

**APPLICATION REVIEW COMMITTEE REGULAR MEETING MINUTES**  
**DLM Conference Room, 3<sup>rd</sup> Floor, ITC Bldg., Tamuning, Guam 96913**  
**Thursday, October 16, 2025 • 9:31 a.m. to 10:49 a.m.**

I. Attendance/Roll Call

Chairperson Celine Cruz called the regular meeting of the Application Review Committee to order for Thursday, October 16, 2025, at 9:31 a.m.

Present were: Chairperson Celine Cruz (DLM), Rudy Cabana (DPW), Christian Benitez (BSP), Albert Padua (GPA), Russell Kanai (DPR), Jacob Miller (GWA), Peter Bautista (GEPA), Planning Staff Frank Taitano, Grace Vergara, Edward Sanchez, and Recording Secretary Cristina Gutierrez.

Noting a quorum for today's meeting, Madam Chair moved on to the next item on the agenda.

II. Approval of Minutes

Chairperson Cruz before the members for approval, are the Minutes from the last ARC meeting held on Thursday, September 4, 2025. Members were provided a draft in advance by email. Madam Chair asked for a motion for action.

Jacob Miller, GWA made a motion to approve the Minutes of September 4, 2025.

Rudy Cabana, DPW seconds the motion.

Chairperson Cruz acknowledged and accepted the motion made by GWA and seconded by DPW. There were no discussions, edits, errors, or omissions. Madam Chair put the motion to a vote, with all members in favor of approval. **[Motion carried with a vote of 6 ayes, 0 nays]**

III. New Business

Zone Change

- A. Application No. 2025-50, the Applicant, Guam Tumon Company, represented by FC Benavente Planners, is requesting a Zone Change from "C" (Commercial) zone to "R2" (Multiple Family) zone, for three proposed residential apartment buildings consisting of thirty (30) units on the eastern portion of Lot 1116 NEW-R1NEW, in the Municipality of Mongmong-Toto-Maite. Case Planner: Penmer Gulac

Chairperson Cruz announced that the representative for Items A and C on the agenda was running late, and moved on with Item B and will return to the regular agenda upon the arrival of Mr. Benavente.

## Zone Change

- B. Application No. 2025-51, the Applicant, EMB Electrical Inc., is requesting a Zone Change from "R2/C" (Multiple Family/Commercial) zone to "M1" (Light Industrial) zone, to allow for the operation of storage of electrical materials, four-plex and duplex commercial offices on Lot 5097-7-R1NEW, in the Municipality of Tamuning. Case Planner: Frank Taitano

Chairperson Cruz noted for the record that an authorization letter was provided to the members, authorizing Mary Jane Nisperos to represent the applicant. Madam Chair welcomed the applicant's representative to the table, asked that they state their name for the record, and proceed with their presentation.

Mary Jane Nisperos is before the committee today representing EMB Electrical Inc. for their request for a zone change. The request for a zone change is so that they can utilize one hundred percent capacity of the parcel.

Chairperson Cruz thanked Ms. Nisperos for her presentation and turned the floor over to the members for questions.

Rudy Cabana, DPW no comment.

Russell Kanai, DPR stated that DPR had no objections to the rezoning and wished the applicant the best of luck on their project.

Albert Padua, GPA inquired if the applicant intended to sell materials.

Mary Jane Nisperos responded that at this time, they will only be renovating the structure; however, there may be plans to sell materials in the future.

Christian Benitez, BSP asked if construction would be required.

Mary Jane Nisperos replied that they will be doing renovations to the structure. The back portion of the warehouse is currently tin roof, and should the zone change be approved, they will replace the tin roof with concrete.

Christian Benitez, BSP no further questions or comments.

Jacob Miller, GWA had no comments.

Chairperson Cruz had no comments from the Case Planner, and Madam Chair had no questions for the applicant.

Moved on to the next item on the agenda.

## Tentative Subdivision

- D. Application No. 2025-73, the Applicants, Henry J. Simpson and Carolyn N. Simpson, represented by Duenas, Camacho & Associates, are requesting approval of a Tentative Subdivision for the proposed creation of 47 single-family lots, on Tract 24405, in the Municipality of Santa Rita-Sumai, in an "A" (Agricultural/Rural) zone.  
Case Planner: Grace Vergara

Chairperson Cruz welcomed the applicant's representative to the table, asked them to state their names for the record, and to proceed with a brief presentation.

