

**GUAM ENVIRONMENTAL PROTECTION AGENCY**  
**ENVIRONMENTAL IMPACT ASSESSMENT GUIDELINES**  
**September 1997**  
**(Amended) November 1999**

**LEGAL AUTHORITY**

These Environmental Impact Assessment (EIA) guidelines are provided to establish minimum requirements for all EIA documentation purposes as required Executive Order 96-26 administration of Development Permits. These standards include provisions for EIA content, scope and for review and concurrence requirements.

**ENVIRONMENTAL IMPACT ASSESSMENT (REPORT) FORMAT**

An Environmental Impact Assessment report shall, at a minimum, include complete information on the following topics:

- A. Title and Executive Summary (include addresses and telephone numbers of the applicant(s), representative, and EA preparer)
  
- B. Project Description
  - 1. Purpose and Justification
  - 2. Location (including maps and lot numbers)
  - 3. Proposed construction actions
  
- C. Existing Environmental Setting (Baseline information including historical data)
  - 1. Natural Environment
    - a. Physical features (e.g. climate, topographic maps, geology)
    - b. Natural Resources
      - i. Water
      - ii. Soils
      - iii. Biological
      - iv. Unique Feature (e.g. wetlands, etc.)
    - c. Habitat
    - d. Plants
    - e. Animals

2. Human Environment
  - a. Land Use (e.g. zoning, land use plans, etc.)
  - b. Existing Infrastructure
    - i. Water
    - ii. Sewer
    - iii. Power
    - iv. Roads (access)
    - v. Drainage
  - c. Unique Features (e.g. archaeological/cultural)

D. Alternatives (Considered/Selected)

1. Alternative locations
2. Alternative designs/site layouts
3. No Action Alternative
4. Preferred alternative (and reasons for selection)

E. Alternatives compared (impact analysis/comparative matrix)

F. Project Impacts (preferred alternative)

1. Construction impacts
  - a. Permanent
  - b. Temporary
2. Operational
  - a. Direct
  - b. Indirect
3. Social/Cultural impacts
  - a. Infrastructure impacts
  - b. Cost of Living
  - c. Quality of Life
4. Cumulative Impacts (similar or dissimilar projects with observed or predicted impacts)
5. Estimate the significance or magnitude of environmental impacts and identify relevant criteria utilized to determine significance.
  - a. Based on existing statute, regulation or standard
  - b. Based on information specific to this study
  - c. Compared to existing studies

6. Determine if the project requires an Environmental Impact Statement (EIS) based on Section F or a finding of no significant impact.

G. Mitigation - (Measures proposed to avoid, reduce or compensate for project impacts which are not significant)

1. Construction mitigation
  - a. Description of each proposed mitigation technique
  - b. Effectiveness of mitigation
  - c. Environmental monitoring
2. Operational mitigation
  - a. Description of each proposed technique
  - b. Effectiveness
  - c. Environmental monitoring

H. Compliance with environmental statutes and regulations

1. Water
2. Air
3. Pesticides
4. Solid and Hazardous Wastes
5. Protected or endangered species
6. Protected habitat

I. Conclusions

J. Appendices (supporting data)

1. Baseline Studies/Surveys
2. Infrastructure Engineering Reports
3. Archaeological Survey
4. Other Data/Reports

K. References

## CATEGORICAL EXCLUSIONS

EIA's are not required for the following Development Permit, Variance Amendment actions as they have been determined to have no individual or cumulative effect on the environment:

- (A) One or two single family homes
- (B) A duplex
- (C) Signs
- (D) Setbacks
- (E) Parking
- (F) Reduction, relocation or deletion of easements
- (G) Single family subdivisions having fewer than 20 lots or parcels not involving wetlands or other sensitive areas as a complete and distinct project.
- (H) Agricultural Subdivisions having fewer than 10 lots or parcels not involving wetlands or other sensitive areas as a complete and distinct project.
- (I) Retail and service establishments involving previously developed land as redevelopment.
- (J) All electrical power, water, sanitary sewer, and telephone line projects which are located in existing public rights of way or utility easements and do not involve actions in or adjacent to marine waters, coral resources or wetlands.

