


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

File for Record is Instrument Number 1018442

on the Year 20 26 Month 04 Day 23 Time 8:00am

Recording Fee DE-OFFICIO Receipt No. DE-OFFICIO

Deputy Recorder: 
Lillian I. Nauta

Above Space for Recorder's Use only

COPY

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, March 26, 2026
1:36 p.m. to 2:37 p.m.

GUAM LAND USE COMMISSION MEETING
Department of Land Management, 3rd Floor ITC Building, Tamuning
DLM Conference Room
Thursday, March 26, 2026 • 1:36 p.m. to 2:37 p.m.

MEMBERS PRESENT:

Dr. Anita B. Enriquez, Chairperson

Mr. Ronald C. Pangilinan, Vice Chairman

Ms. Leilani Flores, Commissioner

Mr. Joseph Rios, Commissioner

[Excused: Mr. Gerald Yingling, Commissioner]

PLANNING STAFF PRESENT:

Mr. Joseph M. Borja, Executive Secretary/Director

Ms. Rosanna D.S.M. Tiston, Deputy Director

Ms. Celine L. Cruz, Chief Planner

Ms. Sonny Gogue, Planner III

Mr. Kyle Meno, T. Network Coordinator

Ms. Cristina Gutierrez, Recording Secretary

[Excused: Atty. Lee Miller, Legal Counsel]

**GUAM LAND USE COMMISSION
GUAM SEASHORE PROTECTION COMMISSION
Attendance Sheet**

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

Date of Meeting: Thursday, March 26, 2026

Time of Meeting: GLUC: 1:45pm GSPC:

<input checked="" type="checkbox"/>	GLUC	<input type="checkbox"/>	GSPC
<input checked="" type="checkbox"/>	Regular	<input type="checkbox"/>	Regular
<input type="checkbox"/>	Special	<input type="checkbox"/>	Special
<input checked="" type="checkbox"/>	Quorum	<input type="checkbox"/>	Quorum
<input type="checkbox"/>	No-Quorum	<input type="checkbox"/>	No-Quorum

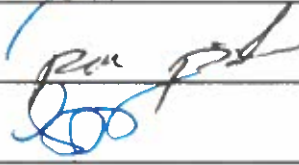
COMMISSION MEMBERS

SIGNATURE

Chairwoman Anita B. Enriquez




Vice Chairman Ronald C. Pangilinan



Commissioner Leilani R. Flores



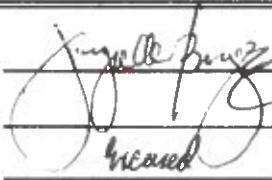
Commissioner Gerald P. Yingling



Commissioner Joseph A. Rios

STAFF

Joseph M. Borja, Executive Secretary



Rossana San Miguel Tiston, Deputy Director



Lee Miller, Assistant Attorney General



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 P.D Meno, T. Network Coordinator

M. Cristina Gutierrez, Recording Secretary

Lorna Macaranas, Admin Assistant

ADJOURNMENT GLUC: 2:45pm GSPC:



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, March 26, 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 – March 19, 2026 & March 24, 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 – Thursday, February 26, 2026

III. Old or Unfinished Business [None]

IV. New Business

Zone Change

- A. Application No. 2025-29, the Applicant, Core Tech Development, LLC, represented by TG Engineers, PC, requests a Zone Change from a split zone of "R2/ M1" (Multiple Dwelling/ Light Industrial) zone to a full "M1" (Light Industrial) zone for the proposed installation and operation of a photovoltaic solar and battery system energy storage facility, on Lot 10184-6 in the Municipality of Dededo.
Case Planner: Frank Taitano/Celine Cruz

V. Administrative & Miscellaneous Matters

Status Report

- B. Application No. 2014-04A-4, the Applicant, Hafa Adai Investments, Inc., represented by Daniel D. Swavely, submits its thirteenth (13th) annual status report for Sigua Highlands.
Case Planner: Frank Taitano/Celine Cruz
- C. Application No. 2026-14, the Applicant, ADEX Aerospace Guam LLC, represented by Daniel D. Swavely, requests to cancel the Notice of Action and its conditions, recorded under Document No. 1016603 for a technical amendment to the Leo Palace Resort Master Plan, on a portion of Lot 177-4-1-NEW, Tract 2511, in the Municipality of Yona.
Case Planner: Celine Cruz

VI. Adjournment

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES
Thursday, March 26, 2026 • 1:36 p.m. to 2:37 p.m.
Department of Land Management Conference Room
3rd Floor, ITC Bldg., Tamuning, Guam 96913
[As advertised in the Guam Daily Post on March 19, 2026 and March 24, 2026]
Livestreamed on YouTube at the Guam Department of Land Management Channel

I. Notice of Attendance/Roll Call

Chairperson Enriquez called to order the regular meeting of the Guam Land Use Commission for Thursday, March 26, 2026 at 1:36 p.m.

Present were: Chairperson Anita Enriquez, Vice Chairman Ronald Pangilinan, Commissioner Leilani Flores, Commissioner Joseph Rios, Executive Secretary Joseph Borja, Deputy Director Rossana Tiston, Chief Planner Celine Cruz, Planning Staff Sonny Gogue, Kyle Meno, and Recording Secretary Cristina Gutierrez

[Excused: Commissioner Gerald Yingling and Legal Counsel Lee Miller]

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

II. Approval of Minutes

Chairperson Enriquez before the Commission today, is the approval of the GLUC Minutes from Thursday, March 26, 2026. Members were provided with a draft in advance. Madam Chair asked for a motion for action.

Commissioner Flores made a motion to approve the GLUC Minutes of Thursday, March 26, 2026.

Vice Chairman Pangilinan seconds the motion.

Chairperson Enriquez accepted the motion made by Commissioner Flores and seconded by Vice Chairman Pangilinan. There were no omissions or edits noted. Madam Chair put the motion to a vote, with all members in favor of approval. **[Motion carried with a vote of 4 ayes, 0 nays]**

III. Old or Unfinished Business [None]

IV. New Business

Zone Change

- A. Application No. 2025-29, the Applicant, Core Tech Development, LLC represented by TG Engineers, PC, is requesting a Zone Change from a split zone of "R2/M1" (Multiple Dwelling/Light Industrial) zone to a full "M1" (Light Industrial) zone for the proposed installation and operation of a photovoltaic solar and battery energy storage facility, on Lot 10184-6, in the Municipality of Dededo. Case Planner: Frank Taitano/Celine Cruz

Chairperson Enriquez disclosed for the record that, concerning this application, Madam Chair recognized there is ongoing litigation concerning ownership. She further disclosed that the primary attorney for one of the parties is her daughter. Madam Chair noted a potential perceived conflict of interest and requested to be recused from this application.

Vice Chairman Pangilinan made a motion to accept Chairperson Enriquez's request to be recused.

Commissioner Rios seconds the motion.

Vice Chairman Pangilinan the motion was put to a vote with all members in favor (3 ayes and 0 nays).

[Chairperson Enriquez is recused from the review/approval of Application No. 2025-29, and exits the room.]

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

Marvin Aguilar Mr. Aguilar is a Senior Planner with TG Engineers and is before the Commission to present a request for a rezone of Lot 10184-6, in the area of Ukudu, Dededo. The property is currently split-zoned R2/M1, and they wish to rezone to a full M1, on Lot 10184-6 in Dededo.

Mr. Aguilar presented the following PowerPoint presentation.

Slide 1 – the purpose of the rezone request is to allow for the installation and operation of a photovoltaic and battery energy storage facility and to accommodate a multi-parcel program for the solar platform. Further, it will meet the requirements of P.L. 35-46, which states that the island of Guam will be 100% dependent on alternative energy by 2045.

Slide 2 – image of the property's location. Mr. Aguilar pointed out the landmarks surrounding the subject lot, that includes the wastewater treatment plant, Core Tech's International industrial facility, Core Tech's barracks facility, and a mega warehouse for the storage of equipment and materials.

Slide 3 – image of the subdivision map, and explained that this is a bona fide piece of property.

Slide 4 – image of the Dos Amantes Master Plan. The property is a split-zone. Mr. Aguilar explained that the portion in red is zoned "R2".

Slide 5 – the zone change supports the compatibility with the surrounding zone designation. The subject lot containing the “R2” designation is essentially surrounded by light and heavy industrial activities. The parcel is approximately 58.7 acres within the subject lot. The “M1” portion of the subject lot wraps around the north, south, and east boundaries of the northern wastewater treatment facility.

Slide 6 – image of the overall site plan showing the various zoning designations of M1 and M2 zones. The yellow line in the image is the limit of the request for a rezone to M1.

Slide 7 – should the application be approved, Mr. Aguilar stated that they will have available, a little under 460,000 square meters or 113 (give or take) acres of land that can be utilized for the photovoltaic footprint. Land uses that will remain are the CTI barracks, yard, and the super warehouse and adjacent open storage area.

Slide 8 – Mr. Aguilar continued with the explanation and justification of public necessity, convenience, and public welfare. Core Tech is partaking in the objectives to meet the requirements of P.L. 35-46. There will be no dependency on water, power, or wastewater infrastructure. If it remains an “R2” zone, 2,764 apartment units can be constructed, which will be a heavy load on infrastructure as opposed to using the parcel for a solar facility.

This essentially promotes and enhances quality of life by reducing dependency on fossil fuel, promotes environmental stewardship, and the land use is long-term, but flexible.

This concluded Mr. Aguilar’s presentation, and he was prepared to answer questions from the Commission.

Vice Chairman Pangilinan turned the floor over to the Commissioners for questions for the applicant.

Commissioner Rios remarked that he appreciated Mr. Aguilar’s comments about the minimal impact on the infrastructure, where photovoltaic facilities are not dependent on infrastructure, and changing “R2” to rezone it for solar energy panels; solar farms are considered a temporary use, and changing the zone is not as flexible as changing it back to “R2” for residential homes.

Commissioner Rios further commented that when the Commission is looking at the parcel’s rezoning, they also want to consider the future value, and that if, in the future, photovoltaic facilities are no longer necessary, the process of re-zoning it back is not as easy. And this is something the Commission will consider.

Marvin Aguilar responded that what needs to be examined are the parameters associated with the different land uses applicable within an “M1.” Mr. Aguilar clarified that they can go back to an “R2” or “R1” program, as it is allowed in an “M1” zone.

Acting Chairman Pangilinan there were no additional comments or questions noted from the Commissioners. Acting Chair turned the floor over to Chief Planner Cruz for their staff report.

Celine Cruz, Chief Planner read a summarized staff report dated March 18, 2026. Chief Planner Cruz reported that the applicant, Core Tech Development LLC is requesting a zone change from a split R2/M1 to a full M1 zone for the proposed installation and operation of photovoltaic panels or a PV solar and battery system energy storage. The subject lot is located along Two Lovers Point Road, approximately 1.5 miles inland from Route 1.

Lot area is 58.7 acres. The subject lot is vacant and overgrown with trees and vegetation, and the topography is generally flat. Neighbor land uses include the northern wastewater treatment facility and Ukudu's Workforce Village and concrete batch plant. The master plan has this area designated residential and industrial, and under the community design plan, this area is not designated.

Chief Planner Cruz continued with the application chronology, public hearing results, discussion, and staff analysis to address public necessity, public convenience, and general welfare factors. Staff further notes that the action before the Commission is strictly limited to a zoning determination. The decision to change the zoning does not affect any pending litigation involving the property.

Chief Planner stated that, based on the findings and analysis presented and subject to the resolution of GWA's identified concerns, Planning Staff recommends the Commission's favorable consideration of the request, and recommends approval subject to conditions as outlined in the official ARC position statements. [For full content/context, please see attached report]

Before Chief Planner Cruz concluded her report, she noted for the record that there are representatives from the Guam Waterworks Agency present today. She informed the Commission that the applicant has already partially complied with some of the conditions stated in GWA's official position statement. GWA, in signing off on permits for Core Tech Development, has been currently negotiating with the applicant to resolve some of the concerns that they expressed during the municipal public hearing. [This concluded Ms. Cruz's staff report]

[Attachment A – Staff Report dated March 18, 2026]

Acting Chairman Pangilinan noted that there were no questions from the Commissioners and opened the floor for public comment.

Public Comment [None]

Acting Chairman Pangilinan noted that there was no public comment and closed the public comment period. There were no additional comments or questions from the Commissioners. Acting Chair Pangilinan was ready to entertain a motion for action.

Commissioner Flores made a motion to approve Application No. 2025-29, subject to the applicant adhering to the conditions as outlined in the March 18, 2026 staff report.

Commissioner Rios seconds the motion.

Acting Chairman Pangilinan there was no discussion on the motion. Acting Chair put the motion to a vote to approve Application 2025-29, with all members in favor of approval. **[Motion carried; 3 ayes, 1 recused, and 0 nays]**

Commissioner Rios acknowledged that this was out of order, but wanted to comment for the record. Commissioner Rios commented that in the staff report, the staff did not recommend incorporating conditions requiring verification of ownership, updated survey documentation, and protection of all existing utility easements. It was further clarified that the role as Commissioners for the Guam Land Use Commission was strictly limited to zoning determination, and he further stated that it was appropriate for the staff to make those recommendations and to clarify the role of the Commission, and wanted to ensure that the Commission is looking at the applicant owning the property in their consideration in approving the zone change.

Acting Chairman Pangilinan thanked Commissioner Rios for his comments. Acting Chair asked for a brief recess at 2:05 p.m.

[Chairperson Enriquez returned to the meeting]

Chairperson Enriquez reconvened the meeting at 2:10 p.m. The next item on the agenda –

V. **Administrative and Miscellaneous Matters**

Status Report

- B. **Application No. 2024-04A-4**, the Applicant, Hafa Adai Investments, Inc., represented by Daniel D. Swavely, submits its thirteenth annual status report for Sigua Highlands.
Case Planner: Frank Taitano/Celine Cruz

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

Dan Swavely is representing Stephen Tebo, who is the owner of Hafa Adai Investments and the 1,300 acres at Sigua Highlands.

