

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
RESOLUTIONS

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Adopted	Date Referred	Referred to	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
55-36 (COR)	Sabina Flores Perez Therese M. Terlaje Telena Cruz Nelson Clynton E. Ridgell Jose "Pedo" Terlaje Tina Rose Muña Barnes Telo T. Taitague	Relative to reaffirming our human right to safe drinking and clean water in observance of World Water Day 2021, and recognizing the importance of protecting our Northern Guam Lens Aquifer and precious water resource in ensuring the health of our people.	3/31/21 4:20 p.m.			4/1/2021 4:37 p.m.	Author	4/15/21 3:00 p.m.	4/23/21 3:08 p.m.	



**THE HONORABLE
SENATOR SABINA FLORES PEREZ**

I Mina'trentai Sais Na Liheslaturan Guåhan • 36th Guam Legislature

April 21, 2021

The Honorable Therese M. Terlaje

Speaker

I Mina'trentai Sais Na Liheslaturan Guåhan

163 Chalan Santo Papa

Hagåtña, Guam 96910

VIA: The Honorable Tina Rose Muña Barnes 
Chairperson, Committee on Rules

RE: Author's Report on Resolution No. 55-36 (COR)

Håfa adai Speaker Terlaje,

Transmitted herewith is the Author's Report on **Resolution No. 55-36 (COR)** – Sabina Flores Perez – “Relative to reaffirming our human right to safe drinking and clean water in observance of World Water Day 2021, and recognizing the importance of protecting our Northern Guam Lens Aquifer and precious water resource in ensuring the health of our people.”

Si Yu'os ma'åse',

Sabina Flores Perez
Sabina Flores Perez

**COMMITTEE ON RULES
REVISION REC'D:**

April 23, 2021 @ 8:11 A.M.





**THE HONORABLE
SENATOR SABINA FLORES PEREZ**

I Mina'trentai Sais Na Liheslaturan Guåhan • 36th Guam Legislature

AUTHOR'S REPORT

Resolution No. 55-36 (COR)

Introduced by: Sabina Flores Perez

“Relative to reaffirming our human right to safe drinking and clean water in observance of World Water Day 2021, and recognizing the importance of protecting our Northern Guam Lens Aquifer and precious water resource in ensuring the health of our people.”

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Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
163 CHALAN SANTO PAPA
HAGÁTÑA, GUAM 96910
TEL 671-472-2461
COR@GUAMLEGISLATURE.ORG

April 1, 2021

MEMO

To: **Rennae Meno**
Clerk of the Legislature

Attorney Ana Won Pat-Borja
Legislative Legal Counsel

From: **Vice Speaker Tina Rose Muña Barnes**
Chairperson, Committee on Rules

Re: **Referral of Resolution No. 55-36 (COR)**

Buenas yan Háfa adai,

As per my authority as Chairperson of the Committee on Rules, I am forwarding the referral of **Resolution No. 55-36 (COR)** – Sabina Flores Perez, Therese M. Terlaje, Telen Cruz Nelson, Clynton E. Ridgell, Jose “Pedo” Terlaje, Tina Rose Muña Barnes, Telo T. Taitague – “Relative to reaffirming our human right to safe drinking and clean water in observance of World Water Day 2021, and recognizing the importance of protecting our Northern Guam Lens Aquifer and precious water resource in ensuring the health of our people.”

Please ensure that the subject resolution is referred to **Senator Sabina Flores Perez, author of Resolution No. 55-36 (COR)**.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this matter.

Respectfully,

Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules



Charlene Flores <charlene@senatorperez.org>

1st Notice of Virtual Public Hearing: Thursday, April 15, 2021 at 9:00 a.m. and 3:00 p.m.

Office of Senator Sabina Perez <office@senatorperez.org> Thu, Apr 8, 2021 at 10:08 AM
 To: reporters@kuam.com, Sabrina Salas Matanane <sabrina@kuam.com>, nestor@kuam.com, Chris Barnett <malafunkshun@kuam.com>, joan@kuam.com, mindy@postguam.com, editor@postguam.com, John O'Connor <john@postguam.com>, Nick Delgado <nick@postguam.com>, reporters@postguam.com, news@sorensenmediagroup.com, news@guampdn.com, news@k57.com, rlimtiaco@guampdn.com, haidee@postguam.com, kstokish@gmail.com, editor@pacificislandtimes.com, Maureen Maratita <publisher@glimpsesofofguam.com>, reporter2@glimpsesofofguam.com, Guam Progress <guamprogress@yahoo.com>, colinperez@gmail.com, Gabejereza@gmail.com, "Alexandra Elizabeth T. Benavente" <aebenavente@gdoe.net>, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, mar_vic_cagurangan@yahoo.com, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <newsdirector@kuam.com>, slimtiaco@guampdn.com, raygibsonshow@gmail.com, pattiontheradio@yahoo.com, news@kanditnews.com
 Cc: phnotice@guamlegislature.org, ag@oagguam.org, Guam MIS <mis@guamlegislature.org>, Geri Leon Guerrero <geri@senatorperez.org>, "Cara C. Mays" <cara@senatorperez.org>, Ibarra Hernandez <ihernandez@guamlegislature.org>

April 8, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, Chairperson Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning

Subject: 1st Notice of Virtual Public Hearing: Thursday, April 15, 2021 at 9:00 a.m. and 3:00 p.m.

The Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research and Planning will be conducting a virtual confirmation hearing on **Thursday, April 15, 2021 at 9:00 a.m. and 3:00 p.m.** This virtual public hearing will take place via Zoom Video Conference platform. The agenda is as follows:

9:00 a.m.

Executive Appointment of Mr. Richard T. Gutierrez to serve as a Member (General Public Representative) of the Guam Real Estate Commission.

[Bill No. 90-36 \(COR\) – James C. Moylan](#) - AN ACT TO AMEND § 5248 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING MONTHLY REPORTS AND JUSTIFICATION SUMMARIES WHEN PURCHASES ARE MADE THROUGH A SOLE SOURCE OR EMERGENCY PROCUREMENT PROCESS.

[Bill No. 65-36 \(COR\) – Amanda L. Shelton, Mary Camacho Torres, Tina Rose Muña Barnes, Jose "Pedro" Terlaje and Sabina Flores Perez](#) - AN ACT TO AMEND SUBSECTIONS (a)(4), (c)(1), (d)(2), AND (d)(4), ALL OF § 7120.1, CHAPTER 7, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO REMOVING THE DATE OF EXPIRATION ON REMOVABLE WINDSHIELD PLACARDS AND EXTENDING THE PERIOD OF TIME FOR PHYSICIAN CERTIFICATION ON TEMPORARY REMOVABLE WINDSHIELD PLACARDS.

[Bill No. 71-36 \(COR\) – Amanda L. Shelton, Telena Cruz Nelson, Tina Rose Muña Barnes, Mary Camacho Torres and Joanne Brown](#) - AN ACT TO ADD NEW §§ 5013 AND 5012 TO PART A OF ARTICLE 1, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING A PROCUREMENT POLICY IN FAVOR OF WOMEN OWNED BUSINESSES, AND TO CITE THIS ACT AS "THE SUPPORT FOR WOMEN-OWNED BUSINESSES ACT."

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3:00 p.m.

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Those interested in participating, please confirm your attendance by contacting the Office of Senator Sabina Flores Perez via email at office@senatorperez.org or via phone at 989-2968, no later than April 13, 2021, for further guidance.

Testimonies should be addressed to Senator Sabina Flores Perez, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Guam Congress Building at 163 Chalan Santo Papa, Hagåtña, Guam 96910, or via email to office@senatorperez.org, no later than 4pm April 20, 2021. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Sabina Flores Perez at 989-2968.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 112-4, and stream online via I Liheslaturan Guåhan’s live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. We look forward to your participation!

Office of Senator Sabina Flores Perez

Committee on the Environment, Revenue & Taxation, Labor, Procurement, and Statistics, Research, and Planning
I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

O: 194 Hernan Cortez Avenue, First Floor, Terlaje Professional Building, Hagåtña, Guam 96910

M: Guam Congress Building, [163 Chalan Santo Papa, Hagåtña, Guam 96910](#)

T: (671) 989-2968

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OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, Labor,
Procurement, and Statistics, Research, and Planning

I Mina'trentai Sais Na Lihselaturan Guåhan • 36th Guam Legislature

April 8, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, Chairperson *SFP*
Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics,
Research, and Planning

Subject: **1st Notice of Virtual Public Hearing: Thursday, April 15, 2021 at 9:00 a.m. and 3:00 p.m.**

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Bill No. 71-36 (COR) – Amanda L. Shelton, Telen Cruz Nelson, Tina Rose Muña Barnes, Mary Camacho Torres and Joanne Brown - AN ACT TO ADD NEW §§ 5013 AND 5012 TO PART A OF ARTICLE 1, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING A PROCUREMENT POLICY IN FAVOR OF WOMEN OWNED BUSINESSES, AND TO CITE THIS ACT AS “THE SUPPORT FOR WOMEN-OWNED BUSINESSES ACT.”

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ANNOTATED, RELATIVE TO PROHIBITING THE SALE OF POLYSTYRENE FOAM CONTAINERS AND SERVING OF PREPARED FOODS USING POLYSTYRENE FOAM CONTAINERS.

3:00 p.m.

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Charlene Flores <charlene@senatorperez.org>

2nd Notice of Virtual Public Hearing: Thursday, April 15, 2021 at 9:00 a.m. and 3:00 p.m.

Office of Senator Sabina Perez <office@senatorperez.org> Tue, Apr 13, 2021 at 8:00 AM
 To: reporters@kuam.com, Sabrina Salas Matanane <sabrina@kuam.com>, nestor@kuam.com, Chris Barnett <malafunkshun@kuam.com>, joan@kuam.com, mindy@postguam.com, editor@postguam.com, John O'Connor <john@postguam.com>, Nick Delgado <nick@postguam.com>, reporters@postguam.com, news@sorensenmediagroup.com, news@guampdn.com, news@k57.com, rlimtiaco@guampdn.com, haidee@postguam.com, kstokish@gmail.com, editor@pacificislandtimes.com, Maureen Maratita <publisher@glimpsesofofguam.com>, reporter2@glimpsesofofguam.com, Guam Progress <guamprogress@yahoo.com>, colinperez@gmail.com, Gabejereza@gmail.com, "Alexandra Elizabeth T. Benavente" <aebenavente@gdoe.net>, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, mar_vic_cagurangan@yahoo.com, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <newsdirector@kuam.com>, slimtiaco@guampdn.com, raygibsonshow@gmail.com, pattiontheradio@yahoo.com, news@kanditnews.com
 Cc: phnotice@guamlegislature.org, ag@oagguam.org, Geri Leon Guerrero <geri@senatorperez.org>, "Cara C. Mays" <cara@senatorperez.org>

April 13, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, Chairperson Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning

Subject: **2nd Notice of Virtual Public Hearing: Thursday, April 15, 2021 at 9:00 a.m. and 3:00 p.m.**

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Office of Senator Sabina Flores Perez

Committee on the Environment, Revenue & Taxation, Labor, Procurement, and Statistics, Research, and Planning
I Mina'trentai Sais na Liheslaturan Guåhan
36th Guam Legislature
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OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, Labor,
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10K more vaccines, mostly J&J, arriving this week

By Haidee Eugenio Gilbert
haidee@postguam.com



READY?: Eleventh-grader Joshua Delampuri, who is accompanied by his mother Anna Delampuri, from Barrigada is screened for his first dose of the Pfizer-BioNTech COVID-19 vaccine at the Tiyan High School vaccination clinic Monday in Tiyan. David Castro/The Guam Daily Post

The government expects to receive this week 10,840 additional COVID-19 vaccines that are mostly the single-dose Johnson & Johnson Janssen, boosting the government's goal of fully vaccinating at least 62,500 adults by May 1 to reopen tourism and lift post-travel quarantine.

And this week, residents have more options to get vaccinated.

George Reyes, 61, opted for his first dose because he wanted an additional layer of protection for his mother, a World War II survivor, he said.

"I came back to take care of my 86-year-old mother," Reyes, who recently returned from Florida, said.

Reyes was among those who got vaccinated on Monday at the Our Lady of Assumption Church in Piti, the latest village-based vaccination clinic by the Department of Public Health and Social Services.

"We always put family first. She's the family matriarch and we want to be able to take care of her. She took care

of us and raised all of us to become productive members of the community," Reyes, a retired Air Force aviation specialist and a retired federal government employee, said.

The oldest of five siblings, Reyes hopes that more people will avail of the free vaccines for Guam to rid of the pandemic that's caused a lot of hardships.

Chalan Pago resident Michael Binuya, 43, and his wife Jenney, took their second Pfizer-BioNTech dose, in the hopes of providing a safer home for their 4-year-old and 10-month old children.

"We do it for our family. We all have the option to help Guam move forward, by taking this vaccine," the father said.

More vaccines

Krystal Paco-San Agustin, the governor's director of communications, on Monday said Public Health ordered additional 10,840 vaccines that are expected to arrive later this week:

- 8,500 doses of Johnson & Johnson Janssen
- 2,340 doses of Pfizer-BioNTech

These are in addition to the 53,170 doses that arrived on the first week-end of April.

As of Saturday, 38,705 residents who are at least 16 years old have been fully vaccinated.

That means 23,795 more or about 1,250 a day must still be fully vaccinated to meet Gov. Lou Leon Guerrero's Path to Half goal by May 1 to reopen tourism and lift post-travel quarantine.

Parents and kids

Willy Magdalera, of Asan, took his 16-year-old daughter Aubrey to get her first vaccine on Monday in Piti.

Where to go for vaccination

- The University of Guam Calvo Field House, from noon to 6:30 p.m., Tuesday to Saturday, operated by the Guam National Guard.
- Paseo de Susana Park in Hagåtña, near the playground, from 1 a.m. to 2 p.m., Tuesday, for homeless individuals.
- Hyatt Regency Guam, from 4 to 7 p.m., Wednesday, in collaboration with the Guam Hotel and Restaurant Association.
- Gov. Joseph Flores Memorial Beach Park, or Ypao Beach, main pavilion, 9 a.m. to 2 p.m., Friday, for homeless individuals.

"Looking at the odds, it's better to get the vaccine as a protection rather than not having any at all. And the pope also said it's okay to get vaccinated and we trust the pope," Magdalera said.

His daughter, a sophomore at the Academy of Our Lady of Guam, said among her friends, she's the first one to take the COVID-19 vaccine.

"I'm setting an example. For me, this gives me an assurance that I am more protected from COVID-19," she said.

Piti resident Michelle Perez, 52, also took her 16-year-old son Rees to get his first vaccine.

"I got fully vaccinated in February as someone who works in a law enforcement agency. But before that, I was on the fence line whether to take it or not but my husband convinced me that it's better to get this added protection," she said.



GUAM DEPARTMENT OF EDUCATION
OFFICE OF SUPPLY MANAGEMENT
501 MARINER AVENUE, SUITE 116
BARRIGADA, GUAM 96913-1608
TELEPHONE 671-475-0438
FAX 671-472-5001
WEBSITE: www.gdoe.net



CARMEN T. CHARFAUROS
Supply Management
Administrator

JON J.P. FERNANDEZ
Superintendent of Education

INVITATION FOR BID GDOE IFB 026-2021 (MULTI-STEP) INDOOR AND OUTDOOR WIRELESS LOCAL AREA NETWORK (WLAN) INFRASTRUCTURE INSTALLATION PROJECT

SUBMISSION DATE: Tuesday, May 11, 2021 at 2:00 p.m. CHST

Note: It is solely the Bidder's responsibility to review the website on a daily basis for the issuance of Amendments/Clarifications for any possible changes to the IFB.

IFB packages are available for download on the GDOE website at www.gdoe.net/District/Department/12-Office-of-Supply-Management.

*A hard copy may also be picked up at the GDOE Office of Supply Management at **501 Mariner Avenue, Suite 116 Barrigada, Guam 96913-1608.**

*Please contact procurement@gdoe.net to schedule curb-side pick-up of hard copy.
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Administered by the Guam Department of Education (GDOE) - Federal Programs Division (FPD) - State Education Agency (SEA) & funded by the Educational Stabilization Fund - State Education Agency II (ESF-SEA II) under the CARES Act.

/S/ CARMEN T. CHARFAUROS
SUPPLY MANAGEMENT ADMINISTRATOR
For: JON J. P. FERNANDEZ
SUPERINTENDENT OF EDUCATION



SENATOR SABINA FLORES PEREZ

Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning

VIRTUAL PUBLIC HEARING • THURSDAY, APRIL 15, 2021

9:00 A.M.

Executive Appointment of Mr. Richard T. Gutierrez to serve as a Member (General Public Representative) of the Guam Real Estate Commission.

Bill No. 90-36 (COR) - James C. Moylan - AN ACT TO AMEND § 5248 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING MONTHLY REPORTS AND JUSTIFICATION SUMMARIES WHEN PURCHASES ARE MADE THROUGH A SOLE SOURCE OR EMERGENCY PROCUREMENT PROCESS.

Bill No. 65-36 (COR) - Amanda L. Shelton, Mary Camacho Torres, Tina Rose Muña Barnes, Jose "Pedro" Terlaje and Sabina Flores Perez - AN ACT TO AMEND SUBSECTIONS (a)(4), (c)(1), (d)(2), AND (d)(4), ALL OF § 7120.1, CHAPTER 7, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO REMOVING THE DATE OF EXPIRATION ON REMOVABLE WINDSHIELD PLACARDS AND EXTENDING THE PERIOD OF TIME FOR PHYSICIAN CERTIFICATION ON TEMPORARY REMOVABLE WINDSHIELD PLACARDS.

Bill No. 71-36 (COR) - Amanda L. Shelton, Telena Cruz Nelson, Tina Rose Muña Barnes, Mary Camacho Torres and Joanne Brown - AN ACT TO ADD NEW §§ 5013 AND 5012 TO PART A OF ARTICLE 1, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING A PROCUREMENT POLICY IN FAVOR OF WOMEN OWNED BUSINESSES, AND TO CITE THIS ACT AS "THE SUPPORT FOR WOMEN-OWNED BUSINESSES ACT."

Bill No. 69-36 (COR) - Committee on Air Transportation, Parks, Tourism, Higher Education, and the Advancement of Women, Youth and Senior Citizens by request of 1 Kongressun Manhoben Guahan, the Guam Youth Congress, in accordance with 2 GCA § 7102 - AN ACT TO ADD A NEW CHAPTER 54C TO DIVISION 2 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE SALE OF POLYSTYRENE FOAM CONTAINERS AND SERVING OF PREPARED FOODS USING POLYSTYRENE FOAM CONTAINERS.

Bill No. 69-36 (COR) - Committee on Air Transportation, Parks, Tourism, Higher Education, and the Advancement of Women, Youth and Senior Citizens by request of 1 Kongressun Manhoben Guahan, the Guam Youth Congress, in accordance with 2 GCA § 7102 - AN ACT TO ADD A NEW CHAPTER 54C TO DIVISION 2 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE SALE OF POLYSTYRENE FOAM CONTAINERS AND SERVING OF PREPARED FOODS USING POLYSTYRENE FOAM CONTAINERS.

3:00 P.M.

Resolution No. 55-36 (COR) - Sabina Flores Perez, Therese M. Terlaje, Telena Cruz Nelson, Clynton E. Ridgell, Jose "Pedro" Terlaje, Tina Rose Muña Barnes, Telo T. Taitague - Relative to reaffirming our human right to safe drinking and clean water in observance of World Water Day 2021, and recognizing the importance of protecting our Northern Guam Lens Aquifer and precious water resource in ensuring the health of our people.

Those interested in participating, please confirm your attendance by contacting the Office of Senator Sabina Flores Perez via email at office@senatorperez.org or via phone at 989-2968, no later than April 13, 2021, for further guidance. Testimonies should be addressed to Senator Sabina Flores Perez, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Guam Congress Building at 163 Chalan Santo Papa, Hagåtña, Guam 96910, or via email to office@senatorperez.org, no later than 4pm April 20, 2021. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Sabina Flores Perez at 989-2968.

The hearing will broadcast on local television, G1A Channel 21, Docomo Channel 112-4, and stream online via 1 Liheslaturan Guahan's live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. We look forward to your participation!



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, Labor,
Procurement, and Statistics, Research, and Planning

I Mina'trentai Sais Na Liheslaturan Guåhan • 36th Guam Legislature

AGENDA

VIRTUAL PUBLIC HEARING

Thursday, April 15, 2021

Zoom Video Conference

The agenda is as follows:

9:00 a.m.

Executive Appointment of Mr. Richard T. Gutierrez to serve as a Member (General Public Representative) of the Guam Real Estate Commission.

Bill No. 90-36 (COR) – James C. Movlan - AN ACT TO AMEND § 5248 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING MONTHLY REPORTS AND JUSTIFICATION SUMMARIES WHEN PURCHASES ARE MADE THROUGH A SOLE SOURCE OR EMERGENCY PROCUREMENT PROCESS.

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3:00 p.m.

Resolution No. 55-36 (COR) - Sabina Flores Perez, Therese M. Terlaje, Telen Cruz Nelson, Clynton E. Ridgell, Jose “Pedo” Terlaje, Tina Rose Muña Barnes, Telo T. Taitague - Relative to reaffirming our human right to safe drinking and clean water in observance of World Water Day 2021, and recognizing the importance of protecting our Northern Guam Lens Aquifer and precious water resource in ensuring the health of our people.



**THE HONORABLE
SENATOR SABINA FLORES PEREZ**

I Mina'trentai Sais Na Liheslaturan Guåhan • 36th Guam Legislature

Public Hearing
Thursday, April 15, 2021, 3:00pm
Zoom Video Conference

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NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT INFORMATION
Maria Hernandez	<i>Prutehi Litekyan/Save Ritidian</i>	✓	✓	✓		
Jessica Nangauta	<i>Prutehi Litekyan/Save Ritidian</i>	✓		✓		
Monaeka Flores	<i>Prutehi Litekyan/Save Ritidian</i>	✓		✓		
Rick Perez		✓		✓		
Kyle Dahilig	Guam Youth Congress	✓		✓		
Hope Cristobal	Northern Guam Soil and Water Conservation District	✓		✓		



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NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT INFORMATION
Kaity Ngeremokt McManus	<i>Prutehi Litekyan</i> /Save Ritidian	✓		✓		
Nolan Flores	Guam Youth Congress	✓	✓	✓		
Eric Pastor	Hustle for Humanity Guam	✓		✓		
Julian Janseen	Coastal Management Program	✓	✓			
Authur Paulino	UOG Social Work Student Association	✓		✓		
Kellie Masga	<i>Inafa'maolek</i> Youth	✓		✓		



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NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT INFORMATION
Joni Kerr	GCC ecoWARRIORS	✓		✓		
Vinessa Duenas	Allied Marianas	✓	✓	✓		
Chelsey Cruz	The Social Progress Podcast	✓	✓	✓		
Erica Pangelinan	Guam Southern Soil and Water Conservation District	✓	✓	✓		
Clarissa Torres		✓	✓	✓		
Gina Marie		✓		✓		



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NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT INFORMATION
Bobbie Benavente		✓		✓		

*Professor Antoinette CHarfauros McDaniel
Familian Capili yan Chung'e'
Taotao Tamuning yan Barrigada
CHamoru Pathways Through Higher Education*

April 15, 2021

To Whom It May Concern:

As a CHamoru scholar who was born and proudly began my education giya Guåhan, I write to voice my strong support for Resolution No. 55-36 that reaffirms the basic human right to safe, clean drinking water. I offer my testimony in full support of the Prutehi Litekyan/Save Ritidian organization and on behalf of my fellow CHamorus and citizens of Guam who continue to hold the front lines of this crisis. Trained as a sociologist, I have taught any number of undergraduates that social and political arrangements are neither random nor inevitable but shaped by often profoundly unequal power relations between individuals, groups, and above all, nations. Sadly, this is precisely the situation I am now observing with horror. Like so many other CHamorus on island and the diaspora, I am anguished by the U.S. Military's apparently determined push to build of a live firing range the size of 900 football fields in our native land.

Last month, Guåhan, marked the 500 year anniversary of Ferdinand Magellan's arrival on our island. Despite the hospitality our CHamoru ancestors had shown to him and his weary crew, Magellan returned the favor by burning down several homes, killing seven of our ancestors then labeling our tano'-ta, "Las Islas de Las Ladrones". Adding insult to injury, the Spanish disemboweled those they had slaughtered and literally ate their entrails "so that they could eat them and recover their health" (<https://www.guampedia.com/ferdinand-magellan/>). Much has changed since the West first arrived on our shores. Sadly, the descendants of the indigenous CHamorus still contend with deeply unequal relations as colonized subjects of a global empire.

After three centuries of Spanish colonization and a short interregnum of Japanese Imperial oppression, however, it is now the U.S. rather than Spain or Japan that wields this power. More specifically, it is the U.S. military that actively threatens the destruction of our island, our main source of clean water, our indigenous flora and fauna and surrounding marine life. It is the U.S. military, that in short, threatens our very survival as indigenous peoples.

