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GUAM LAND USE COMMISSION MEETING MINUTES



Department of Land Management ITC Building, Tamuning, Guam DLM Conference Room, 3rd Floor ITC Bldg. Tamuning, Guam 96913



Thursday, July 10, 2025 1:31 p.m. to 2:12 p.m.

GUAM LAND USE COMMISSION MEETING

Department of Land Management, 3rd Floor ITC Building, Tamuning DLM Conference Room
Thursday, July 10, 2025 • 1:31 p.m. to 2:12 p.m.

MEMBERS PRESENT:

Ms. Anita B. Enriquez, Chairperson

Commissioner Ronald C. Pangilinan, Commissioner

Mr. Gerald P. Yingling, Commissioner

[Excused: Commissioner Leilani R. Flores]

PLANNING STAFF PRESENT:

Mr. Joseph M. Borja, Executive Secretary

Mr. N. Lee Miller, Jr., Legal Counsel

Ms. Celine L. Cruz, Chief Planner

Mr. Frank Taitano, Planner IV

Mr. Penmer Gulac, Planner IV

Ms. Sonny Gogue, Planner III

Mr. Kyle Meno, T. Network Coordinator

Ms. Cristina Gutierrez, Recording Secretary

GUAM LAND USE COMMISSION GUAM SEASHORE PROTECTION COMMISSION

Attendance Sheet

Department of Land Management Conference Room
590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning

Date of Meeting:	THURSDAY, JULY 10, 2025	X		GSPC
Time of Meeting:	GLUC: 1:21 pon GSPC:	V	Regular Special Quorum No-Quorum	Regular Special Quorum No-Quorum
COMMISSION MEN	MBERS		SIGNATURE	
Chairwoman Anita	B. Enriquez		2	
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Commissioner Ro	nald C. Pangilinan	pr	pt-	all contracts which is a second of the other
Commissioner Ge	rald P. Yingling	0	3	
Commissioner (Va	icant)			
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Rossana San Migi	uel Tiston, Deputy Director			
Lee Miller, Assista	ant Attorney General	PLESENT		
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Penmer Gulac, Pla	anner IV	16		
M. Grace Vergara,	Planner IV	/		
Sonny Gogue, Pla	inner III	Log	W	
Theresa Guevara,	Planner II			
Edward Sanchez,	Planner I	AND THE SAME OF THE	a second	
M. Cristina Gutier	rez, Recording Secretary	marine	Tima Then	
Kyle P.D Meno, T.	Network Coordinator	Present	00	

GUAM LAND USE COMMISION GUAM-HYBRID LAND USE COMMISSION GUAM SEASHORE PROTECTION COMMISSION

Speaker's Sign-In Record

Location: Department of Land Management Conference Room 590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning

GLUC	X	Regular	Date:	Th	ursday, July	y 10, 2025
GHLUC	X	Special	Time:	1:	מון וצ	
Quorum	~	No Quorum	Adjournme	ent:	2:12	m

(THIS RECORD WILL BE USED IN THE TRANSCRIPTION OF THE GLUC/GSPC MINUTES. PLEASE PROVIDE YOUR FULL NAME AND WHO YOU REPRESENT, I.E., ITEM ON AGENDA.)

LEASE PRINT NAME CLEARL	APPLICATION NAME AND/OR NUMBER	Telephone No.
Lyndon Kin	3524 Development 2014-	DA 727 6948
Soundar Subo	2025-45	416-1900
VIL GAZA	BME + SON	988-9630
Albert Santos	2025-45	487-4966
Antoni Sunghan	2025-45	687-3205
IRWIN WYORS	2025-45	6-18-3211
ALBONT PARKET	2025-45	6493116
DANNY NATIVIDAD	BAME & SON	788-2324
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GUAM LAND USE COMMISSION GUAM-HYBRID LAND USE COMMISSION GUAM SEASHORE PROTECTION COMMISSION

Public Attendance Record

Location: Department of Land Management Conference Room 590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning

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		GHLUC		Special	Time:	1:31 pm	
	X	GLUC	X	Regular	Date:	THURSDAY, JULY	10, 2025

PLEASE PRINT NAME CLEARLY	APPLICATION NAME AND/OR NUMBER	Telephone No.
Fernando Estever	6HURA	
Jose Napyti	CDLO	671-475-4770
Brett Railey	GWA	300-6040
Joseph Calvo	CWA	300 -6889
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GUAM LAND USE COMMISSION



Chairperson Anita B. Enriquez Commissioner Leilani R. Flores Commissioner Ronald C. Pangilinan

Commissioner Gerald P. Yingling Commissioner (Vacant)

Joseph M. Borja, Executive Secretary N. Lee Miller, Jr., Legal Counsel (OAG)

AGENDA

Thursday, July 10, 2025 at 1:30 p.m.

Department of Land Management Conference Room

3rd Floor ITC Bldg., Tamuning, GU 96913

[As advertised in the Guam Daily Post – July 2, 2025 & July 8, 2025]
Livestreamed on YouTube at Guam Department of Land Management Channel

- I. Notation of Attendance/Roll Call [] Quorum [] No Quorum
- II. Approval of Minutes
 - GLUC Regular Meeting Minutes of Thursday, June 12, 2025
- III. Old or Unfinished Business [None]
- IV. New Business

Zone Change

- A. <u>Application No. 2025-45</u>, the Applicant, Guam Housing and Urban Renewal Authority; requests a Zone Change from "A" (Agricultural/Rural) zone to "PF" (Public Facilities) zone, for the proposed construction of infrastructure facilities for water, sewer and power, on Lot 5280-3, in the Municipality of Mangilao. Case Planner: Frank Taitano/Sonny Gogue
- V. Administrative & Miscellaneous Matters

Conditional Use - Renewal

B. <u>Application No. 2024-07A</u>, the Applicant, BME & Son's, Inc.; requests its first annual renewal of a Conditional Use Permit, to allow for the continued operation of a Temporary Workforce Housing Facility to house up to a maximum of 214 workers, on Lot 5223-R9-3, in the Municipality of Barrigada, in an "M1" (Light Industrial) zone. Case Planner: Penmer Gulac

Tentative Subdivision

- C. Application No. 2024-03A, the Applicant, J524 Development LLC; requests an extension of Time pursuant to Section 5 of E.O. 96-26, for a previously approved Tentative Subdivision, to construct a residential subdivision consisting of 80 single-family dwellings with full improvements, on Tract 10441 (formerly Lot 7134), in the Municipality of Yigo, in an "R1" (One Family Dwelling) zone.
 Case Planner: Frank Taitano
- D. Election of Vice Chairperson, Guam Land Use Commission

VI. Adjournment

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES

Thursday, July 10, 2025 • 1:31 p.m. to 2:12 p.m.
Department of Land Management Conference Room
3rd Floor, ITC Bldg., Tamuning, Guam 96913

[As Advertised in the Guam Daily Post on July 2nd, 2025 & July 8th, 2025] Livestreamed on YouTube/Guam Department of Land Management Channel

I. Notation of Attendance

Chairperson Enriquez called the regular meeting of the Guam Land Use Commission for Thursday, July 10, 2025, to order at 1:31 p.m.

Present were: Chairperson Anita Enriquez, Commissioner Ronald Pangilinan, Commissioner Gerald Yingling, Executive Secretary Joseph Borja, Legal Counsel Lee Miller, Guam Chief Planner Celine Cruz, Planning Staff Frank Taitano, Penmer Gulac, Sonny Gogue, Kyle Meno, and Recording Secretary Cristina Gutierrez.

Excused: Commissioner Leilani Flores

Madam Chair noted a quorum and announced that today's meeting was being livestreamed on YouTube at the Guam Department of Land Management Channel.

<u>Chairperson Enriquez</u>, before moving forward with the agenda, Madam Chair stated that she had received a request to rearrange the order of the agenda, moving Item B, under Administrative Matters, to the beginning of the agenda.

Madam Chair asked for a motion.

<u>Commissioner Yingling</u> made a motion to reorder the agenda as stated by Chairperson Enriquez.

Commissioner Pangilinan seconds the motion.

<u>Chairperson Enriquez</u> there was no discussion on the motion. Madam Chair put the motion to a vote, with all members in favor of approval. [Motion passed unanimously with a vote of 3 ayes and 0 nays.]

II. Approval of Minutes

<u>Chairperson Enriquez</u> on the agenda today, is the approval of the Minutes from the last GLUC meeting of June 12, 2025. Members have been emailed in advance the draft of the Minutes, and they have been reviewed. Madam Chair asked for a motion for action.

Commissioner Yingling motioned to approve the Minutes of Thursday, June 12, 2025.

Commissioner Pangilinan seconds the motion.

<u>Commissioner Enriquez</u> confirmed and accepted the motion made by Commissioner Yingling and seconded by Commissioner Pangilinan. Madam Chair noted no errors, edits, omissions, or discussion, put the motion to a vote with all members in favor of approval.

[Motion approved unanimously with a vote of 3 ayes and 0 nays]

III. Old or Unfinished Business [None noted]

V. Administrative and Miscellaneous Matters

Conditional Use – Renewal

B. <u>Application No. 2024-07A</u>, the Applicant, BME & Son's Inc.; requests is first annual renewal of a Conditional Use Permit, to allow for the continued operation of a Temporary Workforce Housing Facility to house up to a maximum of 214 workers, on Lot 5223-R9-3, in the Municipality of Barrigada, in an "M1" (Light Industrial) zone.

Case Planner: Penmer Gulac

<u>Chairperson Enriquez</u> welcomed the applicant to the meeting and asked them to state their names for the record and to proceed with their presentation.

<u>Vic Gaza</u> representing BME & Son's Inc., and with Mr. Gaza is Danny Natividad, Chief of Operations. Mr. Gaza extended their appreciation to the Commission for allowing them to move up on the agenda. Mr. Natividad is leaving tonight and appreciates the consideration given to them.

Mr. Gaza stated that they are before the Commission to request their consideration for BME's application for the renewal of their Conditional Use permit. He added that they have met all the requirements and the conditions of the application. Additionally, they acknowledge the MPC and Mayor's support of Barrigada.

BME will continue to comply with all of GLUC's imposed conditions, and they will continue to report promptly their annual status and renewal of their permits, licenses, Public Health requirements, updates of H2B, and to maintain the best they can of their temporary workforce housing facility operations as required. Mr. Gaza added that this is a critical stage for BME as they have Department of Defense projects, as well as local and Government of Guam projects.

In closing, Mr. Gaza asked for the Commission's kind consideration in approving their request and extended their appreciation to Chief Planner Cruz and Planning Staff for their professional guidance.

<u>Chairperson Enriquez</u> opened the floor to the Commission for questions for the applicant.

Commissioner Pangilinan has no comments.

Commissioner Yingling has no comments.

<u>Chairperson Enriquez</u> had no questions for the applicant, and turned the floor over to Planning Staff for the staff report.

<u>Celine Cruz, Chief Planner</u> reported that the applicant is seeking its first annual renewal of a previously approved Conditional Use Permit for its Temporary Workforce Housing Facility for a capacity of up to 214 workers. The facility is well maintained, compliant with permit conditions, and includes dormitories, administrative offices, workshops, and recreational areas.

Planning staff finds the request reasonable and consistent with the original approval, and the site is compatible with the surrounding light industrial uses, and no complaints or violations have been reported. There are currently 150 H2B workers residing on site with Visa extensions underway.

To conclude, Chief Planner Cruz stated that Planning recommends approval of the applicant's request for the renewal and continued operation of its Temporary Workforce Housing Facility, and further reporting on its status. [For full content/context, please see attached Brief]

[Attachment B - Commission Brief dated June 30, 2025]

Chairperson Enriquez turned the floor over to the Commissioners for questions.