John Duenas is with Duenas, Camacho & Associates (DCA), and is joined by the applicant, Henry Simpson, and Christopher Hill, also from DCA.

Mr. Duenas stated that the Buenas Vista subdivision is a true, rural subdivision that conforms with the requirements of an agricultural subdivision. This tentative subdivision application is for the subdivision of Tract 24405, also known as Buenas Vista Phase V.

The subdivision will feature 47 buildable lots. There are 48 lots created for this subdivision, but the extra lot will be used for the drainage system, and 47 are dedicated to the construction of single-family dwellings.

Most of the lots are located in a 25-acre parcel, north-east of the project site, and three lots will be located on the south-western part of the site. Together, they add up to 47 buildable lots. An environmental impact assessment has been prepared by ARC Environmental (Joel Sablan).

The application includes the proposed subdivision map, the conceptual building plan, formal application, the statement of intent by the developer, and an authorization letter allowing DCA to represent the applicants.

Henry Simpson invited the members to visit the project site at any time. This is a continuation of what they have been doing and hopes that it will be a successful project, and appreciates the assistance from the ARC to move this application forward.

This concluded Mr. Duenas' presentation, and he was prepared to answer any questions from the committee.

Chairperson Cruz turned the floor over to the members for questions or comments.

Rudy Cabana, DPW asked if the lots would be connected to the public sewer or use of septic system.

Henry Simpson responded that they will use a septic system.

John Duenas added that when the project started, there was no public sewer in the area, but there is now, and will basically be a transmission line from Baza Gardens to Route 17 and to the Agat sewer treatment plant. There are opportunities to hook up to that line; however, the rural subdivision was created with individual disposal systems. Every lot is unique, and the design and construction of the septic tank system that will take care of that particular lot development that will be unique and will have to go through the permitting process.

Rudy Cabana, DPW inquired was the parcel lot sizes.

John Duenas replied that all of the lots are 10,000 square feet, which is the minimum lot requirement for a rural subdivision; they vary in size, but every lot is over 10,000 square feet.

Russell Kanai, DPR discussed the archeological survey of the parcel (Mr. Simpson interjected and commented that the native trees were relocated behind the parcel and additionally commented on the trees that are on the subject parcel). Mr. Kanai further noted that DPR did not object to the applicants' application request.

***[NOTE: Due to the loss of the audio recording because of a network drive failure, comments from DPR, BSP, and GPA were not recorded. Comments will be based on notes taken by the Recording Secretary.]***

Christian Benitez, BSP stated that he met with Mr. Simpson and discussed the plans for the conservation area. Mr. Benitez also asked who would be the POC, to which Mr. Duenas responded that they should contact DCA directly to provide precise locations for the conservation areas. There was also a brief discussion on the mechanism to establish the conservation area. Mr. Simpson replied that he was not sure how it would be established at this time, and it is currently being discussed.

[Lengthy discussion ensues]

Albert Padua, GPA inquired where was the location of Phase V and whether the houses would be built by the developer.

John Duenas explained the location of the project site and that the lots will be sold and the houses will be built by the buyer.

[Chairperson Cruz noted for the record, the arrival of Peter Bautista, GEPA]

Peter Bautista, GEPA commented that he has read the proposal for the tentative agricultural subdivision, and mentioned that the minimum standard lot size was 10,000 square feet, and commented that it was quite small for the steep, rugged terrain in this area, with the type of soil there.

John Duenas responded that this is the minimum size limit, which is straight out of the rules and regulations; however, most of the lots are way over the minimum size limit. The lots were subdivided to reflect the topography of the parcel.

Peter Bautista, GEPA stated that the survey, boundaries, contours, and layouts are appropriate considering the challenges of the parcel.

John Duenas commented that as they move forward with the design and improvements, and proceed to the permitting phase, all the details will be worked out.

Peter Bautista, GEPA commented that he was impressed because it is comprehensive, and the fact that it is a subdivision for the housing market down south with adequate egress/ingress and drainage is great. The challenges will be the steep terrain, the fire district and forestry stewardship, and conservation initiative. There is a drainage easement, 20 acres, which is large, and assumed that this was wetlands or ravine.

John Duenas responded that there were no wetlands in the area.

