Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

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Michael J.B. Borja
Administrative Director

PUBLIC HEARING ON PROPOSED PROPERTY FOR COMMERCIAL USE
Dededo Senior Center
Tuesday, January 19, 2016; 6pm – 7:55pm

I. CALL TO ORDER
The public hearing was called to order at 6pm by Administrative Director Michael Borja.

II. OPENING STATEMENT
Administrative Director Michael Borja - This is a public hearing on the proposed properties for commercial use. Thank you all very much for coming today. If you haven't seen yet we do have some displays of all the properties that we are proposing on the table and we also have some handouts. I'd like to also recognize one of our Commissioners here tonight, Commissioner Pascual Sablan and also my staff here at the Chamorro Land Trust. If you're here for this public hearing please make sure that you have signed in and if you have any questions we'll have an opening period at the end for public comments if you're interested in making any comments and as always we'll always be interested in taking your written comments and we'll provide that information later on.

Administrative Director – My name is Mike Borja I'm the Administrative Director of the Chamorro Land Trust Commission and the Director of the Department of Land Management. This public hearing is required as part of Public Law 33-95. Our agenda today is I'll talk about the public notices for this hearing, the governing directives, the description of the properties that we are going to be talking about tonight and then we'll have the last part of this session to be available for public comments on any of the properties and I'll try and answer any kind of questions that you may have specifically for these properties. Public notification was done through advertisements on three separate days in the Guam Daily Post and it was also listed on our website for the Department of Land Management. The governing directive for this public hearing is Public Law 33-95. Public Law 33-95 is what establish the rules and regulations for commercial use of properties in the Chamorro Land Trust Commission. The governing directive is §75122, designation of available land for commercial use. In that section it tells that if we want to have any land that we want to use for commercial use the Chamorro Land Trust needs to have its public hearing and that's what this part is it's the first step in a number of different steps required for this process. The next step is it's presented to the Chamorro Land Trust Commissioners and most likely I'll be presented this Thursday at 1pm at the regularly scheduled Chamorro Land Trust Commission hearing barring any kind of other unforeseen circumstances. The Commissioners will review what the outcome of the comments are from this public hearing and then they'll vote by resolution to approve the lands that

they want to designate for public use. That resolution will then be forwarded to the Guam Legislature and the Guam Legislature will then have 60 days to review the lands and at that time they can have a public hearing if they so select. In the description of the properties we are going to discuss today I'm going to give you a narrative of each of the lands and then I'll show you an overhead map of where these places are and if I'm going too fast or you don't understand just go ahead and ask a question and I'll try and be more clear about it. If it's kind of hard to read we do have some handouts but I'll try and go through this as well.

The Administrative Director went through the following lots identifying the location, lot size, zone, survey map, tax assessed value, potential use and recommendation. List attached as Exhibit A.

1. Alupat Island, Tamuning
2. Lot 439-R1 (Parcel "B"), Santa Rita
3. Lot 5075-REM-A NEW, Tamuning
4. Lot 5133-1-2, Tamuning
5. Lot 5173-1-R2NEW-6, Tamuning
6. Lot 5175-4, -R4, Tamuning
7. Lot 5412-R11, Mangilao
8. Lot 7054-R5, Yigo
9. Lot 7055, Yigo
10. Lot 10122-15, Dededo
11. Tract 111, Lot 12, Tamuning
12. Tract 10123 (Lot 7128-REM), Yigo
13. Lot 7163-R1, Yigo – Removed from consideration due to solicitation protest.
14. Lot 5138-2-R3NEW-1-1, Tamuning – Removed from consideration due to pending Legislation.

III. PUBLIC COMMENTS

1. Vincent Aguon - Vincent Aguon a Dededo resident. I got a question on Tract 10123. I don't understand what do you mean by certain lease holder?

Administrative Director Michael Borja – If you are eligible for a bank loan that would be certain leaseholder or in some case if we try to do something lets say set up a Veteran's community but that would take legislation to do that. We have found that it's probably more likely and easier for us to get (inaudible) VA loans for homes built on Chamorro Land Trust that's the whole purpose. We're planning to build affordable housing facilities with all the infrastructures. If you were to build something and you can't do it because (inaudible) and you're only allowed one lease then we have to work out something to make that transfer occur. But we are willing to work to with people however they want and we do all the time.

Vincent Aguon – Let's say we already have one and we can't do anything on the property because there's so many restrictions.

Administrative Director Michael Borja – Oh yeah that's what I mean that's the kind of stuff where if you want to move out of your current lease from the current location you are at

and move to someplace like into one of these housing communities then that's the kind of (inaudible). That's the reason especially up here in the north where we have a lot of our lands you know you have to have a half acre lot at the minimum so you can have a septic tank and a leaching field and that takes up a lot of land and we don't have many (inaudible) amount of land. The idea is to try and build the infrastructure with the full sewer system so that you don't have to deal with all those issues.

Vincent Aguon – If we want to plant, we have to backfill, bring in our own dozer and backfill that whole place. I can't afford that. So I was talking to my wife about it but it's like the only option I got is to keep to paying the tax, keep bushcutting or give up the property. I don't know what to do. I brought this up to your office they were talking about this and now I understand what they were explaining but I don't understand SUTA and certain existing Chamorro Land Trust residential or agricultural leaseholder. I'm existing I don't know what it is but its one acre you know supposed to be residential, agriculture but like I said I can't use it I can only keep it clean.

Administrative Director Michael Borja – And that's the problem we have on a lot of the lands throughout Chamorro Land Trust areas is that the lands come with no infrastructure, there's nothing there. The idea the reason we're putting this up for commercial use is not so that it can be commercially used and someone's profiting off it but so we can enter into commercial agreements so that we can get it developed, we can get the full infrastructure built along with the housing development and then the homes would be bought by the CLTC applicants or existing lessees like you. If you want to try and buy one of those affordable homes yes we'll work with you. There will be a process once we get into that point. Right now we're not even at that point but this is the first step in trying to get there.

Vincent Aguon – You know if anything happens to me my property goes to my god daughter okay the question is how much problems is she going to have to (inaudible).

Administrative Director Michael Borja – No as long as you have someone identified as a beneficiary and the property goes to her then she'll have the lease after you either hand it over it her or you pass or whatever. That's important for people to know they need to make sure they have an assigned beneficiary so it makes the transfer of the property much more quicker for us. Is she going to have a problem trying to give up the lease to get certified to go in that housing area? Is she going to have problems giving it up? No I mean she would have to come in and work with us and in this case we're not giving away these houses we can't give away these houses. What we're trying to do is get a housing development built that's affordable for everyone that comes with all the infrastructure too.

Vincent Aguon – The property I got we have power pole and we have water we just can't build a septic because the water well is right below the property.

Administrative Director Michael Borja – And you may be one of those people we would probably have to make a transfer anyway because Guam Waterworks has come to us saying you can't put anything near that water well. Those are the kinds of things we have to look into to because that's the problem and Waterworks has come to us recently just asking

us as well they have us a plan a layout of where all their water wells are and the restrictions they want us to impose around them for the safety of the water and so we're going to have to go back and try and do those necessary requirements which might mean in some cases asking some people if they would like to relocate if nothing has been done yet. Let me just step back then a little bit now the reason we're having the ability to take some of the lands to use for commercial purposes it's not a lot and you can see they're not really in places that are you know out of the middle of well I mean they're near the roads they've already been used with some kind of activity around them it's so that we can find a way to make some money so we can build the infrastructure to some of the places where we're probably not going to have any kind of housing development for the people who are out far that have agriculture lots and no water and no power so we can get the water and the power out to people. Because that cost money and we need to find a way to be able to take care and install some of the infrastructure ourselves too. But in the meantime we're going to try to find creative ways to get it put into place without having to fund the entire project.

Vincent Aguon – Would be it hard for us to try to locate a land because of the property with our issues?

Administrative Director Michael Borja – Yes you have the ability to make three exchanges okay. So if you are not satisfied with where you're at I would recommend you go to the Chamorro Land Trust Commission and have a chat with one of our land agents to work out an exchange if you're interested.

Vincent Aguon – They said I cannot do an exchange until the survey is complete.

Administrative Director Michael Borja – And that's true and we're still at that point but what we have done since then as well is we've gone out and we've created agricultural masterplan subdivisions throughout the island in places where people have been given out portions of lands which you know are really not legally, they shouldn't be giving out a portion of some land. So have actually subdivided properties throughout the island already so that we can assess where you're supposed to go and you'll have a better understanding on where you need to survey when it comes to that. But here's also a part of the thing we need to survey a lot of these properties and that's the reason we're trying to raise some money through the commercial use of property so we can make money to go out and do that survey. The Legislature has generously created an infrastructure and survey fund for us and found ways for us to put money into there through all different kinds of means and you know we're going to try and use that as wisely as we can to get the lands surveyed. As you see there's one piece of property out there that I pointed out in our listing that is unregistered and the law says we can't do anything with it. But I'm going to try and get use of it but in the meantime simultaneously I'm going to try and get it registered as well. Come and talk with us at the Chamorro Land Trust and we'll work with you one on one.

2. Lasia Casil – My name is Lasia Casil, I'm from Santa Rita. You mentioned that you've already received some solicited proposals for some of these properties. I'm just curious who are the companies that have come to you and do you know what their intentions are. I mean like for instance what would possibly be done on Alupat Island. You know

commercial use is a very, very broad term and to just open up these properties you know anything can be done. So yeah I'd just like a little bit more information on that thank you.

Administrative Director Michael Borja – Alupat Island already had a lease at one time and the lessee had opted not to renew their option for an additional five years because they found it very restrictive to use because of all the coastline restrictions and the natural habitat restrictions. There are different kinds of folks out there that have some kind of use I mean even if they went and got the approval to use it from us they still have to go through all the other agencies for clearance to be able to use it in whatever way. They have to get Parks and Recreation folks, they have to get the EPA and Waterworks you name it and in some cases maybe even as far as Army Corp. They're not part of our GovGuam application process but there's you know DPW might step in and say something. But there's a whole host of restrictions especially for Alupat Island and that's the reason this one lessee opted not to renew their options. There is one guy that came in and wanted to use it for setting up spas.

