

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
253-38 (COR)	Therese M. Terlaje Sabina Flores Perez Chris Barnett Telo T. Taitague Shelly V. Calvo Joe S. San Agustin	AN ACT TO <i>ADD</i> A NEW §47113 TO CHAPTER 47, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING AND DETERRING SEABED MINING IN THE WATERS OF GUAM AND THE SURROUNDING SEA.	1/8/26 8:29 a.m. ^1/12/26 4:21 p.m.	1/13/26	Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure.	1/13/26	4/1/26 8:30 a.m.	5/5/26 As Amended.	

OFFICE OF THE VICE SPEAKER V. Anthony Ada


I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure



May 4, 2026

Honorable Frank F. Blas, Jr
Speaker
Mina'trentai Ocho na Liheslaturan Guåhan
163 Chalan Santo Papa
Hagåtña, Guam 96910

VIA: Honorable V. Anthony Ada 
Chairperson, Committee on Rules

Re: Committee Report on Bill No. 253-38 (COR) As amended

Håfa adai Speaker Blas:

Transmitted herewith is the Committee Report on the **Bill No. 253-38 (COR) as Amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure** – “AN ACT TO ADD A NEW §47113 TO CHAPTER 47, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING AND DETERRING SEABED MINING IN THE WATERS OF GUAM AND THE SURROUNDING SEA.” – Therese M. Terlaje, Sabina Flores Perez, Chris Barnett, Telo T. Taitague, Shelly V. Calvo, and Joe S. San Agustin.

Committee votes are as follows:

- 5 TO DO PASS
- 0 TO NOT PASS
- 4 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

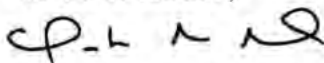


COMMITTEE ON RULES

RECEIVED:

May 4, 2026 10:44 a.m.
Marie Crisostomo

Si Yu'os ma'åse',



V. Anthony Ada



OFFICE OF THE VICE SPEAKER V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

COMMITTEE REPORT

Bill No. 253-38 (COR)

**As Amended by the Committee on Land, Environment, Housing,
Agriculture, Parks and Infrastructure**

Introduced by Therese M. Terlaje, Sabina Flores Perez, Chris Barnett, Telo T. Taitague, Shelly V. Calvo, and Joe S. San Agustin

“AN ACT TO *ADD* A NEW §47113 TO CHAPTER 47, TITLE 10
GUAM CODE ANNOTATED RELATIVE TO PROHIBITING AND
DETERRING SEABED MINING IN THE WATERS OF GUAM AND
THE SURROUNDING SEA.”

by Vice Speaker V. Anthony Ada



OFFICE OF THE VICE SPEAKER V. Anthony Ada


I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

April 28, 2026

MEMORANDUM

To: All Members
Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure

From: Vice Speaker V. Anthony Ada 
Committee Chairperson

Subject: Committee Report on Bill No. 253-38 (COR) As amended

Transmitted herewith is the Committee Report on the **Bill No. 253-38 (COR) as Amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure** – “AN ACT TO ADD A NEW §47113 TO CHAPTER 47, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING AND DETERRING SEABED MINING IN THE WATERS OF GUAM AND THE SURROUNDING SEA.” – Therese M. Terlaje, Sabina Flores Perez, Chris Barnett, Telo T. Taitague, Shelly V. Calvo, and Joe S. San Agustin.

This report includes the following:

- Copy of COR Referral of Bill No. 253-38 (COR)
- Notices of Public Hearing & Other Correspondence
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimonies & Supporting Documents
- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 253-38 (COR)
- Copy of Bill No. 253-38 (COR) As amended by the Committee
- Copy of Bill No. 253-38 (COR) Committee Markup
- Copy of Fiscal Note Waiver from Bureau of Budget and Management Research

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os ma'åse'



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature

January 13, 2026

To: **Rennae V. C. Meno**
Clerk of the Legislature

Attorney Darleen Hiton
Legislative Legal Counsel

From: **Vice Speaker V. Anthony Ada**
Chairperson, Committee on Rules

Subject: **Referral of Bill No. 253-38 (COR)**

Håfa Adai,

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d)(1), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 253-38 (COR)** - Therese M. Terlaje, Sabina Flores Perez, Chris Barnett, Telo T. Taitague, Shelly V. Calvo, Joe S. San Agustin. – “AN ACT TO ADD A NEW §47113 TO CHAPTER 47, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING AND DETERRING SEABED MINING IN THE WATERS OF GUAM AND THE SURROUNDING SEA.”

Please ensure that the subject bill is referred to Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure chaired by Vice Speaker V. Anthony Ada. I also request that the same be copied to the Prime Sponsor of the subject bill and to Management Information Services (MIS) for posting on our website.

A copy of the bill is available on our legislative website.

Should you have any questions or concerns, please feel free to contact Kamarin Nelson, Committee on Rules Director at 671-472-2461.





FIRST NOTICE of Public Hearing: April 1, 2026

Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

Wed, Mar 25, 2026 at 8:25 AM

Bcc: phnotice@guamlegislature.gov, "Senator Therese M. Terlaje" <senatorterlajeguam@gmail.com>

FOR IMMEDIATE RELEASE

March 25, 2026

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Vice Speaker V. Anthony Ada

Re: FIRST NOTICE of Public Hearing: April 1, 2026

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure will conduct a public hearing on **Wednesday, April 1, 2026 at 8:30 am** in the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

- **Bill No. 244-38 (COR)** – Sabina Flores Perez - AN ACT TO ADD A NEW CHAPTER 72, DIVISION 2, TO TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE UNIFORM CONSERVATION EASEMENT ACT TO PROVIDE AN ADDITIONAL OPTION FOR THE CONSERVATION OF ECOLOGICALLY AND CULTURALLY SIGNIFICANT LAND.
- **Bill No. 253-38 (COR)** – Therese M. Terlaje - AN ACT TO ADD A NEW §47113 TO CHAPTER 47, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING AND DETERRING SEABED MINING IN THE WATERS OF GUAM AND THE SURROUNDING SEA.

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Vice Speaker V. Anthony Ada at (671) 989-0855 or via electronic mail at vicespeakertonyada@guamlegislature.gov for further guidance.

Submission of Presentation Media: Digital material and presentations must be emailed to vicespeakertonyada@guamlegislature.gov no later than two (2) days before the public hearing to allow timely submission to the Guam Legislature's MIS Division.

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The Public Hearing will broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and stream online via i Liheslaturan Guåhan's live feed. Written testimonies may be sent via email at vicespeakertonyada@guamlegislature.gov.

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact the Office of Vice Speaker V. Anthony Ada at (671) 989-0855 or via email at vicespeakertonyada@guamlegislature.gov.



Office of Vice Speaker V. Anthony Ada
38th Guam Legislature
I Mina'trentai Ocho Na Liheslaturan Guåhan
Guam Congress Building, 2nd Floor
163 Chalan Santo Papa
Hagåtña, Guam 96910
Phone: (671) 989-0855
Email: vicespeakertonyada@guamlegislature.gov

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3 attachments



2026-03-25 FIRST Notice .pdf

829K



Bill No. 244-38 (COR).pdf

1063K



Bill No. 253-38 (COR) Referred Version.pdf

1856K



OFFICE OF THE VICE SPEAKER V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

FOR IMMEDIATE RELEASE

March 25, 2026

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Vice Speaker V. Anthony Ada

Re: FIRST NOTICE of Public Hearing: April 1, 2026

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FIRST NOTICE of Public Hearing: April 1, 2026


FIRST NOTICE of Public Hearing: April 1, 2026


PUBLIC HEARING


 **Posted on:** 03/25/2026 01:42 PM

 **Posted by:** Erin Grajek


 **Public Hearing Date:** 04/01/2026 08:30 AM


 **Department(s):** GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):** OFFICE OF VICE SPEAKER V. ANTHONY ADA (/notices?division_id=261)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

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FOR IMMEDIATE RELEASE

March 25, 2026

MEMORANDUM

To: All Senators, Stakeholders, Media
From: Vice Speaker V. Anthony Ada
Re: FIRST NOTICE of Public Hearing: April 1, 2026

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- **Bill No. 244-38 (COR)**
([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20244-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20244-38%20(COR).pdf)) – Sabina Flores Perez - AN ACT TO ADD A NEW CHAPTER 72, DIVISION 2, TO TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE UNIFORM CONSERVATION EASEMENT ACT TO PROVIDE AN ADDITIONAL OPTION FOR THE CONSERVATION OF ECOLOGICALLY AND CULTURALLY SIGNIFICANT LAND.
- **Bill No. 253-38 (COR)**
([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20253-38%20\(COR\)%20Referred%20Version.pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20253-38%20(COR)%20Referred%20Version.pdf)) – Therese M. Terlaje - AN ACT TO ADD A NEW 547113 TO CHAPTER 47, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING AND DETERRING SEABED MINING IN THE WATERS OF GUAM AND THE SURROUNDING SEA.

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GUAM LEGISLATURE
AUDIO VISUAL DEPARTMENT
PUBLIC ANNOUNCEMENT REQUEST FORM

Office Submitting Request: Office of Vice Speaker V. Anthony

Ada Date of Request: March 24, 2026

POINT OF CONTACT

Name: Erin M. Grajek

Contact #: 989-0855 (ex. 2400)

Email: erin.grajek@guamlegislature.gov

PUBLIC HEARING DETAILS

Notice Type: Public Hearing Informational Briefing Roundtable Discussion

Oversight Hearing Committee Meeting Other: _____

Notice Title / Bill(s) / Resolution(s) / Appointment: Notice of Public Hearing: April 1, 2026 (FIRST NOTICE: 03/25/26 - SECOND NOTICE: 03/30/26)

Date of Event: April 1, 2026

Start Time: 8:30 am End Time: 12 pm (or until adjourned)

Location: Public Hearing Room, Guam Congress Building

MEDIA HANDLING

Recording Format: MP4 MP3 Other: _____

Delivery Method: Email USB Drive Cloud Link Other: _____

CERTIFIED BY AV:

Name: Ruby Perez

Signature: [Handwritten Signature]

Posted on/Air Date: 3/25/26 - 3/30/26



Notice of Public Hearing
Wednesday, April 1, 2026 – 8:30 am

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure will conduct a public hearing on **Wednesday, April 1, 2026 at 8:30 am** in the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

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VICE SPEAKER V. ANTHONY ADA
COMMITTEE ON LAND, ENVIRONMENT, HOUSING, AGRICULTURE, PARKS, AND INFRASTRUCTURE



If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Vice Speaker V. Anthony Ada at (671) 989-0855 or via electronic mail at vicespeakertonyada@guamlegislature.gov for further guidance.

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SECOND NOTICE of Public Hearing: April 1, 2026

Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>
Bcc: pnotice@guamlegislature.gov

Mon, Mar 30, 2026 at 8:03 AM

FOR IMMEDIATE RELEASE

March 30, 2026

MEMORANDUM

To: All Senators, Stakeholders, Media
From: Vice Speaker V. Anthony Ada
Re: SECOND NOTICE of Public Hearing: April 1, 2026

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure will conduct a public hearing on **Wednesday, April 1, 2026 at 8:30 am** in the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

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Office of Vice Speaker V. Anthony Ada

38th Guam Legislature

I Mina'trentai Ocho Na Liheslaturan Guåhan

Guam Congress Building, 2nd Floor

163 Chalan Santo Papa

Hagåtña, Guam 96910

Phone: (671) 989-0855

Email: vicespeakertonyada@guamlegislature.gov

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3 attachments



2026-03-30 SECOND Notice .pdf

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Bill No. 244-38 (COR).pdf

1063K



Bill No. 253-38 (COR) Referred Version.pdf

1856K



OFFICE OF THE VICE SPEAKER V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

FOR IMMEDIATE RELEASE

March 30, 2026

MEMORANDUM

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SECOND NOTICE of Public Hearing: April 1, 2026

SECOND NOTICE of Public Hearing: April 1, 2026


PUBLIC HEARING

 **Posted on:** 03/30/2026 08:03 AM

 **Posted by:** Erin Grajek


 **Public Hearing Date:** 04/01/2026 08:30 AM


 **Department(s):** GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):** OFFICE OF VICE SPEAKER V. ANTHONY ADA (/notices?division_id=261)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

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March 30, 2026

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OFFICE OF THE VICE SPEAKER V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

Public Hearing

Public Hearing Room · Guam Congress Building
Tuesday · April 1, 2026 · 8:30 am

Agenda

- **Bill No. 244-38 (COR)** – Sabina Flores Perez - AN ACT TO *ADD* A NEW CHAPTER 72, DIVISION 2, TO TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE UNIFORM CONSERVATION EASEMENT ACT TO PROVIDE AN ADDITIONAL OPTION FOR THE CONSERVATION OF ECOLOGICALLY AND CULTURALLY SIGNIFICANT LAND.
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OFFICE OF THE VICE SPEAKER V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

PUBLIC HEARING SIGN-IN SHEET

Wednesday, April 1, 2026 · 8:30 am · Public Hearing Room, Guam Congress Building

Bill No. 253-38 (COR)

AN ACT TO ADD A NEW §47113 TO CHAPTER 47, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING AND
DETECTING SEABED MINING IN THE WATERS OF GUAM AND THE SURROUNDING SEA.

- Therese M. Terlaje

NAME	AGENCY/ ORGANIZATION	POSITION	TESTIMONY	CONTACT INFO
1. Glenn Taka	DOAG	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input type="checkbox"/>	
2. Jeff Quitugua	DOAG	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input type="checkbox"/>	
✓ 3. Carotta Leon Guerrero	GOV'S OFFICE	SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input checked="" type="checkbox"/>	[REDACTED]
✓ 4. Elsi Demeulenaere		SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input checked="" type="checkbox"/>	[REDACTED]
✓ 5. Chelsea Muan	DOAG	SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input checked="" type="checkbox"/> ORAL <input type="checkbox"/>	
✓ 6. Praxias Aguiar		SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input checked="" type="checkbox"/>	[REDACTED]
✓ 7. MONATEKA FLORES		SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input checked="" type="checkbox"/>	[REDACTED]
8.		SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input type="checkbox"/>	



OFFICE OF THE VICE SPEAKER V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

PUBLIC HEARING SIGN-IN SHEET

Wednesday, April 1, 2026 · 8:30 am · Public Hearing Room, Guam Congress Building

Bill No. 253-38 (COR)

AN ACT TO ADD A NEW §47113 TO CHAPTER 47, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING AND
DETECTING SEABED MINING IN THE WATERS OF GUAM AND THE SURROUNDING SEA.

- Therese M. Terlaje

NAME	AGENCY/ ORGANIZATION	POSITION	TESTIMONY	CONTACT INFO.
1. <i>Kallen Perez</i>		SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input checked="" type="checkbox"/> ORAL <input type="checkbox"/>	
2. <i>Jamal Tugey</i>	<i>Social Work Student Alliance</i>	SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input type="checkbox"/>	
3.		SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input type="checkbox"/>	
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- Therese M. Terlaje

NAME	AGENCY/ ORGANIZATION	POSITION	TESTIMONY	CONTACT INFO
1. <i>Brynn Leon Guerrero</i>	<i>Social Work student Alliance</i>	SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input checked="" type="checkbox"/> ORAL <input checked="" type="checkbox"/>	
2.		SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input type="checkbox"/>	
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The Honorable V. Anthony Ada
Chairperson, Committee on Land, Environment, Housing, Agriculture, Parks, and
Infrastructure

I Mina'Trentai Ocho Na Liheslaturan Guåhan

Testimony on Bill253-38, AN ACT TO ADD A NEW §47113 TO CHAPTER 47, TITLE 10
GUAM CODE ANNOTATED RELATIVE TO PROHIBITING AND DETERRING
SEABED MINING IN THE WATERS OF GUAM AND THE SURROUNDING SEA.

April 1, 2026

Buenas yan hafa adai honorable senators:

My name is Brynn Leon Guerrero, and I am an undergraduate student in the UOG Bachelor of Social Work program. I am writing on behalf of the Social Work Student Alliance (SWSA) in support of Bill 253-38 for the prohibition and deterrence of seabed mining in Guam waters and the surrounding sea.

Deep-Sea Mining has become popular as proponents argue it is an efficient and necessary way to obtain the materials needed to produce green energy technology. But damaging our ocean ecosystem in the name of green energy seems counterintuitive. Deep-sea mining has the potential to cause more harm than good. To begin with, there is insufficient scientific data on the long-term effects of deep-sea mining, including a lack of comprehensive analyses of environmental, ecological, and economic impacts. Lessons from island nations such as Papua New Guinea, which have experience with deep-sea mining in their waters, demonstrate that they have incurred large debt from the fallout of these projects (DSMC, 2025).

