

Re: Messages & Communications Doc. No. 38GL-26-2571 through 2577.

From Guam Legislature Clerks <clerks@guamlegislature.gov>
Date Tue 7/14/2026 11:16 AM
To 38th Committee On Rules <committeeonrules@guamlegislature.gov>

Håfa Adai,

Received, and thank you.



Elijah Untalan
Clerks Office

I Mina'trentai Ocho na Liheslaturan Guåhan

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Voice: (671) 472-3465/3460 Fax: (671) 472-3524

guamlegislature.gov

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Thank you

From: 38th Committee On Rules <committeeonrules@guamlegislature.gov>
Sent: Tuesday, July 14, 2026 10:38 AM
To: Guam Legislature Clerks <clerks@guamlegislature.gov>
Cc: Frank Blas Jr. <speakerblas@guamlegislature.gov>
Subject: Messages & Communications Doc. No. 38GL-26-2571 through 2577.

Håfa Adai Clerks Office,

Please see attached, **Messages & Communications Doc. No. 38GL-26-2571 through 2577** for processing:

✓	38GL-26-2571	Department of Agriculture	FY2025 Citizen-Centric Report*
✓	38GL-26-2572	Department of Public Health and Social Services	Prior Year Obligation to pay METRC in the total amount of \$150,000.00*
✓	38GL-26-2573	Guam Memorial Hospital Authority	FY2026 3rd Quarter Staffing Pattern.
✓	38GL-26-2574	Department of Revenue and Taxation	Income Tax Refund Status Report for the Month Ending June 2026*
✓	38GL-26-2575	Guam Land Use Commission	GLUC Zone Change Approval for Application No. 2025-21 from "H" to "M1" Zone, Lot 10185-4-2, in the Municipality of Tamuning*
	38GL-26-2576	Bureau of Budget and Management Research	American Rescue Plan Act of 2021 and Infrastructure Investment and Jobs Act Allocation Reports for period ending June 30, 2026*
✓	38GL-26-2577	Office of Public Accountability - Guam	Guam Housing and Urban Renewal Authority FY2025 Financial Statements, Reports on Compliance and Internal Controls, Management Letter and the Auditor's Communication with Those Charged with Governance*

Please retrieve Doc. No. 38GL-26-2573, 2575 and 2577 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-26-2575*

2 messages

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

Mon, Jul 13, 2026 at 10:10 AM

To: 38th Committee On Rules <committeeonrules@guamlegislature.gov>, Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Håfa adai,

Please see attached M&C Doc. No. 38GL-26-2575

38GL-26-2575	Guam Land Use Commission	GLUC Zone Change Approval for Application No. 2025-21 from "H" to "M1" Zone, Lot 10185-4-2, in the Municipality of Tamuning*
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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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----- Forwarded message -----

From: **Cristina Gutierrez** <cristina.gutierrez@land.guam.gov>

Date: Fri, Jul 10, 2026 at 4:18 PM

Subject: RE: Zone Change Application 2025-21

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

Hafa Adai,

I have attached Zone Change Application No. 2025-21 for the Applicant, Pacific Energy Corporation, for your records.

Please call our office if you have any questions or need further information.

Best regards,



M. Cristina Gutierrez

Planning Division

cristina.gutierrez@land.guam.gov

Tel.: (671) 649-5263 Ext. 375

2 attachments

F3-67S52 A-16 Pacific Energy Corporation.PDF
13848K

38GL-26-2575.pdf
1134K

38th Committee On Rules <committeeonrules@guamlegislature.gov>

Mon, Jul 13, 2026 at 11:28 AM

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

Håfa Adai,

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>

RE: Zone Change Application 2025-21

2 messages

Cristina Gutierrez <cristina.gutierrez@land.guam.gov>

Fri, Jul 10, 2026 at 4:18 PM

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

Hafa Adai,

I have attached Zone Change Application No. 2025-21 for the Applicant, Pacific Energy Corporation, for your records.

Please call our office if you have any questions or need further information.

Best regards,



M. Cristina Gutierrez

Planning Division

cristina.gutierrez@land.guam.gov

Tel.: (671) 649-5263 Ext. 375

Doc Type: 38GL-26-2575
OFFICE OF THE SPEAKER
FRANK F. BLAS, JR.

July 10, 2026

Time: 4:18 PM

Received:



F3-67S52 A-16 Pacific Energy Corporation.PDF

13848K

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

Fri, Jul 10, 2026 at 6:02 PM

To: Cristina Gutierrez <cristina.gutierrez@land.guam.gov>

Hafa Adai,

Confirming receipt of your email.

Judy Shockley
Office Administrator



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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[Quoted text hidden]



38GL-26-2575
Messages and Communications

RECEIVED
COMMITTEE ON RULES

July 13, 2026

10:10 a.m.

Marie Crisostomo

**GUAM LAND USE COMMISSION
ZONE CHANGE
APPLICATION NO. 2025-21
LOT 10185-4-2
MUNICIPALITY OF TAMUNING**

COPY



ATTACHMENT 1

Space for Recordation

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

1020633

File for Record is Instrument Number

On the Year 20 26 Month 07 Day 09 Time 11:45AM

Recording Fee DE-OFFICIO Receipt No. DE-OFFICIO

Deputy Recorder E. De Vera
Eugene M. De Vera

GLUC ZONE CHANGE

APPLICATION NO.: 2025-21

APPLICANT: PACIFIC ENERGY
CORPORATION

PREPARED ON FEBRUARY 24, 2026

FROM: "H" (RESORT-HOTEL)

TO: "M1" (LIGHT INDUSTRIAL)

LOT NO.: 10185-4-2

BLOCK: N/A

TRACT: N/A

MUNICIPALITY: TAMUNING

SCALE: N/A

AMENDMENT NO.: A-16

ZONING MAP NO.: F3-67862

THE GUAM LAND USE COMMISSION, AT ITS
HEARING ON FEBRUARY 12, 2026
APPROVED IN WHOLE THE ZONE CHANGE
FROM "H" TO "M1" ON LOT 10185-4-2
MUNICIPALITY OF TAMUNING

☒ APPROVED IN WHOLE
☐ APPROVED IN PART
☐ DISAPPROVED

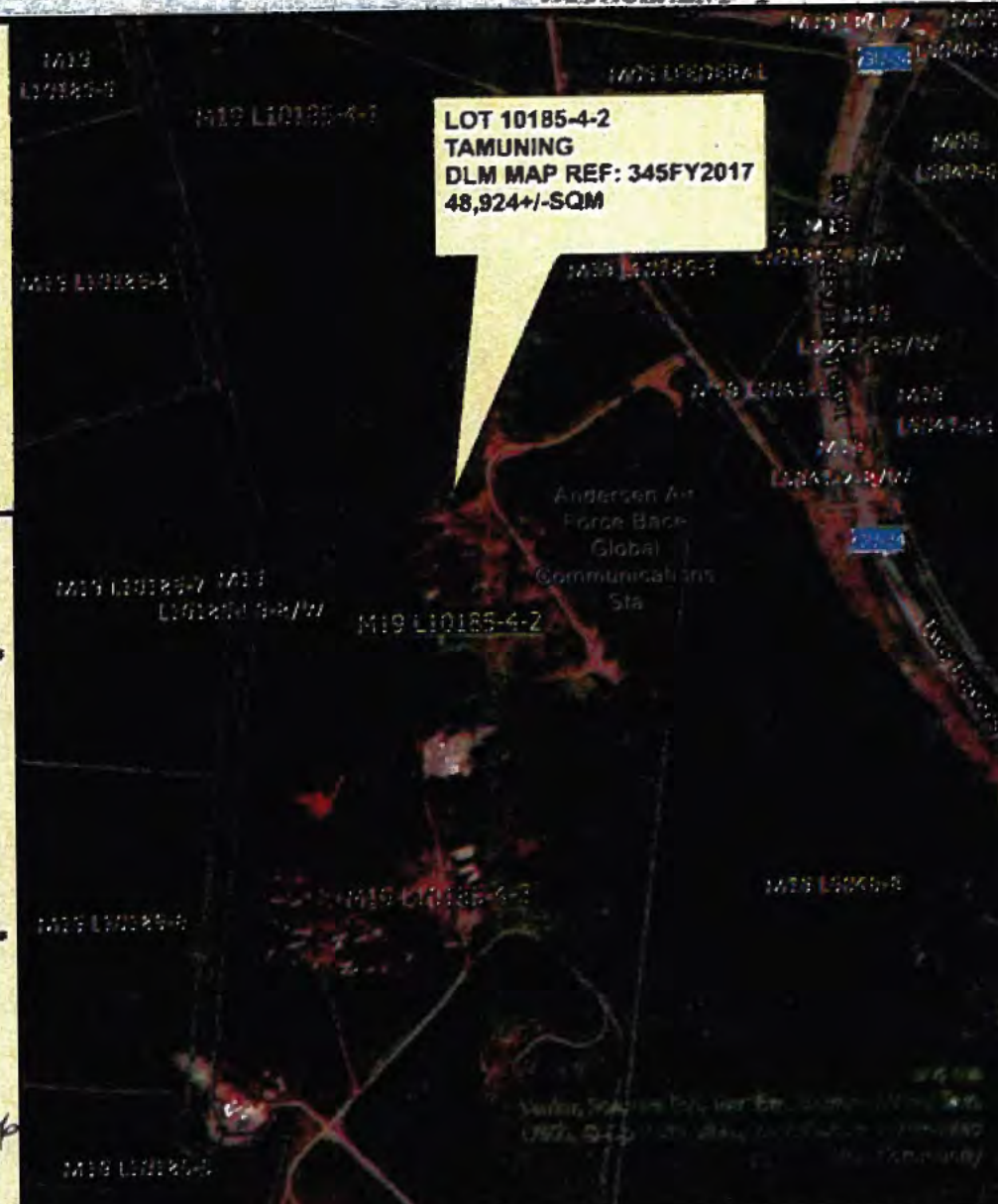
Ronald C. Pangilinan
RONALD C. PANGILINAN
ACTING CHAIRMAN
GUAM LAND USE COMMISSION

6-10-26
DATE

☒ APPROVED IN WHOLE
☐ APPROVED IN PART
☐ DISAPPROVED

Lourdes A. Leon Guerrero
LOURDES A. LEON GUERRERO
GOVERNOR OF GUAM

6/25/2026
DATE



LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

JUN 09 2026

Honorable Frank F. Blas, Jr.
Speaker
I Mina'trentai Ocho na Liheslaturan Guåhan
163 Chalan Santo Papa
Hagåtña, Guam 96932

Re: GLUC Zone Change approval for Application No. 2025-21 from "H" to "M1" zone, Lot 10185-4-2, in the Municipality of Tamuning

Dear Mr. Speaker:

Please find attached the above-referenced zoning documents for the Legislature's consideration, which is submitted pursuant to 21 G.C.A., Chapter 61, §61647.

I have **APPROVED** Pacific Energy Corporation's request for a Zone Change from "H" zone to "M1" zone, on Lot 10185-4-2, in the Municipality of Tamuning.

This approval is in conformance with 21 G.C.A. §61630 and justified to satisfy public necessity, convenience, and general welfare.

