

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
135-38 (COR)	Joe S. San Agustin William A. Parkinson Eulogio Shawn Gumataotao	AN ACT TO <i>AMEND</i> THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.	5/6/25 11:08 a.m.	5/15/25	Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure.	Request: 5/15/25 5/23/25	7/22/25 2:00 p.m.	9/19/25 As Amended.	



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

September 15, 2025

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. 135- 38 (COR) As amended

Håfa adai Speaker Blas:

Transmitted herewith is the Committee Report on **Bill No. 135-38 (COR), As amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure** – Introduced by Joe S. San Agustin, William A. Parkinson, Eulogio S. Gumataotao – “AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.”

Committee votes are as follows:

1 TO DO PASS
1 TO NOT PASS
5 TO REPORT OUT ONLY
0 TO ABSTAIN
0 TO PLACE IN INACTIVE FILE

Si Yu'os ma'åse',

V. Anthony Ada



COMMITTEE ON RULES

RECEIVED:

September 15, 2025 11:07 a.m.

Marie Crisostomo



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. 135-38 (COR)

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

Introduced by Joe S. San Agustin

**“AN ACT TO AMEND THE CHAMORRO LAND
TRUST LEASE AGREEMENT WITH THE GUAM
INTERNATIONAL COUNTRY CLUB,
INCORPORATED.”**

by Vice Speaker V. Anthony Ada



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

September 9, 2025

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. 135-38 (COR) As amended

Transmitted herewith for your consideration is the Committee Report on **Bill No. 135-38 (COR), As amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure** – Introduced by Joe S. San Agustin, William A. Parkinson, Eulogio S. Gumataotao – “AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.”

This report includes the following:

- Copy of COR Referral of Bill No. 135-38 (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. 135-38 (COR)
- Copy of Bill No. 135-38 (COR) as amended by the Committee
- Amended Mark-Up 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'



COMMITTEE ON RULES

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

May 15, 2025

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

Attorney Darleen Hiton
Legislative Legal Counsel

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

Subject: **Referral of Bill No. 135-38 (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. 135-38 (COR)** – Joe S. San Agustin, William A. Parkinson, Eulogio Shawn Gumataotao. – “AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.”

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.



FIRST NOTICE of Public Hearing: July 22, 2025

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

Mon, Jul 14, 2025 at 9:16 AM

To: phnotice@guamlegislature.gov**FOR IMMEDIATE RELEASE**

July 14, 2025

MEMORANDUM**To: All Senators, Stakeholders, Media****From: Vice Speaker V. Anthony Ada****Re: FIRST NOTICE of Public Hearing: July 22, 2025**

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure will conduct a public hearing on **Tuesday, July 22, 2025 at 2:00 pm** in the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

- **Bill No. 135-38 (COR)** – Joe S. San Agustin, William A. Parkinson, Eulogio Shawn Gumataotao - AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.
- **Bill No. 164-38 (COR)** – Tina Rose Muña Barnes, Joe S. San Agustin, William A. Parkinson - AN ACT TO ADD A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.

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.

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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.

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully 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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3 attachments

 **Bill No. 135-38 (COR).pdf**
1703K

 **Bill No. 164-38 (COR).pdf**
1797K

 **2025-07-14 FIRST Notice .pdf**
809K



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

July 14, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Vice Speaker V. Anthony Ada

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FIRST NOTICE of Public Hearing: July 22, 2025

FIRST NOTICE of Public Hearing: July 22, 2025

PUBLIC HEARING

 **Posted on:** 07/14/2025 10:05 AM

 **Posted by:** Erin Grajek, Committee Director

 **Public Hearing Date:** 07/22/2025 02:00 PM

 **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

July 14, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Vice Speaker V. Anthony Ada

Re: FIRST NOTICE of Public Hearing: July 22, 2025

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• **Bill No. 135-38 (COR)**

[https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20135-](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20135-38%20(COR).pdf)

[38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20135-38%20(COR).pdf)) – Joe S. San Agustin, William A. Parkinson, Eulogio Shawn Gumataotao - AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.

• **Bill No. 164-38 (COR)**

[https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20164-](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20164-38%20(COR).pdf)

[38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20164-38%20(COR).pdf)) – Tina Rose Muña Barnes, Joe S. San Agustin, William A. Parkinson - AN ACT TO ADD A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.

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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

AD SCRIPT – 07/14/25

FIRST NOTICE OF PUBLIC HEARING: JULY 22, 2025

July 14, 2025

FIRST NOTICE of Public Hearing: July 22, 2025

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- **Bill No. 164-38 (COR)** – Tina Rose Muña Barnes, Joe S. San Agustin, William A. Parkinson - AN ACT TO ADD A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.

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INVOICE: I LIHESLATURAN GUAHAN-38TH GUAM LEGISLATURE



600 Harmon Loop Road Ste 102
Dededo, GU 96929
Tel: 671.637.5826
Mobile: [REDACTED]

To: I LIHESLATURAN GUAHAN
38TH GUAM LEGISLATURE

Attn: Accounting Department

DATE 7/10/2025
INVOICE NO. 2720-00021-0000M

Date(s)	Service Details	Amount
7/10/2025	COMMITTEE ON LAND, ENVIROMENT, HOUSING AGRICULTURE, PARKS AND INFRASTRUCTURE PUBLIC HEARING FIRST NOTICE: 7.14.25 (PH072225) Please make check payable to: KUAM PAYMENT IS DUE UPON RECEIPT OF INVOICE. THANK YOU.	\$ 160.00
		\$ 160.00

Please pay
amount stated
above.

Should you have any questions please contact: 671-687-8879 or 671-635-5836.

SECOND NOTICE of Public Hearing: July 22, 2025

Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov> Sun, Jul 20, 2025 at 10:18 AM
Bcc: phnotice@guamlegislature.gov, "Lola Leon Guerrero, BSP" <lolalg@bsp.guam.gov>, Matthew Santos <matthew.santos@bsp.guam.gov>, "Dr. Anita Enriquez" <abe@triton.uog.edu>, Michelle Lastimoza <michelle.lastimoza@epa.guam.gov>, Glenn San Nicolas <glenn.sannicolas@epa.guam.gov>, "joyjean.arceo@mcog.guam.gov" <joyjean.arceo@mcog.guam.gov>, "jesse.alig@mcog.guam.gov" <jesse.alig@mcog.guam.gov>, "robert.hofmann@mcog.guam.gov" <robert.hofmann@mcog.guam.gov>, "Joseph M. Borja" <joseph.borja@land.guam.gov>, Elizabeth Napoli <efnapoli@ghura.org>, Patricia Kier <patricia.kier@ghc.guam.gov>, Edith Pangelinan <edith.pangelinan@ghc.guam.gov>, monty.mcdowell@amiguam.com, Carlos V Camacho <ironwoodhousing@gmail.com>, CLTC Admin <cltc.admin@cltc.guam.gov>, glenn.eay@cltc.guam.gov, "dexter.tan@cltc.guam.gov" <dexter.tan@cltc.guam.gov>, Cathi Blas <cathi.blas@galc.guam.gov>, admin@galc.guam.gov, [REDACTED], gicccresv@gicccguam.com

FOR IMMEDIATE RELEASE

July 20, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media
From: Vice Speaker V. Anthony Ada
Re: SECOND NOTICE of Public Hearing: July 22, 2025

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure will conduct a public hearing on **Tuesday, July 22, 2025 at 2:00 pm** in the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

- **Bill No. 135-38 (COR)** – Joe S. San Agustin, William A. Parkinson, Eulogio Shawn Gumataotao - AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.
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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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3 attachments



2025-07-20 SECOND NOTICE.pdf

765K



Bill No. 135-38 (COR).pdf

1703K



Bill No. 164-38 (COR).pdf

1797K



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

July 20, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Vice Speaker V. Anthony Ada

Re: SECOND NOTICE of Public Hearing: July 22, 2025

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SECOND NOTICE of Public Hearing: July 22, 2025

SECOND NOTICE of Public Hearing: July 22, 2025

PUBLIC HEARING

 **Posted on:** 07/20/2025 02:00 PM

 **Posted by:** Erin Grajek, Committee Director

 **Public Hearing Date:** 07/22/2025 02:00 PM

 **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

July 20, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Vice Speaker V. Anthony Ada

Re: SECOND NOTICE of Public Hearing: July 22, 2025

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· **Bill No. 135-38 (COR)**

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20135-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20135-38%20(COR).pdf)) – Joe S. San Agustin, William A. Parkinson, Eulogio Shawn Gumataotao - AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.

· **Bill No. 164-38 (COR)**

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20164-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20164-38%20(COR).pdf)) – Tina Rose Muña Barnes, Joe S. San Agustin, William A. Parkinson - AN ACT TO ADD A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.

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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

AD SCRIPT – 07/20/25

SECOND NOTICE OF PUBLIC HEARING: JULY 22, 2025

July 20, 2025

FIRST NOTICE of Public Hearing: July 22, 2025

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INVOICE: I LIHESLATURAN GUAHAN-38TH GUAM LEGISLATURE



600 Harmon Loop Road Ste 102
Dededo, GU 96929
Tel: 671.637.5826
Mobile: [REDACTED]

To: I LIHESLATURAN GUAHAN
38TH GUAM LEGISLATURE

Attn: Accounting Department

DATE 7/17/2025
INVOICE NO. 2720-00022-0000M

Date(s)	Service Details	Amount
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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

Tuesday, July 22, 2025 · 2:00 pm

Agenda

Bill No. 135-38 (COR) – Joe S. San Agustin, William A. Parkinson, Eulogio Shawn Gumataotao - AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.

Bill No. 164-38 (COR) – Tina Rose Muña Barnes, Joe S. San Agustin, William A. Parkinson - AN ACT TO ADD A NEW ARTICLE2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.

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Written testimonies may be submitted to the Office of Vice Speaker V. Anthony Ada at (671) 989-0855 or via electronic mail at vicespeakertonyada@guamlegislature.gov.

The Public Hearing will broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and stream online via i Liheslaturan Guåhan's YouTube live feed.



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V. Anthony Ada

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

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PUBLIC HEARING SIGN-IN SHEET

Bill No. 135-38 (COR) – Joe S. San Agustin, William A. Parkinson, Eulogio Shawn Gumataotao - AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.

NAME	AGENCY/ORGANIZATION	POSITION	TESTIMONY	CONTACT INFO
✓ 1. Joseph Arturo Camarone	CLTC (PIO)	SUPPORT ☒ OPPOSE ☐	WRITTEN ☒ ORAL ☒	[REDACTED]
2. LEO JON GARCIA	GSGA	SUPPORT ☐ OPPOSE ☒	WRITTEN ☐ ORAL ☐	[REDACTED]
3. JUAN MAFIAS	GSGA	SUPPORT ☐ OPPOSE ☒	WRITTEN ☐ ORAL ☐	[REDACTED]
✓ 4. Barbara Burkhardt	Retired Architect	SUPPORT ☐ OPPOSE ☒	WRITTEN ☒ ORAL ☒	[REDACTED]
✓ 5. BILL PAYNE	RETIRED	SUPPORT ☐ OPPOSE ☒	WRITTEN ☐ ORAL ☒	[REDACTED]
6. A.S. PAYNE	RETIRED	SUPPORT ☐ OPPOSE ☒	WRITTEN ☐ ORAL ☐	[REDACTED]
7. JOE JAMES	"	SUPPORT ☐ OPPOSE ☒	WRITTEN ☐ ORAL ☐	[REDACTED]
✓ 8. Juanita Blaz	Resident	SUPPORT ☐ OPPOSE ☒	WRITTEN ☐ ORAL ☒	[REDACTED]
9. Johnsing Relech	Resident	SUPPORT ☐ OPPOSE ☒	WRITTEN ☐ ORAL ☐	"
10. Ethan Victoria	Resident	SUPPORT ☐ OPPOSE ☒	WRITTEN ☐ ORAL ☐	"

OFFICE OF THE VICE SPEAKER

V. Anthony Ada

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



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NAME	AGENCY/ORGANIZATION	POSITION	TESTIMONY	CONTACT INFO
✓ 1. Robert Benavente	Self	SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☒	
✗ 2. Carlos Canedo	meat Self	SUPPORT ☐ OPPOSE ☐	WRITTEN ☒ ORAL ☒	
✗ 3. Van Spicky	Self & Mark Prof's Guam Municipal Self	SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
✗ 4. RUSSELL YOUNG	CGCS Self	SUPPORT ☒ OPPOSE ☒	WRITTEN ☐ ORAL ☒	
5. [Signature]	SELF	SUPPORT ☒ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
6. Mark DUEAS	SELF	SUPPORT ☒ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
7. Joseph P. Burgos	Self	SUPPORT ☒ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
✗ 8. Francisco A. Fly	Self	SUPPORT ☒ OPPOSE ☐	WRITTEN ☒ ORAL ☒	
✗ 9. Melissa Savares	self	SUPPORT ☐ OPPOSE ☒	WRITTEN ☐ ORAL ☒	
10. [Signature]	ELTC	SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	



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NAME	AGENCY/ORGANIZATION	POSITION	TESTIMONY	CONTACT INFO
X 1. Rich Sablan	GNGF	SUPPORT ☐ OPPOSE ☒	WRITTEN ☐ ORAL ☒	[REDACTED]
X 2. Ivan Sablan	GNGF	SUPPORT ☐ OPPOSE ☒	WRITTEN ☐ ORAL ☒	[REDACTED]
X 3. MONAENA FLORES		SUPPORT ☐ OPPOSE ☒	WRITTEN ☐ ORAL ☒	
X 4. Fabienne Respin		SUPPORT ☒ OPPOSE ☐	WRITTEN ☐ ORAL ☒	
5. John Flao		SUPPORT ☒ OPPOSE ☐	WRITTEN ☐ ORAL ☐	[REDACTED]
X 6. RONALD LAQUANA	Nasion Chamorro	SUPPORT ☒ OPPOSE ☐	WRITTEN ☒ ORAL ☒	[REDACTED]
X 7. Frank G. Blas		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☒	[REDACTED]
X 8. Robert Al Celestine	Self	SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☒	[REDACTED]
9. Van Shelly		SUPPORT ☐ OPPOSE ☒	WRITTEN ☐ ORAL ☒	
X 10. DAVID HERRERA		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	

Huliu diha 22, 2025

Hafa adai Todu Hamyo,

Sinadot Ge'helo' yan todu hamyo sinadot yan sinadora gi Mina'trentai Ocho na Liheslaturan Guahan.

GINEN I ANTEN I MANAINA-TA NA GUMAIGE YU' GUINI.

Matto yu' sa' bai hu supotte este I Lai Priniponi 135-38. Taya' mas ki para ta ayuda I mantaotao-ta!

Gi ma'pos na sakkan, matto yu' ya mantestigu put I Lai Priniponi 179-37 (I pruponi guihi ba biahi) ya hu disehe na en apreba ya u fangganna \$9 miyon na salappe' para u Kumision Inagonkon I Tano' Manaina-ta. Maloffan esta un anu yan tumaya' inadelanto yan manggaige ta'lo guini para ta hungok mas,dinesehe, ohallara mohon, taiguini yan taigui, taiguennao yan taiguihi. Puru na'desganao siha na punto ginen I ti mangonfotme nu este na pruponi. Dalai!

Mane'lu manaina-hu, gi este na lai kumu en apreba, gumuaha kepble/salappe', para u inaprobecha I 8 mit na mantaotao-ta (aplikante siha) ni' hagas mannangga ayudu para u na'guaha hanom, ilektrisidat, sagan take' yan chalan kosaki sina managa ya u fanla'la' mo'na yan I familian-niha. Kadada' I lina'la'-ta guini mane'lu-hu. Meggai mantaotao-ta manmamatai. Na'fanli'e' manana (I mantaotao-ta) put fabot ya en pasa fan este yan na'lai.

Bula kuentos na put hafa na para este ha' na pruponi ya ti sina otro. Hayi para u fanufresi gi taiguini pa'go na pruponi? Fanmakmata.....Taya' para ginasto-na

keple i Liheslatura pat osino I Gubienamenton Guahan nu este. Gi este na priniponi, para gumuaha \$9 miyon na salappe' gi entre 30 yan 60 dihas yan mas gi duranten I finakpo'-na I atkelet-na. Ensegidas.....todu ha u fanaprubecha kumu ma pasa este. Engsegidas gumuaha keple kosaki primera, u ma kalamtini mo'na I 377 (yan siempre mas) na taotaogues ni' sina manggai saga giya notte yan gi sanhaya na banda ni' esta listo planu-na I Kumision para u ma emplementayi mo'na.

Guahu yan mit siha na mantaotao-ta hagas mannangga ayudu, pues pega gi sensia-mu, gi kurason-mu yan mucho mas gi botu-mu yan gi pudet-mu, ya en apreba yan pasa este ya na'guaha minaolek para I mismo, I mantaotao-ta, I manaotaotano'!

Gi ma'pos na biahi annai manannok hit guini put este na asunto, manmatto siha I manaotao 'Golf' sa' para ma kesatba este na lugat para uson-niha ta'lo. Hu taitai gi halacha na para u famfotma otgasanision ya para u fanggagao na para u ma usa este na tano' put dibatde! Bai hu na'tungo' tod u hamyo na debidi ta na'para este manule' tano' put dibatde sa' meggai siha gi maloffan este na liheslatura mismo, en chichile' I tano' siha put otro sin na rason ya ti put liheng siha para I mantaotao-ta. Liheng para u Maninutet, Liheng para hafa siha na setbision pupbleko lao taya' para I Liheng I Mantaotao-ta!

Put manggai pudet hamyo para en chile' maskiseha hafa yan manu na tano' ni' manggaige pudet hamyo, hasso I mantaotao-ta ni' siha mismo annai manprutesta ham ni' Nasion CHamoru guatu giya Adelok! Fangai'asi' fan ya en na'faloffan este sin diteni kosaki u fanggai sinat I mantaotao-ta manggaige saga kini u sigi

manggagao este siha I mangai espesiat na enteres, ya mismo, ti enteres I manaotaotano'!

BASTA MANNA'I TANO' DIBATDE! NA'I MANTAOTAO-TA SA' EN TINGO'
NA MEGGAI MANISISITA AYUDU KOSAKI U FANGGAI LIHENG,
FANGGIMA' YA U FANGGAI SAGA YAN I FAMAGU'ON-NIHA
/NETA/NETU/BISNETU/BISNETA TODU!

PUT FABOT, PASA ESTE NA PRINIPONI, NA'LAI YA TA AYUDA I
MANAOTAOTANO' EN!

Si Mattao Laguana Ronald T.



May 15, 2024

The Honorable Sen. Frank Blas
Speaker
38th Guam Legislature

RE: Bill No. 135-38 (COR) - AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.

Hafa Adai yan Buenas Speaker Blas,

We are writing on behalf of the golfing community on Guam. The Guam National Golf Federation (GNGF) is an independent sports federation whose membership is comprised of over 25 independent golf clubs on Guam. The estimated total membership is over 500 golfers. If we include independent golfers not having any club affiliations, we are probably talking about well over 1,000 players.

The GNGF falls under the governing body of the United States Golf Association (USGA) and oversees and administers the entire amateur golf program for the island of Guam. We are also a member of the Asia Pacific Golf Confederation (APGC) and the International Golf Federation (IGF).

The primary mission of the GNGF is to expand our amateur golf program on Guam, to help make the game accessible to all, to cultivate interest in the game amongst our youth, to nurture young talent, and to develop and prepare our amateur players to become successful in international competition.

There is much discussion regarding the island's crime and drug epidemic that we have been struggling with for decades. There is so much talk about the importance on focusing on programs for our youth, to keep them in school, to keep them from making the wrong choices. The problem is that outside of all these discussions, there are really no practical solutions being offered. In this regard, we would like to ask you to consider that perhaps a potential answer to this problem lies in youth sports.

In terms of making the game of golf accessible to all, we are especially committed to creating a junior golf program that provides an outlet for our youth to participate in a sports program that will foster and promote numerous social benefits including creating friendships, teaching teamwork, and promoting positive social interactions. It also helps develop important life skills like honesty, integrity, and respect, both on and off the course.

These are things that can help to prevent some of our most vulnerable kids from falling in with the wrong crowd, from turning to drugs, from turning to crime. We are talking about potentially catching the problem at its roots.

The sport of golf can help provide some of our most vulnerable youth with a chance at staying out of trouble. To keep them from being yet another statistic. To keep them from joining a growing number of incarcerated youth who eventually go on to become incarcerated as adults.

If we look at the big picture, golf can be a potential pathway for talented youth golfers to earn collegiate athletic scholarships. As a result of our program, a number of our junior players have gone on to earn collegiate athletic scholarships from schools such as UC Berkley, California State University at San Diego, Gonzaga University, Stevens Institute of Technology, California State University at Sonoma, Weber State University, and University of California at Davis, to name a few.

Our junior golf program was at its peak during the days when the Admiral Nimitz Golf Course was still operating. During that time, we had well over 130 junior players participating in regular practices and bi-monthly tournaments. The program's success at that time was due to the golf course's central location and more importantly, its willingness to work with the junior golf organizers by making the practice and playing fees affordable to the parents of the players. In addition, the golf course was exceedingly accommodating to the junior program.

Although it was operated by the U.S. Navy, Admiral Nimitz Golf Course operated much like the municipal golf courses in the U.S. mainland and Canada.

- Municipal courses provide affordable golf opportunities for people of various ages and economic means.
- They also serve as community hubs for recreation, events and gatherings that bring together people from all walks of life.
- Most city governments treat municipal golf courses as **community resources** that support the health and well-being of residents. Research has shown golf is a sport that encourages physical activity, mental well-being, cardiovascular health and muscular strength and flexibility, while also providing safe and fun opportunities for in-person social interaction. Golfers walk between three to six miles burning up to 2,000 calories.
- Municipal golf courses are especially welcoming for kids and offer high-quality youth recreation at an affordable price.

After the Admiral Nimitz Golf Course closed down, the GNGF was able to enter into an agreement with Leo Palace Resort in April 2017. This arrangement was short lived, and after less than two years, the golf course management decided that the tourist business was their higher priority and discontinued the agreement.

GNGF then entered into a facilities use agreement with the Guam International Country Club (GICC) and that course was then designated as our official home course and practice facility for our national and junior national team. GICC remained our home course up until the pandemic, during which time the golf course deteriorated and it was no longer available to our players.

We understand that the private courses on Guam have always relied on the tourist golfers to boost their revenues. The play fees that they charge to the tourists enable them to offer somewhat reasonable rates for the local players (including the juniors). Since the pandemic, the tourism numbers have remained flat and the courses have had to rely heavily on the local players to keep their businesses afloat. The golf courses have increased their playing fees (including the juniors) in order for them to cover their overhead expenses. The increase in the playing fees was yet another setback to our already floundering junior program.

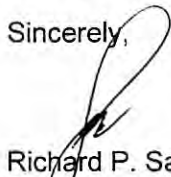
To put this in perspective, our junior golf program started its steady decline going from over 130 players during the Admiral Nimitz days to 20 to 30 when the program was transferred to GICC. Since the pandemic, GNGF no longer have a designated home course and our junior player numbers have since dwindled to currently less than 15 players.

When the Guam International Country Club was first built, it was a first-class facility that was considered at the time to be one of the finest facilities in the Pacific and Asia. The golf course's infrastructure is still intact, and with a little commitment, investment and community support, we are confident the facility can be resurrected.

Forgive us if we are oversimplifying the issue, however we have difficulty understanding why with presumably such a large inventory of potentially available public lands, there is this ongoing discussion to consider taking one of the last remaining six golf courses on the island and turn it into a solar farm.

We understand that in the grand scheme of things, a municipal golf course is not high on the government's priority list. However, you our senators and elected representatives do have to power and opportunity right here and now to save a very valuable asset from being senselessly destroyed. On behalf of the Guam National Golf Federation and our adult and youth membership, we strongly urge you to consider this matter carefully and do the right thing by saving the GICC golf course.

Sincerely,



Richard P. Sablan
President



File opened

Public testimony Bill 135-38

Barbara Burkhardt [REDACTED]
To: vicespeakertonyada@guamlegislature.gov

Tue, Jul 22, 2025 at 12:35 PM

To whom it may concern,

I respectfully submit this testimony.

A substantial part of the bill refers to Federal HUD programs such as CDBG, Community Development Block Grants.

These programs have recently been cut by the Big Beautiful Bill and existing funding cut in the subsequent Recession Bill last week. What is going to happen to GHURA is another matter at another time.

Further, funds for use by CLTC as mentioned are a guessimate. A valuation needs to be completed. We ask the the valuation include the decreased value in adjacent residential property. We have conservatively estimated a decreased value of residential property of 1% to be \$36,500,000. That is based on 20% of homes within 1/2 mile of the proposed solar farm, 1,000 hom2s. There is a documented loss in residential value from 1 -15% in real estate valuation comps.

There is a fair use reason why industrial property such as solar farms are typically not located next to residential areas.

Last, the final page of the Bill addresses the solar farm. The incentive for the developer,who is not the current golf course operator, to push this bill as the energy tax credit program is set to expire. A last gasp has been given to traditional conservative investors who benefit from this program.

Bypassing permits, public review and testing to benefit few is not a reason to approve this bill.

Sincerely,
Barbara Burkhardt
Retired, low to moderate income resident of Dededo.

PUBLIC TESTIMONY

Carlos V. Camacho

Representative, Guam International Country Club (GICC)

Email: ironwoodhousing@gmail.com | Cell: [REDACTED]

Re: Testimony in Support of Bill No. 135-38 – “An Act to Amend the Chamorro Land Trust Lease Agreement with the Guam International Country Club, Incorporated”

Submitted to:

Hon. Senator Anthony “Tony” Ada, Chairman
Committee on Environment, Public Safety, and Land
Hon. Senator Joe S. San Agustin, Bill Sponsor
38th Guam Legislature

Håfa Adai Chairman Ada, Senator San Agustin, and Esteemed Members of the Committee,

My name is Carlos V. Camacho, and I am appearing in my capacity as a representative of the Guam International Country Club (GICC) to express strong support for Bill No. 135-38, with the amendments as agreed upon during the Chamorro Land Trust Commission (CLTC) Board meeting held on July 17, 2025.

This bill represents a responsible and forward-looking amendment to the 2014 lease between the Chamorro Land Trust Commission (CLTC) and the Guam International Country Club (GICC) for Lot 10122-12 in Dededo. Under the current lease, total rent collections are projected at just under \$5 million through 2039. In contrast, the proposed amendment takes a more fiscally impactful approach—securing **not less than \$9.5 million in net present value (NPV)** through accelerated lease payments and increasing the rent escalation rate over the lease term.

During the CLTC Board meeting on July 17, 2025, both CLTC and GICC agreed to amend the original proposal by raising the accelerated rent floor from *not less than \$9 million* to *not less than \$9.5 million (NPV)*, as reflected in Bill 135-38. Additionally, both parties agreed—as stated in the proposed legislation—to engage a **third-party MAI-certified appraiser**, selected by CLTC and paid by GICC, to independently validate the lease amendment’s valuation.

Critically, GICC has also agreed to transfer the **GICC clubhouse—valued between \$7 to \$8 million—along with five acres of land** back to the Chamorro Land Trust Commission (CLTC) for public and community use. At its July 17, 2025 meeting, the CLTC Board recommended the removal of any reference to specific residential tracts in Yigo (Tract 10123) and Agat (Tract 319), as well as the deletion of language suggesting the use of CDBG-DR funds. Instead, the Board reaffirmed its intent to **retain full control over the revenues** derived from the NPV of the lease agreement. These funds will be allocated at the Board’s discretion to support CLTC’s ongoing survey and infrastructure development initiatives on trust lands selected by the Commission.

The commitments under this amended lease will directly support:

- **The transfer of the GICC clubhouse and five acres** to CLTC for public and community use;
- **Increased lease revenue (NPV)** to be directed at the CLTC Board's discretion for infrastructure and land development programs.

Furthermore, all proposed development activities will remain subject to Guam's rigorous permitting process and regulatory requirements, and GICC will comply with all applicable laws and regulations.

Bill 135-38 represents a win-win scenario—transforming trust land into long-term value for the beneficiaries of the Chamorro Land Trust while supporting clean energy, community amenities, and critical infrastructure development.

In light of the recent amendments to the federal “Inflation Reduction Act”—often referred to as the **“Big Beautiful Bill”** passed by the U.S. Congress and Senate in FY 2022—it is important to note that the legislation now includes a strict **“Placed In Service”** deadline of FY 2027 for renewable energy incentives.

Given Guam's extensive permitting requirements and the time needed to finalize any amended lease agreements, **we respectfully urge the Legislature to consider adding a provision in Bill 135-38 that, if signed into law, requires the CLTC to finalize and submit the amended lease agreement for approval no later than 30 days after enactment.**

This ensures that GICC and CLTC can meet the federally mandated deadlines and maximize the clean energy and community benefits envisioned by this legislation.

On behalf of GICC, we sincerely thank Senator Joe San Agustin for his sponsorship and leadership, and Senator Tony Ada for chairing this important process. We stand ready to work closely with the CLTC and the Government of Guam to fulfill these commitments in good faith and deliver on the shared vision behind this legislation.

Saina ma'åse' for your time and support.

Respectfully submitted,

Carlos V. Camacho

Representative, Guam International Country Club (GICC)

ironwoodhousing@gmail.com | [REDACTED]

David B. Herrera

July 21, 2025

IN SUPPORT OF BILL 135-38 (COR)

Chamorro Land Trust Commission

Solar Lease Proposal for Lot No. 10122-12

Prepared for the 38th Guam Legislature & CLTC

Public Hearing – July 22, 2025

Prepared by: David B. Herrera, Advocate for CLTC Programs IAW PL 12-226 &
21 GCA Real Property Ch. 75A CLTC Jan. 1, 2021

Context & Background

- Lot No. 10122-12 (200 acres) currently leased to GICC as a golf course.
- Proposal to convert into 60 MW solar farm with GPA purchasing power at \$0.17898/kWh.
- 30-year PPA; GICC investment estimated at \$300 million.
- CLTC currently receives ~\$30K/month until 2039.
- GICC proposes \$9M lease prepayment for new 30-year lease term.

Lease Revenue Options

- Flat Rent: \$9M total over 30 years (prepaid).

Profit Sharing: 1.5¢/kWh = ~\$1.58M/year, ~\$47.3M over 30 years.

- **Hybrid: \$20K/month base rent + 1.5¢/kWh = ~\$54M total**

Testimony for Legislative Hearing on GICC

July 22, 2025

Submitted by: Van R. Shelly, President Guam Municipal Golf

To: Speaker Frank Blass & Senators

Points against GICC solar farm

1. GICC was failing at properly managing this golf course prior to Covid. They have deliberately failed the upkeep and presented a false claim they can't make rent or be profitable as a golf course. If that's the case, then why is CCP presently so successful?
2. GICC sold all their golf course equipment so they can't properly maintain the course even if they wanted to. They clearly don't. The plan now is to make the refurbishment of the course not financially viable, so in the end they believe they win in the long run. Please don't allow it.
3. During the last public hearing the GICC management, along with their hired consultant, failed to abide by Guam law and clearly state their financial gain should this bill pass. Please don't allow them to violate Guam law again. Make them clearly state the complete financial gain they will all each receive should this bill regrettably pass.
4. If it smells rotten, trust what you smell! Senator Taitague had it correct, why was the deal done secretly? Who truly benefits from this bill? It's clearly not the homeowners who live adjacent to this property. They will have to suffer not only increased heat exposure on a daily basis from these solar panels, but also a substantial loss in the value of their homes which has been statically proven. A large portion of the housing in this area is GURA housing, and I'm guessing many of them don't even have Air conditioning. Even if they do, who is going to pay the likely 500% + increase in power they will need to pay just to live comfortably? This is simply not the Chamorro way to harm other neighbors for the benefit of a few lining their pockets.
5. Again Senator Taitague had it correct, assuming a Solar Farm was a valid concept, why then for this property (which we don't believe it is), the CLT never bothered to put out an RFP for the best proposal. They simply moved forward to award a company already failing at managing a golf course with this project. Quite frankly, if I was a member of the CLTC board, not only would I mandate an RFP went out to ensure the best possible outcome for Guam along with knowing this was actually an honest bid the public could trust. But I'd also prevent GICC from bidding on the

project based on their horrible performance in the current lease agreement with the CLTC which should have been cancelled years ago for multiple areas of failure to perform.

6. There has not been an environmental impact study completed. Senators, I urge you at a minimum not to even entertain this bill until such a study is complete. At the moment we are aware of at least 3 endangered species which call GICC their home (Marianas Moorehens, Fruit Bats, & 8 Spot Butterflies).
7. In addition to the endangered species, I have also learned from the Environmental groups there are endangered trees and plants that are native to Guam that will also be killed.
8. While the benefits of commercial solar farms is now being questioned in many states, if in fact the legislature and the CLTC is sold on its benefits, why not tell the GICC management and others to provide the same up front rent fees for a different piece of land, not in a residential area, more importantly not over the top of Guam's primary water lens, and not over a moral & community welfare facility built for the benefit of our entire community? The CLTC has thousands of acres at their disposal. Again, why ruin our only municipal course? Place the farm in a non residential area, and not over our primary water lens.
9. The proponents of this bill want to tell you these solar panels are completely safe. Well, I've attached a long Power Point presentation by an expert in this field Dr. Richard G Geyer Ph.D., I hope all Senators will take the time to read it. But for this hearing I will read one page of this presentation everyone needs to fully understand....Again, I urge all of the Senators in the strongest terms not to allow a commercial solar farm over our primary water lens.
10. There are multiple reports of severe damage to commercial solar farms in Hurricane/Typhoon conditions. So as Senators, when a severe Typhoon arrives on Guam (and many of them will), who's conscience is it going to be on when one or more of these panels crash through a sliding glass door of a nearby home, and/or hits, hurts, maims or even kills a resident including a child who is in the wrong place at the wrong time, all because a commercial solar farm was allowed to be built within a Residential area?
11. Property owners in Dededo surrounding the golf course were never made aware that statistically their homes and land lose value once a commercial solar farm is built near them. Again, it's simply not the Chamorro way to harm others for benefit of a few.
12. No appraisal was carried out for use as a private solar farm. If the existing lease with discounts to serve as a municipal golf course is left in place, then the investors end up stealing even more funds from the people of Guam with a substantial

discount for land use. If the land use is changed from a Morale & Welfare facility to a for profit facility, then the appraisal and lease rent needs to be substantially increased far above the 2% increase the proposal wants you to believe is some sort of generosity on the part of the investors pushing this bill.

