Chamorro Land Trust Commission
(Kumision Inangokkon Tano' Chamoru)

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Governor of Guam

Michael W. Cruz, M.D.
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Commission Members

Oscar A. Calvo
Acting Chairman

David J. Matanane
Commissioner

Pauline Gumataotao
Commissioner

Carmen G. Tajalle
Commissioner

(Vacant)
Commissioner

Joseph M. Borja
Administrative Director

SPECIAL MEETING MINUTES
Legislature's Public Hearing Room, Hagatna, Guam
December 4, 2008; 10:03am – 12:52pm

I. CALL TO ORDER

Meeting was called to order at 10:03am by Chairman Oscar Calvo.

II. ROLL CALL

Roll call conducted by Administrative Director Joseph Borja. Present were Chairman Oscar Calvo, Commissioner David Matanane, Commissioner Carmen Tajalle, Legal Counsel Rebecca Santo Tomas. Not present was Commissioner Pauline Gumataotao.

Administrative Director commented Mr. Chairman there are three members of the Commission confirmed and appointed. The Commission has a quorum to conduct business. Before we start on it I want to make a comment on the roll call. There had been some talk recently within the Legislature concerning attendance of Commissioners at the meeting and I want to state for the record of the sitting members that the total meetings in 2005 is 13 meetings. David Matanane attended all 13 meetings in 2005; Oscar Calvo appointed February 2005, of 12 meetings, 11 attended, 1 excused absence due to illness. In 2006, 12 meetings total; David Matanane attended 11 meetings excused off-island for 1 meeting; Oscar Calvo attended 12 meetings. In 2007 a total of 6 meetings; David Matanane attended 6 meetings perfect attendance; Oscar Calvo attended 6 meetings perfect attendance; Pauline Gumataotao appointed in August 2007, total of 3 meetings, 3 meetings attended perfect attendance. In 2008 so far we've had 3 meetings. David Matanane 3 meetings attended perfect attendance; Oscar Calvo 3 meetings attended perfect attendance; Pauline Gumataotao 2 attended, 1 excused absence due to work commitments; and Carmen Tajalle appointed in June, 2 meetings, 2 meetings attended perfect attendance. In addition legal counsel prior to March 2006 was the Attorney General's Office. Beginning in September 2006, the legal counsel was Lujan, Aguigui and Perez. The change was made because at that time under Attorney General Doug Moylan and the late Charles Troutman an opinion was issued by the Attorney General's office that the Chamorro Land Trust was unconstitutional. The Commission was uncomfortable being represented by the AG's office who opined that they were unconstitutional and I think that is understandable. The issue was brought up by the Nasion Chamoru at that time and this information will be transmitted to the legislature and the oversight committee concerning the attendance of the Chamorro Land Trust Commissioners. Again, Commissioners there is a quorum in attendance and the meeting can proceed.

III. PURPOSE OF SPECIAL MEETING

The Administrative Director commented that the purpose of the special meeting being limited by law to only one subject matter is to hear the commercial license application of Mr. George Torres, the license use of Lot 7163, Yigo comprising of approximately 400 acres for quarrying purposes. We have some documents that Mr. Torres had submitted however I would recommend that Mr. Torres identify himself and the person next to him and go ahead and do his detailed presentation. After that the Commissioners may have questions that they have and of course the staff comments on that. Mr. Chairman as you can see on the agenda there is no item on the agenda for public comments however people have come up and have signed on to make comments and I leave it to the Commission to decide whether to do public comments at this time.

Chairman Calvo commented I just want to make sure that all of you who have signed in that this meeting is basically only designed for Mr. Torres and the public comments will not be done. I know that you guys have signed up for that because this meeting was just assigned for that.

Presentation by Mr. George Torres:
George Torres – Good Morning, Mr. Chairman, Board members and Director. My name is George Torres and I applied for Lot 7163 almost a year and a half ago. I applied for this property in Yigo to open up a quarry which is approximately 400 acres. The reason that I applied for this property is that with all the years that we've been living here is that I've I grew up and have been a resident of Agana. Although we have been having problems with the medical facility, schools and other infrastructure this property can do a lot of help for the government of Guam. It can build infrastructures, it can build schools and it can probably build 20 rooms of the hospital of the expense of this land. I'm giving myself and the company who joins venture with me is to put out 20 rooms, a cancer site and infrastructure for the Chamorro Land Trust. So this is my third meeting with you guys. I'm asking for your vote if I can proceed on doing my dreams of building a cancer site and part of a hospital. Today would probably be my fourth time to sit in front of the board members so I'm asking for your vote and the questions if I can answer it then I'll answer it. As far as all the documents that I've given the Chamorro Land Trust has fulfilled although I didn't put in one which is the financial statement which is I think until I get a license I believe that I will release all documents pertaining to the financials. So if there are any questions I would like to answer it. Although that Mr. Chairman asked me regarding that if anything should happen to me because I am constantly in the hospital what will happen to this company. But I ask you Board members and Chairman that I would not want this company to just stop. If it is licensed to me for so many years I would like this land to help the people on this island for what it needs. We won't be having all these problems. Let the land do something for us. The generations are going down and we haven't done nothing good. So I'm giving myself and the people around me who works for me to follow my dream and to follow what the people needs. I'm not going in there to destroy the land. I'm going in there to taper it, to develop it so down the future the generations beyond me can develop the land. Although that the land has to be given in consideration under the agriculture that the agriculture people would have to go in there and designate an area on which side of this property can be used or cannot be used so even if it's 400 acres if the government comes in and says I can only use

75% then I will only use 25% of 75%. So this property is only showing 400 acres but how much property can the government give me if the fish and wildlife goes in and says you cannot touch this area because it has inhabitants or has a Chamorro burial. So I say to you on the letter that I submit in is that we're willing to come down to 250 acreage of land but give me the chance to go in. I will spend the money to do all the paper work, the survey, appraisals and everything but let me choose which side. If the government comes in and says I cannot use half of this property but which side I will use, nobody knows that, not you or I. Although that I went to EPA and EPA told me that I would have to get the guidelines from you guys on what I need to follow so I am doing every single step by step so I fulfilled that step. Now I ask you lets use this land to make a difference for the people and the children being born on this island.

Tony Sanchez – I am assisting Mr. Torres, just know that there are certain things that we have taken into account that the Chamorro Land Trust rightfully has asked. With the corporation there will be an heir listing. You will see what exactly will happen in the question of; we all will go on to another; you know we are limited in time here. The other thing is that the Chairman had indicated the massive size of it so we have taken the wisdom of the Chairman and said okay we will only go to ourselves on limited but if they increase it then we'll add the agencies (Mr. Sanchez advised by Director to speak louder for public in the back to hear). So we have the heir listing and we've limited the investor to 20% and if any of the investors go above that we would have to get Chamorro Land Trust approval because in essence you're the partner of Mr. Torres right and you are the rightfully partner so we've put that in there. The other thing you'll see is that it takes into account the needs of the Chamorro Land Trust tenants and homeowners with regards to the whole designing and developing 30million dollars worth of infrastructure for the northern water well areas as well as the northern areas so we are willing to work out all of that. So those are the things we would like to work out, we're trying to work out all of the concerns of the Chamorro Land Trust Commission because this will be a landmark should this be approved. It will constitute a great umm where you get capital improvements for the people up front as opposed to waiting it out over years and years and putting the debt on the government. You would be using actually the corporation to go out and borrow its money and it does its thing on behalf of whatever projects you approve so that's the thing that we'll be doing. We won't retract from the credit rating of the government so those are the things I would just like to note and take into account.

George Torres – Also we're just using the land yeah, we're going to make money. Anyway Chairman my name again is George I'm using this land to build infrastructure for this island. The government would not have to go out and borrow money. I'm willing to use this land to help the people build part of the hospital, build a cancer site and probably help build a few schools. Like I told you guys in the beginning, you look at our age, our age is beyond. I might not see this land develop to the complete time but I'm willing to take this land and use it and give it back to the people. I'm not going to destroy the land like I gave you guys the first letter. I'm willing to go in and develop it, taper it down so the next generation down the road the next generation can use the land. And I say this again, I emphasize which individual or businessman would come into the Chamorro Land Trust and offer this kind of amount back to the people? None. All that anybody ever want to do is lease the land take the money and run. Now I'm giving back something that nobody has done for more than 50 years. Now the land don't belong to us, it belongs to the people. Now we have to do something for the people. The land

cannot sit there it's not doing nothing. Now I'm trying to use the land to develop an infrastructure for the northern people who had received land from the Chamorro Land Trust with no infrastructure. There's a lot of people here that are very poor. Now I'm willing to use part of this land to make that dream come true for everyone that can't afford it. Who cannot afford it. Now that is only why I am here again because if I didn't care for this island and the people, I grew up here as much as everyone here in this table and everyone in this room. But nobody on this island ever come to this Chamorro Land Trust or even offered a better thing. We've seen our schools dilapidated we've seen our kids take toilet tissue, water, even their parents donating things. Now let's use this land to make a difference. Let's make a change. I'm not here to destroy the land I'm here to give back what the people wants, what it needs instead of going begging back to the federal. And that's all we do is beg. We're always counting on the compact impact aide. We have a lot of land here in this island that a lot of investors are willing to lease. But are they willing to come in front of you and offer you something? Something back for the people? Nothing. I'm nothing to nobody. I'm only a person who lives in Agana who went to school, graduated. Who barely graduated because I'm a trouble maker but I'm trying to make a difference now. Now I come in front of you again and I answered most of the questions before and I'm trying to answer what the Chairman asked me. What will happen to me if I should get sick or die? I want this company to proceed. Let it do what it is supposed to do. Make money and give it back to the people. The Chamorro Land Trust will be making money, it will support itself instead of going back to the legislature and asking for money. The employees are overworked, maybe I'm wrong. They're overworked and not enough pay. The Chamorro Land Trust needs individuals that are qualified. Now let's use this land to get qualified people in those areas, that needs to be needed so they can do their proper job. We sit here and we argue about who's going to get the land. I'm here in front of you to offer you something. I'm not here to take it and run because I'm not going to live that long. Now we can solve the dilemma of this government not part of it maybe one-third of it but we won't be in this dilemma if we don't help each other and work one another and not cut throats. So I ask you again one more time, I ask you for your votes. Give me a chance to make a difference and this difference will stand in 10 years. It'll prove that I can build this hospital in less than 2 years. I go to medical practically every year, 6 times a year trying to live long. Some of the people when they go to GMH they don't have money. They can't afford to pay their bills. Now like I say again let's work together and make a difference for this island. Let's use what we have on a very nice way and develop it so the people on this island can enjoy it. Why make an outsider come in make money and run and not offer back a penny? Now maybe I'm asking too much but I'm not because I'm giving it back to the people I'm not asking one penny back. I'm using the land to make money to pay for the infrastructure. Now Chairman and Board members I come to you again on behalf of my soul and to everyone in this room let's make a difference. Let's do something for ourselves and the people and the children that are being born on this island because I won't take it, you won't take it, nobody takes anything to their graveyard. You don't know what day you're going to die but I know which day I am going to die. So I plead to you please give me this chance to make something. I'm done.

