


GOVERNMENT OF GUAM – Department of Land Management
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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, January 8, 2026
1:53 p.m. to 3:25 p.m.

**GUAM LAND USE COMMISSION
GUAM HYBRID LAND USE COMMISSION
Attendance Sheet**

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

Date of Meeting: Thursday, January 8, 2026

Time of Meeting: GLUC: 1:53pm GHLUC: 1:14pm

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| <input checked="" type="checkbox"/> | Quorum |
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COMMISSION MEMBERS

SIGNATURE

Chairwoman Anita B. Enriquez



Vice Chairman Ronald C. Pangilinan



Commissioner Leilani R. Flores



Commissioner Gerald P. Yingling

Excused

Commissioner Joseph A. Rios

Excused

Mayor June Blas, Barrigada



Mayor Peter Benavente, Dededo



Mayor Wayne Santos, Chalan Pago-Ordot



Mayor Allan Ungacta, Mangilao



STAFF

Joseph M. Borja, Executive Secretary



Rossana D.S.M. Tiston, Deputy Director



Atty. N. Lee Miller, Jr., Legal Counsel (OAG)



Celine L. Cruz, Chief Planner




Frank Taitano, Planner IV




Penmer Gulac, Planner IV



M. Grace Vergara, Planner IV




Sonny Gogue, Planner III



Theresa Guevara, Planner II



Kyle Meno, TN Coordinator



M. Cristina Gutierrez, Recording Secretary



ADJOURNMENT

GLUC: 3:25pm GHLUC: 1:49pm



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)

AGENDA

Thursday, January 8, 2026 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 – December 30, 2025 and January 6, 2026]
Livestreamed on YouTube at the Guam Department of Land Management Channel*

- I. **Notation of Attendance/Roll Call** [] Quorum [] No Quorum
- II. **Approval of Minutes**
 - GLUC Regular Minutes [None]
- III. **Old or Unfinished Business [None]**
- IV. **New Business**

Zone Change

- A. Application No. 2025-42, the Applicant, Guam Waterworks Authority, is requesting a Zone Change from "A" (Agricultural/ Rural) to "PF" (Public Facility) for the proposed construction of a wastewater pump station on Lot 19-2, Tract 293, in the Municipality of Mangilao.
Case Planner: Sonny Gogue
- B. Application No. 2022-01, the Applicant, Guam Capital Investment Corporation, represented by FC Benavente, Planners, is requesting a Zone Change from "M2" (Heavy Industrial) to "M1" (Light Industrial) to allow for the conversion of vacant commercial spaces on the second floor of an existing building to be used for six (6) multi-family dwelling units on a portion of Lot 236-REM, Parcels #9, #11, and #13, in the Municipality of Hågat.
Case Planner: Grace Vergara
- C. Application No. 2025-07, the Applicants, Eddie C. Palomo, Jason S. Tedtaotao and Mary Audrey C. Tedtaotao, represented by FC Benavente, Planners; requests a Zone Change from "R1" (One Family Dwelling) zone to "C" (Commercial) zone, for the proposed construction and operation of a retail & wholesale hardware business with an accessory storage building, on Lot 10062-1-R7, in the Municipality of Dededo. Case Planner: Penmer Gulac

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES
Thursday, January 8, 2026 • 1:53 p.m. to 3:25 p.m.
Department of Land Management Conference Room
3rd Floor, ITC Bldg., Tamuning, Guam 96913
[As advertised in the Guam Daily Post on December 30, 2025 and January 6, 2026]
Livestreamed on YouTube at the Guam Department of Land Management Channel

I. Attendance/Roll Call

Chairperson Enriquez called to order the regular meeting of the Guam Land Use Commission for Thursday, January 8, 2026 at 1:53 p.m.

Present were: Chairperson Anita Enriquez, Vice Chairman Ronald Pangilinan, Commissioner Leilani Flores, Executive Secretary Joseph Borja, Legal Counsel Lee Miller, Chief Planner Celine Cruz, Planning Staff Penmer Gulac, Sonny Gogue, Theresa Guevara and Kyle Meno.

[Excused: Commissioner Gerald Yingling and Commissioner Joseph Rios]

Chairperson Enriquez noted a quorum and announced that today's meeting is being livestreamed on YouTube at the Guam Department of Land Management channel.

II. Approval of Minutes

Chairperson Enriquez there are no Minutes for approval today.

III. Old or Unfinished Business [None]

IV. New Business

Zone Change

- A. Application No. 2025-42, Guam Waterworks Authority, is requesting a Zone Change from "A" (Agricultural/Rural) zone to "PF" (Public Facility) zone for the proposed construction of a wastewater pump station, on Lot 19-2, Tract 293, in the Municipality of Mangilao.
Case Planner: Sonny Gogue

Chairperson Enriquez welcomed the applicant to the meeting, asked that they state their names for the record, and proceed with their presentation.

Joseph Calvo representing the Guam Waterworks Authority, and Ken Rekdall, with Duenas, Camacho and Associates, consultant for GWA.

Mr. Rekdall presented the following to the Commission.

- Slide 1 the application is for a zone change for a proposed sewer pump station in the village of Mangilao.
- Slide 2 explained the general location of the project site. It is necessary to facilitate new sewer infrastructure in this specific area. There are also plans in the future for sewer infrastructure for the entire area.
- Slide 3 the overall zoning of the subject area, which mainly includes agriculturally zoned and military-owned lots to the south of the subject. Mostly residential except for the school.
- Slide 4 the site plan for the proposed project. There is a generator, a control booth building, and the proposed sewer pump station.
- Slide 5 Mr. Rekdall explained that the pink line is the new sewer line. This will be the anchor point, which is needed because the pump station is located in the lowest point of the area.
- Slide 6 image of the force main. The line goes from the proposed pump station site, up and out through the Latte Heights subdivision, up Carnation Road to one of the higher points, before going down Macheche Hill, where it will be picked up by a gravity line. He added that all residences in this area are on septic systems, and this is part of a bigger vision to install needed sewer infrastructure. This pump station has the capability to pick up that entire lower area.

That concluded Mr. Rekdall's presentation, and he was prepared to answer questions from the Commission.

Chairperson Enriquez turned the floor over to the members for questions. Noting no questions from the Commissioners, Madam Chair turned the floor over to staff for their report.

Sonny Gogue, Planner read the staff report dated December 29, 2025. Ms. Gogue's report included the legal authority for the zone change and the application facts.

The application was accepted on April 28, 2025, and heard by the Application Review Committee on May 15, 2025; the public hearing was held on October 14, 2025. Ms. Gogue continued with the discussion and staff analysis that included justification for the project and zone change criteria.

To conclude, Ms. Gogue reported that the review and analysis of the form and context of this application, a positive response from the Mangilao MPC, and ARC agencies, staff recommends approval with conditions. (For full content/context, please refer to the attached staff report.)

[Attachment A – Staff Report dated December 29, 2025]

Chairperson Enriquez questions for staff. There were no questions from the Commission. Madam Chair opened the floor for public comment.

Public Comment [None]

Chairperson Enriquez noted no public comment for the application. Madam Chair closed the public comment period. There was no further discussion from the Commission. Madam Chair asked for a motion for action.

Commissioner Flores made a motion to approve Application 2025-42 based on the staff recommendation stated in the December 29, 2025 staff report.

Vice Chairperson Pangilinan seconds the motion.

Chairperson Enriquez accepted the motion made by Commissioner Flores and seconded by Vice Chairman Pangilinan. There was no discussion on the motion; Madam Chair put the motion to a vote with all members in favor of approval. **[Motion carried with a vote of 3 ayes and 0 nays]**

Zone Change

- B. Application No. 2022-01 the Applicant, Guam Capital Investment Corporation, represented by FC Benavente Planners, is requesting a Zone change from "M2" (Heavy Industrial) zone to "M1" (Light Industrial) zone to allow for the conversion of vacant commercial spaces on the second floor on an existing building to be used for six multi-family dwelling units, on a portion of Lot 236-REM, Parcel #9, #11, and #13, in the Municipality of Hagat.
Case Planner: Grace Vergara

Chairperson Enriquez welcomed the applicant to the meeting, asked them to state their name for the record, and proceed with their presentation.

Felix Benavente explained that this is an application for the rezoning of a portion of Lot 236-REM in Hagat. Mr. Benavente presented the following to the Commission.

Slide 2 - image of the location of the property. Mr. Benavente provided landmarks in the vicinity of the subject site.

Slide 3 – image of the lot, which is all zoned M2.

Slide 4 – was a photograph of the existing buildings on the site. The two-story building located at the back portion of the property, the second floor is proposed to be used for six spaces to be converted into apartment units.

Slide 5 – map of the existing zoning within 1,000-foot radius of Lot 236-REM, Parcels 9, 11, and 13, which were parcels when the property was arranged by either the Corps of Engineers or by the Government of Guam so that the river could be properly surveyed and to incorporate corridors in place. When this was done, there were some leftover pieces, and these are remnants 9, 11, and 13.

Slide 6 – image of the property map of Lot 236-REM.

Slide 7 – site plan image. The building shaded in pink is a one-story building, the building in yellow is a two-story building, and the blue shade is an existing warehouse on the property.

Slide 8 – larger image of the site plan.

Slide 9 – image of the zoning delineation map that shows the separation of the proposed M1 and retaining the existing M2

Slide 10 – image of the final zoning designation map.

To close, Mr. Benavente reiterated that the request for the zone change is from “M2” to “M1” zone on a portion of Lot 236-REM, all of parcels 9, 11, and 13, to allow for six multi-family dwelling units on the second floor of the existing Agat Point Shopping Center.

Chairperson Enriquez turned the floor over to the Commissioners for questions. There were no questions noted from Vice Chairman Pangilinan and Commissioner Flores.

Chairperson Enriquez asked if there were any plans in the future that are related to any activities for the M2 zoning classification.

Felix Benavente responded that there were none that he was aware of. He further explained that the applicant wanted to keep the M2 zoning since there were almost no M2-zoned parcels, other than the Airport on the island, that are useful. The applicant wanted to keep a portion of M2 in place because they have existing leases with military contractors.

[Discussion ensues]

Chairperson Enriquez turned the floor over to the Chief Planner for their staff report.

Celine Cruz, Chief Planner summarized the staff report dated December 17, 2025. Ms. Cruz's report included the purpose, legal authority, facts, the application's chronological facts, discussion, and staff analysis that included addressing public necessity, public convenience, and general welfare. [For full content/context, please see attached]

To conclude, staff recommends approval subject to the applicant adhering to ARC conditions and requirements as stipulated in their official position statements.

[Attachment B – Staff Report dated December 17, 2025]

Chairperson Enriquez questions for staff. None noted from Vice Chairman Pangilinan and Commissioner Flores. Madam Chair opened the floor for public comment.

Public Comment [None]

Seeing none, Madam Chair closed the public comment period and asked for a motion for action for Application No. 2022-01.

Vice Chairman Pangilinan made a motion to approve Application No. 2022-01, subject to the applicant adhering to the conditions and requirements as stipulated in the staff report of December 17, 2025.

Commissioner Flores seconds the motion.

Chairperson Enriquez accepted the motion made by Vice Chairman Pangilinan and seconded by Commissioner Flores. There was no discussion on the motion. Madam Chair put the motion to a vote, with all members in favor of approval. **[Motion carried; 3 ayes and 0 nays]**

Next item on the agenda –

C. Application No. 2025-07, the Applicants, Eddie C. Palomo, Jason S. Tedtaotao, and Mary Audrey C. Tedtaotao, represented by FC Benavente, Planners; requests a Zone Change from “R1” (One Family Dwelling) zone to “C” (Commercial) zone, for the proposed construction and operation of a retail and wholesale hardware business with an accessory storage building, on Lot 10062-1-R7, in the Municipality of Dededo. Case Planner, Penmer Gulac

Chairperson Enriquez welcomed Mr. Benavente to the meeting and asked him to proceed with his presentation.

Felix Benavente Mr. Benavente provided a presentation to the Commission that included the following:

Slide 1 the application is for a zone change for the applicants, Mr. Palomo and Mr. and Mrs. Tedtaotao.

Slide 2 – image of the site location. The property is located along Harmon Loop Road between Harmon Loop Road is the Tsang Brothers hardware store and across the street is the DPW school bus depot, and the DPR swimming pool.

Slide 3 – image of the entire property map that was parceled and all zoned commercial except the subject lot. Mr. Palomo would like to rezone the parcel to commercial.

Slide 4 – map of the existing land use. Mr. Benavente explained that there is a concrete wall that separates the property from the Summer Palace subdivision.

Slide 5 – the applicant is proposing two one-story buildings that will be connected to public sewer, stormwater will be retained on-site, there will be a dumpster on-site with trash pick-up by a private contractor, 32 parking spaces, which include ADA parking, and the area will be fully fenced with landscaping throughout.

Slide 6 – Site Plan; building A will be the warehouse, and building B in the back will be the retail area.

Slide 7 – concept drawing of the elevation of the proposed buildings

Slide 8 through Slide 14 – photos of the project site and surrounding properties.

To close, Mr. Benavente stated that they are trying to paint the picture of the subject lot so that it should be a commercial lot and not a single-family residential lot in this area right off of Harmon Loop Road.

Chairperson Enriquez questions for Mr. Benavente.

Vice Chairman Pangilinan inquired if there were any other concerns for the neighboring homes other than those mentioned in the public hearing.

Felix Benavente explained that there were neighbor concerns with the Tsang Brothers' operations for about ten years, that was not caused by this applicant. The Tsang Brothers were placing materials against the concrete wall that separated the warehouse from the residences. There were complaints of welding and work being conducted after closing hours. Tsang Brothers has since provided a letter addressing these concerns, and the activities no longer exist.

Chairperson Enriquez turned the floor over to the Chief Planner for their staff report.

Celine Cruz, Chief Planner summarized the staff report dated December 30, 2025, to include purpose, facts, application chronological history, staff analysis addressing public necessity, public convenience, and general welfare. [For full content/context, see attached report]

[Attachment C – Staff Report dated December 30, 2025]

To conclude, Chief Planner Cruz stated that staff recommends approval, subject to the applicants adhering to all ARC recommendations, conditions, and requirements as noted in their official position statements.

Chairperson Enriquez there were no questions from the Commissioners. Madam Chair raised a concern that was brought up at the public hearing regarding the structure not going beyond one story. Madam Chair asked whether the Commission had the purview to set such limits.

Celine Cruz, Chief Planner responded that zone changes are somewhat unique in that staff cannot place conditions on a zone change; however, the recommendation is that the applicant is required to comply with ARC conditions that are noted in their position statements that usually surface during the permitting process. The law already allows for three-story, 30-feet, and perhaps Legal Counsel could provide some input on this.

Atty. Lee Miller, Legal Counsel replied that if the Commission makes the change, the applicant will have the opportunity to take advantage of everything that is permitted in that zone.

Chairperson Enriquez commented which is already within statute. There were no comments and/or questions from Vice Chairman Pangilinan and Commissioner Flores. Madam Chair opened the floor for public comment.

Public Comment [None]

Chairperson Enriquez noted no public comment. Madam Chair closed the public comment period and was ready to entertain a motion for action for Application No. 2025-07.

Commissioner Flores made a motion to approve Application No. 2025-07 based on the recommendation stated in the December 30, 2025 staff report.

Vice Chairman Pangilinan seconds the motion.

Chairperson Enriquez accepted the motion made by Commissioner Flores and seconded by Vice Chairman Pangilinan. There was no discussion on the motion. Madam Chair put the motion to a vote, with all members in favor of approval. **[Motion carried, 3 ayes and 0 nays]**

Next item on the agenda –

Tentative Subdivision

D. Application No. 2025-73, the Applicants, Henry M. Simpson, Jr. and Carolyn S. Simpson represented by Duenas, Camacho & Associates, are requesting approval of a Tentative Subdivision to create an agricultural subdivision consisting of 47 single-family lots, on Tract 24405 (formerly Lot 401-21-R14NEW-R6), in the Municipality of Santa Rita-Sumai, in an "A" (Agricultural/Rural) zone. Case Planner, Grace Vergara

Chairperson Enriquez welcomed the applicants' representative to the meeting, asked them to state their names for the record, and to proceed with their presentation.

John Duenas is with Duenas, Camacho & Associates, representing the applicants, Mr. and Mrs. Simpson.

Slide 1 – Mr. Duenas pointed out that the application that is before the Commission today is for a Tentative Agricultural Subdivision application, under 2025-73. The environmental impact assessment was prepared by ARC Environmental Services, and Mae Sablan is present today to answer any questions regarding the impact assessment.

Slide 2 – Tract 24405, which will change, is located in southern Guam in the village of Santa Rita in the region commonly known as Apra Heights. The project site is situated south of Route 17 and east of the GWA side-by-side Sinifa water reservoirs adjacent to Buena Vista Drive. Development of the project began in 2007. Infrastructure (roads and water system) was provided along with the creation of single-family house lots.

Phase I consists of 13 single-family lots; 5 houses have been built

Phase II consists of 53 single-family lots; 11 houses have been built

Phases III through IV consist of 40 single-family lots, with 9 houses built, and

The proposed Phase V will have 47 single-family lots.

Slide 3 – Phase V will have a total of 47 single-family lots, 44 lots in the 25.28-acre northern subregion, and 3 lots in the 3.02-acre western subregion. All parcels significantly exceed the minimum Agricultural Subdivision lot size of 10,000 square feet.

Slide 4 – is the key map of the subdivision of Tract 24405.

Slide 5 – drone video of the Buena Vista subdivision. The video shows rugged topography and well defined drainage way that this project will take advantage of.

Slide 6 – aerial view of the Buena Vista Phase V subdivision

Slide 7 – image shows the layout of roads and utilities corridors that will make up the Phase V subdivision improvements.

Slide 8 – Mr. Duenas explained that the proposed agricultural subdivision improvements include grading to create access roads and surface drainage ways; strategically placed underground, piped, drainage improvements and appurtenances; access road network of 22-foot wide, paved roadways contained within a 40-foot wide rights-of-way; water distribution and service connection system; electrical power distribution system improvements; individual sewage disposal facilities that will be provided as part of the single-family dwelling design and construction; and, communications facilities. Mr. Duenas added that the proposed single-family parcels will be designed and installed by the Guam Power Authority and will be paid for by the developer based on the approved subdivision plan and improved roadway system. The parcels will be developed individually by buyers who will purchase the lots.

Slide 9 – response to ARC Position Statements. Mr. Duenas expressed that the developers have no objections to the conditions specified by the Department of Agriculture, Department of Parks and Recreation, Guam Power Authority, and the Guam Environmental Protection Agency.

He further stated that the developer has no objection to the GWA position statement accepting condition three, which requires the developer to coordinate water demand with GWA before submitting a construction permit application for subdivision improvements; however, the developer feels that it is unreasonable that this coordination must occur six months prior to submitting the permit application. Although the developer is willing to coordinate with GWA, he believes that this technical requirement of waiting six months before submitting a building permit application does not make sense to them. **[For full content, please see Exhibit 1]**

Lot 1-NEW-6, Block 2, Tract 24403, includes the Sinifa booster water system, which was provided by the developer at the start of the development project. Ownership of this system will be transferred to the Guam Waterworks Agency (GWA). The developer is eager to discuss the acceptance of the now fifteen-year-old Sinifa water booster station with GWA concurrently with transferring ownership of the property. This is significant since GWA has maintained the facility for over ten years.

Lastly, the position statement from the Bureau of Statistics and Planning (BSP) does not make sense, and it is apparent that BSP has no idea of the location of the proposed subdivision. The assertion that this proposed Phase V of the Buena Vista Subdivision is inconsistent with the "Conservation" designation of the area is "*ludicrous*" since there are four previous phases that have already been approved and developed. Mr. Duenas recommends that the position statement be ignored.

This concluded Mr. Duenas' presentation, and he was prepared to answer questions from the Commission. [With Mr. Duenas is the applicant, Mr. Henry Simpson]

Henry Simpson (Project Developer) Mr. Simpson remarked that he has been working closely with Duenas and Associates on getting the plans prepared for today's meeting, and thanked the Commission for their time today.

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

Vice Chairman Pangilinan commented that in the first four phases, only four to nine houses were built, and questioned whether the lots were sold and if the landowners are not developing them.

Henry Simpson replied that in the first phase, eight lots were purchased by one purchaser, and two houses were built. In the second phase, one developer bought thirty-three lots and did not build any houses, and the others were purchased individually.

Vice Chairman Pangilinan commented that he has visited the site and commended the developer for building homes in the south since there are so many developments in the central and north portion of the island.

Chairperson Enriquez remarked that the footprint of the development was beautiful.

John Duenas comments that all the features of the development are unique; every lot is unique. The purchaser will have to have a house design, and every septic tank system/leaching field that will serve that residence will have to be designed specifically for that lot.

Chairperson Enriquez inquired if the homes can be classified as affordable homes.

Henry Simpson stated that they are not selling the homes; they are only selling the lots. The ability for people to design and build what they want is what they are offering for this subdivision.

Chairperson Enriquez turned the floor over to the Chief Planner for their report.

Celine Cruz, Chief Planner summarized the staff report dated December 23, 2025. Chief Planner Cruz's summarization included the purpose of the application, facts that include the location, lot area, present zoning, field description, master plan, the community design plan, the application's chronological facts, and the staff analysis. [For full content/context, refer to the attached report.]

[Attachment D – Staff Report dated December 23, 2025]

Chief Planner Cruz concluded that the staff recommends that the Commission approve the request with conditions.

Chairperson Enriquez there were no questions noted from the Commission. Madam Chair opened the floor for public comment.

Public Comment [None]

Chairperson Enriquez there was no public comment. Madam Chair closed the public comment period. Noting no further comments or discussion, Chairperson Enriquez was ready to entertain a motion for action for Application No. 2025-73.

Vice Chairman Pangilinan made a motion to approve Application No. 2025-73 as long as the applicant follows the recommendation and conditions as stated in the December 23, 2025, staff report.

Commissioner Flores seconds the motion.

Chairperson Enriquez accepted the motion made by Vice Chairman Pangilinan and seconded by Commissioner Flores. There was no discussion on the motion. Madam Chair put the motion to a vote, with all members in favor of approval. **[Motion carried, 3 ayes and 0 nays]**

Next item on the agenda –

V. Administrative & Miscellaneous Matters

Tentative Subdivision – Extension of Time

- E. Application No. 2021-29B, the Applicant, Perez Properties, Inc., requests for its second extension of time pursuant to E.O. 96-26, for a previously approved Tentative Subdivision known as Villa Sirena, on Tract 18208 (formerly Lots 1087-A-1 thru 1087-A-6 and Lot 1087-B-1), in the Municipality of Barrigada, in an "R1" (One Family Dwelling) zone.
Case Planner: Grace Vergara

Chairperson Enriquez welcomed the applicant's representative to the meeting, asked them to state their name, and proceed with their presentation.

Margarita Perez Leon Guerrero (with Perez Properties) and accompanying Ms. Leon Guerrero is Tom Perez. Ms. Leon Guerrero stated that Perez Properties first came before the GLUC for approval of the Tentative Subdivision application for Villa Sirena, consisting of sixteen single-family residences in Barrigada, across from Wendy's and a short distance from Untalan Middle School. The developer appreciates the approval of Application No. 2021-73 on October 26, 2023, issuing a Notice of Action on November 9, 2023, under Document No. 992767.

On November 14, 2024, they submitted their first request for extension, which was approved on October 7, 2024, by the GLUC. They are before the Commission today to submit their second extension of time request.

Perez Properties signed an agreement on April 30, 2025, to place infrastructure for Villa Sirena. A building permit for the project was obtained on May 22, 2025, by the contractor. And from May

to July 2025, five Government of Guam agencies signed off on the permit application, however, soon after, the building permit became difficult in terms of timing and coordination among some of the permitting agency offices. Perez Properties remains committed and looks forward to receiving a building permit in early 2026.

Changes and modifications are post-approval during the pre-permitting review process; nonetheless, they are required for permit approval. Until they receive the permit, they cannot install the infrastructure improvements as required.

Two diurnal and nocturnal critical habitat site walk-throughs or observations were conducted before and post-rainy season. No species of concern or critical habitat were noted during these observations. The report was added to the biological study that was submitted in December 2025.

During the 2022 approval process of the subdivision survey map of Tract 18208, GPA requested that modifications and updates be made (in 2022). These changes were pre-permitting process. In November 2025, the modifications noted were different from the previously requested modifications in 2022 during the pre-permitting process. They have been working closely with GPA in hopes of resolving the issues by this month.

They have also coordinated the timing of utility connections with DPW so as not to cut into newly-laid pavement; however, because of the delays in the building permit process, they have no choice but to make those cuts in 2026 or early 2027.

Ms. Leon Guerrero remarked that they trust that the information provided addresses the protocol and meets the requirements for justification of an extension.

This concluded the presentation.

Chairperson Enriquez turned the floor over to the Commissioners for questions. There were no questions noted from Vice Chairman Pangilinan and Commissioner Flores. Madam Chair turned the floor over to the Chief Planner for the staff report.

Celine Cruz, Chief Planner read the summarized Commission Brief dated December 15, 2025, that includes the purpose, application summary, recommendation, and conditions. [See attached for full content/context]

[Attachment E – Commission Brief dated December 15, 2025]

Chief Planner Cruz conveyed that, considering the applicant has been and continues to consult and coordinate with the Government of Guam permitting agencies involved to address their permitting conditions and requirements, Planning Staff recommends approval with conditions.

Chairperson Enriquez questions for staff. It was noted that there were no questions from the Commissioners. Madam Chair opened the floor for public comment.

Public Comment [None]

Chairperson Enriquez noted there were no public comments. Madam Chair closed the public comment period. There was no further discussion on the application. Madam Chair asked for a motion for action for Application No. 2021-29B.

Commissioner Flores made a motion to approve Application No. 2021-29B, based on the recommendation noted in the Commission Brief dated December 15, 2025.

Vice Chairman Pangilinan seconds the motion.

Chairperson Enriquez accepted the motion made by Commissioner Flores and seconded by Vice Chairman Pangilinan. No discussion on the motion. Madam Chair put the motion to a vote with all members in favor of approval. **[Motion carried; 3 ayes and 0 nays]**

Next item on the agenda –

Conditional Use Reinstatement

F. The Applicant, Core Tech International Corporation, is requesting consideration of reinstatement of a Conditional Use Permit for its Temporary Workforce Housing Facility (TWHF), on Lot 10184-R7 (under Application No. 2009-56).

Chairperson Enriquez welcomed the applicant's representative to the meeting, asked them to state their name for the record, and proceed with their presentation.