3. Therese Terlaje – Hafa Adai, Honorable Commissioners. I understand there are Commissioners here Mike?

Administrative Director Michael Borja – Yes.

Therese Terlaje – Hafa Adai Honorable Commissioners my name is Therese Terlaje. I'm one of the three attorneys who 20 years ago successfully represented Angel Santos and others in a lawsuit against Governor of Guam to force the implementation of this Chamorro Land Trust act after a dormant for 20 years. The lawsuit was filed in 1992 months after members of Nasion Chamorro including Angel Santos and Ed Benavente began the education petition efforts. They spent time talking to community members from tables they set up at in shopping centers, handed out flyers at intersections for people who were going home from work. They did so much work even met Senators who would listen. They would camp out for 30 days at Adelup waiting to meet with the Governor regarding implementation of this Trust when the court decision was made. Even after the successful lawsuit the Trust was delayed pending appointment and confirmation of Commissioners and then waiting for the approved rules. The rules originally submitted to the Legislature were amended by then Senator Santos' legislative committee to prioritize residential and agricultural leases and to prohibit any (inaudible) until further rules were adopted. Since opening for applications two decades ago over 10,000 people applied for residential and agricultural leases. To this day there remain I believe 8,000 at least of the original applicants who have not been granted a lease. When the Chamorro Land Trust was enacted in 1975 it was intended to provide a homeland for Chamorros in perpetuity. In its original language it envisioned and provided for a beautiful self-sustained community long before the words sustainability became the pursuit of every nation and every university. It was patterned after programs in Hawaii and other native communities throughout the United States and the world in recognition of unique political relationships, historic injustice, displacement from the land, critical to cultural practices, fishing and farming. The Trust is even more important today where Chamorros continue to be displaced by land takings, taxes, unemployment, poor healthcare, contaminants, live military fire training, violence to women, a school system that

cannot reinforce the identity of Chamorro kids. I'm concerned because the Commissioners of the Trust have declared for (inaudible), this hearing today is that 600 acres of land given by the people of Guam to the Trust as remedy for colonial displacement from land are unnecessary now for residential and agriculture lease it must instead be leased to the highest bidder for commercial purposes. What Commissioners should invest wisely the goal of the Trust is not never was profit. The law is clear that the best use of the land is clearly to grow residential and agricultural communities. The goal is life, food, sustainable commerce strictly based on community needs. It still sounds physically impossible that 600 acres out of only 5,000 remaining acres or 12% of the inventory of the Chamorro Land Trust can be deemed not necessary for 8,000 pending applicants unless this land is irreparably hazardous for residential or agricultural use. Limestone before it's dug up is not hazardous it's a water purifier, habitat, building block and life sustained. The CLTC have stated publicly for years that it was unable to lease to the remaining 8,000 remaining applicants because one, it is unable to do surveys and the applicants were unable to afford the surveys. Two, because the CLTC is unable to complete the land registration proceedings. Three, because the CLTC is unable or could not afford to bulldoze the roads or bring in utility infrastructure within a reasonable distance of the property that could be leased. And finally because the only solution to those above issues was money from commercial leases that's what we have (inaudible). However, I'm not convinced that the only solution lies in urgent approval of commercial leases. The precise needs of the Trust must be established and all alternatives fully pursued. We may indeed need additional income a specific industry and even aggregate one day but is today really that day? Are we really faced with no other alternatives? I urge the Commission to look again at its own staff, its finances, its own operating costs and to reprioritize, to negotiate with other agencies in a manner prioritizing the needs of the Trust beneficiaries. At a recent legislative hearing it was reported that no land surveys were done in 2014 or 2015 despite revenues of $700,000 a year from the existing 500 acres of commercial leases. The CLTC was given a 1.4 million dollar lump sum budget in 2015. Reports indicated that the entire 1.4 million dollar budget in 2015 was used for personnel and office space lease. Personnel cost doubled and rent increased by $105,000 to $315,000 in one year. To total $315,000 in one year. In contrast office space cost in 2011 were zero per the Director when they were sharing space down in Anigua in the old Land Management building. As of last month the CLTC had 1.9 million dollars in cash assets. The Director at the hearing stated it plans to use $350,000 per year for land surveys over the next three years and to pay the AG $500,000 for land registrations. This Trust owns large tracts of land and yet it's paying private landlords $300,000 a year for rent. At the very least know that $65,000 a month is 40% of the Department of Land Management's office lease while CLTC takes up only 25% of the space. CLTC must avoid subsidizing DLM or any other agency if it lessens the ability of CLTC to obtain the needed land surveys. Our Government agencies are responsible for ensuring that all other villages, public facilities, private housing areas are properly planned and fitted with infrastructure. I encourage the Commission again to seek partnership with DLM's surveyors, planners, with DPW, GEDA, EPA, AG, GPA, GWA to bring to reality the already planned subdivisions. The Commission is already authorized to coordinate with Department of Agriculture to ensure that all phases of farming and ranching operations and the marketing of the agriculture produce and livestock is fulfilled. The CLTC may be able to renew discussions with the AG about the possibility of collecting the $875,000 annually from

the AACF mandated by the same public law where they transferred the 15 acres of CLTC property in Fadian to GPA for its headquarters. Perhaps the Commission could forgo the property management agreement with GEDA where it's slated to pay a percentage of all commercial lease revenues to GEDA and instead keep those revenues for itself. The Commissioners must never again allow for commercial leases to be in arrears like the ones that were recently in arrears in excess of $800,000. In the original CLTC statute in 1975 the Government of Guam anticipated the needs of the CLTC and appropriated $100 to CLTC for its start up homeland programs, $500,000 for the startup operating costs including the authority to hire an administrator for $50,000 and mandating that even the Governor nor the Director of Land Management would control the CLTC. Without actual transfer of all of these funds the CLTC has been forced in recent years to use all of its lease income for operation instead of for home loan and other programs. In Hawaii recently the Circuit Court ruled that the Hawaii Government's failure to sufficiently fund the Department of Hawaiian Homelands adversely affect beneficiaries of Hawaiian and Homelands Trust by requiring it to pay for staffing and operations out of homeland lease revenues instead of using that revenue for homeland programs. Of course Guam doesn't have this constitutional provision like Hawaii but Guam's Land Trust was set up similarly with these revenues intended to be used for home loans and other programs not personnel or rent. I would like to point out that also that large scale of commercial leasing of Hawaiian homeland is criticized because it did not and has not stem the disproportionate native Hawaiian homelessness. I urge the Commissioners to lead the CLTC with the independence and priorities that was originally set up and not be led by private developers or any other officials of the Government to consider again its statutory mandate to hire an Administrator, dedicated exclusively to its purposes and not subject to cabinet pressure or to the sometimes conflicting priorities of the entire Government. Mike is a friend of mine so this is nothing personal but it's just really I think a business decision of theirs to be. Administrator hired by Commissioners should be directly accountable to those Commissioners as the Commissioners are directly accountable to the beneficiaries. I believe it could be afforded in lieu of paying property management fees to GEDA perhaps. I agree with former Senator Ted Nelson who testified recently that it's very hard to believe that the Government of Guam that spent millions of dollars to bring power and water to every village to acres and acres of Land for the Landless to private subdivisions and businesses cannot find a way to bring power and water within a reasonable distance of Chamorro homelands. We can no longer simply allow the needs of these new communities to be held ransom by our utility and other agencies. The CLTC has not told us how much commercial revenue it really needs and this rush to consider 14 lots in bulk is hard to comprehend. I object to theory that we take the cream of the crop the most valuable property and give them up to someone else's profit. It is also confusing this material that revenue from existing commercial leases is not good enough to sustain the CLTC's appetite for cash. By law the CLTC is required to use specific properties in its inventory exclusively for commercial purposes. Some properties those were designated like the racetrack, the golf course and maybe tomorrow the property across from JFK. The rest of the 500 acres currently used for commercial leases were obtained in direct defiance of the moratorium and prohibition against commercial leases prior to the adoption of commercial rules. The Commission has always had the authority to grant commercial agriculture and aquaculture leases to plan for subdivisions and to grant licenses for limited terms for public utilities, churches, hospitals, public schools, post offices

as well as theaters, garages, service stations, market stores and other mercantile establishments all of which shall be owned by lessees residential and agricultural lessees of the Commission or by organization formed and controlled by those residential and agricultural lessees. Again it's that self-sustaining concept where the people in the communities would be the ones operating the businesses in the community and for the benefit of the community. The license for the Sagan Kotturan Chamorro is an example of a license that makes sense under this original statute. I'm very thankful for the Commissioners that are here today. I believe today is a pivotal point in the history of the CLTC and the pivotal point in whether the Trust will sustainable or not. It is also an important time for all the people of Guam for this proposal calls for development in some pristine areas and in our villages. The ad does not list the location of the 14 properties being discussed and there's potentially great impact not just to beneficiaries but to residents in villages where these commercial business will take place. The CLTC has heard from the potential developers but should hear from residents and environmental agencies of the potential impacts as well. I ask that the Commissioners have additional public hearings at least one separate hearing for each of the lots being discussed and at least one at every village where there is a proposed commercial development. We've seen in Santa Rita and Yona and other villages that the villagers have proven that they care about commercial development in their back yards. They have significant input about environmental effects of large scale development and they deserve the participation to be made convenient for them. I ask each Commissioner to recommit to his or her fiduciary duty to the beneficiaries. Take time to investigate less harmless ideas. To hear from other experts and negotiate directly on behalf of beneficiaries with other agencies and not let the needs or desires of other parties or even the Government of Guam drive your decisions. You are trustees with the primary duty of loyalty to the Trust. A fiduciary duty is the strictest duty of care recognized by the US legal system. The Director of Land Management can be of great help and service to your role as Trustees but is not a Trustee and not obligated to the beneficiaries of the Trust like you are. The Director of Land Management represents the Governor and the Government of Guam in its quest for land for other purposes for industry for other purposes and resources for other purposes. The CLTC statute is clear from the start that the Governor and Director of Land Management who have potentially conflicting views to the use of land on Guam it's natural will not to have any power in the CLTC. I have no doubt that we can do better with the Trust if we listen more to the beneficiary to those who have waited since 1995 and the new generation that has yet to apply. To those who already paid for surveying and infrastructure on their own and listen less to those who would use Trust assets for special interest and mere profit. As Commissioners you have the distinct honor to protect the Trust assets and more importantly to protect Chamorro homelands and the connection of the people to the land. That above all. I imagine it's difficult and sometimes feels impossible but I urge you to do not be afraid. Be open, be resourceful and diligent and be aggressive if necessary. Call on all the people around you for help if you need support. You hold the state of future generations in your hands. Your decision will impact the Chamorros remain the number one homeless on Guam, how long our island needs to survive global warming and if our resources will support our self-determination. You have my respect and support but not for this proposal to declare 600 acres unnecessary for residential or agricultural use. Thank you.