Another reason this bill should be supported is that over the last few months, we, as a community, were not given a say on whether the people of Guam would be open to deep-sea mining in our waters, let alone asked for our views.

If this bill does not pass and deep-sea mining becomes legal, the federal government and companies they contract will be profiting from the destruction of our waters.

The real issue with deep-sea mining is that it has the potential to cause irreversible damage to the oceanic environment through pollution, disturbance of marine organisms, and a lack of safety protocols and guidelines for deep-sea mining activities that extract minerals and rare earth elements for profit. For years, the planet has been going through drastic shifts in nature due to global warming and climate change. By venturing into the ocean to obtain these valuable minerals and elements without knowing the true consequence of such actions, we risk severely damaging and possibly destroying the delicate balance that remains intact in this marine ecosystem. We cannot pretend that we will not be impacted by the loss or contamination of the ocean and marine food chains. The ocean is part of who we are, our way of living, and how we survive.

The main purpose of deep-sea mining is to secure materials for renewable energy technology and expand military power. This will come at the highest cost to us – the health of the ocean and the health of our people. We cannot risk this. Our cultural beliefs are rooted in reciprocity. The ocean takes care of us and we must take care of the ocean.

To conclude, Bill 253-38 opposes deep-sea mining and will serve as a preventive measure to protect Guam from companies that plan to dock on the island and establish site locations for mining operations. Deep-sea mining pollutes the marine ecosystem and environment, lacks universal safety protocols and guidelines, risks food insecurity, and has a high probability of incurring significant debt and irreversible loss to our island communities. With this said, we support the passing of Bill 253-38.

Un dangkulo na si yu'us ma'ase to everyone here today for your time and for allowing us to provide testimony in support of Bill 253-38.

Sincerely,

Brynn Leon Guerrero

Social Work Student Alliance Member

██████████

1. Deep Sea Mining Campaign. 2025. *The Solwara 1 seabed mining project in the Bismarck Sea of Papua New Guinea*. Retrieved from <https://dsm-campaign.org/the-solwara-1-seabed-mining-project-in-the-bismarck-sea-of-papua-new-guinea/>



GUAM PRESERVATION TRUST

INANGOKKON INADAHI GUAHAN

P.O. Box 3036, Hagåtña, Guam 96932 • Tel: 671-472-9439/40 • Fax: 671-477-2047 • guampreservationtrust.org

April 6, 2026

The Honorable Anthony Ada
Vice Speaker
I Mina'trentai Ocho Na Liheslaturan Guahan
163 Chalan Santo Papa
Hagåtña, GU 96910

RECEIVED

APR 07 2026

Office of the Vice Speaker
V. Anthony Ada

Dear Vice Speaker Ada,

I write to provide the Guam Preservation Trust's support in principle for Bill 253-38, relative to prohibiting and deterring seabed mining in the waters of Guam and the surrounding sea.


We appreciate that the bill has provisions that will allow the existing rights, privileges, or practices of the Native CHamoru people and that research in the waters of Guam will remain allowable.

There are cultural and historical resources within our territorial waters and the waters extending from them that capture the multilayered history of our past since our ancestors first arrived on shore to today. As a historic preservation organization, we work to preserve and protect these sites and stories to include the research documentation of these sites.

In this regard we support in principle, the measures found within this bill and look forward to its promulgation.

Thank you for this opportunity to provide testimony on this bill. Should you have any questions, please contact me at jqpreservation@guam.net.

Si Yu'os Ma'åse,



JOE QUINATA
Chief Program Officer

April 7, 2026

Vice Speaker V. Anthony Ada
Chairman, Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure
38th Guam Legislature
Hagatna, Guam

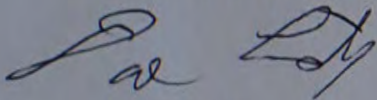
Vice Speaker Ada:

I am providing testimony on bill no. 253-38 (COR), an Act to Add a new 47113 to Chapter 47, Title 10 Guam CODE annotated Relative to Prohibiting and Deterring Seabed Mining in the Water of Guam and the Surrounding Sea.

I am supportive this bill.

I further recommend that a section be added to this legislation that states a prohibited business practice on Guam shall include Seabed Mining and any activities that relate or support Seabed Mining. Further that the Government of Guam shall prohibit any assistance or support to any businesses and government of Guam agencies from engaging or supporting Seabed Mining.

Respectively submitted,

A handwritten signature in black ink, appearing to read "Dave Lotz", written in a cursive style.

Dave Lotz



Department of Agriculture Dipattamenton Agrikottura

163 Dairy Road, Mangilao, Guam 96913



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Chelsa Muña
Director
Glenn Takai
Deputy Director

March 31, 2026

Vice Speaker V. Anthony Ada
Chairperson,
Committee on Land, Environment,
Housing, Agriculture, Parks and Infrastructure
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

RE: Bill 253-38 (COR) - *An Act to Add a New §47113 to Chapter 47, Title 10 Guam Code Annotated Relative to Prohibiting and Deterring Seabed Mining in the Waters of Guam and the Surrounding Sea*

Håfa Adai Vice Speaker Ada and members of the Committee,

Thank you for the opportunity to provide written testimony on Bill 253-38. The Guam Department of Agriculture (DOAG) respectfully submits this testimony with strong and utmost support of Bill No. 253-38 (COR), which would prohibit and deter seabed mining in the waters of Guam and the surrounding sea by adding a new §47113 to Chapter 47, Title 10 of the Guam Code Annotated.

DOAG’s statutory mandate includes the protection and management of Guam’s fisheries, coral reef ecosystems, marine mammals, and the broader ocean environment that sustains our island’s food security, cultural identity, and long-term economic stability. This bill directly advances that mission. DOAG urges its passage and offers the following substantive recommendations to strengthen its protective reach.

DOAG’s position on deep-sea mining in the Marianas is a matter of documented record. In January 2026, DOAG submitted formal comments in strong support of Resolution No. 132-38 (COR), opposing the Bureau of Ocean Energy Management’s (BOEM) Request for Information (RFI) Docket No. BOEM-2025-0351 regarding commercial leasing for Outer Continental Shelf minerals offshore the CNMI. Those comments identified nine categories of serious concern, including procedural deficiency, irreversible environmental harm, risks to marine mammals, threats to submarine telecommunications infrastructure, cultural impacts to the indigenous Chamoru people, and the absence of meaningful consultation with the affected communities.

In February 2026, Acting Governor Tenorio met directly with BOEM and Department of Interior representatives to press GovGuam’s objections. As Acting Governor Tenorio stated plainly after

that meeting: “Years away is not a guarantee. We have seen how quickly federal policy priorities can shift.” The meeting did not produce adequate answers to GovGuam’s core questions — who monitors environmental impacts this far from shore, who bears liability when harm occurs, and whether the Bureau of Safety and Environmental Enforcement (BSEE) has the capacity to enforce protections in our waters. The absence of satisfactory answers reinforces the urgency of this bill.

Bill No. 253-38 (COR) represents the concrete legislative step that DOAG recommended in its January 2026 testimony: a territorial prohibition that uses every available tool under Guam’s authority to prevent deep-sea mining from taking hold in or near our waters. Hawaii, California, Oregon, and Washington have enacted similar bans. Guam must join them.

The threat is not abstract or distant. The BOEM RFI area lies east of the Marianas Trench Marine National Monument, within proximity to Guam’s EEZ, and adjacent to ecosystems that DOAG is charged to protect. The ecological stakes include:

- Sediment plumes generated by deep-sea mining operations that can spread hundreds of miles, suffocating zooplankton, clogging fish gills, and smothering coral reefs — including the biologically productive area between Rota and northern Guam that serves as a corridor for manta rays currently undergoing genetic analysis and anticipated to represent a unique hybrid of reef manta and oceanic manta.
- Disruption of bottom fishery areas supporting important food security species including onaga and pomfret, which are already subject to cumulative pressure from surface danger zones and military use areas.
- Irreversible destruction of deep-sea coral habitat, with specimens documented to be between 2,500 and 8,000 years old, and of seamount ecosystems hosting species not yet known to science.
- Continuous industrial underwater noise that compounds existing acoustic stress on deep-diving cetaceans — including beaked whales, blue whales, fin whales, and sperm whales — in a region already impacted by naval sonar that has been associated with multiple beaked whale strandings.
- Risks to Guam’s 11 active submarine cable systems, which connect more than 14 countries and are irreplaceable economic and national security infrastructure.
- Disproportionate cultural harm to the indigenous CHamoru people, whose navigation traditions, food systems, and spiritual identity are inseparable from a living, healthy ocean.

- On March 18, 2026, BOEM issued its Area Identification Recommendation (Area ID) for OCS mineral leasing offshore the CNMI — nearly doubling the scope of the original RFI Area, expanding from approximately 35.5 million acres to approximately 69.1 million acres.
- This expansion is the result of industry interest in areas **west** of the CNMI for polymetallic sulfide development — new areas that were not included in the original RFI.
- The newly added western area comprises almost 34 million acres and is located as close as **46 miles from Guam** at its nearest point.
- BOEM will now prepare an Environmental Assessment to analyze the action of leasing and authorization of preliminary activities. — a process that, by definition, moves the leasing timeline forward without the regional Environmental Impact Statement that GovGuam and the Guam Legislature have specifically requested.
- This is the American Samoa pattern playing out in real time — the concern DOAG flagged in the January 2026 testimony and the February BOEM meeting. The comment period closed January 12, 2026, and within roughly 10 weeks, BOEM not only advanced the process but nearly doubled the footprint, adding an area that now puts a potential mining zone **closer to Guam than to Saipan**. That sequence is exactly what "years away is not a guarantee" looks like.
- At a meeting of the Western Pacific Regional Fishery Management Council last week, I pointedly asked BOEM how many interest submissions they have received for the Mariana Islands. It took four iterations of the question to finally draw out that they had more than five ~ ten companies expressing interest in mining our waters.

DOAG supports each operative provision of the bill as introduced:

- Section (a) correctly prohibits the mining, extraction, and removal of minerals from the seabed in territorial marine waters. This is a necessary floor of protection within Guam's legal jurisdiction.
- Section (b) appropriately extends the prohibition to permitting for associated facilities and infrastructure, preventing Guam's regulatory apparatus from being used to enable any component of a mining operation.
- Section (c)'s scientific research exemption is well-crafted and appropriately narrow. DOAG supports baseline ecological research and recommends that this exemption be coordinated with DOAG's Division of Aquatic and Wildlife Resources (DAWR) to ensure consistency with existing permits and conservation objectives.
- Section (d)'s protection of Native CHamoru rights and practices is essential and must be retained in any amended version of the bill.

- Section (e)'s definition of "minerals" is comprehensive and appropriate, expressly including polymetallic nodules and cobalt-rich ferromanganese crusts, which are the primary targets of deep-sea mining interest in the Marianas region.
- Section (f)'s port deterrence mechanism, allowing the Guam Port Authority to delay or deny vessel entry for ships engaged in unlicensed extraction of undersea minerals, is an important and creative use of territorial authority. DOAG supports this provision and offers targeted amendments below to strengthen its operational effectiveness.

DOAG respectfully recommends the following amendments to address legal and operational gaps in the bill as currently drafted. These recommendations are offered in the spirit of maximizing the bill's protective and deterrent effect.

Recommendation 1: Add an Enforcement and Penalty Provision

As currently drafted, the bill contains no civil or criminal penalty for violation of §47113(a) or (b). A prohibition without a consequence is difficult to enforce and may be treated as hortatory rather than legally operative. DOAG recommends that the Legislature add a subsection establishing a graduated civil penalty structure — with a separate penalty for each day a violation continues — and designating an enforcement agency (recommended: DOAG's DAWR, or the Guam Environmental Protection Agency, in coordination with the Office of the Attorney General). Jurisdictions such as Hawaii and California have incorporated enforceable penalties into their seabed mining bans, and Guam's prohibition should be equally robust.

Suggested language (for Committee consideration):

“(g) Any person who violates subsection (a) or (b) of this section shall be subject to a civil penalty of not less than \$10,000 and not more than \$50,000 per day for each day the violation continues. The [designated enforcement agency] is authorized to promulgate rules and regulations to implement and enforce this section.”

Recommendation 2: Expand Port Deterrence Authority to Proactive Monitoring

Section (f) currently authorizes PAG to delay or deny port access only when it “has received notice from a federal agency or other agency” of a violation. PAG cannot act until another agency has already flagged the vessel. In practice, federal enforcement notifications to territorial port authorities are not systematic or timely.

DOAG recommends adding language that also authorizes PAG to act upon reasonable belief or credible information obtained from any source, including DOAG DAWR, and to require vessel operators seeking entry to certify compliance with applicable environmental and extraction laws as a condition of port use. This mirrors DOAG’s January 2026 testimony, which noted that restricting use of Guam’s ports and infrastructure is one of the most effective levers Guam holds to make deep-sea mining in adjacent federal waters operationally difficult.

Recommendation 3: Add a Definition of “Territorial Marine Waters”

The bill prohibits seabed mining in “territorial marine waters” but does not define this term. Under federal and Guam law, Guam’s territorial sea extends three nautical miles from the baseline. DOAG recommends including a definition that expressly references this boundary to eliminate interpretive ambiguity and to provide a clear legal basis for enforcement. A reference to Guam’s jurisdiction under 48 U.S.C. §1421 and applicable provisions of the Submerged Lands Act would further anchor the definition in federal law.

Recommendation 4: Restrict Territorial Waters and Port Use for Support Activities in Adjacent Federal Waters

The bill as drafted applies only to activities within territorial marine waters. However, most deep-sea mining interest in the Mariana Islands — including the BOEM RFI Area — lies in federal Outer Continental Shelf waters beyond the three-mile territorial limit. If the prohibition is limited to territorial waters without addressing support functions, Guam’s ports, anchorages, and near-shore waters could still be used to stage, refuel, crew-change, or resupply vessels conducting mining operations in federal waters immediately adjacent to Guam.

DOAG recommends the Legislature consider adding an explicit provision prohibiting the use of Guam’s ports, harbors, anchorages, and territorial waters as staging, supply, or logistics bases for any vessel engaged in, or contracted to engage in, seabed mining operations in adjacent federal or international waters — unless authorized by both GovGuam and the relevant federal authority following full consultation with DOAG and affected communities. This approach is consistent with the deterrence philosophy underlying Section (f) and would close the most significant operational gap in the bill.

Recommendation 5: Require Coordination with DOAG for the Scientific Research Exemption

Section (c) exempts bona fide scientific research from the prohibition. DOAG supports this exemption but recommends that it be conditioned on prior written notification to, and non-objection by, DOAG’s Division of Aquatic and Wildlife Resources for any collections

conducted in territorial waters. DAWR already administers the existing scientific collection permit framework under Guam law and is best positioned to assess whether proposed research activities are genuinely scientific in nature, avoid overlap with sensitive habitat, and do not serve as a cover for commercial prospecting.

Recommendation 6: Add a Legislative Findings Section

DOAG recommends adding a findings section to the bill that recites the specific environmental, cultural, economic, and public safety rationale for the prohibition. Legislative findings serve multiple purposes: they provide interpretive guidance for courts and implementing agencies, they strengthen the bill’s legal defensibility if challenged, and they create a public record of the Legislature’s intent. Key findings should include: the ecological sensitivity of the Marianas marine environment; the irreversible nature of seabed mining impacts; the cultural significance of the ocean to the CHamoru people; Guam’s dependence on submarine cable infrastructure; prior federal procedural deficiencies in the BOEM RFI process; and the absence of enforceable safeguards preventing exploration from transitioning to extraction without adequate local consultation.

The Guam Department of Agriculture strongly supports the enactment of Bill No. 253-38 (COR). The prohibition this bill establishes is legally sound, environmentally necessary, and long overdue. As Acting Governor Tenorio stated directly to BOEM representatives: “This is not simply a regulatory matter. It is a question of environmental stewardship, cultural preservation, economic security, and national defense interests in the Western Pacific.”

DOAG’s recommended amendments are intended to ensure that this prohibition is enforceable, operationally effective, and resilient to legal challenge — not to delay or dilute its protective purpose. We urge the Legislature to pass this bill with consideration of the recommended amendments and to act swiftly, given the pace at which federal policy in this area can shift.

The ocean is not a resource to be surrendered to industrial extraction without Guam’s full and informed consent. Bill No. 253-38 (COR) makes clear that Guam does not consent.