Mr. Swavely presented that this is their thirteenth annual report to the Commission, and briefed the Commission on two previous approvals by this Commission. The first was the selling of a 2-1/2 acre remnant in the Pulantat parcel to an adjacent landowner to be used for farming. And more recently, the Commission approved the temporary lease to the Guam Motorcross Association for a motorcross raceway since being displaced from the Guam Raceway Association, and named it the Tebo Raceway Park.

They are still on the advisory committee for the Habitat Conservation Plan, and there are a lot of areas that they feel could work into that plan and execute it, and they continue to work closely with them.

Lastly, the perennial off-roading issue; they continue to have dozens and dozens of off-roaders, mostly on weekends, trespassing on the parcels. They have been unsuccessful in organizing in

a manner that they can authorize the off-roading. Mr. Swavely continues to work with them in hopes that in the next year, he can report something more positive in this respect.

Mr. Swavely stated that it is his understanding that the Commission has not addressed the September 2025 Navy proposal to construct 2,400 housing units outside the fence. This is a relevant land use client issue, and Mr. Swavely does not understand how it could proceed without some Commission involvement, and to date, there has been no outreach from the Navy to the Commission stating that the military wants to build 2400 units, half by June 2028 and the other half by June 2032. It is a very aggressive schedule. When you think about military housing on base, it is easy, there is an impenetrable perimeter fence, armed guards, and under the complete control of the Base Commander.

Mr. Swavely has one possible solution that happens to tie in to the Sigua Highlands proposal, and that is, if, number one, the Military will not purchase existing housing, number two, meaning they have to develop new housing, and number three, they have short circuit timelines, and they clearly need to find a property that is already zoned and ready to go. Such a property exists at Sigua Highlands.

The property was gifted to Texas A&M by a former surveyor/engineer on Guam, Dwight E. Look, in exchange for naming the Texas A&M School of Engineering after him, and it happened with a gift value of fifty million dollars. Texas A&M did not do anything with the property for years, and about fourteen or so years ago, they decided to transfer the land asset to a financial asset for their trust fund.

Mr. Swavely was hired by Texas A&M to rezone the property and provided a master plan. The property is 1,300 acres, but rezoned about 900 acres, in three villages. It was rezoned to a Planned Development District and approved for 5,000 housing units, condominiums, commercial area, government institutional areas, schools, senior citizen housing, and open space. It was then put on the market, and Stephen Tebo purchased the property.

They have kept the same master plan in effect with the change when they sold 2-1/2 acres, and added the temporary motorcross raceway, but other than that, all five parcels remain exactly as they were approved. If military housing is encouraged outside the fence, Sigua Highlands may be a good place for it. The parcel is vacant, and anything coming in would not be disruptive to the existing conditions, and number two, it would be subject to the same conditions that this Commission set on the original master plan. This could be a possible answer to where this military housing would be placed.

The five parcels have been pledged to three different contractors on Guam. The first parcel goes to Blue Water Reality, two parcels will go to Pacific Rim Constructors, and two parcels will go to Pacific Unlimited.

To close, Mr. Swavely remarked that they are invested in this military housing, and it does not make sense to put it in the middle of Barrigada or Tamuning, etc. It is not disruptive at Sigua. It is already approved, begin designing and building. This is the update on Sigua Highlands, and it is so much different than the last twelve years, and there is a possibility of something happening there.

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

Commissioner Rios thanked Mr. Swavely for his presentation and remarked that he was familiar with the Sigua Highlands and followed the news, and back in 2010, Mr. Swavely was interviewed, where it was mentioned that there was infrastructure except for wastewater. Commissioner Rios asked if this was still the case or if there had been any new development.

Dan Swavely replied that there is water and power, but no wastewater. Mr. Swavely recalled that with the Leo Palace Resort, they developed their own wastewater treatment plant for their facility, and it has since been turned over to GWA. Sigua does not have anything along Leo Palace Drive. They would have to, by gravity, move the wastewater to a certain point and pump it up at least to Dero Road, likely to the Route 4 intersection.

Commissioner Rios remarked that another purpose of the property, alongside the military housing, could be some sort of assisted senior living community, and this could be considered.

Dan Swavely replied that it is and it was (sic). Sigua has a parcel predesignated and approved for senior citizens' housing. It is unclear who is responsible for building the housing, and it is clear that if someone wants to build a facility like this, there is land for that.

Chairperson Enriquez there were no further questions from the Commissioners. Madam Chair turned the floor over to the staff for their report.

Celine Cruz, Chief Planner read the Commission Brief dated March 19, 2026. The report outlines federal housing procurement activities, potential development across the five GLUC-approved parcels, ongoing environmental initiatives, and property management updates. [For full content/context, see attached report]

[Attachment B – Commission Brief dated March 19, 2026]

Chief Planner Cruz stated that the five parcels were named the Sigua Town Center, Batea, Longfit, Pulantat, and Sigua Heights. She added that, as a condition for adopting the master plan for Sigua Highlands, the development of the assisted living facility should take priority, making it the first parcel to be developed among the five.

Chairperson Enriquez turned the floor over to the Commissioners for questions or comments for Chief Planner Cruz. [No comments noted from the Commissioners] Madam Chair noted that there was no action needed for the status report and thanked Mr. Swavely for the update.

Next item on the agenda –

- C. Application No. 2026-14, the Applicant, ADEX Aerospace Guam LLC, represented by Daniel D. Swavely, requests to cancel the Notice of Action and its conditions, recorded under Document No. 1016603 for a technical amendment to the Leo Palace Resort's Master Plan, on a portion of lot 177-4-1-NEW, Tract 2511, in the Municipality of Yona.
Case Planner: Celine Cruz

Chairperson Enriquez asked Mr. Swavely to restate his name for the record and to proceed with his presentation.

Dan Swavely (accompanied by his colleague Kyle Borja) representing ADEX. Mr. Swavely stated that this is new to him and has never before had to cancel a project. He has had several projects that were approved and never built, but he never canceled a project. This is a disappointment for all involved.

Mr. Swavely reported that the circumstances were that there was a short fuse for this project, and they tried to fit it into the existing infrastructure at Leo Palace because this was just a mobile tracking facility that is would be on a 40-foot trailer and goes up to 28-feet and it tracks the first few minutes of a communication's rocket launch from South Korea for twenty minutes, twice a year. There was no need for water, power, or wastewater, but there is a need for communications. And they were hoping that the communications in place at the Leo Palace would be sufficient, and they were informed by the South Korean Space Center (ADEX's client) that it was neither reliable nor fast enough, and they did not accept it.

Chairperson Enriquez thanked Mr. Swavely for the information and turned the floor over to the Commissioners for questions. [None noted, turned the floor over to Chief Planner for staff's report]

Celine Cruz, Chief Planner read the Commission Brief dated March 26, 2026. Chief Planner Cruz reported that the Commission, at its January 22, 2026 meeting, approved a technical amendment to the Leo Palace Resort Master Plan for the proposed establishment of an ADEX facility at the Leo Palace Resort site. The applicant is requesting that the Notice of Action and all its conditions associated with the approval be formally withdrawn. [For full content/context, see attached Brief]

[Attachment C – Commission Brief dated March 20, 2026]

Chief Planner Cruz stated that Planning staff recommends that GLUC accept the applicant's written request to cancel the NOA for the ADEX facility at the Leo Palace Resort, on a portion of Lot 177-14-1NEW, in Yona. This cancellation will be in the form of a new Notice of Action to formally rescind the previous NOA.

Chairperson Enriquez there were no questions from the Commissioners for Chief Planner Cruz. Madam Chair was ready to entertain a motion for action on Application No. 2026-14.

Vice Chairman Pangilinan made a motion to approve Application No. 2026-14, for ADEX Aerospace LLC's request to cancel their approved Notice of Action and its conditions.

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; 4 ayes and 0 nays]**
Madam Chair turned the floor over to Executive Secretary Borja for any additional business or announcements.

Joseph Borja, Executive Secretary there is additional business that will be presented by Chief Planner Cruz to include the accessory dwelling units, Bill 240 regarding temporary workforce housing, and a proposed resolution relative to P.L. 38-103.

Celine Cruz, Chief Planner members were provided a draft of a resolution that was prepared by Planning to address Public Law 38-103 that allows for temporary workforce housing as a permitted use in an "M1" zone. The Commission has approved approximately thirty applications over the years for temporary workforce housing. At this point, all the active workforce housing facilities are in an M1 zone, and this law affects all of these applications. The resolution is to acknowledge the public law on how it shifted from being previously approved with a conditional use with conditions imposed by the Commission, to a permitted use.

Planning had to address the existing conditions on the land for the approved TWHFs, and the most effective way to accomplish this was through a resolution, approved by the Commission, which basically states that the conditions of approval are no longer enforceable by the Commission and relieves the future property owners of any conditions on the property.

Chairperson Enriquez asked if there was any action that was required of the Commission.

Celine Cruz asked the Commissioners to review the draft resolution and the public law, and if there are any inclusions for the draft resolution that the Commission would like to see, edits, omissions, or considerations to be included, to forward their comments to Planning staff so that it could be placed on the April 9, 2026 agenda.

Chairperson Enriquez there were no objections noted from the Commissioners to include this on the April 9th meeting, and asked that Legal Counsel provide input before the April 9th meeting.

Celine Cruz, Chief Planner stated that sometime last year, a law was passed to allow accessory dwelling units in an A, R1, and R2 zone. There are certain parameters, and based on the law, Planning has prepared a standard SOP and a form for someone who would like to apply for this particular type of construction or conversion of any type of non-conforming uses on a property to an accessory dwelling unit. This is not an application that will go before the Commission for approval, and will only be reviewed/approved by the Planning Division.

Ms. Cruz reported to the Commission that the application that was removed from the GLUC meeting agenda of February 26 for Evergreen will be placed on the next agenda. It will only be one application; the applicant has withdrawn its request for a Zone Change, and the Commission will only be entertaining the Zone Variance application.

There was no further business for the Commission, Madam Chair asked for a motion to adjourn.

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

Commissioner Flores seconds the motion.

Madam Chair accepted the motion made by Commissioner Rios and seconded by Commissioner Flores, and adjourned the meeting at 2:36 p.m.

The regular meeting of the Guam Land Use Commission for Thursday, March 26, 2026 was adjourned at 2:36 p.m.

Approved by:

Date approved:



Anita B. Enriquez, Chairperson
Guam Land Use Commission



Transcribed by:



M. Cristina Gutierrez, Recording Secretary
Planning Division, DLM

ATTACHMENT A

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

March 18, 2026

Memorandum

To: Chairperson, Guam Land Use Commission
From: Guam Chief Planner
SUBJECT: **Application No. 2025-29, Zone Change**

1. PURPOSE

- A. Application Summary:** The applicant, Core Tech Development, LLC, represented by TG Engineers, PC, is requesting a Zone Change from "R2" (Multiple Dwelling) and M1 (Light industrial) Zone to a full "M1" Zone, for the proposed installation and operation of Photovoltaic Panels for a PV Solar and Battery System Energy Storage (BSS) on Lot 10184-6, in the 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 subject lot is located along Two Lovers Point Road, approximately 1.5 miles inland from Route 1 (Marine Corps Drive).
- B. Lot Area:** Lot area subject to zone change: 58.7 acres or 237,650 square meters.
- C. Present Zoning:** "R2" (Multiple Dwelling) and M1 (Light Industrial) Zone.
- D. Field Description:** The subject lot is vacant and overgrown with trees and vegetation, and the topography is generally flat.
- E. Surrounding Land Uses:** Neighboring land uses include the Northern Wastewater Treatment Facility and Core Tech's Ukudu Workforce Village and Concrete Batch Plant.
- F. Master Plan:** Residential and Industrial (North and Central Guam Land Use Plan).

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

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

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

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

Telephone
671-649-LAND (5263)

Facsimile
671-649-5383



- G. **Community Design Plan:** Federal Lands – Not Designated
- H. **Previous Commission Action:** February 28, 2009 Adoption of the "Dos Amantes" Official Zoning Map. Also, this lot was one of several lots covered under Core Tech's Ukudu Workforce Village Master Plan which has evolved over the years.

3. APPLICATION CHRONOLOGY

- A. **Date Application Accepted:** April 17, 2025
- B. **Date of ARC Review:** May 1, 2025
- C. **Date of Public Hearing:** September 18, 2025

A public hearing was held at the Dededo Senior Center on September 18, 2025. In attendance were the applicant's representative; the Mayor of Dededo, Mr. Peter Benavente; a member of the Dededo Municipal Planning Council; Department of Land Management Planning staff; Guam Waterworks Authority (GWA) staff; and two concerned citizens.

Mr. Marvin Aguilar of TG Engineers, representing Core Tech Development, LLC, presented the request for the proposed zone change and provided an overview of the project details and anticipated zoning impacts. GWA staff submitted testimony for the record objecting to the proposed zone change, citing disputed property ownership and related concerns. (see Public Hearing Results as attachment)

4. DISCUSSION and STAFF ANALYSIS:

A zone change must address Public Necessity, Public Convenience, and General Welfare criteria. In response, the applicant provides the following discussion:

PUBLIC NECESSITY, CONVENIENCE and GENERAL WELFARE FACTORS

Pursuant to Title 21GCA, Chapter 61, §61630, the Commission must assess a change of zone request wherein public necessity, convenience, and general welfare will justify such action. We submit justification in support of a change from a split "M1" and "R2" (Multi-Family Dwelling) zone to a full "M1" (Light-Industrial) zone for Lot 10184-6. The applicant presents the following:

The end state of this request is to align the property with Public Law 33-198, which scripted GPA's renewable portfolio standards and required 25% of the island's total power consumption capacity to be dependent on alternative energy sources by the year 2035. Public Law 35-46 amended the standards and increased GPA's renewable portfolio for reliance and dependency on alternative energy sources for the island to 100% by the year 2045. The Law serves as a response to anticipated increases and fluctuation of costs associated with operating fossil-fuel-dependent power generators. In foresight, Guam Power

Continuation of Memorandum

RE: Staff Report – Zone Change - Application No. 2025-29

Page 3 of 5

Authority (GPA) has directed its attention to alternative energy production to reduce such dependency and pass projected savings to GPA customers and end-users.

