23; Wetlands Rules & Regs, E.O. 78-21.

Living Marine Resources: Seashore Protection Act, Sections 13416 (c)(2)(b) - (c)(4)(c)(2), 13417 (a)(2)(a)

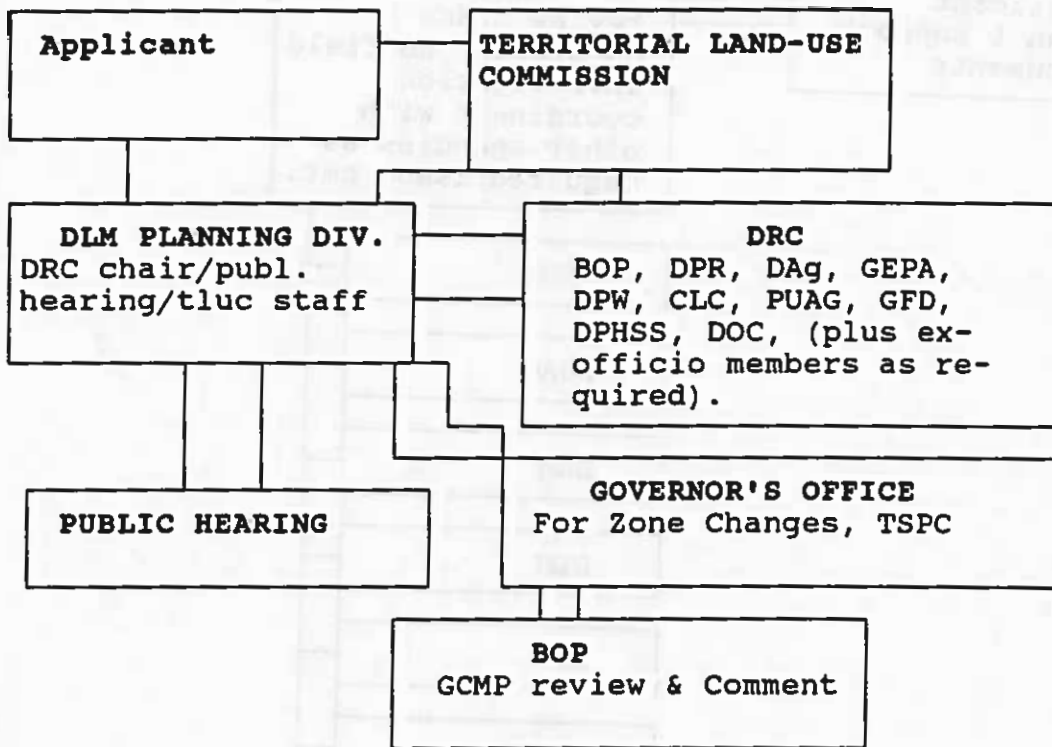
Visual Quality: Zoning Law, Sections 17100, 17400, 17426(d); Seashore Protection Act, Sections 13416(c)(2)(a)(e), (c)(4)(c)(2), (3), 13417 (a)(3)(b); Subdivision Law, Section 18005(e).

Recreational Areas: Zoning Law, Section 17100; Seashore Protection Act, Sections 13416(c)(2)(e), (c)(4)(c)(4), 13417(a)(3)(a); Land Use Districts, E.O. 78-23.

Public Access: Seashore Protection Act, Sections 13416(c)(2)(e), (c)(4)(c)(3), 13417(a)(3)(a); Subdivision Law, Section 18005(h); Public Rights Provisions, Sections 13980-2.

Agricultural Lands: Zoning Law, Sections 17100, 17607; Land Use Districts, E.O. 78-23.

