I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
393-38 (COR)	V. Anthony Ada	AN ACT TO AUTHORIZE A LAND EXCHANGE IN THE MUNICIPALITY OF *ASAN* INVOLVING 1,183 (+) SM OF AN ABANDONED AND UNUSED PORTION OF THE *OLD PITI-AGAÑA* ROAD, FOR (A) 112 (+) SM OF LOT 292-7-1, WHERE A GWA SEWER FACILITY IS ENCROACHING, AND (B) 1,072 SM OF LOT 293 BEACHFRONT PROPERTY FOR A PUBLIC PARK TO BE PUT UNDER THE ADMINISTRATIVE JURISDICTION OF THE MAYOR OF THE MUNICIPALITY OF *ASAN*.	11/4/26 3:35 p.m.	11/4/26	Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure.	Request: 11/4/26 11/10/26	11/16/26 8:30 a.m.	11/18/26 As Amended.	Exhibits A and B

OFFICE OF THE VICE SPEAKER
V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

November 18, 2026

Honorable Frank F. Blas, Jr
Speaker
Mina'trentai Ocho na Liheslaturan Guåhan
163 Chalan Santo Papa
Hagåtña, Guam 96910

VIA: **Honorable V. Anthony Ada**
Chairperson, Committee on Rules

Re: **Committee Report on Bill No. 393-38 (COR) As amended**

Håfa adai Speaker Blas:

Transmitted herewith is the Committee Report on Bill No. 393-38 (COR) – V. Anthony Ada - AN ACT TO AUTHORIZE A LAND EXCHANGE IN THE MUNICIPALITY OF ASAN INVOLVING 1,183 (+) SM OF AN ABANDONED AND UNUSED PORTION OF THE OLD PITI-AGAÑA ROAD, FOR (A) 112 (+) SM OF LOT 292-7-1, WHERE A GWA SEWER FACILITY IS ENCROACHING, AND (B) 1,072 SM OF LOT 293 BEACHFRONT PROPERTY FOR A PUBLIC PARK TO BE PUT UNDER THE ADMINISTRATIVE JURISDICTION OF THE MAYOR OF THE MUNICIPALITY OF ASAN, as Amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure.

Committee votes are as follows:

1 TO DO PASS

0 TO NOT PASS

5 TO REPORT OUT ONLY

0 TO ABSTAIN

0 TO PLACE IN INACTIVE FILE

COMMITTEE ON RULES
RECEIVED:
November 18, 2026 3:40 p.m.
Marie Crisostomo

Si Yu'os ma'åse',

V. Anthony Ada

Guam Congress Building • 163 Chalan Santo Papa, Hagåtña, Guam 96910
Tel: (671) 989-0855 • Email: vicespeakertonyada@guamlegislature.gov

OFFICE OF THE VICE SPEAKER
V. Anthony Ada
I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature
Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

COMMITTEE REPORT

Bill No. 393-38 (COR)

As Amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure

Introduced by V. Anthony Ada

AN ACT TO AUTHORIZE A LAND EXCHANGE IN THE MUNICIPALITY OF ASAN INVOLVING 1,183 (+) SM OF AN ABANDONED AND UNUSED PORTION OF THE OLD PITI-AGAÑA ROAD, FOR (A) 112 (+) SM OF LOT 292-7-1, WHERE A GWA SEWER FACILITY IS ENCROACHING, AND (B) 1,072 SM OF LOT 293 BEACHFRONT PROPERTY FOR A PUBLIC PARK TO BE PUT UNDER THE ADMINISTRATIVE JURISDICTION OF THE MAYOR OF THE MUNICIPALITY OF ASAN

by Vice Speaker V. Anthony Ada

Guam Congress Building • 163 Chalan Santo Papa, Hagåtña, Guam 96910
Tel: (671) 989-0855 • Email: vicespeakertonyada@guamlegislature.gov

OFFICE OF THE VICE SPEAKER
V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

November 18, 2026

MEMORANDUM

To: **All Members**
Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure

From: **Vice Speaker V. Anthony Ada**
Committee Chairperson

Subject: **Committee Report on Bill No. 393-38 (COR) As amended**

Transmitted herewith is the Committee Report on Bill No. 393-38 (COR) – V. Anthony Ada - AN ACT TO AUTHORIZE A LAND EXCHANGE IN THE MUNICIPALITY OF ASAN INVOLVING 1,183 (+) SM OF AN ABANDONED AND UNUSED PORTION OF THE OLD PITI-AGAÑA ROAD, FOR (A) 112 (+) SM OF LOT 292-7-1, WHERE A GWA SEWER FACILITY IS ENCROACHING, AND (B) 1,072 SM OF LOT 293 BEACHFRONT PROPERTY FOR A PUBLIC PARK TO BE PUT UNDER THE ADMINISTRATIVE JURISDICTION OF THE MAYOR OF THE MUNICIPALITY OF ASAN, as Amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure.

This report includes the following:

- Copy of COR Referral of Bill No. 393-38 (COR)
- Notices of Public Hearing & Other Correspondence
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimonies & Supporting Documents
- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 393-38 (COR)
- Copy of Bill No. 393-38 (COR) as amended by the Committee
- Amended Markup Version
- Copy of Fiscal Note from Bureau of Budget and Management Research

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os ma'åse'

Guam Congress Building • 163 Chalan Santo Papa, Hagåtña, Guam 96910
Tel: (671) 989-0855 • Email: vicespeakertonyada@guamlegislature.gov

COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature

November 4, 2026

To: **Rennae V. C. Meno**
Clerk of the Legislature

Attorney Darleen E.H. Phillips
Legislative Legal Counsel

From: **Vice Speaker V. Anthony Ada**
Chairperson, Committee on Rules

Subject: **Referral of Bill No. 393-38 (COR)**

Håfa Adai,

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d)(1), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 393-38 (COR)** - V. Anthony Ada.– "AN ACT TO AUTHORIZE A LAND EXCHANGE IN THE MUNICIPALITY OF ASAN INVOLVING 1,183 (+) SM OF AN ABANDONED AND UNUSED PORTION OF THE OLD PITI-AGAÑA ROAD, FOR (A) 112 (+) SM OF LOT 292-7-1, WHERE A GWA SEWER FACILITY IS ENCROACHING, AND (B) 1,072 SM OF LOT 293 BEACHFRONT PROPERTY FOR A PUBLIC PARK TO BE PUT UNDER THE ADMINISTRATIVE JURISDICTION OF THE MAYOR OF THE MUNICIPALITY OF ASAN."

Please ensure that the subject bill is referred to the Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure chaired by Vice Speaker V. Anthony Ada. I also request that the same be copied to the Prime Sponsor of the subject bill and to Management Information Services (MIS) for posting on our website.

A copy of the bill is available on our legislative website.

Should you have any questions or concerns, please feel free to contact Kamarin Nelson, Committee on Rules Director at 671-472-2461.

THE GUAM LEGISLATURE

Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

FIRST NOTICE of Public Hearing: November 16, 2026

Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov> Fri, Nov 6, 2026 at 8:53 AM
Bcc: phnotice@guamlegislature.gov, "[redacted]" <[redacted]>, "[redacted]" <[redacted]>, "[redacted]" <[redacted]>, "erica.alvarez@sgswcd.guam.gov" <erica.alvarez@sgswcd.guam.gov>, "southernguamswcd@gmail.com" <southernguamswcd@gmail.com>, "glenn.takai@sgswcd.guam.gov" <glenn.takai@sgswcd.guam.gov>, Michelle Lastimoza <michelle.lastimoza@epa.guam.gov>, Robert Lizama <robert.lizama@dpr.guam.gov>, "Joseph M. Borja" <joseph.borja@land.guam.gov>, jesseg@blackguam.com

FOR IMMEDIATE RELEASE
November 6, 2026

MEMORANDUM

To: **All Senators, Stakeholders, Media**
From: **Vice Speaker V. Anthony Ada**
Re: **FIRST NOTICE of Public Hearing: November 16, 2026**

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure will conduct a public hearing on **Monday, November 16, 2026** at **8:30 am** in the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

· The **Appointment** of **Joseph E. Tuquero** as **Director** of the **Southern Guam Soil and Water Conservation District.**

· The **Appointment** of **Frances A. Castro** as a **Member** of the **Board of Directors** of the **Guam Environmental Protection Agency.**

· The **Appointment** of **Domingo S. Cabusao** as a **Member** of the **Board of Directors** of the **Guam Environmental Protection Agency.**

· The **Appointment** of **Joylyn O. Pangilinan** as a **Member** of the **Parks and Recreation Commission.**

· **Bill No. 393-38 (COR)** – V. Anthony Ada - AN ACT TO AUTHORIZE A LAND EXCHANGE IN THE MUNICIPALITY OF *ASAN* INVOLVING 1,183 (±) SM OF AN ABANDONED AND UNUSED PORTION OF THE *OLD PITI-AGAÑA ROAD*, FOR (A) 112 (±) SM OF LOT 292-7-1, WHERE A GWA SEWER FACILITY IS ENCROACHING, AND (B) 1,072 SM OF LOT 293 BEACHFRONT PROPERTY FOR A PUBLIC PARK TO BE PUT UNDER THE ADMINISTRATIVE JURISDICTION OF THE MAYOR OF THE MUNICIPALITY OF *ASAN*.

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Vice Speaker V. Anthony Ada at (671) 989-0855 or via electronic mail at vicespeakertonyada@guamlegislature.gov for further guidance.

--

The Public Hearing will broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and stream online via i Liheslaturan Guåhan's live feed. Written testimonies may be sent via email at vicespeakertonyada@guamlegislature.gov.

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participate in this public hearing, please contact the Office of Vice Speaker V. Anthony Ada at (671) 989-0855 or via email at vicespeakertonyada@guamlegislature.gov.