13. The investors continue to state they will allow a portion of the GICC building for use as offices. Well, If I'm not mistaken, at the conclusion of the initial lease for the GICC property, the CLTC already owns the building. So should the lease be cancelled on numerous breaches of contract by GICC, the building and ownership belongs to the CLTC. So once again I believe the investors are misrepresenting actual facts as they have continued to do over the course of these discussions.
14. Based on our previous testimony, I see Senator Augustin has attempted to add decommissioning performance bond verbiage to the new bill. I find the language grossly inefficient and vague at best. The EPA to date has no direct disposal plan performance mandates once panels usefulness has expired. Again, you have to ask yourself if the panels are truly non-toxic, why is it the EPA has yet to put written disposal performance guidelines in place? The cost to dismantle and dispose of both the batteries and panels, along with restoring the land to its original condition will result in multi-millions of dollars. A few million dollars put up as a performance bond won't even begin to cover the complete expense of restoring the land. Despite what you're being told, the investors are only in this for the 30% cash rebate they will receive from the Federal Gov't after one complete year of operation. If you don't believe me, ask them to turn over the full 30% rebate to the CLTC to be placed as the performance bond. They won't walk away, they will run away!!!
15. In addition to a Tourism Recovery project in the near future, there is also an additional 40+ thousand Military, Family and Federal employees schedule to arrive on Guam in support of the new Camp Blas. As GVB correctly stated, where will the local and military folks have an affordable place to play a game so many love? When tourism recovers, the golf courses built for tourism will cater to the tourist as they rightfully should. Only the locals will be left with no affordable place to play
16. Last but not least, GEDA, GVB, The Dededo Mayors Council and the Attorney General have all stated they DO NOT support this bill. We ask that that you please listen to them and not support this bill.

Thank you



Irdes A. Leon Guerrero
Governor

Joshua F. Tenorio
Lieutenant Governor

Commission Members

Arlene P. Bordallo
Chairperson

Earl J. Garrido
Commissioner

Joseph F. Artero-Cameron
Commissioner

Fabienne Cruz Respicio
Commissioner

Jeremy J. Rojas
Commissioner

Joseph B. Cruz Jr.
Acting Administrative Director

Kumision Inangokkon Tano' CHamoru *(CHamoru Land Trust Commission)*

P.O. Box 2950 Hagåtña, Guåhan 96932

Phone: 671-300-3296 Fax: 671-300-3319

July 18, 2025

Honorable V. Anthony Ada
Vice Speaker, 38th Guam Legislature
Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure
Guam Congress Building
163 Chalan Santo Papa
Hagatna, Guam 96910

SUBJECT: Testimony – Bill 135-38 (COR)

Dear Vice Speaker Ada,

On June 17, 2025, the CHamoru Land Trust Commission's Board of Commissioners discussed Bill 135-38(COR). The Commissioners motioned and unanimously voted to support Bill 135-38 with the following conditions:

1. Accept NPV no less than Nine Million Five Hundred Thousand
2. Amendments to the Lease and proposed conditions:
 - a. Extend lease term up to January 31, 2055
 - b. Extension around current lease and rent escalation every five years starting February 1, 2028 at 12%
 - c. GICC agrees to settle any outstanding rent and real property taxes by October 2026. However, if the Bill passes there is the thirty (30) day trigger. Whichever comes first.
 - d. 10% of the remaining lease payments will be paid within thirty (30) days after a power purchase agreement is signed with Guam Power Authority to use the property for solar energy. The remaining 90% will be paid within thirty (30) days after solar power is first delivered to Guam Power Authority under that agreement.
 - e. Real Estate appraiser to be selected by the CLTC and paid for by Lessee
 - f. Secure a performance or surety bond naming CLTC as the beneficiary. With amount being determined at a later date.
 - g. If GICC cannot meet these conditions the proposed amendments and extensions will be deemed void.

Please note that during the discussions, GICC agreed to the following:

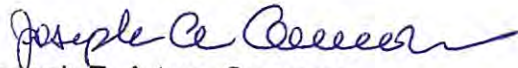
1. Page 8, Line 9, The Lessee to maintain the property surrounding property of approximately 5 acres.
2. Page 8, Line 26, The performance bond shall be for the duration of the lease for the removal of the components.
3. Page 9, Line 7, Strike out that CLTC shall maintain the grounds.
4. Strike out the following:
 - a. Section 1, Page 2 middle of Line 6 to Line 26

- b. Section 1, Page 3 Entire page
- c. Section 1, Page 4 Entire page
- d. Section 1, Page 5, Entire page
- e. Section 1, Page 5, Line 1 to Line 10
- f. Section 4, Page 10, Entire section
- g. Section 5, Page 10, Line 25 to Line 27
- h. Section 5, Page 11, Entire page
- i. Section 6, Page 11, Entire page

5. The GICC management has agreed to incorporate an environmental buffer such as fencing, landscaping, or greenery around the entire perimeter to enhance and preserve the surrounding natural environment.

The Board has also appointed me as its representative.

Senseramente,



Joseph F. Artero-Cameron
Commissioner (Board Appointed Representative)

Concurred by:



Arlene P. Bordallo
Chairwoman



April 11, 2025

VIA HAND DELIVERY

Mr. Roy Gamboa
Administrative Director (*incoming*)
Chamorro Land Trust Commission
590 S. Marine Corps Drive, Suite 222
Tamuning, GU 96913

Re: GICC – Empowering the Chamorro Land Trust Commission and
Powering our Island

Dear Mr. Gamboa,

Buenas and congratulations on your appointment as the Administrative Director of the Chamorro Land Trust Commission ("Commission"). Please allow me to provide you and the Commission with an update on our initiative to empower the Commission with critically needed financial resources to fulfill its core mission of providing housing solutions to its beneficiaries. By utilizing the transformative funding provided by rent acceleration and by repurposing the golf course at GICC to a state of the art 65 megawatts solar farm, the Commission will be able bring infrastructure to trust properties so that they are suitable for housing while also powering our island with 65 megawatts of clean affordable renewable energy.

Under the leadership of Senator Joe S. San Agustin and with the written support of the Dededo Municipal Planning Counsel and the overwhelming approval of Guam's resident - as repeatedly demonstrated in opinion polls conducted by our island's news outlets - we are pleased to inform you that Senator Joe S. San Agustin, will be re-introducing legislation that will make this initiative come to fruition.

The new legislation incorporates all the improvements that were suggested at public hearings and on the legislative floor when Bill 179-37 was discussed. For example, the new bill will maximize the accelerated rent collected by appraising the value of the extended term based on its enhanced value as a solar farm. The new bill will propose two priority trust properties that may be developed with the accelerated rent creating housing suitable properties for over 377 families in the villages of Yigo and Agat, respectively commonly referred to as Tract 10123 and Pagachao, Agat Tract 319. Of course, this is subject to the Commission's own discretion regarding what projects to prioritize. Furthermore, the new bill will mandate compliance with laws that safeguard our environment and protected wildlife. To top it all off, as with Bill 179-37, the new bill will also dedicate the clubhouse and five acres of surrounding property for the creation of a permanent home and for the exclusive use of the Commission.

We are excited to work with you and the incoming commissioners on this initiative and will provide a copy of the new bill once a draft has been completed by Senator Joe S. San Agustin. We have worked earnestly with previous commissioners to understand the Commission's mission and its needs in order to arrive at a bill that received their unanimous support through board resolution and we genuinely look forward to working with you and the incoming commissioners to meet the important mission of the Commission. Thank you for your service to the people of Guam and for your time.

Sincerely,



YOHEI KOIKE
General Manager

cc: Ms. Arlene P. Bordallo
Mr. Earl J. Garrido
Mr. Joey Cruz

Senator Joe S. San Agustin
Senator Tony Ada

July 22, 2025

Testimony: Bill 135-38 (COR)

Hafa Adai,

My name is Mika Paulino and I am a resident and registered voter of Dededo. I grew up in Swamp Road and have several family members who reside just down the street from the Guam International Country Club Golf Course. I also have family who are Chamorro Land Trust trustees and who have lived in Swamp Road for three generations now. I do not speak for or represent my family members. I am here to speak for myself as a concerned resident of Dededo and a concerned relative of those directly impacted by the proposed Solar Farm project at GICC. While I understand the importance of green energy alternatives and the need to garner funds for the CLTC, I am here to object against the proposed solar farm in this location for all of the potential harms that will occur with its construction.

The northern villages of Dededo and Yigo are already overwhelmed by existing environmental destruction, habitat loss, toxic contamination, increased traffic and air emission from imposing clearing, grading, and construction of military installations and other harmful activities.

The GICC CLTC Lease property is located near homes, ranches and farms, recreational areas, and schools, potentially exposing these areas to harmful contamination. Solar farms make the soil permanently unsafe and unfarmable, and this can never be undone. Many of the families in this area garden and do small scale farming and may not be able to continue if the solar panels contaminate the soil and water in the area. Solar panels have micro plastics, lead, cadmium and PFAS and corrosion from humidity and damage from typhoons will cause the panels to deteriorate and contaminate soil and ground water. The storage batteries are also highly toxic and can leach over this area which is right over our sole source aquifer. During the installation of solar panels, heavy machinery is often used, which can compact the soil. Soil compaction can reduce its ability to absorb water, limit root growth, and negatively impact the soil's microbial community, all of which can affect soil health and productivity. Instead I respectfully ask that the Guam Legislature and the CLTC support projects that protect and promote food security, and our water, soil, and residents. Si Yu'os Ma'åse.'

Mika Paulino

[REDACTED]

Voter and Dededo Resident

July 22, 2025

Monaeka Flores Testimony in Opposition of Bill 135-38 (COR)

Buenas yan Håfa Adai Todu Hamyo,

My name is Monaeka Flores and I am a member of Prutehi Guåhan formerly known as Prutehi Litekyan: Save Ritidian or PLSR. We are a direct action group with over 8 years of consistent advocacy for the protection of our island's resources, lands, and indigenous rights. Our mission is to preserve the integrity of resources in the region for the wellbeing of current and future generations of residents.

I submit this testimony to express our grave concern regarding Bill 135-38 (COR), An Act to Amend the Chamorro Land Trust Commission (CLTC) Lease Agreement with the Guam International Country Club (GICC), introduced by Senator Joe S. San Agustin and cosponsored by Senators William Parkinson and Eulogio Shawn Gumataotao. Bill 135-38 presents itself as a solution for generating both green power and needed revenues to support CLTC operations and trustees by transforming the existing municipal golf course within the GICC leased property into a solar farm. We must make it clear that Bill 135-38 is a false solution. A solar farm in the proposed location presents many risks for the safety and health of our island's environment and people. While the island's critical need for affordable housing is understood, and the difficulties for trustees to establish infrastructure on their properties, along with challenges to collect CLTC revenues remain issues to address, we persist in objecting to bill because this specific site is not an appropriate location for a solar farm.

It also appears that a single company, GICC, who has not upheld its required obligations as part of their lease with CLTC has received exclusive terms because of its relationship with involved parties.

We present the following concerns regarding the placement of a solar farm on the GICC CLTC property:

1. Toxicity of Cadmium Telluride & Cadmium Sulfide in Solar Panels will harm the environment, the Northern Lens Aquifer, and human health: Hazardous waste testing on solar panels in the marketplace has indicated that different varieties of solar panels have different metals present in the semiconductor and solder. Some of these metals, such as lead and cadmium, are harmful to human health and the environment at high levels. Solar panel waste could be categorized as hazardous waste covered under the Resource Conservation and Recovery Act (RCRA). The public is not aware of any remediation and waste treatment plans in the case that the solar panels are destroyed or damaged by corrosion, storms, or other events over the extended multi-year lease. Cadmium particles, which are highly resistant and do not easily break down in the environment, can travel long distances in the air, risking human exposure and contaminating soil and groundwater. Cadmium is recognized as a toxic substance by the United States Environmental Protection Agency (EPA), which set a maximum contaminant level (MCL) for cadmium (Cd) of 0.005 mgL^{-1} in drinking water. Cadmium exerts toxic effects on the kidneys as

well as the skeletal and respiratory systems and is classified as a human carcinogen. We must take this risk seriously as this location is positioned over Guam's sole-source aquifer that provides our island with 80-90% of our drinking water. (<https://www.epa.gov/hw/end-life-solar-panels-regulations-and-management>, <https://www.sciencedaily.com/releases/2022/05/220512092717.htm>)

2. Endangered species will be harmed and habitat will be destroyed: Three endangered species have been reported at the GICC property, which include Pulattat or Marianas Moorhen (*Gallinula chloropus guami*), Fanihi or Marianas fruit bat (*Pteropus mariannus*), and the Ababang or Mariana Eight-spot butterfly (*Hypolimnast octocula marianensis*). Surveys of these species, their habitats, and proposed mitigations for them have not been made available to the public and may not have been conducted at all. These species are already extremely vulnerable due to loss of habitat related to massive clearing and grading of limestone forest environments for both private and military construction projects in Northern Guam. The public is also unaware of any endangered and native plant species that will be impacted. Further loss of species diversity poses long-term negative impacts on Guam's delicate ecosystem. One of the goals of the Guam Habitat Conservation Plan under the Guam Department of Agriculture and the University of Guam Center for Island Sustainability is to protect the ecological and cultural heritage of Guam by contributing to the recovery of listed species or those that may become listed under the Federal ESA or the Endangered Species Act of Guam, as well as provide an effective mechanism to protect from development the irreplaceable limestone forests of Guam and reduce/eliminate threats to the covered species supported by this ecosystem. These 3 species and their habitats are covered by this plan and must be considered in all future plans for this CLTC leased property. It has also been reported that GICC has prevented CLTC from accessing the property to study these protected species. (<http://www.guamhpc.com/#:~:text=Goals%20of%20the%20Guam%20HCP&text=Protect%20the%20ecological%20and%20cultural,Endangered%20Species%20Act%20of%20Guam.>)
3. Residents living in surrounding areas will be directly impacted and are left out of the discussion: Residents in surrounding CLTC properties and the larger village of Dededo will be exposed to dust, increased air emissions, and increased traffic resulting from the construction of the proposed solar farm at the leased CLTC GICC property. These northern villages are already compromised by other detrimental activities in the area by the Department of Defense. This increases vulnerability for villages already heavily burned by existing environmental degradation. Several published studies also reflect that land value significantly decreases when areas are surrounded by commercial solar farms. The GICC CLTC Lease property is located near homes, ranches and farms, recreational areas, and schools, potentially exposing these sites to harmful contamination. Solar farms render the soil unsafe and unfarmable and this can never be remediated or corrected. Many of the families in this area do

grow small scale farms and may not be able to continue if the solar panels contaminate the soil forever. There has been a lack of meaningful and robust engagement with these residents and other stakeholders. The Island Girl Power community-based limestone forest restoration project is located near the leased property and this destructive proposal undermines their efforts to protect and promote native species and a thriving ecosystem. Additionally, last year, the Guam Economic Development Authority (GEDA) also objected to the proposal (<https://www.pacificislandtimes.com/post/geda-board-gives-the-thumbs-down-on-golf-course-to-solar-farm-proposal>).

4. The people of Guam will be burdened with decommissioning costs: Ultimately, this property belongs to the CLTC and the people of Guam. Guam has a history of commercial CLTC lessees leaving the island with the responsibility and burden for remediation and cleanup of sites. This will negate any supposed profits or savings for the CLTC in the long run.
5. Concerns over management: The GICC has been unable to maintain Guam's only municipal golf course for several years and is in arrears for payments to the CLTC. We are concerned that the CLTC will award an extended lease to GICC for a contract to manage an industry for which they are not qualified.
6. Questions of existing contamination at the site: We are concerned that there may be other environmental harms to consider and we request that an environmental assessment take place to identify any possible contamination that exists from the use of pesticides, herbicides, and fertilizers on the golf course. We demand that cleanup, removal, and remediation immediately follow. We also demand that the public be notified of this and any contamination that occurs on CLTC and other public lands.

Again, this bill is a false solution that pits constituents against each other. Our island's leaders cannot respond to the urgent need for affordable housing for residents at the expense of the island's aquifer and our growing vulnerabilities in the climate crisis. This is an example of "greenwashing," as it appropriates the need for green power alternatives while inevitably harming our environment (<https://www.un.org/en/climatechange/science/climate-issues/greenwashing#:~:text=By%20misleading%20the%20public%20to,delay%20conc rete%20and%20credible%20action>).

This bill does not address any of the concerns mentioned above, and it must not move forward to vote in the Legislature.

Thank you and Si Yu'os Ma'åse'.

Monaeka Flores



TESTIMONY IN SUPPORT OF BILL 135-38

Submitted by Francisco A. Florig

Agat, Guam

Before the 38th Guam Legislature

July 22, 2025

Honorable Vice Speaker and Members of the 38th Guam Legislature:

Håfa Adai. My name is Francisco Aquino Florig, and I appear before you today not as Chairman of the Board of the Guam Housing Corporation (GHC); but a proud born son of Guam.

For the record, Guam Housing Corporation remains the only Government of Guam entity that actively finances the construction of homes on Chamorro Land Trust Commission (CLTC) properties. Our core programs include:

- The **Native Chamorro Veterans Loan Program**, which has been in place since 1998;
- The **Regular GHC Loan Portfolio**, which continues to serve qualified local families; and
- Most recently, we are working closely with CLTC to finalize the launch of a **USDA-backed loan program** to further expand financing options for CLTC lessees.

We are proud to serve as the primary—and for many, the only—vehicle for turning the dream of homeownership into reality on CLTC land.

However, despite the availability of these financing programs, the greatest barrier facing thousands of these families is the lack of basic infrastructure—roads, water, power, and sewer access—to their assigned residential lots. Without these essential utilities, no amount of financing will result in a completed home.

It is for this reason that I stand in strong support of **Bill 135-38**.

This measure seeks to responsibly utilize certain CLTC lands for a solar energy project that will generate substantial revenue. More importantly, the bill provides a mechanism to reinvest those funds into the infrastructure that is critically needed to activate undeveloped CLTC residential subdivisions.

This initiative represents more than just a renewable energy project. It is a long-overdue strategic investment in Guam's housing future. By establishing the foundational infrastructure, we empower generations of Chamorro families to build not only homes, but also stability, equity, and opportunity.

It is my belief that Guam Housing Corporation, Board of Directors will fully support this effort and stand ready to work with CLTC and other agencies to ensure that, once

infrastructure is in place, we can expand our mission of financing homeownership opportunities for our people.

Before I close, I would also like to offer a brief personal clarification.

In addition to my role at Guam Housing Corporation, In the past, I served as **Vice President of Guam Junior Golf Academy**, and though today I am not an active **senior golfer**, because of my limited time, I can say based on my involvement with the sport, I can affirm that the proposed solar project under Bill 135-38 will not negatively impact the junior or senior golf communities. Junior golfers do not frequently play at the Guam International Country Club (GICC); they prefer venues like the Finest Golf Resort and other fine established courses on Guam. As senior golfer, and when I get the opportunity to play, I can say without doubt that there are several of Guam's excellent golf courses available to local golfers with local discounts. Simply put, we have enough golf courses on Guam today as opposed to 25-30 years ago to enjoy the sport without concern that this solar initiative will displace or disrupt golfing activities.

From my perspective, I support this Bill for the "Good of Families that are afforded the opportunity to build a structural foundation on CLTC Properties for their families. I respectfully urge this legislative body to act favorably on Bill 135-38. This measure represents a responsible, forward-looking solution to one of the most pressing challenges facing our island—affordable housing.

Thank you for the opportunity to provide testimony in support of Bill 135-38



Sincerely,
Francisco A. Florio
Resident of Guam

CHAMORRO LAND TRUST COMMISSION
Board of Commissioners Meeting July 17, 2025
Staff Report

Bill 135-38

1. FACTS:

a. Author & Co-Authors:

- 1) Senator Joe S. San Agustin
- 2) Senator William A. Parkinson
- 3) Senator Eulogio Shawn Gumataotao

b. Bill Intent: An Act to Amend the Chamorro Land Trust Lease Agreement with the Guam International Country Club

c. Legal Property Description: Lot 10122-12, Municipality of Dededo

d. Lot Size / Lease Type: 829,124+/- sqm (less 28,328+/- sqm, GPA & GWA to use) /
Commercial Lease

e. Lease Instrument Number: 863522

f. Field Description: Municipal Golf Facility

2. DETAILS:

a. July 3, 2025 Working Session Notes

- 1) Unpaid Real Property Taxes \$254,415.64.
 - 2) Rent arrears \$324,575.92.
 - 3) Arrears should be paid in Full by January 2026.
 - 4) Expression of settlement of all outstanding obligations prior to moving forward with Bill 135-38.
 - 5) Request for two affidavits. A) Payment of revenue and tax obligations. B) Settlement of rental arrears.
 - 6) Verify with GPA if solar farms are leasing property and if yes do they know the rental amount.
 - 7) Verify with GPA if solar farms are paying participation rent.
 - 8) Strike out Sections 2, 3, 4, 5, 6, of Bill 135-38.
 - 9) Authorize CLTC to amend the activity of Lot 10122-12 from Golf Course to Solar Farm.
-

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(2) be a *Suruhana* or *Suruhanu*, or an apprentice, or a student of traditional Chamorro medicines. Preference shall be given to an applicant who meets more than one (1) of the qualifications in this Subsection.

§ 75A122. Commercial Leases and Licenses.

(a) Definitions.

(1) "Commercial lease" is a leasehold interest in real property between the CLTC and a tenant (hereinafter referred to as "Commercial Lessee") for the commercial use of real property under the management of the CLTC.

(2) "Commercial license" is an agreement between a tenant (hereinafter referred to as the "Commercial Licensee") and the CLTC which permits certain activity to be conducted upon real property in the inventory of the CLTC, but does not confer upon the licensee any title or leasehold interest, and is terminable upon cessation of the approved activity. Pursuant to § 75A107(c) of Chapter 75A, Title 21 GCA, the Commission is authorized to grant licenses for terms not to exceed twenty-one (21) years in each case, to:

(A) public utility companies, or corporations as telephone lines, electric power and light lines, gas mains, and the like; or

(B) for lots within a village in which lands are leased under the provisions § 75A107(a) of Chapter 75A, Title 21 GCA, to:

(i) churches, hospitals, public schools, post offices, and other improvements for public purposes; or

(ii) theaters, garages, service stations, markets, stores, and other mercantile establishments (all of which shall be owned by the § 75107(a) lessees of the Commission or by organizations formed and controlled by said lessees).

(3) "Commercial use" means commercial agriculture, commercial aquaculture, and any permitted use or a conditional use expressly allowed on an "A," "R1," "R2," "C," "P," "S-1," or "PF" zoned property pursuant to §§ 61304, 61305, 61306, 61307, 61308, 61312 and 61313 of Article 3, Chapter 61 of Title 21 GCA. Commercial use includes mineral extraction when specifically approved by the CLTC and *I Liheslaturan Guåhan*. The appropriate regulatory clearances will be required for all commercial uses of CLTC lands.

(4) "Tenant" means an applicant who has been approved for either a commercial lease or license, and can also be referred to as a "Commercial Lessee or Commercial Licensee" in this Act.

(b) Designation of Available Land for Commercial Use.

(1) Notwithstanding § 75A107(f) of Chapter 75A of Title 21, Guam Code Annotated, and Section 6.9 of Exhibit A of Public Law 23-038, the CLTC may declare and designate that certain lands, not to exceed nine percent (9%) of the total remaining unassigned Chamorro Land Trust Commission land area inventory, "are not required for § 75107 leases to native Chamorros for residential, subsistence agriculture, or subsistence aquaculture, and are available for commercial leasing or licensing to the general public pursuant to § 75105(d) of Chapter 75, Title 21 GCA." Said declaration shall be in the form of a Board Resolution approved by the Commissioners at a duly scheduled meeting of the CLTC held after a CLTC public hearing on the specific lot and area of land to be designated. The approved CLTC resolution shall be transmitted to *I Liheslaturan Guåhan* within thirty (30) days from the date of passage of the resolution.

leased, but in no event shall rent be lower than the rent charged during the previous five (5) year period. The rent to be charged on any request to exercise an option to renew an existing lease shall also be based on the current appraisal of the fair market value of the land at the time the option to renew is exercised.

(6) Participation Rent.

(A) Definition. The tenant pays to the CLTC a mutually agreed upon percentage of the revenues generated above a mutually agreed upon revenue threshold.

(B) Applicability. Participation rent shall be applicable from the fifth (5th) anniversary date to the last day of the lease. The annual participation rent shall be made in four (4) equal quarterly installments.

(7) Advance Rental Payment. CLTC may require accelerated or advanced rental payments as a condition of the lease.

(8) Rent Amendments and Payment Schedules. Tenants may submit written requests for temporary reductions in rent. Tenants shall submit audited financial statements covering the previous three (3) year period as supporting documents. CLTC shall consider the current financial position of the tenant and the prospect for improvements in the tenant's financial position, market conditions, the benefit to the Trust in temporarily reducing the rent, and such other information as may be required in considering tenant's request for rent reductions. Any rent reductions authorized by CLTC shall not exceed one (1) year but may, upon written application by the tenant, be extended by the Commission if such extension would be beneficial for the Trust. As temporary rent reductions are intended to assist tenants over a short period of time, tenants must agree in writing that such temporary reductions shall in no way affect the annual amounts due or the schedule of rent escalations for future option terms identified in the lease agreement. Requests for rent reductions shall be subject to Commission approval. The CLTC shall not allow the exercise of options for additional terms unless all past due rent is paid. All amendments of rent and payment schedules shall be fully documented.

(9) Payment Plans. Requests to develop a payment plan for back rent shall be submitted in writing with the reasons for the request. In addition, tenants shall submit a copy of its audited financial statements covering the previous three (3) year period. Payment plans must include a provision for payment of interest on the unpaid balance. In addition, payment plans must contain the requirement that late fees using the industry standard be paid, in the event the lessee does not make payments as scheduled, and if the lessee is not deemed to be in breach of the lease. Financial institutions must be provided with copies of approved payment plans if estoppel, mortgage or other such agreements require such notification. To the extent possible, payment plans for outstanding rent must be paid off within the fiscal year to avoid budgetary problems within CLTC.

(10) Taxes and Assessments. Tenants shall pay all taxes and assessments lawfully levied against the leased premises and against any business conducted thereon or in connection therewith. Tenant shall also pay all charges for utility services furnished or provided to the leased premises.

(11) Interest for Late Payment. All rent in arrears shall bear interest at a rate of four percent (4%) per annum in excess of the prime rate, calculated daily and compounded monthly, without demand, from the date it should have been paid to CLTC, until actual payment to CLTC.

(12) Environmental Site Assessment (ESA). Prospective tenants shall be required to prepare at their own expense, a Phase I Environmental Site Assessment (ESA) of the leased property to serve as a baseline of conditions at the site prior to the start of the lease. The comprehensiveness of the assessment shall be determined by CLTC in collaboration with the Guam Environmental Protection

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(ii) if the matter complained of in such notice is not capable of being remedied by the payment of money has not corrected the matter complained of within a period of twenty (20) days after the giving of such notice, or if a period of more than such twenty (20) days is reasonably required to remedy, with reasonable diligence, the matters complained of in such notice, has not forthwith commenced to remedy the same and diligently prosecute the remedying of the same to completion;

(iii) if an event of insolvency shall have occurred with respect to the lessee, or

(iv) a breach of an obligation by the lessee which has resulted in cancellation of insurance coverage where the lessee has not prior to or concurrent with such cancellation replaced such coverage with comparable coverage or breach of an obligation where there has been a notice of cancellation of insurance coverage which has not been cured and where the lessee has not, within the period of time set out in such notice (or within ten (10) days where no period is set out therein) replaced such coverage with comparable coverage or which is otherwise a breach of the obligations respecting insurance; or

(v) abandonment of the project by the lessee; or then the CLTC, at its option, may terminate the lease by notice to the lessee, in which event such termination shall be effective immediately upon the delivery of such notice and may enter upon the property with or without process of law and take possession thereof.

(20) Right to Cure Defaults. Without limiting any other remedies the CLTC may have arising out of a lease or at law in respect of any default in the performance of the lessee's obligations under a lease, the CLTC shall have the right, in the case of any default and without any re-entry or termination of a lease, to enter upon the property and cure or attempt to cure such default (but this shall not obligate the CLTC to cure or attempt to cure any such default or, after having commenced to cure or attempt to cure such default, prevent the lessor from ceasing to do so) and the lessee shall promptly reimburse to the CLTC any expense incurred by the CLTC in so doing and the same shall be recoverable as rent.

SOURCE: Added by P.L. 35-112:1 (Dec. 10, 2020). Subsection (b)(5) amended by P.L. 37-114:5 (July 22, 2024).

2021 NOTE: References to provisions in Chapter 75 replaced with references to corresponding provisions in Chapter 75A.

§ 75A123. Annual and Monthly Reports.

(a) The Guam Economic Development Authority shall prepare an annual report for presentation to the Commission summarizing the benefits received by CLTC on activities of the commercial leasing program for the fiscal year. The annual report shall contain findings on employment, payroll, gross receipts taxes paid, local purchases made, and total and annual capital investments by tenants and their sub-tenants, if any. The report shall not contain proprietary information of tenants. The report shall also contain a projection of revenues over the next five (5)-year time period, and a discussion on outstanding issues and recommendations. The report shall be submitted no later than December 31 covering the previous fiscal year ending September 30. A copy of the annual report shall be submitted to the Speaker of *I Liheslaturan Guåhan* and *I Maga'hågan/Maga'låhen Guåhan*.

(b) The CLTC shall provide monthly reports on the revenue, surveying, and infrastructure being made from the leasing or licensing of CLTC lands pursuant to this Act to *I Maga'hågan/Maga'låhen Guåhan*, the Speaker of *I Liheslaturan Guahan*, and the Office of Public Accountability.

Not only did the 1989 Lease obtain legislative authorization, but it was signed by the DLM Acting Director, the Company A President, the Governor of Guam, the Lieutenant Governor of Guam, and the Attorney General. On the other hand, the 2014 Lease was only signed by the CLTC Acting Chairman, CLTC Acting Director, and Company B's General Manager although 21 GCA § 60112 does not allow government-owned property to be leased without prior legislative approval.

No Approval from Legislature and Governor for Assignment to Companies B and C

Through several name and ownership changes, the 1989 Lease became assigned to Companies B and C. We did not find any evidence of the Legislature's and Governor's approvals of the assignments as required in Section 7 of the 1989 Lease and P.L. 19-34.

Missed Opportunities to Raise Rental Rates

Property appraisals were not obtained for the 2014 Lease and rental amounts resumed from the 1989 Lease based on 10% of the prior appraised value with 10% increases every five years. As a result, CLTC may have lost opportunities to raise rental revenue over the term of the 2014 Lease. As an example, the Department of Revenue and Taxation's (DRT) 2014 Real Property Tax Assessment Roll assessed the property at \$6.5M, an appreciation of \$5.1M from the initial lease's appraisal of \$1.4M. However, DRT's appraisal was not available until after the 2014 Lease's execution.

Poor Financial Performance

Company B's unaudited financial data for FY 2013 to FY 2015 indicated declining financial performance with increasing net losses. The data showed declining revenues while expenses remained relatively stable. Salaries and the lease were major expense items. Further, we found 36 instances of late rental payments averaging 88 days overdue and ranging from 2 to 258 days late.

Another alarming observation was Company B's cash balances as of September 30, 2015, could not satisfy its significant amounts in current obligations with liabilities exceeding \$10M. Receivables were over \$900 thousand (K) and included \$303K from bingo operators of which one operator was connected to a federal court case involving illegal gambling investigations. With Company B's poor financial performance, the risk of late rental payments is extremely high and Company B's financial viability is questionable.

Conclusion and Recommendations

The current 2014 Lease was executed despite Company B's noncompliance and without proper authorizations, signatures, and appraisals for the government-owned golf course property. Had a more current appraisal been used, there may have been an opportunity to increase rental rates and revenues. The 1989 Lease was improperly assigned to Companies B and C. We have referred the matter to the Attorney General for an opinion on the validity of the renewal. A response has not yet been received.

In their response to the draft report, CLTC agreed to our recommendation to require and obtain independently audited financial statements to ascertain the viability of Company B. However, CLTC disagreed with our findings and is of the opinion that the 2014 Lease was merely a renewal authorized for another 25 years under the same terms and conditions of the initial 1989 Lease.

Doris Flores Brooks, CPA, CGFM
Public Auditor

Environmentally Hazardous Photovoltaic Solar Panels

- One of largest environmental impacts from solar energy systems comes in manufacture and eventual disposal
- Photovoltaics require a host of harmful materials in their construction.
- Even benign silicon is doped with arsenic and other toxins; if destroyed in hostile weather conditions, the toxic nano-particulates can cause toxic pollution in soils and enter the food chain through plant osmosis; for massive solar farms installed over agricultural lands, this can be a very serious issue
- Industry manufacture contends with serious pollution issues despite its high-tech reputation and its “clean rooms.”

Energy and the Environment- A Short Introduction

Richard G. Geyer, Ph.D.

Energy Use

- Differing amounts of energy use by average person in highly industrialized society and one in developing country
- General correlation between Gross Domestic Product (GDP) and per capita energy use
- Historical note: combustion of a pound of coal, if taken place in 1 minute, equivalent to work of about 300 horses

Example question

- What is the dollar value of the equivalent amount of oil each of us uses per day? Assume each person uses energy equivalent of about 58 barrels of oil burned each year and barrel cost is approximately \$75 per barrel. Note this is for all applications: i.e., diesel engine fuel in agricultural food production, hardened polymers for cars, asphalt for roads, lubricants for motors, clothing, paints, medical, heat for steam to convert mechanical energy to electrical energy in power plants, furnaces for temperature control,,

Energy Sources

- Vast amounts of coal (300+ years), natural gas, petroleum (supply is about 86% of energy used in the U.S.)
- Other: geothermal, hydroelectric (most efficient), wind turbines (highly inefficient), solar (< 1%, costly, low efficiency, toxic nano-particulates in manufacture, disposal), nuclear (highest energy density, least expensive)

Forms of energy

- *Mass energy*: Albert Einstein (early 1900s) showed that there is an equivalence between mass and energy with an incredibly simple formula; examples are in nuclear weapons, nuclear reactors, release of energy when combining hydrogen with oxygen to form water, and fusion of hydrogen nuclei to form helium in our sun with change in mass to energy

$$E = mc^2, \text{ where } c = 3.0 \times 10^8 \text{ m/s is speed of light}$$

Forms of energy

- *Electric energy*: batteries, where charge is brought to higher potential (voltage) ; permits lighting, electric motors, computers, television, air-conditioning. In a battery chemical energy is converted to electric energy. Mechanical energy is converted to electrical energy in generators. Generators can also convert electrical energy back to mechanical energy when used as motors.

Forms of Energy (Fundamental for Solar)

- *Electromagnetic radiation*: covers a wide variety of phenomena from radio waves to very-short wavelength microwaves, infrared radiation, visible light, ultraviolet radiation, x-rays, and gamma rays; travels at speed of light in vacuum; wavelength is characteristic distance in space wave must move before rapidly varying electric and magnetic fields repeat themselves; have relation between wavelength, frequency (repetition rate) and speed in vacuum that is

$\lambda f = c$, where λ is wavelength, f is frequency (repetition rate per second), and c is speed in vacuum. For radio waves, $\lambda \approx 200$ m, for light, $\lambda \approx 5 \times 10^{-7}$ m. (Note that when frequency increases, wavelength must decrease to give constant speed. Also, energy of electromagnetic radiation increases with frequency, such as with UV and X - ray radiation, which is ionizing and can cause DNA damage.)

More on heat energy ...

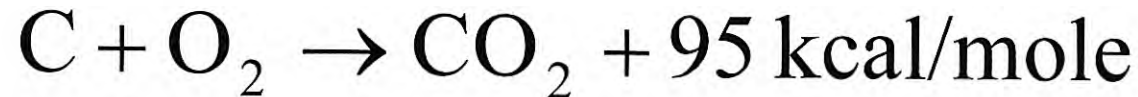
- In physics, the accepted metric unit of energy, regardless of type, is the joule (J)
- However, a different unit of energy is often used for heat energy in discussions of fuel and insulation. This is the British Thermal Unit (Btu), which is the amount of heat energy required to raise the temperature of 1 lb of water by 1 degree Fahrenheit (or the amount of heat energy given off by 1 lb of water when it cools by 1 degree Fahrenheit). A typical burning of a wooden match releases about 1 Btu, where $1 \text{ Btu} = 1055 \text{ Joules}$

More on heat energy ...