Commissioner Yingling commended the staff for a good report.

Commissioner Pangilinan has no comments.

<u>Chairperson Enriquez</u> noted no further discussion. Madam Chair opened the floor for public comment.

Public Comment [None noted]

<u>Chairperson Enriquez</u> noted no public comment for the application before the Commission, and closed the public comment period. There was no additional discussion from the Commission, Madam Chair asked for a motion for action.

[Note: The original motion made by Commissioner Yingling did not include conditions, and, the motion was amended with all members in favor.]

<u>Commissioner Yingling</u> amended his motion to approve Application No. 2024-07A, subject to the conditions as stated in the Commission Brief of June 30, 2025.

Commissioner Pangilinan seconds the motion.

<u>Chairperson Enriquez</u> there was no discussion on the motion. Madam Chair put the motion to a vote, with all members in favor of approval. [Motion passed unanimously with a vote of 3 ayes, 0 nays.]

Madam Chair returned to the regular order of business.

IV. New Business

Zone Change

A. <u>Application No. 2025-45</u>, the Applicant, Guam Housing and Urban Renewal Authority; requests a Zone Change from "A" (Rural/Agricultural) zone to "PF" (Public Facilities) zone, for the proposed construction of infrastructure facilities for water, sewer and power, on Lot 5280-3, in the Municipality of Mangilao. Case Planner: Frank Taitano and Sonny Gogue

<u>Chairperson Enriquez</u> welcomed the applicant's representatives to the meeting, asked that they state their names for the record, and to proceed with their presentation.

Brandon Santos (GHURA) with Mr. Santos today is Albert Santos with the CDLO Office. Mr. Santos stated that on behalf of the Guam Housing and Urban Authority, they are before the Commission today regarding their zone change request under Application 2025-45 for Lot 5280-3 in Mangilao.

GHURA is requesting a zone change from agricultural zone to public facility zone. Mr. Santos remarked that the rezoning of the parcel is an important step to support much-needed infrastructure improvement, which will not only benefit the immediate area but also wider communities of Mangilao, Chalan Pago, and Yona. The main goal is to allow for the development of the central public utility infrastructure for Guam Power Authority and Guam Waterworks Authority.

Planned improvements include a water storage tank and utility sub-stations, which are critical to improve the reliability and capacity and overall delivery of water, sewer, and power services to the surrounding areas.

<u>Albert Santos</u> stated that his role for this request is to assist in facilitating the zone change. He added that before being heard by the GLUC, they underwent a whole chain of issues. Their request was unique in the sense that they had to work with their partners at the Department of Defense to get access and easement from the Navy property to access the subject parcel.

Mr. Santos added that they were joined today by the Engineer Manager from GWA, as well as Vince Sablan from the Guam Power Authority, who are available to answer questions from the Commission.

In closing, Mr. Santos stated that they are seeking the Commission's approval for this muchneeded project in order to answer the call of the low water pressure and power demand issues experienced by the community of Mangilao.

Chairperson Enriquez turned the floor over to the Commission for questions.

<u>Commissioner Pangilinan</u> inquired whether the improvements will accommodate future development in the area.

<u>Albert Santos</u> replied that the project is more than just building a GWA pump station. The plan includes the drilling of three water wells, adding a three-million-gallon water holding tank, which will be the largest tank available on the island. This project will be a major improvement for the areas of Mangilao, Chalan Pago, and Yona.

<u>Chairperson Enriquez</u> mentioned that in reading through the minutes from the public hearing, she noted a concern about access and the Route 15 road, specifically regarding the adequacy of the road's width for the intended parcel. The second concern was for private owners to be given the opportunity for water and sewer connections, and the potential to realize savings through economies of scale, if this could potentially lower the costs associated with the necessary water and sewer infrastructure, and if such savings are feasible.

Brett Raley, GWA commented that at present, the nearest public sewer connection is approximately several hundred meters down the road past the turn to Ladera Towers. With the improvements that are being proposed by installing a sewer lift station and force main at the top of the hill and gravity lines the rest of the way down, it would allow all of the properties between the sewer lift station and the current existing of the beginning of the sewer to be connected to the sewer. He added that the plan is to include gravity lines up the hill to the east of the map, and will allow quite a bit of additional area in the vicinity to connect to the sewer in the future.

<u>Chairperson Enriquez</u> asked if there would be sufficient capacity for future development of housing subdivisions to have access to sewer/water connections.

<u>Brett Raley, GWA</u> replied that they are planning for capacity for the area and not just for the site that is being developed.

<u>Albert Santos</u> added that it would be for the whole area, and that the pump will play a critical role in making connections possible. Further down (referring to the map displayed), landowners will have the opportunity to connect to the lines.

Mr. Santos also addressed the Chairperson's inquiry on the road and access. He restated that this was the key to obtaining the easement from the Navy (referring to the map), and that the majority of the construction would not impact the existing road. By having this easement from the Navy, the majority of the construction will be off to the side of the road, and this would not reduce

the number of current lanes currently being used. He also added that there are plans in the future by DPW to expand the road to five lanes.

<u>Chairperson Enriquez</u> remarked that everyone saw the delays in terms of water access post Typhoon Mawar. Madam Chair mentioned that the University depends on its water tank on campus to be able to provide a water supply. Moreover, with the expansion of the footprint and the increase in facilities that are being seen in what is called the Mangilao economic zone, with the educational facilities to include GCC, GW High School, the Guam Culture Repository, Public Health's safety bio-lab and the four additional UOG facilities, Madam Chair asked what type of benefit could they anticipate with this expanded capacity to support this group.

Brett Raley, GWA responded that there were challenges following Mawar in the Mangilao area. The plan for this development is to drill several test wells inland of the three sink holes on the property. Hydrogeologic work will be necessary to verify the quantity and quality of sufficient water before it is developed in the production wells. Mr. Raley stated that they are hopeful that they will be able to get a minimum of three more wells out of this project, which would be an additional water source or supply to Mangilao. The additional tank that is planned to be built will also add to the resiliency of the Mangilao area, having that additional storage capacity.

<u>Commissioner Pangilinan</u> commented that he grew up in the Ladera area, and the water pressure was always low. Commissioner Pangilinan asked if they had an impact zone on where the new wells would affect existing wells.

Brett Raley, GWA responded that they were not planning on changing how the current system operates; the plan is to supply an additional water source into that zone. Currently, there are several wells that feed into the Mangilao area, along the back road to Andersen, there are water lines coming from the Carnation intersection that feed water from wells, and having more source wells in the area will provide additional capacity in that zone.

<u>Chairperson Enriquez</u> there were no additional comments from the members. Madam Chair turned the floor over to the staff for their report.

<u>Sonny Gogue, Case Planner</u> read the staff report to include the application summary, facts to include the master plan, community design plan, no previous Commission action, the application's chronological history, public hearing results, staff analysis, and discussion to address the justification for public necessity, public convenience, and general welfare. Planning staff recommends approval, subject to conditions. [For full content/context, see attached report]

[Attachment A – Staff Report dated June 25, 2025]

Chairperson Enriquez questions for staff.

Commissioner Pangilinan had no questions.

Commissioner Yingling had no questions.

Chairperson Enriquez had no questions for staff, and opened for public comment.

Public Comment [None]

<u>Chairperson Enriquez</u> noted no public comments. Madam Chair closed the public comment period for the application that is before the Commission and was ready to entertain a motion for action.

<u>Commissioner Pangilinan</u> made a motion to approve Application No. 2025-45, subject to the conditions and recommendation stated in the staff report dated June 25, 2025.

Commissioner Yingling seconds the motion.

<u>Chairperson Enriquez</u> accepted the motion made by Commissioner Pangilinan and seconded by Commissioner Yingling. There was no discussion on the motion, Madam Chair put the motion to a vote, with all members in favor of approval. [Motion passed unanimously with a vote of 3 ayes and 0 nays.]

Next item on the agenda -

V. Administrative and Miscellaneous Matters

Tentative Subdivision

C. <u>Application No. 2024-03A</u>, the Applicant, J524 Development LLC; requests an Extension of Time, pursuant Section 5 of E.O. 96-26, for a previously approved Tentative Subdivision to construct a residential subdivision consisting of eighty (80) single-family dwellings with full improvements, on Tract 10441 (formerly Lot 7134), in the Municipality of Yigo, in an "R1" (One Family Dwelling) zone. Case Planner: Frank Taitano

<u>Lyndon Kim</u> is before the Commission on behalf of J524 Development, LLC. The applicant is requesting an extension of time to complete the improvements of a previously approved Tentative Subdivision for Tract 10441 (formerly Lot 7134) to construct a single-family dwelling subdivision. The subject lot is located in the municipality of Yigo. Their request for an extension of time is pursuant to a Notice of Action dated and recorded on April 2024.

Chairperson Enriquez questions for Mr. Kim.

Commissioner Pangilinan had no questions.

Commissioner Yingling had no questions.

<u>Chairperson Enriquez</u> had no questions for Mr. Kim and turned the floor over to staff for the report.

<u>Celine Cruz, Chief Planner</u> summarized the Commission Brief dated June 26, 2025. The applicant is requesting an extension of time, conditionally approved by the Commission on April 11, 2024, for the development of a single-family subdivision.

Chief Planner Cruz notes that the applicant has been and continues to consult and coordinate with the Government of Guam's permitting agencies to address permitting conditions and requirements for the approved tentative subdivision. Planning Staff recommends approval, subject to conditions. [For full content/context, see attached report]

[Attachment C - Commission Brief dated June 26, 2025]

Chairperson Enriquez questions for staff.

Commissioner Pangilinan had no questions.

Commissioner Yingling had no questions.

Chairperson Enriquez had no questions for Mr. Kim, and opened the floor for public comment.

Public Comment [None]

<u>Chairperson Enriquez</u> there was no public comment noted. Madam Chair closed the public comment period and, was ready to entertain a motion for action.

<u>Commissioner Pangilinan</u> made a motion to approve Application No. 2024-03A, subject to the conditions noted on the Commission Brief dated June 26, 2025.

Commissioner Yingling seconds the motion.

<u>Chairperson Enriquez</u> accepted the motion made by Commissioner Pangilinan and seconded by Commissioner Yingling. There was no discussion on the motion, Madam Chair put the motion to a vote with all members in favor of approval. [Motion passed unanimously with a vote of 3 ayes and 0 nays]

D. <u>Election of Vice Chairperson, Guam Land Use Commission</u>

<u>Chairperson Enriquez</u> before entertaining nominations for the position, Madam Chair stated that Commissioner Leilani Flores has declined the nomination for the position. Additionally, the Commission is still waiting to hear on the confirmation of a fifth member, Joseph Rios.

Madam Chair emphasized the crucial role of the Vice Chairperson in the Commission. If the Chairperson is unavailable for a meeting, the Vice Chairperson will take on the responsibilities of the Chair. Members were reminded that a quorum for the regular GLUC consists of three out of five members. Additionally, the GLUC Chair also serves as the Chairperson for the Hybrid Commission. In the absence of the Chairperson, the Vice Chairperson will assume the duties of Acting Chairperson.

<u>Frank Taitano</u>, <u>Planner</u> commented that the support for the Chairperson from the Planning Staff will also be extended to the Vice Chairperson in that capacity.

<u>Chairperson Enriquez</u> extended her appreciation for the statement made by Mr. Taitano and was ready to entertain a nomination for a Vice Chairperson for the Guam Land Use Commission.

Commissioner Yingling nominated Commissioner Ron Pangilinan.

<u>Chairperson Enriquez</u> nomination has been made, and asked Commissioner Pangilinan if he accepts the nomination.

