



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office for Coastal Management
Silver Spring Metro Center, Building 4
1305 East-West Highway
Silver Spring, Maryland 20910

March 28, 2023

Edwin Reyes, Administrator
Bureau of Statistics and Plans
P.O. Box 2950
Hagatna, Guam 96910

Dear Mr. Reyes,

Thank you for the November 30, 2022, request for approval of changes to the Guam Coastal Management Program pursuant to the National Oceanic and Atmospheric Administration (NOAA) Coastal Zone Management Act (CZMA) implementing regulations at 15 CFR part 923, subpart H.¹ NOAA's Office for Coastal Management approves the request.

NOAA's regulations require that the state post this decision by the Office for Coastal Management for public notice.² Please send a copy of the public notice to the Office for Coastal Management for our records to close out this file.

PUBLIC AND FEDERAL AGENCY COMMENTS

The Office for Coastal Management received one comment on this program change submission. The comment was submitted by the Department of the Navy. The comment supports the overall effort to update Guam's CZMA program but asserts that numerous provisions would be unenforceable for federal consistency determinations due to extending beyond the jurisdiction of Guam's coastal zone and/or federal preemption, including 5 Guam Code Annotated (GCA) 63101(w); 63105; 63116.2; 63120-21; and 63601. However, the Navy acknowledges that these sections are not proposed as enforceable policies to be used for reviewing proposed federal actions for consistency. As such, the incorporation of these changes to the Guam Coastal Management Program would have no effect on actions proposed by the Navy.

CHANGES APPROVED

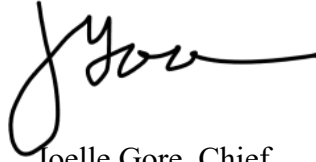
See the attached Table of Approved Changes to the Guam Coastal Management Program.

¹ This program change request was submitted under NOAA's revised CZMA program change regulations at 15 CFR part 923, subpart H. The Office for Coastal Management's decision due date was December 30, 2022 subject to extension. The Office for Coastal Management extended its decision due date of this program change request to March 30, 2023.

² 15 CFR § 923.81(e)(5).

Thank you for your cooperation in this review. Please contact Marie Auyong at 671-646-1905, if you have any questions. For future correspondence regarding these program changes, please refer to the file number assigned to this action, GU-2022-1.

Sincerely,

A handwritten signature in black ink, appearing to read "Joelle", with a long horizontal flourish extending to the right.

Joelle Gore, Chief
Stewardship Division

Attachment: Table of Approved Changes GU-2022-1

GU-2022-1: Table of Approved Changes

Legal citation	Title of policy, section, or other descriptor	Is the change new, revised, or deleted	Date effective in state <i>MM/DD/YYYY</i>	Enforceable policy <i>Yes (Y) or No (N)</i>	Enforceable mechanism citation
Guam Pub. Law 26-76 § 22.	Repeal of Guam Planning Council (GPC).	New	03/12/2002	N	Added by Guam Pub. Law 26-76 § 22.

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Guam Pub. Law 26-76 § 31(a).	Bureau of Statistics and Plans Established.	New	03/12/2002	N	Added by Guam Pub. Law 26-76 § 31(a).
5 GCA § 1203. Title 5 Guam Code Annotated Chapter 5 Article 2 § 1203.	Bureau of Statistics and Plans: Responsibilities and Authority.	Revised	12/02/2020	N	Amended by Guam Pub. Law 35-110 § 3.

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<p>5 GCA § 1206.</p> <p>Title 5 Guam Code Annotated Chapter 5 Article 2 § 1206.</p>	<p>Plan Adoption</p>	<p>Revised</p>	<p>12/01/2020</p>	<p>N</p>	<p>Amended by Guam Pub. Law 35-110 § 4.</p>
<p>5 GCA § 1209.</p> <p>Title 5 Guam Code Annotated Chapter 5 Article 2 § 1209.</p>	<p>Powers of the Bureau</p>	<p>Revised</p>	<p>12/01/2020</p>	<p>N</p>	<p>Amended by Guam Pub. Law 26-76 § 31, 33-93 § 2, and 35-110 § 5.</p>

