

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

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

April 4, 2024

The Hon. Therese M. Terlaje
Speaker, I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: EXECUTIVE ORDER NO. 2024-01

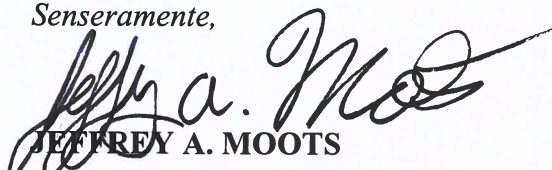
Håfa Adai Madam Speaker,

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

EXECUTIVE ORDER NO. 2024-01

RELATIVE TO THE CREATION OF THE DIVISION OF AQUACULTURE
WITHIN THE DEPARTMENT OF AGRICULTURE

Senseramente,


JEFFREY A. MOOTS
Legal Counsel

Enclosure: Executive Order No. 2024-01

cc via email: *Maga'hågan Guåhan*
Sigundo Maga'låhen Guåhan
Hon. Robert J. Torres, Jr., Chief Justice of Guam
Compiler of Law
Central Files
Cabinet Members



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EXECUTIVE ORDER 2024-01

**RELATIVE TO THE CREATION OF THE DIVISION OF
AQUACULTURE WITHIN THE DEPARTMENT OF AGRICULTURE**

WHEREAS, Guam law vests the Department of Agriculture (“DoAG”) with broad powers and duties that extend beyond policymaking and regulation of agriculture operations in Guam; and

WHEREAS, Guam law confers the DoAG Director with significant reorganization authority to carry out the agency’s mandates, goals, and objectives. Specifically, Guam law authorizes the Director to consolidate, abolish, or create divisions and prescribe duties of agency employees; and

WHEREAS, while the DoAG is chiefly responsible for the conservation and protection of fish, wild animals, plants and forests in Guam and serves as a proven resource to our farmers in the development of productive and sustainable farming practices, the agency’s mandates further include the implementation of the Guam Land Conservation Act, which authorizes the DoAG to establish agricultural preserves to ensure the continued and future preservation of productive agricultural lands, environmental resources and unimpaired landscapes; and

WHEREAS, in recent years, the DoAG has invested substantial resources in the development of a sustainable and profitable aquaculture industry, an industry involving the practice of farming fish and other aquatic organisms, on Guam; and

WHEREAS, with growing technical aquaculture advancements and practices, and the ever-increasing global demand for seafood, communities that rely on aquaculture and have deep cultural connections to our oceans, including Guam, must take measures to ensure seafood security while implementing aggressive measures to preserve the health of our oceans. Interest in aquaculture has surged worldwide in recent years, with over fifty (50) percent of the world’s seafood consumption coming from aquaculture; and

WHEREAS, because of the breadth and importance of the DoAG’s mandate, it is appropriate at this time to create an aquaculture division within the DoAG to ensure parity of this discipline with other agency objectives, by facilitating the allocation of necessary agency resources and personnel to related programs, and enable the DoAG to respond to opportunities for grant funding and programs in furtherance of these interests; and

WHEREAS, considering the diverse characteristics of aquatic organisms and the complexities associated with their cultivation, the DoAG’s aquaculture program demands participation from professionals with particularized knowledge, specifically an Aquacultural Advisory Board to provide advice, expertise, and recommendations to the DoAG; and



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WHEREAS, aquaculture expertise and resources were previously developed and leveraged through the Guam Aquaculture Task Force (“GATF”) established in Executive Order No. 2019-12; and

WHEREAS, to ensure continuity and preservation of these key resources, it is further appropriate that the Aquaculture Advisory Board incorporate and adopt desirable features and recommendations of the GATF and, where appropriate, designate former members of the GATF as members of the Aquaculture Advisory Board.

NOW THEREFORE, I LOURDES A. LEON GUERRERO, I Maga’hagan Guahan, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam as amended and 5 G.C.A. Chapter 1A, do hereby order:

1. **CREATION OF THE DIVISION OF AQUACULTURE WITHIN THE DEPARTMENT OF AGRICULTURE.** Pursuant to the authority conferred by 5 GCA § 60201, the Director of the Department of Agriculture may proceed with the creation of the Division of Aquaculture within the Department of Agriculture, consistent with the functions and needs of the Department.
2. **RESCISSION OF EXECUTIVE ORDER NO. 2019-12.** Executive Order No. 2019-12, establishing the Guam Aquaculture Task Force is hereby rescinded.
3. **ESTABLISHMENT OF AQUACULTURE ADVISORY BOARD.** There is hereby established the Aquaculture Advisory Board within the Division of Aquaculture of the Department of Agriculture.
 - a. **Functions.** The Aquacultural Advisory Board shall advise the Division of Aquaculture within the Department of Agriculture regarding the establishment and management of a sustainable aquaculture industry in Guam.
 - b. **Membership.** The members of the Board shall be as follows:
 - i. The Division Head of the Division of Aquaculture.
 - ii. The Division Head of the Division of Aquatics and Wildlife.
 - iii. The Director of the Bureau of Statistics and Planning or designee.
 - iv. The Director of the Guam Economic Development Authority or designee.
 - v. The Director of the Guam Environmental Protection Agency or designee.
 - vi. The President of the University of Guam or designee.
 - vii. The President of the Guam Community College or a designee.



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- viii. One (1) representative of a Guam-based marine commercial fisheries organization appointed by the Governor.
- ix. Three (3) individuals who are active members of the aquaculture industry in Guam who shall be appointed by the Governor.
- c. **Term Limits.** The three individual members shall serve for a term of three (3) years.
- d. **Officers.** The Governor shall appoint a member as the chairperson who shall hold the position until such time the membership of the Board can elect a chairperson from amongst its members. The Board may also elect such additional officers as the membership deems necessary to fulfill the functions of the Board.
- e. **Bylaws.** The Board is authorized to establish bylaws, not inconsistent with this Executive Order or the laws of Guam, that the membership feels are necessary to allow the Board to fulfill the functions of the Board.
4. **SEVERABILITY.** If any provision of this Executive Order or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Order that can be given effect without the invalid provision or application, and to this end, the provisions of this order are severable.

SIGNED AND PROMULGATED at Hagåtña, Guam this 4th day of April, 2024.

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

Attested by:

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