Chairman Calvo informed the public that there will be public comments but limited.

Administrative Director commented that it must be limited to the issue at hand.

Chairman Calvo commented that is the only thing on this issue, no other issues will be entertained.

Public Comments:

1. Ernest Sablan Wusstig - (Chamorro translation by CLTC staff Lorraine Nededog) Good morning Commissioners, Mr. Borja, Mr. Torres. This Land Trust when it was created was to build the Chamorro land and the Chamorros to make them see the light and I think it wasn't made for them to be rich. This land is the good intention of Mr. Torres. Good, I put my hat out for you Mr. Torres. But it bothers me that they are going to take 400 acres of Chamorro land to be used for a quarry or demolition of the Chamorro land and I heard Mr. Torres say that he will fix it and make it nice. But is it a guarantee? When they dynamite the rocks I'm telling you it would be over. You know what I'm thinking, I'm thinking of the kids that aren't born yet. This land, before we were here and the people before they even came to Guam the island was already here then we come in and break the land to make profit of it. And those that are not born yet would not even see coconut crab. That area is for the coconut crabs and we're going in to make business because the military are coming in. Brothers and sisters and Commissioners think of it. It is wrong for you to go in and take the Chamorro land and to destroy it and make profit. Now this Mr. Torres, to help the people of Guam, God bless you because it is a good intention but there is someone else to do that. That is why they are making the tourist come to Guam to help Guam because we are not doing it and that we are taking it upon our hands to fix it. And we are going to destroy our land and nothing for our kids and the coming future. And if you were saying that you are going to take the land and fix it and you are going to make sure it is for our children and that they can come in and plant bettlenuts, coconuts, cucumber and eggplant I'll go along with you. But you're coming in to destroy the rocks and we don't know how to make rocks. It's beautiful to see but if we're going to do that we might as well move out and live in the desert in Arizona and give the Chinese our land. It is wrong what I am seeing that they are giving the Chinese our Land Trust, it is wrong. Me, I am killing myself planting banana in my land and you are going to come in and take it and make profit and give it to the Chinese to make profit. It hurts me when I saw it in the news about 6 months ago or last year I saw you and then I think about it that you were going to be given the quarry. Give the private property because I have no business to interfere with private property. Because the public comes in to the private property and the private property says no. This more the land for the Chamorro Land Trust is the land for the Chamorros the people of Guam. So you the Commissioners think about it because if we allow it we are allowing the Chinese to farm and we allow the Chinese to build their own stores. Look at the Land Trust property on Chalan San Antonio, Mr. Yodu is going to build a produce market. Me I will build on private property. I'm keeping my mouth shut at my ranch and I see it how many Chamorros have seen me selling and all the Chinese have blocked off all the markets. Think about it I'm been asking to participate in the Commission and I will stand for the Chamorros but nobody wants to take me in the Commission so that I can look at the agricultural area because I know. It is not that I am against, it is to protect the land for our future children. So think about it thank you.

2. Rose Cruz Jessop – I myself will speak in English. I feel the same way this gentleman does. I don't feel that, I mean I've applied for 10 acres but I was only allowed

1 acre and I have 4 children and 10 grandkids. I feel that you know it is not fair that you're going to give 400 acres to this man and Land Trust is for the Chamorro people and our kids and like he says everybody is moving in. And pretty soon we don't have anything for our children and I just pray that you will think this over and make the right decision because it is our future you are handling now.

3. Pagat Jackson – (Chamorro translation by CLTC staff Lorraine Nededog) Hello, I am Danny Jackson. Hello Joe Borja, Director of Chamorro Land Trust, Mr. Matanane, Oscar Calvo, ma'am and Mr. Torres. I don't support this 400 acres requested in Yigo for the quarry. Joe, Mr. Borja I'm seeing it at the example of the drag race they chased the ranchers that were there then the multimillion dollar drag race came in. They scrapped the top soil and they screened it, they took and recycled and they sold it I don't know where they sold it up and down. And then the gravel if they keep scrapping the land down more than 12 feet more than 20 feet below the ground we are removing the filter and every time it rains and what ever pollution is being washed from the ozone it just filters and comes back to the water line and we are drinking it. The other thing that I am not supporting is the 400 acres requested in Yigo, there are a lot of people since 1995 were lining up with their application, they paid the $50 for the application and $10 for the notary. I am one of them that is waiting and was cheated and they made me fill out another application in 2003 for half an acre and up till now I have not been given the half an acre. But I am not content with the 400 acres that they are going to take in Yigo besides the scrapping of gravel and to take the top soil to kill the indigenous trees, the coconut crab, the hermit crab. Forget about it even if we loose it my brothers and sisters, parents look for we are human that we are not the only one alive on this land and even the living things on the land. The military is coming in, just yesterday they came across a bunch of them national guards in there they were asking that they are the ones that have the right. That they do not need to have license and they don't need permit. Even those that were in the military and the veterans they can come to the land and go fishing at any ocean and also go hunting anywhere within the jungles on this land. Now we the people of the land need to straighten out the rules and regulations and that we have to follow the rules and regulations. Come on man look at us, this sir here I approve that he is trying to help the people of the land but when he was saying for the benefit of the peoples and peoples that were born on the island. Who are these peoples? Who are these peoples? Because if we are talking about the native Chamorro the people of land and to protect our own habitat I will 100% support him. But if he's going to take 400 acres to damage the whole entire facility so we can build a cement copter no thank you, we don't need it anymore. We have enough of Kaiser Hawaii Kai, we have enough of Tumon, hotels are all coming up around our beaches fencing us in. Now who is this? Sir, I'd like to ask you to verify who is these tenants that if the house or whatever unit comes up to that property that you are building up because you had said to your own word, whom that can afford. I cannot, I cannot. Nowadays, Mr. Borja if we are going to build our house, even though only one bedroom and one living room and one toilet, you know how much that thing will cost? Very lucky if it only cost $250,000. I doubt that, I doubt that. I never even see any $20,000 on my own entire life, I never see $20,000. I will make this short, thank you please if you are going to honor the 400 acres that is being requested look at all the applications first that has been waiting and make them first and if there is anymore left over then we will come back and consider who is asking but no more businessman on the Chamorro Land Trust there is already enough. The benefit of the Chamorro Land Trust is to benefit our

people of the land, the Chamorro. Mr. Borja and if they're requesting the one next to me, the 400 acres the one in the news it said that the Chamorro Land Trust paid for the ad. Can I ask the question of how much is that cash that it paid? Where did they get the cash because if the Chamorro Land Trust department is going to pay for the newspaper ad I believe so that it belongs to the taxpayer's money. Thank you.

Chairman Calvo reminded the public to cut is short on their speeches.

4. Ofing Jackson – (Chamorro translation by CLTC staff Lorraine Nededog) My name is Josephine Jackson known as Ofing. This quarry, how many quarries do we have on Guam? Three? How many on Chamorro Land Trust? Five? The quarry I know that the rocks would be broken down but if you look at the rocks it shows a human figure the human is living there the people of the past they are up there in Yigo. Most of them are up there. The plants, the medicines the old people are using they are all up there. I heard it a couple of days earlier from the people that went to Ritidian to get medicine but they couldn't because they had to get a permit. The one in Yigo has a lot of medicine that I heard from my uncle Cepeda. He has a land there and always goes there to get medicine. If they break the rocks more they will be breaking the ancestors. The children nowadays if they grow up they will say to their parents, mom, dad or tata or nana where is the jungle? It is getting too scarce on the island. Where is the rocks? Here is my grand, he is number 6, his name is Magahet. If he comes to the house his grandfather shows him the jungles and it is beautiful and serene. And if you have a problem go to the jungle and talk to our ancestors and they will help you. If you break the area do you know if there are artifacts?

George Torres – No I didn't survey it, the fish and wildlife did not go in to tell me which side I can use or not.

Ofing Jackson – What do you mean fish and wildlife and what about the Parks and Rec?

George Torres – Yes the Parks and Rec. I haven't gone in and they haven't given me the book. I want you to understand I am not going in to destroy the land to take the rocks. I am not doing like Hawaiian Rock and Perez Bros. Peres Bros. dug all the way down to China and you can see the sea. That is not what I am going to do to the land.

Ofing Jackson – Okay that is all I am going to ask. If you see that it is a nice rock and if you see that there are ancestors are you going to disturb them?

George Torres – I cannot disturb them if the government, the Parks and Rec says you cannot touch that area then that area I will not touch. I am not saying that all 400 acres is going to be given to me. I am asking where in the 400 acres can I use. If the government says I can't use that area then I have to go to another area. What you think I'm not Chamorro?

Ofing Jackson - Yes, I understand you. Okay the one I was saying Joe in Tamuning by the Guam Memorial Hospital. That is what I'm asking if you are given 400 and if they gave you the entire 400 just in case they gave you and you pass a little what are they going to do?

George Torres – Cannot be a little bit because if Parks and Rec say you cannot touch it then I cannot touch it because that part is for fish and wildlife, for the Parks and Rec and the Chamorro Land Trust can stop the license.

Ofing Jackson – Okay that is why I am asking because I want to understand. This quarry, yes you are going to break all the rocks and who is going to sell the rocks? The outsiders, right and so the outsiders are the ones who is going to get money. That is why I am asking if you break the rocks could the money go to the Chamorro Land Trust if they buy the rocks?

George Torres – Yes, the Chamorro Land Trust will get paid on what the license says how much a month.

Ofing Jackson – Just like passing by the race track they are taking the gravel and taking it to Perez or to Hawaiian Rock to sell it. What is that money, will it be going back to Chamorro Land Trust?

Administrative Director – Let me clarify that the rocks that are being taken out of the raceway park, yes they are paying the Commission. There are two money coming in from the raceway park one for the rental for the land and whatever dumptruck comes out of the Racepark with the rocks pays the Commission.

Ofing Jackson – Okay, that is all I want to understand. Here is my grandson, Magahet, he is two years old and he is the future when we are gone. They are the ones growing up that they will be looking for land for themselves. Yes we were given 7 acres and yes we are using it but if these kids, they grow up and have kids the family will become big and they will be looking for more land. One more, if that should go through is the infrastructure going to be coming out of the Commission? An example, power, water is the Commission going to pay for that?

George Torres – No the company will be paying the infrastructure.

Administrative Director - His paper says 30 million will be put in for infrastructure.

Ofing Jackson – Okay, the 30 million that will be coming in for the infrastructure will there be money coming in to the Commission?

Geoge Torres – All of it is for the Chamorro Land Trust.

Ofing Jackson – 30 million?

George Torres - Yes, to build the hospital.

Ofing Jackson – So how many more hospitals are they going to build? One, two, three? Two inside in the military and three outside?

George Torres – One outside is not enough for those people that are getting sick.