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<p>5 GCA § 1209.1. Title 5 Guam Code Annotated Chapter 5 Article 2 § 1209.1.</p>	<p>Additional Duties of the Bureau</p>	<p>New</p>	<p>09/05/2014</p>	<p>N</p>	<p>Added by Guam Pub. Law 26-76 § 43 and amended by Guam Pub. Law 31-226 § 3, 32-68 Ch. XII § 23, and 32-181 Ch. XIII § 19.</p>
<p>5 GCA § 1209.1.1. Title 5 Guam Code Annotated Chapter 5 Article 2 § 1209.1.1.</p>	<p>Guam Census Program</p>	<p>New</p>	<p>11/16/2009</p>	<p>N</p>	<p>Added by Guam Pub. Law 30-58 § 2.</p>

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<p>5 GCA § 1209.2.</p> <p>Title 5 Guam Code Annotated Chapter 5 Article 2 § 1209.2.</p>	<p>Information as Confidential</p>	<p>New</p>	<p>03/12/2002</p>	<p>N</p>	<p>Added by Guam Pub. Law 26-76 § 44.</p>
<p>5 GCA § 1210.</p> <p>Title 5 Guam Code Annotated Chapter 5 Article 2 § 1210.</p>	<p>Content of the Plan</p>	<p>Revised</p>	<p>12/01/2020</p>	<p>N</p>	<p>Amended by Guam Pub. Law 35-110 § 6.</p>

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<p>5 GCA § 1211. Title 5 Guam Code Annotated Chapter 5 Article 2 § 1211.</p>	<p>Plan Implementation and Financing</p>	<p>Revised</p>	<p>12/01/2020</p>	<p>N</p>	<p>Amended by 35-110 § 7.</p>
<p>5 GCA § 1214. Title 5 Guam Code Annotated Chapter 5 Article 2 § 1214.</p>	<p>Coordination of Effort</p>	<p>Revised</p>	<p>12/01/2020</p>	<p>N</p>	<p>Amended by Guam Pub. Law 35-110 § 8.</p>

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<p>5 GCA § 63101.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 1 § 63101.</p>	<p>Definitions</p>	<p>Revised</p>	<p>03/20/2020</p>	<p>N</p>	<p>Amended by Guam Pub. Law 20-185 § 2, 25-186 § 9, 28-107 § 2, 31-10 § 1, 31-200 § 1, 34-72 § 3, and 35-78 § 2.</p>
<p>5 GCA § 63103.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 1 § 63103.</p>	<p>Chief Conservation Officer: Deputies</p>	<p>Revised</p>	<p>04/09/2021</p>	<p>N</p>	<p>Amended by Guam Pub. Law 36-10 § 4.</p>

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<p>5 GCA § 63103.1. Title 5 Guam Code Annotated Chapter 63 Article 1 § 63103.1.</p>	<p>Civilian Volunteer Conservation Office Reserve</p>	<p>New</p>	<p>09/11/2021</p>	<p>N</p>	<p>Added by Guam Pub. Law 28-30 § 2 and amended by Guam Pub. Law 36-14 § 1 and 36-54 Ch. XII § 36.</p>
<p>5 GCA § 63112. Title 5 Guam Code Annotated Chapter 63 Article 1 § 63112.</p>	<p>Fishing with Gill Nets (Tekin)</p>	<p>Revised</p>	<p>06/08/1990</p>	<p>N</p>	<p>Amended by P.L. 20-185 §§ 3 and 4.</p>

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5 GCA § 63114.1. Title 5 Guam Code Annotated Chapter 63 Article 1 § 63114.1.	Shark Fins	New	03/09/2011	N	Added by P.L. 31-10 § 2.
5 GCA § 63114.2. Title 5 Guam Code Annotated Chapter 63 Article 1 § 63114.2.	Ray Parts	New	03/09/2011	N	Added by P.L. 31-10 § 3.

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5 GCA § 63114.3. Title 5 Guam Code Annotated Chapter 63 Article 1 § 63114.3.	Shark Feeding Prohibited	New	03/09/2011	N	Added by P.L. 31-10 § 4.
5 GCA § 63114.4. Title 5 Guam Code Annotated Chapter 63 Article 1 § 63114.4.	Rules and Regulations	New	03/09/2011	N	Added by P.L. 31-10 § 5.