Willie Flores (with Lina Rojas) is representing Core Tech International Corporation. Mr. Flores stated that Core Tech currently has a conditional use permit to operate a workforce housing facility. The permit was issued in 2009 under Younex. Subsequently, the property and project was purchased by Core Tech.

The workforce village complex was first authorized in 2009. Over the years, there have been several modifications; the most recent was reducing the maximum number of tenants to 5,000. The permit that was in operation in 2025 expired in April. Shortly after learning the renewal deadline had passed, Core Tech asked Mr. Flores for assistance with the renewal of the permit. Mr. Flores discussed the issues with the Planning Staff. The intent was to submit the full package in December; however, the Planning staff recommended that a request for a reinstatement be submitted for the Commission's consideration.

Mr. Flores mentioned there were reasons for the extension request and the late submission. Although the COVID pandemic subsided in early 2023, its effects on the entire construction industry continue. With the winding down of the COVID emergency state of the island, the Military announced that they moved up the military buildup timeline, and this triggered an enormous number of permitting compliance for both the Government of Guam and U.S. DOD, which forced most Guam contractors to acclimate to the additional and amended rules and procedures that continued to evolve and be amended to this date.

The Ukudu Workforce Village has consistently renewed its permits with Public Health, the Department of Labor, and other regulatory requirements. However, due to the events of the past five years, there has been some confusion regarding certain standing requirements, including the renewal of the TWHF. Although the conditional use permit was due in April 2025, the applicant decided to compile the necessary documents and resubmit the application.

Mr. Flores presented a few slides that included photos of Ukudu Workforce Village, the Northern Wastewater Treatment Plant, and several concrete casting yards, concrete laydown yards, and a batching plant.

The applicant has continued to maintain the housing very well. The units are two-stories, clean and safe. Transportation is provided for the residents to religious services, grocery stores, and shopping malls. A medical clinic is available for any onsite emergencies, and onsite laundry facilities are available, a recreational area including basketball and tennis courts, a soccer field, and a volleyball court for outdoor recreation. [The remaining slides were photos of the workforce facility that includes the rooms, showers, restrooms, dining hall, and kitchen]

The Ukudu Workforce Village remains in compliance with all physical operating requirements for the facility set forth by the Guam Land Use Commission. These requirements are included in all approvals related to the Ukudu Workforce Village, ensuring adherence to regulatory and ARC agency requirements. The applicant was aware of the permitting renewal date of April 2025, however, due to previously mentioned reasons, the application was not submitted on time.

Mr. Flores expressed his gratitude to the Commission for their attention to this request. And on behalf of the applicant, he requests consideration of the Commission for the renewal of the permit, contingent on an approved extension of the time to submit.

Chairperson Enriquez there were no comments or questions noted from the members. Madam Chair turned the floor over to the Chief Planner for their report.

Celine Cruz, Chief Planner clarified an important point before starting her staff report. Ms. Cruz explained that the necessary action was to reinstate the conditional use permit, which had technically expired, and they have provided valid reasons for reinstating the permit. If the Commission desires to reinstate the permit, Planning will require them to submit an application as if they were submitting their annual renewal request. The application is ready, but it was not accepted since it has technically expired. They are before the Commission requesting a reinstatement.

Chief Planner Cruz read the Commission Brief dated December 30, 2025, a request for consideration of reinstatement of a Conditional Use Permit for the Temporary Workforce Housing Facility (TWHF) on Lot 10184-R1. The basis for this request includes administrative oversight, historical compliance, and continued need. [For full content/context, please see attached]

Planning staff recommends reinstating the Conditional Use Permit for the TWHF, under Application No. 2009-56, subject to conditions.

[Attachment F – Commission Brief dated December 30, 2025]

Chairperson Enriquez turned the floor over to the members for questions. No questions noted from Vice Chairman Pangilinan and Commissioner Flores. Madam Chair opened the floor for public comment.

Public Comment [None]

Chairperson Enriquez there were no public comments noted. Madam Chair asked for a motion for action for the consideration of the reinstatement of the Conditional Use Permit on Lot 10184-R17.

Vice Chairman Pangilinan made a motion to approve Application No. 2009-56 subject to the recommendation and conditions noted in the December 30, 2025 Commission Brief.

Commissioner Flores seconds the motion.

Chairperson Enriquez there was no discussion on the motion; Madam Chair put the motion to a vote with all members in favor of approval. **[Motion carried; 3 ayes and 0 nays]**

G. Appointment of an alternate Commission member to preside over meetings in the absence of the Chairperson and Vice-Chairman.

Chairperson Enriquez explained that she is soliciting a nomination for an alternate Commissioner to preside over meetings if the Chairperson is unable to attend a meeting and the Vice Chairperson is also not available, to avoid any delays in meetings, and, asked the Commission to entertain an alternative for this purpose. Madam Chair asked Legal Counsel for his opinion.

Lee Miller, Legal Counsel stated that it is at the discretion of the Commission. One way to address this is if the Commission were to have a standing set of bylaws that states the Chairperson is in charge, and it will be the Vice Chairman to preside over the meetings. If the Vice Chairman is unavailable, the member with, for example, the most or least tenure, becomes the alternate. It would be the preference of the majority.

Chairperson Enriquez remarked that this is assuming that there are bylaws in place.

Lee Miller, Legal Counsel the alternative, if you wish to designate a member as the Vice-Vice Chairperson, the alternate Vice Chairperson will be for the remainder of 2026, this could also be done.

Chairperson Enriquez asked the Commissioners what their preference would be.

Vice Chairman Pangilinan stated that he would like to nominate Commissioner Leilani Flores as an alternate Commission member to preside over meetings in the absence of the Chairperson and Vice Chairman.

Commissioner Flores accepted the nomination.

Chairperson Enriquez Madam Chair noted that a nomination has been made and accepted. Madam Chair put the motion to a vote, with all members in favor. **[Motion carried; 3 ayes and 0 nays. Commissioner Flores will be the alternate Vice Chairperson]**

Madam Chair turned the floor over to Executive Secretary Borja for additional business or announcements for the Commission.

Joseph Borja, Executive Secretary informed the members that there is an ongoing public hearing on a proposed amendment to allow for a Temporary Workforce Housing Facility to operate in a certain zone as a permitted use. Land Management has provided its comments regarding the bill.

Chairperson Enriquez noted for the record that the next GLUC meeting is scheduled for Thursday, January 22, 2026, and asked if there were any agenda items for the review/approval of the Commission.

Celine Cruz, Chief Planner replied that there are at least four applications on the agenda.

Chairperson Enriquez asked the members to advise Planning Staff on their availability for this meeting. Noting no further business, Madam Chair asked for a motion to adjourn.

VI. Adjournment

Commissioner Flores made a motion to adjourn today's meeting.

Chairperson Pangilinan seconds the motion.

Chairperson Enriquez accepted the motion made by Commissioner Flores and seconded by Vice Chairman Pangilinan. Madam Chair put the motion to a vote, with all members in favor of adjournment. **[Motion carried with a vote of 3 ayes and 0 nays]**

The meeting was adjourned at 3:25 p.m.

The regular meeting of the Guam Land Use Commission for Thursday, January 8, 2026 was adjourned at 3:25 p.m.

Approved by

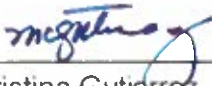
Date approved:



Anita B. Enriquez, Chairperson
Guam Land Use Commission

2-8-26

Transcribed by



M. Cristina Gutierrez, Recording Secretary
Planning Division

****Note: I, M. Cristina Gutierrez, was absent from this meeting. The minutes were transcribed to the best of my ability using the provided materials.****

Response to ARC Position Statements

1. The Developer (Mr. & Mrs. Simpson) does not have any objections to the conditions specified by the following ARC members by the Department of Agriculture, Department of Parks & Recreation, Guam Power Authority and Guam Environmental Protection Agency.
2. The Developer has no objections to the GWA Position Statement excepting Condition 3 on which the Developer offers the following comments:
 - a. Yes, the Developer will coordinate water demand with GWA prior to submitting a construction permit application for subdivision improvements. However, it is unfair that the coordination has to happen at least 6 months prior to permit application submittal. This requirement does not make sense given that GWA has reservoirs in the immediate area totaling 2 million gallons and given that this proposed subdivision numbers but 47 house lots and that sewage disposal does not involve connection to the GWA public sewer infrastructure.
 - b. Ownership of Lot 1-NEW-6, Block 2 Tract 24403 where the Sinifa Water Booster Station is located will be transferred to GWA. The Developer looks forward to discussing acceptance of the 15-year old Sinifa Water Booster Station with GWA concurrently with transferring ownership of the property since GWA has been maintaining the facility for over 10 years.
3. The position statement of the Bureau of Planning (BSP) is, in our opinion, nonsensical. A review of Section B of the position statement has to conclude that BSP has no idea of the location of the proposed subdivision. In addition, the assertion that this proposed Phase V of the Buena Vista Subdivision is inconsistent with the "Conservation" designation of the area is ludicrous since 4 previous phases have already been approved and developed. We recommend that the position statement be ignored inasmuch as meaningful conditions involving water and air quality-related and erosion protection requirements are already covered by the Guam EPA position statement.

END

ATTACHMENT A

DIPĀTTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBĒTNAMENTON GUĀHAN
(Government of Guam)



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

December 29, 2025

MEMORANDUM

To: Chairperson, Guam Land Use Commission
From: Guam Chief Planner
Subject: Staff Report - Application No. 2025-42

1. PURPOSE:

- a. **Application Summary:** The applicant, Guam Waterworks Authority (GWA) requests a Zone Change from "A" (Rural/Agriculture) to "PF" (Public Facility) zone to allow for the construction of a wastewater pump station on Lot 19-2, Tract 293, 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 site is located along Golden Cupid Road, approximately 400 feet from the junction of both Golden Cupid Road and Camelia Lane.
- b. **Lot Area:** 199± square meters or 2,142± square feet
- c. **Present Zoning:** "A" (Agricultural/ Rural) Zone
- d. **Field Description:** The site is presently vacant with various ground cover vegetation.
- e. **Masterplan:** "Residential" (North and Central Guam Land Use Plan)
- f. **Community Design Plan:** "Conservation-Open Space"
- g. **Previous Commission Action:** None

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

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

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

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383



Continuation of Memorandum

Re: Staff Report - Application 2025-42, Zone Change
Lot 19-2, Tract 293, Municipality of Mangilao.

Date: December 29, 2025

Page 2 of 3

3. APPLICATION CHRONOLOGICAL FACTS:

- a. **Application Accepted Date:** April 28, 2025
- b. **ARC Meeting Date:** May 15, 2025
- c. **Public Hearing Date:** October 14, 2025 (See Attachment "A")

4. DISCUSSION and STAFF ANALYSIS:

The applicant's request is for a zone change approval and pursuant to Section 61630 (Requirements for Changes) of Chapter 61 (Zoning Law) 21GCA, where it 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:

The requested zone change is necessary to complete the Adacao Water and Sewer Infrastructure Improvement Project, to support the existing land use in a responsible and sustainable manner, and provide for the continued provision of safe drinking water for the population of northern Guam. The project involves constructing gravity mains, a sewer lift station, force mains, and other essential infrastructure components.

GWA evaluated potential sites for the new pump station through topographic surveys and site inspections. It was determined that Lot 19-2, Tract 293, and the subject of this zone change application met the project's requirements. Currently, Lot 19-2 is zoned as "A" (Agricultural), allowing utilities and public facilities as a conditional use. A zone change to "PF" (Public Facility) will align the property's intended use with zoning requirements under regulations in 21 GCA, Chapter 61. This change will enable GWA to construct a wastewater pump station. Regarding public convenience, the proposed facility will serve the residential community on Golden Cupid Road and support further expansion of the sewer system to nearby residents on Tracts 14411 and 14119 who currently lack public sewer.

As for general welfare, approving this zone change will directly benefit the entire Adacao community by improving water and sewer service. It will also indirectly serve the broader northern community by protecting water resources and fostering community and economic development.

In addition to the above, and as a follow-up to the public hearing, the applicant has submitted a supplement (supplement #2) to the zone change application to address specific inquiries and concerns raised during the public hearing. The applicant provides clarification for the proposed projects' eligibility and neighboring resident responsibilities concerning the sewer service connection agreements.

Continuation of Memorandum

Re: Staff Report - Application 2025-42, Zone Change
Lot 19-2, Tract 293, Municipality of Mangilao

Date: December 29, 2025

Page 3 of 3

Based on our review and analysis of the form and context of this application, in reference to the Zoning Law, the positive response of the Mangilao Municipal Planning Council (MMPC) Resolution No. 2025-08, the positive response received from the ARC agencies, and that the applicant has been and will continue to consult with the various Government permitting entities to ensure compliance with their requirements. We find the context of the application provides justification that the public necessity, convenience, and general welfare support a positive action on the zone change request.

5. **RECOMMENDATION:** Planning staff recommends approval, subject to the following condition:

1. That the applicant adhere to the permitting ARC members' conditions and requirements as stipulated on their Official Position Statement.



Celine L. Cruz
Guam Chief Planner

Attachments: ARC Position Statement Summary
Minutes of Public Hearing "Attachment A"
MMPC Resolution No. 2025- 08
Supplement #1, dated October 1, 2025
Supplement #2, dated December 16, 2025

Case Planner: Sonny Gogue



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



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ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

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

December 29, 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. 2025-42 (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.

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 has no objections and recommends approval of the zone change. The recommendation is contingent on GWA meeting all of DPW's mandates and permit requirements during the permitting process.

GUAM WATERWORKS AUTHORITY (GWA):

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

Website:

<http://dlm.guam.gov>

E-mail Address:

dldm@land.guam.gov

Telephone:

671-649-LAND (5263)

Facsimile:

671-649-5383



DEPARTMENT OF AGRICULTURE (DoAg):

DoAg does not oppose the request for a zone change and provides conditions that must be met prior to any development activity on site.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

GEPA approves the application, subject to the conditions stated in their position statement.

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.



Celine L. Cruz
Guam Chief Planner

Attachments: ARC Position statements
CC: Executive Secretary, GLUC



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Department of Parks and Recreation
Dipattamenton Plaset yan Dibuetsion
Government of Guam

Director's Office, Parks and Recreation Divisions
#1 Paseo de Susana, Hagåtña, Guam 96910
P O Box 2950 Hagåtña, Guam 96932
(671) 475-6288, Facsimile (671) 477-0997
Guam Historic Resources Division
490 Chalan Palasyo, Agaña Heights, Guam 96910
(671) 475-6294/6355, Facsimile (671) 477-2822



Angel R. Sablan
Director
Warren Pelletier
Deputy Director

May 9, 2025

In reply refer to:
RC 2022-0420

Memorandum

To: Director, Department of Land Management

From: Director, Department of Parks and Recreation

Subject: ZC Application No. 2025-042, Applicant Guam Waterworks Authority propose to rezone Lot 19-2, Tract 293 from "A" Agriculture Zone to "PF" Public Facility in order develop water and wastewater infrastructure expansion for disadvantaged community in the Municipality of Mangilao.

We reviewed the subject zone change application by applicant Guam Waterworks Authority propose to rezone Lot 19-2, Tract 293 from "A" Agriculture Zone to "PF" Public Zone in order to develop water and wastewater infrastructure expansion for disadvantaged community. The subject lot has an overall size of 0.0492 acres.

Our office has concluded our review and will have No Objection with the Approval of this Zone Change Application. However, we are aware of that this undertaking has an archaeological mitigation plan in place and we are looking forward to reviewing your draft report.

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
Director


Patrick G. Lujan
State Historic Preservation Officer

P. Sanchez
5-19-25

RECEIVED
By Cristina at 3:39 pm, May 14, 2025



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O. BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

John

May 07, 2025

MEMORANDUM

To: Chairman, Guam Land Use Commission
Executive Secretary, Guam Land Use Commission

From: General Manager

Subject: Lot 19-2, Tract 293, Municipality of Mangilao (GUAM WATERWORKS AUTHORITY), Zone Change Application from "A" (Agricultural) to "PF" (Public Facility). This change will enable GWA to construct wastewater pump station Application No. 2025-42

sgj

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

A. Comments and Recommendations Concerning GPA requirements:

1. 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.
 - GPA reserves its rights to the 7.70' x 20.00' +/- strip of land for its utility easement as shown on Instrument Nos. 830936.
2. 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.
3. 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
mg
JOHN M. BENAVENTE, P.E.

7: Jimmy
5/13/25
(BAP)

mg

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
 Applicant: **GUAM WATERWORKS AUTHORITY**
 Location: **Lot 19-2 Tract 293 Municipality of Mangrove**
 Type of Application: **Zone Change**
 GLUC/GSPC Application No. **2025-42**
 Brief Project Description: **Zone Change Application from "A" (Agricultural) to "PF" (Public Facility) This change will enable GWA to construct wastewater pump station.**

For the purposes of this Certification, GOVERNMENT SERVICES, FACILITIES, and INFRASTRUCTURE include, but are not limited to: power lines poles and facilities; water lines, pumps and facilities; sewer and liquid waste disposal; storm water disposal; solid waste disposal; telephone lines and facilities; schools; health facilities; police and fire fighting service and facilities; roads; traffic and street lights; parks and recreational activities.

1. I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently AVAILABLE AND IN PLACE to support this project.
 Yes No

2. If the answer to #1 above is YES, then I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently ADEQUATE to support this project.
 Yes No

3. If the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE currently in place are NOT AVAILABLE or they are AVAILABLE, BUT NOT ADEQUATE, itemize the services, facilities and infrastructure that are needed, the estimated cost thereof and whether funds are currently available and identified to develop such services, facilities and infrastructure.

| Services, Facilities and Infrastructure Needed | Cost of Upgrades | Funds Available | Date Available | Funds Identified |
|--|------------------|-----------------|----------------|------------------|
| Please see comments below | | | | |
| | | | | |

I hereby certify that the foregoing is true and correct to the best of my knowledge.

mo
JOHN M. BENAVENTE, P.E.
 General Manager

5/7/2025
 Date

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 may be 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.



BUREAU OF STATISTICS AND PLANS

Sagan Planu S:ha Yan Emfotmasion



June 2, 2025

Memorandum

To: Director, Department of Land Management
Attn: Division of Planning

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2025-42 Zone Change
Lot Number: Lot 19-2
Municipality: Mangilao
Applicant: Guam Waterworks Authority
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 Waterworks Authority (GWA), is submitting a zone change application to rezone the subject lot from "A" Agricultural zone to "PF" Public Facility zone in order to construct a sewage pump station as part of a project for water and waste water infrastructure expansion within the area. The subject lot is located in the municipality of Mangilao and contains a total of 199 square meters or approximately 0.049 acres.

Planning Considerations and Constraints

A. Surrounding Zone and Land Use Characterization

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>

BUREAU OF STATISTICS & PLANS - GOVERNMENT OF GUAM
Mail: P.O. Box 2950 Hagåtña, Guam 96932 Tel: (671) 472-4201/3 Fax: (671) 477-1812 Web:
www.BSP.Guam.Gov

RECEIVED
By Cristina at 4:01 pm, Jun 02, 2025

To: For
6

CG

The subject lot is located along Golden Cupid Road in the Adacao neighborhood. The immediate surrounding area consists of single-family dwellings, vacant undeveloped land, and Adacao Elementary School.

The subject lot is located in a "General Residential"³ designated land-use area under the North and Central Guam Land Use Plan (NCGLUP). The NCGLUP (PL 30-244),⁴ 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 existing residential community.

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%.⁶

Regarding development impacts, as of 2015 land cover data, 23.7% of the Mangilao Watershed was developed, and 9.22% comprises impervious surfaces.⁷ 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 is bare land with light grass vegetation. The requested zone change will allow for construction that is expected to result in the conversion of the existing land cover into impervious surface from the building footprint and use of concrete pavement.

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 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 June 2025 at <https://coast.noaa.gov/ccapatlas>

⁷ Ibid.

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.⁸

Determination of Effects: No

An assessment on the soil composition within the agricultural zoned 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.⁹

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.

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.¹⁰

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 Manual¹¹ 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

⁸ 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>

⁹ Guam Land-Use Policies, Executive Order 78-37 (1978): 3.

¹⁰ Ibid.

¹¹ 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>

GCMP publications 1) Island Stormwater Practice Design Specifications Manual¹² and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID¹³.

Determination

Pursuant to Executive Order 96-26, Appendix A § 700 (g), the Bureau hereby recommends approval of the 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'.



LOLA E. LEON GUERRERO
Director

¹² 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):

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

¹³ 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):

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



The Honorable
LOURDES A. LEON GUERRERO
 Maga' Haga · Governor

The Honorable
JOSHUA F. TENORIO
 Sigundo Maga' Lahi · Lieutenant Governor



VINCENT P. ARRIOLA
 Director
LINDA J. IBANEZ
 Deputy Director
ERNEST G. CANDOLETA, JR.
 Deputy Director

MEMORANDUM

To: Chairwoman, Guam Land Use Commission
 From: Director, Department of Public Works
 Applicant: Guam Waterworks Authority (GWA) 10115-112



Hafa Adai, Madam Chairwoman and GLUC Members,

The Department of Public Works (DPW) is responding to the Guam Waterworks Authority's (GWA) request for a Zone Change from "A" Rural to "PF" Public Facilities. This change is proposed for Lot 19-2, Tract 293, in Mangilao, to allow for the construction of a Sewer Pump Station and Generator Facility as part of the GWA Adacao Water and Sewer Infrastructure Improvement Project.

We understand this project is crucial for protecting the Aquifer and the eight (8) valuable water production wells serving Northern Guam. It will also help address the potential increase in PFAS contamination from septic system leachate. The proposed water and sewer infrastructure will protect and benefit the surrounding community, and it will also support future expansion for new homes, subdivisions, and other developments in the vicinity.

The Department of Public Works has "No Objection and Recommends Approval" of GWA's proposed zone change. This recommendation is contingent on GWA meeting all DPW mandates and permit requirements during the permitting process and addressing any comments or concerns raised by the GovGuam Application Review Committee (ARC).

Should you have any questions, please contact our office at (671) 646-3131 or DPW Chief Planner Rudy PL Cabana, (671) 646-3126, DPW Capital Improvement Projects.

VINCENT P. ARRIOLA
 Director & Guam Building Official

To: [Handwritten initials]
 [Handwritten initials]
 9-5-2

61

GUAM WATERWORKS AUTHORITY

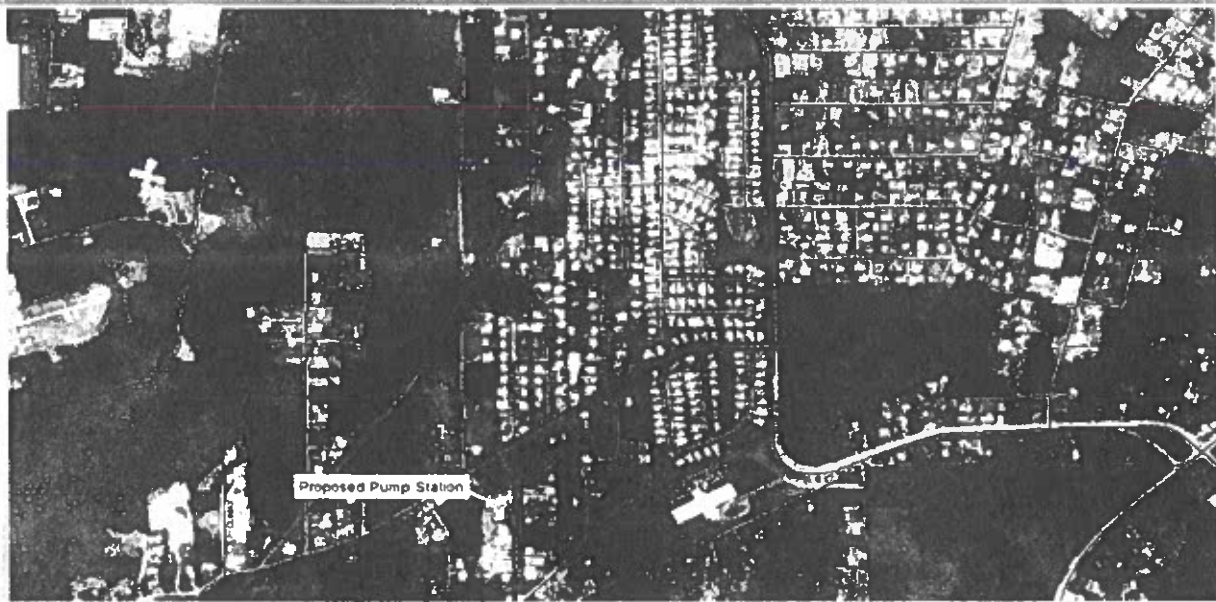


ZONE CHANGE: "A" - "PF" PROPOSED SEWER PUMP STATION AND GENERATOR FACILITY

LOT 19-2, TRACT 293, MUNICIPALITY OF MANGILAO

FOR CONSIDERATION BEFORE THE APPLICATION REVIEW COMMITTEE | MAY 13, 2025

PROJECT AREA



TIMELINE & FUNDING - 2.5YR COMPLETION



Sources of funding – \$6.2 Million Grant

- American Rescue Plan
- US Environmental Protection Agency

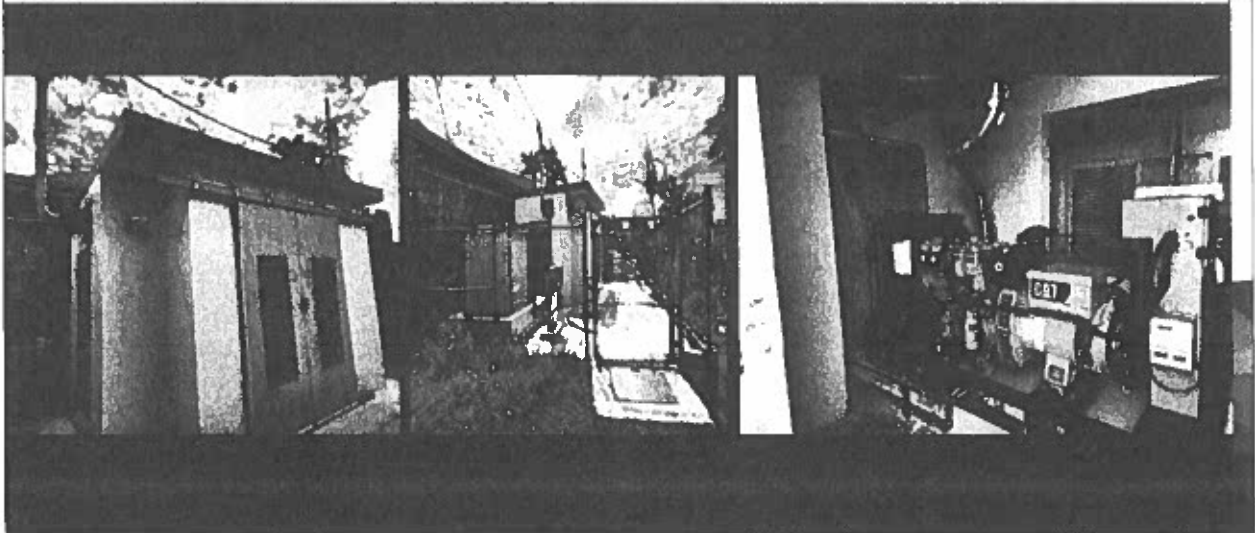
PROPERTY OWNERSHIP

- Owners: Bernie V. Maranan and Bernadette P. Maranan, Co-Trustees of The Bernie V. Maranan and Bernadette P. Maranan Trust dated December 10, 2014 and BME & Son's, Inc.

