

Messages & Communications Doc. No. 38GL-26-1985 through 1994.

From 38th Committee On Rules <committeeonrules@guamlegislature.gov>
Date Fri 2/27/2026 9:44 AM
To Guam Legislature Clerks <clerks@guamlegislature.gov>
Cc Frank Blas Jr. <speakerblas@guamlegislature.gov>

5 attachments (9 MB)

22726COMM Doc. No. 38GL-26-1985.pdf; 22726COMM Doc. No. 38GL-26-1991.pdf; 22726COMM Doc. No. 38GL-26-1992.pdf; 22726COMM Doc. No. 38GL-26-1993.pdf; 22726COMM Doc. No. 38GL-26-1994.pdf;

Håfa Adai Clerks Office,

Please see attached, **Messages & Communications Doc. No. 38GL-26-1985 through 1994** for processing:

✓	38GL-26-1985	Guam Memorial Hospital Authority	Notification of Temporary Assignment or Detail – Luis Q. Mielat Jr., Management Analyst IV, 02/02/26.
✓	38GL-26-1986	Guam Environmental Protection Agency	Board Meeting Packet for February 19, 2026.
✓	38GL-26-1987	Guam Land Use Commission	Board Meeting Packet for February 27, 2025, March 13, 2025 and April 10, 2025*
✓	38GL-26-1988	Guam Land Use Commission	Board Meeting Packet for June 12, 2025, July 10, 2025, July 24, 2025 and August 14, 2025*
✓	38GL-26-1989	Guam Land Use Commission	Board Meeting Packet for September 11, 2025*
✓	38GL-26-1990	Guam Land Use Commission	Board Meeting Packet for October 9, 2025 and October 23, 2025*
✓	38GL-26-1991	Guam Land Use Commission	Board Meeting Packet for January 8, 2026*
✓	38GL-26-1992	Guam Preservation Trust	Financial Statement for January 31, 2026*
✓	38GL-26-1993	Guam Solid Waste Authority	Unaudited Revenues and Expenditures Report for the month of January 2026*
✓	38GL-26-1994	Office of Public Accountability - Guam	Acting Administrator Designation of Vincent Duenas, for the Office of Public Accountability from February 26, 2026 to March 6, 2026*

Please retrieve Doc. No. 38GL-26-1986 through 1990 from link below:

[Messages & Communications Physical Scanned Copy - Google Drive](#)

Kindly reply to this email



Si Yu'os ma'åse',

Marie Crisostomo

Committee on Rules Assistant

COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guåhan

38th Guam Legislature

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Messages and Communications 38GL-26-1987*

2 messages

Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>
To: 38th Committee On Rules <committeonrules@guamlegislature.gov>, Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Thu, Feb 26, 2026 at 10:59 AM

Håfa Adai,

Please see attached M&C Doc. No. 38GL-26-1987

38GL-26-1987	Guam Land Use Commission	Board Meeting Packet for February 27, 2025, March 13, 2025 and April 10, 2025*
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*Si Yu'os Ma'åse'**Bernice Rivera*

Administrative Assistant

**Office of Speaker Frank F. Blas, Jr.**I Mina'trentai Ocho na Liheslaturan Guåhan 38th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagatña

(671)969-6456

speakerblas@guamlegislature.gov

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Date: Wed, Feb 25, 2026 at 12:59 PM
Subject: M. Cristina sent you GLUC Minutes via WeTransfer
To: <speakerblas@guamlegislature.gov>



cristina.gutierrez@land.guam.gov
sent you GLUC Minutes

3 items, 17.3 MB in total · Expires on 28 February, 2026

GLUC Minutes

Hafa Adai,

Transmitted herewith are digital copies of the GLUC Minutes for
February 27, 2025, March 13, 2025 and April 10, 2025.

Additional Minutes from FY will be sent in separate links.

Regards,

Cristina Gutierrez
GLUC Recording Secretary

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3 items

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GLUC FEB272025.pdf
14.6 MB

GLUC MAR132025.PDF
650 KB

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4 attachments

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538K

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2150K

 **GLUC FEB272025.pdf**
14306K

38th Committee On Rules <committeeonrules@guamlegislature.gov>
To: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>

Thu, Feb 26, 2026 at 12:09 PM

Håfa Adai,

Doc. No. 38GL-26-1987*

Received, and thank you.



Si Yu'os ma'åse',

Marie Crisostomo

Committee on Rules Assistant

COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guåhan

38th Guam Legislature

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[Quoted text hidden]



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

M. Cristina sent you GLUC Minutes via WeTransfer

1 message

WeTransfer <noreply@wetransfer.com>
Reply-To: cristina.gutierrez@land.guam.gov
To: speakerblas@guamlegislature.gov

Wed, Feb 25, 2026 at 12:59 PM

Doc Type: 38GL-26-1987
OFFICE OF THE SPEAKER
FRANK F. BLAS, JR.
February 25, 2026
Time: 12:59 PM
Received: *FBK*



cristina.gutierrez@land.guam.gov
sent you GLUC Minutes

3 items, 17.3 MB in total · Expires on 28 February, 2026

GLUC Minutes

Hafa Adai,

Transmitted herewith are digital copies of the GLUC Minutes for February 27, 2025, March 13, 2025 and April 10, 2025.

Additional Minutes from FY will be sent in separate links.

Regards,

Cristina Gutierrez
GLUC Recording Secretary

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<https://wetransfer.com/downloads/2787407310b140b170c7dd072835b17520260225025839/ab74de4ee6483ef5b1429bd713fd241a20260225025903/0be36d>

3 items

GLUC APR102025.PDF
2.1 MB

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14.6 MB

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GUAM LAND USE COMMISSION MEETING MINUTES



Department of Land Management
ITC Building, Tamuning, Guam
DLM Conference Room, 3rd Floor ITC Bldg.
Tamuning, Guam 96913



Thursday, March 13, 2025
1:36 p.m. to 1:58 p.m.



38GL-26-1987
Messages and Communications

RECEIVED
COMMITTEE ON RULES
February 26, 2026

10:59 a.m.

Marie Crisostomo

GUAM LAND USE COMMISSION MEETING
Department of Land Management, 3rd Floor ITC Building, Tamuning
DLM Conference Room
Thursday, March 13, 2025 • 1:36 p.m. to 1:58 p.m.

MEMBERS PRESENT:

Ms. Anita B. Enriquez, Chairperson

Ms. Leilani R. Flores, Commissioner

Mr. Ronald C. Pangilinan, Commissioner

[Excused: Vice Chairman Nonito Blas, Jr.]

PLANNING STAFF PRESENT:

Mr. Joseph M. Borja, Executive Secretary

Ms. Rossana S.M. Tiston, Deputy Director

Mr. N. Lee Miller, Jr., Legal Counsel

Mr. Frank Taitano, Planner IV

Ms. Sonny Gogue, Planner III

Mr. Kyle Meno, T. Network Coordinator

Ms. Cristina Gutierrez, Recording Secretary

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

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

Date of Meeting: Thursday, March 13, 2025

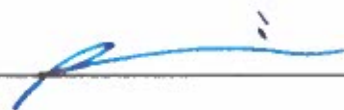
Time of Meeting: GLUC: 1:36 pm GSPC:

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


COMMISSION MEMBERS

SIGNATURE

Chairwoman Anita B. Enriquez



Nonito Blas, Jr., Vice Chairman

 3/13/2025

Commissioner Leilani R. Flores

 3/13/2025

Commissioner Ronald C. Pangilinan

Commissioner (Vacant)

STAFF

Joseph M. Borja, Executive Secretary

Present (did not sign in) Cg

Rossana San Miguel Tiston, Deputy Director

Present (did not sign in) Cg

Lee Miller, Assistant Attorney General

 3/13/2025

Celine L. Cruz, Chief Planner



Frank Taitano, Planner IV



Penmer Gulac, Planner IV

M. Grace Vergara, Planner IV



Sonny Gogue, Planner III

Theresa Guevara, Planner II

Edward Sanchez, Planner I



M. Cristina Gutierrez, Recording Secretary



Kyle P.D. Meno, T. Network Coordinator

 3/13/25

ADJOURNMENT GLUC: 1:58 pm GSPC:
GLUC Form 19 - GLUC Commission Attendance Sheet



GUAM LAND USE COMMISSION

Chairperson Anita B. Enriquez
Vice Chairman Nonito V. Blas, Jr.
Commissioner Leilani R. Flores

Commissioner Ronald C. Pangilinan
Commissioner (Vacant)

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

AGENDA

Thursday, March 13, 2025 @1:30 p.m.
Department of Land Management Conference Room
3rd Floor ITC Bldg., Tamuning, GU 96913

[As advertised in the Guam Daily Post – March 6th, 2025 & March 11th, 2025]
Livestreamed on YouTube at Guam Department of Land Management Channel

- I. **Notation of Attendance/Roll Call** Quorum No Quorum
- II. **Approval of Minutes**
 - GLUC Regular Meeting Minutes of Thursday, February 27, 2025
- III. **Old or Unfinished Business [None]**
- IV. **New Business [None]**
- V. **Administrative & Miscellaneous Matters**

Conditional Use Renewal

- A. Application No. 2020-03D, the Applicant, Black Construction Corporation; is requesting an annual renewal of a Conditional Use Permit, to allow for the continued operation of a Temporary Workforce Housing Facility, to house up to a maximum of 750 workers, on Lot 5103-2R-1, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
Case Planner: Frank Taitano
- B. Application No. 2020-44D, the Applicant, Black Construction Corporation; is requesting an annual renewal of a Conditional Use Permit, to allow for the continued operation of a Temporary Workforce Housing Facility, to house up to a maximum of 672 workers, on Lot 5161-1-1, Tract 260, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
Case Planner: Frank Taitano

- VI. **Adjournment**

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES
Thursday, March 13, 2025 • 1:36 p.m. to 1:58 p.m.
Department of Land Management Conference Room
3rd Floor, ITC Bldg., Tamuning, Guam 96913
As Advertised in the Guam Daily Post on March 6th, 2025 & March 11th, 2025
Livestreamed on YouTube/Guam Department of Land Management Channel

I. Notion of Attendance/Roll Call

Chairperson Enriquez called to order the regular meeting of the Guam Land Use Commission for Thursday, March 13, 2025, at 1:36 p.m.

Present were: Chairperson Anita Enriquez, Commissioner Leilani Flores, Commissioner Ronald Pangilinan, Executive Secretary Joseph Borja, Deputy Director Rossana Tiston, Legal Counsel, Lee Miller, Jr., Chief Planner Celine Cruz, Planning Staff Frank Taitano, Sonny Gogue, Kyle Meno and Recording Secretary Cristina Gutierrez.

Chairperson Enriquez noted a quorum, and announced that today's meeting was being live-streamed on YouTube at the Guam Department of Land Management channel.

II. Approval of Minutes

Chairperson Enriquez before the members today is the approval of the Minutes from the last GLUC meeting held on Thursday, February 27, 2025. The draft was emailed to the members in advance, and they have been reviewed. There were no comments, edits, or omissions noted from the Commissioners, Chairperson Enriquez asked for a motion for action.

Commissioner Flores motioned to approve the Minutes of Thursday, February 27, 2025.

Commissioner Pangilinan seconds the motion.

Chairperson Enriquez accepted the motion made by Commissioner Flores and seconded by Commissioner Pangilinan. There were no edits, omissions, or discussion, Madam Chair put the motion to a vote with all members in favor of approval. The motion carried with a vote of 3 ayes and 0 nays. **[The Minutes of Thursday, March 27, 2025 were approved]**

III. Old or Unfinished Business [None]

IV. New Business [None]

V. Administrative and Miscellaneous Matters

Conditional Use – Renewal

- A. Application No. 2020-03D, the Applicant, Black Construction Corporation; is requesting an annual renewal of a Conditional Use Permit, to allow for the continued operation of a Temporary Workforce Housing Facility, to house up to a maximum of 750 workers, on Lot 5103-2R-1, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
Case Planner: Frank Taitano

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

Jesse Garcia representing Black Construction Corporation. Mr. Garcia extended his appreciation to the Commission for allowing Black Construction to present its annual request to renew its Temporary Workforce Housing Facility. Mr. Garcia commented that they have met all the conditions of their approval as stated in their application submittal, and was prepared to answer questions from the Commission.

Chairperson Enriquez turned the floor to the members for questions for the applicant.

Commissioner Flores no questions.

Commissioner Pangilinan no questions.

Chairperson Enriquez Madam Chair had no questions for Mr. Garcia; and, turned the floor over to Chief Planner Cruz for the staff report.

Celine Cruz, Chief Planner reads the summarized Commission Brief dated March 5, 2025. Chief Planner Cruz presented to the Commission that Black Construction Corporation is seeking approval from the Commission to renew its Conditional Use Permit to allow for the continued operation of a Temporary Workforce Housing Facility (TWHF), in Tamuning.

Chief Planner Cruz stated that the submission confirms that the approved elements of the TWHF are fully functional. Additionally, the applicant has included a copy of DPHSS Workers Dormitory sanitary permits, Certificate of Occupancy for Buildings 3 and 4, and photographic documentation of the facility.

A site visit was conducted by the Case Planner on March 4, 2025, and found that the facility's exterior was well-maintained and clean, with recreational elements in place.

Planning asserts that the applicant's ongoing coordination with the permitting agencies demonstrates compliance with the conditions imposed and has consistently worked with the appropriate government entities to adhere to agency requirements and implement best management practices; therefore, Planning recommends a favorable Commission review of this request with conditions. [For full content/context of the report, refer to the attachment]

[Attachment A – Commission Brief dated March 5, 2025]

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

Commissioner Flores no questions.

Commissioner Pangilinan no questions.

Chairperson Enriquez had no questions for staff and opened the floor for public comment.

Public Comment [None noted]

Chairperson Enriquez noting no public comment, closed the public comment period. There was no further discussion from the Commissioners for Application No. 2020-03D, Madam Chair was ready to entertain a motion for action.

Commissioner Flores made a motion to approve Application No. 2020-03D based on the recommendation stated in the Commission Brief dated March 5, 2025.

Chairperson Enriquez acknowledged and accepted the motion made by Commissioner Flores and asked for a second.

Commissioner Pangilinan seconds the motion.

Chairperson Enriquez motion is seconded by Commissioner Pangilinan. Noting no discussion on the motion, Madam Chair put the motion to a vote with all in favor of approval.

[Motion was passed unanimously with a vote of 3 ayes and 0 nays]

Next item on the agenda –

Conditional Use – Renewal

- B. **Application No. 2020-44D**, the Applicant, Black Construction Corporation; is requesting an annual renewal of a Conditional Use Permit, to allow for the continued operation of a Temporary Workforce Housing Facility, to house up to a maximum of 672 workers, on Lot 5161-1-1, Tract 260, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
Case Planner: Frank Taitano

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

Jesse Garcia Mr. Garcia is representing Black Construction Corporation. Mr. Garcia extended his appreciation to the Commission for allowing Black Construction to present its annual request to renew its Temporary Workforce Housing Facility under Application No. 2020-44D. Mr. Garcia commented that they have met all the conditions of their approval as stated in their application submittal, and was prepared to answer questions from the Commission.

Chairperson Enriquez thanked Mr. Garcia for his presentation and turned the floor over to the members for questions.

Commissioner Pangilinan no comment.

Commissioner Flores no questions.

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

Celine Cruz, Chief Planner reads the summarized Commission brief dated March 5, 2025. This is a request for a renewal of Application No. 2020-44D. The applicant is requesting the renewal of a conditional use permit to allow for the continued operation of a Temporary Workforce Housing Facility (TWHF).

The applicant is submitting its annual renewal request and has confirmed that one of the two planned buildings has been constructed and is currently occupied. Furthermore, the approved elements of the TWHF are fully functional. The applicant has provided supporting documentation including copies of Workers' Dormitory and Sanitary permits, Certificate of Occupancy, and photographic evidence of the complex.

Chief Planner Cruz reported that the Case Planner conducted a site visit and based on external observations, has found that the facility's exterior is well-maintained and clean, with recreational amenities still in place. Ms. Cruz added that the applicant's ongoing coordination with permitting agencies demonstrates continued compliance with the imposed conditions; and, has worked consistently with the appropriate government entities to meet agency requirements and implement best management practices. [For full content/context, refer to the attached report]

[Attachment B – Commission Brief dated March 5, 2025]

In light of the above, the Planning staff recommends a favorable Commission review of the request subject to conditions.

Chairperson Enriquez thanked Chief Planner Cruz and turned the floor to the members for questions.

Commissioner Pangilinan no questions.

Commissioner Flores no questions.

Chairperson Enriquez noted none, Madam Chair opened the floor for public comment for Application No. 2020-44D.

Public Comment

Joseph Borja, Executive Secretary noted that the applications before the Commission today are for the continued operation of their TWHFs, and the total number of beds for both applications is 1,422 combined. Given that there are approximately 6,000 temporary workers on the island, it appears that these two facilities house about one-quarter of the total number of temporary workers. Mr. Borja asked Mr. Garica if both facilities were at capacity.

Jesse Garcia responded that BCC is one of the largest contractors who bring H2B workers to Guam; and, as military projects start up and are completed, the demand for importation of workers fluctuates.

Chairperson Enriquez inquired if BCC's facilities are ever shared with other contractors.

Jesse Garcia replied that they have not been approached by the other companies, and they prefer to reserve the facilities for their use at this time.

Frank Taitano, Case Planner reported that BCC has a third TWHF that houses about 400 workers and is referred to as Black 1. This facility was approved at the time when it was not subjected to the provisions of Law and only an annual renewal through the approval of the Chief

Planner. Mr. Taitano further added that BCC is accommodating a huge percentage of the total number of H2B workers in Guam.

Joseph Borja remarked that he has received comments from various contractors who have said they do not have enough rooms to accommodate their workers and have asked to expedite their applications for TWHF. Mr. Borja informed the Commissioners that housing of temporary workers is allowed in apartment dwellings as long as they do not occupy more than fifty-one percent of the available units. Additionally, Mr. Borja reported there may be some hotels that are housing temporary workers as well without having to obtain approval from the Commission.

Chairperson Enriquez there was no further public comment, Madam Chair closed the public comment segment and was ready to entertain a motion for action.

Commissioner Flores made a motion to approve Application No. 2020-44D based on the recommendation stated in the March 5, 2025 Commission Brief.

Chairperson Enriquez motion has been made by Commissioner Flores and asked for a second.

Commissioner Pangilinan seconds the motion.

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

Jesse Garcia on behalf of BCC, Mr. Garcia extended his appreciation to the Commission and the Department of Land Management for their continued support.

Chairperson Enriquez thanked Mr. Garcia for being present today and extended best wishes to BCC. Madam Chair turned the floor over to Executive Secretary Borja for additional business or announcements for the Commission.

Joseph Borja, Executive Secretary reported that the department is currently working with Mr. Matt Santos from BSP for the presentation of the permitting process, and hopes to present this to the Commission shortly.

Chairperson Enriquez recognized that there are some expiring terms for the members; and, before the March 27th meeting of the GLUC, one or more of the members' terms will be expiring.

It was clarified by staff that Chairperson Enriquez, Vice Chairman Blas, and Commissioner Pangilinan will expire on March 21, 2025, and Commissioner Flores' term expires on April 30, 2025.

Chairperson Enriquez said that until the confirmation from the Legislature of the fifth member, there will be no quorum for the next meeting. She added that she had spoken with Vice Speaker Tony Ada who is the Oversight Chairperson for Land Use, and he recommended that applications be placed on the agenda as soon as possible.

Joseph Borja stated that a confirmation hearing was held for nominee Gerald Yingling but was unsure what the status was and that he should know something by the end of the day.

Chairperson Enriquez mentioned that there is another nominee from the Governor's Office, and the application packet is with the Legislature; but, does not recall if the nominee has gone through the confirmation process.

Joseph Borja replied not that he was aware of.

Chairperson Enriquez commented that if this was the case and based on the timing of sessions, the new nominee's hearing would probably not be entertained until May.

Joseph Borja replied that he hopes to have information on what is on the agenda for the Commission probably no later than Friday afternoon.

Chairperson Enriquez because there are expiring terms of Commissioners that are present today, Madam Chair remarked that means that there will be no quorum until after the confirmation of the nominees are placed on the agenda in May.

Joseph Borja replied that Attorney Miller would be looking into the ninety days plus three legislative days.

N. Lee Miller, Legal Counsel stated that the current members may remain as voting members of the Commission until either a replacement is confirmed or ninety days, plus three legislative days expires. He assumed that the Commission would probably be good until the first of June.

Chairperson Enriquez thanked Attorney Miller for the explanation and added it was good to know the process.

Joseph Borja asked Chief Planner Cruz how many applications were pending within the remaining ninety days for the Commission.

Celine Cruz, Chief Planner responded that four applications are tentatively scheduled for the next agenda; two are renewals of Conditional Use permits, one new Conditional Use permit for a new workforce housing, and one HPR that are being tracked for the next meeting. Ms. Cruz added that a couple of public hearings have been held and currently waiting on MPC resolutions; there are about six to eight applications between now and June.

Ms. Cruz informed the Commission that the next meeting is tentatively scheduled for March 27th, and a call out for quorum will be sent out shortly.

Chairperson Enriquez Madam Chair confirmed that she is available for March 27th. There being no further business for discussion, Madam Chair was ready to entertain a motion for adjournment.

VI. Adjournment

Commissioner Flores motioned to adjourn today's meeting.


Commissioner Pangilinan seconds the motion.

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

The regular meeting of the Guam Land Use Commission for Thursday, March 13, 2025 adjourned at 1:58 p.m.

Approved by:

Date approved:


Anita B. Enriquez, Chairperson
Guam Land Use Commission


4-10-25

Transcribed by:


M. Cristina Gutierrez, Recording Secretary
Planning Division, DLM



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



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

LOURDES A. LEON GUERRERO
 MAGA HAGA • GOVERNOR

JOSEPH M. BORJA
 DIRECTOR

JOSHUA F. TENORIO
 SIGUNDO MAGA'LAIH • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
 DEPUTY DIRECTOR

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

March 5, 2025

Memorandum

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

To: Chairperson, Guam Land Use Commission

From: Guam Chief Planner

Subject: Commission Brief – Request for Renewal of Application No. 2020-03D

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

1. **PURPOSE:** The Applicant, Black Construction Corporation, is requesting an annual renewal of a Conditional Use Permit to allow for the continued operation of a Temporary Workforce Housing Facility (TWHF) to house up to 750 workers, on Lot 5103-2R-1, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
2. **LEGAL AUTHORITY:** Title 21, GCA (Real Property), Chapter 61 (Zoning Law) and Section 61303 (Conditional Use), Section 61309 (c) (Policy for Workforce Housing Facilities for Temporary Workers) and Public Law 36-2.

3. **DISCUSSION and APPLICATION SUMMARY:**

As conditionally approved by the Commission on March 14, 2024, and detailed in the approved Site Plan, the Temporary Workforce Housing Facility (TWHF) will consist of nine (9) buildings upon final development. This includes three (3) single-story buildings, five (5) two-story buildings, and one (1) three-story building, designed to accommodate sleeping quarters, kitchen and dining areas, toilet and shower facilities, and laundry services.

The facility will also include security measures, fire and medical emergency response capabilities, recreational amenities, transportation services, an on-site stormwater retention system, landscaping, a six-foot (6') high perimeter fence, and an in-house set of Rules and Regulations. These regulations will address security

Continuation of Commission Brief
Re: Application No. 2020-03D
Date: March 5, 2025
Page 2 of 2

and safety protocols, personnel access and exit procedures, and a personal and social code of conduct.

Pursuant to Section 61309(c)(4)(B)(i), which states, "Unless specifically limited, approvals shall be for an initial term of twenty-four (24) months and thereafter shall be renewed annually...", the applicant hereby submits its annual renewal request. The submission confirms that the approved elements of the TWHF—including housing facilities, security measures, emergency response capabilities, recreational and transportation services, stormwater management, landscaping, perimeter fencing, and operational regulations—are fully functional. Additionally, the applicant has included a copy of the DPH&SS Workers Dormitory and Sanitary Permits, a Certificate of Occupancy for Buildings 3 and 4 (identified as Buildings "A" and "A1" on the attached Site Plan), and photographic documentation of the facility.

On March 4, 2025, the case planner conducted a site visit of the approved TWHF. Based on observations made from outside the perimeter fence, planning staff found that the facility's exterior is well-maintained and clean, with recreational elements such as the basketball court and bicycle amenities still in place.

We assert that the applicant's ongoing coordination with permitting agencies demonstrates compliance with the conditions imposed. The applicant has consistently worked with the appropriate government entities to adhere to agency requirements and implement best management practices.

4. RECOMMENDATION:

In light of the above, we recommend a favorable review by the Commission, subject to the following condition:

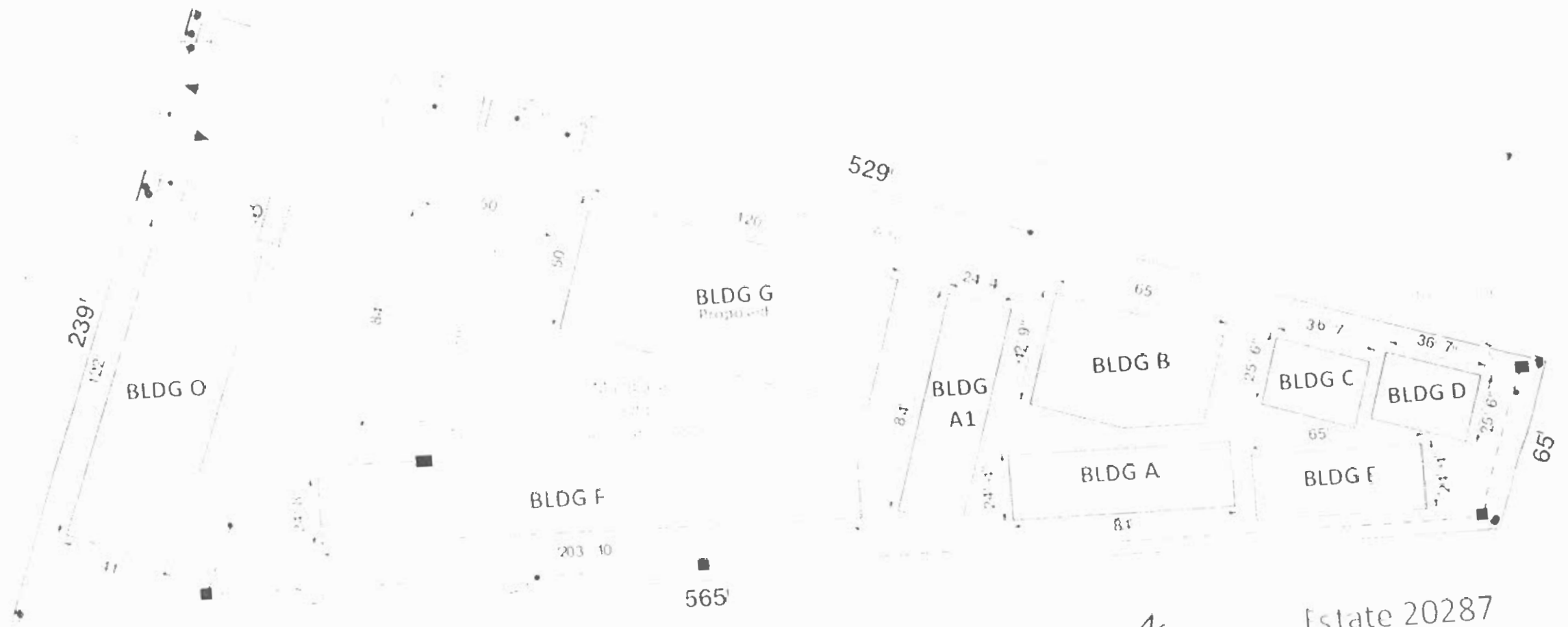
1. The applicant shall continue to comply with Section 2 of Public Law 36-2, as specified in the Department of Land Management's approval letter dated March 31, 2021.



