EXECUTIVE ORDER NO. 2009- 13

RELATIVE TO AMENDING EXECUTIVE ORDER NO. 2005-35
ADOPTING THE GUAM STORMWATER MANAGEMENT CRITERIA
FOR THE DEPARTMENT OF PUBLIC WORKS AND OTHER
GOVERNMENT OF GUAM PROJECTS

WHEREAS, Executive Order No. 2005-35 was promulgated on October 25, 2005, for
the purpose of adopting in the interim the CNMI and Guam Stormwater Management Criteria
for all Government of Guam projects, including new roads and road repairs; and

WHEREAS, Executive Order No. 2005-35 further authorized the Department of Public
Works (DPW) to use the new criteria in all designs for stormwater management systems; and

WHEREAS, pending formal legal adoption, the new criteria did not apply in the interim
to private development, which was permitted to continue to follow the standards set forth in the
Guam Storm Drainage Manual originally adopted in 1980; and

WHEREAS, under the Guam Transportation Plan for 2030, the Department of Public
Works (DPW) is charged with overseeing critical repairs and reconstruction of Guam’s entire
roadway system, including its bridges and waterways; and

WHEREAS, as part of the 2030 Guam Transportation Plan, the DPW is working on a
Stormwater Drainage Manual and a Stormwater Master Plan that will expand upon the criteria
that is set forth in the CNMI and Guam Stormwater Management Criteria. Furthermore, it is
planned that the DPW Stormwater Drainage Manual will itself be a new chapter in the CNMI
and Guam Stormwater Management Criteria; and

WHEREAS, the CNMI and Guam Stormwater Management Criteria and its
accompanying manual have not yet been formally adjudicated and adopted; and

WHEREAS, in order to avoid needless duplicity and expense, it is reasonable, prudent,
and economically efficient under the circumstances to stay the implementation of the CNMI and
Guam Stormwater Management Criteria pending the completion and adoption of the DPW
Stormwater Manual and Stormwater Master Plan, thus resulting in a single coordinated
stormwater management plan whereby the DPW Stormwater Manual can be incorporated as a
chapter into the CNMI and Guam Stormwater Management Criteria; and

NOW, THEREFORE, I, FELIX P. CAMACHO, Governor of Guam, pursuant to the
authority vested in me by the Organic Act of Guam, do hereby declare that:

1. The adoption and implementation of the CNMI and Guam Stormwater
Management Criteria is hereby STAYED for a period of no more than two (2) years from the
date that this Executive Order becomes effective; however, if the DPW Stormwater Manual and
Stormwater Master Plan are properly adjudicated and adopted before the end of the stay period,
then the DPW Stormwater Manual and Stormwater Master Plan shall prevail, and the CNMI and
Guam Stormwater Management Criteria shall not be binding unless and until such time as it is
properly adjudicated with the DPW Stormwater Manual incorporated in as a chapter;
2. Pending the proper adjudication, adoption, and implementation of the CNMI and Guam Stormwater Management Criteria or the DPW Stormwater Master Plan and Manual, the 1980 Guam Storm Drainage Manual shall continue to apply and be effective;

3. The DPW shall determine the priority of Government of Guam projects requiring stormwater mitigation and shall construct those projects as funding becomes available; and

4. All persons, entities, developers, and Government of Guam agencies, including autonomous agencies, engaged in any subdivision or development work shall comply with all statutes, rules, regulations, and policies of the DPW and the Guam Environmental Protection Agency (GEPA), including the bearing of any costs or fees associated therewith.

SIGNED AND PROMULGATED at Hagåtña, Guam this 15th day of September, 2009.

FELIX P. CAMACHO
I Mga' låhen Guahan
Governor of Guam

COUNTERSIGNED:

MICHAEL W. CRUZ, M.D.
I Segundu Mga' låhen Guahan
Lieutenant Governor of Guam