TLUC PROCESS

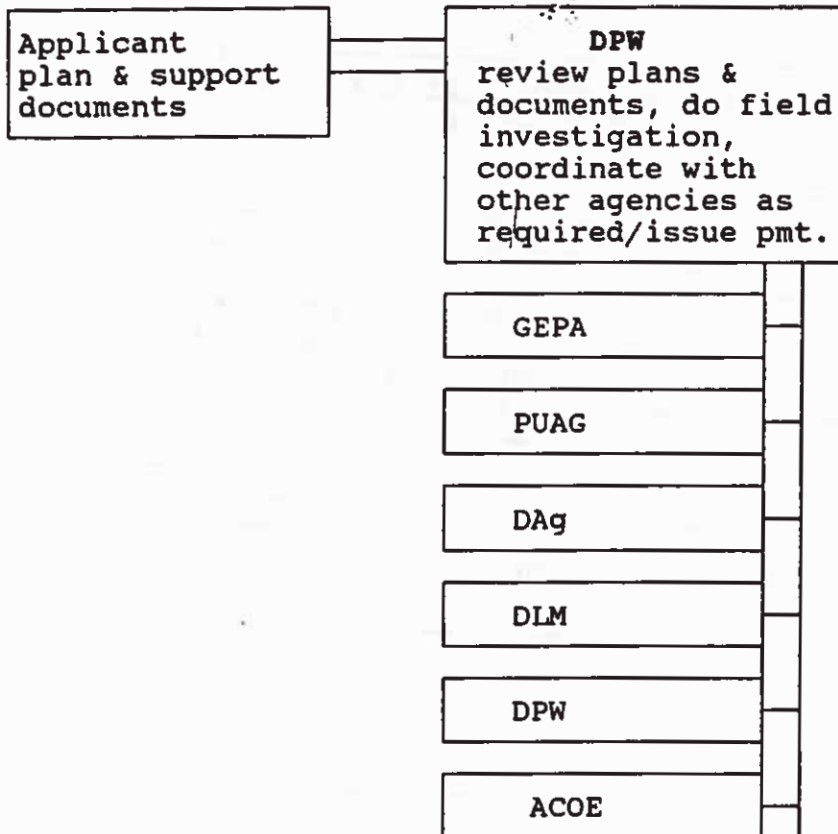


DEPARTMENT OF PUBLIC WORKS

Department of Public Works (DPW) Building Permits Section, issues building permits, monitors and enforces the flood hazard rules & Regulations, and is the chief enforcement body for the land use Laws of Guam.

In that regard, DPW supports, through the building permit and enforcement efforts, all development policies of the GCMP.

Flood Hazard Permit



The agencies, and their authorities as listed in this document, comprise the Guam Coastal Management Program. The GCMP serves as a vehicle for inter-agency coordination and deletion of duplications which would not otherwise be possible, or would certainly be more difficult.

The GCMP continues to evolve. Many of the citations listed herein were adopted, and incorporated into the Program well after Program establishment. The GCMP will continue to evolve, in order to strengthen program authorities, thereby enhancing GovGuam's abilities to manage Guam's human and natural resources.

GUAM COASTAL MANAGEMENT PROGRAM POLICIES AND AUTHORITIES

<u>Coastal Management Program Policies</u>	<u>Authorities</u>	<u>GCG Section (unless otherwise noted)</u>	<u>Agency Commission</u>
Governmental Processes Policy			
More effective administration of natural resource related laws, program, and policies shall be achieved through: • revision of unclear and outdate laws and regulations. • improved coordination among local agencies • improved coordination between territorial and federal agencies. • educational and training programs for local government personnel, and refinement of supporting technical data.	Comprehensive Planning Enabling Legislation (P.L. 20-147), as amended.	\$62013 - 62024	All
Development Policies			
1. <u>SHORE AREA DEVELOPMENT</u>			
Only those uses shall be located within the Seashore Reserve which: 1) enhance, are compatible with, or do not generally detract from the surrounding coastal area's aesthetic and environmental quality and beach accessibility; or 2) can demonstrate dependence on such a location and the lack of feasible alternative sites.	P.L. 20-147 Territorial Seashore Protection Act Territorial Beach Areas Act Zoning Law Ocean Shore Law Guam Safe Drinking Water Act Water Pollution Control Act Soil Erosion & Sed. Control Regs	\$62019 (d), 62020 (a), (k), (l) 13416,13417 \$13454,13456 \$17203(b) P.L. 19-05 (\$112) Title 10, Ch.53 \$57044-57047	BOP TSPC, DLM, BOP DLM, GEPA, DPR TPC, DLM DLM, DAG, TLUC GEPA GEPA GEPA

Coastal Management Program Policies

continued:

Authorities**GCG Section (unless
otherwise noted)****Agency/
Commission**

Land Conservation Act	§12603(c)	DAG, DPR, DLM
Conservation Areas	§12350	DAG, DLM, DPR
Pub. Lands Leasing	E.O. 87-19	DLM, BOP, DAG, DPR
Public Rights Provision	§13980-2	DLM
DRC	E.O. 90-09,90-15	DLM, BOP DAG, DPR, GEPA
Flood Hazard Rules & Regs	E.O. 78-20	DPW, TLUC
Wetland Rules & Regs	E.O. 78-21	TLUC, DLM, BOP, GEPA, DAG
Wetland Map of Guam	E.O. 90-13	GEPA, BOP, DAG, DLM, TLUC
Recreational Water-Use Plan	E.O. 89-31	DPR, BOP, DAG, DLM, TLUC
Territorial Parks Act	§12609	DPR

2. URBAN DEVELOPMENT

Uses permitted only within commercial, multi-family, industrial and resort-hotel zones; and uses requiring high levels of support facilities shall be concentrated within urban districts as outlined on the land-use districting map.

P.L. 20-147	§62011(a),(c),(d) 62017	BOP, DLM, TPC
Zoning Law	§17100	DLM, TLUC, DPW
Subdivision Law	§18005(f)	DLM, TLUC, DPW
Land Use Districts	E.O. 78-23	BOP, DLM
Development Review Committee	E.O. 90-09, 90-15	BOP, DLM, GEPA, DAG, DPR
Toilet Facilities & Sewage Disposal Act	§57061	GEPA
Guam Safe Drinking Water Act	§1424(c)	GEPA
Air Pollution Control Act	Title 10, Ch. 49	GEPA

Coastal Management Program Policies**Authorities****GCG Section (Unless
otherwise note)****Agency
Commission****3. RURAL DEVELOPMENT**

Rural districts shall be designated in which only low density residential and agricultural uses will be acceptable. Minimum lot size for these uses should be one-half acre until adequate infrastructure, including functional sewerage, is provided.

P.L. 20-147
Land Conservation Act
Endangered Species Act(s)
Agricultural Subdivisions
Land-Use Permit System
Forestry & Conservation Lands
Ag. Land Lease Program
DRC

§62011 (a),(b),(c),(g)
§12601(d)
P.L. 15-36,15-97
P.L. 15-57
P.L. 17-40
P.L. 16-62
E.O. 79-20
E.O. 90-09, 90-15

BOP, DLM, TPC
DAg
DAg
DAg, DLM
DLM, DAg, BOP
DAg
DLM, DAg, BOP
DLM, BOP, DAg
GEPA, DPR
DLM, BOP, DPW
DLM, BOP, DPW
GEPA
GEPA
GEPA

Zoning Law
Subdivision Law

§17100
§18005(f)

Toilet Facilities & Sewage Disposal
Guam Safe Drinking Water Act

§57061-3
Title 10, Ch. 53

4. MAJOR FACILITY SITING

In evaluating the consistency of proposed major facilities with the goals, policies and standards of comprehensive development and coastal management plans, the Territory shall recognize the national interest in the siting of such facilities, including those associated with power production and transmission, petroleum refining and transmission, port and air installations, solid waste disposal, sewage treatment and major reservoir sites.

P.L. 20-147
Zoning Law
Land-Use Districts

§62011 (b),(c),(g)
§17100
E.O. 78-23

DLM, BOP, TPC
DLM, DPW
DLM

<u>Coastal Management Program Policies</u>	<u>Authorities</u>	<u>GCG Section (unless otherwise noted)</u>	<u>Agency Commission</u>
5. <u>HAZARDOUS AREAS</u>			
Identified hazardous lands including flood-plains, erosion prone areas, air installation crash and sound zones and major fault lines shall be developed only to the extent that such development does not pose unreasonable risks to the health, safety, or welfare of the people of Guam, and complies with land-use regs.	P.L. 20-147 Zoning Law Seashore Protection Act Subdivision Law Soil Erosion & Sed. Control Regs.	§62011 (a),(c),(e),(h) §17100 §13417(a)(3)(e) §18005(f)	BOP, DLM, TPC DLM, DPW DLM, DPW, TSPC DLM, DPW GEPA
6. <u>HOUSING</u>			
The Gov't shall encourage efficient design of residential areas, restrict such development in areas highly susceptible to natural and man-made hazards, and recognize the limitations of the Islands' resources to support historical patterns of residential development.	P.L. 20-147 Territorial Beach Areas Act Zoning Law Toilet Facilities & Sewage Disposal Seashore Protection Act Subdivision Law Land-Use Districts DRC Agricultural Subdivisions	§62011 (a),(b),(c),(d),(g),(i) §13450(e) §17100, 17605 Ch. 57063 & 57064 §13416(c)(4), (c)(5) §18001 E.O. 78-23 E.O. 90-09, 90-15 P.L. 15-57	BOP, DLM, TPC DPR DLM, DPW GEPA DLM, DPW, TSPC DLM, DPW DLM, BOP ALL DLM, Dag
7. <u>TRANSPORTATION</u>			
The Territory Shall develop an efficient and safe transportation system while limiting adverse environmental impacts on primary aquifers, beaches, estuaries, and other coastal resources.	P.L. 20-147 Land-Use Districts Subdivision Law Erosion Control & Sed. Regs	§62011 (a),(b),(d),(g),(i) E.O. 78-23 §18005(e), 18400(a),(b)	BOP,DLM,TPC DLM DLM, DPW GEPA