Commissioner Pangilinan accepted the nomination.

<u>Chairperson Enriquez</u> seconds the nomination made by Commissioner Yingling. Madam Chair put the motion to a vote, with all in favor of Commissioner Pangilinan's appointment as Vice Chairman.

Madam Chair brought up a letter that she received in her capacity as Chairwoman of the Guam Land Use Commission, a letter from the Commander of the United States Pacific Fleet, Department of the Navy. The subject is a notice of intent to prepare a supplemental environmental impact statement/overseas environmental impact statement for the Mariana Islands.

Madam Chair stated for the record, that as Chairperson of the Commission, she does not make any unilateral decisions whenever she receives a request. In her capacity as Chairwoman, she is reminded that any requests have to be brought before the Commission because she does not represent the Commission when it comes to providing any kind of testimony, and wanted to ensure that this was made clear. Chairperson Enriquez added that she receives requests to provide testimony, and if she does, it will be in her own individual capacity, but never on behalf of the Commission. Madam Chair asked Legal Counsel Miller if this was correct.

Attorney Miller, Legal Counsel responded that it was. And if any of the members or staff represent that they are speaking on behalf of the body of the organization, it must be ensured that it is a topic that the Commission has discussed and a majority has voted to take a position on. Everyone is free to speak their own mind as long as it is clear they are speaking in their individual capacity.

Chairperson Enriquez asked the Chief Planner for the next meeting date for the GLUC.

<u>Celine Cruz, Chief Planner</u> responded that a meeting is tentatively scheduled for July 24, 2025, and that Planning is tracking two applications for the Hybrid Commission. The GLUC will also convene on the 24th to approve the Minutes.

<u>Chairperson Enriquez</u> for the record, Madam Chair acknowledged that Honorable Mayor Wayne Santos from the village of Chalan Pago was present at today's GLUC meeting.

There being no further business for the Commission, Chairperson Enriquez was ready to entertain a motion for Adjournment.

VI. Adjournment

Vice Chairman Pangilinan made a motion to adjourn today's meeting.

Commissioner Yingling seconds the motion.

<u>Chairperson Enriquez</u> motion is made by Vice Chairman Pangilinan and seconded by Commission Yingling. Madam Chair put the motion to a vote, with all in favor of adjournment. [Motion carried; 3 ayes and 0 nays] The regular meeting of the Guam Land Use Commission for Thursday, July 10, 2025, was adjourned at 2:12 p.m.

Approved by:

Date approved:

Anita B. Enriquez, Chairperson Guam Land Use Commission 7/24/2025

Transcribed by:

M. Cristina Gutierrez, Recording Secretary

Planning Division, DLM

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E-mail Address: dlmdir@land.guam.gov

Telephone: 671-649-LAND (5263)

> Facsimile: 671-649-5383



DIPÅTTAMENTON MINANEHAN TÅNO' (Department of Land Management)

GUBETNAMENTON GUAHAN



LOURDES A. LEON GUERRERO MAGA'HAGA · GOVERNOR

JOSHUA F. TENORIO SIGUNDO MAGA'LAHI • LIEUTENANT GOVERNOR

JOSEPH M. BORJA DIRECTOR

ROSSANA SAN MIGUEL TISTON **DEPUTY DIRECTOR**

June 25, 2025

MEMORANDUM

To:

Chairperson, Guam Land Use Commission

From:

Guam Chief Planner

Subject:

Staff Report - Application No. 2025-45

PURPOSE:

- a. Application Summary: The applicant, Guam Housing and Urban Renewal Authority (GHURA), is requesting a Zone Change from "A" (Agricultural) to "PF" (Public Facilities) Zone for the proposed construction of infrastructure facilities for water, sewer, and power on Lot 5280-3 in the Municipality of Mangilao.
- b. Legal Authority: Sections 61630 to 61638 (Changes of Zones) of Chapter 61 (Zoning Law), Title 21 GCA (Real Property)

2. FACTS:

- a. Location: The subject lot is located across the GPA/ GWA Gloria B. Nelson Public Service Building along Route 15.
- b. Total Lot Area: 47.95 acres or 194,081 square meters
- c. Present Zoning: "A" (Agricultural) Zone
- **d. Field Description:** The site is vacant and undeveloped.
- e. Masterplan: "Residential" (North and Central Guam Land Use Plan)
- f. Community Design Plan: The subject lot was within the Federal Lands boundary.

Re: Staff Report - Application 2025-45, Zone Change

Lot 5280-3

Municipality of Mangilao

Date: June 25, 2025

Page 2 of 3

g. Previous Guam Land Use Commission Action: None

3. APPLICATION CHRONOLOGICAL FACTS:

a. Date Application Accepted: April 17, 2025

b. Date Heard By ARC: May 1, 2025

c. Public Hearing Results: May 30, 2025 (Attachment "A")

4. DISCUSSION and STAFF ANALYSIS:

The applicant's request is for a zone change approval pursuant to Section 61630 (Requirements For Changes) of Chapter 61 (Zoning Law) Title 21 GCA, which states; "The Commission may, with the approval of the Governor, change the zones established under this Chapter whenever it finds that the public necessity, convenience, and general welfare justify such action".

The applicant in response for the Zone Change submits the following justification:

Public Necessity:

The proposed project justifies public necessity due to the lack of infrastructure for development in the vicinity of the area. The proposed GPA Fadian Substation will provide voltage and load support for the Mangilao, Chalan Pago, and Yona villages. The growing population in central Guam necessitates the construction of an additional substation to meet the rising energy demands and improve the reliability of the electrical grid. As more homes, businesses, and military facilities come online, the current grid infrastructure risks becoming overburdened. With projections indicating continued population increases for the Mangilao and Barrigada area, this necessitates the expansion and modernization of water and wastewater infrastructure to accommodate growth and to improve services.

Public Convenience:

The public convenience is enhanced by having additional public facilities in the area. The proposed substation is designed to provide a robust power source to local customers, significantly improving service reliability for the Mangilao community. Critical wastewater and potable infrastructure development are pivotal for addressing current service deficiencies, such as aging water and wastewater infrastructure, that will have long-term benefits for the community.

Re:

Staff Report - Application 2025-45. Zone Change

Lot 5280-3

Municipality of Mangilao

Date: June 25, 2025

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General Welfare:

The general welfare is elevated by providing the installation of adequate and safe public water, sewer, and power. The proposed project not only aims to bolster the infrastructure for the proposed medical campus, but also to enrich the community by providing reliable infrastructure and supporting future growth.

In our analysis, our consideration includes the context of the application, which provides justification that supports a positive action on the zone change request, and that the request received no objection Position Statement from the ARC members. Additionally, the results of the Mangilao Municipal Planning Council (MPC) meetings on June 11th, Resolution No. 2025-07, is in support of the Zone Change. We find the above and the context of the application provide justification that the public's necessity, convenience. and general welfare are addressed.

- 5. RECOMMENDATION: Planning staff recommends approval subject to the following conditions:
 - 1. That the applicant adhere to the permitting ARC members' conditions and requirements as stipulated in their official position statement.

Celine L. Guam Chief Planner

Attachments:

ARC Position Statement Summary Public Hearing Minutes "Attachment A"

Mangilao MPC Resolution No. 2025-07

Case Planners: Frank Taitano & Sonny Goque

PUBLIC HEARING MINUTES Friday, May 30, 2025, 6:00 p.m. Mangilao Community Center

APPLICATION NO. 2025-45

APPLICATION TYPE: Zone Change

APPLICANT: Guam Housing and Urban Renewal Authority

LOT: <u>5280-3</u>

CALLED TO ORDER: 6:02 p.m. ADJOURNED: 7:00 p.m.

The meeting was called to order by Planning Staff and after a brief introduction and explanation of the application, the floor was then turned over to the applicant, Brandon Santos from GHURA, and representatives of the proposed project, Vincent Sablan from GPA and Brett Railey from GWA, for their presentation and explanation of the application. The following are responses to the public attendees' questions and concerns:

1. Fernando Esteves: Will this fix the water issue in Mangilao?

Brett Railey: This will help.

2. Mayor Allan Ungacta: What will be included to address the water issue? The community is concerned from the after math of Typhoon Mawar. In the past with Mawar and previous storms, we're usually the last ones in the community to get the water or to get adequate pressure so majority of the times we were too low or no water pressure. Fernando was asking what would actually resolve the issues with parts of our water in Mangilao and does it help additional areas in this community? It will.

Brett Railey: The sewer pump station in the area will help. We're very optimistic that when we test drill for the wells, that we will have viable sites that we can develop into production wells, and the additional production capacity will help. We also have some other unrelated projects that are anticipated to assist with this. There are some pressure zone realignment work that is ongoing around the island. Other issues that we're working on will hopefully assist with some of the problems that we know that exist in the Mangilao area.

3. Fernando Esteves: Will the new pump station be relied on?

Brett Railey: There will be back up generators. We have a number of wells that are down that are going to need long-term capital work to get back up. Part of the problem after Mawar was that we had some pumps and motors that burned, and it was a struggle to replace them timely and get all those wells that should have been running-back up and running. So, you know, that's something that GWA deals with and is ongoing.

4. Fernando Esteves: Will the new water well be hooked up to part of the underground power distribution?

Public Hearing Minutes: ZC 2025-45

Page 2 of 8

Brett Railey: As I understand, yes. My understanding is that the power for the site is to be underground, and so these wells would be underground feed, that's my understanding, but GPA can confirm that. It's not intended to rely on a backup generator in the event of a storm? No, we're intending on having backup generators at all of our pump stations and wells, regardless of whether they're fed from above-ground or underground power.

5. Fernando Esteves: So for both correct?

Brett Railey: Correct, we have backup generators at most all of our wells and pump stations at the present.

6. Fernando Esteves: But this one in particular will be fed from underground power?

Brett Railey: As I understand it, that is the plan.

7. Fernando Esteves: A lot of the funding is coming from the applicant. How would that affect repairs going forward?

Brett Railey: GWA is required to do that work under the partial consent decree that we have with the court. We have no choice. We are having to upgrade the Mangilao sewer lift station, the Barrigada sewer lift station, the force mains, and sewer lines that connect those. By using the money that is available for this project to do some of that work, we're actually not having to spend ratepayer money to do that. So some of the cost is being offset by the federal funding that we have for this project.

8. Marie Cruz: When is this development?

Albert Santos: Hopefully next year.

9. Marie Cruz: We're concerned about the traffic, and will there be grading of that property?

Albert Santos: (Explains the location of the GPA substation, GWA reservoir, and GWA sewer pump station on the vicinity map). All the work will be at the project site, the interior of the lot. The whole clearing is confined to this area, as well as the GWA area. And then this one here is on the shoulder. But as far as any major traffic increase because of the construction, we won't likely see it because, again, they'll be all isolated within the property line.

10. Marie Cruz: I'm concerned about the neighbors who actually live in that area. Will this be like Hawaiian Rock with the dust? Will the construction be during normal business hours? Hawaiian Rock, just on the other side of the road on Route 15 is a 24/7 operation, and that white dust is a huge problem for residents. We're concerned about the dust and the noise. How is this, whoever the developer is, and the applicant for the infrastructure, will keep this going during normal business hours, Monday through Friday, 8-5. My concern is not just the traffic, but the construction dust and the noise. It's just like any project.

Albert Santos: We will work with EPA to have a dust mitigation plan. There will be a washdown area to help with the dust and a stormwater prevention protection plan. They would have dust control so when they build this up, there are going to be barriers around there. They'll have those silt fence that stop the dust from flying around. But if there's going to be any major grading, they still have to water down that area. And the same thing going out, if they have to export raw material, we have to have a wash

Public Hearing Minutes: ZC 2025-45 Page 3 of 8

down area so the vehicle gets washed down before it exits onto the main road. They will follow the rules, and in doing this EPA will definitely be on us.