Senseremente,


LOURDES A. LEON GUERRERO
Maga'håga Guåhan
Governor of Guam



DIPATTAMENTON MINANEHAN TÁNO'
(Department of Land Management)
GUBETNAMENTON GUÁHAN
(Government of Guam)



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

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

LOURDES A. LEON GUERRERO
MAGA-ILAGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA-ILAGA • LIEUTENANT GOVERNOR

JOSEPH M. BORJA
DIRECTOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

Memorandum

To: The Governor

From: Executive Secretary, Guam Land Use Commission

Subject: **GLUC Zone Change Approval from "H" (Hotel/Resort) zone to "M1" (Light Industrial) zone, for the proposed construction and operation of a photovoltaic solar power facility, on Lot 10185-4-2, Tamuning.**

Submitted for your consideration and action is Zone Change Application No. 2025-21. The Applicant, Pacific Energy Corp., requests a Zone Change from "H" zone to "M1" zone, on Lot 10185-4-2, in the Municipality of Tamuning.

Application chronology is as follows:

- July 2, 2025 – Official acceptance date of application
- August 7, 2025 – Reviewed by the Application Review Committee (ARC)
- November 13, 2025 – Public Hearing, Tamuning Community & Senior Center
- February 12, 2026 – Guam Land Use Commission (GLUC) Public Hearing (approval of Zone Change)

Pursuant to the Guam Code Annotated, Title 21 (Real Property), Chapter 61 (Zoning Law), Section 61634 (Decision by the Commission), which provides that, "if the application is approved in whole or in part by the Commission, the same shall be forwarded to the Governor who may approve or disapprove the proposed change in whole or in part," this application is hereby transmitted for your action.

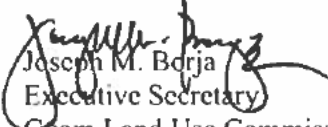
Telephone
671-649-LAND (5263)

Facsimile
671-649-5383

***Memorandum to the Governor
Zone Change, Pacific Energy Corporation
Lot 10185-4-2, Tamuning
Page 2***

Please contact the Land Planning Division at 649-5263, extension 300 or 375, should you have any questions and/or need further clarification.

Si Yu'os Ma'ase.


Joseph M. Borja
Executive Secretary
Guam Land Use Commission

Attachments:

- 1) Amendment No. A-16, Zoning Map F3-67S52
- 2) Zone Change Application, 2025-21
- 3) Formal letter to Mayor for Public Hearing, October 29, 2025
- 4) Public Hearing Attendance Sheet, November 13, 2025
- 5) Staff Report with Summary of ARC Position Statements
- 6) Notice to Rezone – Billboard Sign
- 7) GLUC Agenda Notice – Guam Daily Post [February 5th and February 10th, 2026]
- 8) GLUC Agenda of February 12, 2026 – Disposition
- 9) GLUC Minutes of February 12, 2026 [Doc #1017823]
- 10) Notice of Action – Findings of Facts
 - Exhibit A – Affidavit of Publication
 - Attachment A – Official Memorandum to GDP [October 29, 2025]
 - Attachment B – Public Hearing Publication [November 3, 2025]
 - Exhibit B – Affidavit of Mailing
 - Attachment A – U.S. Postal Certified Receipts [October 31, 2025]
 - Attachment B – Official Notice Public Hearing [October 31, 2025]
 - Exhibit C – GLUC Agenda Notices, Guam Daily Post [February 5, 2026 & February 10, 2026]



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



LOURDES A. LEON GUERRERO
MAGA HAGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA LAHI • LIEUTENANT GOVERNOR

JOSEPH M. BORJA
DIRECTOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

October 29, 2025

Honorable Louise C. Rivera
Municipality of Tamuning Mayor

Håfa Adai Mayor Rivera,

The following application has been filed with the Guam Land Use Commission (GLUC):

Application No. 2025-21, the applicant, Pacific Energy Corporation, represented by W.B. Flores & Associates, is requesting a Zone Change from "H" (Resort-Hotel) to "M1" (Light Industrial) for the proposed construction and operation of a photovoltaic solar power facility on Lot 10185-4-2, in the Municipality of Tamuning.

Pursuant to P.L. 33-209, Section 61106(b) [Requirements Before Municipal Public Hearings], attached herewith are the Application Review Committee (ARC) position statements for your perusal.

For any **Zone Change** request that may have an adverse impact on the public's interest, the GLUC is mandated by law to conduct a public hearing in the Municipality where the subject lot is located. Accordingly, we have scheduled with your office a public hearing to be held at the **Tamuning Community and Senior Center on Thursday, November 13, 2025, at 6:00 p.m.**

Si Yu'os Ma'ase,

CELINE L. CRUZ
Guam Chief Planner

Attachments: Application No. 2025-21
ARC Position Statements

DATE RECEIVED 10/29/25

JOSEPH M. BORJA

ATTACHMENT 3

**DEPARTMENT OF LAND MANAGEMENT - LAND PLANNING DIVISION
GUAM LAND USE COMMISSION (GLUC)/GUAM SEASHORE PROTECTION COMMISSION (GSPC)
PUBLIC HEARING ATTENDANCE SHEET**

PLACE: Tamuning Community and Senior Center

DATE: November 13, 2025 TIME: 6:00PM

APPLICATION TYPE: Zone Change

APPLICATION NO: 2025-21

DESCRIPTION: The applicant, Pacific Energy Corporation represented by W.B. Flores & Associates is requesting for a Zone Change from "H" (Resort-Hotel) to "M-1" (Light Industrial) for the proposed construction and operation of a photovoltaic solar power facility on Lot 10185-4-2, in the Municipality of Tamuning.

APPLICANT/REP: Pacific Energy Corporation / W.B. Flores & Associates

LOT NO(s): Lot No. 10185-4-2

	MAILING ADDRESS/LOT #	TELEPHONE
1. <u>Sonny Ague</u>	<u>DLM</u>	<u>649-5263</u>
2. <u>Edgar Iosa</u>		
3. <u>Arleen Villagomez</u>		
4. <u>Wm. Lopez</u>		
5. <u>Tyson Kim</u>	<u>PEC</u>	
6. <u>L. ESPINO (LEE ESPINO)</u>	<u>PEC</u>	
7. <u>Glen Makepeace</u>	<u>P.O. Box 22495 Barrigada, 96921</u>	
8. <u>Annie Makepeace</u>	<u>P.O. Box 22495 Barrigada, 96921</u>	
9. <u>Frank P. Tactacan</u>	<u>DLM</u>	<u>649-5263 #3000</u>
10. <u>Grace Vergara</u>	<u>DLM</u>	<u>649-5263</u>
11. <u>Lina Rojas</u>	<u>W.B. Flores</u>	<u>646-1714</u>
12. <u>WILL FLORES</u>	<u>W.B. FLORES</u>	<u>646-1714</u>

DEPARTMENT OF LAND MANAGEMENT - LAND PLANNING DIVISION
GLUC/GSPC - PUBLIC HEARING ATTENDANCE SHEET

PRINT NAME	MAILING ADDRESS/LOT #	TELEPHONE
13. Andrew Park	Pacific Energy Corp	
14. Franklin Can Canedo	184 Father Korman St, Tamuning	
15. Marlene Perez LL7	✓	
16. DEVA CAZ, Orange	135 Fyfe Road Tamuning GU 96913	611-447-1081
17. CREATOR P. PEREZ	P.O. Box 8647 Tamuning, GU 96931	
18. LEO G. CASL	P.O. Box 8073 TAMUNING, GU 96931	671-046 974
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28.		
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30.		



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

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

LOURDES A. LEON GUERRERO
MAGAYHAGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGAYHAG • LIEUTENANT GOVERNOR

JOSEPH M. BORJA
DIRECTOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

February 6, 2026

MEMORANDUM

TO: Chairperson, Guam Land Use Commission

FROM: Guam Chief Planner

SUBJECT: Staff Report - Application No. 2025-21, Zone Change from "H" (Resort-Hotel) to "M1" (Light Industrial) Zone, on Lot 10185-4-2, in the Municipality of Tamuning.

1. PURPOSE:

- A. Application Summary:** The applicant, Pacific Energy Corporation, represented by W.B. Flores & Associates, is requesting approval of a Zone Change from "H" (Resort-Hotel) to "M1" (Light Industrial) Zone for the proposed construction and operation of a photovoltaic solar power facility on Lot 10185-4-2, in the Municipality of Tamuning.
- B. Legal Authority:** Sections 61630 to 61638 of Chapter 61 (Zoning Law), Title 21, GCA (Real Property).

2. FACTS:

- A. Location:** The site is located approximately 0.33 miles Southeast of Two Lover's Point and 0.50 miles Northwest of Ukudu Power Plant.
- B. Lot Area:** 48,924± sq.m. or 526,613.55± sq.ft. or 12.08± acres
- C. Present Zoning:** "H" (Hotel) Zone.
- D. Field Description:** The site is presently undeveloped with overgrown vegetation.
- E. Masterplan:** "H" (Resort-Hotel)
- F. Community Design Plan:** Undesignated

ATTACHMENT 5

- 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:** July 2, 2025
B. **Date Heard By ARC:** August 7, 2025
C. **Public Hearing Results:** November 13, 2025 (See Attachment)

4. **DISCUSSION and STAFF ANALYSIS:**

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

Public Necessity: The proposed project fulfills a legislatively mandated public necessity under Public Law 35-46, which requires the Guam Power Authority (GPA) to achieve 100 percent renewable energy reliance by 2045 in response to rising and volatile fossil fuel costs and Guam's dependence on imported fuel. GPA has accordingly prioritized the expansion of renewable energy to improve energy security and achieve long-term cost savings for ratepayers. The proposed solar farm directly advances these objectives by increasing renewable generation beyond the current approximate 18 percent of GPA's 460+ MW system and supporting a sustainable, reliable, and cost-effective power supply for Guam.

Public Convenience: Public convenience will be enhanced through improved reliability and resilience of Guam's electrical grid. The island has experienced recurring power shortages due to limited generation capacity, aging infrastructure, and fuel dependency. The addition of a utility-scale solar facility will diversify energy sources, increase generation capacity during peak demand, reduce strain on existing power plants, and improve service reliability. Reduced fuel dependence will also help stabilize utility rates and increase predictability for customers.

General Welfare: The project promotes the general welfare by supporting essential public services and improving overall quality of life. Reliable electrical power is critical to healthcare, emergency response, public safety, transportation, and food storage systems. Renewable energy generation further benefits public health and the environment by reducing emissions and pollution associated with fossil fuel use. These outcomes align with Government of Guam initiatives focused on sustainability, environmental stewardship, and long-term operational cost reduction.

Land Use Compatibility

In terms of zoning and land use compatibility, the proposed development aligns well with the surrounding area, which is characterized by industrial activities and public facilities. Converting the site into a solar energy project introduces a low-impact, reversible use that is fully consistent with M1 (Light Industrial) zoning standards. The project requires minimal infrastructure and generates negligible noise, traffic, or emissions, ensuring compatibility with adjacent properties. This land use adjustment

optimizes the utilization of industrially zoned land while advancing Guam Power Authority initiatives, the Guam Energy Office mission, and the Guam Strategic Energy Plan. By promoting renewable energy, reducing reliance on fossil fuels, and supporting objectives such as reliable and affordable energy, environmental stewardship, and economic resilience, the proposed zone change represents a practical and forward-thinking decision that meets the community's evolving needs and contributes to a sustainable energy future for Guam.