--

Office of Vice Speaker V. Anthony Ada
38th Guam Legislature
I Mina'trentai Ocho Na Liheslaturan Guåhan
Guam Congress Building, 2nd Floor
163 Chalan Santo Papa
Hagåtña, Guam 96910
Phone: (671) 989-0855
Email: vicespeakertonyada@guamlegislature.gov

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2 attachments

2026-11-06 FIRST Notice .pdf
799K

Bill No. 393-38 (COR)-2.pdf
1132K

OFFICE OF THE VICE SPEAKER
V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

FOR IMMEDIATE RELEASE
November 6, 2026

MEMORANDUM

To: All Senators, Stakeholders, Media
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FIRST NOTICE of Public Hearing: November 16, 2026

PUBLIC HEARING

Posted on: 11/06/2026 10:04 AM

Posted by: Erin Grajek

Public Hearing Date: 11/16/2026 08:30 AM

Department(s): GUAM LEGISLATURE (/notices?department_id=92)

Division(s): OFFICE OF VICE SPEAKER V. ANTHONY ADA (/notices?division_id=261)

Notice Topic(s): PUBLIC HEARING (/notices?topic_id=74)

Types of Notice: PUBLIC HEARING (/notices?type_id=7)

For Audience(s): PUBLIC (/notices?public=1)

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FOR IMMEDIATE RELEASE
November 6, 2026

MEMORANDUM

To: All Senators, Stakeholders, Media
From: Vice Speaker V. Anthony Ada
Re: FIRST NOTICE of Public Hearing: November 16, 2026

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- **Bill No. 393-38 (COR)** **(https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20393-38%20(COR).pdf)** – V. Anthony Ada - AN ACT TO AUTHORIZE A LAND EXCHANGE IN THE MUNICIPALITY OF *ASAN* INVOLVING 1,183 (±) SM OF AN ABANDONED AND UNUSED PORTION OF THE *OLD PITI-AGAÑA ROAD*, FOR (A) 112 (±) SM OF LOT 292-7-1, WHERE A GWA SEWER FACILITY IS ENCROACHING, AND (B) 1,072 SM OF LOT 293 BEACHFRONT PROPERTY FOR A PUBLIC PARK TO BE PUT UNDER THE ADMINISTRATIVE JURISDICTION OF THE MAYOR OF THE MUNICIPALITY OF *ASAN.*

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GUAM LEGISLATURE
AUDIO VISUAL DEPARTMENT
PUBLIC ANNOUNCEMENT REQUEST FORM

Office Submitting Request: Office of Vice Speaker V. Anthony Ada

Date of Request: 11/05/2026

POINT OF CONTACT

Name: Erin M. Grajek Contact #: 989-0855

Email: erin.grajek@guamlegislature.gov

PUBLIC HEARING DETAILS

Notice Type: ☑ Public Hearing ☐ Informational Briefing ☐ Roundtable Discussion

☐ Oversight Hearing ☐ Committee Meeting ☐ Other: _____

Notice Title / Bill(s) / Resolution(s) / Appointment: APPT-J. TUQUERO (SG&NICD) / F. CASTRO (GEPA BOD) / D. CABUSAO (GEPA BOD) / J. PANGILINAN (DPR COMM). BILL 398 (NAA)

Date of Event: 11/16/2026

Start Time: 8:30 AM End Time: 12PM (OR UNTIL ADJOURNED)

Location: Public Hearing Room, Guam Congress Building

MEDIA HANDLING

Recording Format: ☑ MP4 ☐ MP3 ☐ Other: _____

Delivery Method: ☑ Email ☐ USB Drive ☐ Cloud Link ☐ Other: _____

CERTIFIED BY AV:

Name: Zachary Quinata Signature: _____

Posted on/Air Date: 11/16/26

THE GUAM LEGISLATURE

Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

SECOND NOTICE of Public Hearing: November 16, 2026

Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov> Sat, Nov 14, 2026 at 8:00 AM
Bcc: phnotice@guamlegislature.gov, "[redacted]" <[redacted]>, "[redacted]" <[redacted]>, "[redacted]" <[redacted]>, "erica.alvarez@sgswcd.guam.gov" <erica.alvarez@sgswcd.guam.gov>, "southernguamswcd@gmail.com" <southernguamswcd@gmail.com>, "glenn.takai@sgswcd.guam.gov" <glenn.takai@sgswcd.guam.gov>, Michelle Lastimoza <michelle.lastimoza@epa.guam.gov>, Robert Lizama <robert.lizama@dpr.guam.gov>, "Joseph M. Borja" <joseph.borja@land.guam.gov>, jesseg@blackguam.com

FOR IMMEDIATE RELEASE
November 14, 2026

MEMORANDUM

To: All Senators, Stakeholders, Media
From: Vice Speaker V. Anthony Ada
Re: SECOND NOTICE of Public Hearing: November 16, 2026

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure will conduct a public hearing on **Monday, November 16, 2026** at **8:30 am** in the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

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for further guidance.

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--

Office of Vice Speaker V. Anthony Ada
38th Guam Legislature
I Mina'trentai Ocho Na Liheslaturan Guåhan
Guam Congress Building, 2nd Floor
163 Chalan Santo Papa
Hagåtña, Guam 96910
Phone: (671) 989-0855
Email: vicespeakertonyada@guamlegislature.gov

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2 attachments

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Bill No. 393-38 (COR)-2.pdf
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OFFICE OF THE VICE SPEAKER
V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

FOR IMMEDIATE RELEASE
November 14, 2026

MEMORANDUM

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SECOND NOTICE of Public Hearing: November 16, 2026

PUBLIC HEARING

Posted on: 11/14/2026 08:30 AM

Posted by: Erin Grajek

Public Hearing Date: *11*/16/2026 08:30 AM

Department(s): GUAM LEGISLATURE (/notices?department_id=92)

Division(s): OFFICE OF VICE SPEAKER V. ANTHONY ADA (/notices?division_id=261)

Notice Topic(s): PUBLIC HEARING (/notices?topic_id=74)

Types of Notice: PUBLIC HEARING (/notices?type_id=7)

For Audience(s): PUBLIC (/notices?public=1)

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FOR IMMEDIATE RELEASE
November 14, 2026

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OFFICE OF THE VICE SPEAKER
V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

Public Hearing

Public Hearing Room · Guam Congress Building
Monday · November 16, 2026 · 8:30 am

Agenda

- The **Appointment** of **Joseph E. Tuquero** as **Director** of the **Southern Guam Soil and Water Conservation District.**
- The **Appointment** of **Frances A. Castro** as a **Member** of the **Board of Directors** of the **Guam Environmental Protection Agency.**
- The **Appointment** of **Domingo S. Cabusao** as a **Member** of the **Board of Directors** of the **Guam Environmental Protection Agency.**
- The **Appointment** of **Joylyn O. Pangilinan** as a **Member** of the **Parks and Recreation Commission.**
- **Bill No. 393-38 (COR)** – V. Anthony Ada - AN ACT TO AUTHORIZE A LAND EXCHANGE IN THE MUNICIPALITY OF *ASAN* INVOLVING 1,183 (±) SM OF AN ABANDONED AND UNUSED PORTION OF THE *OLD PITI-AGAÑA ROAD*, FOR (A) 112 (±) SM OF LOT 292-7-1, WHERE A GWA SEWER FACILITY IS ENCROACHING, AND (B) 1,072 SM OF LOT 293 BEACHFRONT PROPERTY FOR A PUBLIC PARK TO BE PUT UNDER THE ADMINISTRATIVE JURISDICTION OF THE MAYOR OF THE MUNICIPALITY OF *ASAN*.

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The Public Hearing will broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and stream online via i Liheslaturan Guåhan's live feed. Written testimonies may be sent via email at vicespeakertonyada@guamlegislature.gov.

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OFFICE OF THE VICE SPEAKER
V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

PUBLIC HEARING SIGN-IN SHEET
Monday, November 16, 2026 · 8:30 am · Public Hearing Room, Guam Congress Building

Bill No. 393-38 (COR) – V. Anthony Ada - AN ACT TO AUTHORIZE A LAND EXCHANGE IN THE MUNICIPALITY OF *ASAN* INVOLVING 1,183 (±) SM OF AN ABANDONED AND UNUSED PORTION OF THE *OLD PITI-AGAÑA ROAD*, FOR (A) 112 (±) SM OF LOT 292-7-1, WHERE A GWA SEWER FACILITY IS ENCROACHING, AND (B) 1,072 SM OF LOT 293 BEACHFRONT PROPERTY FOR A PUBLIC PARK TO BE PUT UNDER THE ADMINISTRATIVE JURISDICTION OF THE MAYOR OF THE MUNICIPALITY OF *ASAN*.

NAME	AGENCY/ ORGANIZATION	POSITION	TESTIMONY	CONTACT INFO
1. HARIKEERAT CHAWNEY	—	SUPPORT ☐ OPPOSE ☐	WRITTEN ☒ ORAL ☐	[redacted]
2.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
3.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
4.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
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DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

LOURDES A. LEON GUERRERO
MAGA'HÅGA · GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI · LIEUTENANT GOVERNOR

JOSEPH M. BORJA
DIRECTOR

ROSSANA S.M. TISTON
DEPUTY DIRECTOR

NOVEMBER 16, 2026

COMMITTEE ON LANDS
MINA TRENTAI OCHO NA LIHESLATURAN GUAHAN

DEPARTMENT OF LAND MANAGEMENT TESTIMONY – BILL 393-38 (COR)

The Department of Land Management submits the following:

1. Passage of this Bill would solve a long-standing problem in the area that affects a private landowner encroached by a government facility, a necessary component of Asan's sewer and water infrastructure and the jurisdiction and use of beach front by the Mayor of Asan and the Residents of Asan and Guam.
2. The existing structure encroaching into an abandoned portion of the Old Agana-Piti Road was actually built by the original owner (Paul Bordallo) who had a commercial enterprise there (Marianas Boats and Motors).
3. Both the Mr. Bordallo the original owner and GovGuam (Frank Castro, Director Department of Land Management) acknowledged each of the encroachments by signing off on the map Exhibit A approved and recorded on January 1995 Document No. 522731.
4. Relative to the GWA encroachment: GWA through their contracted surveyor is capable of severing out their encroachment to create a separate parcel. GWA has been working on this issue for years.
5. Relative to a proposed Asan public park: This is the only parcel not yet mapped and identified to be severed by a survey.
6. The original map Exhibit A is a Retracement Map. Exhibit B are sketches for the proposed land exchange. The top sketch of Exhibit B shows the existing encroachments. The bottom sketch of Exhibit B shows the (completed) land exchange should the Bill pass into law. The bottom sketch would be surveyed and mapped, to be approved by DLM and recorded at DLM.
7. Amend the Bill to add: "The Department of Land Management shall cause a survey of the parcels and properties involved to be conducted in order to establish and confirm the metes and bounds of the severed parcels; and to cause to be prepared an official survey map of said parcels. The Department of Land Management is hereby authorized to work with GWA, Office of the Mayor of Asan and the private landowner to accomplish the Survey."

Joseph M. Borja
Director

November 17, 2026

RECEIVED
NOV 05 2026
Office of the Vice Speaker
V. Anthony Ada

To: The Honorable Chairperson and Members of the Committee
I Liheslaturan Guåhan
38th Guam Legislature

Subject: Written Testimony in Support of the Proposed Asan Land Exchange — Bill No. 393-38 (COR)

Honorable Chairperson and Members of the Committee:

Håfa Adai!