Administrative Director Michael Borja – Thank you Ms. Terlaje. I'd like to recognize Amanda Santos one of our Commissioners as well as Pascual Sablan. I'd like to recognize Mayor Melissa Savares, thank you very much for allowing us to use the facility as well as former Vice-Speaker Ted Nelson, former Senator Hope Cristobal and former Senator Lou Leon Guerrero.

4. Hope Alvarez Cristobal – My name is Hope Alvarez Cristobal. I am a Chamorro, I live in Tamuning village and I'm here to testify in opposition to the approval of 600 acres of Chamorro Land Trust lands as "not necessary" for residential leases and that's available for commercial lease to anyone for any purpose and to allow the quarrying of over 400 acres to one company. Mr. Chairman today's newspaper report on Guam's homeless population is disheartening to say the least, Chamorros highest homeless group the article by Gaynor Dumat-ol Daleno from PDN. There are many reasons for the condition of homelessness which we all recognize is a growing concern in our island and obviously according to the article today is trying to challenge for our US paid political leader in this 21st century colonial territory of the United States. We also know that landlessness is often the predictor of poverty and hunger and if you poor and hungry you would most likely end up homeless. For our island people land constitutes the main asset from which we can derive the livelihood and for indigenous people it's under the yoke of colonialism. Land and access to land can have many implications for a broad range of human rights such as housing, shelter, right to food, right to water, right to health, right to work and ideas like equality, equity, democracy, citizenship and political rights. And although adequate attention has not been given by political leaders for these rights nor has there been any great strides made in providing access to land in order to facilitate the realization of our own people's full human potential as Commission members if behooves you to broaden your vision beyond looking at our people's lands placed in your trust as more than a commodity, more than income for growing the Chamorro Land Trust agency and staff. You already receive $700,000 a year income from current commercial leases of some 500 acres. So why are you paying some $300,000 a year to lease office space at the ITC building? Didn't you once have a rent free location? Where is the rest of the money that Chamorro Land Trust Commission earns from existing commercial leases? Where is it going? Where is your plan for utility, water and power infrastructure for the 6,812 residential applicants and for the 4,377 agriculture lease applicants and the 3,308 of which are still pending. Rather than growing the agency you like all others on this island must live within your means and act with purpose and vision for our people who are losing ground in terms of the demographics of this island and in terms of our social economic status or rather lack thereof in our own homeland. As a Commission I realize you are all political appointees. You must rise above politics and exercise foresight and leadership so that our people do not continue to languish as a collective group waiting at the lowest rung of our society right here in our homeland. Does it not concern you that in the homeland of the Chamorro people we are now finding ourselves as those who occupy the highest number of homeless people? What is home if you do not feel good in your home? As our lands come under multiple pressures including population growth, militarization and environmental degradation and land use conversion you must be conscious in your dealings of Chamorro Land Trust lands. You gave GPA and autonomous agency 15 acres of Chamorro Land Trust, Land Trust lands free of charge. What did the people, what did the Chamorro Land Trust Commission get in return? Have you forgot that

in becoming autonomous agencies like GPA were outright granted Government of Guam lands and assets to build their empires while line agencies like Guam Memorial Hospital and the Department of Education suffer. Now we want to lease one piece of 400 acres or so I think 406 to one company. Imagine how huge that piece is. We have 500 acres that are already leased and 400 one big chunk would be leased to quarrying purposes. Guam's militarization is a huge factor in the pressure to provide these commercial leases and as most are aware there are already a memorandum of understanding between Lajuna and GEDA another autonomous Government agency that behaves as if it's a growing business empire rather than one providing service for the economic development of our people. And is it Lajuna the one sole company poised to lease this 400 acres of Chamorro Land Trust lands for quarrying purposes going to quarry it for the military? This company that exercises it's US business rights in our colonial homeland will now be allowed to destroy our northeastern coastline for its own profit making mining our kaskahu from the colonized Chamorro peoples Chamorro Land Trust lands causing environmental degradation and changing our islands landscape forever. I am very concerned about this one company's contract. You the Chamorro Land Trust Commission members represent our people as our ancestors have done for many centuries. You must keep our lands free from environmental degradation and destruction for the generations to come. These lands that you hold in trust are our lands. These lands are tied to our spiritual, our cultural and our social identity. They are the source from which we will build our economic and social and cultural development as a free people. It is all we got. I implore you Commission members to please adopt policies that safeguards our peoples land resources and that protects are rights as a people of Guam. Thank you.

Administrative Director Michael Borja – Thank you very much. I don't wish to dampen the spirit that you've proved but that property that you keep speaking about is not on the list for consideration in this set of lands.

5. Joaquin Perez – My name is Joaquin Perez. I am from the village of Santa Rita but pretty soon I will be a resident of Yigo and this is one of the reasons why I am here today. Mr. Chairman and Honorable members of the Commission and the Chairman is a classmate of mine and I know him very well. The Chamorro Land Trust Commission should be commended for its efforts to secure input from those who will be affected by commercial leases of Chamorro Land Trust parcels. However, securing such testimony would be much more effective if held in every village where CLTC property will be open for commercial leases. The hearings would be more easily accessible to the impacted residents and provide them with greater opportunities to participate in these public discussions. It was not difficult for previous CLTCs to conduct public hearings, plural, in Santa Rita on the lease of the CLTC property in Atantano to the GRRP landfill and the incinerator. So I don't see why we find it so difficult to have it in other villages where the land is located which will be impacted by these leases. You know I want to point out something, on this sheet only one piece of property is in Dededo but the hearing is in Dededo. There are a bunch of properties in Tamuning, in Yigo, one in Mangilao that are not so why Dededo? I mean I like coming up here I love to visit but the fact remains that the village in Dededo is not as impacted as the other villages. There's a parcel in here that's going to be held in Santa Rita. If this meeting was in Santa Rita I would have my entire family at that hearing and

they would have something to say. As a Commission you are charged with serious duties, responsibilities and authority to manage parcels which have been mandated to the Trust. The property you have been given authority over belongs to the Chamorro people. It does not belong to the Government of Guam and it does not belong to the Chamorro Land Trust Commission. You're only created to hold it in Trust to make sure that all the benefits accrue to the Chamorro people. Land for the Chamorros. I also suggest that in seeking to commercially lease any property first preference to those leases should be given to organizations or corporations whose majority ownership are of Chamorro descent. To do otherwise may be construed as violating the very intent, spirit and purpose of the Chamorro Land Trust Act. These arguments however will be more appropriately determined through Guam's legal system. For tonight's hearing I note that the notice of hearing was relatively short. Though I trust that it was noticed in accordance with statutory requirements the only announcement I was able to find in the Pacific Daily News was on Saturday, January 16th on page 27 in the section titled Village News under Dededo. It was a three liner. On issues seriously impacting the residents where these commercial leases are contemplated there should be greater coverage not only through all of the media but also through village mayors, the village parishes. I know that on Sundays the Umatuna Si Yu'os circulation is probably as great as PDN. Likewise I would respectfully suggest that public hearings of this nature would be better scheduled and better attended if they are not scheduled for the day after a holiday. It would be nice if the scheduled time for the hearings take into consideration the fact that most people are just getting home from work at 6 o'clock. If the purpose of public hearings is to gather testimony from as many affected residents as possible I suggest that holding the hearings in the villages most impacted would be more appropriate and more in consonance with the intent of the statute which created the CLTC. It was noted in Monday's KUAM news cast that the Lajuna property in Yigo may be taken off the list of potential lands for commercial use as the solicitation is currently under protest. Mr. Borja just noted that it's not on the list, it's not being considered. However, with this statement it is not difficult to surmise that a solicitation has already been issued for the commercial lease of the Yigo parcel. Thus, in the case of Lajuna, if a protest had not been filed this hearing would be but a dog and pony show. Simply a formality to comply with the public hearing requirement because the lease would already be consummated. The residents of Yigo would have had no input as to the provisions, conditions and terms of the lease. That clearly violates the intent and spirit of the law and is in violation of your trust. To simply dismiss the need to secure the concerns of the residents of Yigo with a cavalier attitude is grossly inconsiderate. There are a myriad of concerns and questions regarding the proposed lease. When first made public it was noted that the lease was for mineral extractions. Why the fancy words? It is no secret that the only mineral in that area is coral, kaskahu because that is the only mineral in the area. So why the mystery and attempt to disguise the real intent with fancy words and dancing the botsu? It is on secret that the purpose of the Lajuna lease is to extract a huge amount of coral aggregate. In other words Lajuna will be turned into a coral pit. The bulk of the coral aggregate is for use in construction projects at Andersen Air Force Base, Finagayan and Northwest Field areas as part of the military buildup. The coral at Lajuna is high quality white coral. The quality required under the federal specifications for concrete in military construction projects. Batching plants have already been built at Andersen for this purpose. Lajuna becomes even more desirable because of its proximity to the job sites. Military construction projects

