



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

31-11-014
9:15 AM
9:45 AM

DEC 30 2010

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 494-30 (LS) "AN ACT TO ZONE APRA HARBOR RESERVATION LOT F-12-1 AND LOT F-12-R1, IN THE MUNICIPALITY OF PITI, TO LIMITED INDUSTRIAL (M1) ZONE", which I signed into law on December 30, 2010 as Public Law 30-232.

Sinseru yan Magåhet,


FELIX P. CAMACHO
I Maga'låhen Guahan
Governor of Guahan

Attachment: copy of Bill

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

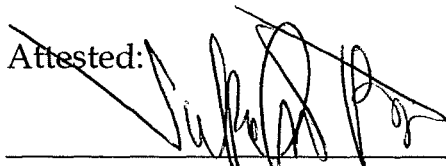
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 494-30 (LS), "AN ACT TO ZONE APRA HARBOR RESERVATION LOT F-12-1 AND LOT F-12-R1, IN THE MUNICIPALITY OF PITI, TO LIMITED INDUSTRIAL (M1) ZONE," was on the 22nd day of December, 2010, 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'lahaen Guåhan* this _____ day of _____, 2010, at
_____ o'clock _____.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 12/30/2010

Public Law No. 30-232

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

Bill No. 494-30 (LS)

As amended on the Floor.

Introduced by:

T. R. Muña Barnes
Judith T. Won Pat, Ed.D.
T. C. Ada
V. Anthony Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
E. J.B. Calvo
B. J.F. Cruz
J. V. Espaldon
Judith P. Guthertz, DPA
Adolpho B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
Telo Taitague
Ray Tenorio

**AN ACT TO ZONE APRA HARBOR RESERVATION
LOT F-12-1 AND LOT F-12-R1, IN THE MUNICIPALITY
OF *PITI*, TO LIMITED INDUSTRIAL (M1) ZONE.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 Lot Apra Harbor Reservation (AHR) Nos. F-12-1 and Lot F-12-R1, in the
4 Municipality of *Piti*, Estate No. 372, Suburban as said lots are marked and
5 designated on Drawing No. RCPIT-06, as L.M. Check No. 199 FY 2005 as
6 described in that Parceling Survey Map dated April 16, 2007 and recorded April
7 18, 2007 at the Department of Land Management under Document No. 753932 is

1 land returned to Guam by the United States and has therefore never been given a
2 zone designation. Lots AHR F-12-1 and F-12-R1 are now held by the Guam
3 Ancestral Lands Commission as “Trustee” for the GALC Land Bank Trust for the
4 purposes identified at Title 21 GCA 80104(e).

5 *I Liheslaturan Guåhan* further finds that in December of 2003, the Guam
6 Ancestral Lands Commission conveyed thirteen thousand four hundred ninety-six
7 (13,496) square meters of Lot AHR F-12-R1 to the Estates of Ana Rios Zamora
8 and Agueda Cruz Manibusan in that Quitclaim Deed recorded with the Department
9 of Land Management of the Government of Guam on December 31, 2003 under
10 Instrument No. 686064 and also known as “Lot 193, Piti”. Lot 193, Piti is
11 EXCLUDED from the land use zone designation established by this Bill. The
12 remainder of Lots AHR F-12-R1 and F-12-1 was land created by the Navy after
13 World War II during the dredging of Apra Harbor.

14 Lot AHR F-12 was the property of the United States of America, acting by
15 and through the Department of Navy, until April 18, 2001, at which time the
16 United States conveyed Lot AHR F-12 to the Guam Economic Development
17 Authority in that certain Quitclaim Deed dated April 18, 2001, and recorded with
18 the Department of Land Management on April 25, 2001 under Instrument No.
19 636645. The Guam Economic Development Authority subsequently conveyed Lot
20 AHR F-12 to the Guam Ancestral Lands Commission in that Quitclaim Deed dated
21 June 5, 2001 and recorded with the Department of Land Management on June 6,
22 2001 under Instrument No. 638645.

23 The Guam Ancestral Lands Commission has entered into commercial leases
24 for portions of Lot AHR F-12. In 2009, the Guam Ancestral Lands Commission
25 leased five (5) acres of Lot AHR F-12 to the Bali Steel Guam, LLC, a Guam
26 limited liability company, for the purpose of establishing a scrap metal recycling
27 facility. The five (5) acres leased to Bali Steel Guam, LLC is now known as Lot

1 AHR F-12-1. The Lease Agreement with Bali Steel Guam, LLC was recorded
2 with the Department of Land Management on August 18, 2009 under Instrument
3 No. 794595.

4 On July 1, 2010 the Guam Ancestral Lands Commission, as “Trustee” for
5 the GALC Land Bank Trust, entered into a Lease Agreement with the Matson
6 Navigation Company, Inc. for one hundred twenty-two thousand four hundred
7 forty-nine (122,449) square meters of Lot AHR F-12-R1 for the purpose of a
8 container yard, staging areas for construction materials and other cargo, staging
9 areas for vehicles and containers, office space, warehouses and other activities
10 permissible in an M1 zone. The Lease Agreement with the Matson Navigation
11 Company, Inc. was recorded with the Department of Land Management on July
12 16, 2010 under Instrument No. 808809.

13 The Guam Ancestral Lands Commission through its administrative agent,
14 the Guam Economic Development Authority, is in the process of leasing other
15 portions of Lot AHR F-12-R1 for uses allowable under an M1 zone.

16 **Section 2. Zoning.** The Guam Ancestral Lands Commission as the
17 Trustee for the GALC Land Bank Trust, the Guam Economic Development
18 Authority, the Matson Navigation Company, Inc. and Bali Steel Guam, LLC have
19 all requested the assistance of *I Liheslaturan Guåhan* to establish a zone
20 designation of Limited Industrial/M1 for Lot Apra Harbor Reservation F-12-1 and
21 F-12-R1, but *not* including the portion of Lot 193 which is within Lot F-12-R1. *I*
22 *Liheslaturan Guåhan* therefore finds that in order to provide uniformity to the
23 zoning of the lands of Guam, it is prudent to act on this zone change request and
24 deems it reasonable and appropriate.

25 **Section 3.** Lot Nos. Apra Harbor Reservation F-12-1 and F-12-R1,
26 Municipality of *Piti*, Guam, Estate No. 372, Suburban as said lots are marked and
27 designated on Drawing No. RCPIT-06 as L.M. Check No. 199 FY 2005, as

1 described in that Parceling Survey Map dated April 16, 2007 and recorded April
2 18, 2007 at the Department of Land Management, Government of Guam under
3 Document No. 753932, EXCLUDING, HOWEVER, that portion of Lot AHR F-
4 12-R1 which was conveyed by the Guam Ancestral Lands Commission to the
5 Estates of Ana Rios Zamora and Agueda Cruz Manibusan in that Quitclaim Deed
6 recorded with the Department of Land Management on December 31, 2003 under
7 Instrument No. 686064 and known as “Lot 193, *Piti*”, is hereby zoned Limited
8 Industrial Zone (M1).

9 **Section 4. Severability.** *If* any of the provisions of this Act or the
10 application thereof to any person or circumstance is held invalid, such invalidity
11 shall *not* affect any other provision or application of this Act which can be given
12 effect without the invalid provision or application, and to this end the provisions of
13 this Act are severable.

6

I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2010 (SECOND) Regular Session

Date: 12/22/10

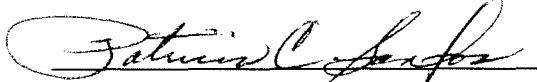
VOTING SHEET

Bill No. ^{LS} 494-30(COR)
 Resolution No. _____
 Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
AGUON, Frank B., Jr.					EA
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera		✓			
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL 13 1 _____ 1

CERTIFIED TRUE AND CORRECT:


 Clerk of the Legislature

* 3 Passes = No vote
 EA = Excused Absence



Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

DEC 15 2010

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trenta na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

Chairman
Committee on Appropriations,
Taxation, Banking, Insurance,
Retirement, and Land

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 494-30 (COR)

2010 DEC 17 PM 3:26
FALLA

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 494-30 (COR):
An act to zone Apra Harbor Reservation lot F-12-1 and F-12-R1, in the
municipality of Piti, to Light Industrial ("M-1") Zone, which was
referred to the Committee on Appropriations, Taxation, Banking, Insurance,
Retirement, and Land

Committee votes are as follows:

- 2 TO PASS
- 0 NOT TO PASS
- 3 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

Si Yu'us Ma'ase,

vicente c. pangelinan
Chairman

**COMMITTEE REPORT
ON**

Bill No. 494-30 (COR)

**An act to zone Apra Harbor Reservation lot
F-12-1 and F-12-R1, in the municipality of
Piti, to Light Industrial ("M-1") Zone.**



Mina' Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

MEMORANDUM

To: **All Members**
Committee on Appropriations, Taxation, Banking, Insurance,
Retirement, and Land

From: Senator vicente "ben" c. pangelinan
Committee Chairperson

Subject: Committee Report on Bill No. 494-30 (COR)

Transmitted herewith for your consideration is the Committee Report on Bill No. 494-30 (COR) "An act to zone Apra Harbor Reservation lot F-12-1 and F-12-R1, in the municipality of Piti, to Light Industrial ("M-1") Zone", sponsored by Senator T.R. Muna-Barnes

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 494-30 (COR)
4. Public Hearing Sign-in Sheet
5. Copies of Submitted Testimony & Supporting Documents
6. Copy of COR referral Bill No. 494-30 (COR)
7. Notices of Public Hearing
8. Copy of the Public Hearing Agenda
9. Fiscal Notes