Despite hours of wrenching public testimony, the submission of thousands of public comments and multiple protests by CHamoru men, women, children, manámko and veterans and allies,

the Military persists in moving forward in building a live firing range at Litekyan. Construction crews have slowed but not stopped desecrating ancestral graves, wreaking environmental havoc while threatening already endangered species. Most frighteningly of all, the firing range threatens to contaminate a primary source of clean drinking water, a resource that once despoiled poses incalculable damage to our ecosystem and to human life itself. Thousands of bullets a day will be shot over the Guam Lens Aquifer which provides the island with 90% of its drinking water. This *should* by all rights be unfathomable, if not criminal. We cannot allow industry or spurious claims to national security to be prioritized over human life.

Accordingly, I lend my full and unmitigated support Resolution No. 55-36 which reaffirms our human right to safe, clean drinking water. I offer my testimony in full support of the Prutehi Litekyan/Save Ritidian organization and on behalf of all my fellow CHamorus and Guam citizens who hold the front lines of this crisis, I stand with you in full opposition to the building of the Live Firing Range Complex and separate hand grenade range that will cause irreparable damage to our island. I am asking that construction be halted immediately. The cost of our history, our land, our people, our future, our WATER is too high a price to pay.

It is for these fundamental and urgent reasons that I now write in strong support of the passage of Resolution 55-36 as noted above. While five hundred years may have passed since Magellan and his "conquistadors" first invaded the Marianas, let us not allow the past to repeat itself by allowing CHamoru hospitality to be once again misunderstood as an invitation to inflict harm upon our islands or our peoples.

Respectfully yours,

Professor Antoinette CHarfauros McDaniel

Hafa Adai,

I reach you from Kumeyaay Land home to the Yuman-speaking people of Hokan Stock, known today as San Diego, CA as a citizen and daughter of Guahan to affirm my support for Resolution No. 55-36, Prutehi Litekyan: Save Ritidian and all the prayers, efforts and organizers both home based on Guahan and in CHamoru diaspora, United States. I will leave the Big Science to the scholars and get straight to the roots of my thoughts.

I am grateful I have an opportunity to openly share and would like to be vulnerable enough to say that in early childhood I was too busy playing with the neni's to listen to why my grandparents we're meeting with others every week with their signs on the road waving at people's attention, showing up and listening to a man that spoke about Guam's main water source being under attack since the 1900's. A man that people went against. I Remember my grandparents always showing up and listening to this man, even when he left Guam for Hawaii my grandmother prayed for him, what seemed like was all day.

As An adolescent I was angry at the world and I ignored why my grandparents kept giving all their money to politicians on Guam every 2-4 years. I ignored each time I saw my grandparents get let down or abandoned by the same people they gave money, energy and support to. Promises left unkept. At 18 I left Guam for the United States, land of opportunity is what was told to me and so it is, but at 30 I see. I am not outraged, I am not saddened by the fact that I need to put black words on a white page to express the importance of our Water for our children. Because let's clear the smoke, IT IS HERE FOR OUR CHILDREN. Instead, I am filled with light and see the realities of the new acts our people face today. Because this is an act. An act of violence against our people and lands.

The Corona Virus Global Pandemic has shined light to the very dark cracks that all the children fall through in this world today. It has shown us the Pandemic of Youth Drug Abuse on Guam, the Realities of our peoples pains through the rise of sexual assault and abuse being done to our children and elders by our people and now their water? A natural resource that man has no business tampering with. A natural resource that man does not want to go against. Our daily actions today have influence on the four generations after us. Guam's Histories have shown us this as we face the results of our pasts today. I am not a child anymore. I am no longer angry. I am here, I am listening and I am watching.

I close this message with a softness. I call out to our Leaders of Guahan. I affirm your hard work and I uplift you. Your job is not easy but this is yours to do, so I come to gift you with Indigenous Science: Love, Compassion, Kindness, Understanding and CHamoru Values: Ina'gof'li'e and inafa'maolek as I encourage you to stand with Guam, Marianas in solidarity to protect our Natural Resources along with keeping indigenous lands in indigenous hands. I am in full support of Resolution No. 55-36 and Stand with Prutehi Litekyan: Save Ritidian



Charlene Flores <charlene@senatorperez.org>

Re: Public Comment to be Read Aloud

Office of Senator Sabina Perez <office@senatorperez.org>

Thu, Apr 15, 2021 at 3:45 PM

On Thu, Apr 15, 2021 at 3:00 PM Clarissa White

Please read aloud this public comment /testimony on 4/14/21 during the Zoom meeting discussing Resolution No 55-36.

Hafa adai todus hamyo', as a teacher, an activist, and an elected delegate to the California Democratic Party, I have witnessed avoidable tragedies that have occurred because people have been more taken with power and the appearance of control than with justice and human dignity. This is why I take a stand against continued military overreach in the Marianas. As someone who explains difficult concepts to children, I've thought of how to explain the continued degrading and harmful effects of exploitation of Marianas land and waters by the Department of Defense. **Please consider that intention should never outweigh the actual and probable sustained impacts of future tainted water sources and continued desecration of ancestral artifacts and preservation of our culture.** In this metaphor I'd use to explain colonization of the Marianas to children, I want us to think simply. Let's pretend the U.S. military is a childhood friend who saved another friend from a scary, unsafe situation. Let's say the U.S savior friend then decided to take the child who had experienced trauma's house for an indefinite amount of time and control the latter child's future use of space and resources, feeling fully entitled. Is this fair? Is this equitable? What are the consequences of continued Department of Defense projects that do not prioritize indigenous islanders' rights? With the U.S. military saving many CHamorros from Japanese occupation when my Nana was a child, many fall susceptible to believing that we must defer to military decisions even if they negatively impact the health, safety, and cultural longevity of our peoples. I do not hold this mindset.

I am writing to express my full and informed support of Resolution No. 55-36 in solidarity with the nonprofit Prutehi Litekryan/Save Ritidian that reaffirms access to clean water is a human right and highlights the importance of protecting Guam's sole source aquifer, the Northern Lens Aquifer. As many community members, including my peer Vinessa Dueñas of Allied Marianas and MASAKÁDA Collective, have stated:

I am a deeply concerned indigenous Chamoru woman and American citizen when I submit this testimony that expresses my full and informed support of Resolution No. 55-36. I express full opposition to the continuation of building the Live Fire training complex and separate hand grenade range on the island of Guam and overall the continued over militarization, rape, and desecration of our ancestral islands in the Marianas. Please consider how and if our future grandchildren will be able to steward the lands and waters safely, and if there will be safe, clean water in the future if this resolution should not pass. This is not a decision that should be taken lightly. It is past time we respect indigenous rights. It is past time we honor and preserve our land, waters, and culture.

Si yu'os má'ase,
Claire White of the Taijeron family



Office of Senator Sabina Perez <office@senatorperez.org>

Testimony for Resolution No. 55-36

2 messages

Clarissa Mendiola

Tue, Apr 20, 2021 at 9:52 AM

To: office@senatorperez.org

To Whom it May Concern,

My name is Clarissa Mendiola, a mother, poet, a member of the Pulan Collective (a CHamoru art collective based in the San Francisco Bay Area), and a member of the MASAKÁDA Collective (a group of off-island CHamorus working toward the demilitarization of Guáhan and the greater Mariana Islands. I'm writing today to express my deep opposition to the continued desecration and militarization of CHamoru land.

In 2012, while the US Military still had its eyes on Pagat, I had the opportunity to visit Litekyan, place so ecologically, anthropologically and culturally rich and meaningful to our people. Recent aerial imaging shows just how devastating the military construction has been on Litekyan: countless acres of **irreplaceable limestone forest** that took millenia to develop, shorn of its vegetation, flora, fauna, **ancestral settlements and corresponding artifacts**. The firing range **exposes the island's largest source of freshwater, the Northern Guam Lens Aquifer, to toxins and debris putting the health of our people at risk — our elders, our children, our babies**. Access to clean water is a basic human right, and we can no longer allow the CHamoru people to be sacrificed in the name of the US military industrial complex. The future of our people is at stake.

I fully support Resolution No. 55-36 that reaffirms our human right to safe, clean drinking water. I offer my testimony in full support of the Prutehi Litekyan/Save Ritidian organization and on behalf of all my fellow CHamorus and Guam citizens who hold the front lines of this crisis, I stand with you in full opposition to the building of the Live Firing Range Complex and separate hand grenade range that will cause irreparable damage to our island. I am asking that construction be halted immediately. The cost of our history, our land, our people, our future, our WATER is too high a price to pay.

Kon respetu,
Clarissa Mendiola



Charlene Flores <charlene@senatorperez.org>

Re: Resolution 55-36

Office of Senator Sabina Perez <office@senatorperez.org>

Thu, Apr 15, 2021 at 7:49 AM

On Wed, Apr 14, 2021 at 7:06 PM Clarissa Torres

wrote:

Though the circumstances are different, the theme is the same: betrayal of the Chamorro people.

Back in the times of the war, individual and different families of Chamorro people from Guam and Saipan were coerced into actions that were detrimental to the whole Chamorro community. The Japanese colonizers manipulated our people into doing what they wanted, using their life and the survival of their families as the carrot above their head.

Now in this present time, our government is being coerced into betraying our hinengge, kottura, languahi; our hanom, aire, guafi yan our tano through money and greed. Essentially, Survival of our peoples through outsiders and their money as the carrot dangling above our heads.

Yes, I can acknowledge that the military has helped our people in some ways. However, I will not be silent about the lies and disrespect of our ancestors and our land through their actions of taking away what never belonged to them. I will not back down, knowing that they have disrespected our ancestors by digging up their graves and putting them in some box or some office to be forgotten.

I know that our island and our people have problems already with respecting each other and taking better care of our land. However, time always shows that when we want a change, it has to begin with us. We as a people, and you as a government entity - we need to be working together to protect what has been passed down to us. Rather than looking at the problems, focus on the solutions to allow us to thrive.

Teach the younger generations the true meaning behind the Inifresi - not by your words, but through your actions. We have the abilities and means to nourish our land, to thrive off of our natural resources. We have the ability to connect to our land, respect our land and live off of our land - if we put our time and effort into it, just as our ancestors did. Those same ancestors whose bones and latte were so

disrespectfully disturbed.

If we don't act now in order to learn and integrate the actions that protect our land, our resources, our precious history - we will surely lose it all to the outsiders that you so freely give it up to. Please stop disgracing our people and our ancestors. I urge you, as a Chamorro and as a part of the government entity - live up to the Inifresi, our Chamorro Pledge.

*Ginen i mas takhelo' gi Hinasso-ku,
i mas takhalom gi Kurason-hu,
yan i mas figo' na Nina'siñã-hu,
Hu ufresen maisa yu' para bai hu Prutehi
yan hu Difende i Hinengge,
i Kottura,
i Lenguahi,
i Aire,
i Hanom yan i tano' Chamoru,
ni'Irensiã-ku Direchu ginen as Yu'os Tãta.
Este hu Afitma gi hilo' i bipblia yan i banderã-hu,
i banderan Guãhan.*

*Respectfully,
Clarissa Michelle Siguenza Torres*

Sent from my iPhone

Office of Senator Sabina Flores Perez

Committee on the Environment, Revenue & Taxation, Labor, Procurement, and Statistics, Research, and Planning
I Mina'trentai Sais na Liheslaturan Guãhan

36th Guam Legislature

O: 194 Hernan Cortez Avenue, First Floor, Terlaje Professional Building, Hagãtña, Guam 96910

M: Guam Congress Building, [163 Chalan Santo Papa, Hagãtña, Guam 96910](#)

T: (671) 989-2968

E: office@senatorperez.org

www.senatorperez.org



Charlene Flores <charlene@senatorperez.org>

Fwd: Resolution 55-36

Office of Senator Sabina Perez <office@senatorperez.org>

Thu, Apr 15, 2021 at 11:24 PM

----- Forwarded message -----

From: **Clarissa Torres**

Date: Thu, Apr 15, 2021 at 5:59 PM

Subject: Resolution 55-36

To: office@senatorperez.org <office@senatorperez.org>

I write today to remind each one of us - residents of Guam and the Government of Guam entity: Each and every human being is made up of the four elements: Earth, Air, Fire and Water.

When God created humanity, he made us from the clay of the Earth. The Earth element is connected to our digestive system which turns the food we eat into energy.

After creating our bodies, God breathed his life into us through the element of Air. Air is directly connected to our respiratory system and is the element that connects all living beings on Earth.

The air directly fans the Fire element within us. The Fire element is connected with our cardiovascular system, our passion for protecting the sacred Earth that God gave to us. It is even seen in portraits of Jesus and his sacred heart.

Lastly, we are connected to the Water element because our bodies are 70% water. Water is the fluid of our blood, immune system and is what washes toxins out of our bodies through our bladders.

No matter how much society has distracted us from the truth that God made us directly from these elements, it is the innate wisdom within our bones that our ancestors followed. Though we were not taught our ancestors' ways due to many years of colonialism and war, it is our sacred duty to protect God's creation and do our best with what we have - because it is our God given duty and it is in our Inifresi.

*Ginen i mas takhelo' gi Hinasso-ku,
i mas takhalom gi Kurason-hu,
yan i mas figo' na Nina'siñã-hu,
Hu ufresen maisa yu' para bai hu Prutehi
yan hu Difende i Hinengge,
i Kottura,
i Lenguahi,
i Aire,
i Hanom yan i tano' Chamoru,
ni'Irensiã-ku Direchu ginen as Yu'os Tãta.
Este hu Afitma gi hilo' i bipblia yan i banderã-hu,
i banderan Guãhan.*

Si Yu'os Ma'ase,
Clarissa Michelle Siguenza Torres

DELLE SWEGLER NADLER

OBSERVE ▲ DESIGN ▲ SOLVE

P. O. Box 1360

Hagåtña, GU 96932-1360

d snadler2014@gmail.com

808.312.0212

15 April 2021

Senator Sabina F. Perez
36th Guam Legislature
Hagatna, Guam 96932

Dear Honorable Senator Perez,

Please accept my endorsement of Resolution No. 55-36 (COR). My reason for supporting the resolution is that WATER is imperative to the survival of all living things on this planet, Earth; a necessary component for nearly all Earth processes; and used in commercial/industrial production of innumerable consumer products.

Safe, clean water to drink, cook and bathe is mandatory for our good health. It is a basic human right. Without safe and clean water, we are doomed. As a right, we have a duty to ensure that our water sources are protected, conserved and or restored for use; not only by us, humans, but including the animals which we depend on for a healthy, flourishing island ecosystem – livestock, fish in our near and far shores, agricultural production, Lemai, forests *et al.*

The whole of our island water sources are interconnected from the north – the Northern Guam Lens Aquifer – to the south – Fena Lake and Talofofu River, in the center – the Hagatna River and Swamp. Add to our water inventory, the prospect of all the wells – capped, abandoned or destroyed, note-worthy historic Spanish wells. All hold promise for safe, clean water and all are vulnerable to threats of degradation. Our priority is identifying what best nourishes us now and that which will into the future – the unique attribute of the Northern Guam Lens Aquifer.

Let us all commit to protecting Guahan's safe clean water provided by Northern Guam Lens Aquifer with Resolution No. 55-36 and celebrate that we've made the right choice with World Water Day 2021!

Peace,

Delle Swegler Nadler
Associate, Northern Guam Soil and Water District



Charlene Flores <charlene@senatorperez.org>

Fwd: Testimonies in Support of Resolution No. 55-36

Office of Senator Sabina Perez <office@senatorperez.org>

Fri, Apr 16, 2021 at 9:41 AM

----- Forwarded message -----

From: **Emily McMath**

Date: Fri, Apr 16, 2021 at 5:01 AM

Subject: Testimonies in Support of Resolution No. 55-36

To: <office@senatorperez.org>

Buenas yan háfa adai to PSLR and OCW670; in addition to all other allies and interested parties in support of Resolution 55-36:

Guahu si Emily, familian Cindo of Mong Mong. I am a CHamoru woman living in the Bay Area of California. My Nāna was born on Guåhan in 1938 and has passed her vibrant love for our land and culture down to her famagu'on. As she gets older, I look to her and feel fueled to advocate for positive change for our ancestral homeland of the Marianas.

Today, I write to you in honor of my Nāna, Josefa Mendiola San Nicolas, and an entire bloodline that grew from sacred land. I write to you to defend the land and water that nourished my Nāna and her family during her early childhood years of the War and beyond. I write to you in remembrance of manaina-ta whose bodies rest deep in the soil of the land we call home.

Access to clean and safe drinking water is a fundamental human right. It is as nurturing as it is nourishing, and it is our duty to fight to protect our Northern Lens Aquifer for current and future generations to come. As indigenous peoples, our connection to the land is what keeps us connected as a community.

Saina mã'ase for your time and for this very important community discussion.

Warmest regards,

Emily McMath

--
Office of Senator Sabina Flores Perez

Committee on the Environment, Revenue & Taxation, Labor, Procurement, and Statistics, Research, and Planning
I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

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I HAGAN FAMALÃO'AN GUÅHAN

April 20, 2021

Honorable Sabina Flores Perez
Senator, 36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagtna, Guam 96910

RE: Testimony in Support of Resolution 55-36

Håfa Adai Senator Perez and members of the 36th Guam Legislature,

On behalf of I Hagan Famalao'an Guåhan, we submit this written testimony in support of Resolution 55-36 and we thank Senator Sabina Flores Perez and her co-sponsors Speaker Therese M. Terlaje, Vice Speaker Tina Rose Muña Barnes, Senator Telena Cruz Nelson, Senator Clynton E. Ridgell, Senator Telo T. Taitague, and Senator Jose "Pedo" Terlaje for introducing the resolution, which is critical to reaffirming our human right to safe drinking and clean water in observance of World Water Day 2021, and recognizing the importance of protecting our Northern Guam Lens Aquifer and precious water resource in ensuring the health of our people.

I Hagan Famalao'an Guåhan (IHFG), Incorporated is an indigenous CHamoru Women's Association of Guåhan and is founded on the collective mission to enhance, promote, protect and foster the social, economic, cultural, spiritual and political well-being of CHamoru women, girls and gender-diverse people within the overall Guåhan community. IHFG honors the CHamoru women of Guåhan as the link of their mangåffa and the predecessors of todu i nanan-måmi (our mothers). IHFG is sustained by the kåhna (spirit force) of our ancestors and our sacred connection to our lands and waters. While IHFG centers CHamoru values in our work in order to accomplish our mission and implement our primary purposes, we also recognize that decolonization and demilitarization are the fundamental issues impacting the health, safety, and survival of our people. Thus, we support Resolution 55-36 and its intent to enter into public record our long painful history of environmental racism and violence that our island has endured as a result of imperialism, colonization, and militarization, as well as a commitment to protect water resources for genuine security and all future generations of Guåhan.

Our home is scarred by war and contamination that has never been cleaned up, including multiple Superfund sites that are not safe for us to live in. Our aquifer and water sources are

extremely vulnerable. Heavy metals, propellants, and other contaminants from the Live-Fire Training Range complex over our aquifer can cause permanent harm.

The U.S. military has the record of being the worst polluter in the world. There are many examples of military destruction and other human activities that have adversely impacted aquifers and water sources including Okinawa, Saipan, and Kohoolawe, Hawai'i. This horrible contamination continues to impact the lives of millions and millions of people.

As our co-mañelu Jessica Nangauta stated in her testimony on April 15, we all come from the sacred hånom of our mothers' wombs and clean water is needed to grow food and medicines for the spiritual and physical nourishment and healing of our people. Furthermore, the hånom of our life-giving aquifer should also be held sacred. Our very existence depends on it as we are not separate from the land and waters.

We humbly thank you for the opportunity to provide this testimony and we respectfully urge all Senators in the 36th Guam Legislature to support it. For any questions, please email haganguahan@gmail.com. Si Yu'os Ma'åse' yan Saina Ma'åse'.

Kon Respetu,
I Hagan Famalåo'an Guåhan

Testimony for Resolution No. 55-36

To Whom It May Concern;

My name is Joanie R. Leon Guerrero member of the MASAKÁDA Collective. We are a group of CHamorus and allies working together to end the U.S. military occupation of Guåhan and the continued militarization through out our sister islands in the Marianas. As a CHamoru woman, and a deeply concerned U.S. citizen I am appalled that at this late hour our voices continue to be ignored, that our agency continues to be denied and that our future generations continue to be disregarded.

We cannot allow the U.S. military to continue the construction of a live firing range at the site of Litekyan. The US military is the largest and most powerful in the world and that power comes at great cost. What is the price of supporting 5,000 more troops on our tiny island or building a live firing range that spans 900 football fields. This firing range destroys 1200 acres of pristine limestone forest, desecrates our ancestral remains, will cause higher rates of cancer, death of marine wildlife and native flora and fauna that is home to already endangered species and most frighteningly of it threatens to contaminate our drinking water, essential for life. This firing range will spill thousands of bullets a day over the Guam Lens Aquifer that provides the island with 90% of its drinking water. We cannot allow industry to be prioritized over human life.

I fully support Resolution No. 55-36 that reaffirms our human right to safe, clean drinking water. I offer my testimony in full support of the Prutehi Litekyan/Save Ritidian organization and on behalf of all my fellow CHamorus and Guam citizens who hold the front lines of this crisis, I stand with you in full opposition to the building of the Live Firing Range Complex and separate hand grenade range that will cause irreparable damage to our island. I am asking that construction be halted immediately. The cost of our history, our land, our people, our future, our WATER is too high a price to pay.

Kon respetu,

Joanie R. Leon Guerrero

Jona Nicklin
Alameda, C.A.
April 13th, 2021

RE: Testimonies in Support of Resolution No. 55-36

Virtual salutations, and sincerest greetings to PSLR and OCW670; in addition to all other allies and interested parties in support of Resolution 55-36:

My name is Jona, and I am a CHamoru womxn living in the SF Bay area of California. I was born on a military base in Fort Knox, KY and not in my cultural homeland—though I have always been honored to call the Pacific Ocean my true homebase in the purest sense of the word.

Familiar to far too many in the Commonwealth, militaristic colonialism, intergenerational trauma and diasporic regenesi is a multifaceted narrative thread that thirsts for raw, positive change.

Water is our collective life force; it is intrinsic to—and sustains—each and every one of us. It embraces our shores and our souls with metaphysical, maternal touch. It is as nurturing as it is nourishing, and we all must fight to protect our Northern Lens Aquifer with every ounce of courage we can manifest together: with unconditional support of one another, and for the planet we must defend.

Thank you for the opportunity to partake in this community discussion. I wish everyone good health, and a bright future in the days ahead.

Warmest regards,
Jona



Charlene Flores <charlene@senatorperez.org>

Fwd: SUPPORT RESOLUTION 55-36

Office of Senator Sabina Perez <office@senatorperez.org>

Tue, Apr 20, 2021 at 1:45 PM

----- Forwarded message -----

From: **MaryLou**

Date: Tue, Apr 20, 2021 at 1:13 PM

Subject: SUPPORT RESOLUTION 55-36

To: <officeofsenatorshelton@guamlegislature.org>, <senatorjoessanagustin@gmail.com>, <officeofsenatormoylan@guamlegislature.org>, <office@senatorfrankblas.com>, <senatormary@guamlegislature.org>, <senatorvanthonyada@gmail.com>, <office@senatorjoannebrown.com>, <senatorchrisduenas@gmail.com>

Håfa Adai Senadot siha,

I support resolution 55-36 and you should too.

Introduced by Senator Sabina Perez, Res. 55-36 reaffirms our access to safe and clean drinking water and the importance of protecting our aquifer. It is unfortunate that our community has to fight to protect our human right to safe and clean water made vulnerable by military destruction and contamination and other human activities.

The SEIS indicates that over extraction of water from the aquifer can cause salt water intrusion which is irreparable! The military buildup is set to include an increased annual withdrawal of groundwater at 1.7 million gallons EACH DAY.

The SEIS also indicated an increase in the rate of sewage spillage impacting groundwater quality from exposure to additional raw sewage and higher levels of chloride concentrations in the aquifer.

As it stands, we are already experiencing high levels of PFOS and PFAS in our tap water due to flame retardant chemicals used on AAFB which sits above our Northern Guam Lens Aquifer. There is evidence that exposure to PFAS can lead to adverse health outcomes in humans. The most-studied PFAS chemicals are PFOA and PFOS. Studies indicate that PFOA and PFOS can cause reproductive and developmental, liver and kidney, and immunological effects in laboratory animals. Effects of long term exposure to high levels is not fully understood.

Only 7 out of the 15 senators supported this resolution so far. Why? This is a human right of all your constituents, all who call Guam home, and you and your families. Clean water is a human right. Lina'la' i hanom!

I am so grateful to the co-sponsors of this resolution: Speaker Therese Terlaje, Sen. Telena Nelson, Sen. Clynton Ridgell, Sen. Jose "Pedo" Terlaje, Vice Speaker Tina Rose Muña Barnes, and Sen. Telo T. Taitague.

Si Yu'os ma'åse'!
si Maria Cristobal Calori

Office of Senator Sabina Flores Perez

Committee on the Environment, Revenue & Taxation, Labor, Procurement, and Statistics, Research, and Planning
I Mina'trentai Sais na Liheslaturan Guåhan
36th Guam Legislature



Charlene Flores <charlene@senatorperez.org>

Fwd: Res 55-36 Protect Our Hånom

Office of Senator Sabina Perez <office@senatorperez.org>

Tue, Apr 20, 2021 at 1:55 PM

----- Forwarded message -----

From: **Maria Hernandez**

Date: Tue, Apr 20, 2021 at 12:36 PM

Subject: Res 55-36 Protect Our Hånom

To:

Hafa Adai Senators:

I am writing to you today as a daughter of Guam and mother of three.