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

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



Celine L. Cruz
Guam Chief Planner

Case Planner: Frank Taitano

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

PUBLIC HEARING MINUTES
November 13, 2025 (Thursday), 6:00 P.M.
Tamuning Community and Senior Center

APPLICATION NO. 2025-21

APPLICATION TYPE: Zone Change from "H" (Hotel) to "M1" (Light Industrial)

APPLICANT: Pacific Energy Corporation

APPLICANT'S REPRESENTATIVE: W.B. Flores & Associates

LOT NO.: Lot 10185-4-2

MUNICIPALITY: Tamuning

The meeting was called to order at 6:05 PM by Planning Division staff. After a brief explanation by Planning Division staff of the public hearing process, the floor was turned over to the applicant's representative, Mr. Willie Flores. Mr. Flores provided the attendees with a detailed description of the project, after his presentation, the floor was opened for questions as noted below:

Q. Will there be batteries?

A. Yes.

Q. Will they be stored on a separate building?

A. Yes

Q. When is the projected to be completed?

A. There is no exact completion date yet, as the application must first be approved by the Guam Land Use Commission before proceeding to the building permit process. We anticipate clearing and grading to begin early next year, followed by the building permit process later in the year.

Q. What is the next process after this public hearing?

A. We have MPC meetings scheduled for December, and we will need to wait for the MPC resolution before the application can be heard by the Guam Land Use Commission.

Q. Will the poles be similar in size to the poles along Cross Island Road?

A. They will only be standard power poles. Guam Power Authority (GPA) will be responsible for installing them

Q. Is there a plan to involve small businesses in the project?

A. No.

No further discussions. Meeting adjourned at 6:29PM.

ATTACHMENT

2/8/26, 2:51 PM

Inbox - Grace Vergara - Outlook

TAMUNING MUNICIPAL PLANNING COUNCIL Resolution No. 2025 - 010



Introduced by:

Antonio Charbunaw
Esquerra JR. Guerrero, II
Michael Lasarte

Rosanne Lestinasoza
Gregory Perez
Chair Mayor Rivera

Dean Tanague
Co Chair Vice Mayor Torres
William Nardi

Relative to:

Guam Land Use Commission Application No. 2025-21, Expressing the Support / Non-Support of the Tamuning Municipal Planning Council for the Development of a Solar Farm on Lot No. 10185-4-2, Municipality of Tamuning

BE IT RESOLVED BY THE MUNICIPAL PLANNING COUNCIL OF TAMUNING:

WHEREAS, the Tamuning Municipal Planning Council recognizes the importance of transitioning to sustainable and renewable energy sources to reduce the Guam's carbon footprint and dependence on fossil fuels; and

WHEREAS, the Pacific Energy Corporation (Developer), has requested a Conditional Use Permit for the proposed utility-scale photovoltaic solar power facility to be located at Lot No. 10185-4-2, Municipality of Tamuning, Guam; and

WHEREAS, the proposed solar farm is anticipated to generate 4.99 MW (or Kilowatts (kW)) of clean, renewable energy, contributing to the region's energy independence and stability; and

WHEREAS, the Developer has engaged with the Tamuning Municipal Planning Council, the Tamuning Mayor's Office, the Guam Power Authority and the Guam Department of Land Management, as well as other relevant community stakeholders regarding the project's details, including its potential environmental, economic, and visual impacts; and

WHEREAS, the proposed project aligns with the Guam Power Authority's objectives for achieving optimal supply levels for renewable energy, falls within allowable conditional uses in Guam's Land Use Plan and zoning regulations for light industrial applications, will adhere to setback requirements, screening measures, and regulatory agency regulations for conditional use as a photovoltaic facility; and

WHEREAS, the project is expected to provide economic benefits to Guam including employment (job creation), revenues from the sale of "clean" power, increased tax revenues and fees to the government among others; and

WHEREAS, the Developer has committed to a good-neighbor policy, including ongoing communication with the municipality and residents throughout the project's lifecycle; and

WHEREAS, the Developer will secure all necessary permits and approvals from relevant authorities and agencies; and

WHEREAS, the Developer has the approval from the Guam Power Authority to construct and operate the proposed photovoltaic facility, subject to the issuance of requisite permits and clearances;

2/6/26, 2:52 PM

Inbox - Grace Vergara - Outlook

TAMUNING MUNICIPAL PLANNING COUNCIL
Resolution No. 2025 - 010



WHEREAS, the Tamuning MPC voted to approve this Resolution for the
and Guam Land Use Commission Application No. 2025-21 on Thursday, December 4, 2025, and

NOW, THEREFORE, BE IT RESOLVED that the Tamuning Municipal Planning Council
hereby has no objections to Zone Change from "R1" (Resort/Hotel) to "M1" (Light Industrial) for the
proposed construction and operation of a photovoltaic solar power facility on Lot 10185-4-2, in the
Municipality of Tamuning

DULY AND REGULARLY ADOPTED ON THE 4th **DAY** DECEMBER, 2025.

LOUISE C. RIVERA
Mayor and Chair

ALBERT M. TOVES
Vice Mayor and Co-Chair

DANILO TINSAY
MPC Member and Council Secretary

Page 2 of 2

DLM Summary Zone Change Application No. 2025



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

Mailing Address
P O Box 2950
Hagatña GU 96932

LOURDES A. LEON GUERRERO
MAGA'HAHA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MACA'LAHI • LIEUTENANT GOVERNOR

JOSEPH M. BORJA
DIRECTOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

February 6, 2026

Memorandum

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

To: Guam Land Use Commission (GLUC) Members
From: Chairperson, Application Review Committee (ARC)
Subject: Summary of Positions Submitted by ARC
Re: Application No. 2025-21 (Zone Change)

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

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

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

BUREAU OF STATISTICS AND PLANS (BSP):
BSP recommends approval of the zone change application, subject to the aforementioned conditions, in their position statement.

GUAM WATERWORKS AUTHORITY (GWA):
GWA has no objection to the approval of this application, subject to the conditions stipulated in their official position statement.

GUAM POWER AUTHORITY (GPA):
GPA has no objection to the request, subject to the conditions cited in their official position statement.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):
GEPA approves the proposed zone change, subject to the conditions stated in their position statement.



Telephone:
671-649-LAND (5263)

Facsimile
671-649-5383

Memo to GLUC Members

Ref: ARC Position Statements - Application No. 2025-21

February 6, 2026

Page 2 of 2

DEPARTMENT OF PUBLIC WORKS (DPW):

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

DEPARTMENT OF PARKS AND RECREATION (DPR):

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

DEPARTMENT OF AGRICULTURE (DoAg):

DoAg supports the purpose of the zone change, subject to the conditions in their position statement.

GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA):

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

GUAM FIRE DEPARTMENT (GFD):

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

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

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

GUAM PUBLIC SCHOOL SYSTEM (GPSS):

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

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):

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



Celine L. Cruz
Guam Chief Planner

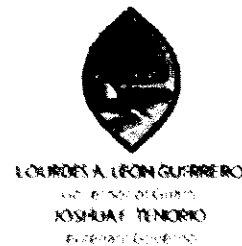
Attachments: ARC Position statements

CC: Executive Secretary, GLUC



BUREAU OF STATISTICS AND PLANS

Sagan Planu Siha Yan Enfofmasion



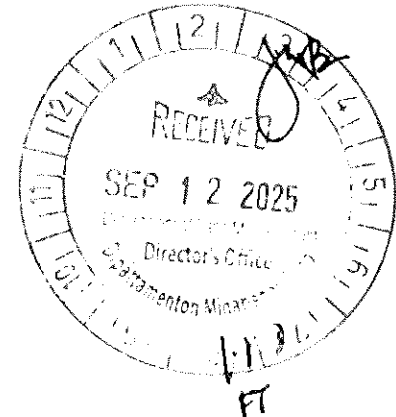
September 11, 2025

Memorandum

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

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2025-21 Zone Change
Location: Lot 10185-4-2
Municipality: Tamuning
Applicant: Pacific Energy Corporation
Proposed Use: M1



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

Application Overview

The applicant, Pacific Energy Corporation, is requesting a zone change from "H" Hotel zone to "M1" Light Industrial to allow for the proposed installation and operation of a Photovoltaic Solar Facility on Lot 10185-4-2, in the Municipality of Tamuning. The subject lot contains a total of 48,924 square meters or approximately 12.08 acres. Power, water, and sewer is directly available to the property.

Planning Considerations and Constraints

A. Surrounding Zone and Land Use Characterization

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

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

BUREAU OF STATISTICS & PLANS - GOVERNMENT OF GUAM

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

RECEIVED
By Cristina at 10:47 am, Sep 11, 2025

2 | Application No. 2025-21 Zone Change Pacific Energy Corporation

The subject lot, lot 10184-6, is accessible via an unnamed road which connects to Tanguisson Route and Two Lovers Point road. The immediate surrounding area comprises vacant and undeveloped land. Also within close proximity is Two Lovers Point to the north-west, the Ukudu Power Plant to the south-west, and further north along Tanguisson Route is GWA Northern Water Treatment and Core Tech Development Inc. Temporary Workforce Housing Facility, Cement Plant, and Heavy Equipment Laying Yard.

The subject lot is located in a Tourist-Resort designated area under the North and Central Guam Land Use Plan (NCGLUP) - Future Land Use Map³. 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.⁴

Solar farms, as large-scale energy generation facilities are not compatible with the Tourist-Resort land use designation. The proposed use aligns with the description of an "industrial use" and a "large storage facility" for energy. This makes the Industrial land use category the most fitting for this type of development within the framework of the plan. At the time the North and Central Guam Land Use Plan was adopted, the Dos Amantes Planning Area (Plan) was not yet finalized, leading to inconsistencies between its future land use map and the area's eventual zoning. Following the approval of Public Law 30-211, the final zoning map for Dos Amantes was established, with several parcels being rezoned to Light Industrial (M1) to reflect the changing conditions and approved uses in the surrounding area. Given these changes, the Bureau believes that the proposed development of a photovoltaic solar power facility should be evaluated by the existing conditions established by Public Law 30-211 and compatible use of surrounding properties, provided the applicant can demonstrate the project's public necessity, convenience, and contribution to the general welfare, as required by the Guam Zoning Law.⁵

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.

³ Public Law 30-224 §, Section 4 (2010): [https://archives.guamlegislature.gov/30th_Guam_Legislature_Public_Laws_30th_P.L._%202010_224%20SBill%20%20%202010-10%20\(L.S.\).pdf](https://archives.guamlegislature.gov/30th_Guam_Legislature_Public_Laws_30th_P.L._%202010_224%20SBill%20%20%202010-10%20(L.S.).pdf) Note: The plan was adopted due to inaction by the 90th day of the of the 31st Guam Legislature

⁴ ICF International: North and Central Guam Land Use Plan (2009) 2-3

⁵ 21 GCA, CH 61: Guam Zoning Law

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 September 2023 at <https://coast.noaa.gov/ccap/atlas/>

⁷ Ibid

3 | Application No. 2025-21 Zone Change Pacific Energy Corporation

They carry huge pollutant loads downstream, causing due harm to aquatic life. Severe degradation can be expected when rates reach 25%. Runoff effects include channeling and loss of beach profile along untreated storm drain outfalls, sediment plumes, algae blooms, noxious odors due to poor water quality, and coral mortality.

Land cover within the subject lot comprises bare land with some light vegetation. The proposed project will likely increase the extent of impervious surfaces due to the placement of solar panels, access roads, and associated infrastructure. This change in land cover may reduce natural infiltration, increase surface runoff, and contribute to localized erosion if not properly managed. The alteration could potentially impact downstream water quality and hydrology by introducing pollutants and sediment through stormwater runoff. To mitigate these impacts, the project should implement stormwater management practices consistent with the 2006 CNMI and Guam Stormwater Management Manual, including permeable surfaces, vegetated buffers, and erosion control measures to maintain watershed function and support sustainable land use.

Effects Test and Conditions

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

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.