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

Si Yu'us Ma'ase,

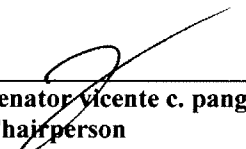
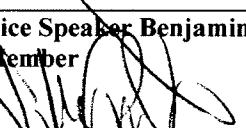
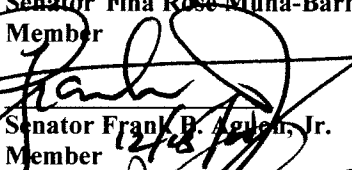
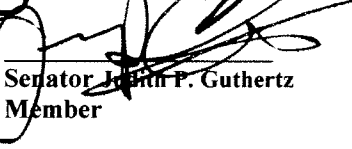
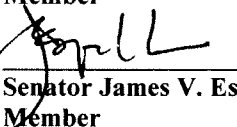
vicente c. pangelinan
Chairman

I MINA' TRENTA NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

Committee on Appropriations, Taxation, Banking, Insurance, Retirement,
and Land

Bill No. 494-30 (COR) An act to zone Apra Harbor Reservation lot F-12-1 and F-12-R1, in the municipality of Piti, to Light Industrial ("M-1") Zone

Committee Members	To Pass	Not To Pass	Report Out	Abstain	Inactive Files
 Senator Vicente C. Pangelinan Chairperson	_____	_____	_____ ✓	_____	_____
Speaker Judith T. Won Pat, Ed.D Vice Chairperson	_____	_____	_____	_____	_____
Vice Speaker Benjamin J. F. Cruz Member	_____ ✓	_____	_____	_____	_____
 Senator Tina Rose Muña-Barnes Member	_____ ✓	_____	_____	_____	_____
 Senator Frank B. Aglen, Jr. Member	_____ ✓	_____	_____	_____	_____
 Senator John P. Guthertz Member	_____	_____	_____ ✓	_____	_____
Senator Frank F. Blas, Jr. Member	_____	_____	_____	_____	_____
Senator Telo T. Taitague Member	_____	_____	_____	_____	_____
 Senator James V. Espaldon Member	_____	_____	_____ ✓	_____	_____



Committee Report

Bill No. 494-30 (COR): "An act to zone Apra Harbor Reservation lot F-12-1 and F-12-R1, in the municipality of Piti, to Light Industrial ("M-1") Zone."

Chairman
Committee on Appropriations,
Taxation, Banking, Insurance,
Retirement, and Land

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

I. OVERVIEW

The Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land convened a public hearing December 3, 2010, at *I Liheslatura's* Public Hearing Room.

Public Notice Requirements

Notices were disseminated via hand-delivery and email to all senators and all main media broadcasting outlets on November 26 (5 day notice), and again on December 1 (48 hour notice).

(a) Committee Members and Senators present:

Senator vicente "ben" pangelinan, Chairman
Senator Tina Muna-Barnes, Member
Senator Tom Ada, Member
Senator Tony Ada

(b) Appearing before the committee:

Gary North, Projects Advisor, MATSON
Paul Blas, General Manager, SeaBridg Inc.
Duncan McCully, Legal Counsel for MATSON

(c) Written Testimony Submitted:

Paul Blas, SeaBridge Inc.
Anthony Blaz, Guahan Economic Development
Authority
Michael James, Department of Land Management
Vicente (Ben) Gumataota, Piti Mayor

II. COMMITTEE PRECEEDINGS

(a) Bill Sponsor Summary

Senator pangelinan: We have come to the final bill on the agenda Bill No. 494-30 (COR): "An act to zone Apra Harbor Reservation lot F-12-1 and F-12-R1, in the municipality of Piti, to Light Industrial ("M-1") Zone."

We have signed up Mr. Gary North and once again this bill is introduced by Senator Muna-Barnes.

(b) Testimony

1. Gary North, MATSON

Gary North: Thank you Mr. Chairman and committee members. My name is Gary North. I am a retired Senior Vice President from MATSON Navigation. I currently work for MATSON Navigation as an advisor for project in Guam. I am representing Mr. Len Isotoff who could not be here today and what I'd like to do is share with you the reasons why MATSON has decided to develop this off-dock facility and it requires the zoning of "M1".

As you know the Port Authority of Guam, as a result of the military buildup, will be going through a significant construction period starting in 2011 going through 2016. When they start the construction at the Port they will reduce the capacity for container parking slots by over 50%.

They will go from 780 parking stalls to 350 parking stalls. MATSON and HORIZON, when their ships arrive each week they discharge over 300 containers each. Over 600 containers a week. When they loose those parking stalls terminal will be over taxed significantly. We recognize that a long time ago at MATSON and we decide to pursue finding a site where we could provide an off-site facility and help the Port during this time.

The handout that I provided you summarizes the construction phasing at the Port and it also shows you the site at Polaris Point and how we will use the site. MATSON has leased from GEDA 30 acres at Polaris Point. Our intention is to have a 15 acre container storage facility and the other 15 acres we'll make available to construction companies that will need the lay down area for the construction projects during the military buildup.

The site is almost complete but right now it is scheduled for completion on December 14th. It's always been our plan because we knew the buildup will start

in 2011 and to have the site available on the 1st of 2011 which we will be able to do.

The site will be fenced, will have 24 hour security, it will have lighting and it is green friendly. They will have photocells on all the lights that will go on when its dark. It will be very efficient. We believe that if we are able to do this we can help the Port clearly ensure the processing of cargo to the community will continue at the current rate.

The other thing it will provide is that this facility will be available 24/7. So that means that one of the things we are looking for is we believe that during the buildup there will be a lot of containers and we will be able to provide night deliveries so that we take containers off the road high peak traffic period. This facility will allow that for any cargo that moves through that facility.

We truly appreciate the opportunity to be here to speak on this bill. Thank you very much.

Senator pangelinan: Thank you very much Mr. North. Mr. Blas?

2. Paul Blas, SeaBridge Inc.

Paul Blas: “Good afternoon Senators. Thank you very much for letting me speak on this bill, Bill 494-30. My name is Paul Blas and I represent SeaBridge Inc. and I am here to support the bill in moving to Polaris Point property where MATSON has worked out a lease with GEDA on to “M1” for the basic reason that the smaller shipping agencies will be allowed additional capacity at the Port Authority of Guam based on the military buildup on Guam coming in. “

To keep it simple we are in support of the bill and we look forward to you addressing this.

Senator pangelinan: Thank you very much Mr. Blas. Just for the record Bills 493-30 and 494-30 are before this body because of the fact that these are un-zoned properties and according to Guam’s statue, the legislature is where the authority is vested for the granting of initial zoning to these un-zoned properties that have been returned to the Government of Guam or Ancestral Land Owners. That is why these bills are before us. Duncan?

3. Duncan McCully, Legal Counsel for MATSON

Duncan McCully: Just a few points. My name Duncan McCully and I am legal counsel for MATSON and I have been working on this for about a year so I am very familiar with this land that was returned. There are just a few things I hope you understand. One is that this land can't be used for residential purpose so "M1" is good zone for it. When the Navy returned it they cleaned it up but they said that its clean but not suitable for residential use. That just leaves commercial or industrial. Second its been used for industrial for "M1" for several years. Right now Bali Steel has been using it under a lease from GALC and you'll see that there is like a scrap yard basically for a automobile recycling facility.

This will be consistent with the existing use. The third thing is it really advances a legislative purpose with the GALC. This land since there are no original land owners it the money that there suppose to put the land into commercial use to generate revenues.

That money will be used to pay out to the families whose lands were taken but not returned. So being "M1" allows them to generate the maximum amount of revenues. They have been already put out for lease other portions of Lot F12 that MATSON is not leasing and they want to use those for industrial use so it is consistent and they've joined in this with GEDA in this request. Thank you.

Senator pangelinan: Thank you very much. Senator Tom Ada?

Panel Comments and Questions

Senator Tom Ada: Pending the zoning are the development activities being stalled right now? Could you get bulldozers to start doing...

Gary North: Senator we have full construction and the pictures I'm showing you we just taken this week so the lights are being installed as we speak as is the fencing so nothing is being stalled but we felt that we needed to get the appropriate zoning before we started using the property for its purpose.

Senator pangelinan: You've gotten clearances from DPW for all the permits and all the appropriate agencies?

Gary North: Yes sir.

Senator pangelinan: Any other questions? If not thank you very much. There being no other item for this committee pending for our agenda I call this meeting adjourned.

III. COMMITTEE FINDINGS AND RECOMMENDATIONS:

The Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land, hereby reports Bill No. 494-39 (COR), by the Committee with the recommendation TO REPORT OUT ONLY.

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (Second) Regular Session

Bill No. 494-30 (LS)

Introduced by:

T.R. Muña-Barnes

2010 NOV 22 PM 2:58

AN ACT TO ZONE APRA HARBOR RESERVATION
LOT F-12-1 AND LOT F-12-R1, IN THE MUNICIPALITY
OF PITI, TO LIGHT INDUSTRIAL ("M-1") ZONE

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
2 finds Lot Apra Harbor Reservation ("AHR") Nos. F-12-1 and Lot F-12-R1,
3 in the Municipality of Piti, Estate No. 372, Suburban as said lots are marked
4 and designated on Drawing No. RCPIT-06, as L.M. Check No. 199 FY 2005
5 as described in that Parceling Survey Map dated April 16, 2007 and recorded
6 April 18, 2007 at the Department of Land Management under Document No.
7 753932 is land returned to Guam by the United States and has therefore
8 never been given a zone designation. Lots AHR F-12-1 and F-12-R1 are
9 now held by the Guam Ancestral Lands Commission as "Trustee" for the
10 GALC Land Bank Trust for the purposes identified at 21 G.C.A. 80104(e).
11 *I Liheslaturan Guåhan* further finds in December of 2003, the Guam
12 Ancestral Lands Commission conveyed 13,496 square meters of Lot AHR
13 F-12-R1 to the Estates of Ana Rios Zamora and Agueda Cruz Manibusan in
14 that Quitclaim Deed recorded with the Department of Land Management of
15 the Government of Guam on December 31, 2003 under Instrument No.
16 686064 and also known as "Lot 193, Piti". Lot 193, Piti is EXCLUDED

1 Lease Agreement with the Matson Navigation Company, Inc. was recorded
2 with the Department of Land Management on July 16, 2010 under
3 Instrument No. 808809.