Celine L. Cruz

Attachments: Request Package
Approved Site Plan

Case Planner: Frank Taitano



Features:

- BLDG A
- BLDG A1
- BLDG B
- BLDG C & D

- BLDG E
- BLDG F
- BLDG G
- BLDG O



Estate 20287
 Lot 5103-2R-1
 Site Plan:
 Structure Dimensions
 Area:
 7,142 sm - 76,876 sf

ATTACHMENT B

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



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

LOURDES A. LEON CUERRE RO
MAGA HAGA • GOVERNOR

JOSEPH M. BORJA
DIRECTOR

JOSHUA F. FENORIO
SIGUNDO MAGA LAHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL HISION
DEPUTY DIRECTOR

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

March 5, 2025

Memorandum

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

To: Chairperson, Guam Land Use Commission

From: Guam Chief Planner

Subject: Commission Brief – Request for Renewal of Application No. 2020-44D

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

- 1. PURPOSE:** The Applicant, Black Construction Corporation is requesting an annual renewal of a Conditional Use Permit, to allow for the continued operation of a Temporary Workforce Housing Facility (TWHF), to house up to a maximum of 672 workers on Lot 5161-1-1, Tract 260, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
- 2. LEGAL AUTHORITY:** Title 21, GCA (Real Property), Chapter 61 (Zoning Law) and Section 61303 (Conditional Use), Section (c) (Policy for Workforce Housing Facilities for Temporary Workers) and Public Law 36-2.

Telephone:
671-649-LAND (5263)

3. DISCUSSION and APPLICATION SUMMARY:

DISCUSSION AND APPLICATION SUMMARY

As conditionally approved by the Commission on March 14, 2024, and detailed in the approved Site Plan, the Temporary Workforce Housing Facility (TWHF) is planned to consist of two (2) three-story buildings. Each building is designed to accommodate sleeping quarters, kitchen and dining areas, toilet and shower facilities, and laundry services. Additionally, the facility includes security measures, fire and medical emergency response capabilities, recreational facilities, transportation services, an on-site stormwater retention system, landscaping, a six-foot (6') high perimeter fence, and an in-house set of rules and regulations. These regulations address security and safety protocols, personnel access and exit procedures, and personal and social codes of conduct.



Pursuant to Section 61309(c)(4)(B)(i), which states: "Unless specifically limited, approvals shall be for an initial term of twenty-four (24) months and thereafter shall be renewed annually," the applicant is submitting its annual renewal request. The request confirms that one of the two planned buildings (Building B) has been constructed and is currently occupied. Furthermore, the approved elements of the TWHF—such as housing accommodations, security measures, emergency response capabilities, recreational facilities, transportation services, stormwater management, landscaping, perimeter fencing, and operational regulations—are fully functional.

The applicant has also provided supporting documentation, including copies of the Department of Public Health and Social Services (DPHSS) Workers Dormitory and Sanitary Permits, a Certificate of Occupancy for Building B, and photographic evidence of the complex.

On March 4, 2025, the case planner conducted a site visit to the TWHF. Based on external observations from outside the perimeter fence, planning staff found that the facility's exterior is well-maintained and clean, with recreational amenities such as the basketball court and bicycle storage still in place.

Based on the submitted documentation and site observations, the request package is complete and properly formatted for Commission review and action.

RECOMMENDATION

The applicant's ongoing coordination with permitting agencies demonstrates continued compliance with the imposed conditions. The applicant has consistently worked with the appropriate government entities to meet agency requirements and implement best management practices.

In light of this, we recommend a favorable Commission review of the request, subject to the following condition:

1. The applicant shall continue to comply with Section 2 of Public Law 36-2, as specified in the Department of Land Management's approval letter dated March 30, 2021.


Celine L. Cruz

Attachments: Request Package
Approved Site Plan

Case Planner: Frank Taitano

SUMMARY:

PROPOSED BUILDING FOOTPRINT:

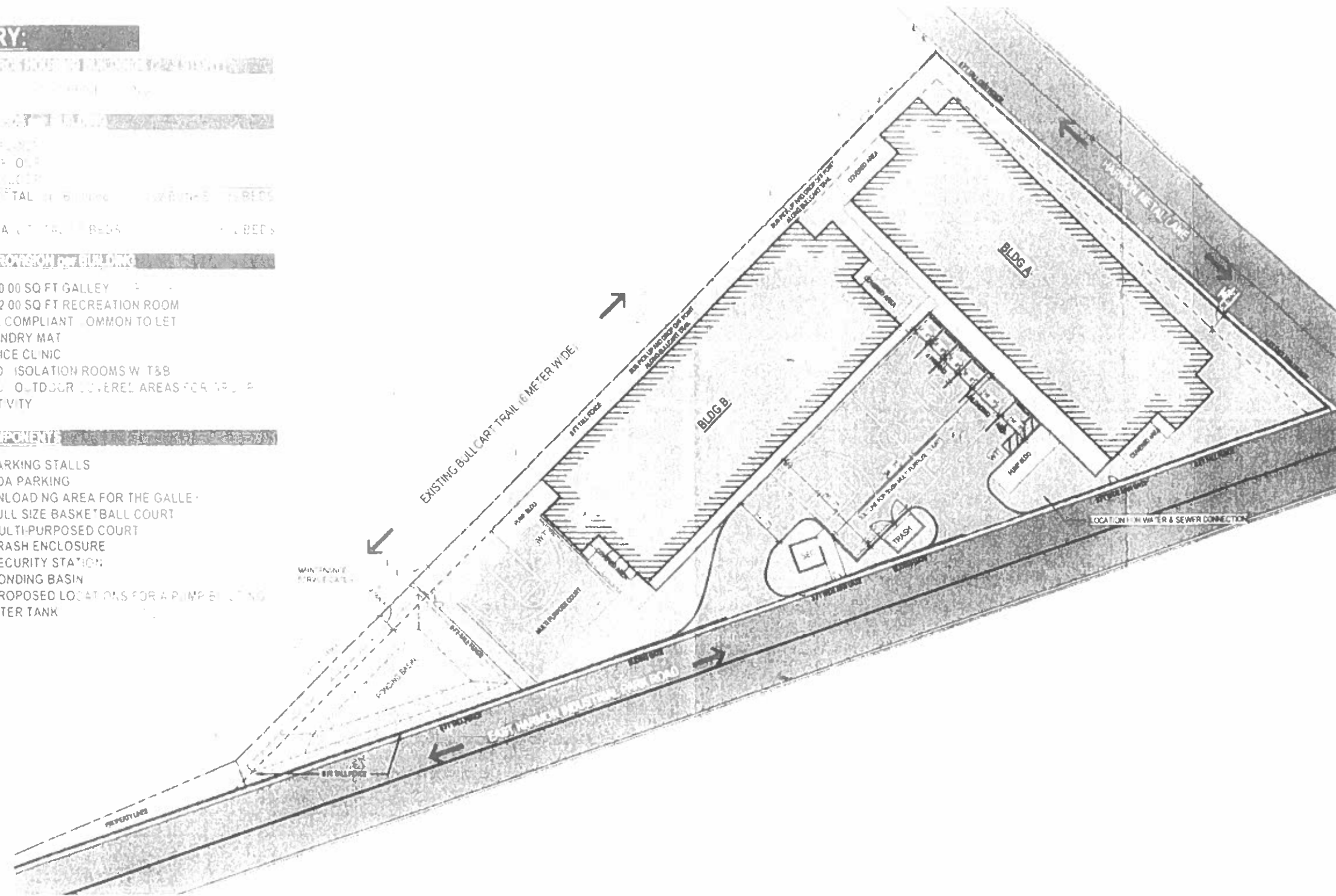
- 2' ...
- 1ST FLOOR
- 2ND FLOOR
- 3RD FLOOR
- SUB TOTAL ...
- OVERALL ...

SPACE PROVISION FOR BUILDING:

- 3,140.00 SQ FT GALLEY
- 1,202.00 SQ FT RECREATION ROOM
- ADA COMPLIANT COMMON TO LET
- LAUNDRY MAT
- OFFICE CLINIC
- TWO ISOLATION ROOMS W T&B
- TWO OUTDOOR COVERED AREAS FOR TRUCK ACTIVITY

SITE COMPONENTS:

- 4 PARKING STALLS
- 1 ADA PARKING
- 1 UNLOADING AREA FOR THE GALLEY
- 1 FULL SIZE BASKETBALL COURT
- 1 MULTI-PURPOSE COURT
- 1 TRASH ENCLOSURE
- 1 SECURITY STATION
- 1 PONDING BASIN
- 2 PROPOSED LOCATIONS FOR A PUMP BUILDING
- WATER TANK



NEW BARRACKS 3 PLAN
BLACK CONSTRUCTION CORPORATION - BARRACKS 3



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

1009772

File for Record is Instrument Number _____

on the Year 20 25 Month 04 Day 30 Time 8:30AM

Recording Fee DE-OFFICIO Receipt No. DE-OFFICIO

Deputy Recorder: 
Lillian I. Nauta

Above Space for Recorder's Use only

COPY

GUAM LAND USE COMMISSION MEETING MINUTES



Department of Land Management
ITC Building, Tamuning, Guam
DLM Conference Room, 3rd Floor ITC Bldg.
Tamuning, Guam 96913



Thursday, April 10, 2025
1:30 p.m. to 2:23 p.m.

GUAM LAND USE COMMISSION MEETING
Department of Land Management, 3rd Floor ITC Building, Tamuning
DLM Conference Room
Thursday, April 10, 2025 • 1:30 p.m. to 2:23 p.m.

MEMBERS PRESENT:

Ms. Anita B. Enriquez, Chairperson

Ms. Leilani R. Flores, Commissioner

Mr. Ronald C. Pangilinan, Commissioner

PLANNING STAFF PRESENT:

Mr. Joseph M. Borja, Executive Secretary

Ms. Rossana S.M. Tiston, Deputy Director

Mr. N. Lee Miller, Jr., Legal Counsel

Ms. Celine L. Cruz, Chief Planner

Mr. Frank Taitano, Planner IV

Ms. Sonny Gogue, Planner III

Mr. Kyle Meno, T. Network Coordinator

Ms. Cristina Gutierrez, Recording Secretary

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

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

Date of Meeting: Thursday, April 10, 2025

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

Time of Meeting: GLUC: 1:30pm GSPC:


COMMISSION MEMBERS

SIGNATURE


Chairwoman Anita B. Enriquez

 4/10/25

Nonito Blas, Jr., Vice Chairman

 4/10/25

Commissioner Leilani R. Flores

 4/10/25

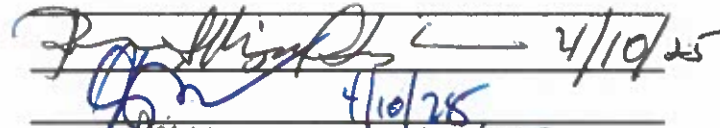
Commissioner Ronald C. Pangilinan

Commissioner (Vacant)

STAFF

Joseph M. Borja, Executive Secretary

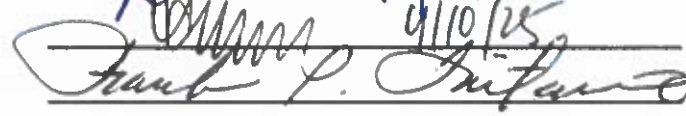
Rossana San Miguel Tiston, Deputy Director

 4/10/25

Lee Miller, Assistant Attorney General

Celine L. Cruz, Chief Planner

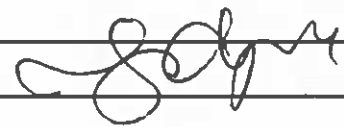
Frank Taitano, Planner IV

 4/10/25

Penmer Gulac, Planner IV

M. Grace Vergara, Planner IV

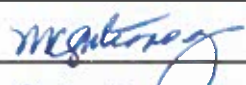
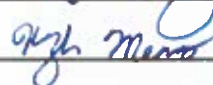
Sonny Gogue, Planner III



Theresa Guevara, Planner II

Edward Sanchez, Planner I

M. Cristina Gutierrez, Recording Secretary


 4/10/25

Kyle P.D. Meno, T. Network Coordinator

ADJOURNMENT

GLUC: 2:00pm GSPC:

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES
Thursday, April 10, 2025 • 1:30 p.m. to 2:23 p.m.
Department of Land Management Conference Room
3rd Floor, ITC Bldg., Tamuning, Guam 96913
[As advertised in the Guam Daily Post on April 3rd and April 8th, 2025]
Livestreamed on YouTube/Guam Department of Land Management Channel

I. Notation of Attendance

Chairperson Enriquez called to order the regular meeting of the Guam Land Use Commission for Thursday, April 10, 2025, at 1:30 p.m.

Present were: Chairperson Anita Enriquez, Commissioner Leilani Flores, Commissioner Ronald Pangilinan, Deputy Director Rosanna Tiston, Legal Counsel Lee Miller, Chief Planner Celine Cruz, Planning Staff Frank Taitano, Sonny Gogue, Kyle Meno and Recording Secretary Cristina Gutierrez.

[Excused: Executive Secretary Joseph Borja]

Madam Chair confirmed a quorum, and announced that today's meeting was being livestreamed on YouTube at Guam Department of Land Management's channel.

II. Approval of Minutes

Chairperson Enriquez before the members today, is the approval of the Minutes from the last GLUC meeting from Thursday, March 13, 2025. Madam Chair noted that the members were provided with the draft in advance via email, and they have been reviewed. Madam Chair was ready to entertain a motion for action.

Commissioner Flores made a motion to approve the Minutes of March 13, 2025.

Chairperson Enriquez accepted the motion made by Commissioner Flores and asked for a second.

Commissioner Pangilinan seconds the motion.

Chairperson Enriquez motion is seconded by Commissioner Pangilinan. There was no discussion on the motion, errors, or omissions, Madam Chair put the motion to a vote with all members in favor of approval.

[Motion carried with a vote of 3 ayes, and 0 nays; Minutes of March 13, 2025 were approved]

III. Old or Unfinished Business [None noted.]

IV. New Business

Conditional Use

- A Application No. 2024-30, the Applicant, VG Gozum Construction LLC represented by Daniel D. Swavely, requests a Conditional Use Permit to allow for the operation of a Temporary Workforce Housing Facility within a warehouse, to house up to a maximum of 200 workers, on Lot 5048-4, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone. Case Planner: Frank Taitano

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

Daniel Swavely representing VG Gozum Construction, joined by Kyle Borja. Mr. Swavely remarks that this is another temporary workforce housing facility that remains a popular land use in the Guam land use planning. Mr. Swavely reported that to date, he has completed more than eight facilities, and a few more are in the works. There is still a gap between the number of workforce housing beds and the number of employees for H2 workers on Guam. Mr. Swavely's calculations show that temporary workers are still occupying close to 300 private housing units on Guam with H2 workers, and this is a gap they are working to fill.

This will be VG Gozum's second workforce housing facility, and the Commission previously approved one in the Bello Road area that houses up to a maximum of 200 workers. This new facility is located at Sgambelluri Lane in Upper Tumon.

- Mr. Swavely points out the location of the project site on the vicinity map that was shown on the monitor. The triangle indicated in red points out the location of the site.
- The site is an existing warehouse, and the applicant intends to use about one-third as a warehouse and convert the other two-thirds into workforce housing for a maximum of 200 workers.
- Footprint of the warehouse includes barracks, cafeteria tables, many restrooms, showers, washers and dryers, and several interior recreation facilities, which are required, an internet lounge, a TV lounge, etc.
- On the outside, there are patio benches, barbeque areas, landscaping, egress/ingress, a basketball court, staff parking, and a closed trash receptacle area.
- Mr. Swavely quickly reviewed the process that they had gone through with this application and extended his appreciation to Case Planner Taitano and the staff who had counseled them throughout the process. There are four (4) public hearings for such applications, and they have worked closely with the Municipal Planning Council, which sponsors the public hearings and their regular follow-up meeting. In most cases, for public hearings, they learn issues and concerns from the neighborhood and change the project to address the concerns. They have already accepted the three conditions of approval.
- The first is that they will improve a natural area for a turnaround for emergency vehicles by relocating the perimeter fence to accommodate a turnaround area.
- The second is that there are ten or more abandoned vehicles in a 40-foot right-of-way that the applicant has agreed to remove.
- The third will be to improve the intersection for egress/ingress. The next step is to reach out to the Director of Public Works for approval, and they will work with Public Works on the cost for the improvement.
- Other neighbor benefits: they will upgrade the water line to six inches and place a fire hydrant in the area. GWA is also requiring the applicant to upgrade the wastewater connection, and DPW is requiring them to improve their stormwater retention system.

Mr. Swavely stated that the applicant needs this facility. They have about 250 to 300 employees at present and have petitioned for another 200 workers who are on the way, and are petitioning for another 200 workers. A lot of their work is at Andersen Air Force Base and other Base facilities, to include other businesses on the island.

To conclude, Mr. Swavely comments that the company is growing and asks for the Commission's support in this Conditional Use application.

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

Commissioner Flores no comments.

Commissioner Pangilinan no comments.

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

Sonny Gogue, Planning read the staff report on behalf of Case Planner Frank Taitano. Ms. Gogue's summarization included the purpose, facts, and application's chronological facts, public hearing results, discussion, and staff analysis to include the site plan, disposal of sewage, access, parking, dimensions of the building, and the impact of the proposed use on adjacent lands, conclusion, staff recommendations and conditions. [For full content/context, see attached report]

Note: In addition to the three conditions on the staff report, Ms. Gogue noted that, at the discretion of the Chief Planner, a fourth condition was added that the TWHF will house a maximum of 200 workers.

[Attachment A – Staff Report dated March 14, 2025]

Chairperson Enriquez turned the floor over to the Commissioners for questions. Noting no questions from Commissioner Flores and Commissioner Pangilinan, Madam Chair opened the floor for public comment.

Public Comment noting no public comment for this application, Madam Chair closed the public comment period and turned the floor over to the applicant's representative for additional comments.

Daniel Swavely remarked that he is always not quite sure what the Planning Staff presents in the staff report. Mr. Swavely is aware that the Commission has a "*Carte Blanche*" approval with ARC recommended conditions.

In this case, there are two agencies' position statements that he is challenging. First is the Bureau of Statistics and Plans concerning several of their conditions of approval, which they have no authority to make such conditions. Mr. Swavely stated that BSP is requiring them to follow guidelines to include one from the Caribbean, etc. Since meeting with Matthew Santos, a revised position statement will be sent, and they have deleted the conditions that the Bureau does not have authority for. He asked that the Commission, in their *Carte Blanche*, of all conditions of approval recommended by ARC except BSP.

The second is from the Department of Agriculture which requires the applicant to do a migratory bird study to ensure that they do not affect migratory flocks in this area. Mr. Swavely stated that this is one of the most developed areas of Guam, and there has been a warehouse at this location

for years, and he could not see how migratory bird studies come into their purview. And another condition is that they replace all of their landscaping with native trees, etc. Mr. Swavely has met with the Director of DoAG who will review the conditions noted on their position statement.

In closing, Mr. Swavely stated that this should be straightened out between the applicant and the regulatory ARC members who just add conditions such as this that they have no authority for or do not pertain to the project. He asked that the Commission's *Carte Blanche* and all ARC position statements, conditions of approval, be the updated statement from BSP, and he will deal with DoAG's statement at the permitting process.

Celine Cruz, Chief Planner reported that Planning has received an updated position statement from BSP, and it is being officially received. Ms. Cruz added that what will be included in the application file is the updated position statement, and when the permit plans are processed, it will be based on the updated statement.

Chairperson Enriquez recognized Case Planner Frank Taitano.

Frank Taitano, Case Planner commented that when the Commission approves an application subject to the conditions of the ARC, the negotiation does not stop, and it continues until the permit is issued. The conditions are reviewed, and the applicant and the government agencies will negotiate or determine, based on the plans and the applicable conditions of their statute, and the conditions of the agencies' approval will be applied to what the Commission has approved, which will always change, and will be monitored by Planning.

[Discussion ensues]

Chairperson Enriquez noted no further discussion. Madam Chair was ready to entertain a motion for action.

Commissioner Flores made a motion to approve Application No. 2024-30 based on the recommendation stated in the March 14, 2025 staff report.

Chairperson Enriquez motion is made by Commissioner Flores and asked for a second.

Celine Cruz, Chief Planner asked that the maker of the motion amend the motion to include the additional condition that states the maximum number of workers of 200.

Commissioner Flores amended her motion to approve the application based on the conditions noted on the March 14, 2025 staff report to include Condition D, that the maximum number of workers to 200.

Chairperson Enriquez accepted the amended motion made by Commissioner Flores and asked for a second.

Commissioner Pangilinan seconds the motion.

Chairperson Enriquez motion is seconded by Commissioner Pangilinan. There was no discussion on the motion, Madam Chair put the motion to a vote with all in favor of approval.

[Motion carried with a vote of 3 ayes, and 0 nays; Application No. 2024-30 is approved]

Administrative and Miscellaneous Matters

Horizontal Property Regime

- B. Application No. 1992-56D, the Applicant PIA Marine Condominium Homeowners Association represented by Atty. Terrance Brooks, is requesting to amend its existing HPR for the PIA Marine Condominium to consolidate two separate, existing HPRs for the same building, on Lot 5089-1-13R-1 and Lot 5089-1-13R-R1, in the Municipality of Tamuning, under HPR No. 85 and HPR No. 85A. Case Planner: Celine Cruz

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

Terrence Brooks [with Mr. Chris Felix, Century 21] Mr. Brooks extended his appreciation to Chief Planner Cruz for assisting with this complicated issue that is before the Commission.

Mr. Brooks explained that the original PIA Marine Condominium consisted of one-half condominiums and one-half hotel. The one-half that was condominium made a 100-percent ownership for half of the building. When the other apartments were converted from a hotel to condominiums, another 100 percent was given to them. They had hoped to consolidate into one condominium with the percentage of ownership divided up into 100; however, Guam Law requires that a consensus of all the homeowners and mortgage holders agree, which was an impossible task.

In working with Chief Planner Cruz, they devised a plan to separate the two 100-percent ownerships into a Phase I and a Phase II. This way, they will be able to keep the ownership interests the same and at the same time allow the condominium to operate under a single HPR and not two separate HPRs.

This request was submitted to solve these issues. Other issues include the commercial space that was not included in the original HPR, and it has been formally recognized as commercial units. Another issue was that there were two units (an office and a gym) in the hotel space when it was converted into condominiums, which were overlooked, and those units have since been converted to condominiums. The updated HPR will show Phase I and Phase II, which have full 100-percent ownership and addresses the commercial units and ownership issues. The condominium will now be operated under one Homeowners Association, which will operate all the condominium units.

Mr. Brooks is asking for the Commission's approval and is prepared to answer any questions from the Commission.

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

Commissioner Pangilinan has no questions or comments.

Commissioner Flores has no questions or comments.

Chairperson Enriquez asked if there were restaurants in any of the commercial spaces and if they were managed by the HOA.

Terrence Brooks responded that he believed there was, and that the commercial spaces were owned by the developer, Guam Yamnaol Inc., who continues to pay the utilities and common area fees for the spaces

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

Celine Cruz, Chief Planner read the Commission Brief for Application No. 1992-56D. The applicant is requesting to amend its existing HPR for the PIA Marine Condominium to consolidate two separate, existing HPRs for the same building

The applicant intends to consolidate the two HPRs into one HPR, divided into two phases; convert the common area of the existing gym and office into two units to be included into Phase II; update the relationship between the HOA and the developer; remove references to the hotel; formally describe the commercial units within the building; and, formalize the homeowners' previous agreement to operate the condominium under a single HOA. [For full content/context, refer to the attached Brief.]

[Attachment B – Commission Brief dated April 3, 2025]

To conclude, Chief Planner Cruz reported that Planning Staff finds that pursuant to the Hotel Property Act, the request as presented is in good form and context, and therefore recommends approval of the request.

Chairperson Enriquez turned the floor over to the Commissioners for questions [None noted]. Madam Chair asked if this was the first time the Commission had addressed this particular type of application.

Celine Cruz replied that she believed it was, and added that Ladera Towers went through something similar with their HPR, where they withdrew the original HPR and reapplied a few years later. It was withdrawn due to issues between the commercial spaces and the residential spaces. This application is different in the sense that the HOA has incorporated a lot of the basic elements of what is required for an HPR into one single document.

Chairperson Enriquez commented that her only recollection was with Oka Towers, where multiple units were owned by a corporation back in the 80s/90s.

[Discussion ensues]

Chairperson Enriquez opened the floor for public comment on the application before the Commission.

Public Comment [Noting no public comment, Madam Chair closed the public comment period for this application.]

Chairperson Enriquez turned the floor over to the Commissioners and asked for a motion for action.

Commissioner Pangilinan made a motion to approve Application No. 1992-56D based on the April 3, 2025 report and its recommendation.

Commissioner Flores seconds the motion.