Condition: Incorporate Best Management Practices (BMPs) in accordance with the Guam Air Pollution Control Standards and Regulations during any future construction to minimize dust and 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 LU-15 Encourage organic production and chemicals best management practices over the Northern Aquifer.¹⁰

⁸ Government of Guam, 1978 Executive Order 78-37 November 2 <https://asp.guam.gov/wp-content/uploads/2017/01/EO-78-37-Guam-Land-Use-Policies.pdf>

⁹ *Ibid*

¹⁰ ICF International, North and Central Guam Land Use Plan (2009) 2-6

4 | Application No. 2025-21 Zone Change Pacific Energy Corporation

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."¹¹

Determination of Effects: Yes

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

Condition: The applicant must comply with CNMI and Guam Stormwater Management Manual¹² 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 Manual¹³ and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID¹⁴. The applicant should consider incorporating green infrastructure into the project's design. This includes features like native plant buffers and bioretention areas, as well as strategies like permeable access roads and minimal land disturbance. These practices, detailed in the CNMI and Guam Stormwater Management Manual, will help protect water quality, preserve infiltration, and improve the project's overall environmental performance. 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".¹⁵

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

¹¹ ICF International 2009 North and Central Guam Land Use Plan September (ICF International #00824 08) Seattle, WA. Prepared for Bureau of Statistics and Plans—Government of Guam 5-5

¹² 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>

¹³ 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_swrm_specs_supplement_cnmi_guam_design.pdf

¹⁴ 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

¹⁵ Ibid.

5 | Application No. 2025-21 Zone Change Pacific Energy Corporation

conditions are not met by the applicant or not included in the Guam Land Use Commission's Notice of Action, this position statement is to be interpreted as a recommendation for disapproval.

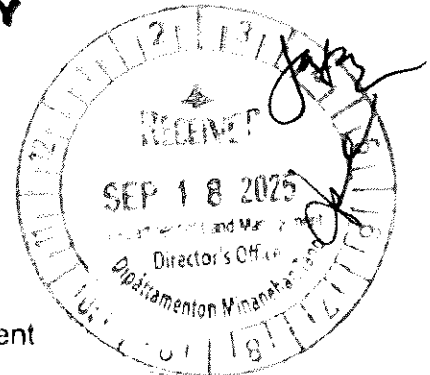
Should you have any questions regarding this matter, please do not hesitate to contact Mr. Christian Benitez, Planner, at christianpaul.benitez@bsp.guam.gov or Mr. Edwin Reyes, Coastal Program Administrator, at edwin.reyes@bsp.guam.gov. Si Yu'os Ma'åse'.


LOLA E. LEON GUERRERO
Director



GUAM WATERWORKS AUTHORITY

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



MEMORANDUM

August 14, 2025

TO: Joseph Borja, Director, Department of Land Management

CC: Mayor Louise C. Rivera, Municipality of Tamuning
(louise.rivera@mcog.guam.gov)

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

SUBJECT: Position Statement on Zone Change Application 2025-21 for Lot
10185-4-2 in the Municipality of Tamuning

APPLICANT: Pacific Energy Corp.

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a Zone Change in an "H" (Hotel) zone to a M-1 (Light-Industrial) Zone for the proposed installation of a photovoltaic solar power facility.

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 Jacob Miller, P.E., GWA Permits and New Area Development Supervisor (#671-300-6039 or jpmiller@guamwaterworks.org) for water and sewer system standards or additional information.

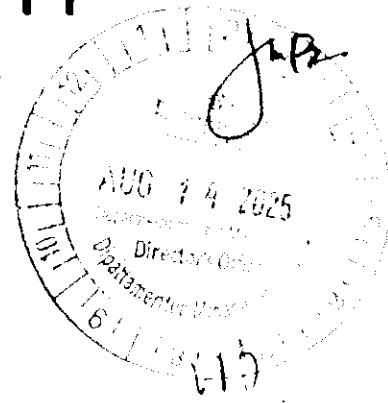
*TO: FRAI
COMM
9-23-25*

RECEIVED
By Cristina at 3:20 pm, Aug 27, 2025



GUAM POWER AUTHORITY

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



August 13, 2025

MEMORANDUM

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

From: General Manager

Subject: Lot 10185-4-2; Municipality of Tamuning, (PACIFIC ENERGY CORPORATION) Zone Change Application "H" (Hotel) zone to "M-1" (Light-Industrial). To install and construct a photovoltaic (PV) power facility to produce electric power to supply to the GPA grid.
Application No. 2025-21

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 to the following Portion of Parcel F-1 (A.JKP) for Fuel Line as shown on Instrument No. 664867**
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.
(18)

ASG:app

Handwritten notes:
To: Frank
Carm
7/17

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**

Applicant: **PACIFIC ENERGY CORPORATION**

Location: **Lot 10185-4-2; Municipality of Tamuning**

Type of Application: **Zone Change**

GLUC GSPC Application No: **2025-21**

Brief Project Description: **Zone Change Application "H" (Hotel) zone to "M-1" (Light-Industrial).**

To install and construct a photovoltaic (PV) power facility to produce electric power to supply to the GPA grid.

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

8/14/25
Date

Comments:

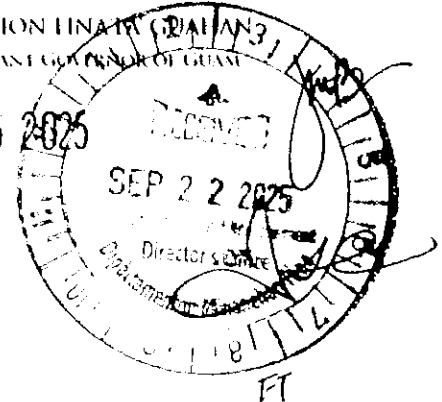
No additional Load was submitted by the applicant. A system impact assessment may be required to determine the effect of this development on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.

ASG/app



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHIENSAN PROTEKSION TINIAN (GUAM)
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM • JOSHUA I. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOSA • ADMINISTRATOR

SEP 16 2025



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. 2025-21, the Applicant, Pacific Energy Corporation, represented by W.B. Flores & Associates, requests a Zone Change from "H" (Hotel/Resort) zone to "M-1" (Light Industrial zone) for the construction and operation of a photovoltaic solar power facility, on Lot 10185-4-2, in the Municipality of Tamuning.

Hafa adai Dr. Enriquez,

The Guam Environmental Protection Agency (EPA) has completed its review of the proposed Zone Change Application (ZCA) for Lot 10185-4-2, located in Tamuning. The application seeks to rezone the property from Hotel (H) to Light Industrial (M1).

Guam EPA's Position Statement:

The project site must connect to the nearest public sewer line, approximately 2,729 feet away along Route 34 (Two Lovers Point Road). If this connection is initially unfeasible due to costs, construction challenges, or infrastructure limits, the project may be conditionally approved to use a holding tank for wastewater temporarily. Once public sewer service becomes available or feasible, the project must connect according to local laws and regulations.

The following statutes support this conditional requirement:

Legal Basis

I. 10 Guam Code Annotated (GCA) Chapter 48 – Toilet Facilities and Sewage Disposal Act

§48102: This provision authorizes the Guam EPA to regulate sewage disposal systems by requiring connection to public sewer infrastructure when available. It also allows the agency to issue permits for holding tanks prior to the establishment of formal regulations, provided all application requirements are satisfied.

§48104(b): Requires that all developments, including industrial facilities, connect to public sewer systems when available.



Handwritten notes:
To: Frank
9-26-25

Application No. 2025-21

Page 2 of 2

Implementation Conditions

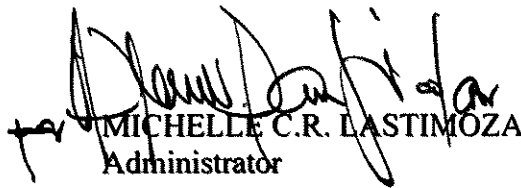
- The holding tank must be:
 - Designed and installed in accordance with Guam EPA standards.
 - Regularly maintained and monitored to prevent overflow or contamination.
 - Decommissioned upon connection to the public sewer system.
- The developer must:
 - Submit a sewer connection plan to Guam EPA and GWA.
 - Connect to the public sewer system within 90 days of service availability.
 - Obtain all necessary approvals before operation of any wastewater system.

In addition to the concerns mentioned above, the applicant is reminded that any development planned for the subject location must adhere to all other applicable environmental laws and regulations enforced by the Guam Environmental Protection Agency.

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

Dangkolu na si Yu'us ma'åse'.

Senseramente,


MICHELLE C.R. LASTIMOZA
Administrator

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





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. CANDELETA
Deputy Director

MEMORANDUM

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

FROM: Director

APPLICANT: Pacific Energy Corporation
Application No.: ~~H~~2025-21 (Pacific Energy Corporation)
Lot No. 10185-4-2

SUBJECT: Zone Change ("H" to "M-1"), Tamuning, Guam

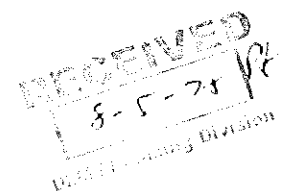
The applicant is requesting a zone change from "H" to "M-1". The intent is to design, install and construct a photovoltaic (PV) power station, to produce electrical power to supply to GPA's power grid. The lot is approximately 12.8 acres or 48,924 square meters of property in the Village of Ukudu, Municipality of Tamuning.

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

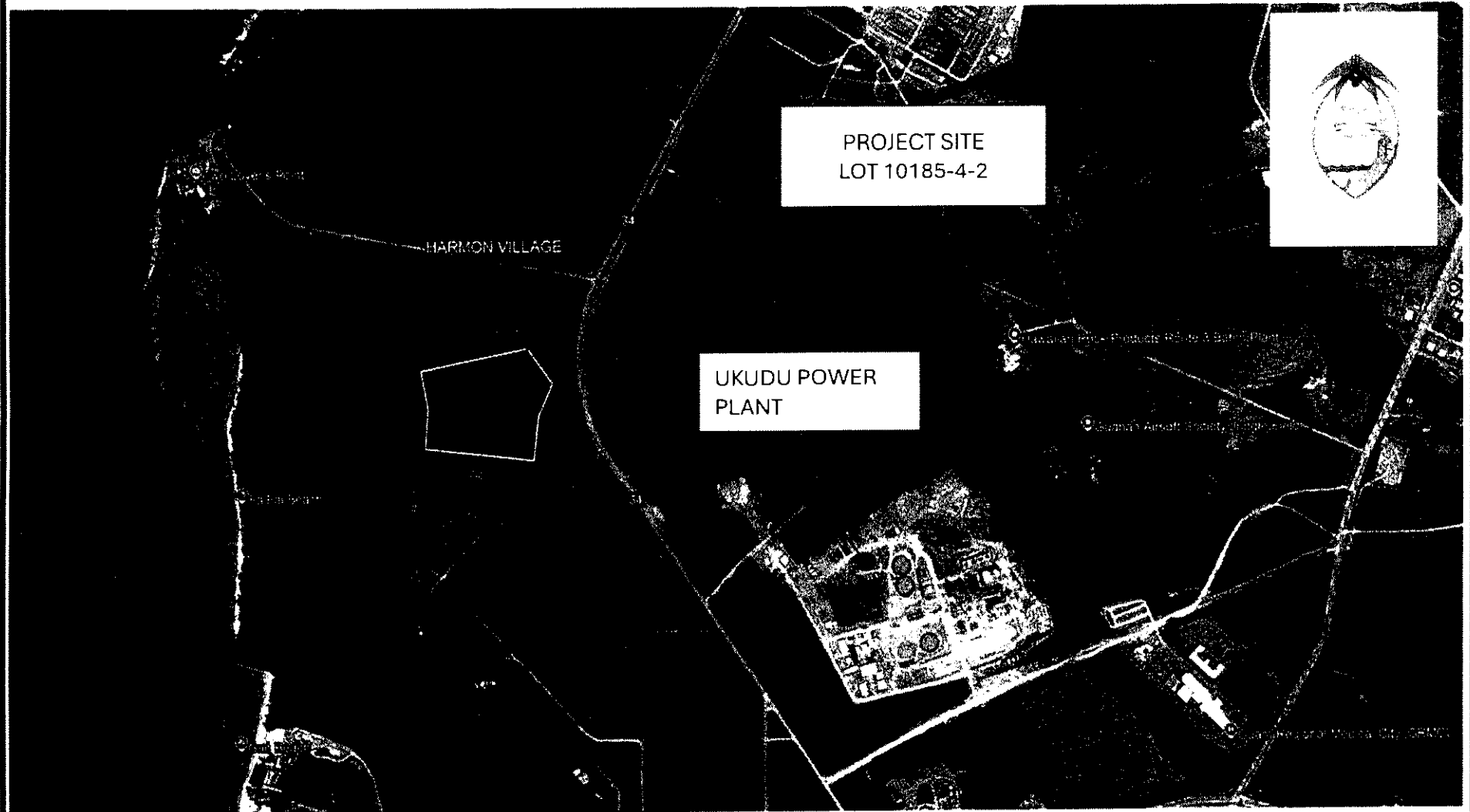
- Provide preventive measures to protect the structure, be reasonably resistant to weather conditions (wind, fire, typhoon, earthquake, natural disaster or any physical threats).
- Must ensure that the project must follow NFPA solar setbacks and does not contribute to any negative impact within the neighboring area.
- Must be in compliance to electrical code and fire safety code (NEC).
- NOTE: Provide a certified and qualified installer that meets the standard of the American Society of Electrical Engineers and licensed to do Business in Guam.

