

I Mina'Trentai Tres Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
387-33 (COR)	T. C. Ada	AN ACT TO REZONE LOT NO. 8, TRACT 25305, MUNICIPALITY OF YONA AND LOT NO. 402-R10-2-10-1, MUNICIPALITY OF SANTA RITA, FROM AGRICULTURAL (A) ZONE TO A PUBLIC FACILITY (PF) ZONE FOR THE PURPOSE OF CONSTRUCTING TWO (2) SEWER LIFT STATIONS.	10/17/16 11:33 a.m.	10/17/16	Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement	10/26/16 9:30 a.m.	11/20/16 5:43 p.m.	Fiscal Note Request 10/21/16 Fiscal Note 11/16/16
	DATE PASSED	TITLE	DATE AND TIME TRANSMITTED		DUE DATE	<small>DATE SIGNED BY I MAGA'LĀ HEN GUĀ HAN</small>	PUBLIC LAW NO.	NOTES
	12/02/16	AN ACT TO REZONE LOT NO. 8, TRACT 25305, MUNICIPALITY OF YOÑA, AND LOT NO. 402-R10-2-10-1, MUNICIPALITY OF SANTA RITA, FROM AGRICULTURAL ZONE (A) TO PUBLIC FACILITY ZONE (PF) FOR THE PURPOSE OF CONSTRUCTING TWO (2) SEWER LIFT STATIONS.	12/05/16	4:50 p.m.	12/16/16			



FILE COPY

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
THIRTY THIRD GUAM LEGISLATURE
155 Hesler Place, Hagåtña, Guam 96910

December 5, 2016

The Honorable Edward J.B. Calvo
I Maga'låhen Guåhan
Ufisinan I Maga'låhi
Hagåtña, Guam

Dear *Maga'låhi* Calvo:

Transmitted herewith are Bill Nos. 201-33 (COR), 224-33 (COR), 285-33 (COR), 317-33 (COR), 335-33 (COR), 343-33 (COR), 344-33 (COR), 347-33 (COR), 348-33 (COR), 354-33 (COR), 360-33 (COR), 361-33 (COR), 362-33 (COR), 365-33 (COR), 369-33 (COR), 370-33 (COR), 371-33 (COR), 373-33 (COR), 374-33 (COR), 375-33 (COR), 378-33 (COR), 384-33 (COR), 386-33 (COR), 387-33 (COR), 393-33 (COR), 394-33 (COR), and 400-33 (COR); and Substitute Bill Nos. 168-33 (COR), 187-33 (COR), 221-33 (COR), 351-33 (COR), and 367-33 (COR), which were passed by *I Mina'Trentai Tres Na Liheslaturan Guåhan* on December 2, 2016.

Sincerely,

TINA ROSE MUÑA BARNES
Legislative Secretary

Enclosure (32)

OFFICE OF THE GOVERNOR
CENTRAL FILES

RECEIVED BY
TIME 1:40 PM DATE 12-5-16

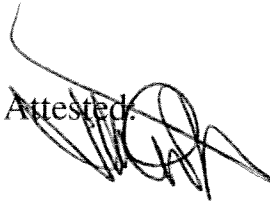
**I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session**

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LÅHEN GUÅHAN

This is to certify that **Bill No. 387-33 (COR)**, "AN ACT TO REZONE LOT NO. 8, TRACT 25305, MUNICIPALITY OF YOÑA, AND LOT NO. 402-R10-2-10-1, MUNICIPALITY OF SANTA RITA, FROM AGRICULTURAL ZONE (A) TO PUBLIC FACILITY ZONE (PF) FOR THE PURPOSE OF CONSTRUCTING TWO (2) SEWER LIFT STATIONS," was on the 2nd day of December 2016, duly and regularly passed.




**Judith T. Won Pat, Ed.D.
Speaker**

Attested: 

**Tina Rose Muña Barnes
Legislative Secretary**

This Act was received by *I Maga'låhen Guåhan* this 2nd day of Dec, 2016, at 4:30 o'clock P.M.