Peter Bautista, GEPA questioned how they would integrate the drainage easement into the development's stormwater run-off and roadway, and asked if this would be the ultimate disposal.

John Duenas replied that the plan was to follow the natural drainage ways by using either surface soil or piping, and road crossings to get the runoff to the natural drainage ways. The most difficult would be the requirements during the construction phase to avoid any erosion.

Peter Bautista, GEPA had no further comments and will provide their position statement promptly.

Jacob Miller, GWA pointed out that one of the standard conditions that GWA includes in their position statement is that for large developments that the developers contact GWA at least six months before the building permit process. Mr. Miller added that they are available at any time to answer any questions regarding the water system or sewer connections.

Chairperson Cruz reminded the members that timelines for tentative subdivisions differ from other applications, and the timeline for this application is ten working days from today's meeting, so that the application can be moved forward to the Guam Land Use Commission.

Madam Chair returned to the agenda to entertain Items A and C.

### Zone Change

- A. Application No. 2025-50, Guam Tumon Company, represented by FC Benavente, Planners, is requesting a Zone Change from "C" (Commercial) zone to "R2" (Multiple Dwelling) zone, for a proposed three residential apartment buildings consisting of thirty units on the eastern portion of Lot 1116 NEW-R1NEW, in the Municipality of Mongmong-Toto-Maite. Case Planner: Penmer Gulac

Madam Chair turned the floor over to Mr. Benavente for a brief presentation.

Felix Benavente stated that his client is requesting to rezone a portion of their property located in Maite from commercial to multiple dwelling zone. Mr. Benavente provided a brief presentation.

Slide 1 – the application is to rezone Lot 1116 NEW-R1NEW from a commercial zone to R2 zone.

Slide 2 – property map outlined in orange is presently zoned commercial. The frontage road is Route 8. This property was the former Plumeria Hotel, and on the left side is the existing Plumeria Hotel, which is now known as the Plumeria apartments. The request is to rezone that portion of the lot to R2. The existing buildings are undergoing final renovations that include a combination of one, two, and three-story buildings that will be converted to 74 multi-family apartments.

Slide 3 – larger photo of the zoning map. The entire lot is in a commercial zone, and it makes sense to rezone to R2 because the whole area is predominantly single-family and multi-family dwellings.

Slide 4 was a photo of the property map showing the consolidation of two lots. It also shows a GPA easement that was granted but not a part of the subject parcel. The vacant east portion will feature 30 apartment units within three, two-story buildings.

Slide 5 – photo of the site plan. The buildings on the left side are the existing buildings, and the buildings to the right are the proposed buildings.

Slide 6 – photos of the existing buildings of the former Plumeria Hotel.

Slide 7 – photos of the proposed buildings. At completion, there will be 104 apartment units comprising of a combination of studios, one and two-bedroom units that will provide a solution to the housing shortage on Guam. There is a ponding basin, and percolation trenches will be used to accommodate stormwater run-off. There is a location for a trash receptacle, with landscaping, a large open space for recreation, and adequate parking with ADA parking as required.

Slide 8 – photo of the required billboard sign.

Slide 9 – photo of the zoning map; the commercial zone line curves around the lot, and behind this lot are zoned R2, and the predominant uses in the area are apartment buildings, and the proposed project is the right fit to develop this lot.

This concluded Mr. Benavente's presentation, and he was prepared to answer any questions.

Chairperson Cruz turned the floor over to the members for questions.

Rudy Cabana, DPW commented that this would be more like an extension of the zone if you were to look at the R2 into a commercial building.

Felix Benavente responded that it was more of an extension of the use.

Rudy Cabana, DPW asked if it would be two parking stalls per unit.

Felix Benavente explained that the space in the middle for parking is actually two levels. The left side is a lower level, and the right side is a higher level. There will be parking below and parking on top.

Peter Bautista, GEPA asked if the elevation was.

Felix Benavente replied that he was not sure, but it will be provided in the final design during the permitting process.

Russell Kanai, DPR stated that DPR has no objection to the request. He added that if anything is discovered during the construction of the second phase to advise them accordingly.

Albert Padua, GPA asked that they provide GPA load capacity calculations.

Christian Benitez, BSP commented that there would be a lot more building footprints and parking than vegetation. BSP will include as a condition to incorporate more vegetative open space. Additionally, Mr. Benitez asked where the proposed ponding basin would be located.

