

*I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN*  
2011 (FIRST) Regular Session

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Resolution No. 15 -31(COR)

Introduced by:

R. J. Respicio  
B.J.F. Cruz  
J.P. Guthertz DPA  
J.T. Won Pat Ed.D (15)

Relative to expressing the concerns of *I Liheslaturan Guåhan* relative to the proposal made by the Department of Defense (DoD) to drill additional fresh water wells into Guam's aquifer, and to request that DoD provide additional financial resources for water conservation and a comprehensive water management program; to encourage the use of green technology to make the best use of limited water resources; to prevent mining of Guam's aquifer for commercial purposes; and to declare that safe and clean drinking water and sanitation are human rights essential to the full enjoyment of life.

1 BE IT RESOLVED BY THE COMMITTEE ON RULES OF *I*  
2 *MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN*:

3 WHEREAS, the United States Department of Defense (DoD) is  
4 actively coordinating a massive military buildup in Guam that will include  
5 permanent facilities and infrastructure to support a new Marine base,  
6 expanded facilities for other branches of military service and additional  
7 personnel and their families, as well as warfare training; and

8 WHEREAS, among the most important needs that must exist or be  
9 produced in Guam for the buildup is an adequate supply of fresh water, of  
10 which Guam has a plentiful, but not limitless amount; and

11 WHEREAS, numerous rivers and streams can be found in southern  
12 Guam, and the full potential of the island's surface water resources has not  
13 been adequately explored, however the majority of the buildup will occur  
14 in northern Guam, where the island's unique aquifer, located under the

1 northern third of the island, is the most important source of fresh water;  
2 and

3       **WHEREAS**, Guam's aquifer is divided into six sub-basins separated  
4 by walls of volcanic rock, its underground water supply consisting of  
5 limestone soaked with fresh water, as well as residing on limestone soaked  
6 with seawater; and

7       **WHEREAS**, the location and depth of any new wells that may be in  
8 Department of Defense (DoD) plans are a great concern because wells must  
9 be drilled to an appropriate depth to tap into fresh water rather than  
10 seawater, and pumping too large a quantity of fresh water may cause  
11 seawater to rise upward into the zone of fresh water, causing irreparable  
12 harm to the aquifer; and

13       **WHEREAS**, the Guam Waterworks Authority (GWA) estimates that  
14 there is a need to drill sixteen (16) additional wells into Guam's aquifer to  
15 accommodate Guam's organic growth over the coming years; and

16       **WHEREAS**, the DoD has made clear their intent to drill twenty-two  
17 (22) new wells for an estimated additional thirteen (13) million gallons  
18 daily (mgd) to support the addition of nearly 80,000 additional people due  
19 to the buildup; and

20       **WHEREAS**, this added number of GWA and DoD wells will drive  
21 Guam's daily consumption to over 65 mgd by the completion of the  
22 buildup; and

23       **WHEREAS**, the Draft Environmental Impact Statement (DEIS), Final  
24 Environmental Impact Statement (FEIS), and Record of Decision (ROD) all  
25 fail to adequately address the impacts to the public water supply, primarily  
26 because the impact will take place outside the military fence line; and

1       **WHEREAS**, as a result, drinking water infrastructure improvements  
2 are not included in the proposed project, even though the construction  
3 workforce is a necessary factor in implementing the buildup's projects; and

4       **WHEREAS**, this project-related population increase will create a  
5 projected shortfall of 13 mgd; will significantly affect the ability of GWA to  
6 provide a sufficient quantity of adequate quality drinking water for  
7 Guam's general population; and will create potentially serious and  
8 unacceptable public health implications that may fall disproportionately on  
9 low-income residents; and

10       **WHEREAS**, potable water shortages and contaminated water sources  
11 often result in the spread of waterborne diseases such as diarrhea, cholera,  
12 typhoid and parasite infections, and are among the leading causes of illness  
13 and death worldwide; and

14       **WHEREAS**, an additional concern is the military's history of abusing  
15 Guam's land and water through the use of pesticides and herbicides during  
16 and after World War II, including the regular use of DDT, Agent White,  
17 Agent Purple, Agent Orange, Silvex, and 2,4-d, which were commonplace  
18 in the reconstruction of postwar Guam, many of these chemicals having  
19 made their way into the Guam aquifer; and

20       **WHEREAS**, in order to avoid the projected 13 mgd shortfall, DoD  
21 has proposed a mitigation of 3 mgd within the DoD water system to assist  
22 GWA with its water needs in northern Guam, provided the necessary  
23 piping is installed by GWA or a contractor, however, among many other  
24 mitigation obstacles, this mitigation proposal:

- 25       a. Lacks interconnection points;
- 26       b. Does not address the fact that DoD's water mains require
- 27       replacement, and

1 c. Does not take into account droughts which would reduce the  
2 capacity of DoD water production; and

3 **WHEREAS**, DoD, must cooperate with GovGuam to be directly  
4 responsible for ensuring a sufficient water supply is available to Guam  
5 during the construction phase, and must provide financial resources and  
6 technical support to address the significant water shortage, the inadequate  
7 drinking water infrastructure for contractor and civilian population growth  
8 due to the military expansion, and to upgrade Guam's secondary sewer  
9 treatment facilities; and

10 **WHEREAS**, DoD must immediately commit to this action to meet the  
11 water demands of the increased number of people that will soon be  
12 arriving in support of the military buildup as well as Guam's projected  
13 organic growth; and

14 **WHEREAS**, Guam's infrastructure needs include new wells and  
15 water system facilities including water lines, booster pumps, storage tanks,  
16 and primary and secondary treatment facilities, and the DoD support must  
17 identify, plan, design, and implement necessary capital improvement  
18 projects to address the water shortfall and provide financial and technical  
19 assistance for the siting, design, construction, operation, and maintenance  
20 of Guam's water supply and distribution system; and

21 **WHEREAS**, DoD must provide clear, documented commitments to  
22 provide specific quantities of DoD water to address construction related  
23 shortfalls in supply, as well as providing financial, engineering, and  
24 technical assistance to GWA for implementing effective water conservation  
25 programs such as leak detection, water line replacement, and development  
26 and implementation of an effective water efficiency and conservation  
27 program; and

1       **WHEREAS**, in order to implement long-term water management in  
2 Guam, workgroups must be formed in cooperation with GovGuam to  
3 develop a long-term drinking water management system to assess,  
4 maintain, upgrade, and conserve Guam’s northern aquifer, and GWA and  
5 DoD must integrate all new water systems, including surface water  
6 systems in southern Guam, to protect, and avoid unnecessarily taxing, the  
7 northern aquifer; and

8       **WHEREAS**, water conservation guidelines and ordinances must be  
9 developed and implemented for all military bases and incorporated into  
10 contract language for construction worker housing to include retrofitting  
11 toilets, urinals, faucets, and showerheads with appropriate water  
12 conservation devices including the replacement of older toilets and urinals;  
13 and

14       **WHEREAS**, all new homes, the new base for the Marines, barracks  
15 for construction workers, and all supporting infrastructure for the military  
16 buildup must include WaterSense certified toilets, faucets, and  
17 showerheads, and all homes under military jurisdiction must be equipped  
18 with ENERGY STAR certified clothes washers; and

19       **WHEREAS**, landscaping must include native vegetation only and  
20 avoid lawns requiring artificial water sprinkler irrigation, with all  
21 landscaping site design retaining 95 percent of rainfall through swales; and

22       **WHEREAS**, water meters installed on all buildings must have tiered  
23 rates to discourage excessive water use, help detect water leaks, and  
24 encourage water conservation, and both DoD and GovGuam must provide  
25 outreach that supplies tips for water conservation in homes and provides  
26 free in-home water audits and leak detection; and

27       **WHEREAS**, All structures must have leak detection equipment  
28 installed or conduct annual detection surveys on all existing military water

1 systems, and the Main Cantonment must include the installation of leak  
2 detection equipment during new water system construction, dual  
3 plumbing for non-potable water use, and rainwater catchments and gray  
4 water systems to reduce water demand and wastewater flow to all  
5 treatment facilities; and

6       **WHEREAS**, Guam’s northern aquifer, as well as surface water in the  
7 south, is vital to the quality of life of every individual in Guam: from  
8 farming needs to cleaning homes, for sanitary purposes as well as for the  
9 drinking needs of all living creatures, and DoD and GovGuam must work  
10 cooperatively to prevent and discourage any attempts at misuse of Guam’s  
11 aquifer and surface water systems, including mining for commercial  
12 purposes; and

13       **WHEREAS**, Guam Public Law 20-06:7 states: “All surface water and  
14 ground water in Guam are declared to be a public asset and to belong to all  
15 of the people of Guam held in trust by the Government of Guam,” thus all  
16 efforts relative to Guam’s fresh water supply, and to both civilian and DoD  
17 needs, must be under the umbrella of an Integrated Water and Wastewater  
18 System; and

19       **WHEREAS**, clean readily available water for everyone in Guam is a  
20 human right that cannot and must not be infringed upon or exploited due  
21 to mismanagement or for commercial purposes; now, therefore, be it