**Assistant Staff Officer
Maga'låhi's Office**

APPROVED:

**EDWARD J.B. CALVO
*I Maga'låhen Guåhan***

Date: _____

Public Law No. _____

**OFFICE OF THE GOVERNOR
CENTRAL FILES**
RECEIVED BY _____
TIME 4:30 PM DATE 12.2.16

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session

Bill No. 387-33 (COR)

Introduced by:

T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
Frank F. Blas, Jr.
B. J.F. Cruz
James V. Espaldon
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
Mary Camacho Torres
N. B. Underwood, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO REZONE LOT NO. 8, TRACT 25305, MUNICIPALITY OF YOÑA, AND LOT NO. 402-R10-2-10-1, MUNICIPALITY OF SANTA RITA, FROM AGRICULTURAL ZONE (A) TO PUBLIC FACILITY ZONE (PF) FOR THE PURPOSE OF CONSTRUCTING TWO (2) SEWER LIFT STATIONS.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the Guam Waterworks Authority (GWA), under United States Department of
4 Justice ORDER FOR PRELIMINARY RELIEF RE: DEADLINES FOR
5 OUTSTANDING PROJECTS UNDER THE AMENDED STIPULATED ORDER

1 Civil Case No. 02-00035 (2011 Court Order), effective 11/10/2011, the *Baza*
2 Gardens Wastewater Treatment Plant (BGWWTP) is required to comply with the
3 National Pollutant Discharge Elimination System (NPDES) permit. As required by
4 the 2011 Court Order at Paragraph 14, GWA must complete the BGWWTP
5 upgrades by April 30, 2018.

6 *I Liheslaturan Guåhan* finds that GWA has been working to address the
7 critical property needs to meet the 2011 Court Order deadlines.

8 *I Liheslaturan Guåhan* finds that GWA is currently designing the *Baza*
9 Gardens Wastewater Cross-Island Pumping and Conveyance System project, a
10 Federal Environmental Protection Agency Stipulated Order requirement that will
11 provide for the transmission of wastewater collected at the BGWWTP currently
12 discharging effluent into the *Togcha* River to the proposed new *Agat-Santa Rita*
13 Wastewater Treatment Plant currently under construction through the Route 17 and
14 Route 5 rights of way corridors. The project, when completed, will retire the use of
15 the existing BGWWTP and eliminate effluent discharge into the *Togcha* River.
16 Instead, the wastewater previously treated at *Baza* Gardens will be transmitted to
17 the *Agat* Treatment Plant for secondary treatment. Because of the undulating
18 topography of the Route 17 corridor, two lift stations will be required along the
19 way, one in the Municipality of *Yoña*, Lot No. 8, Tract 25305, and the other in the
20 Municipality of *Santa Rita*, Lot No. 402-R10-2-10-1.

21 *I Liheslaturan Guåhan* finds that according to the Stipulated Order,
22 construction of the project must begin in October 2016—hence the need for the
23 expedited re-zoning of these lots.

24 *I Liheslaturan Guåhan* finds that this project will clean up and eliminate the
25 sewage discharge into the *Togcha* River and outfall near Lot No. 8 in the
26 municipality of *Yoña*. Further, the project is necessary and will immensely benefit

1 the people of Guam: specifically, the eastern coast of Guam and related
2 residential, recreational, and commercial areas.

3 **Section 2. Zoning Designations.** Notwithstanding 21 GCA § 61637, or
4 any other provision of law, rule or regulation, Lot No. 8, Tract 25305, Municipality
5 of *Yoña* (Exhibit A) and Lot No. 402-R10-2-10-1, Municipality of *Santa Rita*
6 (Exhibit B) *shall* be rezoned from an Agricultural zone (A) to a Public Facility
7 zone (PF) pursuant to 21 GCA § 61313.