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

Conditional Use Renewals

- C. Application No. 2011-09G, the Applicant, Fargo Pacific Inc. represented by Kyle M. Borja, is requesting an annual renewal of a Conditional Use Permit, to allow for the continued operation of its Temporary Workforce Housing Facility, on Lot 5161-1-3, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone. Case Planner: Frank Taitano

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

Kyle Borja is representing Fargo Pacific Inc. for their 7th annual TWHF renewal for FY2025/2026. Mr. Borja reported that the FPI Village has been in operation for eight years and currently houses 50 workers with a maximum capacity of 90 workers. Fargo currently has twelve active construction contracts for which the workers are authorized, and all the elements of the initial approval of the TWHF are currently functional and permitted.

Chairperson Enriquez turned the floor over to the members for questions. None noted from Commissioner Pangilinan and Commissioner Flores, Madam Chair turned the floor over to staff for their report.

Celine Cruz, Chief Planner reads the Commission Brief dated March 26, 2025. Ms. Cruz reported that the applicant submits its seventh renewal request for its TWHF that is located in Harmon. The facility is to accommodate 648 workers in three fully contained dormitory structures to be constructed in three phases, with a single dormitory structure to be built in each phase.

Phase I will include a single, three-story workers' dormitory structure, access roads, staff and guests, bus parking and delivery truck parking areas, basketball courts, barbeque picnic area, future expansion site, and a security office structure. Phase IA and IB will have 216 occupants, with Phase IA at 54 to 108 occupants and Phase IB at 108 to 162 occupants. To date, only Phase I has been developed.

The applicant, in the submission of this renewal request, states that presently, they have a total of 50 temporary workers on site and submits a copy of the dormitory, sanitary permits, site plan, and photos of the complex. [For full report, please see attachment]

In conclusion, Chief Planner Cruz stated that they have reviewed the applicant's request and, in line with their finding, that the elements of the TWHF as approved by the Commission on February 9, 2017, are still intact, and, recommends the Commission's favorable review of the request with conditions.

[Attachment C – Staff Report dated March 26, 2025]

Chairperson Enriquez questions for staff. Noting no questions from Commissioner Flores and Commissioner Pangilinan, Madam Chair opened the floor for public comment.

Public Comment [Madam Chair noted that there was no public comment, closed the public comment period.]

Chairperson Enriquez there was no further discussion. Madam Chair was ready to entertain a motion for action.

Commissioner Pangilinan made a motion to approve Application No. 2011-09G based on the recommendation as noted in the March 26, 2025 Memorandum.

Commissioner Flores seconds the motion.

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

- D. Application No. 2000-12J, the Applicant, Reliable Builders, Inc. represented by Kyle M. Borja; is requesting an annual renewal request of a Conditional Use Permit to allow for the continued operation of its Temporary Workforce Housing Facility, on Lot 5160-6-3, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
Case Planner: Frank Taitano

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

Kyle Borja is representing Reliable Builders, Inc. for their tenth annual renewal for its TWHF for FY2025/2026. Reliable Builders has been in operation for fourteen years and currently houses 75 workers and anticipates an increase of 50 workers, bringing the total to 125 by December 2025. Reliable Builders has a maximum capacity of 153 workers at its TWHF, has five active construction projects for which these workers are authorized for and all elements of the initially approved TWHF are functional and permitted.

Chairperson Enriquez turned the floor over to the Commissioners for questions. Madam Chair, Commissioner Flores, and Commissioner Pangilinan had no questions and turned the floor over to the Chief Planner for their report.

Celine Cruz, Chief Planner reads the Commission Brief dated March 26, 2025. Ms. Cruz reported that the applicant, Reliable Builders Inc., submits its tenth annual renewal request to allow for the continued operation of its TWHF to house up to 211 workers, which is located in Tamuning.

The facility is a fully contained, is a thirty-six symmetrical three-bedroom residential units' community to include existing elements for sleeping, restroom and shower facilities, laundry, cooking, security, including fire/medical emergency response capability, recreational facilities, transportation services, stormwater retention system, landscaping, and a 6-foot high perimeter fence.

The applicant, in its annual renewal package, provides a copy of the approved site plan, DPHSS workers' dormitory and sanitary permits, and photos of the complex.

The Planning Staff reported that the applicant continues to coordinate with the permitting agencies and recommends a favorable Commission review of their request with conditions. [For full content/context, please refer to the attached report.]

[Attachment D – Staff Report dated March 26, 2025]

Chairperson Enriquez turned the floor over to the members for questions [none noted] Chairperson Enriquez observed that, looking at the site photos, the compound is very nice

Noting no further comments, opened the floor for public comment.

Public Comment [None noted, Chairperson Enriquez closed the public comment period.]

Chairperson Enriquez there was no additional discussion. Madam Chair was ready to entertain a motion for action.

Commissioner Pangilinan made a motion to approve Application No. 2000- 12J based on the recommendation as noted in the March 26, 2025 Memorandum.

Commissioner Flores seconds the motion.

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

Madam Chair Enriquez turned the floor over to Deputy Director Tiston for additional business or announcements for the Commission.

Rossana Tiston, Deputy Director commented that she had no additional business or announcements for the Commission.

Chairperson Enriquez turned the floor over to Chief Planner Cruz for information on the next GLUC meeting and asked for the availability of the Commissioners to determine a quorum.

Celine Cruz, Chief Planner reported that at this time, Planning was not tracking any applications for the next meeting that is scheduled for Thursday, April 24, 2025; however, she will email the members if that should change.

Chairperson Enriquez acknowledged that the Legislature has voted and confirmed the nomination of Mr. Gerald Yingling to serve on the Guam Land Use Commission.

Celine Cruz informed the Commission that Mr. Yingling is scheduled to be sworn in on April 11th, 2:00 p.m. at the Governor's Conference Room. Ms. Cruz added that the staff has prepared a welcome binder and will obtain his contact information to be included in the Commission's email distribution.

Chairperson Enriquez assumed that he would join the Commission at the next scheduled meeting, to which Ms. Cruz replied, "Yes."

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

V. Adjournment

Commissioner Flores motioned to adjourn today's meeting

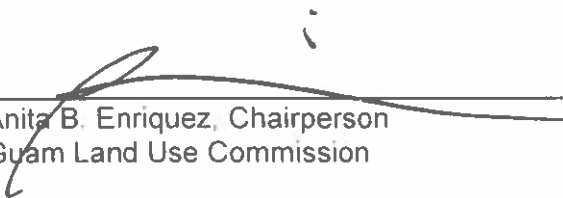
Commissioner Pangilinan seconds the motion.

Chairperson Enriquez accepts the motion made by Commissioner Flores and seconded by Commissioner Pangilinan. Madam Chair put the motion to a vote with all in favor of adjournment.

The regular meeting of the Guam Land Use Commission for Thursday, April 10, 2025 adjourned at 2:23 p.m.

Approved by:

Date approved:



Anita B. Enriquez, Chairperson
Guam Land Use Commission

6-12-25

Transcribed by:



M. Cristina Gutierrez, Recording Secretary



GUAM LAND USE COMMISSION

Chairperson Anita B. Enriquez
Vice Chairman Nonito V. Blas, Jr.
Commissioner Leilani R. Flores

Commissioner Ronald C. Pangilinan
Commissioner (Vacant)

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

AGENDA

Thursday, April 10, 2025 at 1:30 p.m.

Department of Land Management Conference Room

3rd Floor ITC Bldg., Tamuning, GU 96913

[As advertised in the Guam Daily Post – April 3rd, 2025 & April 8th, 2025]

Livestreamed on YouTube at Guam Department of Land Management Channel

I. **Notation of Attendance/Roll Call** [] Quorum [] No Quorum

II. **Approval of Minutes**

➤ GLUC Regular Meeting Minutes of Thursday, March 13, 2025

III. **Old or Unfinished Business [None]**

IV. **New Business**

Conditional Use

A. Application No. 2024-30, the Applicant, VG Gozum Construction LLC represented by Daniel D. Swavely; requests a Conditional Use permit to allow for the operation of a Temporary Workforce Housing Facility within a warehouse, to house up to a maximum of 200 workers, on Lot 5048-4, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
Case Planner: Frank Taitano

V. **Administrative & Miscellaneous Matters**

Horizontal Property Regime

B. Application No. 1992-56D, the Applicant, PIA Marine Condominium Homeowners Association represented by Atty. Terrance Brooks; is requesting to amend its existing HPR for the PIA Marine Condominium to consolidate two separate, existing HPRs for the same building, on Lot 5089-1-13R-1 and Lot 5089-1-13R-R1, in the Municipality of Tamuning, under HPR No. 85 and HPR No. 85A.
Case Planner: Celine Cruz

Conditional Use – Renewals

C. Application No. 2011-09G, the Applicant, Fargo Pacific Inc. represented by Kyle M. Borja; is requesting an annual renewal of a Conditional Use Permit, to allow for the continued operation of its Temporary Workforce Housing Facility, on Lot 5161-1-3, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
Case Planner: Frank Taitano

- D. Application No. 2000-12J, the Applicant, Reliable Builders, Inc. represented by Kyle M. Borja; is requesting an annual renewal request of a Conditional Use Permit, to allow for the continued operation of its Temporary Workforce Housing Facility, on Lot 5160-6-3, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
Case Planner: Frank Taitano

VI. Adjournment



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



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

LOURDES A. LEON GUERRERO
MAGA HĀGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA LĀHI • LIEUTENANT GOVERNOR

JOSEPH M. BORJA
DIRECTOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

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

March 14, 2025

Memorandum

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

To: Chairperson, Guam Land Use Commission

From: Guam Chief Planner

Subject: Staff Report - Application No. 2024-30, Conditional Use Application

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

1. PURPOSE:

a. Application Summary: VG Gozum Construction, LLC, represented by Mr. Daniel D. Swavely, is seeking approval for a Conditional Use Permit to establish a Temporary Workforce Housing Facility (TWHF) on Lot 5048-4, Municipality of Tamuning.

b. Legal Authority: This request is made under Title 21, GCA (Real Property), Chapter 61 (Zoning Law), Section 61303 (Conditional Use), and Section 61309(c) (Policy for Workforce Housing Facilities for Temporary Workers).

Telephone:
671-649-LAND (5263)

2. FACTS:

a. Location: The property is located at the end of Sgambelluri Lane in Upper Tumon.

b. Lot Area: 4,350 square meters (46,823 square feet).

c. Current Zoning: "M-1" (Light Industrial) Zone.

d. Existing Structure: The site is currently developed with an existing warehouse.

e. Masterplan: Mixed Use - North, Central Land Use Plan.

f. Community Design Plan: Medium-High Density Urban Residential.

Facsimile:
671-649-5383

g. **Previous Commission Action:** None.

3. APPLICATION CHRONOLOGICAL FACTS:

- a. **Application Accepted:** May 29, 2024
- b. **ARC Hearing Date:** July 2, 2024
- c. **Public Hearing Results:** January 14, 2025 (**See Attachment "A"**)

Note: A letter of opposition from Grace Russell, dated December 31, 2024, was received in response to the public hearing notification. In addition, concerns were raised regarding Sgambelluri Lane's ability to accommodate emergency vehicles. The applicant has committed to consulting with the Fire Bureau, the Department of Public Works, and the Mayor's Office to address these concerns. They will also present these issues during the Tamuning Municipal Planning Council (TMPC) public hearings.

4. DISCUSSION and STAFF ANALYSIS:

The applicant seeks approval to establish a Temporary Workforce Housing Facility (TWHF) on Lot 5048-4 in Upper Tumon. The property is zoned "M-1" (Light Industrial) and is currently developed with a warehouse.

The TWHF is permitted as a conditional use under Section 61309(c) of Chapter 61, Title 21 GCA, provided the applicant meets the requirements for site plan approval. These requirements include, but are not limited to, sewage disposal, access, parking, structural dimensions, impact on neighboring properties, and any covenants or performance standards necessary for the development.

The Commission must also assess the impact of the proposed facility on public health, safety, and general welfare. Below is a detailed analysis:

SITE PLAN

As shown in Exhibit "4" (Master Plan), the proposed TWHF will be located within an existing warehouse. The facility is designed to house up to 200 workers and will include the following amenities:

- Sleeping quarters, toilet and shower facilities, laundry services, food service, security, medical care, transportation, and both active and passive recreational spaces.

- Additional features include an enclosed solid waste structure, parking for regular vehicles and vans, landscaping, a covered BBQ area, a half-basketball court, and a recreational garden.
- A six-foot perimeter fence and a stormwater mitigation system will also be installed.
- The remaining 7,910.82 square feet of the warehouse will continue to function as a warehouse.

DISPOSAL OF SEWAGE

The facility will be connected to the public sewer system, and the applicant has received a position statement from the Guam Waterworks Authority (GWA) confirming this arrangement.

STRUCTURAL LOCATIONS and DIMENSIONS OF BUILDINGS

The existing warehouse measures 165 feet by 143.66 feet, totaling 23,703.9 square feet. The proposed TWHF will occupy 15,793.08 square feet on the ground floor. A mezzanine of 12,678.88 square feet will be added to the structure, increasing the total size of the TWHF to 28,471.96 square feet. The remaining space of 7,910.82 square feet will remain a warehouse.

ACCESS

Access to the site is provided by Sgambelluri Lane, a 40-foot-wide easement that connects to Marine Corps Drive.

PARKING

The facility will provide five parking spaces, including two for vans, two for cars, and one ADA-compliant space.

IMPACT OF THE PROPOSED USE ON ADJACENT LANDS

The applicant has worked with various government agencies and local entities to address potential impacts on neighboring properties. The following measures have been proposed:

- **Water and Sewer Demand:** The facility will be connected to the public water and sewer systems. A water and sewer demand analysis has been submitted, and the applicant has received GWA's position statement outlining requirements for water, sewer, and wastewater pre-treatment.
- **Power Supply:** The Guam Power Authority (GPA) has confirmed that the existing infrastructure is insufficient to support the project. The applicant must meet GPA's infrastructure requirements.

- Health, Safety, and Welfare: The applicant has committed to providing medical services, security, janitorial and landscaping services, food services, and transportation for the residents. A traffic impact analysis has also been submitted. Additionally, the TWHF will include a laundry area and recreational facilities.
- Access for Emergency Vehicles: In response to concerns about Sgambelluri Lane's suitability for emergency vehicles, the applicant has consulted with the Fire Bureau and Department of Public Works. The Tamuning Municipal Planning Council (TMPC) has granted Resolution 2025-002, approving the application with three conditions.
- Stormwater Management: The existing stormwater retention system on site will manage runoff, and landscaping will further reduce heat and runoff while enhancing the aesthetic value of the facility.

ACCOMPANYING COVENANTS THAT MAY INCLUDE PERFORMANCE STANDARDS

The applicant has provided a set of House Rules (Exhibit "7") outlining security and safety practices, including access and exit procedures, and personal conduct codes for residents. Any future amendments to these rules must be incorporated into the Workforce Housing Facility Rules and Regulations.

CONCLUSION

Based on the applicant's compliance with zoning laws, the positive outcome of the public hearing, the TMPC's approval, and feedback from relevant agencies, the proposed use aligns with the community's existing and future land uses. The applicant has committed to ongoing consultations with government agencies to ensure compliance with all requirements.

5. RECOMMENDATION: We recommend **Approval with Conditions** as follows:

- A. The applicant must adhere to the conditions and requirements outlined in the ARC permitting agencies' official position statements.
- B. The initial approval shall be granted for 24 months, subject to annual renewal in accordance with Section 61309(c)(4)(B)(i) of Title 21 GCA.
- C. The applicant must comply with the conditions outlined in the TMPC Resolution 2025-002.



Celine L. Cruz

CASE PLANNER: F. TAITANO

Attachments: ARC Memo to GLUC Members
Public Hearing Minutes
TMPC Resolution No. 2025-002

PUBLIC HEARING MINUTES
Tuesday, January 14, 2025, 6:00 p.m.
Tamuning Senior Center

APPLICATION NO. 2024-30

APPLICATION TYPE: Conditional Use

APPLICANT/ REPRESENTATIVES: VG Gozum Construction/ Daniel D. Swavely

LOT: 5048-4

CALLED TO ORDER: 6:07 p.m.

The meeting was called to order by Planning Staff and after a brief introduction and explanation of the application, the floor was then turned over to the applicant's representative, Daniel D. Swavely for his presentation. After his presentation, the applicant's representatives responded to the following public attendee's questions and concerns.

1. Vice Mayor Albert Toves: For the existing warehouse, will the infrastructure impact the neighborhood?

Dan Swavely: They have conditions imposed from the ARC members, for example we would need to upgrade to connect to a 6-inch water line and put in a new fire hydrant. The current waste water size is undersized and GWA is requiring us to increase the wastewater line. It will be upgraded and accommodated on either Route 16 or via Route 1. There will be no storm water run-off.

2. Vice Mayor Albert Toves: There's been complaints from the neighbors in that area about the warehouses having no storm drains. Those complains include the infrastructure problems.

Dan Swavely: It's a conditional of approval. The permit will not be signed unless Gozum complies with the ARC conditions. A beneficial occupancy permit will not be issued.

3. Vice Mayor Albert Toves: There will be a problem if the storm drain will not be addressed.

Dan Swavely: The neighborhood will definitely benefit from the infrastructure improvements. The minimum water line is always 6 inches, so this will be an upgrade.

4. Dan Tinsay: Where is the site? Did you do a traffic impact study? Sgambelluri Road is narrow.

Dan Swavely: Yes, the traffic and water impact studies have been done.

5. Dan Tinsay: Will there be buses transporting the workers?

Dan Swavely: Hopefully not buses. Maybe the 12 or 16 passenger vans.

6. Dan Tinsay: Sgambelluri Road is very narrow. How will the bus turn around?

Dan Swavely: It will definitely not be buses. It will be passenger vans.

7. Dan Tinsay: What are the work hours? 7-12?

Public Hearing Minutes: CU 2024-30
Page 2 of 3

Dan Swavely: The work schedule isn't certain yet. Usually there will be vendors who will provide meals and snacks. Practicality with the meals and logistics will probably be 8 am or 8: 30 am.

8. Dan Tinsay: You don't anticipate any improvements on Sgambelluri Road?

Dan Swavely: No, there was no condition for that?

9. Albert Manibusan: Are there any plans to connect through Sunrise Road?

Dan Swavely: The rear area is private land. No plans yet.

10. Dan Tinsay: What's the top off or occupancy for the number of workers?

Dan Swavely: It depends on the contract. You need a contract first before the workers arrive.

11. Dan Tinsay: What is the timeline of the project? 2026?

Dan Swavely: Possibly. The design can't start until the GLUC approves the application. The design takes an estimated 60 days.

12. Albert Manibusan: What is temporary? As in 8-10 years for the warehouse?

Dan Swavely: Temporary for the temporary workforce housing facility. After the workers and the contract, the building will revert back to a warehouse.

13. Albert Manibusan: There's only one way in and one way out. Did GFD see this project?

Dan Swavely: GFD saw the application.

14. Albert Manibusan: You changed from commercial to warehouse. There's a single house nearby and across the warehouse. I'm just concerned about the safety. GFD only has one way in and one way out. How will the fire truck or medic fit and pass through?

Dan Swavely: (explained the layout and site plan of the site and indicated the possible location for the fire hydrant).

15. Albert Manibusan: How are you widening the road? Will the land be taken from the neighbors?

Dan Swavely: The road is already 44 feet wide. The road or easement won't be widened but the pavement will be widened.

16. Albert Manibusan: I just want GFD to see if it's ok for that access.

Dan Swavely: I will take it to GFD for their review and if they approve it or proved conditions.

17. Vice Mayor Albert Toves: Is it possible to provide an alternative emergency exit?

Dan Swavely: If any private land owners will allow it. There's a possibility if the private landowners are willing. There's also a hundred cul-de-sacs that are also one way in and one way out.

18. Vice Mayor Albert Toves: Well, that's for residential, this will project will be for a commercial warehouse.

Public Hearing Minutes: CU 2024-30
Page 3 of 3

Dan Swavely: If the neighboring land owners are willing to negotiate, it's possible.

19. Albert Manibusan: If you do connect to Sunrise Road, it's still a narrow road. If you pass, you have to stop and let the other cars pass. What about the south side at the blue roof (end of Sgambelluri Road).

20. Dan Tinsay: Is Sgambelluri a public road?

Dan Swavely: Yes, it's a public access and utility road.

21. Dan Tinsay: It's a narrow road for the vans and trash etc.

Dan Swavely: An option is to flare out but from Wendy's, but that's private land. We're willing to work with the neighbors for improvement. I'm willing to work with DPW and GFD but I'd like intervention from the Mayor's Office.

22. Chief Planner Celine Cruz explained the housing for temporary workers in housing arrangements such as apartments, condos, or single-family homes and the purpose of the conditional use application to allow the temporary workers to be contained in one location in a temporary workforce housing facility rather than occupying separate housing and being spread out.

23. Vice Mayor Albert Toves: The change of occupancy instead of a warehouse to multiple dwelling for temporary workers. The infrastructure just needs to be in place. If there is a backup or outage, there will be a war.

Dan Swavely: The infrastructure will be improved. The occupancy permit will be withheld unless the infrastructure will be improved. .

MEETING ADJOURNED: 6:58 p.m.

December 31, 2024

Guam Chief Planner
Chairperson, GLUC or Executive
Secretary, GLUC
c/o Dept. of Land Management
Land Planning Division



Dear Ms. Cruz:

I, Grace Russell, I am a property owner next to Lot 5048-4, Municipality of Tamuning.

Recently, I received a notice of a proposal to obtain a conditional use for Lot 5048-4 Temporary Workforce Housing Facility (TWHF) on said property to house approximately 200 workers.

For personal and economic reasons, I strongly opposed this proposal.

Sincerely,


GRACE RUSSELL



TAMUNING MUNICIPAL PLANNING COUNCIL
Regular Monthly Meeting
Resolution No. 2025 - 002



Melissa S. Akimoto
John T. Brown
Antonio R. Charlauros
Michael G. Lastste

Rosanne U. Lastmoza
Albert T. Marubusan
William D. Nault
Gregory D. Perez

Faustino P. Punzalan
Dean J. Taitague
Danilo V. A. Tinsay
Chair Mayor Louise C. Rivera
VM Vice Chair Albert M. Torres

Relative to

A Resolution of the Tamuning-Tumon-Harmon Municipal Planning Council, Territory of Guam,
Recommending Approval with Conditions for the VG Gozum
Temporary Workforce Housing Facility at Sgambelluri Lane, Upper Tumon
GLUC Application No. 2024-30

BE IT RESOLVED BY THE MUNICIPAL PLANNING COUNCIL OF TAMUNING-TUMON-HARMON:

WHEREAS, the Department of Land Management conducted a duly-noticed public hearing for GLUC Application No. 2024-30 on January 14, 2025; and

WHEREAS, the Tamuning-Tumon-Harmon Municipal Planning Council conducted a duly-noticed public hearing for GLUC Application No. 2024-30 on February 06 and on March 06, 2025; and

WHEREAS, the Tamuning-Tumon-Harmon Municipal Planning Council convened its duly-noticed Regular monthly meeting on Thursday, March 6 during which agenda item IX, Old Business, #2 called for discussion and a vote for a Resolution regarding GLUC Application No. 2024-30; and

WHEREAS, at that Regular Meeting the Council discussed GLUC Application No. 2024-30 and three conditions, namely:

- a. That VG Gozum provide for a turn-around, acceptable to the Guam Fire Department, for GFD vehicles at the end of Sgambelluri Lane, such turn-around to utilize available Sgambelluri Lane ROW plus a portion of the VG Gozum parking lot, as necessary; and
- b. That VG Gozum be responsible for removal of the abandoned vehicles along Sgambelluri Lane; and
- c. That VG Gozum continue to coordinate with the DPW Rights-of-Way Division to widen the ingress and egress at the intersection between Sgambelluri Lane and Marine Corps Drive, as may be permitted within the Marine Corps Drive right-of-way.

Page 1 of 2

RESOLUTION 2025 - 002

VG Gozum TWHF at Sgambelluri Lane, Upper Tumon

CA

TAMUNING MUNICIPAL PLANNING COUNCIL
Regular Monthly Meeting
Resolution No. 2025 - 002



NOW, THEREFORE, BE IT RESOLVED, that the Tamuning-Tumon-Harmon Municipal Planning Council voted unanimously to recommend approval of GLUC Application No. 2024-30 with the above three Conditions of Approval.

DULY AND REGULARLY ADOPTED ON THE 06th DAY OF MARCH, 2025.

LOUISE C. RIVERA
Mayor and Chair

ALBERT M. TOVES
Vice Mayor and Co-Chair

DANILO V.A. TINSAY
MPC Member and Council Secretary



To Chairperson, Guam Land Use Commission, Guam Department of Land Management
From Property Owners of Techaira Street, Magat, Mangilao, Guam

RE: Application No. 2024-53 for Zoning Variance of Lot 5372-2-R1

We, the below signed property owners of Techaira Street, Magat, Mangilao, Guam do not support a zoning variance for Lot 5372-2-R1 as requested in Application No. 2024-53. We do not support any use for this lot beyond what is permissible within its current zone, R-2, multi-family dwellings. We encourage the Guam Land Use Commission to rezone the lot R-1, single family dwellings, to ensure the family neighborhood atmosphere of Techaira Street.

Sincerely,

Address and Property Owner	Signature(s)
128 Techaira Street	
147 Techaira Street	
156 Techaira Street	
158 Techaira Street	
168 Techaira Street	
176A Techaira Street	

3

176 Techaira Street	Royce 2/24/25
177 Techaira Street	
184 Techaira Street	M. Gonzalez M. P. P. A. P.
190 Techaira Street	
195 Techaira Street	James M. Techaira
197 Techaira Street	Gloria R. Hughes GLORIA R. HUGHES
201A Techaira Street	
201 Techaira Street	
192 Techaira Street	Carlos M Cruz Jr February 19, 2025 Cruz

199 Techaira st.

208 Techara Street	Victoria L. CONCEPCION <i>Victoria L. Concepcion</i>
218 Techara Street	
220 Techara Street	



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



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

LOURDES A. LEON GUERRERO
 MAGA'HAGA • GOVERNOR

JOSEPH M. BORJA
 DIRECTOR

JOSHUA F. TENORIO
 SIGUNDO MAGA LAHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
 DEPUTY DIRECTOR

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 P.O. Box 2950
 Hagåtña, GU 96932

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

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

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

March 14, 2025

Memorandum

To: Guam Land Use Commission (GLUC) Members
From: Chairperson, Application Review Committee (ARC)
Subject: Summary of Positions Submitted by ARC
Re: Application No. 2024-30 (Conditional Use)

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

DEPARTMENT OF LAND MANAGEMENT (DLM):

DLM recommends approval with the following conditions:

- A.** That the applicant adhere to the ARC permitting agencies' conditions and requirements stipulated on their official position statement; and,
- B.** That this initial approval shall be Twenty-Four (24) Months and therefore shall be renewed annually pursuant to Section 61309 (c)(4)(B)(i), Chapter 61, Title 21 GCA.

