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LIEUTENANT GOVERNOR

EXECUTIVE ORDER 010 - 2021

AN ORDER CREATING THE AMERICAN SAMOA RESILIENCE COMMISSION & GOVERNOR'S RESILIENCE OFFICE

Section 1: Authority

This executive order is hereby issued in accordance with the powers and authority granted to the Governor by Article IV, Sections 6 and 7 of the Revised Constitution of American Samoa, and the American Samoa Code Annotated, Section 4.0111 (b).

Section 2: Preamble

WHEREAS, American Samoa recognizes that the impacts of global climate change will heavily affect Pacific Island nations now and into the future, especially through:

- Loss of coastal lands due to increased erosion stemming from sea level rise and coastal inundation from storm systems;
- Post-seismic subsidence that American Samoa has been undergoing since the 2009 earthquakes resulting in a relative sea level rise rate of more than three times the global average as of 2021;
- Increased dependence on off-island food sources due to projected decreases in local food production due to changes in precipitation trends, severe storm systems, higher rates of pest infestation, and decreases in near-shore fish stocks;
- Coral reef ecosystem degradation stemming from changes in ocean water temperature and ocean acidification and chemistry;
- Economic and environmental damages caused by intensified tropical cyclones and associated changes in precipitation trends;
- Increased health risks from the transmission of diseases, potential decreases in available potable water resources, mental health strain, and other associated risks; and
- Other, unforeseen repercussions arising from climate change;

WHEREAS, climate change has and will continue to have detrimental effects on the health and culture of American Samoa residents, the islands' infrastructure, and the Territory's fragile economy and unique natural resources, and its industries, including: agriculture, commercial fishing, tuna processing, and tourism. Accordingly, the Territory must reduce its own negative impact on the environment and collaboratively prepare to respond to the effects of climate change;

WHEREAS, the American Samoa Government recognizes that actions must be taken to strategically plan for climate change impacts to physical, social, and cultural infrastructure of the Territory as well as diminish the Territory's impacts on greenhouse gasses, including our collective carbon footprint by promoting responsible renewable energy and technology;

WHEREAS, a 2017 report funded by the US Department of Interior Office of Insular Affairs maintains that, "fragmentation of climate change management authorities and overlapping mandates between agencies poses particular challenges when it comes to preparing for climate change." Further, the report outlines a myriad of legal authorities, government institutions, and government actions in American Samoa highlighting the need for an integration of adaptation strategies;¹

WHEREAS, The American Samoa Government supports the intent of the Paris Agreement and formally joins other like-minded states in the U.S. Climate Alliance. (Executive Order No. 006-2017);

WHEREAS, The American Samoa Government reaffirms its commitment to Territorial, regional, and global climate change adaptation and mitigation efforts;

WHEREAS, The American Samoa Government commits to promoting and implementing nature-based, climate-smart initiatives to ensure sustainable development now and into the future, especially regarding infrastructure planning and construction;

WHEREAS, The Secretary of the United Nations stated that the Intergovernmental Panel on Climate Change's report *Climate Change 2021: The Physical Science Basis*² that the world is in a "Code Red for Humanity;" and

¹ *Climate Change Adaptation Planning in the US Affiliated Pacific Islands*. Pacific Islands Climate Change Cooperative <http://piccc.net/piccc/wp-content/uploads/2017/05/Climate-Change-Adaptation-Planning-in-the-USAPI-20171.pdf>

² <https://www.ipcc.ch/assessment-report/ar6/>

WHEREAS, The American Samoa Government must aggressively address the climate change crisis with a state of emergency mindset because of observed drastic changes in climate and sea level that are threatening, and will continue to threaten, the quality of life for all residents of American Samoa.

NOW THEREFORE, I, LEMANU P. S. MAUGA, Governor of American Samoa, by virtue of the authority vested in me by the Revised Constitution of American Samoa and the American Samoa Code Annotated, hereby execute this order.

Section 3: Establishment

There is hereby established within the office of the Governor the American Samoa Resilience Commission and Governor's Resilience Office (GRO). The mission statement of the American Samoa Resilience Commission and Governor's Resilience Office shall be:

American Samoa recognizes the urgency of climate impacts with grave concern and the need to respond quickly and strategically to ensure the protection, adaptive capacity, resilience, and well-being of the islands and residents of American Samoa.

Section 4: American Samoa Resilience Commission

(a) The Commission shall include the following members:

- (1) Lieutenant Governor of American Samoa, who shall be the chair of the Commission;
- (2) One member of the Senate appointed by the President of the Senate;
- (3) One member of the House of Representatives appointed by the Speaker of the House;
- (4) Director of the Department of Marine & Wildlife Resources or designee;
- (5) Director of the American Samoa Environmental Protection Agency or designee;
- (6) Director of the Department of Commerce or designee;
- (7) Director of the Department of Agriculture or designee;
- (8) Secretary of the Office of Samoan Affairs or designee;
- (9) Chief Executive Officer of the American Samoa Power Authority or designee;
- (10) Director of the Department of Public Works or designee;
- (11) Director of the Department of Health or designee;
- (12) Director of the Territorial Energy Office or designee;
- (13) Director of the Department of Education or designee;