The Administrator of Guam EPA may, as additional information becomes available or as a result of the acceptance of a EIA Short Form, amend this list of Categorical Exclusions.

## EIA PREPARATION AND ACCEPTANCE

- 1) Applicants are encouraged to meet with the Agency early in the project planning phase of development to discuss preliminary environmental concerns and to identify assessment scoping needs.
- 2) GEPA will determine completeness of the EIA report based on this guidance prior to official acceptance and inception of the review time limitations identified by Executive Order 96-26. All EIA's should be accepted by GEPA as meeting these standards prior to the complete application being accepted by the Dept. of Land Management for review and approval processing. The Agency may take up to 60 days to review a draft EIA and make a determination as to the adequacy and completeness of the document. This review and approval process precedes the Pre-Application Meeting with DLM.
- 3) The EIA Format provided herein includes most of the potential issues and document components of a typical EIA. Applicants may modify the order of presentation, combine related issues and opt for alternate general terminology as desired; however, any attempt to modify scope and content must be pre-approved by the Agency.

- 4) The Agency has developed an EIA Short Form which allows for an abbreviated and summarized assessment format for certain projects which may result in minimal impacts. The Short Form may also be utilized whenever the applicant determines grounds for a Negative Declaration may exist. Guam EPA will determine the applicability of the Short Form for a given project on a case by case basis. The Short Form is hereby adopted as part of these guidelines by reference.

## **ENVIRONMENTAL IMPACT STATEMENTS**

When environmental impacts are determined to be significant, the Agency may require the applicant to prepare an Environmental Impact Statement (EIS). An EIS determination should be made utilizing the findings of the EIA . The EIS format will be provided by Guam EPA on a case by case basis.

## **FINDING OF NO SIGNIFICANT IMPACT**

As a result of having conducted an EIA, the applicant may conclude that a finding of no significant impact statement is appropriate. A no significant impact statement is a brief document or statement which presents the reasons why an action or actions of a project, not otherwise waived, exempted or excluded will not have a significant effect on the human or natural environment and for which an EIS therefore should not be prepared. It shall include an EIA or summary of an EIA and shall note any other environmental documents related to it. If the EIA is submitted with the statement, the statement need not repeat any of the discussion in the EIA but may incorporate it by reference. If required, the applicant must submit a formal EIA to support the findings.

## **DEFINITIONS**

Baseline Survey - A scientific survey of existing biological conditions of a given site including plant and animal populations, habitat structure, and unique features. Information about soils, geology, hydrology, and recent natural or manmade disturbances should also be provided when such events or information have influenced biological resources.

Cumulative Impact - An impact on the human environment which results from incremental impact(s) of the action when added to other past, present, and reasonably foreseeable future actions regardless of what government, private interest, or person undertakes such actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

Direct Impact - Environmental impacts which will result from construction or operation of a project to resources whereby influencing agents are directly attributed to the project (e.g. loss of forest due to site preparation activities, increase in traffic resulting from project demand for services, etc.)

Impact/Benefit Analysis - A comparative description or model whereby the impacts and beneficial aspects of various alternatives is provided in summary or general format such as is common with matrix tables. Each alternative is analyzed against a set group of impacts or benefits.

Indirect Impact - Environmental impacts, which result from any component of a project, whereby one or more environmental factors beyond the control of the project proponents involves an interaction or cumulative affect with direct impact or events of the project (e.g. increase in school aged dependents of employees within a given district).

Infrastructure Impact (assessment) - An engineering analysis which quantifies the impact of additional demand from a project on the existing infrastructure capacity. The analysis must include impact of demand during low, average, and peak conditions of all utility users.