Respectfully submitted,

Chelsa Muña
Director

The Honorable Senator Vicente Anthony Ada
Chair, Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure,
I Mina'Trentai Ocho Na Liheslaturan Guåhan

**Testimony in support of Bill 253-38 an act to add a new §47113 to Chapter 47, Title 10
Guam Code Annotated relative to prohibiting and deterring seabed mining in the
waters of Guam and the surrounding sea.**

April 1, 2026

Hafa adai Vice Speaker Ada and committee members,

My name is Jamal Tagey. I am a UOG Bachelor of Social Work student and am testifying as a member of the Social Work Student Alliance. I am also someone who calls Guam my first home. Thank you for this opportunity to testify in support of Bill 253-38.

As a senior social work student, one of the things we learn is “Nothing about us, without us.” This means that any policy decisions must include the people they affect at every level - from planning, to implementation, and evaluation. The proposal to conduct deep sea mining within the Mariana Trench has not meaningfully included the participation of the people it affects. The massive increase in the area designated for deep sea miningⁱ, despite widespread public opposition, shows that even when our communities insist on participating, their concerns are ignored. This is highly reflective of the inequitable relationship we have with the federal government in which the people of Guam’s interests are not prioritized. Furthermore, the rights of the CHamoru, the indigenous people of Guam, are dismissed.

According to the United Nations Declaration on the Rights of Indigenous Peopleⁱⁱ, indigenous people, in this case the CHamoru people, have a universal right to the conservation and protection of their environmental resources (Article 29). They should also be consulted “to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the...utilization or exploitation of mineral, water or other resources” (Article 32.2). As the deep sea mining proposal covers a vast area, mining by the federal government in the Marianas in Micronesia will violate the indigenous rights of all indigenous Pacific people in the region.

Our support of Bill 253-38 is consistent with Social Work ethics and the Social Work core value of social justice. Social workers have an ethical responsibility to prevent and end the exploitation and domination of systematically excluded populationsⁱⁱⁱ. This bill promotes self-determination and uplifts the CHamoru people’s international rights to environmental conservation and protection.

The deep sea mining proposal process is being rushed despite strong opposition. If deep sea mining is unleashed prematurely and adverse impacts occur, the consequences are permanent. Given that deep sea habitats have taken millions of years to form, we cannot realistically replace what is lost. And we will not know the full extent of harm to the health of our residents and our island until the damage occurs. We must ask ourselves if we have the capacity to recover from such an enormous environmental hazard should one occur.

In closing, we respectfully urge this body to support Bill 253-38 and to continue to advance policies that safeguard our ocean and uphold the internationally recognized right of CHamorus to be consulted for free, prior, and informed consent on projects pertaining to surrounding waters in the Marianas.

Thank you for your time.

Jamal Iosencio S. Tagey, Social Work Student Alliance
tageyj@gotritons.uog.edu [REDACTED]

ⁱ Taitano, J. II. (2026, March 19). UPDATED: Deep-sea mining now closer to Guam, CNMI under feds' updated plan to nearly double project area after reviewing comments. *GuamPDN*.
https://www.guampdn.com/news/updated-deep-sea-mining-now-closer-to-guam-cnmi-under-feds-updated-plan-to-nearly/article_fb2baf4e-7245-4b50-9fdd-9463dafcce7b.html

ⁱⁱ United Nations. (2007). *United Nations declaration on the rights of Indigenous Peoples*.
https://www.ohchr.org/sites/default/files/Documents/Publications/Declaration_indigenous_en.pdf

ⁱⁱⁱ National Association of Social Workers. (2021). *NASW code of ethics*.
<https://www.socialworkers.org/about/ethics/code-of-ethics>

The Honorable Anthony Ada
Chairperson, Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure
I Mina'trentai ocho Na Liheslaturan Guåhan

Testimony in support of Bill 253-38 AN ACT TO ADD A NEW §47113 TO CHAPTER 47,
TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING AND DETERRING
SEABED MINING IN THE WATERS OF GUAM AND THE SURROUNDING SEA.

April 02, 2026

Buenas yan_Håfa Adai Vice Speaker Tony Ada and members of the committee,

My name is Daniella Reginio and I am a current student at the University of Guam testifying today on behalf of the Social Work Student Alliance. I want to first begin by thanking you for the opportunity to testify in favor of Bill No. 253-38 which seeks to prohibit deep-sea mining within Guam's waters.

The ocean is not just water—it is deeply connected to who we are and how we live. It is rooted in our cultural identity and traditions and is an integral part of our way of life. On an island where our local livelihood and food security is closely interconnected with our ecosystem, the ocean plays a vital role. It provides a source of sustenance to our communities, ensuring the survival of not just our generation but future generations to come. There are also many cultural and traditional practices such as seafaring that are deeply rooted in the relationship between our island people and the ocean. Fishing and marine conservation are not simply recreational or environmental activities; they represent essential ways of life and cultural expression that reinforce values of interconnectedness and sustainability (Conservation International, 2026).

Deep-sea mining threatens to destroy these vital systems by posing significant environmental harm. The deepest parts of the ocean are one of the most largely unexplored regions in the world and disturbing them will not only jeopardize the fisheries in our surrounding communities, but they generate sediment plumes that can negatively disrupt marine ecosystems and lead to biodiversity loss. Additionally, studies have found that the damages caused by deep-sea mining are irreversible, posing long term consequences for our waters and local populations (United Nations Environment Programme, 2022, pp.23-24).

As a future social worker, supporting this bill and opposing deep-sea mining aligns with the National Association of Social Workers (NASW) Code of Ethics to stand for social justice and the responsibility to promote the overall welfare of society. Deep-sea mining threatens the health of our island communities by posing a danger to our surrounding waters, because as we know - our physical and mental health is tied to the health of our environment. We know firsthand that

environmental disasters whether natural or man-made have contributed to increased stress, anxiety, and illness in our communities. We cannot risk the health of our ocean, our island, and our people. We must take preventive steps to ensure that the people of Guam are protected from potential disasters.

I urge the committee to give full consideration to passing Bill No. 253-38 as it is not only imperative to our environment, but a moral obligation to preserve our cultural heritage and protect the well-being of our communities to ensure a healthy and sustainable ocean for future generations in Guam.

Respectfully,

Daniella Marie Reginio
Social Work Student Alliance
671-971-3761

References

1. Conservation International. (2026). *Pacific ocean and islands*. <https://www.conservation.org/places/pacific-ocean-and-islands>
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OFFICE OF THE VICE SPEAKER V. Anthony Ada


I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature



Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

COMMITTEE VOTE SHEET

Bill No. 253–38 (COR) as Amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure – “AN ACT TO ADD A NEW §47113 TO CHAPTER 47, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING AND DETERRING SEABED MINING IN THE WATERS OF GUAM AND THE SURROUNDING SEA.” – Therese M. Terlaje, Sabina Flores Perez, Chris Barnett, Telo T. Taitague, Shelly V. Calvo, and Joe S. San Agustin.

	SIGNATURE/ DATE OF SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Vice Speaker V. Anthony Ada Chairperson	 04/28/26			✓		
Senator Christopher M. Dueñas Vice Chairperson	EVOTE 04/29/26			✓		
Speaker Frank F. Blas, Jr. Member	EVOTE 04/29/26			✓		
Senator Sabrina Salas Matanane Member	EVOTE 05/01/26			✓		
Senator Shelly V. Calvo Member	EVOTE 04/28/26	✓				
Senator Vincent A.V. Borja Member						
Senator Sabina F. Perez Member	EVOTE 04/29/26	✓				
Senator Chris Barnett Member	EVOTE 04/28/26	✓				
Senator Tina Muña Barnes Member	EVOTE 04/29/26	✓				
Senator Joe S. San Agustin Member	EVOTE 04/28/26	✓				



Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

URGENT REQUEST for Evote: Bill No. 253-38 (COR)

Senator Chris Duenas <senator.duenas@guamlegislature.gov>

Wed, Apr 29, 2026 at 11:32 AM

To: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>

Cc: Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>, Senator Vince Borja <vince.borja@guamlegislature.gov>, Office Senator Perez <office.senatorperez@guamlegislature.gov>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>

To Report Out Only

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Office of Senator Christopher M. Dueñas

Chairman, Committee on Finance and Government Operations

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Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

URGENT REQUEST for Evote: Bill No. 253-38 (COR)

Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>
To: "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>

Tue, Apr 28, 2026 at 4:51 PM

To do pass.



The Office of Senator Chris Barnett

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Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

URGENT REQUEST for Evote: Bill No. 253-38 (COR)

Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>

Wed, Apr 29, 2026 at 9:21 AM

To: Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>

Cc: "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, "Vice Speaker V. Anthony Ada"

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Speaker, Frank F. Blas, Jr.

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URGENT REQUEST for Evote: Bill No. 253-38 (COR)

Joe S. San Agustin <senatorjoessanagustin@gmail.com>

Tue, Apr 28, 2026 at 4:52 PM

To: "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>

Cc: Chris Duenas <senator.duenas@guamlegislature.gov>, "Speaker Frank F. Blas Jr."

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Muna Barnes <senator.munabarnes@guamlegislature.gov>, Senator Darrel Christopher Barnett

<malafunkshun@guamlegislature.gov>

To pass. Thank you.

The Office of Senator Joe S. San Agustin

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38th Guam Legislature

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Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

URGENT REQUEST for Evote: Bill No. 253-38 (COR)

Office Senator Perez <office.senatorperez@guamlegislature.gov>

Wed, Apr 29, 2026 at 2:12 PM

To: Senator Chris Duenas <senator.duenas@guamlegislature.gov>

Cc: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>, Senator Vince Borja <vince.borja@guamlegislature.gov>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>

To do pass.

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Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

URGENT REQUEST for Evote: Bill No. 253-38 (COR)

Office of Legislative Secretary Senator Sabrina Salas Matanane

Fri, May 1, 2026 at 8:56

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AM

To: "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>

Cc: Chris Duenas <senator.duenas@guamlegislature.gov>, "Speaker Frank F. Blas Jr."

<speakerblas@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>,

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Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, "Senator Joe S. San Agustin"

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Office of Legislative Secretary

SENATOR SABRINA SALAS MATANANE

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Chairperson, Committee on Health and Veterans Affairs

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URGENT REQUEST for Evote: Bill No. 253-38 (COR)

Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>

Tue, Apr 28, 2026 at 6:16 PM

To: "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

Cc: "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, Chris Duenas <senator.duenas@guamlegislature.gov>, "Speaker Frank F. Blas Jr." <speakerblas@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>, Senator Vince Borja <vince.borja@guamlegislature.gov>, Office Senator Perez <office.senatorperez@guamlegislature.gov>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>

Hafa adai,

To do pass

Respectfully,

Jacqueline Munoz



Office of the People | Senator Shelly V. Calvo

Majority Whip & Chairwoman

Committee on Child Welfare, Youth Affairs, Senior Citizens, Women's Affairs, Disability Services, the Arts, Culture, Historic Preservation & Hagåtña Restoration

38th Guam Legislature

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OFFICE OF THE VICE SPEAKER V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 253-38 (COR) was introduced on **January 12, 2026**, by **Therese M. Terlaje** and was subsequently referred to the Committee on Rules to the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure on **January 13, 2026**.

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure convened a public hearing on **April 1, 2026**, at **8:30 am** at the Public Hearing Room of the Guam Congress Building.

Public Notice Requirements

Public Hearing notices were disseminated via **e-mail** to all senators and all main media broadcasting outlets on **March 25, 2026** (5-Day Notice), and again on **March 29, 2026** (48-Hour Notice).

Senators Present

Vice Speaker V. Anthony Ada – Committee Chairperson
Senator Therese M. Terlaje - Primary Author
Senator Sabina F. Perez – Committee Member
Senator Chris Barnett – Committee Member

Attendees

Senator Carlotta Leon Guerrero, Chief Advisor – Office of the Governor
Chelsa Muña, Director – Department of Agriculture
Baltazar Bordallo Aguon
Monaeka Flores
Callen Perez
Jamal Tagai
Else Demeulenaere, Associate Director – Natural Resources Division, Center for Island Sustainability
Brynn Leon Guerrero

Written Testimony Provided by

Brynn Leon Guerrero
Joe Quinata, Chief Program Officer – Guam Preservation Trust
Dave Lotz
Chelsa Muña, Director – Department of Agriculture

II. SUMMARY OF TESTIMONY & DISCUSSION

CHAIRPERSON VINCENT "TONY" ANTHONY ADA: Good morning, everyone. This public hearing conducted by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure is called to order and the time is now 8.35 a.m. Today's date is Wednesday, April 1st, 2026. Notice of this hearing was disseminated to all local media outlets on March 25th, 2026, with a second notice provided on March 30th, 2026. Notice of the hearing was also made known on the Guam Legislature's website and the government of Guam public notices portal. This morning, the committee will hear testimony on the following bills. Bill number 244-38(COR,) introduced by Senator Sabina Flores Perez, an act to add a new Chapter 72, Division 2, Title 21 of Guam Code annotated and this is establishing the Uniform Conservation and Easement Act to provide additional option for the conservation and ecologically and culturally significant land and Bill No. 253-38(COR), introduced by Senator Therese M. Terlaje, an act to add a new Section 47113 to Chapter 47, Title 10, Guam Code annotated, relative to prohibiting and deterring seabed mining in the waters of Guam and the surrounding area. This morning, I will be rearranging the schedule for the bills, and we will be hearing Bill No. 253-38(COR), introduced by Therese M. Terlaje, prior to Bill No. 244-38(COR), introduced by Senator Flores Perez, as some circumstances beyond anyone's control has arisen, and hopefully Senator Perez will be able to make it for her bill this morning. This morning, we have senators in attendance, Senator Terlaje, Senator Taitague, and Senator Barnett were attending this morning. Before we begin, I'd like to go over the general rules of conduct. Individuals testifying shall first be recognized by the Chair before speaking and shall state their name for the record-keeping purposes. Questions and testimony shall be compliant to the substance or nature of the agenda. Personal interference as to the character or motive of any Senator or individual testifying is not permitted. The Chairperson of the Committee may order the removal of the hearing. From the hearing, any member of the Legislature in Guam whom fares to observe proper decorum by pursuant to the 38th Guam Legislature Standing Rules. We'll now proceed to hear the hearing on the Bill No. 253-38(COR) introduced by Senator Terlalli, and I would give the Senator time for her opening statement, then we'll call the attendance for the panel. Thank you. Thank you, Senator.

SENATOR THERESE M. TERLAJE: *Si Yu'os Ma'åse'*, Mr. Chair. *Buenas.* Good morning, everyone. Thank you for being here this morning. This Bill 253-38 is an act to add a new Section 47113 to Chapter 47, Title 10, Guam Code annotated relative to prohibiting and deterring seabed mining in the waters of Guam and the surrounding area. This Bill was introduced in response to the Bureau of Ocean Management, which is a part of the Department of Interior, request for information to explore potential critical minerals leasing offshore the CNMI and to take a clear and firm stance on prohibiting seabed mining in the waters of Guam and the surrounding ocean. As you know, when BOEM solicited comments, it received over 65,000 comments, and we also held a hearing on a resolution by the Guam Legislature to express its opposition to seabed mining as proposed by BOEM and received overwhelming support for that as well, and many community members from Guam and the CNMI, including scientists, legal experts, environmental advocates, cultural practitioners, fishermen, and everyday residents have consistently warned about the potentially irreversible damage that deep sea mining could inflict on our marine ecosystems, our health, and our economy. And as you know, recently, the Bureau of Ocean Management released its Area Identification Decision Memo. So, after their solicitation of interest, they decided on what the area really will be that they're going to potentially lease, and what they did was actually pretty much double that area that they had originally proposed. So, it went from 35.5 million acres to an additional 33.6 million acres to the west. So, now it's on both sides of the archipelago of the Mariana Islands, and the western portion of that proposed mining area comes as close as about 46 miles from Guam at its nearest point. So, this legislation would ban mining, extraction, and removal of minerals from the seabed in territorial marine waters. It will prohibit permits to be issued in connection with development or operation of facilities or infrastructures associated with mining, extraction, or removal of minerals from the seabed, and it would provide that the port, the Guam Port Authority, may delay or deny approval for port entry or departure for any vessel for which the agency has received notice from a federal agency or other agency that the vessel or its crew has engaged in activity that has violated any federal, state, or law pertaining to environmental protection, maritime transportation, trafficking of illegal contraband, or the collection

or extraction of undersea minerals unlicensed or unpermitted by Guam. Alright, and so this legislation, this bill, was actually a suggestion made at the last public hearing we had on deep-sea mining. This suggestion, recommendation, was made by the Department of Agriculture and the Department of the Environmental Protection Agency of Guam, and I want to thank them for their suggestions. And that was to look at the other jurisdictions, and so this bill is patterned after those other jurisdictions which have taken steps to mitigate or prohibit deep-sea mining within their regions, including Washington State, which prohibits seabed mining for hard minerals within three miles of its shoreline that was enacted in May 2021. California followed with the Seabed Mining Protection Act in 2022, banning deep-sea mining within its state waters up to three nautical miles offshore and Hawaii enacted the Hawaii Seabed Mining Protection Act on July 2024, prohibiting the exploration, extraction, and removal of seabed minerals within the state marine waters and restricting such activities up to three miles from its shore to protect fragile marine ecosystems and to uphold Native Hawaiian rights. In the Pacific, Palau has taken one of the strongest approaches through its National Marine Sanctuary Act in 2015 and fully implemented in 2020, which prohibits all extractive activity activities, including deep-sea mining and commercial fishing, across 80% of its exclusive economic zone. So, this is a bill that would do similar in Guam, and so I thank you all for being here and I look forward to your input on this bill. *Si Yu'os Ma'ase'*, Mr. Chair.