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<p>5 GCA § 63114.5.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 1 § 63114.5.</p>	<p>Consultation</p>	<p>New</p>	<p>03/09/2011</p>	<p>N</p>	<p>Added by P.L. 31-10 § 6.</p>
<p>5 GCA § 63115.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 1 § 63115.</p>	<p>Fish Weirs</p>	<p>Revised</p>	<p>05/29/1992</p>	<p>N</p>	<p>Amended by P.L. 21-107 § 2.</p>

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<p>5 GCA § 63116.3. Title 5 Guam Code Annotated Chapter 63 Article 1 § 63116.3.</p>	<p>Fishing with SCUBA Devices</p>	<p>None</p>	<p>03/20/2020</p>	<p>N</p>	<p>Added by Guam Pub. Law 35-78 § 3.</p>
<p>5 GCA § 63117.1. Title 5 Guam Code Annotated Chapter 63 Article 1 § 63117.1.</p>	<p>Purpose of Community-Based Fisheries Management</p>	<p>New</p>	<p>02/09/2018</p>	<p>N</p>	<p>Added by P.L. 34-72 § 4.</p>

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<p>5 GCA § 63117.2. Title 5 Guam Code Annotated Chapter 63 Article 1 § 63117.2.</p>	<p><i>Humatak</i> Fisheries Managed Area and Plan</p>	<p>New</p>	<p>02/09/2018</p>	<p>N</p>	<p>Added by Guam Pub. Law 34-72 § 5.</p>
<p>5 GCA § 63117.3. Title 5 Guam Code Annotated Chapter 63 Article 1 § 63117.3.</p>	<p>No Effect to Existing Designated Marine Preserve Areas on Guam</p>	<p>New</p>	<p>02/09/2018</p>	<p>N</p>	<p>Added by Guam Pub. Law 34-72 § 6.</p>

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<p>5 GCA § 63118.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 1 § 63118.</p>	<p>Unprotected Wild Animals</p>	<p>Revised</p>	<p>10/30/2020</p>	<p>N</p>	<p>Amended by Guam Pub. Law 35-106 § 2.</p>
<p>5 GCA § 63121.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 1 § 63121.</p>	<p>Protection of Wild Animals</p>	<p>Revised</p>	<p>10/30/2020</p>	<p>N</p>	<p>Amended by Guam Pub. Law 25-186 § 10 and 35-106 § 3.</p>

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<p>5 GCA § 63122.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 1 § 63122.</p>	<p>License to Take Wild Birds and Wild and Feral Animals</p>	<p>Revised</p>	<p>10/30/2020</p>	<p>N</p>	<p>Amended by Guam Pub. Law 25-186 § 11 and 35-106 § 3.</p>
<p>5 GCA § 63126.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 1 § 63126.</p>	<p>Keeping Guam Deer [Repealed]</p>	<p>Deleted</p>	<p>01/11/2001</p>	<p>N</p>	<p>Repealed by Guam Pub. Law 25-186 § 8.</p>

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<p>5 GCA § 63126.1. Title 5 Guam Code Annotated Chapter 63 Article 1 § 63126.1.</p>	<p>Domestication of Deer as Livestock [Repealed]</p>	<p>Deleted</p>	<p>01/11/2001</p>	<p>N</p>	<p>Repealed by Guam Pub. Law 25-186 § 8.</p>
<p>5 GCA § 63127. Title 5 Guam Code Annotated Chapter 63 Article 1 § 63127.</p>	<p>Regulation</p>	<p>Revised</p>	<p>01/30/2009</p>	<p>N</p>	<p>Amended by Guam Pub. Law 25-186 §§ 12-14 and 29-148 § 3</p>

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<p>5 GCA § 63128.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 1 § 63128.</p> <p>§ 63128 of Article 1, Chapter 63, Title 5, Guam Code Annotated</p>	<p>Illegal Use of Nets; Seizure & Forfeiture of Vessels, Firearms, etc., used in Violation of Article; Proceedings; Destruction or Use</p>	<p>Revised</p>	<p>03/20/2020</p>	<p>N</p>	<p>Amended by Guam Pub. Law 20-185 § 5 and 35-78 § 5.</p>
<p>5 GCA § 63129.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 1 § 63129.</p> <p>§ 63129 of Article 1, Chapter 63, Title 5, Guam Code Annotated</p>	<p>Penalty</p>	<p>Revised</p>	<p>03/20/2020</p>	<p>N</p>	<p>Amended by Guam Pub. Law 20-185 § 8, 31-10 § 7, and 35-78 § 4.</p>