4 The Guam Ancestral Lands Commission through its administrative
5 agent, the Guam Economic Development Authority, is in the process of
6 leasing other portions of Lot AHR F-12-R1 for uses allowable under an M1
7 zone.

8 **Section 2. Zoning.**

9 The Guam Ancestral Lands Commission as the Trustee for the GALC
10 Land Bank Trust, the Guam Economic Development Authority, the Matson
11 Navigation Company, Inc. and Balli Steel Guam, LLC have all requested the
12 assistance of *I Liheslaturan Guahån* to establish a zone designation of
13 Industrial/M-1 for Lot Apra Harbor Reservation F-12-1 and F-12-R1, but not
14 including the portion of Lot 193 which is within Lot F-12-R1. *I*
15 *Liheslaturan Guahån* therefore finds that in order to provide uniformity to
16 the zoning of the lands of Guam, that it is prudent to act on this zone change
17 request and deems it reasonable and appropriate.

18 **Section 3.** Lot Nos. Apra Harbor Reservation F-12-1 and F-12-R1,
19 Municipality of Piti, Territory of Guam, Estate No. 372, Suburban as said
20 lots are marked and designated on Drawing No. RCPIT-06 as L.M. Check
21 No. 199 FY 2005, as described in that Parceling Survey Map dated April 16,
22 2007 and recorded April 18, 2007 at the Department of Land Management,
23 Government of Guam under Document No. 753932; EXCLUDING,
24 HOWEVER, that portion of Lot AHR F-12-R1, which was conveyed by the
25 Guam Ancestral Lands Commission to the Estates of Ana Rios Zamora and
26 Agueda Cruz Manibusan in that Quitclaim Deed recorded with the



Mina' Trenta Na Liheslaturan Guahan
THIRTIETH GUAM LEGISLATURE

Senator vicente "ben" c. pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, BANKING, INSURANCE, RETIREMENT AND LAND
PUBLIC HEARING
Friday, December 3, 2010
Bill No. 494-30 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
GARY NORTH		483-1983	garynorth@gmail.com		X	yes	

324 W. Soledad Ave. Hagatna, Guam 96910
Ph. 473-4236 Fax. 473-4238
Email: senbenp@guam.net



Mina' Trenta Na Liheslaturan Guahan
THIRTIETH GUAM LEGISLATURE

Senator vicente "ben" c. pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, BANKING, INSURANCE, RETIREMENT AND LAND
PUBLIC HEARING
Friday, December 3, 2010
Bill No. 494-30 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No

324 W. Soledad Ave. Hagatna, Guam 96910
Ph. 473-4236 Fax. 473-4238
Email: senbenp@guam.net

P2



OFFICE OF THE MAYOR
Vicente (Ben) Diaz Gumataotao

November 23, 2010

VIA HAND DELIVERY

SENATOR BEN C. PANGELINAN

Chairman

Committee on Appropriations, Taxation Banking, Insurance and Land

I Mina' Trenta Na Liheslaturan Guahan

324 West Soledad Avenue, Suite 100

Hagatna, Guam 96910

Re: **An M1 Zone Designation for Lot Apra Harbor Reservation F-12.**
Polaris Point, Piti, Guam

Dear Senator Pangelinan:

As the mayor of the municipality of Piti, I am familiar with the land owned by the Guam Ancestral Lands Commission ("GALC") at Polaris Point in Piti.

I am in full support with the efforts of the Guam Economic Development Authority and the GALC to lease the land at Polaris Point for the highest and best use. I also understand that the existing and contemplated uses for that land require an M1 zone, but that it is not presently zoned. I am in full support of the GALC's efforts to have its Polaris Point land designated as M1. I do not believe that the proposed uses of the property will have any negative impact on the people who live within the municipality of Piti.

If you have any questions concerning my position and this letter, then please let me know.



Sincerely,

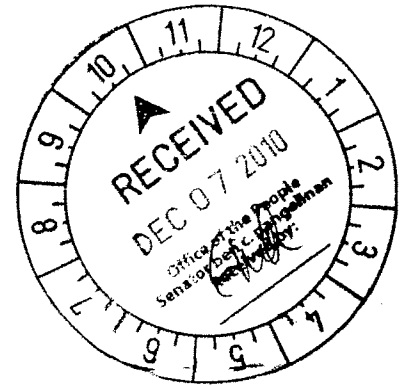

Vicente (Ben) D. Gumataotao



SEABRIDGE, INC.

December 6, 2010

Senator Vicente Pangelinan
Chairman
Committee on Appropriations, Taxation, Banking, Insurance and Land
I Mina'trenta Na Liheslaturan Guahan



Re: **Testimony on Bill 494-30 An Act to Zone Apra Harbor Reservation Lot F-12-1 and Lot F-12-R1, in the Municipality of Piti, to Light Industrial ("M-1") Zone**

Dear Senator Pangelinan,

Seabridge, Inc is a locally owned company which provides ocean transportation services to Guam and the CNMI. Having been operating for over 18 years in the region, providing weekly services to Saipan and bi-weekly to Tinian and Rota, Seabridge is familiar with the needs and demands of the region.

Further to this, the advent of the Port Authority of Guam's Modernization construction will be getting underway in less than a year. The construction phases of the project will dramatically reduce its ability to keep containers on chassis which would hamper the flow of domestic cargo exiting the port. Consider that the current container yard has 782 chassis stalls. The proposed construction phase's 1A-1 to 3 will reduce the yard to about 350 chassis stalls. With the forecasted amount of cargo to come through the port as a result of the military buildup and Guam's infrastructure improvements, the Port will have great difficulty handling all cargo and throughput through the Port will be compromised.

GENERAL AGENTS


GUAM : Cabras Highway, Piti Guam 96925, U.S.A. • Telephones: (671) 477-5038 / 4138 / 7345 / 1818 • Fax: (671) 477-6206 •
SAIPAN : Westpac Bldg., Puerto Rico, Saipan Mailbox 488, P.O. Box 10005, Saipan, MP 96950 • Tels: (670) 322-7348 / 1349 • Fax: (670) 322-7347
TINIAN : **TINIAN CENTER, INC.**, P.O. Box 103, Tinian, MP 96952 • Telephone Nos.: (670) 433-3219/3246
ROTA : **ROTA SHIPPING**, P.O. Box 555, Rota, MP 96951 • Telephones Nos.: (670) 532-5555/4444 or 532-3500 • Fax: (670) 532-3340
PHILIPPINES : **ASIA PACIFIC CHARTERING PHIL., INC.** 2nd Floor, La Paz Centre, Salcedo & Herrera Sts., Legaspi Village, Makati, Metro Manila, Philippines
Mailing Address: CCPO Box 2983, Makati, Metro Manila, Philippines • Cable Address: "FIXTURE" • Telephone: 810-1951 (24 Hour PABX)
Telex: 63772 OCEANS PS (Eastern Ext.) • Fax: (632) 818-1128 / (632) 815-2293



SEABRIDGE, INC.

I am submitting this testimony in favor of Bill 494-30 "An Act to Zone Apra Harbor Reservation Lot F-12-1 and Lot F-12-R1", in the Municipality of Piti, to Light Industrial ("M-1") Zone because it will help alleviate congestion at the Port by providing additional capacity during its construction phases. The leasing of 122,449 square meters of Lot AHR F-12-R1 by Matson Navigation Company for the purposes of a container yard and staging areas primarily, will be vital support to the Port. I kindly request that Lot AHR F-12-R1 be designated as an "M-1" Light Industrial Zone which would allow Matson to proceed with its plans and become a release point for the Port during the military buildup and its construction.

Sincerely,



Paul L. Blas
General Manager

GENERAL AGENTS

GUAM : Cabras Highway, Piti Guam 96925, U.S.A. • Telephones: (671) 477-5038 / 4138 / 7345 / 1818 • Fax: (671) 477-6206 •
SAIPAN : Westpac Bldg., Puerto Rico, Saipan Mailbox 488, P.O. Box 10005, Saipan, MP 96950 • Tels: (670) 322-7348 / 1349 • Fax: (670) 322-7347
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I MAGA' LAHEN GUAHAN
GOVERNOR OF GUAM
FELIX P. CAMACHO
I SEGUNDO NA MAGA' LAHEN GUAHAN
LT. GOVERNOR OF GUAM
MICHAEL W. CRUZ M.D.
ADMINISTRADOR
ADMINISTRATOR
ANTHONY C. BLAZ

Aturidád Inadilánton Ikunumihan Guahan

December 3, 2010

The Honorable Ben C. Pangelinan
Chairman, Committee on Appropriations, Taxation, Banking, Insurance and Land
Mina' Trenta Na Liheslaturan Guahan
324 W. Soledad Ave. Suite 100
Hagåtña, Guam 96910

RE: Bill No. 494-30 (LS) –AN ACT TO ZONE APRA HARBOR RESERVATION LOT F-12 AND LOT F-12-R1, IN THE MUNICIPALITY OF PITI, TO LIGHT INDUSTRIAL (“M-1”) ZONE

Hafa Adai Senator Pangelinan:

The Guam Economic Development Authority hereby submits this written testimony in support of Bill No. 494-30 which proposes an M-1 Zone designation for Guam Ancestral Lands Commission (GALC) Land Bank Trust property known as Polaris Point, and as further referenced above.