Mitigation Plan - A plan which specifies actions necessary to mitigate environmental impact or damage to a level required by regulation, law, standard, or agreement and which establishes all aspects of responsibility, design, and engineering and identifies time constraints, measurable performance standards, monitoring/evaluation, remediation, and other necessary components to address complete mitigation. Detailed mitigation plans are commonly formulated after the EIA is completed; however, for an Environmental Impact Statement (EIS) detailed plans may be required concurrent with the EIS.

No Action Alternative - An alternative which describes anticipated events/impacts which are both negative and beneficial should the project be abandoned, not implemented, or disapproved.

Significance - As used in these standards, requires considerations of both context and intensity. **Context** means that the significance of an action must be analyzed in several contexts such as society as whole (human, territory), the affected site or property, the affected region, the affected interests, and the affected locality. Significance varies with the setting of the proposed action. Both short and long term effects are relevant. **Intensity** refers to the severity of the impact. The following should be considered in evaluating intensity: (A) Impacts that may be both beneficial and adverse. A significant effect may exist even if the applicant believes that on balance the effect will be beneficial; (B) The degree to which the proposed action effects public health and safety; (C) The unique characteristics of geographic proximity to historic or cultural resources, park lands, prime farmlands, wetlands, coral resources, other marine ecosystems, scenic areas, or ecologically or environmentally sensitive areas; (D) The degree to which the effects on the quality of the human environment are highly controversial; (E) The degree to which possible effects on the human environment are highly uncertain or involve unique or unknown risks; (F) The degree to which the action may establish a precedent for future actions with significant effects or

represents a decision in principal about a future consideration; (G) Whether the action is related to other actions with individually insignificant, but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts; (H) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National or Guam Registry of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources; (I) The degree to which the action may adversely effect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973 and applicable Guam law; (J) whether the action threatens a violation of Federal or Guam law or requirements imposed for the protection of the environment; (K) The degree to which the action may adversely affect vital public services and infrastructure, such as water supply and distribution, wastewater removal and treatment, public rights of way, education, health care service and facilities, electrical power, or communications.

**ATTACHMENT A**

---

**ENVIRONMENTAL IMPACT ASSESSMENT/STATEMENT  
FLOW DIAGRAM**

**Minor Project Permits**

Determine if a project or action is  
“Categorically Excluded” or if EIA Short

**Major & Super Major Project Permits**

Conduct Environmental Impact Assessment  
Significant Impact?  
YES -----EIS may be required  
NO ----- FONSI/Standard Mitigate  
Always specify mitigation measures for impacts  
identified.

**GEPA Environmental Assessment Review**

Complete - Attach to Development Permit  
Application  
Incomplete - Amend, modify, and/or provide  
additional information as required.  
(Completeness Determination does not  
constitute assessment approval by GEPA.)

**DLM Pre-Application Meeting**

Submit Completed EIA  
with Development Permit Application

## ATTACHMENT B

---

### THE BENEFITS OF CONDUCTING EIA'S

Environmental impact assessment is a process that occurs during the conceptual planning and design of a proposed development project. This process should be viewed as a planning tool that benefits the project developer by providing guidance in project design that will minimize adverse impacts on the human and natural environments, and by protecting public interest, expediting the passage of permits, development applications and proposals through the regulatory review process. This assessment process must be documented in a formal EIA report that describes the proposed project and its environmental setting, evaluates alternatives (designs, site layouts, locations, etc.) and their probable impacts on the human and natural environments and specifies proposed measures to mitigate unavoidable adverse impacts.

#### Impact Hierarchy

In those cases where impacts are known or expected to be significant, it is to the applicant's benefit to follow the impact hierarchy of avoidance, minimization, and mitigation in project planning. Avoidance of impacts (e.g. to sensitive areas such as wetlands) should be the first choice and is most beneficial to the applicant in economic terms. If significant impacts can be avoided, the costs and delays associated with mitigation planning and permitting are also avoided. If impacts cannot be entirely avoided, it is to the applicant's benefit to minimize impacts for the same reasons. Mitigation is the least desirable course of action because of the costs and delays related to mitigation planning, design, permitting and implementation as well as potential for some measure of degradation to or loss of natural resources.