CHAIRPERSON V. "TONY" ANTHONY ADA: Thank you, Senator Terlaje. I'd like to recognize Senator Carlotta Leon Guerrero for being here. Ma'am, you'll be giving oral testimony, so please go ahead and come up to the panel. I'd like to also call, is this Elsie? Yes, please. Thank you. Baltazar and Ms. Monaeka, please, if you guys can go ahead and come up to the panel. Director Muno, will you be also giving oral testimony? Please go ahead and make your way up. If there's anyone else who would like to give written testimony, you can go ahead and fill in any empty seats that we have, they're available and when you give your testimony, go ahead and please just state your name for the record-keeping purposes and then you may proceed on with your testimony. Senator Leon Guerrero, you can go ahead.

SENATOR CARLOTTA LEON GUERRERO, CHIEF ADVISOR, OFFICE OF THE GOVERNOR: Thank you very much, Mr. Chairman. Carlotta Leon Guerrero, Chief Advisor to the Governor on Military and Regional Affairs. And in my role as Regional Affairs, the Governor chose me for that because of the work that I've done for decades going around the region. And my work began as a Senator in the 23rd Guam Legislature when I wanted to understand the tuna resources of the Pacific. 51% of the world's tuna comes from the waters around us and I wanted to understand that. So, I went to *InfoFish*, which is where the tuna industry people meet in Bangkok every two years, to see what it was about. I was the only one from the islanders there surrounded by industry and they stood up and, in a speech, outlined, they said, we have outfished the Indian Ocean. The only place for us to grow our business is into the Western and Central Pacific. And the good thing about it is they're so small and they're so scattered, they'll never know what we're doing, and we can outfish them before they can stop us. So that's the kind of mentality that I've experienced going out there of industries and entities that are interested in Pacific resources. So, I'm supportive of what the legislature is doing here. I think there might be some questions on enforcement and some of those other issues. But as a strong statement to say to everybody about how we feel about deep-sea mining, I think this expresses the concern and it's a strong statement because what is out there is equally strong. We're up against entities that a company that might have formed to do deep sea mining, that's now less than two years old, operating out of their house in a freeway, and has gained more ground, was able to help double the area and nothing that any of us have said has shrank the area that BOEM put under consideration. So that's the stakes that I see and that I've experienced that I've been out there. And so I just want to, all of us are going to bring different information and so as the Governor's regional advisor and out there and have been for years on what it's like when other countries or industries want Pacific resources, how they look at us, how they consider us, and what the brutal battleground is like out there. So, I welcome this as a step in the right direction. Thank you very much.

CHAIRPERSON ADA: Thank you, Senator, for your testimony this morning. Ms. Elsie, if you would like to go ahead and proceed, ma'am.

DR. ELSE N. DEMEULENAERE, ASSOCIATE DIRECTOR CIS NATURAL RESOURCES DIVISION: *Buenas Tatdes*, honorable Vice Speaker, Senators of *I Liheslaturan Guåhan*. My name is Else Demeulenaere, and I respectfully submit testimony in strong support of Bill No. 244-38, which seeks to establish the Guam—oh, sorry, I have the wrong one—which wants to prohibit and deter seabed mining in the waters of *Guåhan* of the surrounding seas. I'm the Associate Director for Natural Resources at the University of Guam Center for Island Sustainability. My testimony, however, reflects my views and not the ones of the university. I'm writing as a mother, a biologist, and a longtime resident of the *Marianas* to express my strong support for the bill, which seeks to prohibit and deter seabed mining in the waters of Guam and the surrounding areas. For my family, the ocean is not just a resource, it's part of who we are. We fish together, we learn from it, and rely on it for food, grounding, and cultural continuity. My husband and I are both biologists, and we are deeply concerned about the irreversible ecological harm that seabed mining could cause. The deep ocean is one of the least understood ecosystems on the earth, and disturbing its risks of destroying species and habitats may never recover. The issue is personal because it affects both the future of our children and the future of the island communities of the *Marianas*. Our children grew up in the water, fishing, exploring reefs, and learning to respect the natural systems that sustain us. Their sense of identity is tied to a healthy ocean, as it is for the *Chamorro* people, and all who call the *Marianas* home. Our cultural, historical, and spiritual ties to the sea run deep and any harm to our ocean threatens traditions, subsistence practices, and long-term well-being as island people. Recent news that the proposed mining area has effectively doubled in size and is now closer to Guam only heightens these concerns. Expanding the scale and proximity of such operations increases the risk to our marine ecosystems and to the communities that depend on them. Our connection to the ocean cannot be separated from our connection to the land. As a botanist working on endangered species, I have seen firsthand what development can mean for fragile ecosystems on land, the loss of habitat, the slow decline of species, and the difficulty and sometimes impossibility of recovery. If we struggle to fully understand and mitigate impacts in terrestrial systems that we can study directly, it is even more concerning to consider large-scale disturbance in deep ocean where such much remains unknown. In the *Marianas*, conservation is inherently holistic. Our forests, wetlands, savannas, reefs, and deep-sea systems are interconnected. Impacts to ocean health can cascade into coastal ecosystems, affect freshwater systems, soil stability, and the resilience of native and endangered plant species as we are working so hard to protect. Seabed mining risks undermining this integrated approach to conservation by disrupting ecological processes that extend far beyond the mining sites themselves. Sediment plumes, noise, and habitat destruction from mining could affect migratory marine species that come into our shallow waters, impacting local fisheries and our food security. With so much scientific uncertainty, and with seabed mining technologies still experimental, moving toward would be premature and dangerous. We are also troubled by the lack of strong global regulations and the difficulty of responding to accidents at extreme depths. For these reasons, I support Bill No. 253-38(COR) and urge decision makers to take this important step to protect our ocean, our culture, and the future of our island communities. Sayonara for your leadership and considering this testimony.

CHAIRPERSON ADA: Thank you, Dr. Else, for your testimony, and my apologies for not addressing you properly before your testimony. No disrespect intended. Thank you, ma'am. Director Muña, would you like to start with your testimony, please?

CHELSA MUÑA, DIRECTOR, GUAM DEPARTMENT OF AGRICULTURE: Good morning, *Håfa Adai*—sorry, scrolling to the top—*Håfa Adai* Vice Speaker and members of the committee. Thank you for the opportunity to provide testimony on Bill 253-38. The Guam Department of Agriculture respectfully submits this testimony with our strong and utmost support for this bill, which would prohibit and deter seabed mining in the waters of Guam and the surrounding area by adding a new subsection to Chapter 47, Title X of Guam Code Annotated. DOAG's statutory mandate includes

the protection and management of Guam's fisheries, coral reef ecosystems, marine mammals, and the broader ocean environment that sustains our island's food security, cultural identity, and long-term economic stability. This bill directly advances that mission. Department of Ag urges its passage and offers the following substantive recommendations to strengthen its protective reach. Department of Ag's position on deep-sea mining in the *Marianas* is a matter of documented record. In January 2026, we submitted formal comments in strong support of Resolution 132-38(COR), opposing BOEM's request for information regarding commercial leasing of the Outer Continental Shelf Minerals offshore at the CNMI. The comments identified nine categories of serious concern, including procedural deficiency, irreversible environmental harm, risks to marine mammals, threats to submarine telecommunications infrastructure, cultural impacts to the Indigenous Chamorro people, and the absence of meaningful consultation with affected communities. In February 2026, Acting Governor Tenorio met directly with BOEM and the Department of Interior representatives to press Gov Guam's objections. As Acting Governor Tenorio stated plainly after the meeting, years away is not a guarantee. We have seen how quickly federal policy priorities can shift. This meeting did not produce adequate answers to Gov Guam's core questions. Who monitors environmental impacts this far from shore? Who bears liability when harm occurs? And whether the Bureau of Safety and Environmental Enforcement has the capacity to enforce protections in our waters? The absence of satisfactory answers reinforces the urgency of this bill. Bill 253 represents the concrete legislative step that DOAG recommended in its January 2026 testimony, a territorial prohibition that uses every available tool under Guam's authority to prevent deep-sea mining from taking hold in or near our waters. Hawaii, California, Oregon, and Washington have enacted similar bans, and Guam must join them. The threat is not abstract or distant. The BOEM RFI area lies east of the Mariana Trench Marine National Monument within proximity to Guam's EEZ and adjacent to ecosystems that Department of Ag is charged to protect. The ecological states include sediment plumes generated by deep-sea mining operations that can spread hundreds of miles, suffocating zooplankton, clogging fish gills, and smothering coral reefs, including the biologically productive area between Rota and northern Guam that serves as a corridor for manta rays currently undergoing genetic analysis and anticipated to represent a unique hybrid of reef manta and oceanic manta exclusive to the *Mariana* Islands. Disruption of bottom fishery areas supporting important food security species, including Onaga and Pomfrey, which are already subject to cumulative pressure from surface danger zones and military use areas. Irreversible destruction of deep-sea coral habitat with specimens documented to be between 2,500 and 8,000 years old and a seamount ecosystem hosting species not yet known to science. Continuous industrial underwater noise that compounds existing acoustic stress on deep-diving cetaceans, including beaked whales, blue whales, fin whales, and sperm whales in a region already impacted by naval sonar that has been associated with multiple beaked whale strandings. Risk to Guam's 11 active submarine cable systems, which connect more than 14 countries and are irreplaceable economic and national security infrastructure. Disproportionate cultural harm to the Indigenous Chamorro people whose navigation traditions, food systems, and spiritual identity are inseparable from a living, healthy ocean. On March 18, 2026, BOEM issued its Area Identification Recommendation for Outer Continental Shelf Mineral Leasing offshore the CNMI, nearly doubling the scope of the original RFI area, expanding from approximately 35.5 million acres to 69.1 million acres. This expansion is the result of industry interest in the areas west of the CNMI for polymetallic sulfide development, new areas that were not included in the original RFI. And I'll deviate a bit from my testimony just to point out that all it took was interest from other private companies for BOEM to expand their area to nearly double. Meanwhile, the people of Guam and the people of all the islands in the Pacific that are against these actions, our voices are not heard at all when it comes to our objections to this process. But all it took were interests from companies, not even intent, but just interest and BOEM expanded that size. This is the American Samoa pattern playing out in real time. The concern this agency flagged in the January 2026 testimony and the February BOEM meeting. The comment period closed January 12, and within roughly 10 weeks, BOEM not only advanced the process, but nearly doubled the footprint, adding an area that now puts potential mining zone closer to Guam than to Saipan. That sequence is exactly what years away is not a guarantee looks like. And then at a meeting of the Western Pacific Regional Fisheries Management Council last week, I pointedly asked BOEM how many interest submissions they have received for the

Mariana Islands. And it took four iterations of that question to get a straight answer. And I had to start throwing out numbers just to get them to agree or disagree. So, the number they gave us is that it's more than five and closer to 10 companies expressing an interest in mining our waters. So, Department of Ag supports each operative provision of this bill as introduced. Section A correctly prohibits the mining, extraction, and removal of minerals from the seabed and territorial marine waters. This is a necessary floor of protection within Guam's legal jurisdiction. Section B appropriately extends the prohibition to permitting for associated facilities and infrastructure, preventing Guam's regulatory apparatus from being used to enable any component of the mining operation. Section C's scientific research exemption is well-crafted and appropriately narrowed. But DOG supports baseline ecological research and recommends that this exemption be coordinated with our Division of Aquatic and Wildlife Resources to ensure consistency with existing permits and conservation objectives. Section D's protection of Native Chamorro rights and practices is essential and must be retained in any amended version of the bill. Section E's definition of minerals is comprehensive and appropriate, expressly including polymetallic nodules and cobalt-rich ferromanganese crusts, which are the primary targets of deep-sea mining interests in the Mariana regions. Section F's port deterrence mechanism allows the port to delay or deny vessel entry for ships engaged in unlicensed extraction of undersea minerals. This is an important and creative use of territorial authority, and we support this provision and offer targeted amendments below to strengthen its operational effectiveness. We respectfully recommend the following amendments to address legal and operational gaps in the bill as currently drafted and these recommendations are offered in the spirit of maximizing the bill's protective and deterrent effect. Recommendation 1 is to add an enforcement and penalty provision. As currently drafted, the bill contains no civil or criminal penalty for violation. A prohibition without consequence is difficult to enforce and may be treated as inconsequential rather than legally operative. DOG recommends that the legislature add a subsection establishing a graduated civil penalty structure with a separate penalty for each day a violation continues, and designated an enforcing agency, whether it's AG or EPA, in coordination with the Office of the Attorney General. Jurisdictions such as Hawaii and California have incorporated enforceable penalties into their seabed mining bans, and Guam's prohibition should be equally robust. We offer some sample language in the written testimony. Recommendation 2 is expand port deterrence authority to proactive monitoring. While Section F currently authorizes port to delay or deny port access only when it has received notice from a federal agency or other agency of a violation, port cannot act until another agency has already flagged the vessel. In practice, sorry, my computer's wiggling out. So, in practice, federal enforcement notifications to territorial authorities are not systematic or timely. So, we recommend adding language that also authorizes port to act upon reasonable belief or credible information obtained from any source, including Department of Ag, and to require vessel operators seeking entry to certify compliance with applicable environmental and extraction laws as a condition of port use. This mirrors our testimony, which noted that restricting Guam's use of ports and infrastructure is one of the most effective levers we hold to make deep sea mining and adjacent waters operationally difficult. And we are trying to be difficult. Recommendation 3 is to add a definition of territorial marine waters, basically stating that we extend from shore to zero, or from zero to three nautical miles from our baseline. And this will eliminate any interpretive ambiguity and provide a clear legal basis for enforcement. Recommendation 4 is to restrict territorial waters and port use for support activities in adjacent federal waters. So, the bill as drafted applies only to activities within territorial marine waters. However, most of the waters will occur in the Boum RFI area and that lie outside of our territorial waters. So, if the prohibition is limited to territorial waters without addressing support functions, they could still technically use our ports, anchorages, and nearshore waters to stage, refill, change crew, or resupply vessels conducting mining operations in federal waters that are adjacent to our waters. So we recommend that the legislature consider adding an explicit provision prohibiting the use of Guam's ports, harbors, anchorages, and territorial waters as staging, supply, or logistic basis for any vessel engaged in or contracted to engage in seabed mining operations in adjacent federal or international waters unless authorized by both GovGuam and the relevant federal authority following full consultation with the government of Guam and its affected communities. This approach is consistent with the TURN's philosophy under Section F and would close the most significant operational gap in the bill. Recommendation 5 is request coordination with

the Department of Ag for scientific research exemption. While Section C exempts bona fide scientific research from the prohibition, we support this exemption but recommend that it be conditioned on prior written notification to and non-objection by Department of Ag's DAR for any collection conducted in territorial waters. DAR already administers the existing scientific collection permit framework under Guam law and we are positioned to assess whether proposed research activities are genuinely scientific in nature, avoid overlap with sensitive habitat, and do not serve as a cover for commercial prospecting, which is one of the questions we actually encountered recently was a company proposing to collect, I believe it was sand samples and water samples, but they would not be forthright about who they were collecting it on behalf of. We had to continuously push just to get an answer out of them, so this would close that gap. And then we recommend adding a legislative findings section to the bill that recites the specific environmental, cultural, economic, and public safety rationale for the prohibition. Since legislative findings serve multiple purposes, they provide interpretive guidance for courts and implementing agencies, and you guys are all aware of this, it's all written in here, but we just think a legislative findings section would be really clear and to the point about what the intention is for this bill in case there's ever any question. So, with these recommended amendments, we seek to ensure that the prohibition is enforceable, operationally effective, and resilient to legal challenge, and not to delay or dilute the intent, the bill's protective purpose. We urge the legislature to pass this bill with consideration of the recommended amendments and to act swiftly, given the pace at which the federal policy in this area seems to be shifting. And the ocean is not a resource to be surrendered to industrial extraction without Guam's full and informed consent, and Bill 253 makes clear that Guam does not consent. Thank you.