8 **Section 3. Reversionary Clause Upon Inaction.** The Guam Waterworks
9 *Authority shall* begin construction of a wastewater lift station on each of the two
10 (2) lots in Section 2 (Lot No. 8, Tract 25305, municipality of *Yoña*, and Lot No.
11 402-R10-2-10-1, municipality of *Santa Rita*) within one (1) year from the date of
12 enactment of this Act. Notwithstanding any other provision of law, in the event
13 GWA does not begin construction of either lift station within the stipulated period,
14 the respective lot on which construction has not begun *shall* revert back to its
15 original Agricultural zone (A) designation.

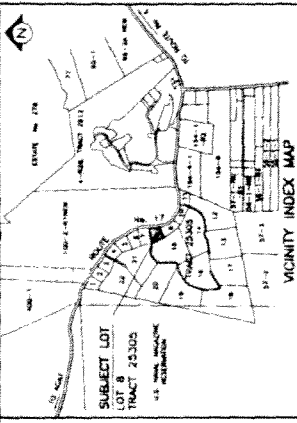
16 **Section 4. Effective Date.** This act *shall* take effect upon enactment.

17 **Section 5. Severability.** If any provision of this law or its application to
18 any person or circumstance is found to be invalid or contrary to law, such
19 invalidity *shall not* affect other provisions or applications of this law that can be
20 given effect without the invalid provisions or applications and to this end the
21 provisions of this law are severable.

Bill No. 387-33 (Exhibit A)

SPECIAL NOTE :

PROVISIONS OF ACT 19 OF 2016, SECTION 103 AND 104, LOT PARCELING, REGISTERED TO BE APPLIED TO THIS MAP.



NOTES :

1. Survey was made in field corners as shown.
2. ALL RECORDS WITHIN THE JURISDICTION ARE RECORDED DATA, ALL OTHERS ARE RECORDED DATA.
3. ALL LOTS ARE WITHIN THE SURVEYED QUARTER.
4. ALL LOTS ARE WITHIN THE SURVEYED QUARTER.
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6. ALL LOTS ARE WITHIN THE SURVEYED QUARTER.
7. ALL LOTS ARE WITHIN THE SURVEYED QUARTER.
8. ALL LOTS ARE WITHIN THE SURVEYED QUARTER.

REFERENCES :

1. ACT 19 OF 2016, SECTION 103 AND 104.
2. ACT 19 OF 2016, SECTION 103 AND 104.
3. ACT 19 OF 2016, SECTION 103 AND 104.
4. ACT 19 OF 2016, SECTION 103 AND 104.
5. ACT 19 OF 2016, SECTION 103 AND 104.

LEGEND :

- CON. STATION
- IRON NAIL 4 INCH DIA BY 1/2 IN. DIA SET 1/2 IN.
- 1/2 IRON SET WITH PLASTIC CAP DIMS 1/2 IN. DIA
- CENTER LINE
- TELEPHONE MARKER
- CONCRETE ANCHOR BOLT

CERTIFICATE OF GUAM CHIEF SURVEYOR

I, **ALBERTO R. GONZALEZ**, CHIEF SURVEYOR, DO HEREBY CERTIFY THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF ACT 19 OF 2016, SECTION 103 AND 104, AND THAT THE SURVEY IS TRUE AND CORRECT.

CERTIFICATE OF GUAM CHIEF PLANNER

I, **ALBERTO R. GONZALEZ**, CHIEF PLANNER, DO HEREBY CERTIFY THAT THE SURVEY IS IN ACCORDANCE WITH THE REQUIREMENTS OF ACT 19 OF 2016, SECTION 103 AND 104, AND THAT THE SURVEY IS TRUE AND CORRECT.