- **Buyer: Guam Waterworks Authority**

GWA executed a Land Purchase and Sale Agreement (LPSA) with property owners, Bernie V. Maranan and Bernadette P. Maranan, Co-Trustees of the Bernie V. Maranan and Bernadette V. Maranan Trust and BME & Son's, Inc., to acquire a 199-square-meter of portion of Lot 19, Tract 293 nka Lot 19-2, Tract 293. The acquisition is the intended site for the construction of a sewage pump station as part of the Adacao Water and Sewer Infrastructure Improvement Project.

PROPOSED PUMP STATION EXAMPLES



PUBLIC BENEFITS



This re-zoning is not being advanced for commercial or private interests. The entire purpose of this project is for PUBLIC BENEFIT and was initiated by the Governor of Guam through an ARPA grant intended to improve water and sanitation infrastructure for underserved populations in our COMMUNITY.

- Upgraded water infrastructure for project area
- New sewer infrastructure for project area
- Protection of existing water production wells serving broader area of Mangilao and Dededo
- Protection of Northern Guam Lens Aquifer (NGLA)
- Reduce existing nitrate-nitrogen levels in source water
- Protect against future PFAS contamination of the NGLA
- Uses federal grant funds for public purpose

GUAM

Guia B. Nelson Public Service Building | 688 Route 15, Mangilao, Guam 96913

P.O. Box 3040, Hagana, Guam 96942

Tel. No. (671) 930-6846-47 Fax No. (671) 648-3290


AUTHORITY

MEMORANDUM

May 2, 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 19-2, Tract 293 in the Municipality of Mangilao 2

APPLICANT: Guam WaterWorks Authority

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 construction of a sewer pump station to serve existing land use in the Adacao area.

This memorandum shall serve as GWA's position statement for the Guam WaterWorks Authority application related to the availability of water and sewer infrastructure to serve the Mangilao 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.

This memorandum documents GWA's position in favor of the application for the following reasons:

1. The rezoning is solely to facilitate urgent and necessary infrastructure development to protect public water resources through the prevention of known adverse effects from unsewered development that has occurred in this area.
2. The development of public infrastructure that this rezoning intends to facilitate is consistent with enhanced provision of public utility services for this area and more broadly for other northern villages.



Lourdes A. Leon Guerrero
Governor
Joshua F. Fenorio
Lt. Governor

Department of Agriculture Dipårtamenton Agrikottura

163 Dairy Road, Mangilao, Guam 96913



Chelsa Muña
Director
Roy Gamboa
Deputy Director

To: Anita B. Enriquez, Chairwomen
Guam Land Use Commission

Attn: Joseph M. Borja, Executive Secretary
Guam Land Use Commission

From: Chelsa Muña, Director Chelsa D. Muna
Date: May 08, 2025

Subject: **Agriculture Impact Statement for Application 2025-42. Guam Water Works Authority for "Zone Change" Application on Lot 19-2, Municipality of Mangilao – Rezoning from "A" (Agriculture) to "PF" (Public Facility) Zone.**

The Department of Agriculture (DoAg) has reviewed **Application 2025-42**, requesting to **rezone of Lot 19-2 from Rural-Agriculture (A) to Public Facility (PF) zone**, located along Golden Cupid Road, Mangilao, Guam. The purpose of this zone change is to build a pump station in the future.

The following are conditions from the various divisions within DoAg that must be met prior to any development activity:

1. Division of Aquatic and Wildlife Resources (DAWR):

- a. If the property is greater than one (1) acre in size, a biological survey is required prior to any ground disturbance or development activity. This survey must be conducted by a qualified biologist and submitted to the Department of Agriculture for review. The purpose of the survey is to identify any protected species or sensitive habitats present on the lot and to guide appropriate avoidance or mitigation measures.
- b. Conservation measures must be developed to address the presence of protected species, including but not limited to the Mariana Fruit Bat, Yellow Bittern, Micronesian Starling, Guam Tree Snail, federally listed native orchids, and other flora and fauna species of concern that may occur on-site. These measures must focus on avoidance and/or minimization of impacts to these species and must be clearly outlined in the biological survey report submitted to the Department of Agriculture.
- c. Eco-friendly development practices 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.

Director's Office 300-7975 | Agricultural Div. Services 300-7924 | Animal Health 300-7914
Aquatics & Wildlife Resources (DAWR) 300-7914 | Extension 3, Soil Resources 300-7975
Plant Nursery 300-7974 | Bioscience Division 378-0127 | Pest Hotline 375-7758
Website: doag.guam.gov

Handwritten notes:
P. J. Serrano
JMM
7-7-25

- d. Landowner and the contractor conducting the Biological Survey 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.
- e. Mitigation measures must be proposed to address potential impacts to native waterbirds such as the Mariana Common Moorhen, which may perceive solar panels as open water due to reflective glare.
- f. A hazardous waste management plan must be submitted with the development proposal. This plan must identify potential sources of hazardous waste and outline containment, disposal, and spill response procedures to prevent contamination of surrounding habitats.

2. Biosecurity Division:

- a. A biosecurity plan must be developed and submitted to the DoAg for approval prior to the start of any work. This plan must outline avoidance measures to prevent the introduction and spread of Little Fire Ants (LFA) and other noxious or invasive species that may pose a risk to nearby residents and the surrounding environment. Development activities may not proceed until DoAg has reviewed and approved this plan.
- b. Landowner and the contractor must consult with the Biosecurity Division.

3. Forestry and Soil Resource Division:

- a. A stormwater plan must be submitted to DoAg for review prior to development. The plan should assess mitigation measures for runoff, flooding, and erosion. Percolation rates in stormwater collection and drainage areas must be sufficient to prevent attraction of migratory bird species such as moorhens. If the landowner intends to create habitat for these species, consultation with DoAg is required.
- b. The Biological Survey must identify vegetation on-site. Upon review, DoAg will notify the landowner of any culturally valued, protected, or rare plant species that may require seed collection for nursery inventory. These may be used in conservation or reforestation projects.

4. Agricultural Development Services:

- a. If clearing is to occur, six to eight inches of topsoil must be preserved and designated for agricultural use. This nutrient-rich layer supports native plant seedlings, seasonal crops, and fruit trees. The preserved soil must be reused or donated to benefit community-based agricultural efforts. For more information on donation options, contact DoAg at agriculture@doag.guam.gov.
- b. If vegetation will be cleared, the material must be mulched on-site and made available to the community. Mulch helps reduce erosion, conserve water, suppress weeds, and protect landscaped areas. To prevent the spread of invasive species such as the Coconut

DoAg Memo: Zone Change Application 2025-42 for
Lot 19-2, Golden Cupid Road, Mangilao

Rhinoceros Beetle, all mulch piles must be covered with a protective net or barrier until they are removed or treated.

The Department of Agriculture **does not oppose the request for a zone change from A to PF**. The department remains available to discuss the proposed development in greater detail. DoAg reserves the right to withdraw or revise its position on the application should the landowner fail to fulfill these conditions prior to the Guam Land Use Commission's final decision. For questions or concerns, please contact permits@doag.guam.gov.



GUAM ENVIRONMENTAL PROTECTION AGENCY • AGENSIAN PROTJEKSION TINATA GUAHAN
FOURDES A LEON GUERRERO • GOVERNOR OF GUAM • JOSHUA F. TENORIO • HUIHENSAN GOVERNOR OF GUAM
MICHELLE C. R. LASHMOZA • ADMINISTRATOR

JUN 13 2025

jam

Dr. Anita B. Enriquez
Chairman, Guam Land Use Commission
c/o Department of Land Management
590 S. Marine Corps Drive
ITC Bldg. Ste. 733
Tamuning, Guam 96913

oke

Ref: Application No. 2025-42, the Applicant, Guam Waterworks Authority; requests a Zone Change from "A" (Rural/Agricultural) to "PF" (Public Facility), to allow for the construction of a wastewater pump station, on Lot 19--2, Tract 293, in the Municipality of Mangilao.

Hafa adai Dr. Enriquez:

Buenas yan Saluda. The staff of this Agency has reviewed the application for the proposed **zone change** and approval of this application is subject to until such time that the following conditions are met:

Project Overview:

This application is a priority project of the Guam Waterworks Authority funded by the Governor and USEPA for water and wastewater infrastructures expansion to serve the island's disadvantage communities. This project is also a priority for wellhead protection for there are several high yielding production wells in the vicinity and to address increasing nitrate levels in the Northern Guam Lens Aquifer (NGLA), to provide safe drinking water to protect public health and consuming populace. The project involves construction of sewer gravity mains, sewer lift station, sewer forcemain and other essential infrastructure components. The residential buildings in the Adacao and vicinity are still using septic system and the seven (7) production wells in that area have the island's highest nitrate-nitrogen concentrations but at the current level are still below the Safe Drinking Water Standard of 10mg/l. However projections by UOG-WERI suggest that increase in nitrate-nitrogen level will continue to rise in the near future by as much as 5-6mg/l by 2029. This is the reason why the government decided to embark on this important project to act on the emerging treat to the island's sole drinking water source where if not acted soon will result on a serious health issue to our community in general. The project is named as Adacao Water and Sewer Infrastructure Project.

A. EPP, Stormwater and Erosion Control

6/19/25 tjun



GUAM EPA | 17-3304 Mariner Avenue, Tiyán Barrigada, Guam 96913 1617 | Tel: (671) 588.4751 | Fax: (671) 588.4531 | opa.guam.gov
ALL LIVING THINGS OF THE EARTH ARE ONE • MAXUNU TOPIU MANGLALA

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24

1. The proposed development must meet all requirements of the Guam Soil Erosion and Sediment Control Regulations (22 G.A.R. Chapter 10), and must provide both pre- and post-construction stormwater controls meeting the requirements of the 2006 CNMI and Guam Stormwater Management Manual, as implemented by Executive Order No. 2012-02. Strict compliance to the Erosion & Sediment Control (E&SC) standards of the said 2006 manual must be adhered to by the contractor to prevent unlawful discharge of run-off to the nearby private properties during the clearing and grubbing, excavation, trenching, pipe laying and backfilling of pipe trenches.
2. This development needs an Environmental Protection Plan (EPP) prepared and stamped by a professional engineer pursuant to 22G.A.R. §10104 (c) (5) (D) where the focal point and integral part of the EPP is the Erosion Control Plan (ECP). The EPP must include, among others, vegetation, wildlife, fugitive dust control, solid and hazardous waste management and disposal procedures, work site maintenance and typhoon recovery plan.

B. Drainage System

1. The lot area where the lift station will be constructed comprises an area of one hundred ninety nine (199) square meters. Impervious areas such as building footprint and driveway based on site plan submitted constitute a small portion of the lot and the rest of the lot should be grass areas. Runoff generated from the property must be contained within the property and not allowed to flow to the nearby private property. The grass area will serve as a pre-treatment for run-offs that will eventually percolates to the ground.

C. Water & Wastewater Demand

1. There is a minimal water demand for an emergency eye wash station and a few hose bibbs but no sewer disposal needs because the facility will not be provided with a restroom.

D. Standby Generator and Fuel Storage Tank

1. The proposed facility will be provided with standby generator set and an above ground fuel storage tank (AST). The generator set must comply to Guam Air Pollution Control Standards and Regulations pursuant to 22G.A.R. Div. 1, Chapter 1. The standby generator permit must be secured from Guam EPA's Air Pollution Control Program prior to operations while the above ground fuel storage tank (AST) must have a fuel containment structure to comply with Guam EPA's Hazardous Waste Management Program.


In addition to the above concerns, the applicant is reminded that any development proposed for the subject location must comply with all other relevant environmental laws and regulations administered by Guam Environmental Protection Agency.



If you have any questions, please feel free to contact my staff at Water Resources Management Program or Water Division Acting Chief Engineer Mr. Johnny Abedania at Tel # (671) 588-4796 or (671) 588-4786, respectively.

Dangkolu na si Yu'us ma'ase'.

Senseramente.


MICHELLE C.R. LASTIMOZA
Administrator

cc: Mr. Joseph M. Borja
Executive Secretary
Department of Land Management



PUBLIC HEARING MINUTES
Tuesday, October 14, 2025, 6:00 p.m.
Mangilao Community Center

APPLICATION NO. 2025-42

APPLICATION TYPE: Zone Change

APPLICANT/ REPRESENTATIVES: Guam Waterworks Authority

LOT: 19-2, Tract 293

CALLED TO ORDER: 6:02 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, Joseph Calvo from GWA, and Ken Rekdahl from Duenas Camacho & Associates, for their presentation. After their presentation, the applicants responded to the following public attendees' questions, comments, and concerns.

1. Q: Is that where BM&E is now?

Ken Rekdahl: It's along Golden Cupid Road.

2. Q: We live on Golden Cupid Road. So, from BM&E, is that from the Golden Cupid Road going into BM&E?

Ken Rekdahl: (explains vicinity and project location from the presentation)

3. Q: Will there be a possibility of a smell?

Ken Rekdahl: Good question, I want to say it'll be very limited, but I'm not going to lie, there may be a smell occasionally. But most of the time, like for right now, there's a sewer pump station right there (near the Community Center). And that's a bigger one than Adacao. So, it's going to be like that. For a pump station, it's not meant to have the sewage just sit there. It has to pump it out frequently. It's always a good question. I can't say there's no smell, but as you can see right now, you can see people out there, chances are you're not going to really smell anything unless you go inside. So, I cannot guarantee zero smell, but I think they'll operate by keeping it pumped out. That's also why we're putting a concrete wall.

4. Q: How long or how big is the sewer line and how deep?

Ken Rekdahl: I think it's either 12 or 18 inches, but definitely big enough for the whole area, not just for this lot. This is a part of a bigger picture for GWA, to bring sewer to the whole area, ultimately. But this is just the first phase. The reason we're here isn't really for the sewer line, though. It's more for the zone change for the pump station. But once the pump station is there, the neighbors can connect, and they can put more sewer line in the area. We need to change the zoning to a utility zoning, Public Facility. That's really why we're here.

5. Q: When you have this pump station, what are the normal challenges that GWA has or usual problems?

Joseph Calvo: Normally, there aren't a lot of problems. Our maintenance guys do a good job of keeping the pump station running. In case one of the pumps goes down, there's always a backup that can be running. And then we also have backup power in case the power goes out at our pump stations. Maybe the sound when the generator goes on would be a complaint. The generator might be loud, but there aren't too many complaints.

Ken Rekdahl: You might see operators or maintenance workers who would go there at least every couple of hours, even through the night. You're going to see GWA workers checking out the pump station. This pump station doesn't need a 24-hour presence, it only needs to be inspected at least twice, minimum, twice a day. When the power goes out, there is a standby generator, so that'll be running. What I've seen, I'll tell you on the bigger pump stations, is sometimes they have to do maintenance, and there are a lot of vehicles that would park for that maintenance, but this pump station is not considered a big pump station. It's kind of a smaller, more like residential. But to answer your question for typical problems, honestly, it's vandalism. People will try to steal the materials, and the copper will be stolen.

6. Q: Is there a backflow or back load?

Ken Rekdahl: No, there will be a bypass. It's deep enough, and if it does back up, there are alarms that are meant to trigger, so that if the pumps don't work, high-level alarms will trigger and the operators will come out and assess it. One thing this pump station has is what's called a bypass. So, worst case, if there are two pumps and it only needs one, they can connect a bypass right away. They don't have to dig, or it already has a bypass connector, which shouldn't be needed. There are two pumps, one and then a spare.

7. Q: How long is the construction phase? How long will it take to complete this project? The road is narrow, and you will be digging through that.

Joseph Calvo: The groundbreaking could be a year to a year and a half.

8. Q: So, how about us residents? How will our pathway be going back and forth to our home and to our work be affected?

Ken Rekdahl: So, to the fullest extent, we will try to work within the shoulder of the road. The right-of-way is actually usually bigger than the paved road. The right-of-way road is not really the end-to-end. So we try our best to put it on the shoulder. There are some cases where they do have to go into the road. But we require the contractor to maintain at least one lane with flaggers. I don't foresee shutting a lane down for a long time, maybe 5 minutes, 10 minutes. But it's required that the contractor has to maintain, actually, it's a DPW requirement that they have to maintain access.

9. Q: After the construction, is GWA responsible for restoring the road to what it was before or improving it?

Joseph Calvo: Yes, the road will be restored.

10. Q: When is the proposed project going to be finalized?

Bobbie Cruz: We're at the permitting stage now.

Joseph Calvo: Maybe this year or next year.

11. Q: Are there any effects on the water system?

Joseph Calvo: The reason that we're actually doing this project is because of the presence of septic tanks in the area. We can get people off of septic tanks and connect the sewer in the area and improve water quality.

12. Q: How about the water consumption? Will the new pump station have to consume more water?

Ken Rekdahl: This pump station doesn't really consume water. There's no real water demand for this pump station. Only if there's an eye wash station and maybe a hose bin for washing your hands. I don't think this pump station has a bathroom.

Joseph Calvo: No, it doesn't. There's no restroom. So there's no water consumption.

Ken Rekdahl: Joe, is there a waterline?

Joseph Calvo: No.

13. Q: So, our usual usage and consumption of water will not increase?

Joseph Calvo: No, not from the pump station.

Ken Rekdahl: The bigger picture is to help with the water quality. The more people we get off of septic tanks, the better the water quality will be. It's good now, but it'll get better.

14. Q: When this is completed, can we have a two-story house?

Ken Rekdahl: I think you still have to go through the process. Possibly, some of those lots can be subdivided.

15. Celine Cruz: I don't think it's in the application, and since it's regarding the connection for the private residences, is there documentation for the connection to the private residences? We put it out here in a public setting, and we want to ensure that if the zone change gets approved, the residents will refer back to what's being discussed here.

Joseph Calvo: Yes, we can provide that to you.

16. Celine Cruz: Once the pump station is constructed, how soon will the residents be able to connect?

Joseph Calvo: During construction.

Ken Rekdahl: First thing is to have the pump station. Depending on the contractor, the pump station and the lines have to be in place first, but I suspect that they'll bring the laterals in as they're moving along, but I don't know for sure.

17. Celine Cruz: Will the hookup be free for residents for the time being? Can the new residences connect to the sewer for future builds?

Public Hearing Minutes
App. No. 2025-42
Page 4

Joseph Calvo: The connection is free, but there is a monthly surcharge for the sewer service.

Ken Rekdahl: You don't have to maintain a septic tank anymore. It is unique. But I can almost understand why the residents are surprised. We want to see an immediate impact. For this community project itself, this is coming from the ARPA.

18. Q: From where?

Joseph Calvo: This is the American Rescue Plan Act, the ARPA funds.

19. Q: When is the construction?

Joseph Calvo: We are going through the permitting process right now.

20. Q: Can we choose where we want the sewer line connection to be?

Ken Rekdahl: Well, within reason. It will be with the contractor. It will be the contractor to communicate with the residents once we get to that point.

21. Q: For us residents, current residents there, what do you need from us for this kind of processing?

Ken Rekdahl: We just need our contractor on site. We can set a tag so we can get them where you want, again, within reason, from our contractor.

22. Q: What about my neighbors, who are my in-laws, they're not here. There is an existing house there, that looks like it's abandoned, but we're the ones actually caring for it. They're in the States.

Bobbie Cruz: We just need an authorization. We would need a power of attorney, something legally binding, so we're able to even go on to the property.

MEETING ADJOURNED: 6:29 p.m.



Office of the Mayor Municipality of Mangilao



P.O. Box 786 Hagatna, Guam 96910 Phone: (671) 734-2163 / 5731 Fax: (671) 734-4130 Email: mangilao96913@gmail.com

Allan RG Ungacta, Mayor

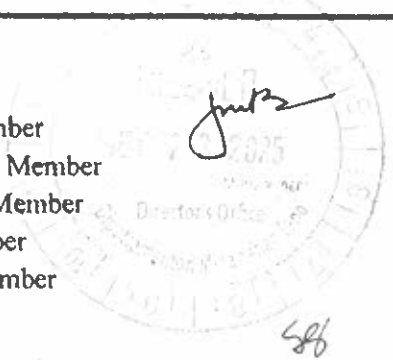
Edward JD Tosco, Vice Mayor

RESOLUTION NUMBER 2025-08

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
Sinforoso C. Galiendez, Member
Arthur R. Q. Mariano, Member
Eric M. Palacios, Member
Darlene N. Taitano, Member



RELATIVE TO supporting Application No. 2025-42 received from Guam Waterworks Authority (GWA) for zone change from "A" (Agriculture/Rural) to "PF" (Public Facilities) for the proposed construction of a wastewater pump station, on Lot 19-2, Tract 293, in the 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 Guam Waterworks Authority plans to construct a wastewater pump station to effectively convey sewage from Adacao to a public sewer system; and residents on Golden Cupid Road will have the opportunity to connect to the newly installed sewer system; additionally nearby tracts will have the option to extend the sewer system and connect to the pump station; 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 a wastewater pump station; 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 Waterworks Authority (GWA), mover 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 JUNE 11, 2025.

Allan R.G. Ungacta, Mayor/Chairman
Mangilao Municipal Planning Council

Rosita D. Tosco, Secretary
Mangilao Municipal Planning Council

Copy to J... 9-7

CE

GUAM WATERWORKS AUTHORITY

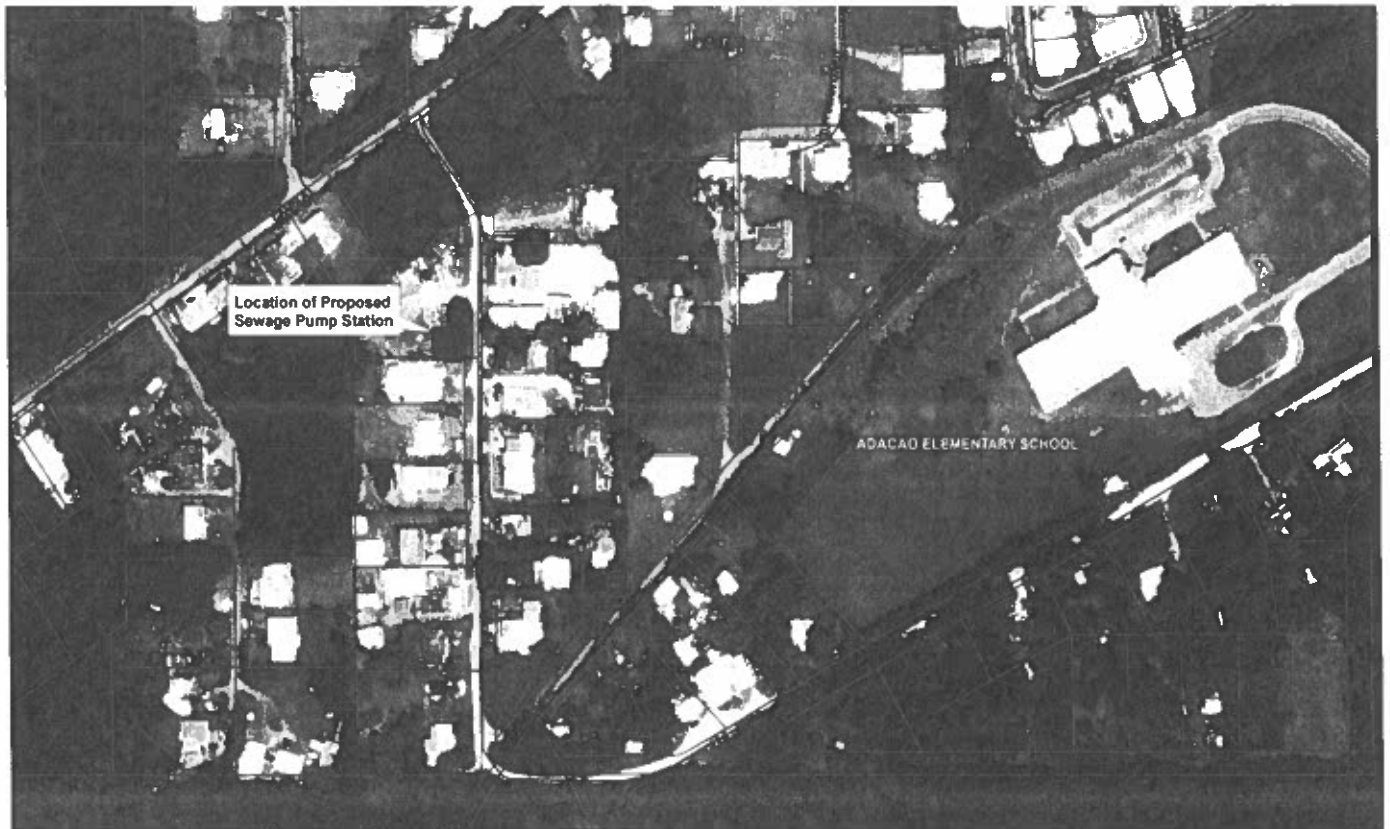
October 01, 2025

Ms. Anita B. Enriquez, Chairperson
Guam Land Use Commission
Department of Land Management
P.O. Box 2950 Hagatna, Guam 96932

RE: SUPPLEMENT NO. 1 – UPDATED OWNERSHIP

Dear Ms. Enriquez,

The Guam Waterworks Authority (GWA) would like to inform you that the Land Purchase and Sale Agreement (LPSA) was fully executed and closed on August 21, 2025. GWA is now the official property owner for Lot 19-2, Tract 293, Mangilao. This is referenced in the Warranty Deed, dated December 12, 2024 and recorded on August 21, 2025 under Instrument No. 1011512.