- Still another unit for heat energy: the calorie (cal) and Calorie (Cal)! The calorie, like the Btu, is defined in terms of heating water and is used in physics or chemistry. 1 calorie is the amount of energy required to raise the temperature of 1 gram of water by 1 degree Celsius. 252 calories = 1 Btu. For food energy, the Calorie (capital "C") is used, which is 1000 calories or 1 kcal.

Examples of heat energy from chemical energy as result of burning coal . . .

- Chemical formula when burning coal (carbon):

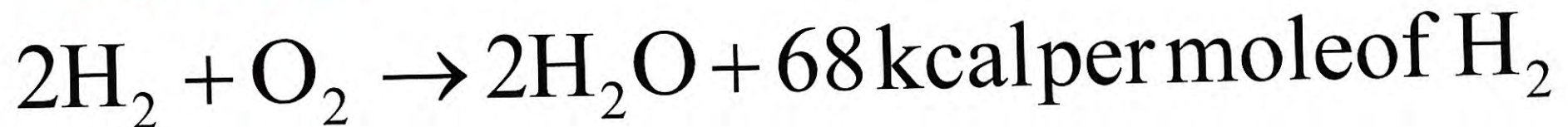


carbon + oxygen → carbon dioxide + energy

- Have to review what is a “mole”: A mole is 1 gram molecular weight, which is mass equivalent to the sum of the atomic weights, expressed in grams. For example, one mole of hydrogen gas has a mass of 2 grams, because the hydrogen molecule H_2 consists of two hydrogen atoms, each of which has an atomic weight of 1. For carbon, C, the atomic weight is 12, and 1 mole has a mass of 12 grams. There are a lot of atoms or molecules in 1 mole of an atom or chemical compound! How many, do you remember?
- **NOTE:** carbon dioxide used in photosynthesis taking place in agriculture, plants, and trees (which release the oxygen that all mammals breath). In oceanic waters, carbon dioxide forms weak carbonic acid in formation of lime (limestone, 25% of sedimentary rocks)

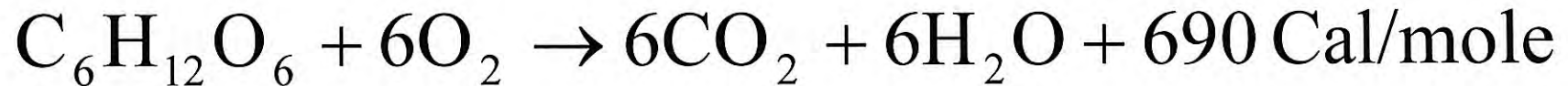
Another example of heat energy from chemical reactions . . .

- Fuel cells: If one has hydrogen and oxygen separately, they can be combined to produce heat and water (pollution-free). **Note: more energy used in electrolysis or separation of hydrogen from oxygen in water than combining oxygen with hydrogen. Also, second reaction given is explosive.**



Other examples of heat energy from chemical reactions . . .

- Food we eat: metabolism (burning) of sugar (glucose) in our bodies



glucose + oxygen $\rightarrow$ carbon dioxide + water + heat

- All mammals produced carbon dioxide in normal metabolism of foods! But we do not stop eating or breathing!

Energy vs. Power

- We have talked about energy in terms of its various forms and units.
- Are energy and power the same?

Energy vs. Power

- No!
- Power is the time rate of delivering or using energy (originally defined in horsepower or how much coal could a horse carry per unit of time).
- We still rate cars in terms of horsepower (energy usage) but for what kind of horse?

Energy vs. Power

- Definition:

Power (Watt) = Energy (Joules)/time (seconds)

Question

- Question: If we know the horsepower of our car, can we use it to say how much energy it uses?

Energy vs. Power

- Nope! We must know the amount of time the car is being used and multiply this by the horsepower.

Energy vs. Power

- With standard SI units, power is always given in watts (like our light bulbs) which is joules/second. Your electric bill is usually given by your usage of kW·hr, so are you being billed for electric power you have used?

Energy vs. Power

- No, you are being billed for the electric energy you have used.
- Example: Suppose you have 10 100-watt light bulbs on in your house/apartment for 1 hour. How many joules of energy have you used?

Energy Consumption in U.S.

- Often we hear about rates of energy consumption in terms of *quadrillion* Btu per year—but what is a *quadrillion*?
- Coal, natural gas, and petroleum provide 86% of energy, nuclear about 8% and renewables (solar, wind, hydroelectric, geothermal, biofuels) only about 6% (solar energy less than 1 %)

Remember: units in terms of powers of 10

One	10^0
Ten	10^1
Hundred	10^2
Thousand	10^3
Million	10^6
Billion	10^9
Trillion	10^{12}
Quadrillion	10^{15}
Quintillion	10^{18}

Approximate U.S. Energy Consumption

General Energy Flow from Source to Use in U.S. in units of QBtu

Typical Energy Flow in U.S. in Units of QBtu

- Note lost energy. E.g., 8.4 QBtu of electric energy for residential/commercial use, and 3.4 QBtu for industrial use, while 26.3 QBtu was lost in generating and distributing electricity
- Much of energy loss is unavoidable

U.S. Energy Consumption per Person in 2003 for Population of 291 Million

- Average per capita energy consumption in 2003 equivalent to 58 barrels of oil per year

World Consumption of Energy (2002)

- About 410 QBtu
- U.S. consumption about 98 QBtu
- With about 5% of world's population, U.S. consumes about one-fourth of world's energy
- U.S. is large country with multifamily dwellings, but without population density of many other countries
- U.S. highly industrialized and there is direct relation of Gross Domestic Product per capita and energy use
- Are energy sources inexhaustible?

How Energy Is Used in U.S. (2003)

- Electric utilities: 39.0%
- Transportation: 27.3%
- Industrial: 22.1%
- Residential and commercial: 11.6%
- Are there reasons why wind turbine farms, solar panels CANNOT supply U.S. electrical energy needs, even with use of batteries- which are inorganic materials, which possess much lower energy densities and which can be environmentally toxic to agricultural plants and through the food chain to humans?

Energy Resources

- For residential and commercial heating: natural gas, petroleum
- For industrial: coal, natural gas, and petroleum
- For transportation: almost all petroleum, some natural gas (especially in Europe). Effort to use electric vehicles (but are they safe and are the batteries non-toxic?)
- For electric utilities: 50% coal, 20% nuclear, 18% natural gas, 7% hydroelectric, 3% petroleum. (In U.S., coal is being taken out as a source of energy.)
- Questions: Do we lose reliability and survivability with renewable energy sources like solar panel farms and wind turbines? How large must solar farms be with efficiencies that drop to 5% when heated to 200 Celsius at high noon on a summer day (twice the boiling point of water at Standard Atmospheric conditions)? What does this do to electrical loads on the U.S. electrical grid? Can these highly variable loads cause grid failure? Where do almost all electrical transformers come from that are employed to deliver electrical energy to distant needs? What will happen if massive solar panel farms occupy agricultural lands used for basic food? Will there be other potential problems, like very large toxic materials from panels destroyed in natural hostile weather events such as tornados, hailstone storms, hurricanes? Can toxic materials in normally productive farm/ranch lands become part of our food supply? Will we have environmental superfund disaster sites over large productive agricultural lands and ranchlands?

Use of Term “Conservation”

- “Energy conservation” often used to mean not wasting an energy resource
- In Physics and Chemistry: Principle of Energy Conservation means that the total energy *always* remains the same, but has changed into different forms, some of which are not useful (like lost heat energy)
- Nature of discussion clarifies the two usages

Simple Step Diagram in Transformation of Nuclear Fusion Energy in Sun to Electric Energy Used in Residence or Industry

- Note time period, especially for obtaining useable chemical energy
- Is this an indication that nuclear energy has to dominate at some time in the future?

Linear & Exponential Growth

- When discussing consumption of resources on either a national or worldwide level, we often plot the consumption vs. time.
- Total energy consumption per year, depending on industrial growth patterns, can be *linearly* increasing or be much more rapid (*exponentially* increasing)
- It is useful to recall what we mean by a *linear* relation and exponential relation because it provides insight into possible future shortages and into how much time it takes to double an exponentially increasing quantity (like consumption) should that maintain a fixed growth rate per year
- Let us look at a little math, describing symbolically, what is meant by exponential growth . . .

Linear Growth

- Linear growth may be very simply recalled when we use the relation

$d = vt$, where d is distance traveled, v is the constant speed, and t is time

If we double the time for a given speed, we will double the distance traveled; in other words, the distance d is linearly related to the time t and a plot of d versus t will plot as a straight line having a slope v .

⇒ Any equation of a straight line has the form $y = mx + b$, where m is the slope and b is the y - intercept of the line (value of y when $x = 0$).

NOTE : The amount of change in distance or additional distance traveled per unit of time is constant (as long as the speed is constant) for this example of *linear* growth.

Exponential Growth

- Many interesting time dependencies do not behave in linear fashion
- One example is that of exponential growth of a quantity N , where the amount added to N per unit of time is not constant, but is equal to a growth constant λ times the quantity N
- Let's write this now in a formula that we can use ...

Exponential Growth

$$\frac{\text{Change in } N}{\text{Change in time}} = \frac{\Delta N}{\Delta t} = \text{growth constant} \times N$$

$$\text{or } \frac{\Delta N}{\Delta t} = \lambda N$$

Note : This equation describes population growth and often the consumption rates of growing nations, and even radioactive decay (in the last case λ is negative).

This equation can be written into more useful, but equivalent form :

$N = N_0 e^{\lambda t}$, where N_0 is simply the value of N when $t = 0$ and where e is the constant number 2.718. This function is uniquely one in which the time rate of change of N at any time t is simply the product of the growth rate λ times the original function.

Exponential Growth, a little more . . .

- We now review a bit of our knowledge of natural logarithms
- We know that if we use the (base) number 10 to any power n , like 10^n , and take the $\log_{10}$ of 10^n , we just have $\log_{10} 10^n = n$
- In other words the value n to which the base number 10 is raised is the logarithm
- We can also do this for the number $e = 2.718$

Exponential Growth, a little more . . .

- Note that if we take the *natural logarithm* (logarithm to base number e) ,we get

$$N = N_0 e^{\lambda t}$$

$$\ln(N) = \ln(N_0 e^{\lambda t}) = \ln(N_0) + \ln(e^{\lambda t}) = \ln N_0 + \lambda t \text{ so that}$$

if we plotted $\ln(N)$ with time we would have a straight line with slope of λ and y – intercept that is $\ln(N_0)$.

This would be a way to determine the growth constant λ .

Exponential Growth, doubling factor

- We can use what we have just done to figure out the time t_D that it takes to double a quantity that is exponentially growing:

Set $e^{\lambda t_D} = 2$ and take natural logarithm of both sides of equation :

$$\lambda t_D = \ln(2) = 0.693 \approx 0.70$$

$$\text{Then } t_D \approx \frac{0.70}{\lambda}$$

Example : Suppose the growth constant is 10% per year (0.10 per year).

Then $t_D \approx 7$ years or it would take 7 years for the quantity (consumption, population, costs due to inflation) to double at this growth rate. Note that times do not need be given in years; they could also be in decades or minutes or any other time interval.

Another example would be your bank account with compound interest. Here the principal increases every year by the interest rate times the principal if the interest is not withdrawn, giving exponential growth. Hence, if interest rate is 10%, it would just take about 7 years for your principal to double. At 2%, it would take about 35 years to double,

“Rule of 70s for Doubling Factor of Exponentially Increasing Quantity

$$\text{doubling time in years} \approx \frac{70}{\% \text{ growth per year}}$$

or, equivalently :

$$\% \text{ growth per year} \approx \frac{70}{\text{doubling time in years}}$$

Approximate U.S. Renewable Energy Consumption in QBtu

- Note: present U.S. energy consumption ~ 100 QBtu/year
- Remember what a Btu is?
- Note: only about 6% of total consumption comes from all renewable sources and 0.1% from solar!

Energy from the Sun

- All energy from sun (1.5×10^{11} m or 93 million miles away) is in form of electromagnetic energy (generated from sun's thermonuclear reactions)
- Electromagnetic energy: Radio waves, infrared, visible light, ultraviolet, x-rays (lowest to highest frequency and energy)
- Fundamental relations:

$$c = f\lambda$$

In vacuum : speed of light = frequency $\times$ wavelength

$$E = hf$$

Energy = constant (Planck's constant) $\times$ frequency

Let's look at how much power (energy per unit time per square centimeter) we get from our sun as function of wavelength

Average Power Spectrum Distribution of Our Sun's Solar Electromagnetic Output

- Note that the dominant radiation is in visible region ($\sim 50\%$)
- Note that it is easy to have a similar plot as a function of frequency instead of wavelength by just dividing the speed of light by the wavelength given on the horizontal axis
- Note that the units given are metric but not SI
- Note that the plots show solar radiation power per cm^2 at heights above our atmosphere and at the earth's surface and are averaged for differing weather conditions, over all seasons, and latitudes

Average Power Spectrum Distribution of Our Sun's Solar Electromagnetic Output

- Note that the measured differences in solar radiation incident on atmosphere at the earth's surface generally reflect up-scatter from clouds and atmospheric absorption
- Note that the average solar radiation at the earth's surface generally consists of diffuse down-scatter from clouds ($\sim 17\%$), direct solar radiation ($\sim 24\%$), and down-scatter from the atmosphere (6%) so that usually the average solar radiation at the earth's surface is only about 50% ($17\% + 24\% + 6\%$) of that incident on the upper reaches of our atmosphere

Average Power Spectrum Distribution of Our Sun's Solar Electromagnetic Output

- Note that the average power density of the solar radiation (Solar Constant) *at top of atmosphere on side of earth facing sun* is about $2 \text{ cal}/(\text{min} \cdot \text{cm}^2)$ Note that Solar Constant is area under curve!
- Since earth rotates on its axis every 24 hours, solar radiation on surface of earth varies according to time of day.
- Solar radiation on surface of earth is greatest in summer time when rays (solar flux) are (is) more perpendicular to earth's surface; this occurs in northern hemisphere when earth is at *largest* distance from the sun in its slightly elliptical orbit.
- Because of *all* the above factors, a useful *average* value of solar intensity on earth's upper atmosphere is about $1/4^{\text{th}}$ Solar Constant.

Environmentally Hazardous Photovoltaic Solar Panels

- One of largest environmental impacts from solar energy systems comes in manufacture and eventual disposal
- Photovoltaics require a host of harmful materials in their construction.
- Even benign silicon is doped with arsenic and other toxins; if destroyed in hostile weather conditions, the toxic nano-particulates can cause toxic pollution in soils and enter the food chain through plant osmosis; for massive solar farms installed over agricultural lands, this can be a very serious issue
- Industry manufacture contends with serious pollution issues despite its high-tech reputation and its “clean rooms.”

Solar Cell Efficiencies at 20 Celsius (Room Temperature)

• Cell Technology	• Efficiency (%)
Single crystal silicon	14-17
Polycrystalline silicon	13-15
Silicon ribbon	13-15
Concentrators with silicon	22
Amorphous silicon	5-8
Copper indium diselenide	8-10
Cadmium telluride	7-9
Silicon film	8-110

- Solar efficiencies maximum when sun rays are vertically incident on panel
- At higher expected temperatures (high noon in summertime) efficiencies drop to less than 1/2 at 100 Celsius to what they are at 20 Celsius
- Local warming effects with extreme use because solar panels alter Earth's net energy balance that affects climate. Can be comparable to that of carbon dioxide.

Example: Toxicity of Cadmium Telluride and Cadmium Sulfide

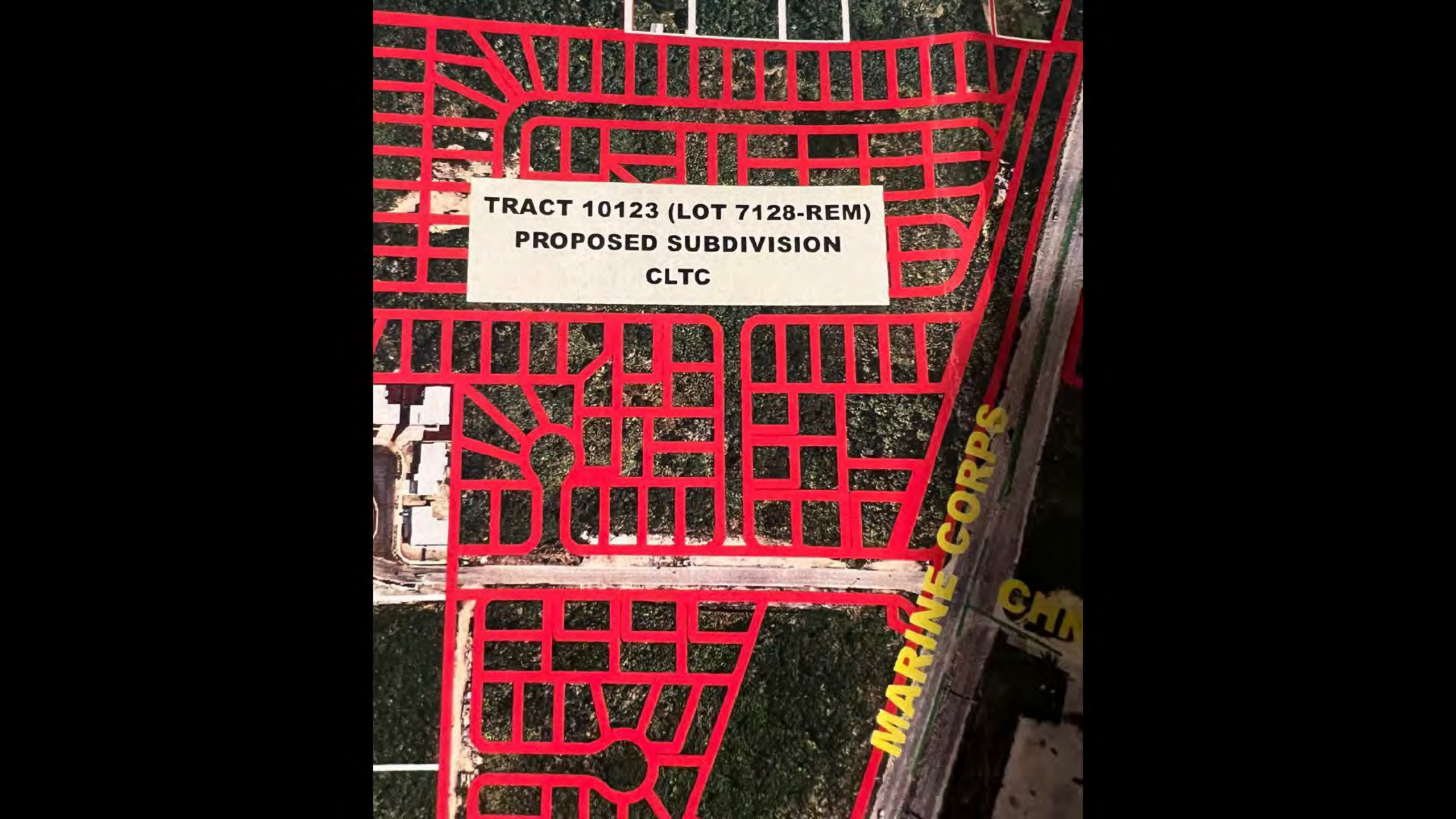
- Toxicities are similar to the elements Cadmium and Tellurium
- Cadmium listed as priority hazardous substance in the European Water Framework Directive, which requires management plans to cease Cadmium release in the environment to less than 3 microgram/L. U.S. EPA set maximum contaminate level for cadmium to 5 microgram/L. Denmark has quantity standard of no more than 0.5 microgram/L.

Toxic Effects

- Mostly evident in organs, such as liver, kidneys, placenta, brain, lungs, and bones
- Symptoms: acute nausea, abdominal cramps, vomiting, dyspnea, muscle weakness
- High exposure: death and pulmonary edema with effects such as emphysema, bronchiolitis, and alveolitis
- Clinical conditions such as cardiac failure, cancers including bone cancer, anosmia, osteoporosis, cerebrovascular infarction, proteinuria, cataract formation in eyes and emphysema

Some References: (1) Int. J. Environ Res. Public Health, 2020; 17(7): Toxic Metal Implications on Agricultural Soils, Plants, Animals, and Human Health.

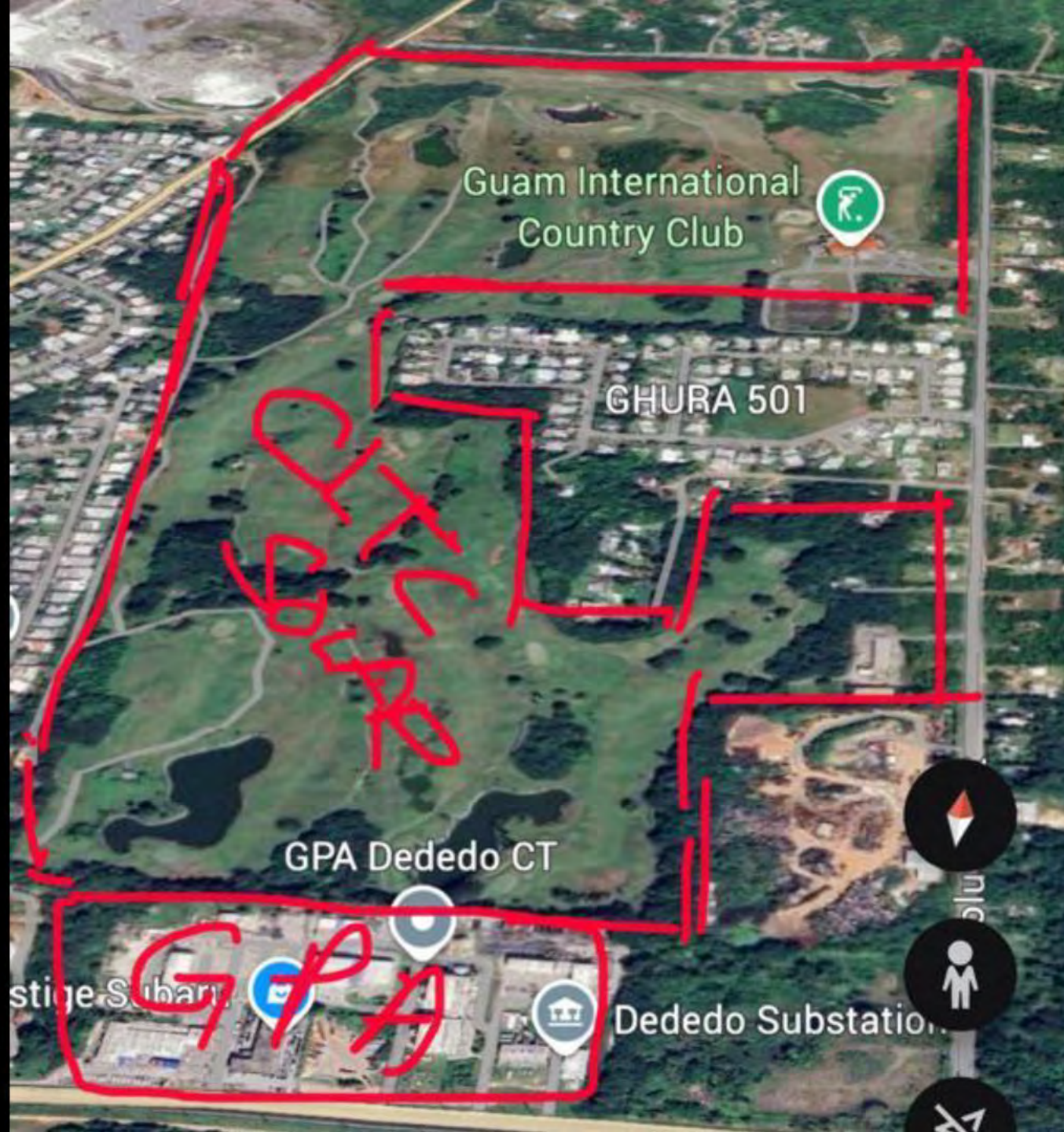
(2) <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9860948/>

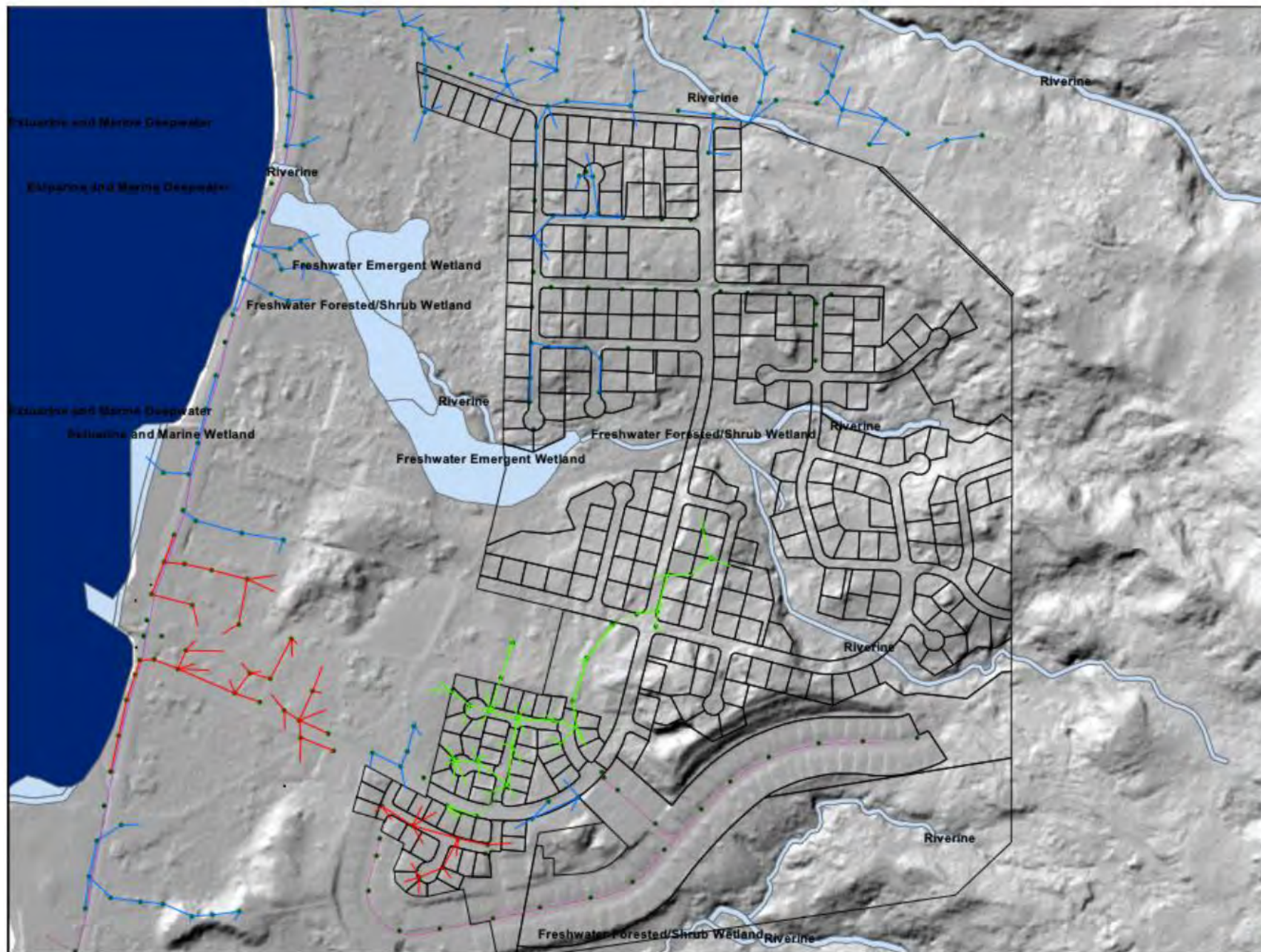
An aerial photograph of a proposed subdivision. The map is overlaid with a network of red lines representing the proposed road layout. The roads are arranged in a grid-like pattern with some variations in block shapes. A yellow text box is centered on the map, containing the text "TRACT 10123 (LOT 7128-REM)", "PROPOSED SUBDIVISION", and "CLTC". Along the right edge of the map, the words "MARINE CORPS" are written in large, yellow, capital letters, following the curve of the boundary. In the bottom right corner, the letters "CHN" are visible in yellow. The background of the map is an aerial view of the land, showing some vegetation and existing structures.

TRACT 10123 (LOT 7128-REM)
PROPOSED SUBDIVISION
CLTC

MARINE CORPS

CHN

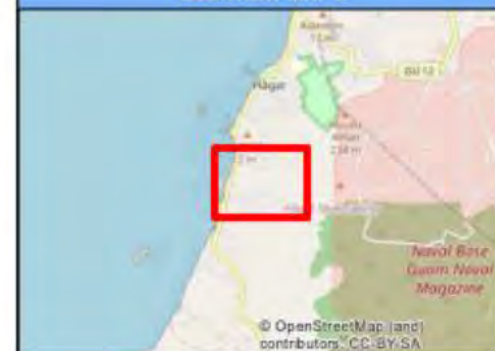




OVERVIEW MAP 1



OVERVIEW MAP 2



OVERVIEW MAP 3



Guam Power Authority
 Division: Engineering
 Section: Real Estate-GIS
 Prepared by: egumetecoa
 1 in = 417 ft











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. 135-38 (COR) – Joe S. San Agustin, William A. Parkinson, Eulogio S. Gumataotao – “AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.”

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	 09/10/25			✓		
Senator Christopher M. Dueñas Vice Chairperson	EVOTE 09/10/25			✓		
Speaker Frank F. Blas, Jr. Member	EVOTE 09/10/25		✓			
Senator Sabrina Salas Matanane Member	EVOTE 09/10/25			✓		
Senator Shelly V. Calvo Member						
Senator Vincent A.V. Borja Member	EVOTE 09/15/25			✓		
Senator Sabina F. Perez Member						
Senator Chris Barnett Member	EVOTE 09/10/25			✓		
Senator Tina Muña Barnes Member						
Senator Joe S. San Agustin Member	EVOTE 09/10/25	✓				

URGENT REQUEST for Evote: Bill No. 135-38 (COR) - 2nd Routing

Senator Chris Duenas <senator.duenas@guamlegislature.gov>

Wed, Sep 10, 2025 at 2:31 PM

To: Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Cc: "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 Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

To report out only

**Office of Senator Christopher M. Dueñas***Chairman, Committee on Government Finance and Operations***259 Martyr St., Hagatna, Guam 96910**senator.duenas@guamlegislature.gov**(671) 989-9554**

[Quoted text hidden]

URGENT REQUEST for Evote: Bill No. 135-38 (COR) - 2nd Routing

Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>

Wed, Sep 10, 2025 at 3:21 PM

To: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>

Cc: Senator Chris Duenas <senator.duenas@guamlegislature.gov>, Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>, "Vice Speaker V. Anthony Ada" <vicespeakertonyada@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>

Hafa Adai,

To Report Out Only.

Si Yu'us Ma'ase,

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--

**The Office of Senator Chris Barnett***I Mina'trentai Ocho Na Liheslaturan Guåhan*

Suite 202 · Calvo- Arriola Building · 259 Martyr St. · Hagåtña, Guam 96910
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Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

URGENT REQUEST for Evote: Bill No. 135-38 (COR) - 2nd Routing

Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>

Wed, Sep 10, 2025 at 2:45 PM

To: Senator Chris Duenas <senator.duenas@guamlegislature.gov>

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<malafunkshun@guamlegislature.gov>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

To Not Pass



Speaker, Frank F. Blas, Jr.

I Mina'trentai Ocho na Liheslaturan Guåhan 38th Guam Legislature

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URGENT REQUEST for Evote: Bill No. 135-38 (COR) - 2nd Routing

Joe S. San Agustin <senatorjoessanagustin@gmail.com>

Wed, Sep 10, 2025 at 2:07 PM

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

Cc: Chris Duenas <senator.duenas@guamlegislature.gov>, "Speaker Frank F. Blas Jr."

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To Do Pass

The Office of Senator Joe S. San Agustin

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38th Guam Legislature

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URGENT REQUEST for Evote: Bill No. 135-38 (COR) - 2nd Routing

Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Wed, Sep 10, 2025 at 1:58 PM

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Cc: Chris Duenas <senator.duenas@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 Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

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All the best,

Isaiah Aguon

Director of Communications & Policy



Office of Legislative Secretary

SENATOR SABRINA SALAS MATANANE

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

Chairperson, Committee on Health and Veterans Affairs

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

URGENT REQUEST for Evote: Bill No. 135-38 (COR) - 2nd Routing

Office of Senator Vince Borja <contact@senatorvinceborja.com>

Mon, Sep 15, 2025 at 9:32 AM

Reply-To: Office of Senator Vince Borja <contact@senatorvinceborja.com>

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To Report Out Only.

Respectfully,



Office of Senator Vincent A.V. Borja

Committee on Education, Libraries, & Public Broadcasting

38th Guam Legislature

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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

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 135-38 (COR) was introduced on **May 6, 2025**, by **Senator Joe S. San Agustin** and was subsequently referred to the Committee on Rules to the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure on **May 15, 2025**.

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure convened a public hearing on **July 22, 2025, at 2:00 pm** 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 **July 14, 2025** (5-Day Notice), and again on **July 20, 2025** (48-Hour Notice).

Senators Present

Vice Speaker V. Anthony Ada, Chairperson – Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure
Senator Joe S. San Agustin, Primary Sponsor/Committee Member
Senator Chris Barnett, Committee Member
Senator Eulogio Shawn Gumataotao
Senator Telo T. Taitague
Senator Therese M. Terlaje

Written Testimony Provided by

Richard Sablan
Carlos Camacho
Ron Lagaña
Van Shelley
Barbara Burkhardt
Arlene Bordallo, Chairperson – Chamorro Land Trust Commission
David Herrera
Francisco Florig
Yohei Koike
Mika Paulino
Monaeka Flores

II. SUMMARY OF TESTIMONY & DISCUSSION

The **public hearing** was Called-to-Order at **2:00 PM**.

Vice Speaker V. Anthony Ada, Chairperson – Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure: Good afternoon, ladies and gentlemen. This public hearing is conducted by the Committee on Land, Environment, Housing, Agriculture, Parks, Infrastructure. It is now called to order at 2 o'clock p.m. Today's date is July 22, 2025.

Notice of this hearing was disseminated to all local media outlets on June 14, 2025, with the second notice provided on July 20, 2025. Notice of the hearing was also made known on the Guam Legislature's website and the government of Guam public notice portal. This afternoon, the committee will hear testimony on Bill No. 135-38 COR, an act to amend the Chamorro Land Trust lease agreement with the Guam International Country Club, Inc., sponsored by Senators Joe San Augustin, William Parkinson, and Shawn Gumataotao. We will also be hearing Bill No. 164-38 COR, sponsored by Senators Tina Rose Munoz Barnes, Joe San Augustin, and William Parkinson, an act to add a new Article 2A to Chapter 61 of Title 21, Guam Code Annotated, relative to streamlining the zoning law for affordable housing.