11. Marie Cruz: For the commission application, will any implementation be available to the public for environmental issues and whether the mitigation is actually being implemented, will that be available? That's my concern because I have to live in that area.

Albert Santos: Yes, there will be.

12. Marie Cruz: Is there a plan to put a traffic signal in that area? Every morning it's a challenge to get in and out to get to where we need to go. We have Hawaiian Rock on this end with that noise and the dust. My concern is this area is now going to be, I'm assuming this is the governor's new hospital, right? And so the concern is not just for the people that live here, but also the people that live on this end and as you go further up.

Albert Santos: The only development we're going to do here, is the power and water infrastructure right now.

13. Marie Cruz: Before all of this, it was Dr. Joseph, and we had conversations with him about the dust, they're required to have a dust control plant. Will there be grading in that area?

Albert Santos: Yes, but there will be a dust control plan before that starts.

14. How close is the sewer line on Route 15 without the substation?

Brett Railey: (Points out and explains the gravity line location on the vicinity map exhibit.)

15. Is the sewer for the land in the area?

George Watson: Potentially in this area. GWA is working with the contractors to extend. There's no gravity at all right now. So one of the big things that's going to help this one, it'll provide gravity lines that way so that allows more customers to get on it, more people, and protect our aquifer. You can have gravity from this point all the way down, but also if we do the pump station here, you would also have gravity going to the pump station from both sides. You would have gravity from the edge of the property over here down to the pump station.

16. Is that an easement next to the property on the side?

Brett Railey: It's in the process of being requested from DOD. It's a DOD easement. It's not certain at this point how the site will be developed or designed but the we're working with the contractors.

17. Will the lots in the Radio Barrigada be able to connect?

Brett Railey: Maybe. No plans yet at the moment, but possibly in the future.

18. How do the residents benefit from this new development?

Brett Railey: The only infrastructure that exists when GPA and GWA built their new headquarters building, we put in a very small lift station that only serves that building with a force main that runs all the way down the road to where it connects to the

existing gravity lines. With this new plan, it's likely that this sewer pump station will just pump to the crest of the hill and will have gravity down the hill. So again, expanding the sewer system allows us to connect additional customers in the future that would develop along that gravity line.

19. Can the residents in the area connect to sewer?

George Watson: The properties near the pump station along Route 15 can connect. Right now, in your area, there's no plans to extend but possibly in the future. So at least from the areas adjoining where that new infrastructure will be built, that is providing an opportunity for future development happening in those areas to connect to that sewer infrastructure. But there is no plan at the present, so your area would not be included in the plan that is existing.

20. That's the problem with the governor. It's only for the hospital. What about the residents along Route 15? This is where I think a lot of our residents stay silent because our government just does things to do things. The money that's going into this development and the people that it's serving is a new hospital, GPA's headquarters, and the flow of where the water is going to run. We have access to water but it's the septic tank that we deal with and the low water pressure. The hospital will take awhile but the neighbors should be able to benefit. The governor, when she took office, promised that the people will benefit. The residents are the ones that are living in this area. We have no other choice but to build a septic tank and deal with environmental issues with septic. My question is, with millions of dollars going into it, I don't just speak for myself, I'm speaking for the landowners that live off of Route 15.

Albert Santos: Well, this is a start, there's hope.

Fernando Esteves: From a community development standpoint, the infrastructure is a start for residents and commercial businesses. It's not a final solution, but it's a start. The funding source that is available, cannot pay for individual hookup. It has to be associated with a project, eligible project like the hospital. How can we get a benefit, a community benefit? This is a start. Because you cannot, no individual business or no individual home could hook in. The infrastructure being in there-, and so that's kind of the benefit, it's a start. Is it the final solution? Unfortunately not. We're trying to, with all the funding that is available, with all the rules that we have to follow, we try to get the small wins, and it's a progressive project process. It's very rare that there is a funding source that will allow us to build new infrastructure. Most of the time, GPA and GWA, they're going to raise our rates, and we're going to feel that for a long period of time. This is one way without having to raise rates, we're able to get massive infrastructure in that's going to benefit the area. But that doesn't mean that there is going to be no more development in the area. This is one of the properties that GHURA has acquired and we're looking to develop this here. And so what does that mean? I'm going to need to hook up to sewer and if I hook up to sewer, it's going to bring it that much closer to where you guys are. Now, I can't tell you today, exactly where it's going to be, but this is about progressive community development, right? Every little win we get is a win for the community. I wish we could, broadly, and I know I've seen GWA's plans and trying to get as much of it out there as they can, but a lot of it is getting the main systems out first. I don't know if that's any consolation, but the idea, the long-term vision of GHURA for community development is not just the hospital. It's going to be development along Route 15 as an opportunity. When more people start hooking up to the sewer, hopefully it helps bring down the cost and things

like that. More people hooked up, the cheaper it's going to be. More people hooked up into the utilities, we need the main utilities in place. Power is kind of an easy one. It's easy to do. But sewer and water has always been a big challenge for the community. So, you know, we're hoping this is a win. This is not the end of it by any means. This is kind of the start of it. I hope that answers your question. I just want to give a sense of hope to the residents.

21. But we have to deal with septic tanks. We deal with low water pressure. When we have a storm, we have to go and fill up water. During Mawar, we go to the Mayor's office and there were long lines of cars with people just trying to get water.

Fernando Esteves: We're here to offer hope for the residents of the area. I know that the development of the hospital, is a silver lining so to speak.

22. When you say infrastructure, a new hospital, the people around these areas should benefit from it. We've heard the governor from the time before she took office until today, that this project is going to help the people that live in the area with infrastructure. I'm hoping our government will make that promise to the residents of Mangilao.

Fernando Esteves: Certainly, you're going to get the water, that's a given. The pressure will definitely increase once it's all done. What GWA is doing here is the opportunity now for anybody to develop, to hook into that line. Now with GHURA, we have a plan to do urban renewal planning here. If the sewer line is in there, it'll bring it up to that point where other people can have access to it to hook up too.

23. Joseph Borja: If power comes here, if water comes here, and sewer comes here, can anybody in the community apply for it?

Brett Railey: Yes.

- 24. Joseph Borja: For the residents across, that land is Chamorro Land Trust. I would suggest that you go to Chamorro Land Trust. They have money available for infrastructure and say, "Hey, we hear power and water is coming over there. Can you give us some money to develop the Chamorro Land Trust subdivision here?" You have a lease. I hope you have a lease. So go to Chamorro Land Trust and say, "Hey, you're the owner of the Chamorro Land Trust development. You're the developer of Chamorro Land Trust. You have an obligation to bring in power and water to this thing."
- 25. Fernando Esteves: Regarding development, if we don't get started, there will be no development. We look at a starting point, so assume this is the starting point for community development down Route 15. This area around Route 15 is also a HUD-designated opportunity zone, which means maybe not today, maybe not tomorrow, maybe the year after, there may be grant opportunities to do things to build it up. When you look at development corridors, we look at what's needed to build a community. You need infrastructure, right? Water, wastewater, sewer, trash, and public transportation are important. As you grow that, road widening is another thing. And as things develop down the corridor, the people behind those corridors, whether west or east, are going to benefit, right? It's that much closer. Ideally, you get to a point where, hey, you're just paying your connection fee and you're there. But until we kind of spur the development by putting a major infrastructure, right, in theory, community development theory, put in the major infrastructure, then the businesses

will come, right? Oh, you know, it's only 100 feet. It's a lot closer than 1,000 feet. They'll pay for the 100 feet. Everybody in that 100-foot corridor benefits. And then the next person comes. Well, you know, it's a little closer. Let me do that. But if we don't get this started, if we don't start that chain reaction here, then the area will remain almost non-developable because of the septic issue. Because EPA is not going to budge on the septic tanks.

- 26. Marie Cruz: I'm excited for development. Although my husband and I live on Chamorro Land Trust, we have family that live around elsewhere. They are our loved ones, we care about them too. I don't speak for the whole family, but I'm just saying it would be nice if other residents would be able to benefit from the development that's going to happen. I'm excited about the hospital.
- 27. Fernando Esteves: The gentleman in there was asking a question, and I'd like to give the respect to him. And he was curious about the properties back here and what the benefit would be. I believe portions of this we're getting from the Navy. They're giving up, which means you'll have utilities. You'll start to have access to this whole swath of land that people didn't have access to before. Private landowners, I think there's some Chamorro Land Trust property, but private landowners who've never had access. On the other side, where the hospital is going to be, you're going to have another access road going back there and utilities, so already we're looking long term for the benefit of development east and west around Route 15. As we move up, we are very much thinking about the community. Those easements and the utilities that we're moving up are going to provide a benefit.
- 28. Joseph Borja: I have a question about the surrounding land owners. Can they apply for your rezone application, if they want to rezone the property?
 - Fernando Esteves: You know, I would need to check the law. Let me check the Director of Land Management. If it's legal, why not? To be honest, the answer is no.
- 29. Corey Paulino: When you guys do wells, and the well is successful, what type of impact is it for development and housing? Because isn't there like a well protection zone?

Brett Railey: The wellhead protection zone is a thousand feet around the well.

30. Corey Paulino: So who would that affect? The development?

Brett Railey: Well, it affects certain types of development. So you don't want, preferably, you don't want septic tanks in the wellhead protection zone. You don't want activities that would potentially put something into the aquifer that you don't want, such as, you know, gas, turnaround fuel tanks, scrap yards, that sort of stuff.

Fernando Esteves: Housing won't be an issue. Since it's over the GPZ, I'm sorry, I'm going to tap into my environmental compliance background. Since it's over the GPZ, you're still not going to be able to build with septic. What this does is it allows them to be that much closer to sewer so they can build housing in there. What the gentleman's talking about, right, there are certain things, for example, you cannot do field tanks. Underground field tanks, which actually you can't do anymore. They all have to be above ground. So, for whatever reason they wanted to do that, possibly. Septic tanks are still going to be a no-go, right, for that whole area. We don't anticipate that changing. That's why it's imperative we start to get sewer in there.

31. Well what if the needs were narrowed down then?

Fernando Esteves: It's up to Land Management, but I'd be very surprised if anyone was able to get like an "M2" heavy industrial, in over the GPZ. Is it possible technically? Could the legislature just decide to do it? Yes. But I don't see it being very likely because of the risk to the aquifer. So that would pretty much be one of the only prohibited activities I could think of. Joe, you might be able to better articulate that.

Joseph Borja: Well actually there are some properties in there that are already zoned heavy industrial.

Fernando Esteves: I thought there were "M1". I don't think there's any heavy industrial.

Joseph Borja: There is. There's both, heavy and light. They wanted to open up a kennel in there. But I think the gentleman's question is more like, if my property is here and his property is there, and we put a well here and the 1,000 feet radius goes over his boundary into his property, what are his limitations in developing that part of his property.

Fernando Esteves: Are you saying in terms of the limitations? No, there are still a lot of things you're going to be able to do. In fact, the sewer is going to allow for more different types of development that you cannot do on a septic tank. You can't even build a house on it, which is supposed to be the easiest. You can't even build a house on a septic tank. Anything larger than that, if for whatever reason you're able to do it, maybe under decedent lots, you can't do anything other than that. You cannot do it with septic tanks. It's that GPZ. So having sewer there and starting to develop that is going to actually allow for more uses if you can connect to it.