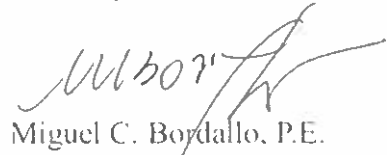
RECEIVED
10/1/25
DLM / Planning Division



GUAM WATERWORKS AUTHORITY

Thank you for your attention to this update. Should you have any questions or require additional information or clarification, please contact Ms. Bobbie C. Cruz, Right of Way Supervisor (671) 300-6071 or email bobbiec@guamwaterworks.org.

Sincerely,



Miguel C. Bordallo, P.E.
General Manager

GOVERNMENT OF GUAM - Department of Land Management
Office of the Recorder

File for Record is Instrument Number 1011512

On the Year 2025 Month 08 Day 21 Time 9:49AM

Recording Fee DE-OFFICIO Receipt No. DE-OFFICIO

Deputy Recorder 
Eugene M. De Vera

WARRANTY DEED

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS:

That on this 21 day of December, 2024, Bernadette P. Maranan, Co-Trustee of The Bernie V. Maranan and Bernadette P. Maranan Trust dated December 10, 2014, and BME & Son's, Inc., ("Grantors"), whose current mailing address is 132 Golden Cupid Road, Latte Heights, Mangilao, Guam 96910, for and in consideration of the sum of Seventy Thousand Dollars (\$70,000.00) and other valuable consideration to it paid by the GUAM WATERWORKS AUTHORITY, ("Grantee"), whose business address is Gloria B. Nelson Public Service Building, 688 Route 15, Mangilao, Guam 96913, the receipt, adequacy and sufficiency whereof is hereby acknowledged, do hereby GRANT, BARGAIN, SELL and CONVEY unto Grantee, its successors and assigns, in fee simple, the following described property:

Lot 19-2, Tract 293, Mangilao, Guam, Suburban, as said Lot is described in that Lot Parceling Survey Map of Lot 19, Tract 293 (GWA PROPOSED PUMP STATION), as shown on Drawing Number DCAI-S-24-22, as L.M. Check Number 174-FY 2024, dated November 13, 2024 and recorded on November 26, 2024 under Instrument No. 1004093 at Department of Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 199± square meters.

Last Certificate of Title Number: 69373 - Bank of Hawaii (under Basic Lot 19, Tract 293, Estate Number 20500).

Together with the reversions, remainders, rents, issues and profits thereof and all of the estate, right, title and interest of Grantors, both at law and in equity, them and thereto. To have and to hold the same, together with all buildings, improvements, rights, easements, privileges and appurtenances thereon and thereto belonging or appertaining or held and enjoyed therewith, unto Grantee, in fee simple, its successors and assigns, forever.

Grantors, for itself and its executors and administrators, does hereby WARRANT and COVENANT with Grantee, and its successors and assigns, that it is lawfully seized of the above described real property in fee simple; that the same is free and clear of all encumbrances excepting current real property taxes which are not yet due and payable; that it has good right to sell and convey said property as aforesaid; that Grantee shall have the right of quiet enjoyment of said property; and that Grantors will and its executors and administrators warrant and defend the same to Grantee, its successors and assigns, against the lawful claims and demands of all persons.

Grantee, for itself and its successors and assigns, hereby acknowledge and confirm that water and electricity are immediately available on the property or within 100 feet of said property.

GRANTOR:



Bernadette P. Maranan
Co-Trustee of The Bernice V. Maranan and
Bernadette P. Maranan Trust dated December 10, 2014

GRANTOR:



BME & Son's, Inc.
Danny P. Natividad
Authorized Representative

GRANTEE:



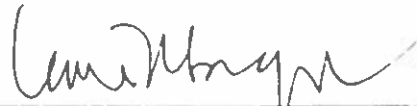
Christopher M. Budasi
Acting General Manager
Guam Waterworks Authority

ACKNOWLEDGEMENT

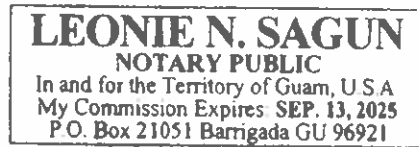
In and for Guam)
City of Mangilao) SS

On this 12th day of December, 2024, before me, a Notary Public in and for Guam, personally appeared Bernadette P. Maranan, Co-Trustee of The Bernie V. Maranan and Bernadette P. Maranan Trust dated December 10, 2014, known to me to be the person whose name is subscribed to the foregoing **Warranty Deed** and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day, month and year first above written.



Notary Public

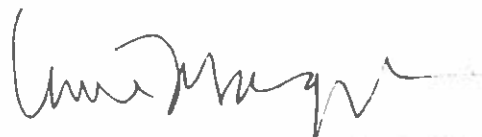


ACKNOWLEDGEMENT

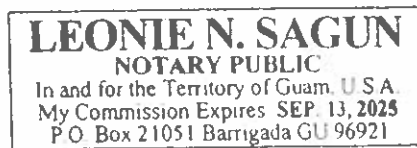
In and for Guam)
City of Mangilao) SS

On this 12th day of December, 2024, before me, a Notary Public in and for Guam, personally appeared Danny P. Natividad, authorized representative, BME & Son's, Inc., to me to be the person whose name is subscribed to the foregoing **Warranty Deed** and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day, month and year first above written.



Notary Public



ACKNOWLEDGEMENT

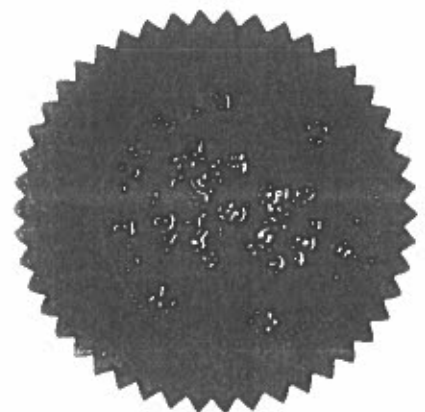
In and for Guam)
City of Mangilao) SS

On this 12th day of December, 2024, before me, a Notary Public in and for Guam, personally appeared Christopher M. Budasi, Acting General Manager, Guam Waterworks Authority, known to me to be the person whose name is subscribed to the foregoing **Warranty Deed** and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day, month and year first above written

Frances S. Reyes
Notary Public

FRANCES S. REYES
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: **SEPT. 20, 2026**
P O Box 2977 Hagåtña, GU 96932





GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building | 688 Route 15, Mangilao, Guam 96913
P.O. Box 3010, Hagåtña, Guam 96932
Tel. No. (671) 300-6846/47 Fax No. (671) 648-3290

December 16, 2025

Dr. Anita B. Enriquez
Chairperson
Guam Land Use Commission
Department of Land Management
P.O. Box 2950 Hagatna, Guam 96932

Subject: Supplement to Application No. 2025-42 Zone Change for Lot Number 19-2,
Mangilao, Guam from "A" to "PF" Guam Waterworks Authority

Dear Dr. Enriquez:

The Guam Waterworks Authority (GWA) is pleased to submit this supplement regarding its Zone Change application. This document addresses specific inquiries concerning the sewer service connection agreements for GWA's Adacao Water and Sewer Infrastructure construction project, which is funded by the American Rescue Plan Act (ARPA).

The following responses clarify project eligibility and resident responsibilities:

- 1. Sewer connection and hook-up Eligibility:** Residents along Golden Cupid Road are eligible for sewer connections at no charge. Per the U.S. Department of the Treasury's Final Rule (pp. 282–283), ARPA funds may be used to connect failing septic systems to centralized wastewater treatment systems or to replace private septic units to prevent groundwater contamination.
- 2. Monthly sewer service fee:** While the initial hook-up is provided at no cost to eligible residents, the property owner will be responsible for all subsequent monthly sewer service charges once the connection to the GWA system is active.
- 3. Information for residents to elect to opt-in for the sewer connection (authorization, process, guidelines, eligibility, requirements, etc.):** Once GWA's contractor mobilizes to the site Right of Entry forms will be sent out to the residents to coordinate the abandonment of their private septic systems. Residents with properties that don't have private septic systems are not eligible for the no-charge sewer hook-up.
- 4. Deadline for residents to connect to the sewer at no-charge:** Since the ARPA funding expires at the end of calendar year 2026. The deadline to have GWA's contractor connect residences to the public sewer system will be prior to December 31, 2026, as all ARPA funds must be expended by December 31, 2026. Any unspent ARPA funds remaining after December 31, 2026, must be returned.

5. **Additional information:** Please refer to State and Fiscal Recovery Fund Final Rule Overview <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>

Please be advised, these specific conditions and agreements are uniquely facilitated by funding provided under the American Rescue Plan Act (ARPA).

Should you require further details or clarification, please contact Joseph F. Calvo at extension 671-300-6889 or email at jfcalvo@guamwaterworks.org

Sincerely,



THOMAS F. CRUZ, P.E.
General Manager (Acting)

TFC/jc

ATTACHMENT B

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



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

LOURDES A. LEON GUERRERO
MAGA HAGA • GOVERNOR

JOSEPH M. BORJA
DIRECTOR

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

JOSHUA F. TENORIO
SIGUNDO MAGA LAHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

December 17, 2025

MEMORANDUM

TO: Chairperson, Guam Land Use Commission

FROM: Guam Chief Planner

SUBJECT: Staff Report - Application No. 2022-01, Zone Change from "M2" (Heavy Industrial) to "M1" (Light Industrial) Zone, on a portion of Lot 236-REM, Parcels #9, #11, and #13, in the Municipality of Hagat.

1. **PURPOSE:**

- A. **Application Summary:** The applicant, Guam Capital Investment Corporation, represented by FC Benavente, Planners; is requesting approval of a Zone Change from "M2" (Heavy Industrial) to "M1" (Light Industrial) Zone to allow for the conversion of vacant commercial spaces on the second floor of an existing building to be used for six (6) multi-family dwelling units on a portion of Lot 236-REM, Parcels #9, #11, and #13, in the Municipality of Hagat.
- B. **Legal Authority:** Sections 61630 to 61638 of Chapter 61 (Zoning Law), Title 21, GCA (Real Property).

2. **FACTS:**

- A. **Location:** The site is located along Route 2, directly across from the Inn on the Bay.
- B. **Lot Area:**

| Lot No. | Square Meters | Square Feet | Acres |
|------------------------|---------------|-------------|-------|
| Portion of Lot 236-REM | 8,325 | 89,610 | 2.05 |
| Parcel #9 | 559 | 6,017 | 0.14 |
| Parcel #11 | 276 | 2,970 | 0.07 |
| Parcel #13 | 26 | 280 | 0.006 |
| Total | 9,186 | 98,877 | 2.266 |

- C. **Present Zoning:** "M2" (Heavy Industrial) Zone.

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

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383



- D. **Field Description:** The site designated for the proposed project contains two pre-existing commercial structures.
- E. **Masterplan:** Undesignated
- F. **Community Design Plan:** Urban Residential – Low Density
(Community Design Plan)
- G. **Previous Commission Action:** None
February 24, 1972 – Territorial Planning Commission approved a Zone Change from "A" (Agricultural/Rural) and "R2" (Multiple Dwelling) to "M2" (Heavy Industrial) to allow for the expansion of an existing heavy industrial zone

3. **APPLICATION CHRONOLOGICAL FACTS:**

- A. **Date Application Accepted:** November 16, 2023
- B. **Date Heard By ARC:** December 7, 2023
- C. **Public Hearing Results:** On April 23, 2024, a Public Hearing was conducted at the Hagat Community Center. Present were four (4) planning staff, the applicant (Steffen Niu of GCIC), the applicants' representative (Felix Benavente), and one (1) affected property owner. No questions or comments were raised by the attendees.

4. **DISCUSSION and STAFF ANALYSIS:**

A Zone Change must address **Public Necessity**, **Public Convenience** and **General Welfare** criteria. Our analysis is as follows:

Public Necessity: The proposed development is driven by a demonstrated public necessity to address the growing latent demand for residential dwellings within the municipality of Hagat. Current housing availability is insufficient to meet the needs of a steadily increasing population, creating pressure on existing resources and limiting options for families and individuals seeking suitable accommodations. This project not only serves the neighboring Hagatñia civilian community but also fulfills a critical requirement for housing among military personnel, civilian employees, and contractors affiliated with the nearby Naval Station.

Public Convenience: Public convenience is significantly enhanced by the development's proximity to existing infrastructure and amenities, particularly the Agat Point Commercial Mall. The site benefits from established public access, including paved roads, parking, water, power, and sewer systems. Locating housing near these facilities reduces the need for long-distance travel, thereby conserving energy, lowering fuel costs, and minimizing daily stress for residents.

General Welfare: The general welfare will improve through the development of community-responsive facilities that support the island's economy. Agat Point Commercial Mall will serve as a valuable mixed-use asset, creating jobs, expanding services, and generating tax revenue, contributing to the overall prosperity of the community.

With respect to zoning and land use compatibility, the proposed development aligns well with existing uses within a 500 to 1,000-foot radius, which include single-family homes, multi-family dwellings, and commercial activities. It addresses local housing needs, stimulates economic activity by supporting nearby businesses, and advances sustainable development objectives. The conversion of vacant second-floor commercial spaces into six multi-family units exemplifies effective planning through adaptive reuse, reduced land consumption, and minimized need for new construction. Given the limited anticipated impact on infrastructure and public services, the proposed zone change represents a practical and positive adjustment that better meets the evolving needs of the community.

Based on the above preceding discussions, we find the criteria for the grant of zone change is justified. We have reviewed the position statements from ARC members who have responded "no objections with conditions" or "recommend approval with conditions" for the zone change. We, further, find that application is complete and contains all information required; and therefore, meets the requirements of the zone change criteria as cited in the Zoning Law. We find it proper that it be considered favorably by the Guam Land Use Commission.

5. **RECOMMENDATION:** Based on the above, we recommend **APPROVAL** with the following conditions:
- A. That the applicant, adhere to the ARC conditions and requirements as stipulated on their official Position Statement.


Celine L. Cruz
Guam Chief Planner

Case Planner: Grace Vergara

Attachments: Application Package
Hagat Municipal Planning Council Resolution
Municipal Public Hearing Minutes
ARC Memo to GLUC Member



HAGAT MUNICIPAL PLANNING COUNCIL

Resolution No. 2025-02

Introduced by:
Mayor Kevin J. T. Susuico
Vice Mayor Christopher J. Fejeran
Rolfe G. Banes
John A. Camacho
Frankie Q. Casil II
Rose F. Castro
Mary Jane Q. Cruz
Felicidad A. Dy
Pacifico R. Martir
Melvin T. Nededog
Doreen T. Rivera
Cecilia T. Solidum

RELATIVE TO THE HAGAT MUNICIPAL PLANNING COUNCIL'S (HMPC) SUPPORT OF THE ZONE CHANGE APPLICATION FOR LOT 236-REM, Parcels #9, #11 AND #13 FROM "M-2" (Heavy Industrial) ZONE TO "M-1" (Light Industrial) ZONE IN THE MUNICIPALITY OF HAGAT, GUAM

BE IT RESOLVED BY THE HAGAT MUNICIPAL PLANNING COUNCIL

WHEREAS, on Thursday, October 09, 2025, during the Hagat Municipal Planning Council meeting, Guam Capital Investment Corporation, c/o FC Benavente, Representative came in to present their request for the zone change of Lot 236-REM, Parcels #9, #11 and #13 in the Municipality of Hagat;

WHEREAS, Chairperson Susuico and the Hagat Municipal Planning Council reviewed all supporting documents regarding this zone change request;

WHEREAS, after further discussions, a motion was made to support this zone change for Lot 236-REM, Parcels #9, #11, and #13 in the Municipality of Hagat from "M-2" to "M-1"; and

BE IT RESOLVED, that the request for zone change was passed; therefore, be it

FURTHER RESOLVED, the Chairperson of the Hagat Municipal Planning Council certify and the Secretary attests to the adoption hereof and that copies of the same be therefore transmitted to the Director of the Department of Land Management, the Department of Public Works and the Guam Environmental Protection Agency.

DULY RECORDED AND REGULARY ADOPTED BY THE HAGAT MUNICIPAL PLANNING COUNCIL ON THIS 9th DAY OF OCTOBER 2025.

MAYOR KEVIN J. T. SUSUICO
Chairperson

CARMEN ISABEL A. AGUIGUI
Secretary

PUBLIC HEARING MINUTES
April 23, 2024 (Tuesday), 6:00 P.M.
Hagat Community Center

APPLICATION NO. 2022-01

APPLICATION TYPE: Zone Change from "M2" (Heavy Industrial) to "M1" (Light Industrial)

APPLICANT: Guam Capital Investment Corporation (GCIC)

APPLICANTS REPRESENTATIVE: FC Benavente, Planners

LOT NO.: Portion of Lot 236-REM, Parcel #9, Parcel #11, and Parcel #13

MUNICIPALITY: Hagat

The meeting was called to order at 6:05 PM by Planning Division staff. Approximately seven (7) individuals were in attendance, including:

- Four (4) Planning staff
- The applicant, Mr. Steffen Niu of GCIC
- The applicant's representative, Mr. Felix Benavente
- One (1) affected property owner

Mr. Benavente provided a detailed description of the proposed development. No questions were raised by the attendees.

The meeting was adjourned at 6:15 PM.



DIPATTAMENTON MINANEHAN TANO'
(Department of Land Management)
GUBETNAMENTON GUAHAN
(Government of Guam)



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

LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR

JOSEPH M. BORJA
DIRECTOR

JOSHUA F. TENORIO
SIGUNDO MACA'LAHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

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

December 17, 2025

Memorandum

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

To: Guam Land Use Commission (GLUC) Members
From: Chairperson, Application Review Committee (ARC)
Subject: Summary of Positions Submitted by ARC
Re: Application No. 2022-01 (Zone Change)

Listed below is the compilation of Positions taken by the various ARC member agencies as submitted to 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 conditions as follows:

A. That the applicant, adhere to the ARC conditions and requirements as stipulated on their official Position Statement.

BUREAU OF STATISTICS AND PLANS (BSP):

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

GUAM WATERWORKS AUTHORITY (GWA):

GWA supports the zone change, subject to the conditions on their position statement.

GUAM POWER AUTHORITY (GPA):

GPA has no objection to the request, subject to the conditions on their position statement.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

GEPA approves the proposed zone change, subject to the conditions stated on their position statement.

DEPARTMENT OF PUBLIC WORKS (DPW):

DPW has no objection to the request, subject to the conditions on their position statement.

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383



Memo to GLUC Members
Ref: ARC Position Statements - Application No. 2022-01
December 17, 2025
Page 2 of 2

DEPARTMENT OF PARKS AND RECREATION (DPR):

DPR has no objection to the approval of the zone change application, subject to the condition on their position statement.

DEPARTMENT OF AGRICULTURE (DoAg):

DoAg supports the purpose for the zone change, subject to the conditions on their position statement.

GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA):

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

GUAM FIRE DEPARTMENT (GFD):

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

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

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

GUAM PUBLIC SCHOOL SYSTEM (GPSS):

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

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):

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



Celine L. Cruz
Guam Chief Planner

Attachments: ARC Position statements

CC: Executive Secretary, GLUC



BUREAU OF STATISTICS AND PLANS

Guam Coastal Management Program



December 20, 2023

Memorandum

To: Director, Department of Land Management
Attn: Division of Planning

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2022-01 Zone Change
Location: Portion of Lot 236-REM, Parcels #9, #11, and #13
Municipality: Hagat
Applicant: Guam Capital Investment Corp.
Proposed Use: M-1 Light Industrial (Commercial and Multi-family)

John

Steve

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 Centralized Planning and the Guam Coastal Zone Management Program (GCMP) Enforceable Policies 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 is submitting a Zone Change application to rezone a portion (Parcels #9, #11, and #13) of the subject lot 236-REM from "M-2" Heavy Industrial zone to "M-1" Light Industrial zone to allow for the conversion of vacant commercial spaces to multi-family dwellings. The current commercial spaces are on the 2nd floor of the 2-story Agat Point Commercial Mall building. The subject lot is located within the municipality of Hagat and contains a land area of 2.27 acres (Portion of L236-REM - 2.05, #9 - 0.14, #11 - .07, #13 - .01), and 9,186 square meters. Water, power, and public sewer will connect to the existing services within the Agat Point Commercial Mall.

Planning Considerations and Constraints

A. Surrounding Zone and Land Use Characterization

Land use within the surrounding area includes single-family homes, multi-family apartment complexes, a motel, commercial retail stores, churches, schools, community centers, parks, and open space. The property is also less than 100 ft from the Namu River to the north and northeast

af

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12-21-23
af*

and approximately 500 ft from the ocean shore to the west. According to the FEMA Flood Zone, this area is in Zone A, which identifies this area as a Special Flood Hazard Area with a high risk of flooding. There is at least a 1 in 4 chance of flooding during a 30-year mortgage in high-risk areas. All home and business owners in high-risk areas with mortgages from federally regulated or insured lenders are required to buy flood insurance.

The subject lot is located in an Urban designated area under the Guam Land Use Districting Map, which is enforceable through Executive Order No. 78-23. Uses permitted only within Commercial, Multi-Family, Industrial, and Resort-Hotel zones; and uses requiring high levels of support facilities shall be concentrated within urban districts as outlined on the Land-Use Districting Map. Urban districts shall include those areas characterized by and designated for higher concentrations of people, structures and streets, proximity to basic services such as sewers, water, sanitation, police and fire protection, power, and other major facilities and areas of high intensity use. Therefore, the land uses permitted in the requested zone change are consistent with the Guam Land Use Districting Map.

B. Geographical Landscape Assessment Based on Watershed

The subject lot is located in the Agat Watershed. According to the National Oceanic and Atmospheric Administration's Coastal Change Analysis Program (CCAP) land cover data, the surface area of this watershed has changed by 13.9% from 2005 to 2015.

In terms of development impacts, as of 2015 land cover data, 28.45% of the watershed was developed and 16.93% comprises impervious surfaces. An area is at greater risk of flooding the more an area is developed and the higher the levels of impervious surfaces. 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. It is reported that the impervious surface degrades the watershed quality by greatly reducing the stream flow and increasing the stream temperature. They carry substantial pollutant loads downstream, causing due harm to aquatic life. Severe degradation can be expected when rates reach 25%. Effects of runoff consist of channeling and loss of beach profile along untreated storm drain outfalls, sediment plumes and algae blooms, noxious orders as a result of poor water quality, and coral mortality.

The applicants state their intention to keep the existing 2-story building structure and stay within the existing building footprint. However, should any renovations to the property include extending impermeable surfaces such as concrete pavement into the remaining open space areas of the property, the increase in impermeable surfaces will contribute to the overall development rate and impact this watershed.

Effects Test and Conditions

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

Housing: The Government shall encourage efficient design of residential areas, restrict such development in areas highly susceptible to natural and manmade hazards, and recognize the limitations of the island's resources to support historical patterns of residential development.

Determination of Effects: Yes

As the proposed project falls under the category of larger residential developments, the Bureau will include the following condition of approval to support the goals and policies relative to expanding the availability of affordable housing, which supports the greater public good.

Condition: The applicant must ensure that at least 15% of the proposed dwelling units are made affordable to households earning below 80% and up to 120% of local income adjusted for family size.

Condition: The applicant must incorporate green building concepts and sustainable community designs in the design and construction phase of the project.

Condition: Save as many value emerged tree species and or replicate the native forests through propagation and out planting throughout open spaces of the property. The applicant must follow the list of trees preferred by the Guam Department of Agriculture. Ornamentals must not exceed 10% of the flora biomass in the development plans.

Water Quality: 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.

Determination of Effects: Yes

The increase in water capacity to accommodate the residential dwelling and any increase will contribute to the cumulative negative impact on the water quality within the Agat Watershed

Condition: The applicant must comply with CNMI and Guam Stormwater Management Manual Standards and implement Island Best Management Practices specifications. The applicant must include island bioretention features. Concepts, design, and performance standards can be found in the GCMP publications 1) Island Stormwater Practice Design Specifications Manual and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID.

Air Quality: 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.

Determination of Effects: Yes

Renovations to convert commercial spaces into residential ones have the potential to affect the air quality within the area through dust or other construction materials.

Condition: Incorporate Best Management Practices (BMPs) during demolition and/or construction to minimize fugitive particulate matter emissions from ground-disturbing activity and the operation of vehicles and heavy equipment. Ensure that the surrounding neighborhood is not exposed to dust, odor, or any other offensive byproduct of demolition and or construction that may come from the property's renovation.

Determination

Pursuant to Executive Order 96-26, Appendix A § 700 (g), the Bureau hereby recommends approval of the 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 Ms. Yvonne Manglona-Juaneza, Planner, at yvonne.manglona-juaneza@bsp.guam.gov or Mr. Edwin Reyes, Coastal Program Administrator, at edwin.rcyes@bsp.guam.gov.

Si Yu'os Ma'åse'.



LOLA E. LEON GUERRERO
Director



GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building
688 Route 15, Mangilao, Guam 96913

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[Handwritten initials]

MEMORANDUM

December 18, 2023

TO: Joseph Borja, Director, Department of Land Management *[Handwritten initials]*

CC: Mayor Kevin J.T. Susuico, Municipality of Hagat
(agatmayor@yahoo.com)

FROM: Miguel C. Bordallo, P.E., General Manager *[Handwritten signature]*

SUBJECT: Position Statement on Zone Change Application 2022/01 for Lot 236-REM and Parcels #9, #11, #13 in the Municipality of Hagat

APPLICANT: Guam Capital Investment Corporation

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone change from "M2" (Heavy Industrial) to "M1" (Light Industrial) zone for the proposed conversion of vacant commercial spaces of 2nd story building "B" to multi-family dwellings.

This memorandum shall serve as GWA's position statement for the Guam Capital Investment Corporation application related to the availability of water and sewer infrastructure to serve Lot 236-REM. 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 property shall be subject to GWA rules and regulations. Any required extension to the existing facilities to serve the subject properties shall be at the applicant's expense.

GWA provides water service and sewer service to the existing structure. GWA supports the zone change with the following conditions:

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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 DLM / Planning Division
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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 determine if existing GWA facilities can accommodate the proposed development and if any off-site infrastructure improvements may be necessary. 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.
 3. 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.
 4. 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. Unless GWA specifies otherwise, each single-family dwelling shall have a separate water meter.

If existing sewer cleanouts are present, they were not visible on the public right-of-way fronting the subject lot. If the applicant requests that GWA service the portion of the sewer lateral located on the public right-of-way, then the applicant will be responsible for identifying the location of any existing cleanouts on the public right-of-way or installing sewer cleanouts in accordance with GWA standards and requirements.