have limited windows between batching of the concrete and actual pouring. The closer the batching plant to the project the better. The Lajuna pit would provide a source of aggregate close by. This proximity would save the successful leaseholder a substantial amount in equipment travel and big time money. But there are things which seemingly are not being considered as the Lajuna lease is contemplated. Transporting the aggregate will require very large dump trucks in the vicinity of 15 to 20 cubic yard variety and a lot of them. Though Route 15 may be the primary route, Gayinero Road or Chalan Lajuna will provide more efficient access to Route 1 Marine Corps Drive and thus a more efficient route to Route 3 the Finagayan area and to Northwest Field. Gayinero Road and Chalan Lajuna are two lane secondary roads through residential areas. These roads are already heavily trafficked by all types of vehicles including school buses. To add more large dump trucks would aggregate and make more dangerous the existing situation. Additionally the intersections of Route 1 and Route 15 is Lajuna and Gayinero are not designed for heavy dump trucks and cement transits. Yesterday's incident at the intersection of Route 1 and Route 16 is a prime example of what could happen. You do that on the intersection at Chalan Lajuna then somebody is going to get killed because it's narrow and it's very sharp it's a 90 degree turn. It has been proposed that the Lajuna coral pit would be terraced and eventually rendered suitable for residential development. A study of existing coral pits from those presently active to those which have been closed will probably suggest that this is but pie in the sky dreams. A walk thru at the Sammy Rock pit, the Hawaiin Rock pit, the former Fadian Pit, the former Perez Bros pit in Tamuning, the former Pacific Rock pit in Tumon, the coral on Bello Road and Barrigada Heights, the former Navy pit on Naval Magazine and the GovGuam coral pit on Ysengsong road will provide a real world view of what really happens with these corals pits. In closing I am asking that notwithstanding the protest against the solicitation on the Lajuna property and whatever delay that may bring a public hearing be scheduled for Yigo with adequate notice and the distribution of the appropriate and attendant documents to all residents and landowners. I am sure you will not be disappointed in the attendance and with the input you will receive. Thank you for your consideration and your conscientious attendance to the provisions of the Chamorro Land Trust Act and the heavy responsibilities you have to all the people of Guam, those who will be impacted by your decisions and most especially the Chamorro people. I know that the impetus for commercial leases is the development of a source of revenue to provide for the survey, mapping and registration of CLTC parcels to be distributed to many waiting applicants. Two of my sons waited for 8 hours in Piti to get their number. One of them is number 424 I think but they got pretty long numbers. We've heard, the Governor wrote us a letter, wrote them a letter saying we understand you've been waiting a long time but we're going to work on it. You know I think we better stop trying to put a (inaudible) over the people's eyes, we know and we'll spot a sham real quick. I suggest that prudence also suggests that a conscientious approach be taken to ascertain the concerns of all who will be impacted and that they be given reasonable opportunity to voice those concerns on what is happening with their land. I'm going to say it again, this land doesn't belong to the Government of Guam, it doesn't belong to the Chamorro Land Trust, it belongs to the Chamorros. Thank you.

(Chamorro translation by CLTC staff Karen Charfauros)

6. Ed Benavente – Who are the commissioner here? Please raise your hand. How many Commissioners are here tonight? Two came. Good evening my elders, brothers and

sisters. I think it is appropriate tonight that I speak Chamorro because Chamorro Land Trust was/is intended for the Chamorro people. If we are to look back to the beginning of all this I think of Anghet Santos. Two fabulous Senators, Frank Lujan and Paul Bordallo gave a document to me and Anghet Santos, we were considered errands boys at the time, and told us that we were to continue the fight for the Chamorro Land Trust act which had not been implemented at the time. Then in the year 1990 the Nasion Chamorro came together and collectively decided that the implementation of the act had to happen since the law was passed in 1975. We went from village to village from Yigo to Humatak to have people sign a petition. That is why this matter is very dear to my heart and discussions to use the land for other reasons than originally intended is a serious matter. The intention of the two Senators who gave us this law intended it for Chamorro people that even if for commercial reasons, Kin was right, it was intended for commercial use by Chamorro individuals if that is what they choose. And if they wanted to farm then that person applied for an agriculture and if they wanted to build a house then they applied for a residential lease, so that was clear. So when I heard there was going to be a meeting tonight I asked what kind of meeting? To be honest I didn't know there was going to be a public hearing tonight or if this was an open gathering, so what kind of meeting is this tonight?

Member of the public - Public hearing.

Ed Benavente - Okay a public hearing. But what is the necessity of this public hearing? But I cannot help but feel that when I hear of the degree of this gathering that there is some self-interest or there is a piece of land that someone politically connected desires. We fought for this Act in two administrations, two. It was clear and loud when the courts said that the Chamorro Land Trust was a legal act, that the intentions was for Chamorros who were wrongfully denied their land, for those individuals and for their heirs. On occasion politicians will question me Ed, how are we going to put in waterlines and powerlines? Power poles called tarpo, were installed way back so that phone lines and powerlines could be installed. They are there. Now, I have never heard of any situation when for example Tan Maria who wants power connected to her house is told get your money ready. I have never heard of that. All the infrastructures are done under capital improvements projects. They made sure that when the power poles were installed they already considered that at some point Tan Maria and Tun Juan would be customers of GTA, so I am sure that the same was considered when they installed waterlines and all infrastructures. The GTA line was installed in my childhood neighborhood in Kanada, Barrigada, my father never paid to have them installed. All the infrastructure is already in place so it behooves me when we need to issue land within Chamorro Land Trust properties that the first thing legislators say is we need to lease out commercial properties within Chamorro Land Trust to pay for infrastructure within residential and agricultural leases. They are lying to us my elders, brothers and sisters. Don't believe them. The philosophies have changed, they are not including Tan Maria in the capital improvement projects anymore. They seek more the million dollar project like the new office for GPA and GWA. My goodness what an expensive project and for me that is where the funding for the capital improvement project fund is going instead of towards Tan Maria or Tun Jose. It is very deeply hurtful when I see the evidence that the struggles we had for this cause is disregarded. I now implore those with influence to soften your hearts. There is someone out there that is not sleeping but is

watching us and our next move. There is one person out there that can guide and lead us through this mess. There is no need to mention names. God is not sleeping. There should be a member from Nasion Chamorro that needs to sit in this position of power to act on behalf of the Chamorro Land Trust and what it is intended for. We should not listen to them when they say they need these commercial leases because the infrastructure was placed in the 50's, 60's, and 70's. Know that once installed Tan Maria and others will sign up as customers. The telephone pole that was installed during my grandmother's time is still there but she was never asked to pay for its installment. Not one dime. So please my brothers and sisters stand up for what Anghet Santos fought back then for us. Do you know what hurts me this morning while having my coffee? When I read the first page of the newspaper and it said the number one homeless people are our people, the Chamorro people. That was unheard off twenty years ago. What has happened to us that we have reached this point? That is what we should be asking ourselves. How did we get to this? When a foreigner comes to Guam and is homeless the federal government will seek to take care of him before they help our people. We are always placed at the back of the line. And now this program that was created to serve the Chamorro people has an excuse for the lack of progress. This I do not understand. So now I will say this, there is no race of people in this entire world that can thrive without its language, culture, its spirit and the land. That is loud and clear. I implore those that have a seat on the Board of Chamorro Land Trust to discuss these matters and if you can't for some reason please resign yourself from the Board and make it known and be clear as to the reason you are leaving the Commission. And please do not be tempted to act contrary to the intentions of the Chamorro Land Trust Act, please. I didn't hear all the speakers tonight but I did hear Hope Cristobal, Hope it has been twenty years since we have been fighting for this cause. Therese Terlaje who was our attorney since the 1990's, Kin your speech tonight was sweet, well thought out and to the point. Mr. Borja thank you for giving us this opportunity tonight.

7. Roland Quitugua – My name is Roland Quitugua and I'm the Chairman of the Northern Soil and Water Conservation District. I'm not here to testify as much as it is to engage in discussion. First off the northern district is really concerned about the number of acres being proposed. I understand it's supposed to be going on for a period of so many years but what we're looking at and I apologize I'm biased because I'm from Yigo so those three tracts I mean I get heartburn every time I'm leaving the house with all the traffic there already and anticipating these new developments and also the commercialization of some of these green spaces is of great concern. We've seen up in the northern district a lot of the green areas that are being developed in private lands. And we feel strongly that we need to discuss this more because of the fact that we're seeing more and more green spaces being cleared. While we cannot say much with what's happening on private property we can say that on Government property we have a more responsibility to be good stewards of the land. We see a lot of (inaudible) happening right now and I don't know about you guys but I grew up in Yigo and when I was a kid there was never a thing with flooding. How do you flood on top of limestone? Yet we have development that is happening and what happens with development is we're ending up with paving and don't worry because we got engineers that will engineer the heck out of that and yet we still have flooding issues. My good Mayor around here in Dededo oh my gosh she is the flooding queen. The thing about it how many acres are we taking out and how many acres are we moving from that recharge? Our

concern is the recharge of aquifer and its design so I'm asking is if you are going to be developing that it be looked very carefully. Another concern we have is the Soil and Water District has been working for many years with the University of Guam Cooperative Extension Service, with the Chamorro Land Trust as well as the Department of Agriculture and we've been working on training, educating agricultural lessees and potential agricultural Chamorro Land Trust agricultural lessees on how to farm, how to better utilize their properties. As the gentleman here said in the beginning he's on a piece of property that he cannot farm. We have developed curriculum and we have demonstrated with our partners USDA and this is Bart Lawrence sitting here who provides USDA federal programs for these agricultural lessees to utilize these properties and so what we would like to know is as you've got a plan presented before us for the commercial aspect of your Trust we would like to see the agricultural plan as well because you're taking agricultural lands out of the equation and converting it to commercial so where does that put the agricultural lands. You can't say that even in your as you said you have an ag lease plan what is that based on because we have seen a number of ag lessees come to the District and come to Department of Agriculture and come to the University because if you're put on an ag piece of property an ag lease which in their eyes is not suitable for ag production. And I can tell you that I have seen and I have been on the Lajuna site and that's some good property. It used to be a (inaudible). Now Mr. Borja we ask that you maybe present your ag program your ag masterplan and maybe present a (inaudible) manner that we might be able to better judge the intention and see exactly how the Chamorro Land Trust plans on proceeding forward. In regards to the commercial leases that are being proposed I cannot over emphasize the importance of what was brought up earlier about having to go back into the actual villages that have a stake here. In this case Yigo has three of the tracts but I would like to bring light to something that I saw earlier you have a piece of property in Dededo the one parcel there was another parcel that used to be the Dededo Transfer Station that was closed. Is that correct? Is that Chamorro Land Trust property if it's no longer being DPW because that reverts back to Chamorro Land Trust? I think on another thing we can do is we can probably save one of these green spaces or use it for agricultural (inaudible) and recharge the aquifer if you need to take the (inaudible) which is going to be of high value sitting right next to Marine Drive and all the utilities are there already. So I'd ask you to consider that as an option. It's already cleared and apparently any trees (inaudible) on that as well and I think that's high value. So if you take a look at that area that might be an option to save some of these green areas. Thank you.