As you know, GEDA manages Spanish Crown properties by way of a Memorandum of Understanding (MOU) and held in trust by the GALC in order to generate as much revenue as possible for the beneficiaries of the Trust. As such, GEDA has been committed to the development, management and maintenance of the Trust Lands so that the lands will be developed to their highest and best use, and one of the ways we accomplish this is by providing assistance to GALC lease tenants in pursuing zoning of said properties for their business activities. As part of this endeavor, GEDA previously prepared and obtained approval from the Board of Commissioners at the GALC a resolution to zone all properties currently manage by GEDA as M1, including the Polaris Point parcel. We have enclosed a copy of the resolution which was transmitted to the Speaker of the Guam Legislature on November 1, 2010 for your information.

In closing, we are in full support of the passage of Bill No. 494-30 which provides for the appropriate zoning of lands to allow for highest and best use and, it is my hope that your Committee will consider favorably this request to zone the Polaris Point property as M1. We thank you for your continued support and interest in the Commission's mandate to provide maximum benefits to the beneficiaries of the Trust, and GEDA's mission to foster economic development for the island of Guam.

Thank you for the opportunity to provide input.

Put Respetu,


ANTHONY C. BLAZ
Administrator

Enclosure

Cc: Guam Ancestral Lands Commission





GUAMAN ANCESTRAL LANDS COMMISSION



Felix P. Camacho
Governor

Eddie L.G. Benavente
Executive Director

Michael W. Cruz, M.D.
Lieutenant Governor

588 West Marine Drive, Suite 103 - Anigua / P.O. Box 2950, Hagåtña, Guahan 96932 / Tel: (671) 473-5263 or 7 / Fax: (671) 475-9165
E-Mail address: ancestralandsguam@yahoo.com website: www.ancestralands.net

October 28, 2010

Honorable Judith T. Won Pat, Ed.D.
Speaker, 30th Guam Legislator
Suite 201, 155 Hesler St.
Hagåtña, Guam 96910

RE: The Guam Ancestral Lands Commission – Resolution to zone GEDA-managed properties as M1.

Hafa Adai Madam Speaker:


As you know, the Guam Ancestral Lands Commission (GALC) is ever in search of avenues and opportunities with which to fulfill its duties, to the best of its ability, in service to all those of whom are beneficiaries of the Land Bank Trust.

The GALC also maintains a Memo of Understanding (MOU) with the Guam Economic Development Authority (GEDA) to manage a number of properties. As such, one of GEDA's commitments to the GALC is to assist lease holders as they go through the process of zoning for their business activities.

Thus, in order for GEDA to proceed with its commitment to assist the GALC, our tenants and potential tenants in the most efficient manner possible now and into the future, the GALC wishes to present this resolution (*attached*) expressing our approval to have all GEDA-managed properties zoned M1 as described in GUAM CODE ANNOTATED TITLE 21, CHAPTER 61 – ZONING LAW. We believe it to be a most expeditious method through which our tenants may begin their business operations and whereby the GALC may realize revenues generated, earlier rather than later, for all beneficiaries of the Land Bank Trust

We have also communicated our activities regarding this matter with Senator "Ben" Pangelinan's Office and hope it would meet with your approval as well. Si Yu'os Ma'ase' for your continued support.

Put Respetu,


ANITA F. ORLINO
Chairperson, Board of Commissioners
Guahan Ancestral Lands Commission

Attachment: GALC Resolution No. 2010-003

cc Office of Senator Vicente "Ben" Pangelinan
Guam Economic Development Authority

BOARD OF COMMISSIONERS

Anita F. Orfino
Chairperson

Ronald T. Laguana
Vice Chair

Maria G. Cruz
Secretary/Treasurer

Ronald F. Eclaven
Commissioner

James C. Matanane
Commissioner

Lydia M. Tyner
Commissioner

Anthony J.P. Ada
Commissioner



Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 11/01/10
Time 10:20
Received by AZ



Guahan Ancestral Lands Commission

Resolution No. 2010 - 003

September 29, 2010



RELATIVE TO THE ZONING OF GUAHAN ANCESTRAL LANDS COMMISSION (GALC) LAND BANK TRUST PROPERTIES WHICH ARE ADMINISTERED BY THE GUAHAN ANCESTRAL LANDS BOARD OF COMMISSIONERS WHO ARE ALSO THE TRUSTEES OF THE LAND BANK TRUST

WHEREAS, the Guahan Ancestral Lands Commission (GALC) was created by Public Law 25-45 on the 9th of June, 1999; and

WHEREAS, Public Law 25-45 intended "*to pursue just remedies to redress the harm done to landowners as individuals and to Guam as a whole, resulting from the taking of Guamanian lands by the United States on or after January 1, 1930.*"; and

WHEREAS, Public Law 25-45 also created the "Land Bank Trust" and former Spanish crown lands and other non-ancestral lands were transferred into the Land Bank Trust; and

WHEREAS, the non-ancestral properties were to be safeguarded "in perpetuity" for the benefit of the beneficiaries of the Land Bank Trust; and

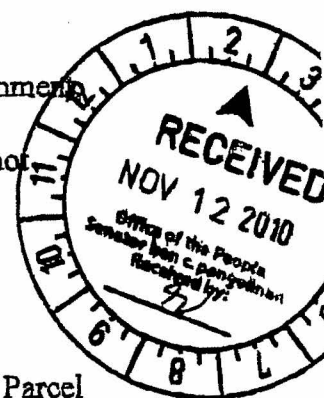
WHEREAS, two classes of landowners were identified;

- 1) Those whose lands have been declared excess by the Federal Government *and*
- 2) Those whose lands have *not* been declared excess and may or may not likely be declared excess by the United States in the future; and

WHEREAS, it was the intent of *i Liheslaturan Guahan* to "address the requirements of both classes by enactment of this law"; and

WHEREAS, Portion of Apra Harbor Reservation F-12, also referred to as Parcel N14-1, also referred to as Polaris Point, consisting of approximately 47.57 acres, more or less, and

WHEREAS, Portion of Apra Harbor Parcel No. 1 (Apra Harbor Naval Reservation Area "C") that certain real property situated in Guam, in the Municipality of Piti, consisting of approximately 5.835 acres, more or less, and



Office of the Speaker
Judith T. Won Pat, Ed. D.

Date 11/20/10
Time 10:32
Received by AC

WHEREAS, Portion of Lot Radio Barrigada C, also referred to as Parcel N5-D, consisting of approximately 72.420 acres, more or less, and

WHEREAS, Portion of Lot Andersen Family Housing Annex No. 1 (Camp Edusa) (AJKL) that certain real property situated in the Municipality of Dededo, consisting of approximately 15 acres, more or less, and

WHEREAS, Portion of Lot No. 2276 consisting of building number 15-6100 & 15-6101, including an adjacent all concrete utility building, parking lot, and common area consisting of approximately 0.37 acres, more or less, and


WHEREAS, the Guahan Ancestral Lands Commission (GALC) intends to maximize available opportunities to realize the mission of GALC and its responsibility to the beneficiaries of the Land Bank Trust, and

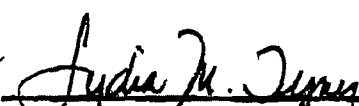
WHEREAS, M1 zoning is described as a "Light Industrial Zone" and is further defined with intended uses under **GUAM CODE ANNOTATED TITLE 21, CHAPTER 61 - ZONING LAW** and

WHEREAS, the **GUAHAN ANCESTRAL LANDS COMMISSION** has found it necessary to express its desire to have the above described properties zoned as **M1** that the GALC may continue on its mission towards extinguishing ancestral land claims and might best pursue those avenues that would have the greatest possible benefits for those beneficiaries of the Land Bank Trust.

NOW, THEREFORE, the GALC expresses its approval to have the above mentioned properties that are contained in the Land Bank Trust inventory zoned as **M1 - Light Industrial Zone**.

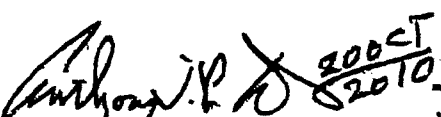

ANITA F. ORLINO
Chairperson


MARIA G. CRUZ
Secretary/Treasurer


LYDIA M. TYNER
Commissioner


RONALD F. ECLAVEA
Commissioner


RONALD T. LAGUANA
Vice-Chair


ANTHONY J.P. ADA
Commissioner


JAMES C. MATANANE
Commissioner



DIPĀTTAMENTON MINANEHAN TĀNO'
 (Department of Land Management)
GUBETNAMENTON GUĀHAN
 (Government of Guahan)



FELIX P. CAMACHO
 Governor of Guahan

CHRISTOPHER M. DUENAS
 Director

MICHAEL W. CRUZ, M.D.
 Lieutenant Governor of Guahan

MICHAEL C. JAMES
 Deputy Director

November 29, 2010

Street Address:
 590 S. Marine Corps Drive
 Suite 733 ITC Building
 Tamuning, GU 96913

Mailing Address:
 P.O. Box 2950
 Hagåtña, GU 96932

Website:
<http://dlm.guam.gov>

E-mail Address:
dldir@dlm.guam.gov

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

COPY

TO: Director, BBMR
 FROM: Acting Director, Land Management
 SUBJECT: DLM Comments on Bill 493-30(LS) and 494-30(LS)

COMMENTS ON BILL 493-30(LS)

We believe the rezoning of Lot 165-R4 to M1-light industrial zone is conducive in the area and the community. Within a 500' foot radius of the property, no residences exist within a radius of at least 1/3 mile away and therefore, an industrial impact is quite minimal.

As in prior zoning or rezoning actions, the need for the zoning or rezoning must justify **PUBLIC NECESSITY**, **PUBLIC CONVENIENCE** and **GENERAL WELFARE**.

The justification cited in the Bill's write up states that the property is a returned ancestral land; is situated in an area predominant of light and heavy industrial uses and or zone and adjacent to the Navy Fuel Farm. All of these existing conditions lend support of the zone to "M1".