LOT PARCELING SURVEY MAP
OF
LOT 8, TRACT 25305
MUNICIPALITY OF TAMA

CHECKED BY :
Name: [] DATE: []
Signature: [] DATE: []
Professional Registration No.: [] DATE: []
Professional Seal: [] DATE: []

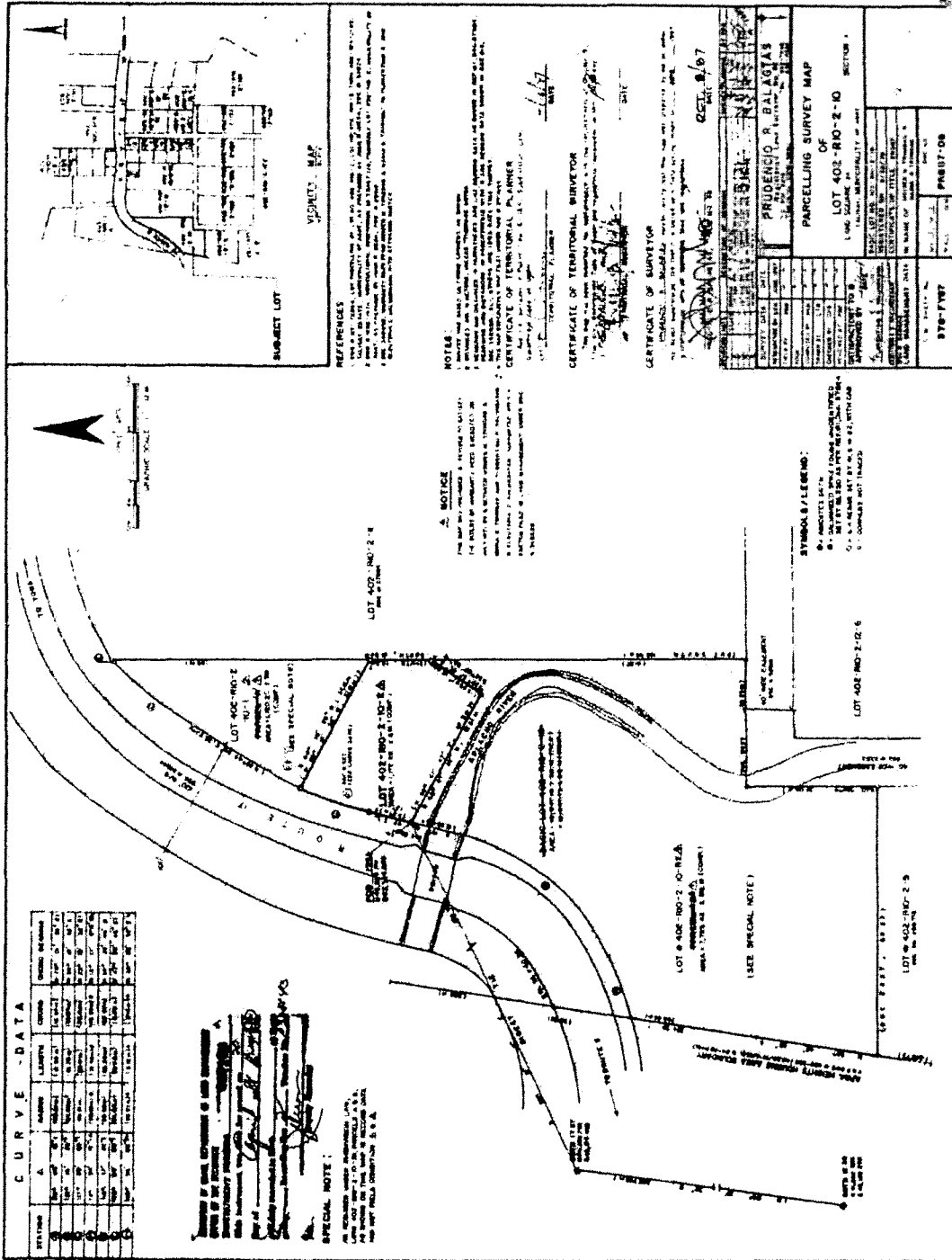
PREPARED FOR, SATISFACTORY TO & APPROVED BY :
Name: [] DATE: []
Signature: [] DATE: []
Professional Registration No.: [] DATE: []
Professional Seal: [] DATE: []

REGISTERED TO BE APPLIED TO THIS MAP

FIELD	DATE	REVISION	BY
1	2018	1	ALBERTO R. GONZALEZ

DATE: []

Bill No. 387-33 (COR) - Exhibit B



58101R

58101R

(R) 5810