CHAIRPERSON ADA: Thank you for your testimony this morning, Director Muña. I'd like to recognize my colleague, Senator Perez, for joining us this morning. Thank you, Senator and we're going to go ahead and continue on with the testimonies. And all of you that have provided testimonies, if you can please just go ahead and submit your written to my office, and that way we can ensure that it's all incorporated into the committee report. Thank you. I appreciate you all. Mr. Balthazar, would you like to, oh, yeah, Mr. Balthazar, you can go ahead and provide your testimony.

BALTAZAR BORDALLO AGUON: *Håfa Adai*, Vice Speaker Adda, and Honorable Senators, *gahu si* Baltazar Bordallo Aguon, I come before you in strong support of Bill 253-38. I want to be candid with this committee. I learned of this hearing just late yesterday afternoon while I was in the final stages of editing an open letter to the people of the *Marianas* regarding the systemic threats to our archipelago's environmental and cultural health. The timing felt like a cosmic alignment I couldn't ignore. Because of those time constraints and ongoing caregiving duties, I have not prepared a technical point-by-point analysis of the proposed bill. However, with your permission, I would like to read this letter into the public record because it addresses the very heart of this legislation. When we protect our ocean, we ensure our collective survival...

CHAIRPERSON ADA: Please go ahead and continue. Yeah, you can continue.

Mr. AGUON: Thank you. We are witnessing a defining moment in the history of the *Marianas*. For too long, the U.S. military and federal agencies have treated our archipelago as a collection of disjointed strategic assets rather than a single living ecosystem with a 4,000-year-old heart. But the people of the *Marianas* are no longer allowing our voices to be siloed or silenced. Thanks to the relentless advocacy of *Prutehi Guåhan* and the legal expertise of Earthjustice, the military's decades-long practice of open-air detonations at Talagi is facing the scrutiny it deserves. As the U.S. Supreme Court prepares to hear the Air Force's challenge to our environmental protections, we must view this as a critical battleground where we assert our right to breathe clean air and protect our northern Guam Lens Aquifer from the spreading plumes of toxic legacy toxins, like dieldrin and PFAs and PFOs, that continue to seep into our lifeblood. We already see the consequences of failed mediation and the broken cleanup promises of the 1990s. The EPA has issued warnings regarding toxins found in the fish of Tumon Bay. This is the direct poisoning of our food chain and the most sacred shores. The assault on our sovereignty

reaches a fever pitch with the Bureau of Ocean Energy Management. In a historic, nonpartisan display of regional unity, the leadership of both Guam and the Northern Marianas stood as one to reject any proposal of deep-sea mining. Our communities responded with an overwhelming 65,000 public comments, a massive roar of dissent. Yet in a blatant act of bureaucratic erasure, federal officials pondered a mere 346 as substantive, effectively throttling the collective breath of tens of thousands of our people. Doubling the area of potential effect to nearly 70 million acres is a transparent, calculated act of aggression that treats our ocean as a vacant laboratory for extraction. This pattern of fracture is how the Marianas are partitioned from military utility and U.S. interests. We see the whole picture of this assault when we look north, from the expanding live fire ranges of Tinian to the unrelenting target practice on Moose, Farallon de Mendenia. By treating the Marianas as disjointed strategic assets and exploiting the separate political statuses to create artificial divisions, the military and federal agencies blatantly ignore our deep cultural and ecological interconnectedness, rooted in an ancestral history that predates any artificial boundary. I offer these words not as a technical expert, but as a descendant who believes our survival depends on the unity of our islands. The 38th Guam Legislature has the opportunity to blow a historic *kulu* in the form of 25338 and signal to the world that we have the fighting spirit to stand our ground and protect our profoundly valued living ocean resource. We must ensure that the generations who follow receive the same sacred inheritance handed down to us by our first people, and we must refuse to be a mere coordinate in a military industrial strategy that does not include our survival. We must stand as a unified Marianas, one people, one ocean, one breath. *Si Yu'os Ma'åse'*.

CHAIRPERSON ADA: Thank you, Mr. Aguon, for your testimony this morning. Ms. Moneca, would you like to go ahead and proceed with your testimony?

MOÑAEKA FLORES, PRUTEHI GUÅHAN: Yes. *Si Yu'os Ma'åse'*. Good morning, Vice Speaker Ada, Senator Terlaje, Senator Perez, Senator Barnett, and Senator Taitague. Thank you all so much for holding this hearing today on a very important bill. My name is Moñaeka Flores. I'm a member of *Prutehi Guåhan*, and our organization has hosted four protests. These are some of our very well-worn signs. Three protests in Guam, and we helped organize a protest in Saipan during the BOEM visits. We also held two comment workshops with attorneys from Earthjustice for the previous comment period, and what a lot of people are not aware of is that we're in another comment period right now for the rulemaking for deep-sea mining, which really reflects how the administration wants to fast-track deep-sea mining in the Marianas by cutting down the review times and the processing times for permits. This is in the administrative revisions to regulations related to outer continental shelf minerals other than oil, gas, and sulfur, and it was announced on February 24th, and comments for this are due on April 27th. We will be hosting a workshop again, a comment workshop for this specifically, so that the public and members of the government of Guam are able to understand some of the legal implications for the changes in these rules. We heard about this just two days before the BOEM meeting took place here in Guam, and it was absolutely shocking. As the director of the Department of Agriculture said, we take no comfort in BOEM telling us it's going to take five to ten years, especially with this move now from the administration to cut review times and permitting times. We know that they're on the road to fast-track for deep-sea mining, and so this legislation is very critical. It's also not just an issue for the Marianas. This is an issue of genuine security for the whole Micronesian region. It's going to impact fishing for the rest of Micronesia. It's going to impact cultural practices for the rest of Micronesia, and so this is an attack on Pacific sovereignty. This is an attack on economic sovereignty, and this is an attack on the way that Native Pacific Islanders have put into practice for centuries how we protect our resources and manage our resources. I wanted to submit a video today, but I was just informed that I needed to submit it two days in advance to the tech department, but our organization recently released a video which shows the overlap of this new designated area, which flanks both sides of the archipelago right on top of the map for the Marianas Islands testing and training area, and so we are seeing these pressures compounding in our direct environments and in our ocean environments, and this issue is so critical that I have to say it is really disappointing that more senators didn't show up today. We'd like to encourage all senators to add their name to this bill. A lot of senators are running

for senator again or for the executive branch, and we are watching how they support such a critical legislation like this and also how they vote. We are watching how everybody votes, and we appreciate the bipartisan approach to this. We also recognize that more conservative senators might not support this because it does go in opposition to the executive orders of the president, and so we really hope that people will just come to prioritize the safety and security of our region and add all of their names. We want to see all the senators' names here. We want to see all the senators vote for this. We will be watching very closely. I also wanted to say that thank you so much, Senator Terlaje and all of the co-sponsors for really listening to the Department of Agriculture and the Department of EPA for introducing this bill, and also really thank the director for the recommendations this morning. We support this bill, obviously, but we definitely have some questions, and so the first question is for C, which really takes a look at the scientific research, and unfortunately, this is where it all starts, right? It all starts in exploratory research, and so we really need to be critical of what exploratory research we allow. It's hard to say no exploratory research. Some of us do take that stronger measure. It's really also important to note that should Guam pause on any exploratory research or allowing this equipment to come into Guam, where are they going to look next? They're going to look at Saipan next, and so we also really encourage some collaboration with the CNMI legislature, hoping that they also have a similar legislation passed so that there are fewer options for them to move the equipment and machinery and other materials just to the north of us. Another one is under Section F. Much like the Department of Agriculture, we have a question about how the regulations will be enacted, and so really wanted to encourage also including the rulemaking for Port Authority as well as Customs. So as Customs does a lot of the investigations or examinations of the things entering the port, if Customs is also included as one of the agencies that would regulate this measure and also interact directly with the equipment that's coming in or that will be attempted to be brought into the island. And then also, you know, how our understanding, just having a better understanding about how this equipment will be identified, whether it's in the Customs paperwork or the Manifest paperwork, it's the same thing as the Department of Agriculture is recommending, just so that there's more, to ensure more transparency. And those are definitely part of our recommendations. And we also just posted this morning some of the species that are going to be impacted directly from the MITT, the Marianas Islands Testing and Training Area. They call it a study area. We refuse to call it a study area. But these include over 25 protected marine mammals and several other coral and fish. And with the MITT, we're looking at increased stressors. And these stressors are introduced directly into the environment by military activities and vary in intensity, frequency, duration, and location. And the stressors include acoustics or sound-producing activities, such as the use of active sonar, explosives, physical disturbance and strike, energy, entanglement, ingestion, secondary, such as habitat or prey availability, or a combination of all the stressors. These are the same stressors that we're going to see in any sort of development for deep sea mining and many, many more. We're talking about the disruption of the very base of the whole food chain of the ocean. And so, this is going to affect our food security as well. And so, thank you so much for introducing this bill. And, you know, we support this bill. But we also, you know, press upon the urgency of it. We hope to see it on the session agenda very soon with everybody's signatures as co-authors and everybody voting for it. We'll be watching very closely. *Si Yu'os Ma'åse'*, everybody.

CHAIRPERSON ADA: Thank you, Ms. Monaeka, for your testimony this morning. You know, we have one more individual that I'd like to testify. If I can go ahead and call Callen Perez to the table. If you can join us in the empty seat here. No, there's empty seats. So, you guys can just remain seated.

SENATOR TERLAJE: Please stay.

CHAIRPERSON ADA: Just remain seated because the panel will be asking questions again. Thank you. Anyone else wanted to give a written oral testimony?

MOÑAEKA FLORES: So sorry, if I could add. The director just pointed out. Just the increase in the stressors in the MITT. There is an increase in air activity. An increase in explosives. An increase in sonar activity. And so, the stress is already increasing. There are very little ways to protect the sea life

from these stressors. And very little way to mitigate it. Especially when a lot of the debris is left in the ocean. There's no remediation for that. And so, if I could just add it. And also, just to add. I'm sorry. I meant to close with. Our islands are not a sacrifice zone. Our islands are not a playground for war. And our oceans are not meant to be desecrated and destroyed. Si Yu'os ma'åse.

CHAIRPERSON ADA: Thank you again. Ms. Kaylin, would you like to go ahead and provide your testimony?

CALLEN PEREZ: Good morning. My name is Callen Perez. I'd like to say good morning to the senators here. Vice Speaker Ada. Senator Terlaje. Senator Perez, happy belated birthday. And Senator Barnett. And Senator Taitague. I just want to start off with gratitude to Senator Terlaje for this legislation. During the last couple of months. We've been in this room several times. Talking about this issue that is so important to so many of us. Many of us were afraid that similar to American Samoa that we would have strong opposition and they would continue to move full steam ahead. Unfortunately, that's exactly what we've seen. By BOEM expanding the research area. And it's easy as a lay person to feel like helpless. Like what else can we do? We've opposed. We've protested. We've made comments. And so, this legislation that has really practical. And actionable items that we can do to prevent this from happening. Is really just so encouraging and I'm so grateful for that. I think this is a prime example of how our status as a colony in handcuffs. We are just at the expense to the whims of empire and so without sovereignty. It's hard to feel like we have a true seat at the table. Like our voice will really be heard. And so, I'm just very grateful that this legislation reminds us that we have agency. We have options and the leaders that sit here are committed to this task of protecting the Marianas Trench. I want to echo Moñaeka's comment about hoping that all senators sign on this and that this will pass. And that we see more robust protections for our environment from this Legislature. I'm encouraged to see that there's more than just the four signatures I was thinking might be on here. But this is a really important issue. It's going to affect us for generations. The lieutenant governor said this is a generational issue and I just I'm really hoping that it like Moñaeka said as well. This is echoed in Saipan. Like we need to really take a unified stance on this. Like Director Muña said. Be difficult. We need to be difficult. Not make it easy for them to do this. So, I'm very grateful for this legislation. I'm in strong support of it. And I hope to see more support from the legislature. Thank you.

CHAIRPERSON ADA: Thank you, Ms. Callen, for your testimony this morning. My apologies for mispronouncing your name.

CALLEN PEREZ: No problem.

CHAIRPERSON ADA: Thank you. Mr. Jamal, would you like to go ahead and proceed with your testimony?

JAMAL TAGAI, MEMBER, UOG SOCIAL WORK STUDENT ALLIANCE: Yes. *Håfa Adai* Vice Speaker and fellow committee members. My name is Jamal Tagai and I'm a UOG Bachelor of Social Work student and I'm testifying as a member of the Social Work Student Alliance. I'm also someone who calls Guam my first home. Thank you for this opportunity to testify in support of Bill 253-38. As a senior Social Work student, one of the things we learn is nothing about us without us. This means that any policy decisions must include the people they affect at every level. From planning to implementation and evaluation. The proposal to conduct deep sea mining within the Marianas Trench has not meaningfully included the participation of the people it affects. The massive increase in the area designated for deep sea mining, despite widespread public opposition, shows that even when our communities insist on participating, their concerns are ignored. This is highly reflective of the inequitable relationship we have with the federal government in which the people of Guam's interests are not prioritized. Furthermore, the rights of the Chamorro people, the Indigenous people of Guam, are dismissed. According to the United Nations Declaration on the Rights of Indigenous People, Indigenous people, in this case the Chamorro people, have a universal right to the conservation and

protection of their environmental resources. This is Article 29. They should also be consulted to quote, obtain, to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the utilization or exploitation of mineral, water, or other resources. This is Article 32.2. As the deep-sea mining proposal covers a vast area, mining by the federal government in the Marianas in Micronesia will violate the Indigenous rights of all Indigenous Pacific people in the region. Our support of Bill 253-38 is consistent with social work ethics and the social work core values of social justice. Social workers have an ethical responsibility to prevent and end the exploitation and domination of systematically excluded populations. This bill promotes self-determination and uplifts the Chamorro people's international rights to environmental conservation and protection. So, the deep-sea mining proposal process is being rushed despite strong opposition. If deep sea mining is unleashed prematurely and adverse impacts occur, the consequences are permanent. Given that deep sea habitats have taken millions of years to form, we cannot realistically replace what is lost. And we will not know the full extent of harm to the health of our residents and our island until the damage occurs. We must ask ourselves if we have the capacity to recover from such an enormous environmental hazard should one occur. In closing, we respectfully urge this body to support Bill 253-38 and to continue to advance policies that safeguard our ocean and uphold the internationally recognized right of Chamorros to be consulted for free, prior, and informed consent on projects pertaining to surrounding waters in the Marianas. Thank you for your time.

CHAIRPERSON ADA: Thank you, Jamal, for your testimony. I appreciate it. We're going to go ahead and open up the panel to my colleagues for any questions or comments that they may have. And I'm going to go ahead and start with the sponsor of the legislation, Senator Terlaje. Ma'am?

SENATOR TERLAJE: Thank you, Mr. Chair. And thank you again for having this hearing. I felt it was very urgent, so I kept asking the chair. So, I'm very glad that he had this hearing today prior to our next session, which should be in May. And yes, hope we can get unanimous support, which we did for the resolution. So, I want to thank my colleagues for that. And I really appreciate these public hearings because on things like this that are very important, I always hear so much. The issues really stated so much more eloquently than I could and really more precise in many instances such as today. And I love the recommendations, and I accept all of them. I think those are all very good recommendations. And just maybe to highlight what we're facing a little bit more. Director Chelsa, I know you were at the meeting with BOEM here on Guam. Maybe you also, Senator Carlotta, if you could just reiterate for the people of Guam, what was the stated purpose of their coming to Guam and because it was right before that when they issued the rules, as Ms. Flores said, or the new proposed rules that said they would be able to bypass the governor of Guam in future actions, right? That they were just going to be able to proceed without really consulting even the governor of Guam or even notifying. It was the notice that they said they didn't need to do. But then they did come for a meeting, and if you could just say what was the stated purpose and in that meeting, did they ever let it be known that they were going to double the study area or the intended mining area?