DEPARTMENT OF PARKS AND RECREATION (DPR):

DPR will have no objections to the approval of the Conditional Use application.

GUAM POWER AUTHORITY (GPA):

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

DEPARTMENT OF AGRICULTURE (DoAg):

DoAg does not oppose the request of the Conditional Use application, subject to the conditions on their position statement.

Memo to GLUC Members

Ref: ARC Position Statements - Application No. 2024-30

March 14, 2025

Page 2 of 2

BUREAU OF STATISTICS AND PLANS (BSP):

BSP recommends approval of the Conditional Use application based on the aforementioned conditions on their position statement.

GUAM WATERWORKS AUTHORITY (GWA):

GWA supports the Conditional Use permit, subject to the conditions on their position statement.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

GEPA approves the application with conditions as stated on their position statement.

DEPARTMENT OF PUBLIC WORKS (DPW):

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

GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA):

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

GUAM FIRE DEPARTMENT (GFD):

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

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

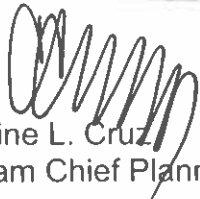
Ex-Officio, non-voting member, not required to submit Position Statement.

GUAM PUBLIC SCHOOL SYSTEM (GPSS):

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

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):

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



Celine L. Cruz
Guam Chief Planner

Attachments: ARC Position statements

CC: Executive Secretary, GLUC



GUAM WATERWORKS AUTHORITY

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




MEMORANDUM

August 30, 2024

TO: Joseph Borja, Director, Department of Land Management

CC: Mayor Melissa B. Savares, Municipality of Dededo
(melissa.savares@gmail.com)

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

SUBJECT: Position Statement on Conditional Use Application 2024-30 for Lot 5048-4 in the Municipality of Dededo

APPLICANT: VG Gozum Construction LLC

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a Conditional Use Permit to develop a Temporary Workforce Housing Facility for 200 workers, and storage proposed within the existing warehouse on an M-1 zoned property.

This memorandum shall serve as GWA's position statement for the Conditional Use application related to the availability of water and sewer infrastructure to serve the Dededo lot. This position statement shall not be construed as notice that water and sewer systems have the capabilities to accommodate the proposed development, including fire flow, without on-site or off-site improvements. Any extension of the water and sewer systems and/or capacity upgrades required to serve the property shall be subject to GWA rules and regulations. Any required extension to the existing facilities to serve the subject properties shall be at the applicant's expense.

The GWA account number 2462502712 for the subject project is currently classified as Commercial I with meter number 7006163, was opened on March 11, 2024. With the proposed Temporary Workforce Housing Facility for 200 workers and storage proposed within the existing warehouse, the classification will change to Commercial II, which includes establishments with higher water demand.

GWA provides water service to the existing structure. However, the existing warehouse is verified to be connected to a septic tank even though public sewer is located approximately 145 feet away on Sunrise Street to the south and 325 feet away on Tulip Street to the east. GWA supports the conditional use permit with the following conditions:

T. Froul
GWA
11-27-24

1. GWA requires the applicant to coordinate with the GWA Engineering Department at least six months prior to the building permit application submittal to discuss the proposed water demand and sewer production calculations in order to determine if existing GWA facilities can accommodate the proposed development and if any off-site infrastructure improvements may be necessary. Utility capacity analysis will consider service to existing customers, as well as approved projects in the building permit/construction phase which are unavailable for use by newly proposed developments. Water and Sewer design shall adhere to GWA standards and requirements.
2. The applicant must provide GWA with site development plans to construct the proposed development. The site development plans must illustrate the proposed point of connection for water and sewer and is subject to GWA inspection and approval. Submittals must include water and sewer design calculations, along with complete drawings and specifications signed and stamped by a Professional Engineer licensed in Guam. Design calculations should cover proposed water demand, including fire-flow, and sewer production, adhering to GWA standards and requirements.
3. Water System: The subject property is currently connected to GWA's existing water system via a 1-1/2-inch meter located on Sunrise Street. Per GWA regulations the meter must be relocated to Sgambelluri Street, within the right of way in front of project lot 5048-4, and upgraded to a larger meter if necessary to meet the project's increased water demand. Additionally, a new 6-inch lateral water line must be installed, extending from the project lot along Sgambelluri Street to connect to an existing 6-inch water main approximately 150 feet from the intersection of Sgambelluri Street and Marine Drive.
4. If off-site water and sewer infrastructure improvements are installed by the applicant, they will require prior approval from GWA and must meet GWA standards. The proposed off-site water and sewer infrastructure improvements shall be constructed in the public easement or right of way, and shall be subject to inspection by GWA at the sole expense of the applicant. GWA's approval of the occupancy permit application will be contingent upon the completion of offsite utility improvements.

Regarding the sewer system, the existing warehouse on the property is currently connected to a septic tank. However, due to the anticipated higher wastewater demand from the proposed development, the system must be connected to the public sewer in compliance with the regulations outlined in 22 GAR – GEPA DIV. V - CONNECTION TO PUBLIC SEWER REGULATIONS. Specifically, Regulation §25109(a)(2) mandates that existing buildings, including commercial businesses, must connect to the public sewer if they are less than 200 feet away and are remodeled or extended in a manner that increases sewage flow.

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

Regarding the water meter, please indicate in your design plans if the current water meter will be used as the master meter for the proposed development. If you are planning to modify or install new meters, these changes should be reflected in your plans and calculations.

6. The applicant shall register maps and documents for new public rights of way or utility easements with the Department of Land Management and provide copies to GWA.
7. GWA does not guarantee that water service will meet Guam Fire Department's fire suppression requirements. The applicant is responsible for any onsite or offsite utility improvements needed to meet fire suppression requirements.
8. Currently, there is no fire hydrant along Sgambelluri Street, so it is specifically recommended to install a wet barrel fire hydrant near the project warehouse. This, along with the installation of a fire hydrant or tank/pump system at the proposed development on Lot 5048-4, is strongly recommended to enhance fire safety. Given the expected occupancy of 200 people, these measures will ensure compliance with local regulations, address safety concerns, and safeguard the well-being of all occupants during emergencies.
9. Backflow prevention devices are required for non-residential activities, or when a development will be served by a master meter in accordance with GWA standards.
10. New development is subject to water and/or sewer system development charges.
11. Certain activities are subject to sewer pre-treatment requirements. Grease traps or interceptors are required for food service establishments. Oil-water separators are required for vehicle maintenance activities. See GWA for additional industrial wastewater pre-treatment requirements.
12. Only wastewater shall be discharged to the sanitary sewer system. Stormwater, pool water, and pool backwash water discharge to the sanitary sewer system is prohibited.

13. After a GWA utility service account is opened, the account holder is responsible for informing GWA of onsite activity changes that may affect the account's classification and utility service requirements. Activity changes include, but are not limited to, laundry, food service, and vehicle maintenance activities.

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



LOLA E. LEON GUERRERO
Director
MATTHEW C. SANTOS
Deputy Director

BUREAU OF STATISTICS AND PLANS

Sagan Planu Siha Yan Emfotmasion



LOURDES A. LEON GUERRERO
Governor of Guam
JOSHUA F. TENORIO
Lieutenant Governor

August 2, 2024

Memorandum

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

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2024-30 Conditional Use
Location: Lot 5048-4
Municipality: Tamuning
Applicant: VG Gozum Construction LLC
Proposed Use: Temporary Workforce Housing Facility



Buenas yan Háfa Adai! I am pleased to inform you that the Bureau of Statistics and Plans (Bureau) has completed its review of the above-mentioned application pursuant to its authorities under 5GCA Ch.1 Article 2 Comprehensive Planning¹ and the Guam Coastal Zone Management Program (GCMP) Enforceable Policies² pursuant to Executive Order 78-37. Moreover, in accordance with Executive Order 96-26, the Bureau hereby submits its position statement based on its professional and technical analysis of effects to statutory authorities under the Bureau’s purview.

Application Overview

The applicant, VG Gozum Construction LLC, is submitting a Conditional Use application to allow for the construction of a Temporary Workforce Housing Facility (TWHF) within the M-1 “Light Industrial” zoned subject lot. The subject property is located within the municipality of Tamuning and contains a land area of 4,350 square meters or approximately 1 acre. The TWHF is proposed to house a maximum of 200 workers within an existing warehouse structure. The applicant intends for the TWHF to occupy 2/3 of the warehouse. The remainder of the warehouse will remain to be used as a warehouse. The structure will be reverted in-whole to a warehouse, after the workforce housing accommodations are no longer needed. Power, water, and sewer are directly available and connected.

¹ 5 GCA, CH 1 Article 2, § 1200 *et seq.* (1990) Note: In past publications, this article was entitled “Centralized Planning”; however, this manifest error has been corrected and the article reads “Comprehensive Planning” pursuant to P.L. 20-147 (Mar. 21, 1990).

² Guam Land-Use Policies, Executive Order 78-37 (1978) <https://bsp.guam.gov/wp-content/uploads/2017/01/EO-78-37-Guam-Land-Use-Policies.pdf>

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

RECEIVED
By Cristina at 8:38 am, Aug 05, 2024

*To: [unclear]
[unclear]
8-13*

CS

Planning Considerations and Constraints

A. Surrounding Zone and Land Use Characterization

The subject lot is located on Sgambelluri Lane, behind Wendy's in Upper Tumon. Land use within the immediate surrounding area comprises a mix of single family and multi-family residences, commercial and light industrial activities, and some undeveloped land.

The subject lot is located in a "Commercial"³ designated land-use area under the North and Central Guam Land Use Plan (NCGLUP). The NCGLUP (PL 30-244),⁴ was adopted as an element of the Guam Comprehensive Development Plan. "Commercial lands are those designated primarily for retail businesses and services located near arterials or major transportation centers. Examples of such uses may include major retail uses, large office developments, medical and other service uses, and a mix of other commercial uses that serve the island. Non-commercial uses should be discouraged except for public facilities that are compatible with the surrounding area. Commercial areas may include mixed use development, including residential where appropriate."⁵

As the Zoning Law restricts the development and operation of TWHF to only M1 properties, and the proposed conditional use conforms with the zoning law, the proposed TWHF is appropriate for the mixed use development that may be included in the commercial designated areas under the NCGLUP.

B. Geographical Landscape Assessment Based on Watershed

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

Regarding development impacts, as of 2015 land cover data, 30.6% of the watershed was developed, and 15.78% comprised impervious surfaces.⁷ An area is at greater risk of flooding the more an area is developed and levels of impervious surfaces are high. Areas with impervious surface rates will likely experience negative impacts on water quality. Impervious surfaces significantly reduce the water quantity and quality in a watershed. Impervious surface degrades the watershed quality by greatly reducing the stream flow and increasing the stream temperature. They carry huge pollutant loads downstream, causing due harm to aquatic life. Severe degradation can be expected when rates reach 25%. Runoff effects include channeling and loss of beach profile along untreated storm drain outfalls, sediment plumes, algae blooms, noxious odors due to poor water quality, and coral mortality.

³ ICF International. 2009. North and Central Guam Land Use Plan. September. (ICF International #00824 08.) Seattle, WA. Prepared for Bureau of Statistics and Plans—Government of Guam.

⁴ Public Law 30-224 §, Section 4 (2010). [https://gdamlegislature.com/Public_Laws_30th_PL_02030-224%20SB11%20No_020462-11%20\(415\).pdf](https://gdamlegislature.com/Public_Laws_30th_PL_02030-224%20SB11%20No_020462-11%20(415).pdf) Note: The plan was adopted due to inaction by the 90th day of the of the 31st Guam Legislature

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

⁶ National Oceanic and Atmospheric Administration, Office for Coastal Management. "C-CAP Land Cover Atlas". Coastal Change Analysis Program (C-CAP) High-Resolution Land Cover. Charleston, SC: NOAA Office for Coastal Management. Accessed July 2024 at <https://coast.noaa.gov/ccapatlas/>

⁷ Ibid

Land cover within the subject lot is impervious surface from the existing structure occupying the majority of the area and the remainder of the lot being concrete pavement. The proposed development is not expected to change the existing landscape as the proposed TWHF will be within the existing warehouse structure.

Effects Test and Conditions

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

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

Determination of Effects: Yes

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

Condition: The applicant must incorporate green building concepts and sustainable community designs in the design and construction phase of the project. Incorporate the use of alternative power sources, such as solar powered street lights, water heating, and air-conditioning, and other uses of renewable power sources.

Condition: The applicant must replicate the native forests through propagation and outplanting throughout open spaces of the property. The applicant must coordinate with the Guam Department of Agriculture for the use of preferred native tree species.

Air-quality Policy: All activities and uses shall comply with all local air pollution regulations and all appropriate federal air quality standards in order to ensure the maintenance of Guam’s relatively high air quality.⁹

Determination of Effects: Yes

The proposed development has the potential to adversely impact air quality.

Condition: Incorporate Best Management Practices (BMPs) during any future construction to minimize dust and air pollution such as fugitive particulate matter emissions from ground-disturbing activity and from the operation of vehicles and heavy equipment. Ensure that the surrounding neighborhood is not exposed to noxious odors.

⁸ ICF International. North and Central Guam Land Use Plan (2009) 2-5

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

Water Quality Policy: Safe drinking water shall be assured and aquatic recreation sites shall be protected through the regulation of uses and discharges that pose a pollution threat to Guam's waters, particularly in estuarine, reef and aquifer areas.¹⁰

Policy NS-1. Protect the Northern Aquifer watershed and recharge areas through appropriate land use categories and development standards, including requirements for public sewer infrastructure for all residential subdivisions, low development density for unsewered areas, on-site stormwater disposal, and limiting heavy industrial activities.¹¹

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

- e. Use of green street design principles, which emphasize low maintenance, stormwater management, aquifer recharge, beautification, and neighborhood collaboration and pride;
- f. Limit building and parking footprints and use alternative surface/paving designs to reduce thermal pollution, promote groundwater recharge, and preserve space for landscaping;
- g. Use of percolation ponds and other low maintenance systems on large-scale development sites overlying recharge areas. Require that large scale and regional stormwater management plans and designs do not result in the transfer or movement of water from immediate area recharge to sub-basins. There should be no new nonpoint or point source pollution discharges as part of this redevelopment.”¹²

Determination of Effects: Yes

Stormwater and wastewater from the site will contribute to the cumulative negative impact on the water quality within the Northern Watershed and the Northern Guam Lens Aquifer.

Condition: The applicant shall ensure to coordinate with GWA to ensure the existing sewer infrastructure or any required improvements are adequate to serve the significant increase of use from the TWHF. The applicant must comply with CNMI and Guam Stormwater Management Manual¹³ standards and implement Island Best Management Practices specifications. Concepts, design and performance standards can be found in the GCMP publications 1) Island Stormwater Practice Design Specifications Manual¹⁴ and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner’s Guide to Implementing LID¹⁵.

Determination

¹⁰ Ibid

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

¹² Ibid , 5-5

¹³ Horsley Witten Group. CNMI and Guam Stormwater Management Manual. Prepared for Commonwealth of the Northern Mariana Islands and the Territory of Guam. (2006) Volume 1: <https://bsp.guam.gov/wp-bsp-content/uploads/2020/07/StormwaterManual-Volume1-Final.pdf> Volume 2: <https://bsp.guam.gov/wp-bsp-content/uploads/2020/07/StormwaterManual-Volume2-Final.pdf>

¹⁴ Center for Watershed Protection & Horsley Witten Group, Inc. Island Stormwater Practice Design Specifications: A Supplement to the 2006 CNMI & Guam Stormwater Design Manual. Prepared for NOAA Coral Reef Conservation Program, Guam Coastal Management Program, and Guam Environmental Protection Agency. (2010)
https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA/CRCP/project/1906-island_swm_specs_supplement_cnmi_guam_design.pdf

¹⁵ Center for Watershed Protection & Horsley Witten Group, Inc. Stormwater Management in Pacific and Caribbean Islands: A Practitioners Guide to Implementing LID. Prepared for NOAA Coral Reef Conservation Program. (2014).
https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA/CRCP/project/1906/Feb2014_IslandBMPGuide_wAppendix.pdf

Pursuant to Executive Order 96-26, Appendix A § 700 (g), the Bureau hereby recommends approval of the conditional use application based on the above-mentioned conditions. If these conditions are not met by the applicant or not included in the Guam Land Use Commission's Notice of Action, this position statement is to be interpreted as a recommendation for disapproval.

Should you have any questions regarding this matter, please do not hesitate to contact Mr. Christian Benitez, Planner, at christianpaul.benitez@bsp.guam.gov or Mr. Edwin Reyes, Coastal Program Administrator, at edwin.reyes@bsp.guam.gov. Si Yu'os Ma'åse'.



MATTHEW C. SANTOS
Acting Director



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

Department of Agriculture Dipattamenton Agrikottura

163 Dairy Road, Mangilao, Guam 96913



Chelsa Muña
Director
Roy Gamboa
Deputy Director

To: Joseph Borja, Director
Department of Land Management

Attn: Executive Secretary
Guam Land Use Commission

From: Chelsa Muña, Director Chelsa D. Muna
Digitally signed by Chelsa D. Muña
Date: 2024.06.12 16:20:21
+1000

Date: June 12, 2024

Subject: Position Statement for "Conditional Use," Application 2024-30, for a Warehouse and Temporary Workforce Housing Facility in a Light Industrial (M-1) zone on Lot 5048-4, located along Sgambelluri Lane, Upper Tumon (VG Gozum Construction LLC)



The Department of Agriculture (DOAG) reviewed Application 2024-30 for a "Conditional Use" on Lot 5048-4 along Sgambelluri Lane, Upper Tumon, to allow for 2/3rds of the existing warehouse to be used as a temporary workforce housing facility for a maximum of 200 workers on the 46,823 square feet property. The subject lot is M-1 zone, with existing structure.

The following is the position statement provided by DOAG, under the agency's authorities:

1. Biosecurity:

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

2. Aquatic and Wildlife Resources:

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

Conservation Measures for the Construction, Operations, and Maintenance on Lot 5048-4 must be developed and implemented to prevent impacts and/or off set impacts to these protected species. VG Gozum Construction (and their contractor/s) must consult with DOAG's Division of Aquatic and Wildlife Resources (permits@doag.guam.gov) to finalize an effective plan to manage protected species occurrence on the subject lot and adjacent lots that may be impacted.

*Frank
COM
6/16/24*



3. Animal Health:

With the ongoing challenges of stray animals on Guam, DOAG's Animal Health Division may be reached at quarantine@doag.guam.gov to provide preventative measures and guidance addressing pets and stray animals on the property.

DOAG does not oppose the request of the "Conditional Use," application 2024-30, however, the landowner must adhere to the conditions listed above, moving forward. If you have any questions or concerns, please contact Mr. Jeffrey Quitugua at Jeffrey.Quitugua@doag.guam.gov or permits@doag.guam.gov.



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

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

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



Angel R. Sablan
Acting Director
Warren Pelletier
Deputy Director

June 12, 2024

In reply refer to:
RC 2024-0326

Memorandum

To: Director, Department of Land Management

From: Acting Director, Department of Parks and Recreation

Subject: The applicant, VG Gozum Construction LLC propose a Conditional Use on Lot 5048-4 in the Municipality of Tamuning for a warehouse and temporary workforce housing facility. DLM No. 2024-30



We reviewed the subject request for a Conditional Use on Lot 5048-4 in the Municipality of Tamuning for a warehouse and temporary workforce housing facility. DLM No. 2024-30. The subject Lot has an overall size of 1.0 acres.

Our office has concluded our review and will have No Objection with the Approval of this Conditional Use application.

Should you have any questions, please contact Mr. Logan Myers, Archaeologist at (671) 475-6340 or by email: logan.myers@dpr.guam.gov.

Sincerely,

Angel R. Sablan
Acting

Patrick O. Lujan
State Historic Preservation Officer

Frankie
6-20-24
CS



CS



The Honorable
LOURDES A. LEON GUERRERO
 Maga' Håga • Governor

The Honorable
JOSHUA F. TENORIO
 Sigundo Maga' Låhi • Lieutenant Governor



public works
 DEPARTAMENTO DE OBRAS PÚBLICAS
VINCENT P. ARRIOLA

Director

LINDA J. IBANEZ

Deputy Director

ERNEST G. CANDOLETA, JR.

Deputy Director

30 JUL 2024

MEMORANDUM

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

FROM: Deputy Director

APPLICANT: VG Gozum Construction LLC
 Application No.: 2024-30

SUBJECT: (Zoned M-1) Conditional Use Permit Application for Temporary Workforce Housing Facility, Lot 5048-4, Tamuning, Guam



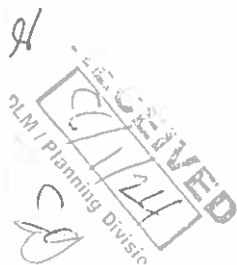
The applicant, is requesting a conditional use permit application for a warehouse and temporary workforce housing facility for additional H2B workers. The intent of this housing is to accommodate the 200 workers arriving in Guam that will augment the construction labor resources. The land is approximately 46,823.00 square feet or 4,350 square meters located in the Municipality of Tamuning.

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

All temporary work force housing conditions for approval shall include the following:

- Approval shall be for initial term of twenty four (24) months, and thereafter and shall be renewed annually.
- Ingress/ egress must be wide enough for incoming/ outgoing vehicles.
- The building to house the H2B workers must ensure their protection, safety and welfare.
- Must comply with all health and safety regulations of the Government of Guam and the OSHA regulations as applicable
- Shall provide onsite storm drainage disposal system design plan to be supported with calculations.
- Must be served by an adequate sanitary system.
- Provide a closet for each occupant (H2 workers) and must have their own key to store their valuables.

542 North Marine Corps Drive, Tamuning, Guam 96913 • (671) 646-3131 / 647-5055 • Fax (671)649-6178



To: Frank
 [Signature]
 8.5.24

- Parking layout and parking stalls (compact, standard, bus parking) and accessible stalls must meet the American Disability Act (ADA) requirements.
- Must include a development plan indicating specific design parameters for sleeping area, toilet/shower facilities, laundry services, food services, security, medical care, transportation services and recreation areas.

NOTE: 1) All housing facilities for temporary workers must comply with Federal and Government of Guam Regulations.
2) Provide a full Traffic Impact Analysis prior to issuance of any DPW Permits for Workforce Housing Applicants.

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



ERNEST G. CANDOLETA, JR.
Acting Director



GUAM POWER AUTHORITY

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



June 17, 2024

MEMORANDUM

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

From: General Manager

Subject: Lot 5048-4, Municipality of Tamuning, (VG Gozum Construction LLC); Conditional Use Application for a Warehouse and Temporary Workforce Housing Facility. **Application No. 2024-30**


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

A. Comments and Recommendations Concerning GPA requirements:

1. Customer is required to comply with the following pursuant to the National Electric Code, National Electric Safety Code and GPA's Service Rules and Regulations:
 - Coordinate overhead/underground power requirements with GPA Engineering for new structures.
 - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code and National Electrical Code.
 - Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements.
 - Developer Owner shall provide necessary electric utility easements to GPA prior to final connection.
 - Provide scheduling and magnitude of project power demand requirements for new loads.
 - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials.
 - **GPA reserves its easement rights established under Document No. 57144 & 550558.**
2. Primary distribution overhead and underground line extensions and GPA service connections must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.
3. A system impact assessment may be required to determine the effect of this development on GPA's existing power facilities.
4. All costs associated with the modification of GPA facilities shall be chargeable to the customer. This includes relocation costs, new installation costs and any required system upgrades.

B. General Comments

GPA has no objection to the request subject to the conditions cited above.


JOHN M. BENAVENTE, P.E.

ASG/rt

*TV: Frank
6-26-24*

CS

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
 Applicant: **VG Gozum Construction LLC**
 Location: **Lot 5048-4, Tamuning**
 Type of Application: **Conditional Use**
 GLUC/GSPC Application No. **2024-30**
 Brief Project Description:
For a Warehouse and Temporary Workforce Housing Facility.

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

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

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

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

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

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



JOHN M. BENAVENTE, P.E.
 General Manager

6/21/2024

 Date

Comments:

Based on a preliminary inspection of the site, the electrical facilities may require upgrading to meet the demand of the proposed project. A system impact assessment may be required to determine the effect of this development on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.

ASG/rts

adequate public sewer infrastructures, and neither should high density residential development, at more than one dwelling per one half (1/2) acre. The applicant is responsible to consult with Guam Waterworks Authority to determine the adequacy of public sewer and water service available in the area.


2. The TWHF will be provided with a small kitchen facility, therefore, a grease interceptor must be installed in the building's sanitary piping system prior to the disposal of sewage to public sewer.

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

Should you have any question or need additional information, please do not hesitate to contact my staff at Water Resources Management Program or Water Division Acting Chief Engineer Mr. Johnny Abedania Tel No. (671) 300-4796 or (671) 300-4786, respectively.

Dangkolu na si Yu'us ma'ase'.

Senseramente,


MICHELLE C.R. LASTIMOZA
Administrator

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





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



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

LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR

JOSEPH M. BORJA
DIRECTOR

JOSHUA F. TENORIO
SIGUNDO MAGA LAHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

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

April 3, 2025

Memorandum

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

To: Chairperson, Guam Land Use Commission

From: Guam Chief Planner

Subject: Commission Brief – Application 1992-56D

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

Pursuant to Title 21 GCA (Real Property), Chapter 45 (Horizontal Property Act). The applicant, PIA Marine, represented by Attorney Terrence Brooks, is requesting to amend its' existing HPR (Horizontal Property Regime) for the PIA Marine Condominium to consolidate two separate, existing HPRs for the same building, on Lot 5089-1-13R-1 and Lot 5089-1-13R-R1, in the Municipality of Tamuning, under HPR No. 85 and HPR No. 85A.

Telephone:
671-649-LAND (5263)

As presented by the applicant, the intent of the submitted First Amended Declaration and Consolidation of HPR Registration Numbers 85 with 102 units and 85A with 100 units, is to;

Facsimile:
671-649-5383

- A. Consolidate the two HPRs into one HPR divided into two phases (one phase for each existing HPR) with each phase keeping its' original ownership interests with the condominium operation consolidated under a single document.
- B. Convert the common area of the existing gym and office into two units to be included into Phase 2 (85A) increasing the total number of units to 102 and the total number of units under the proposed single HPR to 204 units.
- C. Update the relationship between the Homeowners Association and the Developer, Guam Yamanoi, Inc.
- D. Remove references to the Hotel.