I urge you to support Resolution 55-36: Relative to reaffirming our human right to safe drinking and clean water in observance of World Water Day 2021, and recognizing the importance of protecting our Northern Guam Lens Aquifer and precious water resource in ensuring the health of our people.

This is common sense legislation that should be at the forefront of the conversation, especially at this critical point in time as our clean water source is under threat of contamination. Our access to clean drinking water is not only an environmental and cultural issue. It is a public health issue. It is a human rights issue. Our community really must question those senators who choose to not support this legislation to protect our community's access to clean drinking water: You have signed up for a job in public service and a very basic part of that is ensuring the protection of our basic human rights, including clean water.

Our sole source aquifer provides our island with 80-90% of our drinking water and is at risk of contamination due to development, including the construction of a U.S. Marine Live Fire Training Range Complex above our main water source. 6.7 million rounds of ammunition would be expended annually, and lead and other heavy metals are known to accumulate in soils at training ranges, thus adversely affecting the health of our aquifer.

In a 2017 roundtable held by Sen. Frank Aguon on the military gun range, military officials were questioned by community members about the effects of heavy metals leaching into our aquifer, as well as the impacts of aerosolized lead dust on the surrounding community. The DoD was asked to provide more information on these topics in the days after the meeting, but failed to do so. Because of their lack of response, these questions still linger within the minds of concerned community members. We deserve answers.

Additionally, the military's Supplemental Environmental Impact Statement (SEIS) has indicated that the over extraction of water from the aquifer can result in salt water intrusion that can irreparably harm our aquifer, yet their plans for the buildup include an increased annual withdrawal of groundwater of 1.7 million gallons each day. The SEIS also indicated an increase in the rate of sewage spills impacting groundwater quality from potential exposure to additional raw sewage, and higher levels of chloride concentrations in the aquifer.

I am also concerned after reading a 2016 study in Scientific Reports journal found that moderate tree cover can increase groundwater recharge and that tree planting and various tree management options can improve groundwater resources. With the amount of trees that have been cleared for buildup projects, I am deeply concerned about the ability of our aquifer to adequately recharge. (<https://www.nature.com/articles/srep21930>)

As island leaders and public servants, you need to be a voice for the community. Public health and human rights must come before special interests. I am highly disappointed in those who choose to not support this legislation and will remember the names of those who fail to protect our right to water come election season. There is still time to sign on to this HIGHLY CRITICAL legislation.

Un Dangkulo' na Si Yu'os Ma'ase' to the seven senators who have signed on thus far and truly heeded their call to public service. You have chosen to be a strong voice for public safety. You are greatly appreciated.

Senseramente,
Maria Hernandez

--
Office of Senator Sabina Flores Perez

Committee on the Environment, Revenue & Taxation, Labor, Procurement, and Statistics, Research, and Planning
I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

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www.senatorperez.org

Maria Jesus

18 April 2021

Delivered via electronic submission to office@senatorperez.org

Senator Sabina Florez Perez
194 Hernan Cortes Avenue, 1st Fl.
Hagåtña, GU 96910

Re: Resolution No. 55-36

To Whom It May Concern:

I am writing as a descendant of CHamoru people and US citizen, currently living in the state of California, to express my support for Resolution No. 55-36. I stand in solidarity with the CHamoru people and Guam citizens to ensure their right to safe drinking water and sanitation.

I am a graduate student and I work in Eastern California where conflicts over water have been ongoing since the early 1900's and have resulted in numerous costly legal battles. As a botanist and conservation chair for a local organization (The California Native Plant Society, Bristlecone Chapter), I have seen first-hand the devastating environmental and cultural impacts of groundwater extraction. Furthermore, I am aware of efforts by The Department of Interior, National Park Service, to remove a small number of bullets and bullet fragments from lands under their jurisdiction because of the great risks to human health and the environment (Source 1). Due to strong environmental laws and a culture of enforcement in the State of California, I am hopeful that these problems will be resolved.

Recently, after great public outcry, the US Air Force halted their planned expansion of a bombing range onto Indigenous lands in the State of Nevada. The loss of sacred of Indigenous lands and important wildlife habitat would have been too great. Ultimately, Congress finalized a bill that is intended to protect this important landscape from military expansion (Source 2).

In comparison, I find the permissiveness surrounding the construction of the Live Fire Training Range Complex stands to be deeply upsetting because of the potential for severe and lasting negative consequences for the human and environmental health on Guam – a place which has already paid a high price for military occupation. Agencies tasked with protecting Guam's drinking water, environment, and species of concern must be held accountable. I fully support Resolution No. 55-36 and thank you for this opportunity to give my testimony.

Respectfully,



Maria Jesus

Additional Sources

Source 1: <https://parkplanning.nps.gov/projectHome.cfm?projectID=89477>

Source 2: <https://www.refugeassociation.org/news/2020/12/11/congress-finalizes-bill-to-protect-the-desert-national-wildlife-refuge>

The Honorable Sabina Flores Perez
Chairperson
Committee on the Environment, Revenue & Taxation,
Labor, Procurement, and Statistics, Research, and Planning
I Mina'trentai Sais na Liheslaturan Guåhan

Micronesia Conservation Coalition

Sunday, April 18, 2021

Support for Resolution 55-36 (COR)

The Micronesia Conservation Coalition is a non-profit organization dedicated to the preservation of marine life and ecosystems, particularly within Micronesia, through research and community-based work. We strongly support the passing of Resolution 55-36 (COR) in hopes to protect our island's aquatic wildlife and habitats, limestone and ravine forests, historical and cultural sites and artifacts, and the Northern Guam Lens Aquifer ("NGLA") from further contamination from human activities and development. As a primarily marine-based organization, we want to emphasize the importance of clean waters, not just for the benefit of our terrestrial and aquatic wildlife and their resources and habitats, but for our CHamoru people, whose relationship to water is sacred as it serves as the source of life.

The NGLA is at high risk of water contamination due to undertakings by the Department of Defense ("DoD") and Anderson Air Force Base ("AAFB"). The construction of the Live Fire Training Range Complex ("LFTRC") would not only pose a threat to critically endangered terrestrial species, such as the *Serianthes nelsonii* ("*hayon lagu*"), through substantial deforestation, but the DoD has also disclosed that lead and heavy metals are known to accumulate in soils at training ranges, thus risking contamination of the aquifer and further harm to our people.

The connection between nature and people cannot be ignored. The CHamoru people have lived as one with their land and waters for centuries. Deforestation, heavy metal accumulation, and terrestrial and aquatic pollution and contamination hold an effect not just on our natural environment, but on our *people*. Disease and death among our island's peoples have increased rapidly and substantially throughout the years that military activities have begun altering our terrestrial and aquatic habitats and resources. With the imminent possibility of climate change having an effect on our water resources as the demand for water is predicted to increase significantly, our people are in dire need of environmental justice, now more than ever.

When we recite the *Inifresi*, we say, "*Para bai hu prutehi yan hu difende I HINENGGE, I KOTTURA, I LENGQUAHI, I AIRE, I HANOM, yan I TANO' CHAMORU.*" As all islanders should, we will protect and defend the beliefs, the culture, the language, *the air, the water, and the land* of the CHamoru. We, as an organization, wholeheartedly agree with the passing of Resolution 55-36 (COR) as we stand firm in our beliefs that, in accordance with Article 25 of the United Nations Declaration on the Rights of Indigenous Peoples ("UNDRIP"), the people of Guåhan have the rights to "maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters, and coastal seas and other resources." Our people deserve the rights to clean water and untainted land, free from any further human-caused ecological disturbances.

The Resolution states, “the authority of federal agencies often supersedes Guam’s territorial authority, and government of Guam entities often lack the power, resources, and means to effectively hold the DoD responsible due to federal exemptions from environmental agency regulations” (p. 4, lines 4-7). It is true: holding DoD responsible for the harmful effects the proposed projects will have on our island and our people may prove difficult, considering our current political status. But it is with resolutions like this, where we can stand in solidarity against further environmental injustices, that we can take our first steps towards the positive change our island deserves.

We thank you for this opportunity to testify.

Signed:

Belinda Baird
Hannah Blocksom
Ashley Castro
Christen Dimalanta
Vince Fabian
Natasha Hagans
Julie Hartup
Skye Patino
Katherine Perez
Leilani Sablan
Camille Quichocho



April 15, 2021

To: I Mina' Trentai Singko Na Liheslaturan Guåhan

HEARING: Thursday, February 15, 2021 at 3:00PM,

RE: Testimony in **SUPPORT** of Resolution No. 55-36: RELATING TO THE PROTECTION OF THE NORTHERN GUAM LENS AQUIFER

Introduced by: Senator Sabina Perez

The National Association of Social Workers (NASW) is the largest membership organization of professional social workers in the world. NASW works to enhance the professional growth and development of its members, to create and maintain professional standards, and to advance sound social policies. The primary mission of the social work profession is to enhance human well-being and help meet the basic human needs of all people, with particular attention to the needs and empowerment of people who are vulnerable, oppressed, and living in poverty. A historic and defining feature of social work is the profession's focus on individual well-being in a social context and the well-being of society. Fundamental to social work is attention to the environmental forces that create, contribute to, and address problems in living.

One of our core values as a profession includes social justice, thus NASW has been continuously concerned over the human rights violations of the indigenous CHamoru people of Guam due to colonialism and increased militarization of the island by the United States government and military. NASW recognizes the denial of the collective political self-determination of the indigenous CHamoru people as a violation of our code of ethics, requiring social work advocacy in support of political decolonization efforts in the Marianas. In addition to political self-determination, the indigenous CHamoru people of Guam have the right to access basic human needs that ensure prosperity and quality of life. The basic human right to clean water is threatened by the proposed U.S. Marine Live Fire Training Range Complex that may, as identified in the DoD Supplemental Environmental Impact Statement, contaminate the Northern Guam Lens Aquifer by the anticipated 6.7 million rounds of ammunition to be expended near the Aquifer. The continued increasing presence of the U.S. military on Guam also threatens to cause irreparable harm to the Aquifer by the increased annual withdrawal of groundwater to 1.7 million gallons per day. The people of Guam cannot afford to take these risks to the island's primary water source, the indigenous CHamoru people whom have inhabited these islands for centuries are determined to preserve and protect the island and resources, such as the Aquifer for posterity.

Resolution 55-36, in honor of World Water Day, reaffirms our human rights to clean and safe drinking water requiring our protection of the Northern Guam Lens Aquifer of which

provides our island with 80%-90% of this vital life source that we cannot live without.
NASW is in **full support** of Resolution 55-36.

Respectfully submitted,

Terilynn Francisco, LCSW
National Association of Social Workers,
Guam Chapter President-Elect



Office of Senator Sabina Perez <office@senatorperez.org>

Water Aquifer, World Water day

2 messages

Thu, Apr 15, 2021 at 7:08 AM

To: Office@senatorperez.org

In response to my opinion in RES NO. 55-36 (COR), there is a lot to consider when it comes down to the livelihood of Guåhan's native people, Chamorus, as well as others living here. For years our people have been waiting for justice that should've been considered since the 1940's. Now, years have passed and a few things have not changed. Although, there has been the extinction of some of the wildlife, as well as possible contamination to our environment. It is also true that there will be an "extinction" of ourselves and our children with the continuing deterioration of our lands and culture. If Guam's water source is to be contaminated, how will this effect our children mentally, physically and emotionally? Will this cause them to birth children with disabilities? Has this research been conducted? Do the lives of the Chamoru people matter to anyone? Does the fact that our people believe in preserving the lands, water and its natural habitat matter? For so long, we have been protecting the natural resources, as well as the animals and plants, and we just ask for the respect from anyone who has made a life here to keep what we have sacred. Preserve the lands for the wildlife to live peacefully. In order to do that, we must stand together to save the water. We all can live without food for a few days but without clean water, we become weak. This is true for our environment and its wildlife surrounding Guåhan. The buildup must stop! This will hurt us all in many ways other than human life, it will hurt our environment, something the world has been trying to make better.

Dispensa sa' I am on vacation (on Guåhan) and I don't have my laptop to make a word document. I hope this provides a little help to those working hard to save our water resources.

Si yu'us ma'åse,

Natalie "Sissy" Santos Velasco

April 15, 2021

Senator Sabina Flores Perez, Chairwoman
Legislative Committee on Environment, Revenue and Taxation, Labor, Procurement,
and Statistics, Research and Planning
36th Guam Legislature
Guam Congress Building
Hagatña, Guam

Buenas yan bafa adai, Honorable Chairwoman Sabina Flores Perez, Vice-Chairperson
and Speaker Therese M. Terlaje, Senator Telen Cruz Nelson and Members of the
Committee:

Thank you for introducing Resolution 55-36(COR) *“Relative to reaffirming our human right to safe drinking and clean water in observance of World Water Day 2021 and recognizing the importance of protecting our Northern Guam Lens Aquifer and precious water resource in ensuring the health of our people.”*

I am here to testify in favor of this earth-shattering resolution with its proper distribution internationally, nationally and our local government leaders. My name is **Hope A. Cristobal** and I chair the Northern Soil and Water Conservation District Board mandated under 5 GCA Chapter 71. As stewards of soil and water conservation, **all** elected board members are on a constant mode of advocating for soil and water conservation practices, good soil health and water protection throughout the island. The collaborative spirit between the Southern Soil and Water Conservation District Board and the Northern Soil and Water Conservation District Board make it possible for many projects to occur--one of which is a contamination study of Guam.

We felt that we needed a study that would better inform as to the state of our island’s soil and water in order to more adequately program conservation practices. It is common knowledge that the U.S. military uses a variety of highly toxic substances and having operated their bases in over 75 years on Guam with the AAFB being located over the NGLA elevated our concern about the safety for human consumption and the availability of water for the agricultural community from the municipal wells. Northern Guam’s soil is relatively thin with basically a veneer of soils that filter water seeping into the NGLA. High nitrate levels have been reported in runoffs of surface water in central and southern Guam. In and around military bases, toxics buried in the soil including the airfields, naval ports, residential areas,

surrounding civilian communities do seep into the aquifer, groundwater and surrounding coastal waters.

In this, Guam shares a history of contamination with many US and overseas military base communities. But the contamination here in Guam is more severe than at or around many US domestic bases for a variety of reasons. These include the high concentration of military bases per square mile (28% of our lands is under DOD control in Guam); Guam's non-sovereign status and its effect on attitudes towards our people's health and well-being; Guam having been a battlefield in WWII and a central launching pad for the war in Vietnam in particular, including Guam's lack of visibility in the US national press which has helped expose contamination problems elsewhere.

The following include the chemical footprint of the US military:

(1) Use of extremely high volumes of petroleum fuels, including jet fuel, diesel, gasoline, benzene, perchlorate, and their combustion byproducts (the US military used 86 million barrels of fuel in FY2016 for operational purposes.¹ Air Force bases are the heaviest consumer of these fuels.

(2) Extensive use of herbicides to create perimeters around bases and training areas, and to defoliate areas from which enemy exclusion is sought including Agent Orange.

(3) Extensive use of pesticides in military buildings, particularly in foreign and tropical environments including, in the past, DDT and chlordane.

(4) Use of strong solvents to wash down jets, ships and tanks. These include trichloroethylene (TCE) and perchloroethylene (Perc). Also known as VOCs (volatile organic compounds), their health effects include damage to the nervous system and skin especially. These chemicals are easily converted to gas from liquid form and, when inhaled, damage the lungs. They cause cancer and birth defects. (The Camp LeJeune case of TCE contamination is instructive.)

(5) Engine maintenance products.

(6) Heavy metals with high toxicity including such things as the arsenic and lead used in ammunition. Training ranges can use millions of rounds a year, only some of which is or was collected after it is spent.

(7) Radioactive materials used in munitions from DU (depleted uranium) to nuclear missiles.

Many of these chemicals are used in domestic, civilian contexts as well, of course, but what makes their toxicity and impact on human health often so much more severe in military applications are several things, including:

(1) The idea that national security institutions' needs trump all other institutional or human needs and that it allows for less democratic openness/more secrecy in its operations.

(2) The related intense investment in military institutions which allows for higher rates of consumption of the toxins than would otherwise be the case in more resource-limited contexts.

(3) The inequality that exists in places like Guam where the military has chosen to place its facilities. They tend to be in poorer rather than wealthier areas, whose residents have more clout in Washington. The military operates its bases in Guam with the impunity that comes with Guam's colonial situation.

(4) Exposure of enlisted personnel to contaminants on bases (and, as workers with those substances, often more extremely exposed in those short periods of their deployment, presumably creating incentives to control contamination)—those personnel who have limited time on island, their exposure to the contaminants in comparison with lifetime residents.

It is the highly predictable or consistent chemical footprint of the US military that impressed the need for our respective Boards to do the study on behalf of our farmers and ranchers, agricultural community and our own island residents.

Furthermore, the egregious effects of Guam's massive militarization with the live-fire training ranges, the grading and destruction of huge swaths of limestone forests and habitats of indigenous flora and fauna are obvious conservation concerns. (This includes the destruction of traditional CHamoru villages with sacred burial grounds of village residents.) All these and more, provide an overview that summons us to our senses to ask more questions, search for answers leveraged by our inalienable human right to water, clean and safe water, for all living things within our small island ecosystem.

We have been working on the contamination study for over a couple years now. Although we have to wrap up the Study, with an expected completion by July 2021, we are not able to complete our map of historical contaminated sites because of the failure of the military to share their data requested in our FOIAs. We find that the US military is not responding in a helpful way to our FOIA so that we may know what the water impacts have been more fully.

Our respective conservation district boards (Southern SWCD and Northern SWCD) will be able to share our findings in a more complete document this coming July.

Due to the short time allowed for us to dig up information for your committee, we can only provide:

- (1) The salinization map which shows the overdraw on Guam's water resources over time, degrading water quality;
- (2) The creation of a Superfund site on Andersen AFB that still has not been cleaned up 25+ years after its designation and failing to release their toxic measurements from the site;
- (3) The approximately a dozen unremediated FUDS which can have been leaking toxins into the water supply from World War II on;
- (4) Numerous jet fuel spills along the pipeline over decades from the Navy port over the aquifer to Andersen and numerous spills at Andersen;
- (5) Various sites returned to the people of Guam without remediation over the years, some of which cannot allow normal human use and have potential water polluting effects.

Thank you again! Si Yu'os ma'åse'! To celebrate World Water Day in Guam is a dream. We await the day when our celebration is not only justified, but truly and honestly meaningful and fulfilling.



Hope A. Cristobal, Chairperson, NGSWCD



Erica A. Pangelinan, Manager, SGSWCD
#126 CNAS-UOG - Mangilao, Guam

ⁱ <https://www.acq.osd.mil/eie/Downloads/OE/FY16%20OE%20Annual%20Report.pdf>, p. 3. This amount does not include fossil fuel use for installation uses, which take an additional 35 million barrels.

Nolan Flores
April 15, 2021
Testimony in Support of Resolution No. 55-36
Senator Sabina Flores Perez, Chairperson

Håfa adai, Senator Perez.

Guåhu si Nolan Flores. si Yu'os ma'åse' pot i este na oppotunidå.

I provide this testimony in support of Resolution No. 55-36.

This resolution recognizes the importance of the Northern Guam Lens Aquifer to the wellbeing of our entire island environment, and further acknowledges both the ongoing and impending effects that expanded military activity will have on this critical resource and the greater health of our island and our people.

A 2019 report on the potential impacts of climate change on Guam's water resources conducted by the U.S. Geological Survey finds that the NGLA, Guam's most important groundwater source will be greatly threatened by the effects of climate change. The report finds a "projected 19-percent decrease in recharge and increased sea level on groundwater resources," which will ultimately "decrease water availability from the NGLA" (p. 22, 29). In recognizing and proactively addressing this projected decrease in water availability, *Liheslatura* just last year passed into law Bill No. 405-35, which established a task force to explore the creation of a groundwater conservation area on certain GovGuam properties overlaying the NGLA. The Department of Defense's actions within the fence therefore run counter to these efforts and threaten our critical resources beyond the fence.

The Department of Defense itself recognizes the potential risks posed by the Live Fire Training Range Complex, stating in the 2015 SEIS, that range operations "have the potential to

leach MCs [Munitions Constituents] to the water" (p. 5-332). Their solution for this? Inspections, best management practices, and assessments every 5 years. Despite these so-called assurances, we need not look far to see examples of military negligence and instances of contamination of critical water resources. Perhaps the best, or should I say worst, instance is occurring in Okinawa, the site of Futenma Marine Base and Kadena Airbase, with PFAS, the toxic, cancer-causing substance that is currently the center of a multi-state lawsuit and is known to have contaminated water supplies here in Guam and around military bases within the U.S. and throughout the world. In Okinawa, according to an interview by the intercept with Jon Mitchell, author of the book *Poisoning the Pacific*, Okinawa's main water source, which serves 450,000 people has been severely contaminated with PFAS, causing "the highest level [of PFAS] ever recorded in a river in Japan" and extremely elevated blood levels of PFOS among residents of Okinawa. What caused this contamination? The article details several U.S. military "accidents" at Kadena and Futenma, including a military barbecue which inadvertently set off the firefighting system, a drunk marine initiating the sprinkler system as an act of vandalism, and a malfunctioning sprinkler system that discharged tens of thousands of liters of PFAS foam. The military's negligence is best summed up by this excerpt from the article.

"in April when a bunch of Marines were in quarantine because of the coronavirus in a hangar on Futenma Marine base in Okinawa. They decided to have a barbecue. The heat from the barbecue triggered the AFFF system. And then the Marines kind of panicked. The doors of the hangar had not been shut for 10 years, and they were impossible to close. So most of the foam escaped into the local community. When the fire team finally arrived, they didn't have a key to the room to turn off the fire system. And so the sprinklers were firing for 25 minutes nonstop, and there was so much foam it went into the playground and the nearby river" (Lerner, 2020, para. 10).

Okinawa has since been forced to filter its drinking water to reduce the high levels of PFAS.

Perhaps unsurprisingly, the U.S. is not paying for this filtration, and it is instead being footed by Japan. We cannot allow our island's primary source of drinking water to meet this same fate.

Madam Chair, the military's pollutive past and culture of contamination are reason enough for our island to oppose the construction of the LFTRC and oppose any expansion to military activity within our lands and waters. At risk is the very water that we drink, shower, and brush our teeth with. At risk is the very health, safety and wellbeing of our people. Not just our children, but us here today. This buildup, the increase in military activity, and the threat of contamination that come with them are not occurring soon or in several years. They are occurring now. The threat to our water already exists. We must act now. I thank you for furthering the protection of our vital resources with this resolution and I urge all our leaders and our entire community to unite around our water and take real steps toward change. This fight to protect our water, the most essential thing to human life, is a fight for our lives.

Hu agradezi i tiempon-miyu. si Yu'os ma'ãse'.

Kon respetu



Nolan G.T. Flores

References

- Lerner, S. (2020, November 7). U.S. military responsible for widespread PFAS pollution in Japan. *The Intercept*. Retrieved from <https://theintercept.com/2020/11/07/military-pfas-pollution-japan/>.
- U.S. Geological Survey. (2019). Water resources on Guam - potential impacts of and adaptive response to climate change. Retrieved from <https://climateandsecurity.org/wp-content/uploads/2019/10/usgs-guam.pdf>.



Office of Senator Sabina Perez <office@senatorperez.org>

Resolution 55-36

2 messages

Othilia Rose Figueroa Boyd-Farrell

Thu, Apr 15, 2021 at 8:09 AM

To: "office@senatorperez.org" <office@senatorperez.org>

Hafa Adai and Good Morning Senator Perez,

I hope this email finds you well. Thank you for introducing the resolution 55-36. We should have access to clean and safe drinking water and the increased military buildup threatens our Northern Aquifer and our freedoms. It just doesn't make sense why they are continuing with the military build up, especially when all the reports have proven to be horrible to the island and all residents. Clean water is the first step to sovereignty so it makes me wonder if this is the end goal of the DOD? To make our island completely uninhabitable so that we are all forced to leave? So there's no one left but the armed forces here living off of our land like we should be? They want our island so bad that they are willing to poison an entire Indigenous population to extinction? I have so many questions and they owe us answers. Saina Ma'ase for your resolution and for fighting for us all. We need more leaders like you.

Sincerely,

Othilia Rosie Taitano Figueroa

Familian Charot

(Granddaughter of Jesus Cruz Taitano and Isabel Quichocho Taitano of Sinajana)



ourcommonwealth670@gmail.com - www.ocw670.com – #ourcommonwealth670
Saipan, Commonwealth of the Northern Mariana Islands

Via Electronic Mail

April 15, 2021

Letter of Support Re: Resolution No. 55-36

Hafa Adai Senator Sabina Perez,

We are writing in reference to Resolution No. 55-36 (COR) to support the protection of our most critical resource: water. Militarization poses an urgent and extreme danger to the protection of Guahan's aquifers and water sources. As a CNMI community advocacy group dedicated to increasing awareness and education about the consequences of militarization throughout the Marianas archipelago, we write to show our support of this resolution and stand in solidarity with our brothers and sisters on Guahan to protect our islands' precious resources and sacredness.