Ofing Jackson – This is it brother, the outsiders are the ones using the hospital more than us that have to understand. Now this water, if I go to Chamorro Land Trust and I have an existing water and I want to transfer to another location can they waiver where I can just get water there or do I have to pay PUAG?

Administrative Director – If the Land Trust move you the Land Trust will pay for it.

Ofing Jackson – If I am the one that move and I completely move out and gave my children the land and I want another Land Trust for myself in the future I will take out my name on the power and water do I need to pay Chamorro Land Trust or PUAG to transfer?

Administrative Director - That would be Waterworks.

Ofing Jackson – From my understanding if I move out and transfer you still need to pay?

Administrative Director – You need to pay Waterworks.

Ofing Jackson – From my understanding if you have an existing water they can transfer it without payment.

Administrative Director – That is Waterwork's regulation not the Land Trust.

Chairman Calvo - Anytime you make that transfer that's the responsibility whether it be GPA or PUAG it's not the responsibility of the Chamorro Land Trust it has nothing to do with that.

Ofing Jackson – Okay, it is better if you give the 400 to the people who have been waiting since 1995 up till now at least 1 acre, that is 400 acres that Mr. Torres is asking. If that is 400 acres and you cut it down to half an acre that is 800 right? 800 applicants can be fit in which is more reasonable thank you.

Administrative Director - Just to make it clear the people who were staying at the area for the Adacao Elementary School when they were relocated the Land Trust paid for the relocation of the power and water.

5. Faet Vicente Garrido – (Chamorro translation by CLTC staff James Diaz) I am Vicente Garrido known as Faet I have nothing against Mr. Torres on his intention and application for the land of the Chamorro Land Trust. I do not support what he is asking for, 400 acres. I think the 400 acres is bigger than the Guam racing park or maybe it's as big as Agafa Gumas. Please excuse me Mr. Torres but it's a large request. You are asking too much and I'm saying do not give him. But as the Americans would say 400 acres we can build a subdivision or any kind of village here on our island and maybe more than a thousand Chamorros can live that has been waiting up till now for their land. That I know that many are still waiting and all of the ones that are talking it is clear and loud to what they are saying and what they are feeling about what we are discussing here about Mr. Torres that he is requesting 400 acres. When the Chamorro Nation was actively protesting about this Chamorro Land Trust back then some of the members are still here, there is not a lot of members in the Chamorro Nation other than

the ones that slept overnight down there to pass this Chamorro Land Trust for the Chamorros. But when we were fighting not many showed up, not a lot. But the minute they passed the Chamorro Land Trust and they implemented it more than 1,000 applied. They were even stumbling over there to apply for Chamorro Land Trust. They were stumbling. I do not know but with respect to them I do not know if they were ashamed or they did not want to be seen or what to do but here it is now and thank you very much for all those activists, Chamorro Nation and the one that passed it in the court, BJ Cruz and all that stood up and killed for this. But no we have not come here to fight, we chamorros are going against one another. I have been saying that in the beginning why did this Chamorro Land Trust came about. Even the Chamorros from the United States came back. In the words of the Director if I am wrong then correct me that there are more Chamorros in the States that applied for the Chamorro Land Trust than the Chamorros that are here. Or am I wrong from what I heard before Joe?. There must have been more than 9,000 Chamorros. So if I'm wrong then I am wrong but I think that is what I heard. But there are a lot of the Chamorros that sold their land, gave their land, they stayed in America and then when they found out that they spilled and opened the can of sardines they ran over and applied acres upon acres. 4,000 or 400 like I said with respect Mr. Torres in what your intentions are I respect for what you are going to do I respect but 400 acres is too much. I even have a niece, last week she went down there you weren't there Joe you were sick they told her that they called her she was waiting for her application when they called her on the phone and when she came in the person who called her wasn't here in the office then I went in with her and they told her that the person was sick or out in the field. Four weeks no return call to her, my niece. With respect she has respect with what the Land Trust is doing for them but please mention to the Land Trust office to return that call to the individual and tell them instead of them waiting at home are they going to call or not. She can't go to work because she is just waiting if she is going to get a call or not from the Land Trust. That is all I am asking to respect one another I know that you are busy but please there are many Chamorros that are waiting for their land that is what I've been hearing. So lets come together and respect one another I respect you sir, I respect you all but with this 400 acres it is too much. The Guam raceway park is almost 400 acres.

Administrative Director – 252.

Vicente Garrido - Look at that 200 acres and that is a very big lot. Agafa Gumas I do not know how big it is but this 400 acres I think would totally blanket the Agafa Gumas or the one down there in Asan. So that is all that I am going to say and respect to you all, the Director and all of you that are doing something. Thank you.

6. **Frank F. Taitano** – I'm glad I'm able to stand here and talk to you because I have been trying to see you for a long time (referring to Administrative Director). This lot, Lot 7163, I have a map here in front of me. There is 404.38 acres. 75 acres of this we have been taking care of. My father had been given this 75 acres for that 99 year lease with Department of Agriculture but for some reason you don't have a record of it. But for over 48 years I've been there and I'm still there. So just to protect the lot I have put in an application to at least try to keep at least 20 acres of it so we can maintain it but when you come up to that area you'll see how we have maintained it. We have not destroyed any of the property and everything. We have raised over a hundred cattle

there. Now they are not there anymore because of the typhoons and stuff like that but I want to put some cattle back in but I don't want to put cattle in if I don't have any papers to show that I can use the area. And for somebody to come in and apply for 400 acres, the whole area for a quarry? My goodness, I've been in that property for almost 48 years. Like I said since 1960 and I'm still there and I'm still maintaining it. In fact somebody from GPA came up there just two weeks ago or three weeks ago because they said they had permission from Chamorro Land Trust to look at the area because they said they wanted to check for the power.

Administrative Director commented for a windmill.

Frank F. Taitano – (Chamorro translation by CLTC staff James Diaz) Windmill right and they were impressed by how I kept the area. You know this is this whole area like everybody says you can find the medicines it's like the Guam rainforest area. You find coconut crab, medicines, up until now there are still goats, goats that are wild that can be seen from the cliff. I have an area there within the 75 acres I don't know why I'm saying my land because I don't have papers . I'm showing off because I am the one maintaining the area and I fenced that, we fenced all of it from the cliff to all the way over there. And that is why they initially gave us that land in the first place way back since Paul Anderson and Punzalan because it is landlocked and it is joined with our land in the front. But we have already sold our land the one that is with Smithbridge and IBC; 17 hectares we sold them us we have 4 hectares in the front. But up until now I still have a road from the back of my house to that area because that is the agreement between all the companies that bought from us that I am going to have my own access to that. When GPA come in to ask permission I said to them ask me because that is my road. You cannot just go all the way in so they are asking me permission. They said oh, what a beautiful site. There are birds that are abundant they are breeding back there. I don't have problems with the brown trees snakes I don't know why they are saying that animal are the ones that kill the birds. When we know it was just the military when they sprayed the pesticides to kill the animals. No it is not the Guam tree snake, they blame the poor thing there. But excuse me but you are going to come in here now my friend I cannot get even 20 acres and they are going to give you 400 acres. I am even trying to put my brother's name in for 40 acres out of the 75 acres and the place is still very beautiful and the government officials are coming up and they are seeing that the place is still beautiful. You can still find coconut crab, the deer I think there are many hunters here. Maybe tomorrow we'll be seeing one another in there. There are no fruit bats, those are liars that are saying that there are still fruit bats here on the island. Is it true that the fruit bats are going to live in Anderson and not come out of Anderson when they are hungry? No way. They are lying there are no fruit bats. Because I am telling you in the past the minute the wind changes and its coming from the other side many fruit bats come from Anderson but now you can't even see a tojo, do you know what tojo is, that is the stinky of the fruit bat. Well anyway, just to let you know Mr. Torres that I am on that property. I grew up on that property I don't know anybody in this room can say I know every inch of that property. I can tell you where the caves are I can tell you where the coconut crabs can be seen and there is a site there that you don't know there are a lot of places there that have a lot of latte stones. No it is not these ones that are made beautiful the original. Just like when we bulldozer an area when we were planting bananas we found bones and we paid respect and covered it. But they are all over the place. But this property man you are going to destroy it for a

quarry. You're not just destroying the property you're destroying a lot of things, to give access to being a quarry, I am sorry. But just come up there, the Chamorro Land Trust, come up there and see the property before you decide and see what you are giving away.

Administrative Director commented Mr. Taitano my apologies for not being there when you did come but maybe you don't remember because now I have gray hair and a beard.

Frank Taitano - No, I know you.

Administrative Director - You used to take me down there when I was a little boy and I apologize for that.

Frank Taitano commented yes, right.

7. **Malaet Joe Garrido** – Mr. Chairman Calvo, Commissioner Tajalle, Commissioner Matanane, Director Joe Borja and legal counsel and Mr. George Torres. My name is Joe Garrido, I'm currently with the Guam Historic Preservation Office and I am here to represent that office and also the Department of Parks and Recreation. The issue concerning the lease was only known to our office recently as a result of an email and reading it in the newspaper. Initially we would like to request that all copies of the documents relating to this potential lease to Mr. George Torres be submitted to the Guam Historic Preservation Office for our review so that we could form some kind of decision as to what will be expected if the lease is approved and the area becomes a potential quarry, that sort of speak. Quarrying a place by itself is of course destroying the place. It's not synonymous to improving a place too per say. To quarry a place is to destroy what's in it, to remove the minerals, to remove the rocks or what ever that you need it to quarry it for. In respect of that our decision is that there will be some review and compliance issues that will be forthcoming, consultation with the Chamorro Land Trust Commission as well as Mr. Torres. There will of course be environmental assessment, the impact assessment of the activity that Mr. Torres is proposing. There will be of course in conjunction with the environmental assessment a study of the fauna and flora of the place. There will be some concerns for the medicinal plants that are available there for traditional healing. There will be archeological assessments of the entire 400 acres or so and of course the assessment of the adverse impact of what this activity will do to the entire place. There will also be concerns of areas of potential effect and this does not necessarily mean the lot itself it could be an effect that is produced because of the activity of Lot 7163. I am saying this for the record so that everybody that is involved in this discussion will be aware that at some point in the future someone would have to enter the door of the Guam Historic Preservation Office and submit an application to construct a quarry at this lot. We neither approve or disapprove the lease, that is up to the Chamorro Land Trust, as the Department of Parks and Recreation is to enforce the historic preservation laws and that we will do. In respect we will keep an eye on this issue. Now that I have spoken for my department and the Guam Historic Preservation Office I would like to speak on behalf of myself as a Chamorro citizen and as well an applicant for lease from the Chamorro Land Trust. I bear no animosity or any anger or disappointment or whatever to the individual that is applying to create Lot 7163 as quarry site. But my question would be that since Mr. Torres himself is visibly in