Felix Benavente replied that it would be in the upper right corner for the development, and there are percolation trenches on the bottom at the egress/ingress to Route 8.

Christian Benitez, BSP asked if the existing buildings were already connected to the sewer. *[Mr. Benavente responded, "Yes, he would imagine so."]*

Peter Bautista, GEPA the application is appropriate, the lot is surrounded by R2, except for the parcel that needs to be rezoned. Mr. Bautista questioned the location for open space, recreation area, and vegetative space that is stated in the justification, but there is nothing but parking lots. He added that he couldn't understand why this project is just wall-to-wall units.

Mr. Bautista stated that as for infiltration galleries, basins, and the ponding, the developer will have to meet the stormwater requirements, and this will be considered an injection well, which is an operating permit requirement.

[Mr. Bautista provides lengthy comments on amenities, open space, parking, recreation area, etc., and a lengthy discussion ensues.]

Chairperson Cruz interrupted Mr. Benavente to announce that the Department is participating in the Great Shake-Out exercise that is taking place this morning. It is an earthquake exercise. Members were briefed on what should be done in the event of an actual earthquake.

[After the briefing, Madam Chair reconvened the meeting]

Jacob Miller, GWA reminded the developer to contact GWA during the design phase because there may be a size capacity issue with the water line. Additional comments will be provided in the position statement.

Chairperson Cruz there were no additional comments from Planning. Madam Chair moved on to the next item on the agenda.

## Tentative Subdivision

- C. Application No. H2024-26, the Applicants, Terry H. Kim and Veronica K. Lee, represented by FC Benavente, Planners, are requesting approval of a Tentative Subdivision for the proposed development of the Majestics Estates Subdivision, consisting of twelve, single-family house lots, one lot for a ponding basin, and one lot for a right-of-way, on Lots 9NEW-3-1, 9NEW-3-2, 9NEW-3-3, 9NEW-3-4, and 9NEW-3-R4, Block D, Tract 9, in the Municipality of Barrigada, in an "R1" zone. Case Planner: Grace Vergara.

Chairperson Cruz turned the floor over to the applicant's representative for a brief presentation.

Felix Benavente stated that the five lots will be consolidated and converted to a subdivision in an R1 zone.

The location of the project site is in the Barrigada Heights area. Mr. Benavente pointed out landmarks in the area of the project site that include the St. Dominic's care facility and the GMH SNU facility. The lot is 2.43 acres and vacant. It is serviced by power, water, and sewer.

The parcel is currently zoned "R1." The application is for the creation of twelve single-family lots, one lot for a ponding basin, stormwater storage, and sewer pump station, and the other lot is for a right-of-way. The subdivision has a 40-foot right-of-way, with sidewalks, street lights, curbs, gutters, water, and sewer available. The tentative subdivision will have full improvements as required by law, and the average lot size is 6,000 square feet.

This concluded Mr. Benavente's presentation, and he was ready to answer questions.

Chairperson Cruz turned the floor over to the members for questions.

Rudy Cabana, DPW had no questions.

Russell Kanai, DPR has no objections to the request and stated that during the permitting process, they will conduct a site inspection of the entire property or one property at a time.

Albert Padua, GPA has no comments or questions at this time.

Christian Benitez, BSP has no comments or questions at this time.

Peter Bautista, GEPA, stated that he is pleased that an EIA was provided as required and was thorough and substantial. The property is located in the Guam Protection Zone, and the subdivision will be connected to sewer, a force main will be provided, with infiltration ponding. Mr. Bautista was content the subdivision would be self-contained to protect the aquifer.

[Discussion ensued on Mr. Bautista's inquiry on the price point for the houses.]

Jacob Miller, GWA has no comments or questions at this time.

Chairperson Cruz Madam Chair pointed out a comment made on a site plan from a previous application that made reference to the term “handicapped,” which should no longer be used in site plan drawings and should be referred to as “ADA.”

IV. Approval of ARC Agenda

Chairperson Cruz the next item on the agenda is the approval of the ARC agenda. Madam Chair notes that there are no agenda items at this time for the November 6, 2025 meeting, and the next meeting of the GLUC is November 13<sup>th</sup> and there is no tentative agenda at this time.