My name is Harikeerat Singh (Harry) Chawney, and I am submitting this testimony on behalf of my friend, Mr. Sunilh (Sunny) Uttamchandani, concerning the proposed land exchange between his property in Asan and the Government of Guam. I am authorized to represent Mr. Uttamchandani pursuant to a Power of Attorney executed on August 22, 2024.

For approximately two years, I have been assisting Mr. Uttamchandani in seeking a resolution to the longstanding property issues originally addressed in Bill No. 255-34 (LS), introduced in 2018.

The circumstances are relatively straightforward. An existing apartment building encroaches upon a portion of the abandoned Old Piti-Agana Road, while a Guam Waterworks Authority sewer facility occupies a portion of Mr. Uttamchandani's private property.

The proposed land exchange provides a practical means of resolving both situations while also conveying approximately 1,072 square meters of beachfront property to the Government of Guam for use as a public park under the administration of the Mayor of Asan.

The exchange involves approximately equal areas of land, with no monetary compensation contemplated.

Throughout my involvement, I have felt that the original proposal provides a reasonable and mutually beneficial solution. Rather than seek modifications to the arrangement, our preference has been to proceed with the exchange as originally proposed, recognizing the benefits it offers to both the property owner and the community of Asan.

I would like to express my sincere appreciation to the Senator and his staff for taking the time to meet with me and for their assistance in bringing this matter forward. I also appreciate the consideration and cooperation of the Government of Guam representatives involved in reviewing the proposed exchange.

The original legislation and accompanying survey exhibits provide the background and details of the proposed exchange. I would be pleased to provide any additional documentation or clarification the Committee may require.

On behalf of Mr. Uttamchandani, I respectfully request your favorable consideration of this land exchange. We look forward to working cooperatively with the appropriate government agencies to bring this longstanding matter to a satisfactory conclusion.

Thank you for your time, consideration, and service to the people of Guam.

Respectfully submitted,

Harikeerat Singh Chawney
Attorney-in-Fact for Sunilh Uttamchandani
Pursuant to Power of Attorney dated August 22, 2024

OFFICE OF THE VICE SPEAKER
V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

COMMITTEE VOTE SHEET

Bill No. 393-38 (COR) – V. Anthony Ada - AN ACT TO AUTHORIZE A LAND EXCHANGE IN THE MUNICIPALITY OF ASAN INVOLVING 1,183 (+) SM OF AN ABANDONED AND UNUSED PORTION OF THE OLD PITI-AGAÑA ROAD, FOR (A) 112 (+) SM OF LOT 292-7-1, WHERE A GWA SEWER FACILITY IS ENCROACHING, AND (B) 1,072 SM OF LOT 293 BEACHFRONT PROPERTY FOR A PUBLIC PARK TO BE PUT UNDER THE ADMINISTRATIVE JURISDICTION OF THE MAYOR OF THE MUNICIPALITY OF ASAN, as Amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure.

	SIGNATURE/ DATE OF SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Vice Speaker V. Anthony Ada Chairperson	11/18/2026	✓				
Senator Christopher M. Dueñas Vice Chairperson	EVOTE 11/18/2026			✓		
Speaker Frank F. Blas, Jr. Member						
Senator Sabrina Salas Matanane Member	EVOTE 11/18/2026			✓		
Senator Shelly V. Calvo Member	EVOTE 11/18/2026			✓		
Senator Vincent A.V. Borja Member						
Senator Sabina F. Perez Member						
Senator Chris Barnett Member	EVOTE 11/18/2026			✓		
Senator Tina Muña Barnes Member						
Senator Joe S. San Agustin Member	EVOTE 11/18/2026			✓		

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THE GUAM LEGISLATURE

Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

URGENT REQUEST for Evote: Bill No. 393-38 (COR) As amended

Senator Chris Duenas <senator.duenas@guamlegislature.gov> Wed, Nov 18, 2026 at 11:18 AM
To: Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>
Cc: "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, "Speaker Frank F. Blas Jr." <speakerblas@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Senator Vince Borja <vince.borja@guamlegislature.gov>, Office Senator Perez <office.senatorperez@guamlegislature.gov>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

To Report Out Only

Office of Senator Christopher M. Dueñas
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URGENT REQUEST for Evote: Bill No. 393-38 (COR) As amended

Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov> Wed, Nov 18, 2026 at 11:07 AM
To: "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>
Cc: Chris Duenas <senator.duenas@guamlegislature.gov>, "Speaker Frank F. Blas Jr." <speakerblas@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Senator Vince Borja <vince.borja@guamlegislature.gov>, Office Senator Perez <office.senatorperez@guamlegislature.gov>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

To Report Out Only

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The Office of Senator Chris Barnett
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URGENT REQUEST for Evote: Bill No. 393-38 (COR) As amended

Joe S. San Agustin <senatorjoessanagustin@gmail.com> Wed, Nov 18, 2026 at 12:08 PM
To: Office of Legislative Secretary <office.senatorbri@guamlegislature.gov>
Cc: Senator Chris Duenas <senator.duenas@guamlegislature.gov>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, "Speaker Frank F. Blas Jr." <speakerblas@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Senator Vince Borja <vince.borja@guamlegislature.gov>, Office Senator Perez <office.senatorperez@guamlegislature.gov>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>

To report out. Thanks!

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URGENT REQUEST for Evote: Bill No. 393-38 (COR) As amended

Office of Legislative Secretary <office.senatorbri@guamlegislature.gov> Thu, Nov 19, 2026 at 5:18 AM
To: Senator Chris Duenas <senator.duenas@guamlegislature.gov>
Cc: Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, "Speaker Frank F. Blas Jr." <speakerblas@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Senator Vince Borja <vince.borja@guamlegislature.gov>, Office Senator Perez <office.senatorperez@guamlegislature.gov>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

To report out only.

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Biba Guam,

Isaiah Aguon

Special Assistant to the Senator

Office of Legislative Secretary
SENATOR SABRINA SALAS MATANANE
***I Mina'trentai Ocho Na Liheslaturan Guåhan* | 38th Guam Legislature**
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Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov> Wed, Nov 18, 2026 at 1:43 PM
To: "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>
Cc: Chris Duenas <senator.duenas@guamlegislature.gov>, "Speaker Frank F. Blas Jr." <speakerblas@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>, Senator Vince Borja <vince.borja@guamlegislature.gov>, Office Senator Perez <office.senatorperez@guamlegislature.gov>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

Hafa adai,

To report out only

Respectfully,

Jacqueline Munoz

Office of the People | Senator Shelly V. Calvo

Majority Whip & Chairwoman

Committee on Child Welfare, Youth Affairs, Senior Citizens, Women's Affairs, Disability Services, the Arts, Culture, Historic Preservation & Hagåtña Restoration

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COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 393-38 (COR) was introduced on **November 4, 2026,** by **V. Anthony Ada** and was subsequently referred to the Committee on Rules to the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure on **November 4, 2026.**

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure convened a public hearing on **November 16, 2026** at the Public Hearing Room of the Guam Congress Building.

Public Notice Requirements
Public Hearing notices were disseminated via **e-mail** to all senators and all main media broadcasting outlets on **November 6, 2026** (5-Day Notice), and again on **November 14, 2026** (48-Hour Notice).

Senators Present
Senator Christopher M. Dueñas, Acting Chairman
Senator Eulogio Shawn Gumataotao
Senator Telo T. Taitague
Senator Therese M. Terlaje

Attendees
Harikeet Singh Chawney

Written Testimony Provided by
Harikeet Singh Chawney
Joseph Borja, Director – Department of Land Management

II. SUMMARY OF TESTIMONY & DISCUSSION

The **public hearing** was Called-to-Order at **8:31 am**

Senator Christopher M. Dueñas, Acting Committee Chairman: Håfa Adai. Good morning and welcome to the 38th Guam Legislature the people's house and thank you for being here this morning for this public hearing. Half a day and good morning. The public hearing is conducted by the committee on land, environment, housing, agriculture, parks, and infrastructure and is called to order at this time 0831. Today's date is Monday, November 16th, 2026. Noting of notice of this hearing was disseminated to all local media outlets on November 6, 2026, with its second notice provided on November 14, 2026. Notice of the hearing was also made known to the Guam legis on the Guam legislatures' website and the government of Guam public notice portal. Today we'll be hearing testimony on the following. The appointment of Joseph E. Tuquero as director of the Southern Guam and soil and water conservation district. Appointment of Francis A. Castro, member of the board of directors of the Guam

Environmental Protection Agency. The appointment of Domingo S. Cabusao as a member of D board of directors Guam Environmental Protection Agency and the appointment of Joylyn O. Pangilinan as a member of Parks and Recreation Commission. We will also hear bill number 393-38 COR introduced by Vice Speaker Ada, an act to authorize a land exchange in the municipality of Asen involving 1,183 m of an abandoned and unused portion of the old PD AA road for a 112 square meters of lot 2927-1 where a GWA sewer facility is encroaching and B 1,072 square meters of lot 293 beachfront property for a public park to be put under the administrative jurisdiction of the mayor of the municipality of Asen. At this time, I would like to welcome my colleagues who have joined today. to my right is our Senator Sean Gumataotao. Thank you for being here this morning. And also, having joined us now is Senator Tel Tide. Thank you for being here this morning. Before we begin, I'd like to go over the general rules of conduct. Individuals testifying shall state their name for recordkeeping purposes. Discussion shall be confined to the substance and nature of the agenda. Personal inference as to the character or motive of any senator or individual testifying is not permitted. The chairperson of the committee may order the removal from the hearing of any member of legis who fails to observe proper decorum pursuant to the 38th Guan legislature standing rules. Any violation of this general rule of conduct will result in removal from the hearing by the host which is myself.