8. Margarita Perez – Hafa Adai my name is Margarita Perez. I want to address Lot 5173-1- I don't know the rest of it. Anyway I just want to remind everybody the reason why this lot is sold by a local Chamorro it happens to be my father Frank D. Perez to the Government of Guam. So I could I would just like to read the affidavit of Governor Carlton Skinner regarding this property. I, Carlton Skinner, being first duly sworn, depose and say: I was appointed in August 1949 by President Truman as the first civilian Governor of Guam. At that time Guam was administered by the Navy Department and I was responsible for the Naval Government of Guam. I took the oath of office in Agana in September 1949 and immediately set about converting the Naval Government to a civilian government. With the passage by Congress of the Organic Act in 1950, the island became a Territory of the United States. I quickly realized that Guam had a serious problem of providing civilian

medical care and hospital services for the civilian population then about 35,000 people. The Naval Government after World War II had created an entity call Guam Memorial Hospital. In reality this barely existed. It was a group of temporary butler buildings and quonset huts contiguous to and administered as part of the Naval Hospital. These temporary buildings rusting, leaking and with no air conditioning were only hospital wards. The essential facilities were all part of the Naval Hospital, the operating rooms, pharmacy, laundry, morgue, power plant, kitchens, mess hall and patient feeding were all part of the Naval Hospital. The Navy had plans for building a new Naval Hospital in its present location overlooking Agana Bay and intended to tear down the temporary dilapidated buildings in use. I considered asking to have these transferred to the civilian government but did not for two reasons, the appalling state of repair and the totally uneconomic prospect of making these buildings into a viable hospital. While in Washington in November or December 1949 seeking typhoon relief after a devastating typhoon I called on the Chief of the Navy's Bureau of Medicine and Surgery and proposed a joint Government of Guam/Navy use of the new Naval Hospital then getting ready to be constructed. I offered to pay for all hospital services to the civilian population or in the alternative to employ doctors and nurses and others as necessary to carry our share of the joint hospital service. The Admiral said that would be impossible, he could not permit civilian government employees to work in a Naval Hospital and he was unwilling to arrange for joint use, reimbursed by the Government of Guam. In frustration I asked if we could employ cleaners and drivers. He answered "absolutely not". About this time the Navy in Guam built a chain link wire fence between the temporary Naval Hospital buildings and the buildings used as wards for the civilian population and called euphemistically Guam Memorial Hospital. It became clear to me and my colleagues in the new civilian government that we would have to build our own hospital. In order to include this in the budget, I needed a study of best location, optimize size, facilities needed, etc. We had no money for such a study in the budget which Interior had prepared before I was appointed. To solve this problem we built a temporary cockpit on Paseo de Susanna and held week long 10 hours a day cockfights with the Government taking a cut on all bets. This provided us with $25,000 which we used to hire a Honolulu architect who had designed several hospitals in Hawaii including Queen's and St. Francis. The architect did a workmanlike job of determining facilities needed and designing them. One of the most critical elements was the location. It had to be accessible from the ten major centers of population with reasonable access for roads and utilities. A location in Ordot was considered along with several others. However since the Naval Hospital was to be located in a preferred site overlooking the ocean we concluded that it would be wrong to bury the civilian hospital in the interior. The civilian patients were also entitled to an attractive location with beautiful views, cooling trade winds, etc. I asked Manuel Guerrero then Assistant Director with Land Management to find such a site. He came up with the location non Satpon Point. I asked him to negotiate for it with the landowner who turned out to be Frank Perez. About this time the US Army was winding down its activities on Guam and on Saipan and Tinian. So anyways it goes on it's got another paragraph or two but I just wanted to share with you why Oka Point was sold from a local Chamorro. It was sold for the people of Guam and the intended use that the Chamorro Land Trust Commission has on here is for commercial and hotel. So I just wanted to remind the Commission that the intended use was for the locals and I'm hoping that that's what will remain as something that we locals can use as (inaudible) can enjoy the view that Kutturan Chamorro gets to

enjoy now and those that attend Kutturan Chamorro. That's all I'm going to say thank you. Sorry one more thing I wanted to let you know this is Document 544237 filed with Land Management.

9. Monaeka Flores – Good evening everybody, Mr. Borja, members of the Department of Land Management, Commissioners of the Land Trust. My name is Monaeka Flores and I'm here in opposition for the use of 600 acres to be categorized as not necessary for residential leases and also against over 400 acres to be used, identified for quarrying purposes. This (inaudible) which is really to try to find funds to support the infrastructure for Chamorro Land Trust lands it actually negates the sole purpose of the Trust which is to provide lands to landless Chamorros and empower our most marginalized community members. As all of us know the Chamorro Land Trust act is intended to advance the wellbeing of the Chamorro people by way of equitable land distribution (inaudible) exclusively on interest of Chamorro Land Trust beneficiaries to hold up its Trust properties for its beneficiaries to maintain and uphold their fiduciary responsibilities to the beneficiaries of the Trust, to exercise due to care and diligence in management of Chamorro homelands. Our indigenous Chamorros have suffered from historic injustices as a result of colonization and dispossession of their lands and resources and continued to be confronted with the systemic oppression the occupation and land taking. Such oppression and displacement has prevented us from exercising our own rights to development in accordance to our needs and interest as indigenous people. Without informed consent, fair compensation (inaudible) can be argued that a great number of our community members including many of the applicants and beneficiaries of the Land Trust are in fact descendants of families who have lost a great deal of land and therefore their own empowerment and economic sustainability due to land taking. Therefore the Chamorro Land Trust is critical to our physical, spiritual, economic and cultural survivorship of our people and to promote inherit rights of our indigenous community. I am extremely against the open removal of natural resources for profit. We are exploiting natural resources and land that is held in public Trust it just doesn't make any sense. Realistically the Board is a political entity so I'm here tonight to please try to encourage you to think for the people and not just for you know what people in power are asking you to do. You know currently as its written the way this is written priorities are not going to be given to Chamorro owned business entities to benefit from even the use of commercial Land Trust properties so it's open to anybody. And if you really think about it who are the Chamorros who could benefit? It's actually a very small population who could benefit from something like this. So if you open up Pandora's box you know you can't imagine the negative repercussions of exploiting our natural resources and basically giving away Chamorro homelands to businesses for development. I really just want to echo what Senot Benavente said earlier you know the whole rational for these commercial leases is to help benefit those who want land for agricultural and residential purposes but I really want to reiterate the need to look at (inaudible) projects and also some other suggestions I have are you know to develop a nonprofit arm of the Chamorro Land Trust to identify for grants such as the thousands and thousands of dollars available to the US Department of Agriculture for water infrastructure in agricultural properties. Or even maybe to take a portion of the funds collected from all of the construction permits and putting some of that money toward land surveys or water infrastructure in Land Trust for the Land Trust beneficiaries. Again I'm completely opposed to commercial leases under the

Chamorro Land Trust. It goes against the very core of what the Trust was created for. Thank you very much.

10. Cara Flores Mays – My name is Karen Flores Mays and I'm in opposition. I have a couple of questions. When is the public comment period over? When are comments due?

Administrative Director Michael Borja – I'll leave that up to the Commissioners at their hearing on Thursday.

Cara Flores Mays – Okay and for folks that are not here I know that there are quite a few people asking where they can submit comments to. I mean is that the only email address that they can submit to?

Administrative Director Michael Borja – It works.

Cara Flores Mays – Okay I just want to point out that the real issue here is not money. The Land Trust if it were a priority would be funded. I mean if we have enough of money to pay millions of dollars for consulting on the revitalization of Hagatna and have money to do retro pay raises then the issue is really not that we don't have money. It's that somebody has their eyes on these specific properties and they want to justify the taking of these properties. And I think the bottom line is and I'll submit my comment later because I hate speaking up front but the bottom line is that these lands are not for public taking they are for Chamorros and if you look at the way development has gone it has not benefited the Chamorro people. You have a few people who are really well off and then you have the rest of the population that is struggling and I don't know do you guys have kids? Do you have children? Do you have nieces, nephews? I have a 9 year old daughter and I really don't want her legacy or her understanding of our people to be that they are homeless and forced to live underneath trees outside of Paseo. I mean we may be removed from that or we may feel that we're being moved from that but if all of our people are not doing well then we're not doing well either. And so I just don't understand how development is going to be a solution to this problem when it has not been thus far. So I'll submit my comment later thank you.

Administrative Director Michael Borja – And the Chamorro Land Trust we only can work within the confines of the public laws that are given to us and on someone's previous comment about prioritization given to Chamorros you know that was what was in our original rules and regulations that the Chamorro Land Trust submitted but when the Legislature took it upon themselves to make their own you can ask the legislative legal counsel why it's removed but it was.