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

VINCENT P. ARRIOLA



PD: Frank
8.8.25



VICINITY MAP

Pacific Renewable Unlimited, LLC
Lot No. 10185-4-2
Municipality of Tamuning

EXHIBIT 5b

Prepared by:





Lourdes A. Leon Guerrero

President
U.S. Government

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

Executive Office, Parks and Recreation Division
83 Parden de Soana, Hagåtña, Guam 96910
P.O. Box 2050, Hagåtña, Guam 96932
(671) 475-6288, Facsimile (671) 477-0907
Guam Historic Resources Division
690 Chalan Palayo, Agaña Heights, Guam 96910
(671) 475-6296/6355, Facsimile (671) 477-2822



Angel R. Sablan
Director
Museum of the Pacific
Agency, Agaña

July 11, 2025

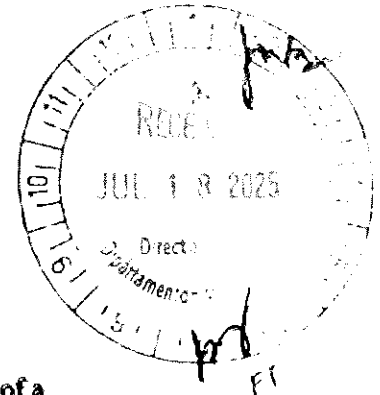
In reply refer to
RC 2024-0397

Memorandum

To: Director, Department of Land Management

From: Director, Department of Parks and Recreation

Subject: The applicant, Pacific Energy Corporation propose a "Zone Change" for from "H" to "M1" Zone for the construction of a Photovoltaic Solar Power Facility on Lot 10185-4-2 within the Municipality of Tamuning. DLM Application No. 2025-21



We reviewed the subject request by the applicant, Pacific Energy Corporation's proposed "Zone Change" from "H" to "M1" zone for the construction of a Photovoltaic Solar Power Facility on Lot 10185-4-2 within the Municipality of Barrigada. The subject Lot has an overall size of 12.08 acres.

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

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

Sincerely,

Angel R. Sablan
Director



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

Department of Agriculture Dipattamenton Agrikottura

103 Dairy Road, Mangilao, Guam 96913



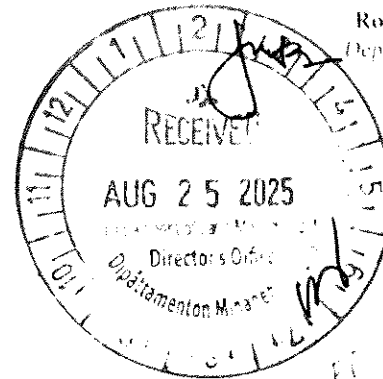
Chelsa Muña
Director
Roy Gamboa
Deputy Director

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

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

From: Chelsa Muña, Director

Date: August 05, 2025



Subject: Agriculture Impact Statement for Application 2025-21, Pacific Energy Corporation for a "Zone Change" Application on Lot 10185-4-2, Municipality of Tamuning – Rezoning from "H" (Hotel) Zone to "M-1" (Light-Industrial) Zone.

The Department of Agriculture (DOAG) has reviewed **Application 2025-21**, requesting to **rezone Lot 10185-4-2 from Hotel (H) zone to Light-Industrial (M-1) zone**, located along Tanguisson Route, Dededo, Guam. The purpose to rezone is to install photovoltaic panels (solar farm) in the future.

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

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

- If the property is greater than one (1) acre in size, a biological survey is required prior to any ground disturbance or development activity. This survey must be conducted by a qualified biologist and submitted to the Department of Agriculture for review. The purpose of the survey is to identify any protected species or sensitive habitats present on the lot and to guide appropriate avoidance or mitigation measures.
- Conservation measures must be developed to address the presence of protected species, including but not limited to the Mariana Fruit Bat, Yellow Bittern, Micronesian Starling, Guam Tree Snail, federally listed native orchids, and other flora and fauna species of concern that may occur on-site. These measures must focus on avoidance and/or minimization of impacts to these species and must be clearly outlined in the biological survey report submitted to the Department of Agriculture.
- Eco-friendly development practices must be incorporated in the plans to minimize impacts to the environment and natural resources. Examples of eco-friendly development include but are not limited to: planting native plants for landscaping, shielding light posts, permeable pavers for parking, screened stormwater drains, rain gardens, water catchments, anti-bird strike windows, and green roofs.

Director's Office
103 Dairy Road, Mangilao, Guam 96913
Phone: (671) 488-1000
Fax: (671) 488-1001
Email: info@doag.gu
Website: doag.gu

REPORT THREATS TO GUAM'S NATURAL RESOURCES 864-TOKA (8652)

RECEIVED
By Cristina at 12:41 pm, Aug 25, 2025

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

2. Biosecurity Division:

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

3. Forestry and Soil Resource Division:

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

4. Agricultural Development Services:

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

Doc. No. 38GL-26-2575.*

NOTICE TO REZONE

PUBLIC NOTICE

AN APPLICATION HAS BEEN FILED WITH THE GUAM LAND USE COMMISSION (GLUC)
FOR A ZONE CHANGE APPLICATION NO. 2025-21

APPLICATION NO. & DESCRIPTION: NO. 2025-21 ZONE CHANGE APPLICATION
OWNER: PACIFIC ENERGY CORPORATION
DEVELOPER: PACIFIC ENERGY CORPORATION
LOT, BLOCK, TRACT: LOT 10185-4-2, MUNICIPALITY OF TAMUNING
PROPOSED ~~CONDITIONAL USE~~ ^{ZONE CHANGE} HOTEL ZONE TO LIGHT INDUSTRIAL

PUBLIC HEARING:
GLUC

Date: ~~DECEMBER 2025~~ ^{5:00 PM} Time: ~~1:00 PM~~ Place: ~~COMMUNITY AND SENIOR CENTER~~
Date: 02/12/26 Time: 1:30 PM Place: DLM CONFERENCE ROOM
3RD FLOOR ITC BUILDING



GUAM POWER AUTHORITY
 ATURIDAT ILEKTRESE DAT GUAHAN
 P.O. BOX 2977 • HAGATNA, GUAM U.S.A. 96932 2977
 Telephone Nos: 671 648 3045 55 or Facsimile 671 648 3165



INVITATION FOR BID

This notice is paid for by the GUAM POWER AUTHORITY REVENUE FUNDS
 Public Law 26-12

BID NO.:	DUE DATE:	TIME:	DESCRIPTION:
RE-BID GPA 044 25	02-19-2026	9 00 A.M.	Data Transport Air Fiber (Revenue)
GPA 006 26	02-24-2026	10 00 A.M.	Indoor Medium Voltage Vacuum Circuit Breaker (CIP)
GPA 026 26	02-24-2026	9 00 A.M.	Pad Mounted Transformers (Revenue)
GPA 027 26	02-19-2026	10 00 A.M.	Line Post Clamp Top (Revenue)
GPA 028 26	02-19-2026	11 00 A.M.	Bracket, Streetlight, Mast Arm (Revenue)
GPA 030 26	02-24-2026	11 00 A.M.	Industrial Ethernet Switches (CIP)

Bid packages may be picked up at the GPWA Procurement Office, 1st Floor, Room 101, Gloria B. Nelson Public Service Building, 688 Route 15, Mangilao, Guam. All interested firms should register with GPA's Procurement Division to be able to participate in the bid. Please call our office at (671) 648 3045 : 3055 to register. Registration is required to ensure that all "Amendments and Special Reminders" are communicated to all bidders throughout the bid process. Procurement instructions are posted on the Authority's web site at <https://notices.guam.gov>.

/s/ JOHN M. BENAVENTE, P.E.
 General Manager



GUAM POWER AUTHORITY
 ATURIDAT ILEKTRESE DAT GUAHAN
 P.O. BOX 2977 • HAGATNA, GUAM U.S.A. 96932 2977
 Telephone Nos: 671 648 3045 55 or Facsimile 671 648 3165



SOLE SOURCE

Public Law 36-70 • 5GCA § 5214

PQ NO.:	VENDOR:	DESCRIPTION:	CONTRACT TERM:	AMOUNT:
34681	U.S. DEPARTMENT OF AGRICULTURE	Control of the Brown Tree Snake	October 01, 2025 to September 30, 2026	\$240,529.04

This notice is paid for by the GUAM POWER AUTHORITY REVENUE FUNDS Public Law 26-12

Sole Source award is posted on the Authority's web site at http://go.opengovguam.com/bids/awarded_sole_source/gpa.

/s/ JOHN M. BENAVENTE, P.E.
 General Manager

LAW OFFICES OF JACQUES G. BRONZE
 A Professional Corporation
 173 Aspinall Avenue, Suite 206A
 Hagatna, Guam 96910
 Telephone: 671 648 2947
 Facsimile: 671 648 2947
 Attorney at Law

IN THE SUPERIOR COURT OF GUAM

IN THE MATTER OF THE ESTATE
 OF
 JACOB AUSEC, JR.
 Decedent
 By
 DANIELE E. KO,
 Petitioner

PROBATE CASE NO. PR017125

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN by the undersigned Daniel E. Ko, Administrator of the Estate of Jacob Ausec, Jr., decedent, to the creditors of, and all persons having claims against the said estate or against said decedent, that within sixty (60) days after the first publication of this notice, they either file their claims in the office of the Clerk of the Superior Court of Guam, or provide them with the necessary vouchers to Jacques G. Bronze, at the Law Offices of Jacques G. Bronze, P.C., 173 Aspinall Avenue, Suite 206A, Hagatna, Guam 96910, the same being the place for the transaction of the said business of Estate.