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<p>5 GCA § 63130. Title 5 Guam Code Annotated Chapter 63 Article 1 § 63130.</p>	<p>Wildlife Conservation Fund</p>	<p>Revised</p>	<p>06/15/2002</p>	<p>N</p>	<p>Amended by Guam Pub. Law 26-107 § 2.</p>
<p>5 GCA § 63132. Title 5 Guam Code Annotated Chapter 63 Article 1 § 63132.</p>	<p>Chamorro Terms Required</p>	<p>New</p>	<p>04/14/2006</p>	<p>N</p>	<p>Added by Guam Pub. Law 28-107 § 5.</p>

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<p>5 GCA § 63133.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 1 § 63133.</p>	<p>Indigenous Fishing Rights</p>	<p>New</p>	<p>12/24/2008</p>	<p>N</p>	<p>Added by Guam Pub. Law 29-127 § 2.</p>
<p>5 GCA § 63304.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 3 § 63304.</p> <p>§ 63304 of Article 3, Chapter 63, Title 5, Guam Code Annotated</p>	<p>Ifet, Ahgao, and Pahong; Forestry Program</p>	<p>New</p>	<p>09/20/1991</p>	<p>N</p>	<p>Added by Guam Pub. Law 21-54 § 1.</p>

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<p>5 GCA § 63501.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 5 § 63501.</p>	<p>Title.</p>	<p>New</p>	<p>02/03/2012</p>	<p>N</p>	<p>Added by Guam Pub. Law 31-173 § 1.</p>
<p>5 GCA § 63502.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 5 § 63502.</p>	<p>Statement of Purpose; Establishment of the Guam Forest System.</p>	<p>New</p>	<p>02/03/2012</p>	<p>N</p>	<p>Added by Guam Pub. Law 31-173 § 1.</p>

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<p>5 GCA § 63503.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 5 § 63503.</p>	<p>Definitions.</p>	<p>New</p>	<p>02/03/2012</p>	<p>N</p>	<p>Added by Guam Pub. Law 31-173 § 1.</p>
<p>5 GCA § 63504.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 5 § 63504.</p>	<p>Development of the Guam Forest System Plan.</p>	<p>New</p>	<p>02/03/2012</p>	<p>N</p>	<p>Added by Guam Pub. Law 31-173 § 1.</p>

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<p>5 GCA § 63505.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 5 § 63505.</p>	<p>Promulgation of Rules and Regulations.</p>	<p>New</p>	<p>02/03/2012</p>	<p>N</p>	<p>Added by Guam Pub. Law 31-173 § 1.</p>
<p>5 GCA § 63506.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 5 § 63506.</p>	<p>Identification of Land.</p>	<p>New</p>	<p>02/03/2012</p>	<p>N</p>	<p>Added by Guam Pub. Law 31-173 § 1.</p>

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<p>5 GCA § 63507.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 5 § 63507.</p>	<p>Leasing of Land Within the Guam Forest System.</p>	<p>New</p>	<p>02/03/2012</p>	<p>N</p>	<p>Added by Guam Pub. Law 31-173 § 1.</p>
<p>5 GCA § 63508.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 5 § 63508.</p>	<p>Collaboration and Partnership.</p>	<p>New</p>	<p>02/03/2012</p>	<p>N</p>	<p>Added by Guam Pub. Law 31-173 § 1.</p>

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<p>5 GCA § 63509.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 5 § 63509.</p>	<p>Funding.</p>	<p>New</p>	<p>02/03/2012</p>	<p>N</p>	<p>Added by Guam Pub. Law 31-173 § 1.</p>
<p>5 GCA § 63510.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 5 § 63510.</p>	<p>Protection of the Guam Forest System.</p>	<p>New</p>	<p>02/03/2012</p>	<p>N</p>	<p>Added by Guam Pub. Law 31-173 § 1.</p>

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<p>5 GCA § 63606.1.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 6 § 63606.1.</p>	<p>Pelagic Drift Nets. Pelagic Drift Nets or Components: Manufacture, Importation, Transshipment or Possession Prohibited</p>	<p>New</p>	<p>06/08/1990</p>	<p>N</p>	<p>Added by Guam Pub. Law 20-185 § 6.</p>
<p>5 GCA § 63606.2.</p> <p>Title 5 Guam Code Annotated Chapter 63 Article 6 § 63606.2.</p>	<p>Fish and Fish Products Harvested with a Pelagic Drift Net: Importation, Transshipment or Possession Prohibited</p>	<p>New</p>	<p>06/08/1990</p>	<p>N</p>	<p>Added by Guam Pub. Law 20-185 § 7.</p>

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Exec. Order 96-26, Sections (1) to (13).	Relative to creating the Application Review Committee to replace the Development Review Committee, and to streamline the review process for the Territorial Land Use Commission/Territorial Seashore Protection Commission/Guam Natural Resources Board.	New	10/28/1996	N	Added by Exec. Order 96-26.
Exec. Order 96-26, Appendix A § 100.	Authority.	New	10/28/1996	N	Added by Exec. Order 96-26, Section (3).