[See testimony proceedings on the appointments of Joseph Tuquero; Frances Castro; Domingo Cabusao; and Joylyn Pangilinan]

We'll now move to the next bill, our me measure on the agenda, which is proceeding on the hearing on bill number 393-38 COR introduced by Vice Speaker Tony Ada as an act to add a land exchange in the municipality of Asan involving 1,183 m on an abandoned and unused portion of the old Piti Asan road for a 112 m of lot 29. 927-1 where GWA sewer facility is encroaching and B 1,072 square meters of lot 293 beachfront property for a public park to be put under the administrative jurisdiction of the mayor of the municipality of Asan. I will start by reading an opening statement by the author that is vice speaker governor elect Tony Ada. Bill number 293-38R would authorize land exchange in the municipality of Asan involving more than 1,183 square meters for an abandoned and unused portion of old Piti Asan road approximately 112 m lot 292-7-1 where a Guam Waterworks Authority sewer facility is encroaching and 1,072 square meters of lot 293 beachfront property for a public park under the administrative jurisdiction of the mayor of Asan. The measure addresses two practical community needs. Resolving the sewer facilities encroachment and establishing a beachfront parcel for a public park use. It would put these properties to more useful purposes for Asan and the people of Guam. Because this involves a land exchange, the details deserve careful public review. I welcome testimony on the parcel boundaries, valuation, title, public access, utility requirements, and the responsibilities involved in managing the proposed park. That input will help ensure the exchange is transparent and serves the public interest. And to add to that, I want to let everyone know as per the outreach of the committee on the bill roll out hearing they we did invite Department Land Management Asan mayor for testimony, but we received no word and they will and also word that they will not be able to attend. DLM did commit to submitting written testimony and we have an updated message returned from the current director Joe Borja of DLM that they will be sending in written testimony on this matter. So, we have a member of the public here to make a statement on the bill and then we will go to the panel. sir, I do not want to mispronounce your name, so can you just introduce yourself and proceed with your testimony?

Harikeet Singh Chawney: Good morning, senators. Just please call me Harry. I've been Harry since first grade.

Acting Chairman Dueñas: Harry, for official reasons, we have to have your full name before you test testify on the bill.

Mr. Chawney: Sure. My name is Harikeerat Chawney.

Acting Chairman Dueñas: Okay. Harry, please provide your testimony on the bill.

Mr. Chawney: Well, I provided written testimony. It's pretty straightforward. GWA has a pump station that encroaches on my friend's property. I'm representing my friend Sunny Utam or his legal name Sunil Utam Chandani. he owns the property. He's he lives in Hong Kong. I'm helping him out as a

friend. he wasn't able to he's been trying to work on his property. I said I'll help you out. GWA built a pump station that encroaches on my friend's property. My friend has a five-unit apartment building on this property that encroaches on the old eastment. So, we years ago in 2018, Sunny tried to work out a land swap with the government of Guam. I didn't know him very well back then and, but I said I'll help you this time and I believe what we've presented is a fair and equitable deal for everybody if people want to ask questions or whatever, I'm willing to answer.

Acting Chairman Dueñas: Okay. Thank you, Harry. So, for the record, once again, I think it's going to be important to be very detailed on this. So, can you read once again from your paper?

Mr. Chawney: Oh, I can read. Sure. You want me to read this?

Acting Chairman Dueñas: Yeah, it will probably help. Why don't we just go ahead and do that?

Mr. Chawney: [Written testimony presented orally]

Acting Chairman Dueñas: Thank you, Harry. So, it looks like this is not a new issue and it's an area for area proposal that exchange. Okay, at this time I will go to our senators who are here to ask questions. Senator Gumataotao, you're recognized.

Senator Eulogio Shawn Gumataotao: Thank you so much, Mr. Chair, and thank you, Harry, for being with us this morning. I'm not sure you can answer the question, but maybe this will be for the committee as part of this public process. Maybe they can answer. So, the bill finds that the owner of the private property in question had inadvertently built a concrete structure which encroaches on an abandoned portion of the old Asan Piti road. Can DPW and the owner confirm whether a building permit was required for the construction of the concrete structure and whether the encroachment was identified prior to construction?

Mr. Chawney: My friend, excuse me, my friend acquired the property after it was built. So, I don't know if he had the ability to to understand whether that happened. I know for a fact that he didn't know that they there was an easement there when he bought the property.

Senator Gumataotao: Okay, that's and that's fair. And again, hopefully we can get the committee to answer that. And for the committee, maybe they can find out, was the concrete structure put up prior to the 1994 retracement survey map? And did the government maintain any official surveys of the properties in question prior to 1994. Now, regarding the section of the bill which mentions that GWA had constructed a sewer pump station facility that is encroaching into the adjacent and contiguous private property occupying 112 square meters of private property. Is there any record of the private property owner filing a claim against the GWA? I'm not sure if you can answer that.

Mr. Chawney: I cannot answer.

Senator Gumataotao: and that's okay. I hope that the committee staff can get that answer for the senators as well because then they'll also have to answer do we know the monetary value that the owner may be entitled to because of the GWA encroachment and is the property owner GWA and or DPW aware of any environmental issues that are tied to the operation of GWA sewer facility on the encroachment and the surrounding lots. And finally, Mr. Chair. The bill proposes that 1,072 m of lot 293 beachfront property for a public park be put under the administrative jurisdiction of the mayor of the municipality of Asan Maina. I'm hoping that the committee can find out do we have a record showing that this particular policy or its 2018 iteration is supported by the Asan Maina mayor and its municipal planning council. Mr. Chair. I'm hoping those questions the committee can get some answers to. if if it's necessary, I can resubmit that in writing from my office to to the committee. But again, Mr. Harry, thank you for being with us today. And thank you, Mr. Chair, for the time. Thank you.

Acting Chairman Dueñas: Thank you, Senator Gumataotao. Certainly, as you have posed the question, I am sure the committee will act with due diligence and provide those answers for the committee report. Senator Taitague, will you recognize?

Senator Telo T. Taitague: Thank you, Mr. Chair. Håfa adai Harry.

Mr. Chawney: Hi.

Senator Taitague: It's kind of unusual. We don't have especially something like this. We don't have the owner and I understand that. Is the owner off island or

Mr. Chawney: Yeah, he has business interests all over Southeast Asia, China, the Middle East. He But he's his family in Guam. He has business in Guam, but he just can never psych his sync up his schedule with the schedule needed to do this process. So, that's why I'm here to help him out.

Senator Taitague: So, you according to your documents, you're saying that you were the power of attorney for the last two years since 2024.
Mr. Chawney: Yes.
Senator Taitague: So, you just recent when was the building purchased? The one that was basically encroached. What year was that purchased?
Mr. Chawney: I apologize. I don't know, but it was it was quite some time ago.
Senator Taitague: Do you have any documentation showing that the issue of encroachment before selling to the property I mean the original property owner who built the building who encroached on it when when your client had purchased it that you're saying you testified that they didn't know it was encroached. Okay. But isn't there any kind of documentation? because usually, you know, you have to reveal disclose any issues before selling a piece of property. I'm just surprised that Well, was there any document having that?
Mr. Chawney: No. As far as I know, my friend, like I said, my friend Sunny told me that.
Senator Taitague: Okay. As far as you know, but you yourself have not seen the bill of sale.
Mr. Chawney: I've seen nothing like that.
Senator Taitague: Okay. And that makes it even more difficult for us, you know, because here you are representing a person. You haven't even seen the bill of sale from the original when he purchased this property to tell us that it was was it identified? Did they have the information that there was an encroachment? Because I'm dealing with family issues, you know, things that were grandfathered in. you know there there's a big problem through that, but you know this again what when was it purchased when was the building purchased what year. you don't even know when it was purchased so we don't even have that okay
Mr. Chawney: I don't have that I'm sorry.
Senator Taitague: I'm going to read to you what a fiscal note that we get for every bill you know just for the record says although there should be no fiscal impact relative to the proposed land exchange there may be potential potential cost associated with the proposed park to be put under the administration jurisdiction of the mayor of municipality of Asan. Furthermore, bill 39338 as written does not specify how these public parts will be funded. Absorb absent correspondence from the mayor's council of Guam. pertinent to the anticipated administrative cost of the public parks. The bureau is unable to determine more detailed fiscal impact on the government of Guam. Has there been an appraisal for the property on both sides?
Mr. Chawney: There have been no appraisal.
Senator Taitague: There has been no appraisal to determine that from what the land exchange is going to be. If it's, you know, one is higher than the other, you know, we're probably giving more away on on your end than we are on the GW. I mean, this so-called, you know, encroachment.
Mr. Chawney: We tried to make it essentially equal. So, it was a fair.
Senator Taitague: Only an appraisal will tell us that. So, you were telling me there was no appraisal done.
Mr. Chawney: Oh, there's no appraisal.
Senator Taitague: Okay. That makes it very difficult for us to determine if there is a, you know, tit fortat kind of situation here without an appraisal. And that Mr. Chair, I think for the committee to to move forward without an appraisal is is not very you know transparent as well as accountable for the people of Guam's property and if there was any compensation to the government of Guam for this encroachment knowingly the purchase which you don't know what year this was purchased on it could have been grandfathered in but without that information without p you know land management here to give us the testimony and answer our questions. It makes it very difficult for this legislation and actually irresponsible for us to move forward on something like this that doesn't answer our questions and I'm sure you have to agree. I mean you wouldn't purchase anything without asking all the questions needed to move forward any properly regardless of the situation. on both ends. It looks like you know the property that he has is encroaching on government and then the property that he also has GWA is encroaching on that is too you know there there's issues there but you know again wanted to read a couple things into the record and without anybody testifying other than yourself here today it makes it very hard to answer my questions. So, thank you so much for being here and at least reading the

testimony of the landowner. Thank you.

Mr. Chawney: Thank you.

Acting Chairman Dueñas: Duly noted, Senator, I'm sure the markup will include that typically an area for area for times also can

Senator Taitague: But again, Mr. Chair, you know, there's one thing about the markup, but for us to answer question, ask questions and have answers, it makes a huge difference because we're not all invited to that markup. Thank you.

Acting Chairman Dueñas: I understand that. You can make those comments any time including in the committee on rules. Thank you very much. Duly noted. Senator Terlaje, you're recognized.

Senator Terlaje: Thank you. So, thank you for your testimony, Harry, on behalf of, the owner. but you can't tell us when the owner purchased this property

Mr. Chawney: you know. That's my fault. I should know that. I we I never discussed that with them.

Senator Terlaje: All right. Well, yeah, I was looking forward to land management being here as well because this is, as you said, was a proposal that was a bill in the 20 in 2018. It was proposed by Senator Ada, but it never went forward. And I believe he was the chairperson of the land committee at that time and did not move it forward. And I remember also inquiring in the department of land management in 2022 regarding this property but not receiving adequate response to answer my questions either. The bill is very clear. It says that the owner had inadvertently built a concrete structure. It says the owner, Mr. Sunilh Uttamchandani had inadvertently built a concrete structure which encroaches into the bulk cart trail right and so it says that he was the one who did the encroachment that's what this bill says and then in the findings of the bill it also says that GWA constructed a sewer pump that encroaches onto the adjacent property I'm very very curious about this like which came first who really, you know, who encroached on what. I'm hoping land management's testimony is going to re address that sufficiently. I hope we're not in another situation like the Cortech and the GWA. It's very hard to imagine the GWA went and built something that after the fact that would encroach on somebody else's property. They have attorneys and they're very diligent about this, but I'm wondering if it's the other way around where GWA facility was in place prior prior to the building of the concrete structure built by the owner or whether that was in place prior even to the transfer of this property. Right. So, I just want to get clarification of that. Are you able to clarify any of that prior to land management?