This request for a change of zone for the subject lot is strictly intended to support the installation and use of photovoltaic panels and distributed inverters (See Section 9b and Appendix C).

With Lot 10184-6 dedicated to support panels and inverters, the demand on water will be negligible, where the need for water reserved for periodic maintenance cleaning of panels and inverters. Likewise, the zone change for Lot 10184-6 will have no impact on wastewater infrastructure.

Free-standing photovoltaic panels and related infrastructure may be considered temporary and easily removed to accommodate other low-impacting land uses. This in turn is a positive attribute of the development scheme as it offers a level of flexibility on land development in the event a need arises to remove the solar farm. The act of changing the zone of the subject parcel aligns not only with the GPA's initiatives, but also with the Guam Energy Office's mandate and mission "to promote energy conservation and energy efficiency, promote deployment of renewable energy technologies, and provide energy saving solutions to reduce fossil fuel dependency leading to a sustainable energy future for the island."

The request for a change of zone further aligns with the Guam Strategic Energy Plan with respect to balancing sound economics with ecological integrity, the request is consistent with key principles of the Plan, which is to:

- ❖ Enhance the general quality of life through energy strategies that will benefit Guam.
- ❖ Promote ecologically friendly propositions that create a healthy environment.
- ❖ Promote environmental stewardship through energy conservation and energy efficient practice.
- ❖ Support opportunities for local economic vitality.
- ❖ Emphasize alternative power sources; and,
- ❖ Support options that will reduce market volatility, stabilize rates, and increase reliability.

This request aligns with the government of Guam initiatives to promote an environmental-friendly approach to reduce and replace dependency on fossil fuel and operational cost of running fossil fuel generators.

The end state of the request will allow the property owner to engage in constructing and operating a solar farm that in turn will be an expression of both direct and indirect benefits for the people of Guam far into the 21st century.

ANALYSIS: The following is our analysis of the requested change of zone for Lot 10184-6 from a split R2/M1 designation to a full M1 (Light Industrial) designation. The stated purpose is to support the installation and operation of photovoltaic panels and distributed inverters as part of CTD's larger renewable energy development awarded by the Guam Power Authority (GPA). The Commission has recently reviewed and approved several adjacent and nearby parcels under the same development initiative.

The applicant demonstrates strong consistency with Guam's renewable energy mandates under Public Law 33-198 and Public Law 35-46, which require GPA to transition to 100% renewable energy

Continuation of Memorandum

RE: Staff Report – Zone Change - Application No. 2025-29

Page 4 of 5

by 2045. The proposed use directly supports GPA's contracted renewable energy production and contributes to island wide energy resilience, reduced fossil-fuel dependency, and long-term rate stability. These outcomes align with the general welfare component of §61630.

Lot 10184-6 is part of a broader, phased development plan involving multiple parcels previously reviewed and approved by the Commission for similar zoning actions. These approvals were granted to support CTD's awarded contract with GPA. The subject parcel is functionally and operationally integrated into this larger system, and its rezoning is necessary to maintain continuity and efficiency of the overall renewable energy project. This context strengthens the argument for public necessity.

The proposed solar use is low-intensity and will not impose significant demands on public infrastructure. Water use is limited to periodic cleaning, and no wastewater generation is anticipated. Traffic impacts are minimal once construction is complete. These factors support the finding that the request does not adversely affect public convenience.

The existing split R2/M1 zoning is a legacy condition originating from the interim Dos Amantes Planning Area Plan and GLUC Resolution No. 2008-01. The applicant seeks to unify the parcel under a single zoning designation. Staff finds that eliminating split-zone inconsistencies generally improves regulatory clarity and supports coherent site planning.

The adjacent and extended parcels are zoned M1 and M2 and the Northern Wastewater Treatment Facility lies immediately east of the R2 portion. These conditions indicate that the area functions as an industrial and utility-oriented district. Retaining an R2 designation in this context is inconsistent with surrounding uses and incompatible with adjacent heavy utility infrastructure.

The Commission has already approved multiple parcels in the immediate area for M1 zoning to support CTD's renewable energy project. Rezoning Lot 10184-6 to M1 maintains a contiguous and consistent zoning pattern, avoids fragmentation, and supports the operational layout of the solar facility.

Based on the analysis above, staff finds that the proposed zone change advances Guam's statutory renewable energy goals, supports an already-approved, island-wide public benefit project, and eliminates an outdated and incompatible split-zone condition. Further, the requested zone change aligns with surrounding industrial and utility land uses and does not impose adverse impacts on public infrastructure.

Staff concludes that the request satisfies the criteria under 21 GCA §61630 and supports a finding of public necessity, convenience, and general welfare, subject to the recommended conditions below. The Application Review Committee provided mixed comments regarding the requested zone change; however, each agency identified conditions of approval should the Commission elect to grant the request. These conditions collectively ensure that the project remains consistent with the mandates and protective responsibilities of the respective reviewing agencies. The Dededo Municipal Planning Council has expressed its support for the proposal, as documented in Resolution No. 2026-01. Staff also notes that the Guam Waterworks Authority (GWA) submitted an objection during the municipal public hearing. GWA's concerns include:

1. Disputed property ownership affecting portions of the subject lot;
2. Discrepancies in survey maps and boundary delineations requiring resolution; and

Continuation of Memorandum

RE: Staff Report – Zone Change - Application No. 2025-29

Page 5 of 5

3. The need to protect existing GWA infrastructure and easements, including ensuring continued access and maintenance rights.

These issues fall within GWA's statutory responsibilities and must be addressed by the applicant prior to any land-disturbing activities. Staff recommends that the Commission incorporate conditions requiring verification of ownership, updated survey documentation, and protection of all existing utility easements.

Staff further notes that the action before the Commission is strictly limited to a zoning determination. The decision to change the zoning designation does not affect, prejudice, or interfere with any pending litigation involving the property, nor does it confer advantage to any party to such litigation. The Commission's review is confined solely to sound land-use considerations within its statutory authority.

Based on the findings and analysis presented, and subject to the resolution of GWA's identified concerns, the Department of Land Management Planning Staff recommends that the Guam Land Use Commission favorably consider 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: 2025-29 Public Hearing Results
Guam Waterworks Authority Testimony for Application 2025-29
Dededo MPC Resolution No. 2026-02
Summary of Position Statements
Project site photo

Public Hearing Minutes

Zone Change Application Number 2025-29

Core Tech Development, LLC

September 18, 2025, 6:00PM

Frank Taitano: The hearing is for a zone change application. The application number is 2025-29. And the applicant is Core Tech Development, LLC who is requesting a zone change from split zone of R2 multiple dwelling zone and M1 light industrial zone, rezoning to a full M1 light industrial zone for a proposed solar farm on lot 10184-6 here in the municipality of Dededo. The representative on behalf of the applicant is TG Engineers. We have Mr. Marvin Aguilar who is going to go over the proposed project. And when he's finished, we'll go ahead and open up for questions

Marvin Aguilar: I'm with T.G. Engineers and we've been asked to work on this request for a rezone in property that was a split zone by the Guam Land Use Commission back in 2006 or 2007 when ancestral lands were returned and owners or their heirs were allowed to choose their zoning. The property is split zone at this time, M1 and R2. And we're requesting to bring it to a full M1 light industrial.

At this time the purpose of this request is to allow for the installation and operation of a more expanded PVDES, which is a battery energy storage system that complements a series of photo-opaque panels.

This approach right now, or this intent, is to address Public Law 35-46, along with other companies that are involved in the solar power industry. They're trying to address it. This has been worked with the Guam Power Authority with respect to obtaining their power purchase agreement.

Public Law 35-46 basically states that by 2045, that's in about 20 years, or actually 19 years, we're going to be reliant on alternative power sources. What that means is our reliance on fossil fuel energy or energy produced by fossil fuels or oils that we bring in, our dependency is going to be reduced and we're going to be relying on more cleaner and more viable energy sources.

That in itself will mean savings on the rate payer. Today, Mr. John Benavente spoke of using alternative energy and kind of focused on with energy, PV solar energy, focusing on that and he was saying that if we were to go 100%, at least what I picked up, we would be dropping kilowatt needs from 25 cents to about 15 cents. So that's a pretty good savings by 2037. By the time we get up to 2045, we could see that savings drop by half.

In relation to dollar bills, I pay between \$400 to \$500 a month on our bill because my wife likes to run the air con 24/7. That has the potential theoretically to drop to about \$200 a month. This property is located directly across the wastewater treatment facility. I call it Wastewater Treatment Facility 2. These blue buildings here is their temporary workforce housing facility.

I'll show you about later in the next few slides, kind of is within this corridor road. It actually comes down here and wraps itself around this wastewater treatment facility. So it's quite large. It's pretty big. But the split zone occurs between this printing press building that was abandoned by the military and it goes from here to about somewhere where this three-way road occurs. I'll show you a map right now. This is the actual subdivision map. You can see that this is the wastewater treatment facility, this boundary, and this lot is all the way down. These two lots that were rezoned earlier, it comes down, wraps itself around the wastewater treatment. Here's a photo of the estimated base on the master plan that was used to that was used right here located in red with R2 and all these areas that's hatched and the remaining green one. Again, I draw your attention to the fact that the wastewater treatment facility is kind of wrapped in.

The zone change supports compatibility with the surrounding designations. So the subject contains R2 designation is essentially surrounded by light and heavy industrial activities. When I talk about heavy industrial activities, the new wastewater treatment plant is actually rezoned to PF, public facility, but it is a public sewer facility.

Concerned citizen: Is the wastewater treatment facility new?

Marvin Aguilar: There is the old and the new one. This is the old system that we're all familiar with and this is the upgrade. They're both in operation so they complement each other.

Well, we know that that's the facility that was just activated about a year and a half, two years ago. Oh. This is the one that we are both growing on. And this in itself has been updated. As I noted earlier, the M1 portion of the subject lot 10184-6, it wraps around the north, south, and east boundary of the north wastewater treatment facility.

At this time right now, the dynamics, the design of the PV setup for this entire program, it kind of shifts here and then as of last month. This was the design that we're going to utilize on the one lot here. We're going to utilize this lot right here that wasn't part of it at the time. We're utilizing this portions down here and of course right up here.

So this green, blue-green lines going across, or blue lines going across, they represent what we call PV arrays, photovoltaic arrays. Their arrays consist of between 10 to 15 and upwards of 25 panels per one set.

Well they're all connected like Christmas tree lights. So having the easement, the access for connectivity is very important. So in this case it doesn't show that we're actually including this but I think it looks like plants are going to include a portion right here just to maximize land space to increase the PV absorption. At this time we're looking at four different lots.

At this time, by rezoning this property for that particular use, there will be no dependency on water, power, or wastewater infrastructure. It's a property that's been previously cleared by the military with some minor earthwork needed to support the placement and operations of these PV panels.

And essentially it promotes and enhances the quality of life through reducing the dependency on fossil fuel, promote environmental stewardness. So we're attempting to obtain power and energy through a clean source. We're not burning oils, we're not using winds where you have a 300 foot, you know, a series of 300 foot towers, flag poles up there with windmills on them.

So it's one of the best bets in terms of the type of alternative power, the alternative energy source that's available. That being said, I'll open this discussion to questions. Go ahead and we can have a focal point. Hey Marvin, I got a question. Yes, John. Obviously the one that's blue, top right corner, that genre is what you're talking about.

Concerned Citizen: You get the panels in place. What's the transport from there to wherever it goes as far as the garage?

Marvin Aguilar: The whole idea is to be able to take all this power, follow the public easement and they're going to work it all the way up to the power plant.

Concerned Citizen: So they're sending that power to the power plant?

Marvin Aguilar: Yes

Concerned Citizen: So being that it's going to change from M1/R2 to M1, would that have any effect on our property as far as when we plan to decide or build in the future like residential homes and stuff like that?

Marvin Aguilar: It should not.

Bobbi Cruz and Jacob Miller with GWA: We would just like to give our testimony on behalf of Guam Waterworks. As the adjacent landowner, the Guam Waterworks, GWA, cannot endorse or support Core Tech's zone change application for the reasons stated. Number one, disputed property ownership.

Number two, discrepancies in survey maps and boundaries. And number three, protection of existing GWA infrastructure and easements. (See attached GWA Testimony).

Frank Taitano: I just want to make sure that, you know, any reference to the legal issues that GWA raised, you know, boundaries and all that, we can't discuss that. And I don't think GWA is willing to discuss that too because none of us in here are lawyers. But the present Assistant AG stated in his memo to the Department, it is not our position to determine the status of an application.

DLM is bound by our administrative mandate to process these applications to the Commission. Now all of this information to include GWA's position on this matter will be included in the packets for the Commission. The main part here is we can't discuss anything in reference to the ongoing legal process right now.

Okay, if there's no other questions or comments, thank you everyone for coming. It's now 6:38 and I would like to adjourn this public meeting.

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

September 18, 2025

Chairperson, GLUC or Executive Secretary, GLUC
c/o Department of Land Management
Land Planning Division
P.O. Box 2950
Hagatna, Guam 96932



Subject: Guam Waterworks Authority Testimony on **Application No. 2025-29** by Applicant, Core Tech Development, LLC for zone change from a split zone of "R2/M1" (Multiple Dwelling/Light Industrial) to full "M-1" (Light Industrial) for Lot 10184-6 in the Municipality of Dededo.

Hafa Adai GLUC,

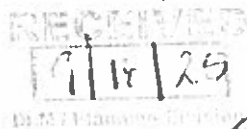
As the adjacent landowner, the Guam Waterworks Authority (GWA) cannot endorse, or support Core Tech's zone change application for the reasons stated below:

- 1. Disputed Property Ownership:** GWA does not acknowledge or accept the property ownership documentation as submitted. Lot 10184-6, listed as being owned by Core Tech, is the subject of an active lawsuit in the Guam Superior Court in CV1198-18 *Government of Guam, Michael J. Borja, in his official capacity as Director of Land Management and Guam Waterworks Authority v. Core Tech International Corporation and Younex Enterprises Corporation*.