We caution that in most returned ancestral lands, easements are a major setback since most properties return lack such amenities. In addition, an approved change of zone without all infrastructure systems in place, could result in the existence of a higher intensity and density development; however, the crucial question is, can such contemplated use(s) realistically be fulfill? A zone change to a higher zoning designation whereby permitted uses in the zone could not be obtain, is not, at minimum, good land use planning, but a reaction to desires. On the other aspect, extension of basic infrastructure to the area to support an industrial development will undoubtedly benefit any adjacent or abutting properties.

Certainly, when a zone change occurs coupled with availability of all infrastructure systems and in concert with the community's plan that the rezoning meets the criteria of **PUBLIC NECESSITY** – in that the uses intended as allowed in the zone is a real need;

NOV 29 2010
 Bureau of Budget and
 Management Research

Continuation of Memorandum

RE: Comments on Bill 493-30(LS) and 494-30(LS)

November 29, 2010

Page 2 of 3

PUBLIC CONVENIENCE – in that there is diversity and a variety of products and services offered that meets the demands of the community and eases the strain on other infrastructure systems such as vehicular traffic on major routes, etc., and that the **GENERAL WELFARE** – in the context that there will not be a negative impact on the infrastructure systems such as utilities, streets, and that certain permitted uses does not contribute to area blightedness and so forth; and that the proposed use(s) and or development will be the catalyst to bring infrastructure in the area, then the change of zone is justified.

On the other hand there is potential for this "M-1" Zone property to affect current values in the surrounding area particularly if uses could not be implemented and the property remains vacant and eventually becomes an eyesore.

COMMENTS ON BILL 494-30(LS)

As in our previous comment above, the same basic criteria of **PUBLIC NECESSITY, CONVENIENCE** and **GENERAL WELFARE** must also be addressed.

The parcels, Lots F-12-1 and F-12-R1, being considered for an "M1" zone designation, were created by the US Navy. All of the parcels are situated in an area that has had industrial uses and activities occurring when previously under the military control. The future intended use(s) are proper in the propose new industrial zone.

We find that any permitted uses in the zone will not negatively impact surrounding land uses. The intended uses does meet "Public Necessity" by the fact that metals and other material scraps will be removed from villages and eventually further removed from the island-that has plagued the environment and an eyesore for decades. If zone, the realization of such an industrial activity will achieve the goal of "recycling".

This also provides a "Convenience" to the Government in its efforts to rid the island of metals and other white goods; and in the long run and the end result, is in the overall island community's general welfare and safety.

Continuation of Memorandum

RE: Comments on Bill 493-30(LS) and 494-30(LS)

November 29, 2010

Page 3 of 3

The portion of a parcel separated from Lot F-12-R1 and returned to the Estate of Ana Rios Zamora, now known as Lot 193, containing an area of 13,496 square meters, should concurrently be zone "M1". While the requestor of Lot F-12-1 and Lot 12-R1 is Bali Steel, the fact is that all parcels, irrespective of ownership, are all located in one area.

Moreover, "Lot 193", while now having a new lot number designation, was a part of the previous basic lot. To segregate and not zone Lot 193 with the same zone designation, defeats the purpose of the long term goal of our Government in ensuring that all properties on island are properly zone.


In both Bills, and assuming that all these factors of "Public Necessity, Convenience and General Welfare when justified, will enhance the economic impact to the area and the community as a whole. Property taxes certainly could be higher which can contribute to the overall tax base. A zoning designation further enhances the marketability of all parcels.

The lease or sale of the property, if undertaken, could also be likely higher and bodes well for government revenues. Taxes on adjacent and abutting properties may be affected, but not necessarily, depending on whether the use(s) are considered offensive and obnoxious as compared to what it was prior to the zoning or rezoning and whether the use is in close proximity to residences, as applicable. However, based on the location of the properties and given the fact that their location is within an area where major commercial and industrial activities have occurred and are a constant activity and operation, the zone designation of "M1" is compatible and logical.

In conclusion, we support the "M1" zone designation for all parcels (F-12-1, F-12-R1 and Lot 193)..

Contact Planning Division at 649-5263, extension 311, should you have additional questions or need further clarification.

Senseramente,


Michael C. James
Acting Director

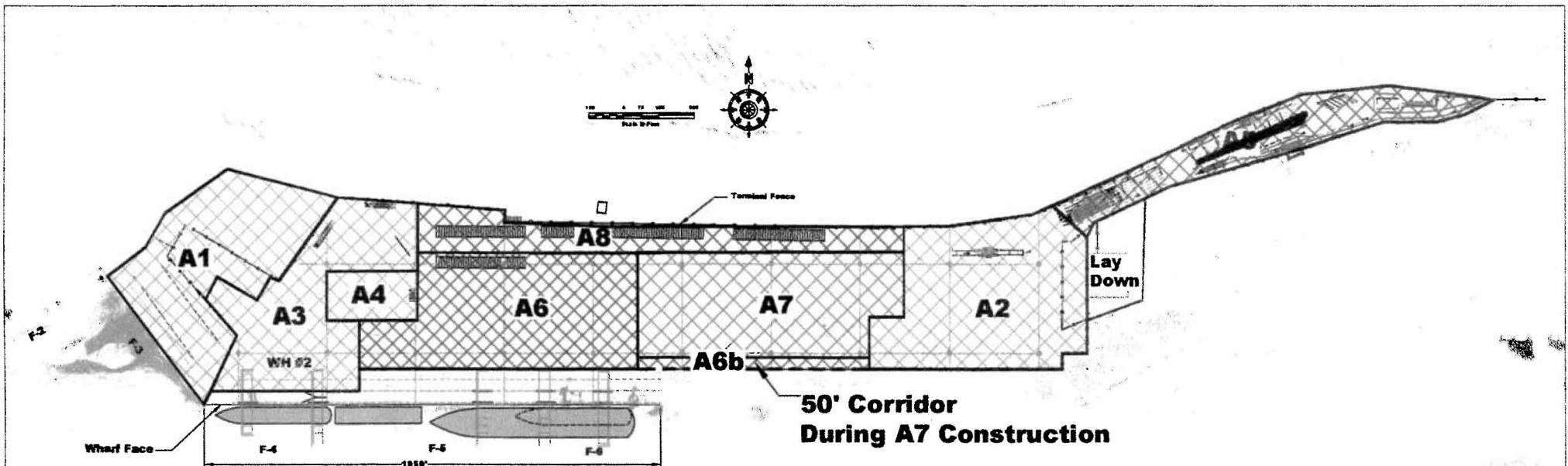
Cc: Planning Division

Bill No. 494-30 (COR): An Act to zone Apra Harbor
Reservation Lot F-12-1 and Lot F-12-R1, in the Municipality
of Piti, to Light Industrial (“M-1”) Zone.

**POLARIS POINT
MATSON OFF DOCK CONTAINER YARD**



Current Chassis Stalls: 782
During construction phase: 350**
****Per PAG Operation Estimate**



**For Construction Sequencing
By Area See Bar Chart
Schedule**

Construction Phasing Sequence Option 1

Construction Phase 1A-1: Area A1, A2, A3 & A4

Construction Phase 1A-2: Area A5 & A6

Construction Phase 1A-3: Area A7

Construction Phase 1A-4: Area A8

DATE:2010/01/13



PAG Port Modernization Impacts to Cargo Handling

Yard Lay Out Plan

- Current Yard has 782 chassis stalls.
- Proposed Phase 1A-1 and 1A-2 and 3 reduces the yard to about 350 chassis stalls.
- Reefer stalls will remain at 127 until Phase 1A-4 when some will be reduced.

PAG Modernization Phase Plan

- 1A-1 – Starts about June 2011 will take two years.
 - Remove Warehouse #2.
 - Boonie Yard paving.
 - Create New Break Bulk area.
 - Close out F-3 wharf.
 - Renovate PAG Shop area.
- 1A-2 – Will start about 2013
 - Install new lighting, power and water lines.
 - Repave existing yard, remove spur rail system.
 - Install storm water system.
 - Construct new gate system.
 - Repair F-4/5 pier face.
- 1A-3 Will start about 2014
 - Eastern Yard area.
- 1A-4 Will start 2015
 - Renovate Reefer area.

Issues which could impact the time line

- GPA fuel lines.
- Rt 11 renovation.





Photo 3 - Looking south at the Basic Bid area base course



Photo 4 - Looking east at the southern portion of the Basic Bid

TG ENGINEERS, PC CIVIL ENGINEERING, PLANNING, CONSTRUCTION MANAGEMENT & LAND SURVEYING Email: torg@tg-engr.com Tel: (671) 647-0808/28/33 Fax: (671) 647-0886 Cell: (671) 777-0686	SHEET TITLE: <p style="text-align: center;">PHOTOGRAPHS</p>	PREPARED BY: <p style="text-align: center;">TGE</p>
	ENGINEER TITLE: <p style="text-align: center;">MATSON TEMPORARY SHIPPING CONTAINER YARD</p>	DATE: <p style="text-align: center;">11/29/10</p>
		SHEET NO.: <p style="text-align: center;">2 OF 3</p>



Photo 5 - Standing on existing pavement in the Basic Bid looking south



Photo 6 - Fence posts set in concrete looking east towards Marine Dr

TG ENGINEERS, PC
 CIVIL ENGINEERING, PLANNING,
 CONSTRUCTION MANAGEMENT
 & LAND SURVEYING

Email: torg@tg-engr.com
 Tel: (671) 647-0809/28/33
 Fax: (671) 647-0855
 Cel: (671) 777-0986

SHEET TITLE:

PHOTOGRAPHS

PROJECT TITLE:

MATSON TEMPORARY SHIPPING
 CONTAINER YARD

PREPARED BY:

TGE

DATE:

11/29/10

SHEET NO.:

2 OF 5

I Mina'Trenta Na Lihelaturan Guahan

Bill Log Sheet

Page 1 of 2

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
B492-30 (COR)	v. c. pangelinan	AN ACT TO DISTRIBUTE ADDITIONAL COLA AWARD PAYMENTS FOR CERTIFICATES OF CLAIM ISSUED AND TO AUTHORIZE THE SALE OF GENERAL OBLIGATION PROMISSORY NOTES FOR PAYMENTS TO "COLA" AWARDEES IN REFERENCE TO SUPERIOR COURT CASE NO. SP0206-93.	11/22/10 12:13 p.m.	11/23/10		Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land			
B493-30 (COR)	T.R. Muña-Barnes	AN ACT TO ZONE THE PREVIOUSLY UNZONED LOT NO. 165-R4 IN THE MUNICIPALITY OF PITI TO LIGHT INDUSTRIAL (M-1) ZONE.	11/22/10 2:58 p.m.	11/23/10		Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land			

B494-30 (COR)	T.R. Muña- Barnes	AN ACT TO ZONE APRA HARBOR RESERVATION LOT F-12-1 AND LOT F-12- R1, IN THE MUNICIPALITY OF PITI, TO LIGHT INDUSTRIAL ("M-1") ZONE.	11/22/10 2:58 p.m.	11/23/10		Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land			
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Bureau of Budget & Management Research
Fiscal Note of Bill No. 494-30

AN ACT TO ZONE APRA HARBOR RESERVATION LOT F-12-1 AND LOT F-12-R1, IN THE MUNICIPALITY OF PITI, TO LIGHT INDUSTRIAL ("M-1") ZONE.

Department/Agency Appropriation Information	
Dept./Agency Affected: Ancestral Lands Commission	Dept./Agency Head: Eddie Benavente, Executive Director
Department's General Fund (GF) appropriation(s) to date:	212,888
Department's Other Fund (SF) appropriation(s) to date:	-
Total Department/Agency Appropriation(s) to date:	\$212,888

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance ¹		\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? / x / Yes / / No
 If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? / x / N/A / / Yes / / No
 If no, what is the additional amount required? \$ _____ / x / N/A
3. Does the Bill establish a new program/agency? / / Yes / x / No
 If yes, will the program duplicate existing programs/agencies? / / N/A / / Yes / x / No
 Is there a federal mandate to establish the program/agency? / / Yes / x / No
4. Will the enactment of this Bill require new physical facilities? / / Yes / x / No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / x / Yes / / No
 / / Requested agency comments not received by due date / / Other: _____

DEC 02 2010

Analyst: <u>Evelyn G. Fernandez</u>	Date: <u>12/1/10</u>	Director: <u>Bertha M. Duenas</u>	Date: _____
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Footnotes:
 See Attachment.

**Bureau of Budget & Management Research
Attachment to Fiscal Note No. 494-30**

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	\$0	\$0	\$0	\$0	\$0
Other Fund:	\$0	\$0	\$0	\$0	\$0
Total	1/	1/	1/	1/	1/

Comments:

1/ There is a potential for additional revenues to the Land Bank Trust due from leases of the properties with Balli Steel Guam, LLC, and the Matson Navigation Company which also can contribute to the overall tax base in the surrounding area. The lease or sale of the property, if executed, could produce higher revenues for the Government of Guam.

The overall potential financial impact of the Bill, in its present form, cannot be determined at this time.



COMMITTEE ON RULES

I Mina' Trenta na Libeslaturan Guåhan • 30th Guam Legislature

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November 23, 2010

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson, Committee on Rules

Subject: Referral of Bills No. 492-30 (COR) through 494-30 (COR)

2010 NOV 24 AM 9:11
MUR

As Chairperson of the Committee on Rules, I am forwarding my referral of Bills No. 491-30 (COR) through 494-30 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committees, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine V. Tajalle at 472-7679.

Si Yu'os Ma'åse'!

(1) Attachment



Mina'Trenta Na Liheslaturan Guahan

Senator vicente (ben) c. pangelinan (D)

November 26, 2010

Memorandum

To: All Senators

From: Senator ben pangelinan

Re: Public Hearing Notice – FIRST NOTICE

Chairman
Committee on Appropriations,
Taxation, Banking, Insurance,
Retirement, and Land

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

The Committee on Appropriations, Taxation, Banking, Insurance and Land will conduct a public hearing beginning at **8:30am, Friday, December 3, 2010** at the Guam Legislature's Public Hearing Room. The following bills are the agenda;

Bill No. 421-30 (COR): An Act to create a Festival of Pacific Arts Revolving Fund

Bill No. 429-s0 COR): An act to amend §26404 of Chapter 26 Title 11 Guam Code Annotated to eliminate the tax exemption on liquid fuels transshipped through Guam, and to create an environmental risk mitigation fund.

Bill No. 430-30 (COR: An Act to appropriate the sum of One Hundred Forty-One Thousand Dollars from the General Fund for FY 2011 to the Guam Election Commission to pay for prior year's obligation.

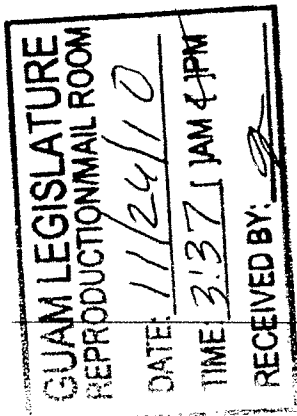
Bill No. 440-30 (COR): An Act to authorize the sale of a portion of Lot No. 87-4-2-R1, not to exceed 114± Square meters, under the inventory of Chamorro Land Trust

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324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net



Memo to: All Senators
November 26, 2010
Page 2

Bill No. 462-30 (COR): An act to add a new Section 9 and 10 to Chapter VIII of Public Law 30-196 Relative to providing to the Mayors Council of Guam continuing appropriation and an authorization for payments of prior year obligations.

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cc: Jay Sunga <ajsunga@senatorada.org>, Frances Lizama <lizama.frances@gmail.com>, jamespcastro@gmail.com, epogue@hotmail.com, Peter Leon Guerrero <peterlg@gmail.com>, roberto.phil@gmail.com, Doctor Wyttenbach-Santos <doc.wyttenbachsantos@gmail.com>, Chelsea Muna-Brecht <cmunabrecht@guamlegislature.org>, patrick.cepeda <patrickcepeda@hotmail.com>, Elaine Tajalle <elainevtll@gmail.com>, phill@raytenorio.com, michael.bumagat@gmail.com, Frank Torres <fbtorres@yahoo.com>, Yong Pak <yong@guamlegislature.org>, Joe Leon Guerrero <sgtarms@guamlegislature.org>, tunsio@guamlegislature.org, Pat Santos <psantos@guamlegislature.org>

date: Fri, Nov 26, 2010 at 4:00 PM
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Please see attached

--
Lisa Cipollone
Chief of Staff
Office of Senator ben c. pangelinan
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s wealthy neighbor tried any vocations.”

he sudden spike in tension the world’s fastest grow-economic region is putting anting pressure on China to in its prickly ally. South ean media reports said sday’s artillery attack was ly personally ordered by usive North Korean leader Jong-il.

North Korea) will wage ond and even third rounds of cks without any hesitation, armongers in South Korea ce reckless military provoca-s again,” the North’s KCNA s agency, using typically icose language, quoted a ement from the military as ing.

The U.S. cannot evade the ne for the recent shelling,” it ed. “If the U.S. truly desires

The United States and South Korea are to hold joint military exercises next week, with the aircraft carrier USS George Washington participating, although KCNA made no mention of that.

“Over telephone talks with Secretary (of State) Hillary Clinton, we agreed that through the drill, we will be able to ...send a clear message to the North in relation to the recent situation,” a South Korean Foreign Ministry spokesman said.

North Korean leader Kim and his son and designated heir, Jong-un, visited the Yellow Sea coastal artillery base from where shells were fired at a South Korean island near the disputed maritime boundary just hours before the attack, newspapers in Seoul said.

South Korea’s military was

The government



**Mina' Trenta Na Lihelaturan Guahan
THIRTIETH GUAM LEGISLATURE
Senator vicente "ben" pangelinan
Office of the People**

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

Betnes, gi diha 3 gi Disembre 2010
(Friday, December 3, 2010)

Kuátton Inekungok Pubbleko gi I Lihelaturan Guáhan
(Guam Legislature Public Hearing Room)

Gi alas 8:30 gi ega'an (8:30 AM)

TAREHA (AGENDA)

I Priniponi Siha:

Bill No. 421-30 (COR): An Act to create a Festival of Pacific Arts Revolving Fund

Bill No. 429 (Ada): An act to amend §26404 of Chapter 26 Title 11 Guam Code Annotated to eliminate the tax exemption on liquid fuels transshipped through Guam, and to create an environmental risk mitigation fund.

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Bill No. 494-30 (COR): An Act to zone Apra Harbor Reservation Lot F-12-1 and Lot F-12-R1, in the Municipality of Piti, to Light Industrial ("M-1") Zone.

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FRIDAY, NOVEMBER 26, 2010

MARIANAS VARIETY GUAM EDITION 15

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(671) 848-3054/55 or Facsimile (671) 848-3165



*Joaquin C. Flores, P.E.
General Manager*

NOTICE FOR BID

by the GUAM POWER AUTHORITY Bond Funds.

TIME:	DESCRIPTION:
10 2:00 P.M.	GPA Upgrade Fire Protection and Smoke Alarm Systems at Dededo Diesel Power Plant (\$150.00 non-refundable payment)
10 2:00 P.M.	GPA Upgrade Fire Protection and Smoke Alarm Systems at Yigo CT Power Plant (\$150.00 non-refundable payment)

Procurement Office, 1st Floor, GPA Central Office, 1911 Route 16, Harmon, must be made at our GPA Customer Services Department prior to issuance of register with GPA's Procurement Division to be able to participate in the bid. 3055 to register. Registration is required to ensure that all "Amendments" to all bidders throughout the bid process.