<u>Coastal Management Program Policies</u>	<u>Authorities</u>	<u>GCG Section (Unless otherwise noted)</u>	<u>Agency/ Commission</u>
8. <u>EROSION AND SILTATION</u>			
Development shall be limited in areas of 15% or greater slopes by requiring strict compliance with erosion, sedimentation, and land-use district guidelines, as well as other related land-use standards for such areas.	P.L. 20-147 Seashore Protection Act Subdivision Law Land-Use Districts Erosion & Sed. Control Regs. Guam Safe Drinking Water Act	\$62011 (c),(e),(f),(h),(i) \$13417(a)(3)(e) \$18400(c) E.O. 78-23 Title 10, Ch. 53	BOP, DLM, TPC DLM, DPW, TSPC DLM, DPW ALL GEPA GEPA
Resource Policies			
1. <u>CONSERVATION OF NATURAL RESOURCES - OVERALL POLICY</u>			
The value of Guam's natural resources as recreational areas, critical marine and wild-life habitats, the major source of drinking water, and the foundation of the island's economy, shall be protected through policies and programs affecting such resources.	(See Text)	(See Text)	(See Text)
2. <u>AIR QUALITY</u>			
All activities and uses shall comply with all air pollution regs and all appropriate federal quality standards in order to ensure the maintenance of Guam's relatively high air quality.	P.L. 20-147 Subdivision Law Air Pollution Control Act Procedures for Environ. Assessment	\$62011 (b),(h), (j) \$18005(e) \$57100-57105 E.O. 90-10	BOP, DLM, TPC DLM, DPW GEPA GEPA, DLM

Coastal Management Program Policies**Authorities****GCG Section (Unless
otherwise noted)****Agency/
Commission****3. WATER QUALITY**

Safe drinking water shall be assured and aquatic recreation sites shall be protected through the regulation of uses and discharges that pose a pollution threat to Guam's waters, particularly in estuarine, reef and aquifer areas.

P.L. 20-147
Conservation Areas Act
Seashore Protection Act

Subdivision Law
Land Use Districts
Water Resources Conservation Act
Water Pollution Control Act
Toilet Facilities & Sewage Disposal
Guam Safe Drinking Water Act
Aquifer Protection

§62011 (a),(b),(d),(e),(g),(h)
§12350
§13416(c)(2)(b)-(d), (c)(4)(c)(2)
(e)(4)(d), 13417(a)(3)(i),
(a)(3)(d)
§18400(d)
E.O. 78-23
§57020.57033
§57040.57051
§57060.57094
Title 10, Ch. 53
P.L. 16-62, 17-87, 16-70,
E.O. 88-30, 89-5

BOP, DLM, TPC
DAg
DLM, DPW, BOP
TSPC

DLM, DPW
DLM
GEPA
GEPA
GEPA
GEPA
GEPA

4. FRAGILE AREAS

Development in the following types of fragile areas shall be regulated to protect their unique character: historic and archaeological sites, wildlife habitats, pristine marine and terrestrial communities, limestone forests, and mangrove stands and other wetlands.

P.L. 20-147
Seashore Protection Act

Wetlands Rules & Regs.