11. Sabrina Perez – Good Evening my name is Sabrina Perez and I was humbled by the speakers that came before me. I don't have anything written but I just want to basically say that I think somethings really wrong with the rules and regulations and it needs to go back to be really readdressed. Because for one thing I think when we allow or have the discussion where we can allow the destruction of our island through mineral basically destroying our island I think something is really wrong with this process. To me this

process seems very similar to military buildup process and the war be taken on the role of our colonizer where we have to put our people you know up basically we have to speak out against something that is an injustice and it's against our interest our best interest for our people. I feel that the rules and regulations need to be rewritten so that we talk about how we're going to develop our island in a more environmentally sustainable way. To me when we're in a rush to make profit and in expense of our wealth because really our wealth comes from our environment, it comes from our culture, it comes from our people who can you know sustain us. I think that it needs to be rewritten. So I think that the rules and regulations something is wrong with it when we allow this to put ourselves in this position. When I moved back here to Guam about seven years ago I was fortunate to become an intern where we would go out into the limestone forest and we would study the impact of bird loss to Guam. In the background I would hear the breaking of our coral on the east side of Guam and to me maybe I've been saving for this moment because I wanted to know who can I talk to to stop this destruction. I think we really need to stop the destruction of our island. It's very important that we don't allow this anymore to happen. Thank you.

12. Candice Muna – Hafa Adai my name is Candice Muna and many of you may know me as Primitiva. I don't have anything written out. I'm just moved to say something is that now at this present moment most of our earth is being torn apart. Forests are being burned and trees being cut down. Our waters are being polluted they're toxic and now the Government of Guam wants to take away the land that belong to the Chamorro. When I say belong it's not because we possess the land but because we are the rightful stewards of this land. Our ancestors have been here for 4,000 years or more. And we are the one who have the connection this spiritual connection to this land who are most equipped to defend this land, protect it and also nurture the land so that the future generations of all Guamanians and Chamorros have clean air, clean water, clean food. So you know it's not in our best interest for these lands to be taken for commercial use as many of you all know. I hope that the Government can do what is best for not only the Chamorro people but also for all the people living on this island and breathing the same air, swimming the same ocean, drinking the water, eating the food that comes from the land. And so it's with this that I just want to say that it really is our responsibility it's all of our responsibility to continue to push forward and we will not give up. We grew up reciting the Inifresi which is our oath to our land and to our ocean and to our ancestors and to the children. So it is our responsibility to continue on and to ensure that our families and our friends, everyone and our community understands that this is not just our struggle but it's every ones. Thank you.

IV. ADJOURNMENT

Public Hearing adjourned at 7:55pm.

Transcribed by: Teresa Topasna, WPSII: Teresa Topasna

Approved by Board motion in meeting of: Feb. 18, 2016

Michael J.B. Borja, Administrative Director: _____ Date: 2/18/16

Joseph I. Cruz, Acting Chairman: _____ Date: 2/18/16

Attachment, Exhibit A

CHAMORRO LAND TRUST COMMISSION
Proposed Property for Commercial Use
January 19, 2016 Public Hearing

Alupat Island, Tamuning

1. FACTS:

- **a. Location:** An island in the Alupang cove area, inside the reef, near the Onward Beach Hotel
- **b. Lot Size:** N/A
- **c. Zone:** N/A
- **d. Parcel Identification Number:** N/A
- **e. Land Management Survey Map No.:** None, referred in document recorded as Instrument No. 804582
- **f. Tax Assessed Value:** N/A

2. POTENTIAL USE:

Any commercial activity conducive to its size and location, in compliance with all restrictions established by local and federal guidelines regarding coastline use and natural habitat

3. RECOMMENDATION:

Authorize for commercial use for the purpose of engaging in a commercial lease

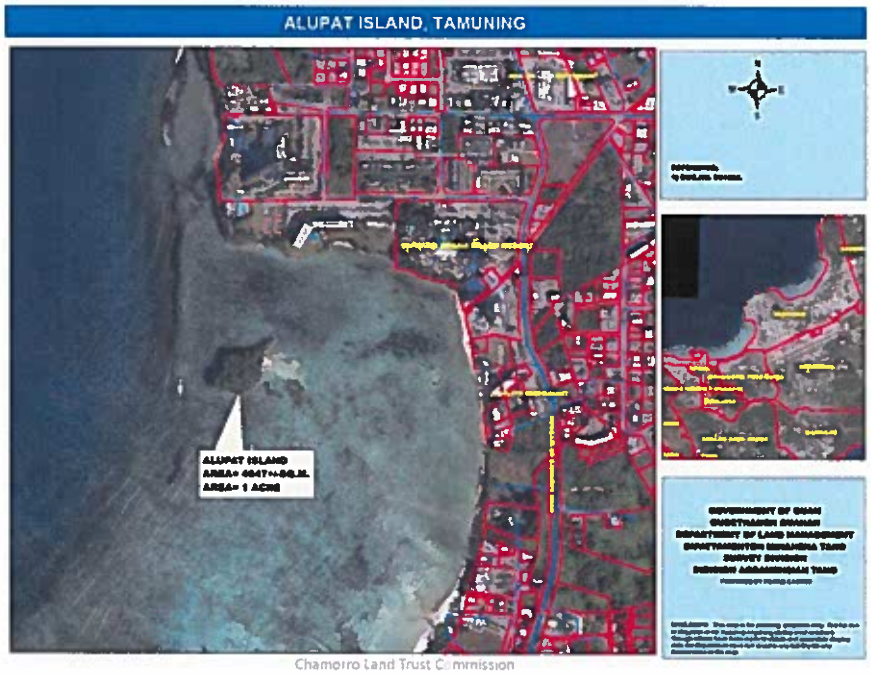


EXHIBIT A

CHAMORRO LAND TRUST COMMISSION
Proposed Property for Commercial Use
January 19, 2016 Public Hearing

Lot No. 439-R1 (Parcel "B"), Santa Rita

1. FACTS:

- **a. Location:** Off Route 2A, Santa Rita, south of the fuel tank farms
- **b. Lot Size:** 87.2 acres (352,872 square meters)
- **c. Zone:** Light Industrial (M1) zone
- **d. Parcel Identification Number:** 10000373120000
- **e. Land Management Survey Map No.:** 274FY2001
- **f. Tax Assessed Value:** $888,744

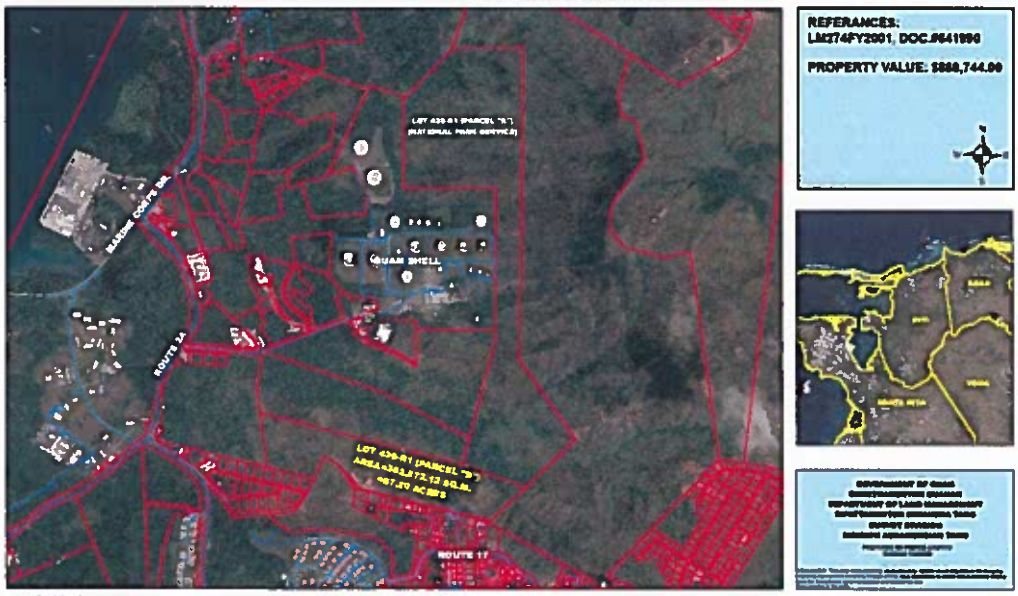
2. POTENTIAL USE:

Any light industrial or commercial activity conducive to its size and location

3. RECOMMENDATION:

Authorize for commercial use for the purpose of engaging in a commercial lease

LOT 439-R1 (PARCEL "B"), SANTA RITA, PID 10000373120000 , ZONE M1



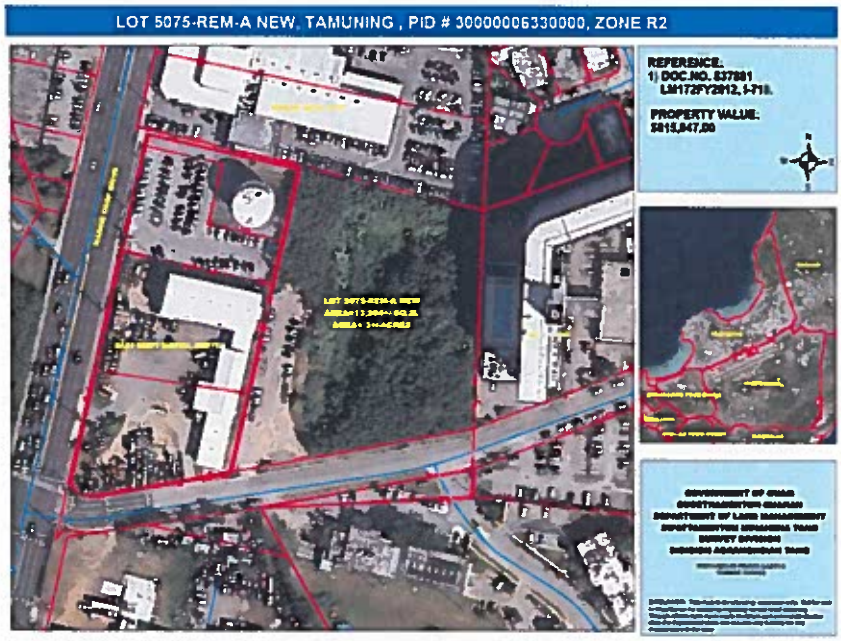
CHAMORRO LAND TRUST COMMISSION
Proposed Property for Commercial Use
January 19, 2016 Public Hearing