- (14) Director of Homeland Security or designee;
 - (15) Director of the Office of Disaster Assistance and Petroleum Management or designee;
 - (16) Executive Director of the Visitor's Bureau or designee;
 - (17) Director of the American Samoa Community College Land Grant program or designee;
 - (18) Chairperson of the Chamber of Commerce or designee;
 - (19) Attorney General of American Samoa or designee;
 - (20) Director of the Port Administration or designee;
 - (21) Director of the Department of Parks and Recreation or designee;
 - (22) Executive Director of the Historical Preservation Office or designee; and
 - (23) Director of the Governor's Resilience Office.
- (c) In addition to the members listed in subsection above, the Chair of the Resilience Commission may request the participation or input of additional members of the public and private sector, and youth centered organizations; experts in the field; and Territorial or local federal officials including the Chief Meteorologist of the National Weather Service; the Superintendent of the National Marine Sanctuary of American Samoa; the Superintendent of the American Samoa National Park Service; Natural Resources Conservation Service; and regional officials including such as the Secretariat of the Pacific Regional Environment Programme (SPREP), the Pacific Community (SPC), Pacific Islands Forum (PIF), and the Polynesian Leaders Group (PLG).
- (d) The Commission may create subcommittees based on subject matter or issues of critical areas that it deems relevant (e.g., food security, coastal protection, etc.).
- (e) The Commission shall provide policy direction, facilitation, coordination, and planning among territorial, regional, federal agencies, and other partners as appropriate.
- (f) The Commission shall establish climate change adaptation and mitigation strategies and goals to help guide Territory-wide planning and implementation using the latest scientific analysis and risk assessment to monitor and forecast climate change related impacts at the regional and territorial levels, including any additional information deemed necessary.

- (g) The Commission shall assist the Resilience Office staff to identify vulnerable groups, communities, industries, ecosystems, and the potential economic ramifications for climate change related impacts.
- (h) The Commission shall identify existing climate change adaptation and mitigation efforts at the federal and Territorial levels and make recommendations for how to meet or exceed American Samoa's resilience goals and shall adopt a liberal approach in preparation, so as to minimize future risk to the people and environment of American Samoa.
- (i) The Commission shall assess the capacity and availability of existing resources and identify new sources of revenue necessary to address climate change adaptation and mitigation and shall advise the Executive Branch and Fono on the economic and budgetary ramifications of climate change impacts, adaptation, and mitigation.
- (j) The Commission shall identify the information necessary to track progress in implementing climate change adaptation and mitigation efforts and shall review the annual report of the GRO and transmit it to the Governor and Fono in support of the Governor's State of the Territory Address.
- (k) The Commission shall meet quarterly or as necessary.
- (l) A quorum is required to conduct official business of the Commission. A quorum is defined as over 50% of Commission members present at a meeting. Consensus is sought for any decision. When consensus cannot be reached within 30 days, a vote will be held by the Commission Chairman. In such cases, decisions are adopted if a simple majority of the number of Commission Members present vote in favor.

Section 4: Governor's Resilience Office

The following staff shall be employed by the GRO.

- (1) The GRO Director shall:
 - (A) Report to the Commission Chair;
 - (B) Serve as the Secretary of the Resilience Commission;
 - (C) Coordinate Commission meetings and collaboration between Commissioners;
 - (D) Supervise GRO staff;
 - (E) Produce the mandated annual report and submit to the Commission for review and approval, as required by the Commission;

- (F) Serve as the Territorial Climate Change Focal Point for SPREP and other relevant regional entities (e.g., SPC, PLG, etc.);
 - (G) Work with the Finance Coordinator to establish and finalize budgets;
 - (H) Stay informed on Territorial, regional, and global climate change adaptation and mitigation developments;
 - (I) Sit on the AS Hazard Mitigation Council, AS Renewable Energy Council, and other relevant entities as appropriate; and
 - (J) Work with Territorial agency leaders to incorporate climate change adaptation measures into existing programs and plans.
- (2) The Territorial Resilience Coordinator shall:
- (A) Develop territory-wide, collaborative resilience targets and climate adaptation priorities in the AS Climate Adaptation Framework every 2 years;
 - (B) Create annual synthesis of climate change data for the Territory;
 - (C) Develop policy and/or policy changes for planning, management, and adaptation for sea level rise and climate change impacts (including economic, social, cultural, environmental, and health);
 - (D) Identify applicable federal laws, policies, or programs that impact affected areas;
 - (E) Serve as an advisor to the PNRS Board, AS Hazard Mitigation Council, and other relevant entities as appropriate; and
 - (F) Coordinate any subcommittees as directed by the Commission.
- (3) The Communications Specialist will:
- (A) Maintain a website/portal that includes a mission statement as well as access to climate change related actions, plans, policies, and results;
 - (B) Develop and disseminate resilience outreach materials for the general public, agencies, and Territorial leadership;
 - (C) Coordinate with Commission representatives to implement robust public outreach;
 - (D) Translate all public documents into Samoan and other ethnic languages as appropriate; and
 - (E) Translate educational documents on climate change into Samoan and/or make it relevant to the local context for improved comprehension in K-12 curriculum.
- (4) The Finance Coordinator will:
- (A) Seek and manage funding opportunities for the Commission and Territorial climate adaptation and mitigation needs; and
 - (B) Perform procurement functions as necessary for the GRO and other Commission-related work.

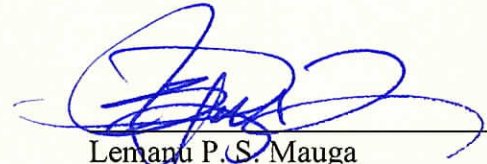
Section 5: Repealer

American Samoa General Memorandum 129-2015 is repealed.

Section 6: Effective Date

This order shall take effect immediately.

Date: December 23rd, 2021



Lemanu P. S. Mauga
Governor of American Samoa