DATED: January 20, 2026

/s/ DANIELE E. KO
 Administrator

ANITA P. ARRIOLA, ESQ.
 ARRIOLA LAW FIRM, LLC
 259 MARTIN STREET, SUITE 201
 HAGATNA, GUAM 96910
 TEL: 671 648 4740
anita@arriolalaw.com
 Counsel for Petitioner
 Rafael J. Arroyo

IN THE SUPERIOR COURT OF GUAM TERRITORY OF GUAM

IN THE MATTER OF THE ESTATE OF
 RONALD J. ARROYO
 Deceased

PROBATE CASE NO. **PR0200-25**

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN by the undersigned RAFAEL J. ARROYO, Administrator of the Estate of RONALD J. ARROYO, deceased, to the creditors of and all persons having claims against the said Estate or against said deceased, that within sixty (60) calendar days after the first publication of this Notice, they either file them with necessary vouchers in the Office of the Clerk of the Superior Court of Guam, or exhibit them with necessary vouchers to the ARRIOLA LAW FIRM, LLC, 259 Martin Street, Suite 201, Hagatna, Guam 96910, the same being the place for the transaction of said Estate.

Dated at Hagatna, Guam 1-28-2026

/s/ RAFAEL J. ARROYO

Open lot for rent.

Advertise your Real Estate properties here in The Guam Daily Post.



GUAM HYBRID LAND USE COMMISSION
 Department of Land Management
 ITC Building, Third Floor, Tamuning, GU 96913
 P.O. Box 2950, Hagatna, Guam 96932
 Tel: 671 649 5263 Ext. 300 • Fax: 671 649 5383



A regular Guam Hybrid Land Use Commission meeting will be held on Thursday, February 12, 2026, at 1:30 p.m. Department of Land Management Conference Room, 590 S. Marine Corps Dr., 3rd Floor, ITC Building, Tamuning. Livestreamed on YouTube at Guam Department of Land Management Channel.

- I. Notation of Attendance/Roll Call
- II. Approval of Minutes - October 9, 2025, October 23, 2025 & January 8, 2026
- III. Old or Unfinished Business [None]
- IV. New Business
 - A. Application No. H2025-22, Pacific Energy Corporation, requests a Conditional Use Permit to allow for the construction and operation of a photovoltaic solar power facility on Lot 2442 S, Lot 2442 6, and a portion of Lot 2442 7, Barrigada, A zone
- V. Administrative & Miscellaneous Matters
- VI. Adjournment

Funding Source provided by the Applicant



GUAM LAND USE COMMISSION
 Department of Land Management
 ITC Building, Third Floor, Tamuning, GU 96913
 P.O. Box 2950, Hagatna, Guam 96932
 Tel: 671 649 5263 Ext. 300 • Fax: 671 649 5383



AGENDA

A regular Guam Land Use Commission meeting will be held on Thursday, February 12, 2026, at 1:30 p.m. Department of Land Management Conference Room, 590 S. Marine Corps Dr., 3rd Floor, ITC Building, Tamuning. Livestreamed on YouTube at Guam Department of Land Management Channel

- I. Notation of Attendance/Roll Call
- II. Approval of Minutes - December 2, 2025, December 11, 2025 & January 8, 2026
- III. Old or Unfinished Business [None]
- IV. New Business
 - A. Application No. 2023-07 Jose Luis M. De Vera, requests a Zone Change from 'A' zone to 'C' zone for a proposed two story structure with a retail store and duplex, on Lot 1, Block 1, Tract 2913, Yona.
 - B. Application No. 2025-21 Pacific Energy Corporation, requests a Zone Change from 'H' zone to 'M1' zone, for the proposed construction and operation of a photovoltaic solar power facility, on Lot 10185 4 2, Tamuning.
- V. Administrative & Miscellaneous Matters
 - C. Application No. 2025-04A, Conrado V. Alegria & Katherine D. Alegria, requests a first extension of time pursuant to E.O. 96 26, for a previously approved Final Subdivision for the Legacy Subdivision, on Lot 13, Tract 10416 Yigo

Agenda Item 10

CIVIL SERVICE COMMISSION
 CIVIL SERVICE COMMISSION
 NOTICE OF MEETING
IN-PERSON MEETING AT 9:00 A.M. ON THURSDAY, FEBRUARY 12, 2026.
 The Civil Service Commission will hold an in-person meeting on Thursday, February 12, 2026, at 9:00 A.M. at the CSC Conference Room, 590 S. Marine Corps Dr., 3rd Floor, ITC Building, Tamuning. The meeting will be held in person. For more information, please contact the CSC at 671-647-1855 or visit the CSC website at <https://csc.guam.gov>.
 Meeting ID: 835 0028 2955 Passcode: 842112

AGENDA

I. CALL TO ORDER
II. APPROVAL OF MINUTES
III. NEW BUSINESS
GRIEVANCE HEARING
 (1) Maria L.S. Apuron vs. Office of the Attorney General: CSC 25 GRE28
IV. OLD BUSINESS: SIGNINGS
DECISION & JUDGMENT
 (1) Joshua R. James vs. Guam Solid Waste Authority: Case No. 25 AA065
DECISION & JUDGMENT
 (2) Glenn Nelson vs. Port Authority of Guam: Case No. 25 GRE06

V. GENERAL BUSINESS
 1) Bills and Laws affecting CSC
 2) Administrative Counsel Litigation Update
 3) Administrative Matters:
 a) Resolution: Adoption of Proposed Post Audit Rules & Regulations to Begin the Administrative Adjudication Act Process
 b) Board Training: Civil Service Commission Board Members.
VI. ADJOURNMENT

For special accommodations, please contact Maria P. Macayon, CSC ADA Coordinator at: 671-647-1872 / 671-647-1855 or Daniel D. Leon Guerrero, Executive Director at: 671-647-1855. Paid for by the Civil Service Commission.

GUAM LAW LIBRARY
Board of Trustees Meeting
 Thursday, February 12, 2026, 12:00 P.M.
 Judicial Education Center Training Room
 141 San Ramon St., Hagatna, Guam
 For special accommodations call
 Geradine A. Cepeda at (671) 477 7623

HOUSE FOR RENT
 (EXTENSION) LIGUAN DEDEDO
 2BD/1BR FULLY FURNISHED.
 POWER & WATER INCLUDED.
 \$1,000 CALL: 671-997-0317

FOR RENT
TAM 3BD/1BTH, 2BD/1BTH FOR RENT
\$1500/\$1000 SECTION 8 OK
CALL 671-646-0510/11

Barrigada Municipal Planning Council
 Municipality of Barrigada
 124 Luayao Lane, Barrigada, Guam 96913
 Tel: 671-734-3725/3737/3859 Fax: 671-734-1988

BARRIGADA MUNICIPAL PLANNING COUNCIL
PUBLIC HEARING
SECOND NOTICE

The Barrigada Municipal Planning Council will hold a Public Hearing on February 12, 2026, At the Barrigada Mayor's Office Conference Room.

5:30 PM Application No. 2025 71 the Applicant, Guam Evergreen Corp., is requesting a Zone Change from 'A' (Agricultural/Rural) zone to 'M1' (Light Industrial) zone, for a proposed warehouse structure, on Lot 6 R1, Block 1, Tract 221, Barrigada.

Application No. 2025 72 the Applicant, Guam Evergreen Corp., is requesting a Zone Variance for Use, to allow for the location, operation and maintenance of a spare rocket tracking station in an 'A' (Agricultural/Rural) zone, on Lot 6 R1, Block 1, Tract 221, Barrigada.

In compliance with the American with Disabilities Act, individuals requiring special accommodations may contact Mayor June Blas at 671-734-3737/3859 or email: barrigadaoffice@gmail.com

JUNE U. BLAS
MAYOR

GUAM LAND USE COMMISSION
 Department of Land Management
 ITC Building, Third Floor, Tamuning, GU 96913
 P.O. Box 2950, Hagatna, Guam 96932
 Tel: 671-649-5263 Ext. 300 • Fax: 671-649-5383

AGENDA

A regular Guam Land Use Commission meeting will be held on Thursday, February 12, 2026, at 1:30 p.m., Department of Land Management Conference Room, 590 S. Marine Corps Dr., 3rd Floor, ITC Building, Tamuning. Livestreamed on YouTube at Guam Department of Land Management Channel.

I. Notation of Attendance/Roll Call
II. Approval of Minutes - December 2, 2025, December 11, 2025 & January 8, 2026
III. Old or Unfinished Business [None]
IV. New Business
 A. Application No. 2023-07 Jose Luis M. DeVera, requests a Zone Change from 'A' zone to 'C' zone for a proposed two-story structure with a retail store and duplex, on Lot 1, Block 1, Tract 2913, Yona.
 B. Application No. 2025 21 Pacific Energy Corporation, requests a Zone Change from 'H' zone to 'M1' zone, for the proposed construction and operation of a photovoltaic solar power facility, on Lot 10185-4-2, Tamuning.
V. Administrative & Miscellaneous Matters
 C. Application No. 2025 04A, Conrado V. Alegria & Katherine D. Alegria, requests a first extension of time pursuant to E.O. 96-26, for a previously approved Final Subdivision for the Legacy Subdivision, on Lot 13, Tract 10416, Yigo.
VI. Adjournment

Funding Source provided by the Applicant.
Persons requiring special accommodations, please call Cristina Gutierrez 671-649-5263, ext. 375

Barrigada Municipal Planning Council
 Municipality of Barrigada
 124 Luayao Lane, Barrigada, Guam 96913
 Tel: 671-734-3725/3737/3859 Fax: 671-734-1988

BARRIGADA MUNICIPAL PLANNING COUNCIL
PUBLIC HEARING
SECOND NOTICE

The Barrigada Municipal Planning Council will hold a Public Hearing on February 12, 2026, At the Barrigada Mayor's Office Conference Room.

5:00 PM Application No. 2025 71 the Applicant, Guam Evergreen Corp., is requesting a Zone Change from 'A' (Agricultural/Rural) zone to 'M1' (Light Industrial) zone, for a proposed warehouse structure, on Lot 6 R1, Block 1, Tract 221, Barrigada.

Application No. 2025 72 the Applicant, Guam Evergreen Corp., is requesting a Zone Variance for Use, to allow for the location, operation and maintenance of a spare rocket tracking station in an 'A' (Agricultural/Rural) zone, on Lot 6 R1, Block 1, Tract 221, Barrigada.

In compliance with the American with Disabilities Act, individuals requiring special accommodations may contact Mayor June Blas at 671-734-3737/3859 or email: barrigadaoffice@gmail.com

JUNE U. BLAS
MAYOR

GUAM HYBRID LAND USE COMMISSION
 Department of Land Management
 ITC Building, Third Floor, Tamuning, GU 96913
 P.O. Box 2950, Hagatna, Guam 96932
 Tel: 671-649-5263 Ext. 300 • Fax: 671-649-5383

A regular Guam Hybrid Land Use Commission meeting will be held on Thursday, February 12, 2026, at 1:30 p.m., Department of Land Management Conference Room, 590 S. Marine Corps Dr., 3rd Floor, ITC Building, Tamuning. Livestreamed on YouTube at Guam Department of Land Management Channel.