32. Corey Paulino: You mentioned on the right side there's possibly another road that can be opened up?

Fernando Esteves: Yes, this is kind of the infrastructure side of the campus. Starting with the main infrastructure. We're actually looking to place the main hospital on this side. It's going to be over here along Route 15. And there will be another access coming through there, through the hospital property. And God willing, willing and we can make it happen long-term plan is a new east-west traversion from maybe like radio Barrigada onto Route 15. We're thinking about the community, we're trying to open these things up, we're thinking long term, right, and so this is kind of the precipice to be able to do that, the start point to be able to do all these things we want to grow the area.

33. The other entrance, will it be closer to Hawaiian Rock?

Fernando Esteves: No, Hawaiian Rock is still further down. (Explains the location of access on the vicinity map exhibit.) There's actually three total. But there is a strip of Navy property that goes across that cuts off the private, and we're kind of looking into if we can be able to get an easement and to work with them.

32. Joseph Borja: This part is actually returned federal excess land and for the most part it's actually private. Before these properties were returned, the Guam Ancestral Lands Commission developed an easement plan for the whole area from Route 8A, which is

the road to the Navy Golf Course, to this. So, between Route 15 and the Navy Golf Course there, the Guam Ancestral Lands Commission developed this because this was under their jurisdiction. They have a plan for it. Some of them have been opened, but not all of them have been opened. But there is a plan, but because it's private property, it may change. The private property owners may not want that road there or for whatever reason. But there was a plan by the Ancestral Lands Commission to develop access roads for all of the properties here. Even in the Ancestral Lands lease and from the GEDA transfer of the properties, they had a section in their lease that if you develop your property here and you're in the front, you have to provide access to the guy behind you, and then so on down there like what Fernando was saying. But that was not followed fully. There are some lots that are here that are already subdivided, but they end in a cul-de-sac. So that plan wasn't really enforced or implemented because you do have private property there, you know, and you can't force private property owners to do what they don't want to do with their property.

33. Is that area Spanish Crown Land?

Joseph Borja: Yes, further up. it's actually Ancestral Lands Commission property that they can use for development. They're authorized by law. But yes, it is a big chunk.

34. What about the roads? Will it open?

Joseph Borja: Yes, the plan here, there is a road that comes in here right next to the construction company that's up there, curves around, and connects to that property. I believe it's IAN Corporation. I believe a plan that the Ancestral has prepared, provided by Land Management, provides access to every lot in there. Not only private lots, but also crown lands or Spanish crown lands in there. But whether that's enforced or planned out, some parts of it and some parts are not.

- 35. Frank Taitano: I wanted to address an issue mentioned by Fernando, the criteria for building a house in an area within the Northern Aquifer. It does not restrict you from using a septic tank. The criteria is also based on the lot size and EPA, by law, created a matrix that establishes the lot size for all the appropriate zones and a person who owns property in that area would have to meet the lot size, which is a half-acre. Basically, it means if you have a half-acre within the Northern Aquifer, you can build a house on that half-acre. The individual wastewater system, which is the septic tank and leaching field, has to be approved by EPA. Not as Fernando said that you can't do anything over the Aquifer.
- 36. Joseph Borja: What's the next step with the application?

Frank Taitano: The next step with this application is that we're going to take all this information, put it together on our side, and then prepare for the outcome of the required Municipal Planning Council meeting. The Mayor would have to have public hearings in accordance with the open government law, and also a public hearing in accordance to their Municipal Planning Council criteria.



Office of the Mayor Municipality of Mangilao



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Allan RG Ungacta, Mayor

Edward JD Tosco, Vice Mayor

RESOLUTION NUMBER 2025-07

INTRODUCED BY:

Allan R.G. Ungacta, Mayor/Chairman

Dominic G. Muna, Vice Chairman

Rosita D. Tosco, Secretary

Juan A. Aguon, Treasurer

Elizabeth S. Acfalle, Member

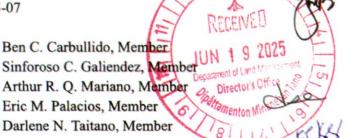
Raymond A. Blas, Member

Ben C. Carbullido, Member

Arthur R. Q. Mariano, Member

Eric M. Palacios, Member

Darlene N. Taitano, Member



RELATIVE TO supporting Application No. 2025-45 received from Guam Housing and Urban Renewal Authority (GHURA) for zone change from "A" (Agriculture/Rural) to "PF" (Public Facilities for the proposed construction of infrastructure facilities for water, sewer, and power on Lot 5280-3, Municipality of Mangilao; and

BE IT RESOLVED BY THE MANGILAO MUNICIPAL PLANNING COUNCIL:

WHEREAS, the Mangilao Municipal Planning Council plays a vital role in the developments of the community and serves as the governing authority within the respective district that might otherwise be affected by such developments; and

WHEREAS, the public hearings for the proposed rezoning project have been completed, a formal meeting was called for all Mangilao Municipal Planning Council members, on June 11, 2025, and members reviewed and discussed the request for the construction of infrastructure facilities; and

WHEREAS, the Mangilao Municipal Planning Council noted major improvements that will directly benefit the growing needs of the residents of Mangilao, Chalan Pago and Yona; and

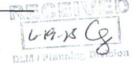
WHEREAS, the Mangilao Municipal Planning Council supports the approval of the zone request effective immediately, and be it

RESOLVED, that the Mayor and Members of the Mangilao Municipal Planning Council certify and the Secretary of the Council attest to, the adoption hereof, and that copies of the same be thereafter transmitted to Guam Housing and Urban Renewal Authority (GHURA) and Guam Waterworks Authority (GWA), movers of the request, and Honorable Allan R.G Ungacta, Mayor of Mangilao.

DULY AND REGULARLY ADOPTED BY THE MANGILAO MUNICIPAL PLANNING COUNCIL ON THE DAY OF 4/19/ 2025.

Allan R.G. Ungacta, Mayor/Chairman Mangilao Municipal Planning Council Rosita D. Tosco, Secretary

Mangilao Municipal Planning Council



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DIPÄTTAMENTON MINANEHAN TÅNO'

(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)



LOURDES A. LEON GUERRERO MAGA'HÁGA • GOVERNOR

JOSHUA F. TENORIO SIGUNDO MAGA LÁHI • LIEUTENANT GOVERNOR JOSEPH M. BORJA DIRECTOR

ROSSANA SAN MIGUEL TISTON DEPUTY DIRECTOR

June 25, 2025

Memorandum

To:

Guam Land Use Commission (GLUC) Members

From:

Chairperson, Application Review Committee (ARC)

Subject:

Summary of Position Statements Submitted by ARC

Re:

Application No. 2025-45 (Zone Change)

Listed below is the compilation of positions taken by the various ARC member agencies as submitted to the Planning Division, Department of Land Management. Conditions as imposed by the ARC member agencies, if any, are listed on their attached position statement.

DEPARTMENT OF LAND MANAGEMENT (DLM):

DLM recommends approval with the following condition;

1. The Applicant shall adhere to all the ARC conditions and requirements as stipulated in their official position statement.

DEPARTMENT OF PARKS AND RECREATION (DPR):

DPR has no objection to the approval of the Zone Change application and provides comment that the property will need to be archaeologically surveyed and tested prior to clearing and grading of the land.

GUAM POWER AUTHORITY (GPA):

GPA has no objection, subject to the conditions stated in their position statement.

BUREAU OF STATISTICS AND PLANS (BSP):

BSP recommends approval of the zone change application based on the conditions in their position statement.

DEPARTMENT OF PUBLIC WORKS (DPW):

DPW is in support of the application and provides a list of recommendations in their position statement.

Memo to GLUC Members Ref: ARC Position Statements - Application No. 2025-45 June 25, 2025 Page 2 of 2

GUAM WATERWORKS AUTHORITY (GWA):

GWA is in favor of the approval of the application with conditions stated in their position statement.

DEPARTMENT OF AGRICULTURE (DoAg):

DoAg does not oppose the request for a zone change, provided that the applicant addresses the conditions stated in their position statement.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

GEPA provides recommendations for environmental protection and identifies the presence of sinkholes on the property and cautions about the possibility of wetlands.

GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA):

Ex-Officio, non-voting member, not required to submit a Position Statement.

GUAM FIRE DEPARTMENT (GFD):

Ex-Officio, non-voting member, not required to submit a Position Statement.

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES (DPH&SS):

Ex-Officio, non-voting member, not required to submit a Position Statement.

GUAM PUBLIC SCHOOL SYSTEM (GPSS):

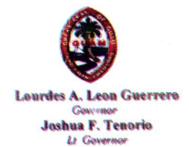
Ex-Officio, non-voting member, not required to submit a Position Statement.

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):

Ex-Officio, non-voting member, not required to submit a Position Statement.

Guam Chief Planner

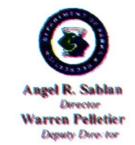
Attachments: ARC Position statements CC: Executive Secretary, GLUC



Department of Parks and Recreation Dipattamenton Plaset yan Dibuetsion

Government of Guam

Director's Office, Parks and Recreation Divisions: #1 Pasco de Susana, Hagâtita, Guam 96910 P.O. Box 2930, Hagdiña, Guam 96932 (671) 473-6288; Facsimile (671) 477-0997 (mam Historic Resources Division: 490 Chalan Palasyo, Agana Heights, Guam 96910 (671) 475-/-294/6355; Facsimile (671) 477-2822



MAY 0 7 2025 Department of Land Mar-

Director's Office

Distantenton Wind

April 23, 2025

In reply refer to: RC 2025-0249

Memorandum

To:

Director, Department of Land Management

From:

Director, Department of Parks and Recreation

Subject:

Applicant Guam Housing and Urban Renewal Authority (GHURA) propose to rezone the lot from "A" (Rural/Agricultural) zone to "PF" (Public Facility) zone, for the proposed of obtaining permits for water reservoir, treatment plant, and power station for future Government of Guam public facilities to include housing

and a medical complex as a private development, on Lot 5280-3, in the

Municipality of Mangilao. ZC Application No. 2025-45

We reviewed the subject request by applicant GHURA, propose to rezone the lot from "A" (Rural/Agricultural) zone to "PF" (Public Facility) zone, for the proposed of obtaining permits for water reservoir, treatment plant, and power station for future Government of Guam Public Facilities to include housing and a medical complex as a private development, on Lot 5280-3, in the Municipality of Mangilao. The subject Lot has an overall size of 47 acres.

Our office has concluded our review and will have No Objection with the Approval of this Zone Change Application. However, this property will need to be archaeologically surveyed and tested for any potential impact on historic properties prior to commencement of land clearing and grading.

Should you have any questions, please contact Mr. Logan Myers, Archaeologist at (671) 475-6340 or by email: logan.myers@dpr.guam.gov.

Sincerely,

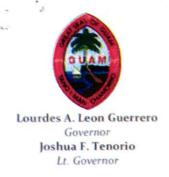
Angel R. Sablan

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Director

10: 170 S

DLM / Planning Division



Department of Agriculture Dipåttamenton Agrikottura

Chairman, Guam Land Use Commission

Executive Secretary, Guam Land Use Commission

163 Dairy Road, Mangilao, Guam 96913

Chelsa Muña Director Rey Gamboa Yeputy Director

0 6 2025

Director's Office

Chelsa Muña, Director Chelsa D. Muna Digitally Supraciby Chelsa Muña Director Chelsa D. Muna Digitally Supraciby Chelsa Muña

Date:

From:

To:

April 15, 2025

Subject:

Agricultural Impact Statement for Application No. Housing and Urban Renewal Authority (GHURA), "Zone Change" application from "A" (Agricultural) to "PF" (Public Facility) zone for

Lot 5280-3, located in the Municipality of Mangilao, Guam.