Commission Brief
Re: Application 1992-56D
Date: April 3, 2025
Page 2 of 2

- E. Formally describe the Commercial Units within the building. And,
- F. Formalize the Homeowners' previous agreement to operate the Condominium under a single Homeowners Association.

As a result of our review of the submitted request package, planning staff finds that, pursuant to the Horizontal Property Act, the request, as presented is in good form and context, and therefore recommend approval of the applicants' request.



Celine L. Cruz
Chief Planner

Case Planner: Celine Cruz
Attachments: 1. Request Package



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



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

LOURDES A. LEON GUERRERO
 MAGA'HAGA • GOVERNOR

JOSEPH M. BORJA
 DIRECTOR

JOSHUA F. TENORIO
 SIGUNDO MAGA'LAIH • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
 DEPUTY DIRECTOR

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

March 26, 2025

Memorandum

To: Chairperson, Guam Land Use Commission

From: Guam Chief Planner

Subject: Commission Brief – Request for Annual Renewal - Application No. 2011-09G

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

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

1. **PURPOSE:** The applicant, Fargo Pacific, Inc. (FPI) represented by Kyle M. Borja; submits its seventh (7th) annual renewal request for its previously approved Conditional Use Permit for its Temporary Workforce Housing Facility (TWHF), on Lot 5161-1-3 Tract 260, Harmon, Municipality of Tamuning.
2. **LEGAL AUTHORITY:** Title 21, GCA (Real Property), Chapter 61 (Zoning Law) Section 61303 (Conditional Use) and Section 61309 (c) (Policy for Workforce Housing Facilities for Temporary Workers), Public Law 31-72 and as a general condition on its Notice of Action, recorded under Document No. 903685.
3. **APPLICATION SUMMARY:**

As conditionally approved by the Commission on April 11, 2024 and shown on the approved Site Plan. The TWHF, as originally approved by the Commission on February 9, 2017, is to accommodate a total of 648 workers in three fully contained dormitory structures to be constructed in three phases with a single dormitory structure to be built in each phase.

Each of the proposed dormitory structures are symmetrical in design to accommodate a total of 216 workers with the first floor containing a kitchen, cafeteria seating room, a small theater/function room, a game room, a library, a lounge, a custodians' office, a clinic, storage rooms and restrooms for both male and female. The second and third floors are to contain the workers' bedrooms, a bathroom, a laundry room, and a lounge area.



Facsimile:
 671-649-5383

Continuation of Commission Brief

Re: Application No. 2011- 09G

Date: March 26, 2025

Page 2 of 3

Phase one is to include a single, three-story, workers' dormitory structure, access road, staff & guest, bus and delivery truck parking areas, basketball courts, a BBQ & picnic area, a future expansion site, a security office structure, the two existing warehouse structures, a trash bin storage pad and a new trench drain for stormwater disposal and a chain-linked perimeter fence with the entrance/exit gate relocated to J.L. Baker Street from the present Harmon Industrial Park Road location.

In phase one the applicant proposes to construct the workers' dormitory structure into two sub-phases. Phase 1A and Phase 1B will total 216 occupants with Phase 1A at, 54 to 108 occupants and Phase 1B at 108 to 162 occupants. The continued uncertainty of USCIS approval for H-2B workers requires Fargo Pacific, Inc. to retain this flexibility in TWHF accommodations in order to efficiently serve the approved workers and still be prepared to quickly accommodate additional workers, should they be approved in the near future.

Phase two is the addition of a second, three-story workers dormitory structure.

Phase three is for the elimination of the two existing warehouse buildings and the addition of a third, three-story workers dormitory structure, a volleyball court, and a single-story internet cafe and fitness center structure.

The applicant, in the submission of this renewal request, states, that presently, they have a total of 50 temporary workers residing on-site and submits, a list of contracts they are involved with, a copy of the Dormitory Permit, Sanitary Permit, a Site Plan and photos of the complex.

In addition, the applicant through their representative has also indicated that they are still committed to the approved TWHF development plan and that all the elements of the approved TWHF for sleeping, kitchen, dining, toilet, shower, and laundry services, security including fire/medical emergency response capability, recreational facilities, transportation services, on-site stormwater retention system, landscaping, a six (6) foot high perimeter fence, an in-house set of Rules and Regulations, of the approved TWHF are functionally existing to accommodate the existing 50 temporary workers on site.

On March 25, 2025, the case planner conducted a site visit of the approved TWHF and from an outside-the-fence observation, planning staff finds that the facility is well kept, the basketball element is existing, and landscaping is existing and being well maintained.

Continuation of Commission Brief
Re: Application No. 2011- 09G
Date: March 26, 2025
Page 3 of 3

4. RECOMMENDATION:

We have reviewed the applicant's request and in line with our finding, that the elements of the TWHF as approved by the Commission on February 9, 2017, are still intact and that the applicant has been and will continue to consult with the various Government entities to ensure compliance with their requirements. We recommend a favorable Commission review of the request with the following condition;

1. The applicant continues compliance to the Conditions as specified on the Notice of Action, dated February 10, 2017, filed under Document Number 903685.
2. The TWHF will house a maximum of 648 workers.


For: Celine L. Cruz

Attachments: (1) Notice of Action dated 2/10/17
(2) Site Development Plan

Case Planner: Frank Taitano

Island of Guam, Government of Guam
Department of Land Management Officer of the Recorder

File for Record is Instrument No. 903685

On the Year 17 Month 02 Day 28 Time 8:38

Recording Fee DE-OFFICIO Receipt No. _____

Deputy Recorder 

MAY M. CASTRO

(Space above for Recordation)

IMPORTANT NOTICE - READ CAREFULLY

"Pursuant to Section 5 of Executive Order 96-26, the applicant must apply for and receive a building or grading permit for the approved GLUC/GSPC project within one (1) year of the date of Recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire. This requirement shall not apply for application for Zone Change***."

GUAM LAND USE COMMISSION

Department of Land Management
Government of Guam
P.O. Box 2950
Hagåtña, Guam 96932

ORIGINAL

NOTICE OF ACTION

February 10, 2017
Date

To: Fargo Pacific Inc.
Represented Daniel D. Swavely
P.O. Box 2494
Agana, Guam 96932

Application No. 2011-09B

The Guam Land Use Commission, at its meeting on February 9, 2017.

 / Approved / Disapproved XX/ Approved with Conditions
 / Tabled

Your request on Lot No. 5161-1-3, Harmon, Municipality of Tamuning for a:

NOTICE OF ACTION

Fargo Pacific Inc.

Represented by Daniel D. Swavely

Lot No. 5161-1-3 , Harmon, Municipality of Tamuning

GLUC Meeting of February 9, 2017

Page 2 of 4

Application No. 2011-09B

ZONING

___/ Zone Change***

XX/ Conditional Use

___/ Zone Variance

Height

Density

Setback

Use

Other (Specify)

SUBDIVISION

___/ Tentative

___/ Final

___/ Extension of Time

/ PL 28-126, SECTION
1(A)

NOTE ON ZONE CHANGE

***Approval by the Guam Land Use Commission of a ZONE CHANGE DOES NOT CONSTITUTE FINAL APPROVAL but rather a recommendation to the Governor for his approval. Applicant shall be notified upon action taken by the Governor. [Reference 21 GCA (Real Property), Chapter 61(Zoning Law), Section 61634 (Decision by the Commission).]

SEASHORE

___/ Wetland Permit

___/ Seashore Clearance

HORIZONTAL PROPERTY REGIME

___/ Preliminary

___/ Final

___/ Supplementary (Specify)

MISCELLANEOUS

___/ Determination of Policy and/or
Definitions

___/ Other

NOTICE OF ACTION

Application No. 2011-09B

Fargo Pacific, Inc.

Represented by Daniel D. Swavely

Lot No. 5161-1-3, Harmon, Municipality of Tamuning

GLUC Meeting of February 9, 2017

Page 3 of 4

APPLICATION DESCRIPTION: The applicant, Fargo Pacific, Inc., represented by Mr. Daniel D. Swavely is requesting approval of their Conditional Use request for a Temporary Workforce Housing Facility (TWHF) on Lot 5161-1-3, Harmon, Municipality of Tamuning.

COMMISSION DECISION: The Guam Land Use Commission **APPROVED** the applicants request subject to the following conditions;

1. That the applicant, adhere to the ARC conditions and requirements as stipulated on their official Position Statement; and,
3. That this initial approval shall be for Twenty Four (24) Months and therefore shall be renewed annually (Per Section 2(4)(A) of Public Law 31-72); and,
4. That there shall be no changes to the approved Conditional Use Permit unless subjected before the ARC review and GLUC approval; and,
5. That when actual operations begin and as new and improved procedures and measures are implemented that these amendments must be incorporated and made a part of the Workforce Housing Facility Rules and Regulations document; and a copy be provided to Planning Division, Department of Land Management.



Marvin Q. Aguilar
Guam Chief Planner

2-20-2017
Date



John Z. Arroyo
Chairman
Guam Land Use Commission

2/20/2017
Date

Case Planner: Frank P. Taitano

Cc: Building Permits Section, DPW

NOTICE OF ACTION
Fargo Pacific, Inc.
Represented by Daniel D. Swavely
Lot 5161-1-3, Harmon, Municipality of Tamuning
GLUC Meeting of February 9, 2017
Page 4 of 4

Application No. 2011-09B

CERTIFICATION OF UNDERSTANDING

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

Understand that pursuant to Section 5 of Executive Order 96-26, that a building or grading permit must be obtained for the approved GLUC/GSPC project within one (1) year of the date of recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire.

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

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

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

Signature of Applicant Date

Daniel D Swavely 2/27/2017
Signature of Representative Date

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

Applicant Date

Daniel D Swavely 3/08/2017
Representative Date



HARMON INDUSTRIAL PARK

J. L. BAKER STREET



PHASE 1A
54 TO 108
OCCUPANTS

PHASE 1 = 216
OCCUPANTS

PHASE 1B
108 TO 162
OCCUPANTS

PHASE 2
216 OCCUPANTS

PHASE 3
216 OCCUPANTS

BUS PARKING

SITE DEVELOPMENT PLAN

REVISED - JANUARY 2019

PROJECT NAME

PROJECT NO.

DATE

NO.	REVISION/DESCRIPTION	DATE	BY	CHKD.
1	ISSUED FOR PERMITTING	1/15/19		
2	REVISED PER PERMITTING COMMENTS	1/22/19		
3	REVISED PER PERMITTING COMMENTS	1/29/19		
4	REVISED PER PERMITTING COMMENTS	2/5/19		
5	REVISED PER PERMITTING COMMENTS	2/12/19		
6	REVISED PER PERMITTING COMMENTS	2/19/19		
7	REVISED PER PERMITTING COMMENTS	2/26/19		
8	REVISED PER PERMITTING COMMENTS	3/5/19		
9	REVISED PER PERMITTING COMMENTS	3/12/19		
10	REVISED PER PERMITTING COMMENTS	3/19/19		
11	REVISED PER PERMITTING COMMENTS	3/26/19		
12	REVISED PER PERMITTING COMMENTS	4/2/19		
13	REVISED PER PERMITTING COMMENTS	4/9/19		
14	REVISED PER PERMITTING COMMENTS	4/16/19		
15	REVISED PER PERMITTING COMMENTS	4/23/19		
16	REVISED PER PERMITTING COMMENTS	4/30/19		
17	REVISED PER PERMITTING COMMENTS	5/7/19		
18	REVISED PER PERMITTING COMMENTS	5/14/19		
19	REVISED PER PERMITTING COMMENTS	5/21/19		
20	REVISED PER PERMITTING COMMENTS	5/28/19		
21	REVISED PER PERMITTING COMMENTS	6/4/19		
22	REVISED PER PERMITTING COMMENTS	6/11/19		
23	REVISED PER PERMITTING COMMENTS	6/18/19		
24	REVISED PER PERMITTING COMMENTS	6/25/19		
25	REVISED PER PERMITTING COMMENTS	7/2/19		
26	REVISED PER PERMITTING COMMENTS	7/9/19		
27	REVISED PER PERMITTING COMMENTS	7/16/19		
28	REVISED PER PERMITTING COMMENTS	7/23/19		
29	REVISED PER PERMITTING COMMENTS	7/30/19		
30	REVISED PER PERMITTING COMMENTS	8/6/19		
31	REVISED PER PERMITTING COMMENTS	8/13/19		
32	REVISED PER PERMITTING COMMENTS	8/20/19		
33	REVISED PER PERMITTING COMMENTS	8/27/19		
34	REVISED PER PERMITTING COMMENTS	9/3/19		
35	REVISED PER PERMITTING COMMENTS	9/10/19		
36	REVISED PER PERMITTING COMMENTS	9/17/19		
37	REVISED PER PERMITTING COMMENTS	9/24/19		
38	REVISED PER PERMITTING COMMENTS	10/1/19		
39	REVISED PER PERMITTING COMMENTS	10/8/19		
40	REVISED PER PERMITTING COMMENTS	10/15/19		
41	REVISED PER PERMITTING COMMENTS	10/22/19		
42	REVISED PER PERMITTING COMMENTS	10/29/19		
43	REVISED PER PERMITTING COMMENTS	11/5/19		
44	REVISED PER PERMITTING COMMENTS	11/12/19		
45	REVISED PER PERMITTING COMMENTS	11/19/19		
46	REVISED PER PERMITTING COMMENTS	11/26/19		
47	REVISED PER PERMITTING COMMENTS	12/3/19		
48	REVISED PER PERMITTING COMMENTS	12/10/19		
49	REVISED PER PERMITTING COMMENTS	12/17/19		
50	REVISED PER PERMITTING COMMENTS	12/24/19		
51	REVISED PER PERMITTING COMMENTS	12/31/19		



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



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

LOURDES A. LEON GUERRERO
 MAGA'HAGA • GOVERNOR

JOSEPH M. BORJA
 DIRECTOR

JOSHUA F. TENORIO
 SIGUNDO MAGA'LÁHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISON
 DEPUTY DIRECTOR

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

March 26, 2025

Memorandum

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

To: Chairperson, Guam Land Use Commission

From: Guam Chief Planner

Subject: Commission Brief – Request for Annual Renewal - Application No. 2000-12J

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

1. **PURPOSE:** The applicant, Reliable Builders, Inc., represented by Kyle M. Borja submits its tenth annual renewal request for a Conditional Use Permit, to allow the continued operation of its Temporary Workforce Housing Facility (TWHF), to house up to a maximum of 211 workers, on Lot 5160-6-3, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.

2. **LEGAL AUTHORITY:** Title 21, GCA (Real Property), Chapter 61 (Zoning Law) and Section 61303 (Conditional Use) and Section 61309 (c) (Policy for Workforce Housing Facilities for Temporary Workers), Public Law 31-72 and as a general condition on its Notice of Action, recorded under Document No.986660.

3. **APPLICATION SUMMARY:**

As conditionally approved by the Commission on April 11, 2024 and shown on the approved Site Plan. The TWHF is a fully contained, thirty six (36) symmetrical three-bedroom residential units community to include existing elements for sleeping, toilet and shower facilities, laundry, cooking, security including fire/medical emergency response capability, recreational facilities, transportation services, on site storm water retention system, landscaping, a six (6) foot high perimeter fence and an in-house set of Rules and Regulations that addresses security and safety practices, including other factors such as personnel access and exit procedures and personal/social code of conduct.



Facsimile:
 671-649-5383

The applicant, in its annual renewal request package provides a copy of the approved Site Plan, a copy of DPH&SS Workers Dormitory and Sanitary Permits and photos of the complex.

The applicant also included a statement of compliance, that, all the elements of the approved facility still persist, to include the TWHF's house rules, medical plan, transportation plan, safety and security plan, housing facility management, recreation activities, meals, laundry and landscaping are functionally existing as approved by the Commission. In addition, the on-site social pavilion is still in place and is being use as a Gym and Laundry area, that on site gardening still exists and that, the fire evacuation maps and fire extinguishers are in place in each unit.

On March 25, 2025, case planner conducted a site visit of the approved TWHF and from an outside the fence observation, planning staff finds that the facility is well kept, clean, volleyball/basketball elements are existing, landscaping are in place and maintained, and on-site gardening still exists.

4. RECOMMENDATION:

It is our position that the applicant's continuing coordination with the permitting agencies, finds that the applicant is complying to the conditions imposed; have been and continues to work with the appropriate government entities in adhering to said Agencies requirements and ensuring that best management practices are in place. In line with the above we recommend a favorable Commission review of the request with the following conditions;

1. The applicant continues compliance to the Conditions as specified on the Notice of Action, dated October 14, 2011, filed under Document Number 828333 as amended by Notice of Action dated October 23, 2015, filed under Document Number 887022.
2. The TWHF will house a maximum of 211 workers.


Celine L. Cruz

Attachments:
1. Notice of Actions Dated 10/14/11 and 10/23/15
2. Site Development Plan

Case Planner: Frank Taitano

Government of Guam
Department of Land Management Office of the Recorder

987022

File for Record is Instrument No. _____

On the Year 15 Month 12 Day 22 Time 2:44

DE-OFFICIO

Recording Fee _____ Receipt No. _____

Deputy Recorder Jane Yamasaki
IANET YAMASAKI
(Space above for Recordation)

IMPORTANT NOTICE - READ CAREFULLY

"Pursuant to Section 5 of Executive Order 96-26, the applicant must apply for and receive a building or grading permit for the approved GLUC/GSPC project within one (1) year of the date of Recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire. This requirement shall not apply for application for Zone Change***."

GUAM LAND USE COMMISSION

Department of Land Management
Government of Guam
P.O. Box 2950
Hagåtña, Guam 96932

COPY

NOTICE OF ACTION

October 23, 2015

Date

To: Reliable Builders Inc.
Represented by Daniel D. Swavely
P.O. Box 7536
Tamuning, Guam 96931

Application No. 2000- 12B

The Guam Land Use Commission, at its meeting on October 22, 2015.

XX Approved ___/ Disapproved ___/ Tabled

Your request on Lot No. 5160-6-3, Harmon, Municipality of Tamuning for a:

NOTICE OF ACTION

Application No. 2000-12B

Reliable Builders, Inc.

Represented by Daniel D. Swavely

Lot No. 5160-6-3, Harmon, Municipality of Tamuning

GLUC Meeting of October 22, 2015

Page 2 of 4

ZONING

/ Zone Change***

**XX/ Conditional Use (Second Annual
Renewal Pursuant to Section 61309(c),
Chapter 61, Title 21, GCA)**

/ Zone Variance

Height

Use

Density

Other (Specify)

SUBDIVISION

/ Tentative

/ Final

/ Extension of Time

/ PL 28-126, SECTION
1(A)

NOTE ON ZONE CHANGE

***Approval by the Guam Land Use Commission of a **ZONE CHANGE DOES NOT CONSTITUTE FINAL APPROVAL** but rather a recommendation to the Governor for his approval. Applicant shall be notified upon action taken by the Governor. [Reference 21 GCA (Real Property), Chapter 61(Zoning Law), Section 61634 (Decision by the Commission).]

SEASHORE

/ Wetland Permit

/ Seashore Clearance

HORIZONTAL PROPERTY REGIME

/ Preliminary

/ Final

/ Supplementary (Specify)

MISCELLANEOUS

/ Determination of Policy and/or
Definitions

/ Other

NOTICE OF ACTION

Application No. 2000-12B

Reliable Builders, Inc.

Represented by Daniel D. Swavely

Lot No. 5160-6-3, Harmon, Municipality of Tamuning

GLUC Meeting of October 22, 2015

Page 3 of 4

APPLICATION DESCRIPTION: The applicant, Reliable Builders, Inc., Pursuant to Section 61309(c), Chapter 61, Title 21 GCA, submits its Second (2nd) annual renewal request of its Conditional Use Permit Approval for its Temporary Workforce Housing Facility (TWHF) on Lot 5160-6-3, Harmon, Municipality of Tamuning.

COMMISSION DECISION: The Guam Land Use Commission accepts the applicant's Second (2) annual report and approves the renewal of its Conditional Use Permit with the condition that the applicant continues to adhere to the conditions stated in the original NOA issued by the Commission, dated 10/14/2011 (Doc #828333) with the exception of condition no. 5 (6-month status report requirement) with an expiration date of one year from the date of recordation of the NOA issued by the GLUC at its meeting of 10/22/2015.



Marvin Q. Aguitar
Guam Chief Planner

10/23/15
Date



John Z. Arroyo
Acting Chairman
Guam Land Use Commission

12/18/15
Date

Case Planner: Frank P. Taitano

Cc: Building Permits Section, DPW

NOTICE OF ACTION
Reliable Builders, Inc.
Represented by Daniel D. Swavely
Lot 5160-6-3, Harmon, Municipality of Tamuning
GLUC Meeting of October 22, 2015
Page 4 of 4

Application No. 2000-12B

CERTIFICATION OF UNDERSTANDING

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

Understand that pursuant to Section 5 of Executive Order 96-26, that a building or grading permit must be obtained for the approved GLUC/GSPC project within one (1) year of the date of recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire.

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

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

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

Signature of Applicant Date

Daniel D Swavely 12/17/15
Signature of Representative Date

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

Applicant Date

Daniel D Swavely 12/23/15
Representative Date

Island of Guam, Government
Department of Land Management, Office of the

File for Record is hereby received No. 828333

to the Office of the Clerk of the Commission on 11 Nov 2011 at 10:30 AM by J. J. ...
DE-OFFICIO

Recording No. _____ Receipt No. _____

(Space above for Recordation)

IMPORTANT NOTICE - READ CAREFULLY

"Pursuant to Section 5 of Executive Order 96-26, the applicant must apply for and receive a building or grading permit for the approved GLUC/GSPC project within one (1) year of the date of Recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire. This requirement shall not apply for application for Zone Change***."

GUAM LAND USE COMMISSION

Department of Land Management
Government of Guam
P.O. Box 2950
Hagåtña, Guam 96932

NOTICE OF ACTION

October 14, 2011
Date

To: **Reliable Builders Inc.**
Represented **Daniel D. Swavely**
P.O. Box 7536
Tamuning, Guam 96931

Application No. 2000-12B

The Guam Land Use Commission, at its meeting on October 13, 2011.

 / Approved / Disapproved XX / Approved with Conditions

 / Tabled

Your request on Lot No. 5160-6-3, Harmon, Municipality of Tamuning for a:

NOTICE OF ACTION
Reliable Builders, Inc.
Represented by Daniel D. Swavely
Lot No. 5160-6-3, Harmon, Municipality of Tamuning
GLUC Meeting of October 13, 2011
Page 2 of 4

Application No. 2000-12B

ZONING

- / Zone Change***
- / Conditional Use
- / Zone Variance
- / Height / Use
- / Density / Other (Specify)
- / Setback
- / TENTATIVE DEVELOPMENT PLAN

SUBDIVISION

- / Tentative
- / Final
- / Extension of Time
- / PL 28-126, SECTION 1(A)

NOTE ON ZONE CHANGE

***Approval by the Guam Land Use Commission of a ZONE CHANGE DOES NOT CONSTITUTE FINAL APPROVAL but rather a recommendation to the Governor for his approval. Applicant shall be notified upon action taken by the Governor. [Reference 21 GCA (Real Property), Chapter 61(Zoning Law), Section 61634 (Decision by the Commission).]

SEASHORE

- / Wetland Permit
- / Seashore Clearance

HORIZONTAL PROPERTY REGIME

- / Preliminary
- / Final
- / Supplementary (Specify)

MISCELLANEOUS

- / Determination of Policy and/or Definitions
- / Other (Specify)

NOTICE OF ACTION

Application No. 2000-12B

Reliable Builders, Inc.
Represented by Daniel D. Swavely
Lot No. 5160-6-3, Harmon, Municipality of Tamuning
GLUC Meeting of October 13, 2011
Page 3 of 4

APPLICATION DESCRIPTION: The applicant, Reliable Builders, Inc., represented by Mr. Daniel D. Swavely is requesting approval of their Condition Use request to convert an existing 36-unit townhouse complex into a Temporary Workforce Housing Facility on Lot 5160-6-3, Harmon, Municipality of Tamuning.

COMMISSION DECISION: The Guam Land Use Commission APPROVED the applicants request subject to the following conditions;

1. That the applicant, adhere to the ARC conditions and requirements as stipulated on their official Position Statement; and
2. That when actual operations begin and a new and improved procedures and measures are implemented that these amendments must be incorporated and made a part of the Workforce Housing Facility Rules and Regulations document; and a copy be provided to Planning Division, Department of Land Management.
3. That this initial approval shall be for Twenty Four (24) Months and therefore shall be renewed annually (Per Section 2(4)(A) of Public Law 31-72); and
4. That there shall be no changes to the approved Conditional Use Permit unless subjected before the ARC review and GLUC approval; and
5. That the applicant present to the Guam Land Use Commission a 6 month status report. *Deleted*

*See
10/19/2015
Staff rpt.
T. Lumbiano of the
re Commission of the
Harmon No. 5.*

Marvin Q. Aguilar

Marvin Q, Aguilar
Acting, Guam Chief Planner

10-14-2011

Date

Jay L. Lather

Jay L. Lather
Chairman
Guam Land Use Commission

10-21-11

Date

Case Planner Frank P. Taitano
Attachment(s) ARC Distribution List
Cc Building Permits Section, DPW (Attn. Mr. Jesus Ninete)

NOTICE OF ACTION
Reliable Builders, Inc.
Represented by Daniel D. Swavely
Lot 5160-6-3, Harmon, Municipality of Tamuning
GLUC Meeting of October 13, 2011
Page 4 of 4

Application No. 2000-12B

CERTIFICATION OF UNDERSTANDING

I/We RELIABLE BUILDERS INC / DANIEL D. SWAVELY
(Applicant (Please print name)) (Representative (Please print name))

Understand that pursuant to Section 5 of Executive Order 96-26, that a building or grading permit must be obtained for the approved GLUC/GSPC project within one (1) year of the date of recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire.