writing, the sole applicant for this quarry I would like to maybe state for the record that I would like to be given the same privilege that one day in the future I would step into your office and apply for a thousand acres to build a quarry. Now I am saying this Commissioners because at some point in the future a fine line must be drawn and really define what is in the best interest of the Chamorros who are in fact the inherent owners of the land held in trust by your office. I know that Chapter 75 if I'm not mistaken explain the sections to rules and regulations and the leases that this agency the Chamorro Land Trust may lease the property for. I reviewed that chapter and I cannot determine that there is any description as to an allowance for a quarry. I am not sure where that kind of a lease falls into the category of lease that your agency may lease for. But be that as it may as a private citizen I am abstaining my serious and deep feeling about what is occurring because Mr. Torres has his own reason for this lease and I have my own. Although I am begging for information that if Mr. George Torres is representing a company or am I to understand that he as an individual is the applicant for the 400 acres or is the company the applicant and George Torres is representing the company? I need to understand that because of the legal ramifications that we may encounter that for all intents and purposes if the lease is violated is Mr. George Torres solely responsible for the violation of such a lease and if the company is going to back his or her back and go back to their own country? This is important to me as a citizen because as you know I know you quite well, I know you Mr. Calvo, Joe Borja and Mr. Matanane and you ma'am and I followed the Chamorro Land Trust since the time when we forced this government to implement the act. In fact this law was actually passed in 1974 if I'm not mistaken but no one had the will and the power to implement it. And I believe that this is a good law, Chapter 75 followed in its principles and purpose for which it was created is a very, very good law for the local people. In that regard if we are not careful we will be in the path of self destruction because Guam is a small place and 400 acres to the average Chamorro is a very big property. I'm not going to go and continue to talk about the lease and Mr. Torres's intention, I do expect that if this lease is approved that pertinent and legal information as to who exactly is the lessee because obviously there is a whole lot of doing business as and middle person and then before we know it we don't know who is leasing the property because legally you can accuse Mr. George Torres of violation but at the end if you read the lease if we are not careful he's not responsible. So you know all of this, 400 acres Mr. Torres you have your own reason for leasing it. I want to say that from, I'm not sure whether we have enough quarry but I do know that from Fadian there's going to be a huge quarry as well there and that quarry is going to be for the benefit of Hawaiian Rock. I just don't understand and basically frustrated because these things are happening. I am not accusing anybody of anything but I'm just sad that we got potential quarries in the making from Fadian Point all the way to Muchum, Uchunao, all the way up to I Hilo or Sabanan Pagat, Sabanan Luhuna, I Hilu Hanum. The fact that Lot 7163 actually is behind Smithbridge quarry and further south is the racetrack and this seems to be a connection with this lease and Smithbridge or other people that are connected to each other but doing business as somebody else. In the future it is possible that even the racetrack is connected to this quarry. However, all I am saying is think very deeply because we are on the road on creating one huge quarry from Fadian Point, it maybe even go all the way up to Anao. That whole area is loaded with historic properties and Mr. Taitano in his testimony just mentioned that he in fact knows that there are lots of latte in Lot 7163. We know there are historic properties there, that's our business in my work and now that I am a private citizen speaking to you, I am very, very knowledgeable about historic properties. We will be visiting 7163

regardless of who leased it and there will be specific requirements so that we will protect all these properties and medicinal plants and conservation areas for our future. Last comment, one-third of Guam is owned by the military, one-third is owned by private property owners, less than one-third is owned by the Chamorro people. When you fly up 18,000 feet and look down on Guam you will realize how small our island is. We are not going to have anymore jungles maybe and you need to think about that. We need to preserve, conserve some of our areas because it's important for our future. That's all I got to say and of course if you have questions with regards to my work and the position of the Department of Parks and Recreation and the Historic Preservation Office you may ask me. I am authorized. Thank you Mr. Chairman.

Administrative Director commented Mr. Garrido if you would stick around for the staff report I think most of your questions will be answered after the public comments. We do have a staff report on it. The files are public files so they can be requested as a matter of fact for example the Attorney General's Office wanted a complete copy of files so if Department of Parks and Recs wants a complete copy of the files just bring your own paper.

Joe Garrido – For the record Mr. Chairman I failed to mention that the Administrator Joseph Borja has actually been working with our office protecting historic properties within the Chamorro Land Trust properties. And we are trying to really make sure that the people who lease properties from the Chamorro Land Trust do comply with the historic preservation rules.

Chairman Calvo commented I am glad you brought that up because that is one of my stipulation here that I always told Joe that in any locations that we have these things to make sure that the preserved part of the land, to make sure that what ever is there is to be cared for, for whatever reason and I do go along with that.

Joe Garrido – Thank you.

8. Magalahi Maganiti Howard Hemsing – (Chamorro translation by CLTC staff James Diaz) I'm the property of the United States so the United States is my master. I am against this bill for Mr. Torres. I'd like to know Mr. Torres do you have your own property?

George Torres – Yes I do, I own over a million square meters.

Magalahi Maganiti Howard Hemsing – Use that for your quarry then because for one Chamorro Land Trust is for the Chamorro people to better their life, their economy. I don't see what's wrong with that. Now the raceway I'm surprised its 250 some acres and I thought the Chamorro Land Trust specifies no more than 50 acres at the most and then I am also wondering about that shooting range that wanted 80 acres, 60 for a quarry. Are they going to get that 60 acres? Are they going to get that 80 acres? Because they are applying for 80 and this is from off-island and I don't agree with that either. Now I say give the people the land first never mind the quarry there are enough quarries on Guam. It is enough, more than enough. I'm the first in line because you guys are going to give this land away to non-Chamorros and for quarries like that especially up at the raceway they destroyed ifil trees but if that was me I would be

arrested. So I advise you, I'm the front on the line, start killing us because this is ridiculous to even have this hearing here. This is ridiculous to consider 400 acres for a quarry. What about the natural medicines? What about the coconut crabs? It's enough we don't have the birds. We got too much mosquitoes. We have too many animals from off- island on this island because we don't have the birds that kills them because our master destroyed it with a lie. They said oh, the mosquitoes. But no they wanted to kill all the birds because the birds are a danger to their aircraft. So they lied to us and we believed their bull s-h-i-t. When is this going to stop? How come it is still going on? Why is this problem still going on? Even we are not living well on the land we are the ones that are the poorest here. The outsiders keep living more well because they are being taken in the workforce and there is a Filipina receptionist accepting the applications and telling the people of Guam there is no more openings it has been filled and then a Filipino comes in and they give an application, they give a Chuukese an application when it comes to us, hey what kind of business is this here on Guam? Are we going to get rich? Then lets get rich but lets not have just one person or those people from the outside. Use the land for the good and that is why there is a Chamorro Land Trust for the people of the land to use and to live. Why are we going to start killing you know that kind of slow death. Now that they are dead you feel all their pain it is better to die fast so you feel less pain. So if you're going to do this kind of business then start killing us and I will be the first. Let me be the first in line. Thank you.

9. Al San Agustin – I am Al San Agustin representing the Chamorro Tribes. I really don't have too much to say because everybody else is already saying what has to be said. I do respect this gentleman here for doing what he has to do but I think he's doing the wrong thing and all I got to say is stand up Chamorros don't dig our land. It's better if we place soil and plant trees instead of digging because they already have someone digging and let them do it.

10. Robert Benavente (Rumbo) – (Chamorro translation by CLTC staff James Diaz) I am Robert Benavente, thank you Mr. Chair and all of you in the Commission and the Director with respect to all of you. We have been here for a while the Chamorro Nation. I am representing the Chamorro Nation I am the leader now. I will respect Mr. Torres here. Here now I have a lot of questions for the Chamorro Land Trust Commission. Are you well versed with the realty?

Administrative Director commented a little.

Robert Benavente – Come on you were the one that taught me how to use this. We are finding the repeals and reenactments. What is the intent here as far as the Commission and the administrator what is the true intent of the Chamorro Land Trust Act and what is the repeal? All of this I am reading in the Guam Code Annotated, the intent is to change it for the benefit for the people of Guam or is the intent for Chamorro? Because I don't know what's Chamorro nowadays under the Chamorro Land Trust. If it says here on the Organic Act by virtue of the Organic Act so all the Joe Public and Jane Public people from the outside, right Joe? Qualified for this right? 1950s so any Tom, Dick or Harry is Chamorro then assuming that they are within the 1950s am I right or wrong? Because like I said that is why I am asking about the repeal and reenactment here in the archives so that I can know and understand the true intent of the Chamorro Land Trust. Okay, the true intent I don't know where the Commission is coming from. I truly understand

the true intent, the original bill that's the true intent of the Chamorro Land Trust. I can see right here in one part that the legislature gave the Commission back the land to do whatever it wants for the benefit of the public. Am I right or wrong? For me that is why all of this is coming out these kinds of benefits for these kinds of business. Why is the Commission entertaining now more of these vendors than the ones that truly need the land? Mr. Joe Garrido just said if you go up on the airplane the land goes small. Our lord is not making anymore land out there and we keep giving it out to the outsiders for their benefit. I do not understand. Where is the Chamorro Land Trust coming from? Are they making money for themselves and the business people? Not for the future generation to come? Let's think deeply back what is the purpose. We the Chamorro Nation when we gave birth to this our point was to live for the future generation to come not to off track this Chamorro Land Trust to utilize it for business people. Look at the raceway, I want that on record, the raceway to be audit. I am requesting for one. The last time I've heard they are not paying up till now. All of these big vendors under Chamorro Land Trust I want them all to be audited and I will pick it up at your office. Because right now I don't see the value of this of who's going to benefit through this. Is it for the outsiders or business people, the big dignitary people? Who is it for? At the oversight hearing I have seen and I have heard now correct me if I'm wrong Joe that when Senator BJ Cruz asked how many constituents or applicants have you guys given Chamorro Land Trust and I guess correct me if I'm wrong again Joe that there was only one for the year or two?

Administrative Director commented up till that time.