I'd like to now welcome my colleagues who are joining us here today. To my right is Senators Shawn Gumataotao, Senators Vince Borja, Senators Sabrina Salas Matanane, Senators Joe S. San Augustin, and Senators Telo Taitague. Thank you, colleagues, for being here this afternoon and joining me in this public hearing. Before we begin, I would like to go over the general rules of conduct. Individuals testifying shall first be recognized by the Chair before speaking and shall state their name for record-keeping purposes. Questions and testimonies shall be confined to the substance or nature of the agenda. Personal interference as to the character or motive of any Senator or any individual testifying is not permitted. The Chairperson of the Committee may order the removal from the hearing any member of the Legislature in Guam who fails to observe proper decorum, pursuant to the 38th Guam Legislature Standing Rules. A violation of this general rule of conduct will result in the removal from this hearing. We will now proceed with hearing testimony on Bill No. 135-38 C.O.R. introduced by Senators Joe S. San Augustin, William A. Parkinson, Shawn Gumataotao, an act to amend the Chamorro Land Trust lease agreement with the Guam International Country Club, Incorporated. And I have here to testify, if I can call the following individuals up who will be providing oral testimony. Joseph Artero-Cameron for the Chamorro Land Trust Commission, Barbara Burkhardt, Bill Payne, Juanita Blas, Robert Benavente, Russell Young, and I think this is Frank Florig. Thank you all for being here this afternoon. Mr. Cameron, we'll go ahead and start with you first, sir, and please state your name. I'm sorry. I'm going to go ahead and start with the author so that he can give his opening statement, and then we'll start with the panel. Senator San Augustin, you're recognized, sir.

Senator Joe S. San Augustin:

Good afternoon, Mr. Chairman and colleagues. When is all present today and thank you for scheduling this hearing today. As you mentioned earlier, Bill 135-38 was introduced by myself, Senator Joe S. San Augustin, along with Senator Will Parkinson and Senator Shawn Gumataotao, and is an act to amend the Chamorro Land Trust agreement with the Guam International Country Club, Incorporated. This is my second introduction of this measure, the first and the last term. As we all understand, the Chamorro Land Trust Commission was established in 1975 to address the housing needs of our Chamorro families who lost their ancestral lands during Guam colonization. Despite the numerous land trust properties available, many Chamorro families still lack housing due to inadequate infrastructure, and CLT faces persistent funding shortages to improve this infrastructure and turn to commercial leases to generate necessary funding. Lot number 101-22-12 in the municipality of Dededo is owned by the CLTC and was transferred to the Commission in 1994 from the Governor of Guam. The property is leased and is currently a rate-controlled golf course, namely the Guam International Country Club, or GICC. However, due to various factors over the last several years, including the Asian financial crisis, the SARS outbreak, and the COVID-19 pandemic, the property has struggled financially. To address the challenges plagued by these factors, the CLTC agreed to a payment plan with GICC allowing them to pay overdue rent by October 2026. GICC has been making regular payments towards the overdue rent and is on pace to pay off all overdue rent on time. Furthermore, the Chamorro Land Trust

Commission and the Guam International Country Club have discussed ways to improve rental cash flow. GICC proposed developing a solar farm on the property, which CLTC approved in a prior board resolution in 2024. That resolution includes stipulations that are included in Bill 135. These include the designating of approximately five hectares surrounding the GICC club to house and maintain a storage building with surrounding property of one acre for the use of CLTC, Ancestral Land Commission, and the Department of Land Management. This will save hundreds of thousands of dollars in office rent. All components of the solar panels must be free of PFAS substances and remove all solar farm components at the end of the lease by recycling and not disposing in Guam's landfill. GICC must provide a money guarantee to ensure the financial security, proper removal of solar panels, and the timely payment of rent. CLTC shall be responsible for the overhead maintenance costs of the facilities and grounds that they would occupy on the premises. If the property is not used for renewable solar power, the provisions would be null and void. Basically, it would go back to a golf course. GICC is required to comply with all applicable building codes, environmental regulations, including all federal rules and regulations related to building construction, environmental protection, including but not limited to the International Building Code, ADA, Clean Water and Air Acts, NEPA, Resource Conservation and Recovery Acts as enforced by Guam and the United States. Last week, on July 17, 2025, CLTC conducted another meeting and extensively discussed this bill and supported this bill with some amendments. We will hear from them shortly on what those recommendations contain, and I am certain they will help both the CLTC and GICC achieve their goals. We often speak about how legislation will benefit our community. In this bill, main benefits include the immediate payment of arrears, as CLTC will receive the balance of arrear rent within 30 days from enactment, acceleration of rent and increased escalation of rent. GICC will accelerate the payment of future rent to CLTC, increasing the rent escalation rate from 10% to 12% every five years, instead of collecting monthly rent. GICC will pay an accelerated rent of \$4,810,318, which is the net present value of the future rent cash flow estimate at \$9 million. It is important to note CLTC will use its own MAI certified appraisers to determine the net present value. GICC will pay the accelerated rent in two installments, 10% upon signing the Power Purchase Agreement with GPA and the remaining 9% when power is first delivered. Until both installments are paid, GICC will continue to pay monthly rent, saving for CLTC, Guam Ancestral Land and Department of Land Management. The Guam Ancestral Land Trust Commission and the Department of Land Management currently pay over \$800,000 annually in commercial rent. By dedicating the current club as a permanent home for these agencies, the government can save over \$26 million in rent over the duration of GICC's extended lease term to 2055. Construction of a new permanent home comparable to a clubhouse would cost the government over \$10 million. Permanent savings for electricity ratepayers. The 65-megawatt solar farm will produce clean electricity allowing Guam Power Authority to forego the purchase of 13 million gallons of fuel annually, saving over \$25 million per year. These savings will be passed on to all GPA ratepayers. This will all significantly contribute to Guam's efforts to meet the Clean Renewable Energy Goals established in Public Law 35-46, which aims for 50% of electricity to be generated from renewable sources by 2035 and 100% by 2045. Perhaps we can include that part of the revenue GICC will gain from the lease is that with the generation of power, GICC will pay CLTC a very small fraction of what to fund CLTC's infrastructure improvement and operations towards preparing additional tracks and ensuring more suitable leases with the infrastructure ready to go. In producing 65 megawatts, GICC has the potential to get 17 cents per kilowatt, and if CLTC was paid just 1.5 per kilowatt, it could earn \$1.58 a year or \$47 million over 30 years. Building CLTC's coffers with much-needed cash for infrastructure, the lease prepayment may be used to apply for federal CDBG funds administered by the GURA, and that, if approved, could result in \$50 million more for CLTC development activities such as land surveying, infrastructure development, public facilities, renovation and engineering and permitting services, if approved by CLTC board. There are so many different benefits. There are also many indirect benefits. This bill will greatly stimulate job creation, workforce development and construction, engineering and environmental compliance. It will also encourage private investment in new residential construction and, most importantly, homeownership on trust lands, enhancing community resilience and emergency preparedness with improved facilities and infrastructure. Chair, with over 11,000 acres of land, CLTC has issued 2,900 leases, and more than 8,000 eligible applicants remain on the wait list. With the

potential to generate solar power, GICC has the ability to recover their expenses and even greater, make a profitable return on the investment. But they will not only benefit the people of Guam will, too. Bill 135 is a great step towards meeting many goals, the goal of harnessing sun for energy, providing CLTC with much-needed capital for improvement on trust lands, and, most importantly, laying the path to giving our families the safety and comfort of homeownership. I ask that you support Bill 135-38 as the legislation will advance our shared goal of strengthening CLTC's infrastructure for our families, promote renewable energy that benefits our community and provide a sustainable solution for the future of our island. I know it was long, ladies and gentlemen, but we'll have a great time as we move along.

Thank you. Mr. Chairman.

Vice Speaker V. Anthony Ada: Thank you, Senator San Agustin. We'll go ahead and have now the testimony from the panel, and we'll start off with, again, Mr. Cameron from the Chamorro Land Trust Commission. Thank you, sir, for being here and for your testimony. My name is Joseph Flores, and I am a member of the Chamorro Land Trust Commission.

Commissioner Joseph Flores Artero Cameron: Hello, I am Joseph Flores Artero Cameron, a member of the CHamoru Land Trust Commission. The prior time I was present at our board meeting, I noticed 2 members of the three were disgusted and disappointed due to waiting to work, and yet we continued to work without payment. They treated us without respect and dignity, and as though we were not knowledgeable of our work and duties. I understand it's not your fault but let this not hinder you from being overthrown or override by others. Indeed, we must unite, embrace, and support the values of our cultural teachings and values of respect, CHamorus, and as people. Good afternoon, Vice Speaker and Honorable Senators. As I sit before you today to deliver testimony on behalf of the Chamorro Land Trust Commission's Board of Commissioners, I feel it's essential to reflect on the atmosphere during mine, my other two colleagues' confirmation hearing. While we faced significant skepticism and negative energy, I generally appreciate the perspective shared by those senators whom did vote yes to our confirmation. However, I am here today to demonstrate the progress we have made together as commissioners for the Chamorro Land Trust Commission. Think back to the myth of Pandora, who was given a box by Zeus and warned against opening it. Driven by curiosity, she opened the box and unleashed all the world's evils, leaving hope trapped inside. Despite the challenges we've encountered, I want to emphasize that hope is not merely a distant concept. It is very much alive and thriving with our efforts. The accomplishments we as an entire commission and staffers achieved in recent months illustrate that this hope is real. It is our guiding force. We, the commissioners and staff, will continue to propel the Chamorro Land Trust Commission's programs forward and make a meaningful difference for the Chamorro Land Trust Commission's constituents.

[Written testimony presented orally]

This very bill we are hearing today is an excellent example of a win-win for all on Guam. We have spent many hours deliberating and discussing this bill in open meeting and during our monthly scheduled commission meeting. Lots of going back and forth to finally having our detailed negotiations, actions and decisions to advancing the important bill forward.

All these are embodied in the testimony of the company seeking to build a solar farm. The commission has provided written testimony in support of this bill. All your questions can be answered by the fine company who proposes to provide the solar farm. Their responses are guided by our discussions and agreements in all our hours of meetings. And again, these were open meetings. It was open to the public for any interest or any input. But I might note that I didn't really see a lot of public input during those important meetings. I think it's critical that we as a community, when we see something that we're not happy with or something we are happy, I think it's important that we show that effort by walking into the room with us in its infancy. I think it's important. I also forewarned the senators that to some degree, I really believe that you've gotta be careful. You're not Chamorro Land Trust Commission. You are not, we are.

Be careful of the types of bills you propose. Bring us to the table, bring the parties to the table. In that way, we can eliminate some of these misfortunes or miscommunications that we seem to feel. And it goes across the board for everybody, really. This statement of the Commission is a status of how we are to direct, lead, and find the results. This is not difficult if only the authority is given to us the Commission to direct. No matter how this bill is established, we are here to voice our concerns, and this crowd today is attending this hearing with many ideas and concerns as well. We, the Commission, together support this bill. I had to ponder, think, and grasp many things in my mind overnight. Please, Senators, give us the Commission Board Members the authority to decide, and we are not pointing fingers to anyone, but please consider.

You know, there's that saying that there's a fine line between the Organic Act of Guam between the legislative, the judicial and the executive branch. So, when there's a type of crossover, it might seem as though certain things that we are doing may be, we don't know until it's tested.

If whether or not some of the bills we're creating are inorganic, that's left to the courts, isn't it? I'm not a lawyer, but surely, I'm not stupid about law. I've had enough more than 40-some years running government agencies, and I realize what goes up and down, in and out, between the legislature, having served as the director for six governors, being chief of staff to three senators.

This is not my first rodeo. It really isn't. It really isn't. And I just really believe that we need to start holding hands. If you have any more new ideas at the table for the Chamorro Land Trust Commission, we have limited properties to give out still. Bring us to the table. It's not unreasonable, is it? Bring us to the table, please. God Bless, God Bless you.

Vice Speaker V. Anthony Ada: Thank you, Mr. Cameron, for your testimony this afternoon. Next on the list would be Ms. Barbara Burkhardt for your testimony.

Ms. Barbara Burkhardt: Thank you for this opportunity, and I want to say that my comments are very much in support of what Mr. Cameron just presented.

Vice Speaker V. Anthony Ada: If you can just state your name for the record.

Ms. Barbara Burkhardt: Oh, I'm sorry. Barbara Burkhardt. Thank you. It's my first rodeo on this. Barbara Burkhardt, I'm a retired architect, and I've been in Guam for 15 years.

I'm now a resident of Dededo, and I consider myself a low- and moderate-income resident. I'm very happy to be retired in Guam, very happy to be low income on Guam. What I see in this bill and what I hear in my neighborhood is very distressing. To Mr. Cameron, I would say I support all you say, just not this property. There's 11,000 acres of CLTC land. Certainly 200 acres of it could be developed somewhere else and have all the benefits that have been represented in this bill. When I say not this land, I'm going to hold up my Chamorro Land Trust and Dededo Mayor Council exhibits. Unfortunately, there was a change in the makeup of the Chamorro Land Trust. So, these, we, you know, we follow these things. We did not know at the June 14th meeting, otherwise we would have been there. This first exhibit shows Marine Corps Drive, West Santa Monica Boulevard, Ysengsong Road, and Swamp Road. This is public information from WERI. It's a recently, I think the database has been put together for five to ten years. It's very comprehensive. These are their colors, not my colors. The red area is the GICC property. The pink circles with black dots are nine freshwater wells pumping on the west perimeter of the GICC property. The circles go into the Kaiser subdivision, and they go into the GICC property.

These are aquifer pumping stations that draw directly from water that infiltrates from, really, right above and adjacent properties. If you look closely at this map, and someone can correct me, but 80% of our freshwater comes from this area. There's a huge multimillion gallon green reservoir that pressurizes the water and collects it that's right off Marine Corps Drive. These blue basins are natural

ponding basins in the agricultural area that some people look at as future subdivisions. I look at it as the source of 80% of our freshwater. This area to the north and northeast of GICC is a major collection point also. There are numerous wells along West Santa Monica, up on Swamp Road, up on where the East Singsong Road turns, and on the utility access road that goes up Route 3. Eighty percent of our water is coming from here, and a substantial amount of it is pumped directly to a multimillion-gallon pressurization tank just south of GICC. This was an exhibit that we presented to the Mayor's Council in Dededo and also to CLTC in November. This is my architecture urban planning resident of this area map.

When I drive along here, I see native trees, I see future habitat, I look north and I see Luta and I see the Fanihi, I look to Anderson, I see the Sali, I plant trees in this area along West Santa Monica, and I look toward GICC and I see mature limestone forest, not a decorative boundary, but a substantial 30 percent of GICC is a mature limestone forest, which is a habitat for these animals that we deserve to have back in our neighborhoods. So, in regard to Mr. Cameron's testimony, I just wanted to add this to my testimony because we did present this to the Mayor's Council and to the CLTC in November. Back to my testimony, as Mr. Cameron said, I'm actually in agreement with a lot of things. A substantial part of the bill needs to be redlined with the, what's it called, the big, beautiful bill that was passed and signed July 4th by our President and the rescission, what's it called, rescission bill that was passed by our Congress last week in the U.S. About at least half of what's contained in the bill has been redlined. There is no CDBG grants. If they have been funded, the rescission bill, X'd it out. I don't know what GHURA is going to do with all, in the past they operated from the CDBG funding. If Congress has now X'd it out and they're on path with Project 2025 to get rid of HUD, you know, what is GRRRA? What is CDBG? So, anything in the bill that references that is, you know, moot. It's not relevant anymore. Further, funds for use by the CLTC, as mentioned, are a guesstimate or as we would call it a wag in my industry. Valuation of the project needs to be completed. We ask that as residents that the valuation include the decreased value in adjacent residential property.

We have conservatively estimated a decreased value of residential property of 1% to be \$36,500,000. That is based on 20% of homes within a half mile of the proposed solar farm or 1,000 homes having a decrease in their value. There is a documented loss in residential value from between 1% to 15% in real estate valuation comps adjacent to solar farms.

There is a fair use reason why industrial property such as a solar farm are typically not located next to residential areas. Last, the final bill, the final page of the bill addresses the solar farm primarily. The incentive for the developer who is not the current golf course operator to push this bill as the energy tax credits program is set to expire. A last gasp has been given by the Trump administration to traditional conservative investors who benefit from this programming. Bypassing permits, public review, and testimony to benefit a few and not the low- and moderate-income residents of Dededo is not a reason to approve this bill. I thank you for your time and again, I used to be an architect. This is what we do to property. We go property line to property line. We clear it with a bulldozer, and everybody knows what this parcel is because you passed it on Marine Corps Drive coming in from Yigo and Dededo. It's on the right. We had a full view for the first time of the power plant. It's kind of hidden right now because the land has grown up.

I have no confidence and base on what I know about developers on Guam and solar farms on Guam and just the people that were my clients for 45 years, this is what's going to happen to that property. They're going to take a bulldozer. Once you've pulled down a mature tree that's been there 70, 80 years, it's gone and this is what happens. You know, you can oopsie. You know, what do I have to do? Do I have to bring all my friends and tie myself to a tree to keep the trees from coming down that you promised not to, you know, you promised not to cut down, you promised not to bulldoze? Anyway, thank you, Van. He said, show him this photo. This is what I do. This is what I used to do. I don't do this anymore and I ask you to conserve this property for recreation and for birds and bats. Thank you.

Vice Speaker V. Anthony Ada: Thank you, Ms. Burkhardt. We can just have your testimony. If you can just email it or submit it in that you just read today, we really appreciate that. Thank you. Thank you, ma'am. Mr. Bill Payne, sir, you are recognized.

Mr. William Payne: Good afternoon, Senators. Good afternoon, my fellow citizens of Guam. I'm William Payne. I'm a private citizen and I'm here to testify against Bill 135. Simply put, I am part of the generation that fought to build a golf course for the kids and the future of Guam. It is a golf course. Why are we destroying a public facility that's built for the people? Put the solar panels out in the other areas. Why contaminate the area again? You people complain about contamination with the fertilizer a long time ago. Now the solar panel is not contaminated. What else do you want to know? But that golf course was built for the sake of the people of Guam and the kids and its future. It's for them to use as a recreational area. Us, Manamko, now we need that.

You know how much the green fee now in the Korean-owned golf courses? \$65. No practice, no putting, no nothing. And you expect a kid to go pay \$65? You know how much GCC was charging when it was running the right way? \$18. \$18 for the kids to go practice and learn the game. What's so hard to understand about GICC? It's a recreational designated place as a municipal golf course for the people of Guam. Why don't you senators get together and improve the land trust function? If you were a landlord, would you not kick that tenant out already and collect the money that they owe you? Why are you prolonging the pain and the suffering? No pain, no gain, right? What's the point? It has been 4 years unpaid rental arrears, you are all too concerned of only the finances, and now you closed down the place where the youth are utilizing, and now there is nothing for the youth, why many are turning into drugs. As an example, we have a professional golfer on the states that started his life, golfing career in Guam.

Norman Jung. He's playing in the pros right now. We have kids over there trying to make it too.

And it's tight over here. Where are women going to play next? In the jungle? \$41 million land trust? Lou said there is a plan. What plan? But she is on the way out. But don't destroy that facility for the kids. And the future of us is municipal golf course. Why are you changing it to solar panel? Blah, blah, blah. Help us maintain and keep that structure there. Terminate the lease. Take them to court and do what you need to do. But the Chamorro Land Trust, got to put a bid out and see who's interested. There's people out there that's interested in building that golf course back to the way it was. I was one of those people who pushed for that golf course with all these older people here for the kids, not for us. And now you're going to destroy it because you want to be famous and rich? It's all under the table. Admit it. This is so fast. No notice.

We're here 24 hours to testify. Protect the golf course. Improve the Chamorro land trust.

Improve the management. Establish the real people in the Chamorro land trust that can run the system, and they cannot run it. Talk to Parks and Rec. That's part of their jurisdiction. recreational. But you have to build the right core people into the Chamorro land trust to monitor it, to inspect it, make sure everything is kept up. That has failed tremendously. Look at the raceway. Same problem. How many reasons they going to come up with? The Manamko are not blind. Protect the land for the kids. There isn't much left to be desired for those who've come from the past.

We built that for the kids, for the municipal, for the people of Guam. It's a recreational area designated as golf course, not solar panel course. Do it somewhere else, man. Plenty.

There's plenty of Chamorro land trust land. GPA got plenty of solar panels. My prediction in the next five, ten years, those solar panels are going to be obsolete. Uncle Sam is finishing up on the nuclear fusion power source. And that's what's going to happen. He's going to remove all the solar panels. That's what I read and why I see all this AI stuff coming out. It's a different world. But don't destroy the designated municipal golf course. That's for the kids. Please go out and look, put out a bid proposal so some people can come and put in their bids what they can do to bring it back up to the way it is. COVID killed it. And your tourism ain't going to bring it back up. But the local population needs it. We need the land. We the poor. Then you will ask us for your vote. Have some decency. Think about what is good for the people. Please. Save that golf course. Tell the solar panel people to go somewhere else. End the lease. Take that guy to court. If he cannot pay, put him in jail. That's what other businesspeople do. That's what the court and judges are for. Why are you going to keep prolonging the agony? Of dragging it forward. Why? Because he's an investor. If that guy gets what he wants, maybe in five years? Do something else and sell the lease. And what are you going to do to him? Bye-bye. He's gone. Right now, is the time to decide. Save that golf course. Try something else, man. There are plenty smart people. Let the and serve the interest of the people, not outsiders. Think. Thank you very

much.

Vice Speaker V. Anthony Ada: Thank you, Mr. Payne, for your testimony. Next, we have Ms. Juanita Blas for your testimony, ma'am. Thank you.

Juanita Blas: Håfa adai. For the record. Juanita Blas. And I come to you as a resident of Dededo. Long-time resident. Mother and grandmother. And guardian of children between the ages of 8 and 33. It's pretty amazing, the journey that we've had to get in front of you guys. We have been following. The people have come out unspoken. We've gone to the CLTC. We've gone to the Mayor's Council. It's not that the people are not coming forward. It's just that they keep making different venues for this to come up in. I just want to say that the loss of a recreational facility in the middle of Dededo is not acceptable. There are existing endangered and native species that are calling that golf course home. There's videos and record and scientific documents tracking these wonderful creatures. So that land to land, one side of the land all the way through, clearing, do you think they care? Have they done anything to protect those species up until this point? No.

What I've heard is they're actually draining the ponds. And then, you know, what happens to our moorhen duck that happens to be living in there? They're doing it intentionally. So, are these the people you really want to do business with? Legislative power shouldn't be to overrun what is trying to get done in the community. We have been speaking out. And if the legislature is being used so that this thing gets pushed faster, shame. For shame. Whoever did this. Because Chamorro Land Trust should have been the deciding factor, from what I understand. The papers reported that between 20,000 and 45,000 people are going to be moving to Guam. Dededo, in that block right there on Santa Monica Boulevard, right where my organization sits in Kaiser, is the most populated and dense three tracks of low-income families. You think they're here? You think they saw the newspaper today? You think they went online and read what was in the docket for today? They don't know that this land is being proposed for a solar farm. And if they do, they actually believe that that benefit of a solar farm is going to directly impact their power bill.

There's no assurance of that. The land, the green spaces we have are insufficient as it is. And our organization, me personally, have dedicated and volunteered so many hours to recreating habitat.

Limestone forest habitat. This is not just habitat. It's not just, okay, we cleared that huge area across from the Micronesia Mall, but look, it's growing back. That's secondary forest. That's not our native trees. The centennial dukduk trees that were growing in there are not coming back.

They've been cleared. Tangan tangan is growing back. Sword grass. And so it's just beyond reason that this is being put forward. I've said many times, put solar panels on buildings. The schools are located districtly throughout the island. There's plenty of rooftops that are government controlled. Why we're clearing a recreational facility is beyond me because we're not like the tennis court people. I don't golf. I don't tennis. I don't play tennis. But the tennis court people have a beautiful facility right there at the sports complex. Beautiful lights everywhere, gated. I mean, come on. The kind of golf we're talking about is for community kids and regular people.

A friend of mine stated it another way. I don't golf. I don't play soccer. I don't shoot hoops, play tennis, football, but we support green spaces. She supports green spaces. Low to moderate income people need more educational and physical activity space that incorporates nature.

That golf course is prime. Prime for tours and field trips. For all of our ecotourists that are coming here, they don't want to see tropical plants. They want to see our native and endangered species. And they exist there at the golf course now. Thank you for your time.

Vice Speaker V. Anthony Ada: Thank you, ma'am, for your testimony. And also, if you would like to submit that, you can submit it as well. We can put that for the record. Thank you, ma'am. Appreciate it. Next, we have Mr. Robert Benavente, please. He's not here? Yes, sir. Next round? Okay. Former Mayor *Savares*, ma'am? You didn't check in? Okay. Mr. Vance Shelly, you can come up as well, sir. Okay, sir. You can go ahead and just state your name for the record. Madam Mayor, we'll go ahead and just finish off these two gentlemen. Just state your name for the record, and then you may begin your testimony. My name is Russell Young.

Russell Young:

I'm a golf course superintendent. And I've been on Guam for 33 years. And hello to all the senators, the vice speaker, everybody here, everybody behind me. And I'm glad to be here. Oh, boy. I agree with everything that Mr. Bill Payne said, except for some of the Chamorro.

I didn't understand it. But I feel sort of the same way he does. I can't really express myself as good as he can. But the thing is, is I have watched, because I work Leo Palace. I started there 12 years, and then 21 years up on Anderson at the Palm Tree Golf Course. And I have had the chance to see parents and their children play golf together, starting from a young age, and then working up to the teenage years. And my kids as well. I was lucky enough to work at a golf course. So, I was able to spend time with them on the golf course.

And the golf course is a different sort of sport. Because it's one where you can actually, the dad and the son can play together. The mother and the daughter can play together.

And those times when your kids start to stray away from you, you know, you can do things like golf together. And it's such a wonderful thing to see it. And I've seen it.

Like I said, I've been here 33 years. And I've seen kids grow up in junior golf. And I've taught junior golf.

And I've been involved in seeing the relationships between the children and the parents. And stay close together during those times. And be together.

And do something together. Now, back to the infrastructure and all the money. And the dream of having a house.

I wish that for everyone. Every family. But I just don't want to see the golf course be the one that has to go away to maybe see some of that happen.

You know, the building there that they're talking about occupying is really mold. The mold abatement in there would just be massive. Because the whole place has just been sitting for years with no activity in it.

I've been in there. And I also want to correct something. I've been to four different meetings.

And this is my first chance that I've had to say anything. One time, one of the representatives from GICC said, oh, Russell Young has nothing to do with the golf course. Well, I live five minutes from GICC.

And they had hired me almost for ten years. Because they didn't have a certified pesticide licensed person working there. So, they had hired me just to oversee their pesticide program.

So, I dealt with EPA, dealt with all the agencies, and dealt with anybody that had any interest in looking at the Guam International Country Club. And I can also say that the whole time that I was involved there, we were tested quarterly. And we never had any tests that were negative.

Or meaning a hit, you know, where they found something in the water. And they also tested all the wells to see if GICC was contaminated in any of the wells. And we never had any hits.

And since I was helping there, we used a lot of biological controls and all kinds of different things to minimize the pesticide usage. Even at Leo Palace we did the same thing over time. And even at Palm Tree Golf Course.

And at GICC we quit fertilizing the fairways. So that we were eliminating the number of nitrates going into the soil. And we also only fertilized the greens.

And that was with just a slight amount of fertilizer. Because we were using the paspalum grass. And it doesn't require much nitrogen.

And anyway, of course I am opposing the solar farm. And some people have brought up about the fruit bats. I physically saw them early in the morning hanging in the cassarina trees.

And some of the other trees at the golf course. And the other thing is there's hundreds of huge mature trees at the golf course. Well, shade and solar panels don't go together.

So obviously these guys are going to have to remove all these giant mature trees. Because, like I said, trees and shade don't go together with solar panels. And again, like Mr. Payne said, why would we tear up a golf course that could be used by the kids and used by the families and used by everybody here

on Guam.

You know, we already lost Admiral Nimitz golf course. We've already lost the Windward Hills golf course. And as the Guam population increases over the next, how many years, with all the Marines and all the people that are going to come with the Marines, there's not going to be a whole lot of golf available.

Prices are going to go up. And where are the locals going to play? Where are the kids going to play? And so that part of the relationship in the family and the kids, where are the kids going to, you know, where are they going to go? We don't want them just sort of wandering away and doing whatever kids will do if they don't have some direction or they don't have something to do. They'll find something to do.

And it won't sometimes be something positive. So anyway, I think I've said enough. And like I said, when I was in the last meeting at CLTC, one of the Guam people said, oh, Russell Young has nothing to do with GICC.

Well, I saw the Moorhens there, hundreds of them. In the ponds. And when I started at Leo Palace, the Marianas Moorhen was an endangered species and still is.

There was only about five of them on Guam. And now there's tons of them living in the ponds at GICC and breeding in there. I have a lot of pictures of the babies and the mothers and the fathers and tons of pictures of the Moorhens and of the bats, the fruit bats.

And there's also supposedly a butterfly that I don't know too much about, the nine-spot butterfly. I've heard all kinds of things, being at Leo Palace for a long time and then up on Anderson. There's a lot of environmental folks that like to look at what's going on in the golf course and what you might be doing. It's also very good to be careful with what you're doing with anything. But anyway, I've said enough and I'm glad and appreciate your time. Thank you, Mr. Young.

Vice Speaker V. Anthony Ada:

So, what I'll go ahead and do is just correct your entry here because you support the legislation so now, you'll oppose it? Yeah, sorry. You don't want your friends to see that and then they're going to say, Mr. Young, you supported it. Thank you, sir.

Mr. Florig, your testimony, please, sir. Thank you so much. Before I begin my testimony, I just want to make it pretty clear that I have golfed since 1979.

Mr. Francisco Aquino Florig: [Written testimony presented orally.]

Vice Speaker V. Anthony Ada:

Thank you. Thank you, Mr. Florig, for your testimony this afternoon. Madam Mayor, I'll recognize you for your testimony, ma'am.

Melissa Savares:

Thank you. Thank you, Vice Speaker Ada, for chairing this public hearing today. I am Melissa Savares, a resident of Dededo and former mayor.

Back in June of 2024, we actually did have two public hearings regarding a previous bill for the same property for the same project and, of course, during that time our Municipal Planning Council heard many testimonies of many young Chamorro Land Trust lessees that are applicants who are waiting for their time to receive a lease from the Chamorro Land Trust Commission for residential properties. As we know, during that time we have the mayor's offices not just Dededo, but Yigo, Mangilao, Hagat. We have issues with residents on Chamorro Land Trust because they have the leases, they're on the properties, and zero infrastructure.

They don't even have running water. So, the water bills in our government facilities are well over \$2,000 a month because we're providing utilities, at least water, where they come and get water with their tonkis and then they bring it so that they can live on the property that they were given a lease for. During those public hearings back in June, in our Municipal Planning Council meeting, we saw the

need because this solar farm would pay Chamorro Land Trust and actually pay for the infrastructure where there is no infrastructure and people are living.

We saw that it was greatly needed. Of course, we had at the time 12 members vote in favor of the previous bill and one who was a golfer also, but also Chamorro, he was opposed, and it reflected on our resolution that we actually sent back in June of 2024 to the Chamorro Land Trust as well as the legislature. Several months after that, during our public forum in our Municipal Planning Council meetings, we continued to have individuals come and give us information, give the Municipal Planning Council information about the concerns with the solar farm being in these areas, especially because we have three housing areas and I said, as I mentioned, three housing areas adjacent to this property.

We have East Kaiser, we have Ypaopao and then we have the GHURA 501 housing developments where we have families, growing families, multiple families in one house living in those homes. The concern that we had finally in our November meeting after hearing several months of concerns that were brought up as far as the solar farm leakage and the chemicals coming out of the panels, it was not on our November agenda so we could not vote on it and present an adopter resolution so I sent a letter to the Chamorro Land Trust chairperson at the time, Arlene Bordallo to pull away to change our stand on the bill and we had opposed to it. Our concern was that the Chamorro Land Trust has a poor history of enforcing the proper rules and regulations for the current leases.

Citations and or warnings or consequences for accumulating trash meaning junk cars, tires and white goods have never been given by the Chamorro Land Trust to these residents who have leases. They depend on other agencies EPA and the mayor's office to do that work for them when they're the ones that are the landlords. They should actually be regulating the agencies since they are the landlords of these properties.

CLTC properties specifically in Yigo, Dededo and part of Mangilao sit over the northern aquifer which provides 80% of our drinking water for the people of Guam. Guam EPA is currently doing a cleanup at the old solid waste transfer station, and you see there's huge piles of tires if you pass there which is the corner of Batula Road and Marine Corps Drive in Dededo. As they continue that is going to be their new headquarters, but they can't do any construction until they clean up even the contaminated soil that's in that property.

If we talk about the infrastructure the aquifer is really the critical point here. This property at the GICC property is over the aquifer. I understand the need for more land for residential leases but let's clean up those that are not following the rules of Chamorro Land Trust evict them because I can tell you of several properties where the entire property is filled with vehicles.

The corners of Nevermind Road drive down Chamorro Land Trust Swamp Road, Hahasu Road and during Dengue at the beginning of 2019 we removed over 400 cars out of Swamp Road and Nevermind Road and then over 8,000 tires. Are we growing tires and cars on Chamorro Land Trust property? We should be growing our food and not having to bring it in on these maps and ships because we're supposed to be sustaining ourselves, right? Why are we filling our shelves with things that are imported when we can be growing it here raising our own livestock and we have groups that do that the farmers co-ops and the farmers organizations are great at what they do but there's not enough land because there's more cars and tires being grown on Chamorro Land Trust properties. There are several farms that are on Chamorro Land Trust properties that are doing wonders for our island but we need to really reflect and go back to what are the rules, clean those things up and then we'll put those that are waiting for their leases to build their homes on these properties and put the infrastructure in there.

We do need the residential areas especially for those that have been waiting for over 30 years. The solution is to get strict with the current residential and agricultural leases and make use of those properties for what it originally is intended to be used for. The CLT as I mentioned is not enforcing their own rules on these properties. By doing this it will open more properties for those on the waiting list.

Should a solar farm be constructed on the CLTC property the GICC location is surrounded by the residential units that I had mentioned. Studies in the University of California have shown that there are

some health disadvantages of living near a solar farm because the people's exposure to electromagnetic field, EMF, have long term exposure can increase the risk of cancer to the nearby residents. This evidence was provided in a previous public hearing held in Dededo in June and November of 2024. Another concern is the water runoffs from the solar panels. The chemicals from these panels will contaminate the soil again compromising our most precious northern aquifer. The Guam International Country Club has been a facility to train junior golfers for many years. Other island golfers have agreed in June 2024 to allow the junior golf groups to use their facilities however the times that are needed for the students for after school hours and on weekends are already committed to our tourist and other golf groups. The junior golf has elevated many young golf students to achieve college scholarships and opportunities in international and Olympics competitions throughout our region. This past school year Father Duenas Memorial High School received a college scholarship to attend a university in the mainland and there are many students before him that receive scholarships such as that. I am not a golfer, but I am a resident of Dededo that drinks water from the taps and our natural resources. I want to protect our aquifer and the drinking water of our people. Thank you.

