

UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR



JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

Via Hand Delivery
and E-mail: speaker@guamlegislature.org

December 9, 2020

HONORABLE TINA ROSE MUÑA BARNES

Speaker

I Mina'trentai Singko Na Liheslaturan Guåhan

35th Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

Re: Executive Order No. 2020-42

Hafa Adai Madame Speaker:

Pursuant to Public Law 34-16, transmitted herewith is the following Executive Order:

EXECUTIVE ORDER NO. 2020-42:
RELATIVE TO ESTABLISHING THE GUAM ABANDONED
DERELICT VESSELS REMOVAL GROUP

If you have any questions, please contact my office at # (671) 473-1118.

Senseramente,

A handwritten signature in black ink, appearing to read "Sophia Santos Diaz".

SOPHIA SANTOS DIAZ

Legal Counsel

Enclosure(s): Executive Order No. 2020-42

cc via email: *Maga'hågan Guåhan*
Sigundo Maga'låhen Guåhan
Hon. F. Philip Carbullido, Chief Justice of Guam
Compiler of Law
Central Files
Cabinet Members



**ISLAND OF GUAM
OFFICE OF THE GOVERNOR
HAGÁTÑA, GUAM 96932
U.S.A.**

EXECUTIVE ORDER NO. 2020-42

**RELATIVE TO ESTABLISHING THE GUAM ABANDONED
DERELICT VESSELS REMOVAL GROUP**

WHEREAS, Abandoned and Derelict Vessels (“ADV’s”) are a major problem for Guam as well as for many other islands and jurisdictions; and

WHEREAS, these sunken, stranded, and decrepit vessels, can become navigational hazards and pose significant threats to commercial and natural resources; and

WHEREAS, their physical presence can destroy sensitive marine and coastal habitats, sink or move during storms, disperse oil and toxic chemicals still on board, and become a source of marine debris; and

WHEREAS, as stated within the National Oceanic and Atmospheric Administration (“NOAA”) report, “Surveys of Abandoned Vessels: Guam and CNMI,” issued in October 2003, there are approximately thirty-one (31) vessels identified and surveyed on Guam that require removal; and

WHEREAS, an informal working group over the past several years came together to assist each other in addressing this problem by identifying, removing and properly disposing of three ADVs in and around the island of Guam in 2017; and

WHEREAS, the Guam Environmental Protection Agency (“Guam EPA”) seeks to continue its partnership with the Commander, Logistics Group Western Pacific Task Force 73 (“CTF73”) Salvage Team as the Agency’s partner in the ADV removal; and

WHEREAS, Guam EPA must apply for the Innovative Readiness Training (“IRT”) Civil-Military Partnership to continue its partnership with CTF73 for ADV removal.

NOW, THEREFORE, I, LOURDES A. LEON GUERRERO, *I Maga’hågan Guåhan*, Governor of Guam, by virtue of the authority vested in me by the Organic Act and laws of Guam, do hereby order the establishment of the Guam Abandoned Derelict Vessel Removal Group, and direct as follows:

- I. The members of the Guam ADV Removal Group shall consist of: Guam Environmental Protection Agency Administrator, or official designee(s), the Bureau of Statistics and Plans Director or official designee(s), and the Guam Department of Agriculture Director or official designee(s).
- II. The Guam ADV Removal Group shall:
 - a. Meet quarterly to report on the status of Guam’s ADV Removal; and



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- b. Post all ADV Removal meeting minutes on the Guam EPA website and transmit minutes of all meetings to *I Maga'hågan Guåhan* and *I Liheslaturan Guåhan*; and
 - c. Within 90 days of the issuance of this order, the ADV Removal Group shall negotiate with federal partners, to include the United States Navy, the Army Corps of Engineers, the United States Coast Guard, the NOAA, the United States Environmental Protection Agency, and the United States Fish and Wildlife Service toward the goal of entering into an Memorandum of Understanding ("MOU") to identify, remove and dispose of ADV in outer Apra Harbor, Guam.
- III. As the lead member, the Guam EPA shall:
- a. Coordinate meetings and activities of the ADV Removal team.
 - b. Prescribe guidance and technical assistance to the group.
 - c. Maintain a database documenting all activities of the group.
 - d. Provide technical input on Standard Operating Procedures for identification and removal of ADVs.
 - e. Provide limited materials, supplies and marine transport services for ADV Removal team.
 - f. Participate in public outreach for this project.
- IV. As members, the Bureau of Statistics and Plans Director ("BSP") and the Department of Agriculture ("DoAg") shall:
- a. Provide at least one (1) representative to ADV Removal team who will attend all meetings.
 - b. Provide technical assistance for all necessary permits.
 - c. Be responsible for issuing Guam Federal Consistency Review.
 - d. Participate in public outreach for this project.

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- V. Guam EPA *may* enter into a MOU with the Guam Power Authority GPA and the Port Authority of Guam PAG to carry out the activities associated with the ADV Removal Team.

SIGNED AND PROMULGATED at Hagåtña, Guam, this 9th day of **December, 2020**.

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Attested by:

JOSHUA F. TENORIO
Sigundo Maga'låhen Guåhan
Lt. Governor of Guam

