

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

October 8, 2023

HONORABLE 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. 2023-11

Hafa Adai Madame Speaker:

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

EXECUTIVE ORDER NO. 2023-11: RELATIVE TO DECLARING A STATE OF EMERGENCY IN ANTICIPATION OF THE APPROACH OF TROPICAL STORM BOLAVEN

Thank you.

Sensengamente,

A blue ink signature of Leslie A. Travis.

LESLIE A. TRAVIS
Legal Counsel

Enclosure: Executive Order No. 2023-11

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



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

EXECUTIVE ORDER NO. 2023-11

**RELATIVE TO DECLARING A STATE OF EMERGENCY IN
ANTICIPATION OF THE APPROACH OF TROPICAL STORM
BOLAVEN**

WHEREAS, on October 8, 2023, the National Weather Service, Guam Weather Forecast Office (“NWS”), forecast that Tropical Storm Bolaven (formerly Tropical Depression 15W), which is located approximately 605 miles ESE of Guam, is steadily intensifying and maintaining a track toward Guam and the Mariana Islands; and

WHEREAS, while a Typhoon Watch remains in effect for Guam, projecting the possibility of damaging winds of 39 mph within forty-eight (48) hours, NWS states that there is a potential for Tropical Storm to Typhoon impacts, with increasing possible winds up to 74 mph, and heavy rainfall of at least 6-10 inches throughout the Marianas. Tropical Storm Bolaven is expected to further intensify into a typhoon by the time it arrives in our region. Tropical-Storm-Force winds are presently anticipated as early as Tuesday morning, October 10, 2023, and dangerous levels for seas and surf are anticipated overnight on Monday, October 9, 2023; and

WHEREAS, on Sunday, October 8, 2023 at 10:00 a.m., I placed the island in Condition of Readiness 3 (COR3), in anticipation of damaging winds and rains within forty-eight (48) hours. At approximately 8:00 p.m. on October 8, 2023, I intend to place the island in Condition of Readiness 2 (COR2); and

WHEREAS, based upon current forecasts and modeling, the strength and track of Tropical Storm Bolaven represent an imminent, credible, and significant threat to the health, safety and welfare of Guam; and

WHEREAS, in anticipation of Bolaven’s closest approach, Guam Homeland Security and Office of Civil Defense (“GHS/OCD”) and other territorial agencies are instructed to take precautionary and proactive steps in order to secure the safety of the island and to reduce the potential destruction of property and loss of life; and

WHEREAS, an emergency situation exists such that in order to safeguard the community, critical infrastructure, and the general welfare of the island against the impending dangerous onset of destructive winds and rains forecast to strike Guam, it is critical that timely precautions be taken and resources be immediately identified, mobilized and deployed as contemplated in the GHS/OCD-FEMA 2018 Guam Catastrophic Typhoon Plan and in the 2016 Guam Comprehensive Emergency Management Plan.



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NOW, THEREFORE, I, LOURDES A. LEON GUERRERO, *I Maga'hågan Guåhan*, Governor of Guam, and by virtue of the authority vested in me by the Organic Act of Guam, as amended, and the laws of Guam, do order as follows:

1. **Declaration of State of Emergency.** A state of emergency is hereby declared for the island of Guam in anticipation of the approach of Tropical Storm Bolaven.
2. **Emergency Procurement and Emergency Expenses.** Pursuant to Section 5215 of Title 5, Guam Code Annotated, authorizing emergency procurement upon executive order, and § 22402 of Title 5, Guam Code Annotated, I hereby authorize overtime and emergency procurement for heavy equipment rental, debris removal, nursing and medical support services for the North and Southern Community Health Centers, Guam Department of Education typhoon shelter operations, lodging for displaced residents, and the purchase of supplies, materials, goods, services or other expenditures, up to a combined total maximum of Two Hundred Fifty Thousand Dollars (\$250,000.00).
3. **GHS/OCD to be Lead Agency; Purpose of Emergency Procurement.** GHS/OCD shall be the lead agency for the emergency procurement of any goods and services relative to this Executive Order, the effective period of which shall be for thirty (30) days as provided in § 5215 of Title 5, Guam Code Annotated.
4. **Authorization for Overtime.** I further authorize the payment of overtime, for exempt and non-exempt Government of Guam employees, to work in excess of forty (40) hours a week in order to mitigate and respond to the effects of Tropical Storm Bolaven throughout Guam. The Governor's Authorized Representative, in consultation with GHS/OCD, and the Bureau of Budget and Management Research, is authorized to determine the eligibility of overtime expenditures resulting from work performed by the government agencies, and approval shall be obtained prior to incurring any overtime or expenses. Failure to obtain prior approval may be grounds for denying reimbursement.

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5. **Documentation of Expenses.** All departments and agencies are instructed to keep appropriate documentation on all emergency expenses incurred pursuant to this Executive Order for inspection by the Executive and Legislative Branches and by the Public Auditor of Guam, and in anticipation of federal disaster assistance approval by the President of the United States to be administered by the Federal Emergency Management Agency.

SIGNED AND PROMULGATED at *Hagåtña*, Guam, this **8th** day of **October**, 2023.

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

Attested by:

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

