

CLOSING THE LOOP

Protecting Guam's Water Resources from
Development Planning through Occupancy

- ▶ Conditions in the ARC Position Statement are not enforced during the Building Permit Application review process.
- ▶ Type 2 sewage facilities and underground fuel storage tanks (USTs) within the Groundwater Protection Zone (GPZ) and Wellhead Protection Zones (WPZ).
- ▶ Construction of Accessory Dwelling Units to buildings with existing septic systems, increasing nitrates density within the GPZ/WPZ.
- ▶ The effects of the Parental Subdivision and Decedent exception, also increasing nitrates density within the GPZ/WPZ.
- ▶ Changes in occupational use without review of available water and sewer capacities, or verifying if the new use requires a backflow preventer assembly and/or FOG interceptor.
- ▶ Proper zoning and utility easements not established from lands returned from the military.

KEY CONCERNS:

- ▶ Implementation of ARC Conditions
- ▶ Interagency Coordination and Alignment
- ▶ Responsibility of Enforcement
- ▶ Evaluation of Legislative Measures

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- ▶ Executive Order 96-26 established the Application Review Committee (ARC) along with its roles and responsibilities.
- ▶ The ARC provides the Guam Land Use Commission (the “Commission”) with technical and professional review, analysis, and advice concerning various development activities.
- ▶ The ARC shall:
 - ▶ Ensure compliance with applicable laws, standards, procedures, policies, and rules.
 - ▶ Evaluate alternative development strategies with the applicant to provide the best development plan for the developer and the community.
 - ▶ Provide official Position Statements on applications submitted to the Commission.

THE APPLICATION REVIEW COMMITTEE

- ▶ Transparency – Sharing of ARC Voting Member Position Statements and summary of Commission's actions.
- ▶ Records Management – GWA plans to develop a records system that allows easy reference to all its documents created and recorded for a given lot.
 - ▶ This will improve the ability to reference ARC Conditions and other historical information when processing building permit applications.
- ▶ Collaboration – General understanding and alignment of ARC conditions amongst ARC members having review authority on matters that affect Guam's water resources.

IMPLEMENTATION OF ARC CONDITIONS

- ▶ Achieve mutual understanding among agencies whose decisions affect Guam's water resources.
- ▶ Improve consistency of conditions/requirements for building permit approval.
- ▶ Improve interagency awareness and provide chances for agencies to review changes to previously approved occupancy uses.
- ▶ Data and resource collaboration of existing conditions and future development.
 - ▶ Examples: data gathered from water testing, tracking areas with increasing population density, sharing of GIS information, coordination of capital improvement projects, etc.

INTERAGENCY COORDINATION AND ALIGNMENT

- ▶ Clearly defining agency Roles and Responsibilities related to the protection of Guam's water resources.
- ▶ Using what was built through mutual understanding and collaboration to consistently enforce regulations.
- ▶ Holding everyone accountable for their role in providing, regulating, using, and protecting our water resources.

RESPONSIBILITY OF ENFORCEMENT

- ▶ Evaluating the implications of legislative measures on water resource integrity and quality, and GWA's capacity to provide safe and affordable drinking water.
 - ▶ Parental Subdivisions, Type 4 Sewage Systems, Accessory Dwelling Units (ADUs), etc.
- ▶ Evaluating and determining if/when laws need to be updated to match current and future regulations required to protect water resources.

EVALUATION OF LEGISLATIVE MEASURES