Sincerely,

Theresa (Isa) Arriola
Chair, Our Common Wealth 670



Testimony supporting Resolution 55-36

2 messages

Guaiya

Tue, Apr 20, 2021 at 9:25 AM

To: office@senatorperez.org

Hafa adai! Guahu si Tiffany Borja Sablan. I a member of the MASAKADA Collective who currently resides in San Francisco and writes to you as a concerned Chamoru in support of Resolution 55-36.

At an early age, Chamorro kids are taught the Guam Pledge, Inifresi: Prutehi Yan hu defende . . . I Hanom Yan I tano I Chamoru which means to protect and defend the water and land of the Chamorro people. Resolution No. 55-36 brings to light all the major concerns that go against our pledge and reaffirms that access to safe and clean drinking water is a human right and recognized the importance of protection of our Northern Guam Lens Aquifer (NGLA).

It is deeply concerning that both the Environmental Protection Agency (EPA) and Department of Defense Supplemental Environmental Impact Statement (SEIS) have submitted concrete findings that show much harm to the island and the Chamorro people should the continuation and build of the Live Fire Training Range (LFTR) be continued and not paused. The NGLA provides 80% of Guam's drinking water and is composed primarily of limestone bedrock that took millennia to develop. It is not only important that we protect our water resource, but also the limestone forests that is intrinsic to our island.

In 1995, I asked my parents for \$50 to purchase a necklace made by a local artist from Chelu. At only 10 years old, I was drawn to this piece even though it was in my parents' eyes a "piece of rock". I still recall my dad marching up to Mr. Rosario asking why he would sell a piece of rock for \$50 to a 10-year-old. Mr. Rosario explained that the rock we were looking at was limestone and was an integral part of our Chamorro landscape. If neither I nor my parents knew what that rock was back in 1995, I wonder how many other Chamorro's continue to live on our island without knowing the true value of our land. I worry that my \$50 necklace will soon be priceless because of the deforestation and destruction of land being taken over by the military.

Today, I am writing in solidarity with Prutehi Litekyan Save Ritidian and the Chamorro people in the Masakada Collective to protect and defend our island from moving forward with the military's development of the Live Fire Training Range (LFTR). I am writing in support and urge the United Nations Special Rapporteur on the Human Rights to Safe Drinking Water and Sanitation, and the United Nations Special Rapporteur on the Rights of the Indigenous Peoples to undertake an official visit to Guam and urge the Guam Environmental Protection Agency to uphold its mandate, established in 10 GCA Ch. 45, to ensure a high quality environment be maintained at all times preventing pollutants (physical, chemical and biological) into our water supply.

Si Yu'us Ma'ase,

Tiffany Borja Sablan

April 18, 2021

Tomika Velarde

To whom it may concern,

My name is Tomika Velarde, a CHamoru woman living in Western New York and I am writing to give my full support of Resolution No. 55-36.

Today I have a cautionary tale, one that takes place not far from where I currently live. Some time ago, before my mother was born in Guam, here in New York a dam was being built. This dam highly compromised the drinking water of the nearby Tuscarora Nation, yet the US government did nothing. As time passed, my mother grew up, joined the military, and started a family. Meanwhile, the Tuscarora Nation here in New York found their water increasingly tainted by lead and contaminated by sewage, yet the US government did little. This past year, my mother worked her last year before retirement, and the Tuscarora Nation held water bottle drives to have clean water to drink and cook with. In the time from my mother's birth to her retirement from her second career, the Tuscarora nation has rarely had access to clean and safe drinking water.

Here, on the US mainland, the US government has proven time and time again that the protection of life-giving water is not a priority. When I hear that contamination to the aquifer in Litekyan due the construction of a Live Fire Training Range Complex and increased extraction is inevitable, I have to wonder, will the US government show the same lack of concern for my aunts, uncles, cousins, nieces, and nephews that they have shown for the people in US cities who live with contaminated drinking water everyday? Will they clean up the mess in the timeframe of Flint, Michigan that is just barely getting clean water after 10 years or will they allow the contamination to remain for decades as they have with the Tuscarora Nation?

Water is too precious a resource and too important to life to allow the source to be so easily compromised. Prevention is worth more than the cure, especially if the cure is slow coming. Please support Resolution 55-36 to ensure that our people and all the residents of Guam have access to safe and clean drinking water.

Sincerely,

Tomika Velarde

To whom it may concern,

My name is Vinessa Dueñas and I am the Co-founder and chair of the non-profit organization, Allied Marianas. I am also a Community Organizer for the newly formed MASAKÁDA Collective. A grassroots organization created in response to concerned Famaláo'an Chamoru and Non-Binary people in the Chamoru Diaspora.

I am also writing on the behalf of Chamoru scholar/activist/community organizer, Profesora Antoinette Charfauros McDaniel who is the founder of Chamoru Pathways in Higher Education, and the Director and Boardmember of the Chamoru Association of the Midwest.

I am writing to express my full and informed support of Resolution No. 55-36 in solidarity with the non-profit organization, Prutehi Litekyan/Save Ritidian, that reaffirms access to safe and clean drinking water is a fundamental Human Right and recognizes the importance of protection of Guam's sole source aquifer, the Northern Lens Aquifer.

As a Chamoru activist and scholar, it is alarming to see the over militarization of our islands in the Marianas and in this specific case: the clearing and desecration of ancient village sites and ancestral remains, the disregard for endangered species, and the constant neglect of the rights of the Chamoru people in regards to the fundamental human right to safe and clean drinking water on the island of Guam.

It is not a question of *if* the Northern Lens Aquifer, of which provides the residents with 80-90% of clean drinking water, will be contaminated but *when*. I am concerned for the long term effects that this inevitable contamination will have on the indigenous and local people living on Guam. I am outraged that since the U.S. gained these islands as spoils of war, the indigenous and local people of the Marianas have been in a constant battle in defending their cultural and human rights.

I am a deeply concerned indigenous Chamoru woman and American citizen when I submit this testimony that expresses my full and informed support of Resolution No. 55-36. I express full opposition to the continuation of building the Live Fire training complex and separate hand grenade range on the island of Guam and overall the continued over militarization, rape, and desecration of our ancestral islands in the Marianas.

Thank you for your time and for the opportunity to express my views.

-Vinessa Dueñas



Re: Testimony for 55-36

Office of Senator Sabina Perez <office@senatorperez.org>

Tue, Apr 20, 2021 at 2:50 PM

To: Teresita Perez <tperez@triton.uog.edu>

Cc: Charlene Flores <charlene@senatorperez.org>, F Castro <fcastro@senatorperez.org>

Buenas Teresita,

The Office of Senator Sabina Flores Perez is in receipt of your testimony for Resolution 55-36 (COR). We greatly appreciate your support.

Si Yu'os Ma'åse,
Evan San Nicolas
Office Manager

On Mon, Apr 19, 2021 at 8:18 PM Teresita Perez <tperez@triton.uog.edu> wrote:

I would like to submit the following as testimony:

It is 2021. I have all the trappings of advancement- I write this on a cellular device, for example, but I still have to worry about poison in my water, a simple molecule that my body needs to survive, that my organs need, that YOUR organs need. 2021 and I have to stand tall against a well designed industrial machine that will eke out its waste, its chemical byproducts into the same water I will use to wash my rice.

I and all of us who call Guam home are the butt of an absurd and unethical joke, then - we know that the humans who oversee this industrial machine will not drink this water, will not dare touch it. They will build, in cloistered and protected spaces, the the magnificent systems they need for their grand victories and defenses. To these select and special few, toxic leaching and aquifer damage are unfortunate outcomes for the rest of us, and that this damage is outweighed, in their minds, by a far more superior and perhaps profitable end goal.

Then what are we, the people here, left with? Knowledge? Knowledge is a cruel, cruel comfort to one who is being poisoned. It is hateful.

I plea, then, for the protection of the Northern Lens Aquifer, that development cease, that our water be protected. If we are held hostage by our political status, I hold out hope for those who can negotiate on our behalf so that others, strangers, do not slit our throats for us.

Thank you for this public hearing.

--
Si Yu'os ma'åse',

Teresita L. Perez
Faculty,
Coordinator, English Placement Test

Division of English and Applied Linguistics
Office: +1 (671) 735-2766
tperez@triton.uog.edu



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--

Office of Senator Sabina Flores Perez

Committee on the Environment, Revenue & Taxation, Labor, Procurement, and Statistics, Research, and Planning
I Mina'trentai Sais na Liheslaturan Guáhan

36th Guam Legislature

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www.senatorperez.org



F Castro <fcastro@senatorperez.org>

Testimony for the public hearing on Resolution No. 55-36 (COR)

Julian Janssen <julian.janssen@bsp.guam.gov>

Thu, Apr 15, 2021 at 2:00 PM

To: sabina@senatorperez.org, Manuel Manny Cruz <manny@senatorperez.org>, F Castro <fcastro@senatorperez.org>

I am Julian Janssen, Federal Activities Planner of the Guam Coastal Management Program (also known as GCMP) at the Bureau of Statistics and Plans.

Hafa adai, Senators of the 36th Guam Legislature, and members of the general public:

I am testifying to provide background information with respect to the Guam Coastal Management Program and Federal Consistency for federal activities and federal development projects.

GCMP is the state Coastal Zone Management Program for Guam. Our operations are governed by the Coastal Zone Management Act, federal regulations, and the Guam Coastal Zone Management Program and Final Environmental Impact Statement and subsequent program changes.

Federal consistency is a process where federal actions, such as those described in the resolution, are reviewed to make sure they are to be conducted consistently with duly adopted enforceable policies on Guam. These include locally adopted laws, executive orders, and regulations which have been adopted through the initial program document or in subsequent program changes.

Local laws, executive orders, and regulations which are applied for federal consistency generally pertain to land use regulations, such as appropriate siting of facilities for use, safety, efficiency, and prevention of erosion, protection of air and water quality, protection of fragile ecosystems and cultural heritage, protecting endangered and threatened species, enhancing visual quality, encouraging development of recreation areas, preserving public access to beaches, recreational areas, and public lands, and maintaining agricultural lands for agricultural use.

GCMP is a networked agency, which works with a number of local agencies to provide its responses to federal consistency cases, namely the Department of Agriculture, the Department of Public Works, the Department of Parks and Recreation, the Department of Land Management, the Guam Environmental Protection Agency, and the Guam Waterworks Authority. The professionals of these agencies provide invaluable specialized knowledge and experience to the federal consistency process, so that GCMP can have a strong factual and legal basis for its positions and any conditions contained in responses to federal agencies' consistency determinations.

For your information, I want to briefly describe the timelines involved in federal consistency for federal activities and federal development projects.

Federal agencies with proposed federal activities or federal development projects are required to submit their consistency determinations, phased determinations, or negative determinations, at least 90 days before a final decision is intended to be made.

Following receipt of a determination, GCMP has 60 days to provide its response.

GCMP provides an opportunity to the public and its network partners to provide comments which may be incorporated into its response. Any objection or required conditions incorporated in its response must be based upon GCMP's enforceable policies. If GCMP does not provide its response within the given time, its concurrence is presumed.

Thank you very much for the opportunity to provide information to members of the Guam Legislature and the general public with regard to GCMP and federal consistency.

Respectfully,

Julian Janssen
Federal Activities Planner
Guam Coastal Management Program
Bureau of Statistics and Plans
Office of the Governor of Guam
Office: (671) 475-9664

Cellular: (671) 488-2510

Email: julian.janssen@bsp.guam.gov

"To preserve, protect, develop, and where possible, to restore or enhance, the resources of the Nation's coastal zone for this and succeeding generations." - Sec. 303(1) of the Coastal Zone Management Act of 1972



F Castro <fcastro@senatorperez.org>

Fwd: Resolution 55-36 Comments

Sabina Perez <sabina@senatorperez.org>

Wed, Apr 21, 2021 at 12:07 PM

To: F Castro <fcastro@senatorperez.org>, Charlene Flores <charlene@senatorperez.org>

----- Forwarded message -----

From: **mgawel**

Date: Wed, Apr 21, 2021 at 10:49 AM

Subject: Resolution 55-36 Comments

To: <sabina@senatorperez.org>

Cc: <senatorterlajeguam@gmail.com>, <sen.cridgell@teleguam.net>

Hafa Adai Senator Perez,

I wish to submit my personal comments on Resolution 55-36.

I couldn't attend the public meeting on this but reviewed the record of the meeting on line.

I am pleased to see the increasing public concern over safety of Guam sources of drinking water.

Because of expressed concerns of toxicity being added to the Guam Sole Source Northern Lens Aquifer by future use of training firing ranges on Guam, I recommend that DOD planners incorporate the use of "Green Ammunition" in training range protocols on Guam, as is done in other DOD training ranges in the USA. This ammunition eliminates the lead and some other toxics that traditional ammunition adds to the environment at training ranges. Although this ammunition is more expensive, its use would greatly reduce the costs of clean-up of lead based ammunition in our environment and better protect our groundwater. The DOD must include evaluation of alternative impacts of using such different ammunition and consider the future decreasing costs of green ammunition as its production increases and improves.

I have been drinking well water from the Guam public water systems for the last 48 years and have worked with government agencies on water quality protection for most of my career. As well as the concerns from future firing range pollution other current sources of contamination need more urgent attention I continue to have concerns over the TCE and PCE that have been contaminating our water lens. The military unsuccessfully tried to remove such contaminants from AAFB lens water sources by installing an air- stripping unit on Route 1 in Dededo between the Tumon Maui water tunnel and the AAFB destination and by diluting the water by adding other well sources. But that failed and DOD no longer tries to remove these toxics and apparently has given over the use of the Tumon Maui water to GWA . It seems that the source of the TCE has been eliminated but its persistence remains in need of removal to protect public health.

Finally I wish to urge Guam leaders to meet the most urgent need to protect our Sole Source Northern Lens Aquifer from increasing unhealthy contamination of nutrients from non-sewered developments discharging from residential septic tank systems over the aquifer. Sewer connections must be increased and methods to fund them improved, such as GWA monthly charges for septic tank users to be dedicated to providing them new sewer lines.

Thank you for attention to these comments.

Michael Gawel

--

Senator Sabina Perez
Office of Senator Sabina Perez
36th Guam Legislature • *I Mina'Trentai Sais na Liheslaturan Guåhan*



Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics,
Research, and Planning

Tel: (671) 989-2968

Email: sabina@senatorperez.org

Website: senatorperez.org



THE HONORABLE SENATOR SABINA FLORES PEREZ

I Mina'trentai Sais Na Liheslaturan Guåhan • 36th Guam Legislature

AUTHOR'S REPORT DIGEST

I. OVERVIEW

Resolution No. 55-36 (COR) was introduced on March 31, 2021 by Senator Sabina Flores Perez and was subsequently referred by the Committee on Rules to Senator Sabina Flores Perez, Author, on April 1, 2021.

The Author convened a virtual public hearing on Resolution No. 55-36 (COR) on Thursday, April 15, 2021 at 3:00 PM via Zoom Video Conference Platform.

Public Notice Requirements

Virtual Public Hearing notices were disseminated via email to all Senators and all main media broadcasting outlets on April 8, 2021 and again on April 13, 2021, fulfilling the 5-Day Notice and 48 Hour Notice of the Open Government Law requirements respectively.

Senators Present

Senator Sabina Flores Perez	Author
Speaker Therese M. Terlaje	Legislative Member
Senator Telo T. Taitague	Legislative Member
Senator Joanne M. Brown	Legislative Member

II. SUMMARY OF TESTIMONY AND DISCUSSION

The public hearing was Called-to-Order at 3:04 p.m.

Author Sabina Flores Perez: *Buenas yan hãfa adai*, the committee is back from recess. As the author of Resolution 55-36 (COR), I am calling this virtual public hearing to order. It is now 3:04p.m. Thursday, April 15, 2021. Notice of this afternoon's virtual hearing was provided *via* email to Senators, stakeholders, and the local media on April 8, 2021 for the five-day notice and April 13, 2021 for the 48-hour notice, thus meeting the requirements of open government law. I'd like to acknowledge my colleagues that are here today, Senator Telo Taitague, thank you for being here, and Senator Joanne Brown. *Si Yu'os ma'ãse'*. Now, the purpose of this virtual public hearing is to receive testimony on Resolution 55-36 (COR) sponsored by myself, Senator Sabina Flores Perez, co-sponsored by Speaker Therese M. Terlaje, Senator Telena Cruz Nelson, Senator Clynton Ridgell, Senator Jose 'Pedo' Terlaje, Vice Speaker Tina Rose Muña-Barnes, and Senator Telo T. Taitague. It's "relative to reaffirming our human right to safe and clean drinking water in observance of World Water Day 2021 and recognizing the importance of protecting our Northern Guam Lens Aquifer and precious water resources, and ensuring the health of our people." My office will receive testimony until 4:00p.m. Tuesday, April 20, 2021. Please address testimony to

myself, Senator Sabina Flores Perez. It could be dropped off at the mailboxes at the Guam Congress Building or emailed to office@senatorperez.org.

To go over the rules of conduct for this virtual hearing: the host will mute all participants until called upon by the host; virtual background should not be utilized during this time; participants' faces must be visible at all times when called to speak; please ensure that you are unmuted and that you are speaking into your microphone; members of the committee wishing to speak may indicate the desire to the chair through the in-app chat feature; the order of questioning will begin with the chairperson and followed by senators; individuals testifying shall be first recognized by the Chair before speaking, and shall state their name for record-keeping purposes; questions and testimony shall be confined to the substance or nature of the agenda; personal inference as to character motive of any senator or any individual testifying is not permitted; any violations of the general rule of conduct will result in removal from the public hearing by the host.

And now, to begin the agenda on Resolution 55-36 (COR) sponsored by myself, Senator Sabina Flores Perez, co-sponsored by Speaker Therese M. Terlaje, Senators Telena Cruz Nelson, Clynt Ridgell, Jose 'Pedo' Terlaje, Vice Speaker Tina Rose Muña-Barnes, and Senator Telo Taitague, “relative to reaffirming our human right to safe drinking and clean water in observance of World Water Day 2021 and recognizing the importance of protecting our Northern Guam Lens Aquifer and precious water resources and ensuring the health of our people.” If I can just provide brief opening statements. *Håfa adai*, everyone. The purpose of this hearing is to receive testimony on Resolution 55-36. The right to safe drinking water and sanitation is affirmed by the United Nations General Assembly, Resolution A/64/292. Each year, the United Nations reaffirms its commitment to this right, on World Water Day. The theme of this year’s commemoration is “Valuing Water”. For many Indigenous peoples, water isn’t just valued as a resource. Rather, it holds a spiritual significance and plays an important role. In many cultures, as Indigenous Pacific Islanders, water is especially significant to *CHamoru* people, and for thousands of years, our ancestors have acted as stewards of our environment, which today is threatened by overdevelopment, contamination, and militarization. Our Northern Guam Lens Aquifer is a sole source aquifer, and is the primary source of water for eighty percent to ninety percent of our residents in our island community. The aquifer is delicately maintained by the protection of our limestone and ravine forest and other habitats. This ecosystem is particularly threatened by the development of the main cantonment and the Live Fire Training Range Complex, which consists of five separate ranges above the aquifer. Meanwhile, U.S. EPA has determined that this project results in substantial deforestation and significant impacts to terrestrial biological resources, which have already experienced a serious decline. Firing ranges across the United States are known to be contaminated many years afterward, despite remediation efforts. In particular, Resolution 55 is concerned with a potential contamination from lead and other heavy metals due to 6.7 million rounds of ammunition that would be fired annually for an indefinite period of time. Lacking in these federal actions is the acknowledgement and implementation of the right of the *CHamoru* people to free, prior, and informed consent. There is a long record of community resistance to military development on island by grassroots organizations, as well as many of my colleagues in the Legislature. This Resolution calls for solidarity against contamination of our people’s water resource and urges local, national, international bodies to prevent the contamination. I thank all of you for your participation, today, and I look forward to hearing your testimony *Si Yu’os ma’åse’*. So, I would like to recognize Maria Hernandez to provide her testimony.

Maria Hernandez, Member, Prutehi Litekyan/Save Ritidian: Honorable senators, all of our leaders that are here today, and all of the members of our community who have come out to discuss this very important legislation, and thank you, so much, Senator Sabina, for holding this extremely important Public Hearing to bring the public's attention to the vital cultural and environmental importance of our sole source aquifer. I am in full support of Resolution 55-36. I believe this is common-sense legislation that should be at the forefront of the conversation, especially at this critical point in time, as our clean water source is under threat of contamination and we really should all take note of every senator who signs on and supports this legislation. It's not just about our, I mean access to clean drinking water is not only an environmental and cultural issue, it's a public health issue, it's a human rights issue, and any senator who doesn't support legislation that seeks to protect our community's access to clean drinking water, we really should implore them as to why they are serving in public office. I mean, is it not to protect the community? And clean water is sacred. Clean water is so important, and I read articles all the time about communities that are struggling because they don't have access to clean drinking water, and we don't want to look back and say, 'what if what could we have done...' We want to be proactive and protect our main water source. We really are in a very blessed situation on this island, to have such a resource where we don't have to rely on imported water. I know of a few islands in the region that have to rely on imported bottled water. Bottled water. And we don't want that for our island.

As a mother, this hits me even harder because everything that I do, all of my work in the community over the years, I really do it for my children, and for their children, and all of our *nenis*. And so, one second, I wanted to bring attention to a study, a 2016 study that I found. It's a study in *Scientific Reports Journal* that found that "moderate tree cover can increase groundwater recharge and that tree planting and various tree management options can improve groundwater resources." And as I was reading through this study, my thoughts really went to the massive amounts of clearings that have been done, during build-up construction. This is really, really troubling. I'm sure that everybody has seen the photos that have been circulating, of the massive clearings and this is 900 football fields of Native Land that are being cleared for build-up construction, and it really makes you question how the aquifer will be able to adequately recharge, when our trees are being, when our trees are being cut down and we're losing our, our land in northern Guam.

So, let me see, so I also wanted to, it's something that I feel community groups have brought up many, many times over the years, just concerns about access to safe drinking water. Ever since the build-up was first, it's been something that's been, that's been brought up in numerous public hearings and the U.S. Marine Live Fire Training Range above our main water source is expected to...6.7 million rounds of ammunition are expected to be shot above our aquifer and it's, lead, and heavy, heavy metals are known to accumulate in soils at training ranges. So it really does make you very concerned about how this would adversely affect the health of our aquifer. And also, I want to note that the military's SEIS (Supplemental Environmental Impact Statement) has indicated that the over-extraction of water from the aquifer can result in saltwater intrusion, and that could really harm our aquifer. But despite this study being very clear, plans for the buildup continue. Despite the findings that there will be an increased annual, or, despite the plans for an increased annual withdrawal of groundwater, of 1.7 million gallons each day. And the SEIS also indicated an increase in the rate of sewage spills impacting groundwater quality from ex—potential exposure, to additional raw sewage and higher levels of chloride concentrations in the aquifer.

And, I mean, the, the SEIS is very clear. We, we as a community should really be bringing these, bringing these points to the forefront and continuing to bring these points to the forefront because we have a number of special interest groups in the community who really are putting their pockets before the, the health of our community and, you know, there are a lot of companies that are benefiting financially from these build-up projects, and, you know, including groups like the Guam Chamber of Commerce, that have from the very beginning, despite 900 football fields of Native Land being cleared, and despite cultural and environmental impacts, and, you know, the potential contamination of our drinking water, are still going full force, and lobbying, in favor of, lobbying to support these projects that have so many adverse impacts to our community. So we need to, as a community, continue to push back. And that is why I am so grateful to leaders who have signed on to this legislation. I really think it's important for everybody here to speak with their networks and to let them know who doesn't sign this Resolution, because it really is very telling, when you have leaders in the community that don't care about our community having access to clean drinking water. And lastly, reliable access to clean water is essential for achieving the UN Sustainable Development Goals, which is something that our Administration has. Our Administration is working with UOG, currently, to find ways to support sustainable development goals. So we really should be seeing our Administration also taking a hard stance on protection of our clean drinking water. So, *Si Yu'os ma'åse'*. For the sake of time, I'm not going to really go into much more, but really appreciate this opportunity to speak out in protection of our water. *Si Yu'os ma'åse'*.

Author Sabina Flores Perez: *Si Yu'os ma'åse'*, Maria, for your presentation and testimony. So we will actually have the picture shortly, the pictures that you're referring to. But at this time, I would like to recognize Speaker Terlaje, who has joined us today. Thank you, Speaker. So, while we're getting those pictures up, I would like to recognize the next person on the list to testify, from *Prutehi Litekyan*. Jessica Nangauta. Thank you, Jessica.

Jessica Nangauta, *Member, Prutehi Litekyan/Save Ritidian: Håfa adai.* I'll make this really short and brief. I'm Jessica Nangauta. I am here representing my family and generations before me, to testify in support of Resolution 55-36. I'm so grateful for you, senators, introducing this resolution, and it shows me that, and our community, that you're not only thinking about today but generations and generations beyond us. That you are acknowledging the actions taken today have an effect on our future, on the future of our island home. As a mother, first and foremost, I care deeply for the safety of my children and the future they will inherit. As women, we carry our future in our wombs for nine months, being completely surrounded by sacred *hånom*. We all come from our mother's *hånom*. How special it is, and how much needed that is. It's crucial in so many ways, to sustain our lives, and in more ways that we may even realize, both physically and spiritually. As a *lanchera*, I am mindful about my hand's effect on the land and the *hånom*, and take great honor and care in growing food and medicine to help nourish and grow our community in a sustainable and just manner. So again, I thank everyone that comes out here today to speak in support of this Resolution. *Meggai ma'åse'*, senators, for being so brave to allow us this Resolution to be heard, and giving our community a chance to be more informed and allow our voices to be heard. We cannot let being bound by our political status keep us from liberating our minds. The power is always with the people, and the more we acknowledge the injustices, the more we will rise as individuals and community to be the change we want to see. *Saina ma'åse'*.