5. Backflow prevention devices are required for non-residential activities, swimming pools, or when a development will be served by a master meter in accordance with GWA standards.
6. New development is subject to water and/or sewer system development charges.
7. 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.
8. 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.
9. 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.

10. Prior to renovation or occupancy by a new tenant, the account holder shall inform 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.

11. Prior to renovation or occupancy by a new tenant, the applicant shall meet applicable sewer pre-treatment requirements. Grease traps or interceptors are required for food service establishments. Oil-water separators are required for vehicle maintenance activities. Contact the GWA Permits Office for details at permits@guamwaterworks.org.

This memorandum shall remain valid for 365 calendar days from the date of this response. Please contact Brian Hess, P.E., GWA Permits and New Area Development Supervisor (#671-300-6041 or bhess@guamwaterworks.org) for water and sewer system standards or additional information.



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O. BOX 2977 • AGANA, GUAM U.S.A. 96932 2977

December 11, 2023

MEMORANDUM

To: Chairman, Guam Land Use Commission
Executive Secretary, Guam Land Use Commission

From: General Manager

Subject: Lot 236-REM and Parcels 9, 11 & 13, Municipality of Hagat, (Guam Capital Investment Corp.): Zone Change Application from "M-2" (Heavy-Industrial) to "M-1" (Light-Industrial) to allow conversion of vacant commercial spaces to multi-family dwellings. Application No. 2022-01

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 J.M.B.
 ✓

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

A. Comments and Recommendations Concerning GPA requirements:

1. 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.
2. 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.
3. A system impact assessment may be required to determine the effect of this development 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.

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 JOHN M. BENAVENTE, P.E.

ASG/arp

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 CELINE L. GILSON

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INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
 Applicant: **Guam Capital Investment Corp.**
 Location: **Lot 236-REM and Parcels 9, 11 & 13, Hagat**
 Type of Application: **Zone Change**
 GIUC/GSPC Application No. **2022-01**
 Brief Project Description:
"M-2" to "M-1" to allow conversion of vacant commercial spaces to multi-family dwellings.

For the purposes of this Certification, GOVERNMENT SERVICES, FACILITIES, and INFRASTRUCTURE include, but are not limited to: **power lines poles and facilities; water lines, pumps and facilities; sewer and liquid waste disposal; storm water disposal; solid waste disposal; telephone lines and facilities; schools; health facilities; police and fire fighting service and facilities; roads; traffic and street lights; parks and recreational activities.**

1. I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **AVAILABLE AND IN PLACE** to support this project:
 Yes No

2. If the answer to #1 above is YES, then:
 I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **ADEQUATE** to support this project:
 Yes No

3. If the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE currently in place are **NOT AVAILABLE** or they are **AVAILABLE, BUT NOT ADEQUATE**, itemize the services, facilities and infrastructure that are needed, the estimated cost thereof and whether funds are currently available and identified to develop such services, facilities and infrastructure:

| Services, Facilities and Infrastructure Needed | Cost of Upgrades | Funds Available | Date Available | Funds Identified |
|--|------------------|-----------------|----------------|------------------|
| Please see comments below | | | | |
| | | | | |
| | | | | |

I hereby certify that the foregoing is true and correct to the best of my knowledge.



 JOHN M. BENAVENTE, P.E.
 General Manager

12/15/23

 Date

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 may be required to determine the effect of this development on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.



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GUAM ENVIRONMENTAL PROTECTION AGENCY • AHIENSIAK PRUTEKSION LINA LA GUAHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA E. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR

DEC 21 2023

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Dr. Anita B. Enriquez
Chairman, Guam Land Use Commission
c/o Department of Land Management
590 S. Marine Corps Drive
ITC Bldg, Ste. 733
Tamuning, Guam 96913

Ref: Application No. 2022-01, the Applicant, Guam Capital Investment Corporation represented by FC Benavente, Planners; request a Zone Change from "M-2" (Heavy Industrial) to "M-1" (Light Industrial) zone, for a portion of Lot 236-REM, all of Parcels 9, 11 and 13, in the Municipality of Hagat.

Hafa adai Dr. Enriquez,

Buenas yan Saluda. The staff of this Agency has reviewed the application for **proposed zone change** and approves with the following conditions:

A. Water & Wastewater

1. The proposed development is a conversion of a vacant commercial spaces in the second floor of an existing building turning it into six (6) multi-family residential units. High density residential development, more than one (1) dwelling per one-half (1/2) acre, should not occur without adequate public sewer service pursuant to 22GAR Chapter 5 §5101(c) (1) (B) of the Guam Water Quality Standards. It is the responsibility of the applicant to consult with Guam Waterworks Authority to determine the adequacy of the nearest public sewer and water service available in the area.

In addition to the above concerns, the applicant is reminded that any development proposed for the subject location must comply with all other, relevant environmental laws and regulations administered by the Guam Environmental Protection Agency.

Should you have any question or need additional information, please do not hesitate to contact Mrs. Michelle C.R. Lastimoza, Administrator at michelle.lastimoza@epa.guam.gov or at (671) 300-4751/52. For technical questions, you may contact CAPT Brian Bearden, P.E., BCEE, Chief Engineer at brian.bearden@epa.guam.gov or at (671) 300-4779.

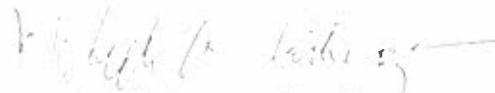


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Dangkolu na si Yu'us ma'ase:

Senseramente,



MICHELLE C.R. LASTIMOZA
Administrator

cc: Mr. Joseph M. Borja
Executive Secretary
Department of Land Management

Janichael Quinata
10:06AM 12-26-23



The Honorable
LOURDES A. LEON GUERRERO
Maga' Haga - Governor

The Honorable
JOSHUA F. TENORIO
Sigundo Maga' Lahi - Lieutenant Governor

public works
DEPARTAMENTO DE OBRAS PÚBLICAS
VINCENT P. ARRIOLA
Director
LINDA J. IBANEZ
Deputy Director

21 FEB 2024

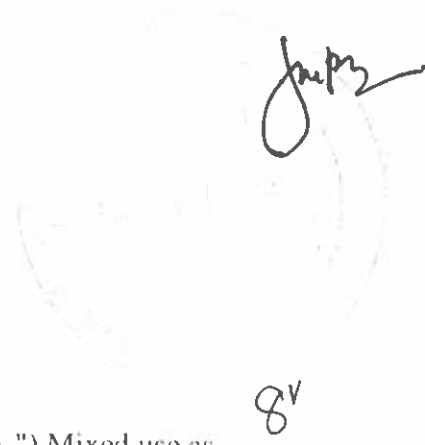
MEMORANDUM

TO: Chairman, Guam Land Use Commission
Director, Department of Land Management

FROM: Director

APPLICANT: Guam Capital Investment Corporation
Application No.: (2022-01)

SUBJECT: Zone Change Application from ("M-2" to "M-1 ") Mixed use as
Heavy to Light Industrial, Hagat, Guam



The above applicant is requesting for a zone change in order to allow and operate as commercial use (retail, office, restaurants) which is to be located on the ground floor. The family residential apartment units will be located on the second floor. The property is under a portion of Lot 236-REM (8,325) square meters; No.9, (559 square meters) No. 11, (276 square meters) & No.13 (26 square meters). The area is located in the Municipality of Hagat, Guam.

The Department of Public Works has completed its review of the subject application and has no objection to the request provided the following conditions are met:

- Public access be wide enough for incoming and outgoing vehicles
- Provide solid waste disposition (private or public) services.
- Shall provide the design for a storm drainage disposal system to be supported with calculations.
- Provide the parking layout in detail (compact, standard, and accessible stalls) and must meet the American Disability Act (ADA) requirements.

NOTE: The property is located within the Namo Flood Area. Therefore, this application needs to be coordinated with DPW Building Permit Administrator for the flood zone designation.

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For building permit application requirements, a complete set of design drawings with all the engineering disciplines needed must be in conformance with the building code in use and plans must be signed by a Registered Engineer or Architect.

Should you have any questions please contact me at (671)646-3131.

A handwritten signature in black ink, appearing to read 'V. P. Arriola', with a stylized flourish at the end.

VINCENT P. ARRIOLA



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Department of Parks and Recreation
Dipattamenton Paset yan Dibuetsion
Government of Guam

Director's Office, Parks and Recreation Divisions
#1 Paseo de Susana, Hagåtña, Guam 96910
P.O. Box 2950, Hagåtña, Guam 96932
(671) 475-6288, Facsimile (671) 477-0997
Guam Historic Resources Division
490 Chalan Palasyn, Agaña Heights, Guam 96910
(671) 475-6294/6355, Facsimile (671) 477-2822



Angel R. Sablan
Acting Director
Warren E. Pelletier
Deputy Director

January 24, 2024

In reply refer to:
RC 2024-0039

AS

Memorandum

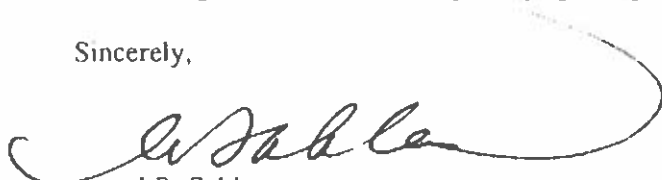
To: Director, Department of Land Management
From: Director, Department of Parks and Recreation
Subject: Zone Change Application No. 2022-01, Applicant proposed to rezone this property from "M-2" to "M-1" in order to use as commercial and multi-Family, Lot 236-REM & Parcel #9, #11, & #13, in the Municipality of Hagat.

We reviewed the subject Zone Change Application No. 2022-01, Applicant proposed to rezone this property from "M-2" to "M-1" in order to use as commercial and multi-Family, Lot 236-REM & Parcel #9, #11, & #13, in the Municipality of Hagat. This area of potential effect is 2.27 acres.

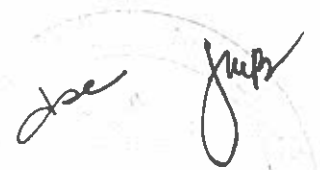
These lots are all within close proximity to a known Guam Historic Properties Inventory (GHPI) Site # 66-02-1357 Tijera Subsurface Deposit Site and 66-02-2572 Agat Beachhead Frontline. We are also aware of a burial site found just within close proximity to these lots. Our office has no objection to the approval of this zone change application. However, this lot will be subject to a site inspection during permitting process by our office prior to any ground work on these lots.

Should you have any questions, please do not hesitate to call Mr. John Mark Joseph, State Archaeologist at JohnMark.Joseph@dpr.guam.gov.

Sincerely,



Angel R. Sablan
Acting *PL*



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By Cristina at 10:14 am, Jan 29, 2024

*2024
1-29-24*

cg



Department of Agriculture
Dipattamenton Agrikottura
 163 Dairy Road, Mangilao, Guam 96913



Lourdes A. Leon Guerrero
 Governor
Joshua F. Tenorio
 Lt. Governor

Chelsa Muña
 Director
Roy Gamboa
 Deputy Director

MEMORANDUM

To: Joseph Borja, Director
 Department of Land Management

Attn: Executive Secretary
 Guam Land Use Commission

From: Chelsa Muña, Director Chelsa Muna

Date: December 5, 2023

Subject: Application 2022-01 to rezone from M-2 (Heavy Industrial) to M-1 (Light Industrial) in order to allow conversion of vacant commercial spaces to multi-family dwellings for Lot 236-REM Parcels #9, #11, and # 13 located along Route 2, Hagat (Guam Capital Investment Corp.)



The Department of Agriculture (DOAG) has reviewed Application 2022-01, to rezone Lot 236-REM Parcels #9, #11, and #13 from Heavy Industrial (M-2) to Light Industrial (M-1), located along Route 2, across from Inn on the Bay, Hagat. The purpose to allow conversion of the vacant commercial spaces to multi-family dwellings to be constructed in a total land area of 98, 895 sf. The subject lot is developed, serving as a wholesaling operation business.

DOAG provides the following concerns addressing our natural resources:

1. Biosecurity:

A biosecurity plan must be developed and implemented. Biosecurity plan must address avoidance and management of the spread of the Little fire ant and other noxious species that impacts the ecosystem, economy, and agriculture. Guam Capital Investment Corp (and their contractor/s), must consult with DOAG's Biosecurity Division (biosecurity@doag.guam.gov) to finalize an effective plan to manage invasive species on the subject lot and preventing the spread of unwanted pests.

2. Aquatic and Wildlife Resources:

The Guam tree snail, Common moorhen, Micronesian starling, and Mariana fruit bat are protected species under the Endangered Species Act. The Guam tree snail is found along Namu River. The moorhen, starling, and fruit bat are opportunistic species that have been documented in forested areas in Hagat.

Migratory birds occur in Guam between August and May annually. These species are protected under the Migratory Bird Treaty Act. Migratory birds are attracted to open greenspace, pavement, wetland and shoreline habitat for foraging and roosting.

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 By Cristina at 10:26 am, Dec 14, 2023

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Conservation Measures for the Construction, Operations, and Maintenance on Lot 236-REM Parcel #9, #11, and #13, must be developed and implemented to prevent impacts and/or offset impacts to these protected species. Pacific International Guam Inc., must consult with DOAG's Division of Aquatic and Wildlife Resources (permits@doag.guam.gov) to finalize an effective plan to manage protected species occurrence on the subject lot and adjacent lots that may be impacted.

3. Forestry:

DOAG's Forestry and Soil Resource Division may provide guidance on landscaping plans to help minimize and control soil run-off or flooding using native trees and shrubs. FSRD may be contacted via forestry@doag.guam.gov.

4. Animal Health:

With the ongoing challenges of stray animals on Guam, DOAG's Animal Health Division may be reached at quarantine@doag.guam.gov to provide guidance on how to prevent strays from occupying the facility that may be hazardous to the environment and customers of the company.

DOAG supports the purpose for the zone change, however, Pacific International Guam must address DOAG's concerns as mentioned above, moving forward. If you have any questions or concerns, please contact Mr. Jeffrey Quitugua at Jeffrey.Quitugua@doag.guam.gov or permits@doag.guam.gov.

ATTACHMENT C

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



LOURDES A. LEON GUERRERO
MAGA HĀGA • GOVERNOR

JOSEPH M. BORJA
Director

JOSHUA F. TENORIO
SIGUNDO MAGA LĀHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
Deputy Director

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

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

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

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

December 30, 2025

Memorandum

To: Chairperson, Guam Land Use Commission

From: Guam Chief Planner

SUBJECT: **Application No. 2025-07, Zone Change** Lot 10062-1-R7, Municipality of Dededo

1. PURPOSE

- A. Application Summary:** Applicants Eddie C. Palomo, Jason S. Tedtaotao, and Mary Audrey C. Palomo, represented by FC Benavente, Planners, request a zone change from "R-1" (One-Family Dwelling) to "C" (Commercial) for the proposed construction of a wholesale and retail hardware store with an accessory storage building on Lot 10062-1-R7, Municipality of Dededo.
- B. Legal Authority:** Title 21, GCA (Real Property), Chapter 61 (Zoning Law), Sections 61630–61637 (Changes of Zones), and applicable subsections.

2. FACTS

- A. Location:** The property abuts "C" (Commercial) zoned lots to the west (Docomo Yard) and south (Tsang Brothers Hardware outlet). To the north and northeast, within a 750-foot radius, is a Planned Development, Tract 14116, zoned "R-2" (Multi-Family Dwelling) subdivision (Summer Palace). (See *VIC MAP Attachment*.)
- B. Lot Area:** 3,608 square meters (27,566 square feet or approximately 0.63 acre).
- C. Present Zoning:** "R1" (One-Family Dwelling) Zone.
- D. Field Description:** The subject lot is rectangular, vacant, and overgrown with large trees and vegetation. The topography is generally flat and fronts a 40-foot right-of-way. The main access is via Harmon Loop Road (Route 27).
- E. Surrounding Land Uses:** Within a 750-foot radius is the Liguán Terrace Housing Subdivision (Tract 100 to the north). There are other small residential subdivisions (Kaiser Development Tracts 303 and 304) to the southwest and southeast of the property. Also south of the property, along Harmon Loop Road is an elementary

Continuation of Memorandum

RE: Staff Report – Zone Change - Application No. 2025-07

Page 2 of 3

school, DPW Bus Satellite station, a GPA Substation, and Department of Parks & Recreation swimming pool. The site is approximately 800 feet north of Compadres Mall commercial complex.

- F. **Master Plan:** Refer to the Community Design Plan for Harmon-Dededo – Mixed Uses, Residential and Commercial Districts.
- G. **Community Design Plan:** Urban/Residential. The area is designated for low- to medium-high density development.
- H. **Previous Commission Action:** None.

3. APPLICATION CHRONOLOGY

- A. **Date Application Accepted:** January 25, 2025
- B. **Date of ARC Review:** February 6, 2025
- C. **Date of Public Hearing:** August 6, 2025 *A public hearing was conducted by planning staff at 6:00 PM at the Dededo Community Senior Citizen/Community Center. (See Attachment A.)*

4. STAFF ANALYSIS

A zone change must address Public Necessity, Public Convenience, and General Welfare criteria. Analysis is as follows:

PUBLIC NECESSITY

The requested zone change to Commercial meets a public necessity as the Harmon Loop area of Dededo is transitioning toward increased commercial development. The proposed wholesale and retail hardware store responds to growing demand for building materials and related services due to population growth in Harmon, Dededo, and northern villages along Routes 1, 3, and 9 as well as ongoing military buildup activities.

The proposed use will provide essential goods and services for residential, commercial, and military communities, supporting long-term development needs.

PUBLIC CONVENIENCE

Rezoning the subject lot will provide convenient access to retail hardware goods and related services for residents and businesses in Harmon Loop-Dededo and surrounding villages. The site's location is strategic—close to high-density residential areas and major roadways—making it ideal for commercial development. The project aligns with existing land use patterns and will allow for accessory uses and on-site inventory storage.

GENERAL WELFARE

The proposed rezoning and development will promote public welfare by maintaining consistency with surrounding commercial uses, minimizing impacts on adjacent properties through landscaping, buffering, and stormwater management and finally, if approved, the development will ensure compliance with permitting requirements and environmental standards.

The project will create local employment opportunities and contribute positively to Guam's economy. No significant impacts related to noise, lighting, or traffic are anticipated. The applicants have committed to proper site management, including drainage containment and landscaping.

The municipal public hearing was generally well-received. Concerns raised by residents were addressed satisfactorily. No major objections were noted, except for one denial from the Application Review Committee member, Guam EPA, which requires coordination of permitting requirements prior to development.

Based on the analysis, the Department of Land Management Planning Staff recommends favorable action by the Guam Land Use Commission on the proposed zone change.

5. RECOMMENDATION: Planning staff recommends approval, subject to the following condition:

The applicants shall adhere to all ARC recommendations, conditions, and requirements as noted in their Official Position Statements.



CELINE L. CRUZ
Guam Chief Planner

ATTACHMENTS

Case Planner: Penmer C. Gulac

ATTACHMENT – A

PUBLIC HEARING RESULTS OF August 6, 2025 Meeting

Location: Dededo Community/Senior Center

Time: 6:05 PM

Attendance: 15 participants, including the Case Planner, Mr. Felix Benavente, the applicant's representative, Mayor Peter Benavente, residents and lot owners, and DLM Planning staff.

The Case Planner opened the meeting, presented the proposed project, and introduced Mr. Felix Benavente, who outlined the application details, project intent, development timeline, and nearby activities.

Public Comments and Responses:

- **Mr. Romeo Hernandez (MPC Member):** Asked about potential tax increases and requested assurance that neighbors' interests are protected. Emphasized the need for properly designed ponding basins to manage stormwater runoff.
Response: Mr. Benavente confirmed taxes will increase with the zone change and explained that the site will include landscaped buffers, internal traffic circulation, parking, and drainage infrastructure with strategically placed ponding basins. A security fence and additional trees will be installed to reduce noise. Stormwater will be managed through a French drain system. The applicant will coordinate with the Mayor and relevant agencies to meet all requirements and hire local employees.
- **Mr. John Howerton (Neighbor, Summer Palace):** Asked if the site would resemble an "M-1" industrial yard like Docomo across the street.
Response: Mr. Benavente clarified the project will consist of two one-story commercial structures:
 - Building A:** Accessory warehouse
 - Building B:** Retail/customer service buildingNo industrial activities will occur. Noise will be controlled, and green buffers will be provided.
- **Mr. Peter Wallis (Neighbor, Summer Palace):** Recommended limiting structures to one story to preserve views.
Response: Confirmed. Both buildings will be one story, not exceeding 30 feet, with 32 parking stalls.
- **Mr. Hernandez (MPC Member):** Asked about remaining hearings.
Response (Chief Planner): Two additional hearings will be conducted by the Dededo MPC, followed by a resolution submission to the Guam Land Use Commission. Notices will be published in the newspaper.
- **Mr. and Mrs. Yamamoto (Neighbors, Summer Palace):** Expressed preference for residential development but had no objections to the proposal.

MUNICIPALITY OF DEDEDO

PETER JOHN SALAS BENAVENTE
MAYOR



ANN S. SAN AGUSTIN LEON GUERRERO
VICE MAYOR

RESOLUTION NO. 2025-04

Introduced by:

Mayor Peter John S. Benavente, Chairperson
Vice Mayor Ann S.A. Leon Guerrero, Co-Chairperson

MEMBERS

Chan, Jose Arthur D. Jr. Cruz, Arie Jo Sablan
Gaza, Edgar L. Paulino, Robert R.



Relative to the approval for GLUC Application No. ZC2025-07 by the Applicants, Eddie Cruz Palomo, Jason S. Tedtaotao, and Mary Audrey C. Tedtaotao, represented by FC Benavente, Planners, are requesting a Zone Change from "R1" (One-Family Dwelling) Zone to "C" (Commercial) Zone for the proposed construction of a wholesale and retail hardware store with an accessory storage building on Lot 10062-1-R7, in the Municipality of Dededo

BE IT RESOLVED BY THE DEDEDO MUNICIPAL PLANNING COUNCIL

WHEREAS the Applicants, Eddie Cruz Palomo, Jason S. Tedtaotao, and Mary Audrey C. Tedtaotao, represented by FC Benavente, Planners, have submitted Guam Land Use Commission (GLUC) Zone Change Application No. 2025-07 requesting a zone change from "R-1" (One-Family Dwelling) to "C" (Commercial) for the purpose of constructing and operating a wholesale and retail hardware store with an accessory storage building on Lot 10062-1-R7, in the Municipality of Dededo, and

WHEREAS, the Dededo Municipal Planning Council held two public hearings on the application on September 8 and 9, 2025, and the applicants' representative, FC Benavente, appeared before the Council during those hearings and again at the regular Council meeting on September 10, 2025, and

WHEREAS notice of the public hearings and regular meeting was duly published in the Guam Daily Post and posted on the Government of Guam Public Notice Portal, in accordance with the required public notification procedures, and

WHEREAS the Dededo MPC voted to approve this Resolution for the Guam Land Use Commission, and be conditioned upon the inclusion of enforceable Covenants, Conditions, and Restrictions (CC&Rs) in the property deed to ensure responsible commercial use, specifically prohibiting welding-related operations and any other industrial activities not in line with a general retail hardware store environment, and

BE IT RESOLVED that the Dededo Municipal Planning Council hereby supports GLUC Application ZC2025-07, approves, with conditions, the zone change from "R-1" to "C" for Lot 10062-1-R7, subject to the inclusion of the above-referenced Covenants, Conditions, and Restrictions (CC&Rs) in the property deed, and

FURTHER RESOLVED that the Chairperson of the Dededo Municipal Planning Council certify to and the secretary attest the adoption hereof and that copies of the same be therefore transmitted to the Department of Land Management, Applicants Eddie Cruz Palomo, Jason S. Tedtaotao, and Mary Audrey C. Tedtaotao, and Representative FC Benavente.

DULY RECORDED AND REGULARLY ADOPTED BY THE DEDEDO MUNICIPAL PLANNING COUNCIL

ON THIS 11th DAY OF SEPTEMBER, 2025


PETER JOHN S. BENAVENTE
Mayor, Chairperson


AMBRIA MARIE SANTOS
Secretary, DMPC



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



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

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

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

December 30, 2025

MEMORANDUM

TO: Guam Land Use Commission (GLUC) Members
FROM: Chairman, Application Review Committee (ARC)
SUBJECT: Summary of Position Statements by ARC Members
RE: Zone Change: Application No. 2025-07

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

E-mail Address:
[dlmdir@land.guam.gov](mailto:dlmDir@land.guam.gov)

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

Listed below is the compilation of Positions taken by the various ARC member agencies as submitted to Planning Division, Department of Land Management. The conditions as imposed by the ARC member agencies are listed when applicable.

DEPARTMENT OF LAND MANAGEMENT (DLM):

Planning staff recommends Approval with the following condition:

The Applicant shall comply to all requirements and conditions, and any concerns imposed by government/permitting agencies and other mandates in their development plans; as stipulated in their Official Position Statement.

DEPARTMENT OF PUBLIC WORKS (DPW):

The Department of Public Works (DPW) has no objection to the request and recommends Approval with stated conditions, and recommendations. (Position Statement is Attached)

GUAM WATERWORKS AUTHORITY (GWA):

GWA supports the application and in favor of the approval with conditions for compliance to GWA's Service Requirements (Position Statement is attached)

GUAM POWER AUTHORITY (GPA):

GPA has no objection to the request subject to the conditions applicable. (Position Statement attached)

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

The agency has denied the approval, with conditions noted relevant to adhering to stormwater management and connection to public sewer, adhering to environmental laws, and other pertinent regulations on development on subject lot (Position Statement is attached)



SUBJECT: Summary of Position Statements by ARC Members
RE: Conditional Use Permit, Application No. 2025-07

Page 2 of 2

DEPARTMENT OF PARKS AND RECREATION (DPR):

The agency has no objections and supports the approval of the application.
(Position Statement is attached)

BUREAU OF STATISTICS AND PLANS (BSP):

The Bureau states they recommend approval with conditions noted applicable to management of stormwater runoffs and other comments noted.
(Position Statement is attached)

DEPARTMENT OF AGRICULTURE (DoAg):

Agriculture has reviewed the application and no objections or concerns on the application; recommends actively monitor endangered species present in the Dededo area, and to coordinate with DoAG on other conditions and recommendations noted.
(Position Statement is attached)

GUAM ECONOMIC DEVELOPMENT & COMMERCE AUTHORITY (GEDCA):

No Position Statement has been received as of the date of this Memorandum

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

No Position Statement has been received as of the date of this Memorandum

GUAM FIRE DEPARTMENT (GFD):

No Position Statement has been received as of the date of this Memorandum

GUAM DEPARTMENT OF EDUCATION (GDOE):

No Position Statement has been received as of the date of this Memorandum

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):

No Position Statement has been received as of the date of this Memorandum



Celine L. Cruz

Attachments: ARC Position statements
Cc: Executive Secretary, GLUC

The Honorable
LOURDES A. LITON GUERRERO
Maga Huga - Governor

The Honorable
JOSHUA F. TENORIO
Segundo Maga Ushi • Lieutenant Governor

public works
DEPARTMENT OF PUBLIC WORKS

VINCENT P. ARRIOLA
Director
LINDA J. IBANEZ
Deputy Director
ERNEST G. CANDELETA, JR.
Deputy Director

MEMORANDUM

TO: Anita B. Enriquez, PhD
Chairman, Guam Land Use Commission

FROM: Director

APPLICANT: Palomo - Fedtaotao - Fedtaotao

SUBJECT: **Application No. 2025-07**
Zone Change "R-1" to "C"
Lot No. 10062-1-R7, Dededo

Applicant is requesting a zone change from Single Family Dwelling to Commercial. The owner's intent is to construct and operate a retail store and wholesale hardware on Lot 10062-1-R7, located in the Municipality of Dededo. The lot area is approximately 3,608.00 square meters or 27,566 square feet. The owner's intent is to construct and operate a franchise warehouse hardware.

