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Chairperson

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

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Senator Perez Seeks AG Opinion on Environmental Impact of Bill 175-37

Hagåtña, Guam – On Monday, Senator Sabina Flores Perez requested an opinion from Attorney General Douglas B. Moylan regarding the environmental implications of Bill 175-37 (COR). Despite being forced by some senators onto the Session agenda without a Committee Report, the Bill continues to raise concerns about potential pollution and public health risks resulting from the proposed changes to development regulations within Guam's Groundwater Protection Zone.

In her request, Senator Perez highlighted three critical areas for the Attorney General's review:

- **Legality without an Environmental Impact Statement:** The new US EPA PFAS regulation under the Safe Drinking Water Act, combined with studies from the Water and Environmental Research Institute (WERI), underscore the need for comprehensive environmental assessments. These studies reveal the detrimental effects of nitrates on the Northern Guam Lens Aquifer, which could be exacerbated by increased development density.
- **Compliance with Safe Drinking Water and Clean Water Acts:** The potential impact on Guam Waterworks Authority's (GWA) existing stipulated and court orders due to non-compliance with federal water regulations necessitates careful consideration.
- **Application of Federal Consistency, Statutes, and Regulations:** The necessity for a thorough interdisciplinary review consistent with the National Environmental Policy Act (NEPA) to ensure compliance with local and federal environmental laws.

Section 7 of Bill 175-37 would allow for the development of unsewered one-quarter acre lots using advanced nitrogen-reducing on-site disposal systems within the Groundwater Protection Zone. This change could lead to a significant increase in wastewater loading, potentially tripling in areas subdivided under certain provisions of the subdivision law. Testimonies from the Guam Environmental Protection Agency and recent WERI studies indicate this could lead to severe groundwater degradation, with nitrates and other pollutants reaching dangerous levels.

Senator Perez emphasized the importance of protecting the Northern Guam Lens Aquifer, which supplies over 80% of Guam's drinking water. The increasing levels of nitrates, even below the legal limits, have been linked to serious health issues, including cancer and developmental defects. Senator Perez urged that development plans adhere to scientific advice to safeguard public health and the environment.

"It is critical that we do not lose sight of protecting Guam's precious Northern aquifer that determines the health and safety of our people and environment by heeding the advice of scientists and experts pertaining to developmental densities and rising pollutants in our groundwater," Senator Perez said in her address to the Attorney General.

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