Robert Benavente – What is the hold up? What is the hold up? As we go on every year there are so many kids being born who are Chamorro. What are we waiting for? The military is going to be coming and I can see his beneficial, Mr. Torres here of a quarry. I could see the dreams and everything. We have a dream. The military could benefit on this. I am not an animal, I am not a moron, I am not an idiot. That's 400 acres of land of the Land Trust would be utilized also for the military. Are we doing something creative for our people under Chamorro Land Trust or are we creating to give services to the military and the company itself? That is what I am looking at and Mr. Joe Garrido is correct as we go on forward we intend to destroy our land is that what we want? Especially up in the northern aquifer our intention, are we going to cover that back if so passed? Are we going to cover that back up with top soil? What are we going to do? Does anybody have plans for this? Doe Mr. Torres has a plan to cover that thing back let's say if its 400 feet deep or what? I don't know. The public has to know. The Chamorro Land Trust should give all the information out and I guess to me we are left out in the blank. Mr. Torres's opportunity is there, okay. It says right here it's for the public. It's there in the book for the Chamorro Land Trust. I don't know who's reading this if it's just you guys. I want the people of Guam who is entitled to this Chamorro Land Trust to read this copy. Because a lot of them the intention was for the Chamorros only here. When I came and read the beginning they said under the virtue of the Organic Act that means for Joe Public and Jane Public since 1950s and the descendants even though they come from another island or another land they are entitled to that. Am I wrong or right? This is why the true intent of the Chamorro Land Trust was repealed by whom and by what benefit? Who benefits out of this? Is it the rich people to be rich? Money makers to make money? Or are we looking for something to survive on which is land. It is very rich the land here, the dirt. Without the

land where are we going to stay? In the water? Look at this book and repeal what needs to be repealed because we are not getting nowhere. The whole intention of this was to make sure that the rich get richer and the poor get poorer. They keep getting more land here we cannot even buy tin and cement for these people that can't afford it. Are we going to image ourselves to build a house to compete with the United States or to build a house to compete with the rich people? No. If they want to stay in a hut then let them stay because it's under Chamorro Land Trust. They shouldn't have limitations of years. So be it. We are not here to compete. We're here to live and die in Chamorro Land Trust. That's what the true intent is all about and I see this I've read this so many times nobody is going to go over me with these kinds of laws by repealing through whose intent and what's the reason why the repeal. It's in cahoots, the repeal from the legislature on up and the governor everybody is involved. I hope to God that all of you people that are responsible for this should be put in the list. Who ever is responsible should be liable for all these kinds of doing. We have been waiting for a long time for the Chamorro Land Trust to come out for our Chamorros. Right now if this goes through then we would have some kind of rebuttal back, big one. If you people on the Commission, the administration, the Governor and the legislature are claiming to be Chamorros then prove it to me and my people. Prove it, thank you.

11. Jere Johnson – Good morning my name is Jere Johnson I am the President of Hawaiian Rock Products. I've been a resident of Guam for over 25 years, raised my children here. I don't have any interest in this property. I mean this is the first that we've heard about this lease this week.

Administrative Director commented this application.

Jere Johnson – This application yes, this license application excuse me, this week. I just want to say that the natural resource of limestone on this island is a valuable resource. I mean we use it in our business, that's the core of our business it's limestone and it is a valuable resource. I agree with Mr. Torres it should be used for the benefit of the people of the Chamorro people of Guam if it's taken from Trust properties and I agree with that. That's a great proposal on their part. To say that they can build a 30 million dollar hospital or 30 million dollars worth of infrastructure I don't believe there's that much profit to be made from this property. Maybe over 50 years or something like that you might generate those kind of profits but not over 3 years it's not possible it's just not feasible. I think it's the Chamorro Land Trust decision if they decide to use this property for a quarry and use that valuable resource and get benefit from it that they should request for proposals from companies that are experts in the business such as Hawaiian Rock or Perez Bros. or Smithbridge. Those companies have been doing it on the island for over 50 years and those proposals should include what benefits the beneficiaries of the Chamorro Land Trust are going to get. There's a lot of things that can be done. You have a lot of property that you can't give to your constituents or to your Chamorro Land Trust people because they don't have roads in to them, they don't have the infrastructure to them. Maybe that's one solution is somebody who would come in to quarry this property should and pay some fees but also pay for that infrastructure. I mean that's a possible not build hospitals. I think that money should come from elsewhere. But to build infrastructure projects to improve your properties is a good use of the revenues from those quarries. I know a lot was said about Hawaiian Rock on our proposal our license that we have at Fadian quarry and you know what we

propose to do at Fadian quarry is different from this. You have a piece of property at Fadian quarry at Fadian Point that was used. It was one of the original quarries on the island its an old quarry and it was used as a dump for old cars and for storing typhoon materials. The property has been damaged over the years. What we have proposed in our license proposal to you is to go in and grade that property, not make it a quarry. Just go in and grade it, use the coral, pay a royalty for the coral and give you a piece of property that can be used for lot development or other income to the Trust. It is completely different from this one and it's a shorter duration. We've been in business for 50 years and in our quarry in Mangilao it's about 200 acres. We still have many years left of it. It has taken us over 50 years to use what resource was there. So to say that you know I don't know how deep these gentlemen are planning to go or anything or how much material they are going to take out there but you are talking about a long duration if that property is going to be used before it can be returned back to the benefit of the Trust. So that would be a concern to me. I guess that is all I have to say, thank you.

12. Anghet Santos - I came here today because even my wife my money was used to support this Chamorro Land Trust when my son was fighting for this land and for somebody to come in and ask for 400 acres you know. The intent of this Chamorro Land Trust from the late Paul Bordallo is to give the Chamorro people who have no land, no house and up until now they were not given the land that they are supposed to get. I respect Mr. Bordallo for his intention and I think for the protection of the Chamorros here I think that is the reason why he created that Chamorro Land Trust. I am against this. Like I said me and my wife's money was spent for this to fight or to implement the Chamorro Land Trust and plus the people who donated. And at one point my son was preparing to go to the United Nation in Brazil, two months he prepared all the papers to go there but he was tricked by Governor Ada into not going there. And then the last minute they cancelled the Chamorro Land Trust to go to court and at that moment the governor went to Brazil. So my son stayed back to fight for this Chamorro Land Trust in court with the supporters of the Chamoru Nation and other people from Agat you know. Finally Mr. BJ Cruz made it possible to pass the Chamorro Land Trust for the Chamorro people and I'm glad for that. But the time that he spent, sometimes my son cried at my house because what is going on, what has been done to the Chamorro Land Trust, to the land. That the people that really need the land are not receiving the land. The people that has land like myself I have a land with a house on it I am supposed to be on the second choice but those people who don't have land and don't have housing they were not given and I found that out. A lot of them that have houses and land are the ones that were given land. I am sorry to say this but I respect you and I don't want to say this but I have to say it. I am against Mr. Torres asking for 400 acres to make profit out of our land. I have so many things I would like to say boy but that is all I can right now because that's a lot of people who talked already and I hope you do a better job than during the past you know. And there's a lot of things that is not good for the people to know. There is a lot of things that I have to say but like I said I'm sorry for what I have said now but I have to air it out boy. So that is it, thank you.

Administrative Director commented I think every one in the room knows Mr. Santos's sacrifice that you and your family especially your son has made on behalf of the Land Trust. I personally recognize that and I'm sure everybody in the room does, thank you.

13. Trini Torres – (Chamorro translation by CLTC staff James Diaz) Hello, I cannot understand why we keep coming together and we keep defending ourselves. It seems like that's what we are doing. By the way I am Trini Torres, and I was the female leader of the Chamorro Nation but now I am the female leader of Taotaomona Native Rights. We keep on fighting over and over for our rights. Right there is Bill 327 for the fishing rights of our people to survive. We keep pushing it because now the governor vetoed it. What is left? I am not clear what is happening because 400 acres is a big piece of property. Is he asking? Has he been leased? The point is has he been leased the 400 acres or is he going to be licensed according to his application to be given a license to operate a quarry? Which is which or is it both? Has he been given the land already?

Administrative Director commented no, he is applying for it.

Trini Torres - For 400 acres and to operate it as a quarry. I say no to you. No and I'm glad you brought this out so you could hear the feelings of our people and their needs because Chamorro Land Trust lands is for the Chamorro. We have fought so hard for that. Stay the course don't be so generous it's not yours to give away. I got the list from you I don't have the complete information that I asked, Mr. Joe Borja I appreciate your help. And I know maybe that is why you guys are here to give us the opportunity right, to tell you what we feel, how we feel and what our needs are. And I'm glad our people showed up and its not often we can take off. We sacrifice our ability to earn money and to make our living just to be here. And how often do we have to give up everything in order to keep struggling, struggling for our rights? Please be considerate to our people. They say oh Chamorros don't come out all the time because you know what they are busy earning a living just to put food on table, to go fishing then get arrested. How else? It's you we entrusted there to make the right decisions and I'm glad you sought our beliefs not just our opinions but our beliefs and our needs so you can make the right decision. Chamorro Land Trust is for the Chamorros to live to farm to graze land. I don't see anything about quarry, about dumpsite and you know you have some poor record about this too also leasing land out for dump, quarry. I did approach you for this. I reproach you for doing this to correct your ways. Don't wonder off from the objective that it belongs to our people and you need to hurry up and give out the lands to our people. What are we waiting for? Give out instead of 400 acres given to land for quarrying, digging and making a big hole on the island give it out to the people. You know having found there are lots of latte stones there it means it's a former village of our people our ancestors so it means people can live there like a village too. They can build even if its grass huts. Please allow them to do so in whatever manner they can survive because now we are at the end point of our survival to be a being to live as a human being. We're not animals, our people are not animals. Hurry up and give out the land. Hurry up and give them the land and I say even without the infrastructure let them have the land then we can figure out ways to help them with the infrastructure. Land has been here from our ancestors so they should go back to our people. Instead so much of our land had been taken away by the governor to build all these public schools. When you say public it's for everybody. Land is disappearing from us in big chunks and yet a lot of people have applied for so long and I have the list you have given me of so many applicants who have not been even entertained about their applications. Some of them have not paid their $50 so what? You can ask them come and pay your $50 but are you ready to give them lands? Even those who have paid their $50 there is still a lot of them, too many of them. We entrusted you Board members and our Executive

Director I know he is very sincere that is why he has been pushing for us to come out and say no. No, no, no, stop this giving away land this is not your land, you are very giving. You are very giving give out of your own pocket. Give your own not what belongs to our people. I am tired of this kind of business it keeps on and we don't know what to say anymore. I'm lost for thoughts of words every time. I know you are very intelligent, very intelligent people and you have wide knowledge. You have a main resource here you can always ask Joe he knows about land and everything. You have your legal counsel and you, you have been with this for so long and here is a little kid also who have been protesting for a right. He knows what's happening here may be he doesn't understand. Yes, the land is for him and for others to come. Please, please, please give our people the land. Don't be so generous to give away our land. You want to build a hospital, that's for the public again, for everybody else, everybody who comes to our island. Pretty soon we'll be kicked out of our land because that is what's happening. What's left? We are fighting to the bear teeth for our people. Fishing our subsistence to put food on the table for our families. What else is there to fight for? Our land? We're loosing it and you're helping our people to loose the land. Please don't do that. Stop it please, please, I ask you. Thank you.