This case, filed and initiated by the Government of Guam, Department of Land Management, challenges the validity of certificates of title that were erroneously issued and concern the lots included in Core Tech's Application No. 2025-29. As a co-plaintiff in the suit, GWA has also petitioned the Superior Court to quiet title in a portion of Lot 10184-6 and in Lot 10184-7.

- 2. Discrepancies in Survey Maps and Boundaries:** GWA disputes the metes and bounds described in the survey maps submitted for Lot 10184-7 which Core Tech claims to own. These boundaries, as presented, do not align with government of Guam and GWA land records. Attached for GLUC's records as **Attachment A** is Instrument No. 312262, which is a general-purpose lease executed between the United States and the government of Guam for the initial construction, installation, maintenance, operation, repair and replacement of a Wastewater Treatment Plant.

Attachment A attaches a map as *Exhibit A* that specifically identifies Parcels 3 & 4 on an Austin, Smith & Associates, Inc. drawing and specifically identifies said parcels' boundaries in bearings, distance and coordinates. The map at *Exhibit A* is for Lots 10193 and 10194 (formerly Parcels 3 and 4) and includes Lots 10184-7 and a portion of Lot



TC: Paul
9-25-25

08

10184-6 where a portion GWA's Northern District Wastewater Treatment Plant sits today. A 2017 land registration survey map of Lot 10193 and Lot 10194, included as **Attachment B**, re-drawn to show these precise boundaries in Lots 10184-6 and Lot 10184-7 is also attached.

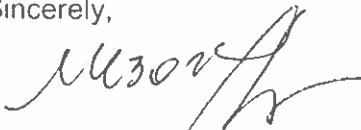
To the extent that all other maps (radius maps, location maps, etc.) reflect the erroneous boundaries, GWA disputes the validity of such maps for the purposes of the subject application. Consequently, any other maps derived from or based on Core Tech's survey maps, including radius maps and location maps, should be considered invalid for the purposes of this application until the ongoing litigation before the Superior Court of Guam mentioned under Item no. 1 above is fully adjudicated.

- 3. Protection of Existing GWA Infrastructure and Easements.** The subject lots also contain active sewer and water infrastructure, including a 42-inch sewer main within an existing sewer line easement and a 16-inch water main without a reserved easement. Core Tech must ensure that GWA's access to all existing utility lines are maintained, that no construction impedes current or future access, and that appropriate utility easements are established as required. All coordination related to infrastructure impacts, modifications, or utility relocations must be done in coordination with GWA and must be at the developer's expense.

For the foregoing reasons, and chiefly for the reasons stated regarding the dispute of Core Tech's ownership, GWA cannot consent to or support Core Tech's application while the matter regarding the disputed property ownership remains unresolved before the Guam Superior Court.

I can be reached at (671) 300-6846 or at mcbordallo@guamwaterworks.org for any questions or clarification, or you may contact Bobbie Cruz, GWA Right of Way Supervisor at (671) 300-6071 or at bobbiec@guamwaterworks.org for more information.

Sincerely,



MIGUEL C. BORDALLO, P.E.
General Manager

N627428ORP00020

GENERAL PURPOSE LEASE

PART I

LEASE between the GOVERNMENT OF GUAM, an unincorporated Territory of the United States of America (hereinafter called "Lessee") and the UNITED STATES OF AMERICA (hereinafter called the "Government"), consisting of this PART I, the General Provisions of PART II, attached hereto and made a part hereof, and such Special Provisions as are incorporated by Article 5 of this PART I.

1. LEASED PROPERTY: Under the terms and conditions of this lease, the Government hereby leases to the Lessee that portion of Andersen Air Force Base Communications Annex No. 1 (Wettengel Receiver) Installation AJKO, Guam, which portion is hereinafter called the "Leased Property"; containing an area of 600,844.7 square feet, more or less, delineated and marked "Parcel No. 3" and Parcel No. 4" on Austin, Smith, and Associates, Incorporated Drawing, Sheet 6 of 8, EXCEPT the existing 20-foot wide waterline easement in "Parcel No. 3" as shown on Austin, Smith and Associates, Incorporated Drawing, Sheet 6 of 8, marked "Exhibit A," attached hereto and made a part hereof, together with access to the site over existing Government roads from Route 3.

2. TERM: The term of this lease shall be for a period of TWENTY-FIVE (25) YEARS, and shall begin on 10 February 1980 and end on 9 February 2005, unless sooner terminated in

ORIGINAL

312262

accordance with the provisions of Article D or E of
PART II hereof.

Lessee may extend the term of this lease for one (1)
additional period of TWENTY-FIVE (25) YEARS by delivery to
the Local Government Representative of written notice of its
intention to extend no later than ninety (90) days prior to
the expiration of the then current term; PROVIDED, no
extension shall be granted which creates a total term in
excess of FIFTY (50) YEARS.

3. RENT: Lessee shall pay the Government as rent for use
of the Land the sum of One Dollar (\$1.00) for the term,
receipt of which is hereby acknowledged, in conformity with
the provisions of Article V of PART II hereof.


4. USE: The Land shall be used by the Lessee for the
construction, installation, maintenance, operation, repair
and replacement of a Wastewater Treatment Plant and sewer
lines and related purposes extending over, across, in,
under, and upon the Leased Property.

5. SPECIAL PROVISION: The following specified additional
provision is hereby incorporated into this lease and shall
be controlling in the event of any conflict with the General
Provisions of PART II of this lease:

This lease is subject to the construction of the
proposed Northern Integrated Sewage System Treatment
Plant designed to serve the Department of Defense
as well as U.S. Government agencies in the Northern
District of the Island of Guam.


6. LOCAL GOVERNMENT REPRESENTATIVE: The Force Civil Engineer (Real Estate), Commander U.S. Naval Forces, Marianas, or his successor, is hereby designated as the Local Government Representative and shall, under the direction of the Department of the Air Force, represented by the Commander, Andersen Air Force Base, Guam, have complete charge of the administration of this lease and shall exercise full supervision and general direction thereof insofar as the interests of the Government are affected.

7. GOVERNMENT OF GUAM

By  _____
Signature Witness
PAUL M. CALVO
Governor of Guam

Title Date

8. EXECUTION FOR AND ON BEHALF OF THE GOVERNMENT
THE UNITED STATES OF AMERICA

By  2/27/80

Director, Real Estate Division
Pacific Division
Naval Facilities Engineering Command
Date
BY AUTHORITY OF THE
DEPARTMENT OF THE AIR FORCE

APPROVED AS TO FORM:

KENNETH E. NORTH
Attorney General of Guam

Date: _____

GENERAL PURPOSE LEASE

PART II

GENERAL PROVISIONS

A. GENERAL MAINTENANCE OBLIGATION

Lessee, at its own expense, shall so protect, preserve, maintain and repair the Leased Property, that the same will at all times be kept in at least as good condition as when received hereunder.

B. REPRESENTATIONS

Lessee has examined, knows and accepts the condition and state of repair of the Leased Property and the Station of which it forms a part, and acknowledges that the Government has made no representation concerning such condition and state of repair, nor any agreement or promise to alter, improve, adapt, repair or keep in repair the same, or any item thereof, which has not been fully set forth in this Lease which contains all the agreements made and entered into between the Lessee and the Government.

C. SUBJECTION TO EXISTING AND FUTURE EASEMENTS AND RIGHTS OF WAY

This lease is subject to all outstanding easements and rights of way for location of any type of facility over, across, in, under and upon the Leased Property, or any portion thereof, and to the right of the Government to grant such additional easements and rights of way over, across,

in, under and upon the Leased Property as it shall determine to be in the public interest; Provided, that any such additional easement or right of way shall be conditioned on the assumption by the Grantee thereof of liability to Lessee for such damages as Lessee shall suffer for property destroyed or property rendered unusable on account of Grantee's exercise of its rights thereunder. There is hereby reserved to the holders of such easements and rights of way as are presently outstanding or which may hereafter be granted, to any workers officially engaged in the construction, installation, maintenance, operation, repair, or replacement of facilities located thereon, and to any Federal, State or local official engaged in the official inspection thereof, such reasonable rights of ingress and egress over the Leased Property as shall be necessary for the performance of their duties with regard to such facilities.

D. TERMINATION BY GOVERNMENT

This lease may be terminated by the Government at any time prior to the expiration of the term thereof:

(1) During a National Emergency declared by the President or the Congress.

(2) Upon failure on the part of the Lessee to comply with any of the terms and conditions of this lease.

(3) Upon abandonment of the rights granted herein, or nonuse of such rights for a period of two consecutive years.

E. TERMINATION BY LESSEE

Lessee shall have the right to terminate this lease upon thirty (30) days written notice to the Local Government

Representative in the event of damage to or destruction of all of the improvements on the Leased Property or such a substantial portion thereof as to render the Leased Property incapable of use for the purposes for which it is leased hereunder; Provided, (1) the Local Government Representative either has not authorized or directed the repair, rebuilding or replacement of the improvements or has made no provision for payment for such repair, rebuilding or replacement by application of insurance proceeds or otherwise, and (2) that such damage or destruction was not occasioned by the fault or negligence of Lessee or any of its officers, agents, servants, employees, subtenants, licensees or invitees, or by any failure or refusal on the part of Lessee to fully perform its obligations under this Lease.

F. SURRENDER

Upon the expiration of this lease or its prior termination, Lessee shall quietly and peacefully remove itself and its property from the Leased Property and surrender the possession thereof to the Government; Provided, in the event the Government shall terminate this Lease upon less than thirty (30) days notice, Lessee shall be allowed a reasonable period of time, as determined by the Local Government Representative, but in no event to exceed thirty (30) days from receipt of notice of termination, in which to remove all of its property from and terminate its operations on the Leased Property. During such period prior to surrender, all obligations assumed by Lessee under this lease shall remain in full force and effect.

G. INSTALLATION OF IMPROVEMENTS - RESTORATION AND REMOVAL

Lessee shall have the right hereunder to make and install such permanent improvements as are required to effectuate the purposes of this lease as set forth in Article 4, PART I, which shall include but not be limited to, permanent buildings, sidewalks, roadways, utility lines and the like. All work shall be done without cost or expense to the Lessor in accordance with plans previously approved by the Commander, Andersen Air Force Base, Guam, except that initial construction funds may be provided by the Lessor as the Air Force pro rata share as a connection charge. All work in connection with construction, installation, maintenance, operation, repair and replacement of sewage facilities to provide greater than primary treatment of sewage from Air Force facilities shall be done without cost or expense to the Lessor except that initial construction funds may be provided by the Lessor as the Air Force pro rata share as a connection charge subject to the provisions of Department of the Air Force Contract F64133-75-C-0012.

Any and all such improvements which have been made or installed by the Lessee hereunder, shall remain the property of the Lessee and together with the Land hereunder shall be maintained by the Lessee in a condition and state of repair satisfactory to the Government.

Prior to the expiration of the term of this lease, or within a reasonable time after termination under General Provision D of this lease, where sufficient advance notice thereof has not been given, Lessee may remove, or be requested by the Lessor to remove, all but not part of the improvements

on the Land, in which event, Lessee at its own expense, shall restore the surface area of the Land to the same or as good condition as that which existed prior to the beginning of the term of this Lease. Such restoration shall be effected to the satisfaction of the Commander, Andersen Air Force Base, Guam.

H. INDEMNIFICATION BY LESSEE-GOVERNMENT NON-LIABILITY

Lessee covenants that it will indemnify and save and hold harmless the Government, its officers, agents and employees for and from any and all liability or claims for loss of or damage to any property owned by or in the custody of Lessee, its officers, agents, servants, employees, subtenants, licensees, or invitees, or for the death of or injury to any of the same which may arise out of or be attributable to the condition, state of repair or Lessee's use and occupancy of the Leased Property, or the furnishing of any utilities or services, or any interruption therein or failure thereof, whether or not the same shall be occasioned by the negligence or lack of diligence of Lessee, its officers, agents, servants or employees.

I. UTILITIES AND SERVICES

In the event that the Government shall furnish Lessee with any utilities and services maintained by the Government which Lessee may require in connection with its use of the Leased Property, Lessee shall pay the Government the charges therefor in addition to the cash rent required under this

lease. Such charges and the method of payment thereof shall be determined by the appropriate supplier of such service, in accordance with applicable laws and regulations, on such basis as the appropriate supplier of such service may establish, which may include a requirement for the installation of adequate connecting or metering equipment at the sole cost and expense of Lessee. It is expressly agreed and understood that the Government in no way warrants the continued maintenance or adequacy of any utilities or services furnished by it to Lessee.

J. LIENS

Lessee shall promptly discharge or cause to be discharged any valid lien, right in rem, claim or demand of any kind, except one in favor of the Government which at any time may arise or exist with respect to the Leased Property or materials or equipment furnished therefor, or any part hereof, and if the same shall not be promptly discharged by Lessee, the Government may discharge, or cause to be discharged, the same at the expense of Lessee.

K. ACCESS

The Government shall have access to the Leased Property at all reasonable times for any purpose not inconsistent with the quiet use and enjoyment thereof by Lessee, including but not limited to, the purpose of inspection.

L. STATE AND LOCAL TAXES

In the event that as a result of any future Act of Congress, subjecting Government-owned property to taxation, any taxes, assessments or similar charges are imposed by state or local authorities upon the Leased Property (other than upon Lessee's possessory interest therein), Lessee shall pay the same when due and payable.