Department of Public Works recommends approval for this zone change request subject to the following conditions:

The site plan submitted as part of your application needs a revision to include the following:

- a) Ingress/ egress must be wide enough for public access.
- b) To incorporate in your site plan an additional accessible parking space for American Disability Act (ADA) requirement.
- c) To provide a total percentage footprint for building A and B of the proposed development.
- d) Once application is approved to submit a plan to design the infiltration system.

NOTE: Must comply with all the applicable rules and regulations and building code requirements.

Should you have any questions, please contact the Division of Capital Improvement Projects (CIP) at (671) 646-3224 or (671) 646-3189.


VINCENT P. ARRIOLA

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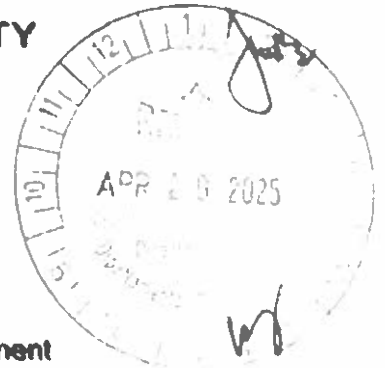
DLM Planning Division

Handwritten notes:
T.P. Pin
CIP
3/18



GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building
688 Route 15, Mangilao, Guam 96913




MEMORANDUM

February 12, 2025

TO: Joseph Borja, Director, Department of Land Management

CC: Mayor Peter J. Benevente Municipality of Dededo
(peterjohn.benevente@mcog.guam.gov)

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

SUBJECT: Position Statement on Zone Change Application 2025-07 for Lot10062-1-R7 in the Municipality of Dededo

APPLICANT: E.C. Palomo, J.S. Tedtaotao, and M.A.C. Tedtaotao

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone change from "R2" (Multi-family) to "C" (Commercial) zone for the proposed development of retail spaces, offices.

This memorandum shall serve as GWA's position statement for the E.C. Palomo, J.S. Tedtaotao, and M.A.C. Tedtaotao application related to the availability of water and sewer infrastructure to serve Dededo 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 property shall be subject to GWA rules and regulations. Any required extension to the existing facilities to serve the subject properties shall be at the applicant's expense.

The following comments are conditions for GWA's position in favor of the approval of this application:

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

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By Cristina at 11:19 am, Mar 14, 2025

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 determine if existing GWA facilities can accommodate the proposed development and if any off-site infrastructure improvements may be necessary. 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.
3. If off-site water and sewer infrastructure improvements are installed by the developer, they will require prior approval from GWA and must meet GWA standards. The proposed off-site water and sewer infrastructure improvements shall be constructed in the public easement or right of way, and shall be subject to inspection by GWA at the sole expense of the applicant. GWA's approval of the occupancy permit application will be contingent upon the completion of offsite utility improvements.

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.
6. Backflow prevention devices are required for non-residential activities, swimming pools, 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. 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.
9. 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.

GWA Position Statement

Application 2025-07

Applicant E.C. Pelorno, J.S. Tedaotao, and M.A.C. Tedaotao

Page 3 of 3

10. 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 Prudencio F. Aguon, GWA Permits and New Area Development Supervisor (#871-300-6065 or prudencio@guamwaterworks.org) for water and sewer system standards or additional information.



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O. BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

March 05, 2025

MEMORANDUM

To: Chairman, Guam Land Use Commission
Executive Secretary, Guam Land Use Commission

From: General Manager

Subject: Lot 10062-1-R7, Municipality of Dededo, (E.C. Palomo, J.S. Tedtaotao, and M.A.C. Tedtaotao); Zone Change Application Current Use RI (Single-Family) Vacant and Undeveloped, to C (Commercial) Proposed use: Wholesale and Hardware Store. Application No. 2025-07

A. Comments and Recommendations Concerning GPA requirements:

1. Applicant 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 any revisions to scheduling and magnitude of project power demand requirements for new loads.
 - All relocation costs for GPA's facilities, if necessary, are 100% chargeable to the applicant including but not limited to labor and materials.
 - Required system upgrades will be charged to the applicant. This includes relocation costs, new installation costs and all costs associated with modification of GPA facilities.
2. 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.
3. Further system impact assessment may be required to determine the effect of this facility on GPA's existing power facilities.

John M. Benavente
JOHN M. BENAVENTE, P.E.

*To: Pen
JMB
3-17-25*

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
 Applicant: **E.C. Palomo, J.S. Tedtaotao, and M.A.C. Tedtaotao**
 Location: **Lot 10062-1-R7, Municipality of Dededo**
 Type of Application: **Zone Change Application**
 GLUC/GSPC Application No. **2025-07**
 Brief Project Description: **Current Use R1 (Single-Family) Vacant and Undeveloped, to C (Commercial)**
 Proposed use: **Wholesale and Hardware Store**

For the purposes of this Certification, GOVERNMENT SERVICES, FACILITIES, and INFRASTRUCTURE include, but are not limited to: **power lines poles and facilities; water lines, pumps and facilities; sewer and liquid waste disposal; storm water disposal; solid waste disposal; telephone lines and facilities; schools; health facilities; police and fire fighting service and facilities; roads; traffic and street lights; parks and recreational activities.**

1. I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **AVAILABLE AND IN PLACE** to support this project:
 Yes No

2. If the answer to #1 above is YES, then:
 I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **ADEQUATE** to support this project:
 Yes No

3. If the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE currently in place are **NOT AVAILABLE** or they are **AVAILABLE, BUT NOT ADEQUATE**, itemize the services, facilities and infrastructure that are needed, the estimated cost thereof and whether funds are currently available and identified to develop such services, facilities and infrastructure:

| Services, Facilities and Infrastructure Needed | Cost of Upgrades | Funds Available | Date Available | Funds Identified |
|--|------------------|-----------------|----------------|------------------|
| Please see comments below | | | | |
| | | | | |
| | | | | |

I hereby certify that the foregoing is true and correct to the best of my knowledge.

 JOHN M. BENAVENTE, P.E.
 General Manager

3/10/2025
 Date

Comments:
 Based on a preliminary inspection of the site, the electrical facilities will require upgrading to meet the demand of the proposed project. Further system impact assessment may be 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 ENVIRONMENTAL PROTECTION AGENCY • AHIENSIAK PROTIEKSION LINAIA GUAHAN
LOURDESA LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIHEHENSAN GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOSA • ADMINISTRATOR

MAY 13 2025

John

Dr. Anita B. Enriquez
Chairman, Guam Land Use Commission
c/o Department of Land Management
590 S. Marine Corps Drive
ITC Bldg. Ste. 733
Tamuning, Guam 96913

mf
PS

Ref: Application No. 2025-07, the Applicants, Eddie C. Palomo, Jason S. Tedtaotao, and Mary Audrey C. Tedtaotao, represented by FC Benavente, Planners, request a Zone Change from "R-1" (Single Family Dwelling) to "C" (Commercial) zone for the proposed construction and operation of a retail & wholesale hardware business on Lot 10062-1-R7 in the Municipality of Dededo.

Hafa aklai Dr. Enriquez.

Buenas yan Saluda. The Guam Environmental Protection Agency (EPA) has reviewed the proposed Zone Change Application (ZCA) for Lot 10062-1-R7 in Dededo, which seeks to rezone the property from R-1 to C. The agency has denied approval for the construction and operation of a retail and wholesale hardware business on this site, citing the following conditions:

1. The property is currently vacant and undeveloped. The developer or contractor must comply with the Guam Soil Erosion and Sediment Control Regulation (Chapter 10) and implement pre-construction and post-construction stormwater controls as outlined in the 2006 CNMI and Guam Stormwater Management Manual, in accordance with Executive Order No. 2012-02.
2. The developer must install a sewer tap to connect the property to the nearest public sewer main, which is located approximately 528 feet away via the L10062-1-5 right-of-way cul-de-sac adjacent to the subject property and Harmon Loop Road. This sewer connection is essential for compliance with Guam Water Quality Standards (Plate 22 GAR, Chapter 5, § 5101(c)(1)(A)), as the property is situated within the Groundwater Protection Zone (GPZ). The regulation states: "No industrial development should occur without adequate sewer infrastructure."
3. The owner must consult with Guam Waterworks to assess the adequacy of nearby water service and sewer lines, considering the expected rise in demand. Storing materials outside the proposed hardware store is prohibited unless the Guam EPA approves a revised drainage plan and stormwater disposal system.

P. Ben
5-19-25

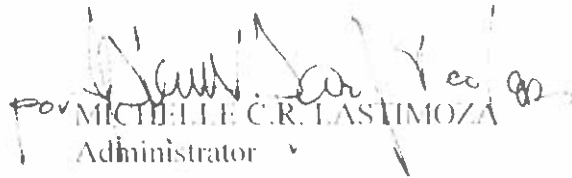


In addition to the above concerns, the applicant is reminded that any development proposed for the subject location must comply with all relevant environmental laws and regulations administered by the Guam EPA.

If you have any questions or need additional information, please do not hesitate to contact the Water Resources Management Program or the Water Division Acting Chief Engineer, Mr. Johnny Abedania, at Tel No. (671) 588-4796 or (671) 588-4786, respectively.

Dangkola na si Yu'us ma'ase'.

Senseramente.


MICHELLE C.R. LASTIMOZA
Administrator

cc: Mr. Joseph M. Borja
Director
Department of Land Management





Lourdes A. Leon Guerrero
Governor

Joshua F. Tenorio
Li Governor

Department of Parks and Recreation
Dipartimento Plases yan Dibueision
Government of Guam

Director's Office, Parks and Recreation Division
1) Paseo de Susana, Hagåtña, Guam 96910
P.O. Box 2950, Hagåtña, Guam 96932
(671) 475-6288 Facsimile (671) 477-0997
Guam Historic Resources Division
40) Marian Palacios, Agaña Heights, Guam 96910
(671) 477-6294/6355, Facsimile (671) 477-2822



Angel R. Sablan
Acting Director
Warren Pelletier
Deputy Director

January 14, 2025

In reply refer to:
RC 2017-0014

Memorandum

To: Director, Department of Land Management

From: Director, Department of Parks and Recreation

Subject: Summary Zone Change Application No. 2025-07, Applicant FC Benavente, Planners c/o Eddie C. Palomo, Jason S. Tedaotao and Mary Audrey C. Palomo proposed to rezone Lot 10062-1-R7 from "R-1" to "R-2" (Multi-Family Dwelling) zone in order to use as wholesale and hardware store in the Municipality of Dededo



We reviewed the subject Summary Zone Change Application No. 2025-07, Applicant FC Benavente, Planners c/o Eddie C. Palomo, Jason S. Tedaotao and Mary Audrey C. Palomo proposed to rezone Lot 10062-1-R7 from "R-1" to "R-2" (Multi-Family Dwelling) zone in order to use as wholesale and hardware store in the Municipality of Dededo.

Our office has concluded our review and will have No Objection to the Approval of this Zone Change Application.

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
Director

Patrick Lujan
State Historic Preservation Officer

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By Christine at 11:14 am, Jan 16, 2025

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BUREAU OF STATISTICS AND PLANS

Sagan Planu Siha Yan Emfotmasion



March 10, 2025

Memorandum

To: Director, Department of Land Management
Attn: Division of Planning

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2025-07 Zone Change
Lot Number: Lot 10062-1-R7
Municipality: Dededo
Applicant: Palomo-Tedtaotao-Tedtaotao
Proposed Use: "C" Commercial



Buenas yan Háfa 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 applicants are submitting a Zone Change application to rezone the subject lot from R1 "Single-family Dwelling" zone to C "Commercial" zone in order to develop the property for a retail and wholesale hardware business. The subject lot is located in the municipality of Dededo and contains a total of 3,608 square meters or approximately 0.63 acres. Power, water, and sewer is available within 500 feet and will be connected.

Planning Considerations and Constraints

A. Surrounding Zone and Land Use Characterization

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>

BUREAU OF STATISTICS & PLANS - GOVERNMENT OF GUAM

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

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By Cristina at 9:51 am, Mar 10, 2025

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The subject lot is located in an unnamed culdesac that is accessible through Harmon Loop Road. The immediate surrounding area consists of commercial zoned properties that are surrounded by residential subdivisions. Some vacant land and public facilities are within close proximity.

The subject lot is located in a “General Residential”³ designated land-use area under the North and Central Guam Land Use Plan (NCGLUP). The NCGLUP (PL 30-244),⁴ 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 proposed use does not align with the “General Residential” land-use designation. However, BSP acknowledges the necessity for adaptability to Guam's developmental requirements, while preserving the residential nature of the surrounding area and mitigating potential effects on coastal resources. Further analysis of the surrounding neighborhood's development history reveals that the proposed commercial rezoning of the lot aligns with the established commercial presence within the culdesac, as demonstrated by Tsang Brothers Corporation, Kenny's discount store, and Docomo Pacific, along with other commercial activities nearby and that have been in existence for several years.

B. Geographical Landscape Assessment Based on Watershed

The subject lot is in the Northern Watershed and above the Northern Guam Lens Aquifer. According to the National Oceanic and Atmospheric Administration's Coastal Change Analysis Program (CCAP) land cover data, the surface area of this watershed has changed by 12.11% from 2005 to 2015.⁶

Regarding development impacts, as of 2015 land cover data, 30.6% of the watershed was developed, and 15.78% comprised impervious surfaces.⁷ An area is at greater risk of flooding the more an area is developed and the higher the levels of impervious surfaces. 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. It is reported that the impervious surface degrades the watershed quality by significantly reducing the stream flow and increasing the stream temperature. They carry substantial pollutant loads downstream, causing harm to aquatic life. Severe degradation can be expected when rates reach 25%. Runoff effects include channeling and losing beach profile along untreated storm drain outfalls, sediment plumes, algae blooms, noxious odors due to poor water quality, and coral mortality.

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 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 February 2025 at <https://coast.noaa.gov/ccapAtlas/>

⁷ Ibid.

Land cover within the subject lot is mostly bare land with some areas overgrown with grass, scattered trees, and shrubs. The proposed development will increase the impervious surface of the area and contribute to the cumulative impact to the watershed.

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:

Policy LU-5: Promote environmental sustainability through a variety of measures. Examples of possible measures include green building design, green spaces in urban areas, green infrastructure, greenway and conservation lands networks, transit-oriented and transit-ready development, improved networks for walking and wheeling, site design to promote renewable energy use, and other measures.⁸

Determination of Effects: Yes

The requested zone change would allow for the proposed development, resulting in less permeable surface, water filtration, and groundwater recharge. Additionally, removal of existing vegetation can lead to a loss of biodiversity, decrease in biological carbon sequestration, increased air temperature, increased runoff, potential erosion, and negative impacts to water quantity and quality.

Condition: The applicant must incorporate green building concepts and sustainable community designs in the design and construction phase of the project. Incorporate the use of alternative power sources, such as solar powered street lights, water heating, and air-conditioning, and other uses of renewable power sources. Save as many high-value emerging tree species and or replicate the native forests through propagation and outplanting throughout open spaces of the property. It is recommended that the applicant coordinate with the Guam Department of Agriculture for the use of preferred native tree species.

Policy LU-9: Create development standards and practices that recognize and promote existing and desired community character of villages, while allowing for innovation and design excellence.⁹

Policy LU-12: Establish opportunities for localized services and recreation close to residential neighborhoods.¹⁰

Determination of Effects: Yes

The proposed development has the potential to advance policy LU-9 and policy LU-12 in addressing the need to promote and protect the long-term health, character and identity of the village communities, while also allowing for innovation and providing the opportunity for localized services close to residential neighborhoods.

⁸ 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: 2-5

⁹ Ibid.

¹⁰ Ibid, 2-6

Condition: Prohibit or restrict activities that would detract from the residential nature of the area, such as large scale retail, or businesses that create excessive noise, or pollution. Consider incorporating detailed plans for landscaping, including strategically placed trees, shrubs, and hedges, to create effective visual buffers between the commercial development and adjacent residential properties. Where landscaping is insufficient, implement solid fencing or other appropriate screening measures, using materials that complement the village character. Design building layouts and window placements to minimize direct views into neighboring residences. Implement a lighting plan that uses fully shielded, downward-directed light fixtures to minimize light spillage onto adjacent residential properties and into the night sky. Implement restrictions on delivery and loading/unloading times to minimize noise during early morning and late evening hours. Restrict the use of noisy machinery, and equipment to certain times of day.

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.¹¹

Determination of Effects: Yes

The requested zone change would allow for construction activities which have the potential to adversely impact air quality.

Condition: Incorporate Best Management Practices (BMPs) during construction 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.

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.¹²

Policy NS-1 "Protect the Northern Aquifer and recharge areas through appropriate land use categories and development standards, including requirements for public sewer infrastructure for all residential subdivisions, low development density for unsewered areas, on-site stormwater disposal, and limiting heavy industrial activities."¹³

Policy NS-17 "Protect groundwater recharge areas and stream conservation areas from urban and saltwater contamination using the following approaches:

- e. Use of green street design principles, which emphasize low maintenance, stormwater management, aquifer recharge, beautification, and neighborhood collaboration and pride;
- f. Limit building and parking footprints and use alternative surface paving designs to reduce thermal pollution, promote groundwater recharge, and preserve space for landscaping;
- g. Use of percolation ponds and other low maintenance systems on large-scale development sites overlying recharge areas. Require that large scale and regional stormwater management plans and designs do not result in the transfer or movement of water from immediate area recharge to

¹¹ Guam Land-Use Policies, Executive Order 78-37 (1978): 3.

¹² Ibid.

¹³ ICF International, North and Central Guam Land Use Plan, 2009, 5-2

sub-basins. There should be no new nonpoint or point source pollution discharges as part of this redevelopment.”¹⁴

Policy LU-15 “Encourage organic production and chemicals best management practices over the Northern Aquifer.”¹⁵

Determination of Effects: Yes

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

Condition: The applicant shall ensure that all proposed structures are connected to public sewer. The applicant shall comply with CNMI and Guam Stormwater Management Manual¹⁶ 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 Manual¹⁷ and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner’s Guide to Implementing LID¹⁸.

Determination

Pursuant to Executive Order 96-26, Appendix A § 700 (g), the Bureau hereby recommends approval of the 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’.


LOLA E. LEON GUERRERO
Director

¹⁴ Ibid., 5-5

¹⁵ Ibid., 2-6

¹⁶ 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>

¹⁷ 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): https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA/CRCP/project.1906/island_swm_specs_supplement_cnmi_guam_design.pdf

¹⁸ 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). https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA/CRCP/project.1906/feb2014_IslandBMPGuide_wAppendix.pdf



Louides A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Department of Agriculture Dipattamenton Agrikottura

681 Dairy Road, Mangilao, Guam 96913



Chelsa Muña
Director
Roy Ganshan
Deputy Director

To: Joseph Borja, Director
Department of Land Management

Attn: Executive Secretary
Guam Land Use Commission

From: Chelsa Muña, Director Chelsa D. Muña

Date: February 28, 2025

Subject: Position Statement for Application 2025-07, "Zone Change" from R-1 to C zone for Lot 10062-1-R7, located in Harmon Loop Road, Dededo, Guam (Palomo-Tedtaotao-Tedtaotao)



The Department of Agriculture (DOAG) has reviewed Application 2025-07, requesting for certification to rezone Lot 10062-1-R7 from Single Family Dwelling (R-1) zone to Commercial (C) zone, located along Harmon Loop Road, Dededo, Guam. The purpose to rezone is to build two (2) single story commercial buildings, 32 total vehicle parking spaces, space for trash dumpster, landscaping, and stormwater infiltration trenches.

Upon review, DOAG has no objections or concerns regarding the requested rezoning of Lot 10062-1-R7. DOAG actively monitors Endangered Species present in the Dededo area. Landowner must consult with DOAG regarding any future development plans (reconstruction, renovations, or expansions) via permits@doag.guam.gov to assess potential impacts on protected species and identify solutions to avoid or minimize impacts to these species. Species observed in the area includes:

- Yellow Bittern
- Micronesian Starling
- Mariana Fruit Bat
- Common Moorhen
- Guam Tree Snail

Landowner must consult DOAG's Biosecurity Division at biosecurity@doag.guam.gov to develop and implement a biosecurity plan for the subject lot to prevent the introduction or spread of Little Fire Ants and other invasive species.

DOAG concludes with the approval to certify the zone change for Lot 10062-1-R7 from R-1 zone to C zone for the purpose stated in the application. Should you have any questions or concerns, please contact us at permits@doag.guam.gov.

RECEIVED
By Cristina at 8:24 am, Mar 04, 2025

CL

ATTACHMENT D

DIPATTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBETNAMENTON GUĀHAN
(Government of Guam)



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

LOURDES A. LEON GUERRERO
MAGA TIAGA • GOVERNOR

JOSEPH M. BORJA
DIRECTOR

JOSHUA F. TENORIO
SIGENDO MAGA TIAGA • DEPUTY GOVERNOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

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

December 23, 2025

MEMORANDUM

TO: Chairperson, Guam Land Use Commission
FROM: Guam Chief Planner
SUBJECT: Staff Report - Application No. 2025-73, Tentative Subdivision Application

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

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

1. **PURPOSE:**

- A. **Application Summary:** The applicants, Henry M. Simpson and Carolyn S. Simpson, represented by Duenas, Camacho & Associates, Inc.; are requesting approval of a Tentative Subdivision for the proposed creation of forty-seven (47) single-family agricultural lots, on Tract 24405 (formerly Lot 401-21-R14NEW-R6), in the Municipality of Santa Rita-Sumai, in an "A" (Agricultural/Rural) zone.
- B. **Legal Authority:** Title 21, GCA, Chapter 62, Article 1, Section 62108.1, Article 2, Section 62201 thru 62204; Article 4, Section 62401; Article 5, Section 62501 thru 62504, and Public Law 28-126, Section 1(a).

2. **FACTS:**

- A. **Location:** The site is adjacent to Buena Vista Drive and situated east of the GWA Sinifa Reservoir.
- B. **Lot Area:** 333,087 Square Meters or 3,628,374 Square Feet or 83.29 Acres.
- C. **Present Zoning:** "A" (Agricultural/Rural) Zone.
- D. **Field Description:** The proposed site is presently vacant and undeveloped except for access paths created for firefighting and fire breaks.
- E. **Masterplan:** Undesignated
- F. **Community Design Plan:** Rural Residential (Community Design Plan)



G. Previous Commission Action: None

3. **APPLICATION CHRONOLOGICAL FACTS:**

A. Date Application Accepted: September 22, 2025

B. Date Heard By ARC: October 16, 2025

C. Public Hearing Results: Not Required

4. **STAFF ANALYSIS:**

As requested by the applicant, the proposed subdivision is intended to create forty-seven (47) single-family agricultural lots, each exceeding 10,000 square feet in area. The total land area to be subdivided consists of approximately 3,628,374 square feet. Based on applicable zoning standards, the subject property allows a maximum density of three hundred sixty-two (362) single-family agricultural lots. However, the proposed development includes only forty-seven (47) lots, representing an approximately eighty-seven percent (87%) reduction from the maximum allowable density. Access easements within the subdivision are proposed at a width of forty (40) feet.

The proposed subdivision as submitted follows basic requirements as provided under the subdivision law. If approved, requirements of law allow the applicant one year to complete all necessary improvements before issued acceptance of a final subdivision plan. The one-year development phase will include continued coordination with the various government entities to ensure regulatory requirements realize completion of improvements as noted.

To address the health, safety and general welfare issues of the proposed development and the public in general, the applicant has been coordinating with the various government entities to ensure that their requirements are adhered. Likewise, health, safety and general welfare of the community is logically supported by a single-family use proposal within the appropriate zoning designation. Moreover, upon review, it was determined that Tract No. 24405 had been used previously. Although, Tract 24405 was later reverted to its original lot number, a new Tract Number will be issued for this proposed subdivision to maintain accuracy and consistency within the system.

5. **RECOMMENDATION:** Based on the above, we recommend **APPROVAL** with the following conditions:

- A. That the new tract number for the proposed subdivision will be Tract 24406; and
- B. That the applicant, adhere to the ARC conditions and requirements as stipulated on their official Position Statement; and

- C. All infrastructure improvement requirements must be installed throughout the proposed development site within the prescribed one-year time frame pursuant to Title 21 GCA, Chapter 62, Section 62504(a). The applicants may further elect to secure a bond pursuant to Title 21 GCA, Chapter 62, Section 62504 (b).



Celine L. Cruz
Guam Chief Planner

Case Planner: Grace Vergara
Attachments: Application Package
ARC Memo to GLUC Member



DIPATTAMENTON MINANEHAN TANO'
(Department of Land Management)
GUBETNAMENTON GUAHAN
(Government of Guam)



Street Address
 590 S. Marine Corps Drive
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LOURDES A. LEON GUERRERO
 MAGA HAGA • GOVERNOR

JOSEPH M. BORJA
 DIRECTOR

JOSHUA F. TENORIO
 SIGUNDO MAGA LAHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
 DEPUTY DIRECTOR

Mailing Address
 P.O. Box 2950
 Hagatña, GU 96932

December 23, 2025

Memorandum

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

To: Guam Land Use Commission (GLUC) Members
From: Chairperson, Application Review Committee (ARC)
Subject: Summary of Positions Submitted by ARC
Re: Application No. 2025-73 (Tentative Subdivision)

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

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

Telephone:
 671-649-LAND (5263)

DEPARTMENT OF LAND MANAGEMENT (DLM):
 DLM recommends approval with conditions as follows:

- A. That the new tract number for the proposed subdivision will be Tract 24406; and
- B. That the applicant, adhere to the ARC conditions and requirements as stipulated on their official Position Statement; and
- C. All infrastructure improvement requirements must be installed throughout the proposed development site within the prescribed one-year time frame pursuant to Title 21 GCA, Chapter 62, Section 62504(a). The applicant may further elect to secure a bond pursuant to Title 21 GCA, Chapter 62, Section 62504 (b).