Author Sabina Flores Perez: *Saina ma'åse'*, Jessica, thank you so much. Thank you for that testimony. *Si Yu'os ma'åse'*. And I'd like to recognize now, Monaeka Flores from *Prutehi Litekyan*.

Monaeka Flores, *Member, Prutehi Litekyan/Save Ritidian, I Hagan Famalao'an Guåhan: Si Yu'os ma'åse'*, Senator Perez, and thank you all for allowing us the time to provide testimony this afternoon. *Håfa adai*, my name is Naek Flores, and I'm actually representing *Prutehi Litekyan/Save Ritidian* and as well, *I Hagan Famalao'an Guåhan*, an indigenous *CHamoru* women's organization centering *CHamoru* values in our work, but also the importance of decolonization and demilitarization, in terms of the main factors impacting the health, well-being, and future of our people and our island. We sincerely want to thank Senator Sabina Flores Perez and her co-sponsors, Speaker Therese Terlaje, Senator Telena Cruz Nelson, Senator Clynt Ridgell, Senator Jose Terlaje, Vice Speaker Tina Muña-Barnes, and of course, Senator Telo Taitague, for this resolution, for Resolution 55-36. Resolution 55-36 is critical as a substantive resolution because it puts on record the many generations of environmental racism that our island has had to endure and the real risks imposed on numerous generations that come long after we are all gone from this earth. When we prepare our comments for the Programmatic Agreement memos, we have a hard time, you know, just focusing on what those memos refer to as 'historic properties', because these are not just 'properties', these are not just tangible objects; this is evidence of the sacred life of our ancestors. And so we also ask ourselves, should we consider the aquifer and other bodies of water also historic properties? And the answer for us at *Prutehi Litekyan*, is yes. Because this is the life-giving force, this is our living ancestor.

When we look at our creation story, our creators, brother and sister, *Fo'na* and *Pontan*, we are not separate from the land and the water. We, these are our relatives. We exist, literally, as part of our natural world because of our ancestors and so there is no disconnection. And the aquifer is very much our life-giving force, our living ancestor that needs our protection. We don't have to look very far to look at the destruction of aquifers because of human activity. We can look, as you know, close as the Northern Marianas Islands and look at the inadequacy of fresh drinking water, the delivery of fresh drinking water to our brothers and sisters in *Saipan*. We can look at *Hawai'i* to look at the devastating impacts military bombing has done to places like *Kaho'olawe*, where just, with just a few decades of destruction it's going to take several generations and millions and millions of dollars to try to clean up something that might never be repaired. This is an important and critical resolution because it lets the world know that we, the entire community, the people of Guam, we're going on record to acknowledge the threats to our safety, the threats to our health, the threats to our survival and our security, our genuine security, and the long history of contamination and violence, environmental violence and environmental racism. As Maria mentioned, we are starting to, we're going to anticipate the withdrawal of 1.7 million gallons of water a day from our aquifer, with this relocation of marines from Okinawa to Guam. On top of that, 6.7 million ammunitions a year fired over our aquifer, heavy metals, propellants. We are, we will be so susceptible to this horrible, devastating contamination. And on top of that, the massive clearing of limestone forest affecting the recharge of our aquifer, all of these harmful activities, they're, they really, they make us so vulnerable. When we look with the, with COVID, we saw that the military cannot protect us. The military is not the real answer for security. The military is not going to help lead our people into the future and protect *CHamoru* people for, and future generations of the people of Guam. And we can say that, you know, we need, with this threat to our aquifer, we need

to also pause and ask, what are we really protecting, when, with the increased military activities and the increased military destruction, we're not protecting much for our future generations? And so, I just want to thank you for the opportunity to provide testimony today, and we encourage all the entire body in the Legislature to please support this resolution. And *Si Yu'os ma'åse'*.

Author Sabina Flores Perez: Thank you so much, Monaeka, for your words and testimony. I am truly grateful, thank you. So, now I'd like to recognize Rick Perez, a community member, for his testimony.

Rick Perez: *Buenas*, Senator Perez and all the senators present and who supported or who are supporting Resolution 55-36. I'm testifying in support of the resolution, and I wanted to say that it takes courage to do what you're doing and I'm very grateful for the leadership that you and your colleagues are taking on this issue of human rights violations and representations of *CHamoru* dispossession of our civilization, when it comes to water. All of this started with a rape of a 12-year-old middle school girl who was walking home, by two marines and a sailor who was stationed at Camp Hansen. They raped her and they dumped her in the field, and they left her to be. This was in 1995 that was a spillover caused the bilateral tensions between United States and Japan, bringing about the decision to relocate marines to Guam from certain headquarters, elements in Okinawa. So the question that has, one of the questions I have is, 'what is a range'? And one definitions is that it has firing lanes, firing lines, positions, maneuver areas, test pads, detonation pads, impacted areas, buffer zones, and air-space designated areas. In other words, it's comprised of a lot of different components.

My general environmental statements are the Pentagon is already one of the world's worst pollutants, the worst polluters. 900 military sites are labeled Superfund Sites. Guam has never been fully cleaned up for return to full human use. The ongoing risk profile on Guam for military activity is getting worse, and the highly vulnerable aquifer system is based on, or it has a very sensitive soil permeability and porosity. The 'net negative' footprint that the military likes to use in its PR campaigns, in my opinion, doesn't make sense, because this issue of, you know, World Water Day and this resolution relate to 'subsurface areas', not 'surface areas', and if this is small-arms related, one question that pops up is, should it also include possible mortar and artillery, and hand grenade issues? I believe the hand grenade range is going to be also put in place. I'm not too sure about mortar and artillery, though, for the island. The water lens has already been compromised many decades ago by unexploded ordnance, lead, fuel, spills, solvents, PFAs, PFOs, and TCE contamination. Currently, Guam has seven readily known high-risk sites associated with detonations.

In military parlance, alphanumerically, it's called Areas 101, Area 106, Area 108. *Lonfit*, Miyama Hills, Guam Site One near *Bubula* Hills, Guam NCTAMs Westpac, and up in *Saipan*, you're talking Northfield, *Marpi* Point, and *Naftan*, two sites in the southeastern portion of *Saipan*. Unfortunately, the United States Marine Corps has had plenty of examples to draw from, draw from, on environmental catastrophe with groundwater. Camp Lejeune, close to one million people, over decades, have been, you know, have become sick because of fuel dumping, dry clean, dry cleaning chemical solvents discharged on base, at Camp Lejeune, that has resulted in several hundred people getting sick and dying of blood cancer, bladder cancer, breast cancer, and having miscarriages. In Okinawa, the marines have a very sketchy history of, on the approximate 11 bases,

of, number one, not informing the government of Japan on when they have environmental spills or accidents; number two, violating their own guidelines, in which they follow, from 2002 to 2016

Senator, there were 270 environmental accidents in “*Oki*”, with only six reported to the government of Japan, to include toxic runoff at Camp Hansen and 600 fires occurred at Camps Hansen and Schwab, from live fire training. There are many dangers to Guam from ranges, and they include the following: casing disposal; casing, which is what holds a round; inhalation of lead dust and residual lead powder; aerosolized toxins; how much lead tonnage is going to be produced from this, these live firing ranges, let alone from the small firing ranges, how much lead tonnage will be produced; how will the spent ammo be claimed, in other words, how will it be picked up and managed; is there a management plan to protect the water lens, water lens; what is the soil, air, and water testing plans, and how often will they be performed; how will toxic soil be managed, and how often, how many areas within the range are to be tested; and what are the site concentrations for the most toxic substances; what role does OSHA play; what Government of Guam laws, if any, are in place to regulate range design and range maintenance; what comprehensive systems will be in place to address all erosion risks and drainage; how will Guam prevent and mitigate vulnerability, in terms of preferential water flow pathways, where contaminants can easily flow; risks tied to geochemical conditions of the current state of the total water lens; and also, ma’am, the age of the water; who will remove spent ammo from the beach, the reef areas, and outside the reef; what are the variations in use levels of firing, because even though the formal documents state 6.7 million or thereabouts, depending on the, on the operational status, the total average, and just the total amount of lead introduced into the island, can see sharp spikes depending on a host of considerations. DoD identified 20 sites on Guam, ma'am, according to the GAO in the Northern Marianas, suspected of being contaminated from military munitions, which contain 200 chemical contaminants, and there are 20 munitions constituents of greatest concern, according to the GAO. Within the American Empire, 100 million people receive drinking water from underground sources, which represents approximately 33% of the total American population. Guam, however, as we all know, has a percentage of approximately 70 or 80 percent, from what I understand, as a sole source for drinking water, which makes it even more important that this Resolution 55-36 is approved and, you know, supported.

The EPA talked about, in groundwater, with dangers dissolved what they call RDX and HMX, which are contaminants that can, that contaminate shallow ground water tables, which, I believe, the water lens is, a shallow ground water table. Because of the permeability of the soils. There are dangers of propellant residues. Explosive residues. Residues from hand grenades. Metal residues, and berms. Berms are where the area, where the round hits. And, for small arms alone, ma'am, we're talking about metal, metallic constituents such as copper, lead, zinc, and tungsten. Three considerations that I'd like to just share and to wrap it up are that, the possibility of updating or establishing new laws because of the toxicity going beyond the actual range surface land site, which is separate and distinct from the subsurface site in which the aquifer is located. Also the possibility of new laws, or laws being updated for range design and maintenance. That would, you know, help fill any gaps—typhoon and storm drainage laws, other territorial hazardous waste management programs or Superfund laws all in union perhaps, or as add-ons to the Safe Drinking Water Act, the Resource Conservation Recovery Act, Clean Water Act and Clean Air Act, but most importantly, I think that solid waste and hazardous waste produced at ranges may not be considered as so under federal law, thus opening up huge gaps in how ranges are managed,

according to COMNAVMAR and JRM, which, they like to talk about in their public relations is being in compliance, which is not the same as being complete. Second point is, as a useful reference, if it hasn't already been reviewed, is the Code of Federal Regulations, Title 40, Protection of Environment Volume 25 sub cha—sub part M Military Munitions, Chapter One. And my very last point is this: the military, especially on Guam and the NMI, has information that *CHamorus* and the villagers need to demystify a variety of concerns of highest importance to human health, cultural health, and total well-being. It is also true, Senator, that the interagency led by the military on Guam is dictating the informational options made available to the general public and to villagers, thus exercising a level and degree of control, influence, and coercion that is found nowhere else. Examples are, the overuse of the terminology, “it's a matter of national security”; “it's actionable” “it's non-actionable”; thus, the Guam Legislature and the Guam Congressman have it within their appropriate rules to consider seeking answers to questions posed.

The public and the Guam media are not provided enough information, are not provided enough information and support, or excuse me, not enough support for Guam lawmakers to challenge or ask questions to the military on matters of human health and well-being. Thus, this allows for the military to act with relative impunity because it is immunized, in my opinion, from deep and ongoing public scrutiny. It is not the military's role, Senator, or the interagency's role, to control or to do a check on the Guam Legislature or the Governor of Guam, or the Mayor's Council of Guam. The military's role is indoc—is one of indoctrination, to follow orders from its chain of command which emanates *via* agency from Washington, D.C. Triangulate, triangulated communications between Congress, the White House, and the Secretary of Defense might be of great assistance to the Guam Legislature as it moves forward, as opposed to dealing directly and unilaterally, perhaps, with the Joint Region Marianas. Thank you, Senator.

Author Sabina Flores Perez: Thank you so much, Mr. Perez. Yes, these are definitely concerns that I would like to follow up with, and if we can maybe reach out to you to strengthen these laws and policies within our government, and I did invite several of the regulatory agencies to be here today, and I'm so happy that Julian Janssen is here, representing the Bureau of Statistics and Plans, Coastal Zone Management Program, who's in charge of Federal Consistency, which is just one of the agencies that are involved in the regulatory aspect. So, we definitely will continue with this discussion to ensure that, we, our people are protected, considering the huge amount of toxicity at stake.

Mr. Perez: Absolutely, ma'am. And as a former Marine, I'm absolutely, I'm horrified by what the Marine Corps is doing on Guam. It's disgusting, it doesn't represent the best of American values.

Author Sabina Flores Perez: Thank you. Thank you, Mr. Perez. So, at this time I'd like to recognize Kyle Dahilig, for his testimony on Resolution 55-36. If you are available at this time.

Kyle Dahilig, *Chairperson, Committee on Environment, Utilities and Transportation, I Mina'trentai Tres na Kongressun Manhoben Guåhan: Buenas yan háfa adai, i na'ân-hu si Tânom, kumekilekña,* ‘to plant’. I also go by Kyle Dahilig. I serve as the Chairperson for the Committee on Environment, Utilities and Transportation, *gi I Mina'trentai Tres na Kongressun Manhoben Guåhan,* and other roles in the community. Sorry. I support Resolution 55-36 and although my love for, sorry, I keep getting—I support Resolution 55-36 and although my love for plants and,

extends beyond the moon and the stars, for myself, my first environmental initiative I ever completed was with the fundamental to life: *hånom*. I didn't know it at the time, that water is something sacred, or important, or even valuable, because I thought that something as free as rain and fast as faucets was something that couldn't ever be scarce. I just thought, 'it's just water.' Today, we live as if something as free-flowing and renewable as *hånom* can never run dry. Maybe it will, or maybe it won't, but we know that our aquifers are permeable, and anything that soaks through the soils will eventually trickle through, drip, and poison our sacred life source. Today, we have water, but I'm not sure about tomorrow. I'm glad that this resolution recognizes *hånom* as sacred, and calls for the stopping of the Department of Defense's destruction over our aquifers. And I hope that our continued fight for safeguarding our environment guides us towards solutions that protect our waters, lands, and soils, and encourage us to pass legislation that leads us towards one hundred percent sustainability, like putting solar panels on top our schools and homes. *Un dångkulo' na Si Yu'os ma'åse'*, *maraming salamat po*, and *kinisou*.

Author Sabina Flores Perez: *Si Yu'os ma'åse'*, Kyle, for your testimony. At this time, I'd like to recognize former Senator Hope Cristobal to provide testimony on Resolution 55-36.

Hope Cristobal, Chairperson, *Northern Guam Soil and Water Conservation District: Si Yu'os ma'åse'*, Senator. Senator Sabina Flores Perez, *Buenas yan Håfa adahi. Si Yu'os ma'åse, dångkulo' na Si Yu'os ma'åse'*, Speaker Therese Terlaje, Senator Telena Nelson, and members of the committee. For many years I have stood in front, after I've left office, there, and promoted the healing of our people, the safety of our people, having known so many things about this massive militarization. I want to thank you for introducing this. What I think, this resolution is very earth-shattering for me. It, I would like for you to expand its proper distribution, and I'd like to talk about that much later. But I am just really taken aback by the kinds of destruction that we see, here, every day when we drive up to *Litekyan*. I chair of the Northern Guam Soil and Water Conservation District Board, mandated under 5 GCA, Chapter 21. As stewards of soil and water conservation, all elected board members are on a constant mode of advocating for soil and water conservation practices, good soil health, water protection throughout the island. The collaborative spirit between Southern Soil and Water Conservation District Board and our Northern Soil and Water Conservation District Board, make it possible for many projects to occur, one of which we recently engaged, which is the contamination study of Guam.

My testimony today will basically provide you the kind of overview information that propelled us to do to, do this contamination study. We felt that we needed a study that would better inform us to the state of our island soil and water, in order to more adequately program conservation practices. It is common knowledge that the U.S. military uses a variety of highly toxic substances, and having operated their bases here for over 75 years on Guam, with the Andersen Air Force Base being located over the Northern Guam Lens aquifer, elevated our concern on the board about the safety for human consumption and the availability of water for agricultural communities from the municipal wells. Northern Guam Soil is relatively thin, with basically a veneer of soils that filter water seeping into the Northern Guam Lens Aquifer. High nitrate levels have also been reported in runoffs of surface water in central and southern Guam, in and around military bases, toxics buried in the soil, including airfields, naval ports, residential areas, surrounding civilian communities, do seep into the aquifer, groundwater, and surrounding coastal waters. In this, Guam shares a history of contamination with many U.S. and overseas military-based communities. But

the contamination in Guam is much more severe than at any other U.S. domestic bases, for a variety of reasons, and these include the high concentration of military bases per square mile. Twenty-eight percent of our lands is under DoD control in Guam. Guam's non-sovereign status and its effect on attitudes towards our own people's health and well-being, Guam having been a battlefield in World War II and a central launching pad for the war in Vietnam, in particular, including Guam's lack of visibility in the U.S. national press, which has helped expose contamination problems elsewhere. The following include the chemical footprint of the U.S. military: number one, the use of extremely high volumes of petroleum fuels, including jet fuel, diesel, gasoline, benzene perchlorate, and their combustion byproducts.

The U.S. military used 86 million barrels of fuel in FY 2016 for operational purposes. Air force bases are the heaviest consumers of these fuels. Number two, the extensive use of herbicides to create perimeters around bases and training areas and to defoliate areas from which enemy exclusion is sought, including Agent Orange; extensive use of pesticides in military buildings, particularly in foreign and tropical environments, including in the past, DDT and chlordane; use of strong solvents to wash down jets, ships, and tanks. These include TCE, or trichloroethylene, and perchloroethylene, PERC; also known as volatile organic compounds or VOCs; their health effects include damage to the nervous system and to the skin, especially. These chemicals are easily converted to gas from liquid form, and when inhaled, damage the lungs. They cause cancer and birth defects.

The Camp Lejeune case that Mr. Rick Perez spoke about, the case of TCE contamination, is instructive. Engine maintenance products, heavy metals with high toxicity, including such things as arsenic and lead used in ammunition; training ranges can cause millions of rounds, can use millions of rounds a year, only some of which is or was collected after it was spent; radioactive materials used in munitions from DU, or depleted uranium, to nuclear missiles. Many of these chemicals are used in domestic civilian contexts, as well, of course, but what makes their toxicity and impact on human health, often so much more severe in military applications, are several things, including the idea that 'national security' institution needs trump all other institutional, or human needs, and that it allows for less democratic openness, more secrecy in its operations. The related intense investment in military institutions, which allows for higher rates of consumption of the toxins than would otherwise be the case. In more resource limited context, the inequality that exists in places like Guam, where the military has chosen to place its facilities, they tend to be in poorer, these bases tend to be in poorer rather than wealthier areas, whose residents have more clout in Washington, D.C. The military operates its bases in Guam with the impunity that comes with Guam's colonial situation. Exposure of enlisted personnel to contaminants on bases, and, as workers with those substances, often more extremely exposed in those short periods of their deployment, presumably creating incentives to control contaminations; those personnel who have limited time on island, their exposure to the contaminants, in comparison with lifetime residents. It is the highly, it is the highly predictable and consistent chemical footprint of the U.S. military that impressed the need for our respective boards to do the study on behalf of our farmers and ranchers, the agricultural community, and our own island residents. Furthermore, the egregious effects of Guam's massive militarization with the live fire training ranges, degrading the destruction of huge swaths of limestone forests and habitats of indigenous flora and fauna, are obvious conservation concerns. This includes the destruction of traditional *CHamoru* village and sacred burial grounds of our village residents, there. All these, and more, provide an overview that

summons us to our senses, to ask more questions, search for more answers, leverage, leverage by our human rights to water, clean and safe water for all living things within our small island ecosystem.

We have been working on the contamination study for over a couple years now. Although we have to wrap up the study with an expected completion of July 2021, we are not able to complete our map of historical contamination sites because of the failure of the military to share their data requested in our FOIAs. We find that the U.S. military is not responding in a helpful way to our FOIA, so that we may know what the water impacts have been, more fully. Our respective conservation district boards, the southern board and the northern board, will be able to share our findings in a more complete document this coming July. Due to the short time, that, for the notice for this meeting, this public get-together, we can only provide you the salinization map, which shows the overdraw on Guam's water resources, over time, degrading water quality. I will have to provide that later on, because I couldn't download it. The creation of a Superfund Site on Andersen Air Force Base, that still has not been cleaned up after 25 years of its designation, and failing to release their toxic measurements from the site; the approximately dozen unremediated Formerly Used Defense Sites, which may have been leaking toxins into the water supply from World War II on numerous jet fuel spills along the pipeline over decades from the Navy port over to the aquifer, to Andersen, and numerous spills at Andersen; various sites returned to the people of Guam without remediation over the years, some of which cannot allow normal human use and have potential water polluting effects. I want to thank you for the courage that this legislature is showing early in its tenure of two years, in short time. We need to continue to empower the people by your actions in the Legislature, and I want to thank you, again. *Un dangkolo' na Si Yu'os ma'ase'* from the bottom of my heart. We want to celebrate World Water Day in Guam, but it is a dream. We wait for the day when our celebration is not only justified, but truly and honestly meaningful and fulfilling, and I urge all senators of the 36th Legislature to vote 'yes' on this Resolution. *Si Yu'os ma'ase'*, Senator Sabina Perez, for your courage and for inspiring your fellow senators in the Legislature.

Author Sabina Flores Perez: *Un dangkulo' na Si Yu'os ma'ase'*, Senator Hope Cristobal, for your leadership and your guidance throughout all these years, and being vigilant, especially for the contamination legacy, in addition to the emerging contaminants, such as PFAS. So, *Si Yu'os ma'ase'*. I'd like to recognize, at this time, Katie McManus, for her testimony. *Si Yu'os ma'ase'*, Katie.

Katie McManus, *Founder, Mantras for the Marianas: Buenas. Guahu si Katie.* I'm a local activist, mother of four, and I'm also the founder of *Mantras for the Marianas*. We're a spiritual collective, and I'm just going to read a little bit about what we're about. Our mission is to inspire *taotao tano'* to send their energy and vibrations towards the healing of our Marianas Islands through mantras, prayer, and chant in the sacred language of our ancestors. We know that indigenous people have done this for thousands of years. Our people have done this since the beginning of time, and indigenous people have always known, they've always had a very close relationship with water, the land, and indigenous people have always said that water is sacred and water carries memory, and this is, actually, this is a fact that was actually proven by Dr. Masaru Emoto, in recent times. For decades, he did experiments with water. He spoke love and healing to some samples of water and then he spoke negativity and hate to other samples of water. He froze the water and with his

technology, he was able to examine that the molecular structure of the water changed. The water that he spoke love to became crystallized and perfected, while the water that he spoke hate and negativity to, and, not just even spoke, even he would like, just send thoughts, literally, he changed the molecular structure. And other scientists tried this experiment, too, after he did it. You can look up his research, his book. He has an amazing book and people have even done the experiments with rice, where they put rice in one jar and they speak love and healing to one and hate negative to another one.

Anyways I'm just saying, I just wanted to bring that because, I mentioned that, because water is very sacred, and how we treat it is very important, and our ancestors knew that, and we're not treating things like our ancestors did, anymore. And this is going to have a huge effect on us. We already know, we listen to what all of the other people before us said, about what the military has done in other places. I have an activist friend in *Hawai'i* and I wrote down what he said. He wrote a message for us here on Guam: not only do they, not only did the military break the *Kaho'olawe* aquifer, they're currently polluting the *O'ahu* one with the Red Hill Fuel Tanks, and they're putting the one under, *Pōhakuloa*, I'm so sorry if I'm not saying that's right, but they're putting that one at risk by using Depleted Uranium there. This is happening right now. The military is, right now, poisoning aquifers in *Hawai'i*, in Japan, there, this is not something that was done long time ago. They, you know, they're still doing this all over and they know exactly what they're doing to our island. This is a war on our sacred water, that we need to sustain ourselves. They're doing, I'm not even going to hesitate saying this, but I know that they're doing this on purpose, because we can't be independent, we can't depend on ourselves without clean water. I have four children, so I will fight so hard to make sure that this resolution has passed, that, I spread awareness every single day to people I know, because we need clean water.

I'm also part Palauan and I take a lot of pride in the activists in Palau. Some of you might know Gabriela Ngirmang. Gabriela Ngirmang, she is a peace and anti-nuclear activist from Palau, and during her activism, her and the 50 elder woman that she brought to court, they were threatened, her house was set on fire. Like, things got really bad there, and guess what, she still fought and she went to the United Nations, and she was able to create the world's first Nuclear-Free Constitution, banning the storage and disposal of nuclear weaponry in Palau. So I want all of us to gather the strength that we see from other people in our islands, who have fought to protect the sacred, to protect our water, to protect our land, and I want us to continue doing that. And so, I thank you so much, Senator, and everyone else that continues to do this. I just want to end with a mantra, a *CHamoru* mantra that we use at *Mantras for the Marianas*. Right now, we're only on Instagram. We started like, January 4. We do trash cleanups, we pray over the water, we're also all activists involved in *Prutehi Litekyan*, we love our island. We are not the people that, you know, leave trash around. We care, but many people tell us, 'oh, what about the trash that people dump?' We don't, we don't do that and we care about that, too, we care about all kinds of contamination, all kinds of pollution. We want to hold our *Inifresi*, and we teach our children to do that.