V. Administrative and Miscellaneous Matters

Chairperson Cruz remarked that at the last meeting, Mr. Bautista asked for an ARC SOP. Madam Chair provided the members with a copy of E.O. 96-26 that included the administrative rules of the Application Review Committee.

Madam Chair turned the floor over to the members for any additional business.

Christian Benitez, BSP briefly discussed the pre-planning of the workshop that BSP is planning. Mr. Benitez stated the workshop would be scheduled on any day but Thursday, and asked what day would work with the members to schedule the workshop.

Chairperson Cruz suggested that each member should provide what it is that they look for when preparing their department’s position statements, coordination that is required from other agencies, etc.

[Lengthy discussion ensues]

VI. Adjournment

Chairperson Cruz there is no further business for today. Madam Chair asked for a motion to adjourn.

Peter Bautista, GEPA made a motion to adjourn. The motion was seconded by Rudy Cabana, DPW.

Madam Chair accepted the motion made by GEPA and seconded by DPW. There was no discussion on the motion. Madam Chair put the motion to a vote, with all members in favor of adjournment. **[Motion carried; 7 ayes and 0 nays]**

The regular meeting of the Application Review Committee for Thursday, October 16, 2025, adjourned at 10:49 a.m.

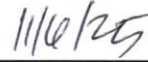
Approved by:

Date approved:

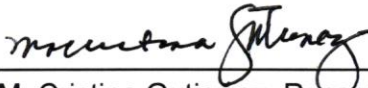


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Celine L. Cruz, Chairperson  
Application Review Committee



Transcribed by:



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M. Cristina Gutierrez, Recording Secretary  
Planning Division, DLM



# APPLICATION REVIEW COMMITTEE

## Committee Attendance Sheet

Department of Land Management Conference Room  
590 S. Marine Corps Drive, 3rd Floor, ITC Building, Tamuning

MEETING:



Regular

Thursday, October 16, 2025




Special

Time: 9:30 AM

Adjournment:

10:02 AM

MEMBER	STATUS	SIGN IN (Please Print)
1 DLM, Guam Chief Planner	(Chairperson)	
2 DPW/CIP	(Member)	Randy P. Cabaru
3 Guam EPA	(Member)	Peter P. Prutzke
4 Bureau of Statistics & Plans	(Member)	Christian Benitez
Bureau of Statistics & Plans	(Member)	
5 Department of Agriculture	(Member)	
6 Guam Waterworks Authority	(Member)	Jacob Miller
Guam Waterworks Authority	(Member)	
7 Guam Power Authority	(Member)	ALBERT PADUA
8 Department of Parks & Recreation-HPO	(Member)	Russell Kanai
9 Joint Regional Marianas	(Ex-Officio member)	
10 Department of Chamorro Affairs	(Ex-Officio Member)	
11 Guam Fire Department	(Ex-Officio Member)	
12 Department of Public Health & Social Services	(Ex-Officio Member)	
13 Guam Public School System	(Ex-Officio Member)	
14 Guam Economic Development Authority	(Ex-Officio Member)	

### DLM Staff

Joseph M. Borja, Director

Rossana S.M. Tiston, Deputy Director

Celine Cruz, Chief Planner

Frank Taitano, Planner IV

Penmer Gulac, Planner IV

M. Grace Vergara, Planner IV

Sonoga Gogue, Planner III

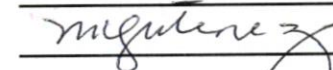
Theresa D. Guevara, Planner II

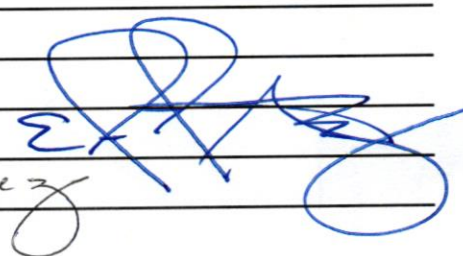
Edward Sanchez, Planner I

M. Cristina Gutierrez, WPS II









Amal K. K. 1-11



## Application Review Committee

Guam Land Use Commission/Guam Seashore Protection Commission  
Department of Land Management

# AGENDA

**Thursday, October 16, 2025 @ 9:30 a.m.**

Department of Land Management Conference Room  
590 S. Marine Corps Drive, 3<sup>rd</sup> Floor, ITC Building, Tamuning