Mr. Chawney: I believe the structure built was built after the GWA pump station. The pump stations I'm not sure exactly what year they were built, but they were built quite quite a while a while ago. After Sunny acquired the property, he did some work on the apartment building and that's when he encroached into the bull-cart when he was essentially adding deck a deck onto the back of the five apartments that exist there.

Senator Terlaje: Okay. So that explains and that makes more sense to me that the GWA structure was in place first and then and then yeah, these other encroachments occurred. when I wrote a letter to land management in February 2022, I was citing the previous director of land management's opposition to the bit to the bill in 2018. I don't have access to that actual opposition right now. I'm going to go look for it some more. But my letter said that Mr. Borja, the director of land management, opposed the project because beach access is already permitted by law and the beach access, I'm not sure, Mr. Chair, are we able to put the maps up of this property, the exchange that's being proposed?

Acting Chairman Dueñas: It's part of the I'm sure it's part of the bill.

Senator Terlaje: Yes, it is. Yeah, I just want the public to see. So, they're proposing to exchange bullcart trail that is adjacent to So all of this property that we're talking about the lot is on the beach side of Route One in Asan. Yeah. And it's on the beach side of Route One. And there's a bull-cart trail that runs adjacent to the apartment building and between the apartment building and the coast is this bull-cart trail. They want to exchange property that is adjacent to the coast, the actual water line. And according to land management, it looks like that beach access to that prop that potential exchange property is already granted to the public through the beach access laws. And they wanted they wanted to keep the bull-cart trail be in as well because they wanted to keep the beach pathway and preserve the Culver area culvert area and they were sounds like they were proposing purchase of the excess bokart trail that I don't But I need to see that I guess in clarif to be more clarified. I'm hoping land management will say show us that. But Mr. Harry, if you are familiar with this property, so the

proposed area that they want to exchange is is this strip of land adjacent to the water line. That correct?
Mr. Chawney: Yes.
Senator Terlaje: Yeah. All right. And it's also adjacent to the on the I'm going to call the north side to public land owned already by the beach and the property there that way is owned by the village of Asan. What is on that site?
Mr. Chawney: Nothing.
Senator Terlaje: okay.
Mr. Chawney: it's just scrub land and beach.
Senator Terlaje: All right. And All right. Is there any if that was proposed back then, is there any reason why the landowner is not pursuing to purchase this cart trail or the remnants or portions of the bull-cart as opposed to this land exchange? I didn't know that was an avenue that could be pursued was purchase.
Mr. Chawney: I mean I could discuss it with them, but we thought the most equitable way was just to swap the land and to alleviate I mean our main goal is to alleviate the encroachments on each each other's property that and
Senator Terlaje: all right so I understand they built a structure and it's encroaching and they want additional land to so it's no longer encroaching that I guess but the property that they're proposing to exchange change is according to land management at least back in 2018 already available to the public due to our beach access laws with the high watermark and all that but I thought there was well we'll see from land management if there is a purchase avenue that was either pursued and denied or or not pursued. I'm curious about that. All right. Mr. Mr. Chair. Yeah. I would ask that we have another public hearing after land management's testimony that we can again inquire depending what it says if if there are additional communication with the owners of the property after land management's testimony. You're not aware of any correspondence with land management or pursuit of any solution to this other than this?
Mr. Chawney: No.
Senator Terlaje: Yeah, that's an issue. Mr. Chair, we're just not able to get the answers today. Si Yu'os ma'åse, thank you.
Acting Chairman Dueñas: Si Yu'os ma'åse, duly noted, Senator for the record. Harry, so we did get a message that was forwarded to the staff of the committee from the director. So, we can look forward to his testimony coming forward. he was planning to be here but was unable to. But his message is this is the third time this issue is at the legislature. First time was a previous administration when DLM went against the bill and killed the bill. Second time was in the 33rd and didn't get passed by committee. I think we support the bill. we'll discuss once again with Asan Maina mayor. so, looks like written support will be coming in. The comment is good for GWA, good for Asan, good for public beach, good for landowner. So, we'll see the testimony coming forward. And then we'll of course the committee will disseminate that to the entire membership of the legislature, and the committee report will be prepared if it's brought forward by the committee on that as well. So right now, I would like to thank you and everyone who took the time to appear.
Senator Terlaje: Mr. Chair, can we get a copy of that message please? I find that very concerning that all of a sudden, they're saying they're in support after years of
Acting Chairman Dueñas: The director said we could share this message. I will share it to all senators. Thank you. Thank you everyone who took the time to appear and share the testimony today. We appreciate your input and participation in this hearing. Your comments will be taken into consideration as the committee continues to review this measure. If there are no further questions or comments, this concludes today's public hearing. The committee will continue to accept written statements on today's hearing within 7 days from today, which may be mailed to my office on the second floor of the Guam Congress building at 163 Chalan Papa. You may also send your statements to us at vice speaker tony Adamislature.gov. Thank you for your participation. This public hearing is adjourned and the time is 11:50. Si Yu'os ma'åse. God bless. Thank you.

The public hearing was adjourned at **11:50 am.**

III. FINDINGS & RECOMMENDATIONS

The Committee finds that, upon review of the testimony received and the information presented during the public hearing on Bill No. 393-38 (COR), the Committee finds:

1. The measure seeks to resolve a long-standing land use and encroachment issue involving a private property owner, public infrastructure, and public access interests within the municipality of Asan. Testimony indicated that the matter affects a private landowner, existing government infrastructure utilized for sewer and water services, and the use of beachfront areas by the Mayor of Asan and the residents of Guam.

2. Testimony submitted to the Committee asserts that portions of the existing encroachments originated from historical improvements associated with a commercial enterprise formerly operated on the property and that such encroachments were acknowledged in prior recorded mapping documents.

3. The Committee finds that recorded documents and mapping history were cited by the testifier as evidence that both the original private property owner and representatives of the Government of Guam previously recognized the existence of the encroachments.

4. The Committee further finds that the encroachment associated with the Guam Waterworks Authority may be capable of being separated into an independent parcel through a survey and subdivision process, and that efforts to address the issue have been ongoing for several years.

5. Testimony also identified a proposed public park component associated with the measure and noted that the affected parcel has not yet been formally surveyed and mapped.

6. The Committee finds that the completion of accurate surveys and official mapping is necessary to establish definitive property boundaries, facilitate any proposed land exchange, and ensure the proper disposition and management of affected lands.

7. The Committee recognizes the importance of ensuring that any conveyance, exchange, severance, or transfer of land interests be supported by official surveys, mapping documentation, and approval by the appropriate governmental authorities in order to avoid future title disputes and boundary uncertainties.

Based on the testimony received, the Committee recommends:

1. That Bill No. 393-38 (COR) be considered favorably, subject to amendments that clarify the survey and mapping requirements necessary to implement the measure.

2. That language be included requiring the Department of Land Management to conduct or cause to be conducted an official survey establishing the metes and bounds of all parcels affected by the proposed land exchange or conveyance.

3. That the Department of Land Management be authorized and directed to coordinate with the Guam Waterworks Authority, the Office of the Mayor of Asan, and the affected private landowner to complete the necessary survey work and prepare official survey maps.

4. That all severed parcels resulting from the implementation of the Act be properly surveyed, mapped, approved, and recorded prior to the final execution of any transfer, exchange, or conveyance of property interests.

The testimony before the Committee supports the need for a permanent resolution to existing land and boundary issues affecting governmental infrastructure, public interests, and private property rights. The Committee concludes that accurate surveying, boundary verification, and official mapping are critical prerequisites to the successful implementation of Bill No. 393-38 (COR). The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure hereby reports out Bill No. 393-38 (COR) – V. Anthony Ada - AN ACT TO AUTHORIZE A LAND EXCHANGE IN THE MUNICIPALITY OF ASAN INVOLVING 1,183 (+) SM OF AN ABANDONED AND UNUSED PORTION OF THE OLD PITI-AGAÑA ROAD, FOR (A) 112 (+) SM OF LOT 292-7-1, WHERE A GWA SEWER FACILITY IS ENCROACHING, AND (B) 1,072 SM OF LOT 293 BEACHFRONT PROPERTY FOR A PUBLIC PARK TO BE PUT UNDER THE ADMINISTRATIVE JURISDICTION OF THE MAYOR OF THE MUNICIPALITY OF ASAN, as Amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure. with a recommendation of **TO REPORT OUT ONLY.**

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 393-38 (COR)

Introduced by: V. Anthony Ada

AN ACT TO AUTHORIZE A LAND EXCHANGE IN THE MUNICIPALITY OF ASAN INVOLVING 1,183 (±) SM OF AN ABANDONED AND UNUSED PORTION OF THE *OLD PITI-AGAÑA ROAD,* FOR (A) 112 (±) SM OF LOT 292-7-1, WHERE A GWA SEWER FACILITY IS ENCROACHING, AND (B) 1,072 SM OF LOT 293 BEACHFRONT PROPERTY FOR A PUBLIC PARK TO BE PUT UNDER THE ADMINISTRATIVE JURISDICTION OF THE MAYOR OF THE MUNICIPALITY OF *ASAN*.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Findings and Intent. *I Liheslaturan Guåhan* finds that the realignment of and transformation of the old Piti-Agaña Road in the 1950's into the present-day Route 1 Marine Corps Drive from the front main gate of Andersen Air Force Base Guam to the front main gate of Naval Station Guam resulted in the severance and creation of certain irregular and remnant parcels along the way.

I Liheslaturan Guåhan further finds that the abandonment of use of these portions does not relinquish ownership by the sovereign power and ownership of these portions remain in the Government of Guam.

I Liheslaturan Guåhan further finds that the owner (Mr. Sunilh Hiro Uttamchandani) of the adjacent contiguous lot had inadvertently built a concrete structure which encroaches into an abandoned portion of the Old *Agaña-Piti* Road. The private encroachment is shown in Exhibit A.

I Liheslaturan Guåhan also further finds that Guam Waterworks Authority (GWA) had constructed a sewer pump station facility that is encroaching into the adjacent and contiguous private property, occupying 112 square meters of private property. The government encroachment is shown in Exhibit A.