22       **RESOLVED**, that *I Liheslaturan Guåhan* recognizes the critical and  
23 constant need for ensuring sanitary and safe drinking for all of the people  
24 of Guam, and that the buildup will bring added pressures on limited water  
25 and wastewater resources, making it necessary that the Department of  
26 Defense work with GovGuam to avoid exploitation and contamination of  
27 Guam’s northern aquifer and all other water resources, to eliminate current  
28 contamination, prevent future contamination, implement conservation

1 programs, and create sustainable solutions for wastewater treatment and  
2 management; and be it further

3 **RESOLVED**, that the Department of Defense must cooperate with  
4 GovGuam to be directly responsible for ensuring a sufficient water supply  
5 is available to Guam during the construction phase, and the Department of  
6 Defense must provide financial resources and technical support to address  
7 the significant water shortage, the inadequate drinking water infrastructure  
8 for contractor and civilian population growth due to the military  
9 expansion, and to upgrade Guam's secondary sewer treatment facilities,  
10 and commit to action to meet the water demands of the increased number  
11 of people that will soon be arriving in support of the military buildup as  
12 well as Guam's projected organic growth; and be it further

13 **RESOLVED**, that Guam's infrastructure needs include new wells  
14 and water system facilities including water lines, booster pumps, storage  
15 tanks, and primary and secondary treatment facilities, and the DoD  
16 support must identify, plan, design, and implement necessary capital  
17 improvement projects to address the water shortfall, including  
18 development and expansion of surface water resources in southern Guam,  
19 and provide financial and technical assistance for the siting, design,  
20 construction, operation, and maintenance of Guam's water supply and  
21 distribution system; and be it further

22 **RESOLVED**, that DoD must commit to providing specific quantities  
23 of DoD water to address construction related shortfalls in supply, as well  
24 as providing financial, engineering, and technical assistance to GWA for  
25 implementing effective water conservation programs such as leak  
26 detection, water line replacement, and development and implementation of  
27 an effective water efficiency and conservation program; and be it further

1       **RESOLVED**, that workgroups must be formed in cooperation with  
2 GovGuam to develop a long-term drinking water management system to  
3 assess, maintain, upgrade, expand if necessary, integrate and conserve all  
4 of Guam's water systems, including surface water systems, to protect, and  
5 avoid unnecessarily taxing, the northern aquifer; and be it further

6       **RESOLVED**, that water conservation guidelines and ordinances  
7 must be developed and implemented for all military bases and  
8 incorporated into contract language for construction worker housing to  
9 include retrofitting and replacing existing equipment with that which  
10 conserves water; and be it further

11       **RESOLVED**, that DoD and GovGuam must work cooperatively to  
12 prevent and discourage any attempts at misuse of Guam's aquifer and  
13 surface water systems, including mining for commercial purposes; both  
14 civilian and DoD water needs must be under the umbrella of an Integrated  
15 Water and Wastewater System; and that clean, readily available water for  
16 everyone in Guam is a human right that cannot and must not be infringed  
17 upon or exploited due to mismanagement or for commercial purposes; and  
18 be it further

19       **RESOLVED**, that the Chairperson of the Committee on Rules and the  
20 Speaker certify, and the Secretary of the Legislature attest to, the adoption  
21 hereof, and that copies of the same be thereafter transmitted to President  
22 Steve Robinson, First Vice President Gene Schmidt, Second Vice President  
23 Earl Garber, and Secretary/Treasurer Jack Majeres of the National  
24 Association of Conservation Districts; to the Honorable Ken Salazar,  
25 Secretary of the United States Department of the Interior; to the Honorable  
26 Tony Babauta, Assistant Secretary of the Interior for Insular Areas, United  
27 States Department of the Interior; to Dr. Robert Underwood, President,  
28 University of Guam; to Dr. Lee Yudin, Dean of the College of Natural and



- 1 Applied Sciences, University of Guam; to Roland J. Quitugua, President,  
2 and Oscar G. Flores, Vice-President Guam Association of Conservation  
3 Districts; to Guam Association of Conservation Districts; and to the  
4 Honorable Edward J.B. Calvo, *I Maga'láhen Guåhan*.

**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON  
RULES OF *I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN* ON  
THE 26<sup>th</sup> DAY OF JANUARY, 2011.**

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**JUDITH T. WON PAT, Ed.D.**  
**Speaker**

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**RORY J. RESPICIO**  
**Chairperson**  
**Committee on Rules**

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**TINA ROSE MUÑA BARNES**  
**Legislative Secretary**