Administrative Director - Mr. Chairman that is it on the sign up list and I would like to continue on the agenda first to provide the staff report but I would like to give the Commission a story of Lot 7163. Before 1940 these lands belong to Chamorro families. In 1946 this area known as Pagat was condemned by military and took under the Naval Government of Guam. In 1950 they renamed this land as Parcel 15.40 and in 1950 also the United States Government gave this land back to the Government of Guam for $1. Let me read to you the decree establishing title concerning this property when the United States Government transferred this land to the Government of Guam and just bear with me where the English I can't translate it too much at this point. Pursuant to the authority vested in the Secretary of Interior by the Executive Order No. 10178 and under Section 28(c); Rumbo make sure you take note of that; of the Organic Act of Guam, for the consideration of One dollar ($1) there is hereby conveyed to the Government of Guam title to all of the lands reserved to the United States and transferred to the administrative supervision of the Secretary of the Interior by Executive Order No. 10178, it being expressly stipulated that if the Government of Guam, without prior approval of the Secretary of the Interior, sells, leases or otherwise disposes of any parcel or parcels of said lands for other than 1) the purpose of the Guam Rehabilitation and Resettlement Program in accordance with Section 40 of Public Law 33 of the First Guam Congress, and 2) the Homestead Program in accordance with Article 8 of Public Law 33, title to such parcels of land shall automatically revert to the United States. Basically what that means is that the United States Government gave this property for $1 to the Government of Guam so that the Chamorros can be resettled, rehabilitated and given a homestead program. So those terms of that transfer basically said that this property shall not be sold, shall not be leased and shall not be disposed other than for the resettlement of the Chamorros after the war. Now that is what they call the reversionary clause and when Judge Unpingco granted title to the Government of Guam he specifically cited that telling the Government of Guam yes, you have title to that land but that is the only thing you can use the land for is to resettle the Chamorros. And again he is citing an agreement that was done in 1950. In 1998 is when the Government of Guam actually came in and began the land registration actually 1992 and it took the Government of Guam 6 years to land register the property. But when the

court gave title to the Government of Guam, the Government of Guam was under those conditions. That's basically the story of the land. The Government of Guam at some time began issuing what they call agricultural leases and those are on record at Department of Agriculture. Department of Agriculture has not met with the Land Trust we've asked them several times to meet with us to iron out all these outstanding agricultural leases because in the enactment of the Chamorro Land Trust law it was stated in there that the Land Trust shall respect those outstanding agricultural leases. When those leases are terminated the land goes back to the Land Trust and they shall not be renewed and that's the lease that Mr. Taitano was speaking about. I also want to give the staff report on the application. I'm quite disappointed that Mr. Torres did not actually give too many details in the presentation that he made because the first contact and we had a letter from Vice-Speaker Shimizu encouraging us to have the meeting because this application he said was two years. It cannot be two years because the application on the corporation was this corporation was started in September 21, 2007, that's only 15 months ago. In less than 30 days of that incorporation the application was made to the Land Trust. So the corporation being young in less than 30 days Mr. Torres contacted the Commission, the first written correspondence that we have is October 17, 2007. So it's really not been two years that the Commission had. In spite of that the initial application was made October 17 within 5 working days the Commission met to consider the application on October 24, we have the minutes on there. The Commission at that time asked for several items from the applicant. That was in the meeting of October 24, 2007. At the time that Mr. Torres made his application he represented himself as being the sole proprietor and that the application was made because he was a Chamorro businessman. However, when the Commission asked for the corporate papers which were incomplete when submitted the corporate papers came back under the name of T.P.G. Corporation. In the latest communication that we have from Mr. Torres which is dated November 7, 2008 he mentioned, it was a letter to Governor Camacho asking for the Administration to approve the lease, he mentioned that there was a pending organization Guam Rock. So we need to clarify who are we dealing with as Mr. Garrido said. Are we dealing with an individual? Are we dealing with a corporation? And we if we are dealing with a corporation, which one is it? Are you adding partners or are you changing partners? The first correspondence was made October 17, a meeting was held 5 working days later, that's pretty fast. Your original application stated that you were the sole applicant and when you were asked for your business license and corporate paper you submitted a business card for SIP Guam and the incorporation you submitted was under TPG. The corporate papers you submitted were incomplete it did not include the articles of incorporation, it did not include the by-laws and it did not include the corporate meeting minutes. Specially needed are the minutes from the corporation showing the commitment of the corporation to this application project which is Mr. Garrido's question. If something happens and the deal is foul ball who is responsible for it? Is it Mr. Torres himself or is it a corporate shield under the name of the corporation? Further you claimed that you informed various Senators that your Chamorro Land Trust commercial license application had been sitting on two years. It cannot be because the corporation is only 15 months old it's closer to one year. And again I repeat the Commission responded by putting your application on the agenda in 5 working days, that's quicker than the applicants that are applying for the Land Trust. It was incorporated September 21, 2007 less than 30 days the application was made on October 17, 2007 so sometime after 12 noon September 21 to 8:40am October 17 the corporation must have met to commit money, time to this application

project. We need a copy of those minutes. Also I have a question as an administrator, who represents you? Our records show an authorization memo you issued to someone named Joe Iriart. I'm assuming that that's Joe Iriarte the retired Land Management employee that you came to my house with to visit. I do not mean to be picky well I guess I do because yesterday when you came to my office you stated that you were not the one that was pushing to have a meeting. Well someone is going around lobbying with Senators and I repeat lobbying with Senators under your name since I know you were off island at that time. In the documents that we have the only authorized representative that we see is Mr. Joe Iriarte and Mr. Samson Tupaz. He's listed on one of the business letter of intent as George Torres's authorized representative and property manager. If your application is approved will Mr. Samson Tupaz be your property manager for 7163? In December 17, 2007 in a memo dated December 14, you originally said that you were the applicant. The corporation certificate you submitted, the incomplete corporate papers stated TPG Corporation. Then you stated on December 14, December 17 the three members of the corporation, George Torres president, Mr. Bun Park vice-president and Mr. Tarry Ho Lee as the secretary treasurer. I'm assuming these are principles of the corporation. In the absence of the articles of incorporation the Commission would like to know what is the total number of shares subscribed and paid for? Can I ask what breakdown of the owner percentages are? Are your partners Mr. Bun Park and Mr. Tarry Ho Lee present here today and are they Chamorro? I need to make it clear as to who is representative and who speaks for you. The staff recommendation on this is to deny and to refer it to the Legislature. This issue is so big. The numbers that you present in your application amounts to millions of dollars. We're looking at what you have offered number one, rebuild John F. Kennedy or a new high school. I don't know how much it costs to rebuild John F. Kennedy or a new high school but I'm assuming its more. Number two, is to build a cancer treatment center for Guam Memorial Hospital to include purchases of chemotherapy and other related equipment. Number three, is to build 20 additional rooms for Guam Memorial Hospital. I do not know how much it cost per room I did not know yesterday but I did check last night and it cost approximately $153,000 to build a hospital room. Number four, was that you were proposing to build the Guam Museum as designed. And number five, is to build infrastructure for Chamorro home and farmer owners. This issue is so big and involves so much money as evidence in your application. Because it says so much profit that it should be referred to a higher level than the four appointed Commissioners. Refer the issue to the legislature, the legislative oversight committee who are elected representatives of the people. The Commissioners up here are not elected members of the legislature they are appointed and I believe something this big should be taken up at the legislature. When the greater good is concerned the legislature has taken land from Chamorro Land Trust inventory as they can by law. It is in the law that they can do that. Unlike the Governor there is a specific portion of the Chamorro Land Trust law that says the Governor cannot touch these lands. So going to the Governor asking for his approval is not going to work. He can't do it by law. Smaller lots have been taken from the Land Trust, 6 acres for Santa Rita Community Center for the benefit of the public for the benefit of the people of Guam. And lots of much, much less value than 7163, Yigo has been taken by the legislature out of the Land Trust inventory. It would be so much more open and the decision would be made by elected representatives rather than appointed trustees. That's the staff report that I present and of course Commissioners you can ask questions on me on the report that I made and I would like to request if Mr.

Torres and his consultant Mr. Sanchez want to respond to any of the issues and say that they are not true then please allow them to do so.

George Torres – Chairman Mr. Oscar Calvo from the past time we had talked my last recall that on my understanding you told me directly in my face that the land cannot be licensed to a corporation it has to be licensed directly to me, okay. So in my consideration when you told me that the land cannot be licensed to me that means the corporation is no longer needed. It has to be directly to me.

Chairman Calvo - Let me restate that. When I spoke to you I told you about that property, its the Chamorro Land Trust issue and I basically told you George at that time that the property and what Mr. Garrido earlier stated who would really be responsible because if you were to die tomorrow that land lease would have just been dead automatically.

George Torres – I understand that.

Chairman Calvo - And the corporation, see you have never been really up front because you stated earlier that you said that you were the sole owner only and literally you came in and then you said you had other companies participating in this corporation. So which is it? George Torres or Mr. Lee or Mr. Wang or Mr. Chang? Which one? Because that's my confusion on that okay. And it is a Chamorro Land Trust keep in mind and I am going to state to that issue that it is a Chamorro Land Trust issue and it belongs to the Chamorros. And I made that clear to you that whoever is going to sign this lease you are going to have to be held responsible for this entire issue and like what Mr. Garrido stated earlier. That's what I am trying to clarify with you and we need to know who are the playing parties in it. Who plays baseball in this? First, second and third base and who's the homerun?

George Torres – Alright, I will answer it. After we talked the last time we talked and you told me directly, individually, you told me that if it was licensed to me, directly to me. What I did I went and saw another lawyer so what they told me was that the corporation that I submitted from the beginning because of what you told me that it has to be licensed to me because I am a Chamorro it cannot be licensed to an outsider, Korean, Chinese or anybody. So I went and got some opinion from a lawyer.

Chairman Calvo - Where is that opinion George?

George Torres – Wait, let me finish, they told me that until I get approved with this license I can show the attorney what's in that license. What is that license asking? When I was talking to one of the individuals which is no longer on the Chamorro Land Trust I only know him by his first name, Kimbo, when I submitted all these documents, these documents was told to me that it was complete, I don't need anything. Now you guys come back to me, you gave me a list and I submitted partial of the documents. But when Mr. Kimbo was working there at that time and the last time I saw him or spoke to him on the process and he told me that I do not need anything other than the financial statement coming from a company who is going to be joint venture with me. I went through every single paper that you guys told me. I followed it to the teeth. You threw me off when you told me that it would be directly towards my name because I am

Chamorro descent. So I went and got some advice from a lawyer. That lawyer says we cannot do anything until we see what's in that license. If you are approved then we have to sit down and see what's in that license. We cannot know what's in that license because I sure don't know what's in that document that you are going to give me for what to follow. I don't know what's in that document.

Chairman Calvo – You see George, let me just reiterate something. When you came and approached me George you told me about the lease and what I specifically told you at that time George was yes, you are a Chamorro. But you never at one time given me and I asked you, you never told me that you had other people behind you in that corporation. And this is what we need, it is the issue here at the Chamorro Land Trust and the Board wants to know who are the playing parties?