So, I'm just going to end with this *CHamoru* affirmation, this mantra, and it's for the water. And, you know how I said Dr. Masaru Emoto proved that our intentions have an actual effect on water in the molecular structure? We will sometimes, we'll gather it, we'll hold water, this is actually water from the sink and 80 % of that water comes from our aquifer that we want to protect. So, I like to, you know, hold the water while I pray and so anyways, I'm just gonna say this chant. And

you can even, if you can't do it with me you can just set your intentions and just believe in a firm healing and protection over water. *Ta hongge na i lina'lå'ta i hanom-ta, humohomlo' yan mapulålani i hanom-ta. Ta hongge na i lina'lå'ta i hanom-ta, humohomlo' yan mapulålani i hanom-ta. Ta hongge na i lina'lå'ta i hanom-ta, humohomlo' yan mapulålani i hanom-ta.* We are affirming that our water, we believe, is sacred. It's our life and we're affirming that it's being healed and watch over and asking for it. So that's what we do, I just wanted to share that, and I wanted to inspire other people to do the same, to continue spreading awareness, support these senators, support this bill, and then, keep fighting for what's right and pray, pray for our water. Our children need clean water. Pray for our island. *Si Yu'os ma'åse'.*

Author Sabina Flores Perez: *Dångkulo' na Si Yu'os ma'åse'*, Katie, and I think it's so important that, you know, as indigenous peoples of this island, you know, we have to reconnect and reaffirm our relationship to nature, that would restore the health of our community and restore the health of our environment. So, I greatly appreciate your leadership and your courage to speak here, today. Thank you. So, at this time, the next person to testify is Nolan Flores.

Nolan Flores, Chairperson, Guam Youth Congress: *Si Yu'os ma'åse'*, Senator Perez. *Guåhu si Nolan Flores. Si Yu'os ma'åse' put este na oportunidåt.* I provide this testimony in support of Resolution 55-36. This resolution recognizes the importance of the Northern Guam Lens Aquifer to the well-being of our entire island environment, and further acknowledges both the ongoing and impending effects that expanded military activity will have on this critical resource and the greater health of our island and our people. A 2019 report on the potential impacts of climate change on Guam's water resources conducted by the U.S. Geological Survey finds that the NGLA, Guam's most important groundwater resource, will be greatly threatened by the effects of climate change. The report finds a "projected 19% decrease in recharge and increase sea level on groundwater resources," which will ultimately "decrease water availability from the NGLA." In recognizing and proactively addressing this projected decrease in water availability, *I Liheslatura* just last year passed into law Bill 405-35 which established a task force to explore the creation of a groundwater conservation area on certain GovGuam properties overlaying the NGLA. The Department of Defense's actions within the fence, therefore, run counter to these efforts and threaten our critical resources beyond the fence. The department itself, the Department of Defense itself recognizes the potential risks posed by the Live Fire Training Range Complex, stating in the 2015 SEIS that range operations "have the potential to leach MCs/Munitions Constituents to the water." Their solution for this: inspections, best management practices, and assessments every five years. Despite these so-called assurances, we need not look far to see examples of military negligence and instances of contamination of critical water resources. Perhaps the best, or should I say, worst instance, is occurring in Okinawa.

The site of Futenma Marine Base and Kadena Air Base with PFAS, the toxic cancer-causing substance that is currently the center of a multi-state lawsuit and is known to have contaminated water supplies here in Guam and around military bases within the U.S. and throughout the world. In Okinawa, according to an interview by *The Intercept*, with John Mitchell, author of the book, *Poisoning the Pacific*, Okinawa's main water source, which serves 450,000 people has been severely contaminated with PFAs causing "the highest level of PFAs ever recorded in a river in Japan and extremely elevated blood levels of PFAs among residents of Okinawa" What caused this contamination? The article details several U.S. military accidents at Kadena and Futenma,

including a military barbecue which inadvertently set off the firefighting system; a drunk marine initiating the sprinkler system as an act of vandalism; and a malfunctioning sprinkler system that discharged tens of thousands of liters of PFAs foam. The military's negligence is best summed up by this excerpt from the article: "In April when a bunch of marines were in quarantine because of the coronavirus in a hangar on Futenma Marine Base in Okinawa, they decided to have a barbecue." The heat from the barbecue triggered the AFF system and then the marines kind of panicked. "The doors of the hangar had not been shut for 10 years and they were impossible to close, so most of the foam escaped into the local community. When the fire team finally arrived, they didn't have a key to the room to turn off the fire system and so the sprinklers were firing for 25 minutes non-stop, and there was so much foam it went into the playground, in the nearby river." Okinawa has since been forced to filter its drinking water to reduce the high levels of PFAs, and perhaps unsurprisingly, the U.S. is not paying for the filtration and it is instead being footed by Japan. We cannot allow for our island's primary source of drinking water to meet this same fate.

Madam Chair, the military's pollutive past and culture of contamination are reason enough for our island to oppose the construction of the LFTRC and oppose any expansion to military activity within our lands and waters. At risk is the very water that we drink, shower and brush our teeth with; at risk is the very health, safety, and well-being of our people. Not just our children, but us here, today. This build-up, the increase in military activity and the threat of contamination that come with them are not occurring soon or in several years, they are occurring now. The threat to our water already exists. We must act now. I thank you, and I thank your fellow co-sponsors, and I thank the entire body for furthering the protection of our vital resources. And I, of course, urge all of our leaders and our entire community to unite around, unite around our water and take real steps toward change. This fight to protect our water, the most essential thing to human life, is a fight for our lives. *Para agradezi i tiempon miyu, Si Yu'os ma'åse'*, Madam Chair.

Author Sabina Flores Perez: *Si Yu'os ma'åse'*, Nolan. Yes, we must take heed of other communities that have suffered the fate of contamination, and we're here again today to prevent that from happening. So we're just here to protect our future and our life. *Si Yu'os ma'åse'*. At this time, I'd like to recognize Eric Pastor from, the director of *Hustle for Humanity Guam*.

Eric Pastor, Director, Hustle for Humanity Guam: *Håfa adai*, and good afternoon, thank you for letting us speak today. My name is Eric Pastor, with *Hustle for Humanity*. Basically, we started *Hustle for Humanity Guam* here, just this last month, first of April. The reason why I started it, is my kids were born and raised here. They're Filipino-American. We've lived here over two decades. So we've seen a lot of things changed throughout that time, with the human rights violations of not just indigenous rights, but also with different sectors throughout our island home. We wanted to make a change and be the first human rights group that support and advocate for the rights of everybody who calls our island home and for everybody who, whether they're permanently living here, or temporarily living here, we wanted to make a difference.

My main focus is human rights education. We protect, promote all the rights, and we have a lot of advocates for the water, for contamination, environmental, different sectors. The thing I'd like to focus on today is, the United Nations. I know it's hard to, with the issues that we had throughout the past and with Julian, great attorney for representing our rights and making some progress with the UNPO to get into the United Nations and have them come out with that report that they did

recently. The Guam Legislature Resolution 55-36, I fully support, because it's human rights, safe drinking water, which is one of the five Fundamental Human Rights, aside from food, shelter, health care. With water, it is a fundamental human right, so without question, we have to support it. Its basis is built upon the, referencing U.N. Resolution A/Res/64/292. I think it is. And that's for Safe and Clean Drinking Water and Sanitation. Basing it that human rights are essential to full enjoyment of life and all other human rights. This year's theme being "Valuing the Water" for earth, Water World Day, that theme I want to build upon. There's a resolution that the U.N. has adopted on October 9, 2020. So it's less than six months old. This U.N. Resolution, I encourage all of us to look at a little bit deeper, it's A/HRC/RES/45/8. 45/8 is the Human Rights Council Resolution that was adopted by the U.N. With it being adopted by the Human Rights Council, it, promotion and protection of all human rights, civil, political, economic, social, cultural rights, including the right to development. This human rights is to Safe Drinking and Sanitation, the exact same heading, the exact same subject that Resolution 64/292 the United Nations Resolution, is built upon. This resolution that came out October 9, 2020 45/8, it recalls all resolutions of the General Assembly on Human Rights to Safe Drinking Water and Sanitation. In particular, it is based off Resolution 64/292 the, what our Guam legislation, Resolution 55-36 is based on.

So this new resolution reference recalls the 64/292 and the main basis of it is recalling the 2030 Agenda for Sustainable Development Goals, which *Hustle for Humanity* has a partnership with the U.N. to achieve the 2030 Sustainable Development Goals. There are 17 SDGs, Sustainable Development Goals. Number six on the SDG chart is water. And I know we had the thing going on at UOG for last week, this Resolution 45/8 focuses on number six. The 2030 Agenda for State Level Development and other related goals, including incorporating important targets related to human rights for safe drinking water. This resolution focuses on COVID-19 in particular, with safe and effective drinking water, adequate supply in regards to outbreaks, regarding COVID-19. So the 3/4th of this Resolution is primarily focused on COVID-19 and Sustainable Development Goals. The Section 7 of this Resolution calls upon states to implement the Sustainable Development Goals to combat COVID-19 and number six of the SDGs, the water, it requests the Secretary General and the U.N. High Commissioner themselves for Human Rights, to provide Special Rapporteurs with all resources necessary for effective fulfillment of this mandate. So, in Section 7 of this Resolution 45/8 it states, I, and I quote: "we request the Secretary General and the U.N. High Commissioner for Human Rights to provide Special Rapporteurs with all resources necessary for effective fulfillment of this mandate, that includes dispatching them to areas throughout the world that need this issue addressed. And it's adopted without a vote. The very last page on the bottom, page six, the last page on the bottom of this, it was adopted without a vote. So, I don't, I, from what I had inquired, the message I got back from the U.N., being that United States wasn't, there was issues that Trump went out of the U.N. and on a 2018 Resolution that was for Safe Effective Drinking Water, U.S. wasn't one of the states that had voted or was absent or abstained from the voting process, because they weren't included with that issue. But this Resolution was adopted without any vote, and it's COVID-19 specific with SDG, the 2030 Sustainable Development Goals-specific agenda with the Secretary General and the High Commissioner being, overseeing that this mandate is fulfilled. So I just wanted to present that insight, to see if that may help in a different perspective. Thank you.

Author Sabina Flores Perez: Thank you, Eric, for that testimony. And we'll definitely follow up with that, and I believe, attorney Julian Aguon proceeded with this. He was successful in getting

recognition with the High Commissioners and the Rapporteurs, so we look forward to the progress of that by the U.S. government, regarding that matter. So, at this time I want to recognize Julian Janssen from Bureau of Statistics and Plans. He oversees the Federal Consistency. So, thank you, Julian for your presence here, today and I'm hoping that you can shed some light on the regulatory process, in regards to federal projects. So, you're recognized, at this time, for your testimony.

Julian Janssen, *Federal Consistency Coordinator, Coastal Management Program, Bureau of Statistics and Plans*: Okay. Thank you very much. I'm Julian Janssen, I'm the Federal Activities Planner of the Guam Coastal Management Program, also known as GCMP at the Bureau of Statistics and Plans. *Håfa adai*, senators of the 36th Guam Legislature and members of the general public. I'm testifying to provide background information with respect to the Guam Coastal Management Program and Federal Consistency for Federal Activities and Federal Development Projects. GCMP is the Coastal Zone Management Program for Guam. Our operations are governed by the Coastal Zone Management Act, Federal Regulations, and the Guam Coastal Management Program, and Final Environmental Impact Statement, and subsequent program changes. Federal Consistency is a process for Federal Actions, such as those described in the Resolution, are reviewed to make sure that they are conducted consistently with duly adopted Enforceable Policies on Guam. These include locally-adopted laws, executive orders, and regulations, which have been adopted through the initial program document or in subsequent program changes. Local laws, executive orders, and regulations, which are applied for Federal Consistency, generally pertain to land use regulations, such as appropriate siting for facilities for use, safety, efficiency, and prevention of erosion, protection of air and water quality, protection of fragile ecosystems, and cultural heritage, protecting endangered and threatened species, enhancing visual quality, encouraging development of recreation areas, preserving public access to beaches, recreational areas, and public lands, and maintaining agricultural lands for agricultural use.

GCMP is a networked agency which works with a number of local agencies to provide its responses to Federal Consistency cases, namely, the Department of Agriculture, Department of Public Works, the Department of Parks and Recreation, the Department of Land Management, the Guam Economic, I'm sorry, the Guam Environmental Protection Agency, and the Guam Waterworks Authority. The professionals of these agencies provide invaluable specialized knowledge and experience to the Federal Consistency process, so that GCMP can have a strong factual and legal basis for its positions, and any conditions contained in responses to Federal Agencies' Consistency Determinations. For your information, I want to briefly describe the timelines involved in Federal Consistency, for Federal Activities and Federal Development Projects. Federal Agencies with proposed Federal Activities or Federal Development Projects are required to submit their consistency determinations, phase determinations, or negative determinations, at least 90 days before a final decision, decision is intended to be made. Following the receipt of a determination, GCMP has 60 days to provide its response. GCMP provides an opportunity to the public and its network partners to provide comments, which may be incorporated into its response. Any objection or required conditions incorporated in its response must be based upon GCMP's Enforceable Policies. If GCMP does not provide its response within the given time, its concurrence is presumed. So that's, that's all I had to say. Thank you very much for the opportunity to provide information, to members of the Guam Legislature and the general public, with regard to GCMP and Federal Consistency. Thank you very much.

Author Sabina Flores Perez: Thank you, Julian. If you can just stay for a couple questions, I know you have a meeting, so just, so regards to your role, so a lot of the work that's done, from my understanding, that Federal Consistency work involves the review of applications and your determination, whether the project is going to have an effect on our coastal waters, the coast being Guam, including the terrestrial part of the island. So, in looking at the project, so I did, thank you for providing the Federal Consistency response for the Marine Cantonment base and I'm just concerned, because it was a 'conditional concurrence', meaning that there were some conditions that would have to be met, in regards to storm water management. And so, in this case, it states that "storm water is prohibited from being discharged into GWA's wastewater systems; the runoff and the wash-down area must not enter the wastewater system. Discharges of storm water, or water used for washdowns into a sanitary sewer, it's prohibited." So, as part of, you know, overseeing this this project, what is your role upon, I guess there seems to be, perhaps, a gap here, because the water that doesn't go into the sewer system can potentially be run-off, can run off into the environment. What are some of the protections in place? Are there protections in place to prevent contaminants that can come from the stormwater discharge?

Mr. Janssen: Actually, yes. The, the thing is, that that is the requirement of the, Guam, Guam Waterworks Authority. And, actually they have their, the, the military has their own MS4 permit out of the U.S. Environmental Protection Agency, which we also have, review those sort of things, as well, whenever they're issued, and there was one that uh, that was issued like last year and so they, they have to meet the USEPA's requirements for storm water management. But they, they handle their own storm water management separate from the GWA system.

Author Sabina Flores Perez: So who's, who's responsible for monitoring the storm water discharge, and what is the frequency of that monitoring, and what type of contaminants are actually tested?

Mr. Janssen: That would be, um, that would be under U.S. EPA because it's the MS4 permit.

Author Sabina Flores Perez: Okay, and somebody from this, the Region 9 would be the one to monitor—

Mr. Janssen: Yes,

Author Sabina Flores Perez: So, it's not our local Guam EPA, it's the California-based,

Mr. Janssen: Um, you know, I, I'm not that, I'm not that clear on that, on that issue that, that hasn't really been a Federal Consistency issue, but they're the, they do, but they do, the storm water, is um is under an MS4 permit, which they got from U.S. EPA. So, it probably, I, I wouldn't, I don't know all the details of that one, but it should be, it should be under the auspices of USEPA Region 9.

Author Sabina Flores Perez: Okay. Thank you for your response. So, in regards to protecting the coastal areas, are there any monitoring that happens after completion is approved by Coastal Zone Management Guam Coastal Zone Management?

Mr. Janssen: I'm sorry, I'm not exactly clear on your question.

Author Sabina Flores Perez: So my question is, is there any monitoring after an application has been passed or approved? Considering that Coastal Zone Management is supposed to regulate the effects, right, their, the job is to determine what the effects are to coastal areas, is there any monitoring that takes place after a project has been completed?

Mr. Janssen: I mean, the requirements that we have are under local laws and regulations and the enforcement of those are given to specific agencies, you know, like there are, for some, some things which were not on the base, there are, like, development requirements, but, but like, generally speaking, things that are 'on base' are not subject to those, so like, DLM generally doesn't get involved on base, but like, Department of Agriculture would get involved, there's issues with regard to endangered species, but of course, there's, and that's, and that's in their purview. And then, environmental issues, discharges or whatever, if, if they're covered then they'd be under like, Guam EPA.

Author Sabina Flores Perez: So at this time, there's no program to monitor after a project has been under Coastal Zone Management, there's no protocol in place to monitor, is that correct?

Mr. Janssen: I, I don't think that that's an accurate understanding of the Federal Consistency process, because, because like, like I'm saying, the enforcement authority is, is given to different agencies. The Guam Coastal Management Program does not, does not enforce, enforce those, you know, but if we, if we were made aware of, you know, of anything where the Federal Agency is not doing what is represented in our consistency deter—or, in their consistency determination, or our response to it, then there, there could be an interdiction process, because that would mean that, effectively, they're treating it as an objection.

Author Sabina Flores Perez: Okay, so there's a possibility for re-evaluation, something is consistent, is that correct?

Mr. Janssen: I think, potentially, but it generally hasn't been an issue and, and the enforcement is really on the specific agencies which are given authority over the Enforceable Policies which are covered under GCMP's program.

Author Sabina Flores Perez: Okay, so have you had any information about, let's say a non-compliance or violation of, of certain environmental laws, would that trigger anything with Coastal Zone Management? Is there, so that's what I'm asking, trying to get at, is there a way to have that communication so that it can be re-evaluated? Is there a process in place, should these enforcement authorities find that there's non-compliance? Would that trigger anything with Coastal Zone Management, to re-evaluate consistency?

Mr. Janssen: I mean, I haven't been made aware of any any instance, of course, if there was, then we would take the issue up with NOAA OCM.

Author Sabina Flores Perez: Thank you for that. Does Coastal Zone Management have protocol to determine cumulative impacts?

Mr. Janssen: I believe we are developing that capability. So, that's, that's one of our, I think that's one of our improvement areas under Section 309 but I can't really speak to that.

Author Sabina Flores Perez: Okay. Alright, I think that's all my questions, for now, but I do appreciate your time. I just want to allow my colleagues to ask any questions. We have Speaker Terlaje, I believe she was on. I'm not sure if she's still here, Speaker Terlaje, you're welcome for any questions at this time. Okay, maybe we'll get back to her. Senator Telo Taitague, do you have any questions for Mr. Janssen?

Senator Taitague: Not Mr. Janssen, at all. BSP, you know, I, I think they're, the monitoring scenarios that they're doing right now, I think it could actually, you know, go a little bit further even though certain things that, on the regulatory basis, that you do, cover, should cover a much wider range of overseeing certain, you know, projects, especially with what's happening through the coastal side, in the land but I was hoping that the Director of BSP would be on today, so we can ask some questions that Mr. Janssen wasn't able to answer. But nonetheless, I appreciate his opportunity to be here. EPA, Sen—Speak—I was calling you Speaker—Chairman—Chairwoman, who was not here, I noticed, as well. They weren't on, but I greatly, greatly appreciate everybody who is here to testify today, and the importance of recognizing this Resolution. I saw former Senator Hope Cristobal and listened to her and what she's had to say, so I greatly appreciate it. Thank you, Madam Chair, and thank you for allowing me to be a co-sponsor on this important Resolution. *Si Yu'os ma'åse*.

Author Sabina Flores Perez: *Si Yu'os ma'åse'*, Senator Taitague for your support. So I would like to offer the floor to Speaker Terlaje, if she has any questions for Mr. Janssen from Coastal Zone Management.

Speaker Terlaje: Oh, no, no questions for Mr. Janssen. Thank you, Mr. Janssen, for your testimony and for the work at Coastal Zone Management, which I'm greatly appreciative of, because it's one of the agencies that is actually very active in responding to all the requests for comments or, or input from us, at the Legislature, for the, especially on the military projects, when, because we're just not always able to get all the information that we would like. So I just appreciate your work, in that regard. Thank you.

Author Sabina Flores Perez: Thank you, Speaker. So yes, thank you, Mr. Janssen, for your presence and participation today, and I do look forward to working closely with you in regards to developing some of these ways we can continually strengthen the monitoring, even after applications have been reviewed. *Si Yu'os ma'åse'*. Okay, so, at this time, I would like to recognize the next speaker to provide testimony, Arthur Paulino from UOG Social Work Student Association. You have the floor, Arthur.

Arthur Paulino, University of Guam Social Work Student Association: Thank you, Madam Senator. *Buenas* and *håfa adai* to the honorable senators before us today, and to everyone else. My name is Arthur William Paulino, and I am testifying on behalf of the Social Work Student Alliance, in support. Our Resolution 55-36, “relative to reaffirming our human right to safe drinking and clean water in observance of World Water Day 2021 and recognizing the importance of protecting

our Northern Guam Lens Aquifer and precious water resource and ensuring the health of our people.” So it is of great importance, to protect our island's most valuable and treasured resource, which is water. For the past 3,000 years our *CHamoru* ancestors have cultivated our island and its agriculture, by creating a unique oceanic civilization that kept our water sacred, and those living species within our waters, safe. Up until today, our water is still, and will always be an invaluable gift that is bestowed not just on to us, but also for the future generations to come. What makes *Guåhan* unique is that our source of drinking comes from our very own Northern Guam Lens Aquifer, also known as the NGLA. This source of water not only nourishes the plants on *Guåhan*, but it is what keeps our people alive today, allowing our *CHamoru* culture to continue to flourish. Damaging our aquifer through military action, or any action in general, will not only limit our source of drinking, but if left unchecked, we will make our island uninhabitable. We cannot let this happen. We cannot, and we must not take our water for granted.

Our NGLA provides our island with 80% of its drinking water. The U.N. Declaration on the Rights of Indigenous Peoples asserts that we have the right to conserve and protect our environment and its resources. It sets forth that the government shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place on indigenous lands without the people's free, prior, and informed consent. The EPA also states that any contamination of groundwater will not only result in poor drinking water quality, but any attempt at a cleanup can cost thousands or even millions of dollars. This is even assuming that a cleanup is even possible. All of this being said, as an island community, we have to remind ourselves that water is not just an element, but it is what makes up our humanity and our *CHamoru* civilization; it is what keeps us grounded in our cultural practices, and it is what sustains our connection to our ancestors. Lastly, this precious resource of ours is what continues to keep us rooted and strengthened on our island of *Guåhan*. The Social Work Student Alliance urges all members of this esteemed body *i Liheslaturan Guåhan*, to support Resolution 55-36 and preserve our most vital resource and precious water, and to protect what is sacred for the generations to come. *Un dangkulo' na Si Yu'os ma'åse'* for listening to our testimony, and Madam Senator, Madam Senator Sabina Flores Perez, thank you so much for allowing us to come in today to present our concerns to you. Thank you.

Author Sabina Flores Perez: *Si Yu'os ma'åse'*, Arthur, and I'd just like to recognize the presence of your other colleagues, Alea Alvarez, Corinth Aguon, and I believe, Zamantha Zamora, from the Social Work Student Alliance, and thank you for your assistance and actually helping draft the Resolution. So, thank you very much. So, at this time I'd like to recognize Ms. Kelly Masga, here. So we do have Kellie. Okay, Kellie, you're recognized, and thank you for being here.

Kellie Jean Masga, Representative, Inafa'maolek Youth Heritage Program: Hi, *buenas yan hãfa adai*, my name is Kellie Jean Masga, I'm 16 and a junior attending George Washington High School. I'm representing the *Inafa'maolek Youth Heritage Program. Si Yu'os ma'åse' yan Saina ma'åse'* for the opportunity to speak here on behalf of the future generations. First off, I'd like to say thank you to all the senators who have signed on to this Resolution for considering us, *i manhoben*, the youth of our island. We are grateful for this Resolution because it shows us that our leaders actually care for us. The decisions that are made today, regarding the treatment and care of our land, our waters, and our air, will have long lasting effects on the people who inherit the land, and that's us. Water is important to our lives. Water is the defining element that sets the

earth apart from the other lands in our solar system and allows for all lifeforms to flourish and thrive.

As Oceanic peoples, water is an invaluable resource for us. Our entire ecosystems, the systems that sustain our lives, our food source, our source of inspiration, lies in our, lies in the water. Our people need clean water to cook, to clean, and to nourish our bodies, and plants, and our animals. It is scientifically proven that the proposing fire range, above the Northern Aquifer of our island, will be a huge hazard for our people. I can barely imagine what thousands of bullets, containing lead, launched over the land and into the sea, would cause. Lead poisoning is a serious health hazard, and it is not something we can just brush off our backs. I am destined to live a life in sickness? Am I destined to live a life in sickness? What happens if our aquifers get contaminated? What do they want? Why do they want this specific land? This is where our ancestors cultivated and lived. It is sacred to the culture, to the culture and the people of Guam. The real question is, what will be left for us youth from the defects of this firing range? And who will be held accountable for ensuring our health, ensuring our rights to clean water?