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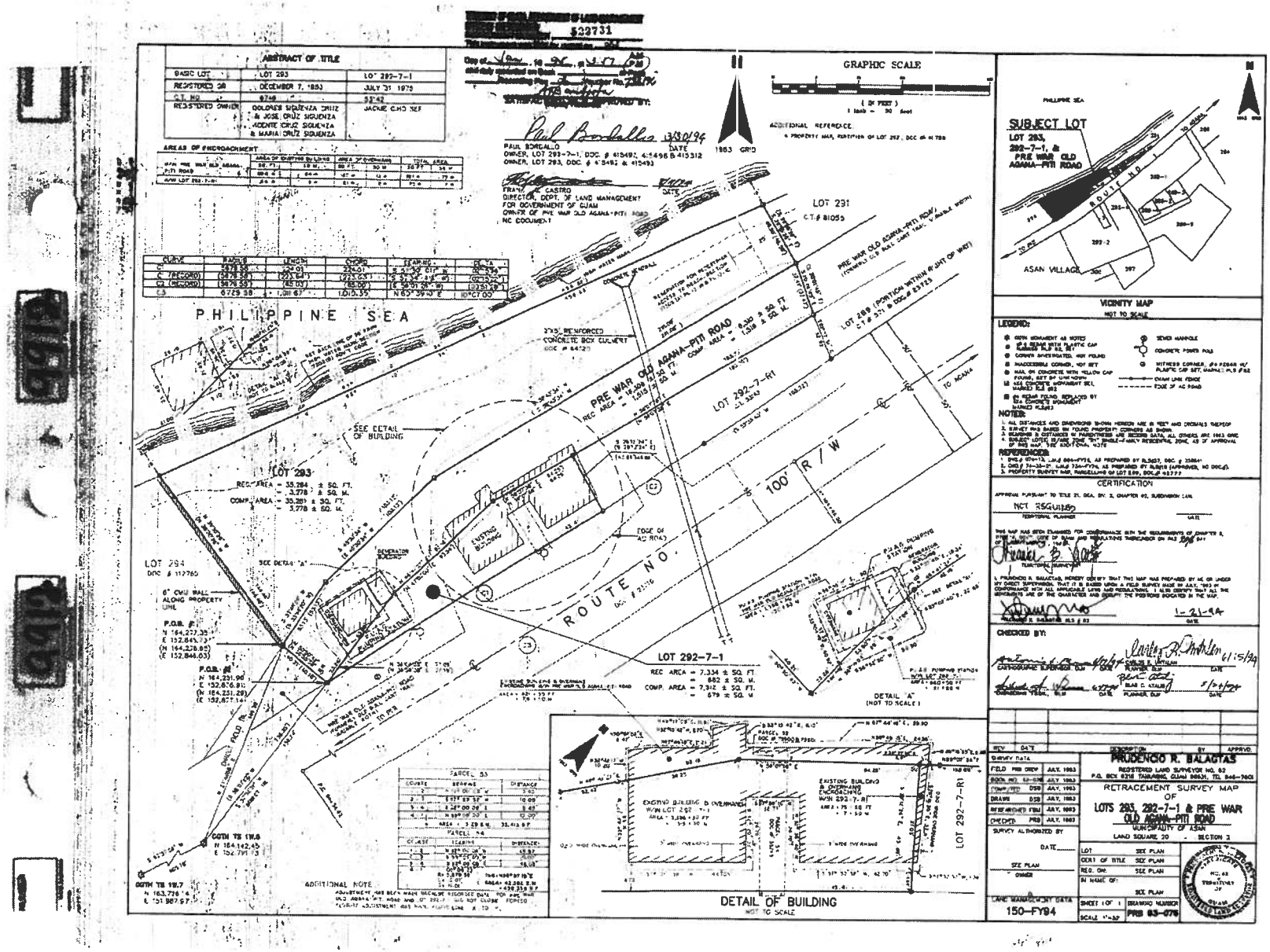
Section 3. Appraisals. As the three (3) parcels are contiguous to each other and this is an area for area exchange with no cash compensation, Title 2 GCA § 2107 (b) relative to appraisals of land *shall not* apply to this Act.

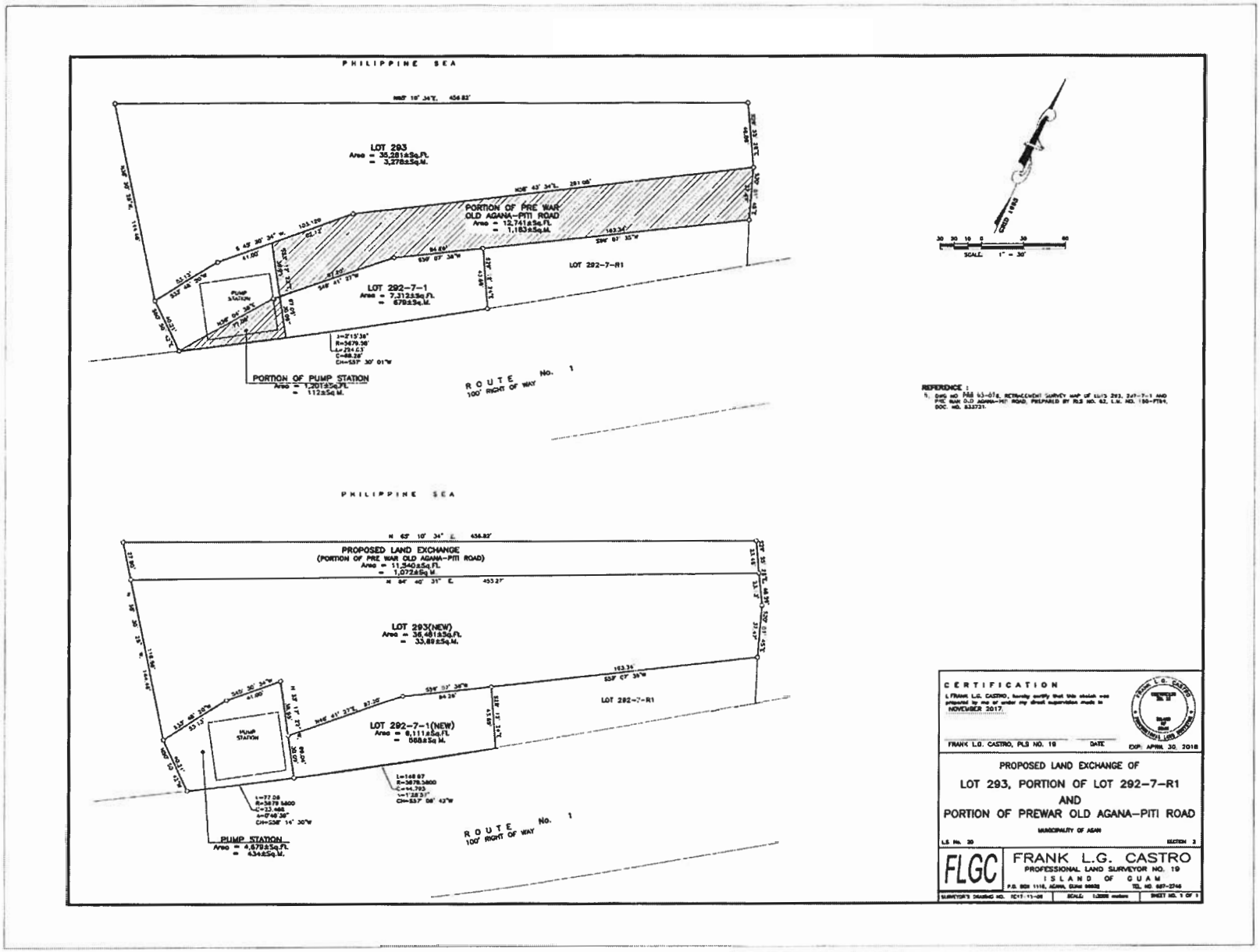
Section 4. Severability. If any provision of this law or its application to any person or circumstance is found to be invalid or contrary to law, that invalidity *shall not* affect other provisions or applications of this law that can be given effect without the invalid provisions or applications and to this end the provisions of this Act are severable.

EXHIBIT A



Bill No. 393-38 (COR)

EXHIBIT B


PHILIPPINE SEA
LOT 293
Area = 35,281±Sq.Ft.
= 3,278±Sq.M.
PORTION OF PRE WAR
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= 1,183±Sq.M.
LOT 292-7-1
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Area = 1,207±Sq.Ft.
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ROUTE No. 1
100' RIGHT OF WAY
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= 1,072±Sq.M.
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LOT 292-7-1(NEW)
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LOT 292-7-R1
PUMP STATION
PUMP STATION
Area = 4,679±Sq.Ft.
= 434±Sq.M.
ROUTE No. 1
100' RIGHT OF WAY
CERTIFICATION
I, Frank L.G. CASTRO, hereby certify that this sketch was prepared by me or under my direct supervision made in NOVEMBER 2017.
FRANK L.G. CASTRO, PLS NO. 19
DATE
EXP: APRIL 30, 2018
PROPOSED LAND EXCHANGE OF
LOT 293, PORTION OF LOT 292-7-R1
AND
PORTION OF PREWAR OLD AGANA-PITI ROAD
MUNICIPALITY OF AGAN
L.S. No. 19
SECTION 3
FLGC
FRANK L.G. CASTRO
PROFESSIONAL LAND SURVEYOR NO. 19
ISLAND OF GUAM
SURVEYOR'S DRAWING NO. SE17-11-05
SCALE: 1:2000 meters
SHEET NO. 1 OF 1

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 393-38 (COR)
As amended by the Committee on
Land, Environment, Housing, Agriculture,
Parks, and Infrastructure

Introduced by: V. Anthony Ada

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Section 3. Appraisals. As the three (3) parcels are contiguous to each other and this is an area for area exchange with no cash compensation, Title 2 GCA § 2107 (b) relative to appraisals of land *shall not* apply to this Act.

Section 4. The Department of Land Management shall cause a survey of the parcels and properties involved to be conducted in order to establish and confirm the metes and bounds of the severed parcels; and to cause to be prepared an official survey map of said parcels. The Department of Land Management is hereby authorized to work with the Guam Waterworks Authority, the Office of the Mayor of Asan-Maina and the landowner of the subject lot to accomplish the survey. Costs related to the survey is the responsibility of the landowner of the subject lot.

Section 5. Severability. If any provision of this law or its application to any person or circumstance is found to be invalid or contrary to law, that invalidity *shall not* affect other provisions or applications of this law that can be given effect without the invalid provisions or applications and to this end the provisions of this Act are severable.