Senator Joe San Agustin:

Oh, Sean, you're leaving too? Is it a restroom break? No, Mr. Shelly. The Senator and the Vice Speaker asked me to introduce you to go ahead and start your testimony. Okay.

Mr. Van Shelly:

I guess I have no choice. Thank you. So, Senators, thank you for giving me the opportunity to testify before you again today.

I'm here... Last time I was here just as an individual speaking for myself. Today I am actually speaking for myself and as the president of the Guam Municipal Golf Organization, a non-profit organization that was specifically formed in hopes to take over the management of the GICC golf course when the CLTC finally decides to properly terminate the lease based on lack of performance over years. Prior to that, you all, I think most of you know that I was one of the three founders of the Guam Junior Golf League along with Mr. George Benoit, bless his soul and Bob Coe, the president of DFS.

That organization was formed when my own children, who were young at the time, I hate to admit it, now 42 and 41 years old, had an interest in learning how to play golf and I discovered that there really was no junior golf program for them to be taught. The Junior Golf League was so successful that we had to expand and add the Junior Golf Academy because we had too many students for one single organization to teach these children. I want to tell you that we had hundreds of children go through our junior golf program and as I said back then to the people of Guam, the beauty of learning junior golf in Guam is that they can learn 12 months a year.

That they don't have to be 6'3", 250 pounds to get a scholarship. Justin Thomas is a 5'2 player I believe that drives the ball over 300 yards. So, you don't have to be some huge individual in order to attain a golf scholarship, and this was for both boys and girls.

So, we saved thousands of dollars in Guam families in student fees to attend school through scholarships. And back then I really came here to talk to you about the need to save our municipal golf course for junior golf. Now having had the opportunity to learn more and more from legal counsel representing the Virgin Islands and Puerto Rico also fighting solar farms for similar reasons I'm here to fight more so for the homeowners in the surrounding area and for the safety of our water lands that you've all been hearing testimony about.

So, I'm going to try not to be redundant of things that have already been testified for you. I know time is important and I'll try to skip through where I can, but I'll start by saying that back in the beginning GICC, the management claimed that they couldn't pay the rent because there was too many golf courses on Guam. And Senator Joanne Brown mentioned quite correctly that they were mismanaging this golf course pre-COVID.

Before there was any issue with tourism they were not performing and as a member of the Guam Senior Golf Association I can tell you that we formally submitted numerous complaints about their failure to

manage this golf course properly. And if truly there wasn't there was too many golf courses on Guam even today with no tourists if that's the case, why is CCP so successful? Why do they average 120 packs on weekdays and 180 on weekends? Why do they not even want to hold golf tournaments because they don't want to discount the registration fees to play? It's because they've maintained that golf course and it is in really, really good condition. Then the consultant for the GICC testified in the last Senate legislative hearing that if the bill didn't pass, they would continue to manage the golf course. Well, among the other things that they have stated that they would do that was completely untrue that was another one. What they actually did was sell all of their golf course equipment so they couldn't maintain this golf course if they wanted to. And I believe now the plan has developed so that they just say, OK, we're not going to refurbish this golf course, so it doesn't become financially viable to do so. So, in the end they win in the long run because it's too expensive to try to recover this golf course because they're just letting it grow unabated. During the last legislative hearing the management of GICC and their consultants also testified in violation of Guam law. The law states that if you're supporting a bill you have to financially declare the financial benefits that you will achieve if a result of this bill passing.

None of them did that. And I encourage you to strongly force them to do so we find out what's really going on with why they're pushing this bill to get passed. If it smells rotten trust what you smell.

Senator Taitague had it correct about asking why this deal was done secretly. Who truly benefits from this bill? It's clearly not the homeowners who live adjacent to this property. You've already heard they'll suffer not only from increased heat exposure on a daily basis from these solar panels, but they'll also incur a substantial loss in the value of their homes and land which has been statistically proven.

A large portion of the housing you've also heard is Gura housing and I'm guessing many of them don't have air conditioning. Even if they did, who's going to pay the likely 500% plus increase in power they will need to pay just to live comfortably? It's just not the Chamorro way to harm one sector of our population for the benefit of a select few. And when I say a select few it's those investors that are lining their pockets so they can collect a 30% cash rebate after one year of operation and then flip the company just like the Mangilao property was done and just like the Talofofu property was done.

Again, Senator Taitague had it correct assuming a solar farm was a valid concept why then for this property which we don't believe it is the CLTC never bothered to put out an RFP proposal for this property? How do they know you're getting the best deal if this was all secretly done and no one ever was able to offer an alternative? Maybe they're not getting the most amount of money they should maybe they should be getting more money but we don't know because this was all done for the most part under the table for several years nobody even knew about it was only when I happened to discover it that I said I need to testify against this legislation because the public needs to know that if in fact this bill were to pass it went through honestly and that nobody has any second questions about whether or not it was done correctly and it was done to assume that we get the best value for this land that's assuming that a solar farm over this land is feasible which I don't believe it is because of the hazards to the water and the housing area which I'll address there has not been an environmental impact study senators I urge you at a minimum to not even entertain this bill until an environmental impact study is fully complete at the moment we're aware as you know of at least three endangered species there on the course called GIC their home and I've also been aware from the environmentalists that there are trees and plants that are native to Guam also endangered that will also be killed if this solar farm is built there the proponents of this bill want to tell you the solar panels are completely safe well I've attached you don't have to read it now it's quite extensive but this is a PowerPoint presentation which was presented by Dr. Richard G. Geyer a specialist in energy consulting and if in fact the panels are not toxic as they said well they in fact are and I just want to read you one page of this PowerPoint presentation environmental hazards photovoltaic solar panels one of the largest environmental impacts of solar energy systems comes in the manufacture and eventual disposal photovoltaics require a host of harmful materials in their construction even benign silicone is doped with arsenic and other toxins if destroyed in hostile weather conditions which will be in Guam the toxic nanoparticles can cause toxic pollution and enter the food chain through plant osmosis for massive solar farms installed over agricultural lands this can be a very serious issue here they're talking about osmosis through plants we're talking about sitting right over the top of our primary water lands with non-biodegradable

hazardous poisons if it gets into our water lands you could be talking about the greatest health disaster in Guam has ever experienced the single greatest industry manufactures contends with serious pollution issues despite its high-tech reputation that it's clean rooms it's not I ask you all to please fully read the PowerPoint presentation I'm submitting it which you can all get copies of the owners in the surrounding area as you already know were never advised of the fact that the value of their homes would suffer a loss if in fact a commercial solar farm was built adjacent to them this is statistically been proven I think all you have to do is ask the homeowners in Marble Cave area or Talofotofo if they've been able to sell their land they haven't who wants to live next to a commercial solar farm no appraisals was carried out for the use as a private solar farm if the existing lease with discounts to serve as a municipal golf course is left in place then the investors end up stealing even more funds from the people of Guam with substantial discounts for land use if the land use is changed from a morale and welfare facility to a private profit facility then the appraisal and lease rent needs to be substantially increased if it's increased far and above the 2% increase the proposal wants you to believe is some sort of generosity on the part of the investors pushing this bill the investors also continue to state that they will allow a portion of the GICC building for use as offices I'm not an attorney either some people have testified they're not legal counsel but if I'm not mistaken at the conclusion of the initial lease for the GICC property the CLTC already owns this building so I believe the investors are misrepresenting the actual facts again as they continue to do over the course of these discussions based on the previous testimony I see the new bill has attempted to add a decommissioning performance bond which I question wasn't there but the verbiage in the new bill I find the language grossly inefficient and vague at best the EPA to date has no direct disposal performance mandates once panels usefulness has expired once again you have to ask yourself if the panels are truly non-toxic why is it the EPA has yet to put written disposal performance guidelines in place you can't take these batteries and panels and dispose them in the landfill they have to be dismantled and disposed and ship off to Ireland to this date there is only one company in the United States that will actually even take these panels the cost to dismantle and dispose of both the batteries and panels along with restoring the land to its original condition will result in multi-millions of dollars a few million dollars put up as a performance bond won't even begin to cover the expense of restoring the land despite what you're being told the investors are only in it for the 30% cash rebate they will receive from the federal government once one year of operation is complete that's how the law is written if you don't believe me, ask them to turn over the full 30% rebate to the CLTC to be placed as a performance bond and they won't walk away, they'll run away this bill is dead on arrival in addition to a tourism recovery project in the near future, there is also and it's been mentioned, the additional 40,000 military family and federal employees scheduled to arrive on Guam in support of the new Camp Blas as GVB stated, where will the local and military folks have affordable place to play the game so many love when tourism recovers the golf courses built for tourism will cater to the tourists as they rightfully should only the locals will be left with no affordable place to play last but not least GIDA, GVB, the Dededo Mayor's Council and the Attorney General have all stated they do not support this bill we ask that you please listen to them and not support the GICC bill to convert it to a solar farm now it's come to my attention that I have to ask each of those organizations to resubmit their objection to the solar farm because it's a new bill and therefore their letters are not in the file again, I've skipped through most of my testimony you can read through it, but there's no amount of words I can tell you that can describe how Junior Golf has impacted this community if you go around this community and you look at many of the young managers and supervisors in companies around this island I guarantee you a large portion of them were Junior Golfers that's where they learned their ethics that's where they learned their integrity that's where they learned their maturity, that's where they learned their honesty that's where they learned how to be good corporate citizens and good human beings and there's no amount of money that can replace a viable Junior Golf program contrary to the testimony you've heard before you today there is no other venue when we lost the Admiral Nimitz Golf Course we lost the true Municipal Golf Course and Speaker Blass he asked me for assistance in submitting a white paper to the Economic Adjustment Committee that's a new DOD committee that was formed because a lot of the military personnel say there's not enough to do on Guam and they want to find ways to enhance why people should want to take a tour of duty in Guam and I helped draft that white paper and I used the Admiral Nimitz Golf Course as our example and I said what we basically

want to do is we want to re-engineer Admiral Nimitz Golf Course one of the single biggest reasons that the community back when Admiral Nimitz was here truly enjoyed the military being here was the fact that all of us as individual private citizens were allowed to play on a military golf course at military rates now what we want to do is re-engineer it and reverse it and say guess what military now we have our public golf course that we're going to make available to you with all the increased military personnel coming so that golf can be affordable not just for them but for our Guam public I encourage you in the strongest terms not to listen to the noise you're going to hear about why it's such a great deal as Senator San Augustin testified in his opening comments that the CLTC has 11,000 acres of land all we're saying none of the golfing community is against the solar farm if you believe that's the answer but none of us are saying that we don't want solar farms what we're saying is we don't want a solar farm in a residential area over our water lens and at the expense of a Guam municipal golf course that's all we're saying ask the CLTC to say give them 200 acres somewhere else and tell them you want the same deal give us \$9 million in up front rent we'll give you the 200 acres and everybody walks away happy that's the true win-win scenario let's cut this out and put this issue to rest once and for all again we formed the Guam municipal golf organization specifically because I got tired of hearing that this was supposedly a white man's elite sport when the people that said it had no idea of my involvement and the extent of junior golf and how many locals we actually taught this game and helped build their careers and that's what I'm here to try to do again and I know that we have at least one junior here to testify on that behalf and we have the president of the Guam National Golf Federation to also testify and I hope that you all will listen to him and I hope that all of you in the end will say you know what we can't pass this bill find 200 acres somewhere else and give them their solar farm and let's see what happens but don't destroy a golf course in the process don't put hazardous materials over our primary water lens and don't subject the residents that live in the rounding area what happens when a storm comes and panels shake loose and one of them crashes through a sliding glass door and hits manes and even kills someone and a child whose conscience is that going to be on? are all of you that if you voted for this bill going to lose sleep at night because you said oh you know what I shouldn't have done that are you ready to take that risk? is it probably one in a million that it wouldn't happen? it's not a one in a million that panels aren't going to shake loose in a typhoon I can show you pictures of cat 4 and cat 5 hurricanes storms in the states where these commercial solar farms are a mess it's going to happen the question is it going to maim, injure or even kill somebody because it was put in a residential area so I know that you've heard a lot and you've got a lot more testimony to hear so I'll stop there but I pray to God all of you will make the right decision and turn down this bill thank you.

Vice Speaker V. Anthony Ada:

Thank you, Mr. Shelly do, any of my colleagues have any questions for the first panel? none? ok we're going to go ahead and call up I'm sorry Senator Taitague will you recognize ma'am?

Senator Telo T. Taitague: Mr. Shelly thank you I do have a question with regards to last term when we had the bill in front of us the original bill there was a lot of people came to testify against the bill and then right after the hearing was done we were told that there was a group of individuals yourself included that were planning on doing a non-profit organization to open up a golf course and asked Chamorro Land Trust for that golf course for this non-profit organization to have it for free so this was going around and I never had a chance to ask you and I just wanted for the record because it was actually not just told to me but actually somebody had called and then it started becoming more and more like ok I better ask so is there a plan with the inclusion of I think even the governor's son was involved in putting a non-profit organization to take over this golf course

Mr. Shelley: Thank you for asking that question and allowing me to clarify yes because there were false accusations and if I put my own personal self in there I heard from social media that they said oh Mr. Shelly wants to take over this golf course just because he wants to make millions of dollars and I said to the individual who told me about that message that's the greatest compliment I've ever gotten and the individual looked at me and said what and I said yeah GICC has been saying for two years they can't even pay the rent because they can't make any money on the golf course but if I take it over it's

going to make millions what a compliment I got tired of hearing that we were doing this for some sort of profit reason my entire ambition when I first walked in here and said you can't do this is to recreate municipal golf just like it was at Admiral Nimitz Golf Course and contrary to what you hear you heard in previous testimony the consultants say Talofoto Golf Course has offered their driving range at a 40% discount Talofoto Golf Course doesn't have a driving range they have five hitting spots in a net the only real true range facilities that we have now that could be available for juniors is at the GICC Golf Course which was never developed, properly developed or properly managed I've said it numerous times I said you could be blindfolded and manage this course better than they did but they want to tell you they're experts in managing it while they have goats walking around laying turds all over the cart path that golfers have to walk in and put their shoes in their car and a health hazard to be and they say well what's the big deal no the goats stay I could go on and on about the failures of this company to manage this golf course the answer is, I'm getting tired I just can't let it go sometimes we formed the non-profit with the specific objective of being in position to take over management of the CLTC Golf Course if in fact the CLTC cancelled the lease agreement with the GICC which they absolutely should do we have to, as a non-profit we can go out and ask for funds we can go ask the PGA, we can go ask Live Golf we can go ask the First T we can go to a number of people and say will you commit to us to make a donation so that we can run this municipal golf course. When I testified to the Governor in her office I said Governor, you've got two years left. Give me one year to refurbish this golf course with the mess that they have turned it into and give me one year to show you that it can be profitable in its own right and I promise you it can the local golf community will come out in full force to support a municipal golf course if we can resurrect it. The local golf community will come out in full force to support a municipal golf course if we can resurrect it.

Senator Telo Taitague: Okay, so the answer is yes, then. There was a nonprofit organization to take over the Guam Municipal Council, I mean, municipal golf course, and the other question I had asked you is, did this nonprofit ask for it for free?
That there be no rental?

Mr. Van Shelly: None whatsoever. I said that there would probably have to be an abatement until we actually got it. Maybe that's where it came from.

Senator Telo Taitague: An abatement, so basically it is for free.

Mr. Van Shelly: No, no, no, it's not for, we asked for an abatement only for the time to refurbish it.

Senator Telo Taitague: Well, it's still for free.

Mr. Van Shelly: To make it playable. I'm sorry. But we fully expect to pay the rent in full once we're operational. Nothing is free.

Senator Telo Taitague: Okay, yeah, exactly, especially it's Chamorro Land Trust, and a lot of this funding goes to thousands, thousands of poor individuals who can't afford a home.
So, I just wanted to make it clear. I'm very balanced on this whole bill, very balanced on it, and want to find a win-win. But I just wanted to clarify for the record that those who were here testifying that last time. So, I thank you. Thank you, Mr. Chair.

Mr. Van Shelly: And just one point to consider.

Vice Speaker V. Anthony Ada: Thank you, Senator.

Mr. Van Shelly: Again, yes, the governor's son is the treasurer of our non-profit. Francis, Judge Gatewood, Francis' son is our pro bono legal counsel for that non-profit. We have formed it. It is official. Now, if we could raise the money, because as a non-profit, we're raising money.

If we raise sufficient money, we could certainly pay the rent while we are attempting to refurbish it, but I couldn't guarantee that without having the funds in hand. And it's kind of a rock, you know, a rock and a hard place, because we can't ask the CLTC, we can't ask for people to give us money when the CLTC hasn't assigned the management to us, and once they assign the management to us, then we can go out and raise the funds. But that's our intent.

Senator Telo Taitague: Thank you, Mr. Chair. Thank you.

Vice Speaker V. Anthony Ada: Thank you, Senator Taitague. Again, any of my other colleagues here will be, if you can just keep your time to five minutes, and whoever from the panel, the first panel, just go ahead and call them up. Thank you.

Senator Shawn Gumataotao: Yeah, Mr. Chair, thank you so much for the time today.

And if I can just ask former Mayor Savares, just if he can come back up.

Mr. Chair, I know that the Chamorro Land Trust Commission is no longer here in the room, but if I could, I just, with the former mayor here, because it was reported back in June of 2024 that neither the Chamorro Land Trust Commission nor the management of the Guam International Country Club approached Dededo residents about plans to turn the area into a solar farm.

I know you mentioned you, if I could, but if we can, what information is available regarding any outreach that has been made by either one of those two organizations, not the mayor of Dededo or the municipality or the Municipal Planning Council of Dededo, to discuss and ultimately seek the support of residents for a proposed solar farm in this area of Dededo?

Former Mayor Melissa Savares: With us, I don't know if they did have a, we, the Dededo Municipal Planning Council had our advertisement in the paper, five working days and then 48 hours prior to address those public hearings, but as far as house-to-house notices, I didn't see any of those.

Senator Shawn Gumataotao: No, no, thank you, former Mayor Savares, and if we can, for the committee, Mr. Chair, if the CLTC or GICC can come back to this committee, and at least I'm hoping they can answer that one question for me and on behalf of, for this particular bill, and then one other question, thank you, Mayor, for that, and then for the committee, Mr. Chair, if we can get the Chamorro Land Trust to answer, how long did it take for GICC to begin or resume monthly lease payments post-COVID, and what is its current outstanding balance to include penalties and or interest required by GICC's lease agreement with the Chamorro Land Trust Commission? Thank you, Mr. Chair.

Vice Speaker V. Anthony Ada: Thank you, Senator Gumataotao. We'll go ahead and reach out to the Land Trust Commission to get those answers for you, and for the committee as well. I'm sorry. Senator Terlaje, you're recognized.

Senator Therese Terlaje: Yes, I have some questions for the Chamorro Land Trust Commission, if he's still here.

Vice Speaker V. Anthony Ada: I think he had already left. He had a meeting. You can go ahead and state your questions, and then we'll go to that.

Senator Therese Terlaje: Yeah, I'd like to know why, if they have an EIS, as was suggested, whether they have an appraisal of this property, because the audit, the auditor said that his findings on this lease was that it's not been appraised since 1989, and when the Chamorro Land Trust renewed their lease in 2014, they lost value because they did not reappraise it at that time, and now we're proposing to go into another lease without any appraisal, and we are also going to move on a bill without an appraisal of this property as well. I wanted to ask them if they have discussed this with EPA. I don't see any testimony from EPA. I'm hoping they will testify, but also whether the bill suggests that the money made is going to cover certain properties, infrastructure, and am I looking at the list of properties that

the CLTC already plans to address?

Is these properties listed in the bill, plus several more, and they've got the cash to do that right now, and I wanted to know why they didn't want to get a competitive bid on this.

I wanted to know why they didn't want to suggest another piece of property for this type of industry and compete and solicit a competitive bid on that. I also wanted to know if the people proposing this deal disclosed to them, because they have not disclosed to me, and I've requested since October 2024 who the investors are and who the sub-leases would be with if they have that planned out. They've provided no answer to my October 24 email. This is when we were trying to discuss a similar bill in the past. We know that Guam International Country Club plans to partner with the Power Solutions and SK EcoPlant, and so that's why I was asking for that information. There was a suggestion that one of our colleagues is a member of this corporation or their family is, and I just wanted to know if that's correct.

Vice Speaker V Anthony Ada: Okay, thank you, Senator Terlaje. We'll get those questions for you and answered also to you and to the committee as well. Thank you, ma'am.

We're gonna go ahead and call up to the second panel. If I can go ahead and have Mr. Rich Sablan, Mr. Ivan Sablan, Ms. Monaeka Flores, Mr. Ronald LaGuagna, Mr. Carlos Camacho, Ms. Fabienne Respicio. How about Mr. Frank G. Blas? Thank you, everyone, for coming to the second panel and this public hearing on bill number 135-38. We'll go ahead and start with the testimonies from Mr. Rich Sablan.

Mr. Rich Sablan: [Written testimony presented orally]

Vice Speaker V. Anthony Ada. You can proceed, sir.

Mr. Ivan Sablan. Good afternoon, Vice Speaker.

Vice Speaker V. Anthony Ada. Good afternoon, sir.

Mr. Ivan Sablan. Esteemed senators, thank you allowing me the opportunity to speak today. My name is Ivan Sablan. I was born and raised on Guam, and I am currently attending UC Davis as a graduate student and am a member of their Division I golf team. I stand here not just as Guam's top amateur golfer, but as someone who owes much of who I am today to the Guam International Country Club. I started playing golf there when I was just eight years old. It was a place where I learned the fundamentals of the game, but more importantly, it was a place where I learned discipline, resilience, and how to set goals. It's where I found my passion and it has guided me throughout my life. GICC has been more than just a golf course. It has been a home to generations of junior golfers on this island. For many of us, it was the only accessible place where we could grow, compete, and develop the skills needed to represent Guam on the national and international stage. Today, I'm proud to be a member of Guam's national golf team. We are preparing to compete in high-level amateur tournaments around the world, but we are currently facing a very real challenge. We have no golf course that supports the needs of the national team. We are athletes representing the island at the highest level possible, and yet we have no place to train, no course that welcomes us, and no facility that invests our potential. If GICC is reconstructed into a solar farm, Guam will lose more than just green space. It will lose a vital part of its sporting future, and I recognize the importance of, excuse me, I recognize the importance of sustainable energy and progress, but I also believe there must be a way to support our island's energy goals without completely erasing one of the few resources we have left for our sport and our youth. Please consider what this course has meant, not just to me, but to dozens of young athletes who have walked those fairways with big dreams in their hearts, dreams that, without a place like GICC, may never take root. I respectfully ask you to reconsider the proposed development, and help us preserve this space, not just for today's golfers, but for future generations who deserve the same chance that I had.

Vice Speaker V. Anthony Ada.

Thank you. Thank you, Mr. Ivan Sablan. Ms. Moneka Flores, you're recognized now. Yes, you're recognized, thank you.

Ms. Monaeka Flores: [Written testimony presented orally]

[Written testimony provided by Micah Paulino presented orally by Monaeka Flores]

Vice Speaker V. Anthony Ada: Thank you, Ms. Flores. If you could just go ahead and turn off your microphone. Thank you, ma'am. Mr. Carlos Camacho, you're recognized.

Mr. Carlos Camacho: sir good afternoon, Senator Ada, Senator San Agustin, distinguished members. I was sitting here the last two hours listening to all the gaslighting. I only call it gaslighting because we've been doing this for two years. We never hid anything. We went to every public hearing that was announced. We went to, and if they wanted to talk and discuss the issues, yes, I saw Mr. Shelly many times in those hearings. And at the end of the day, when he claimed that he got to non-profit, it was from the PDN article. We didn't make that statement. The PDN article said that they form a non-profit with a bunch of powerful individuals that will get the lease for a dollar. If that's what CLTC wants, to deliver a product for the 30 years for the eight to 10,000 people that's been waiting, this is the only motivation I got to move forward in helping my client. We can talk about the different parts of the stuff they discuss. As I stated this two years ago when we started this journey, if this was the only golf course, because I got a lot of friends playing golf too, Mr. Sablon, his son is my daughter's best friend. They grew up together. I stated this in the last two years ago. Mr. Shelly's son is married to my niece in San Diego. I got nothing against interrelated families. I was just talking about the philosophy of finally doing something for the Chamorro Land Trust. As the mayor just described earlier, when the land trust recipients were going into the government water lines and all that to take water because they didn't have it and their water bill's up, yeah, she was correct. We had 400, just for the record, she did not disclose that tonight, as it was a lot, we had 400 people that signed up and supported us in that process. When she said there was another meeting in November, I wasn't here, I was off island. I don't recall us being invited to that public hearing, right? If we were, we would defend whatever they were claiming. But tonight, I want to make things a lot clearer. When we did this operation, first of all, we looked. I even met with Senator Sabina Perez. As you guys know, she's an environmentalist concerned. She first said, Carl, what's gonna happen to all the panels when it's done? As long as it's not going out to the landfill. I said, no, it's not, because there is gonna be a way, as Mr. Van Shelley described, it gets shipped out of Guam. It doesn't go to landfill, that's for sure. And we want to make sure it is PFAS-free. You guys have been hearing about PFAS, and all the different type four septic and all the leakage, PFAS. Everybody's talking about the different chemicals in the panels, well, these are gonna be PFAS-free panels. Finally, tomorrow, Land Trust Commission made it very clear in their last resolution, not this one, the last one, that it must go to the regulatory permitting process to incorporate the Fish and Wildlife Federal Government Agency. As you hear, these guys are saying that there are some moorhen birds. Yes, there are some in the lakes there. Yes, we did meet with the Fish and Wildlife. And what they didn't say, yes, there is a mitigation plan. We can't do that now, because we haven't started. We don't know if we're gonna get the project or not. If there is gonna be a project, there is a permitting process that we have to go by. (2:20:06) And if the permitting agencies, like EPA said, you are gonna contaminate the water, as they claim, and they don't give us a permit, then we can't. There's already a default clause in this new bill compared to the last bill, that if we are not able to move forward, it'll become straight back to a golf course. So what we've learned from the 179-37 was incorporated in bill number 135-38. When they said that we were basing our values based on 1989, that was correct in bill 179-37. But what this bill does now is the extended years will be reappraised by a MAI-certified appraiser, selected by Chamorro Land Trust, and hired by them, paid by us for a third-party neutral analysis. Yes, we did not make no numbers up, and those numbers will be reconfirmed by a third-party appraiser. So those things were not stated today. They said that we were gonna just do things in that, so we corrected all those issues. In July 17th, earlier this year, we've been meeting with the new board.

They did, we went on July 7th. We met at the Chamorro Land Trust commission meeting. They had like nine different bills. We had 30, 40 minutes to discussion. Nobody in this individual, Mr. Chair, nobody showed up. It was publicly announced. Nobody showed up, but the board said one hour wasn't enough. Ms. Commissioner Cameron, Commissioner Respicio, and Rojas, the new members that were sent, can we have a work session so we can dissect this bill to make sure we understand it? And we did that for one five-hour timeframe to go over it with the new commission members. We went over the details, and boy, they were tough. They said, oh, the bill said, the last bill said seven to nine. The new bill says not less than nine. So, they came back and said, Carlos, can we come in and ask for a little bit more? I said, tell you what, we can get a little bit more. We can bump up a little bit more, but you still got the appraisal mechanism there. The other bill did not have that in the past. That new appraisal, and that was because it was debated from the same body, the 37th, that said we should get an appraisal done. Why are we basing it from the historical appraisal? So, this bill now says that you will hire a third-party appraiser. What that number will be, I don't know. Who that MAI appraiser will be, I don't know. Whoever they choose, as they normally do through their statute, will be the vehicle they use, and that will be the number based on their formula. Yes, their statute says 10% of the value will be the rent. What we did in this law, we bumped it up to 12%, to bump it up a little bit more by 2%, and then from there, we'll do the cash flow analysis, and we are working on a net present value to pay it up front. In the past July 17th meeting, the same management, COTC, was concerned that the big, beautiful bill, as some of these guys have been saying, one of the architects said, that was passed. Yes, under President Trump, the Senate and Congress had shortened the Inflation Reduction Act. Originally, the Inflation Reduction Act was our best vehicle that we can do to make this stuff cash flow. Well, first, Congress came and cut it down to a December 2026 timeline, and the Senate came in and modified it to the end of 2027 placing service dates. That's in my testimony. I was gonna read it, but I'm just gonna, I wanna answer everything everybody was concerned about, but I'm still gonna submit my personal testimony for the writing, plus my whatever I'm saying verbally. So, it is very important that, you know, when they were making the claim that we're gonna get the 30% rebate and then sell it, let me clarify, it is not a rebate. It is called Inflation Reduction Act under Investment Tax Credits. I've done a lot of tax credits in Guam since 2005. You guys know me as the Ironwood Housing Community on the affordable housing side of the equation. The United States Congress created the Inflation Reduction Act in 2022 under the Biden-Harris administration. Well, we all thought that would be great, but things changed when Senate and the Congress changed, and they changed that now to shorten the time. What's not been said, and Mr. Shelly has passed out numerous texts to his network stating, we will fight this, and I can provide that as a record later, we'll fight this until they run out of time, run out of time so they can lose their big, beautiful bill timeline. Imagine him, and I hope you can ask him to ask that question, did he really send that out to all his network saying we'll do everything we can to stop this momentum because if it goes and they run out of time, this deal will not be financially feasible. Well, that's why Senator San Agustin put the default clause there. If it is not financially feasible, we agreed to then return it back to a golf course because that means we will not be financially feasible to go into our PPA with GPA, and he made a claim in his text, I'm saying that for the record today, that they will fight it, and he just made his claim that he has pro bono lawyers in that same text that will fight it to make sure we run out of time because the big, beautiful bill gave a timeline to complete this place and service dates. Of course, if we don't meet it, then that probably will happen because we won't have, and again, it's not a rebate, it's called a tax credit. Now, a tax credit is not sold to somebody. A tax credit, as for a lot of you guys don't know, is from Institutional Investors United States that will invest based on the congressional investment vehicle, so they will become a partner. They'll become a partner of our solar industry so they can earn the depreciation schedule and earn the discount on their credit, on their IRS count, not based on GovGuam's taxes, just for the record. When I first started the tax credit in 2005, the first OPA, Mrs. Doris Brooks said, Carl, you're gonna hurt Guam's economy. It's not, these credits are coming from the IRS, nothing from Government of Guam's tax roll, just for the record, but anyways, in regards to the plants and the native trees, this property is already cleared. Yes, on the boundaries of the property, you have those trees, and if you look at our master plan that we submitted to Chamorro Land Trust prior to this board and the previous board, because they wanted to see a master plan, we are only doing it on the open green space. We are not touching the perimeter of the site. Matter of fact,

Commissioner Respicio asked, on the perimeter site, can we put a buffer to the residence? We agreed to that because there's already big trees and buffer, but we'll add on some fence line there. In regard to the typhoon breaking these panels, if you guys went to Manila, right after Mawar, where there were thousands of panels there, none of the panels blew. They're right close to the ground level, maybe two to three feet under the ground level, secured to the ground. If the panels maybe was 40 foot high, the uplift would probably bring it up, but they didn't have any much damage in there. And they're in the cliff line, sub-style D, for the window. They didn't have any damages there. These panels are two feet, three feet down below the ground, so, and they're secured. And because it's a huge investment, we're not gonna put nothing flimsy. This will be built so we can make sure we have the proper insurance, so that everything's secured. Is there anything else I'm forgetting? All these concerns, huh? I'll speak after you. Okay, sorry, I'm just trying to make sure we say everything as best as we can. But again, we did meet with the new board two, three times, publicly, announced, and met through a work session. First time we had a work session, other than one hour, it's a real long work session. The Attorney General was there, so that we can make sure we're all on the same page and answering the stuff back and forth. They came back, and as Commissioner Cameron said, we need to delete items one through six, whatever those numbers he said, and we concurred with it in our meeting. So again, there's two parts. One is my written testimony that I'll submit, that I already submitted earlier. And today, my verbal one is basically just rebutting to certain misinformation. And I'm just letting the facts say it as it is. Thank you, Senator. Jerry, Jerry Tang, you have anything to say? Jerry is the one from our....

Vice Speaker V. Anthony Ada: Thank you Mr. Camacho. Go ahead and state your name for the record, sir and we'll proceed with your testimony.

Mr. Jerry Tang: My name is Jerry Tang. I'm a GICC Secretary, and I've spoken before, previously, before some of you at Santa, and also to new members. Welcome. I want to start off with just correcting some of the misinformation. I'm always correcting misinformation at Santa, and one of them is that we do things under the table. I've never done anything under the table. All my discussions with the Chamorro Nation has always been at public, open meetings that were properly noticed. I've never, what's that, and when I spoke to this body the previous time, Senator Terlaje, you mentioned, hey, what's that, where does the Dededo Municipal Planning Council stand on this? And so we made sure that, okay, let's, we better do that, and then, you know, so there was public, there was published notice meeting, public meetings open to the public, and where we present our case, the opponents to the bill did an excellent job slandering us and opposing it, but the fact is we had a lot, a lot of Dededo Municipal Planning Council residents come out in support of the bill because they're concerned about power prices, what's that, and we had a lot of supporters from the Chamorro land trust beneficiaries who realized that, hey, you know what, we need this money so that infrastructure could be put in, and as Mayor Savares mentioned, what's that, the MPC in Dededo Voted 11 to 12 in support of the bill, so we have, we categorically reject this notion that we do things under the table. If anything, I think what's that, it's clear who is the very, very powerful person in this room. It seems to me that what's that, you know, Mr. Shelly is able to get GIDA support without any notice to the public, talk about this bill, and then what's that, I have GIDA come out and, you know, oppose the bill and then retract it in the PDN because they violated the Open Government Act. I don't know how they were able to get GVB to oppose the bill again without public notice, open meeting so that we could, you know, make our point, present our side. So if there's anything under the table going on, it's not on our side. So, what's that, because if things were properly noticed, we would be able to advocate and point out, okay, where their mistakes are. So it's been such a challenging journey for us because it's just one lie after another. So, they say that we're in default of our rent, the default of our lease, we are not in default of our lease because during COVID, we fell behind in rent because we couldn't qualify for the federal aid programs. So, we had a payment plan, we have a payment plan with the Chamorro Land Trust to pay the deferred rent. And we've been doing that. We've paid over \$500,000 in catch-up rent plus all the current monthly rent. We are not in default of the lease. And then there's also claims that the lease itself is invalid. Well, we have a letter from the AG's office saying that the lease is valid. It's a valid lease. What's that? And then we hear today that we're not allowing people, we're not allowing people to go on their property to

check it out. That is not true again. What's that? Well, we have a problem is when Mr. Russell, is that Young? He misrepresented to Department of Agriculture that he represented GICC, and he was making appointments with them to come to the property. And we wanted to make sure that, again, we want everything on top of the table. We said, hey, what's that? If you want to set up an appointment, it should be through us, and you shouldn't be setting an appointment, and we should have Chamorro Trust people over there together. And we wrote a letter to Chamorro Land Trust complaining about that. What's that? Chamorro Land Trust is our landlord. Of course, they could come on the property and take a look. Again, falsities, falsities. What's that? We're not draining any ponds. The ponds are all still there. That's why the moorhens are there. But what we said is that, you know, if any type of development, that we will work with fish and wildlife and mediation plans. What's that? You know what's funny, though, is in their lies, they sometimes slip the truth. You know what's true? We choose not to use polluting chemicals, fertilizers, weed killers. And it's true that all these years of operation, we've never damaged the water. We're not gonna damage. We don't want to damage the environment. We think solar energy is one of the cleanest forms of energy. And panel technology keeps improving that these types of environmental concerns, there still are some, but they're mostly in the manufacturing stage and also when they are disassembled and removed. And, you know, like this issue about cadmium, for example, it's a non-soluble, non-volatile element. So, it doesn't leach into the environment. What's that? What's that? So, it's like, there's, you know, these are like scientific, technical things that we wish we would have an opportunity to address. And I think we will, because we could, after today's testimony, we will supply information regarding these panels.