Sometimes I think to myself, and I wonder about my future. I worry whether or not I will get to live a long healthy life. I worry that, one day, my children will never get to breathe the same air, walk through the same land, or understand their culture the way we were able to; to live a healthy lifestyle the way our *manâmkô* did, living off the land. Sorry. Many times I wish we knew how to, I knew how to speak my language. This is already something that we have lost and we are trying to gain back. I don't want to ask the question, but what more can be taken from us? But I do wonder, someday, will I not know how clean water tastes, or will my skin burn? Or will my skin and insides burn from the contamination? Will I live long enough to see my grandchildren, or my body suffer from being poisoned by the fallout from the firing range? Sorry. I encourage you, our leaders, to help me find the answers to these questions, to draft and pass policies and regulations that ensure that I am still able to turn to the land, and embrace the culture that is in front of us. Do not let us, the children and the future generations, be the victims of the decisions or actions that could have been prevented. Instead, let us live our lives with hope and security. Let us inherit a future of health and happiness. Let us live to drink and bathe in our clean waters. In closing, I would like to quote the *Inifresi*: "*Hu ufresen maisa yu' para bai prutehi ya hu difende i hinengge, i kottura, i lenguâhi, i aire, i hanom, yan i tano' CHamoru*" / "I offer myself, to protect and to defend the beliefs, the culture, the language, the air, the land, the land of *CHamoru*, which are our inherent God-given rights." We thank you for doing the same. *Si Yu'os ma'âse' ginen i kurason mâmi*.

Author Sabina Flores Perez: *Un dângkulo' na Si Yu'os ma'âse'*, Kellie. Yes, this is our ancestral land. We've been living here for over 3,000 years and we knew how to protect our environment, and your testimony is a testament to how strong our culture is, and the desire and the commitment to protect our homeland for our people and for future generations. So, thank you for your courage and your testimony, here, today. *Si Yu'os ma'âse'*. At this time, I would like to recognize Joni Kerr, to provide her testimony.

Joni Kerr, Advisor, Guam Community College *ecoWARRIORS*: *Un dângkolo' na Si Yu'os ma'âse'*, *hâfa adai*, senators of the 36th Guam Legislature, fellow residents of Guam, and those who are listening in the diaspora. *Biba manhoben!* My name is Joni Quenga Kerr. I teach

Introductory Marine Biology and Chemistry at Guam Community College. I'm also a faculty advisor of the *GCC ecoWARRIORS*, which is a student and community organization. We are dedicated to protecting the environment. Our motto is: “learn, lead, protect”, and over the last nine years we have led events such as cleanups, the march to Protect Mother Earth, to raise awareness of global warming, and we've protested irresponsible development in both the private and military sectors, including the destruction of pristine limestone forest to build the live fire training range at Ritidian, *Tailálo'*.

On behalf of the *ecoWARRIORS*, I strongly support Resolution 55-36, which reaffirms the right of the people of Guam to clean, safe drinking water, and the importance of protecting the Northern Guam Lens Aquifer that provides 80% of the water that we use. We are deeply concerned that the military's mission is being implemented at the expense of our natural resources, and our current and future generations. The military has an abysmal record, with respect to protecting the environment, wherever it has installed bases and firing ranges, throughout the world. And Rick Perez and senator, former senator Hope Cristobal, talked about this. These, there are numerous research studies, white papers that document heavy metal contamination in both the U.S. and foreign countries, such as Okinawa and Germany. Indeed, some of these areas have been shut down because they were deemed too toxic for soldiers to train. In Puerto Rico, *Hawai'i*, Alaska, and Guam, the people most affected by military toxic waste are indigenous minority groups who lack adequate political representation and/or their colonial status relegates them to positions that lack effective influence in such matters. Presently, there remain at Andersen Air Force Base Superfund Sites that have not been cleaned up. Indeed, nothing can ever be done to resolve one problem that result, that involves groundwater contaminated by the solvent, trichloroethylene, or TCE, and that is due to what has been termed a “technical impracticability”. TCE is a powerful degreaser. It's used to clean machinery and aircraft, and any attempt to remove this TCE would cause salt water to intrude into the freshwater lens. So, and this is because TCE is denser than water, and it has moved below the freshwater lens, and it sits above the saltwater layer in the aquifer. So, what passes for a remedy, a remedy, a redeemed remedy, by the military, amounts to monitoring the site and not allowing pumping of any ground water. Indeed, the contamination is permanent.

A major concern that I've raised in the past, is the amount of heavy metals, particularly lead, that is released when firearms are discharged. The millions of bullets that will be fired will release lead dust into the air, soil, and other surfaces. I've attached a 2017 reference, entitled “Lead Exposure at Firing Ranges”, and it's a review. It's from the journal, *Environmental Health*. The article speaks to Blood Lead Levels, or BLLs, found in individuals who work at, or frequent, firing ranges. But it also describes how lead dust can be transported on an individual's clothing, to their home and family members; how it can be carried in the air, contaminate the soil and groundwater, of course; as well as make its way into the wildlife and biota. The adverse health effects due to exposure to and ingestion of lead, have been well-documented. Should this firing range be allowed to be built, our people, our children, our ecosystem will bear the major consequences. So, some might argue that the military might have learned its lesson from the many toxic and unusable lands, surface, and groundwater, and sea water that it has left in its wake; that they will abide by the Clean Water Act, the Endangered Species Act, and Section 106 of the National Historic Preservation Act. But we've all seen the caveat, the words that often accompany military actions. And these words are: “in the interest” ...the words are “in the interest of national security” All too often, all too often,

these words, they are used as an excuse to pass for validation. In closing, the GCC *ecoWARRIORS* commend the sponsoring senators for introducing this comprehensive resolution, to protect our water now, and for future generations. *Saina ma 'åse'*. Thank you.

Author Sabina Flores Perez: *Saina ma 'åse'*, Joni. Thank you for your testimony. I think we all share the concern that our community faces. Thank you so much for being here, for your braveness. So, at this time, I would like to recognize Chelsey Dueñas, from *Allied Marianas*, the Social Progress Podcast.

Vinessa Dueñas, *Co-founder, Allied Marianas: Håfa adai.* I was wondering if you meant Vinessa Dueñas, or Chelsey Cruz?

Chelsey Cruz, *Allied Marianas, the Social Progress Podcast: Dispensa yu', hunggan,* yeah. I'm Chelsey Cruz and my email was from the Social Progress Podcast, I don't know if that's who you're calling on.

Author Sabina Flores Perez: Okay, I think we have, I think, Chelsey, we can recognize, you are recognized.

Ms. Cruz: Thank you, Senator, and thank you, everybody that has spoke so far, before me. I embrace and I uplift everybody's courage, and I appreciate everybody for being here, today. If I can, Senator, I would welcome the room to do some breathing, as we continue on. This is a lot of, it's a lot of hard things to say, and I really encourage all of us for being here, today. So, I'd like to say *håfa adai*. Today, I encourage myself to speak my *CHamoru* truth, so I will leave all the facts and the science to the rest of the room. I also use myself as a public example to our people, to say we don't need to know it all, and we don't need to be perfect, but we do need to show up. I reach you from *Kumeyaay* Land, home to the *Yuman*-speaking people of *Hokan* stock, known today as San Diego, California, and give gratitude to *Zoom*, a tool my grandparents and *nåna i tata* did not have, in their time, to use as a communication tool to speak on the importance of our water. I even choke when I say, 'to speak on the importance of our water,' I show my representation as a descendant and an ancestor to the elders and the youth of *Guåhan*, to affirm my support for the Resolution 55-36, *Prutehi Litekyan/Save Ritidian*, and all the prayers, efforts, and organizers, both home-based on *Guåhan yan i CHamoru* diaspora, United States.

I'm grateful for the opportunity to openly share, and would like to be vulnerable enough to say that in early childhood, I was too busy playing with the *nenis* to listen to why my grandparents were meeting with others every week, with their signs on the road, waving at people's attention, showing up and listening to a man that spoke about Guam's main water source being under attack. Since the 1900s, a man that people went against. I remember my grandparents always showing up and listening to this man, even when he left Guam for *Hawai'i*. My grandmother prayed for him, what seemed like was all day. As an adolescent, I was angry at the world because of life experience, and I ignored why my grandparents kept giving all their money to leaders on Guam every two to four years. I ignored, each time I saw my grandparents get let down or abandoned by the same people they gave their money, energy, and support to, promises left unkept. At 18 I left *Guåhan* for the United States. "Land of opportunity" is what was told to me, and so it is, but I mean, what is

‘opportunity’? At 30 I see, *inagofli'e*. Throughout my youth and young adulthood, I was angry, I grieved, ignoring my grandparents’ work.

Today, I am not outraged, I am not saddened by the fact that I need to put black words on a white paper to express the importance of our water for our children, because let's clear the smoke: it is for our children. Words like saddened or outraged would be a lack of expression to how I feel. I can say that I am filled with light and see the realities of the acts our peoples face today, because this is an act, a conscious act of violence against our people, lands, and waters. I am here to say I am no longer angry, and I forgive the leadership you provided my grandparents. On their behalf, and as they request, I ask you to show up for their children and grandchildren today. I am present and I am listening, for my grandparents and the children after me. The coronavirus global pandemic has shined mass light to the very dark and ignored cracks that all the children fall through in this world today. It has shown us the spirit of youth drug abuse on *Guåhan*, the realities of our people's pains through the rise of sexual assault and abuse being done to our children and elders by our people. And now the water, a natural resource that man has no business tampering with, a natural resources that a man does not want to go against. Our daily reactions today have influence on the fourth generation.

Our daily actions today have influence on the four generations after us, and so, on Guam's histories have shown us this, as we face the results of our past. And today, I close this message with a softness. I call out to our leaders and people of *Guåhan*. Yes, leaders and people, because it's not just one, but all of us that need to show up. I am affirming your hard work, and I uplift you. Your job is not easy, but this is yours to do. So I come to give you, with indigenous science, love, compassion, kindness, understanding and *CHamoru* values, *inagofli'e* and *inafa'maolek*, as I encourage you to stand with Guam and Marianas, in solidarity to protect our natural resources along, with passing Resolution 55-36, not just for an awareness day, but for the people and earth, herself. It is one thing to say these words, but another to act on it. Let my message today be an act of encouragement and beacon of light and support. Although Guam has faced many hardships we are in a unique position as an island far away from the lands, to learn from the many mistakes that they make, daily. I am in full support of Resolution 55-36, I stand with *Prutehi Litekyan/Save Ritidian*, the senators, I am greatly appreciative for you guys even having the thought to bring this opportunity to the people and allowing us to speak openly and honestly.

Today, I uplift the people and the youth, and I encourage us to pass this Resolution because accountability for our actions will be served, and I ask the room, if this is okay, Senator, if people can put in the chat who they think or who they think will inherit the accountability of our actions today. If that's okay, I ask you guys, I welcome you guys to put it in the chat and I would also ask if I can close with a mantra by the *Mantras for the Marianas*. I am in support of the *Mantras for the Marianas*. Here in the diaspora, as I encourage awareness and accountability out here in the United States, to focus the groundwork that everybody does on Guam, today. I would translate in *CHamoru* and in English, it is titled *Tinayuyot*, and I'm still learning *CHamoru*, so forgive me in advance: *Para i ge'lichan, para i ge'lågu, para i ge'kåtтан, para i ge'håya. Asaina, hu a'ångang hao. Un nesisita yu' pã'go nu i sugon-mu.* This is a prayer with intentions, and it read in English: “towards the left, for the west; towards the ocean, for the north, towards the right; for the east, towards the land; for the south. Ancestors, I'm calling on you, I need your guidance now. Ancestors, I'm calling on you, I need your guidance, now.” And again, I would just like to say *Si*

Yu'os ma'åse', thank you very much, for allowing us to be here, and available, not only with the people, but with all the organizers and all our senators, and everybody on *Guåhan*. I share this prayer, as a message to the youth, that the things we face today are something that the human body is not capable of accomplishing. As we've seen throughout generations, I want to encourage you all, that we are a spirit of love and light, and I want to seek you to pray, and, and I uplift you for showing up, being a young person in a room that, to be able to share your concerns and, and the very crucial matters that we face today. *Si Yu'os ma'åse'*.

Author Sabina Flores Perez: *Dångkulo' na Si Yu'os ma'åse'*, Chelsey, for your inspiration and your uplifting words, and your leadership. So, you may be young, but I think you're very wise in your age, *Si Yu'os ma'åse'*. So, at this time I would like to recognize Erica Pangelinan from the Soil and Water Conservation District, to provide testimony. *Si Yu'os ma'åse'*, Erica.

Erica Pangelinan, *District Manager, Guam Southern Soil and Water Conservation District: Buenas yan håfa adai,* Senator Sabina Perez and members of the Committee. My name is Erica Pangelinan, and I am the District Manager representing on behalf of the Southern Guam Soil and Water Conservation District. The Southern District fully supports Resolution 55-36 as presented, and echoes the same sentiments provided by our Northern District counterpart. Although the districts are divided by boundary, we are always together in our mission to promote the conservation and protection of Guam's precious resources. As I am looking to you, Senator Perez, I can't help but think back to all of the Educator's Symposiums that you've helped facilitate with the districts, and in that capacity, hundreds of Guam's teachers were trained on soil and water conservation and, and so that they can pass the knowledge to our children in the classroom, about the importance and the issues that faces our natural resources. Fast forward, today, you are serving in a much bigger capacity, as senator, taking conservation to a needed level and pushing the rights and needs of our people in terms of our environment and our ecosystem. And although there's so much work to be done, we look forward to the great work ahead. And with that, the Guam SWCD will continue to do our part and work with our partners and private landowners to protect and conserve our soil and water resources. So, in closing, *un dångkulo' na Si Yu'os ma'åse'* to all the senators for this much-needed Resolution, and thank you to our leaders and supporting organizations for stepping up, and for all the courage you do to seek what is, to do what is right. And I'm just so moved by all the powerful testimonies that were provided here. *Biba* World Water Day and *Si Yu'os ma'åse'*, again.

Author Sabina Flores Perez: *Biba. Si Yu'os ma'åse'*, Erica, for your commitment, and your being here, today, to provide testimony and support for such an important measure. And you're right, it's more than just celebrating, affirming our human rights to safe drinking water. But it's a commitment that we hold dearly. *Si Yu'os ma'åse'*. So, at this time I'd like to recognize Vinessa Dueñas.

Ms. Dueñas: *Buenas yan håfa adai,* I am currently *Zooming* from the ancestral lands of the *Nisenan, Maidu,* and *Miwok* here, in the Sacramento region of California. My name is Vinessa Dueñas. I am the Co-founder and Chair of the nonprofit organization *Allied Marianas*. I am also a community organizer for the newly-formed *Masakåda Collective*, a grassroots organization created in response to concerned *famalao'an CHamoru* and non-binary people in the *CHamoru* diaspora. I am also writing on behalf of *CHamoru* scholar-activist, community organizer, professor

Antoinette Charfauros McDaniel, who is the Founder of *Chamorro Pathways to Higher Education* and the Director and Board Member of the *Chamorro Association of the Midwest*. I am writing to express my full and informed support of Resolution 55-36 in solidarity with the non-profit organization *Prutehi Litekyan/Save Ritidian*, that reaffirms access to safe and clean drinking water as a fundamental human right and recognizes the importance of protection of Guam's sole source aquifer, the Northern Lens Aquifer. As a *CHamoru* activist and scholar, it is alarming to see the over-militarization of our islands in the Marianas, and in this specific case, the clearing and desecration of ancient village sites and ancestral remains, the disregard for endangered species, and the constant neglect of the rights of the *CHamoru* people, in this case the fundamental human right to safe and clean drinking water on the island of Guam. It is not a question of if the Northern Lens Aquifer, of which provides the residents with 80 to 90 percent of clean drinking water, will be contaminated, but when. I am concerned for the long-term effects that this inevitable contamination will have on the indigenous and local people living on Guam, I am outraged that since the U.S. gained these islands as spoils of war, the indigenous and local people of the Marianas have been in constant battle in defending their cultural and human rights. I am a deeply concerned Indigenous *CHamoru* woman and American citizen, when I submit this testimony, that expresses my full and informed support of Resolution 55-36. I express full opposition to the continuation of building the live-firing, fire training complex and separate hand grenade range on the island of Guam, and overall, the continued over-militarization, rape, and desecration of our ancestral lands in the Marianas. Thank you so much, senators for your time and for the opportunity to express my views.

Author Sabina Flores Perez: *Dângkulo' na Si Yu'os ma'åse'*, Vinessa, for your presence and participation, and providing support. *Si Yu'os ma'åse'*. At this time, I would like to recognize Clarissa Torres for her testimony.

Clarissa Torres, Community Member: *Un dângkulo' na Si Yu'os ma'åse'*. I'm here today to remind each one of us, other residents of Guam and especially the rest of the government entity, that we are all connected to the elements on the earth. When we were created by God, we were made up from the dirt, the earth, which is connected to our digestive system, which converts food into energy or *chi*. The breath of God, the wind, the air, is connected to our respiratory system, as well as each animal that breathes life. Our fire, which is connected to our cardiovascular system, our metabolism, and our passion, is what stirs us to be here today, to protect our land, our air, our ocean, and our fire. The water is 70% of our body. It is connected to our immune system, especially our kidneys, which flushes out the toxins from our bodies, and it is also connected to our emotions, our intuition. So, let it be remembered that we were placed here on this earth to be protectors of God's great creation. It is, it is our duty, as stated from God above and in our *Inifresi*, to take care of our environment, to protect it and to respect it, because it is something gifted from God. It is our duty as the generation here, to protect it and take care of it for the generations ahead, for our children and the children that they will have. So I ask each one of us, and most especially, those who are still deciding on this, on this Resolution, to please take this into consideration and remember the *Inifresi* that we all stand by: to protect and defend our air, our earth, our water, and our fire. Thank you.

Author Sabina Flores Perez: *Si Yu'os ma'åse'*, Clarissa. Thank you for that prayer and the intent of your testimony. At this time, I'd like to recognize Bobbie Benavente for her testimony. Is, is

Bobbie Benavente, she present? Okay, so I'm not getting a response. Maybe we'll come back to Bobbie later. So, I was asked to, maybe I'll just go on to Lillian. Is Lillian, she here to present testimony. I'm sorry, I believe, okay, I'd just like to recognize, let's go back to Bobbie. I think you're on mute. I don't know if you were trying to provide testimony. Oh, okay. Okay, we'll give Bobbie some time. We'll move on to Lillian. Lillian, if you would like to provide testimony you are recognized, and if you can turn on your video. Okay, so I'm not getting a response with Lillian, maybe we'll come back, so, Dalene Camacho. Is Dalene Camacho, here? If you would like to testify, you have the floor. Okay, I'm not getting response from Dalene. We can always come back. Gina Marie, you are on the list for, to testify. You are recognized, Gina Marie.

Gina Marie, Community Member: I was just observing, but I will say that I am in support of this Resolution. I am *Zooming* in from the traditional *Diné* and *Hopi* and *Tewa* Lands in Flagstaff, Arizona, and my own *CHamoru* DNA connects me to *Guåhan*, and I am very moved by everybody's testimony, this evening. And I am very encouraged to hear people that are working so hard to protect the personhood of this aquifer, and of this beautiful space, and the water that is sacred. And I just want to say thank you to everyone, for doing this work, and I want to voice my support for continuing the protection of it. And that is all. I am complete. Thank you.

Author Sabina Flores Perez: Thank you so much, Gina Marie for staying up so late. I know it's probably past midnight over there, but thank you for participating and for your testimony. It's greatly appreciated. Okay, so the next one we have on the list is, so I believe Eva was here, earlier. And then also, Jesse Chargualaf signed up earlier, and then *Checha*. So, is there anybody else that's present that would like to testify, and if you can go back to Bobbie Benavente.

Bobbie Benavente, Community Member: Oh, hi Senator.

Author Sabina Flores Perez: Hi, good evening.

Ms. Benavente: Hi, good evening, oh great. Hi, I could provide testimony, but I guess you called me. I was observing. I don't have a written testimony, but I am in support of this Resolution. I'm just feeling a lot of emotion right now, and one of the things that's foremost in my mind is, this whole effort, worldwide, and in the United States and here in Guam, to vaccinate at least half of our community, half of our island's residents, to ensure greater safety for ourselves and for our families. And yet, we have to justify our rights to clean drinking water, our rights to protect our resources here, on this island, our right to protect our land. And it just seems so frustrating and odd that the most obvious, the most obvious human need is under threat, continues to be under threat, by powerful militarized organizations that are made up of human beings. These systems that say they work hard to protect us, our future, protect us from attacks from other countries that threaten us. And yet, right under our feet, right in our presence, with what the military, the U.S. military is doing, continues to do, for years and years and years, is something that we're still trying to convince our community and our leaders, and the President of the United States, and the heads of the military, that this is just not good, it's not good for us, now. It's not good for our newborn babies, it's not good for the future of our children and our grandchildren's children. I support this. I don't know what else we can say, as Indigenous People of this island. You know, I'm angry.

I have members of my family that are serving in the military, and those are choices that they make. But I'm sure, as soldiers of the different branches of the U.S. military, it wasn't something they choose to do. They're not choosing to poison our waters. They're not choosing to destroy the land, and destroy the ancient burial sites of our ancestors. They're not choosing that. They're choosing this idea of protecting and fighting for the U.S. Guam being part of the U.S., we're fighting to keep safe. But we're not safe. The U.S. is not keeping us safe on this island. And I ask every single person who serves in this, in the military, to think about what it might be like, should they choose to live on Guam and raise their children and grandchildren and great-grandchildren, what would it be like for them to know that their actions, right now, as part of the U.S. military, is threatening our lives, our health, our future, the life of this land? My husband is a fisherman and every time I speak in a public hearing, I mention him, because he's an awesome provider, and has always been a farmer, a fisherman who provides not just for our immediate family, but shares his catch of fish, and octopus, and lobsters, and crabs, he shares that with neighbors and extended family members, and more and more, over the last 42 years, the resources are dwindling, access to these fishing grounds are limited. The waters are contaminated. Lands are destroyed. I mean, I guess it's good that I don't have a written testimony, because it would probably restrict me from just speaking from my heart, but I speak from my heart, right now. I support this resolution. I thank you and other senators for putting this forth. I believe with all my heart, it will pass. And it's just the beginning. It's just the beginning. It's just one step, a comprehensive act, that we as a whole community must push forward, with so much aggression. With no, with no apologies for what we must do, right now, to protect our people, in all ways.

Anyway, I had my second *Moderna* shot today. So, I do that, because part of me believes that it is my duty to do what we're called upon, for herd immunity. It's not just about this pandemic, man, it's about everything around the environment that also needs to be protected, that we must all step up. Every single one of us, every single soldier that that lives on this island, that may choose to make Guam their home, everyone who has settled on this island, who has chosen to raise families on this island: we have an obligation. We have an obligation to step up and say, "No more." Enough has been enough, like 100 years ago, or at least 60 years and over 70 years ago. But things have to change. We can't, we can't find ourselves two years from now, four years from now, proposing legislation, resolutions to protect our land, to protect our culture, to not disrespect our, or the sites where our ancestors are buried. So I, I thank you. I pray to the Lord that things will change quickly, so that we are all truly kept safe, and that we live in a land of peace and not continuing to prepare for this war, whatever war, maybe, you know, threats from other countries. I pray that we realize that we are under threat, right now, by the country that supposed, that's supposed to be protecting us. In Jesus's name, *Amen*. Thank you.

Author Sabina Flores Perez: *Si Yu'os ma'åse'*, Bobbie, for caring words and commitments and, yes, first, I'm very honored to be a part of this community, and I stand in solidarity with you all. And thank you for being brave and speaking truth. And it's really just about the love of our island, right, we're trying to protect our future, our island, and it's for all. Protecting it for all.

So I was asked to also read aloud testimony provided by Clarissa White. "*Håfa adai todos hamyo*, as a teacher, activist, and elected delegate to the California Democratic Party, I have witnessed avoidable tragedies that have occurred because people have been more taken with power and the appearance of control than with justice and human dignity. This is why I take a stand against

continued military overreach in the Marianas. As someone who explains difficult concepts to children, I've thought of how to explain the continued degrading and harmful effects of exploitation of the Mariana Islands and waters by the Department of Defense. Please consider that intention should never outweigh the actual and probable sustained impacts of future tainted water sources and continued desecration of ancestral artifacts, and preservation of our culture. In this metaphor I'd use to explain colonization of the Marianas to children, I want us to think simply: let's pretend the U.S. military is a childhood friend who saved another friend from a scary, unsafe situation. Let's say the U.S. saved your friend, then decided to take the child who had experienced trauma's house for an indefinite amount of time, and control the latter child's future use of space and resources, feeling fully entitled. Is this fair? Is this equitable? What are the consequences of continued Department of Defense projects that do not prioritize Indigenous islanders' rights? With the U.S. military, saving many *CHamorus* from Japanese occupation when my *nāna* was a child, many fall susceptible to believing that we must defer to military decisions, even if they negatively impact the health, safety, and cultural longevity of our peoples. I do not hold this mindset. I am writing to express my full and informed support of Resolution 55-36 in solidarity with the non-profit *Prutehi Litekyan/Save Ritidian*, that reaffirms access to clean water as a human right, and highlights the importance of protecting Guam's sole source aquifer, the Northern Lens Aquifer, has many community members including my peer, Vinessa Dueñas, of *Allied Marianas* and *Masakāda Collective* have stated, I am a deeply concerned Indigenous turmoil woman and American citizen. When I submit this testimony that expresses my full and informed support of Resolution 55-36, I express full opposition to the continuation of the building of the Live Fire Training Complex, and the separate Hand Grenade Range on the island of Guam, and the, and overall, the continued over-militarization, rape, and desecration of our ancestral islands in the Marianas. Please consider how, and if, our future grandchildren will be able to steward the lands and water, safely, and if there will, there will be safe, clean water in the future, if this Resolution should not pass. This is not a decision that should be taken lightly. It is past time we respect Indigenous rights; it is past time we honor and preserve our land, waters, and culture. *Si Yu'os ma'āse'*. -Claire White, of the Taijeron family." I would like to open the floor to my colleagues, for any comments or remarks. Speaker Terlaje.