Lot No. 5075-REM-A NEW, Tamuning

1. **FACTS:**
   a. **Location:** Off Marine Corps Drive, Upper Tumon, behind East-West Rental and adjacent to the Nissan Auto dealership
   b. **Lot Size:** 3.3 acres (13,504 square meters)
   c. **Zone:** Multi-family Dwelling (R2) zone
   d. **Parcel Identification Number:** 3000006330000
   e. **Land Management Survey Map No.:** 172FY2012
   f. **Tax Assessed Value:** $815,047

2. **POTENTIAL USE:**
   Any commercial or multi-residential activity conducive to its size and location

3. **RECOMMENDATION:**
   Authorize for commercial use for the purpose of engaging in a commercial lease



CHAMORRO LAND TRUST COMMISSION
Proposed Property for Commercial Use
January 19, 2016 Public Hearing

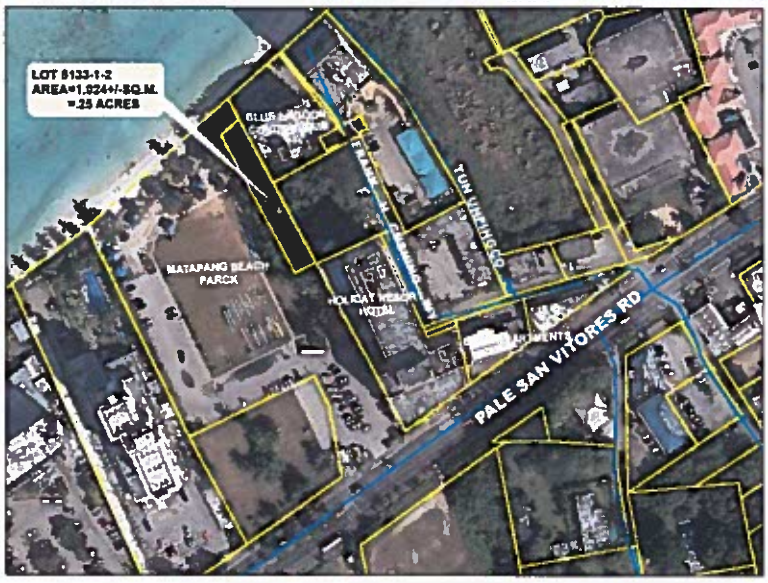
Lot No. 5133-1-2 Tamuning

1. **FACTS:**
   a. **Location:** Off San Vitores Road, Tumon, adjacent to the Holiday Resort Hotel, also known as the Cushing Zoo
   b. **Lot Size:** 0.25 acres (1,024 square meters)
   c. **Zone:** Hotel (H) zone
   d. **Parcel Identification Number:** 10000550630000
   e. **Land Management Survey Map No.:** 258FY89
   f. **Tax Assessed Value:** N/A

2. **POTENTIAL USE:**
   Currently being used as a zoo established by public law. Current lease has expired

3. **RECOMMENDATION:**
   Authorize for commercial use for the purpose of engaging in a commercial lease to legitimize current occupant of the land

LOT 5133-1-2, TAMUNING, PID 10000550630000, ZONE H



REFERENCES:
LM258FY89, I332, DOC#436342

PROPERTY VALUE: NA

CHAMORRO LAND TRUST COMMISSION
Proposed Property for Commercial Use
January 19, 2016 Public Hearing

Lot No. 5138-2-R3NEW-1-1, Tamuning

1. **FACTS:**
   a. **Location:** Off Marine Corps Drive, Upper Tumon, between K-Mart and Shell and adjacent to DISID property
   b. **Lot Size:** 0.7 acres (2,868 square meters)
   c. **Zone:** One-Family Dwelling (R1) zone
   d. **Parcel Identification Number:** 10001298930000
   e. **Land Management Survey Map No.:** 314FY89
   f. **Tax Assessed Value:** $728,990

2. **POTENTIAL USE:**
   Any commercial or multi-residential activity conducive to its size and location

3. **RECOMMENDATION:**
   Authorize for commercial use for the purpose of engaging in a commercial lease

LOT 5138-2-R3NEW-1-1, TAMUNING, PID# 10001298930000. , ZONE R1

CHAMORRO LAND TRUST COMMISSION
Proposed Property for Commercial Use
January 19, 2016 Public Hearing

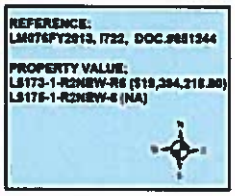
Lot No. 5173-1-R2NEW-6, -R6, Tamuning

1. **FACTS:**
   a. **Location:** Off the west end of San Vitores Road, also known as Oka Point or Old Hospital Point
   b. **Lot Size:** 38 acres (153,463 square meters)
   c. **Zone:** Multi-family Dwelling (R2) zone
   d. **Parcel Identification Number:** 30000016360000
   e. **Land Management Survey Map No.:** 076FY2013
   f. **Tax Assessed Value:** $19,394,218

2. **POTENTIAL USE:**
   Any commercial or hotel activity conducive to its size and location

3. **RECOMMENDATION:**
   Authorize for commercial use for the purpose of engaging in a commercial lease

LOT 5173-1-R2NEW-6, -R6, TAMUNING, PID 30000016350000, 30000016360000, ZONE R2



CHAMORRO LAND TRUST COMMISSION
Proposed Property for Commercial Use
January 19, 2016 Public Hearing

Lot No. 5175-4, -R4, Tamuning

1. **FACTS:**
   a. **Location:** Off Route 10A (Airport Road), Tamuning, west of Home Depot and behind Mendiola family property
   b. **Lot Size:** 4.5 acres (18,193 square meters)
   c. **Zone:** Multi-family Dwelling (R2) zone
   d. **Parcel Identification Number:** 10002323435000
   e. **Land Management Survey Map No.:** 108FY2010
   f. **Tax Assessed Value:** $3,190,880

2. **POTENTIAL USE:**
   Any light industrial, commercial or multi-residential activity conducive to its size and location

3. **RECOMMENDATION:**
   Authorize for commercial use for the purpose of engaging in a commercial lease

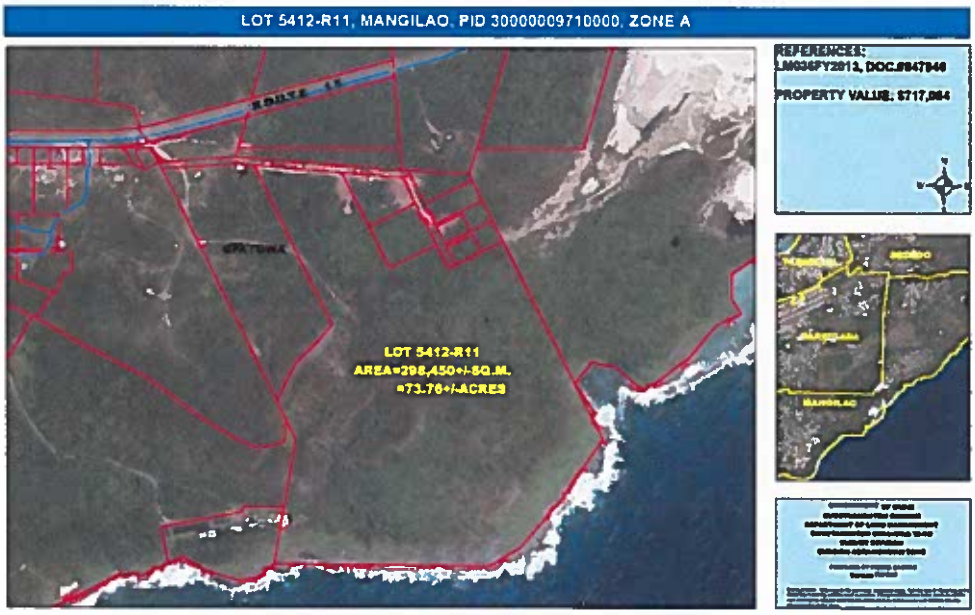
CHAMORRO LAND TRUST COMMISSION
Proposed Property for Commercial Use
January 19, 2016 Public Hearing

Lot 5412-R11, Mangilao

1. **FACTS:**
   a. **Location:** Off Route 15 Mangilao, adjacent to and behind the GPA/GWA building
   b. **Lot Size:** 74 acres (298,450 square meters)
   c. **Zone:** Agricultural (A) zone
   d. **Parcel Identification Number:** 3000009710000
   e. **Land Management Survey Map No.:** 036FY2013
   f. **Tax Assessed Value:** $717,084

2. **POTENTIAL USE:**
   a. Create a terraced subdivision housing community
   b. Extract mineral to be sold for revenue and infrastructure development

3. **RECOMMENDATION:**
   Authorize for commercial use for the purpose of engaging in a commercial contract with a developer to terrace property for future housing development, install infrastructure, and build affordable housing to be sold to eligible CLTC applicants or certain existing CLTC residential or agricultural leaseholders