Water Pollution Control Act
Guam Safe Drinking Water Act
Require. for Environ. Assess.
Territorial Beach Areas Act
Territorial Parks

Historic Preservation

§62011 (a),(b),(e),(h),(j)
§13416(c)(2), (c)(4)(c), (d),
13417(a)(3)(c)
E.O. 78-21, 90-13

§57045-57048
Title 10, Ch. 53
E.O. 90-10
§13451(b),(c)
§26009-26009.1, P.L. 16-62,
E.O. 87-36
§13985-(.35), P.L. 20-151,
E.O.S 88-22, 89.09, 89.24

BOP, DLM, TPC
DLM, DPW, BOP
TSPC
BOP, DLM, DAg
GEPA
GEPA
GEPA
GEPA, DLM
DPR, GEPA
DPR, GEPA

DPR, DAg, DLM

Coastal Management Program Policies**Authorities****GCG Section (unless
otherwise noted)****Agency/
Commission**

continued

Land Conservation Act
Species Protections§12603(b),(c), 12350, P.L. 16-62
§12380-4, 12325, P.L.s 15-36,
15-97, 16-39DAg, DLM
DAgWater Craft Use Restrictions
Wetlands MapP.L. 17-86, E.O.s 89-10, 89-31
E.O. 90-13DAg, DPR, BOP
ALL**5. LIVING MARINE RESOURCES**

All living resources within the territorial waters on Guam, particularly corals and fish, shall be protected from overharvesting and, in the case of marine mammals, from any taking whatsoever.

P.L. 20-147
Seashore Protection Act§62011 (a),(b),(h),(j)
§13416(c)(2)(b)-(c)(4)(c)(2),
13417(a)(2)(a)BOP, DLM, TPC
DLM, BOP, TSPCLand Conservation Act
Species Protection§12603(b)(c), 12350, P.L. 16-62
§12380-4, 12303-12385,
P.L.s 15-36, 15-66, 15-97, 16-39,
16-112, E.O. 89-10.DAg
DAg**6. VISUAL QUALITY**

Preservation and enhancement of, and respect for the islands scenic resources shall be encouraged through increased enforcement of and compliance with sign, litter, zoning, subdivision, building and related land-use laws; visually objectionable uses shall be located to the maximum extent practicable so as not to degrade significantly views from scenic overlooks, highways and trails.

P.L. 20-147
Litter Control
Territorial Parks
Land Conservation Act
Zoning Law
Subdivision Law
Seashore Protection Act§62011 (b),(d),(h),(j)
§57170
§26009,26009.1
§12629
§17100, 17400, 17426(d)
§18005(e)
§13416 (c)(2)(a)(e), (c)(4)(c)(2),
(3), 13417(a)(3)(b)BOP, DLM, TPC
GEPA
DPR
DAg
DLM, TLUC, DPW
DLM, DPW, TLUC
DLM, TSPC, DPW

Coastal ManagementAuthoritiesGCG Section (unless
otherwise noted)Agency/
Commission7. RECREATIONAL AREAS

The Government of Guam shall encourage development of varied types of recreation facilities located and maintained as to be compatible with the surrounding environment and land uses; adequately serve community centers and urban areas, and protect beaches and such passive recreational areas as wildlife and marine conservation areas, scenic overlooks, parks and historic sites.

P.L. 20-147
Zoning Law
Seashore Protection Act
Land Use Districts
Land Conservation
Resource Protection
Beach Areas Acts
Historic Preservation
Territorial Park
DRC

§62011 (b),(c),(d),(h),(j)
§17100
§13416 (c)(2)(e), (c)(4)(c)(4),
13417 (a)(3)(a),
E.O. 78-23
§12603, 12350, P.L. 16-62,
E.O. 87-36
P.L. 16-112, E.O. 89-10
§13450(d), 13451-5, P.L. 17-86,
P.L. 19-05, E.O. 89-31
§13985.2
P.L. 16-62
E.O. 90-09, 90-15

BOP, DLM, TPC
DLM, TLUC
TSPC, DLM, BOP
ALL
DAg, DPR
DAg, DPR
DPR, TLUC, DLM
DPR
DPR
ALL

8. PUBLIC ACCESS

The public's right of unrestricted access shall be ensured to all non-federally owned beach areas and all Territorial recreation areas, parks, scenic overlooks, designated conservation areas and other public lands; and agreements shall be encouraged with the owners of private and federal property for the provision of reasonable access to, and use of, resources of public nature located on such land.