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date Fri, Nov 26, 2010 at 4:30 PM

subject Public Hearing Notice - FIRST NOTICE

mailed-by guamlegislature.org

Senator ben pangelinan will hold a public hearing on Friday, December 3 beginning at 8:30am. Below is the agenda.

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

**Betnes, gi diha 3 gi Disembre 2010
(Friday, December 3, 2010)**

**Kuátton Inekungok Pupbleko gi I Liheslaturan Guáhan
(Guam Legislature Public Hearing Room)**

**Gi alas 8:30 gi ega'an
(8:30 AM)**

TAREHA (AGENDA)

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--
Lisa Cipollone
Chief of Staff
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
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Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

December 1, 2010

Memorandum

To: All Senators

From: Senator ben pangelinan

Re: Public Hearing Notice – SECOND NOTICE

Chairman
Committee on Appropriations,
Taxation, Banking, Insurance,
Retirement, and Land

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

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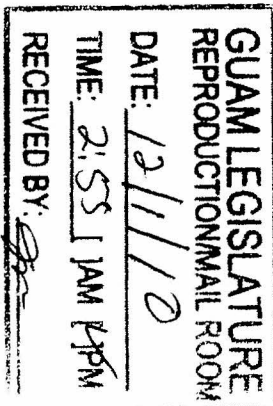
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Memo to Senators
December 1, 2010
Page 2

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2nd Notice - Public Hearing

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date Wed, Dec 1, 2010 at 12:35 PM

subject 2nd Notice - Public Hearing

mailed-by guamlegislature.org

Please see attached memo regarding public hearing by Senator pangalinan for Friday, December 3, 2010 beginning at 8:30am at the Guam Legislature Public Hearing Room.

--
 Lisa Cipollone
 Chief of Staff
 Office of Senator ben c. pangalinan
 (671) 473-4236
 cipo@guamlegislature.org

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THIRTIETH GUAM LEGISLATURE
 Senator Vicente "Ben" C. Pangalham
 Office of the People

AGUADACION PANGALHAM
 (PUBLIC HEARINGS)

Robins, of after 3 of December 2010
 (Friday, December 3, 2010)

Kulturni Hestungok Puyokheo of 1 Lheshaturan Guahan
 (Guam Legislature Public Hearing Room)

Et alas 10:30 of open an
 (8:30 AM)

ZABEUA
 (AEBBBA)

1 Phipoon' Sira

Bill No. 492-30 (CONR): An Act to distribute additional OLA Award payments for certificates of claim issued and to authorize the sale of General Obligation Promissory Notes for payments to "OLAs" Awardes in reference to Superior Court Case No. SP0206831.

Bill No. 421-30 (CONR): An Act to create a Festival of Pacific Arts Revolving Fund

Bill No. 429-30 (CONR): An act to amend §26404 of Chapter 26 Title 11 Guam Code Annotated to eliminate the tax exemption on liquid fuels transhipped through Guam, and to create an environmental risk mitigation fund.

Bill No. 430-30 (CONR): An Act to appropriate the sum of One Hundred Forty-One Thousand Dollars from the General Fund for FY 2011 to the Guam Election Commission to pay for prior year's obligation.

Bill No. 440-30 (CONR): An Act to authorize the sale of a portion of Lot No. 81-42-R1, not to exceed The Square meters, under the inventory of Chamorro Land Trust.

Bill No. 449-30 (CONR): An Act to Repeal, to re-number Lot No. 1017-F6, located in the Municipality in Dededo, from Commercial ("C") to Light Industrial (MI) for purposes of establishing business related to construction and warehouse activities.

Bill No. 459-30 (CONR): An Act to rezone Lot Nos. 3261-R4, 3261-2, 3261-H-R3, 3261-H-2 and 3261-H-1 R1 all in the Municipality of Orotea Pago from Residential R-1 to Light Industrial "MI" zone.

Bill No. 462-30 (CONR): An act to add a new Section 9 and 11 to Chapter VIII of Public Law 31-136 Relating to providing to the Mayors Council of Guam continuing appropriation and an authorization for payments of prior year obligations.

Bill No. 471-30 (CONR): An act to rezone Lot No. 5, Block No. 3 Tract 172 Agricultural Subdivision of Lot No. 10065 Mapolo, Dededo, to Commercial Zone "C" for the purpose of constructing a multi-purpose community center for public usage.

Bill No. 472-30 (CONR): An act to authorize the Governor of Guam to convey Lot 5412-2 in the municipality of Mangilao to the Guam Power Authority to provide necessary land for the development of a condensed central office.

Bill No. 484-30 (CONR): An act to appropriate funds for the repairs to the Agri Gym.

Bill No. 491-30 (CONR): An act to amend §26201 and §26202(a) of Chapter 6 Title 11 of the Guam Code Annotated, Relative to the Business Privilege Tax on Contractors

Bill No. 493-30 (CONR): An Act to zone the previously unzoned Lot No. 165-R1 in the Municipality of Piti to Light Industrial (MI-1) Zone.

Bill No. 494-30 (CONR): An Act to zone Agra Harbor Reservation Lot F-121 and Lot F-12-R1 in the Municipality of Piti, to Light Industrial (MI-1) Zone.

Yatigapan un nobela asessal na asessio na fact agayag / Ilesian Senator Ben Pangalham of 473-4236 / Email of senben@guam.net, asessio Relatun of 1 Unusual of <http://www.senben.com>. Email na nideul / agayag na / Ilesian guaheremant.

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**Mina' Trenta Na Lihelaturan Guahan
THIRTIETH GUAM LEGISLATURE
Senator Vicente "Ben" Pangellinan
Office of the People**

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

Betnes, gi diha 3 gi Disembre 2010
(Friday, December 3, 2010)

Kuaiton Inekungok Pupiako gi I Lihelaturan Guahan
(Guam Legislature Public Hearing Room)

Gi alas 8:30 gi eger'an (8:30 AM)

TAREHA (AGENDA)

I Prihiptoni Silha:

Bill No. 492-30 (COR): An Act to distribute additional COLA Award payments for certifications of claim issued and to authorize the sale of General Obligation Promissory Notes for payments to "COLA" Awardees in reference to Superior Court No. SP0206-93.

Bill No. 421-30 (COR): An Act to create a Festival of Pacific Arts Revolving Fund

Bill No. 429 (Ada): An act to amend §26404 of Chapter 26 Title 11 Guam Code Annotated to eliminate the tax exemption on liquid fuels transhipped through Guam, and to create an environmental risk mitigation fund.

Bill No. 430-30 (COR): An Act to appropriate the sum of One Hundred Forty-One Thousand Dollars from the General Fund for FY 2011 to the Guam Election Commission to pay for prior year's obligation.

Bill No. 440-30 (COR): An Act to authorize the sale of a portion of Lot No. 87-4-2-R1, not to exceed 114+ Square meters, under the inventory of Chemorro Land Trust

Bill No. 449-30 (COR): An Act to Relative to re-zoning Lot No. 10117-R6, located in the Municipality in Dededo, From Commercial ("C") to Light Industrial ("M1") for purposes of establishing business related to construction and warehouse activities.

Bill No. 458-30 (COR): An Act to rezone Lot Nos. 3261-R4, 3261-R5, 3261-R3, 3261-1-2 and 3261-1-1 R1 all in the Municipality of Chalan Pago from Residential "R-1" to Light Industrial "M1" zone.

Bill No. 462-30 (COR): An act to add a new Section 9 and 10 to Chapter VIII of Public Law 30-196 Relative to providing to the Mayors Council of Guam continuing appropriate and an authorization for payments of prior year obligations.

Bill No. 471-30 (COR): An act to rezone Lot No. 5, Block No. 3 Tract 172 Agricultural Subdivision of Lot No. 10065 Mogfog, Dededo to Commercial Zone "C" for the purpose of constructing a multi-purpose community center for public usage.

Bill No. 472-30 (COR): An act to authorize the Governor of Guam to convey Lot 54-12-2 in the municipality of Mangilao to the Guam Power Authority to provide necessary land for the development of a consolidated central office.

Bill No. 484-30 (COR): An act to appropriate funds for the repairs to the Agat Gym.

Bill No. 491-30 (COR): An act to amend §26201 and §26202(e) of Chapter 6 Title 11 of The Guam Code Annotated, Relative to the Business Privilege Tax on Contractors

Bill No. 493-30 (COR): An Act to zone the previously unzoned Lot No. 165-R4 in the Municipality of Piti to Light Industrial ("M-1") Zone.

Bill No. 494-30 (COR): An Act to zone Apra Harbor Reservation Lot F-12-1 and Lot F-12-R1, in the Municipality of Piti, to Light Industrial ("M-1") Zone.

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Second Public Hearing Notice [Inbox | x](#)

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date Wed, Dec 1, 2010 at 12:28 PM

subject **Second Public Hearing Notice**

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Senator ben pangelinan will conduct a public hearing on Friday, December 3, 2010. The following bills are on the agenda:

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

**Betnes, gi diha 3 gi Disembre 2010
(Friday, December 3, 2010)**

**Kuátton Inekungok Pupbleko gi I Liheslaturan Guáhan
(Guam Legislature Public Hearing Room)**

**Gi alas 8:30 gi ega'an
(8:30 AM)**

**TAREHA
(AGENDA)**

I Priniponi Siha:

Bill No. 492-30 (COR): An Act to distribute additional COLA Award payments for certifications of claim issued and to authorize the sale of General Obligation Promissory Notes for payments to "COLA" Awardees in reference to Superior Court Case No. SP0206-93.