What's that? So what else is true? They don't plan to pay rent. We heard it today. You just said it. During the rehabilitation phase, they want to defer the rent.

Vice Speaker V. Anthony Ada: Just to talk to the panel here.

Mr. Jerry Tang: Sorry. Thank you. What's that? So, you know, with all that said, what's that? There's nothing, most important, there's nothing under the table or above board. And then I want to just go back to, I'm going to take off my GICC, you know, secretary hat. I'm going to put on my Guam resident hat. I'm 53 years old. I've been a resident of Guam for 50 years. I'm not Chamorro. I was born in Taiwan, but you can ask anybody that knows me, any of my friends, where does my loyalty lie? Do I, am I more Taiwanese or am I more Chamorro? I can never be Chamorro, but damn I care about this island. I care about its people because Guam has been such a great hospitable place, welcoming place to my family. And sometimes, sometimes it's like an outsider like me, maybe I have something to prove that I want to do something good for this island. Yesterday, we celebrated liberation day, 81 years. Why are there still thousands of Chamorro families that are displaced? Can we do better? We need to do better. Every single meeting, I've been to so many Chamorro land trust meetings. Every single meeting, there are beneficiaries that need help. Last week's meeting, Billy Cruz, I don't know how many people go, Billy Cruz, but he is a tenant of a Chamorro land trust land. His house was badly damaged by typhoon Marwar. He needed to get a loan to fix his house. He couldn't, why? Because his property was unregistered. The Chamorro land trust commissioners really, really wanted to help him. They're saying, oh, he's a model tenant. He did everything right. But it wasn't his fault that he had a lease on a parcel of property that was unregistered. But to register that property, you need to survey it, you need time, you need money. And his deadline to get the loan closed was the first week of August. He's not gonna get his loan. He's not gonna repair his house for his family. That's not a unique story. Every single month, every single meeting of Chamorro land trust, there are tens, dozens, sometimes 20 beneficiaries that need help. You say, you know, okay, there's this land, that money, that money. Then why hasn't it been done? 81 years after liberation. Can we do more? More empty promises? We have an opportunity here to provide real money, real solutions. What the opposition offers is detached from reality. I can say that because they're excellent golfers, but they don't know anything about the industry. Sorry. Sometimes I take it personally. Yeah, yeah, yeah. I'll say this. I'll say this. We all know that the most recent GBV numbers, our tourism arrival numbers are still less than 50% of pre-COVID. That's a fact. Businesses are hurting, hotels are hurting, golf courses are hurting. In the last year alone, three golf courses were fire-sold. Starts, Talofoto, and Manila. These are private golf courses that could

charge whatever they want. That's true. You know, Mr. Schill is correct. They could charge whatever they want, but they cannot survive even though they could charge whatever they want. You cannot have tourism less than 50% of pre-COVID and think you are a viable business. To the golfers who are here, the senior golfers, junior golfers, I plead with you to support our golf courses or work with them. What's also true is that since the last hearing, there was an open invitation to any interested organizations to contact these golf courses. They are willing to work with junior golf. And what is a fact as we sit here today is no one contacted them. That is a fact. So, 81 years later, you know, we celebrate Liberation Day. And don't get me wrong, I appreciate what the federal government has done for this island. They provide a lot of assistance, but at the same time, they hold us back. There are things that, you know, what's that we hear sometimes people testify to say, hey, you know, earlier, you know, we don't, they don't trust, they don't trust, you know, our island people to do things correctly. Why do you think one of the architects, someone was an architect, let's testify to something to that effect. And, you know, it's that type of attitude that really, really kind of gets to me because we have so many bright, smart, local people. And, but we are limited in what we can do. For example, what's that we can't control our own immigration policy. We can't control how much money we get from, you know, like a free compact. But what we can do at the end of the day, we have to take care of our own people. We have to take care of ourselves. So, we have an opportunity over here to do something really special. We have a, this legislature, this, our people, the government of Guam, the people of Guam have decided previously that it is in our best interest to wean ourselves off from fossil fuel. And there's been various legislation that says, hey, we have a clean, renewable energy goal to be 100% fossil fuel free. We have how many years left? So, this bill, I hope you support this bill because this bill gives, helps this island meet its renewable energy goals. It keeps our water and air clean. It gets us more land trust, the resources that it needs to carry out its mission. And I hope to, that we'll be, you know, always be given the opportunity to defend ourselves from any type of misinformation that's out there. Thank you.

Vice Speaker V. Anthony Ada: Thank you, sir, for your testimony. Mr. Blas, I'll go ahead and recognize you, sir, this time.

Mr. Frank G. Blas: Good afternoon, Senators, Vice Speaker. I'm back again to show my non-support for this bill. I look at it as a bailout. The Leaser, the Chamorro Land Trust, and the Lessee, GICC, they did not meet their contract. So why are we making it more, very sensitive? Let's keep it simple. They don't keep their contract, evict them. All right? And I'm really angry at this because the GICC, through the parties and all that, oh, yes, let's build a golf course and everything else is for the community. And that's what got us. We permitted them to build the community golf course because it's part of a recreational activity. Let's face it, I enjoy it. And kids enjoyed it. My children enjoyed it. What about the children, my grandchildren? They're not of that age yet. And this was enacted so that we can have something for our people. Municipal, that means all of us.

This is a bailout. These people didn't meet their contract and now they're trying to find a way for us, or they need presentation of what a solar farm is. I'm a master electrician. I teach this stuff. I love the solar. It gives me business. The alternative, and I couldn't figure out why, why can't we put a solar panel on the people's house? Give them a grant and they can provide all that power right back into the community. It serves all of us, not just a few. The history of the solar panels that were put in Malojloj, down. Marble Cave, that solar panel contaminated the water. There's another bailout. There were millions of fines, but I heard it was only maybe 10% of what is supposed to be there, all right? So, let's cut the bailout. Find alternative ways. They want to put solar panels that would benefit the people? Put on people's houses. I'm pretty sure that there's thousands who would like to have solar panels in their house and pay less electrical bills. The only disadvantage is that you got to buy the batteries. Right now, there's a shipment of massive that there's a whole bunch of EV vehicles containing lithium batteries because they caught fire or something. So, until that technology is corrected, I don't think we should be bailing out people, this company. That's all I have to say and thank you.

Vice Speaker V. Anthony Ada: Thank you, Mr. Blas for your testimony this afternoon. If I can go

ahead and have Mr. Benavente and Mr. Celestial Join this panel up here as you two will be the last to speak on this set of speakers. Mr. Laguana, sir, you are recognized. Thank you.

Mr. Ron Laguana: Håfa adai! Speaker and Senators of the 38th Guam Legislature. Indeed, from the spirit of our ancestors is why I am here today. I am here to support Bill 135-38 introduced. I support none other but for the benefit of our people. Last year, I testified a reference to Bill 179-37 that was proposed and hoping 9 million was granted funds for the Ancestral Lands Commission. Now, a year has prolonged, and nothing has been availed. Again, we are here today to hear, testify, and hope we can come to a conclusion and to no longer linger, here and there on this matter. Ladies and Gentlemen, this Bill, if passed into law, will benefit 8 thousand applicants that have been waiting for infrastructure of water, power, sewer, and roadway to be established and developed for those to reside on this land area. It will be beneficial for a new beginning in providing the needs of our people of this land the essential needs. Our lives and time itself are very short and running out, and many have passed away. Please let's not wait any longer, and please pass this bill. There are too many discussions of this proposed bill, but who will then introduce. Please realize and know that no funds will come from the Guam Legislature on GovGuam for this matter. The funding of the 9 million of funds from 30 to 60 days as proposed ending of its date. Indeed, all will benefit from this proposal within 377 days that has been planned by the Commission, and that was implemented. Myself and many others have waited for this help, so please reconsider and vote and support this bill to pass into law for the good of the people and beneficial for the people of the land. The last time we discussed this matter, the Golf Player's Association Group had voice to utilize this land area for their recreational sports and hobby.

I heard that the golfers planned to do a petition to utilize the area for public recreational activities and nothing for the benefit of the purpose of the people's survival, to live, and survive. The Guam Legislature in body decisions, authority, and making laws please remember our people of the land, the CHamoru Nation had once stood up, protested, fought, and marched to Adelup to save our land. Please reconsider and pass this bill, and to wait no longer or linger so that people may have a place to reside, and for the benefit of the people of our land. Remember, many of our people today have no place to stay, no land to live and many are in dire need of such a place they can call their home to live for themselves, their children, and their grandchildren. Please pass this proposed bill into law and help our people. Sincerely, Mr. Ronald Laguana.

Vice Speaker V. Anthony Ada: Thank you Mr. Laguana for your testimony this evening. Mr. Herrera, sir, you're recognized for your testimony.

Mr. David Babauta Herrera: Hello, My name is David Babauta Herrera, I have come here today to present my support to Bill No. 135-37. Also, I appreciate your time, and I respect all golf players, ranch farmers, and all that are here present today. In support of this bill to why I have made time in expressing concerning that back in August of my visit reference to GICC Golf Course of 900,000, the Land Commission Board Members intended to remove the GICC private owned due to arrears owed, they couldn't afford to pay back. Also, the PUA Covid19 program, they did not qualify. I requested the Board of Land Commission to visit the site with GICC members of 200,000 acres to remove them due to the arrears they had owed 166 acres lot 103-23 was approved in land rezoning, and a hearing was conducted and approved by the municipal planning council. If this bill passes, it will establish then power. water and sewer. Now, 200 acres of golf course, a practical solar light, can be built with 60 mega watts producing electricity per year of GWA and 120 million for GPA. If they build a solar light, a global transformer can be established on 200 hectares of land. 211 lease of lot track left at areas called Pagachao, the former Director Joseph Cameron was asked to change the 9 million for usage of power, water, and sewer. Chair of Finance had approved the 9 million for the north as well for the southern part of Guam areas. What's good for the north is also good for the south. Also, thank you to Senator Joe San Agustin in his support for this water erosion problems and flooding after we presented concerns. Now, the Power Plant border line in Dededo, visited back in August reference to lot with 236,000 square feet for the electric and solar power to be established and no need of TPE 60 watts for solar light. Now, 36,000 square feet of three-fourths, no need for solar light since GPA is neighbor or

next to this area. The GPA Headquarters of three floors to be used and the transmitter carriers can stay on the 3rd floor of 12 square feet. Mr. Benavente transmitted a carrier to be used on the 3rd floor and roof for GTA and DOCOMO. Now, the solar lease on lot no. 101122-2 and 60 megawatts. Next, it's a 200-acre lot currently leased to CICC as a golf course. The proposal to convert into a 60-megawatt solar farm with GPA purchasing power at 0.17898 or 17 cents a kilowatt. On the 30-year power purchase agreement, JICC investment was estimated to develop the 200 acres at more about roughly 300 million. CLTC currently receives about \$30,000 a month for monthly rent up until 2039. GICC proposes \$9 million lease prepayment for the new 30-year lease term, advance payment. So, the lease revenue option on the flat rent, what we say is flat rent for the \$9 million, totaling over 30 years is going to be prepaid. My humble proposal and counteroffer are to share with the profits on the \$0.17. I am respectfully asking the body here to consider \$0.15 per kilowatt hour. On the \$0.15 kilowatt hour, we'll equal about \$1.58 million a year based on the production of the 60 megawatts on a 200-acre lot, which will total approximately \$47 million over the 30 years. Remember, the flat rent was 9 million, but if we share profit at 1.2 cents for the 30 years, our people, the 10,000 or 60,000 constituents, not applicants, will have about 47 million more for your infrastructure and other operations. So again, my proposal is to combine the flat rent and the profit sharing, but instead of paying 30,000 a month, we'll go about maybe 20,000 a month with 1.5 cents per kilowatt hour. You guys that do the numbers, you can do the numbers, and you can compute based on all the analysis that we've done on the 200-acre. So we call it hybrid at \$20,000 a month. \$20,000 versus \$30,000 base rent plus \$0.05 a kilowatt hour will equal about \$54 million. So now we go to the step two. On the second page in the financial comparison on these models, on the top row we have the model, the annual revenue, the 30-year total, and the CLTC share of solar revenues. On a flat rent, we have an annual cash flow of about 300,000. On the 30-year, it would be \$9 million, which is what was being proposed on the floor, on the table. \$9 million advance payment plus or minus 12 or 13 percent based on the appraisal. Now that is 1.6 percent of the total revenue for the 30 years. 1.6 is what our people will earn on this flat rent. My counterproposal is to have a profit sharing at 1.5 cents multiplied by the kilowatt hours, so the annual revenue, instead of just \$300,000 in a \$30,000 month, will be \$1.5 million, \$576,800 for our people. On the 30-year amortization or the contract, our people, our beneficiaries would be gaining \$47,304,000. That would be 8.4 percent of the total revenue of the investment of \$300 million on a 200-acre lot for 60 megawatts. So now we go, and again, the counterproposal is to do a hybrid base and profit. So, as I mentioned, \$30,000 a month would go down to \$20,000 a month, and it will be variable based on the appraisal, and the annual revenue on the hybrid would be \$1,816,800 versus the \$300 of flat rent. For the 30-year period, our people, the owner of the land, will be earning \$54,504,000. That would be 9.7 percent of your general cash flow for 30 years. The investment of \$300 million on a 200-acre property on a 60 megawatt would more or less earn about double, about \$600 some million. So for our people to earn 9.7 of the \$600, it's a fraction of the cost, but it's a benefit for our people to develop the properties that I just mentioned, which is tract 319 and 166. So, I know that Chairman Cameron here came and said strikeout pages on 6, 7, and 8. I'm not sure if he struck out the 166 lots in Yigo. I'm not sure if he struck out the 211 lots in tract 319. I'm going to have to go back and replay the tape to find out if that was struck out. And if it was struck out, I humbly ask, Vice Speaker, if we can take that into consideration to include the 166 in Yigo and to include the tract 319, which is the 211 lots in Yeah, I'll get on again. But it's still a strategic recommendation, no? So, the flat rent at \$9 million prepayment under value CLTC's asset. In other words, if we just stay on flat rent, we will leave the people behind, versus a profit-sharing, and a hybrid. So, CLTC's other counterproposal is profit-sharing, hybrid lease, and the total revenue increase from \$9 million to \$54 million over 30 years. No? Help the people. That's it, Vice Speaker, and honorable senators.

Vice Speaker V. Anthony Ada: Thank you, Mr. Herrera, for your testimony this evening. Mr. Benavente, you're recognized for your testimony, sir.

Mr. Robert Benavente: Good evening, you are all up there. You recall the Chamorro Land Trust. Now, who is running the Chamorro Land Trust? Lou. My cousin. I'm from the Chamorro Land Trust, right? You know, the Chamorro Land Trust was established by the Chamorro Land Trust Commission.

Is that right? Is that right? The Chamorro Land Trust was established by the Chamorro Land Trust. Huh? Who put them in there? Who put them in there? It's the governor. Why? You know, in the first place, I mentioned in the round table back in the year 2000. I call for a round table to formalize a tribunal council. Along with Senator Ted Nelson. If we do this, if we do this, vote for tribunal council and commission. Let them be in charge and sway away and sway away from the government. Let them be in charge. The pocket of Chamorro Land Trust The pocket of Chamorro Land Trust has a big hole. Why have Chamorro Land Trust if somebody's running it besides the commission? It doesn't make sense. Logically, it doesn't make sense. You guys understand where I'm coming from. Why even have Cameron being wherever and the commission? Why? It doesn't make sense. You may be a commissioner and let the governor be the head honcho and through away the Chamorro Land Trust. If it's our government holding the land. We will lose. If it's the government holding it, the land here we're going to lose it because you guys are here for four years, five years, six years and then out you go. Governors come in and out. This is what I will say. Did they line up for the Chamorro Land Trust in the beginning? Why entertain this today? In 1997 people were coming in lining up. Most of those people are dead already. They got their voucher, and they say Rombo what happened the Chamorro Land Trust just hold on to your certificate or whatever because why? It's the government behind the responsibility of its people. That's why they vote you guys in to make decisions. The right decision. No matter if it's a how do you call it? A solar panel or a golf course right now it's nothing for me. I am more interested in the people not for one individual business. The intent of the Chamorro Land Trust, I Nasion CHamoru, is for the people first. That's my understanding. Brother & sisters all you know that. Chris, Therese, Joe Tony it's for the people. It's for your kids also. Remember that. You guys going to be out for the political when you get older. Former Senators they're out. They're looking at in you guys to make a change. Make a change. Bring it back. Bring it back to reality. You know I don't know what more to say but I am very compassionate with our people. Things like this it's I don't know. I agree with Chief Dave and Chief Ronald. I agree with them. We're all brothers in the Chamorro Nation. There's a lot of the Chamorro Nation passed away. They foresee you guys to make the right decision. You know for your kids and our kids together let's live in one peacefully family. This is what the Chamorro Land Trust is all about. Togetherness to hold hands. They put it back to the revolving funds and let the people fight among each other. Oh boy. It's wrong to put the Chamorro Land Trust in the revolving funds. Anytime they can hire an agency we'll take out the money which is happening today. My goodness. It's so sad. It's our own government that's doing it. It's not our people. Our people just stand fast. Stand by. Waiting for the right moment. For our leaders to stand up. To make sure that the people that voted for them is behind them. That's all we're asking. Because I don't you know this is not the first time I talk about the Chamorro Land Trust. Because of the past how do you call it? The past session. It seems like going on and on here we're not making any difference. Mr. Carlos Camacho, he's looking for something great. I know him. He's a good friend of mine. I know Mr. Payne is willing to do. They're trying to do something. Make a decision. Because right there and then the land is already occupied. I leave it up to the Chamorro Land Trust final decision. If they are making their own decision. Their own. Not the governor. Conflict of interest. Personal interest. It's coming from political agenda. This is all we're all asking is for you guys to do the right thing. Mr. Camacho here is doing the right thing. Mr. Payne is doing the right thing. We're trying to do the right thing. Chamorro Land Trust has to be going down the how do you call it? Let's go back to the drawing board with that. Right there. There's so many scams inside the Chamorro Land Trust, which Chamorro Land Trust is our biggest asset. The late Ed Reyes, my uncle, told me. Rumbo, look into that land grabbing. Land grabbing for the police academy. Land grabbing for the special Olympics. Where did it go? I leave the responsibility of the Chamorro Land Trust and the leader. Powerful as they, you know, whoever's running the show up there, powerful as that. I'm fed up. We're fed up. Let's just, let's just do what we have to do to make things a lot better in Guam. Thank you. God Bless.

Vice Speaker V. Anthony Ada: Thank you, Mr. Benavente, for your testimony this evening, sir. Appreciate it. Mr. Celestial, you're recognized, sir, for your testimony. Before we begin with you, though, can we go ahead and just take a two-minute recess? We just need to restart the AV for the live streaming. So we'll take a two-minute recess. Thank you.

Vice Speaker V. Anthony Ada: Okay, the committee is back to court to order. Mr. Celestial, we're going to go ahead and continue on for your testimony. You're recognized, sir. Just state your name for the record.

Robert Namauleg Celestial: Good afternoon, Chairman Ada and Senators. My name is Robert Namauleg Celestial. As I testified earlier, I am a member of the Spiritus Nomi. I testify in the name of the Holy Spirit to defend tomorrow's land trust. I am a member of the Spiritus Nomi to defend tomorrow's land trust. I have four proposals. Solutions, especially when it comes to tomorrow's land trust and those that are waiting on the list. Everybody has different calculations. Maybe their calculations are all right. Talk about \$9 million, even more than \$9 million. But prior to this, they wanted to borrow \$9 million earlier from the tomorrow land trust. So, they do have \$9 million. They already allocated those \$9 million for some of the infrastructure in Yigo and other places. The question I wanted to ask the earlier gentleman that was sitting next to Carlos is, he says that they're paying their rent. Is the golf course playable? That's what I want to ask him. Is it playable? What's the condition of the building there in GICC? Those are the two questions I wanted to ask. Because if it's not playable, how is he paying the rent? And if it's not being refurbished, how is he paying the rent? Another issue, he said there's a lot of miscommunications here. And he mentioned that there's no one qualified here in Guam. I want to share something. I'm retired from the U.S. Army. I'm a disabled vet. When I first came back from San Diego, I was the operation manager for Admiral Nimitz Golf Course. It's no longer a golf course. I was also the operation supervisor for Leo Palace. I worked with Mr. Young. He was the superintendent, and I was the operation manager. But then the VA gave me 100% disability, so I couldn't work. So, I had to quit all my jobs. I even had to give up my teaching license as a golf professional. I had to give that up. I had to turn in because you have to report your GRTs for all the money you make every year. So, a lot of people say that there's no qualified individual here in Guam to run a golf course. That's not true. There's a lot. I graduated from the San Diego Golf Academy, became a golf pro in California, came back because I wanted to do something for the people of Guam. When GICC was at its premiere as a golf course, the kids there would benefit tremendously every day after school. You could see them running around, carrying buckets of balls, laughing, joking, talking to their parents. And the teachers, there's a lot of good golf instructors. One of them passed away, Mr. Joe Cruz. So as a golf professional, that golf course was run down to the ground. I don't know why, but it was one of the premier golf courses. And if it's run correctly, then the proceeds could go to the Chamorro Land Trust. When I was in San Diego, let's say I was in, you know, they had municipal golf courses. They had municipal driving ranges. They were beneficial for that county, for that state. They'd pay for all the employees, but all the profits went to the county. So that's what a municipal golf course is for, is to benefit the county or state that it's in. And when we say a municipal golf course here in Guam, all the profits and proceeds should go to either the government of Guam or to the Chamorro Land Trust, if it's run properly. If you get a golf professional, an individual who understands management in golf, and then you get another superintendent that understands agronomy, then the Chamorro Land Trust won't have an issue of GICC. Because it was never an issue before, prior to COVID. Because they're saying that the reason it went down is because of the lack of tourism. No, we have thousands of golfers here in Guam. They'd love to go play there. Because why? Because they had two different golf fees. You know, just like in Hawaii, you had the combined rates, right? The local rates. We had local rates over here in Guam, too. And so, the people of Guam, the Chamorros were benefiting from it. So, we're all here to try and find solutions to how do we help the people of Guam, the ones that are listed on the Chamorro Land Trust. That's why we're here, all of us. We have the same spirit. Manita, todo. But I want to share my opinion as a golf professional, as a person. And not only that, I want to change gears. I'm a farmer. I have ducks, I have chickens, I have goats. I have 400 trees. I'm a bona fide farmer. And you're talking about, you know, earlier the mayor talking about all those properties that have cars and tires and everything. I see them. They're my neighbors, you know? And my ducks and my chickens are free-range chickens. I know my neighbors catch them and eat them and everything, but I don't mind because I got a lot, right? But back to the golf course, okay? I had a municipal golf course. Let's run a municipal golf course for the benefit for the people of Guam. That

municipal golf course is not really a municipal golf course for the people of Guam unless it's run according to what Mr. Van Shelley said, you know? And it's going to benefit the Chamorro land trusts. And that's why we're here. We want to find a proposal, Mr. Carlson's proposal, Mr. Herrera's proposal, Mr. Van Shelley's proposal, and then I have a proposal. My proposal is to reclaim the Chamorro land trust, the golf course, reclaim it back, get all the, if they have arrears, take it back, move in the Chamorro land trust office over there, take the \$896,000 they pay for rent, use that money, you know? I don't know how they're going to use it. They could use it either to refurbish the whole building or use the \$896,000 for infrastructure and then move, you know, even the other land agencies in there. Man, he showed me nice pictures up there. Three stories. How many agencies could you fit in there? And you don't have to pay rent. It's free rent. The government will save a lot of money. See? So we have a win-win situation. We're going to have money to build infrastructure. You could put people out there and give them new leases. Then not only that, you help the golfers if you want to give it back to the golfers because you can't build houses on that land because of the water wells. Is that correct, Senator San Agustin? You don't know?

Senator Joe San Agustin: I'm not quite sure about the building on top of the golf course property.

Robert Namauleg Celestial: Well, I was talking to the folks at Chamorro Land Trust that actually worked there, and they said you can't because of the water wells there. You can't build homes on top. So they're the experts, not me. I'm just using their words. So, then what do we do? Which proposal do we use more? Do we use Mr. Herrera's proposal? Sounds good. 500-some million a year? Wow. Why haven't we done that years ago? There won't be a list the way we have right now. How many people are waiting on the list? You guys are smart people out there. You can calculate. I'm not that smart. All I know is that you do something both ways. It's a double-edged sword. You're going to cut both ways, right? So, who are you going to cut more? You're going to benefit both the golf course, the people who are going to run the solar farm? I say just my proposal, just take it back. Put it out for bid. See who has the best bid, which should have done in the first place because they didn't fulfill their obligations under contract. Most people, if I didn't fulfill my contract, they'll take my house away or whatever I made a deal with. I think that's my proposal. And then the highest bidder, if it sounds good, you guys could decide. You know, I like his proposal, \$500 million. My goodness. And I like Mr. Van Shelley's proposal, too. They're going to run the golf course, make it pristine, help the kids, and not only that, they'll be able to pay the Chamorro Land Trust. And then everybody's a win-win, except Mr. Carlos. You know? So, you know, like... We're not gaslighting. Gaslighting is when you're trying to manipulate the system. That's gaslighting. We're not manipulating the system. We're trying to give options. You have four options. Which option are you going to take? I like mine. So... Adios. Thank you.

Vice Speaker V. Anthony Ada:

Thank you, Mr. Celestial, for your testimony this evening. I'm going to open up the panel to my colleagues to ask questions, and I ask that they keep their questions within five minutes. We do have another piece of legislation that is immediately after this one, so we'll go ahead and anyone that has any questions... Senator Terlaje, do you have any questions?

Senator Therese Terlaje:

Thank you. My first question is, where is Mr. Tang, the golf course proponent? I mean, actually, the solar farm proponent, because I have a lot of questions regarding this proposal. It was an unsolicited proposal to the Chamoru Land Trust. Normally, if that's done at any other government agency, they're supposed to take that and bid it out, just like has been proposed. But they didn't do that. So, I want to know from the developer, is he here, Mr. Chair? Will he be coming back, or will we be continuing this hearing until he arrives?

Vice Speaker V. Anthony Ada:

No, I think he left earlier.

Senator Therese Terlaje:

Well, maybe he's very confident that he's got to deal with the government already, because I'm not sure why he would not want to answer our questions after we're having a public hearing on this proposal. I think that's the minimum that the people of Guam deserve, the Chamoru Land Trust beneficiaries, who we owe a fiduciary duty to, that they should have answers as well. I wanted to know whether he agrees with Mr. Herrera's proposal, whether this is a good deal for the Chamorro Land Trust, whether this is a good deal for him as well, is he making the profit on the solar farm that Mr. Herrera suggests? And if so, can they spare some of it for the Land Trust recipients who he cares so much about? I wanted to know from him, what about the allegations that there is no sewer? Is there sewer? Are they putting in sewer when they put up their solar farm? I want to know from him why they haven't answered since October who are their investors, who are the subcontractors that they proposed to subcontract with. They've already submitted a proposal to GPA. They were preliminarily selected. They are on the list to be given an award, correct? And they gave this in three parcels. They did this all prior to discussing this with the CLTC. Getting any legislative approval. And so that's why we're in a rush now. They want to get their award. But they broke it up, and I wanted to ask them why it's broken up. Mr. Camacho, do you know why it's broken up instead of all the lots combined or the whole golf course combined? They put 26.4 and then 26.4 and then 4.4.

Mr. Carlos Camacho:

Thank you for that question. I am not an engineer for the reasons why they're doing it in phases. I'm assuming Mr. Herrera has claimed, because we did disclose that the total development cost is about \$300 million. And I think in order to phase out the \$300 million, we have to do it probably in phases. And again, to answer that one question you asked, who are the investors and partners, We don't know that until we sell at that time prior to the new beautiful bill being passed. When we had the Inflation Reduction Act, that was based on the tax credit from institutional investors that you sell in the market at that time from the solar energy investor. We don't know who that would be at that time. Just like our tax credit. Only when it becomes viable, then we bring it out to the syndicators, and the syndicators should say, okay, we got X company that will buy the tax credits from you.

Senator Therese Terlaje:

Who submitted the proposal to GPA and who are the...

Mr. Carlos Camacho:

Our partners did.

Senator Therese Terlaje:

Yeah, so who are they?

Mr. Carlos Camacho:

That is Power Solution.

Senator Therese Terlaje:

Yeah, are there any local owners of that? or any local interest in that company? Or that's only..

Mr. Carlos Camacho:

Two local owners, Mr. Rosano.

Senator Therese Terlaje:

Mr. Rosano?

Mr. Carlos Camacho:

Yes.

Senator Therese Terlaje:

And who, the other one, you said two local owners. And Mr. Ilao. Ilao?

Mr. Carlos Camacho:

That's it.

Senator Therese Terlaje:

And the Power Solution, what about SK Eco plant? That's a big national...

Mr. Carlos Camacho:

That's from Korea. Yeah, Korean company.

Senator Therese Terlaje:

Is there any local interest in that?

Mr. Carlos Camacho:

No.

Senator Therese Terlaje:

So, the proposal was submitted with two locals and otherwise global companies.

Mr. Carlos Camacho:

Again, to understand the renewable energy industry and the tax credit investors, you must have someone with experience in the solar and renewable energy industry. That's the reason we did that with them as a partner. Now, that doesn't mean they're going to be our partner because that deal died last year. So, this time around, we'll be open to opening up to who we can work with that meets this underwriting criteria.

Senator Therese Terlaje:

Who was that that dropped out?

Mr. Carlos Camacho:

No, nobody dropped out.

Senator Therese Terlaje:

Oh, okay.

Mr. Carlos Camacho:

I mean, we're starting from scratch because 17937 did not meet it.

Senator Therese Terlaje:

All right. Are there any subcontracts that you anticipate for local companies?

Mr. Carlos Camacho:

Not at this time. That's out of my... No.

Senator Therese Terlaje:

All right. Because that's not the information I've been given, but I have nothing in front of me to prove it either. So I'm going to have to take your word for it. I wanted to ask Mr. Tang, when he made his presentation to the Municipal Planning Council of Dededo, did he tell them that... Because he keeps talking about how solar is going to reduce our power rates, but GPA, did he tell the Municipal Planning Council members and the people of Dededo that this deal is not what's going to reduce their rates? This

deal is just part of GPA's overall solicitation for solar. They're going to reduce our rates based on solar, regardless of whether this deal goes through or not. Is that right?

Mr. Carlos Camacho:

Senator, I'm glad you asked that question.

Senator Therese Terlaje:

Well, let me finish asking it, yeah.

Mr. Carlos Camacho:

Let me know what you think.

Senator Therese Terlaje:

Yeah, well, I want to know what he said to them and whether he made that promise that this is the deal that's going to lower their bills at GPA, or did he tell them the truth, that GPA is going to lower all of our bills based on solar power because they're going out for so much solar power, and they will find out whether this deal goes through or not?

Mr. Carlos Camacho:

Can I answer now?

Senator Therese Terlaje:

Yes.

Mr. Carlos Camacho:

Okay, thank you. I'm glad you asked that question. For clarity, when we made that statement, I hope you can recall, it was this body that passed the renewable energy policy.

Senator Therese Terlaje:

We mandated it, yes.

Mr. Carlos Camacho:

Yes, you did. We mandated it and GPA to do up to 50% of their resources to get out of fossil fuel. Now, there's two types of solar. You got the one that some people said rooftop, and you got ones called the utility solar. This is a utility solar that benefits everybody. Not every rooftop, not since they said majority of them.

Senator Therese Terlaje:

If you could answer my question, Mr. Cruz.

Mr. Carlos Camacho:

Wait, I'm explaining the difference first. And that's how we got into that. Not every rooftop, as they claim that majority of that's all low-income families, would afford to spend \$30,000, \$40,000 in solar on the top of the roof. This is considered a utility solar that benefits all the ratepayers. And that's when we made the claim 45,000 ratepayers would benefit once they reduce their fossil fuel impact.

Senator Therese Terlaje:

Once GPA reduces it, right?

Mr. Carlos Camacho:

Yes, not us.

Senator Therese Terlaje:

Which they plan to do no matter what. This happens with this contract, right? Well, if they met the statutory law that you guys passed, I'm not sure what bill that, do you recall that bill number?

Senator Therese Terlaje:

No, no need. It's not relevant for this hearing. This hearing, I only want to know what was told to the people of Dededo.

Mr. Carlos Camacho:

You asked the question.

Senator Therese Terlaje:

Yes, I was asking what they were told. What were they told?

Mr. Carlos Camacho:

That's what we were told. They were told that... Based on the policy that you guys passed.

Senator Therese Terlaje:

Okay. Because it sounded like they were told that this deal, if we don't get this deal, their power rates are not going to go down based on solar.

Mr. Carlos Camacho:

No, we didn't say that. We did not say that. Let me correct for the correction. We stated, and that's what the intent mentions, the policy that this body passed for renewable energy and from the savings of the fossil fuel.

Senator Therese Terlaje:

Yes. If GPA does its job, it will save us on power rates.

Mr. Carlos Camacho:

That's a fact. That's right.

Senator Therese Terlaje:

Not whether this deal goes through or not, because they're going to get the solar power, right?

Mr. Carlos Camacho:

This bill, if you look at it, has a default clause. If we don't get it, then...

Senator Therese Terlaje:

Their power rates will still go down.

Mr. Carlos Camacho:

I wish, I hope so.

Senator Therese Terlaje:

That's correct. All right.

Vice Speaker V. Anthony Ada:

Your time is up. We can go ahead and...

Senator Therese Terlaje:

Come on now.

Vice Speaker V. Anthony Ada:

I hope I answered that. Thank you. I'm sorry.

Senator Therese Terlaje:

Multi-million-dollar deal, and we can't ask questions. I just have a few more, and I sat through hours of testimony, and I would like to get the answers.

Vice Speaker V. Anthony Ada:

Senator. Thank you.

Senator Therese Terlaje:

These are the only people who can answer. If the company's not going to show up, are you part of the company, Mr. Camacho?

Mr. Carlos Camacho:

I'm not part of the company, no. Thank you.

Vice Speaker V. Anthony Ada:

Thank you, Senator. Senator Telo Taitague: you're recognized, ma'am.

Senator Telo Taitague:

Thank you, Mr. Chair. I just want to thank everyone who came to testify today, and you brought a lot of passion in your heart, both for or against, and we all respect your decisions on why you support it and why you don't. But I think it was Mr. Benavente who made it clear that we're here for the people of Guam. Whether they're golfers, or whether they're the people who are waiting for property for Chamorro Land Trust. I think we can find a win-win situation. The only thing I wanted to bring up was, of course, was in the paper, I was asking if I could have EPA. I know she's sitting here, Mr. Chair. I just have a question to ask her. If she can answer it or not, or if she can't, then maybe could provide that to the... Is it okay to bring her up?