### TIMELINE FOR APPLICATION ON THIS AGENDA

Day #1 – October 16, 2025

Day #30 – November 16, 2025

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I. Attendance

Roll Call

[ ] Quorum

[ ] No Quorum

II. Approval of Minutes

- ARC Regular Meeting Minutes for Thursday, September 4, 2025

III. New Business

Zone Change

- A. Application No. 2025-50, the Applicant, Guam Tumon Company, represented by FC Benavente Planners, is requesting a Zone Change from "C" (Commercial) zone to "R2" (Multiple Dwelling) zone, for a proposed three residential apartment buildings consisting of thirty (30) units, on the eastern portion of Lot 1116 NEW-R1NEW, in the Municipality of Mongmong-Toto-Maite.  
Case Planner: Penmer Gulac
- B. Application No. 2025-51, the Applicant, EMB Electrical Inc., is requesting a Zone Change from "R2/C" (Multiple Family/Commercial) zone to "M1" (Light Industrial) zone, to allow the operation of storage of electrical materials, four-plex & duplex commercial offices, on Lot 5097-7-R1NEW, in the Municipality of Tamuning.  
Case Planner: Frank Taitano

Tentative Subdivision

- C. Application No. H2024-26, the Applicants, Terry H. Kim and Veronica K. Lee, represented by FC Benavente, Planners, are requesting approval of a Tentative Subdivision for the proposed development of the Majestic Estates Subdivision consisting of twelve single-family house lots, one lot for a ponding basin, and one lot for right-of-way, on Lots 9NEW-3-1, 9NEW-3-2, 9NEW-3-3, 9NEW-3-4, & Lot 9NEW-3-R4, Block D, Tract 9, in the Municipality of Dededo, in an "R2" (One Family Dwelling) zone.  
Case Planner: Grace Vergara



## **Application Review Committee**

Guam Land Use Commission/Guam Seashore Protection Commission  
Department of Land Management

- D. Application No. 2025-73, the Applicants, Henry J. Simpson, Jr. and Carolyn N. Simpson, represented by Duenas, Camacho & Associates, are requesting approval of a Tentative Subdivision for the proposed creation of 47 single-family agricultural lots, on Tract 24405, in the Municipality of Santa Rita-Sumai, in an "A" (Agricultural/Rural) zone.

Case Planner: Grace Vergara

IV. Approval of ARC Agenda

- A. ARC Regular Meeting, Thursday, November 6, 2025 [NA]
- B. GLUC Regular Hearing, Thursday, November 13, 2025 [Tentative]

V. Administrative & Miscellaneous Matters

VI. Adjournment



## **Application Review Committee**

Guam Land Use Commission/Guam Seashore Protection Commission  
Department of Land Management

# **AGENDA – No Agenda**

**Thursday, November 6, 2025@ 9:30 a.m.**

Department of Land Management Conference Room  
590 S. Marine Corps Drive, 3<sup>rd</sup> Floor, ITC Building, Tamuning

### **TIMELINE FOR APPLICATION ON THIS AGENDA**

Day #1 – November 6, 2025

Day #30 – December 6, 2025

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I. Attendance

Roll Call

[ ] Quorum

[ ] No Quorum

II. Approval of Minutes

- ARC Regular Meeting Minutes for Thursday, October 16, 2025

III. New Business [None]

IV. Approval of ARC Agenda

- A. ARC Regular Meeting, Thursday, November 20, 2025 [Tentative]
- B. GLUC Regular Hearing, Thursday, November 27, 2025 [Thanksgiving Holiday]

V. Administrative & Miscellaneous Matters

VI. Adjournment



# GUAM LAND USE COMMISSION

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

Commissioner Gerald P. Yingling  
Commissioner Joseph A. Rios

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

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## **AGENDA - Tentative**

Thursday, November 13, 2025, at 1:30 p.m.

Department of Land Management Conference Room

3<sup>rd</sup> Floor ITC Bldg., Tamuning, GU 96913

*[As advertised in the Guam Daily Post – November 6<sup>th</sup>, 2025 & November 10<sup>th</sup>, 2025]  
Livestreamed on YouTube at the Guam Department of Land Management Channel*

- I. Notation of Attendance/Roll Call                     Quorum                     No Quorum
- II. Approval of Minutes [None]
- III. Old or Unfinished Business [None]
- IV. New Business
- V. Administrative & Miscellaneous Matters
- VI. Adjournment