Bill No. 421-30 (COR): An Act to create a Festival of Pacific Arts Revolving Fund

Bill No. 429-30 (COR): An act to amend §26404 of Chapter 26 Title 11 Guam Code Annotated to eliminate the tax exemption on liquid fuels transhipped through Guam, and to create an environmental risk mitigation fund.

Bill No. 430-30 (COR): An Act to appropriate the sum of One Hundred Forty-One Thousand Dollars from the General Fund for FY 2011 to the Guam Election Commission to pay for prior year's obligation.

Bill No. 440-30 (COR): An Act to authorize the sale of a portion of Lot No. 87-4-2-R1, not to exceed 114± Square meters, under the inventory of Chamorro Land Trust

Bill No. 449-30 (COR): An Act to Relative to re-zoning Lot No. 10117-R6, located in the Municipality in Dededo, From Commercial ("C") to Light Industrial (M1) for purposes of establishing business related to construction and warehouse activities.

Bill No. 468-30 (COR): An Act to rezone Lot Nos. 3261-R4, 3261-2, 3261-1-R3, 3261-1-2 and 3261-1-1 R1 all in the Municipality of Chalan Pago from Residential "R-1" to Light Industrial "M1" zone.

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Bill No. 462-30 (COR): An act to add a new Section 9 and 10 to Chapter VIII of Public Law 30-196 Relative to providing to the Mayors Council of Guam continuing appropriation and an authorization for payments of prior year obligations.

Bill No. 471-30 (COR): An act to rezone Lot No. 5, Block No. 3 Tract 172 Agricultural Subdivision of Lot No. 10065 Mogfog, Dededo to Commercial Zone "C" for the purpose of constructing a multi-purpose community center for public usage.

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Bill No. 484-30 (COR): An act to appropriate funds for the repairs to the Agat Gym.

Bill No. 491-30 (COR): An act to amend §26201 and §26202(e) of Chapter 6 Title 11 of The Guam Code Annotated, Relative to the Business Privilege Tax on Contractors

Bill No. 493-30 (COR): An Act to zone the previously unzoned Lot No. 165-R4 in the Municipality of Piti to Light Industrial (M-1) Zone.

Bill No. 494-30 (COR): An Act to zone Apra Harbor Reservation Lot F-12-1 and Lot F-12-R1, in the Municipality of Piti, to Light Industrial ("M-1") Zone.

--
Lisa Cipollone
Chief of Staff
Office of Senator ben c. pangelinan
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Mina' Trenta Na Liheslaturan Guahan
THIRTIETH GUAM LEGISLATURE

Senator vicente "ben" c. pangelinan
Office of the People

INEKUNGOK PUPBLEKO
(PUBLIC HEARING)

Betnes, gi diha 3 gi Disembre 2010
(Friday, December 3, 2010)

Kuåtton Inekungok Pubbleko gi I Liheslaturan Guahan
(Guam Legislature Public Hearing Room)

Gi alas 8:30 gi ega'an
(8:30 AM)

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(AGENDA)

I Priniponi Siha:

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Bill No. 472-30 (COR): An act to authorize the Governor of Guam to convey Lot 5412-2 in the municipality of Mangilao to the Guam Power Authority to provide necessary land for the development of a consolidated central office.

Bill No. 484-30 (COR): An act to appropriate funds for the repairs to the Agat Gym.

Bill No. 491-30 (COR): An act to amend §26201 and §26202(e) of Chapter 6 Title 11 of The Guam Code Annotated, Relative to the Business Privilege Tax on Contractors

Bill No. 493-30 (COR): An Act to zone the previously unzoned Lot No. 165-R4 in the Municipality of Piti to Light Industrial (M-1) Zone.

Bill No. 494-30 (COR): An Act to zone Apra Harbor Reservation Lot F-12-1 and Lot F-12-R1, in the Municipality of Piti, to Light Industrial (“M-1”) Zone.

Yanggen un nisisita espesiât na setbisio put fabot âgang i Ifisinin Senadot ben pangelinan gi 473-4236/7, i-mel si senbenp@guam.net , patsino hâlom gi i uepsait gi www.senbenp.com. Este na nutisiu inapâsi nu i fendon gubetnamento.

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I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (Second) Regular Session

2010 NOV 22 PM 2:58

Bill No. 494-30 (LS)

Introduced by:

T.R. Muña-Barnes



**AN ACT TO ZONE APRA HARBOR RESERVATION
LOT F-12-1 AND LOT F-12-R1, IN THE MUNICIPALITY
OF PITI, TO LIGHT INDUSTRIAL ("M-1") ZONE**

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
2 finds Lot Apra Harbor Reservation ("AHR") Nos. F-12-1 and Lot F-12-R1,
3 in the Municipality of Piti, Estate No. 372, Suburban as said lots are marked
4 and designated on Drawing No. RCPIT-06, as L.M. Check No. 199 FY 2005
5 as described in that Parceling Survey Map dated April 16, 2007 and recorded
6 April 18, 2007 at the Department of Land Management under Document No.
7 753932 is land returned to Guam by the United States and has therefore
8 never been given a zone designation. Lots AHR F-12-1 and F-12-R1 are
9 now held by the Guam Ancestral Lands Commission as "Trustee" for the
10 GALC Land Bank Trust for the purposes identified at 21 G.C.A. 80104(e).

11 *I Liheslaturan Guåhan* further finds in December of 2003, the Guam
12 Ancestral Lands Commission conveyed 13,496 square meters of Lot AHR
13 F-12-R1 to the Estates of Ana Rios Zamora and Agueda Cruz Manibusan in
14 that Quitclaim Deed recorded with the Department of Land Management of
15 the Government of Guam on December 31, 2003 under Instrument No.
16 686064 and also known as "Lot 193, Piti". Lot 193, Piti is EXCLUDED

1 from the land use zone designation established by this Bill. The remainder
2 of Lots AHR F-12-R1 and F-12-1 was land created by the Navy after World
3 War II during the dredging of Apra Harbor.

4 Lot AHR F-12 was the property of the United States of America,
5 acting by and through the Department of Navy, until April 18, 2001 at which
6 time the United States conveyed Lot AHR F-12 to the Guam Economic
7 Development Authority in that certain Quitclaim Deed dated April 18, 2001
8 and recorded with the Department of Land Management on April 25, 2001
9 under Instrument No. 636645. Guam Economic Development Authority
10 subsequently conveyed Lot AHR F-12 to the Guam Ancestral Lands
11 Commission in that Quitclaim Deed dated June 5, 2001 and recorded with
12 the Department of Land Management on June 6, 2001 under Instrument No.
13 638645.

14 The Guam Ancestral Lands Commission has entered into commercial
15 leases for portions of Lot AHR F-12. In 2009, the Guam Ancestral Lands
16 Commission leased five (5) acres of Lot AHR F-12 to the Balli Steel Guam,
17 LLC, a Guam limited liability company, for the purpose of establishing a
18 scrap metal recycling facility. The five (5) acres leased to Balli Steel Guam,
19 LLC is now known as Lot AHR F-12-1. The Lease Agreement with Balli
20 Steel Guam, LLC was recorded with the Department of Land Management
21 on August 18, 2009 under Instrument No. 794595.

22 On July 1, 2010 the Guam Ancestral Lands Commission, as "Trustee"
23 for the GALC Land Bank Trust, entered into a Lease Agreement with the
24 Matson Navigation Company, Inc. for 122,449 square meters of Lot AHR F-
25 12-R1 for the purpose of a container yard, staging areas for construction
26 materials and other cargo, staging areas for vehicles and containers, office
27 space, warehouses and other activities permissible in an M-1 zone. The

1 Lease Agreement with the Matson Navigation Company, Inc. was recorded
2 with the Department of Land Management on July 16, 2010 under
3 Instrument No. 808809.

4 The Guam Ancestral Lands Commission through its administrative
5 agent, the Guam Economic Development Authority, is in the process of
6 leasing other portions of Lot AHR F-12-R1 for uses allowable under an M1
7 zone.

8 **Section 2. Zoning.**

9 The Guam Ancestral Lands Commission as the Trustee for the GALC
10 Land Bank Trust, the Guam Economic Development Authority, the Matson
11 Navigation Company, Inc. and Balli Steel Guam, LLC have all requested the
12 assistance of *I Liheslaturan Guahån* to establish a zone designation of
13 Industrial/M-1 for Lot Apra Harbor Reservation F-12-1 and F-12-R1, but not
14 including the portion of Lot 193 which is within Lot F-12-R1. *I*
15 *Liheslaturan Guahån* therefore finds that in order to provide uniformity to
16 the zoning of the lands of Guam, that it is prudent to act on this zone change
17 request and deems it reasonable and appropriate.

18 **Section 3.** Lot Nos. Apra Harbor Reservation F-12-1 and F-12-R1,
19 Municipality of Piti, Territory of Guam, Estate No. 372, Suburban as said
20 lots are marked and designated on Drawing No. RCPIT-06 as L.M. Check
21 No. 199 FY 2005, as described in that Parceling Survey Map dated April 16,
22 2007 and recorded April 18, 2007 at the Department of Land Management,
23 Government of Guam under Document No. 753932; EXCLUDING,
24 HOWEVER, that portion of Lot AHR F-12-R1, which was conveyed by the
25 Guam Ancestral Lands Commission to the Estates of Ana Rios Zamora and
26 Agueda Cruz Manibusan in that Quitclaim Deed recorded with the

1 Department of Land Management on December 31, 2003 under Instrument
2 No. 686064 and known as “Lot 193, Piti”, is hereby zoned Industrial/M-1.

3 **Section 4. Severability.** If any of the provisions of this Act or the
4 application thereof to any person or circumstance is held invalid, such
5 invalidity shall not affect any other provision or application of this Act
6 which can be given effect without the invalid provision or application, and to
7 this end the provisions of this Act are severable.