Facsimile:
 671-649-5383

BUREAU OF STATISTICS AND PLANS (BSP):

BSP recommends approval of the Tentative Subdivision application based on the aforementioned conditions on their position statement.

GUAM WATERWORKS AUTHORITY (GWA):

GWA is in favor of the approval of the application, subject to the conditions on their position statement.

GUAM POWER AUTHORITY (GPA):

GPA has no objection to the request, subject to the conditions on their position statement.



Memo to GLUC Members
Ref: ARC Position Statements - Application No. 2025-73
December 23, 2025
Page 2 of 2

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

GEPA's approval of the application is subject to the conditions stated on their position statement.

DEPARTMENT OF PARKS AND RECREATION (DPR):

DPR will have no objection to the approval of the Tentative Subdivision application.

DEPARTMENT OF AGRICULTURE (DoAg):

DoAg does not oppose to the proposed tentative subdivision, subject to the conditions on their position statement.

DEPARTMENT OF PUBLIC WORKS (DPW):

No Position Statement has been received as of the date of this Memorandum.

GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA):

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

GUAM FIRE DEPARTMENT (GFD):

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

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

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

GUAM PUBLIC SCHOOL SYSTEM (GPSS):

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

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):

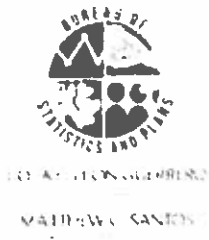
Ex-Officio, non-voting member, not required to submit Position Statement.



Celine L. Cruz
Guam Chief Planner

Attachments: ARC Position statements

CC: Executive Secretary, GLUC



BUREAU OF STATISTICS AND PLANS



EDUARDO A. LEON GUERRERO
GOVERNOR

November 7, 2025

Memorandum

To: Director, Department of Land Management
Attn: Division of Planning

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2025-73 Tentative Subdivision
Lot Number: Agricultural Subdivision of Tract 24405
Municipality: Santa Rita - Sumai
Applicant: Henry M. Simpson Jr. and Carolyn S. Simpson
Proposed Use: Agricultural Rural Subdivision



Buenas yan Háfa 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 applicants, Henry M. Simpson Jr. and Carolyn S. Simpson, are seeking approval for a Tentative Subdivision of an agricultural subdivision of Tract 24405 in the municipality of Santa Rita. The property areas are within the interior uplands of the Municipality of Santa Rita, and are situated inland of the earlier phases of the Buena Vista subdivision, and consists of a southern cluster of two lots, a western cluster of five lots, and a northern cluster of 45 lots. The subject property areas have a total area of 337,087 square meters. Future proposed actions on the property areas will include grading to create access roads and surface drainage ways, placement of underground piped drainage improvements and appurtenances, creation of an access road network of 22-foot wide paved roadways contained within 40-foot wide rights of way, water distribution and services connection system conforming to GWA requirements, electrical power

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-content/uploads/2017/01/EO-78-37-Guam-Land-Use-Policies.pdf>

BUREAU OF STATISTICS & PLANS - GOVERNMENT OF GUAM

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

www.BSP.Guam.Gov

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By Cristina at 8:56 am, Nov 12, 2025

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distribution improvements and sewage disposal facilities and communication facilities to serve the proposed single family dwelling parcels.

Planning Considerations and Constraints

A. Surrounding Zone and Land Use Characterization

The agricultural subdivision of Tract 24405 is located southwards along Bishop Baumgartner which can be accessed on Guam Highway 17 and consists of a southern cluster of two lots, a western cluster of five lots, and a northern cluster of 45 lots. The general surrounding of the subject property areas continue to undergo residential development. The subject property areas remain majorly undeveloped, and exhibit varying levels of vegetation due to the surrounding area representing an immense, open and fire-impacted savannah system.

The subject lot is located in a "Conservation"³ designated land-use area under the Guam Land Use Districts. The Guam Land Use Districts were adopted through E.O. 78-23 which mandates the establishment of generalized areas of use within an urban, rural, agricultural, conservation and resort context. "Conservation districts shall include those areas necessary for protection of watersheds and water sources, prevention of floods and soil erosion and preservation of archaeological, historic, scenic, and other natural and cultural resources; parklands, wetlands, beach and wilderness areas; areas necessary for conservation of endemic plants and animals; open-space areas which, because of their present use, natural condition or openness enhance the present or potential value of abutting or surrounding communities; areas of value for existing or future recreational purposes agricultural preserves as defined under Section 12603 of the Government Code; and other permissible uses and related activities found not to be detrimental to conservation policies and objectives."⁴

Thus, the Bureau finds that the proposed use for a tentative subdivision of the agricultural subdivision for the proposed development within the property areas is inconsistent with the Conservation designation defined in E.O 78-23.

B. Geographical Landscape Assessment Based on Watershed

The subject lot is located in the Talofofo (Agana) Watershed and above the Northern Guam Lens Aquifer. According to the National Oceanic and Atmospheric Administration's Coastal Change Analysis Program (CCAP) land cover data, the surface area of this watershed has changed by 9.44% from 2005 to 2015.⁵

Regarding development impacts, as of 2015, land cover data indicates 5.77% of the watershed was developed, and 2.04% comprised impervious surfaces.⁶ An area is at greater risk of flooding the more an area is developed and the higher the levels of impervious surfaces. Areas with impervious surface rates will likely experience negative impacts on water quality. Impervious

³ Government of Guam. 1978. Executive Order 78-23. September. E.O.-78-23-Promulgation-of-the-Rules-and-Regulations-under-.pdf (guam.gov)

⁴ Ibid. 2

⁵ 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 October 2025 at <https://coast.noaa.gov/ccapatlas/>

⁶ Ibid.

surfaces significantly reduce the water quantity and quality in a watershed. It is reported that the impervious surface degrades the watershed quality by significantly reducing the stream flow and increasing the stream temperature. They carry substantial pollutant loads downstream, causing harm to aquatic life. Severe degradation can be expected when rates reach 25%. Runoff effects include channeling and losing beach profile along untreated storm drain outfalls, sediment plumes, algae blooms, noxious odors due to poor water quality, and coral mortality.

As indicated within the application, the subject property areas remain majorly undeveloped, and exhibit varying levels of vegetation. Thus, the proposed development will increase the impervious surface of the area and contribute to the cumulative impact to the watershed.

Effects Test and Conditions

While the application for tentative subdivision is not compatible with the projected land use within the Land Use Districts Maps enforced through Executive Order 78-23, the Bureau also sees the challenges with subdivision development within the property area's observed variable topography. Technical analysis of the proposed project was conducted to determine foreseeable effects and compatibility to standards within the following Guam Land-Use Policies:

Resource Policy 1. Conservation of Natural Resources - Overall Policy: The value of Guam's natural resources as recreational areas, critical marine and wildlife habitats, the major source of drinking water, and the foundation of the island's economy, shall be protected through policies and programs affecting such resources.

Determination of Effects: Yes

Given that the subject lot is located within a "Conservation" designated land-use area under the Guam Land Use Districting Map, it is imperative that future land use and development remain consistent with the conservation intent of this designation. The applicant's stated collaboration with the Guam Department of Agriculture to implement forest stewardship efforts within portions of the property aligns with this intent, and reflects a shared commitment to sustainable land management. However, to ensure the long-term protection of these sensitive areas and the substantial public investment already made through the Forest Stewardship Program, designated conservation areas within the tract must be formally preserved and maintained.

Conservation areas play a vital role in sustaining biodiversity, protecting critical habitats, maintaining water quality, storing carbon, and supporting ecosystem resilience. They also provide social and economic value through opportunities for recreation, cultural preservation, education, and sustainable resource management—benefits already demonstrated within the neighboring Cotal Conservation Area.

Condition: The applicant shall work closely with the Forestry and Soil Resource Division within the Guam Department of Agriculture to establish and preserve designated conservation areas in perpetuity through the execution and recordation of a conservation easement with an accompanying parcel survey map, to be filed with the Guam Department of Land Management's Land Records Division. This measure will ensure that conservation commitments are legally enforceable and aligned with the objectives of the "Conservation" land-use designation and the ongoing efforts of the Forest Stewardship Program.

Policy LU-5: Promote environmental sustainability through a variety of measures. Examples of possible measures include green building design, green spaces in urban areas, green infrastructure, greenway and conservation lands networks, transit-oriented and transit-ready development, improved networks for walking and wheeling, site design to promote renewable energy use, and other measures.⁷

Determination of Effects: Yes

Recommendation: The Bureau recommends that the applicant consider incorporating green building concepts and sustainable community designs in the design and construction phase of the project or any future renovation of the property. The applicant should consider incorporating rain gardens, rainwater catchment systems, or green roofs to absorb rooftop runoff where appropriate. The applicant should, to the maximum extent practicable, preserve existing native plant species on site and incorporate measures to replicate native forest communities through propagation and out-planting. These efforts should be prioritized within designated green spaces and along green corridors of the property to enhance ecological integrity, provide habitat connectivity, and promote long-term landscape resilience. The Bureau recommends that the applicant coordinate with the Guam Department of Agriculture for the use of preferred native tree species to be incorporated into the landscaping.

Development Policy 8. Erosion and Siltation: Development shall be limited in areas of 15% or greater slope by requiring strict compliance with erosion, sedimentation, and land use district guidelines, as well as other related land-use standards for such areas.

Determination of Effects: Yes

As stated within the application that there is an anticipated impact to the surrounding watershed, strict use of appropriate stormwater management best management practices must be strictly adhered to during all development phases, in order to minimize, to the fullest extent possible, any detriments caused by erosion and sedimentation. As the surrounding topography feature of the development is highly variable and has experienced fire-impacted conditions creating exposed soils, the necessity for implementing the most appropriate stormwater best management practices is of utmost importance.

Condition: The applicant shall comply with CNMI and Guam Stormwater Management Manual⁸ 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 Manual⁹ and 2)

⁷ 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: 2-5

⁸ 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>

⁹ Center for Watershed Protection & Horsely 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):

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

Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID¹⁰.

Sustainable Community Development: Policy LU-5 works to “promote environmental sustainability through a variety of measures. Examples of possible measures include green building design, green spaces in urban areas, green infrastructure, greenway and conservation lands networks, transit-oriented and transit-ready development, improved networks for walking and wheeling, site design to promote renewable energy use, and other measures.”¹¹

Determination of Effects: Yes

The proposed project would allow for the applicant to incorporate some of the aforementioned sustainable measures into the proposed development.

Recommendation: To the maximum extent practicable, the applicant shall incorporate green building concepts and sustainable community designs in the design and construction phase of the project, incorporate the use of alternative power sources, such as solar powered street lights, water heating, and air-conditioning, and other uses of renewable power sources, and replicate the native forests through propagation and outplanting throughout open spaces of the property. Coordination with the Guam Department of Agriculture for the use of preferred native tree species is recommended.

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.¹²

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.

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.¹³

Determination of Effects: Yes

¹⁰ Center for Watershed Protection & Horsley Witten Group, Inc. Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID. Prepared for NOAA Coral Reef Conservation Program (2014). https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA/CRCP/project/1906/Feb2014_IslandBMPCGuide_wAppendix.pdf

¹¹ ICF International. North and Central Guam Land Use Plan. (2009). 2-5

¹² Guam Land-Use Policies, Executive Order 78-37 (1978): 3.

¹³ Ibid.

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

Condition The applicant shall comply with CNMI and Guam Stormwater Management Manual¹ 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 Manual² and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID³.

Determination

Pursuant to Executive Order 96-26, Appendix A § 700 (g), the Bureau hereby recommends approval of the Tentative Subdivision 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. James Pangelinan, Planner, at james.e.pangelinan@bsp.guam.gov or Mr. Edwin Reyes, Coastal Program Administrator, at edwin.reyes@bsp.guam.gov. Si Yu'os Ma'ase'.



LOLA E. LEON GUERRERO
Director

¹ Horsley 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>

² 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).

https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA-CRCP-project-1906-island-swim-specs-supplement-cnmi-guam_design.pdf

³ Center for Watershed Protection & Horsley Witten Group, Inc. Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID. Prepared for NOAA Coral Reef Conservation Program. (2014).

https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA-CRCP-project-1906-Feb2014-IslandBMPGuide_wAppendix.pdf



GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building | 688 Route 15, Mangilao, Guam 96913

P. O. Box 3010, Hagatna, Guam 96932

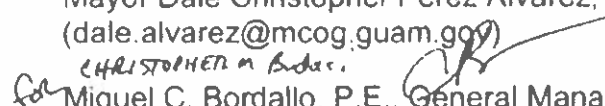
Tel No (671) 300-6846/47 Fax No (671) 648 3290

MEMORANDUM

November 4, 2025

TO: Joseph Borja, Director, Department of Land Management

CC: Mayor Dale Christopher Perez Alvarez, Municipality of Santa Rita-Sumai
(dale.alvarez@mcog.guam.gov)

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

SUBJECT: Position Statement on Tentative Subdivision Application 2025-73 for Lot Tract 24405 in the Municipality of Santa Rita-Sumai

APPLICANT: Henry Simpson and Carolyn Simpson

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a Tentative Subdivision in an (A) agricultural zone for the proposed development of 47 single family homes.

This memorandum shall serve as GWA's position statement for the Henry Simpson and Carolyn Simpson application related to the availability of water and sewer infrastructure to serve Santa Rita-Sumai 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 property shall be subject to GWA rules and regulations. Any required extension to the existing facilities to serve the subject properties shall be at the applicant's expense.

The following comments are conditions for GWA's position in favor of the approval of this application:

1. Easements for water must have a minimum width of 10 feet. Easements for both water and sewer must be a minimum width of 20 feet. Larger easement widths might be required, depending on site-specific conditions and proposed installation of other adjacent utilities.
2. 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

RECEIVED
By Cristina at 8:02 am, Nov 25, 2025

Engineer licensed in Guam. Design calculations shall include proposed water demand calculations including fire-flow and sewer production calculations adhering to GWA standards and requirements. If a development will be served by a septic tank/leaching field system, then the system must be approved by the Guam Environmental Protection Agency.

3. 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 determine if existing GWA facilities can accommodate the proposed development and if any off-site infrastructure improvements may be necessary. 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.

In addition, any submitted building permit application related to the tentative subdivision will not be approved by GWA until the Sinifa Booster Pump Station (BPS) is completely accepted by GWA as part of the public water system, to include transferring ownership of the lot it is constructed on, Lot 1-NEW-6, Block 2, Tract 24403, to GWA.

4. If off-site water and sewer infrastructure improvements are installed by the developer, they will require prior approval from GWA and must meet GWA standards. The proposed off-site water and sewer infrastructure improvements shall be constructed in the public easement or right of way, and shall be subject to inspection by GWA at the sole expense of the applicant. GWA's approval of the occupancy permit application will be contingent upon the completion of off-site utility improvements.

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.

5. Developers and subdivision owners who have installed water and/or wastewater pump stations whose sole purpose is to serve only the proposed development or subdivision, and consequently have no excess capacity to serve customers beyond the boundaries of said development or subdivision, shall be required to maintain their own pump station(s) and force main(s) in proper working condition to the satisfaction of GWA.
6. GWA does not guarantee that water service will meet Guam Fire Department's fire suppression requirements. The applicant is responsible for any on-site or off-site utility improvements needed to meet fire suppression requirements.

7. The applicant shall install GWA water meters and sewer cleanouts for government use in the public right of way or easement, in accordance with GWA standards.
8. New development is subject to water and/or sewer system development charges.
9. 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.
10. After a GWA utility service account is opened, the account holder is responsible for informing GWA of on-site 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 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.



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

December 02, 2025

MEMORANDUM

To: Chairman, Guam Land Use Commission
Executive Secretary, Guam Land Use Commission

From: General Manager

Subject: Tract 24405, Municipality of Santa Rita- Sumai (Henry M. Simpson Jr. and Carolyn Sue Simpson) Tentative Subdivision for proposed use Agricultural Rural Subdivision. Present use Vacant Land zoned "A" (Agricultural). Application No. 2025-73

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

A. Comments and Recommendations Concerning GPA requirements:

1. 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
 - GPA reserves its easement rights with perpetual use for ingress and egress established on Document No. 827817
2. 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.
3. A system impact assessment may be required to determine the effect of this development 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.

ASG/app

AV

To: Grace
 12-19-25

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
 Applicant: Henry M. Simpson Jr. and Carolyn Sue Simpson
 Location: Tract 24405 Municipality of Santa Rita - Sumai
 Type of Application: Tentative Subdivision
 GLUC GSPC Application No. **2025-73**
 Brief Project Description: Tract 24405 Tentative Subdivision for proposed use Agricultural Rural Subdivision Present use Vacant Land zoned "A" (Agricultural).

For the purposes of this Certification, GOVERNMENT SERVICES, FACILITIES, and INFRASTRUCTURE include, but are not limited to power lines poles and facilities; water lines, pumps and facilities; sewer and liquid waste disposal; storm water disposal; solid waste disposal; telephone lines and facilities; schools; health facilities; police and fire fighting service and facilities; roads; traffic and street lights; parks and recreational activities.

1. I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **AVAILABLE AND IN PLACE** to support this project.
 Yes No

2. If the answer to #1 above is YES, then I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **ADEQUATE** to support this project:
 Yes No

3. If the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE currently in place are **NOT AVAILABLE** or they are **AVAILABLE, BUT NOT ADEQUATE**, itemize the services, facilities and infrastructure that are needed, the estimated cost thereof and whether funds are currently available and identified to develop such services, facilities and infrastructure:

| Services, Facilities and Infrastructure Needed | Cost of Upgrades | Funds Available | Date Available | Funds Identified |
|--|------------------|-----------------|----------------|------------------|
| Please see comments below | | | | |
| | | | | |
| | | | | |

I hereby certify that the foregoing is true and correct to the best of my knowledge.

 JOHN M. BENAVENTE, P.E.
 General Manager

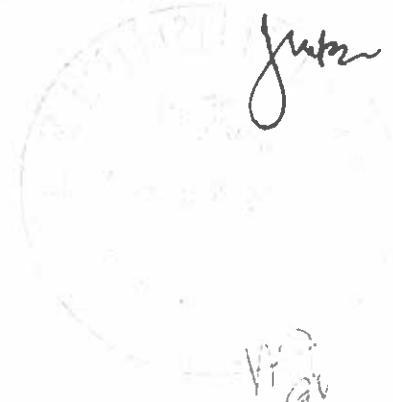
12/3/2025
 Date

Comments:
 No additional Load was submitted by the applicant. A system impact assessment may be required to determine the effect of this development on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSIAN PRUTEKSION LINA LA' GUAHAN
 LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
 MICHELLE C. R. LASTIMOZA • ADMINISTRATOR

NOV 06 2025



Dr. Anita B. Enriquez
 Chairman, Guam Land Use Commission
 c/o Department of Land Management
 590 S. Marine Corps Drive
 TTC Bldg. Ste. 733
 Tamuning, Guam 96913

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.

Hafa adai Dr. Enriquez.

Buenas yan Saluda. The staff of this Agency has reviewed the application for **proposed Tentative Subdivision** and approval of this application is subject to until such time that the following conditions are met:

A. Stormwater and Erosion Control

The package submitted included in Part 4, Concept Site Improvement Plan for the Subdivision of Tract 24405. The Concept Site Plan includes Grading and Drainage Plan and Waterline, as well as, the proposed Roadway and layout of the subdivision residential parcels. It is noted that the project location of this subdivision is very terraneous, however the Concept Site Improvement Plan provides a very comprehensive grading and layout plan, incorporating roadway, drainage system and residential access throughout subdivision.

1. The developer/contractor must design stormwater disposal system and provide both pre- and post-construction stormwater controls meeting the requirements of the 2006 CNMI and Guam Stormwater Management Manual, as implemented by Executive Order No. 2012-02. Additionally, developer/contractor must strictly adhere to all the requirements, including all necessary permits, of the Guam Soil Erosion and Sediment Control Regulations (22 GAR Chapter 10).

*7. Guaco
 (6/11)
 11/17/25*



2. An Environmental Protection Plan (EPP) must be prepared and signed by a professional engineer pursuant to 22GAR §10104 (c) (5) (D) where the focal point and integral part of the EPP is the Erosion Control Plan (ECP). The EPP must include, among others, vegetation, wildlife, fugitive dust control, solid and hazardous waste management and disposal procedures, work site maintenance and typhoon recovery plans.
3. Clearing and Grading Plans shall be prepared for the project identifying project limits: contour map of parcel and grading profile and sections views to minimize cut and fill volumes for proposed solar farm. In addition, ESC Plan for clearing/grading and construction of solar farm shall incorporate BMPs for minimal ground disturbance and soil erosion protection during construction. Stormwater Management Plan shall incorporate permanent drainage system to contain and manage runoff onsite and offsite, while meeting SWMM requirements.

B. Environmental Impact Assessment:

In Part 5, of the package submittal, a short form Environmental Impact assessment was prepared with an overall finding of no significant impacts will result from this tentative subdivision development. The following concerns from our review of this EIA are as follows:

1. Forest Conservation Stewardship Easement to be established, in which no specifics were provided in the submittal or during meeting, which will be determined later. GEPA is in full support of this Forest Stewardship endeavor with the Department of Agriculture. However, it is recommended that Stewardship conservation easement shall be addressed before construction or permits are garnered, in order to ensure proper planning and integration into subdivision development.
2. Existing fire access through project tract exists for DOAg-Forestry usage for fire prone surrounding landscape, including project location. It is recommended that planning consideration of roadway and parcel layout account for this traffic for fire emergency purposes. In addition, planning consideration is recommended for integration of firebreak on the perimeter of the subdivision, as mitigation against fire prone surrounding landscapes.
3. Drainage Easement is proposed in the center of the tract to maintain existing drainage and pattern, as well as, to integrate the roadway stormwater runoff and outlet. It is imperative that adequate engineering design around this drainage integration meets Guam Stormwater Manual requirements to ensure compliance and protection of natural drainageway from degradation.
4. Every effort should be taken to conserve/preserve critical habitat (floral and fauna) onsite, regardless of EIA short form finding of no significant impacts. Subdivision layout and installation should incorporate features for conserving critical native habitat and reduce impacts to neighboring parcels regarding access to water sources and impact to drainageways.

B. Water & Wastewater



1. The proposed subdivision will be tapping into municipal GWA water system nearby.
2. Residential waste water disposal is proposed to be handled through individual septic tank and leaching field systems. These systems will have to be designed individually and included into residential design plans and permitting for construction.

In addition to the above concerns, the applicant is reminded that any development proposed for the subject location must comply with all other, relevant environmental laws and regulations administered by the Guam Environmental Protection Agency.

Should you have any question or need additional information, please do not hesitate to contact my staff at Water Resources Management Program or Water Division Chief Engineer Mr. Peter Bautista, PE at Tel No. (671) 588-4796 or (671) 588-4702, respectively.

Dangkolu na si Yu'us ma'ase'.

Senseramente,


MICHELLE C.R. LASTIMOZA
Administrator

cc: Mr. Joseph M. Borja
Director
Department of Land Management





Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Department of Parks and Recreation
Dipattamenton Plaset yan Dibuetision
 Government of Guam

Director's Office, Parks and Recreation Divisions
 #1 Paseo de Susana, Hagåtña Guam 96910
 P O Box 2950, Hagåtña Guam 96932
 (671) 475-6288, Facsimile (671) 477-0997
 Guam Historic Resources Division
 490 Chalan Palasyo, Agaña Heights Guam 96910
 (671) 475-6294/6355, Facsimile (671) 477-2822



Angel R. Sablan
Director
Warren Pelletier
Deputy Director

October 13, 2025

In reply refer to:
 RC 2026-0004
 CR: 2010-6213

Memorandum

To: Director, Department of Land Management

From: Director, Department of Parks and Recreation

Subject: Tentative Subdivision Plan Application No. 2025-73: Applicant, Henry M. Simpson Jr. & Carolyn S. Simpson proposes a Tentative Subdivision Plan Application on Tract 24405, Buena Vista Subdivision Phase V, Santa Rita, Guam

We reviewed the subject Applicant, Henry M. Simpson Jr. & Carolyn S. Simpson proposes a Tentative Subdivision Plan Application on Tract 24405, Buena Vista Subdivision Phase V, Santa Rita, Guam. This property has an overall size of 83.29 acres.

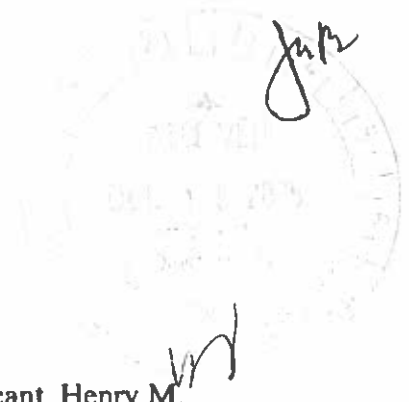
Our office has concluded our review and will have **No Objection** with the Approval of this Application. This property has been previously surveyed by an archaeologist and will not have any historic properties affected during construction. However, during construction, this project will be subject to inadvertent discoveries of historic properties. All activities must stop and contact our office as soon as possible.

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
 Director

Patrick O. Lujan
 State Historic Preservation Officer



GV

12-11-25



Department of Agriculture
Dipårtamenton Agrikottura
 163 Dairy Road, Mangilao, Guam 96913



Chelsa Muña
 Director
 Roy Gamboa
 Deputy Director

Lourdes A. Leon Guerrero
 Governor
 Joshua F. Tenorio
 Lt. Governor



Handwritten initials: CM

Digitally signed
 by Chelsa Muna
 Date: 2025.10.30
 10:57:08 -10'00'

To: Anita B. Enriquez, Chairwomen
 Guam Land Use Commission

Attn: Joseph M. Borja, Executive Secretary
 Guam Land Use Commission

From: Chelsa Muña, Director
 Chelsa Muna

Date: October 25, 2025

Subject: **Position Statement for Application H2025-73, for a Tentative Subdivision of Tract 24405, in an "A" Zone, along Buena Vista Drive, Santa Rita-Sumai.**

The Department of Agriculture (DOAG) provides the following position statement regarding Application H2025-73, submitted by Henry M. Simpson Jr. & Carolyn S. Simpson. The application proposes a tentative subdivision of Tract 24405 for the proposed Buena Vista Subdivision. The 83.29 acres property is located within an agricultural (A) zone along Buena Vista Drive, Santa Rita-Sumai, Guam.