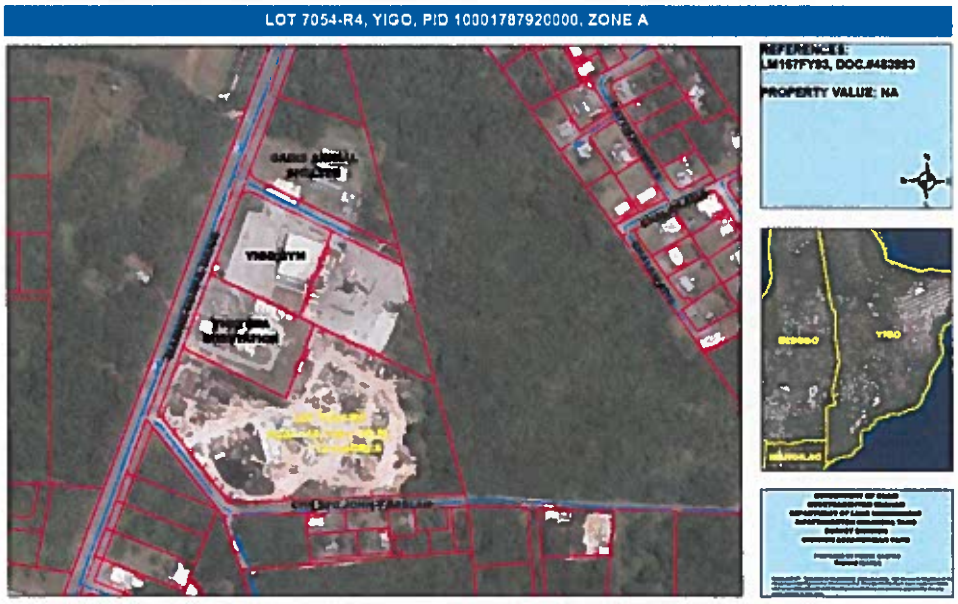
CHAMORRO LAND TRUST COMMISSION
Proposed Property for Commercial Use
January 19, 2016 Public Hearing

Lot 7054-R5, Yigo

1. **FACTS:**
   a. **Location:** Off Marine Corps Drive, Yigo, adjacent to the GPA substation and near the Yigo community gym.
   b. **Lot Size:** 12 acres (48,309 square meters)
   c. **Zone:** Agricultural (A) zone
   d. **Parcel Identification Number:** 10001787920000
   e. **Land Management Survey Map No.:** 167FY93
   f. **Tax Assessed Value:** N/A

2. **POTENTIAL USE:**
   a. Currently being used as light industrial
   b. Any commercial or multi-residential activity conducive to its size and location

3. **RECOMMENDATION:**
   Authorize for commercial use for the purpose of engaging in a commercial lease



CHAMORRO LAND TRUST COMMISSION
Proposed Property for Commercial Use
January 19, 2016 Public Hearing

Lot No. 7055, Yigo

1. **FACTS:**
   a. **Location:** Off Marine Corps Drive, Yigo, behind the GAIN animal shelter and the Yigo gym
   b. **Lot Size:** 43 acres (174,655 square meters)
   c. **Zone:** Agricultural (A) zone
   d. **Parcel Identification Number:** 10001724130000
   e. **Land Management Survey Map No.:** Prewar map A-261
   f. **Tax Assessed Value:** N/A
   g. **This lot is UNREGISTERED**
   h. **Portion of this lot designated as a FEMA site for disaster debris management plan**
   i. **Portion of lot held in reserve for Guam Waterworks to determine location of future water well sites**

2. **POTENTIAL USE:**
   Any commercial or multi-residential activity conducive to its size and location

3. **RECOMMENDATION:**
   Authorize for commercial use for the purpose of engaging in a commercial lease, pending land registration

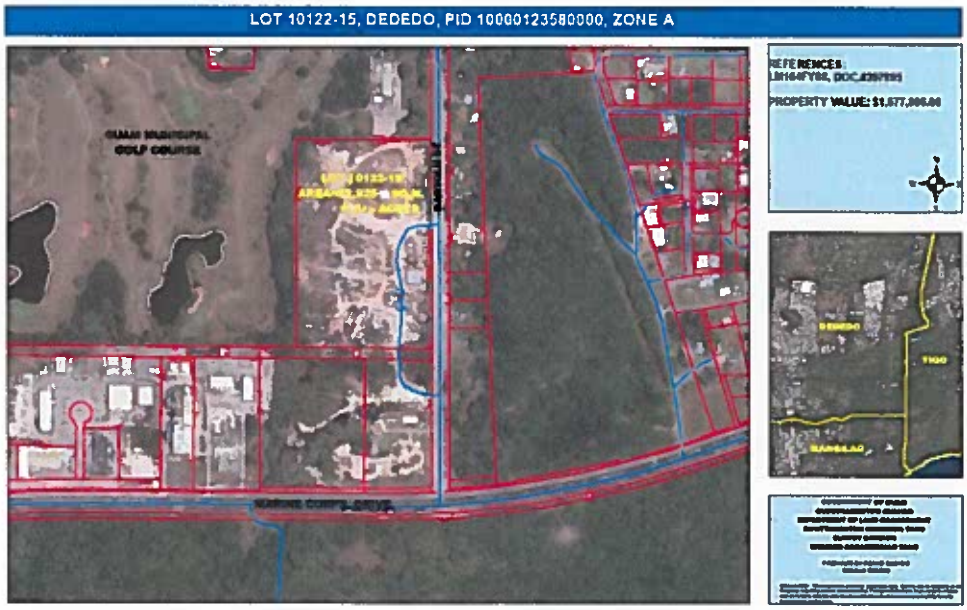
CHAMORRO LAND TRUST COMMISSION
Proposed Property for Commercial Use
January 19, 2016 Public Hearing

Lot No. 10122-15, Dededo

1. **FACTS:**
   a. **Location:** Off Bartolu St., Dededo, north of the old Dededo waste transfer station and adjacent to the municipal golf course
   b. **Lot Size:** 13 acres (52,925 square meters)
   c. **Zone:** Agricultural (A) zone
   d. **Parcel Identification Number:** 10000123580000
   e. **Land Management Survey Map No.:** 184FY88
   f. **Tax Assessed Value:** $1,677,806

2. **POTENTIAL USE:**
   a. Currently being used as a metal scrap facility established after a major typhoon
   b. Any light industrial or commercial activity conducive to its size and location

3. **RECOMMENDATION:**
   Authorize for commercial use for the purpose of engaging in a commercial lease to legitimize current occupant of the land



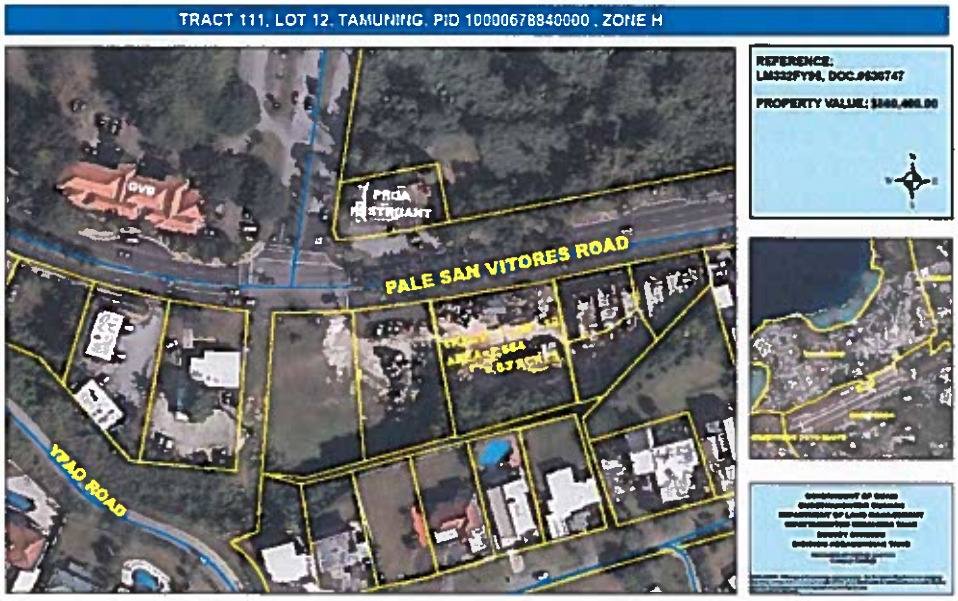
CHAMORRO LAND TRUST COMMISSION
Proposed Property for Commercial Use
January 19, 2016 Public Hearing

Tract 111, Lot 12 Tamuning

1. **FACTS:**
   a. **Location:** Off Pale San Vitores Road, Tumon, across from Ypao Beach Park and Proa Restaurant
   b. **Lot Size:** 0.63 acres (2,564 square meters)
   c. **Zone:** Hotel (H) zone
   d. **Parcel Identification Number:** 10000678840000
   e. **Land Management Survey Map No.:** 332FY95
   f. **Tax Assessed Value:** $860,400

2. **POTENTIAL USE:**
   a. Any commercial or multi-residential activity conducive to its size and location

3. **RECOMMENDATION:**
   Authorize for commercial use for the purpose of engaging in a commercial lease



CHAMORRO LAND TRUST COMMISSION
Proposed Property for Commercial Use
January 19, 2016 Public Hearing

Tract 10123 (Lot 7128-REM), Yigo

1. **FACTS:**
   a. **Location:** Off Marine Corps Drive, across from Yigo gym
   b. **Lot Size:** 30 acres (122,098 square meters)
   c. **Zone:** Agricultural (A) zone
   d. **Parcel Identification Number:** 10000457410000
   e. **Land Management Survey Map No.:** 229FY76
   f. **Tax Assessed Value:** $2,666,037

2. **POTENTIAL USE:**
   a. Master planned for about ninety one-third acre residential lots to include some road frontage commercial use
   b. With housing subdivision development to include all infrastructure, can possibly be redesigned for over one hundred fifty house lots
   c. Potentially eligible for SUTA

3. **RECOMMENDATION:**
   Authorize for commercial use for the purpose of engaging in a commercial contract with a housing developer to install infrastructure and build affordable housing to be sold to eligible CLTC applicants or certain existing CLTC residential or agricultural leaseholders

REMOVED FROM CONSIDERATION DUE TO A SOLICITATION PROTEST

LOT 7163-R1, YIGO, PID # 10001802120000, ZONE A

REMOVED FROM CONSIDERATION DUE TO PENDING LEGISLATION

LOT 5138-2-R3NEW-1-1, TAMUNING, PID# 10001298930000, , ZONE R1