SENATOR LEON GUERRERO: The purpose of the meeting, as stated, was that they wanted to come over and explain to us the process that they were going to put us through. And there was somebody there ready to do a presentation, but we didn't really get to that. We were not really interested in engaging in a slide presentation on the process. We had questions and objections and concerns separate and apart to that. That felt like we were going to get into that. And so there was a lot of concerns raised by everybody that was there. The other thing that really jumped out at me in that meeting was we were told that they were there to listen to us, to our comments, that that was important. And they also stated to us that they really respected and understood our connection as Pacific Islanders, as Islanders connected to the Pacific. And so that was really flipped on us shortly after when everything that is said didn't matter. And just a few people unknown to us were able to double it. But the other thing that was really apparent to me, and I'm trying to learn it and understand it more, is the one that they did pay the most attention to in that meeting was the coastal zone management folks. And they said, oh, we're so glad you're here. You're the ones we want to meet. We're the ones we want to talk

to. We need to be talking more. And so, I've since gone over to learn more about what's going on, what is that connection? Why are they paying so much attention to that? What can we do within that Coastal Zone Management Act? What can we do that has their attention and their need to connect? So, I can say that in that meeting, from everybody that was on the panel, there was nothing you could construe that it was smooth sailing, that there was any indication to BOEM that we were happy and satisfied with this process or what was going to come our way. And then the Lieutenant Governor, Acting Governor at the time, also expressed more than deep, he was very, very concerned that the governor had just been in meetings with BOEM. And shortly after that meeting is when they issued the regulation saying that they wanted to stop notifying the governor of what their future actions were going to do, limit environmental review, cut timelines. So, she was just there in BOEM, in meetings with them, and then she leaves, and then they make that announcement, and then they head to Guam. So, we kind of wanted to say, you're speaking with four tongues, two faces, however diplomatically you can forcefully say that is kind of like the tone of what that meeting was like. That's my perspective. Chelsea was also there.

SENATOR TERLAJE: Thank you.

DIRECTOR MUÑA: I agree with Carlotta's perspective. As the government of Guam, we challenged many of the assertions that they made. We were challenging the timelines that they proffered. We pointedly asked questions about the research that needed to be conducted because they had a heavy emphasis on understanding that research needs to be conducted. And we asked in that meeting, and I've asked in prior meetings, well, is the research going to be conducted ahead of any of these licenses that you issue, whether it's the initial license for exploration and is the equipment even tested? Because we know for a fact that the equipment is not tested. It's all theoretical. But they said that at least the equipment to conduct surveys is equipment that has been used before. And then we asked, but how do you assure that in conducting the surveys there's going to be no disturbance? Because that was one of the caveats that they added. And they said, well, they would rely on the companies to ensure that there's no disturbance. So that begs the question then, well, who's going to be the enforcer of any of this? And it's not even BOEM. It's a completely different agency that hasn't been involved in the process, at least with any of us that would be responsible for engagement. My favorite line from the Lieutenant Governor in that entire meeting is that we do not want to be the guinea pigs. We're not here to be guinea pigs for any of these activities that have never been tested.

SENATOR TERLAJE: Dr. Else, it's particularly, thank you, Director. Dr. Else, it's particularly a guinea pig feeling because of the depth of the Marianas and equipment that would need to be used here might be unique from what's been used elsewhere. Is that correct? I thought I heard that from you.

DR. ELSE DEMEULENAERE: Yes, indeed. And I think we also don't know what the effects are going to be. And potentially, the impact also, I also wonder if the coastal area is going to be impacted severely. And that's why they may be interested in talking in particular more to that agency. And I'm very concerned about hearing that actually right now because that is not, you know, that does not look good for us, for the ecosystems. And, you know, like I'm a botanist, so I mostly work on endangered plants. But, you know, extraction happens on land too. And we know how hard it is to recover from extraction, right? So, and I reflect on that, thinking what would happen to our oceans and we don't even know, right? So, I'm very concerned about the species and, of course, all the other things I mentioned.

SENATOR TERLAJE: Well, I appreciate you're saying that because I was whispering to the vice speaker that you are these scientists in charge of protecting our most endangered tree. And as we know that tree passed. And I know that UOG has done many efforts to try to replant that. And I saw that that was an announcement. But we know that in a new habitat, it's just not the same. And that we had really, that the original habitat is now gone.

DR. DEMEULENAERE: Yeah, I strongly agree with that because we can see where the original tree grows, there's mycorrhizae that are associated with it. And I'm pretty sure there is similar other species associated with species living in deep oceans. So, it's always hard to kind of mimic the, you know, the habitat. Recovery is possible. I'm not going to say that, but it is a harder struggle for sure.

SENATOR TERLAJE: And is it your understanding that there is nowhere in the world yet that they have proposed any appropriate mitigation for deep sea mining?

DR. DEMEULENAERE: I have not, I'm not too sure about that, but I haven't heard.

SENATOR TERLAJE: Yeah, we've heard of some mitigation, perhaps like the military does on their projects. We're gonna bulldoze this area. We'll mitigate it by, you know, putting plants into another forest area. But we've never heard of anything like this on a deep-sea mining level, right? And maybe Senator Carlotta or anyone, there was another island, and I think it's New Caledonia, maybe Maneka, who had pretty much wanted deep sea mining, but then recently has pulled back and tried to withdraw its authority or slow it down because of the impacts that they've now seen.

SENATOR LEON GUERRERO: They're doing two things. The Cook Islands is doing- Cook Islands. Cook Islands. And they had a lot of concerns and questions raised about what they were gonna do in their waters. And so, all of the leases, everything that they had ready to go in 2027 in their waters, they have added five years to it. And they scrapped as far as they got and said, go back and do your environmentals again, and we're gonna stay engaged, but it's gonna be another five years in our waters. What they are engaging with is with the United States in international waters. And so, in international waters, when your waters are adjacent to international waters, it's you have rights as an adjoining country, your waters there. So, they're adjoining international waters to the international waters is where they're entering with the United States. So, they're a little more cautious in trying to get more environmental work in their own home waters, but far, far away is where they're getting more adventurous with the United States at the encouragement of the United States.

SENATOR TERLAJE: Alright. And do you see any implications for Guam from this partnership between Japan and the United States for deep sea mining? And apparently, we heard that, yeah, other countries, they do deep sea mining right outside the EEZs of other countries, not their own country, but other countries that they can go right outside those EEZs. And that's, I guess, what the U.S. wants to do here. But do you see, have you heard any details of that or any other countries mining off of Guam?

SENATOR LEON GUERRERO: I just know that there are different countries in their own waters that have been doing exploratory efforts, trying to learn more about it. And I would not be surprised at where the U.S. is going nowadays with different countries and pushing those boundaries. The governor and lieutenant governor and you guys are in regional organizations. APIL is one, Association of Pacific Island Legislatures. The Micronesian Island Forum is coming up in Pohnpei in July. The Pacific Island Forum is taking place in Palau in the end of August. And I'm sure, oh, Chelsea is the one that's in charge of a committee within MIFF to start exploring and pulling out the issues having to do with deep sea mining. So, we're seeing the leaders regionally try to get up to speed with it while in their bodies, you have different countries that are saying, my country's not doing as well as you are, Guam. We don't have the money that you do. We're gonna have to listen to them more than you are. And so, you see that pushes and shoves from different countries that, as an example, to give you an idea, in the Pacific, Guam has the highest per capita GDP at 42,000. The range, the poorest is Kitabas at 1,800 a year. So, they have the largest EEZ in the planet and they're the poorest people in the Pacific. So, you can imagine the different countries and extractive industries that are paying attention to them. When that's your dynamic, you're the poorest in the Pacific with the biggest footprint. So that's kind of the push and shove of what our leaders go through. All of us, when we go into these international forums.

SENATOR TERLAJE: Has anyone thought more specifically of collaboration with the CNMI and how we can assist in that? I think it's an economic issue in some ways, right? Of course. And of course, we wouldn't want to deny them what they need. But are we able to lift some of the burdens?

SENATOR LEON GUERRERO: I think that going into the Micronesian Island Forum, the governors are going to be speaking more. And I know APIL is coming up. I'm not sure when. And there is a Marianas Legislative Association that might want to begin tackling it. But when I talk about GDP, the nearby GDP is Guam is 42,000 and rising. The CNMI is 23,000 and falling. American Samoa is 18,000 and falling. And so, I add those dynamics when I go into talks and meetings with them. And I'm trying to get them to be on the same tough as we can be positions. And if I sense that they're stepping back a little bit from it, I have to add that into my decision-making and my understanding of why they may not be able to go as far or as hard as Guam can.

SENATOR TERLAJE: Thank you. And finally, I just want to thank again *Prutehi Guåhan* for doing this overlap of the MITT, the Mariana Islands Training and Testing Area. It's a training and testing area. It's where they do the detonations. It's where they practice their weapons. It's where they do sonar. We've been under this for now, I think 10 years. And now this is another five-year period that they want to renew with increased potential strikes, increased effects to mammals, to other species. And this is very, very critical for us, I believe. And so, showing us maps, I love that, that you put them both on the same map. I think that's fantastic. We've also just heard recently from the Fisheries Council, haven't we, that they want to know, after declaring it a protected zone for fishing, now they want to open it up, the Marianas Monument, is it for fishing? And I'm assuming commercial fishing. So that means additional stressors as well. And we are really, I am very, very concerned, as all of you are, with the economic impact and the livelihood impact for us here. While we haven't really even reached our full capacity of, you know, using our ocean for our own benefit or facilitating its stewardship. So, *Si Yu'os Ma'åse'* for all of you. I really appreciate your letter, Bal. I think it's going to reach everybody the same way it reached me. So very, very moving and right on point. Thank you again to all of you. *Si Yu'os Ma'åse'*.

CHAIRPERSON ADA: Thank you, Senator Terlaje. Senator Barnett, any questions or comments?

SENATOR BARNETT: *Si Yu'os Ma'åse'*, Mr. Chair, and *Si Yu'os Ma'åse'* to the panel. *Magof li'e todus hamyu* we're very happy to see you guys. Lao, seeing you guys so frequently, to me means that, you know, our island is under a constant attack, whether it's the MITT training, the programmatic agreement, the deep-sea mining, the military buildup as a whole across the region. But I want to thank you because when we submit 65,000 comments to the appropriate agencies, when our legislature speaks unanimously that we oppose this infringement on our God-given rights, when our lieutenant governor says we don't want to be guinea pigs, when all of these stakeholders and representatives on our island say that we do not give our consent, yet it continues to move forward, it doubles in the impacted areas. It's easy to be defeated. It's easy to be discouraged, but I'm encouraged because we remain defiant. We remain difficult. And so, I just want to thank you all for pushing this issue. In a lot of ways, you galvanize us to continue to move forward. Director Chelsa, thank you so much for your testimony. Very insightful, all of the recommendations. I'm very encouraged that they're supported by the author and thank you very much. You talk about being in a lot of meetings that I think the people of Guam don't even know about. So, I encourage, and I'm thankful for you and your activism and your being difficult on this issue. Also, Senator Carlotta, thank you so much for providing a little more insight into some of the challenges that we face as islanders across the region. And we all know too well that a house divided cannot stand. And so, we need to somehow get a lot of these island neighbors of ours who may be tempted to be trampled in this new gold rush that we have to stand united in front of these threats. So, I'm very thankful for that on your end. Doc, it's good to see you add your testimony here and your expertise. Sir, thank you very much for your testimony. Mr. Balthazar, I keep saying you need to pick up a packet. We need more people in the people's house who see things the way our grassroots people do. So, *Si Yu'os Ma'åse'*, it's great to see you at these hearings offering very

insightful, passionate, and well thought out, reasonable testimony. Callen, as you said, you've been a frequent visitor here to the people's house. And I encourage you to keep speaking out and taking a stand against everything that's going on for our people on our island. Moñaeka, thank you very much for all the hard work that you guys do as a *Prutehi Guåhan*. I mean, in a lot of ways, I'll speak for myself, I'm following what you're doing and listening to all of the information that you're putting out. And I got to commend you because you're doing the work of like a lot of senators as one individual just covering all these different areas. And like I said, I know it's easy to be discouraged and to feel defeated, but to see your steadfast defiance in the face of these forces, whether it's at the governor's office or over in the CNMI, I'm very, very grateful for your support on these issues. And I really don't think that we would be pushing this far if it wasn't for the great work of all those that are our friends in the activist community. So just a little bit on the measure, as the author had said in her open, Washington, California, Hawaii, these are all sovereign states that have decided deep sea mining, not in our backyard, not in our front yard, not in our ocean at all. And so, if it's good enough for those states, I think that's good enough for Guam. And also, just want to commend the bold and decisive leadership of Senator Terlaje on this issue. As I said, with all these comments that we make and all these statements that we make on the policy record, it's easy to feel like we don't know where to go. And so, her strategic action on this issue and really putting our foot down and saying, not only do we not want this, but you can't use our Port. And with your suggestions, Chelsa, I think we're really going to tighten this measure. And in the confines of the colonized system that we're in, I mean, if we move forward within these guardrails, I think definitely this is the way that we do it and so I want to thank you again, Senator Terlaje, for your leadership on this issue. And I'm very proud to be a co-sponsor. And I agree with some of the speakers who provided testimony. We need to see more senators' names on this bill. Although the resolution passed unanimously across the hall, there was some interesting comments from some of my colleagues. And although they may have voted in support of the resolution, I wasn't entirely convinced because I think that in some ways, unfortunately, this is a highly partisan issue. You know, this is an issue that's being pushed by the president, President Trump. And as we know, there are a lot of members in this body who are very beholden to the party and President Trump. And I just think, you know, sooner or later, they're gonna have to pick a side. And I hope they pick the side of the people of Guam. And I hope that they also use their connections to reach into our nation's capital and to tell the president and his associates that we do not consent and we don't want this to move any further forward. And I think that we should demand our leaders tell us exactly how they feel on the record and not allow them to continue to hide their stance in silence. So, thank you, Mr. Chair, for the opportunity to speak on this measure. And a Happy Easter to everyone if I don't see you again. See you.

CHAIRPERSON ADA: Thank you, Senator Burnett, for your comments. Senator Perez, you're recognized, ma'am.

SENATOR PEREZ: Thank you, Chair Ada, for the opportunity. And thank you to the public and the panel here today for your testimony. I agree that it's very well said, better than I can. And I just, you know, when we're up against a huge problem like this, I think it's important to reach out to our allies outside of Guam in addition to within the Mariana Islands. And so, I think this is where we can, I think effectively, I put a stop to this. I'm very hopeful for that. And so, one of the things that, so you mentioned Senator Carlotto regarding, they were very interested about the, you know, the Coastal Zone, possibly, Coastal Zone Management Act. And I think maybe perhaps there's also the National Trench Marine Monument. Maybe if you could, is there any correlation with what their concerns are in regards to that? And considering also, maybe it's a two-part question, has the administration looked into all the executive orders that have gutted NEPA? And so, what is left for us to really kind of latch onto to address this?

SENATOR LEON GUERRERO: I think Chelsa could probably talk more about the trench. What we are looking at, my office, we're looking at executive orders, presidential executive orders. We're pulling those up, taking a look at the language. We're also looking at what other states are doing. Alaska got

issued an RFI by BOEM for critical mining in Alaska waters. Virginia got an RFI for heavy mineral sand off of Virginia. So, we're like alerted to that. Like, oh my goodness, we gotta start paying attention to that. So, we're looking. So, there's a tremendous amount of trying to see who's getting into the courts, who's issued, who's got pending legislation. So, we're looking to see what we can find. And we're looking at executive orders as well. We're looking at congressional events coming up, testimony in front of congressional members of Congress. Congressman Moylan was very helpful just recently on his testimony at a natural resources and energy subcommittee. And he really grilled one of these companies and made them admit that the research that they had, or highlighted that the research that they had submitted had been faulted under peer review. And so, he was very pointed. And I was very pleased to see him carrying that on in DC, in Congress. And so, we've asked him to also help us look at what the Florida delegation is doing. The Florida delegation has been able to hold off outer continental shelf drilling for oil. So, they've been successful. Different states have been successful in getting themselves taken off the BOEM list. So, we're trying to figure out how did you get yourself taken off the BOEM list? And it turns out it was like either DOD supporting it because they had conflicting training, military training, or that they had a personal relationship with President Trump and were able to get themselves off the list. But we are following everything that we can to try to find anything at all that we can add ourselves onto.

SENATOR PEREZ: Okay, thank you for that.