Along with the application, a biological impact statement as well as a biological survey was submitted. The biological survey was conducted by ARC Environmental Services over a period 4 field days, between July 1-4, 2025. No listed species listed under local or federal Endangered Species Act were observed on the site.

DOAG **does not oppose the proposed tentative subdivision**; however, additional documents, including a best management practices (BMP) plan, will be required prior to development. The department remains available to discuss the proposed development in greater detail and reserves the right to withdraw or revise its position should the landowner fail to fulfil any conditions prior to the Guam Land Use Commission's final decision.

For questions or concerns, please contact permits@doag.guam.gov.

Handwritten notes: P. Enorez, 11/14/25

Director's Office: 766-7400 | Agricultural Extension Services: 766-7274 | 4109 Rte. 100
 Agricultural Wildlife Resources (AWRP): 766-7111 | Forests & Soil Protection
 Guam Nursery: 766-7077 | Bioscience Division: 766-9127 | Post-Production
 Website: doag.guam.gov

RECEIVED
 By Cristina at 11:39 am, Nov 05, 2025

ATTACHMENT E

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



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

Mailing Address:
P O Box 2950
Hagatña, GU 96932

LOURDES A. LEON GUERRERO
MAGA HAGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGAYAHU • LIEUTENANT GOVERNOR

JOSEPH M. BORJA
DIRECTOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

December 15, 2025

MEMORANDUM

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

TO: Chairman, Guam Land Use Commission

FROM: Guam Chief Planner

SUBJECT: Commission Brief – Tentative Subdivision on Tract 18208 (Formerly Lots 1087-A-1 thru 1087-A-6, and Lot 1087-B-1), Municipality of Barrigada, Application No. 2021-29B

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

1. **PURPOSE:** The applicant, Perez Properties, Inc., pursuant to Section 5 of Executive Order 96-26, is requesting for a second extension of time of an approved Tentative Subdivision on Tract 18208 (formerly Lots 1087-A-1 thru 1087-A-6, and Lot 1087-B-1), in the Municipality of Barrigada.
2. **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, Section 5 of Executive Order 96-26.
3. **APPLICATION SUMMARY:**
As conditionally approved by the Commission on November 14, 2024, the subject application is for a Tentative Subdivision to create 16 single-family residential lots with full infrastructure improvements. The proposed residential lots range in size from 553 to 769 square meters.

In addition to the residential lots, the subdivision includes:

- A 649 square meter lot designated for a ponding basin,
- A 332 square meter lot reserved for a green area/park,
- A 2,152 square meter public access and utility right-of-way, measuring 40 feet in width, and
- An additional 40-foot-wide right-of-way with a total area of 2,502 square meters.



This subdivision is designed to support residential development while incorporating essential infrastructure and community amenities such as stormwater management and recreational space.

As noted in the applicant's request package, and with supporting reasons provided, the request is for an Extension of Time pursuant to Section 5 of Executive Order 96-26, which states, "the applicant must apply for and receive a building or grading permit for the approved project within one (1) year of the date of recordation of the Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire; provided, however, that the Commission may grant two (1) one-year extensions of the above approval period". The applicant is seeking to extend the approval period in accordance with the provisions outlined in the Executive Order.

The applicant has been actively working with the relevant permitting agencies over the past several years to address regulatory requirements and secure approvals necessary for the construction of subdivision infrastructure. As indicated in the submitted permit application, the applicant is currently awaiting signatures from the Guam Environmental Protection Agency (GEPA), Guam Waterworks Authority (GWA), Guam Power Authority (GPA), and the Department of Agriculture (DoAg). These endorsements are required to proceed with the issuance of the construction permit.

3. RECOMMENDATION:

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

1. That Applicant continues compliance to the Conditions as specified on the Notice of Action, dated October 27, 2023, filed under Document Number 992767.


Celine L. Cruz

ATTACHMENT F
DIPĀTTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBETNAMENTON GUĀHAN
(Government of Guam)



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

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

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

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

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

December 30, 2025

MEMORANDUM

TO: Chairperson, Guam Land Use Commission

FROM: Celine Cruz, Chief Planner

SUBJECT: Commission Brief: Request for Consideration of Reinstatement of Conditional Use Permit for Temporary Workforce Housing Facility (TWHF) – Lot 10184-R17 (Application No. 2009-56)

The applicant respectfully requests the Commission's consideration for reinstatement of an expired Conditional Use Permit. The basis for this request includes:

- Administrative Oversight: The lapse was not intentional but occurred due to internal staffing transitions.
- Historical Compliance: The applicant has consistently complied with all conditions of the original permit during its validity.
- Continued Need: The facility remains essential for supporting workforce housing requirements.

Background:

Core Tech International Corporation previously held a Conditional Use Permit (CUP) for the operation of a Temporary Workforce Housing Facility (TWHF) on Lot 10184-R17 under Application No. 2009-56. The permit expired due to an administrative oversight during a transition of staff within the applicant's organization.

The applicant has demonstrated good faith and adherence to regulatory requirements throughout the permit's active period. No violations or adverse impacts have been reported during the operation of the TWHF, and reinstatement would allow continuity of operations without requiring a full reapplication process, considering the circumstances.

Recommendation:

Planning Staff recommends that the Commission **consider reinstating the Conditional Use Permit for the Temporary Workforce Housing Facility on Lot 10184-R17 under Application No. 2009-56**, subject to conditions noted in Notices of action for application 2009-56 and any additional conditions the Commission deems appropriate.



CELINE L. CRUZ
Guam Chief Planner

Attachment: Request letter and supporting information



W.B. Flores & Associates

P.O. Box 27747 Barrigada, Guam 96921
Office (671) 646-1714 Fax (671) 646-1715

December 9, 2025

Anita B. Enriquez
Chairperson
Guam Land Use Commission
Department of Land Management
Tamuning, Guam 96921



Subject: Request for Renewal of Conditional Use Permit for a Temporary Workforce Housing Facility (TWHF) on Lot 10184-R17 in the Municipality of Dededo, Guam

Hafa Adai Madam Chair:

On behalf of Core Tech International Corporation (CTIC), we hereby submit this request for consideration for renewal of the permit for the currently operating Temporary Workforce Housing Facility (TWHF) on Lot 10184-R17, Dededo, Guam.

The original Conditional Use Permit was approved on October 30, 2009, and has since been renewed with the latest being issued April 11, 2024. The annual permit renewal application should have been submitted prior to that date, however the owner's key staff handling these matters transferred out of the operating company without applying for the renewal or ensuring that the arrangements had been made for these renewals to be processed.

Last month DLM planning staff confirmed the permit had expired. At that point we notified the developer/site operator (CTIC) that the renewal date had passed, and they immediately requested that we once again represent them in the process of the permit renewal as we have in years previous to 2025.

We believe this request merits consideration for this on-going use. It is not a renewal request for a non-existent or non-compliant facility. Originally intended to house 18,000 temporary workers, the 2024 permit renewal approved the reduction of the approved occupancy to 5,000 temporary workers. It has for years, and currently continues to operate in an efficient, safe, clean and hygienic manner with appropriate security and amenities. Water, power and electrical demand loads remain within projections.

We are preparing the appropriate documentation for the renewals including the representation authorization, current layout (no change from 2024), relevant documentation including standing rules and regulations (no change from 2024) and application with other relevant informational attachments.

We thank you for your consideration in this matter.

Sincerely,

Lina S. Rojas
Authorized Representative
W.B. Flores and Associates

Attachments: Notices of Action (NOA's)

WBA
COM
12-19-25

798649

11 to 359

(Space above for Recordation)

Pursuant to Section 5 of Executive Order 96-26, the applicant must apply for and receive a building or grading permit for the approved GLUC/GSPC project.

This requirement shall not apply for application for Zone Change.

GUAM LAND USE COMMISSION

Department of Land Management
Government of Guam
P.O. Box 2950
Hagåtña, Guam 96932

ORIGINAL

NOTICE OF ACTION

October 30, 2009

Date

To: Kil Koo Yoon / Younex Enterprises, LLC
c/o David B. Tydingco
P.O. Box 12007
Tamuning, Guam 96931

Application No. 2009-56

The Guam Land Use Commission, at its meeting on October 29, 2009.

___/ Approved ___/ Disapproved

XX/ Approved with Conditions ___/ Tabled

Your request on Lot Nos. 10184 & 5039, Municipalities of Tamuning & Dededo for a:

___/ Zone Change*** ___/ Subdivision Variance

___/ Zone Variance ___/ Tentative Subdivision

- [] Height [] Use
[] Density [] Other
[] Setback

XX/ Conditional Use ___/ Final Subdivision

___/ Wetland Permit ___/ Re-Subdivision

___/ Determination of Policy Definition ___/ Subdivision Definition

___/ Seashore Clearance ___/ Miscellaneous

***Approval by the Guam Land Use Commission of a Zone change DOES NOT CONSTITUTE FINAL APPROVAL but rather a recommendation to the Governor for his approval. Notification be sent upon action taken by the Governor. (Reference 21 GCA (Real Property), Chapter 61(Zoning Law), Section 61634 (Decision by the Commission).)

NOTICE OF ACTION

Application No. 2009-56

Kil Koo Yoon / Younex Enterprises, LLC

Lot Nos. 10184 & 5039

Municipalities of Tamuning & Dededo

GLUC Meeting of October 29, 2009

Page 2 of 7

APPLICATION DESCRIPTION: The applicant, Kil Koo Yoon / Younex Enterprises, LLC represented by Mr. David B. Tydingco is requesting approval of their request for a proposed Housing Facilities for Temporary Workers in a fully contained community to include design parameters for sleeping, toilet and shower facilities, laundry services, food services, security including fire emergency response capability, recreational facilities, medical facilities, transportation services and temporary material storage and processing yard.

CONDITIONS: The Guam Land Use Commission Approved Application No. 2009-56 subject to the following conditions:

- 1 That the applicant, adhere to the ARC conditions;
- 2 That the application is subject to the final approval of the Zoning Map by the Governor and Legislature;
- 3 That Condition No. 3 of the Bureau of Statistics and Plans' Position Statement not be included as a condition.

DEPARTMENT OF LAND MANAGEMENT (DLM):

- 1 That the applicant, adhere to the ARC conditions and requirements as stipulated in the Agency's official Position Statement; and
- 2 That no permits, to include clearing/grading, shall be issued until the applicant meets the historic and cultural requirements of the Department of Parks and Recreation's Historic Division; and
- 3 That no permits, to include clearing/grading, shall be issued until the applicant meets the environmental requirements of the Guam Environmental Protection Agency; and

(Note: Exception to Nos. 2 & 3 above in reference to Permits, is that the exception would be the issuance of Permits for exploratory or bore-testing or survey property corner relocations and/or establishment)

- 4 That prior to issuance of an Occupancy Permit, the Applicant coordinates with Department of Public Works to address all applicable traffic issues affecting the development in order to avoid or minimize a negative impact to the community; and
- 5 That this initial approval shall be for Twenty-Four (24) Months and thereafter shall be renewed annually (Per Paragraph 5 of GLUC Resolution 2009-01); and
- 6 That Applicant, shall adhere to all other provisions of GLUC Resolution 2009-01, paragraph 5 B thru F; and
- 7 That the applicant shall be required to present before the Commission, a status report every six months from date of recordation of the Notice of Action; and
- 8 That Applicant consider some form of "Community" enhancement and improvement program with both the Mayors of Tamuning and Dededo; and
- 9 That there shall be no changes to the approved Conditional Use Permit unless subjected before the ARC review and GLUC approval.

BUREAU OF STATISTICS AND PLANS (BSP):

- 1 The applicant be required to work with Department of Public Works' (DPW) Traffic Division to ensure that access to and from the proposed workforce housing site is sufficient and acceptable to prevent traffic and/or safety hazards.
- 2 The applicant be required to work with the Guam Fire Department to ensure that access to and from the subject property as well as access around the development are adequate and acceptable for the proposed emergency vehicles, that will be housed on site, in the event of an emergency and to comply with all fire code regulations.

3. *Condition not included per Commission action.*
4. Written assurances are submitted stating that the conduct or behavior of the H-2 workers will not be disruptive to the island and its people. The workers should be briefed on Guam's culture and customs as well as be informed about best management practices on Guam's natural resources and the environment.
5. The workers' facility should adhere to DPW's solid waste disposal requirements or if they decide to contract out, to the requirements of the private solid waste company. The location of the trash bins/containers should be situated where it will not hinder the public right-of-way.
6. The protection from invasive species is crucial in preserving Guam's native plant and animal species; thus, avoiding the use of invasive plants is encouraged. The applicant is encouraged to work with the Department of Agriculture's Division of Forestry and Soil resources to using native plants to avoid invasive species outbreaks.
The applicant is required to provide improved paved and widened access to the property as well as turn-off lanes adjacent to the property to accommodate the proposed quantity of buses that will be used to alleviate the traffic in the surrounding area of the development. Furthermore, the proposed access road to the target jobsite (military housing and barracks and other associated facilities) northeast of the proposed workforce housing area which was identified by the applicant should be established before any occupancy permit is issued by DPW. (Please see attached map).
8. The proposed structures should conform to the Uniform Building Code for structural integrity as prescribed by DPW.
9. No future changes to the proposal be allowed, unless GLUC approval of those specific changes is first obtained.

GUAM POWER AUTHORITY (GPA):

1. Coordinate overhead/underground power requirements with GPA Engineering for new structures;
2. Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code;
3. Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements;
4. Developer/Owner shall provide necessary electric utility easements to GPA prior to final connection;
5. Provide scheduling and magnitude of project power demand requirements for new loads;
6. All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials;
7. 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;
8. Due to the large power demand of the proposed project a "fair share" assessment for power generation, transmission and/or substation facilities may be required.

DEPARTMENT OF PARKS AND RECREATION (DPR):

1. Younex Enterprises LLC shall conduct a full historic properties research and identification in the area of undertaking (Lot Nos. 10184 and 5039, Dededo), which shall include but not limited to, a full archaeological survey of the land area and determination whether the undertaking will take into account the preservation and protection of identified historic properties.
2. Younex Enterprises LLC will also include the identification of historic sites and cultural resources on the Guam Historic Properties Inventory form.

GUAM WATERWORKS AUTHORITY (GWA):

This conditional approval does not constitute a notice that water and wastewater services is immediately available at the subject lot nor that the system is capable of providing fire protection for the proposed project without provision of additional onsite measures.

Any extension of the water and wastewater system and/or capacity upgrades required to serve the property shall be subject to the rules and regulations of GWA. Any required extension to the existing facilities to the project shall be at the expense of the developer. Capacity upgrades of existing systems required to serve the project shall also be at the expense of the developer barring the creation of a formal developer agreement establishing other conditions.

GENERAL:

1. Plans and specifications must be submitted for review and approval of GWA prior to construction. Submittals shall include water and sewer design calculations and complete drawings and specifications (submittals will not be accepted without written specifications). GWA recommends that project consultants coordinate development of utility plans with GWA Engineering Department well in advance of building permit submittal (conceptual and 60% development stages). Failure to do so may delay issuance of the building permit. Final submittal shall include electronic and paper copies of plans (electronic copy for utilities only).
2. Design calculations shall include water demand calculations, including peak hour and peak day demands; wastewater flow calculations; a fixture count summary for evaluation and determination of appropriate meter size; fire flow requirements/calculations; and an evaluation of system capacity to provide required flows.
3. Drawings shall delineate the water and wastewater service point of connections and provide specific connection details. Drawings indicating that the point of connection and/or details is "to be determined by others" shall not be accepted.
4. Water service lines details shall indicate the proposed meter size. Normally, a separate fire flow connection will be required for fire service. If a single water meter is intended to satisfy both domestic and fire flow requirements, it will be the responsibility of the design engineer to illustrate that the meter size required to meet fire flow requirements can also register efficiently under average daily demand flows. Approval of the single meter shall then be at the discretion of GWA. Please note that any future system development charges will be based on the meter size installed even if the size is determined based on fire flow requirements.
5. Sewer calculations shall be in accordance with the "Recommendations for Wastewater Facilities" often referred as the "Ten State Standards". Peaking factors shall be determined based upon Figure 1 of those Standards.
6. Contractors and/or owner shall provide GWA with a minimum one-year warranty on all utility work prior to GWA acceptance.

Project Specific:

1. GWA has held discussions with the developer regarding the land use and potential expansion of the Northern District Wastewater Treatment Plant. GWA appreciates the developers willingness to work with Guam Environmental Protection Agency in this area and finds that with the impending military buildup this project is an appropriate solution for workforce housing issues from a sewage collection perspective.
2. Adequate water service is not available at the site. The necessary improvements will include upgrades to the water and sewer lines, construction of a water storage reservoir, support transmission line and develop additional water wells to meet the demand. In addition, the developer must convey to GWA property ownership (title) the existing deepwell facility H-1, located south of the project site. Furthermore, all utility easements and right-of-ways must also be legally granted or transferred to GWA.
3. In order for GWA to accept water and/or wastewater infrastructure, the developer shall provide GWA with unfettered easement for all utilities corridors throughout the development. Applicant shall include the provisions of providing GWA field forces with 24/7 access for maintenance and operational purposes. It should be noted that a main wastewater interceptor to the NDWWTP passes directly through the proposed site, and current conceptual drawings appear to place buildings directly over this line. Clearly that would not be acceptable.

1. Exterior grease traps (interceptors) shall be installed and maintained for all proposed food service facilities (and other fats, oils and grease generators). Grease trap plans shall be submitted to GWA and GEPA for review and approval. Submittal shall be in accordance with the GWA specification for grease interceptor sizing. GWA shall require a terminal manhole be installed at the point of connection for cleaning and inspection purposes.

Other:

The applicant is hereby on notice that water and wastewater system development charges may be applicable at the time of building permit issuance. This GWA Position Statement shall remain valid for 365 calendar days from the date of this response. Unless specifically limited, approvals of the conditional use application shall be for an initial term of twenty four (24) months and thereafter shall be renewed annually.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

Guam EPA has objections to this Conditional Use Application and would like the applicant to consider what is noted below.

1. Environmental Impact Assessment:

The Agency is requiring Younex to provide an EIA regarding this Project. Based on review of this EIA, because of the magnitude of this development, it maybe determined that an Environmental Impact Statement shall be prepared and submitted to Guam Environmental Protection Agency.

In review of the application Younex mentions that as a component of their short and long term plans to develop the properties for military and civilian use, the company will allocate approximately 42,000 SM (10 acres) of property that will be set aside and Lot No. 10184-7 has been identified as having potential for the expansion, subject to negotiations with GWA. After reviewing the site plan and seeing that the workforce housing is being built right next to the existing Northern Wastewater Treatment Plant with no buffer zone, we request consideration that the potential 10 acres for expansion be reserved around the existing NWTP.

The Agency questions the 750 radius map reflecting the existing uses of properties surrounding the subject lots. Have the zones reflected been approved?

2. Infrastructure:

Water Supply: The Agency has utmost concerns that this proposed development will have the potential to affect the water supply services to Hotels in Tumon and customers located in higher elevations. The Agency will meet with GWA to discuss the drinking water issues for a large development like this. The developer must coordinate with GWA with regards to connection to the transmission line servicing this area.

Wastewater: The Agency requires that the proposed development shall be connected to Guam Public Sewer System and not utilize a septic tank and leaching field waste water system, as is reflected in the application. Coordination is needed with GWA regarding this connection.

3. Clearing and Grading/Erosion Control:

The Agency shall require that the provisions of the Guam Soil Erosion and Sediment Control Regulations be adhered to regarding earth moving activities which create accelerated erosion or danger of accelerated erosion and which require planning and implementation of effective soil conservation measures. Best management practices shall be applied to all clearing, grubbing, grading, embankment or filling, excavating stockpiling or other earth-moving operations which require permitting. Utilization of silt curtains, check dams, chutes, flumes, dissipation and diversion techniques shall be practiced, as appropriate to, mitigate erosion. Consultant shall be required to obtain a Clearing and Grading Permit and submit an Environmental Protection Plan to Guam EPA with supporting Erosion Control Plan prior to clearing and grading.

4. Storm Water Management:

The Agency requires that all stormwater shall be disposed/handled properly within the property not allowing the stormwater to overflow into the public roads and adjacent property. A detailed stormwater drainage calculation, stormwater drainage plan and management for pollution prevention measures shall be provided prior to permitting.

5. Air Pollution:

Item 7 (c) The production of air contaminants (temporary or permanent). Your reply was no. We have concerns that during the construction/development of building and parking lots that air contaminants shall be addressed.

Guam EPA requires that no person shall cause or permit visible fugitive dust to become airborne without taking reasonable precautions. Examples of reasonable precautions are:

- (1) Use of water or suitable chemicals for control of fugitive dust in the demolition of existing buildings or structures, construction and retrofitting operations, the grading of roads, or the clearing of land;
- (2) Application of asphalt, water, or suitable chemicals on roads, material stockpiles, and other surfaces which may allow release of fugitive dust;
- (3) Installation of appurtenances that provide an enclosure and ventilation for all crushing, aggregate screening, and conveying of material likely to become airborne;
- (4) Covering all moving, open-bodied trucks transporting materials which may release fugitive dust;
- (5) Maintenance and sealing of road-ways and parking lots so as to prevent the exposure of such surfaces to wind, water, or vehicular travel erosion; and
- (6) Prompt removal of earth or other materials from paved streets which have been transported there by trucking, earth-moving equipment, erosion, or other means;
- (7) Except for persons who can demonstrate to the Administrator that the best practical operation or treatment is being implemented, no person shall cause or permit the discharge of visible fugitive dust beyond the property lot line on which the fugitive dust originates.

6. Power Generators:

Your site plans reflect seven (7) generators to be installed and utilized through out the compound. The agency requires that all generators 60KW and above be permitted. Close coordination between Younex and Guam Environmental Protection Agency, Air Programs is strongly recommended.

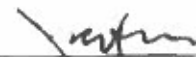
7. Solid Waste/Green Waste:

Please be advised that any green waste generated by clearing of this development shall not be transported to the Ordot Dump. We recommend that green waste be mulched and used on site. We recommend that all white goods found on site be transported to designated drop-off points. The Agency strongly recommends that Reuse, Reduce and Recycle programs be practiced by all utilizing these facilities.

 11-13-09

Carlos R. Untalan
Guam Chief Planner

Date

 11-18-09

Jay L. Lather
Chairman, GLUC

Date

Island of Guam, Government of Guam
Department of Land Management Office of the Recorder

870659

File for Record is Instrument No. 870659

On the Year 14 Month 10 Day 17 Time 11:42

Recording Fee _____ DE-OFFICIN _____ Receipt No. _____

Deputy Recorder Jam Yamasaki

(Space above for Recordation)

IMPORTANT NOTICE - READ CAREFULLY

"Pursuant to Section 5 of Executive Order 96-26, the applicant must apply for and receive 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. This requirement shall not apply for application for Zone Change*."**

GUAM LAND USE COMMISSION

Department of Land Management
Government of Guam
P.O. Box 2950
Hagåtña, Guam 96932

ORIGINAL

NOTICE OF ACTION

October 2, 2014

Date

To: **Kil Koo Yoon / Younex Enterprises Corp.**
c/o Eddy J. Reyes
P.O. Box 12007
Tamuning, Guam 96931

Application No. 2009-56E

The Guam Land Use Commission, at its meeting on September 25, 2014.

XX/ **Approved with conditions** ___ / **Disapproved** ___ / **Accepted with condition.**

Your request on Lot Nos. 10184 & 5039, Municipalities of Tamuning and Dededo :

870659

Application No. 2009-56E

NOTICE OF ACTION
Kil Koo Yoon/Younex Enterprises Corp.
Lot Nos. 10184 & 5039
Municipalities of Tamuning and Dededo
GLUC Meeting of September 25, 2014
Page 2 of 4

ZONING

- / Zone Change***
- / **Conditional Use (Amendment of NOA)**
- / Zone Variance
- Height Use
- Density Other (Specify)
- Setback

SUBDIVISION

- / Tentative
- / Final
- / Extension of Time
- / PL 28-126, SECTION 1(A)

NOTE ON ZONE CHANGE

***Approval by the Guam Land Use Commission of a **ZONE CHANGE DOES NOT CONSTITUTE FINAL APPROVAL** but rather a recommendation to the Governor for his approval. Applicant shall be notified upon action taken by the Governor. [Reference 21 GCA (Real Property), Chapter 61(Zoning Law), Section 61634 (Decision by the Commission).]

SEASHORE

- / Wetland Permit
- / Seashore Clearance

HORIZONTAL PROPERTY REGIME

- / Preliminary
- / Final
- / Supplementary (Specify)

MISCELLANEOUS

- / Determination of Policy and/or Definitions
- / Other

NOTICE OF ACTION

**Kil Koo Yoon/Younex Enterprises Corp.
 Lot Nos. 10184 & 5039
 Municipalities of Tamuning and Dededo
 GLUC Meeting of September 25, 2014
 Page 3 of 4**

DESCRIPTION of REQUEST: The applicant, Younex Enterprises Corp., represented by Mr. Eddy J. Reyes request to consider amendment of a previously approved Conditional Use Permit for its Temporary Workforce Housing Facility (Ukudo Village) on Lots 10184 and 5039, Municipalities of Tamuning and Dededo.

COMMISSION DECISION: The Guam Land Use Commission approved the request to amend the original Notice of Action issued for Application 2009-56, amendment is as follows:

Incremental occupancy up to the original 18,000 with milestones set as;

- 1) 500
- 2) 1,700
- 3) Up to 18,000

Provided, that all requirements and conditions set forth by the ARC agencies and any other agencies under 10GCA Chapter 26(a) be fulfilled to that stated Occupancy Law. Furthermore, that the applicant, provide status report updates anytime the applicant reaches any of the abovementioned milestones. Additionally, that the applicant reports the first date of occupancy to the Chief Planner; and, that the effective date of renewal of the Notice of Action be date of approval, and that the NOA be renewed not more than annually thereafter pursuant to Section 61309(c).



**Marvin G. Aguilar
 Guam Chief Planner**

10 8 2014

Date



**Lawrence S. Rivera
 Chairman**

10-8-14

Date

Guam Land Use Commission