I. Notation of Attendance/Roll Call
II. Approval of Minutes - October 9, 2025, October 23, 2025 & January 8, 2026
III. Old or Unfinished Business [None]
IV. New Business
 A. Application No. H2025 22, Pacific Energy Corporation, requests a Conditional Use Permit to allow for the construction and operation of a photovoltaic solar power facility on Lot 2442 5, Lot 2442-6, and a portion of Lot 2442-7, Barrigada, 'A' zone
V. Administrative & Miscellaneous Matters
VI. Adjournment

Funding Source provided by the Applicant.
Persons requiring special accommodations, please call Cristina Gutierrez 671-649-5263, ext. 375

Barrigada Municipal Planning Council
 Municipality of Barrigada
 124 Luayao Lane, Barrigada, Guam 96913
 Tel: 671-734-3725/3737/3859 Fax: 671-734-1988

A Regular Barrigada Municipal Planning Council Meeting will be held on Thursday, February 12, 2026 at 6:00 P.M., Barrigada Mayor's Office Conference Room. Livestreamed on the Barrigada MPC Facebook Page.

AGENDA

I. Call to Order
II. Roll Call
III. Meeting Notification
IV. Approval of Minutes for December 18, 2025
V. Approval of Financial Reports
VI. Mayor's Report
VII. New Business
 A. Zone Change
 Application No. 2025 71, the Applicant, Guam Evergreen Corp., is requesting a Zone Change from 'A' (Agricultural/Rural) zone to 'M1' (Light Industrial) zone, for a proposed warehouse structure, on Lot 6 R1, Block 1, Tract 221, Barrigada
 B. Zone Variance
 Application No. 2025 72, the Applicant, Guam Evergreen Corp., Represented by F.C. Benavente Planners, is requesting a Zone Variance for Use, to allow for the location, operation and maintenance of a spare rocket tracking station in an 'A' (Agricultural/Rural) zone, on Lot 6 R1, Block 1, Tract 221, Barrigada
 C. Community Events
 A. Easter Egg hunt
 B. Kalaguak Memorial
 C. 82nd Liberation
VIII. Announcements
IX. Adjournment

In compliance with the American with Disabilities Act, individuals requiring special accommodations may contact Mayor June Blas at 671-734-3737 or email: barrigadaoffice@gmail.com Doc. No. 38GL-26-2575.*

GUAM EDUCATION BOARD
 501 MARINER AVENUE, BARRIGADA GUAM 96913 1608
 Telephone: (671) 300-1627 Facsimile: (671) 472-5003
www.gdoe.net/gwb

Guam Education Board
SPECIAL MEETING
Thursday, February 12, 2026 • 3 PM
Gallery, Bldg. B, Tiyan

AGENDA

I. Meeting Call to Order
II. New Business
1. Resolution 2026-02 Relative to Adopting the Fiscal Year 2027 Budget Request for the Guam Department of Education
III. Announcements & Adjournment

The public is welcome to view the meeting via live stream at <http://www.youtube.com/guamdepartmentofeducation5142>

Individuals requiring special accommodations or information or wish to submit public testimony via email may contact Kathleen Lumena by email: klumena@gdoe.net

This advertisement was paid for by GDOE local funds.

GUAM DAILY POST
 TUESDAY, FEBRUARY 10, 2026



GUAM LAND USE COMMISSION

Chairperson Anita B. Enriquez
Vice Chairman Ronald C. Pangilinan
Commissioner Leilani R. Flores

Commissioner Gerald P. Yingling
Commissioner Joseph A. Rios

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

AGENDA - Disposition

Thursday, February 12, 2026 at 1:30 p.m.

Department of Land Management Conference Room

3rd Floor ITC Bldg., Tamuning, GU 96913

[As advertised in the Guam Daily Post – February 5, 2026 & February 10, 2026]

Livestreamed on YouTube at the Guam Department of Land Management Channel

- I. **Notation of Attendance/Roll Call** ☒ Quorum 2:05 p.m. ☐ No Quorum
Present were: Acting Chairman Ron Pangilinan, Commissioner Leilani Flores, Commissioner Gerry Yingling, Commissioner Joe Rios, Executive Secretary Joseph Borja, Legal Counsel Lee Miller, Chief Planner Celine Cruz, Planning Staff Grace Vergara, Kyle Meno and Recording Secretary Cristina Gutierrez

[Excused: Chairperson Anita Enriquez]

II. **Approval of Minutes**

- GLUC Regular Minutes, Tuesday, December 2, 2025
- GLUC Regular Minutes, Thursday, December 11, 2025
- GLUC Regular Minutes, Thursday, January 8, 2026

Motion to approve the Minutes of December 2, 2025, December 11, 2025 & January 8, 2026, passed unanimously with a vote of 4 ayes and 0 nays. No edits or omissions noted.

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

IV. **New Business**

Zone Change

- A. Application No. 2023-07, the Applicant, Jose Luis M. DeVera represented by Harry Gutierrez and Carlos Untalan, is requesting a Zone Change from "A" (Agricultural/Rural) zone to "C" (Commercial) zone, for a proposed two-story structure with a retail store and duplex, on Lot 1, Block 1, Tract 2913, in the Municipality of Yona. Case Planner: Celine Cruz

Motion to approve the applicant's request was passed unanimously with a vote of 4 ayes and 0 nays; subject to the following conditions:

- A. Applicant adheres to the ARC conditions and requirements as stipulated in their position statements;
- B. The zone change shall be approved as an amendment to the PUD Master Plan from PUD-R1 to PUD-C;
- C. All structures, including accessory structures, shall not cover more than 30% of the lot area;
- D. The subject lot shall not be further subdivided into smaller lots; and,
- E. The following uses shall be prohibited on the subject property: gasoline stations, clubs or bars, massage parlors or therapeutic massage services, pachinko machines, adult gaming, the sale or rental of adult videos, and the sale of electronic cigarettes, vaping devices, or related vaping products on the premises.

GLUC Agenda
February 12, 2026
Page 2

- B. Application No. 2025-21, the Applicant, Pacific Energy Corporation, represented by W.B. Flores & Associates, is requesting a Zone Change from "H" (Hotel/Resort) zone to "M1" (Light Industrial) zone, for the proposed construction and operation of a photovoltaic solar power facility, on Lot 10185-4-2, in the Municipality of Tamuning. Case Planner: Frank Taitano/Celine Cruz
Motion to approve the applicant's request was passed with a vote of 4 ayes, 0 nays; subject to the applicant adhering to the ARC conditions and requirements as stipulated in their official position statements.

V. Administrative & Miscellaneous Matters

Final Subdivision – Extension of Time

- C. Application No. 2025-04A, the Applicants, Conrado V. Alegria & Katherine D. Alegria, are requesting a first extension of time pursuant to E.O. 96-26, for a previously approved Final Subdivision for the Legacy Subdivision, on Lot 13, Tract 10416, in the Municipality of Yigo, in an "R1" (One-Family Dwelling) zone. Case Planner: Grace Vergara
Motion to approve the applicants' request was passed with a vote of 4 ayes and 0 nays; subject to the following conditions:
1. The applicants shall continue to comply with the ARC conditions and requirements as stipulated in their official position statements for the Commission's approval of the Tentative Subdivision request on October 12, 2025; and,
 2. That, upon completion of all improvements and construction, an as-built survey prepared and certified by a Professional Land Surveyor to include all infrastructure improvements and as-builts shall be submitted to the Department of Land Management for review and approval per Section 62402 (b) of Chapter 62, Title 21 GCA.
- Brief discussion on the passage of P.L. 38-103 regarding the requirements of temporary workforce housing facilities; and,
 - Next Commission date – February 26, 2026.

- VI. **Adjournment** – there was no further business for today's meeting, motion to adjourn today's meeting was passed with a vote of 4 ayes and 0 nays. The meeting was adjourned at 2:55 p.m.

GOVERNMENT OF GUAM Department of Land Management			
Office of the Recorder			
File for Record is Instrument Number			1017823
on the Year 20	26	Month 03	Day 26 Time 2 03PM
Recording Fee	DE-OFFICIO	Receipt No.	DE-OFFICIO
Deputy Recorder:	 Eugene M. De Vera		

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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, February 12, 2026
2:05 p.m. to 2:55 p.m.

GUAM LAND USE COMMISSION MEETING
Department of Land Management, 3rd Floor ITC Building, Tamuning
DLM Conference Room
Thursday, February 12, 2026 • 1:30 p.m. to 2:29 p.m.

MEMBERS PRESENT:

Mr. Ronald C. Pangilinan, Vice Chairman

Ms. Leilani Flores, Commissioner

Commissioner Gerald Yingling

Commissioner Joseph Rios

[Excused: Chairperson Anita Enriquez]

PLANNING STAFF PRESENT:

Mr. Joseph M. Borja, Executive Secretary

Atty. N. Lee Miller, Legal Counsel

Ms. Celine L. Cruz, Chief Planner

Grace Vergara, Planner IV

Mr. Kyle Meno, T. Network Coordinator

Ms. M. Cristina Gutierrez, Recording Secretary

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES

Thursday, February 12, 2026 • 2:05 p.m. to 2:55 p.m.

Department of Land Management Conference Room

3rd Floor, ITC Bldg., Tamuning, Guam 96913

(As advertised in the Guam Daily Post on February 5, 2026 and February 10, 2026)

Livestreamed on YouTube at the Guam Department of Land Management Channel

I. Attendance/Roll Call

Acting Chairman Pangilinan called to order the regular meeting of the Guam Land Use Commission for Thursday, February 12, 2026 at 2:05 p.m.

Present were Acting Chairman Ron Pangilinan, Commissioner Leilani Flores, Commissioner Gerald Yingling, Commissioner Joseph Rios, Executive Secretary Joseph Borja, Legal Counsel Lee Miller, Chief Planner Celine Cruz, Planning Staff Grace Vergara, Kyle Meno, and Recording Secretary Cristina Gutierrez.

[Excused: Chairperson Anita Enriquez]

Acting Chairman Pangilinan confirmed a quorum and announced that today's meeting was being livestreamed on YouTube at the Guam Department of Land Management's channel.

II. Approval of Minutes

Acting Chairman Pangilinan for approval of the Commission today are the Minutes of December 2, 2025, December 11, 2025, and January 8, 2026. Members have been provided with the drafts of the Minutes in advance. Acting Chair Pangilinan was ready to entertain a motion to approve all three Minutes.

Commissioner Flores made a motion to approve the Minutes from the GLUC meetings dated December 2, 2025, December 11, 2025, and January 8, 2026.

Commissioner Yingling seconds the motion.

Acting Chairman Pangilinan there were no errors, edits, or omissions noted. Acting Chair put the motion to a vote, with all members in favor of approval. **[Motion passed with a vote of 4 ayes and 0 nays]**

III. Old or Unfinished Business [None noted by Acting Chair Pangilinan]

IV. New Business

Zone Change

- A. Application No. 2023-0, the Applicant Jose Luis M. DeVera represented by Harry Gutierrez and Carlos Untalan, is requesting a Zone Change from "A - Agricultural/Rural" zone to "C - Commercial" zone for a proposed two-story structure with a retail store and duplex on Lot 1, Block 1, Tract 1, 913 in the Municipality of Yona. Case Planner: Celine Cruz.

GLUC Regular Meeting Minutes

Thursday, February 12, 2026

Page 1 of 9

Commissioner Rios made a motion to approve Application 2023-07 in accordance with staff recommendation as stated in the staff report dated February 5, 2026.

Commissioner Flores seconds the motion.