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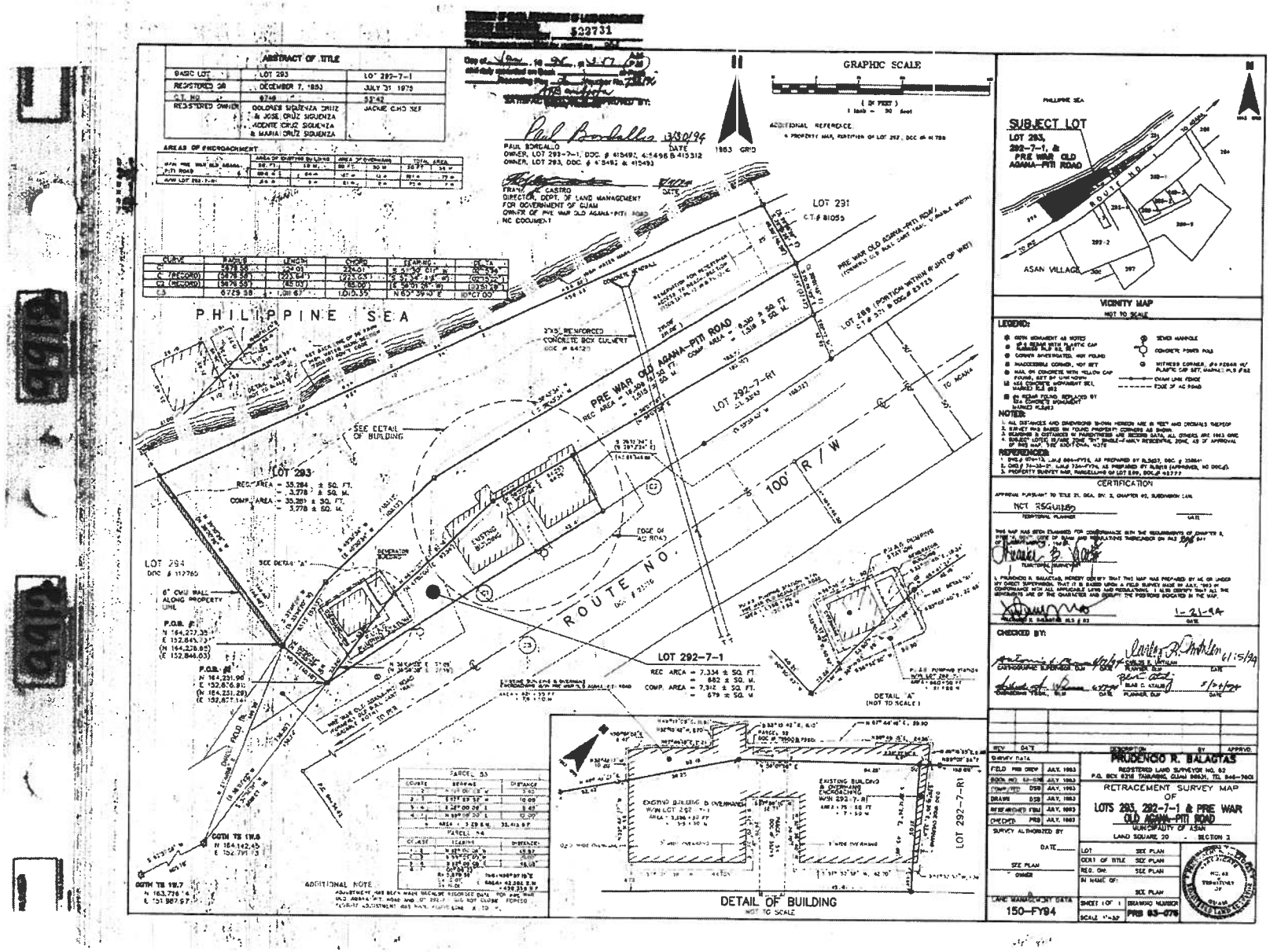

Bill No. 393-38 (COR)

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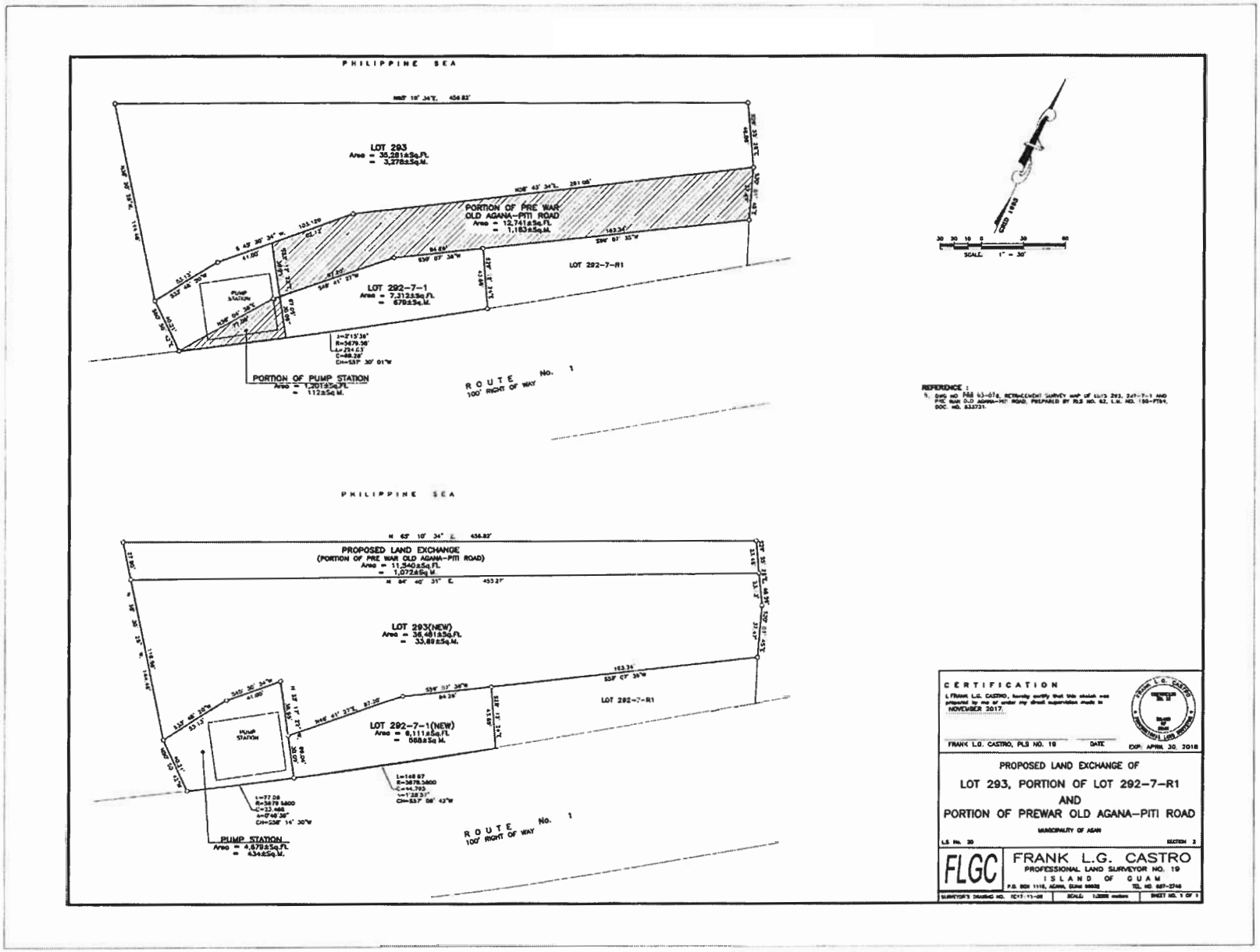
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COMMITTEE MARKUP