M. DISPUTES

(a) Except as otherwise provided in this lease, any dispute concerning a question of fact arising under this lease which is not disposed of by agreement shall be decided by the Chief of Staff, Headquarters, U.S. Air Force, who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the Lessee. The decision of the Chief of Staff, Headquarters, U.S. Air Force, shall be final and conclusive unless, within 30 days from the date of receipt of such copy, the Lessee mails or otherwise furnishes to the Chief of Staff, Headquarters, U.S. Air Force, a written appeal addressed to the Secretary of the Air Force. The decision of the Secretary or his duly authorized representative for the determination of such appeals shall be final and conclusive. This provision shall not be pleaded in any suit involving a question of fact arising under this lease as limiting judicial review of any such decision to cases where fraud by such official or his representative or board is alleged: Provided, however, that any such decision shall be final and conclusive unless the same is fraudulent

or capricious or arbitrary or so grossly erroneous as necessarily to imply bad faith or is not supported by substantial evidence. In connection with any appeal proceeding under this clause, the Lessee shall be afforded an opportunity to be heard and to offer evidence in support of his appeal. Pending final decision of a dispute hereunder, the Lessee shall proceed diligently with the performance of the lease and in accordance with the decision of the Chief of Staff, Headquarters, U.S. Air Force.

(b) This "Disputes" clause does not preclude consideration of questions of law in connection with decisions provided for in paragraph (a) above. Nothing in this lease, however, shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

N. COVENANT AGAINST CONTINGENT FEES

Lessee warrants that no person or agency has been employed or retained to solicit or secure this lease upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, excepting bona fide employees or bona fide established commercial agencies maintained by Lessee for the purpose of securing business. For breach or violation of this warranty, the Government shall have the right to annul this lease without liability or in its discretion to require Lessee to pay, in addition to the rental or consideration, the full amount of such commission, percentage, brokerage or contingent fee.

O. OFFICIALS NOT TO BENEFIT

No Member or Delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this lease, or to any benefit to arise therefrom, but this provision shall not be construed to extend to this lease if made with a corporation for its general benefit.

P. FAILURE OF GOVERNMENT TO INSIST ON COMPLIANCE

The failure of the Government to insist, in any one or more instances, upon performance of any of the terms, covenants or conditions of this lease shall not be construed as a waiver or relinquishment of the Government's right to the future performance of any such terms, covenants or conditions and Lessee's obligations in respect to such future performance shall continue in full force and effect.

Q. ASSIGNMENT OR SUBLETTING

Lessee shall not transfer or assign this lease or any interest therein nor sublet or otherwise make available to third party or parties any portion of the Leased Property or rights therein without the prior written consent of the Government. Under any assignment made, with or without consent, the assignee shall be deemed to have assumed all of the obligations of Lessee hereunder, but no assignment shall relieve the assignor of any of Lessee's obligations hereunder except for an extension of the lease term beginning after such assignment, and then only if the Government shall have consented thereto.

R. LABOR PROVISION

(1) Equal Opportunity

During the term of this lease the Lessee agrees as follows:

(a) The Lessee will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Lessee will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national original. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Lessee agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Government setting forth the provisions of this nondiscrimination clause.

(b) The Lessee will, in all solicitations or advertisements for employees placed by or on behalf of the Lessee, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

(c) The Lessee will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a

notice to be provided by the government, advising the labor union or worker's representative of the Lessee's commitments under this Equal Opportunity Clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(d) The Lessee will comply with all provisions of Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 of October 13, 1967, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(e) The Lessee will furnish all information and reports required by Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 of October 13, 1967, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the Government and the Secretary of Labor for purposes of investigating to ascertain compliance with such rules, regulations, and orders.

(f) In the event of the Lessee's noncompliance with the Equal Opportunity clause of this lease or with any of such rules, regulations, or orders, this lease may be canceled, terminated or suspended in whole or in part and the Lessee may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 of October 13, 1967, and such other

sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 of October 13, 1967, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(g) The Lessee will include the provisions of paragraphs (a) through (g) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 of October 13, 1967, so that such provisions will be binding upon each sublessee or vendor. The Lessee will take such action with respect to any sublessee or purchase order as the Government may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event the Lessee becomes involved in, or is threatened with, litigation with sublessee or vendor as a result of such direction by the Government, the Lessee may request the United States to enter into such litigation to protect the interests of the United States.

(2) Convict Labor

In connection with the performance of work required by this lease, Lessee agrees not to employ any person undergoing a sentence of imprisonment at hard labor.

(3) Contract Work Hours Standards Act (40 U.S. Code 327-330)

This lease, to the extent that it is a contract of a character specified in the Contract Work Hours Standards Act

(40 U.S.C. 327-330) and is not covered by the Walsh-Healy Public Contracts Act (41 U.S.C. 35-45), is subject to the following provisions and exceptions of said Contract Work Hours Standards Act and to all other provisions and exceptions of said law:

(a) The Lessee shall not require or permit any laborer or mechanic in any workweek in which he is employed on any work under this contract to work in excess of 8 hours in any calendar day or in excess of 40 hours in such workweek on work subject to the provisions of the Contract Work Hours Standards Act unless such laborer or mechanic receives compensation at a rate not less than one and one-half times his basic rate of pay for all such hours worked in excess of 8 hours in any calendar day or in excess of 40 hours in such workweek, whichever is the greater number of overtime hours. The "basic rate of pay," as used in this clause, shall be the amount paid per hour, exclusive of the Lessee's contribution or cost for fringe benefits and any cash payment made in lieu of providing fringe benefits, or the basic hourly rate contained in the wage determination, whichever is greater.

(b) In the event of any violation of the provisions of paragraph (a), the Lessee shall be liable to any affected employee for any amounts due, and to the United States for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic employed in violation of the provisions of paragraph (a) in the sum of \$10 for each calendar day on which such employee

was required or permitted to be employed on such work in excess of 8 hours or in excess of the standard workweek of 40 hours without payment of the overtime wages required by paragraph (a).

S. GOVERNMENT RULES AND REGULATIONS

Lessee shall comply with such rules and regulations regarding Station security, ingress, egress, safety, and sanitation, as may be prescribed, from time to time, by the Local Government Representative, or by the Commanding Officer of the Station.

T. USE IN PERFORMANCE OF GOVERNMENT CONTRACTS

Lessee shall notify the Local Government Representative promptly whenever the use of the Leased Property in the performance of Government contracts changes so as to utilize 75 percent or more of the total capacity thereof, and conversely whenever such use changes so as to utilize less than 75 percent of such capacity.

U. NOTICES

No notice, order, direction, determination, requirement, consent, or approval under this lease shall be of any effect unless in writing. All notices required under this lease shall be addressed to Lessee, or to the Local Government Representative, as may be appropriate at the addresses thereof specified in this lease or at such other addresses as may from time to time be agreed upon by the parties hereto.

V. PAYMENTS

Any and all payments to the Government required under this lease shall be made by check or postal money order made payable to the Department of the Air Force and delivered to the Local Government Representative.

W. ADMINISTRATION

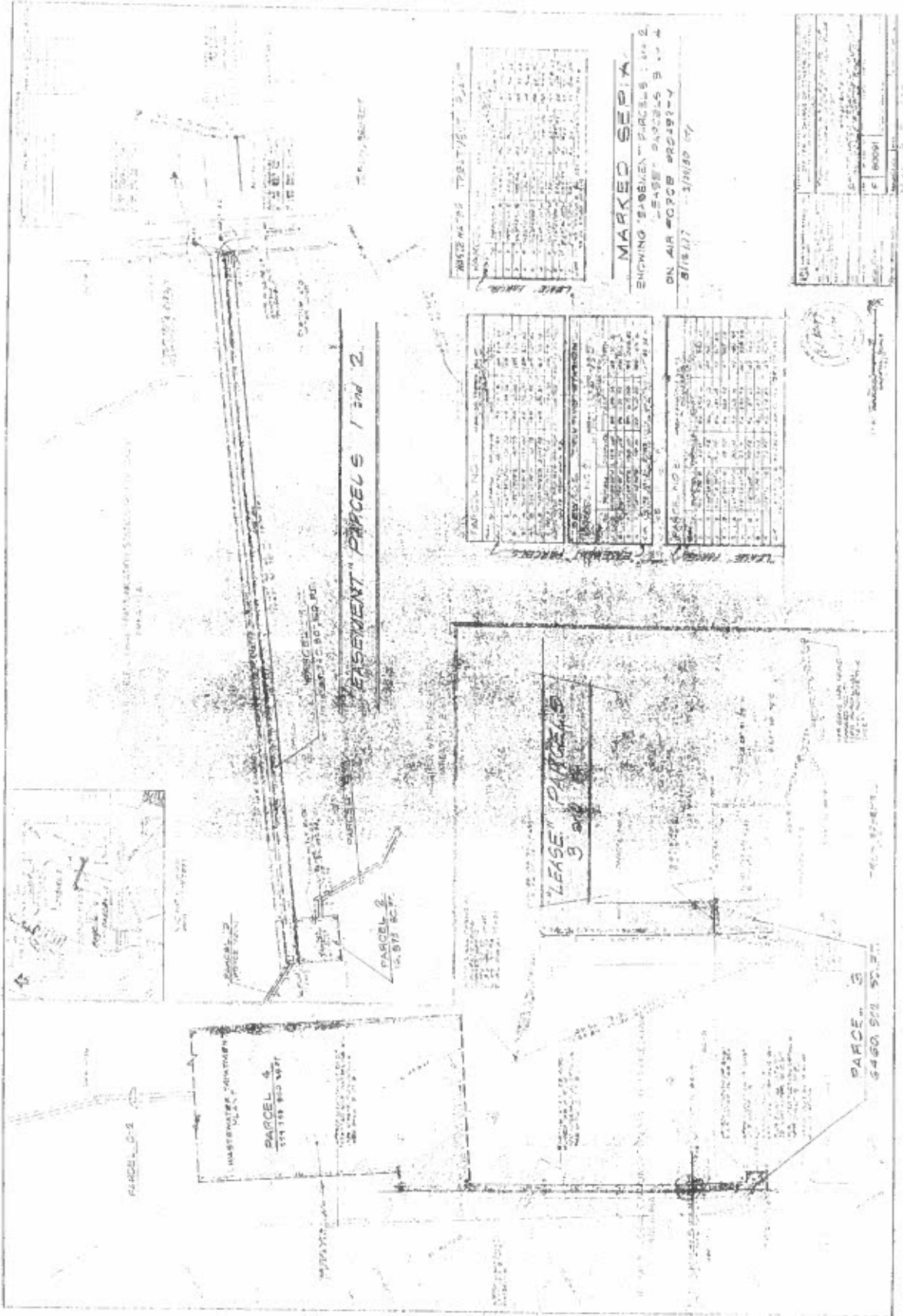
The Local Government Representative specified in Article 6 of PART I of this lease shall, under the direction of the Chief of Staff, Headquarters, U.S. Air Force, have complete charge of the administration of this lease, and shall exercise full supervision and general direction thereof insofar as the interests of the Government are affected.

TERRITORY OF GUAM, DEPT. OF LAND MANAGEMENT
OFFICE OF THE RECORDER
INSTRUMENT NUMBER 312262

This instrument was filed for record on 23
day of May 19 80, at 12:05 AM
and duly recorded in Book _____ at Page _____

Recording Fee _____ Voucher No. _____

[Signature]
Recorder



MARKED SEPIA

SHOWING EASEMENT PARCELS 1 and 2
LEASE PARCELS 3 and 4
ON AIR RIGHTS PARCELS 5 and 6

8/18/17 3/10/19 BY

NO.	DESCRIPTION	ACRES	AREA
1
2
3
4
5
6

MARKED SEPIA

SHOWING EASEMENT PARCELS 1 and 2
LEASE PARCELS 3 and 4
ON AIR RIGHTS PARCELS 5 and 6

8/18/17 3/10/19 BY

NO.	DESCRIPTION	ACRES	AREA
1
2
3
4
5
6

NO.	DESCRIPTION	ACRES	AREA
1
2
3
4
5
6

NO.	DESCRIPTION	ACRES	AREA
1
2
3
4
5
6

NO.	DESCRIPTION	ACRES	AREA
1
2
3
4
5
6

NO.	DESCRIPTION	ACRES	AREA
1
2
3
4
5
6

NO.	DESCRIPTION	ACRES	AREA
1
2
3
4
5
6

NO.	DESCRIPTION	ACRES	AREA
1
2
3
4
5
6

NO.	DESCRIPTION	ACRES	AREA
1
2
3
4
5
6

SUBJECT LOTS
LOT 10193
LOT 10194

VICINITY INDEX MAP

NOTES:

1. BASED ON LAND OWNERS' RECORDS.
2. ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED.
3. BEARINGS AND DISTANCES WITHIN THE BRACKETED ARE RECORD DATA. ALL OTHERS ARE CALCULATED.
4. SUBJECT LOT IS ZONED TO "R" (RESIDENTIAL MEDIUM DENSITY). ZONING MAP IS 1993.
5. AS-BUILT SURVEY EXISTING AS OF APPROXIMATE DATE OF SURVEY.
6. ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED.
7. ALL BEARINGS ARE TRUE UNLESS OTHERWISE NOTED.
8. ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED.
9. ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED.
10. ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED.
11. ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED.

REFERENCES:

1. DOC. NO. 10194-1-15, RETRACTION SURVEY MAP OF LOT 10194, 7 PARCELS, DISTRICT SEWERAGE SYSTEM AND PARCELS 4, 5 AND PARCELS 6, GOVERNMENT OF GUAM (1993).
2. LEASE AGREEMENT, DOC. NO. 10194-2, GOVERNMENT OF GUAM (1993).
3. DOC. NO. 10194-3, SUBDIVISION SURVEY OF LOT 10194 (PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

NOTICE:

SPECIAL NOTE:

CHECKED BY:

REFERENCES:

CERTIFICATE OF GUAM CHIEF SURVEYOR

CERTIFICATE OF GUAM CHIEF PLANNER

NOT REQUIRED

CERTIFICATE OF SURVEYOR

NOT REQUIRED

APPROVAL

SATISFACTORY TO AND APPROVED BY:

LOT 10193 AND LOT 10194, PLAT OF PARCELS 1-17

S-15274 1/2

MUNICIPALITY OF DEDEDO

PETER JOHN SALAS BENAVENTE
MAYOR



ANN S. SANAGUSTIN LEON GUERRERO
VICE MAYOR

RESOLUTION NO. 2025-01

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

Members

Jose Arthur Chan, Jr. Ace Jo. Soetan Chao Frank Manalo
Robert Paulino Edgar L. Gasa

Relative to the approval GLUC Zone Change Application No. 2025-29, the Applicant, Core Tech Development, LLC, represented by TG Engineers, PC, is requesting for a Zone Change from a split zone of "R2/M1" (Multiple Dwelling/Light Industrial) to a full "I01" (Light Industrial) zone for the proposed installation and operation of a photovoltaic solar and battery system energy storage facility on Lot 10104-6 in the Municipality of Dededo.

