

MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN  
2005 (FIRST) Regular Session

Bill No. 47(EC)

Introduced by:

Mark Forbes 

AN ACT TO ADD A NEW ARTICLE 12 TO CHAPTER  
68, 21GCA TO ESTABLISH THE "GUAM FLOOD  
SURVEY AND MITIGATION PLAN".

1           **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2           **Section 1. Findings.** As Guam develops, the impact of new road  
3 construction, new grading and backfilling, new construction and a host of  
4 environmental changes have all lead to an apparent increase in flood risk to  
5 residential and commercial areas of Guam. *I Liheslaturan Guåhan* finds that no  
6 comprehensive survey, mapping or mitigation plan exists to comprehensively  
7 deal with the several and sundry areas of Guam prone to flooding, and that  
8 such flooding results frequently in major damages to the homes, businesses  
9 and properties of many island residents. This act will require the Department  
10 of Public Works to undertake a comprehensive, island-wide survey of flood  
11 prone areas, to map such areas and to make specific recommendations to  
12 ameliorate flood prone conditions in these areas or to otherwise make  
13 recommendations for methods of alleviating human suffering and loss  
14 associated with flood prone areas.

15           **Section 2.** A new Article 12 is added to Chapter 68 of 21GCA to read:

1 "Article 12"

2 Flood Survey and Mitigation Plan

3 "Section 68980. Flood Survey and Mitigation Plan. (a) The

4 Director of Public Works shall conduct a comprehensive, island-wide survey  
5 of all residential and commercial areas of Guam, or areas otherwise subject to  
6 human occupancy, that are prone to flooding during storms, typhoons, heavy  
7 rains or general inclement weather. Such survey shall be conducted using  
8 existing manpower and budgetary resources as exist within the Department.

9 Such survey shall be completed within ninety (90) days of the effective date of  
10 this act, except that failure to meet such deadline shall not be construed as  
11 relieving the Department of its mandate to complete the survey required

12 herein. (b) Upon conclusion of the survey, the Director of Public Works shall  
13 submit a report to *I Maga'lahañ Guåhan* and the Speaker of *I Liheslaturan*

14 *Guåhan*. Such report shall contain, at a minimum, a comprehensive and  
15 detailed map of all areas in Guam surveyed, a detailed description of each  
16 area included in the survey, causal and contributory factors that lead to or

17 otherwise exacerbate flooding in areas surveyed, mitigating measures that are  
18 recommended to eliminate or severely reduce the threat of flooding in areas  
19 surveyed, in the absence of plausible mitigating efforts, recommendations for

20 relocation inclusive of recommendations for land exchanges or purchases, and  
21 all estimated costs associated with mitigating efforts or ameliorative solutions.

22 Such report shall be submitted no later than ninety (90) days after the  
23 conclusion of the survey, except that failure to meet such deadline shall not be  
24 construed as relieving the Department of its mandate to complete the report

25 required herein."