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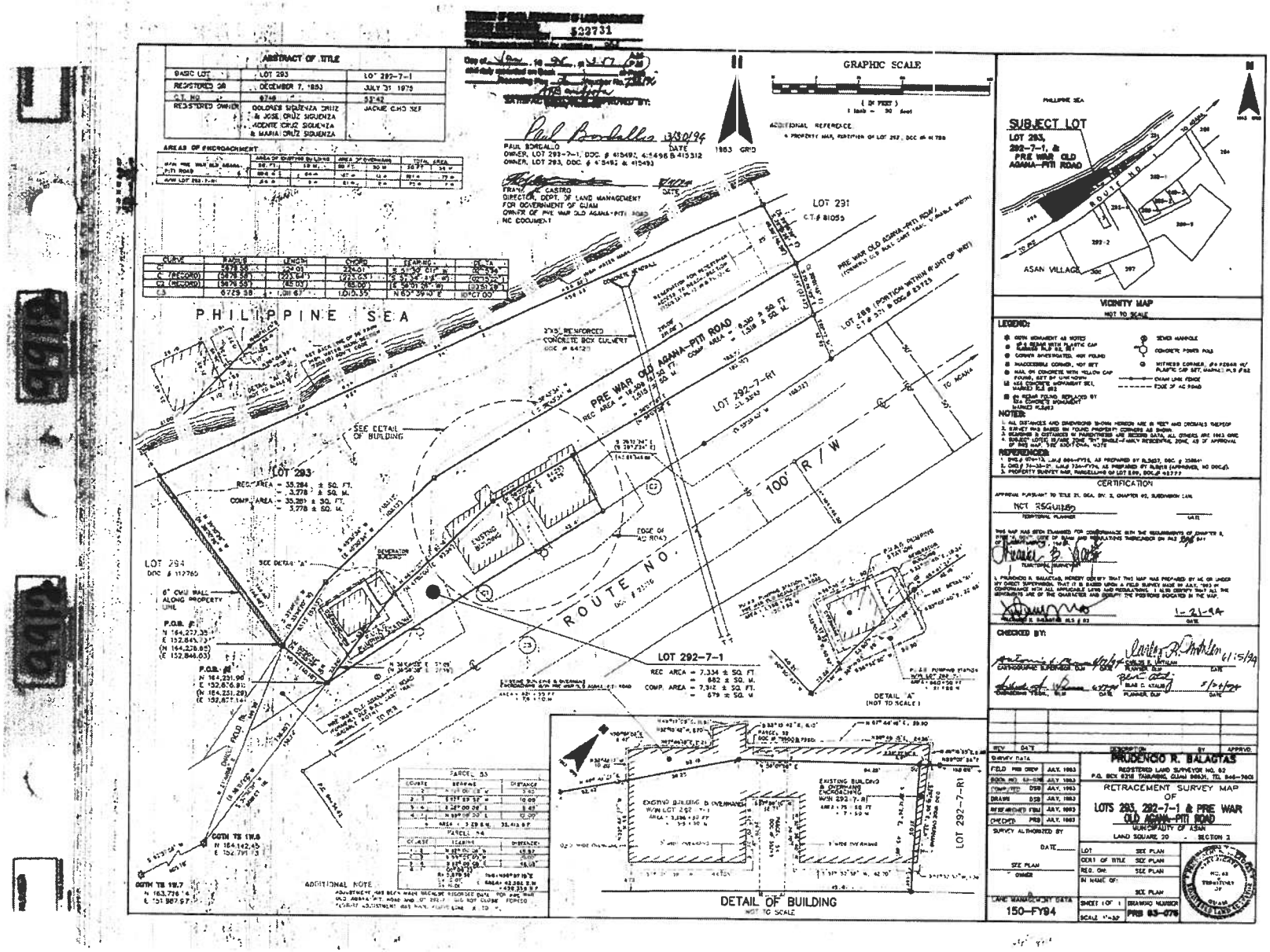
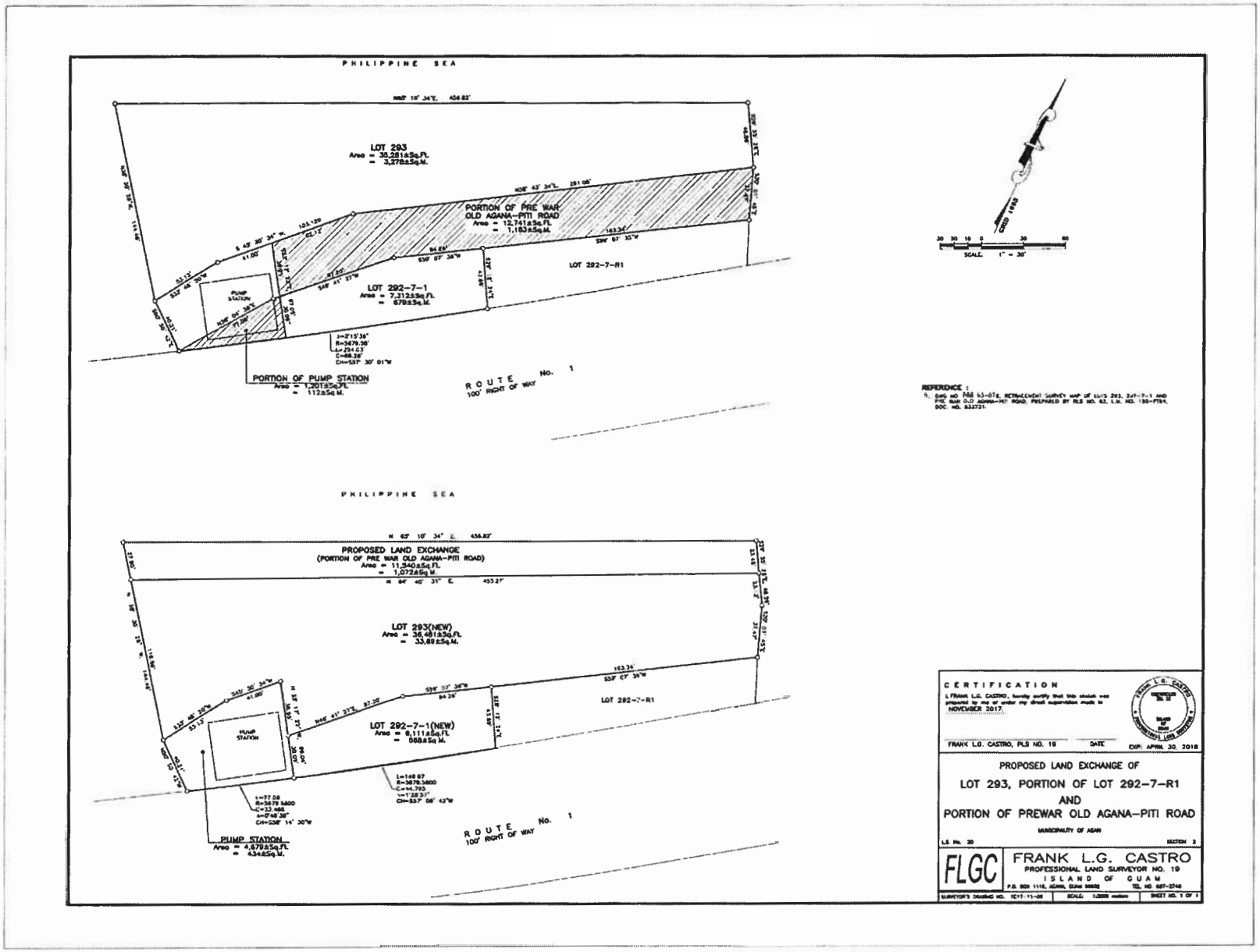
Section 5. Severability. If any provision of this law or its application to any person or circumstance is found to be invalid or contrary to law, that invalidity *shall not* affect other provisions or applications of this law that can be given effect without the invalid provisions or applications and to this end the provisions of this Act are severable.

EXHIBIT A



Bill No. 393-38 (COR)

EXHIBIT B


PHILIPPINE SEA
LOT 293
Area = 35,281±Sq.Ft.
= 3,278±Sq.M.
PORTION OF PRE WAR
OLD AGANA-PITI ROAD
Area = 12,741±Sq.Ft.
= 1,183±Sq.M.
LOT 292-7-1
Area = 7,312±Sq.Ft.
= 679±Sq.M.
LOT 292-7-R1
PUMP STATION
PORTION OF PUMP STATION
Area = 1,207±Sq.Ft.
= 112±Sq.M.
ROUTE No. 1
100' RIGHT OF WAY
SCALE 1" = 30'
REFERENCE :
PHILIPPINE SEA
PROPOSED LAND EXCHANGE
(PORTION OF PRE WAR OLD AGANA-PITI ROAD)
Area = 11,340±Sq.Ft.
= 1,072±Sq.M.
LOT 293(NEW)
Area = 36,481±Sq.Ft.
= 33,89±Sq.M.
LOT 292-7-1(NEW)
Area = 6,111±Sq.Ft.
= 568±Sq.M.
LOT 292-7-R1
PUMP STATION
PUMP STATION
Area = 4,679±Sq.Ft.
= 434±Sq.M.
ROUTE No. 1
100' RIGHT OF WAY
CERTIFICATION
I, Frank L.G. CASTRO, hereby certify that this sketch was prepared by me or under my direct supervision made in NOVEMBER 2017.
FRANK L.G. CASTRO, PLS NO. 19
DATE
EXP: APRIL 30, 2018
PROPOSED LAND EXCHANGE OF
LOT 293, PORTION OF LOT 292-7-R1
AND
PORTION OF PREWAR OLD AGANA-PITI ROAD
MUNICIPALITY OF AGAN
L.S. No. 19
SECTION 3
FLGC
FRANK L.G. CASTRO
PROFESSIONAL LAND SURVEYOR NO. 19
ISLAND OF GUAM
SURVEYOR'S DRAWING NO. SE17-11-05
SCALE: 1:2000 meters
SHEET NO. 1 OF 1

COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature

November 10, 2026

To: **Rennae V. C. Meno**
Clerk of the Legislature

From: **Senator Christopher M. Dueñas**
Acting Chairperson, Committee on Rules

Subject: **Fiscal Note for Bill No. 393-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note for the following bill:

Bill No. 393-38 (COR).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly copy the same to Management Information Services (MIS) for posting on our website.

Bureau of Budget & Management Research
Fiscal Note of Bill No. 393-38 (COR)

AN ACT TO AUTHORIZE A LAND EXCHANGE IN THE MUNICIPALITY OF ASAN INVOLVING 1,183 (+) SM OF AN ABANDONED AND UNUSED PORTION OF THE OLD PITI-AGAÑA ROAD, FOR (A) 112 (+) SM OF LOT 292-7-1, WHERE A GWA SEWER FACILITY IS ENCROACHING, AND (B) 1,072 SM OF LOT 293 BEACHFRONT PROPERTY FOR A PUBLIC PARK TO BE PUT UNDER THE ADMINISTRATIVE JURISDICTION OF THE MAYOR OF THE MUNICIPALITY OF ASAN.

Department/Agency Appropriation Information		
Dept./Agency Affected: Deparment of Land Management	Dept./Agency Head: Joseph Borja (Director)	
Department's General Fund (GF) appropriation(s) to date:		$1,338,891
Department's Other Fund appropriation(s) to date: Land Survey Revolving Fund		$2,519,784
Total Department/Agency Appropriation(s) to date:		$3,858,675

Fund Source Information of Proposed Appropriation	General Fund:	(Specify Special Fund):	Total:
FY 2026 Unreserved Fund Balance	$0	$0	$0
FY 2027 Adopted Revenues	$0	$0	$0
FY 2027 Appro. (P.L. 38-136)	$0	$0	$0
Sub-total:	$0	$0	$0
Less appropriation in Bill	$0	$0	$0
Total:	$0	$0	$0

Estimated Fiscal Impact of Bill	One Full Fiscal Year	For Remainder of FY 2027 (if applicable)	FY 2028	FY 2029	FY 2030	FY 2031
General Fund	$0	$0	$0	$0	$0	$0
Special Fund	$0	$0	$0	$0	$0	$0
Total 1/	$0	$0	$0	$0	$0	$0

1. Does the bill contain "revenue generating" provisions? / / Yes / X / No
   If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? / X / N/A / / Yes / / No
   If no, what is the additional amount required? $ _____ / X / N/A
3. Does the Bill establish a new program/agency? / / Yes / X / No
   If yes, will the program duplicate existing programs/agencies? / X / N/A / / Yes / / No
   Is there a federal mandate to establish the program/agency? / / Yes / X / No
4. Will the enactment of this Bill require new physical facilities? / X / Yes / / No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / / Yes / X / No
   / X / Requested agency comments not received by due date / / Other:

Analyst: _____ Date: 11/9/2026
Aubrey Olivia Reyes, BMA I

Director: _____ Date: NOV 10 2026
Lester L. Carlson, Jr., Director

Notes:
1/ Although there should be no fiscal impact relative to the proposed land exchange, there may be potential costs associated with the proposed public park to be put under the administrative jurisdiction of the Mayor of the Municipality of Asan. Furthermore, Bill No. 393-38 (COR), as written, does not specify how this public park will be funded. Absent correspondence from the Mayors' Council of Guam pertinent to the anticipated administrative costs of the public park, the Bureau is unable to determine a more detailed fiscal impact to the Government of Guam.