The Department of Agriculture (DoAg) has reviewed Application No. 20x -45, requesting for certification, to rezone of Lot 5280-3 from Rural-Agriculture (A) to Public Facility (PF) zone, located in Mangilao, Guam. The purpose of the rezoning is to establish a 2-acre site to set forth a 34.5 kV substation.

The following is the position statement provided by DoAg, under the agency's authorities:

1. Division of Aquatic and Wildlife Resources:

- a. A biological survey for Lot 5280-3 must be provided to DoAg along with the Clearing and Grading and/or Building Permit Application. DoAg will review the survey and provide recommendation to avoid or minimize impacts biological resources that occur, or may occur, in the project area.
- b. Conservation measures must be developed addressing protected species such as Mariana Fruit bat, Yellow Bittern, Micronesian Starling, Guam Tree Snail, federally listed native orchids and other species of concern fauna and flora that my occur. Conservation measures must address avoidance and/or minimal impacts to these species of concern and be included in the biological survey report.
- c. Eco-friendly development must be incorporated in the plans to minimize impacts to the environment and natural resources. Examples of eco-friendly development include but are not limited to: planting native plants for landscaping, shielding light posts, permeable pavers for parking, screened stormwater drains, rain gardens, water catchments, anti-bird strike windows, and green roofs.
- d. Landowner and the contractor conducting the Biological Survey Report must consult with DAWR to discuss the methodology and findings of the survey and determine conservation measures that best address impacts to the natural resources.

2. Biosecurity Division:

 a. A biosecurity plan must be developed and approved by DoAg prior to any work commencing. Once approved, the biosecurity plan must be implemented during the development phase to

Director's Office 300-7965 | Agricultural Dev. Services 300-7973 | Animal Health 300-7964/6 Aquatic & Wildlife Resources (DAWR) 735-0294 | Forestry & Soil Resources 300-7975/7 Plant Nursery 300-7974 | Biosecurity Division 475-1427 | Pest Hotline 475-7378 Website: doag.guam.gov

ensure that avoidance measures are in place to prevent the spread and introduction of Little Fire Ants (LFA) and other noxious species that may impact residents in the area.

b. Landowner and the contractor must consult with the Biosecurity Division.

3. Forestry and Soil Resource Division:

- a. A stormwater plan must be submitted for review to assess mitigation measures for runoff, flooding, and erosion. The percolation rates at stormwater collection and drainage areas must be sufficient to prevent migratory bird species, including moorhens, from inhabiting the pond during the wet season. However, if the landowner intends to create a habitat for these species, consultation with DoAg must occur.
- b. The Biological Survey Report will identify vegetation present on the project lot. Upon reviewing the findings, FSRD will notify the landowner of culturally valued, protected, and rare plant species that may require seed collection for nursery inventory, to be used in conservation areas and reforestation projects on the island.

4. Agricultural Development Services:

- a. To address food security on the island, six to eight inches of topsoil must be reserved and designated for agricultural farming activities. This layer of soil contains valuable nutrients essential for native plant seedlings, seasonal crops, and fruit trees. Reserving the topsoil for this purpose will benefit the community. The landowner may choose to donate it to organizations such as senior citizen centers on Guam, non-profit organizations, the UOG Triton Farm, or community gardens.
- b. Vegetation clearing will take place in the project area. To prevent the loss of agricultural resources, the landowner and contractor should consider mulching the cleared vegetation in place and providing it to the community, non-profit organizations, and those involved in native plant landscaping. Mulch helps protect soil from erosion, conserve water, extend water availability, suppress weeds, and serve as a barrier in landscaped gardens.

The Department of Agriculture does not oppose the request for a zone change from A to PF; however, GHURA must address the conditions outlined above. The department is available to discuss the proposed development in more detail. DoAg reserves the right to reconsider its decision on the application if the landowner fails to meet these conditions before the Guam Land Use Commission meeting for approval. For any questions or concerns, please send inquiries to permits@doag.guam.gov.



GUAM POWER AUTHORITY

ATURIDÅT ILEKTRESEDÅT GUAHAN P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

April 18, 2025

MEMORANDUM

To:

Chairman, Guam Land Use Commission

Executive Secretary, Guam Land Use Commission

From:

General Manager

Subject:

Lot 3280-3, Municipality of Mangilao, (Guam Housing and Urban Renewal Authority (GHURA)); Zone Change Application from "A" (Agricultural) to "PF" (Public Facility) for an electrical substation, water and sewer pump stations. Application No. 2025-45

Guam Power Authority has reviewed the application described above and submits the following position statement:

A. Comments and Recommendations Concerning GPA requirements:

- GPA has no objection, however customer is required to comply with the following pursuant to the National Electric Code, National Electric Safety Code and GPA's Service Rules and Regulations:
 - Coordinate overhead/underground power requirements with GPA Engineering for new structures.
 - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code and National Electrical Code.
 - Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements.
 - Developer Owner shall provide necessary electric utility easements to GPA prior to final connection.
 - Provide scheduling and magnitude of project power demand requirements for new loads.
 - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant
 including but not limited to labor and materials.
- Primary distribution overhead and underground line extensions and GPA service connections must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.
- A system impact assessment may be required to determine the effect of this facility on GPA's existing power facilities.
- 4. All costs associated with the modification of GPA facilities shall be chargeable to the customer. This includes relocation costs, new installation costs and any required system upgrades

B. General Comments

GPA has no objection to the request subject to the conditions cited above.

JOHN M. BENAVENTE, P.E.

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: Guam Power Authority Applicant: Guam Housing & Urban Renewal Authority (GHURA) Location. Let 5280-3, Mangillao

Type of Application: Zone Change GLUC GSPC Application No. 2025-45

Brief Project Description:

"A" to "PF" for electrical substation, water and sewer pump stations.

For the purposes of this Certification, GOVERNMENT SERVICES, FACILITIES, and an. litte tre

t.	I hereby certify that the I INFRASTRUCTURE ar Yes	e currently AVAILAB	NT SERVICES. LE AND IN PL	FACILITIES and ACE to support this	project:
2.	If the answer to #1 above 1 hereby certify that the INFRASTRUCTURE at	required GOVERNMEN	NT SERVICES	FACILITIES and is project:	
	Yes [] No			
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MESOHN M. BENAVENTE, P.E.

Date

General Manager

Comments:

Based on a preliminary inspection of the site, the electrical facilities may require upgrading to meet the demand of the proposed project. A system impact assessment maybe required to determine the effect of this facility on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.



GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building | 698 Route 15, Mangilao, Guam 96913 P.O. Box 3010, Hagalma, Guam 96932 Tel. No. (671) 300-6846/47 Fax No. (671) 648-3290

MEMORANDUM

April 24, 2025

TO:

Joseph Borja, Director, Department of Land Management

CC:

Mayor Allan R.G. Ungacta, Municipality of Mangilao

(allan.ungacta@mcog.guam.gov)

FROM:

Miguel C. Bordallo, P.E., General Manager

SUBJECT:

Position Statement on Zone Change Application 2025-45 for Lot 5280-3 in

the Municipality of Mangilao

APPLICANT: Guam Housing and Urban Renewal Authority (GHURA)

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone change from "A" (Agriculture) to "PF" (Public Facility) zone for the proposed utility infrastructure development of a 34.5kV power substation, a 2.5 million-gallon water reservoir with treatment system, 2-3 water production wells, and a sewer pump station.

This memorandum shall serve as GWA's position statement for the GHURA application related to the availability of water and sewer infrastructure to serve the subject lot. This position statement shall not be construed as notice that water and sewer systems have the capabilities to accommodate the proposed development, including fire flow, without on-site or off-site improvements. Any extension of the water and sewer systems and/or capacity upgrades required to serve the subject lot shall be subject to GWA rules and regulations. Any required extension to the existing facilities to serve the subject lot shall be at the applicant's expense.

The following comments are conditions for GWA's position in favor of the approval of this application and are applicable to the development of medical or other related public facilities on the subject lot:

1. The applicant must provide GWA with site development plans to construct the proposed development. The site development plans must illustrate the proposed point of connection for water and sewer and is subject to GWA inspection and approval. Submittals shall include water and sewer design calculations and complete drawings and specifications signed and stamped by a Professional Engineer licensed in Guam. Design calculations shall include proposed water

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By Cristina at 12:19 pm, Apr 29, 2025

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demand calculations including fire-flow and sewer production calculations adhering to GWA standards and requirements.

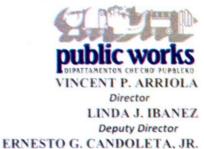
- 2. GWA requires the applicant to coordinate with the GWA Engineering Department at least six months prior to the building permit application submittal to discuss the proposed water demand and sewer production calculations in order to verify if GWA facilities can accommodate the proposed development. Utility capacity analysis will consider service to existing customers, as well as approved projects in the building permit/construction phase which are unavailable for use by newly proposed developments. Water and Sewer design shall adhere to GWA standards and requirements.
- The developer shall register maps and documents for new public rights of way or utility easements with the Department of Land Management and provide copies to GWA.
- 4. GWA does not guarantee that water service will meet Guam Fire Department's fire suppression requirements. The applicant is responsible for any onsite or offsite utility improvements needed to meet fire suppression requirements.
- 5. The applicant shall install GWA water meters and sewer cleanout for government use in the public right of way or easement, in accordance with GWA standards.
- Backflow prevention devices are required for non-residential activities, or when a development will be served by a master meter in accordance with GWA standards.
- 7. New development is subject to water and/or sewer system development charges.
- 8. Privately-owned water tanks might be limited to a maximum fill rate to avoid adverse impacts to the public water system. Under Title 28 (Public Utilities Guam Administration Rules) a water pump shall not be permitted to be installed or operated on either side of the water meter without GWA's prior approval in writing. Under the 28 Gar Chapter 2, Public Utilities, subsection 2103, and 2113: The consumer shall install an air gap or other protective devices between the consumer's supply pipe and the service connection. Applicant shall submit plans for pump and tank to GWA Engineering for Approval.
- Certain activities are subject to sewer pre-treatment requirements. Grease traps
 or interceptors are required for food service establishments. Oil-water separators
 are required for vehicle maintenance activities. See GWA for additional industrial
 wastewater pre-treatment requirements.

GWA Position Statement Application: 2025-45 Applicant: Guam Housing and Urban Renewal Authority (GHURA) Page 3

- 10. Only wastewater shall be discharged to the sanitary sewer system. Stormwater, pool water, and pool backwash water discharge to the sanitary sewer system is prohibited.
- 11. After a GWA utility service account is opened, the account holder is responsible for informing GWA of onsite activity changes that may affect the account's classification and utility service requirements. Activity changes include, but are not limited to, laundry, food service, and vehicle maintenance activities.

This memorandum shall remain valid for 365 calendar days from the date of this response. Please contact Jacob P. Miller, P.E., GWA Permits and New Area Development Supervisor (#671-300-6039 or jpmiller@guamwaterworks.org) for water and sewer system standards or additional information.





Deputy Director

MEMORANDUM

To:

Chairman, Guam Land Use Commission

Executive Secretary, Guam Land Use Commission

From:

Director, Department of Public Works

Subject:

Lot 5280-3, Municipality of Mangilao, (Guam Housing and Urban Renewal Authority

(GHURA)); Zone Change Application from "A" (Agricultural) to "PF" (Public Facility)

for an electrical substation, wat and sewer pump stations. Application No. 2025-45

The Department of Public Works has reviewed the application described above and submits the following position statement:

A. Comments and Recommendation:

- Route 15 is currently in need of safety and pavement repairs. Before DPW invests funds towards this, it would be most cost effective to incorporate these improvements with potential widening and signalization of Route 15 due to the traffic impacts anticipated from the planned medical campus facility.
- 2. Current Needs of Route 15 are:
 - a. Resurfacing, preventative pavement repairs, and striping.
 - Inclusion of paved shoulder, rumble strips, and guardrail and other roadside safety improvements.
- 3. A traffic study demonstrating impacts of widening and access solutions will be needed to inform and further refine all road improvements for a coordinated cost- efficient effort. This study will account for:
 - Large employee basis of the future medical campus.
 - b. Proposed future growth in the area, which is anticipated.
 - c. Need for signalization for access to the new facilities.
 - d. Accommodation and connectivity of multiple modes of transportation along Route 15 to accommodate the needs of this large population generator.