BE IT RESOLVED BY THE DEDEDO MUNICIPAL PLANNING COUNCIL

WHEREAS, in accordance with applicable procedures, the Dededo Municipal Planning Council conducted two duly noticed public hearings on October 8, 2025, at 5:00 p.m. and 5:30 p.m., respectively, to receive public input, testimony, and relevant information regarding the proposed zone change application; and

WHEREAS, the Dededo Municipal Planning Council convened its regular meeting on October 8, 2025, at 6:00 p.m., following the public hearings, during which Council members discussed the application and determined that further review and council advisement were necessary due to issues concerning Guam Waterworks Authority (GWA) infrastructure and service considerations affecting the subject property; and

WHEREAS, upon motion duly made and seconded, the Dededo Municipal Planning Council voted to table the application to a subsequent meeting in order to obtain additional information and allow further evaluation; and

WHEREAS, variable meetings were scheduled for November 12, 2025, and December 11, 2025, to continue discussions on the application, however, a quorum was not met on both dates, and therefore no official action could be taken; and

WHEREAS, the meeting was thereafter rescheduled to February 12, 2026, at which time a quorum was present, and the Dededo Municipal Planning Council resumed discussions of GLUC Zone Change Application No. 2025-29; and

WHEREAS, after careful review of the application, consideration of public testimony, evaluation of relevant infrastructure and planning factors, and deliberation among Council members, the Dededo Municipal Planning Council determined that the requested zone change is consistent with the intended land use and supports appropriate development within the Municipality of Dededo; and

WHEREAS, on February 12, 2026, with a quorum present, a motion was duly made, seconded, and carried to approve GLUC Zone Change Application No. 2025-29.

NOW, THEREFORE, BE IT RESOLVED, that this approval reflects the Council's consideration of public hearings, infrastructure concerns, and compliance with applicable planning principles and municipal interests; and

FURTHER RESOLVED, that the Co-Chairperson of the Dededo Municipal Planning Council certify to and the secretary attest the adoption hereof and that certified copies of this Resolution shall be transmitted to the Guam Land Use Commission, Core Tech Development, LLC, represented by TG Engineers, PC, and all relevant agencies.

DULY RECORDED AND REGULARLY ADOPTED BY THE DEDEDO MUNICIPAL PLANNING COUNCIL ON THIS
12th DAY OF FEBRUARY 2026

with the Vice Mayor, Co-Chairperson presiding in place of the Mayor, Chairperson on the day of voting

ANN S.A. LEON GUERRERO
Vice Mayor, Co-Chairperson

AMBRIA MARIE SANTOS
Secretary, DMPC





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



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

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

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

March 18, 2026

MEMORANDUM

TO: Guam Land Use Commission (GLUC) Members

FROM: Chairperson, Application Review Committee (ARC)

SUBJECT: Summary of Position Statements by ARC Members
 Zone Change, Application No. 2025-29 Core Tech Development, LLC

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

Listed below is the compilation of Positions taken by the various ARC member agencies as submitted to the Planning Division, Department of Land Management.

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

DEPARTMENT OF LAND MANAGEMENT (DLM):

Planning staff recommends approval of the Zone Change with the following conditions:
 The applicants shall adhere to all ARC recommendations, conditions, and requirements as noted in their Official Position Statements.

Telephone
 671-649-LAND (5263)

DEPARTMENT OF PUBLIC WORKS (DPW):

DPW does not object to the request provided the following conditions are met:

1. Provide preventive measures for use of photovoltaic panels and be reasonably resistant to wind, typhoon, earthquake, natural disaster, or any physical threats.
2. Must ensure that the project does not contribute any negative impact within the neighboring area.
3. To provide access for incoming and outgoing vehicles.

Facsimile
 671-649-5383

GUAM WATERWORKS AUTHORITY (GWA):

GWA is not in favor of the zone change with issues and comments noted in their official position statement.

GUAM POWER AUTHORITY (GPA):

GPA has no objection to the request, subject to the requirements cited in the position statement.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

The agency has reviewed the application and approval is subject to conditions noted in their official position statement in addition to compliance with all other relevant environmental laws and regulations administered by GEPA.



SUBJECT: Summary of Position Statements by ARC Members
RE: Zone Change, Application No. 2025-29
Page 2 of 2

DEPARTMENT OF PARKS AND RECREATION (DPR)

The agency has no objections to the zone change application.

BUREAU OF STATISTICS AND PLANS (BSP):

The Bureau recommends approval based on noted conditions in the staff report. If conditions are not met by the applicant nor included in the GLUC's Notice of Action, this position statement is to be interpreted as a recommendation for disapproval.

DEPARTMENT OF AGRICULTURE (DOAG):

The Department provided its Agricultural Impact Statement as well as its conditional approval contingent upon the applicant's compliance of the conditions outlined in the 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 (DCA):

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



Celine L. Cruz

Attachments ARC Position statements
Cc Executive Secretary, GLUC



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. CANDELETA
 Deputy Director

MEMORANDUM

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

FROM: Director

APPLICANT: Core Tech Development, LLC

APPLICATION NO.: H2025-29

SUBJECT: Zone Change ("R-2" to "M-1"), Dededo, Guam
 Portion Lot No.: 10184-6



The applicant would like to re-zone the portion lot 10184-6 from "R-2" to "M-1", approximately 58.7 +/- acres or 237,650 +/- square meters in the village of Ukudu, Municipality of Dededo. The existing lot is a split zone, and the applicant's intent is to designate the lot to a full "M-1" (Light Industrial Zone) to dedicate the lot and support the installation for use of photovoltaic panels and distributed inverters.

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

- Provide preventive measures for use of photovoltaic panels and be reasonably resistant to wind, typhoon, earthquake, natural disaster or any physical threats.
- Must ensure that the project does not contribute any negative impact within the neighboring area.
- To provide public access for incoming and outgoing vehicles.

NOTE: For public access coordinate with Division of Highways (rights of way section).

Should you have any questions, please contact the Division of Capital Improvement Projects, (CIP) at (671) 646-3224 or (671) 646-3131.

VINCENT P. ARRIOLA
 25 JUL 2025

RECEIVED
 7-25-25
 DLM / Planning Division


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

MEMORANDUM

June 9, 2025

TO: Joseph Borja, Director, Department of Land Management

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

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

SUBJECT: Position Statement on Zone Change Application 2025-29
for Lot 10184-6 in the Municipality of Dededo

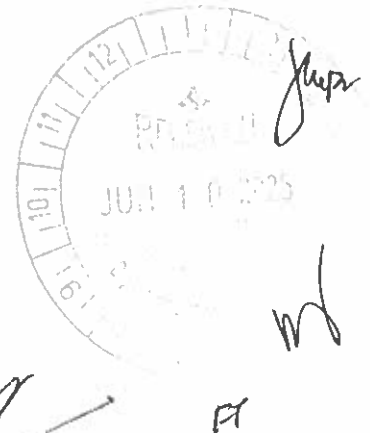
APPLICANT: Core Tech Development, LLC

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a Zone Change from M-1 & R-2 to full M-1 for the proposed installation of Photovoltaic panels

This memorandum shall serve as GWA's position statement for the Core Tech Development, LLC application. GWA is **not in favor** of the subject Zone Change Application

The following issues/comments support GWA's position with regard to this application:

1. GWA does not acknowledge nor accept the Property Ownership documentation provided in the subject application. Several of the lots purported to be owned by the applicant are in fact the subject of dispute in an active lawsuit filed by the Government of Guam, Department of Land Management regarding the erroneously issued certificates of title for several of the lots listed in the application.
2. GWA disputes the metes and bounds shown in the survey maps submitted in the application, particularly the metes and bounds of Lot 10184-7, which the applicant claims to own as purported in the Property Ownership documents submitted in this application. To the extent that all other maps (radius maps, location maps, etc.) reflect the erroneous boundaries, GWA disputes the validity of such maps for the purposes of the subject application.
3. There is an active 42-inch sewer main that runs through an existing easement through the subject lot, from north of the lot to the south where it ultimately connects to the sewer pump station at the Northern District Wastewater Treatment Plant (NDWWTP). The application and proposed development must affirmatively maintain GWA's access to the sewer main and existing easement and state that no proposed construction under the rezoned lots will impede such access.



*TO: Frank
6-18-25*

RECEIVED
By Cristina at 12:55 pm, Jun 10, 2025

CG

GWA Position Statement

Application: 2025-29

Applicant: Core Tech Development, LLC

June 9, 2025

Page 2

4. There is an active 16-inch water main that runs through a portion of the subject lot around the northern area of adjacent Lot 10184-2. This water line was transferred to GWA by the previous landowner without establishing an easement through the stated portion. Due to the utility line not being properly reserved, GWA requests a 10-foot wide utility easement of the subject portion of the water main.
5. Future construction shall not occur over water and sewer easements. Any proposed changes to existing infrastructure shall: (a) be coordinated with GWA; (b) ensure continuity of utility service for customers near, upstream, or downstream of construction, both during and after construction; (c) establish new utility rights of way/easements, as appropriate; and (d) be at the developer's expense.
6. The developer shall register maps and documents for new public rights of way or easements with the Department of Land Management (DLM).
7. GWA must have 24-hour access to utility rights of way/easements. If the proposed development will be gated: (a) GWA must approve the access method; (b) the developer shall register the appropriate documentation (such as a utility grant of right of way) with DLM; and (c) gates shall be provided where connections to offsite GWA utilities are located, in order to allow maintenance and repairs of utilities crossing the fence line without damaging the fence.

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

John

May 02, 2025

MEMORANDUM

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

From: General Manager

Subject: L10184-6, Municipality of Dededo, (Core Tech Development, LLC) Zone Change Application from current use "M-1" and "R-2" (Light-Industrial and Multi-Family Residential) to Full "M-1" (Light-Industrial) zone. To install and operate a PV Solar and Battery System Energy Storage (BSS) solar farm. Application No. 2025-29

FT

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 following utility easements as shown on Instrument No. 660299, and 782273.
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 M. BENAVENTE, P.E.

mo
10

ASG app

To: Head
6/13/25

mo

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
 Applicant: **Core Tech Development, LLC**
 Location: **LI0184-6, Municipality of Dededo,**
 Type of Application: **Zone Change**
GLUC GSPC Application No. 2021-21
 Brief Project Description: **Zone Change Application from current use "M-1 and R-2" (Light-Industrial and Multi-Family Residential) to Full "M-1" (Light-Industrial) zone. To install and operate a PV Solar and Battery System Energy Storage (BSS) solar farm.**

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.

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



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHIENSIAN PROTUKSION TINATA GUAHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM • JOSHEVA F. TENORIO • TRUFESANT GOVERNOR OF GUAM
ARCHIELE C. R. TASHIROZA • ADMINISTRATOR

AUG 25 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

WJ
ET

Ref: Application No. 2025-29, the Applicant, Core Tech Development LLC represented by TG Engineers, PC; requests a Zone Change from split-zone "M-1" & "R-2" (Light Industrial/Multi-family Dwelling) zone to a full "M-1" (Light Industrial) zone, for the proposed installation and operation of a PV Solar and Battery System Energy Storage solar farm, on Lot 10184-6, in the Municipality of Dededo.

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:

A. EPP, Stormwater and Erosion Control

1. The proposed development must meet all requirements of the Guam Soil Erosion and Sediment Control Regulations (22 GAR 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.
2. The proposed development having an area of fifty eight point seven (58.7) acres need pre-development activities such as clearing, grubbing, grading and stockpiling (CGGS) that a permit for that needs to be secured from Guam EPA prior to actual mobilization and construction. It appears during site inspection that the area was already roughly cleared by a previous Contractor. In order for the activities to continue, the developer must see to it that an unexpired and active CGGS permit must be secured from Guam EPA.
3. This development needs an Environmental Protection Plan (EPP) prepared and stamp 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

TD: FR
CB
9.5



and disposal procedures, work site maintenance and typhoon recovery plan.

B. Drainage System

1. There is no specific plan nor having been mentioned in the submitted package that the project will use a certain type of drainage disposal method. The developer must submit during the building permit process for review by Guam EPA for the applicability of the drainage system selected in the design to make sure that the requirements of the drainage manual mentioned herein are adhered to.

C. Water & Wastewater Demand

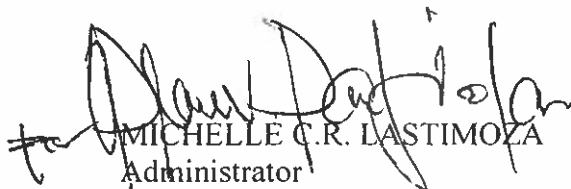
1. The water demand is minimal according to the submitted application package and there is no plan to build a maintenance crew building with a restroom in the facility.