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

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

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

~~Signature of Applicant~~

~~Date~~

Signature of Representative

Date

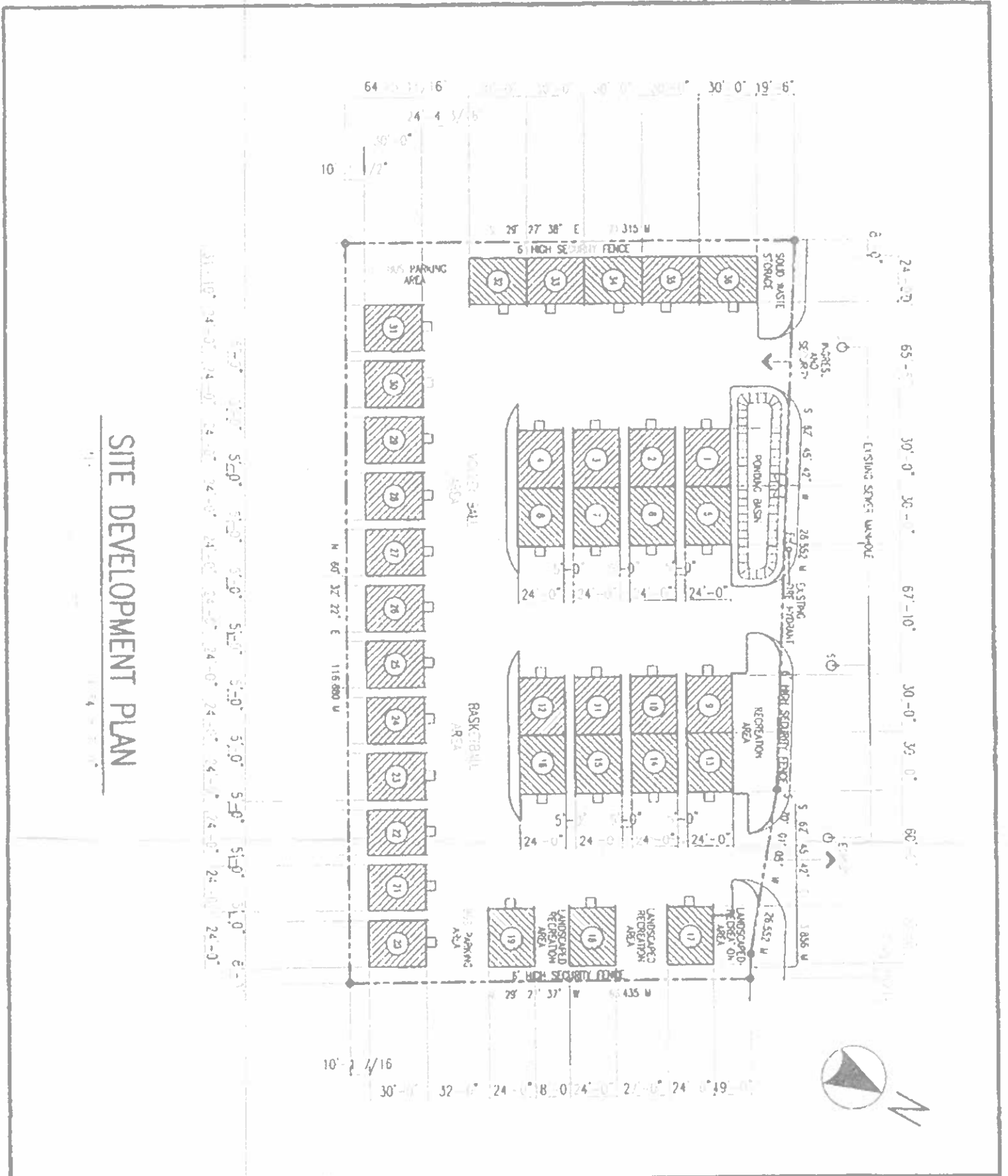
ONE (1) COPY OF RECORDED NOTICE OF ACTION RECEIVED BY:

Applicant

Date

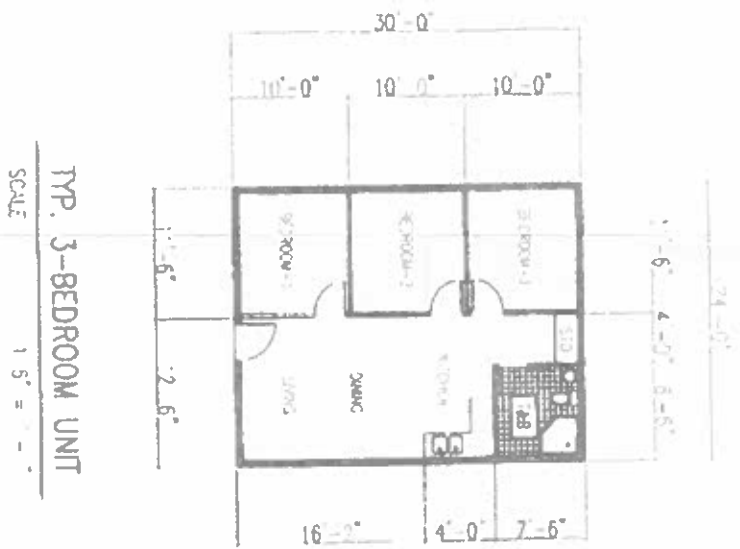
Representative

Date



SITE DEVELOPMENT PLAN

CONDITIONAL USE APPLICATION FOR WORKERS HOUSING
 LOT 5160-6-3, TAMUNING
 RELIABLE BUILDERS VILLAGE



TYP. 3-BEDROOM UNIT
 SCALE 1/8" = 1'-0"

GOVERNMENT OF GUAM – Department of Land Management
Office of the Recorder
1006961
File for Record is Instrument Number _____
on the Year 20 25 Month 03 Day 19 Time 12:36pm
Recording Fee DE-OFFICIO Receipt No. DE-OFFICIO
Deputy Recorder: _____
Yvonne D. Mendiola

Above Space for Recorder's Use only

COPY

GUAM LAND USE COMMISSION MEETING MINUTES



Department of Land Management
ITC Building, Tamuning, Guam
DLM Conference Room, 3rd Floor ITC Bldg.
Tamuning, Guam 96913



Thursday, February 27, 2025
1:30 p.m. to 2:23 p.m.

GUAM LAND USE COMMISSION MEETING
Department of Land Management, 3rd Floor ITC Building, Tamuning
DLM Conference Room
Thursday, January 23, 2025 • 2:22 p.m. to 2:24 p.m.

MEMBERS PRESENT:

Ms. Anita B. Enriquez, Chairperson

Mr. Nonito Blas, Jr., Vice Chairman

Ms. Leilani R. Flores, Commissioner

[Excused: Mr. Ronald C. Pangilinan, Commissioner]

PLANNING STAFF PRESENT:

Mr. Joseph M. Borja, Executive Secretary

Mr. N. Lee Miller, Jr., Assistant Attorney General/Legal Counsel

Mr. Frank Taitano, Planner IV

Ms. Sonny Gogue, Planner III

Mr. Kyle Meno, T. Network Coordinator

Ms. Cristina Gutierrez, Recording Secretary

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

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

Date of Meeting: Thursday, February 27, 2025

Time of Meeting: GLUC: 1:30pm GSPC:

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

COMMISSION MEMBERS

SIGNATURE

Chairwoman Anita B. Enriquez

[Signature]

Nonito Blas, Jr., Vice Chairman

Present (did not sign in)

Commissioner Leilani R. Flores

[Signature]

Commissioner Ronald C. Pangilinan

Commissioner (Vacant)

STAFF

Joseph M. Borja, Executive Secretary

[Signature]

Rossana San Miguel Tiston, Deputy Director

Lee Miller, Assistant Attorney General

[Signature]

Celine L. Cruz, Chief Planner

Frank Taitano, Planner IV

[Signature]

Penmer Gulac, Planner IV

M. Grace Vergara, Planner IV

Sonny Gogue, Planner III

Theresa Guevara, Planner II

Edward Sanchez, Planner I

M. Cristina Gutierrez, Recording Secretary

[Signature]

Kyle P.D Meno, T. Network Coordinator

[Signature]

ADJOURNMENT GLUC: 2:23pm GSPC:
GLUC Form 19 - GLUC Commission Attendance Sheet

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES
Thursday, February 27, 2025 • 1:30 p.m. to 2:23 p.m.
Department of Land Management Conference Room
3rd Floor, ITC Bldg., Tamuning, Guam 969123
As Advertised in the Guam Daily Post on February 20th and February 25th, 2025
Livestreamed on YouTube/Guam Department of Land Management Channel

I. Notation of Attendance/Roll Call

Chairperson Enriquez called to order the regular meeting of the Guam Land Use Commission for Thursday, February 27, 2025 at 1:30 p.m.

Present were: Chairperson Anita Enriquez, Vice Chairman Nonito Blas, Commissioner Leilani Flores, Executive Secretary Joseph Borja, Legal Counsel N. Lee Miller, Jr., Planning Staff Frank Taitano, Sonny Gogue, Kyle Meno and Recording Secretary Cristina Gutierrez.

[Excused: Commissioner Ronald Pangilinan, Chief Planner Celine Cruz]

Chairperson Enriquez confirmed a quorum; and, announced that today's meeting was being live-streamed on YouTube at the Guam Department of Land Management channel.

II. Approval of Minutes

Chairperson Enriquez the Minutes from the last GLUC meeting of Thursday, January 23, 2025 were sent to the members, and they have been reviewed. Chairperson Enriquez asked for a motion for action.

Commissioner Flores made a motion to approve the Minutes of January 23, 2025.

Vice Chairman Blas seconds the motion.

Chairperson Enriquez accepted the motion made by Commissioner Flores and seconded by Vice Chairman Blas. There were no edits and/or omissions noted, Madam Chair put the motion to a vote with all in favor of approval.

[The motion passed unanimously with a vote of 3 ayes and 0 nays.]

III. Old or Unfinished Business

Chairperson Enriquez announced that there was no old or unfinished business for the Commission, and moved on to the next item on the agenda.

IV. New Business

Zone Change

- A. Application No. 2024-39, the Applicant, Core Tech Development, LLC represented by TG Engineers, PC; requests a Zone Change from "H" (Hotel-Resort) to "M-1" (Light Industrial) zone, for a proposed photovoltaic facility, on Lot 10188, in the Municipality of Dededo.
Case Planner: Frank Taitano

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

Marvin Aguilar thanked the Commission for allowing them to present the application that is before them today, a zone change request for Lot 10188, in the Municipality of Dededo. The applicant would like to rezone the subject parcel Lot 10188 from a hotel-resort zone to light industrial zone.

With Mr. Aguilar is Joaquin Flores with TG Engineers, PC and he will be available to answer questions regarding the proposed project.

Mr. Aguilar provided the following PowerPoint presentation:

Slide 2 – the purpose of the zone change is to address a current zoning deficiency if not a zoning anomaly. The motive is to provide additional space for a proposed PV facility, and this facility is in direct response to P.L. 35-46 which is 100% dependent on alternative energy by 2045.

Slide 3 – the property consists of 121,129 +/- square meters or approximately 30+ acres. The property was rezoned to hotel-resort through the Dos Amantes Land Use Master Plan. Mr. Aguilar noted that there is a legal easement through Tanguissan Road and the parcel is currently vacant.

Slide 4 – photo of the general location of where the property is located. Mr. Aguilar explained the landmarks including Tanguissan Beach, the Northern Wastewater Treatment Plant (NWTP), and across the street is Lot 10190-1 the expanded lot. Below that is the Core Tech facility which houses most of their industrial activities including H2 workers' facilities.

Slides 5 & 6 – photographs of the NWTP which was expanded both north and south to accommodate current capacity; and, a photograph of the current expanded plant.

Slide 7 – photograph of the subject parcel. The subject lot is located to the north of the facility. The fence line in the photograph is the northern portion of the perimeter fence, and the property is heavily vegetated.

Slide 8 – slide of the Dos Amantes Zoning Map. Mr. Aguilar commented that this is a subdivided property that is adjacent to Lot 10189 and follows the cliff line towards Tanguissan Beach and Haptu (sp?) to the south.

Slide 9 – slide of the Dededo MPC Resolution that was approved in July of 2024.

Slide 10 – list of additional lots owned by the applicant and that this is only one parcel of land that they want to utilize. This is unified land resources to support a single solar farm platform. Most of the property to be used will surround the housing facility, around the NWTP, and then north and south up to the boundary lines.

Slide 11 – Mr. Aguilar explains that the property fringes on heavy industrial activities. The Legislature rezoned the expanded NWTP to a public facility but the physical use can be considered light and heavy industrial use; therefore, the hotel-resort zone is compromised. The hotel-resort land use rules provide no option to allow for the proposed use of PV solar farms.

Slide 12 – photo of the general location of the subject parcel. This concluded Mr. Aguilar's presentation and welcomed questions from the Commission.

Chairperson Enriquez thanked Mr. Aguilar for the presentation and turned the floor over to the members for questions.

Vice Chairman Blas remarked that the hotel-resort zone was compromised and asked what Mr. Aguilar meant by this comment.

Marvin Aguilar responded because of the NWTP in the vicinity, a hotel-resort would not want to be located near the treatment plant.

Commissioner Flores no comments.

Chairperson Enriquez remarked that the Commission wants to ensure safety and avoid any type of nuisance or trespassing for this facility, and asked what security measures are they anticipating for the facility.

Marvin Aguilar replied that they anticipate putting up security perimeter fencing.

Vice Chairman Blas asked how many more megawatts would this solar farm provide and if there is a facility for battery facility.

Marvin Aguilar responded 60 megawatts and there will be a battery facility but will not be located at this site. Everything will be in what they call the main Core Tech facility area, and this is where the battery facility will be located. In addition, a portion of their housing facility may be used for operational purposes.

Vice Chairman Blas commented that in one of the slides presented, there will be other lots to be used for solar farms.

Marvin Aguilar replied that they are part of the overall and at this time they are anticipating higher leadership's response on how to rezone those lots. The lots fall under the basic Lot 10184.

Chairperson Enriquez remarked that it was mentioned in the presentation the housing area and that some of the facilities were leased out to educational institutions.

Marvin Aguilar replied that it was done in the past and they are no longer leasing them out.

Vice Chairman Blas stated that before the Commission there was another application for a solar facility, and they presented to the Commission that they would minimize any type of damage to the landscape, topography, etc., and asked what the plans were for this facility.

Marvin Aguilar stated that for the project's benefit, most of the property was graded down by the military and it is relatively flat throughout. There will be work done to follow and adhere to Guam EPA's surface run-off requirements to contain water runoff on the property.

Vice Chairman Blas commented that at some point the solar panels will be removed.

Marvin Aguilar responded that after twenty-five years which is part of the power purchase agreement; however, the NWTP is not going anywhere anytime soon thus compromising the hotel-resort zone for this particular lot.

Chairperson Enriquez there were no further questions or comments from the members, Madam Chair turned the floor over to the Planning Staff for their report.

Sonny Gogue, Planner III read the staff report on behalf of Case Planner Frank Taitano. Ms. Gogue summarized the staff report dated February 21, 2025 to include the purpose, the location, lot area, and field description. The master plan has this lot designed as an H-zone and the community design plan is "undesigned." On February 28, 2009, the adoption of the Dos Amantes Official Zoning Map designated the subject property H-zone. [For full content/context of the report, refer to Attachment A]

[Attachment A – Staff Report dated February 21, 2025]

Ms. Gogue continued with the application's chronological facts, discussion, and staff analysis to address the compatibility statement and justification to support public necessity, convenience, and general welfare.

To conclude, the Planning Staff recommends approval subject to the applicant adhering to the permitting ARC members' conditions and requirements as stipulated in their official position statements.

Chairperson Enriquez turned the floor over to the Commissioners for questions for staff. **[No comments or questions noted from Vice Chairman Blas and Commissioner Flores]**

Madam Chair noted that there were no comments from the Commission members, and opened the floor for public comment.

Public Comment **[Madam Chair noted that there was no public comment for this application and closed the public comment period.]**

Chairperson Enriquez there was no additional discussion, Madam Chair was ready to entertain a motion for action.

Vice Chairman Blas made a motion to approve Application No. 2024-39 for the applicant Core Tech Development LLC, subject to the conditions as stated in the Staff Report dated February 21, 2025.

Chairperson Enriquez acknowledged and accepted the motion made by Vice Chairman Blas, and asked for a second.

Commissioner Flores seconds the motion.

Chairperson Enriquez motion is seconded by Commissioner Flores. There was no discussion on the motion, Madam Chair put the motion to a vote with all members in favor of approval.

[Motion passed unanimously with a vote of 3 ayes and 0 nays.]

V. Administrative and Miscellaneous Matters

Conditional Use Renewal

- B. Application No. 2020-51B, the Applicant, Nan Inc. represented by W.B. Flores & Associates; is requesting an annual renewal of a Conditional Use Permit, to allow for the continued operation of a Temporary Workforce Housing Facility (TWHF), to house up to 84 temporary workers, on Lot 1130-2-10, in the Municipality of Mongmong-Toto-Maite, in an "M-1" (Light Industrial) zone. Case Planner: Frank Taitano

Chairperson Enriquez turned the floor over to the applicant's representative, asked that they state their names for the record and proceed with their presentation.

Willie Flores representing the applicant Nan Inc. and with Mr. Flores is Lina Rojas, Project Manager for this project.

Mr. Flores stated that Nan Inc.'s Temporary Workforce Housing Facility (TWHF) was a previously approved housing facility that is currently under operation. It is operated by Nan Inc. construction

company based in both Guam and Hawaii. The facility currently houses 38 temporary workers out of the approved 84 occupancy count that was previously approved by the Commission; and, they are before the Commission today to adhere to the requirements for the annual report.

Mr. Flores added that when the facility first opened, the facility suffered building “pains.” They coordinated with the Mayor of the municipality of MTM because there were issues with trash, access, etc. where the neighbors were using the facility’s trash receptacles, and this has since been worked out. The facility is clean and no longer has problems with illegal dumping since moving and securing the trash receptacle onto their property.

Within the last year and a half, Nan Inc. has maintained its cleanliness and very well maintained and the Mayor has expressed his contentment with the facility.

This structure was an existing apartment facility located just west of the Maite Payless Market. It is accessed from Route 8 by Robot Street. The building is a reinforced concrete and CMU facility that is typhoon and seismic-force-compliant which is a safe facility for the workers that are housed at this facility.

The next few slides were photographs of the sleeping quarters, dining and indoor recreation area, typical showers and restrooms, hallways, stairwells, outdoor recreational area, and the building’s exterior. Mr. Flores added that the photographs were taken three months ago and are all in compliance with the requirements of the Public Health and Guam Fire Department.

Mr. Flores remarked that most of the workers go to the main Nan Inc. facility that is located up the street in Tiyan to utilize the outdoor recreational area for volleyball and basketball. He added that a new golf-hitting net had just been installed at this facility; and, they also encourage the workers to garden as well.

He also reported that new security measures and controls have been implemented to rectify the issues with trash and illegal parking, and Nan Inc. continues to maintain the facility in a very, very clean and orderly manner. As stated previously, the building was an existing apartment building that was built in the 1970s to the 1970s, 1980s standards, and has taken them a while to bring it into compliance. They are now in full compliance and there are no incidences to report to the GLUC.

Chairperson Enriquez expressed her appreciation for the report and turned the floor over to the members for questions. Madam Chair noted that there were no questions or comments from Vice Chairman Blas and Commissioner Flores, turned the floor over to staff for their report.

Sonny Gogue summarized the Commission Brief dated February 17, 2025 to include the purpose, discussion, and application summary. In conclusion, Planning finds that the applicant’s request package is in proper form and context and submits it to the Commission for consideration. Planning recommends approval of the request subject to conditions. [For full content/context, refer to Attachment B]

[Attachment B – Commission Brief dated February 17, 2025]

Chairperson Enriquez questions for staff. Madam Chair noted no comments/questions from Vice Chairman Blas and Commissioner Flores; and, opened the floor for public comment.

Public Comment [There was no public comment for this application, Chairperson Enriquez closed the public comment period.]

Chairperson Enriquez remarked that if the capacity is to go beyond the 84 approved occupancy, Madam Chair asked if the applicant anticipates increasing this number in the future.

Lina Rojas, Project Manager replied that there is a request for an increase in capacity from 84 to 120 workers. The applicant understands that they would need to return to the Commission for approval which will be done at a later date. Ms. Rojas added that this facility can accommodate up to 120 beds.

Chairperson Enriquez there were no additional questions or comments, Madam Chair was ready to entertain a motion for action for Application No. 2020-51B.

Commissioner Flores made a motion to approve Application No. 2020-51B based on the conditions stated in the Commission Brief dated February 17, 2025.

Chairperson Enriquez acknowledged and accepted the motion made by Commissioner Flores and asked for a second.

Vice Chairman Blas seconded the motion.

Chairperson Enriquez motion is seconded by Vice Chairman Blas. There was no discussion on the motion, Chairperson Enriquez put the motion to a vote with all members in favor of approval.

[The motion passed unanimously with a vote of 3 ayes and 0 nays.]

Willie Flores asked for the Commission's indulgence while he spoke about the Manenggon Memorial Foundation. Mr. Flores was happy to announce that the Manenggon concentration site has been officially listed in the National Historic Register. He expressed his appreciation to the Land Management staff for assisting them over the years with land movement; and based on this, they will again be seeking Land Management's assistance with the other village Commissions who are asking the Foundation to help them with the legal matters regarding the properties, to include many more of the well-known places on significant events and activities that took place during World War II.

Chairperson Enriquez expressed her appreciation to Director Borja for his support. Madam Chair added that this falls nicely with the outlook for overall tourism and making the entire island

of Guam the cultural, heritage, and historic destination that is much needed. Also, the designation of Manenggon, this will open the doors to many other forms of funding from the larger foundations.

Joseph Borja, Executive Secretary remarked that the department is very close to resolving the access issue through private property at the Manenggon site. The department has been working with the private landowner for access and has received positive feedback.

Chairperson Enriquez commented that this has been a strong labor of love and extended gratitude for the department's efforts surrounding this endeavor.

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

Joseph Borja, Executive Secretary acknowledged receipt of Madam Chair's draft letter about a possible task force.

Mr. Borja would like to present at the next meeting, the executive initiatives that were initiated relative to permits, applications, hearings, and final approvals of applications. There has been since 2019, an Executive Order specifically set up to address the permitting issues. This went through a process with a committee headed by Mr. Bert Johnston along with real estate professionals, engineers, and architects. Mr. Borja also reported that he recently made a presentation before the Guam Contractors Association concerning this as well. One of the recommendations from this particular task force was a permitting software that would allow permitting agencies to review and approve permitting applications on a concurrent basis. The funds for the software were available; however, due to procurement issues, the software was never purchased.

Chairperson Enriquez confirmed that the Commission will put a pause on the letter to the Vice Speaker until such time the presentation is made to the Commission. Madam Chair added that if there is anything that needs to be embedded in a request related to somehow facilitating the procurement process, the Senators will entertain any type of technology that would help streamline the government processes of approval. If the two agencies are unable to extend their approvals through this particular software, what would it take to accomplish this and perhaps this could be part of the recommendation.

Joseph Borja the other item that Mr. Borja wanted to bring up to the Commission was regarding zone variances for signs. He reported that the Department for a few years was not accepting applications for signs and DLM has been working with Attorney Miller who brought this issue up with the Attorney General. The department has received legal administrative direction from the AG's office, and as a result, the department will begin accepting applications for signs.

[Discussion ensues on Zone Variance for signs]

N. Lee Miller, Legal Counsel commented that it would be interesting to see if any of the applications for signs actually make it to the Commission for review. He added that in dialogue with some of the applicants who are seeking sign variances, it was pointed out to them that it is the AG's Office's opinion that their applications violated the law. They responded that it would be the Guam Land Use Commission who would be the decider and that they should be allowed to present their application to the Commission to make the decision. Attorney Miller added that in his long history in zoning, he has never had a case in front of a Commission where there was a staff report to deny an application. These types of cases do not ultimately make it through the process. The Commission is in the position of being the ultimate decision-maker on applications.

Joseph Borja stated that, with his brief experience with the GLUC, he does not recall ever seeing a staff report to deny an application. Standard language in the staff report protects the staff from presenting an application that, in their professional opinion, may or may not comply with the law.

Frank Taitano responded that it has been some time since that standard language has been used for any application. The general language used is that the application is in good form and context. The application is then presented to the Commission for their review and approval. If it is Planning's recommendation for denial or disapproval it is in line with the provisions of the law.

[Discussion ensues]

Joseph Borja reported to the Commission that the confirmation hearing for nominee Gerald Yingling was conducted two weeks ago and is still with Committee Rules to be placed on the session agenda. Additionally, Mr. Borja advised that another nominee was sent to the Governor's Office, and that nominee is Joe Rios. He also noted that the expiration date of the current members is March 21, 2025.

Vice Chairman Blas asked what the process was for renewing their terms.

Joseph Borja responded that he would contact the Protocol Office at Adelup to obtain information on the renewal process and advise the members accordingly.

Frank Taitano noted for the record that the next meetings for the GLUC are March 13th and March 27th.

Joseph Borja asked the members for their availability for the next GLUC meeting scheduled for March 13th. On another note, Mr. Borja also mentioned that what he reads more of in the staff reports are the applications' chronological history and the length of time it takes to get the GLUC for review and approval.

Vice Chairman Blas inquired if the delay in the review by the Commission was due to a lack of quorum.

Joseph Borja responded that it is not the Commission; but the public hearing process that delays the applications. The Senators have heard the complaints from developers on the lengthy process to obtain the approval of the Commission.

Chairperson Enriquez if there is no further business or announcements, Madam Chair extended her gratitude to the staff, Mr. Borja, members of the Commission and Attorney Miller for their work and their time.

Frank Taitano noted for record that the next meeting is scheduled for Thursday, March 13th, and there are two applications on the agenda. He added that Cristina will send out an email requesting the Commission's availability.

VI. Adjournment

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

Vice Chairman Blas made a motion to adjourn.

Commissioner Flores seconds the motion.

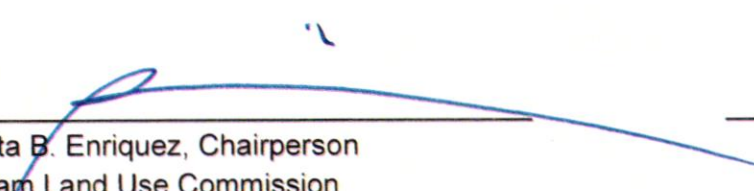
Chairperson Enriquez accepts the motion made by Vice Chairman Blas and seconded by Commissioner Flores. Madam Chair puts the motion to a vote with all in favor of adjournment.

[Motion was passed unanimously with a vote of 3 ayes and 0 nays.]

