

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

January 22, 2021

HONORABLE THERESE M. TERLAJE, Speaker

I Mina'trentai Sais Na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

RE: BILL NO. 405-35 (COR) - AN ACT TO ESTABLISH A TASK FORCE TO EXPLORE THE FEASIBILITY OF CREATING A GROUNDWATER CONSERVATION AREA ON SELECT GOVERNMENT OF GUAM PROPERTIES WHICH OVERLAY A PORTION OF THE NORTHERN GUAM LENS AQUIFER WHEREIN REGULATION AND MANAGEMENT OF DEVELOPMENT SHALL OCCUR

Buenas yan Hafa Adai Madame Speaker!

Bill No. 405-35, now known as **Public Law No. 35-141**, takes major step forward in our efforts to conserve and protect our island's natural resources, in particular, the Northern Guam Lens Aquifer (NGLA), which is the main source of groundwater for 80% of our island's residents. As the Chairperson of the Island Beautification Task Force and through his involvement with the Guam Green Growth Initiative, Lieutenant Governor Josh Tenorio supported the introduction and passage of this bill in furtherance of sustainability efforts for our island's natural resources. This public law will establish a task force, led by the Lt. Governor, to explore the feasibility of creating a groundwater conservation area on lands above a portion of the NGLA, and its findings have the potential to pave the way towards protecting these resources and other important watersheds from contamination, and ensuring the longevity and vitality of these resources in the future.

Senseremente,

Handwritten signature of Lourdes A. Leon Guerrero in blue ink.

LOURDES A. LEON GUERRERO

Maga'hāgan Guåhan

Governor of Guam

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**OFFICE OF THE SPEAKER
THERESE M. TERLAJE**

01-22-2021

Time: 5:23pm
Received: [Signature]

Enclosure(s): Bill No. 405-35 (COR) *nka P.L. 35-141*

cc: *Honorable Joshua F. Tenorio, Sigundo Maga'lāhen Guåhan
Compiler of Laws*

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

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LOURDES A. LEON GUERRERO

Maga'hāgan Guāhan

Governor of Guam

Enclosure(s): Bill No. 405-35 (COR) *nka P.L. 35-141*

cc: *Honorable Joshua F. Tenorio, Sigundo Maga'lāhen Guāhan*
Compiler of Laws

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN
2020 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÁGAN GUÁHAN*

This is to certify that **Bill No. 405-35 (COR)**, "AN ACT TO ESTABLISH A TASK FORCE TO EXPLORE THE FEASIBILITY OF CREATING A GROUNDWATER CONSERVATION AREA ON SELECT GOVERNMENT OF GUAM PROPERTIES WHICH OVERLAY A PORTION OF THE NORTHERN GUAM LENS AQUIFER WHEREIN REGULATION AND MANAGEMENT OF DEVELOPMENT SHALL OCCUR," was on the 23rd of December 2020, duly and regularly passed.



Tina Rose Muña Barnes
Speaker

Attested:



Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 23rd day of Dec.,
2020, at 2:38 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office

APPROVED:



Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 1/22/2021

Public Law No. 35-141

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

Bill No. 405-35 (COR)

As amended on the Floor.

Introduced by:

Régine Biscoe Lee
William M. Castro
Kelly Marsh (Taitano), PhD
James C. Moylan
Louise B. Muña
Tina Rose Muña Barnes
Telena Cruz Nelson
Sabina Flores Perez
Clynton E. Ridgell
Joe S. San Agustin
Amanda L. Shelton
Telo T. Taitague
Jose "Pedo" Terlaje
Therese M. Terlaje
Mary Camacho Torres

**AN ACT TO ESTABLISH A TASK FORCE TO EXPLORE
THE FEASIBILITY OF CREATING A GROUNDWATER
CONSERVATION AREA ON SELECT GOVERNMENT
OF GUAM PROPERTIES WHICH OVERLAY A
PORTION OF THE NORTHERN GUAM LENS AQUIFER
WHEREIN REGULATION AND MANAGEMENT OF
DEVELOPMENT SHALL OCCUR.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that in order to provide a more robust protection for the island's limited groundwater
4 resources, it may be advantageous to create a Groundwater Conservation Area

1 (GCA) on those lands owned by the government of Guam which overlay those areas
2 of the Northern Guam Lens Aquifer (NGLA) containing the healthiest and most
3 valuable groundwater.

4 *I Liheslaturan Guåhan* further finds that other jurisdictions have employed a
5 range of options to better protect their groundwater resources, including the option
6 of creating a GCA on lands which overlay their aquifers. In sum, the working theory
7 is that regulating development on those lands which overlay the healthiest and most
8 valuable portions of an aquifer may be one of the most effective ways to prevent
9 contamination by surface pollutants.

10 It is, therefore, the intent of *I Liheslatura* to create a task force charged with
11 exploring the feasibility of creating a GCA on select government properties which
12 overlay a portion of the NGLA.

13 **Section 2. Groundwater Conservation Area Task Force.**

14 (a) The Lieutenant Governor of Guam shall appoint a Groundwater
15 Conservation Area Task Force consisting of:

16 (1) the Administrator of the Guam Environmental Protection
17 Agency, or her/his designee;

18 (2) the General Manager of the Guam Waterworks Authority, or
19 her/his designee;

20 (3) the Director of the Bureau of Statistics and Plans, or her/his
21 designee;

22 (4) the Director of the Department of Agriculture, or her/his
23 designee;

24 (5) the Director of the Department of Land Management, or her/his
25 designee;

26 (6) the Director of the Chamorro Land Trust Commission, or her/his
27 designee;

1 (7) the Executive Director of the Guam Ancestral Lands
2 Commission, or her/his designee;

3 (8) the President of the University of Guam (UOG), or her/his
4 designee;

5 (9) the Director of UOG's Water Environmental Research Institute
6 of the Western Pacific, or her/his designee;

7 (10) the State Historic Preservation Officer;

8 (11) the Legislative Committee Chairperson with jurisdiction
9 over environmental matters, or her/his designee; and

10 (12) the President of the Guam Association of Realtors, or her/his
11 designee.

12 (b) The Task Force shall be under the direction of the Office of the
13 Lieutenant Governor, who shall serve as its Chairperson.

14 (c) The Lieutenant Governor may extend participation in the Task Force to
15 any member of the Northern Guam Lens Aquifer Technical Advisory Group to assist
16 in the exploration of the feasibility of creating a GCA on government lands which
17 overlay a portion of the NGLA.

18 (d) The Task Force shall produce a feasibility study in the form of a written
19 report that includes, at a minimum, an assessment of the following:

20 (1) which zone, area, or portion of the NGLA is most in need of, or
21 could most benefit from, protection from surface pollutants—and why;

22 (2) are any of the properties which overlay the above-identified
23 zones, areas, or portions of the NGLA owned by an agency or instrumentality
24 of the government of Guam, excluding the Chamorro Land Trust
25 Commission—and if so, which ones;

26 (3) to what type of use, if any, are the above-identified properties
27 being put by the respective agency or instrumentality;

1 (4) what types of land use restrictions, if any, would be most or least
2 appropriate for the GCA—and why;

3 (5) what government agencies or programs, if any, may benefit from
4 being granted access to the above-identified zones, areas, or portions of the
5 NGLA—and why; and

6 (6) other factors that the Task Force deems reasonably appropriate
7 to consider in its discretion.

8 (e) The Task Force shall submit the report identified in Subsection (d) of
9 this Section to the Speaker of *I Liheslaturan Guåhan* within six (6) months of the
10 enactment of this Act.

11 **Section 3. Effective Date.** This Act shall be effective upon enactment.