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





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

Department of Parks and Recreation
Departamenton Piaset van Dibnetstan
 Government of Guam

Department of Parks and Recreation Director's Office
 P.O. Box 2450, Hagåtña, Guam 96912
 Tel: (767) 5248-1400 ext. 1571 or 1572
 Guam Historic Resources Division
 2001, Ylan Palasio, Agaña, Hagåtña, Guam 96912
 Tel: (767) 5248-1400 ext. 1571 or 1572



Angel R. Sablan
 Director
 Warren Pelletier
 Assistant Director

May 9, 2025

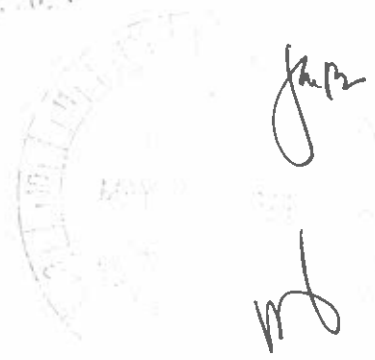
In reply refer to
 RC 2025 0284

Memorandum

To: Director, Department of Land Management

From: Director, Department of Parks and Recreation

Subject: ZC Application No. 2025-29, Applicant Core Tech Development, LLC propose to rezone Lot 10184-6, from "M-1 and R2" Zone to a full "M-1" Light Industrial Zone in order to install and operate a PV Solar and Battery System Energy Solar (BSS) solar farm in the Municipality of Dededo



We reviewed the subject zone change application by applicant Core Tech Development, LLC propose to rezone Lot 10184-6, from "M-1 and R2" Zone to a full "M-1" Light Industrial Zone in order to install and operate a PV Solar and Battery System Energy Solar (BSS) solar farm in the Municipality of Dededo. The subject lot has an overall size of 58.7 acres.

Our office has concluded our review and will have **No Objection** with 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 U. Lujan
 State Historic Preservation Officer

Handwritten notes:
 TO: Frank
 5/19/25

RECEIVED
 By Cristina at 3:58 pm, May 14, 2025



BUREAU OF STATISTICS AND PLANS

Sa'arar Planu Sa'ia Van Entotmasion



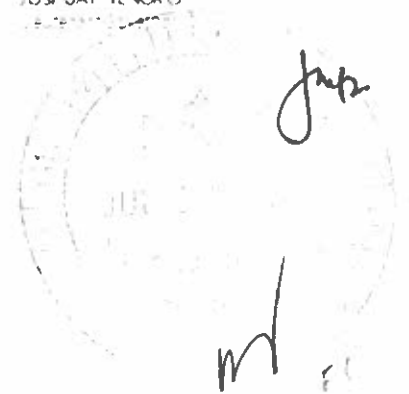
July 25, 2025

Memorandum

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

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2025-29 Zone Change
Location: Lot 10184-6
Municipality: Dededo
Applicant: Core Tech Development, LLC
Proposed Use: M1



RECEIVED

7-25-25
DLM / Planning Division

Buenas yan Hafa 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 5 GCA 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, Core Tech Development, LLC, is requesting a zone change from a split-zone "M1" Light Industrial & "R2" Multi-family Dwelling to a full M1 to allow for the proposed installation and operation of a PV Solar and Battery System Energy Storage solar farm, on Lot 10184-6, in the Municipality of Dededo. The subject lot contains a total of 237,650 square meters or approximately 58.7 acres. Power, water, and sewer is directly available to the property.

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/EO-78-37-Guam-Land-Use-Policies.pdf>

Dr. Frank
July 25
8:41 AM

The subject lot, Lot 10184-6, is located along Tanguisson Route, adjacent to the Northern Wastewater Treatment Facility. Land use within the immediate surrounding area comprises a mix of vacant and undeveloped land, with zoning primarily "MI" Light Industrial, "C" Commercial, "R2" Multi-family Residential and "H" Hotel Resort. Other nearby MI and C zone areas include the Core Tech Development Inc. Temporary Workforce Housing Facility, Cement Plant, and Heavy Equipment Laying Yard. The proximity to the GWA facility imposes stringent limitations on land use, particularly concerning wastewater management, odor control, and potential contamination risks.

The subject lot is located in a "Residential" designated area, as defined by the North and Central Guam Land Use Plan³ (PL 30-244), an element of the Guam Comprehensive Development Plan. The "Residential" land use category allows for a variety of housing types, from single-family homes to multi-family buildings, while generally discouraging nonresidential uses—except for compatible public facilities, schools, and institutions. Limited neighborhood-scale commercial or retail may be permitted if a special design review ensures it aligns with the surrounding residential character.

While utility-scale energy facilities are generally not envisioned within the residential-designated land use area, the proposed installation and operation of a PV Solar and Battery Energy Storage System (BESS) may be considered conditionally compatible if carefully sited and designed to minimize adverse impacts on the surrounding neighborhood.

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 2015.⁴

Regarding development impacts, as of 2015 land cover data, 30.6% of the watershed was developed, and 15.78% comprised impervious surfaces.⁵ An area is at greater risk of flooding the more an area is developed and levels of impervious surfaces are high. Areas with impervious surface rates will likely experience negative impacts on water quality. Impervious surfaces significantly reduce the water quantity and quality in a watershed. Impervious surface degrades the watershed quality by greatly reducing the stream flow and increasing the stream temperature. They carry huge pollutant loads downstream, causing due harm to aquatic life. Severe degradation can be expected when rates reach 25%. Runoff effects include channeling and loss of beach profile along untreated storm drain outfalls, sediment plumes, algae blooms, noxious odors due to poor water quality, and coral mortality.

Land cover within the subject lot comprises bare land with some light vegetation. The proposed project will likely increase the extent of impervious surfaces due to the placement of solar panels, battery units, access roads, and associated infrastructure. This change in land cover may reduce

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 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 July 2025 at <https://coast.noaa.gov/ccap/atlantis>

⁵ Ibid.

natural infiltration, increase surface runoff, and contribute to localized erosion if not properly managed. The alteration could potentially impact downstream water quality and hydrology by introducing pollutants and sediment through stormwater runoff. To mitigate these effects, the project should incorporate stormwater management practices such as permeable surfaces, vegetated buffers, and erosion control measures to maintain watershed function and support sustainable land use.

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:

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.”⁶

Determination of Effects: Yes

While the project aligns with goals to reduce carbon emissions and promote site design for renewable energy use, its siting within a residential-designated land use area and over the Northern Guam Lens Aquifer raises concerns regarding stormwater runoff and watershed health due to increased impervious surfaces.

Condition: The applicant should consider incorporating green infrastructure strategies such as permeable access roads, stormwater retention features, vegetated buffers, and minimal land disturbance to preserve infiltration capacity and protect water quality. Additionally, sustainable siting and construction practices—such as minimizing grading, conserving any existing vegetation, and using low-impact development techniques—would enhance the project’s environmental performance and demonstrate meaningful application of sustainability principles within the land use planning framework.

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.⁷

Determination of Effects: Yes

The requested rezoning will allow for construction activities that have the potential to adversely impact air quality.

Condition: Incorporate Best Management Practices (BMPs) in accordance with the Guam Air Pollution Control Standards and Regulations during any future construction to minimize dust and

⁶ ICT International. 2009. North and Central Guam Land Use Plan. September. (ICT International #00824.08.) Seattle, WA. Prepared for Bureau of Statistics and Plans – Government of Guam: 2-5

⁷ Government of Guam. 1978. Executive Order 78-37. November, 2. <https://bsp.guam.gov/wp-bsp-content/uploads/2017/01/E.O.-78-37-Guam-Land-Use-Policies.pdf>

air pollution such as fugitive particulate matter emissions from ground-disturbing activity and from the operation of vehicles and heavy equipment.

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.⁸

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 sub-basins. There should be no new nonpoint or point source pollution discharges as part of this redevelopment."⁹

Determination of Effects: Yes

As stated earlier, increased impervious surface and decreased vegetative cover resulting from future development will contribute to the cumulative negative impact to the water quality within the Watershed.

Condition: The applicant must comply with CNMI and Guam Stormwater Management Manual¹⁰ Standards and implement Island Best Management Practices specifications. Concepts, design and performance standards can be found in the GCMP publications 1) Island Stormwater Practice Design Specifications Manual¹¹ and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID¹².

⁸ Ibid.

⁹ 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; 5-5

¹⁰ 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>

¹¹ 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

¹² 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

Visual Quality Policy: Preservation and enhancement of, and respect for the island's scenic resources shall be encouraged through increased enforcement of and compliance with sign, litter, zoning, subdivision, building and land-use related laws; visually objectionable uses shall be located to the maximum extent practicable, so as not to degrade significant views from scenic overlooks, highways, and trails.¹³

Determination of Effects: Yes

Given the site's proximity to iconic scenic locations such as Two Lovers' Point and Tanguisson Beach, the proposed solar farm will introduce industrial elements into a landscape valued for its natural beauty, which may detract from the visual experience of both residents and tourists—particularly. The visibility of the project from public roadways and recreational viewpoints may result in a degradation of the island's scenic character if not properly mitigated.

Condition: The applicants should incorporate greenscaping around the exterior perimeter for the purpose of creating greater aesthetic compatibility with the surrounding scenic areas. The applicant should set back the fence line, if necessary, to allow for a green/vegetative corridor to be established along the exterior of the frontage perimeter that is visible from the highway.

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. 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'åse'.



LOLA E. LEON GUERRERO
Director

¹³ Government of Guam, 1978, Executive Order 78-37, November, 4, <https://bsp.guam.gov/wp-bsp-content/uploads/2017/01/E.O.-78-37-Guam-Land-Use-Policies.pdf>



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

Department of Agriculture Dipattamenton Agrikottura

163 Darry 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 2025-29. Core Tech Development, LLC for "Zone Change" Application on Lot 10184-6, Municipality of Dededo – Rezoning from "R-2" (Multi-Family Residential) & "M-1" (Light-Industrial) Zone to "M-1" (Light-Industrial) Zone.**



The Department of Agriculture (DoAg) has reviewed **Application 2025-29**, requesting to **rezone Lot 10184-6 from Multi-Family Residential (R-2) & Light-Industrial (M-1) to Light-Industrial (M-1) zone**, located along Tanguisson Route, Dededo, Guam. The purpose for the rezone is to install photovoltaic panels (solar farm) 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 766-7405 | Agricultural Services 766-7421 | Animal Health 766-7404
Aquatic & Wildlife Resources - DAWR 766-7424 | Forestry & Soil Resources 766-7427
Plant Nursery 766-7424 | Biosecurity Division 766-7427 | Pest Hold 766-7427
Website: doag.guam.gov

RECEIVED
By Cristina at 4:00 pm, Jun 30, 2025

*To: Frank
MUNA
7/2/25*

CS

- 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

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

The Department of Agriculture grants **conditional approval** for the requested zone change from R-2 and M-1 to M-1, contingent upon the landowner's full compliance with the conditions outlined above. 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.

NOTICE TO REZONE

PUBLIC NOTICE

AN APPLICATION HAS BEEN FILED WITH THE GUAM LAND USE COMMISSION (GLUC) FOR A ZONE CHANGE

APPLICATION DESCRIPTION: APPLICATION NO 2025-29

OWNER: CORETECH INTERNATIONAL CORP.

DEVELOPER: CORE TECH DEVELOPMENT, LLC.

LOT, MUNICIPALITY: LOT 10184-6, MUNICIPALITY OF DEDEDO

PROPOSED ZONE CHANGE: FROM "M-1" (LIGHT-INDUSTRIAL) & "R-2" (MULTI-FAMILY DWELLING) TO "M-1" (LIGHT-INDUSTRIAL) ZONE

	DATE:		TIME:	
PUBLIC HEARING:	FEBRUARY 12, 2026	---	6:00 PM	
GLUC MEETING:	MARCH 26, 2026	---	1:30 PM	

PLACE:
 DEDEDO SENIOR CITIZENS' CENTER
 3RD FLOOR, DLM CONFERENCE ROOM, ITC BLDG

ATTACHMENT B

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



LOURDES A. LEON GUERRERO
MAGA HĀGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA LĀHI • LIEUTENANT GOVERNOR

JOSEPH M. BORJA
Director

ROSSANA SAN MIGUEL TISTON
Deputy Director

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

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

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

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

March 19, 2026

MEMORANDUM

TO: Chairperson, Guam Land Use Commission

FROM: Celine Cruz, Chief Planner

SUBJECT: Commission Brief: Sigua Highlands 13th Annual Report
(Application No. 2013-04A)

Overview

Hafa Adai Investments has submitted its 13th Annual Report for the Sigua Highlands Planned Unit Development. The report outlines federal housing procurement activities, potential development across the five GLUC-approved parcels, ongoing environmental initiatives, and property management updates. For the Commission's reference, the Sigua Highlands Master Plan is attached to provide context regarding the approved development framework and land-use designations discussed in this update.

NAVFAC Pacific Housing Procurement

NAVFAC Pacific initiated a two-phase procurement process in September 2025 for up to 1,600 military family housing (MFH) units and 800 unaccompanied housing (UA) units to be constructed outside military installations. Initial delivery requirements include 917 MFH units and 400 UA units by June 2028, with full delivery by June 2032.

Hafa Adai Investments partnered with three local contractors—Bluewater Realty, Pacific Rim Constructors, and Pacific Unlimited—all of whom advanced to Phase 2. Their proposals collectively encompass all five Sigua Highlands parcels. NAVFAC has not yet announced an award date.

Land-Use Considerations

The potential addition of 2,400 military-restricted housing units represents a significant change to Guam's housing inventory. The applicant notes that the

operational model for "military housing" outside the fence remains unclear and may have implications for village-level planning, access, and community integration. Sigua Highlands may offer a suitable location due to:

- Existing GLUC-approved master plans allowing up to 5,000 residential units plus commercial and institutional uses.
- Absence of existing development, avoiding disruption to established neighborhoods.
- Infrastructure extensions required for initial development, which would improve feasibility for future private build-out and support surrounding communities.
- Remaining capacity for 2,600 additional units even if 2,400 military units are constructed.

The applicant seeks the Commission's perspective on accommodating military housing within the approved master plan.

Off-Roading Activity

Unauthorized off-roading continues across the property. The applicant reiterates that, without a formal agreement establishing enforceable rules and liability protections, all off-road use constitutes trespassing. They remain open to management or mitigation strategies.