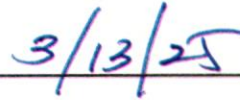
The regular meeting of the Guam Land Use Commission for Thursday, February 27, 2025 was adjourned at 2:23 p.m.

Approved by:

Date approved:




Anita B. Enriquez, Chairperson
Guam Land Use Commission



3/13/25

Transcribed by:



M. Cristina Gutierrez, Recording Secretary
Planning Division, DLM



GUAM LAND USE COMMISSION

Chairperson Anita B. Enriquez
Vice Chairman Nonito V. Blas, Jr.
Commissioner Leilani R. Flores

Commissioner Ronald C. Pangilinan
Commissioner (Vacant)

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

AGENDA

Thursday, February 27, 2025 @1:30 p.m.
Department of Land Management Conference Room
3rd Floor ITC Bldg., Tamuning, GU 96913

[As advertised in the Guam Daily Post – February 20th, 2025 & February 25th, 2025]
Livestreamed on YouTube at Guam Department of Land Management Channel

I. **Notation of Attendance/Roll Call** [] Quorum [] No Quorum

II. **Approval of Minutes**

➤ GLUC Regular Meeting Minutes of Thursday, January 23, 2025

III. **Old or Unfinished Business [None]**

IV. **New Business**

Zone Change

A. Application No. 2024-39, the Applicant, Core Tech Development, LLC represented by TG Engineers, PC; requests a Zone Change from "H" (Resort-Hotel) zone to "M-1" (Light Industrial) zone, for a proposed photovoltaic facility, on Lot 10188, in the Municipality of Dededo.
Case Planner: Frank Taitano

V. **Administrative & Miscellaneous Matters**

Conditional Use – Renewal

B. Application No. 2020-51B, the Applicant, Nan Inc. represented by W.B. Flores & Associates; is requesting an annual renewal of a Conditional Use Permit, to allow for the continued operation of its Temporary Workforce Housing Facility, to house up to 84 temporary workers, on Lot 1130-2-10, in the Municipality of Mongmong-Toto-Maite, in an "M-1" (Light Industrial) zone.
Case Planner: Frank Taitano

VI. **Adjournment**



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



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

LOURDES A. LEON GUERRERO
 MAGA'HAGA • GOVERNOR

JOSEPH M. BORJA
 DIRECTOR

JOSHUA F. TENORIO
 SIGUNDO MAGA'LĀHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
 DEPUTY DIRECTOR

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

February 21, 2025

MEMORANDUM

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

To: Chairperson, Guam Land Use Commission
From: Guam Chief Planner
Subject: Staff Report - Application No. 2024-39

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

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

1. PURPOSE:

- a. Application Summary:** The applicant, Core Tech Development LLC represented by TG Engineers, PC, is requesting approval of a Zone Change from "H" (Resort-Hotel) to "M-1" (light Industrial) Zone for the proposed installation of Photovoltaic Panels on Lot 10188, Municipality of Dededo
- b. Legal Authority:** Sections 61630 to 61638 (Changes of Zones) of Chapter 61 (Zoning Law), Title 21, GCA (Real Property).

2. FACTS:

- a. Location:** The site is located on the northern side of Tanguisson Road next to the Northern Sewer Treatment Plant expansion site.
- b. Lot Area:** 121,129 Square Meters or 1,303,822 Square Feet.
- c. Present Zoning:** "H" (Hotel Resort) Zone
- d. Field Description:** The site presently is an undeveloped limestone forest with various ground cover vegetation and small to medium-sized trees as the dominant canopy vegetation.

Continuation of Memorandum

Re: Staff Report - Application 2024-39, Zone Change
Lot 10188, Municipality of Dededo.

Date: February 21, 2025

Page 2 of 5

- e. **Masterplan:** "H" (Resort-Hotel)
 - f. **Community Design Plan:** "Undesignated"
 - g. **Previous Commission Action:** February 28, 2009 Adoption of the "Dos Amantes" Official Zoning Map designating subject properties "H" (Resort-Hotel) zone.
3. **APPLICATION CHRONOLOGICAL FACTS:**
- a. **Date Application Accepted:** May 29, 2024
 - b. **Date Heard By ARC:** July 2, 2024
 - c. **Public Hearing Results:** February 4, 2025(See Attachment "A")
4. **DISCUSSION and STAFF ANALYSIS:**

The applicant's request is for a zone change approval and pursuant to Section 61630 (Requirements for Changes) of Chapter 61 (Zoning Law) 21GCA. The applicant in response to the Zone Change request, submits the following compatibility statement and justification response:

Land Use Compatibility

This request for a change of zone for Lot 10188 is compatible with their respective surroundings. This position is based on historical and current land uses. Figure 1 displays the post-World War II expanse of the area used primarily as a landing strip and complementary uses.

Lot 10188 was also part of the Harmon Annex overlay under military ownership and due to its proximity to the west cliff line and Beach area, the property was primarily used to support radio antenna services and later, underground telecommunication services. The property is currently zoned "H" (Hotel-Resort) as approved pursuant to an executive order in January 2006 and recorded under DLM Document No. 720464. In 2008, the subject lot was included as part of the intended hotel-resort development comprehensive plan that stretches along the upper ridge of the Tumon-Dededo cliff line in Tumon through the southern tip of Haputo in Dededo.

Compatibility to industrial use is evident a Lot 10188 fringes on both "PF" (Public Facilities) and "M-2 (Heavy-Industrial) zoned properties that in turn supports the adjacent expanded GWA Northern District Wastewater Treatment Facility (NDWWTF).

Continuation of Memorandum

Re: Staff Report - Application 2024-39, Zone Change
Lot 10188, Municipality of Dededo.

Date: February 21, 2025

Page 3 of 5

Pursuant to Public Law 33-198, the Guam Legislature rezoned the Lot 10190-RI, to "PF" (Public Facilities) zone to support the construction and operation of the secondary (expanded) treatment facility. The change in zone was necessary to accommodate public necessity, convenience, and general welfare by enhancing secondary waste treatment prior to ocean discharge. The original treatment facility is located across the street from the subject lot and because of these current land uses, the potential for Lot 10188 for hotel and resort purposes seems deflected, if not compromised.

Various proposed land planning adaptations to support hotel-resort activities along the "hotel strip" have occurred since the adoption of the Dos Amantes comprehensive plan. This ranged from an amusement park themed resort that would stretch from the north boundary of Two Lovers' Point to the entrance of Tanguisson Road. However, a unified resort plan has yet to materialize with the exception of one parcel that received approval for the scaled-down Vista Del Mar Resort (adjacent to Two Lovers' Point). In contrast, tangible development overlay adjacent to Lot 10188 shows a variety of industrial activities that dominate the landscape. Such is again evident by the NDWWTF and its expanded treatment facility, the development of temporary workforce housing and accommodating amenities, quarrying facilities, a cement batching plant, and heavy equipment and materials stockyard.

Industrial activities are expected to expand up to Route 3 (aka NCS Road) as a response to the buildup of Camp Blaz and other associated federal funded projects for the U.S. military.

Justification to Support Public Necessity, Convenience, and General Welfare

Pursuant to Title 21GCA, Chapter 61, §61630, the Commission must assess a change of zone request wherein public necessity, convenience, and general welfare will justify such action. We submit justification in support of a change from "H" (Hotel-Resort) to "M-1" (Light-Industrial) zone as follows:

This request aligns with Public Law 33-198 that scripted GPA's renewable portfolio standards and required 25% of the island's total power consumption capacity to be dependent on alternative energy sources by the year 2035. Public Law 35-46 amended the requirement and increased GPA's renewable portfolio for reliance and dependency on alternative energy sources for the island to 100% by the year 2045. The Public Law serves as a response to anticipated increases and fluctuation of costs associated with operating fossil-fuel dependent power generators. In foresight, Guam Power Authority (GPA) has directed its attention to alternative energy production to reduce such dependency and pass projected savings to GPA customers and end-users.

This request for a change of zone is strictly intended to support the installation and use of photovoltaic panels. In turn, the larger Lot 10188 will provide additional land space to support a larger solar panel facility (See Site Plan). Such structures maintain low to no dependency on water and wastewater infrastructure. Likewise, free-standing photovoltaic panels and their related infrastructure may be considered temporary and easily removed to accommodate other low-impacting land uses. This in turn, is a positive attribute of the development scheme as it offers a level of flexibility on land development as opposed to the development of hardened facilities such as brick/mortar warehouse buildings.

Continuation of Memorandum

Re: Staff Report - Application 2024-39, Zone Change
Lot 10188, Municipality of Dededo.

Date: February 21, 2025

Page 4 of 5

The act of changing the zones of the subject parcels aligns not only with the GPA's initiatives, but also with the Guam Energy Office's mandate and mission "to promote energy conservation and energy efficiency, promote deployment of renewable energy technologies, and provide energy saving solutions to reduce fossil fuel dependency leading to a sustainable energy future for the island."

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

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

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

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

Based on the evaluation of public necessity, convenience, and general welfare, the zone change request from "H" (Hotel-Resort) to "M-1" (Light-Industrial) is justified. The shift aligns with Guam's energy mandates, enhances land use compatibility, and offers long-term benefits more aligned with the island's strategic needs.

While tourism remains a key economic driver, the applicant effectively argues that this particular lot is no longer suitable for hotel development due to surrounding industrial activities and public facility expansions. Instead, repurposing the site for a solar energy project supports Guam's renewable energy goals, economic stability, and environmental sustainability, making the proposed zoning change a logical and beneficial land use decision.

In our review and analysis of the form and context of this application, in reference to the Zoning Law, the positive response of the Dededo Municipal Planning Council (DMPC) Resolution 2024-15, the positive response received from the ARC agencies, and the applicants' efforts to continue to consult with the various government permitting entities to ensure compliance with their requirements, we find the above and the context of the application provides justification that the public necessity, convenience and general welfare, supports a positive action on the zone change request.

Continuation of Memorandum

Re: Staff Report - Application 2024-39, Zone Change
Lot 10188, Municipality of Dededo.

Date: February 21, 2025

Page 5 of 5

5. **RECOMMENDATION**: The Planning staff recommends Approval subject to the following condition:

That the applicant, adheres to the permitting ARC member's conditions and requirements as stipulated on their Official Position Statement.



Celine L. Cruz

Attachments: ARC Position Statement Summary
Minutes of Public Hearing
DMPC Resolution 2024-15

Case Planner: F. Taitano

PUBLIC HEARING MINUTES
Tuesday, February 4, 2025, 6:00 p.m.
Dededo Senior Citizen Center

APPLICATION NO. 2024-39

APPLICATION TYPE: Zone Change

APPLICANT/ REPRESENTATIVES: Core Tech Development, LLC/ TG Engineers, PC

LOT: 10188

CALLED TO ORDER: 6:04 p.m.

The meeting was called to order by Planning Staff and after a brief introduction and explanation of the application, the floor was then turned over to the applicant's representative, Marvin Aguilar of TG Engineers, PC, for his presentation. After his presentation, the applicant's representatives responded to the following public attendee's questions and concerns.

1. Jam Pangelinan: Is the project done already?

Marvin Aguilar: No it's going through the application process.

2. Jam Pangelinan: Does it affect our property zoning>

Marvin Aguilar: No.

3. Jam Pangelinan: You're not only talking about Lot 10188? You mentioned the lots further down.

Marvin Aguilar: Right now, it's only this lot. The other lots around are already "M1" Zone.

Frank Taitano: Can you explain the other 2 lots?

Marvin Aguilar: (explained the Core Tech Compound and indicated the location from his presentation).

4. Jam Pangelinan: Sorry I came late, but who are you for the project?

Marvin Aguilar: I'm with TG Engineers, we are representing our client, Core Tech.

5. Jam Pangelinan: Why does this affect us? Why were we notified?

Frank Taitano: (explained the law requirement for property owners and those who have interest in the property within a 500 feet radius of Lot 10188 that is applying for a zone change).

6. Jam Pangelinan: What is the zone now?

Marvin Aguilar: It's Hotel Zone now.

7. Jam Pangelinan: So you're trying to rezone it to "M1" Zone? What about another treatment facility on the property?

Marvin Aguilar: This project is just for a solar farm.

8. Jam Pangelinan: When you change the zone, what will happen after the solar farm?

Public Hearing Minutes: ZC 2024-39

Page 2 of 4

Marvin Aguilar: You could do another permitted use in an "M1" Zone. But it's limited cause its next to the treatment facility.

9. Jam Pangelinan: You just said you could put another treatment facility.

Marvin Aguilar: No, the existing treatment facility will not be expanded.

10. Jam Pangelinan: What is the benefit of a solar farm?

Marvin Aguilar: The effects will be minimal compared to the treatment facility, like no noise or odors. The downwind won't be an issue.

11. Jam Pangelinan: What are the cons?

Marvin Aguilar: Adverse effects are like NIMBY (not in my back yard) but you could look at the benefit, it's a public need for alternative energy.

12. Vincent Pangelinan: What else can you build or put on the property other than a facility after the solar farm?

Marvin Aguilar: You could put up a warehouse, but this application project is just for a solar farm.

13. Jam Pangelinan: What else could you put in there? Another treatment facility?

Marvin Aguilar: In the zoning law, if it doesn't give off obnoxious noise, odors, or fumes, it could be in an "M1" Zone.

14. Jam Pangelinan: 25 years will go quick. What will happen after that for the property?

Marvin Aguilar: Well Core Tech has to follow the use according to the law within the 25 years.

15. Vicent Pangelinan: How is the facility running?

Marvin Aguilar: Solar Energy

16. Jeff Kosaka: Is this application only for the solar farm?

Marvin Aguilar: Yes but other options can apply.

17. Jeff Kosaka: Is Core Tech only doing the solar farm?

Marvin Aguilar: Yes.

18. Jeff Kosaka: Is there anything in the application that limits the time?

Marvin Aguilar: It's solar energy to GPA for 25 years.

19. Jeff Kosaka: Is there anything in the contract that if the agreement doesn't go thru for Core Tech and GPA?

Marvin Aguilar: I don't have those contract details at the moment. I can pass on my contact information to you and have you speak with someone from the TG office who has those details.

Public Hearing Minutes: ZC 2024-39

Page 3 of 4

20. Jeff Kosaka: Are there any plans for Lot 10190 to expand the treatment? In 2017, Guam Ancestral had a meeting and there were discussions for the treatment facility. The lot was slivered. Why is the government taking care and pushing forward with slivering properties without working with the original land owners? The government continued with the GWA lot. Guam Ancestral lobbied the legislature and surveyed the land without addressing those who have claims to the land. At the time, we weren't notified unlike for this project. The government only looks into the business people and their projects. The family claimed that land and the governor sold it. We didn't know that the land was being sold to GWA. That was unjust for the Estate 471. That's my comment.
21. Vincent Pangelinan: Who is the final say so of this application?
Marvin Aguilar: The GLUC.
22. Vincent Pangelinan: This meeting is just a requirement in the process?
Marvin Aguilar: Yes.
23. Mayor Peter Benavente: We had the MPC Meetings and the Resolution was in support.
24. Vincent Pangelinan: It was supported?
Marvin Aguilar: Yes.
25. Jeff Kosaka: Land Management should notify the public especially the surrounding neighbors.
Marvin Aguilar: The public notice requirements is from the Open Government Law.
26. Jeff Kosaka: We were going to get the Land Management and update our mailing addresses.
27. Jam Pangelinan: What can we build on our lot, a hotel?
Marvin Aguilar: A hotel in a Hotel Zone.
28. Jam Pangelinan: Is the solar farm environmentally friendly? Any issues? Will this be a stadium?
Marvin Aguilar: There are solar panels on stadiums, like the one in Vegas. Technically, in my professional opinion, they are environmentally friendly.
29. Jeff Kosaka: Is there any additional lands for solar farms?
Marvin Aguilar: There's a bid and I believe there's 5, but I'm not sure.
30. Vincent Pangelinan: Is the GICC apart of that?
Frank Taitano: No that's not included.
31. Vincent Pangelinan: What is the capacity?
Marvin Aguilar: 120 Megawatts
32. Vincent Pangelinan: A Day or year?
Marvin Aguilar: A day.

Public Hearing Minutes: ZC 2024-39

Page 4 of 4

33. Vincent Pangelinan: I don't think your numbers are correct.

Marvin Aguilar: It's 120 Megawatts or 1,200 Megawatts.

34. Jude Calvo: How are you securing the facility in case of a typhoon?

Marvin Aguilar: The design will be based on security requirements and to the code.

35. Jude Calvo: There was a lot of damage during Mawar. Can you share what code will be followed?

Marvin Aguilar: The project will be conceptual but the design phase will be later.

36. Jude Calvo: When you do the design for the panels, could you share with our office? Could you email our office?

Marvin Aguilar: Yes, we've been in communication with GWA and meeting with water for this project.

37. Vicent Pangelinan: It sounds like you already have the "M1" Zone.

Marvin Aguilar: No, not right now. It's a step-by-step application process: 30-60-90. We're probably at step 30.

38. Vincent Pangelinan: This rezoning is apart of the step. It sounds like the path and why it's critical.

39. Jam Pangelinan: What about the environmental impact?

Marvin Aguilar: The study can be reviewed with Land Management. The biological survey is done already. The land was cleared by the military.

40. Vincent Pangelinan: Was there snails?

Marvin Aguilar: No snails.

41. Jeff Kosaka: It's a sensitive area, our grand fathers and great fathers and family who suffered during the war. It's very important that anything and everything that happens in the -R1 lot, it should be notified to the land owners.

42. Jam Pangelinan: Is your project going to change the value of our area?

Marvin Aguilar: The real estate and valuation is dependent on size, location, etc.

43. Jam Pangelinan: Is Core Tech willing to do anything for the families nearby? Like getting our land back or bring in the infrastructure?

Marvin Aguilar: I can't speak on his behalf but he's an approachable guy. I think property owners should meet with each other and design your destiny.

MEETING ADJOURNED: 7:01 p.m.

DEDEDO MUNICIPAL PLANNING COUNCIL
MUNICIPALITY OF DEDEDO

RESOLUTION NO. 2024-15

Introduced by:
Melissa B. Savares, Chairperson
Peter J. Benavente, Vice Chairperson

MEMBERS:

Acda, Romulo	Mafnas, Frank
Artero, Pascual V.	Makepeace, Annie
Cepeda, Nadine	Obina, Samnak
Chan, Jose-Arthur Jr.	San Nicolas, Joseph C.
Espinosa, Arlyn A.	Servino, Benito
Gaza, Edgar	Wusstig, Ernie



Relative to the approval for the zone change application for Lot 10188 from "H" (Hotel) to "M-1" (Light Industrial) zone in the Ukudo Village area to support the Guam Power Authority's (GPA) agenda and meet established renewable energy portfolio standard goals in the Municipality of Dededo. Applicant: CoreTech Development, LLC. Represented by TG Engineers, PC.

BE IT RESOLVED BY THE DEDEDO MUNICIPAL PLANNING COUNCIL:

WHEREAS, on, July 8, 2024 & July 9, 2024, members of the DMPC were briefed during two (2) public hearings by TG Engineers, PC representative Marvin Aguilar on the zone change application for the above lots; and

WHEREAS, members were informed that the objective of this zone change is to support and accommodate GPA's renewable portfolio for reliance and dependency on alternative energy sources for the island; and

WHEREAS, Mr. Aguilar stated that the objective of the rezoning is strictly intended to support the installation and use photovoltaic panels; and

WHEREAS, members acknowledged to approved this zone change application with the note that all necessary permits will be in place by regulating agencies prior to the installation of the photovoltaic panels; and

WHEREAS, members acknowledged that ads were posted in The Guam Daily Post and Government of Guam portal on June 28, 2024, July 1, 2024, July 6, 2024, July 7, 2024; and

BE IT RESOLVED, that after further discussion, it is noted that members of the DMPC motioned to approve this application for zone change for the above lot; and therefore be it

FURTHER RESOLVED, that the Chairperson of the Dededo Municipal Planning Council certify to and the secretary attest the adoption hereof and that copies of the same be therefore transmitted to the Department of Land Management, Department of Revenue & Taxation and Department of Public Works.

DULY RECORDED AND REGULARLY ADOPTED BY THE DEDEDO MUNICIPAL PLANNING COUNCIL ON THIS 9th DAY OF July 2024.


MELISSA B. SAVARES, Mayor of Dededo


YVONNE S. ACDA, Secretary DMPC

RECEIVED
By Cristina at 3:22 pm, Oct 10, 2024



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



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

LOURDES A. LEON GUERRERO
 MAGA'HAGA • GOVERNOR

JOSEPH M. BORJA
 DIRECTOR

JOSHUA F. TENORIO
 SIGUNDO MAGA'LÁHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
 DEPUTY DIRECTOR

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

February 17, 2025

Memorandum

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

To: Guam Land Use Commission (GLUC) Members

From: Chairperson, Application Review Committee (ARC)

Subject: Summary of Positions Submitted by ARC

Re: Application No. 2024-39 (Zone Change)

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

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

Telephone:
 671-649-LAND (5263)

DEPARTMENT OF LAND MANAGEMENT (DLM):

DLM recommends Approval subject to the ARC Permitting Agencies' Position Statements.

GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA):

GEDA has no objections.

DEPARTMENT OF PARKS AND RECREATION (DPR):

DPR has no objection with the approval of the Zone Change application subject to the conditions on their position statement.

GUAM POWER AUTHORITY (GPA):

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

BUREAU OF STATISTICS AND PLANS (BSP):

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



Memo to GLUC Members

Ref: ARC Position Statements - Application No. 2024-39

February 17, 2025

Page 2 of 2

DEPARTMENT OF PUBLIC WORKS (DPW):

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

GUAM WATERWORKS AUTHORITY (GWA):

GWA has no objection to the approval of the application.

DEPARTMENT OF AGRICULTURE (DoAg):

DoAg does not oppose the request for a zone change subject to the conditions on their position statement.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

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

GUAM FIRE DEPARTMENT (GFD):

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

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

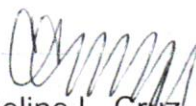
Ex-Officio, non-voting member, not required to submit Position Statement.

GUAM PUBLIC SCHOOL SYSTEM (GPSS):

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

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):

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



Celine L. Cruz
Guam Chief Planner

Attachments: ARC Position statements

CC: Executive Secretary, GLUC

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

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



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

30 JUL 2024

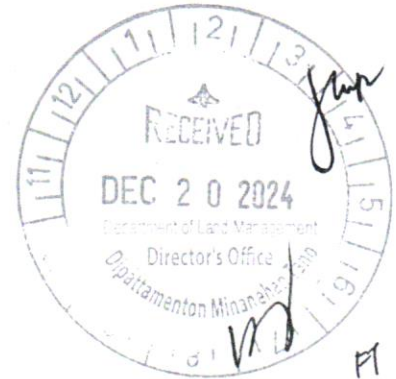
MEMORANDUM

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

FROM: Acting Director

APPLICANT: Core Tech Development, LLC
Application No.: (2024-39)

SUBJECT: Zone Change ("H" to "M-1")
Lot 10188, Dededo Guam



The above applicant is requesting for a zone change on the above subject lot, strictly intended to support the installation and use of the photovoltaic panels. The larger lot 10188 will provide an additional space to support a solar panel facility. (See attached site plan). The act of changing the zone is to align the subject parcel with GPA's initiatives, to include the Guam Energy Office's mandate and mission to promote deployment of renewable energy technologies. It will help provide the energy conservation, energy efficiency, reduce fuel fossil and fuel dependency. It will also further align with the Guam Strategic Energy Plan with respect to balancing the sound economics with ecological integrity. The total lot area is approximately 121,129 square meters or 1,303,822 square feet located in Dededo.

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

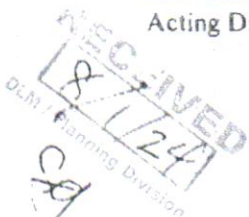
- Provide a preventive measures to protect the structure, and must be reasonably resistant to wind, typhoon, earthquake, natural disaster and systems failure.
- The design of the structure must consider the following:
Fire Detection, AC Back UP Generator and Surveillance Camera
- Provide parking layout and detail of parking (compact, standard, and accessible stalls).

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

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

ERNEST G. CANDOLETA, JR.
Acting Director

542 North Marine Corps Drive, Tamuning, Guam 96913 • (671) 646-3131 / 647-5055 • Fax (671) 649-6178



PO: Frank
CAND
17-25



GUAM WATERWORKS AUTHORITY

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




PT

MEMORANDUM

June 28, 2024

TO: Joseph Borja, Director, Department of Land Management

CC: Mayor Melissa Savares, Municipality of Dededo
(melissa.savares@gmail.com)

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

SUBJECT: Position Statement on Zone Change Application 2024-39 for Lot 10188
in the Municipality of Dededo

APPLICANT: Core Tech Development, LLC.

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone change from "H" (Hotel) to "M1" (Light-Industrial) zone for the proposed installation of a photovoltaic panels.

It is GWA's understanding that there is no request for water and wastewater services for this project. Therefore, GWA has no objection to the approval of this application. If your project requirements change and you need water and wastewater services, please contact GWA Permits and New Area Development at #671-300-6058 or permits@guamwaterworks.org for information on how to apply for utility services.

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

Ces

To: Paula
17.25



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

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

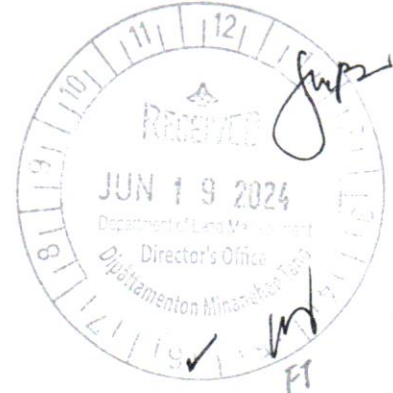
Director's Office, Parks and Recreation Divisions
#1 Paseo de Susana Hagåtña, Guam 96910
P O Box 2950, Hagåtña Guam 96932
(671) 475-6288 Facsimile (671) 477-0997
Guam Historic Resources Division
490 Chalan Palasyo Agana Heights, Guam 96910
(671) 475-6294 6355: Facsimile (671) 477-2822



Angel R. Sablan
Acting Director
Warren Pelletier
Deputy Director

June 17, 2024

In reply refer to:
RC 2024-0329



Memorandum

To: Director, Department of Land Management
From: Acting Director, Department of Parks and Recreation
Subject: Zone Change Application by TG Engineering, PC c/o Core Tech Development, LLC on Lot 10188 from "H" to "M-1" in order to install Photovoltaic Panels in support of Guam Power Authority's agenda and meet established renewable energy goals. DLM No. 2024-39

We reviewed the subject Zone Change Application by TG Engineering, PC c/o Core Tech Development, LLC on Lot 10188 from "H" to "M-1" in order to install Photovoltaic Panels in support of Guam Power Authority's agenda and meet established renewable energy goals. These subject Lots within the Municipality of Dededo has a combined total area of 29.9 acres.