DIRECTOR CHELSA MUÑA: Thank you, Senator Perez. With regard to the Mariana Trench Marine National Monument, I had asked that question during our fisheries council meeting as well. And their response is that they're not going into the monument. And they don't really respond to questions about the fact that they're just bordering the monument. And it was revealed during our council meeting that NIMS, which is NOAA's Pacific Island Regional Office National Marine Fishery Service that houses the Protected Resources Division, had completed a biological opinion of the CNMI-EEZ for BOEM, but it's still in draft form. And so, I commented that that's the fastest biological opinion they've ever conducted because historically and raised by the council, their biological opinions often take years to complete. But in a matter of months, they completed this one for 35.5 million miles at least for the initial sizing for BOEM. And that we have to request to review that draft opinion from BOEM that NIMS cannot release that yet. They tried to provide reassurances that they still have to go through the environmental impact statement. But I mean, you know, we put little faith in what that's going to look like if they concluded a biological opinion in a matter of months, which is just to say it's unprecedented is even an understatement.

SENATOR PEREZ: Okay. And then in regard to well migration, I know this came up during the MITT testimony or public scoping comments. And so there are humpback wells that come to the Marianas from Russia, right? I think they come here, they give birth, they go up and they feed in Russia area. So, you know, how well, what is the baseline for that? I mean, here, do we have a baseline? Because I think this is one of the issues that we can bring to light about how deep-sea mining could really impact well migration here.

DIRECTOR MUÑA: I don't know that we have an established baseline, but we do have our recorded sightings that we have on record. But that generally stems from when people or members of the community report that to our agency and the same for CNMI. But I know that NOAA has some published reports on that. I think our biologist Brent Tibbetts would better be able to answer that. But I did reference NOAA's published brief reports for our initial statements for the BOEM when we had the public comments that we submitted. So, I can reference that for you and send that to you.

SENATOR LEON GUERRERO: I can add to that, Senator. In what I found when I was looking at the documents for the comment period that we're on for the MIT, in the documents, some of the NOAA reports that Chelsea just referenced, I read a bunch of those reports. And those reports are a result of Guam asking for more studies and more reports when the MIT was first being negotiated. So, we asked

and we pushed for those studies. So, these studies have now come out like five, seven years later. And what they're finding, what they're saying is that in the area that they're going to do the MIT where they're going to do all the training and testing, they found that there's more whales in that area than they thought before and more different kinds of whales in that area. So, the problem that they have is there's more whales. This is their studies. There's more whales. And in this area, they want to do more training and more testing in the same footprint. So that's what is in the comment period. That's what the government of Guam agencies, that's the situation. The same footprint, more training, more testing, more whales than they knew. So that's going to force more mitigation. We're very, very concerned about that. So, you'll find that in these reports.

SENATOR PEREZ: Which reports are these?

SENATOR LEON GUERRERO: I found them on the website, on the website. And they were EIS documents for the MITT. And it was just like you go looking for it under reports. There's millions of citations, et cetera. But you go look for reports. And then it was like NOAA reports. And that's where you find the, not the dilemma, but the situation is more training, more testing, more whales. It's the shortest way to understand it.

Ms. FLORES: Yeah, may I add to that actually, if I could? It's a tenfold increase in air activities, explosions, and sonar. A tenfold increase of what is happening now. And while there are reports, that's part of the greenwashing about the MITT is they say that they funded a lot of research for us to understand the species diversity and population, the migration and movement patterns of our species in the Marianas in order for them to understand how they're impacting these species with their activities. Unfortunately, we don't, what's not clear is the outcomes of the take. The amount of animals that they're able to kill, harass, harm, cause auditory issues for, that is not transparent. And so, while we have access to some of the data for some of the research that's been funded by the Department of War to carry out the MITT, what is not transparent to us is the take, the outcome of the take. And then also, while there is a baseline for some of this data of marine mammals and other species, there is no baseline data for deep sea species. And so, it is impossible for us to qualify an environmental impact statement when there's no baseline data on deep sea species in the Marianas Trench especially. And those are just two things I wanted to address in your questions to the panelists. Thank you so much. **SENATOR SABINA FLORES PEREZ:** Yeah, thank you. I know we're getting off topic. I know this is about the bill, but I just couldn't help myself to, you know, what can we do now? Because it's getting very urgent.

Ms. FLORES: Oh, the issues are compounding. The threats are compounding. The loss and the destruction is compounding. Absolutely. And you're also right, Senator. There is an attack on the NEPA process right now. And the NEPA process is one of the only ways we as a colony can engage as stakeholders and exercise agency over the decisions that over the federal actions in our island. But that's being taken away. So, comment periods. We don't have a voting rep in Congress. We can't vote for the president. But comment periods through the NEPA process are one of the ways we've actually been able to impact the decisions that are being made. And if that process is under attack, we are in serious jeopardy. So that really underscores the importance of this legislation. And again, the need for all of the members of this body to support it. Thank you.

SENATOR PEREZ: Just one more question. This is for Elsa. So, I know you're from Belgium, right? So European Union. I know they're very, you know, I guess I would say ecologically friendly, I guess. And there's been, or maybe me in some parts. But you know, I guess when we talk about trying to stop this huge thing, I mean, it's all about banding together, I feel, with like minds, allies, right? Who can help assist in any way. And so, I know there was eco-friendly alternatives. There was some push for lowering the demand for mining in general, through use of eco-friendly alternatives. There was sourcing, I guess, eco-friendly sourcing of these minerals, right? And perhaps it's also really an opportunity because, you know, we're from an island that has a long history. And it's because we were able to adapt. And this is just; I see as another opportunity to adapt even further. And so, one way we

can adapt is to develop technologies that basically take away the need for these things. And so obviously there's zero waste opportunities that we can just reuse these items that we are looking through mining processes. So, I think we really need to step up these other technologies. Because I think also what's at stake here what's is driving demand. Before it was, you know, electric vehicles and all that. But now it's also AI, right? So, this is something that we, you know, I like to think holistically about these things. If we can reduce demand, reduce the challenge, we can affect the challenge by reducing demand. And so that's something I just wanted to put on the record, in addition to, of course, supporting this bill for sure. And I also see other potential actions, which I would like to maybe discuss further with you all. And trying to get a handle on this because we really need to put a stop to this. So, thank you, Mr. Chair, and thank you. I'm glad I'm a co-sponsor of this bill. Thank you.

CHAIRPERSON ADA: Thank you, Senator Perez. I'm going to go ahead and go back to the sponsor of the legislation for her closing remarks.

SENATOR TERLAJE: No question. Okay. Yes, again. Thank you to all of you. Very useful recommendations. I want to thank Senator Paris for years ago trying to lead us in our unified opposition against deep sea mining. And in that time, I think we were all unified, but really hopeful and thinking this is far away from us. This is not going to be in our backyard. And now we see that we are... Sure, sure, sure. Yes, I think there's someone else here.

CHAIRPERSON ADA: Sorry, Senator Terlaje. I think there's another individual that wanted to give testimony. Did you want to give the testimony? Just state your name for the record, and then you can proceed with your testimony. Okay.

BRYNN LEON GUERRERO, MEMBER, SOCIAL WORK STUDENT ALLIANCE: Brynn Leon Guerrero. So, I may start. Okay. *Buenas and Håfa Adai*, Honorable Senators. My name is Brynn Leon Guerrero, and I am an undergraduate student at the University of Guam Bachelor of Social Work program. I'm writing on behalf of the Social Work Student Alliance in support of Bill 253-38 for the prohibition and deterrence of seabed mining in Guam waters and the surrounding sea. Deep sea mining has become a popular or has become popular as proponents argue it is an efficient and necessary way to obtain the materials needed to produce green energy technology. But damaging our ocean ecosystem in the name of green energy seems counterintuitive. Deep sea mining has the potential to cause more harm than good. To begin with, there is insufficient scientific data on the long-term effects of deep-sea mining, including a lack of comprehensive analyses of environmental, ecological, and economic impacts. Lessons from island nations such as Papua New Guinea, which have experience with deep sea mining in their waters, demonstrate that they have incurred large debt from the fallout of these projects. Another reason this bill should be supported is that over the last few months, we as a community were not given a say on whether the people of Guam would be open to deep sea mining in our waters, let alone ask for our views. If this bill does not pass and deep-sea mining becomes legal, the federal government and companies they contract will be profiting from the destruction of our waters. The real issue with deep sea mining is that it has the potential to cause irreversible damage to the oceanic environment through pollution, disturbance of marine organisms, and a lack of safety protocols and guidelines for deep sea mining activities that extract minerals and rare earth elements for profit. For years, the planet has been going through drastic shifts in nature due to global warming and climate change. By venturing into the ocean to obtain these valuable minerals and elements, without knowing the true consequence of such actions, we risk severely damaging and possibly destroying the delicate balance that remains intact in this marine ecosystem. We cannot pretend that we will not be impacted by the loss or contamination of the ocean and marine food chains. The ocean is part of who we are, our way of living, and how we survive. The main purpose of deep-sea mining is to secure materials for renewable energy technology and expand military power. This will come at the highest cost to us, the health of the ocean and the health of our people. We cannot risk this. Our cultural beliefs are rooted in reciprocity. The ocean takes care of us, and we must take care of the ocean. To conclude, Bill 253-38 opposes deep sea mining and will serve as a preventive measure to protect Guam from

companies that plan to dock on the island and establish site locations for mining operations. Deep sea mining pollutes the marine ecosystem and environment. Sorry. Lacks universal safety protocols and guidelines, risks food insecurity, and has a high probability of incurring significant debt and irreversible loss to our island communities. With this said, we support the passing of Bill 253-38. To everyone here today for your time and for allowing us to provide testimony in support of Bill 253-38. Thank you very much.

CHAIRPERSON ADA: Thank you, ma'am, for your testimony this morning. I'll go ahead and again recognize the author of the legislation for her closing remarks. Thank you, ma'am.

SENATOR TERLAJE: Thank you. Again, thank you to the Social Work Student Alliance at UOG, both of you. And again, you know, so we thought it was far away when we passed the resolution years ago. We thought we tried to pass it. We passed a resolution, I believe unanimously, regarding the MITT as well, saying that those stressors, the permits that were being allowed under the MITT area for take, as they call it, take is impacts or strikes or sonar. To the mammals, to the species was like, oh, in the thousands. And so, we had that all listed out in our resolution. And amazingly, yeah, it's amazing to see. What did you say? A tenfold increase, tenfold increase in what they are proposing to do in the area and to take in the area. So, this is really, really concerning. And I want to thank all the agencies for the work that they're doing. I think it's really critically. This is where I have my hope. It's of course, the legislature is going to do our thing but really look at all of you doing all of your individual or agency things or organization, different things. And this is really the strength of our community. And we have to be more creative, I think, than we have ever been because they are coming faster than they have ever come against our resources. They are not proposing a single dime to come to us from this, but they are very clearly, we have seen from the scientists and everybody involved, and other countries, the potential harm to our economy, to our health, to our ability to in any way, sustain ourselves, especially now with global things also impacting us. We have to look to sustain ourselves if we need to. And I think that's so imperative. So that's why I'm so grateful for all the different ways for the meetings that BOEM has with our agencies and our governor, for our congressman's work, for our community's protests when BOEM's coming so that we're out there showing that there is a community that you are impacting. I think they really need to see that. And if they can't see that in front of their eyes, show the whole world. We just have to show the whole world in every way possible that there is the community of people, indigenous people, and other people who will be directly impacted by this. We do not want to stand for it. And we are united. And I think we have to keep that as the message. We are united. There is no room for calling anybody any names. We have to stand united and we can't criticize anybody's efforts in doing this. We have to allow all kinds of efforts in doing this. So that's why I'm a little hopeful, I'm going to say, because we have a very smart, very strong community. And the comments that have come out of the agencies have been very strong. The comments that have come out of the University of Guam, University of Hawaii, CNMI, all of our organizations that do this non-profit work by volunteers. That's incredible to me. And so, I too hope we are going to get unified support on this, that we can make it much better with the recommendations that have been made, much stronger, that we are going to continue, Senator Carlotta, to look across two other countries and see anything. As I said, be creative as possible. And let's try it because this is irreparable. As Dr. Else says, it's so clear. Irreparable harm and in the most critical ways. So again, despite what we have said so far, they came back within days and doubled the area, made it closer to us. They have 10 times the impact of these training and testing, the detonations, the solar use, all of this in the same waters that we're talking about for deep sea mining. We are looking at fishermen who are stressed because they cannot provide like they used to be able to provide for their families. We are trying to put restrictions on our close shores to try to increase stocks of fish while we've got all of this stuff going on in our waters. And I think that's so unfair. And please, let's just all work together. Thank you. So much for coming here. I think it's very important. Let's let our voices be heard. *Si Yu'os Ma'åse'*. I'm very, very grateful. Thank you, Mr. Chair.

CHAIRPERSON ADA: Thank you, Senator Terlaje for your closing remarks. We will continue. The committee will continue to work with the author of the legislation so that we can get the committee report together and get this onto our next session agenda. But thank you all for being here this morning on testimony on bill number 253-38.

[See testimony proceedings on Bill No. 244-38 (COR)]

The public hearing was adjourned at **11:20 am.**

III. FINDINGS & RECOMMENDATIONS

The committee finds that Bill No. 253-38 (COR) is not a novel but sensible approach to enforce the Government of Guam's stance on seabed mining expressed by both the Governor and the Legislature [Resolution No. 132-38 (COR)].

The committee further finds that as of early 2026, no country has started full-scale commercial exploitation (large-scale, continuous production) of the deep seabed in international waters, as the International Seabed Authority (ISA) has not yet finalized the required regulations. However, several countries are actively engaged in exploration, technology testing, and licensing, with some moving toward commercial operations within their own exclusive economic zones (EEZs).

The committee further finds that many countries, including some in the Pacific Ocean, appear to be moving towards commercialization of seabed mining, **heightening environmental concerns**, including the following:

Top Countries Active in Seabed Mining

- **China:** Leads the world in total exploration contracts (5) with the ISA, holding rights to explore polymetallic nodules, cobalt-rich crusts, and seafloor massive sulfides. It is heavily investing in technology, with, for example, state-backed entities preparing for commercial mining in 2025/2026.
- **The Cook Islands:** Considered a leader in national jurisdiction, the Cook Islands has issued exploration licenses within its EEZ for cobalt-rich polymetallic nodules. It has partnered with companies and signed agreements with China for research and potential extraction.
- **Norway:** In January 2024, Norway's parliament voted to open parts of its continental shelf for exploration, making it a frontrunner in domestic, commercial seabed mining. Norway focuses on seabed massive sulfides and cobalt-rich crusts.
- **India:** Through its "Deep Ocean Mission," India has an active, state-led program with a \$500 million budget to explore its EEZ and international waters, having already tested a harvester at 5,000+ meter depths.
- **Nauru:** Through Nauru Ocean Resources Inc. (NORI), a subsidiary of The Metals Company (TMC), Nauru is actively pushing to start commercial operations in the Clarion-Clipperton Zone (CCZ).
- **Japan:** Actively developing technology through JOGMEC, Japan has successfully tested mining of cobalt-rich crusts within its EEZ and plans large-scale extraction, with potential commercial production in 2026.

- **Russia:** Holds multiple ISA contracts via state-owned enterprises (JSC Yuzhmorgeologiya) for exploration in the Clarion-Clipperton Zone and the Atlantic.

Key Coastal and Small Island Nations (EEZs)

Several Pacific and other island nations are exploring or licensing seabed minerals within their 200-mile EEZs:

- **Papua New Guinea:** While the *Solwara 1* project collapsed, the country remains a key site for potential future mining.
- **Tonga:** Sponsors Tonga Offshore Mining Ltd. (TOML) for exploration in the CCZ.
- **Kiribati:** Involved in exploration through Marawa Research and Exploration Ltd.
- **Singapore:** Sponsors exploration through Ocean Mineral Singapore.
- **Brazil:** Authorized extraction of sand/limestone in coastal zones and is exploring cobalt-rich areas.

The committee agrees with the findings in the bill and the testimony presented at the hearing, including the following;

1. Seabed Mining Presents Significant Environmental Risks

Testimony highlighted that seabed mining activities can cause long-term and potentially irreversible harm to marine ecosystems, including sediment plumes, habitat destruction, and disruption of benthic species. These concerns align with public comments submitted in response to federal deep-sea mining proposals, where residents expressed fears about impacts on fish populations and ocean health.

2. Guam’s Territorial Waters Require Strong Protective Measures

Bill No. 253-38 (COR) proposes to add a new §47113 to Title 10 GCA to prohibit the mining, extraction, and removal of minerals from the seabed within Guam’s territorial marine waters, and to bar the issuance of permits for any associated facilities. The Committee finds that this prohibition is consistent with Guam’s policy positions opposing seabed mining.