Vice Speaker V. Anthony Ada:

Sure, Ms. Lastimoza, you can come up real quick.

Ms. Michelle Lastimoza:

Good afternoon, Mr. Chairman, distinguished members of the committee. I'll answer any questions I can.

Vice Speaker V. Anthony Ada:

You're recognized again, Senator Taitague

Senator Telo Taitague:

Thank you, Mr. Chair. Director, are you familiar with this type of solar paneling?

Ms. Michelle Lastimoza:

Yes, we have permitted two solar farms on Guam, so I'm familiar.

Senator Telo Taitague:

What is the repercussions if, in the event, any of these panels, the particular panel that was mentioned, would leak?

Ms. Michelle Lastimoza:

Certainly, like Ms. Moneca Flores explained earlier, there are consequences and hazards associated with solar panels in their manufacturing, and also with their disposal. So, depending on the type of solar panels that are installed, there certainly can be environmental impacts if those solar panels were

to leak.

Senator Telo Taitague:

You know, she had mentioned all the hazardous materials that go into making the solar panels, and she was correct. She was also correct in that the industry hasn't caught up with proper disposal standards for those solar panels. So certainly, there is an environmental impact negatively if those solar panels were to leak. A prime example is just the residential solar panels that were disposed of after Typhoon Mawar. So these are not the same panels, but we had three 40-foot containers that were taken by USEPA that were categorized as hazardous waste, and those were just residential panels. So, there is an environmental impact.

Senator Telo Taitague:

It was mentioned earlier about the panels not having PFAS in there. There are certain panels that are very environmentally friendly. Are there really environmentally friendly panels? I mean, we have Manila right now filled with these particular panels, and we have the same up in the south as well.

Director Lastimosa:

So that comment was also true, that the industry is also looking at alternatives that do not contain PFAS. I don't know which manufacturers those are, but certainly there are manufacturers that are looking at those alternatives for PFAS-free solar panels.

Senator Telo Taitague:

Does Guam EPA have any guidelines and rules and regulations that govern over these for environmental purposes and protection that you follow through, you know, inspections or things like that? Certainly, we have environmental regulations for the construction of a solar farm. Like I said, the industry does not have specific regulations with the disposal of solar panels at this time.

Senator Telo Taitague: So other states and territories that have this type of solar panel, what are they doing to get rid of the panels once they end their shelf life?

Ms. Michelle Lastimoza: I can't confirm. I know earlier there was a comment that mentioned that there was only one company that took solar panels, so I couldn't tell you. I can only tell you that for Guam, those solar panels went out as hazardous waste and they were shipped off island, so at this point I couldn't tell you.

Senator Telo Taitague: So, you would basically tell a company that if they do have these panels and it ends its shelf life, that they would be responsible to discard it but not in our landfill?

Ms. Michelle Lastimoza:

Absolutely. Our landfill will not take that type of hazardous waste, that's correct.

Senator Telo Taitague: So, it would be their responsibility to do so, to disperse of that. And EPA would follow through to ensure that it was done correctly, right?

Ms. Michelle Lastimoza: Absolutely.

Senator Telo Taitague: Okay. So on the environmental side, I'm very concerned about that. And we all know that that area, I mean the map that was showing there's so many houses around that area, if there was a typhoon, I mean like a lot of solar panels that were destroyed during the typhoon, I think maybe Carlos, you can answer this. What is the protection on typhoons? I mean how can we ensure that these don't start flying in everybody's backyard or houses or hurt anybody in the event there's a typhoon? Is it like typhoon proof or what is the plan?

Mr. Carlos Camacho: All I know in the engineering design, they have to develop the base, so it doesn't have an uplift. As I described earlier today, it's not raised up 30, 40 foot high. These are two, three feet off the ground. And the only example I could use, and if you guys help me bring this example, every election year when you got those 8 by 16 billboards out there, they just lay it on the ground and it doesn't fly up, right? You have to lay it down, so it doesn't uplift. Well, this one's bolted, secured with concrete. And the only thing I can tell as the only closest example is the one in Mangilao, owned by Kepco, right there, it's right near the cliff line and that's a huge, over 1,000 panels, and they didn't lose any panels. But that's my only reference I can do.

Senator Telo Taiague: Is it insurable?

Mr. Carlos Camacho:

Yes, it is. We have to ensure it, yes.

Senator Telo Taiague: Okay, so they are insurable. Yes. Okay. I was hoping too that GPA would be here as well, just to find out, Mr. Chair. Was there a deal already made between this company or, you know, that if they would, if they do put up these panels, because that would kind of be, you know, a little off.

Mr. Carlos Camacho: No, no deal has been done.

Senator Telo Taiague: Okay, so no deal has been. Okay, thank you, Carlos.

Mr. Carlos Camacho: We still have to go through the competitive process. As it's disclosed in the bill, if we don't win the bid, it defaults back to a golf course.

Senator Telo Taiague: Okay.

Mr. Carlos Camacho: We still got to win it.

Senator Telo Taiague:

You still have to go after the bid. Okay, that's what I want to make sure.

Mr. Carlos Camacho: Thank you.

Senator Telo Taitague: You know, I'm, I just think that the fairness of this should be that, you know, it should go out to bid. I mean, if they don't want to no longer be a golf course any longer and wanted to do this, a different industry, then and if they're confident enough and that the price that they're willing to, you know, rent this for, it's done that way. I think everybody would be fine with that. You kill the contract because they can't, no longer can afford it. And I have to say that, you know, we should have a little bit more compassion about GICC. They were in a situation, like many people in COVID, losing so much revenue. And unfortunately, they did not, was not able to avail themselves of funding to keep them alive, like most other businesses on island that got federal money. They got local money from LEAP programs, but GICC did not. I mean, it was almost destined to fail in that way. And we need to show a little bit more compassion about these companies that failed during something so devastating. And then, of course, Typhoon Marwar. So it's unfortunate that they didn't get any help. But if we could just, you know, I'm looking at Laguana, Mr. Herrera and Mr. Benavente. I mean, don't you think that if they were just to end the contract, go into this type of work, and then put out the bid for who has the most they can make from this. Because you and I both know another golf course on this island is not going to really prevail. You look at all the other golf courses that are, you know, failing, the fire sales that's been going on. They're not going to make it. I don't think they're going to be able to outbid a company that's going to come in to generate revenue like they can, number one, or number two, or provide, you know, the percentage of renewable energy that's needed on this island. And it's as simple

as that. Just go out for a rebid. Okay, Mr. Chair, thank you.

Vice Speaker V. Anthony Ada: Thank you, Senator Taitague. Senator Barnett, you're recognized, sir.

Senator Chris Barnett:

Mr. Chair, and just as a member of the committee, respectfully I want to again lodge my formal disagreement with this five-minute rule. I think, like, with this measure, with any measure, any time the people of Guam's voices and the people of Guam's house are not able to ask questions or get answers, I don't think it leads to sound policy. And frankly, I don't get it.

Vice Speaker V. Anthony Ada: Thank you, Senator. Thank you. It's so noted. Thank you. I just wanted to let you know that as long as you have your questions in order, you'll be able to get as many questions as possible in.

Senator Chris Barnett: Again, I just think five minutes is a little ridiculous. With due respect, Mr. Chair. Thank you to the panel for coming out. Thank you, Mr. Herrera, Mr. Laguana, Rumbo, for your very passionate testimony. I absolutely agree. The reason why there's so much passion here today is because we have failed to live up to the dream of what the Chamorro Land Trust Commission should be. And so, our people are left in this position where we have a commission that, out of one side of their mouth, says that, oh, we have to do this golf course deal and convert it to a solar panel because we need to pay the infrastructure to put subdivision here, subdivision there. But on the other side of their mouth, they give away the crown jewel, they vote to give away the crown jewel of the Chamorro Land Trust at Oka Point. Sense or no sense. It doesn't make sense. And then here we are, rushing this proposal through. Cannot ask questions. Limited on the time. So, Mr. Camacho, apparently, you're the point man for this. You're representing the client. And so, I just wanted to ask because it sounded like you had a lot of involvement. Basically, you wrote the bill. Are you a registered lobbyist with the legislature? Are you? Okay. Yeah, on the record.

Mr. Carlos Camacho: Yes, I am. I'm a registered lobbyist.

Senator Chris Barnett: Okay, good.

Mr. Carlos Camacho:

Just for the record.

Senator Chris Barnett: That's it. Thank you. Thank you.

Mr. Carlos Camacho: I knew you were going to ask that question.

Senator Chris Barnett: I appreciate the answer. I think you're one of the only ones because we ask a lot of people who come in here and they say, oh, no, I'm not a registered lobbyist. So thank you for that. I noticed, though, when Mr. Herrera was... It's a very good counteroffer, Mr. Herrera. It's a very good counteroffer, but it looked like you were getting a stomachache when he was talking about that counteroffer. So, I'm not sure how much of a done deal this bill is, but I agree completely with Mr. Herrera, and I think I'm hoping they'll agree with me. Part of the issue also with the Chamorro Land Trust is our own elected leaders continue to undervalue the very lands that are in the inventory of the Chamorro Land Trust. And that's unfortunate, and I think Mr. Herrera's on the right track that if we are to entertain this proposal, which my first thought was, oh, if they're going to give \$9 million, they must be making a lot more than that. Right? Yeah. That just kind of makes sense to me. You know, if you're going to give \$9 million, how much are you really making? And, you know, how much value do we as elected leaders think the Chamorro Land Trust deserves? And so, I noticed that Mr. Tang, who unfortunately isn't here, said the existing lease is not void, but the public auditor in an audit referred to the lease to the AG because he deemed it illegal. And I think, you know, he's definitely one of our

bright legal minds in our community. And then in the bill, section 3, page 10, the bill seeks to ratify the lease that Mr. Tang says is valid. So, there are just a lot of questions, a lot more questions than, you know, we can fit into five minutes. And so, you know, I understand the support that was given in the testimony, but I think that's because we're in this difficult situation where, you know, we, in previous legislature, we've entertained a lot of bills for the Chamorro Land Trust on the good side of it, not necessarily the land giveaway that we're seeing here where we have plenty bills, give land for this, give land for that, but in the last six years of this administration, and you can check this for the record, I think they've only issued one or two residential leases. And so, we can support it in here we can pass bills, we can give \$9 million, but then you get some senators in here who want to take the \$9 million from the poor Chamorro Land Trust and give GMH so it could disappear. So, yeah, it is frustrating. I didn't support the original measure of the bill. And, you know, clearly, I think that the measure as written, I agree, Mr. Herrera, and I hope you guys will agree too, that there needs to be more value for the beneficiaries of the Chamorro Land Trust if we're going to enter into this proposal, which, you know, I don't like how it got here to us because it definitely, I don't know if someone here said if it smells, believe it, but it smells worse than it smelled last year. So I'm hoping we could get a good bill or, you know, the author will be open to amending it so that we see the true value and the benefit for the beneficiaries of the Chamorro Land Trust because these issues we're seeing now with affordable housing, people who came way before us thought of this as a solution. And if we don't support this as the solution, then we end up with the situation we have today where our own people are out here homeless. Our own people don't have a house. Our own people don't have infrastructure. So, thank you, Mr. Chair, for the extra time.

Vice Speaker V. Anthony Ada: Thank you, Senator. You're welcome. And, actually, I didn't really hear too many questions in those five minutes, so, obviously, five minutes is a long time. Thank you, Senator. Senator San. Augustin, you are recognized, Senator...

Senator Joe San Agustín: Thank you, Mr. Chair. You know, last year, I introduced a similar bill. And at the end of that bill, and it didn't pass, the golfers asked. They wanted to get back the golf course. I said, go for it. Go for it, and I hope for the best. Months have gone by. Has anything happened? No. Did Chamorro Land Trust respond by saying anything to the GCIC renters, or lease, that they're going to revoke it and move forward? Today's hearing, I've heard recommendations to find ways to make sure Chamorro Land Trust gets enough funding so they can move forward and do the infrastructure. So, we can not only take care of the people in Dededo, but also the people in the South. All those alive and all over the island. It's not just one area. We've got to cover as many bases as possible. And all this bill was asking for was a way. Now, if Chamorro Land Trust Commission wants to give it to the golfers, then so be it. If you know who's going to do the rumble, so can I say, so move. But some of my schools, don't blame the legislature or senators like me, because I'm introducing something to help the recipient. And I don't know how many people are in the body that signed up in 1995, but I'm one of them. And I still haven't gotten land, but not an issue. I want to make sure everybody else gets the land. Build their home. And let's move forward, not make excuses. If the bill passes, so be it. If it fails, I'll look for another way to find ways to get money to Chamorro Land Trust. And I will support lending money out of Chamorro Land Trust for GMH, like they did in the past. They took money out of Chamorro Land Trust, and it never came back that I'm aware of. So that's going to stop. I'm in agreement with you folks. We find a way to take care of the golfers. We find a way to take care of the Chamorro Land Trust. And when we talk about solar panels, I don't know how many senators' solar panels in their house do not have, because I do. And it didn't move during any storm. So, please, be careful how you say it's going to fly to the neighbor. If it flies, it flies. And who are you going to blame? Ghostbusters. With that, Mr. Chairman, thank you. I just hope the bill can get through. We go to the markup, take a look at all the testimony, and we move forward with the bill. That's all I ask for. Thank you, Mr. Chairman.

[See testimony proceedings on the public hearing of Bill No. 164-38 (COR)]

Chairman Ada adjourned the public hearing at 7:23 pm.

The public hearing was adjourned at **7:23 PM**.

III. FINDINGS & RECOMMENDATIONS

The Committee finds that § 8311, 12 GCA reads as follows:

§ 8311. Renewable Portfolio Standards.

The Guam Power Authority shall establish a preliminary renewables portfolio standard goal of:

- (a) five percent (5%) of its net electricity sales by December 31, 2015;
- (b) fifty percent (50%) of its net electricity sales by December 31, 2035; and
- (c) one hundred percent (100%) of its net electricity sales by December 31, 2045.

The amount of renewable capacity may be subject to engineering and economic analysis by the Guam Power Authority; provided, that such changes are subsequently approved by the Public Utilities Commission. For the purposes of this Article, nuclear power shall not qualify as a renewable energy source.

Although there are no expressed definitions for renewable energy in Guam laws, it is widely regarded to mean forms of energy that are not sourced from fossil fuels, nuclear fission or waste to energy. Globally, the main forms for renewable energy are from photovoltaic cells and wind turbines. Unfortunately for Guam, current wind turbine technology is not suitable considering Guam's history of frequent typhoons and tropical storms.

As of 2025, the most practical form of renewable energy is photovoltaic solar panels. Many sources, including the US Department of Energy, state the wholesale price range of utility-scale solar power in the United States (including the state of Florida which has a high risk of hurricanes and tropical storms) between \$0.03 to \$0.08 per KWh. Lack of economies of scale, difficulty in purchasing insurance because frequent tropical cyclones will likely place Guam towards the higher end of the price range. The US Department of Energy's Solar Energy Technologies Office (SETO) launched the SunShot Initiative in 2011 has set a goal of \$0.03/KWh nationwide for utility-scale solar wholesale power price by 2030.

The Committee finds that although anecdotal evidence suggests that there is broad community support for renewable energy power on Guam, there was not much public support at the public hearing for this bill. The most common objections were the location, the potential for adverse environmental programs and the desire to have an affordable municipal golf course.

The support for the bill came from the developer, the lessee (GICC), the CLTC (with a list of amendments, and the chair of the Guam Housing Corporation.

The Committee amends the bill with the intent to address the concerns of the individuals testifying (both written and oral) at the hearing, to include adoptions of the amendments suggested by the CLTC, reporting requirements for income tax credits and disposal of worn or broken parts and equipment and an option (not mandate) to allow the CLTC to designate an alternative site for the

solar farm, subject to legislative approval.

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure hereby reports out **Bill No. 135-38 (COR) As amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure** – Tina Rose Muña Barnes, Joe S. San Agustin, William A. Parkinson – “AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED,” with the recommendation to **TO REPORT OUT ONLY.**

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 135-38 (COR)

Introduced by:

Joe S. San Agustin
William A. Parkinson
Eulogio Shawn Gumataotao

**AN ACT TO AMEND THE CHAMORRO LAND TRUST
LEASE AGREEMENT WITH THE GUAM
INTERNATIONAL COUNTRY CLUB,
INCORPORATED.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Lot Number 10122-12, located in the Municipality of Dededo, is a trust property under a commercial lease agreement executed on April 1, 2014, between the Chamorro Land Trust Commission (CLTC), as lessor, and the Guam International Country Club, Inc. (GICC), as lessee. The lease was recorded on April 4, 2014, under Document No. 863522. The current lease includes a 10% escalation clause every five (5) years and is estimated to generate \$4,961,735 in rent through January 31, 2039. However, GICC has proposed amendments to the lease that would provide accelerated rent payments, increased escalation rates, and an extension of the lease term in exchange for allowing the use of the property for the generation, storage, and transmission of renewable solar energy.

I Liheslaturan Guåhan further finds that this proposal offers an

1 unprecedented opportunity in the history of the CLTC. The lessee has agreed to
2 prepayment of all rent due under the amended lease, to be valued at not less than
3 Nine Million Dollars (\$9,000,000) based on a net present value calculation by a
4 certified appraiser. Additionally, GICC will make available, at no cost, the GICC
5 Clubhouse—an asset valued between \$7 to \$8 million—and five (5) surrounding
6 acres for the exclusive use of the CLTC. At CLTC’s discretion, the Department of
7 Land Management (DLM) and the Guam Ancestral Lands Commission (GALC)
8 may co-locate within the facility. This will eliminate current and future rent
9 payments to private landlords, saving up to \$870,000 annually, or more than \$25
10 million over 30 years if all three agencies utilize the facility.

11 *I Liheslaturan Guåhan* further finds that the accelerated rent payments and
12 the allocation of these funds under Section 4 of this Act will generate substantial
13 direct benefits for the people of Guam. With the approval of the CLTC, the
14 allocation of at least Seven Million Dollars (\$7,000,000) for the survey and
15 infrastructure costs of Tract 10123 in Yigo (166 lots), and at least One Million
16 Dollars (\$1,000,000) for the water line extension and right-of-way preparation for
17 Tract 319 in Agat (211 lots), will immediately advance long-stalled residential
18 developments on CLTC trust lands. Additionally, CLTC may allocate One Million
19 Dollars (\$1,000,000) for the renovation of the acquired GICC Clubhouse, directly
20 improving the delivery of government services and reducing overhead expenses.
21 Any additional rent collected will be utilized by the CLTC for further direct
22 community infrastructure and development needs that may encompass a range of
23 CLTC trust property development activities, including surveying land, developing
24 critical infrastructure, renovating public facilities, and providing the engineering
25 and permitting needed - all to be carried out with the approval and prioritization of
26 the CLTC Board.

27 This bill is further intended to support the CLTC’s long-delayed mission.

1 Despite administering over 11,000 acres of trust land, CLTC has issued just 2,900
2 leases, and more than 8,000 eligible applicants remain on the waitlist—many of
3 them waiting decades. A key barrier has been the lack of infrastructure—roads,
4 utilities, surveyed lots—which has rendered most trust lands uninhabitable.

5 I *Liheslaturan Guåhan* further finds that the \$9,000,000 in prepaid lease
6 payments may be utilized to apply for federal Community Development Block
7 Grant – Disaster Recovery (CDBG-DR) funds [administered by Guam Housing
8 and Urban Renewal Authority (GHURA)] in the amount of Forty-Five Million
9 Dollars (\$45,000,000). If approved, this would result in a combined capital stack of
10 Fifty-Four Million Dollars (\$54,000,000) for use in CLTC trust property
11 development activities, including land surveying, infrastructure development,
12 public facility renovations, and engineering and permitting services—subject to
13 CLTC Board approval and project prioritization.

14 The application for CDBG-DR funding under Section 6 of this Act is
15 expected to generate substantial indirect benefits for the island and its people.
16 Indirect benefits include:

- 17 • Stimulating job creation and workforce development in construction,
18 engineering, and environmental compliance;
- 19 • Growing Guam’s tax base through increased Business Privilege Tax (BPT)
20 and real property tax revenues;
- 21 • Encouraging private investment in new residential construction and
22 homeownership opportunities on trust lands;
- 23 • Enhancing community resilience and emergency preparedness through
24 improved public facilities and infrastructure;
- 25 • Strengthening institutional capacity, public trust, and long-term economic
26 growth across Guam.

27 I *Liheslaturan Guåhan* further finds that the application for federal

1 Community Development Block Grant – Disaster Recovery (CDBG-DR) funds
2 [administered by Guam Housing and Urban Renewal Authority (GHURA)]
3 pursuant to this Act is subject to the requirements and objectives set forth in *Title*
4 *24, Code of Federal Regulations (CFR), Part 570*, including but not limited to -
5 *§570.1 (Purpose and primary objective); §570.3 (Definitions, including eligibility*
6 *of insular areas and low- and moderate-income benefit); §570.200 (General*
7 *policies and eligibility of activities); §570.201 (Basic eligible activities); §570.208*
8 *(Criteria for national objectives); §570.420 and §570.440 (Application*
9 *requirements and eligible activities for insular area grants); and other applicable*
10 *provisions of Subpart F (Small Cities, Non-Entitlement CDBG Grants in Hawaii*
11 *and Insular Areas Programs), Subpart K (Other Program Requirements), and*
12 *relevant guidance issued by the U.S. Department of Housing and Urban*
13 *Development.*

14 *I Liheslaturan Guåhan* further finds that both the direct and indirect benefits
15 described in this Act will be significantly amplified through a robust multiplier
16 effect. The multiplier effect refers to the phenomenon where each dollar invested
17 in public infrastructure and community development generates additional
18 economic activity as it circulates through the local economy. For infrastructure and
19 housing investments, the economic multiplier is commonly estimated to range
20 from 1.5 times to 2.5 times the original investment. In practical terms, this means
21 that the \$54 million in combined local and federal investment enabled by this Act
22 is projected to stimulate between \$81 million and \$135 million in total economic
23 activity across Guam.

24 This multiplier effect manifests through several channels:

- 25 • Construction and materials purchases support suppliers and local businesses;
- 26 • Wages paid to construction and service workers are spent locally, boosting
- 27 retail and service sectors;

- Upgraded infrastructure and new housing attract additional private investment and unlock long-term opportunities for economic expansion and community well-being.

Specific Multiplier Benefits:

- Job Creation: Infrastructure and renewable energy projects are labor-intensive. This initiative will generate hundreds of jobs in construction, surveying, engineering, environmental compliance, solar installation, and facility maintenance.
- Tax Revenue Growth: Economic activity will lead to increased collections of Guam’s Business Privilege Tax (BPT), as well as Real Property Taxes when land becomes occupied and improved.
- Stimulated Private Investment: Once infrastructure is in place, private homeowners, contractors, and developers will be incentivized to invest in new residential construction on trust lands, further multiplying economic activity.
- Reduced Government Spending: If the CLTC, Department of Land Management (DLM), and Guam Ancestral Lands Commission (GALC) all co-locate at the GICC clubhouse, the government of Guam will save approximately \$870,000 annually in rent—amounting to more than \$25 million over 30 years. If only the CLTC utilizes the clubhouse, annual rent savings will be \$124,390, totaling more than \$3 million over 30 years. In both cases, these savings will free up General Fund resources for other public priorities.
- Community Resilience: Rehabilitated public facilities and improved infrastructure will enhance emergency response capabilities, reduce vulnerability to disasters, and create safer, more sustainable communities—

1 resulting in long-term cost avoidance and quality of life improvements.

- 2 • Increased Access to Homeownership: By unlocking access to over 370 lots
3 in Yigo and Agat with infrastructure in place, the bill supports long-term
4 family wealth-building through home equity for Chamorro families who
5 have waited decades.

6 Long-Term Institutional Strengthening:

- 7 • The reinvestment of savings and lease proceeds into core CLTC operations,
8 such as surveying, compliance, land management, and facility maintenance,
9 supports institutional modernization and increases public confidence in
10 CLTC's governance.

11 *I Liheslaturan Guåhan* also finds that the proposed project aligns with
12 Guam's aggressive renewable energy mandates under Public Laws 29-62, 35-46,
13 35-145, and 36-137, which collectively set forth the territory's Renewable
14 Portfolio Standards (RPS)—requiring 50% renewable energy by 2035 and 100%
15 by 2045. The solar energy development on this site will provide clean energy for
16 over 45,000 households, reduce water and chemical use from the former golf
17 course, and reinforce Guam's environmental and energy independence goals.

18 It is therefore the intent of *I Liheslaturan Guåhan* to approve the
19 amendments to the lease between the Chamorro Land Trust Commission and
20 Guam International Country Club, Inc., and to authorize the CLTC to utilize the
21 benefits of this amended lease agreement to fulfill its mission.

22 **Section 2. Amendments to Lease.** Notwithstanding 21 GCA §60115, 21
23 GCA §75A122, 21 GCA §75A103 and any other provision of law, *I Liheslaturan*
24 *Guåhan* hereby authorizes, approves and directs the Chamorro Land Trust
25 Commission to make, within 30 days of the enactment of this Act, the following
26 amendments to the subject lease agreement by and between the Chamorro Land
27 Trust Commission as Lessor, and the Guam International Country Club, Inc.,

herein after GICC as Lessee:

(1) The generation, storage and transmission of renewable solar power is hereby added as a permitted use of Lot Number 10122-12, Mogfog, Municipality of Dededo. The permitted commercial uses of the property stated in the lease agreement shall include the generation, storage and transmission of renewable solar power;

(2) The lease term shall be extended through January 31, 2055, and shall provide an option to extend the lease term by an additional two (2) years in the event this extension is necessary on account of regulatory requirements, construction schedules and the requirements of the Guam Power Authority;

(3) In the event the property is used for the generation, storage and transmission of renewable solar power: i) for the purpose of determining the net present value of the future rent that is due until the expiration of the existing lease term to January 31, 2039, the current rental escalation rate of 10% every five years shall be increased to an escalation rate of 12% every five years; and ii) for the purpose of determining the net present value of the future rent that is due under the extended term, the fair market rent payable during the extended term shall be determined by a Member of the Appraisal Institute (MAI) certified and licensed real estate appraiser selected by the Chamorro Land Trust Commission.

(4) In the event the property is used for the generation, storage and transmission of renewable solar power, the Lessee shall pay all rents due under the amended lease in advance at its net present value, to be determined by the MAI certified and licensed real estate appraiser selected by the Chamorro Land Trust and paid for by GICC, utilizing a market based discount rate and shall not be less than Nine Million Dollars (\$9,000,000.00), with 10% paid within 30 days of the date a power purchase agreement is entered into with the Guam Power Authority that will utilize the property for the generation, storage and transmission of

1 renewable solar power and the remaining 90% paid within 30 days of the date solar
2 power is first transmitted to the Guam Power Authority under the power purchase
3 agreement;

4 (5) In the event the property is used for the generation, storage and
5 transmission of renewable solar power, Lessee will not be required to use the
6 property for the operation of a golf course;

7 (6) In the event the property is used for the generation, storage and
8 transmission of renewable solar power, the GICC Club House along with its
9 surrounding property of approximately five (5) acres, shall be designated for the
10 exclusive use of the Chamorro Land Trust Commission which shall have the
11 discretion to make this designated property also available for the use of the
12 Department of Land Management and Guam Ancestral Lands Commission. GICC
13 and the Chamorro Land Trust Commission shall survey and parcel out from the
14 leased property the land on which the GICC Club House is situated and the
15 surrounding five (5) acres of land so that the parceled out land is a separate and
16 distinct lot that would be suitable to support any credit facility that the Chamorro
17 Land Trust Commission may seek for the purpose of renovating the GICC Club
18 House. The land parceled out will be removed from the premises leased to GICC
19 under the lease agreement;

20 (7) All components of the solar panels used for the solar farm must be free
21 of per- and polyfluoroalkyl substances. Additionally, the Lessee shall remove the
22 components associated with the solar farm at the end of the lease agreement. The
23 removal shall be recycled and shall not be disposed of in Guam's landfill;

24 (8) The Lessee shall provide a monetary guarantee, such as a cash deposit or
25 performance bond, to ensure the financial security of the Lessor and the proper
26 removal of the components associated with the solar farm at the end of the lease
27 agreement and the timely payment of rent. The Lessee shall provide an assessment

1 of the potential costs associated with the removal of components and any potential
2 site restoration to determine the amount of the monetary guarantee. The assessment
3 will serve as a basis for determining the amount, considering factors such as
4 equipment removal, land remediation and restoration, any necessary repairs and
5 the value of rent payments;

6 (9) The Chamorro Land Trust Commission shall be responsible for the
7 overhead maintenance costs of the facilities and ground of the GICC Club House
8 in the event these are dedicated for Chamorro Land Trust Commission use.

9 (10) The Lessee shall comply with all applicable building codes,
10 environmental regulations, and federal rules and regulations related to building
11 construction and environmental protection, including but not limited to the
12 International Building Code, Americans with Disabilities Act, Clean Water Act,
13 Clean Air Act, National Environmental Policy Act, Resource Conservation and
14 Recovery Act and all applicable rules and regulations regarding the protection of
15 endangered species as enforced by Guam and the United States, throughout the
16 lease agreement; and

17 (11) Until such time the net present value of the accelerated rent is paid in
18 full, lessee shall continue to pay monthly rent in accordance with the lease
19 agreement.

20 (12) The foregoing amendments shall take effect upon the advanced
21 payment of all deferred rent that remains due, if any, under GICC's pandemic
22 payment plan.

23 (13) In the event GICC elects not to use the property for the generation,
24 storage and transmission of renewable solar power the provisions of Sections 2, 4,
25 5 and 6 of this Act shall be null and void, and the property shall continue to be
26 operated and maintained as a golf course, and to restore as a golf course consistent
27 with its original intended use under the existing lease agreement.

1 **Section 3. Ratification of Lease.** Notwithstanding 21 GCA §60115, 21
2 GCA §75A122, 21 GCA §75A103 and any other provision of law, *I Liheslaturan*
3 *Guåhan* hereby ratifies the lease agreement by and between the Chamorro Land
4 Trust and Guam International Country Club, Inc. dated April 1, 2014, affecting Lot
5 Number 10122-12, Mogfog, Municipality of Dededo and all amendments thereto
6 that are made in accordance with this Act.

7 **Section 4. Allocation of Rent Collected.** Subject to the discretion and
8 approval of the Chamorro Land Trust Commission (CLTC) the accelerated rent
9 collected may be allocated as follows: 1) Seven Million Dollars (\$7,000,000.00)
10 shall be applied towards the survey and infrastructure costs for the 166 lots of
11 Tract 10123 in the Municipality of Yigo or, at the discretion of the Chamorro Land
12 Trust Commission, on another priority project or projects and in the amounts it
13 deems appropriate; 2) One Million Dollars (\$1,000,000.00) shall be applied
14 towards the water line extension and the clearing and grading of right of way costs
15 for the 211 lots of Tract 319 - Unit 3, Municipality of Agat or, at the discretion of
16 the Chamorro Land Trust Commission, on another priority project or projects and
17 in the amounts it deems appropriate; 3) One Million Dollars (\$1,000,0000.00) shall
18 be applied towards the cost of renovating the GICC clubhouse; and 4) any
19 additional rent collected shall be utilized in the manner and amounts deemed
20 appropriate by Chamorro Land Trust Commission.

21 This includes CLTC trust property development activities such as land
22 surveying, building out essential infrastructure, renovating public facilities, and
23 carrying out necessary engineering and permitting work—all subject to the
24 approval and project priorities set by the CLTC Board.

25 **Section 5. Facility Transfer and Shared Use Authorization.** Subject to
26 the discretion and approval of the Chamorro Land Trust Commission (CLTC), *I*
27 *Liheslaturan Guåhan* hereby authorizes the CLTC to accept, at no cost, the transfer

1 and exclusive use of the GICC Clubhouse—an asset valued between Seven Million
2 Dollars (\$7,000,000) and Eight Million Dollars (\$8,000,000)—along with five (5)
3 surrounding acres, as offered by the Guam International Country Club, Inc.
4 (GICC) under the amended lease agreement authorized by this Act. At the
5 discretion of the CLTC Board, the Department of Land Management (DLM) and
6 the Guam Ancestral Lands Commission (GALC) may be authorized to co-locate
7 within the transferred facility. The co-location of these agencies is intended to
8 eliminate duplicative lease payments currently borne by the government of Guam
9 and may result in estimated cost savings of up to Eight Hundred Seventy Thousand
10 Dollars (\$870,000) annually, or more than Twenty-Five Million Dollars
11 (\$25,000,000) over a thirty (30) year period, if all three agencies utilize the facility
12 as their administrative headquarters.

13 **Section 6. Infrastructure Investment and Federal Grant Application**

14 **Authorization.** Subject to the discretion and approval of the Chamorro Land
15 Trust Commission (CLTC), Nine Million Dollars (\$9,000,000) in prepaid lease
16 payments received pursuant to this Act may be designated as local equity to be
17 utilized to apply for federal Community Development Block Grant – Disaster
18 Recovery (CDBG-DR) funds [administered by Guam Housing and Urban Renewal
19 Authority (GHURA)] in the amount of Forty-Five Million Dollars (\$45,000,000).
20 If awarded, this would create a combined capital stack of Fifty-Four Million
21 Dollars (\$54,000,000).

22 These funds shall be utilized for CLTC trust property development activities
23 including, but not limited to land surveying, infrastructure development (such as
24 road access, water, and power utilities), public facility renovations, and required
25 engineering and permitting services. The Chamorro Land Trust Commission
26 (CLTC) shall determine the final allocation and prioritization of projects funded by
27 this capital stack. Among the immediate priority sites eligible for funding

consideration are:

(a) Tract 10123, Municipality of Yigo, containing approximately one hundred sixty-six (166) residential lots; and

(b) Tract 319 – Unit 3, Municipality of Agat, containing approximately two hundred eleven (211) residential lots.

Section 7. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

Section 8. Effective Date. This Act shall be effective upon enactment.

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 135-38 (COR)

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

Introduced by:

Joe S. San Agustin
William A. Parkinson
Eulogio Shawn Gumataotao

**AN ACT TO AMEND THE CHAMORRO LAND TRUST
LEASE AGREEMENT WITH THE GUAM
INTERNATIONAL COUNTRY CLUB,
INCORPORATED.**

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I Liheslaturan Guåhan further finds that this proposal offers an

1 unprecedented opportunity in the history of the CLTC. The lessee has agreed to
2 prepayment of all rent due under the amended lease, to be valued at not less than
3 Nine Million Dollars (\$9,000,000) based on a net present value calculation by a
4 certified appraiser. Additionally, GICC will make available, at no cost, the GICC
5 Clubhouse—an asset valued between \$7 to \$8 million—and five (5) surrounding
6 acres for the exclusive use of the CLTC.

7 *I Liheslaturan Guåhan* also finds that the proposed project aligns with
8 Guam’s aggressive renewable energy mandates under Public Laws 29-62, 35-46,
9 35-145, and 36-137, which collectively set forth the territory’s Renewable
10 Portfolio Standards (RPS)—requiring 50% renewable energy by 2035 and 100%
11 by 2045. The solar energy development on this site will provide clean energy for
12 over 45,000 households, reduce water and chemical use from the former golf
13 course, and reinforce Guam’s environmental and energy independence goals.