Our office has concluded our review and will have No Objection with the Approval of this Zone Change application. However, our office will need an Archaeological Survey and Subsurface Testing before any clearing and grading of the lot, due to the fact that this area is largely unknown and is within close proximity to known Guam Historic Properties Inventory Sites.

Should you have any questions, please contact Mr. Logan Myers, Archaeologist at (671) 475-6340 or by email: logan.myers@dpr.guam.gov.

Sincerely,

Angel R. Sablan
Acting
W. Pelletier
Dep. Dir.

Patrick Q. Lujan
State Historic Preservation Officer

To: Frances
6/24/24

RECEIVED
By Cristina at 2:22 pm, Jun 18, 2024



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

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



Chelsa Muña
Director
Roy Gamboa
Deputy Director

To: **Joseph Borja**, Director
Department of Land Management

Attn: Executive Secretary
Guam Land Use Commission

From: Chelsa Muña, Director
Chelsa D. Muna

Digitally signed by
Chelsa D. Muna
Date: 2024.09.18
14:08:29 +10'00'

Date: September 18, 2024



Subject: Position Statement for Application 2024-39, to rezone from H (Hotel) to M-1 (Light-Industrial) to develop the property by the installation of photovoltaic panels on Lot 10188, located at Ukudu, Dededo (Core Tech Development, LLC)

The Department of Agriculture (DOAG) has reviewed Application 2024-39 to rezone Lot 10188, located at Ukudu, Dededo, from Hotel zone (H) to Light-industrial (M-1) for the purpose of developing the subject properties by the installation of photovoltaic panels to support Guam Power Authority's renewable portfolio for resilience and dependency on alternative energy sources for the island. The total land area of both subject lots is 1,303,822 square feet with vegetation.

The following is the Position Statement provided by DOAG, under the agency's authorities:

- DOAG's Division of Aquatic and Wildlife Resources (DAWR) is aware of and monitors Endangered Species that occurs in the subject area. A biological survey report must be provided to DOAG during the permitting process for the development. Landowner must consult with DOAG DAWR's Technical Guidance Section at permits@doag.guam.gov on future development plans to discuss potential impacts on protected species and resolving issues that may occur to avoid or minimize impacts to these species. Species observed in the area includes: the Yellow Bittern, Micronesian Starling, Mariana Fruit Bat, Common Moorhen, and Native Flora species of conservation need.
- A biosecurity plan must be developed and approved by DOAG prior to any work commencing. Once approved, the biosecurity plan must be employed during development phase to ensure that avoidance measures are in place to prevent the spread and introduction of Little Fire Ants (LFA) and other noxious species that may impact residents, economy, and ecology of the project area. Developer and Contractor must consult with DOAG's Biosecurity Division at biosecurity@doag.guam.gov.
- Approximately 6 to 8 inches of the topsoil within the boundaries of the project area must be set aside for agricultural purposes. Agricultural purposes may include, but not limited to, providing subsistence farmers ("backyard farmers") the resources that may be impacted as result of the development. The landowner/s must consult with DOAG's Agriculture Development Service at agriculture@doag.guam.gov to discuss this opportunity to assist subsistence farmers in need of soil resources for agricultural purpose. All vegetation material to be cleared on the project area must be processed on site as mulch to be used for landscaping, and excess be provided to subsistence farmers for the purpose of agricultural use.

RECEIVED
By Cristina at 10:23 am, Sep 19, 2024

4. The landowner/s must consult with DOAG's Forestry Division at forestry@doag.guam.gov to discuss all native plants identified within the project area. Access to collect native plant seeds, and/or other plant parts to be included in Forestry's nursery inventory of plants to be replanted within the Forestry System shall be considered to mitigate development impacts to habitat.
5. Eco-friendly development must be incorporated in the plans to minimize impacts to the environment and natural resources. Examples of eco-friendly development include but are not limited to: native plants for landscaping, shielded lighting, permeable pavers for parking, screened stormwater drains, rain gardens, water catchments, ponding basin, and green roof concept.

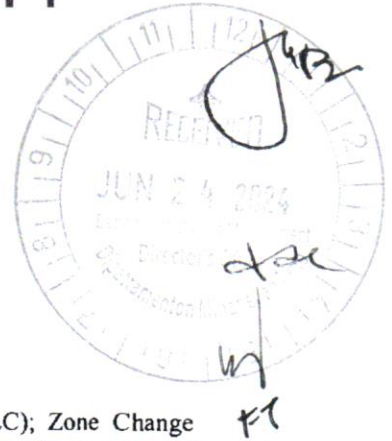
The Department does not oppose the request for a zone change, from H to M-1, however, the Owner is required to address the conditions to the approval, as stated above, and looks forward to discussing in more detail the proposed development in Dededo. If you have any questions or concerns, please contact Mr. Jeffrey Quitugua at Jeffrey.Quitugua@doag.guam.gov or permits@doag.guam.gov.



GUAM POWER AUTHORITY

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

June 17, 2024



MEMORANDUM

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

From: General Manager

Subject: Lot 10188, Municipality of Dededo, (Core Tech Development, LLC); Zone Change Application from "H" (Hotel-Resort) to "M-1" (Light-Industrial) for the purpose of supporting a significantly larger scaled photovoltaic (PV) facility. **Application No. 2024-39**

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

A. Comments and Recommendations Concerning GPA requirements:

1. Customer is required to comply with the following pursuant to the National Electric Code, National Electric Safety Code and GPA's Service Rules and Regulations:
 - Coordinate overhead/underground power requirements with GPA Engineering for new structures.
 - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code and National Electrical Code.
 - Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements.
 - Developer/Owner shall provide necessary electric utility easements to GPA prior to final connection.
 - Provide scheduling and magnitude of project power demand requirements for new loads.
 - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials.
 - **GPA reserves its easement rights established under Document No. 840062, Map 238FY2012.**
2. Primary distribution overhead and underground line extensions and GPA service connections must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.
3. A system impact assessment may be required to determine the effect of this facility on GPA's existing power facilities.
4. All costs associated with the modification of GPA facilities shall be chargeable to the customer. This includes relocation costs, new installation costs and any required system upgrades.

B. General Comments

GPA has no objection to the request subject to the conditions cited above.


JOHN M. BENAVENTE, P.E.

ASG/rts

Handwritten notes:
To: Frank
6-25-24

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**

Applicant: Core Tech Development, LLC

Location: Lot 10188, Dededo

Type of Application: Zone Change

GLUC/GSPC Application No. 2024-39

Brief Project Description:

“H” to “M-1” for the purpose of supporting a significantly larger scaled photovoltaic (PV) facility.

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


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

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

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

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

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


JOHN M. BENAVENTE, P.E.
General Manager

6/21/2024

Date

Comments:

Based on a preliminary inspection of the site, the electrical facilities may require upgrading to meet the demand of the proposed project. A system impact assessment may be required to determine the effect of this facility on GPA’s existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.

ASG/rts



BUREAU OF STATISTICS AND PLANS

Guam Coastal Management Program



August 2, 2024

Memorandum

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

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2024-39 Zone Change
Location: Lot 10188
Municipality: Dededo
Applicant: Core Tech Development, LLC
From: "H" (Hotel-Resort) to "M-1" (Light Industrial) Zone
Proposed Use: Installation of Photovoltaic Panels



Buenas yan Håfa Adai! I am pleased to inform you that the Bureau of Statistics and Plans (Bureau) has completed its review of the above-mentioned application pursuant to its authorities under 5GCA Ch.1 Article 2 Centralized Planning and the Guam Coastal Zone Management Program (GCMP) Enforceable Policies pursuant to Executive Order 78-37. Moreover, in accordance with Executive Order 96-26, the Bureau hereby submits its position statement based on its professional and technical analysis of effects to statutory authorities under the Bureau's purview.

Application Overview

The applicant, Core Tech Development, LLC, is submitting a Zone Change application to rezone the subject lot 10188 from H "Hotel-Resort" zone to M1 "Light Industrial" zone to allow for the construction and installation of photovoltaic panels for solar farm operations. The subject lot is located in the municipality of Dededo and contains 121,129 square meters or 29.9 acres.

Planning Considerations and Constraints

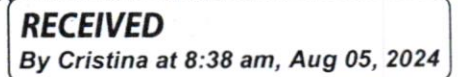
A. Surrounding Zone and Land Use Characterization

The subject lot is located in the Ukkudo area of Dededo and is accessible from Route 3 along a paved easement and Two Lover's Point road. Much of the adjacent land in the immediate surrounding area is vacant and undeveloped, with zoning primarily M1 - Light Industrial, C - Commercial, and R2 - Multifamily Residential to the north. Immediately east of the property lot is the GWA Water Treatment Facility. Other nearby M1 and C zone areas include the Core Tech Development Inc. Temporary Workforce Housing Facility, Cement Plant, and Heavy Equipment

TO: Frank
8-13-24

BUREAU OF STATISTICS & PLANS - GOVERNMENT OF GUAM

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



Laying Yard. North of the property includes a Core Tech Quarry, and to the southwest is an AT&T Cable Hub facility. The proximity to the GWA facility imposes stringent limitations on land use, particularly concerning wastewater management, odor control, and potential contamination risks.

The subject lot is located in a Tourist-Resort zone according to the designated land-use area under the North and Central Guam Land Use Plan (NCGLUP) - Future Land Use Map¹. The Tourist-Resort land use category applies to areas needed for commercial uses to serve the traveling public, including hotels/motels, condominium-hotels, single family and multiple family residential uses, golf courses and other typical resort services and retail uses. These categories are located primarily along the shoreline and include existing and future tourist and resort areas.²

Although the proposed use is incompatible with the NCGLUP future land use designation, the Bureau recognizes that many conditions have changed in the surrounding area where many M1 uses were approved. Furthermore, in light of the overwhelming prevalence of substandard residential living conditions within the surrounding area due to the industrial and commercial uses, the Bureau finds that consideration should be made to allow flexibility for the proposed development of the photovoltaic panels. The applicant must demonstrate that the project would improve the existing conditions and justify public necessity, public convenience, and general welfare in accordance with the Zoning Law of Guam.³

B. Geographical Landscape Assessment Based on Watershed

The subject lots are located on the Northern Watershed and above the Northern Guam Lens Aquifer. This project will increase the overall development rate of the Northern Watershed. According to the National Oceanic and Atmospheric Administration's (NOAA) Coastal Change Analysis Program (CCAP) land cover data from 2005 to 2015, the surface area of this watershed has changed by 12.11%.⁴ The detailed land cover layer describes the area as "forest land."⁵

Regarding development impacts, as of 2015, land cover data, 30.6% of the Northern Watershed is developed, and 15.78% comprises impervious surfaces.⁶ The proposed tentative subdivision is expected to increase the impervious surface area within and around the proposed structure and property. An area is at greater risk of flooding the more an area is developed, and levels of impervious surfaces are high. Areas with impervious surface rates will likely experience negative impacts on water quality. Impervious surfaces significantly reduce the water quantity and quality in a watershed. It is reported that the impervious surface degrades the watershed quality by greatly reducing the stream flow and increasing the stream temperature. They carry huge pollutant loads

¹ Public Law 30-224 §, Section 4 (2010). [https://guamlegislature.com/Public_Laws_30th/P.L.%2030-224%20SBill%20No.%20462-30%20\(LS\).pdf](https://guamlegislature.com/Public_Laws_30th/P.L.%2030-224%20SBill%20No.%20462-30%20(LS).pdf) Note: The plan was adopted due to inaction by the 90th day of the of the 31st Guam Legislature.

² ICF International. North and Central Guam Land Use Plan. (2009). 2-3.

³ 21 GCA, CH 61: Guam Zoning Law.

⁴ National Oceanic and Atmospheric Administration, Office for Coastal Management. "C-CAP Land Cover Atlas". Coastal Change Analysis Program (C-CAP) High-Resolution Land Cover. Charleston, SC: NOAA Office for Coastal Management. Accessed August 2024 at <https://coast.noaa.gov/ccapatlas/>

⁵ Ibid.

⁶ Ibid.

downstream, causing harm to aquatic life. Severe degradation can be expected when rates reach 25%. Runoff effects include channeling and loss of beach profile along untreated storm drain outfalls, sediment plumes, algae blooms, noxious odors due to poor water quality, and coral mortality.

The subject lot's land cover is mainly vegetated open space with scattered trees, shrubs, and grassland. The proposed development will increase the area's impervious surface and continue to contribute to the cumulative impact on the watershed. However, with the application of sustainable development designs and a proper stormwater management system in place, harmful impacts on the watersheds may be mitigated.

Effects Test and Conditions

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

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

Determination of Effects: Yes

The proposed development is within a vacant, undeveloped open space covered with native vegetation. This vegetation plays a crucial role in the surrounding area's ecology by providing potential habitats for wildlife and permeable surfaces, allowing stormwater filtration and groundwater recharge. Removing existing vegetation can lead to biodiversity loss, decreased biological carbon sequestration, increased air temperature, runoff, potential erosion, and negative impacts on water quantity and quality.

Condition: The applicant must save as many high-value emerged tree and native plant species as possible and replicate the native forests through propagation and out-planting throughout the property's open spaces. The applicant must coordinate with the Guam Department of Agriculture to use preferred native tree species and any propagation or outplanting.

Air-quality Policy: All activities and uses shall comply with all local air pollution regulations and all appropriate federal air quality standards in order to ensure the maintenance of Guam's relatively high air quality.⁸

Determination of Effects: Yes

The proposed development has the potential to adversely impact air quality. Site preparation and construction activities generate air pollutant emissions from ground-disturbing activity, and the operation of work vehicles and construction equipment.

⁷ ICF International. North and Central Guam Land Use Plan. (2009). 2-5.

⁸ Guam Land-Use Policies, Executive Order 78-37 (1978): 3.

Condition: Incorporate Best Management Practices (BMPs) during construction to minimize dust and air pollution, such as fugitive particulate matter emissions from ground-disturbing activity and from the operation of vehicles and heavy equipment. Ensure that the surrounding area and habitat are not exposed to noxious odors.

Water Quality Policy: Safe drinking water shall be assured and aquatic recreation sites shall be protected through the regulation of uses and discharges that pose a pollution threat to Guam's waters, particularly in estuarine, reef and aquifer areas.⁹

Policy NS-1 Protect the Northern Aquifer watershed and recharge areas through appropriate land use categories and development standards, including requirements for public sewer infrastructure for all residential subdivisions, low development density for unsewered areas, on-site stormwater disposal, and limiting heavy industrial activities.¹⁰

Policy LU-15 Encourage organic production and chemicals best management practices over the Northern Aquifer.¹¹

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

- e. Use of green street design principles, which emphasize low maintenance, stormwater management, aquifer recharge, beautification, and neighborhood collaboration and pride;
- f. Limit building and parking footprints and use alternative surface/paving designs to reduce thermal pollution, promote groundwater recharge, and preserve space for landscaping;
- g. Use of percolation ponds and other low maintenance systems on large-scale development sites overlying recharge areas. Require that large scale and regional stormwater management plans and designs do not result in the transfer or movement of water from immediate area recharge to sub-basins. There should be no new nonpoint or point source pollution discharges as part of this redevelopment.¹²

Determination of Effects: Yes

As stated earlier, decreased vegetative cover and increased impervious surface from the proposed development will contribute to the cumulative negative impact on the water quality within the Northern Watershed and the Northern Guam Lens Aquifer.

Condition: The applicant shall ensure the future development is connected to a public sewer should a worker facility be proposed. The applicant must comply with CNMI and Guam Stormwater Management Manual Standards¹³ and implement Island Best Management Practices

⁹ Ibid.

¹⁰ ICF International. North and Central Guam Land Use Plan. (2009). 5-2.

¹¹ ICF International. North and Central Guam Land Use Plan. (2009). 2-6.

¹² ICF International. North and Central Guam Land Use Plan. (2009). 5-4, 5-5.

¹³ Horsely Witten Group. CNMI and Guam Stormwater Management Manual. Prepared for Commonwealth of the Northern Mariana Islands and the Territory of Guam. (2006) Volume 1: <https://bsp.guam.gov/wp-bsp-content/uploads/2020/07/StormwaterManual-Volume1-Final.pdf> Volume 2: <https://bsp.guam.gov/wp-bsp-content/uploads/2020/07/StormwaterManual-Volume2-Final.pdf>

specifications. Concepts, design, and performance standards can be found in the GCMP publications 1) Island Stormwater Practice Design Specifications Manual¹⁴ and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID¹⁵.

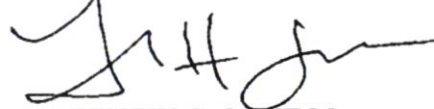
Condition: The applicant should consider installing green infrastructure features within the proposed project site plan. An example would be incorporating a native plant vegetative buffer along the perimeter of the subject lots and bioretention designs within the site development plans. These design features and blueprints for consideration in commercial sites on Guam are found in the CNMI and Guam Stormwater Management Manual, specifically under Chapter 4, "Design Examples".¹⁶

Determination

Pursuant to Executive Order 96-26, Appendix A § 700 (g), the Bureau hereby recommends approval of the zone change application based on the above-mentioned conditions. If these conditions are not met by the applicant or not included in the Guam Land Use Commission's Notice of Action, this position statement is to be interpreted as a recommendation for disapproval.

Should you have any questions regarding this matter, please do not hesitate to contact Ms. Yvonne Manglona-Juaneza, Planner, at yvonne.manglona-juaneza@bsp.guam.gov or Mr. Edwin Reyes, Coastal Program Administrator, at edwin.reyes@bsp.guam.gov.

Si Yu'ps Ma'åse'.



MATTHEW C. SANTOS
Acting Director

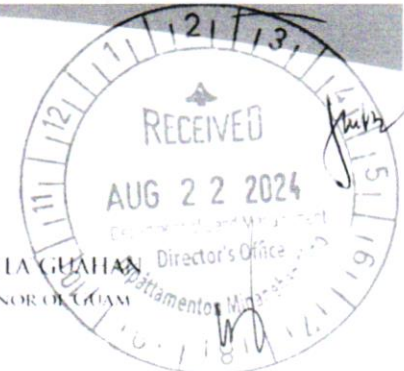
¹⁴ Center for Watershed Protection & Horsley Witten Group, Inc.. Island Stormwater Practice Design Specifications. A Supplement to the 2006 CNMI & Guam Stormwater Design Manual. Prepared for NOAA Coral Reef Conservation Program, Guam Coastal Management Program, and Guam Environmental Protection Agency. (2010):

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

¹⁵ Center for Watershed Protection & Horsley Witten Group, Inc.. Stormwater Management in Pacific and Caribbean Islands: A Practitioners Guide to Implementing LID. Prepared for NOAA Coral Reef Conservation Program.

(2014):https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA/CRCP/project/1906_Feb2014_IslandBMPGuide_wAppendix.pdf

¹⁶ Ibid.



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

AUG 20 2024

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

Ref: Application No. 2024-39, the Applicant, Core Tech Development LLC represented by TG Engineers, PC; request a Zone Change from "H" (Hotel-Resort) to "M-1" (Light Industrial) zone, for the proposed installation of Photovoltaic Panels, on Lot 10188, in the Municipality of Dededo.

Hafa adai Dr. Enriquez,

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

A. Stormwater and Erosion Control

1. The proposed development has a wide area of twenty nine point nine (29.90) acres dedicated for the installation of solar panels. It appears that pre-development activities are clearing, grubbing, grading and stockpiling on the entire property. The documents does not mention specific method to contain storm runoff nor how to dispose them. Developer/Contractor must, therefore, design drainage disposal system and provide pre- and post-construction storm water controls meeting the requirements of the 2006 CNMI and Guam Stormwater Management Manual, as implemented by Executive Order No. 2012-02. Additionally, developer/contractor must strictly adhere to all the requirements, including all necessary permits, of the Guam Soil Erosion and Sediment Control Regulations (22GAR Chapter 10).
2. An Environmental Protection Plan (EPP) must be prepared and signed by a professional engineer pursuant to 22GAR §10104 (c) (5) (D) where the focal point and integral part of the EPP is the Erosion Control Plan (ECP). The EPP must include, among others, vegetation, wildlife, fugitive dust control, solid and hazardous waste management and disposal procedures, work site maintenance and typhoon recovery plans.

B. Water & Wastewater



GUAM EPA | 17 3304 Mariner Avenue Tiyan Barrigada, Guam 96913 1617 | Tel: (671) 300-4751 | 2 | Fax: (671) 300-4531 | epa.guam.gov
 ALL LIVING THINGS OF THE EARTH ARE ONE • MAANI NI TADU'U MA'NE'UVA

Like and follow quamepa

1. The proposed development is dedicated to the installation of solar panels in the entire area but no plan to construct a small maintenance building as per documents submitted. However, should a maintenance building with office is planned in the future, the project site being located within the Ground Protection Zone (GPZ) of Northern Guam, sewage disposal must be connected to adequate public sewer. Pursuant to 22GAR §5101 (c) (1) (A) (B), industrial development should not occur within GPZ without adequate public sewer infrastructures, and neither should high density residential development, at more than one dwelling per one half (1/2) acre. The applicant is responsible to consult with Guam Waterworks Authority to determine the adequacy of public sewer and water service available in the area.

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

Should you have any question or need additional information, please do not hesitate to contact my staff at Water Resources Management Program or Water Division Acting Chief Engineer Mr. Johnny Abedania Tel No. (671) 300-4796 or (671) 300-4786, respectively.

Dangkolu na si Yu'us ma'åse'.

Senseramente,


MICHELLE C.R. LASTIMOZA
Administrator

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



NOTICE TO REZONE

PUBLIC NOTICE

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

APPLICATION DESCRIPTION: APPLICATION NO. 2024-39
OWNER: H. DEAN GILLHAM & JULIETTE A. GILLHAM TRUST
DEVELOPER: CORE TECH DEVELOPMENT, LLC.
LOT, MUNICIPALITY: LOT 10188, DEDEDO
PROPOSED ZONE CHANGE: FROM "H" (HOTEL-RESORT) TO "M-1" (LIGHT INDUSTRIAL ZONE)

	DATE:	TIME:	PLACE:
PUBLIC HEARING:	<u>FEB. 04, 2025</u>	<u>6:00AM</u>	<u>DEDEDO SENIOR CITIZENS' CENTER</u>
GLUC MEETING:	<u>Feb. 27, 2025</u>	<u>1:30 PM</u>	<u>DLM CONF RM. 3rd Floor, GITC BLDG, TAMUNING</u>



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



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

LOURDES A. LEON GUERRERO
 MAGA'HAGA • GOVERNOR

JOSEPH M. BORJA
 DIRECTOR

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

JOSHUA F. TENORIO
 SIGUNDO MAGA'LÁHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
 DEPUTY DIRECTOR

February 17, 2025

Memorandum

To: Chairperson, Guam Land Use Commission
From: Guam Chief Planner
Subject: Commission Brief – Request for Renewal - Application No. 2020-51B

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

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

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

1. **PURPOSE:** The Applicant, NAN Inc. represented by W.B. Flores & Associates is requesting for an annual renewal of a Conditional Use permit, to allow for the continued operation of its Temporary Workforce Housing Facility, to house up to 84 temporary workers, on Lot 1130-2-10, in the Municipality of Mongmong-Toto-Maite, in an "M-1" (Light Industrial) zone.
2. **LEGAL AUTHORITY:** Title 21, GCA (Real Property), Chapter 61 (Zoning Law) and Section 61303 (Conditional Use), Section 61309 (c) (Policy for Workforce Housing Facilities for Temporary Workers) and Public Law 36-2.
3. **DISCUSSION and APPLICATION SUMMARY:** As approved by the Commission on December 14, 2023 and as shown on the approved Site Plan the TWHF facility in its final development is to consist of the modified former Marianas Inn building to house 84 workers with elements for sleeping, dining, toilet, shower and laundry facilities, outdoor and indoor recreational, security including fire/medical emergency response capability, transportation services, and an in-house set of Rules and Regulations that addresses security and safety practices, including other factors such as personnel access and exit procedures and personal/social code of conduct.

The applicant, pursuant to Section 61309 (c)(4)(B)(i) where it states "Unless specifically limited, approvals shall be for an initial term of twenty-four (24) months and thereafter shall be renewed annually, ...",

Continuation of Commission Brief
Re: Application No. 2020-51B
Date: February 17, 2025
Page 2 of 2

hereby submits its annual renewal request and in general, provides that, as approved, elements of the approved TWHF for sleeping, kitchen, dining, toilet, shower and laundry facilities, security including fire/medical emergency response capability, recreational facilities, transportation services, on site storm water retention system, landscaping, a six (6) foot high perimeter fence, an in-house set of Rules and Regulations, are functionally existing. The applicant also included a copy of their Sanitary Permit, Business License, photos of the complex and submits that they are in the process of obtaining a Dormitory Permit.

On February 14, 2025, case planner conducted a site visit of the approved TWHF and from an exterior observation, case planner finds that the exterior of the facility is well kept, clean, landscaping along the fence and a basketball element are existing.

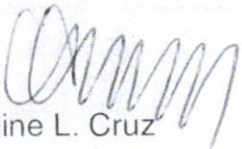
In conclusion we find that the request package is in proper form and context and submit it to the Commission for their action.

4. RECOMMENDATION:

It is our position that the applicant's continuing coordination with the permitting agencies, finds that the applicant is complying to the conditions imposed; have been and continues to work with the appropriate government entities in adhering to said Agencies requirements and ensuring that best management practices are in place.

In line with the above we recommend a favorable Commission review of the applicant's renewal request and updated site plan with the following conditions;

1. That, The Applicant continues compliance to Section 2 of Public Law 36-2 as specified on the Department of Land Management's approval letter, dated June 24, 2021.
2. That, pursuant to the approved TWHF site plan and Section 61303, Subsection(b) of Chapter 61, Title 21 GCA. Any change on the site plan or increase of workers on the TWHF beyond the approved 84 workers shall be subject to the approval of the Commission in accordance with the criteria set forth in subsections (a) and (c) of Section 61303, Chapter 61, GCA.


Celine L. Cruz

Attachment: Request Package

Case Planner: Frank Taitano