3. Federal Interest in Deep-Sea Mining Heightens Local Concerns

The U.S. Bureau of Ocean Energy Management has identified approximately 69 million acres around the Marianas as potential deep-sea mining areas. Although these areas lie outside Guam’s 3-mile territorial waters, they fall within the U.S. Exclusive Economic Zone. This federal interest increases the likelihood of mining-related vessel traffic and associated activities near Guam.

4. Port Authority Oversight Is a Necessary Enforcement Tool

The bill authorizes the Guam Port Authority to delay or deny port entry or departure for vessels identified by federal or other agencies as having engaged in unlicensed or illegal undersea mineral extraction. The Committee finds this authority essential to ensuring that Guam does not become a logistical hub for seabed mining operations that violate local or federal environmental protections.

5. Scientific Research Exemption Is Narrow and Appropriate

The bill preserves allowances for bona fide scientific research conducted by educational or governmental institutions. The Committee finds this exemption appropriate and necessary to support marine science, climate research, and environmental monitoring.

6. CHamoru Rights Are Explicitly Protected

The bill states that nothing in the section shall diminish or alter the rights, privileges, or practices of the Native CHamoru people. The Committee finds this provision consistent with legislative policy to safeguard CHamoru cultural and traditional practices.

Based on the statements made at the hearing and recommendations from the bill’s author, the Committee amends to include the following:

- A definition for “territorial marine waters,”
- Qualification of the conditions for “bonafide research,” and
- Strengthening the provisions to allow the Government of Guam to restrict the use of Guam’s ports by vessels engaged in seabed mining.

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure hereby reports out **Bill No. 253–38 (COR) as Amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure** – “AN ACT TO *ADD* A NEW §47113 TO CHAPTER 47, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING AND DETERRING SEABED MINING IN THE WATERS OF GUAM AND THE SURROUNDING SEA.” – Therese M. Terlaje, Sabina Flores Perez, Chris Barnett, Telo T. Taitague, Shelly V. Calvo, and Joe S. San Agustin - with the recommendation **TO REPORT OUT ONLY.**

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 253-38 (COR)

Introduced by:

Therese M. Terlaje *TMT*
Sabina Florès Perez *SFP*
Chris Barnett *CB*
Telo T. Taitague *TT*
Shelly V. Calvo
Joe S. San Agustin

**AN ACT TO ADD A NEW §47113 TO CHAPTER 47,
TITLE 10 GUAM CODE ANNOTATED RELATIVE TO
PROHIBITING AND DETERRING SEABED MINING IN
THE WATERS OF GUAM AND THE SURROUNDING
SEA.**

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

2 **Section 1.** A new §47113 is hereby added to Chapter 47, Title 10 Guam Code
3 Annotated to read:

4 **“§47113. Seabed Mining Prohibition.**

5 (a) Notwithstanding any other provision of law, the mining, extraction, and removal
6 of minerals from the seabed shall be prohibited in territorial marine waters.

7 (b) No permit shall be issued for or in connection with the development or operation
8 of any facility or infrastructure associated with the mining, extraction, or removal of
9 minerals from the seabed within territorial marine waters.

10 (c) This section shall not be construed to prohibit bona fide scientific research or
11 collections conducted by or on behalf of an educational, scientific, or research
12 institution or a governmental agency.

1 (d) Nothing contained in this section shall diminish, alter, or amend any existing
2 rights, privileges, or practices of the Native CHamoru people.

3 (e) As used in this section, “minerals” means natural deposits of valuable minerals,
4 including, but not limited to, metals and placer deposits of metals, nonmetallic
5 minerals, gemstones, ores, gold, silver, copper, lead, iron, manganese, silica,
6 chrome, platinum, tungsten, zirconium, titanium, garnet, phosphorous, polymetallic
7 nodules, and cobalt-rich ferromanganese crusts.”

8 (f) The Guam Port Authority may delay or deny approval for port entry or departure
9 for any vessel for which the agency has received notice from a federal agency or
10 other agency that the vessel or its crew has engaged in activity that has violated any
11 federal, state, or county law or rule pertaining to environmental protection, maritime
12 transportation, trafficking of illegal contraband, or the collection or extraction of
13 undersea minerals unlicensed or unpermitted by the State; provided that the agency
14 may grant approvals for use of any commercial harbor facility by that vessel in
15 coordination with the federal agency or other agency”

16 **Section 2.** Severability.

17 If any of the provisions of this Act or the application thereof to any person or
18 circumstance are held invalid, such invalidity shall not affect any other provision or
19 application of this Act, which can be given effect without the invalid provision or
20 application, and to this end the provisions of this Act are severable.

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 253-38 (COR)

As amended by the Committee on Land, Environment,
Housing, Agriculture, Parks and Infrastructure

Introduced by:

Therese M. Terlaje
Sabina Flores Perez
Chris Barnett
Telo T. Taitague
Shelly V. Calvo
Joe S. San Agustin

**AN ACT TO ADD A NEW §47113 TO CHAPTER 47,
TITLE 10 GUAM CODE ANNOTATED RELATIVE TO
PROHIBITING AND DETERRING SEABED MINING IN
THE WATERS OF GUAM AND THE SURROUNDING
SEA.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Intent and Findings. *I Liheslaturan Guåhan* finds that the marine environment unique and highly sensitive, supporting diverse and interconnected ecosystems that are vulnerable to disturbance. Seabed mining activities pose a significant risk of irreversible harm including habitat destruction, sediment plumes, and long-term destruction of deep-sea ecosystems.

I Liheslatura further finds that recognizing the social, cultural, and economic impacts of deep-sea mining will disproportionately harm the indigenous Chamorro community of Guam, whose livelihoods, cultural identities, food systems, and spiritual traditions are inseparable from the surrounding ocean, including loss of

1 fisheries, damage to sacred seamounts used in traditional navigation, and loss of
2 culturally significant ocean spaces.

3 *I Liheslatura* finds that there are various jurisdictions that have taken steps to
4 mitigate or prohibit deep-sea mining within their shores and surrounding waters such
5 as Washington state, California, and Hawaii. In contrast, Guam currently lacks
6 strong enforcement mechanisms to effectively regulate or prevent these types of
7 activities.

8 Therefore, it is the intent of *Liheslatura* to mitigate the harms done by deep-
9 sea mining by protecting Guam and its surrounding waters. By prohibiting mining,
10 extraction, and removal of minerals from seabed in prohibited territorial marine
11 waters and provide enforcement authority to implement this prohibition.

12 **Section 2.** A new §47113 is hereby added to Chapter 47, Title 10 Guam Code
13 Annotated to read:

14 **“§47113. Seabed Mining Prohibition.**

15 (a) Notwithstanding any other provision of law, the mining, extraction,
16 and removal of minerals from the seabed shall be prohibited in territorial
17 marine waters. Territorial marine waters under this section is defined as all
18 waters, seabed, and subsoil within three (3) nautical miles seaward of the
19 baseline of Guam, over which Guam exercises jurisdiction pursuant to 48
20 U.S.C. §1421 and the Submerged Lands Act (43 U.S.C. §§1301 et seq.) as
21 amended.

22 (b) No permit shall be issued for or in connection with the development
23 or operation of any facility or infrastructure associated with the mining,
24 extraction, or removal of minerals from the seabed within territorial marine
25 waters.

26 (c) This section shall not be construed to prohibit bona fide scientific
27 research or collections conducted by or on behalf of an educational, scientific,

1 or research institution or a governmental agency provided that prior written
2 notification is given to and no objection is issued by the Department of
3 Agriculture’s Division of Aquatic and Wildlife Resources.

4 (d) Nothing contained in this section shall diminish, alter, or amend any
5 existing rights, privileges, or practices of the Native CHamoru people.

6 (e) As used in this section, “minerals” means natural deposits of
7 valuable minerals, including, but not limited to, metals and placer deposits of
8 metals, nonmetallic minerals, gemstones, ores, gold, silver, copper, lead, iron,
9 manganese, silica, chrome, platinum, tungsten, zirconium, titanium, garnet,
10 phosphorous, polymetallic nodules, and cobalt-rich ferromanganese crusts.”

11 (f) The usage of Guam’s ports, harbors, anchorages, and territorial
12 waters as staging, supply, or logistics bases for any vessel engaged in, or
13 contracted to engage in, seabed mining operations in adjacent federal or
14 international waters are prohibited unless authorized by both the government
15 of Guam and relevant federal authority following full consultation with the
16 Department of Agriculture and affected communities.

17 (g) The Port Authority of Guam (PAG) may delay or deny approval for
18 port entry or departure for any vessel for which the agency has received notice
19 from a federal agency or other agency that the vessel or its crew has engaged
20 in activity that has violated any federal, state, or county law or rule pertaining
21 to environmental protection, maritime transportation, trafficking of illegal
22 contraband, or the collection or extraction of undersea minerals unlicensed or
23 unpermitted by the State; provided that the agency may grant approvals for
24 use of any commercial harbor facility by that vessel in coordination with the
25 federal agency or other agency. PAG is authorized to act upon reasonable
26 belief based on credible information obtained from any source, including the
27 Department of Agriculture Division of Aquatic & Wildlife Resources to

1 require vessel operators seeking entry to certify compliance with applicable
2 environmental and extraction laws as a condition of port use and may deny
3 entry or services for failure to provide such certification.

4 (h) Any person who violates subsection (a) or (b) of this section shall
5 be subject to a civil penalty of not less than Ten Thousand Dollars (\$10,000)
6 and not more than Fifty Thousand Dollars (\$50,000) per day for each day the
7 violation continues. The Guam Department of Agriculture is authorized to
8 promulgate rules and regulations to implement and enforce this section.”

9 **Section 2. Severability.** If any of the provisions of this Act or the application
10 thereof to any person or circumstance are held invalid, such invalidity shall not affect
11 any other provision or application of this Act, which can be given effect without the
12 invalid provision or application, and to this end the provisions of this Act are
13 severable.

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. — 253-38 (COR)

As amended by the Committee on Land, Environment,
Housing, Agriculture, Parks and Infrastructure

Introduced by:

Therese M. Terlaje
Sabina Flores Perez
Chris Barnett
Telo T. Taitague
Shelly V. Calvo
Joe S. San Agustin

**AN ACT TO ADD A NEW §47113 TO CHAPTER 47,
TITLE 10 GUAM CODE ANNOTATED RELATIVE TO
PROHIBITING AND DETERRING SEABED MINING IN
THE WATERS OF GUAM AND THE SURROUNDING
SEA.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Intent and Findings. *I Liheslaturan Guåhan* finds that the marine environment unique and highly sensitive, supporting diverse and interconnected ecosystems that are vulnerable to disturbance. Seabed mining activities pose a significant risk of irreversible harm including habitat destruction, sediment plumes, and long-term destruction of deep-sea ecosystems.

***I Liheslatura* further finds that recognizing the social, cultural, and economic impacts of deep-sea mining will disproportionately harm the indigenous Chamorro community of Guam, whose livelihoods, cultural identities, food systems, and spiritual traditions are inseparable from the surrounding ocean, including loss of**

1 fisheries, damage to sacred seamounts used in traditional navigation, and loss of
2 culturally significant ocean spaces.

3 *I Liheslatura* finds that there are various jurisdictions that have taken steps to
4 mitigate or prohibit deep-sea mining within their shores and surrounding waters such
5 as Washington state, California, and Hawaii. In contrast, Guam currently lacks
6 strong enforcement mechanisms to effectively regulate or prevent these type of
7 activities.

8 Therefore, it is the intent of *Liheslatura* to mitigate the harms done by deep-
9 sea mining by protecting Guam and its surrounding waters. By prohibiting mining,
10 extraction, and removal of minerals from seabed in prohibited territorial marine
11 waters and provide enforcement authority to implement this prohibition.

12 **Section 24.** A new §47113 is hereby added to Chapter 47, Title 10 Guam Code
13 Annotated to read:

14 **“§47113. Seabed Mining Prohibition.**

15 (a) Notwithstanding any other provision of law, the mining, extraction,
16 and removal of minerals from the seabed shall be prohibited in territorial
17 marine waters. Territorial marine waters under this section is defined as all
18 waters, seabed, and subsoil within three(3) nautical miles seaward of the
19 baseline of Guam, over which Guam exercises jurisdiction pursuant to 48
20 U.S.C. §1421 and the Submerged Lands Act (43 U.S.C. §§1301 et seq.) as
21 amended .

22
23 (b) No permit shall be issued for or in connection with the development
24 or operation of any facility or infrastructure associated with the mining,
25 extraction, or removal of minerals from the seabed within territorial marine
26 waters.

1 (c) This section shall not be construed to prohibit bona fide scientific
2 research or collections conducted by or on behalf of an educational, scientific,
3 or research institution or a governmental agency provided that prior written
4 notification is given to and no objection is issued by the Department of
5 Agriculture’s Division of Aquatic and Wildlife Resources.

6
7 (d) Nothing contained in this section shall diminish, alter, or amend any
8 existing rights, privileges, or practices of the Native CHamoru people.

9
10 (e) As used in this section, “minerals” means natural deposits of
11 valuable minerals, including, but not limited to, metals and placer deposits of
12 metals, nonmetallic minerals, gemstones, ores, gold, silver, copper, lead, iron,
13 manganese, silica, chrome, platinum, tungsten, zirconium, titanium, garnet,
14 phosphorous, polymetallic nodules, and cobalt-rich ferromanganese crusts.”

15
16 (f) The usage of Guam’s ports, harbors, anchorages, and territorial
17 waters as staging, supply, or logistics bases for any vessel engaged in, or
18 contracted to engage in, seabed mining operations in adjacent federal or
19 international waters are prohibited unless authorized by both the government
20 of Guam and relevant federal authority following full consultation with the
21 Department of Agriculture and affected communities.

22 (fg) The ~~Guam~~ Port Authority of Guam (PAG) may delay or deny
23 approval for port entry or departure for any vessel for which the agency has
24 received notice from a federal agency or other agency that the vessel or its
25 crew has engaged in activity that has violated any federal, state, or county law
26 or rule pertaining to environmental protection, maritime transportation,
27 trafficking of illegal contraband, or the collection or extraction of undersea

1 minerals unlicensed or unpermitted by the State; provided that the agency may
2 grant approvals for use of any commercial harbor facility by that vessel in
3 coordination with the federal agency or other agency. PAG is authorized to
4 act upon reasonable belief based on credible information obtained from any
5 source, including the Department of Agriculture Division of Aquatic &
6 Wildlife Resources to require vessel operators seeking entry to certify
7 compliance with applicable environmental and extraction laws as a condition
8 of port use and may deny entry or services for failure to provide such
9 certification.

10 (h) Any person who violates subsection (a) or (b) of this section shall
11 be subject to a civil penalty of not less than Ten Thousand Dollars(\$10,000)
12 and not more than Fifty Thousand Dollars(\$50,000) per day for each day the
13 violation continues. The Guam Department of Agriculture is authorized to
14 promulgate rules and regulations to implement and enforce this section²².”

15 **Section 2. Severability.**

16 If any of the provisions of this Act or the application thereof to any person or
17 circumstance are held invalid, such invalidity shall not affect any other provision or
18 application of this Act, which can be given effect without the invalid provision or
19 application, and to this end the provisions of this Act are severable.



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature

January 16, 2026

To: **Rennae V. C. Meno**
Clerk of the Legislature

From: **Vice Speaker V. Anthony Ada** 
Chairperson, Committee on Rules

Subject: **Fiscal Note Waiver for Bill No. 253-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note Waiver for the following bill:

Bill No. 253-38 (COR).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly copy the same to Management Information Services (MIS) for posting on our website.





BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932



LOURDES A. LEON GUERRERO
GOVERNOR

LESTER L. CARLSON, JR.
DIRECTOR

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR

JAN 16 2026

Vice Speaker V. Anthony Ada
Chairperson, Committee on Rules
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa Adai Vice Speaker Ada:

The Bureau requests that Bill No. 253-38 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill No. 253-38 (COR) is an act to add a new §47113 to Chapter 47, Title 10 Guam Code Annotated relative to prohibiting and deterring seabed mining in the waters of Guam and the surrounding sea.

The proposed legislation seeks to prohibit mining, extraction, and removal of minerals from the seabed in territorial marine waters. Additionally, no permit shall be issued for or in connection with the development or operation of any facility or infrastructure associated with seabed mining.

The Bureau had sought input on the proposed Bill 253-38 (COR) from Guam Environmental Protection Agency and have not received any official comments as of the date of this fiscal note waiver. However, this bill is determined to be administrative in nature and poses no fiscal impact upon any funds of the Government of Guam.

Senseramente,


LESTER L. CARLSON, JR.