Tony Sanchez – Mr. Chairman if I can say in all of the communications that we have done first of all first of all for the record you know we have taken into account what you said about the massiveness of the request so we've reduced it to 250 acres. Two is that you know and as well as Mr. Borja the 250 acres even when finished is not leaving Chamorro Land Trust. It would actually be made so that it could be used and leased out. We just want to make sure that everyone understands that we are not taking away the Land Trust we're actually making it so that people can have acreage. On our letter we have shown that Mr. Torres puts out specifically because we understand it has to be Chamorro. He's using a corporate shield to protect my existing assets while including original partners of Chamorro descent and defined by law. The only amount that will be released from the corporation is that we can only release for financing is up to 20%. Anything above that has to be approved by Chamorro Land Trust because we also recognize as Chamorros it has to go through Chamorro people doing this so we're taking into account our discussion. The other thing is you asked who would operate it of course we would operate it because we are the big owners right the guys who are Chamorro descent. But what I am also trying to say here is that if you have control of a corporation that no other, that any other lease that you have done you don't even know who they are going to leave the land to but we give you an heir list. We give you a list of who the people will inherit this, most would be family members. The other thing is the one thing that is facing Chamorro Land Trust and it is through no fault of the Commission members is that you know I don't want to use him as an example, Toots here, when we went out there he has a daughter that lives away from him right and she has a little hose that goes out to her house right and this is very common among Chamorro Land Trust through no fault of the Commission. And right across the street is that big water tank and you sit there and you say well why can't we do this. You know this thing I know we started out on the hospital but 30 some million dollars would be spent to do the infrastructure for the road, sewer and the pipes to bring them in because one thing they sit over the northern water lens and so we're trying to protect them and number two is that at your request on can we do something for our applicants. There're thousands of applicants out there and you don't have the resources. I'm glad that Mr. Hawaiian Rock came and said that we can't do this. Well you know Chamorros are not defined by what other people have done. No corporation here has ever offered 62million dollars to finance this straight up front not waiting on having you wait and seeing if it can go through and then saying that you are going to get the land back in 55 years. We're going to make sure that we do it right because you see we're Chamorros too. The other thing is our biggest thing is that all around us we got one-third of our land

returned to original land owners. Right now a lot of our people are faced with I either have to sell it or I have to keep it. But you through these kinds of examples are showing you don't have to sell it you can lease it there are people who can find ways to make it.

Administrative Director commented we cannot sell it by law. We can never sell it.

Tony Sanchez – Yeah, but I'm just saying, I don't care about the law.

Administrative Director commented we do.

Tony Sanchez – No, I mean I care about the law but we're setting as an example that private citizens out there with acres and acres of land don't have to sell their land. They don't have to, you know that kid over there that kid over there is going to need that land. Well when it comes back that 250 acres will be in lots already with water already going down to the beach

Administrative Director commented I think that kid over there has been listed as a beneficiary already.

Tony Sanchez – Right, okay and then the last thing I want to say, the bill that was passed on the lobbying thing, it wasn't about this thing. It wasn't about this bill it was about the fact that we needed to start having Chamorro Land Trust hearings and that was the bill that came forth that every month, on every Monday or on the first week of every month the Chamorro Land Trust Commission must meet. That is the bill that passed. I do not want to belabor that but it is going to assist you because you hear the cry of our people and we hear it too. That's why, Mr. Chairman I just want to say this Mr. Chairman, we are listening. We're trying to do it in a way that works for them and works for us right and it works for all our people because we too don't want to do something wrong.

Administrative Director - I would belabor that point because it was upon my advice to the Chairman not to have anymore meetings because there are approximately 40 commercial applications pending on the Chamorro Land Trust Commission. I do not have the staff to review every one of those and I do not want the Commission to be rushed into a decision to make on those commercial applications. Tomorrow you will see an ad in the paper that says that the Commission is no longer accepting any new applications for commercial licenses because of four issues. 1) No staff to handle it; 2) there is pending an audit, Rumbo, by the office of the Public Auditor as required by the budget law, Public Law 29-113; 3) Is that pending the rules and regulations. Lets get the thing in rules so that one Director cannot say oh, I think I'll charge you 3% and the other Director says oh, let's make it 5%. Let's level the playing field on that. I forgot what the 4th reason is. Look in the newspaper tomorrow because the Commission is holding off on getting approval for these commercial licenses until we get the staff to address those. Now the commercial licenses that have already been submitted those would be processed hopefully till closure whether the Commission grants it approval or not, I'm not sure. That is up to the Commission. But as an Administrator I devised the Commission Chairman I said no more meetings because the only items on the agenda are commercial licenses. Let's get back to our mandated priority of issuing residential and agricultural leases because that is what the thing is for the Commission. Now that's

in the newspaper tomorrow. And it wasn't planned for this meeting it's not a result of this meeting but several months ago I advised the Commission Chairman I said no more meetings for the commercial licenses. Are we processing those people that we bypassed? Yes. You will see another ad in the paper in the PDN the first 100 applicants that have been by passed will be listed in the newspaper and the Chamorro Land Trust Commission office will be opened on Saturdays, 8-12 so that these people as Trini said would not have to come, take off from work, go down there and maybe we're there, maybe we're not. Staff will be down there on I believe December 13 and December 20 to take care of the first 100 by passed people. Within two weeks the second 100 by passed people, another two weeks the third 100 by passed people. We cannot handle it where everybody who was by passed come down but the Commission is addressing that issue. The unpaid applications we're giving the people 60 days to come up with $50 to pay your application fee and you will be put in the line as when you applied. So if you applied in 1995 and you didn't pay and you come down within 60 days and pay that application fee you will still be in that list. So we are addressing that. But I also want the public to know and the Chamorros that we have here today that we don't have the staff to handle it. We have four land agents that are handling 16,000 applications. I think in Hawaii, the Hawaiian Homes Act they also have 16,000 applications. They also have 200,000 acres and they also have a budget of 20million. The Commission has a budget of $500,000 but you know that all of that $500,000 that is in our budget belongs to the Land Trust. No general fund money, no general taxpayer money. That money comes from the leases that we give out for Chamorro Land Trust applicants, the $50 application fee and it also comes from the commercial licenses that we give out. So we need the commercial sector too. In the next month or so hopefully you would see a couple of commercial leases, licenses that would come out that would probably pay for half of our budget right away. And in the last legislature's hearing on our budget all we asked the legislature was give us the authority to spend our money. We're not asking for general fund money, we're not asking for general taxpayer money. We just want to spend money that we generated from our leases, our application fees and our commercial licenses. That's all we're asking and the legislature graciously gave that to us. So you know they are going to come back to us next year and say okay we gave you guys the money what do you have to show on it? And I believe the Commission hopefully with the two projects, the bypassed project, the unpaid project and the commercial licenses that we have. There is nothing wrong in my opinion as an administrator there is nothing wrong with letting outsiders use our land you just have to pay for it and you never get to own it. It's part of the economy, it's part of progress and like that. If we were to solely depend on the $50 application fee, you take it 16,000 applicants times $50 and $1 a year for every residential lease and every agricultural lease we give out we receive $149. $50 application fee and the $99. Some people pay ahead thank you for that but you won't get all $99 in one shot. You'll get $1 today, $1 next year and when I'm long gone and I have no more gray hair then you might get the entire $99. So what do you use to fund it with? Hopefully with those commercial licenses.

George Torres - Although Mr. Chairman when I first started and went after this Lot 7163 Mr. Joe Borja was the one who took me up to Yigo and showed me every single land that was possibly good for quarry starting from UOG all the way up to the back road to Anderson. He specifically even mentioned 7163. He gave me the lot number and I did my research. I went step by step coming from one of his employees who is no

longer in his department. I followed. Now if there is misunderstanding or miscommunication I was not given that chance. I was only doing whatever you guys gave me, the listing and what that individual told me that my folder was complete. I left it as it is. Although that we spoke a few times so I left it as it is. Now I'm sitting here and you're telling me you want this, you want that. I won't know like I say and the lawyer that I talked to won't know what is in that license.

Administrative Director commented that the license form is available we give that out all the time. That is not a problem to release.

George Torres – What's the license asking because I don't know what the license is asking.

Administrative Director commented we have a standard form that's not a problem to release, we release that all the time.

George Torres – Like I said I went through this I went to EPA because the individual told me I needed to go to EPA that was one of the listing. EPA told me the same thing if you look at that license and you know what is in that license okay. So I come back to you and say the same thing but other than that from the beginning Mr. Joe Borja was the one that told me from UOG all the way up to like I said all the way to the back road he told me which lot is good and which one is bad. Now I went after this lot for a reason because he recommended it. Now I'm sitting here in front of you and I'm looking like a dodo now. Now, here I am I am offering something that nobody ever offered. I'm not going to destroy the land I am not even going to quarry it down, I am going to taper it down like what Mr. Hawaiian Rock was saying. There's individuals that walked in here and sat here who are working for Hawaiian Rock, he's just sat here and told you right in your face that we're two different concepts. If you look at my booklet I'm doing the same thing what he is doing, I'm tapering it down. I'm not going to destroy the land I'm not going to go in there and do blasting. There's no way I'm going to do that I'm going to bring a machine in and only cut as far down as what the law says. There is a federal law that you can only go sea level side. I'm trying to follow everything. If I'm licensed I don't want to come back to you guys or go to jail for something that I've done wrong. The land doesn't belong to me it belongs to the people. I'm willing to develop this land and even build houses if the government allows me and you guys can probably rent it out or do that dollar house home like the one they do in Astumbo. Yes, there are a lot of people on this island who cannot even afford to buy a house even to build a toilet bowl. I pity them, why? Because there's a lot of us who earns good money and retired. Yes, there are a few people that walked in here and said we're going to become a billionaire. Let me tell you something I 'm using this land to make a difference. Now if the people says okay forget the hospital we'll build houses and let the government decide what to do with it after we develop it. We can do it that way. But if we look in our eyes and look in the newspaper a few months back the hospital is always on code red, code red. They're going to destroy the school, JFK. They took the kids out and transferred them to two sessions, our parents are yelling at the school teachers and DOE. Now here I am, I cannot solve it, God couldn't solve the problem 2000 years ago but I'm willing to try to solve a little bit. I'm not asking for the whole 400 acres you guys. I'm asking give me the 400 acres, let me survey it, let Parks and Rec go in there and tell me which part I can use. That's all that I can do. I don't want to have the same dilemma of what Perez

Brothers did. Perez Brothers dug their own quarry all the way down and they can see sea level. Hawaiian Rock did the same thing. I am not doing the same thing what they are doing. You cannot judge me before I even started. There is a law, Mr. Joe Borja brought it up now I would have never gone this far and if he had told me about the law, about the 1950 law or 1960 law.

Administrative Director commented you were the one that gave me that law.

George Torres – Yes, because you asked me to do a research.

Administrative Director commented Mr. Chairman could I ask the Commission to take a vote on it if Mr. Torres is finished but please allow them to finish.

Tony Sanchez – Is there any questions? We're showing you that clearly the ownership would be in the hands of Chamorro descents and we will leave the land so that the descendants can have their acre lots and all that kind of stuff and it will be quarried and tapered. We will offer 62million in up front benefits. I'm glad that Hawaiian Rock came and said that because he's showing you that we're not here to make a trillion dollars, a billion dollars because he said he doesn't see the financials because there are profit margins that have to be met. Also what we don't speak about is that eventually at some point this quarry would generate a company that would employ almost 300 people. That's 300 jobs that people would have and all of this would happen while sewers and water lines are being laid out and he won't have to run a hose to his daughter and so forth and if you want to adjust some of the, we want to leave leverage so that if you see something that you feel should be done you would adjust the money or the projects towards it and this is what we ask the Chamorro Land Trust Commission to consider. Because part of that when you give out your hundred applications next year or next week or next month they still won't have the infrastructure.