Environmental Initiatives

The applicant continues to participate as a stakeholder in the development of the Habitat Conservation Plan for Guam, which is nearing release of its draft.

Property Transactions and Neighbor Relations

- The sale of a 2-acre remnant of the Pulantat parcel, approved in October 2023, has been completed; the new owner intends to use the land for farming.
- The Tebo Motocross Park, approved in October 2024, is now fully operational and actively used by local families.

The applicant expresses continued interest in collaborating with the Commission and exploring opportunities for Sigua Highlands to support Guam's long-term development and community needs.


CELINE L. CRUZ
Guam Chief Planner

Attachment: Hafa Adai Investments Annual Summary of Activities Report, March 2026
Sigua Highlands Master Plan

Application No.: 2013-04A 13th Status Annual Report
HAFA ADAI INVESTMENTS, INC.

Accepted Date: 4-Mar-26

Case Planner: Celine Cruz

Hafa Adai Investments, Inc.
PO Box T, Boulder CO 80306
(303) 447-8326

Anita Borja Enriquez, Chairwoman
Guam Land Use Commission
c/o Department of Land Management
Government of Guam
P.O. Box 2950
Hagatna, Guam 96910

March 4, 2026

Attn: Celine Cruz, Chief Planner

Subject: Sigua Highlands – Annual Summary of Activities Report, March 2026

Hafa Adai Chairwoman Enriquez and Commissioners,

We are pleased to submit this 13th Annual Report for Sigua Highlands.

Property Development

In September 2025, NAVFAC Pacific issued a Phase 1 Request for Proposals for military family housing (MFH) and unaccompanied housing (UA) outside the fence. This unprecedented venture is considering a range of acquisition approaches for a total of up to 1,600 MFH units and 800 UA units, with initial delivery of 917 MFH units and 400 UA units no later than June 2028. The balance of MFH and UA units must be available for occupancy no later than June 2032. The 2-phase selection process required a Phase 1 response in October 2025, consisting of preliminary housing concepts, site information, proposed acquisition structures and delivery schedules. Those contenders selected for Phase 2 then submitted detailed proposals in November 2025.

Hafa Adai Investments teamed with three local contractors to submit MFH/UA proposals, and all three contractors were selected by NAVFAC Pacific to move on to Phase 2. The three proposals account for all five parcels at Sigua Highlands. Bluewater Realty has the Batea Parcel, Pacific Rim Constructors has the Sigua Town Center and Pulantat parcels, and Pacific Unlimited has the Lonfit and Sigua Heights parcels. While we expect further clarifications during the coming weeks in response to Requests for Information, a firm date for award has not yet been announced; although, we anticipate final selection within the next few months.

An additional 2,400 housing units within the next 6 years is a significant event for Guam's housing inventory. Further, such units being restricted to "military housing" adds to the importance of fully understanding how this housing interfaces with the Commission's purview over land use planning on Guam. Exactly what is "military housing"? We know that whenever it's located on a base, military housing is

protected by an impenetrable perimeter fence, armed guards and not open to the public. Of course, we absolutely welcome more interface with our brothers and sisters in the military and welcome this investment outside the fence, yet some questions remain. Until we know more about how such military housing looks and works, it is difficult to see a “military (only) housing development” in the middle of any village on Guam.

Yet there is clearly an opportunity for a win-win here. In order to meet the Navy’s aggressive delivery schedule, the target properties must likely be GLUC approved and ready for design/permitting. And, since GLUC NOAs for residential development nearly always carry an obligation to provide neighborhood amenities such as parks and recreation areas, off-site infrastructure that is sized to accommodate future development along the utility corridors and similar community improvements, we will all benefit.

Enter Sigua Highlands. The GLUC-approved master plans for all 5 parcels permits up to 5,000 residential units (single and multi-family) plus collateral commercial, institutional and GovGuam land uses. To date, nothing has been developed at Sigua Highlands, so military housing would not be disruptive to any established village. Further, inasmuch as the first development at Sigua Highlands must shoulder the cost of extending most infrastructure, particularly wastewater service, from either Dero Road or Route 4 in Chalan Pago, future private build-out will be more feasible with such infrastructure available in the immediate area. That new infrastructure will generate commercial and similar support services at Sigua Highlands, which will also benefit military residents as well as neighbors at nearby Ordot/Chalan Pago, Pulantat and LeoPalace Resort. Finally, even with full build-out of 2,400 military house units at Sigua Highlands, the approved capacity for 2,600 residential units remains.

I welcome the Commission’s opinion about how this proposed military housing can be accommodated at Sigua Highlands.

Off-Roading

Off-roading continues to occur throughout Sigua Highlands. Until off-roaders organize and sign a formal agreement that addresses both enforceable rules-of-the-road to prevent environmental damage well as liability insurance protection, they are all trespassing. We continue to be receptive about suggestions for either managing off-roaders or entirely stopping all off-roading activity on our private property.

Reforestation and Other Environmental Protection Measures

We are still involved as a stakeholder on the Advisory Committee of the on-going work to develop a Habitat Conservation Plan for Guam. The Draft Plan is in the final stages, and we expect its release soon.

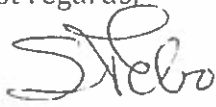
Neighbor Relations

In accordance with your NOA dated October 27, 2023 we concluded the sale of the 2 ½ acre remnant of the Pulantat parcel. The new owner will use it for farming.

Since your October 24, 2024 approval, the Tebo Motocross Park is fully operational and enjoyed by literally hundreds of families.

In closing, I look forward to visiting again and exploring more ways in which Sigua Highlands can contribute to the Island's prosperity. In the meantime, feel free to contact me directly or my representative on Guam, Dan Swavely.

Best regards,

A handwritten signature in black ink that reads "S Tebo". The signature is written in a cursive, flowing style.

Stephen Tebo, President
Hafa Adai Investments, Inc.

LAND USE PLAN

v3.7.24



Developed Area Statistics					
Parcel Name	Total Parcel Acreage	Building* Footprints	Building* Footprints (Sq. Ft.)	% of Developed Area	% of Open** Space
Batea	54.64	8.3	361,548	13%	85%
Pulantat	94.18	18.4	801,504	20%	80%
Lonft	233.94	15.6	679,536	7%	93%
Sigua Town Center	170.94	8.9	387,684	5%	95%
Sigua Heights	238.89	14.8	644,888	6%	94%
Grand Total	792.59	66.0	2,874,960	8%	92%

* Building Foot Prints are included in the overall developed area for each Parcel.
 ** Open Space is calculated as anything that has a pervious surface, such as non-developed land and parks.



SIGUA HIGHLANDS



SIGUA HIGHLANDS





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

March 20, 2026

MEMORANDUM

TO: Chairperson, Guam Land Use Commission

FROM: Celine Cruz, Chief Planner

SUBJECT: Commission Brief: 2026-14 ADEX Aerospace Guam LLC, Request to Cancel Notice of Action and Associated Conditions of Approval on Lot 177-4-1NEW, Tract 2511, Municipality of Yona

PURPOSE:

The purpose of this brief is to present to the Guam Land Use Commission (GLUC) a request submitted by ADEX, on behalf of its client, the South Korean Research Center, seeking cancellation of the previously issued Notice of Action for the proposed ADEX facility on a portion of Lot 177-4-1NEW in Yona, known as the Leo Palace Resort property. The applicant requests that the Notice of Action and all associated Conditions of Approval be formally withdrawn.

BACKGROUND:

The Guam Land Use Commission, at its regular meeting on January 22, 2026, granted approval for a technical amendment to the Leo Palace Resort Master Plan for the proposed establishment of an ADEX facility at the Leo Palace Resort site, subject to standard and project-specific Conditions of Approval.

On March 16, 2026, ADEX Aerospace Guam LLC, through its representative, Daniel D. Swavely, notified the Department of Land Management that its client had recently determined that the existing infrastructure at the Leo Palace site was insufficient for the project's operational needs.

According to the applicant, the required infrastructure improvements could not be completed within the project's timeline, and this constraint was unforeseen at the time of application and approval. As a result, the applicant states that the facility will no longer be erected at the Leo Palace site and requests cancellation of the Notice of Action and its Conditions.

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

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

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

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

Telephone
 671-649-LAND (5263)

Facsimile:
 671-649-5383



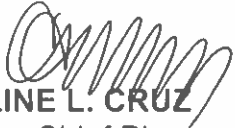
STAFF ANALYSIS:

Since the GLUC has the authority to rescind or cancel an approval upon written request by the applicant or property owner, the applicant's written correspondence satisfies the requirement for a formal request. Cancellation of the Notice of Action would release the applicant from all associated Conditions of Approval and close the file. No adverse land-use impacts are anticipated as the project will not proceed and no development activities have commenced under the approval.

STAFF RECOMMENDATION:

Planning Staff recommends that the Guam Land Use Commission:

Accept the applicant's written request to cancel the Notice of Action for the ADEX facility at the Leo Palace Resort site on Lot 177-4-1NEW in Yona; this cancellation will be in the form of a Notice of Action to formally rescind the Notice of Action recorded under Instrument Number 1016603 and all associated Conditions of Approval.



CELINE L. CRUZ
Guam Chief Planner

Attachment: Request for cancellation
Notice of Action recorded under Instrument Number 1016603

Daniel D. Swavely Consulting Services, Inc.

March 16, 2026

Personal delivery

Celine Cruz, Chief Planner
Department of Land Management
Government of Guam
P.O. Box 2950
Hagatna, Guam 96910

Subject: GLUC Application No. 2026-14 - Technical Amendment to the LeoPalace Resort Master Plan in order to Accommodate a Space Launching Vehicle, Ground Tracking System by ADEX Aerospace Guam LLC on a Portion of Tract 2511, Lot 177-4-1-NEW, Yona

Re: Cancellation

Hafa Adai Celine,

ADEX was just informed by its client, the South Korean Research Center, that available infrastructure at the LeoPalace Resort site was insufficient for its purposes and could not wait for completion of improvements. This was totally unforeseen.

Accordingly, the ADEX facility will not be erected at LeoPalace, and we wish to cancel the Notice of Approval as well as its Conditions. Please advise whether you have a form for this transaction or if this letter is sufficient.

Many thanks to you and you staff for working with us on this matter. Disappointing all around.

Respectfully,



Daniel D. Swavely

cc: Honorable Bryan Jess Terlaje, Mayor of Yona

301 Frank H. Cushing Way #1201
Tumon, Guam 96913
Cell: (671) 688-8029
Email: dds@guam.net

RECEIVED

3.16.26 CQ

DLM / Planning Division

3/16/26
DLM / Planning Division
Cannik

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

File for Record is Instrument Number **1016603**

On the Year 20 26 Month 02 Day 13 Time 8:30am

Recording Fee DE-OFFICIO Receipt No. I.E-OEFICIR

Deputy Recorder 
Yvonne D. Mendiola

(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

NOTICE OF ACTION

February 10, 2026

Date

To: **ADEX Aerospace Guam LLC**
Represented by Daniel D. Swavely
301 Frank H Cushing way #1201
Tumon, Guam 96913

Application No. 2026-14

The Guam Land Use Commission, at its meeting on January 22, 2026,

 / Approved / Disapproved X / Approved with Conditions

 / Tabled

Your request for a technical amendment to the Leo Palace Resort Master Plan on a portion of Lot 177-4-1NEW, Tract 2511, in the Municipality of Yona.

ZONING

___/ Zone Change***

___/ Conditional Use

___/ Zone Variance

Height

Use

Density

Other (Specify)

Setback

___/ TENTATIVE DEVELOPMENT PLAN

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

XX / Other (Specify) Technical
amendment to PUD Master Plan

APPLICATION DESCRIPTION: The ADEX Aerospace Guam LLC, requests a technical amendment to the PUD Master Plan of Leo Palace resort on a portion of Lot 177-4-1NEW, Tract 2511, Municipality of Yona.

COMMISSION DECISION: The Guam Land Use Commission approved with conditions the applicant's request for the technical amendment to the Master Plan of Leo Palace Resort to temporarily convert the former #2 softball field into the ADEX ground tracking station site to locate a mobile tracking antenna and accessory structures to house equipment.

CONDITIONS:

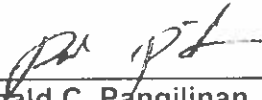
1. That such technical amendment to the Leo Palace Master Plan is valid for 3 years; and
2. That *upon* installation of the tracking station, the applicant will make a presentation of the tracking station to the Yona Municipal Planning Council; and
3. Prior to commencing operations on the property, the applicant shall provide the Department of Land Management with a fully executed lease agreement between ADEX Aerospace Guam LLC and Leo Palace Guam Corporation; and
4. The applicant shall submit an annual report on the anniversary of the Notice of Action. This report must include evidence of compliance with Condition 2 outlined herein, and any additional land use and operational information deemed relevant.
5. As noted in the application, the tracking antenna at full extension shall not exceed thirty feet (30') in height.



Celine L. Cruz
Guam Chief Planner

2/10/26

Date



Ronald C. Pangilinan
Acting Chairperson
Guam Land Use Commission

2/12/26

Date

Case Planner: Celine Cruz
Cc: Building Permits Section, DPW

CERTIFICATION OF UNDERSTANDING

I/We _____, DANIEL D. SWAVELY
(Applicant [Please print name]) (Representative [Please print name])

Understand that pursuant to Section 5 of Executive Order 96-26, that a building or grading permit must be obtained 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.

The Commission may grant two (2) one-year extensions of the above approval period at the time of initial approval.

This requirement shall not apply for application for a Zone Change***

I/We, further **AGREE** and **ACCEPT** the conditions above as a part of the Notice of Action and further **AGREE TO ANY AND ALL CONDITIONS** made a part of and attached to this Notice of Action as mandated by the approval from the Guam Land Use Commission or from the Guam Seashore Protection Commission.

Signature of Applicant _____
Date

Daniel D Swavely 2/10/20
Signature of Representative Date

ONE (1) COPY OF RECORDED NOTICE OF ACTION RECEIVED BY:

Applicant _____
Date

Representative _____
Date