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4. Including a medical facility on the east side of Guam will decrease commute time for serious crashes occurring outside the urbanized area on Guam, which are mainly located on the west and urbanized sides of Guam. Studies show that reduction in post crash care commute time can increase survival rates of serious crashes.

B. General Comments:

DPW fully supports the construction and operation of a full service hospital in the Mangilao area just off Route 15. Between the proposed hospital and upgrades to water and power utilities, it is anticipated that traffic growth in the area will definitely increase, necessitating road improvements along Route 15.

VINCENT P. ARRIOLA

Date: 2 8 APR 2025



BUREAU OF STATISTICS AND PLANS Sagam Pianu Sitha Yam Emfotmasion



Obstramenton Min

May 5, 2025

Memorandum

To:

Director, Department of Land Management

Attn: Division of Planning

From:

Director, Bureau of Statistics and Plans

Subject:

Application No. 2025-45 Zone Change

Lot Number: Lot 5280-3 Municipality: Mangilao

Applicant: Guam Housing & Urban Renewal Authority (GHURA)

Proposed Use: "PF"

Buenas yan Håfa Adai! I am pleased to inform you that the Bureau of Statistics and Plans (Bureau) has completed its review of the above-mentioned application pursuant to its authorities under 5GCA Ch.1 Article 2 Comprehensive Planning¹ and the Guam Coastal Zone Management Program (GCMP) Enforceable Policies² pursuant to Executive Order 78-37. Moreover, in accordance with Executive Order 96-26, the Bureau hereby submits its position statement based on its professional and technical analysis of effects to statutory authorities under the Bureau's purview.

Application Overview

The applicant, Guam Housing & Urban Renewal Authority (GHURA), is submitting a zone change application to rezone the subject lot from "A" Agricultural zone to "PF" Public Facility zone in order to develop power and water infrastructure within the area to allow for the siting of housing and medical facilities. The subject lot is located in the municipality of Mangilao and contains a total of 194,081 square meters or approximately 47 acres. The project includes a 34.5 kV substation, a 2.5MG Reservoir and Treatment System, 2-3 well sites, sewer pump station, and utility easements required to connect to the closest existing gravity sewer line.

Planning Considerations and Constraints

BUREAU OF STATISTICS & PLANS - GOVERNMENT OF GUAM

Mail: P.O. Box 2950 Hagatña, Guam 96932 Tel: (671) 472-4201/3 Fax: (671) 477-1812 Web:

www.BSP.Guam.Gov

RECEIVED
By Cristina at 9:32 am, May 06, 2025



¹ 5 GCA, CH 1 Article 2, § 1200 et seq. (1990). Note: In past publications, this article was entitled "Centralized Planning"; however, this manifest error has been corrected and the article reads "Comprehensive Planning" pursuant to P.L. 20-147 (Mar. 21, 1990).

² Guam Land-Use Policies, Executive Order 78-37 (1978). https://bsp.guam.gov/wp-bsp-content/uploads/2017/01/E.O.-78-37-Guam-Land-Use-Policies.pdf

A. Surrounding Zone and Land Use Characterization

The subject lot is located along Route 15. The immediate surrounding area consists of vacant undeveloped land, a few single-family dwelling structures, an equipment yard, GPA and GWA headquarters opposite to the subject lot on the south side of Route 15, and US Navy installations to the west.

The subject lot is located in a "General Residential" designated land-use area under the North and Central Guam Land Use Plan (NCGLUP). The NCGLUP (PL 30-244), was adopted as an element of the Guam Comprehensive Development Plan. "The Residential category provides for a range of residential densities, ranging from low density single family residences to multiple family structures. Nonresidential uses are generally discouraged except for public facilities, schools, and institutions, provided their nature and location are not detrimental to the residential environment. Where neighborhood-scaled commercial and retail is desired in a residential zone, a special design review process should be established to ensure compatibility with surrounding residential neighborhoods." 5

The future land use designation is compatible with the proposed development of infrastructure required to support the future site of the proposed Mangilao Medical Campus and future mixed used community.

The subject lot is located in an area that was previously federal land and when the basic lot was returned to the original landowners, the lot was designated as Agricultural Zone, with the original landowner and all subsequent landowners given the option to apply for a higher zone designation by applying with the Department of Land Management Planning Division, and processing their zone change through the existing statutes, rules, regulations, procedures, and policies to obtain approval for their zone change request.⁶

The proposed use is not compatible within the current Agricultural Zone.

B. Geographical Landscape Assessment Based on Watershed

The subject lot is located on the Mangilao Watershed. This project will contribute to the overall development rate of the Mangilao Watershed. According to the National Oceanic and Atmospheric Administration's (NOAA) Coastal Change Analysis Program (CCAP) land cover data from 2005 to 2015, the surface area of this watershed has changed by 16.63%.⁷

³ ICF International. 2009. North and Central Guam Land Use Plan. September. (ICF International #00824.08.) Seattle, WA. Prepared for Bureau of Statistics and Plans—Government of Guam.

⁴ Public Law 30-224 §, Section 4 (2010).

⁵ ICF International, North and Central Guam Land Use Plan. (2009). 2-2

⁶ 21 GCA, CH 61 Article 2, § 61217

National Oceanic and Atmospheric Administration, Office for Coastal Management. "C-CAP Land Cover Atlas". Coastal Change Analysis Program (C-CAP) High-Resolution Land Cover. Charleston, SC: NOAA Office for Coastal Management. Accessed May 2025 at https://coast.noaa.gov/ccapatlas/

Regarding development impacts, as of 2015 land cover data, 23.7% of the Mangilao Watershed was developed, and 9.22% comprises impervious surfaces. An area is at greater risk of flooding the more an area is developed and levels of impervious surfaces are high. Areas with impervious surface rates will likely experience negative impacts on water quality. Impervious surfaces significantly reduce the water quantity and quality in a watershed. Impervious surface degrades the watershed quality by greatly reducing the stream flow and increasing the stream temperature. They carry huge pollutant loads downstream, causing due harm to aquatic life. Severe degradation can be expected when rates reach 25%. Runoff effects include channeling and loss of beach profile along untreated storm drain outfalls, sediment plumes, algae blooms, noxious odors due to poor water quality, and coral mortality.

Land cover within the subject lot comprises overgrown scrub and grassland. The requested zone change will allow for construction that is expected to result in conversion of existing vegetated land cover into impervious surface from the building footprint and use of concrete pavement.

Effects Test and Conditions

Technical analysis of the proposed project was conducted to determine foreseeable effects and compatibility to standards within the following Guam Land-Use Policies:

Agricultural Lands Policy: Critical agricultural lands shall be preserved and maintained for agricultural use.⁹

Determination of Effects: No

An assessment on the soil composition within the subject lot was conducted and determined that the area is not considered critical agricultural land.

Air-quality Policy: All activities and uses shall comply with all local air pollution regulations and all appropriate federal air quality standards in order to ensure the maintenance of Guam's relatively high air quality.¹⁰

Determination of Effects: Yes

The proposed zone change will allow for construction on the subject lot, which has the potential to adversely impact air quality.

Condition: Incorporate Best Management Practices (BMPs) to minimize dust and air pollution such as fugitive particulate matter emissions from ground-disturbing activity and from the operation of vehicles and heavy equipment. Ensure that the surrounding neighborhood is not exposed to noxious odors.

⁸ Ihid

⁹ Guam Land-Use Policies, Executive Order 78-37 (1978). https://bsp.guam.gov/wp-bsp-content/uploads/2017/01/E.O.-78-37-Guam-Land-Use-Policies.pdf

¹⁰ Guam Land-Use Policies, Executive Order 78-37 (1978): 3.

Water Quality Policy: Safe drinking water shall be assured and aquatic recreation sites shall be protected through the regulation of uses and discharges that pose a pollution threat to Guam's waters, particularly in estuarine, reef and aquifer areas.¹¹

Determination of Effects: Yes

The proposed development will contribute to the cumulative negative impact to the water quality within the Northern Watershed.

Condition: The applicant shall comply with CNMI and Guam Stormwater Management Manual 12 Standards and implement Island Best Management Practices specifications in any future improvements to the property. Concepts, design and performance standards can be found in the GCMP publications 1) Island Stormwater Practice Design Specifications Manual 13 and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID 14.

Determination

Pursuant to Executive Order 96-26, Appendix A § 700 (g), the Bureau hereby recommends approval of the summary zone change application based on the above-mentioned conditions. If these conditions are not met by the applicant or not included in the Guam Land Use Commission's Notice of Action, this position statement is to be interpreted as a recommendation for disapproval.

Should you have any questions regarding this matter, please do not hesitate to contact Mr. Christian Benitez, Planner, at christianpaul.benitez@bsp.guam.gov or Mr. Edwin Reyes, Coastal Program Administrator, at edwin.reyes@bsp.guam.gov. Si Yu'os Ma'åse'.

Olea & Olm Bannes
LOLA E. LEON GUERRERO
Director

¹² Horsely Witten Group. CNMI and Guam Stormwater Management Manual. Prepared for Commonwealth of the Northern Mariana Islands and the Territory of Guam. (2006) Volume 1: https://bsp.guam.gov/wp-bsp-content/uploads/2020/07/StormwaterManual-Volume1-Final.pdf Volume 2: https://bsp.guam.gov/wp-bsp-content/uploads/2020/07/StormwaterManual-Volume2-Final.pdf

 $https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA/CRCP/project/1906/island_swm_specs_supplement_cnmi_guam_design.pdf$

 $https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA/CRCP/project/1906/Feb2014_IslandBMPGuide_wAppendix.pdf$

¹¹ Ibid.

¹³ Center for Watershed Protection & Horsley Witten Group, Inc.. Island Stormwater Practice Design Specifications. A Supplement to the 2006 CNMI & Guam Stormwater Design Manual. Prepared for NOAA Coral Reef Conservation Program, Guam Coastal Management Program, and Guam Environmental Protection Agency.
(2010):

¹⁴ Center for Watershed Protection & Horsley Witten Group, Inc.. Stormwater Management in pacific and Caribbean Islands: A Practitioners Guide to Implementing LID. Prepared for NOAA Coral Reef Conservation Program. (2014):



MEMORANDUM

TO:

Chairman, Guam Land Use Commission

Executive Secretary, Guam Land Use Commission

FROM:

Administrator

SUBJECT:

Guam Housing and Urban Renewal Authority (GHURA) application to rezone Lot 5280-

3, Municipality of Mangilao, from "A" (Agricultural) to "PF" Public Facility to lawfully

construct water, sewer, and power infrastructure

The proposed application seeks to rezone Lot 5280-3 in Mangilao from "A" (Agricultural) to "PF" Public Facility to allow the Guam Waterworks Authority (GWA) and Guam Power Authority (GPA) to apply for and obtain a permit construct a 2.5 million gallon reservoir and treatment system on 1.5 acres of the lot; a sewer pump station on ½ acre of the lot; and a GPA power substation on 2 acres of Lot 5280-3. This project will support the development of the proposed medical complex as well as private expansion.