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Exec. Order 96-26, Appendix A § 200.	Official Name.	New	10/28/1996	N	Added by Exec. Order 96-26, Section (3).
Exec. Order 96-26, Appendix A § 300.	Purpose.	New	10/28/1996	N	Added by Exec. Order 96-26, Section (3).

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Exec. Order 96-26, Appendix A § 400.	Organization.	New	10/28/1996	N	Added by Exec. Order 96-26, Section (3).
Exec. Order 96-26, Appendix A § 500.	Support Staff.	New	10/28/1996	N	Added by Exec. Order 96-26, Section (3).

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Exec. Order 96-26, Appendix A § 600.	Meetings.	New	10/28/1996	N	Added by Exec. Order 96-26, Section (3).
Exec. Order 96-26, Appendix A § 700.	Application Procedure.	New	10/28/1996	N	Added by Exec. Order 96-26, Section (3).

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Exec. Order 96-26, Appendix A § 800.	Approval of Agendas.	New	10/28/1996	N	Added by Exec. Order 96-26, Section (3).
Exec. Order 96-26, Appendix A § 900.	Voting.	New	10/28/1996	N	Added by Exec. Order 96-26, Section (3).

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Exec. Order 96-26, Appendix A § 1000.	Order of Business.	New	10/28/1996	N	Added by Exec. Order 96-26, Section (3).
Exec. Order 96-26, Appendix A § 1100. Severability.	Severability.	New	10/28/1996	N	Added by Exec. Order 96-26, Section (3).

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Exec. Order 2012-02, Paragraph (1)	Paragraph (1)	New	01/26/2012	N	Added by Exec. Order 2012-02
Exec. Order 2012-02, Paragraph (2)	Paragraph (2)	New	01/26/2012	N	Added by Exec. Order 2012-02

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Exec. Order 2012-02, Paragraph (3)	Paragraph (3)	New	01/26/2012	N	Added by Exec. Order 2012-02
12 GCA § 14301. Title 12 Guam Code Annotated Chapter 14 Article 3 § 14301.	Title.	New	04/09/1998	N	Added by Guam Pub. Law 24-161 § 1

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<p>12 GCA § 14302.</p> <p>Title 12 Guam Code Annotated Chapter 14 Article 3 § 14302.</p>	<p>Findings.</p>	<p>New</p>	<p>04/09/1998</p>	<p>N</p>	<p>Added by Guam Pub. Law 24-161 § 1</p>
<p>12 GCA § 14303.</p> <p>Title 12 Guam Code Annotated Chapter 14 Article 3 § 14303.</p>	<p>Adoption of Drought Condition Standards and Low Groundwater Level Conditions and Severity Alert Phases.</p>	<p>New</p>	<p>04/09/1998</p>	<p>N</p>	<p>Added by Guam Pub. Law 24-161 § 1.</p>

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<p>12 GCA § 14304.</p> <p>Title 12 Guam Code Annotated Chapter 14 Article 3 § 14304.</p>	<p>Governor’s Powers.</p>	<p>New</p>	<p>04/09/1998</p>	<p>N</p>	<p>Added by Guam Pub. Law 24-161 § 1.</p>
<p>12 GCA § 14305.</p> <p>Title 12 Guam Code Annotated Chapter 14 Article 3 § 14305.</p>	<p>Implementing Rules and Regulations.</p>	<p>New</p>	<p>04/09/1998</p>	<p>N</p>	<p>Added by Guam Pub. Law 24-161 § 1.</p>

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<p>12 GCA § 14306. Title 12 Guam Code Annotated Chapter 14 Article 3 § 14306.</p>	<p>Coordination, Guam Environmental Protection Agency, Private Well Owners, and Military.</p>	<p>New</p>	<p>04/09/1998</p>	<p>N</p>	<p>Added by Guam Pub. Law 24-161 § 1.</p>
<p>Guam Pub. Law 24-161 § 2</p>	<p>Comprehensive Management Program.</p>	<p>New</p>	<p>04/09/1998</p>	<p>N</p>	<p>Added by Guam Pub. Law 24-161 § 2.</p>