Speaker Therese M. Terlaje: *Håfa adai*, thank you, Madam Chair. It's very hard to follow all of that testimony, it's, but I want, I want you all to know that I think it's really important, what you have done today, by being here and speaking up. And I know that it's not easy, and it's very emotional, and to have to, like, 'go there, again', you know, in your spirit, it's, it's very difficult, sometimes. So, I'm very grateful and I want to, you know, when this Resolution first came to me, I was thinking, World Water Day? You know, just that topic, alone, I was like, we all know water is important. But then, when I read the Resolution, it's actually such an excellent resolution. I was very proud to be the first co-sponsor on it, because this Resolution goes, it, it gives us, in a snapshot—everything that we need to know to, not just, you know, know what's going on, know what the rights are, according to the United Nations; know what's going on, on Guam; know the truths about Guam and what has happened in the past; know what is happening now. And this Resolution is really a call to action. And so, I, I thank all of you who recognize that, and who have called for accountability and action by all of us, and, and it really does take all of us. I'm convinced of that. In everything that I've ever done, have seen it over and over, that, by myself cannot accomplish what only all of us can accomplish; and that it takes every person in every role to use that role that they are in, right now, to do this, to advocate not just for clean water in general, but

to be very specific and point out those things that people really don't want to believe. And I want to spare them from the truth, as well, but we can't, right now, because they need to hear the truth, if we are going to compel them to action. And that's, you know, unfortunately, I wish I could spare all the youths this but unfortunately, or fortunately, I think, it's the youth that is going to help us, to call to action everybody who needs to act. They, you know, people don't want to believe, easily, that contamination is present, first of all. They don't want to believe that contamination is conscious, it wasn't just an accident. They don't want to believe that contamination, after, you know, all the cautions, all the warnings, after the past mistakes, that future contamination is, is still very possible and should be avoided, at all costs.

I really believe that, and I'm so glad to have all of you here today, to help us to try to achieve that, to not be fooled, to not be complacent, to not be apathetic, but to be active and to be convinced that what we do may not benefit us directly, but it will benefit future generations, it will spare them, we hope. This feeling, this feeling, where we have to cry during testimony, because it is so compelling, it is so, it hurts, it's painful; it's painful to know that these things happen to our island that we love so much, it happens to our people who we love so much, our families, and that, that we might be allowing this to happen to our children and our grandchildren and future generations, who we haven't even met, yet. How could we allow that? And so, I just want to thank all of you, again, from the bottom of my heart. It takes all of us, and I am so very, very grateful when things get difficult, to have people like you, who are willing to stand up, to let yourselves be heard, to do the hard work that it takes to do this type of thing; to testify, to stand up in front of everyone, and show your commitment. And I'm very, very grateful, and thank you, Madam Chair, for your work on this Resolution. It is, it is really a good snapshot of what we are facing here on Guam, what we need to do, and who we need to address to get that done. So, *Si Yu'os ma'åse'*, *Si Yu'os ma'åse'* to everyone.

Author Sabina Flores Perez: Thank you, so much, Speaker. Well, it was well-said and definitely appreciate your strong support, and everybody's support, here, *Si Yu'os ma'åse'*. Senator Telo Taitague, you are recognized.

Senator Telo T. Taitague: Thank you. Thank you, Madam Chair, and I don't want to keep anyone much longer. I mean, we've been here since three o'clock talking about this, and I, and I think it was that important, that I maintained this, being on this *Zoom* and hearing everybody who came to testify, like the Speaker said, it's very difficult, you know, sometimes, for people to come forward, and I'm, I think it was one of the other speakers, who spoke about having family members who are in the military, and, but what she said was so profound, you know. They're in the military, but they don't agree to poisoning any of the lands or the, our water. I mean, they're not there for that, and it's so true we have many people on Guam who have family in the military and I think she said it perfectly, how she said that, and I greatly appreciate her mentioning that. Joni, I really appreciate your testimony, as always, you know, being up at the forefront, when it comes to being an advocate, out for protecting our island and our resources, and your very touching and warming testimony. But to everybody that was here, I'll try and keep this very, very short. *Un dangkulo' na Si Yu'os ma'åse'*. your voice is needed. It is definitely needed. If you're silent, they won't hear you. Thank you.

Author Sabina Flores Perez: Thank you, so much, Senator Taitague, and thank you to all who have come here, today, to record our basically, we give them no consent to the continued desecration of our lands and contamination of our waters. And we definitely appreciate everybody's strength and courage, and I really want to thank everybody that's come here today, and we still are accepting testimonies, and this becomes record, and this is so important because, in addition to it becoming record, there's a means to address this. We are still playing active roles despite all the challenges, and because that's, that's what's necessary. So, thank you so much, for being here, today. And at this time, the committee now adjourns. The time is 5:29p.m. Take care. *Si Yu'os ma'åse'.*

Chairperson Perez adjourned the public hearing for Resolution No. 55-36 (COR) at 5:29 p.m.

Written Testimonies:

- Antoinette CHarfauros McDaniel/*CHamoru Pathways Through Higher Education*
- Chelsey Cruz/*The Social Progress Podcast*
- Claire (Taijeron) White
- Clarissa Mendiola/*Masakåda Collective*
- Clarissa M. Siguenza Torres
- Delle Swegler Nadler/*Northern Guam Soil and Water Conservation District*
- Emily McMath
- *I Hagan Famalao'an Guåhan*
- Joanie R. Leon Guerrero/*Masakåda Collective*
- Jona Nicklin
- Maria Cristobal Calori
- Maria Hernandez/*Prutehi Litekyan-Save Ritidian*
- Maria Jesus/*California Native Plant Society, Bristlecone Chapter*
- Christen Dimalanta/*Micronesian Conservation Coalition*
- Terilynn Francisco/*National Association of Social Workers*
- Natalie Santos Valasco
- Hope Alvarez Cristobal/*Northern Guam Soil and Water Conservation District*
- Erica A. Pangelinan/*Southern Guam Soil and Water Conservation District*
- Nolan G. T. Flores
- Othilia Rosie Taitano Figueroa
- Theresa (Isa) Arriola/*Our Common Wealth 670*
- Tiffany Borja Sablan/*Masakåda Collective*
- Tomika Velarde
- Vinessa Dueñas/*Masakåda Collective*
- Teresita L. Perez
- Julian Janssen/*Federal Consistency Program*
- Mike Gawel

III. FINDINGS AND RECOMMENDATION

At the public hearing, all individuals who provided written and oral testimony to the Author expressed favorable support of Resolution No. 55-36 (COR) “relative to reaffirming our human right to safe drinking and clean water in observance of World Water Day 2021 and recognizing the importance of protecting our Northern Guam Lens Aquifer and precious water resource in ensuring the health of our people.”

There are tremendous concerns from local community members, groups, and organizations, as well as members of the *CHamoru* diaspora, who have stated their disapproval of the continued neglect and inconsideration of the basic human rights of the Indigenous peoples of Guam and all those that call Guam home.

The water lens has already been compromised many decades ago by unexploded ordnance, lead, fuel, spills, solvents, PFAs, PFOs, and TCE contamination. Currently, Guam has seven readily known high-risk sites associated with detonations. Areas 101, Area 106, Area 108. Lonfit, Miyama Hills, Guam Site One near Bubula Hills, Guam NCTAMs Westpac; as well as Northfield, Marpi Point, and Naftan, two sites in the southeastern portion of Saipan.

The quality of life and the ability to maintain such quality, with access to safe drinking water, as well as the right to advocate for the protection of water, in, surrounding, and pertaining to Guam and the Marianas, is being significantly and irreparably compromised due to actions committed against the people of Guam by the Department of Defense, currently, and in the recent past, potentially harming future generations of Guam’s citizens. These include the creation of a Superfund Site on Andersen Air Force Base that still has not been cleaned up after 25 years of its designation, and failure to release toxic measurement information from the site; unremediated Formerly Used Defense Sites, which may have been leaking toxins into the water supply from World War II on numerous jet fuel spills along the pipeline over decades from the Navy port over to the aquifer, to Andersen, and numerous spills at Andersen; various sites returned to the people of Guam without remediation over the years, some of which cannot allow normal human use and have potential water polluting effects.

Senator Perez hereby reports out Resolution No. 55-36 (COR), with the recommendation: **To Do Adopt.**

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Resolution No. 55-36 (COR)

Introduced by:

Sabina Flores Perez 
Therese M. Terlaje 
Telen Cruz Nelson 
Clynton E. Ridge 
Jose "Pedo" Terlaje 
Tina Rose Muña Barnes 
Telo T. Taitague 

Relative to reaffirming our human right to safe drinking and clean water in observance of World Water Day 2021, and recognizing the importance of protecting our Northern Guam Lens Aquifer and precious water resource in ensuring the health of our people.

1 **BE IT RESOLVED BY *I MINA'TRENTAI SAIS NA LIHESLATURAN***

2 ***GUÅHAN*:**

3 **WHEREAS**, the United Nations General Assembly, through Resolution
4 A/RES/64/292 declared safe and clean drinking water and sanitation a human right
5 essential to the full enjoyment of life and all other human rights; and

6 **WHEREAS**, the United Nations General Assembly, through Resolution
7 A/RES/47/193 declared March 22 of every year to be World Water Day; and

8 **WHEREAS**, the theme of this year's World Water Day was "valuing water";
9 and

10 **WHEREAS**, the observance of World Water Day provides an opportunity to
11 reaffirm our human right to clean and safe drinking water and to renew our
12 responsibility to protect our precious water resource; and

1 **WHEREAS**, water is of vital cultural importance to the CHamoru people who
2 have developed a unique Oceanic civilization for over three thousand years; and

3 **WHEREAS**, CHamoru peoples’ relationship to water is sacred; and

4 **WHEREAS**, water is the source of all life on Guam; and

5 **WHEREAS**, Guam has a unique and abundant supply of freshwater from both
6 groundwater and surface water sources that is replenished through precipitation; and

7 **WHEREAS**, the northern aquifer or Northern Guam Lens Aquifer (“NGLA”)
8 that is composed primarily of limestone bedrock is a natural wonder that took millennia
9 to develop through various processes including the deposition of millions upon millions
10 of foraminifera; and

11 **WHEREAS**, the NGLA is designated as a sole source aquifer that provides
12 approximately 80% of Guam’s drinking water; and

13 **WHEREAS**, the NGLA is susceptible to contamination from human activities
14 and development due to the pervious nature of limestone; and

15 **WHEREAS**, the limestone forest is an integral part of the cultural landscape of
16 the CHamoru people, and archaeological research states Ritidian (“*Litekyan*”) consists
17 of several natural and cultural heritage components, each with a deep history and often
18 interrelated; and

19 **WHEREAS**, the protection and conservation of limestone and ravine forests and
20 other habitats are particularly important for the protection of our watersheds and water
21 resources, the protection of aquatic and wildlife habitat, endangered species
22 conservation and recovery, and protection of historical and cultural sites and artifacts;
23 and

24 **WHEREAS**, the protection and conservation of limestone forests, ravine forests,
25 coastal strand, and other natural resources, habitats, and ecosystems are vital to the
26 mitigation of adverse climate change impacts, and is of critical importance to present
27 and future inhabitants of the island; and

1 **WHEREAS**, the Department of Defense (“DoD”) is constructing Live Fire
2 Training Range Complex (“LFTRC”) consisting of five separate firing ranges above
3 the NGLA; and

4 **WHEREAS**, the fifth and largest of firing ranges has not yet been constructed
5 and is in close proximity to the lone reproductive *Serianthes nelsonii*, or *hayon lågu*
6 tree, a critically endangered species, on Guam; and

7 **WHEREAS**, the United States Environmental Protection Agency (“EPA”) has
8 determined the main cantonment and LFTRC would result in substantial deforestation
9 and significant impacts to terrestrial biological resources, which have already
10 experienced a serious decline in health on Guam; and

11 **WHEREAS**, Anderson Air Force Base (“AAFB”) which has been in operation
12 as early as 1940 and occupies approximately 20,000 acres of land in which the NGLA
13 is situated under, was only added to EPA’s National Priorities List (“NPL”) of sites
14 given national priority among the known releases or threatened releases of hazardous
15 substances, pollutants, or contaminants throughout the United States and its territories
16 in October of 1992; and

17 **WHEREAS**, hazardous substances found within AAFB include trichloroethane
18 (“TCE”) and paint thinners, dry cleaning fluids and laundry products, fuels such as JP-
19 4 (Jet Fuel) and gasoline, pesticides, antifreeze, aircraft cleaning compounds,
20 polychlorinated biphenyls (“PCBs”), metals, and military munitions; and

21 **WHEREAS**, these substances were found in unlined landfills, drum storage and
22 disposal areas, chemical storage areas, fire training areas, waste storage areas, laundry
23 facilities, and industrial and flight line operations; and

24 **WHEREAS**, in April 2019 AAFB was fined by Guam EPA for using pool
25 chlorination tablets that were classified as pesticides to sanitize drinking water, and
26 AAFB was reported to have sanitized the water in a half-million gallon storage tank
27 which provides water to facilities on Northwest Field, and Guam EPA discovered that

1 the chlorination tablets contained the ingredient of trichloro-s-triazinetriene, which is
2 an environmental hazard deadly to fish, other aquatic organisms and can be potentially
3 deadly for human consumption and exposure; and

4 **WHEREAS**, the authority of federal agencies often supersedes Guam's
5 territorial authority, and government of Guam entities often lack the power, resources,
6 and means to effectively hold the DoD responsible due to federal exemptions from
7 environmental agency regulations; and

8 **WHEREAS**, the DoD has disclosed that 6.7 million rounds of lead ammunition
9 would be expended annually, and that lead and other heavy metals, including nickel,
10 chromium, cadmium, and copper, are known to accumulate in soils at training ranges,
11 thus risking contamination of the aquifer; and

12 **WHEREAS**, lead, which was banned from the U.S. and Guam in 1986 and 1999,
13 respectively, is a toxic metal that can be harmful to human health even at low exposure
14 levels, lead is persistent, and can bioaccumulate in the body over time, and further,
15 young children, infants, and fetuses are particularly vulnerable to lead because the
16 physical and behavioral effects of lead occur at lower exposure levels in children than
17 in adults; and

18 **WHEREAS**, the firing ranges across the U.S. are known to be contaminated
19 many years afterwards despite remediation efforts; and

20 **WHEREAS**, Guam is challenged by a legacy of contamination issues, including
21 Formerly Used Defense Sites ("FUDS") and Comprehensive Environmental Response,
22 Compensation and Liability Act ("CERCLA") sites still in need of restitution; and

23 **WHEREAS**, the aftermath of World War II generated a tremendous increase in
24 military activity in Micronesia, such as nuclear testing in the Marshall Islands, which
25 resulted in the spread of radioactive fallout that reached as far as Guam, exposing tens
26 of thousands of her people to radioactive materials; and

1 **WHEREAS**, cancer rates on Guam continue to remain a leading cause of death
2 for the island community due to military activity in and around the Pacific; and

3 **WHEREAS**, the over extraction of water from the NGLA can result in salt water
4 intrusion that can irreparably harm our aquifer; and

5 **WHEREAS**, Guam has over one-hundred wells continually monitored for salt
6 water concentration; and

7 **WHEREAS**, there is an increasing trend of salinity in Guam’s water wells; and

8 **WHEREAS**, DoD Supplemental Environmental Impact Statement (“SEIS”)
9 states the people of Guam will experience an increased annual withdrawal of
10 groundwater of 1.7 million gallons each day, an increase in the rate of sewage spills
11 impacting groundwater quality from potential exposure to additional raw sewage, and
12 higher levels of chloride concentrations in the aquifer; and

13 **WHEREAS**, the impacts of climate change on our freshwater resource is
14 predicted to cause a severe increase in demand for water and decrease supply that
15 requires more study and adaptation; and

16 **WHEREAS**, President Biden issued Memorandum 86 FR 7491 on Tribal
17 Consultation and Strengthening Nation-to-Nation Relationships, which recognizes the
18 vital need for the United States to honor commitments to Tribal Nations; and

19 **WHEREAS**, Native Americans and other Indigenous Peoples suffer
20 disproportionately from crises related to health, the economy, racial justice, and climate
21 change; and

22 **WHEREAS**, EPA’s Policy on Environmental Justice for Working with
23 Federally Recognized Tribes and Indigenous Peoples defines Indigenous Peoples as
24 including state-recognized tribes, Indigenous and tribal community-based
25 organizations, individual members of federally recognized tribes, including those living
26 on a different reservation or living outside Indian country, individual members of state-

1 recognized tribes, Native Hawaiians, Native Pacific Islanders, and individual Native
2 Americans; and

3 **WHEREAS**, the CHamoru people are the Indigenous Peoples of the Mariana
4 Islands, and are recognized as Native Pacific Islanders; and

5 **WHEREAS**, EPA defines “environmental justice” as the fair treatment and
6 meaningful involvement of all people regardless of race, color, national origin, or
7 income with respect to the development, implementation, and enforcement of
8 environmental laws, regulations, and policies; and

9 **WHEREAS**, EPA chairs and works with the Federal Interagency Working
10 Group on Environmental Justice, established by Executive Order 12898, to facilitate
11 federal collaboration on environmental justice issues facing federally recognized tribes
12 and Indigenous peoples; and

13 **WHEREAS**, the EPA recognizes the importance of the United Nations
14 Declaration on the Rights of Indigenous Peoples (“UNDRIP”); and

15 **WHEREAS**, Article 19 of UNDRIP affirms that States shall consult and
16 cooperate in good faith with the Indigenous Peoples concerned through their own
17 representative institutions in order to obtain their free, prior and informed consent
18 before adopting and implementing legislative or administrative measures that may
19 affect them; and

20 **WHEREAS**, Article 25 of UNDRIP states Indigenous Peoples have the right to
21 maintain and strengthen their distinctive spiritual relationship with their traditionally
22 owned or otherwise occupied and used lands, territories, waters and coastal seas and
23 other resources and to uphold their responsibilities to future generations in this regard;
24 and

25 **WHEREAS**, Article 26, Section 1 of UNDRIP states Indigenous Peoples have
26 the right to the lands, territories and resources which they have traditionally owned,
27 occupied or otherwise used or acquired; and

1 **WHEREAS**, Article 26, Section 2 of UNDRIP states Indigenous Peoples have
2 the right to own, use, develop and control the lands, territories and resources that they
3 possess by reason of traditional ownership or other traditional occupation or use, as well
4 as those which they have otherwise acquired; and

5 **WHEREAS**, Article 26, Section 3 of UNDRIP affirms that States shall give legal
6 recognition and protection to these lands, territories and resources, and such recognition
7 shall be conducted with due respect to the customs, traditions and land tenure systems
8 of the Indigenous Peoples concerned; and

9 **WHEREAS**, Article 32, Section 1 of UNDRIP states Indigenous Peoples have
10 the right to determine and develop priorities and strategies for the development or use
11 of their lands or territories and other resources; and

12 **WHEREAS**, Article 32, Section 2 of UNDRIP asserts States shall consult and
13 cooperate in good faith with the Indigenous Peoples concerned through their own
14 representative institutions in order to obtain their free and informed consent prior to the
15 approval of any project affecting their lands or territories and other resources,
16 particularly in connection with the development, utilization or exploitation of mineral,
17 water or other resources; and

18 **WHEREAS**, Article 32, Section 3 of UNDRIP asserts States shall provide
19 effective mechanisms for just and fair redress for any such activities, and appropriate
20 measures shall be taken to mitigate adverse environmental, economic, social, cultural
21 or spiritual impact; and

22 **WHEREAS**, the LFTR’s associated Surface Danger Zone (“SDZ”) will restrict
23 access to the *Litekyan* coastline and waters for up to 273 days a year, or a maximum of
24 75% of the year; and

25 **WHEREAS**, *I Liheslatura* has adopted Resolution No. 228-34 (COR), relative
26 to addressing the protection of the environmental and cultural resources of the northern

1 coastline of Guam, and prohibiting the construction of the LFTRC at Northwest Field;
2 and

3 **WHEREAS**, *I Liheslatura* has adopted Resolution No. 164-35 (COR), relative
4 to urging for the support of Governor Lourdes Leon Guerrero to call for a pause to
5 clearing, pre-construction, data recovery and construction activities related to the U.S.
6 Department of the Navy's proposed LFTRC at Northwest Field or *Tailâlo'*, adjacent to
7 *Litekyan* in order to ensure the protection of the environment and historic and cultural
8 resources of the northern coastline of Guam; and

9 **WHEREAS**, *I Liheslatura* has adopted Resolution No. 365-35 (LS), relative to
10 *Prutehi i Mambayena Siha* and urging the U.S. Navy to cease its use of active sonar,
11 torpedo counter measures, and in-water explosives in identified habitats, that take, or
12 harm, marine mammals, and to use passive sonar to detect the presence of marine
13 mammals, and to provide all information as declared necessary by the government of
14 Guam in order to determine the boundaries of the habitat areas of beaked whales and
15 other cetaceans.; and

16 **WHEREAS**, community support for these legislative resolutions has been
17 overwhelming and long standing, and community opposition to the destruction of our
18 natural resources and cultural heritage sites is well-documented; and

19 **WHEREAS**, 10 GCA Ch. 46, the Water Resources Conservation Act, affirms it
20 is the policy of the government of Guam, in recognition of its duty to conserve and
21 control its water resources for the benefit of the inhabitants of Guam, that all of the
22 water resources of Guam are the property of the people of Guam, and it is further
23 declared that an emergency condition exists with respect to the availability of surface
24 and underground water on Guam and that restrictions are necessary to prevent over
25 pumping of water, the intrusion of salt water, sewage and other contaminants and the
26 resulting permanent destruction of the utility of underground water reservoirs and
27 sources of potable water supply; and

1 **WHEREAS**, the people of Guam have the basic and fundamental human right
2 to access safe drinking water, as well, the right to advocate for the protection of water
3 in, surrounding, and pertaining to Guam and the Marianas, now and for future
4 generations; now therefore, be it

5 **RESOLVED**, that *I Mina'trentai Sais Na Liheslaturan Guåhan* does hereby, on
6 behalf of the people of Guam, urge the United Nations Special Rapporteur on the
7 Human Rights to Safe Drinking Water and Sanitation, and the United Nations Special
8 Rapporteur on the Rights of Indigenous Peoples to undertake an official visit in Guam;
9 and be it further

10 **RESOLVED**, *I Mina'trentai Sais Na Liheslaturan Guåhan* does hereby, on
11 behalf of the people of Guam, call upon the Guam Environmental Protection Agency to
12 uphold its mandate, established in 10 GCA Ch. 45, to ensure a high quality environment
13 be maintained at all times to guarantee an enjoyable life for all people at present and in
14 the future, and that environmental degradation of the quality of land, water and air by
15 any pollutants, including all physical, chemical and biological agents, should not be
16 allowed; and be it further

17 **RESOLVED**, that *I Mina'trentai Sais Na Liheslaturan Guåhan* does hereby call
18 on the local, national and international communities to stand in solidarity for the
19 CHamoru people's, and the people of Guam's, human rights to safe drinking water and
20 sanitation, and to prevent the contamination of the Northern Guam Lens Aquifer from
21 the LFTRC; and be it further

22 **RESOLVED**, that *I Mina'trentai Sais Na Liheslaturan Guåhan* does hereby, on
23 behalf of the people of Guam, call upon DoD to prevent further damages and
24 desecration activities related to the LFTRC at *Tailålo'* in order to protect against
25 irreparable harm to Guam's drinking water supply, and to the Northern Guam Lens
26 Aquifer; and be it further

1 **RESOLVED**, that the Speaker certify, and the Legislative Secretary attest to, the
2 adoption hereof, and that copies of the same be thereafter transmitted to the Honorable
3 Michael F. Q. San Nicolas, Guam Delegate to the United States Congress; President
4 Joseph R. Biden; Deb Haaland, Secretary of Interior; Alan Bacock, Environmental
5 Justice Coordinator, Environmental Protection Agency; Pedro Arrojo-Agudo, United
6 Nations Special Rapporteur on the Human Rights to Safe Drinking Water and
7 Sanitation; Francisco Calí Tzay, United Nations Special Rapporteur on the Rights of
8 Indigenous Peoples; and to the Honorable Lourdes A. Leon Guerrero, *I Maga'hågan*
9 *Guåhan*.

**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON RULES OF
I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN ON THE ____ DAY
OF MONTH YEAR.**

THERESE M. TERLAJE
Speaker

TINA ROSE MUNA BARNES
Chairperson, Committee on Rules

AMANDA L. SHELTON
Legislative Secretary