Not only is the proposed construction area over the groundwater protection zone, but the United States Geological Survey topographic map has mapped and identified three sinkholes on the property. Sinkholes are vital to stormwater management because they act as natural conduits for directing surface stormwater runoff into underground aquifers, facilitating groundwater recharge. These sinkholes must be protected and managed responsibly to safeguard public safety, preserve natural resources, and minimize environmental damage by preventing contamination of the groundwater. This position is grounded in the understanding that sinkholes are natural features that can be vulnerable to human activities and can pose hazards if not properly managed.

Additionally, there may be wetlands near the proposed construction zones to the North and West, along with an Andersen Air Force Base Transmitter, which is placed nearby. While these elements appear to be outside of the proposed construction site(s), their continued protection cannot be neglected.

The Guam Environmental Protection has reviewed the application described above and submits the following generic recommendations for environmental protection:

1. Responsible Land Management:

- Avoid excessive land grading and erosion, which can destabilize the ground and increase sinkhole formation
- Maintain natural vegetation and avoid removing topsoil, which can help stabilize the soil and prevent erosion
- Implement erosion and sediment control measures during construction to prevent sediment from entering sinkholes
- Protect sinkholes from contamination by preventing runoff containing chemicals, agricultural waste, and other pollutants from entering them
- Avoid dumping waste or other debris into sinkholes



GUAM EPA | 17 3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617 | Tel. (671) 588.4751 | Fax: (671) 588.4531 | epa gu ALL LIVING THINGS OF THE EARTH ARE ONE • MANUNU TODU I MANUALALA' RECEIVED

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By Cristina at 7:32 am, May 07, 2025

2. Responsible Water Management:

Avoid directing water flow toward sinkholes

Ensure adequate drainage systems to prevent water from ponding or flooding near sinkholes

3. Responsible Construction Practices:

Conduct thorough geotechnical surveys and soil studies to assess potential sinkhole risks before construction.

Avoid construction in areas with known high sinkhole risk, especially those with karst

Reinforce underground utilities and other structures to prevent them from being compromised by sinkhole activity.

 Consult with qualified engineers and geologists to develop appropriate sinkhole mitigation and repair plans

o Implement appropriate mitigation measures for sinkhole repair, if necessary

Guam EPA's position on the rezoning is that if proper steps are taken to protect and mitigate for potential damage to the land, water, and air, and that if best management practices are established and kept in place over the entire course of construction, then massive damage to the environment can be avoided. It should go without saying that additional, more detailed guidance, can and will be provided during each step of the required permitting phase(s) of any and all requested projects related to the development of the proposed medical complex, related infrastructure, and any other related development or expansion projects.

If you have any questions, please feel free to contact me at (671) 588-4751 or at michelle.lastimoza a epa.guam.gov.

Dangkulu na si Yu as ma'ase.





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Website:

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DIPATTAMENTON MINANEHAN TÅNO' (Department of Land Management)

GUBETNAMENTON GUAHAN (Government of Guam)



LOURDES A. LEON GUERRERO MAGA 'HÅGA • GOVERNOR

JOSHUA F. TENORIO SIGUNDO MAGA 'LÄHI • LIEUTENANT GOVERNOR JOSEPH M. BORJA DIRECTOR

ROSSANA SAN MIGUEL TISTON DEPUTY DIRECTOR

June 30, 2025

To:

Chairperson

Guam Land Use Commission

From:

Guam Chief Planner

Subject:

Commission Brief - Application No. 2024-07A, Conditional Use Permit for

a Temporary Workforce Housing Facility, Lot 5223-R9-3, Barrigada; GLUC

Meeting of July 10, 2025

BME & Sons, Inc. is requesting the first annual renewal of its previously approved Conditional Use Permit for the continued operation of a Temporary Workforce Housing Facility (TWHF). The facility is located on Lot No. 5223-R9-3 in Barrigada, within an M1 (Light Industrial) zone, and is approved to accommodate up to 214 workers.

From our review, the request appears reasonable and consistent with the original permit's intent, particularly given the facility's ongoing maintenance and the applicant's effort to remain in full compliance with regulatory expectations.

The property houses a range of structures and support facilities, including dormitories (both two-story and single-story), administrative offices, workshops, a warehouse, a recreational area, and a materials yard. This setup reflects a comprehensive and self-contained workforce housing compound.

The site is situated in a largely compatible setting, bordered by light industrial uses and a quarry to the east, and limited residential units to the west. Other surrounding uses—within a 500 to 2,000-foot radius—include commercial establishments, scattered residences, Route 16, and the Guam International Airport. Existing utility infrastructure lies within 100 feet of the property, supporting the practicality of continued use.

On June 18, 2025, BME & Sons submitted a formal letter requesting renewal, as required by the GLUC's original Notice of Action. Based on their submission and past performance, staff finds that the applicant has demonstrated responsible stewardship of the site and has been diligent in complying with all conditions imposed by the GLUC and ARC, as well as applicable legal requirements under P.L. 31-72 and GLUC Resolution No. 2009-01 (Policy for Temporary Workforce Housing).

BME has consistently maintained its operations to a standard that we view as exceeding basic compliance. The company emphasizes providing a safe and dignified living environment for its workers, which aligns with the intent behind temporary workforce housing regulations.

Notably, they have reported no complaints or operational issues on or off site. Their active engagement in the community—including assisting nonprofits, GDOE, and the mayors of Barrigada and Mangilao with facility upkeep and special projects—speaks well of their commitment to being a good neighbor and community partner.

Planning staff conducted a site visit on June 3, 2025, and observed that the facility is well-maintained, clean, and continues to benefit from minor but meaningful improvements. The physical conditions support the applicant's claim that the housing provided is safe, adequate, and appropriate for the intended workforce.

Currently, 150 H2B workers are living on-site—well within the approved maximum capacity. The Department of Labor has approved visa extensions for some of these workers, while others are pending entry. The applicant is actively coordinating these processes with both the Department of Labor and the Department of Public Health. All locally hired workers are housed off-site.

BME continues to hold a strong reputation in the construction industry, having recently completed several major public works projects. These include:

- The Route 28 Rehabilitation Project in Dededo
- The Chalan Pago & Ordot Multi-Purpose Facility
- The recently awarded (and currently under permitting) Hågatña Pool Rehabilitation and Reconstruction Project

Additionally, the company has secured several upcoming military and federal contracts under the 2025–2026 Guam military buildup and other infrastructure initiatives, reinforcing the ongoing need for workforce housing.

Recommendation: Having complied with the previously approved Conditional Use permit conditions imposed by the Guam Land Use Commission in the operation of its Temporary Workforce Housing Facility (TWHF), Planning Staff recommends approval of the applicant's request for the renewal and continued operation of its TWHF and further reporting annually on its status. All Commission, ARC, Workforce Housing applicable conditions, and GLUC Resolution No. 2009-01 are still applicable and remain in effect.

CELINE L. CRUZ
Guam Chief Planner

Attachments

Case Planner: Penmer C. Gulac



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MUNICIPALITY OF



OFFICE OF THE MAYOR & VICE MAYOR 1241, JANYAO LANK, BARRIGADA, GUMA 96913

JESSIE P. BAUTISTA VICE MAYOR

June 11, 2025

Dr. Anita B. Enriquez Chairwoman, Guam Land Use Commission Department of Land Mgmt. Tamuning, Guam 96931

RE: GLUC Application #2024-07 (Conditional Use Permit) for the Annual Reporting and Renewal of Temporary Worker Housing Facility, capacity of 214 H2B Workers on Lot 5223-R9-3 in the Municipality of Barrigada, Guam for BME &

Sons, Inc.

Dear Dr. Enriquez,

Buenas Yan Hafa Adai!

This letter is in support of the Annual Renewal of Conditional Use Permit, GLUC Application #1997-23J, to operate a facility for Temporary Workers Housing Facility, capacity of 214 H2B Workers on Lot 5223-R9-3 located in the Municipality of Barrigada.

The renewal request will once again contribute to the development of our community as well as contribute to the social benefit of our residents including those in the surrounding boundary areas. There have been no concerns from the nearby neighbours or companies, no violations or incidents on site during the normal operation. BME & Sons, Inc have continued to maintain their compound and surroundings.

Therefore, as leaders in the community of Barrigada, we support and endorse the renewal of GLUC Application #1997-23J.

Respectfully,

JUNE U. BLAS

JESSIE P. BAUTISTA

Vice Mayor

Mayor

Ce:

GLUC Board Members

Director of DLM BME & Son's Inc. + Ref 2024-07/

RECEIVED By Cristina at 1:43 pm, Jun 16, 2025

To Per

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DIPÅTTAMENTON MINANEHAN TÅNO' (Department of Land Management)

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JOSEPH M. BORJA DIRECTOR

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JOSHUA F. TENORIO SIGUNDO MAGA'LÁHI • LIEUTENANT GOVERNOR

June 26, 2025

MEMORANDUM

TO:

Chairperson, Guam Land Use Commission

FROM:

Guam Chief Planner

SUBJECT: Commission Brief - Tentative Subdivision, Application No. 2024-03A

PURPOSE:

- a. Application Summary: The applicant, J524 Development LLC, pursuant to Section 5 of Executive Order 96-26 and Section 62504 (b), Chapter 62, Title 21 GCA is requesting for an extension of time of an Approved Tentative Subdivision on Tract 10441 (formerly Lot 7134), in the Municipality of Yigo.
- b. Legal Authority: Title 21, GCA, Chapter 62, Article 2, Section 62201 thru 62204; Article 4, Section 62401; Article 5, Section 62501 thru 62504, Subdivision Law and Executive Order 96-26.

2. DISCUSSION:

As conditionally approved by the Commission on April 11, 2024, the subject application is a Tentative Subdivision to create a subdivision consisting of eighty (80) single family residential lots ranging in size from 5,758 square feet to 9737 square feet, a park area lot, a ponding basin lot, a sewage lift station lot and a forty-four (44) feet wide public access and utilities right-of-way are to be created to service the proposed subdivision.

In its development concept the applicant proposes to construct a single family residential structure on each of the 80 residential lots divided into three phases, whereas both phase I and phase II will consist of 28 lots and phase III will consist of 24 lots.

Continuation of Commission Brief

Re: Application no. 2024A

Date: June 26, 2025

Page 2 of 2

As noted on the attached request package, with reasons provided, the applicant is requesting for an Extension of Time pursuant to;

- 1. Section 5 of Executive Order 96-26 where it states "The applicant must apply for and received a building or grading permit for the approved GLUC/GSPC project within one (1) year of the date of Recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire."
- 2. Section 62504 (Time Allowed for Completion of Improvements) of the Subdivision Law where it states "Upon approval of the tentative subdivision plan by the Commission, the subdivider shall complete within one (1) year all of the improvements required, except that the Commission, for good cause shown, may authorize an extension of time, not to exceed twelve (12) months, for such completion. Within such time, the subdivider must either:
 - (a) Complete the required improvements and, upon acceptance thereof by the Government, file his final plans; or
 - (b) Furnish bond acceptable to the Commission for the completion of improvements, the bond to be in penal sum of one hundred fifteen percent (115%) of total work costs as verified by the Director of Public Works. On approval of the bond, the final plans may be filed."

3. RECOMMENDATION:

Considering that the applicant has been, and continues to consult and coordinate with the Government of Guam's permitting entities to address their permitting conditions/requirements for the approved Tentative Subdivision, planning staff recommends Approval with the following condition.

A. That the applicant, continue to adhere to the condition of the April 11, 2024 Commission approval as noted on the Commissions' Notice of Action recorded under Doc. No. 997412.

ATTACHMENT:

Request Package

Case Planner: Frank Taitano