Administrative Director commented next year but that's just 3 weeks away.

Tony Sanchez – No, Mr. Borja I just want to say and I am not blaming anyone but they still won't have any infrastructure, you see what I'm saying. So what are we going to do to solve that and the commercial leases has got to not just pay staff they've got to go way beyond and pay so that infrastructure can be there and that sort of thing so that is what that is really about. We're not trying to say anything less or more so I apologize Joe that I interrupted you. I know you've been at this for a long time and I appreciate all the work. Joe you are one of the foundations of the Chamorro Land Trust .

Administrative Director commented no it's these people (pointing to public).

Tony Sanchez – We want the Chamorros here in the room to know that we not going to take the land we are going to try to improve it a little bit better. We will use the money that we have to destroy to build the infrastructure to those who are trapped right now. The last thing I want to bring up is BJ Cruz gave the right to give leases to build homes right and it was a good thing but the biggest thing stopping them is that they don't have water, they don't have infrastructure to them so they can't go to that bank. So that's the thing that stops them but once those things come in to play that law that Justice Cruz wanted to happen it really takes off because now the banks get involved. The banking

industry and all of that kind of stuff because the water is there, the infrastructure and stuff so those are the things that I would just like to remind the Commissioners as you consider this. Thank you.

Chairman Calvo – I just want to make one last comment. You know Mr. Torres that's fine and I understand where you're coming to the point to develop and put the infrastructure for the Chamorros and so forth and to build hospitals and all these things. I myself used to work in a quarry George okay. I worked in a quarry many years ago and I know I sat down there and I worked with the bull dozer and the jack hammer and what not. I started out working for Perez Bros. digging in a quarry. Now building a quarry George you have to have the expertise and experience for all these things, that's what I know. For Hawaiian Rock that have been here for over 50 years and Mr. Frank Perez and other agencies okay even if you were to go in there you're telling me that you're going to come in there build a home and not even shake the dirt? I find that because you still need to do all that stuff but I don't know maybe today it is all modern and maybe that's changed for blasting but you're going to shake the earth no matter what to get down to that level wherever you want to. And that's fine with all these things that you brought up. There are parts in there that really doesn't consult with the Chamorro Land Trust. There are other issues, let the legislature handle it if they want to build a new hospital that's them. But if you're willing to put out 30, 40, 50 million dollars that's 100% of your profit and you're telling me you want to hire 300 employees and then you are going to quarry down this. I mean does your corporation or all your people know all these facts because I don't think so. Any smart businessman would say wait a minute we're going to give all these, this is what I'm trying to say and if anything was to happen and God knows I hope nothing ever happens to you and we got to know because what happens if you decide to do that and all of a sudden you drop dead tomorrow. None of us would know when to die but you already stated you know when to die and I'm glad you do. You stated earlier you know when to die but I don't know and these other people but you made it clear you know when to die but I don't. But I got to protect the interest of the Chamorro Land Trust so at least you know when to die but these people don't know. So I got to know to let them know too that okay George is going to die next year. But I don't and you already told me you know when to die and that's good that you have the time, the date, the hour and the seconds but I don't George. The time, the date, the seconds is to the Chamorro land Trust and that's my take.

Commissioner Matanane – (Audio problems) Stated that 400 acres is excessive and requested for corporate documents.

Commissioner Tajalle – (Audio problems) Stated we need to know the structure about your financials. I commend you on your request. I'm not considering a decision, you have to help me make a decision and it's got to be valid.

George Torres – Like I said I turned in the documents when I started this and I turned in the TPG corporation license with the people the company in the booklet that I turned in is from EUGENE a Korean company I turned it in I have a copy because I gave the Chamorro Land Trust a copy of it. But when I spoke to the chairman he emphasized like today that the land or license would be directly to me. So the corporation would automatically to me would die because the Chamorro people would want to know who is

the land going to be licensed. It is going to be licensed to me that means it's not going to be licensed to the corporation that wants to joint venture okay. So in consideration coming from one of the workers again from the Chamorro Land Trust when I asked him the very last time he said my application was complete. I turned in every single thing that this individual asked me, my corporate license the people who wanted to joint venture I turned that one in but like I say when the Chairman told me directly that the land will be licensed to me because I would be the one to answer to it. If I should die or something happens to me would the land or the business too will proceed and I request that it do so for the amount of years that I sign for. Even if I die although that the land will go to a Chamorro descent to a Chamorro which is my partners. That's why I didn't want to bring back the TPG because you guys from the beginning did not tell me that, that it has to be a Chamorro descent. But when the Chairman when we spoke he told me again that the license if was given to me only to me to a Chamorro. And if anything should happen to me it has to stick to a Chamorro I understand that. Now I'm willing to by all means get those records who wants to join, all their financial and everything. But it's unfair for me to turn in those documents too and its something you want to know about a person's background and everything yes its fair but it's unfair for me to turn in all those documents, the financial and I don't have a license. I will release everything if I was approved for the license within 3 months to 6 months whatever time you tell me to turn in these documents. You can always revoke it you can always put it in the letter that if I don't turn in these documents that you guys can always terminate it. But for me to turn in all these documents and I don't have a license you're trying to find out every single thing out of this company. And to me its fair, I deserve to get a license and if I should I would return and you can always revoke it, you can always come back and say you cannot because we don't trust this company then you have every right to do that. But for me to turn in everything like your bank account. Are you willing to give your bank account to anybody without even knowing what you are going to get? No, you won't. So lets play fairness. I'm willing to release it if I get a license. And you have every right to come back and write me a letter saying you cannot commit this because this person's background, this company's background then I would allow that.

Chairman Calvo – George like you said because the Chamorro Land Trust here what initially we're trying to protect and of course I want to know who is going to be in your corporation okay. Giving you a list but before I give you that list okay I got to know who is George Torres dealing with not afterwards George. If you're a businessman do you just allow someone to come in and say I'm going to give you 30million dollars? Listen to me now I'm telling you right now.

George Torres – But I took that on the consideration of the Board members, of the employees.

Chairman Calvo - You see you're a businessman if you so called call yourself a businessman that is the strategy to that. You want to lease a piece of property I want to know what are your financials who are your corporate because I'm not and you know this Tony, you know this, its common sense because your telling me now that I'm gong to give you the license, here's the license for today and then you're going to come back and say guess what Mr. Lee and Mr. Shong and all these things, it doesn't work that way.

George Torres – I'm not saying that.

Chairman Calvo – You just said it.

George Torres – I just said it because of one of the employees like I said from the Chamorro Land Trust told me that I do not have to turn that in.

Chairman Calvo – Then you know George if one of the employees then why didn't you direct that question to Mr. Borja or myself?

George Torres – Because that was the only individual doing my application booklet at that time. I'm only following what he told me.

Chairman Calvo – Now if you weren't too sure, Mr. Borja is here. My Director is here I've never influenced anyone or Mr. Borja and I'm telling you right now as a business you're coming in whether you're going to lease one acre here George that's the issue here.

George Torres – Can I clear it again, coming from Mr. Borja on what Kimbo said it's complete. Mr. Borja said its okay its cleared but like I say I'm only going back and forth here. Kimbo works under him, Kimbo informs Mr. Borja, Mr. Borja says if he said its complete, it's complete. But like what I said I am only following what the workers told me. So it's my fault. I am not going to argue, I am willing to release all the documents. I will release it in less than 30 days to you guys. I will give you all the documents that you are asking but like I said I walked in here knowing….(applicant interrupted by Tony Sanchez).

Tony Sanchez - We're explaining how we got here, we didn't do it on purpose.

George Torres - I'm not crazy to come here and disrespect all you guys. I would have come here with everything that you guys asked.

Commissioner Matanane commented you have other options, you've heard Mr. Borja's report. Let's take a vote.

Tony Sanchez – Could we ask that we submit those documents before you take your vote so that we can be given a chance.

Commissioner Matanane – That's the reason why we are here to take action on it now.

Administrative Director - And the Senators have been pushing to make a Commission decision.

Commissioner Matanane – That's all I'm saying even though you turn it in now it's still the same application.

Tony Sanchez - Yeah but then someone else will get in front of the line right?

Administrative Director - No because we are stopping all new applications.

Tony Sanchez - So then we'd be stopped at that right?

Administrative Director – This application will be one of the pending on it. But you know what we've tabled this issue so often.

Chairman Calvo – Do I here a motion in voting?

David Matanane – Moot Mr. Chair.

Administrative Director – As the Administrative Director do I understand that the motion is to approve the application?

David Matanane – No, to take a vote.

Administrative Director - So the motion is to take a vote.

David Matanane - Yes.

Administrative Director – We need a second on the motion.

Motion seconded by Commissioner Tajalle.

Commissioner Matanane – My vote is nay.

Commissioner Tajalle acknowledged no.

Administrative Director clarified that the motion is to take a vote and Commissioner Matanane is nay not to vote. Is that correct?

Commissioner Matanane acknowledged it was correct.

Administrative Director – I just need clarification for administrative purposes is that the motion is to whether to take a vote today or not.

Chairman Calvo - To take a vote today.

Administrative Director - Okay and Mr. Matanane's no vote is that he doesn't want to take a vote today is that correct?

Commissioner Matanane - Hold on we're taking a vote to approve the application or not.

Administrative Director - So this is the motion to make it clear especially for the board secretary is that legal counsel says that the motion is to approve the application.

Chairman Calvo - No.

Commissioner Matanane - No it's to take a vote whether to approve the application or not. We're taking a vote whether to approve it or disapprove it.

Administrative Director - That's clear, okay.

Commissioner Matanane - And my vote is nay.

Administrative Director clarified that the motion was seconded by Commissioner Tajalle.

Commissioner Matanane - My vote for the approval or disapproval of the application is no.

Administrative Director - So disapproval is what you are saying.

Commissioner Matanane acknowledged.

Administrative Director - I've been advised by legal counsel that the proper form of the motion would be Mr. Matanane making the motion to disapprove the application. **So the motion before the floor is Mr. Matanane's motion which is to disapprove the application and do we hear a second on that.**

Motion was seconded by Commissioner Tajalle.

The vote by Mr. Matanane is nay.
The vote by Commissioner Tajalle is a disapproved vote.
The vote by Chairman Calvo is no.

Administrative Director – Let the record show that there are three votes in favor of the motion disapproving the application.

Chairman Calvo - Before we close this George this doesn't mean, you have an opportunity but you just have to go the right track.

George Torres – If I turn in all the documents am I able to come back and sit with you guys again?

Chairman Calvo – You have to re-apply.

IV. ADJOURNMENT

The Commissioners moved to adjourn the meeting at 12:52pm.