P.L. 20-147
Seashore Protection Act
Subdivision Law
Public Rights Provisions
Beach Areas Acts
Parks & Conservation Lands

§62011 (b),(c),(d),(h),(j)
§13416(c)(2)(e), (c)(4)(c)(3),
13417(a)(3)(a)
§18005(h)
§13980-2
§13450, 13451, 13454-6,
P.L. 19-05, E.O.s 88-22,
89-10, 89-31
P.L. 16-62, E.O. 87-36

DLM, BOP, TPC
DLM, TSPC, BOP
DLM, TLUC, DPR
DLM, TLUC
DPR, DLM, TLUC
DPR

Coastal Management Program PoliciesAuthoritiesGCG Section (unless
otherwise noted)Agency/
Commission**9. AGRICULTURAL LANDS**

**Critical agricultural lands shall be pre-
served and maintained for agricultural use.**

P.L. 20-147
Zoning Law
Land Use Districts
Land Conservation Act
Agricultural Subdivisions
Land Leases

§62011 (a),(b),(c),(d),(e),(h),(j)
§17100, 17607
E.O. 78-23
§12601-3
P.L. 15-57
E.O. 79-20, 88-30

DLM, BOP, TPC
DLM, TLUC, DPW
DAg, DLM
DAg
DLM, DAg, TLUC
DAg, DLM, GEPA

Revised July 1994

GUAM COASTAL MANAGEMENT PROGRAM AUTHORITIES

Commission/agency & Authority

Citation: GCG (unless otherwise noted)

Territorial Planning Council - Bureau of Planning

Comprehensive Planning Enabling Legislation
Authority for Coordination of Exclusive Economic Zone Issues

E.O. 88-29

P.L. 20-147

Territorial Land-Use Commission - Department of Land Management

Zoning Law

Title XVIII
P.L. 15-61
P.L. 15-100
P.L. 15-140
P.L. 15-147
P.L. 16-77

Subdivision Law

Title XIX
P.L. 15-57

Territorial Seashore Protection Act
Development Review Committee

Title XIV, Ch. V-A
E.O. 90-09
E.O. 90-15

Natural Resources Board
Government Land Sale and Lease

§13251-3
Title XII, Ch. VI, VII, XI
P.L. 17-40
P.L. 18-32
E.O. 87-19

Public Rights Provisions

Title XIV, Ch. XI-B

Submerged Lands Permits
Land Use Districts
Wetland Rules and Regulations

P.L. 19-05
U.S.P.L. 93-435
E.O. 78-23
E.O. 78-21
E.O. 90-13

Department of Public Works

Flood Hazard Area Rules and Regulations

E.O. 78-20

Department of Parks and Recreation

Parks and Recreation

Title XXVI, Ch. I
P.L. 16-62
P.L. 17-86
E.O. 89-31
E.O. 87-36

Historic Objects and Sites

Title XIV, Ch. XII
P.L. 20-151
E.O. 88-22
E.O. 89-09
E.O. 89-24

Territorial Beach Areas Act

Title XIV, Ch. V-B

Guam Environmental Protection Agency

Water Resources conservation Act

Title LXI, Ch. II
E.O. 88-30
E.O. 89-05

Water Pollution Control Act
Toilet Facilities and Sewage Disposal
Air Pollution Control Act
Guam Pesticides Act
Solid Waste Management and Litter Control

Title LXI, Ch. III
Title LXI, Ch. IV
Title LXI, Ch. V
Title LXI, Ch. VI
Title LXI, Ch. VII
P.L. 16-70

Guam EPA (continued)

Guam Safe Drinking Water Act
Soil Erosion and Sediment Control Regulations

P.L. 17-87
Title LXI, Ch. XII

E.O. 90-10

Department of Agriculture

Game and Fish Laws

Title XIII, Ch. IV, Art. I

P.L. 15-66

P.L. 16-39

P.L. 16-112

E.O. 89-10

Wildlife Conservation
Live Coral and Fishing Nets
Endangered Species Act

Title XII, Ch. IV, Art. III

Title XIII, Ch. IV, Art. V

Title XIII, §1235

P.L. 15-36

P.L. 15-97, §4

Title XIV, Ch. VII

E.O. 79-20

Guam Land Conservation Act

Government of Guam

Guam Land-Use Policies

E.O. 78-37

GUAM COASTAL MANAGEMENT PROGRAM
AND
FINAL ENVIRONMENTAL IMPACT STATEMENT

Addendum

PART B

(amending Volume 2 of 2)