14 It is therefore the intent of *I Liheslaturan Guåhan* to approve the
15 amendments to the lease between the Chamorro Land Trust Commission and
16 Guam International Country Club, Inc., and to authorize the CLTC to utilize the
17 benefits of this amended lease agreement to fulfill its mission.

18 **Section 2. Amendments to Lease.** Notwithstanding 21 GCA §60115, 21
19 GCA §75A122, 21 GCA §75A103 and any other provision of law, *I Liheslaturan*
20 *Guåhan* hereby authorizes, approves and directs the Chamorro Land Trust
21 Commission to make, within 30 days of the enactment of this Act, the following
22 amendments to the subject lease agreement by and between the Chamorro Land
23 Trust Commission as Lessor, and the Guam International Country Club, Inc.,
24 herein after GICC as Lessee:(1) The generation, storage and transmission of
25 renewable solar power is hereby added as a permitted use of Lot Number 10122-
26 12, Mogfog, Municipality of Dededo. The permitted commercial uses of the
27 property stated in the lease agreement shall include the generation, storage and

1 transmission of renewable solar power;

2 (2) The lease term shall be extended through January 31, 2055, and shall
3 provide an option to extend the lease term by an additional two (2) years in the
4 event this extension is necessary on account of regulatory requirements,
5 construction schedules and the requirements of the Guam Power Authority;

6 (3) In the event the property is used for the generation, storage and
7 transmission of renewable solar power: *i)* for the purpose of determining the net
8 present value of the future rent that is due until the expiration of the existing lease
9 term to January 31, 2039, the current rental escalation rate of 10% every five years
10 shall be increased to an escalation rate of 12% every five years; and *ii)* for the
11 purpose of determining the net present value of the future rent that is due under the
12 extended term, the fair market rent payable during the extended term shall be
13 determined by a Member of the Appraisal Institute (MAI) certified and licensed
14 real estate appraiser selected by the Chamorro Land Trust Commission.

15 (4) In the event the property is used for the generation, storage and
16 transmission of renewable solar power, the Lessee shall pay all rents due under the
17 amended lease in advance at its net present value, to be determined by the MAI
18 certified and licensed real estate appraiser selected by the Chamorro Land Trust
19 and paid for by GICC, utilizing a market based discount rate and shall not be less
20 than Nine Million Dollars (\$9,000,000.00), with 10% paid within 30 days of the
21 date a power purchase agreement is entered into with the Guam Power Authority
22 that will utilize the property for the generation, storage and transmission of
23 renewable solar power and the remaining 90% paid within 30 days of the date solar
24 power is first transmitted to the Guam Power Authority under the power purchase
25 agreement;

26 (5) In the event the property is used for the generation, storage and
27 transmission of renewable solar power, Lessee will not be required to use the

1 property for the operation of a golf course;

2 (6) In the event the property is used for the generation, storage and
3 transmission of renewable solar power, the GICC Club House along with its
4 surrounding property of approximately five (5) acres, shall be maintained by GICC
5 and designated for the exclusive use of the Chamorro Land Trust Commission
6 which shall have the discretion to make this designated property also available for
7 the use of the Department of Land Management and Guam Ancestral Lands
8 Commission. GICC and the Chamorro Land Trust Commission shall survey and
9 parcel out from the leased property the land on which the GICC Club House is
10 situated and the surrounding five (5) acres of land so that the parceled-out land is a
11 separate and distinct lot that would be suitable to support any credit facility that the
12 Chamorro Land Trust Commission may seek for the purpose of renovating the
13 GICC Club House. The land parceled out will be removed from the premises
14 leased to GICC under the lease agreement;

15 (7) All components of the solar panels used for the solar farm must be free
16 of per- and polyfluoroalkyl substances. Additionally, the Lessee shall remove the
17 components associated with the solar farm at the end of the lease agreement. The
18 removal shall be recycled and shall not be disposed of in Guam's landfill;

19 (8) The Lessee shall provide a monetary guarantee, such as a cash deposit or
20 performance bond, to ensure the financial security of the Lessor and the proper
21 removal of the components associated with the solar farm at the end of the lease
22 agreement and the timely payment of rent. The cash deposit or performance bond
23 shall be for the duration of the lease for the removal of the components. The
24 Lessee shall provide an assessment of the potential costs associated with the
25 removal of components and any potential site restoration to determine the amount
26 of the monetary guarantee. The assessment will serve as a basis for determining the
27 amount, considering factors such as equipment removal, land remediation and

1 restoration, any necessary repairs and the value of rent payments;

2 (9) The Chamorro Land Trust Commission shall be responsible for the
3 overhead maintenance costs of the facilities of the GICC Club House in the event
4 these are dedicated for Chamorro Land Trust Commission use.

5 (10) The Lessee shall comply with all applicable building codes,
6 environmental regulations, and federal rules and regulations related to building
7 construction and environmental protection, including but not limited to the
8 International Building Code, Americans with Disabilities Act, Clean Water Act,
9 Clean Air Act, National Environmental Policy Act, Resource Conservation and
10 Recovery Act and all applicable rules and regulations regarding the protection of
11 endangered species as enforced by Guam and the United States, throughout the
12 lease agreement; and

13 (11) Until such time the net present value of the accelerated rent is paid in
14 full, lessee shall continue to pay monthly rent in accordance with the lease
15 agreement.

16 (12) The foregoing amendments shall take effect upon the advanced
17 payment of all deferred rent that remains due, if any, under GICC's pandemic
18 payment plan.

19 (13) In the event GICC elects not to use the property for the generation,
20 storage and transmission of renewable solar power the provisions of Sections 2, 4,
21 5 and 6 of this Act shall be null and void, and the property shall continue to be
22 operated and maintained as a golf course, and to restore as a golf course consistent
23 with its original intended use under the existing lease agreement.

24 **Section 3.** Based on the position adopted in its June 17, 2025 meeting, the
25 CLTC may require any of the following in the lease agreement:

26 1 . Accept NPV no less than Nine Million Five Hundred Thousand

27 2. Amendments to the Lease and proposed conditions:

1 a. Extend lease term up to January 31, 2055.

2 b. Extension around current lease and rent escalation every five years
3 starting February 1, 2028 at 12%.

4 c. GICC agrees to settle any outstanding rent and real property tax by
5 October 2026. However, if the Bill is duly enacted into law there is the thirty
6 (30) day trigger, whichever comes first.

7 d. 10% of the remaining lease payments will be paid within thirty (30)
8 days after a power purchase agreement is signed with Guam Power
9 Authority to use the property for solar energy. The remaining 90% will be
10 paid within thirty (30) days after solar power is first delivered to Guam
11 Power Authority under that agreement.

12 e. Real Estate appraiser to be selected by the CLTC and paid for by
13 Lessee.

14 f. Secure a performance or surety bond naming CLTC as the
15 beneficiary. With amount being determined at a later date.

16 g. If GICC cannot meet these conditions the proposed amendments
17 and extensions will be deemed void.

18 **Section 4. Conditions based on testimony received at the Public Hearing**
19 **on Bill No. 135-38(COR):**

20 (a) Reporting to the CLTC, the Speaker of *I Liheslaturan Guåhan* and
21 *I Maga Haga Guåhan*, by June 30th of each year, by GICC, the amount of all
22 income tax credits reported on its income tax returns for the previous tax
23 year,

24 (b) Reporting to the Guam Environmental Protection Agency, the
25 CLTC, the Speaker of *I Liheslaturan Guåhan* and *I Maga Haga Guåhan*,
26 within thirty (30) days following removal from service, and parts and
27 equipment used for solar power generation or storage of electricity, the

1 means of disposal and disposition of such parts and equipment.

2 (c) Any willful or negligent act by the lessee to violate the
3 environmental, archeological or historic preservation laws of Guam or the
4 United States is to be considered as a breach of the lease agreement.

5 **Section 5. Authorization to Substitute Alternate Site:** Notwithstanding
6 the lots designated in Section 6 of this Act, the CLTC may, subject to approval of *I*
7 *Liheslaturan Guåhan* and the lessee, substitute another CLTC lot(s) for the
8 construction of the solar farm.

9 **Section 6. Ratification of Lease.** Notwithstanding 21 GCA §60115, 21
10 GCA §75A122, 21 GCA §75A103 and any other provision of law, *I Liheslaturan*
11 *Guåhan* hereby ratifies the lease agreement by and between the Chamorro Land
12 Trust and Guam International Country Club, Inc. dated April 1, 2014, affecting Lot
13 Number 10122-12, Mogfog, Municipality of Dededo and all amendments thereto
14 that are made in accordance with this Act.

15 **Section 7. Infrastructure Investment.** Subject to the discretion and
16 approval of the Chamorro Land Trust Commission (CLTC), Nine Million Dollars
17 (\$9,000,000) in prepaid lease payments received pursuant to this Act may be
18 utilized for CLTC trust property development activities including, but not limited
19 to land surveying, infrastructure development (such as road access, water, and
20 power utilities), public facility renovations, and required engineering and
21 permitting services. The Chamorro Land Trust Commission (CLTC) shall
22 determine the final allocation and prioritization of projects funded. The immediate
23 priority sites eligible for funding consideration are

24 (a) Tract 10123, Municipality of Yigo, containing approximately one
25 hundred sixty-six (166) residential lots; and

26 (b) Tract 319 – Unit 3, Municipality of Agat, containing
27 approximately two hundred eleven (211) residential lots.

1 **Section 8. Severability.** If any provision of this Act or its application to any
2 person or circumstance is found to be invalid or contrary to law, such invalidity
3 shall not affect other provisions or applications of this Act that can be given effect
4 without the invalid provision or application, and to this end the provisions of this
5 Act are severable.

6 **Section 9. Effective Date.** This Act shall be effective upon enactment.

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 135-38 (COR)

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

Introduced by:

Joe S. San Agustin
William A. Parkinson
Eulogio Shawn Gumataotao

**AN ACT TO AMEND THE CHAMORRO LAND TRUST
LEASE AGREEMENT WITH THE GUAM
INTERNATIONAL COUNTRY CLUB,
INCORPORATED.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Lot Number 10122-12, located in the Municipality of Dededo, is a trust property under a commercial lease agreement executed on April 1, 2014, between the Chamorro Land Trust Commission (CLTC), as lessor, and the Guam International Country Club, Inc. (GICC), as lessee. The lease was recorded on April 4, 2014, under Document No. 863522. The current lease includes a 10% escalation clause every five (5) years and is estimated to generate \$4,961,735 in rent through January 31, 2039. However, GICC has proposed amendments to the lease that would provide accelerated rent payments, increased escalation rates, and an extension of the lease term in exchange for allowing the use of the property for the generation, storage, and transmission of renewable solar energy.

I Liheslaturan Guåhan further finds that this proposal offers an unprecedented opportunity in the history of the CLTC. The lessee has agreed to

1 prepayment of all rent due under the amended lease, to be valued at not less than
2 Nine Million Dollars (\$9,000,000) based on a net present value calculation by a
3 certified appraiser. Additionally, GICC will make available, at no cost, the GICC
4 Clubhouse—an asset valued between \$7 to \$8 million—and five (5) surrounding
5 acres for the exclusive use of the CLTC. ~~At CLTC's discretion, the Department of~~
6 ~~Land Management (DLM) and the Guam Ancestral Lands Commission (GALC)~~
7 ~~may co-locate within the facility. This will eliminate current and future rent~~
8 ~~payments to private landlords, saving up to \$870,000 annually, or more than \$25~~
9 ~~million over 30 years if all three agencies utilize the facility.~~

10 ~~I Liheslaturan Guåhan further finds that the accelerated rent payments and~~
11 ~~the allocation of these funds under Section 4 of this Act will generate substantial~~
12 ~~direct benefits for the people of Guam. With the approval of the CLTC, the~~
13 ~~allocation of at least Seven Million Dollars (\$7,000,000) for the survey and~~
14 ~~infrastructure costs of Tract 10123 in Yigo (166 lots), and at least One Million~~
15 ~~Dollars (\$1,000,000) for the water line extension and right of way preparation for~~
16 ~~Tract 319 in Agat (211 lots), will immediately advance long stalled residential~~
17 ~~developments on CLTC trust lands. Additionally, CLTC may allocate One Million~~
18 ~~Dollars (\$1,000,000) for the renovation of the acquired GICC Clubhouse, directly~~
19 ~~improving the delivery of government services and reducing overhead expenses.~~
20 ~~Any additional rent collected will be utilized by the CLTC for further direct~~
21 ~~community infrastructure and development needs that may encompass a range of~~
22 ~~CLTC trust property development activities, including surveying land, developing~~
23 ~~critical infrastructure, renovating public facilities, and providing the engineering~~
24 ~~and permitting needed—all to be carried out with the approval and prioritization of~~
25 ~~the CLTC Board.~~

26 ~~This bill is further intended to support the CLTC's long delayed mission.~~
27 ~~Despite administering over 11,000 acres of trust land, CLTC has issued just 2,900~~

1 leases, and more than 8,000 eligible applicants remain on the waitlist—many of
2 them waiting decades. A key barrier has been the lack of infrastructure—roads,
3 utilities, surveyed lots—which has rendered most trust lands uninhabitable.

4 ~~I Liheslaturan Guåhan~~ further finds that the \$9,000,000 in prepaid lease
5 payments may be utilized to apply for federal Community Development Block
6 Grant—Disaster Recovery (CDBG-DR) funds [administered by Guam Housing
7 and Urban Renewal Authority (GHURA)] in the amount of Forty Five Million
8 Dollars (\$45,000,000). If approved, this would result in a combined capital stack of
9 Fifty Four Million Dollars (\$54,000,000) for use in CLTC trust property
10 development activities, including land surveying, infrastructure development,
11 public facility renovations, and engineering and permitting services—subject to
12 CLTC Board approval and project prioritization.

13 The application for CDBG-DR funding under Section 6 of this Act is
14 expected to generate substantial indirect benefits for the island and its people.
15 Indirect benefits include:

- 16 • ~~Stimulating job creation and workforce development in construction,~~
17 ~~engineering, and environmental compliance;~~
- 18 • ~~Growing Guam’s tax base through increased Business Privilege Tax~~
19 ~~(BPT) and real property tax revenues;~~
- 20 • ~~Encouraging private investment in new residential construction and~~
21 ~~homeownership opportunities on trust lands;~~
- 22 • ~~Enhancing community resilience and emergency preparedness~~
23 ~~through improved public facilities and infrastructure;~~
- 24 • ~~Strengthening institutional capacity, public trust, and long-term~~
25 ~~economic growth across Guam.~~

26 ~~I Liheslaturan Guåhan~~ further finds that the application for federal
27 Community Development Block Grant—Disaster Recovery (CDBG-DR) funds

1 ~~[administered by Guam Housing and Urban Renewal Authority (GHURA)]~~
2 ~~pursuant to this Act is subject to the requirements and objectives set forth in Title~~
3 ~~24, Code of Federal Regulations (CFR), Part 570, including but not limited to~~
4 ~~§570.1 (Purpose and primary objective); §570.3 (Definitions, including eligibility~~
5 ~~of insular areas and low and moderate income benefit); §570.200 (General~~
6 ~~policies and eligibility of activities); §570.201 (Basic eligible activities); §570.208~~
7 ~~(Criteria for national objectives); §570.420 and §570.440 (Application~~
8 ~~requirements and eligible activities for insular area grants); and other applicable~~
9 ~~provisions of Subpart F (Small Cities, Non Entitlement CDBG Grants in Hawaii~~
10 ~~and Insular Areas Programs), Subpart K (Other Program Requirements), and~~
11 ~~relevant guidance issued by the U.S. Department of Housing and Urban~~
12 ~~Development.~~

13 ~~I Liheslaturan Guåhan further finds that both the direct and indirect benefits~~
14 ~~described in this Act will be significantly amplified through a robust multiplier~~
15 ~~effect. The multiplier effect refers to the phenomenon where each dollar invested~~
16 ~~in public infrastructure and community development generates additional~~
17 ~~economic activity as it circulates through the local economy. For infrastructure and~~
18 ~~housing investments, the economic multiplier is commonly estimated to range~~
19 ~~from 1.5 times to 2.5 times the original investment. In practical terms, this means~~
20 ~~that the \$54 million in combined local and federal investment enabled by this Act~~
21 ~~is projected to stimulate between \$81 million and \$135 million in total economic~~
22 ~~activity across Guam.~~

23 ~~This multiplier effect manifests through several channels:~~

- 24 ~~• Construction and materials purchases support suppliers and local businesses;~~
- 25 ~~• Wages paid to construction and service workers are spent locally, boosting~~
26 ~~retail and service sectors;~~
- 27 ~~• Upgraded infrastructure and new housing attract additional private~~

investment and unlock long term opportunities for economic expansion and community well being.

Specific Multiplier Benefits:

- ~~Job Creation: Infrastructure and renewable energy projects are labor-intensive. This initiative will generate hundreds of jobs in construction, surveying, engineering, environmental compliance, solar installation, and facility maintenance.~~
- ~~Tax Revenue Growth: Economic activity will lead to increased collections of Guam's Business Privilege Tax (BPT), as well as Real Property Taxes when land becomes occupied and improved.~~
- ~~Stimulated Private Investment: Once infrastructure is in place, private homeowners, contractors, and developers will be incentivized to invest in new residential construction on trust lands, further multiplying economic activity.~~
- ~~Reduced Government Spending: If the CLTC, Department of Land Management (DLM), and Guam Ancestral Lands Commission (GALC) all co-locate at the GICC clubhouse, the government of Guam will save approximately \$870,000 annually in rent amounting to more than \$25 million over 30 years. If only the CLTC utilizes the clubhouse, annual rent savings will be \$124,390, totaling more than \$3 million over 30 years. In both cases, these savings will free up General Fund resources for other public priorities.~~
- ~~Community Resilience: Rehabilitated public facilities and improved infrastructure will enhance emergency response capabilities, reduce vulnerability to disasters, and create safer, more sustainable communities—resulting in long term cost avoidance and quality of life improvements.~~

~~• Increased Access to Homeownership: By unlocking access to over 370 lots in Yigo and Agat with infrastructure in place, the bill supports long term family wealth building through home equity for Chamorro families who have waited decades.~~

~~— Long Term Institutional Strengthening:~~

~~• The reinvestment of savings and lease proceeds into core CLTC operations, such as surveying, compliance, land management, and facility maintenance, supports institutional modernization and increases public confidence in CLTC's governance.~~

I Liheslaturan Guåhan also finds that the proposed project aligns with Guam's aggressive renewable energy mandates under Public Laws 29-62, 35-46, 35-145, and 36-137, which collectively set forth the territory's Renewable Portfolio Standards (RPS)—requiring 50% renewable energy by 2035 and 100% by 2045. The solar energy development on this site will provide clean energy for over 45,000 households, reduce water and chemical use from the former golf course, and reinforce Guam's environmental and energy independence goals.

It is therefore the intent of *I Liheslaturan Guåhan* to approve the amendments to the lease between the Chamorro Land Trust Commission and Guam International Country Club, Inc., and to authorize the CLTC to utilize the benefits of this amended lease agreement to fulfill its mission.

Section 2. Amendments to Lease. Notwithstanding 21 GCA §60115, 21 GCA §75A122, 21 GCA §75A103 and any other provision of law, *I Liheslaturan Guåhan* hereby authorizes, approves and directs the Chamorro Land Trust Commission to make, within 30 days of the enactment of this Act, the following amendments to the subject lease agreement by and between the Chamorro Land Trust Commission as Lessor, and the Guam International Country Club, Inc., herein after GICC as Lessee:

1 ~~(4)~~ (1) The generation, storage and transmission of renewable solar power is
2 hereby added as a permitted use of Lot Number 10122-12, Mogfog, Municipality
3 of Dededo. The permitted commercial uses of the property stated in the lease
4 agreement shall include the generation, storage and transmission of renewable
5 solar power;

6 (2) The lease term shall be extended through January 31, 2055, and shall
7 provide an option to extend the lease term by an additional two (2) years in the
8 event this extension is necessary on account of regulatory requirements,
9 construction schedules and the requirements of the Guam Power Authority;

10 (3) In the event the property is used for the generation, storage and
11 transmission of renewable solar power: *i*) for the purpose of determining the net
12 present value of the future rent that is due until the expiration of the existing lease
13 term to January 31, 2039, the current rental escalation rate of 10% every five years
14 shall be increased to an escalation rate of 12% every five years; and *ii*) for the
15 purpose of determining the net present value of the future rent that is due under the
16 extended term, the fair market rent payable during the extended term shall be
17 determined by a Member of the Appraisal Institute (MAI) certified and licensed
18 real estate appraiser selected by the Chamorro Land Trust Commission.

19 (4) In the event the property is used for the generation, storage and
20 transmission of renewable solar power, the Lessee shall pay all rents due under the
21 amended lease in advance at its net present value, to be determined by the MAI
22 certified and licensed real estate appraiser selected by the Chamorro Land Trust
23 and paid for by GICC, utilizing a market based discount rate and shall not be less
24 than Nine Million Dollars (\$9,000,000.00), with 10% paid within 30 days of the
25 date a power purchase agreement is entered into with the Guam Power Authority
26 that will utilize the property for the generation, storage and transmission of
27 renewable solar power and the remaining 90% paid within 30 days of the date solar

1 power is first transmitted to the Guam Power Authority under the power purchase
2 agreement;

3 (5) In the event the property is used for the generation, storage and
4 transmission of renewable solar power, Lessee will not be required to use the
5 property for the operation of a golf course;

6 (6) In the event the property is used for the generation, storage and
7 transmission of renewable solar power, the GICC Club House along with its
8 surrounding property of approximately five (5) acres, shall be maintained by GICC
9 and designated for the exclusive use of the Chamorro Land Trust Commission
10 which shall have the discretion to make this designated property also available for
11 the use of the Department of Land Management and Guam Ancestral Lands
12 Commission. GICC and the Chamorro Land Trust Commission shall survey and
13 parcel out from the leased property the land on which the GICC Club House is
14 situated and the surrounding five (5) acres of land so that the ~~parceled-out~~
15 parceled-out land is a separate and distinct lot that would be suitable to support any
16 credit facility that the Chamorro Land Trust Commission may seek for the purpose
17 of renovating the GICC Club House. The land parceled out will be removed from
18 the premises leased to GICC under the lease agreement;

19 (7) All components of the solar panels used for the solar farm must be free
20 of per- and polyfluoroalkyl substances. Additionally, the Lessee shall remove the
21 components associated with the solar farm at the end of the lease agreement. The
22 removal shall be recycled and shall not be disposed of in Guam's landfill;

23 (8) The Lessee shall provide a monetary guarantee, such as a cash deposit or
24 performance bond, to ensure the financial security of the Lessor and the proper
25 removal of the components associated with the solar farm at the end of the lease
26 agreement and the timely payment of rent. The cash deposit or performance bond
27 shall be for the duration of the lease for the removal of the components. The

1 Lessee shall provide an assessment of the potential costs associated with the
2 removal of components and any potential site restoration to determine the amount
3 of the monetary guarantee. The assessment will serve as a basis for determining the
4 amount, considering factors such as equipment removal, land remediation and
5 restoration, any necessary repairs and the value of rent payments;

6 (9) The Chamorro Land Trust Commission shall be responsible for the
7 overhead maintenance costs of the facilities ~~and ground~~ of the GICC Club House
8 in the event these are dedicated for Chamorro Land Trust Commission use.

9 (10) The Lessee shall comply with all applicable building codes,
10 environmental regulations, and federal rules and regulations related to building
11 construction and environmental protection, including but not limited to the
12 International Building Code, Americans with Disabilities Act, Clean Water Act,
13 Clean Air Act, National Environmental Policy Act, Resource Conservation and
14 Recovery Act and all applicable rules and regulations regarding the protection of
15 endangered species as enforced by Guam and the United States, throughout the
16 lease agreement; and

17 (11) Until such time the net present value of the accelerated rent is paid in
18 full, lessee shall continue to pay monthly rent in accordance with the lease
19 agreement.

20 (12) The foregoing amendments shall take effect upon the advanced
21 payment of all deferred rent that remains due, if any, under GICC's pandemic
22 payment plan.

23 (13) In the event GICC elects not to use the property for the generation,
24 storage and transmission of renewable solar power the provisions of Sections 2, 4,
25 5 and 6 of this Act shall be null and void, and the property shall continue to be
26 operated and maintained as a golf course, and to restore as a golf course consistent
27 with its original intended use under the existing lease agreement.

1 **Section 3.** Based on the position adopted in its June 17, 2025 meeting, the
2 **CLTC may require any of the following in the lease agreement:**

3 **1 . Accept NPV no less than Nine Million Five Hundred Thousand**

4 **2. Amendments to the Lease and proposed conditions:**

5 **a. Extend lease term up to January 31, 2055.**

6 **b. Extension around current lease and rent escalation every five years**
7 **starting February 1, 2028 at 12%.**

8 **c. GICC agrees to settle any outstanding rent and real property taxes**
9 **by October 2026. However, if the Bill is duly enacted into law there is the**
10 **thirty (30) day trigger, whichever comes first.**

11 **d. 10% of the remaining lease payments will be paid within thirty (30)**
12 **days after a power purchase agreement is signed with Guam Power**
13 **Authority to use the property for solar energy. The remaining 90% will be**
14 **paid within thirty (30) days after solar power is first delivered to Guam**
15 **Power Authority under that agreement.**

16 **e. Real Estate appraiser to be selected by the CLTC and paid for by**
17 **Lessee.**

18 **f. Secure a performance or surety bond naming CLTC as the**
19 **beneficiary. With amount being determined at a later date.**

20 **g. If GICC cannot meet these conditions the proposed amendments**
21 **and extensions will be deemed void.**

22
23 **Section 4. Conditions based on testimony received at the Public Hearing**
24 **on Bill No. 135-38(COR):**

25 **(a) Reporting to the CLTC, the Speaker of *I Liheslaturan Guåhan* and**
26 ***I Maga Haga Guåhan*, by June 30th of each year, by GICC, the amount of all**
27 **income tax credits reported on its income tax returns for the previous tax**

1 year,

2 (b) Reporting to the Guam Environmental Protection Agency, the
3 CLTC, the Speaker of *I Liheslaturan Guåhan* and *I Maga Haga Guåhan*,
4 within thirty (30) days following removal from service, and parts and
5 equipment used for solar power generation or storage of electricity, the
6 means of disposal and disposition of such parts and equipment.

7 (c) Any willful or negligent act by the lessee to violate the
8 environmental, archeological or historic preservation laws of Guam or the
9 United States is to be considered as a breach of the lease agreement.

10 **Section 5. Authorization to Substitute Alternate Site:** Notwithstanding
11 the lots designated in Section 6 of this Act, the CLTC may, subject to approval of *I*
12 *Liheslaturan Guåhan* and the lessee, substitute another CLTC lot(s) for the
13 construction of the solar farm.

14 **Section-3.6. Ratification of Lease.** Notwithstanding 21 GCA §60115, 21
15 GCA §75A122, 21 GCA §75A103 and any other provision of law, *I Liheslaturan*
16 *Guåhan* hereby ratifies the lease agreement by and between the Chamorro Land
17 Trust and Guam International Country Club, Inc. dated April 1, 2014, affecting Lot
18 Number 10122-12, Mogfog, Municipality of Dededo and all amendments thereto
19 that are made in accordance with this Act.

20 ~~**Section 4. Allocation of Rent Collected.** Subject to the discretion and~~
21 ~~approval of the Chamorro Land Trust Commission (CLTC) the accelerated rent~~
22 ~~collected may be allocated as follows: 1) Seven Million Dollars (\$7,000,000.00)~~
23 ~~shall be applied towards the survey and infrastructure costs for the 166 lots of~~
24 ~~Traet 10123 in the Municipality of Yigo or, at the discretion of the Chamorro Land~~
25 ~~Trust Commission, on another priority project or projects and in the amounts it~~
26 ~~deems appropriate; 2) One Million Dollars (\$1,000,000.00) shall be applied~~
27 ~~towards the water line extension and the clearing and grading of right of way costs~~

1 for the 211 lots of Tract 319 Unit 3, Municipality of Agat or, at the discretion of
2 the Chamorro Land Trust Commission, on another priority project or projects and
3 in the amounts it deems appropriate; 3) One Million Dollars (\$1,000,000.00) shall
4 be applied towards the cost of renovating the GICC clubhouse; and 4) any
5 additional rent collected shall be utilized in the manner and amounts deemed
6 appropriate by Chamorro Land Trust Commission.

7 This includes CLTC trust property development activities such as land surveying,
8 building out essential infrastructure, renovating public facilities, and carrying out
9 necessary engineering and permitting work—all subject to the approval and project
10 priorities set by the CLTC Board.

11 **~~Section 5. Facility Transfer and Shared Use Authorization.~~** Subject to
12 the discretion and approval of the Chamorro Land Trust Commission (CLTC), *I*
13 *Liheslaturan Guåhan* hereby authorizes the CLTC to accept, at no cost, the transfer
14 and exclusive use of the GICC Clubhouse—an asset valued between Seven Million
15 Dollars (\$7,000,000) and Eight Million Dollars (\$8,000,000)—along with five (5)
16 surrounding acres, as offered by the Guam International Country Club, Inc.
17 (GICC) under the amended lease agreement authorized by this Act. At the
18 discretion of the CLTC Board, the Department of Land Management (DLM) and
19 the Guam Ancestral Lands Commission (GALC) may be authorized to co-locate
20 within the transferred facility. The co-location of these agencies is intended to
21 eliminate duplicative lease payments currently borne by the government of Guam
22 and may result in estimated cost savings of up to Eight Hundred Seventy Thousand
23 Dollars (\$870,000) annually, or more than Twenty-Five Million Dollars
24 (\$25,000,000) over a thirty (30) year period, if all three agencies utilize the facility
25 as their administrative headquarters.

26 **~~Section 76. Infrastructure Investment and Federal Grant Application~~**
27 **~~Authorization.~~** Subject to the discretion and approval of the Chamorro Land

1 Trust Commission (CLTC), Nine Million Dollars (\$9,000,000) in prepaid lease
2 payments received pursuant to this Act ~~may be designated as local equity to be~~
3 ~~utilized to apply for federal Community Development Block Grant Disaster~~
4 ~~Recovery (CDBG-DR) funds [administered by Guam Housing and Urban Renewal~~
5 ~~Authority (GHURA)] in the amount of Forty Five Million Dollars (\$45,000,000).~~
6 ~~If awarded, this would create a combined capital stack of Fifty Four Million~~
7 ~~Dollars (\$54,000,000).~~

8 ~~These funds shall be~~ may be utilized for CLTC trust property development
9 activities including, but not limited to land surveying, infrastructure development
10 (such as road access, water, and power utilities), public facility renovations, and
11 required engineering and permitting services. The Chamorro Land Trust
12 Commission (CLTC) shall determine the final allocation and prioritization of
13 projects funded. ~~by this capital stack. Among the~~ The immediate priority sites
14 eligible for funding consideration are:

15 ~~(a)~~ (a) Tract 10123, Municipality of Yigo, containing approximately one
16 hundred sixty-six (166) residential lots; and

17 (b) Tract 319 – Unit 3, Municipality of Agat, containing
18 approximately two hundred eleven (211) residential lots.

19 **Section 87. Severability.** If any provision of this Act or its application to
20 any person or circumstance is found to be invalid or contrary to law, such
21 invalidity shall not affect other provisions or applications of this Act that can be
22 given effect without the invalid provision or application, and to this end the
23 provisions of this Act are severable.

24 **Section 98. Effective Date.** This Act shall be effective upon enactment.



COMMITTEE ON RULES

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

May 23, 2025

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

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

Subject: **Fiscal Note for Bill No. 135-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note for the following bill:

Bill No. 135-38 (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. 135-38 (COR)**AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.**

Department/Agency Appropriation Information

Dept./Agency Affected: Chamorro Land Trust Commission (CLTC)

Dept./Agency Head: Joseph B. Cruz, Jr., Acting Director

Department's General Fund (GF) appropriation(s) to date:

\$824,664

Department's Other Fund appropriation(s) to date: CLT Operations Fund (\$664,211) and CLTC Survey & Infrastructure Fund (\$21,183)

\$685,394

Total Department/Agency Appropriation(s) to date:

\$1,510,058

Fund Source Information of Proposed Appropriation

	General Fund:	Special Fund:	Total:
FY 2024 Unreserved Fund Balance	\$0	\$0	\$0
FY 2025 Adopted Revenues	\$0	\$0	\$0
FY 2025 Appro. (P.L. 37-125)	\$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 2025 (if applicable)	FY 2026	FY 2027	FY 2028	FY 2029
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? /X/ Yes / / 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? / / 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? / / Yes /X/ No
5. Was Fiscal Note coordinated with the affected dept/agency? / / Yes /X/ No
If no, indicate reason: / / Other
- /X/ Requested agency comments not received by due date: Chamorro Land Trust Commission

Analyst: Michelle Pineda, BMA I Date: 5/20/25 Director: Lester L. Carlson, Jr., Director Date: MAY 22 2025

Notes:

1/ See Additional Comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 135-38 (COR)

Bill No. 135-38 intends to amend the Chamorro Land Trust (CLTC) lease agreement with the Guam International Country Club (GICC), Incorporated.

The legislation proposes specific amendments to the commercial lease agreement between the CLTC, as lessor, and the GICC, as lessee. In exchange for the commercial use of the subject property for the generation, storage, and transmission of renewable solar energy, the GICC has proposed: 1.) accelerated rent payments of no less than Nine Million Dollars (\$9,000,000), based on the property's net present value 2.) an increase in the escalation rate from 10% to 12% every five years, 3.) an extension of the lease terms through January 31, 2055, 4.) and the CLTC's exclusive use of the GICC clubhouse and its surrounding 5 acres of land. In the event the GICC elects not to use the property for the generation, storage, and transmission of renewable solar power, the property shall continue to be operated and maintained as a golf course.

Bill No. 135-38 outlines several probable financial benefits that would support the CLTC's mission. Subject to the discretion and approval of the CLTC, the accelerated rent collected may be used to apply for federal Community Development Block Grant—Disaster Recovery (CDBG-DR) funds in the amount of \$45,000,000 for use in CLTC trust property development activities. Among the immediate priority projects eligible for funding are the 166 lots of Tract 10123 in the Municipality of Yigo, and the water line extension and right-of-way preparations for 211 residential lots of Tract 319 in the Municipality of Agat. Additionally, CDBG-DR funds enabled by this Act are projected to stimulate between \$81 million and \$135 million in total economic activity across the island, which may result in the generation of hundreds of jobs, increased collections in Business Privilege Taxes and Property Taxes, private investments in new residential construction, and improved access to home ownership.

Should this legislation become enacted, the Bureau recognizes that the potential fiscal impact may be in the reduction of government spending due to annual rent savings. As proposed in the Bill, if the CLTC, Department of Land Management, and Guam Ancestral Lands Commission were to co-locate at the GICC clubhouse, the Government of Guam would save approximately \$870,000 annually in rent, or more than \$25,000,000 over 30 years. Moreover, if only the CLTC were to utilize the clubhouse, annual rent savings would total up to \$124,390. In both cases, this would free up General Fund appropriations for other public priorities. However, absent comments from the CLTC relative to the prospective monthly income generated through rent or when said property is anticipated to be used for the purpose proposed in the Bill, should it become law, the Bureau is unable to ascertain a specific fiscal impact at this time.