Acting Chairman Pangilinan there was no discussion on the motion. Acting Chair put the motion to a vote, with all members in favor of approval. [Motion passed unanimously with a vote of 4 ayes and 0 nays]

Next item on the agenda --

- B. Application No. 2025-21, the Applicant, Pacific Energy Corporation, represented by WB Flores & Associates, is requesting a Zone Change from 'H' (Hotel/Resort) zone to 'M1' (Light Industrial) zone, for the construction and operation of a photovoltaic solar power facility on Lot 10185-4-2 in the Municipality of Tamuning. Case Planner: Frank Tartano/Celine Cruz.

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

Willie Flores is representing the applicant, Pacific Energy Corporation, for the Application No. 2025-21. The purpose of the application is to construct and operate a photovoltaic solar facility. With Mr. Flores today is Mr. Andy Park, the President of Pacific Energy Corporation, who will be the developer and operator of the facility.

The subject area is better known as the Two Lovers Point area, and is very close to the Tanguissan Beach Road and the road leading into Two Lovers Point. It runs alongside the Navy buried communication line that runs through there and is now known as a bike path.

Pacific Energy Corporation (PEC) was awarded a 20-megawatt contract by the Guam Power Authority to produce 20 megawatts of alternative power to be put back into the GPA grid. PEC has split this contract into four locations to include the Barrigada location next to the Admiral Nimitz golf course, the other location is on the road into the Dan Dan landfill, and the last one is located between Yona and Leo Palace next to where GWA is building a new water tank.

In the public hearing for the project at both the Land Management public hearing and the Mayor's public hearing, the concerns that were brought about were very similar to the concerns in the previous public hearings regarding the heat envelope, safety, security, and whether this facility would reduce the cost of electricity, which is beyond the scope of the developer.

Preliminary bio surveys were conducted in the area, and there were no discoveries of critical habitat or endangered or protected species.

The current zoning is a hotel zone, and in preliminary discussion with Mr. Tartano, the change of zone from hotel to light industrial was the most appropriate to allow for this type of activity.

On the monitor was an image of the proposed subject lot and how to access the site. Mr. Flores explained that the access to the site will be non-intrusive to the Two Lovers Point activities except during construction. It will not require large infrastructure services in terms of water and wastewater. The facility will be self-generated. The access from the existing easements, which will be coral or grass-covered. During construction, there will be activity for a period of two to three years, but it will be mainly contained on site, including clearing/grading, construction of the environmental BMPs, a security fence, and installation of the facility.

The developer is requesting the rezoning of the hotel zone to light industrial to meet the bid requirements for their contract with Guam Power Authority. Mr. Flores added that they have been working diligently with the Planning staff, and due to their short staffing, they have worked hard to accommodate him. He further added that he appreciated the guidance they had received from the Planning staff. This is a sensitive area since it is a tourist attraction area, and they feel that the solar facility will not seriously conflict with the intended area, and it will not interfere with the Two Lovers Point attraction.

In closing, Mr. Flores hopes that the Guam Land Use Commission will approve their request, and although PEC has been awarded the project by GPA, their financing is reliant on the approval of this application.

Acting Chairman Pangilinan turned the floor over to the Commissioners for questions. There were no questions from the Commissioners. Acting Chair turned the floor over to the Chief Planner for their staff report.

Celine Cruz, Chief Planner read the summarized staff report dated February 6, 2026, for Application 2025-21 for the applicant, Pacific Energy Corporation, to include the application's summary, legal authority, and facts that included the location, lot area, and present zone. The site is presently undeveloped with overgrown vegetation. The community design plan is undesignated. Chief Planner Cruz continued with the application's chronological facts, discussion, and staff analysis to address public necessity, public convenience, and general welfare.

To conclude, Ms. Cruz stated that Planning finds that the application is complete and contains all information required, and therefore, meets the requirements of the zone change criteria, and finds it proper that it be considered favorably by the Commission, and recommends approval with conditions. [For full content/context, refer to the attached report.]

[Attachment B – Staff Report dated February 6, 2026]

Acting Chairman Pangilinan turned the floor over to the Commissioners for questions. There were no comments from the Commissioners. Acting Chairman opened the floor for public comment for Application No. 2025-21.

Public Comment [None]

Acting Chairman Pangilinan seeing none. Acting Chair Pangilinan closed the public comment period. There was no further discussion from the Commissioners. Mr. Chairman was ready to entertain a motion for Application No. 2025-21 for the applicant Pacific Energy Corporation.

Commissioner Rios made a motion to approve Application No. 2025-21 in accordance with the recommendation and conditions as stated in the staff report of February 6, 2026.

Commissioner Yingling seconds the motion.

Acting Chairman Pangilinan accepted and confirmed the motion made by Commissioner Rios and seconded by Commissioner Yingling. There was no discussion on the motion. Acting Chair Pangilinan put the motion to a vote, with all members in favor of approval. **[Motion carried; 4 ayes and 0 nays]**

Next item on the agenda.

V. Administrative & Miscellaneous Matters

Final Subdivision – Extension of Time

- C. Application No. 2025-04A, the Applicants: Conrado V. Alegria & Katherine D. Alegria are requesting a first extension of time pursuant to E.O. 96-26, for a previously approved Final Subdivision for the Legacy Subdivision on Lot 13, Tract 10416, in the Municipality of Yigo, in an "R1" (One Family Dwelling) zone. Case Planner: Grace Vergara.

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

Conrado Alegria stated that he and his wife, Katherine, are the owners of the Legacy Subdivision, a proposed subdivision located in Yigo. It is a 28 lot project that sits on approximately 6 acres of land near the Perez Acres Subdivision. And with Mr. Alegria is Mr. Manny Gonzalvo, Engineer for the project, who will be presenting on his behalf.

Manny Gonzalvo reported that they obtained approval from the Commission last year, as noted in the Notice of Action that was recorded on January 27, 2025. The building permit process for the project started a year ago, and out of the eight agencies, they are still in need of approval from the Guam EPA.

They understand the amount of work that the agency is handling and their concerns about the environmental issues, specifically with stormwater run-off. Once they obtain approval from GEPA, they will be able to obtain their building permit and begin construction.

The regular meeting of the Guam Land Use Commission on Thursday, February 12, 2026 was conducted as follows:

Approved by:

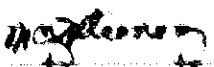
Date approved:



Ronald C. Pangilinan, Acting Chairman
Guam Land Use Commission



Transcribed by



M. Cristina Gutierrez, Recording Secretary
Planning Division DLM

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

1019855

File for Record is Instrument Number

On the Year 20 26 Month 06 Day 10 Time 4:14pm

Recording Fee DE-OFFICIO Receipt No. DE-OFFICIO

Deputy Recorder Stephanie DeLeon

(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 (If Applicable), 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

May 19, 2026
Date

To: **Pacific Energy Corporation**
c/o WB Flores & Associates
220 E Harmon Industrial Park
Tamuning, Guam 96913

Application No. 2025-21

The Guam Land Use Commission, at its meeting on **February 12, 2026**

XX /Approved ____/Disapproved ____/Approved with Conditions ____/Tabled

Your request on Lot 10185-4-2, in the Municipality of Tamuning for a:

NOTICE OF ACTION

Pacific Energy Corporation

RE: Lot 10185-4-2

Municipality of Tamuning

GLUC Hearing Date: February 12, 2026

Page 2 of 4

Application No. 2025-21

ZONING

XX / Zone Change***

 / Conditional Use

 / Zone Variance for Height

 / Tentative Development Plan

SUBDIVISION

 / Final

 / Extension of Time

 / Tentative Subdivision

 / 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 her 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. 2025-21

Pacific Energy Corporation

RE: Lot 10185-4-2

Municipality of Tamuning

GLUC Hearing Date: February 12, 2026

Page 3 of 4

APPLICATION DESCRIPTION:

The applicant, Pacific Energy Corporation represented by WB Flores & Associates, is requesting a Zone Change from H (Hotel/Resort) zone to M1 (Light Industrial) zone for the proposed construction and operation of a photovoltaic solar power facility on Lot 10185-4-2, Municipality of Tamuning

COMMISSION DECISION:

The Guam Land Use Commission **APPROVED** the applicant's request, subject to the following condition:

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



Celine L. Cruz
Guam Chief Planner

5/18/26

Date



Ronald C. Pangilinan
Acting Chairperson
Guam Land Use Commission

6-10-26

Date

Case Planner: Celine Cruz/Frank Taitano
Cc: Building Permits Section DPW

NOTICE OF ACTION

Application No. 2025-21

Pacific Energy Corporation

RE: Lot 10185-4-2

Municipality of Tamuning

GLUC Hearing Date: February 12, 2026

Page 4 of 4

CERTIFICATION OF UNDERSTANDING

I/We _____ / _____
(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 (If Applicable), 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 LSD 7-10-26
Signature of Representative Date

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

Applicant Date LSA 7-10-26
Representative Date

Reference No. **Application: 2025-21**

To: **Director, Department of Land Management**
Director, Department of Public Works

Upon review of the decision of the GLUC to approve the zone change and in accordance with Title 21 GCA §61634, I hereby indicate my decision below on the proposed change, and any changes approved shall be endorsed and delineated upon the zoning map, and shall constitute an amendment to such map pursuant to Title 21 GCA §61630. **PERMITS SHALL NOT BE ISSUED UNTIL THE AMENDMENT TO THE MAP HAS BEEN MADE.**

☒ **APPROVED**

☐ **APPROVED IN WHOLE**

☐ **DISAPPROVED**


LOURDES A. LEON GUERRERO
Governor of Guam

6/25/2026
Date

DECISION GRANTING ZONE CHANGE
(with findings)

Guam Land Use Commission

WHEREAS, the following decision of the Guam Land Use Commission is made in accordance with 21 GCA §61630, now therefore;

WHEREAS, prior to consideration of the application by the Guam Land Use Commission, hearings on the Zone Change were held on the 13th day of **November, 2025**, in the Municipal District of **Tamuning**, where the property to be rezoned was located pursuant to Title 21 GCA §61633.

WHEREAS, notices of the time and place of the hearing was published in a newspaper of general circulation on the 3rd day of **November 2025** as evidenced by an affidavit of publication attached as **Exhibit A**.

WHEREAS, notice was mailed to the Mayor of the Municipal district concerned and to those landowners owning land within 500 feet of the property where the property to be rezoned is located as evidenced by the affidavit of mailing attached as **Exhibit B**.

Decision Granting Zone Change (with findings)
Ref. No. Application 2025-21
Page 2

BE IT RESOLVED, that on the 12th day of February, 2026, a hearing of the Guam Land Use Commission (GLUC) was held in accordance with notices duly issued to consider the application of **Pacific Energy Corporation** for a Zone Change of Lot 10185-4-2, Municipality of Tamuning;

A quorum of the Commission was present. In attendance were:

1. **Mr. Ronald C. Pangilinan, Vice Chairperson/ Acting Chairperson**
2. **Ms. Leilani R. Flores, Commissioner**
3. **Mr. Gerald P. Yingling, Commissioner**
4. **Mr. Joseph A. Rios, Commission**

Appearing for the applicant were: **Willy Flores of WB Flores & Associates,**
Representative of Pacific Energy Corporation

Also appearing and testifying on the above project was:

None (in favor/against)

After considering all the statements and testimony presented by interested parties the GLUC finds that the application for zone change is granted on the following grounds:
(Note: All three (3) sections should be answered.)

- (a) **Public Necessity: The following facts support a finding that public necessity justifies the zone change:**

That the application as presented by the applicant, the Application Review Committee's position statements submitted, and the results of the Community Public Hearing satisfies the above section.

- (b) **Public Convenience: The following facts support a finding that public convenience justifies the zone change:**

That the application as presented by the applicant, the Application Review Committee's position statements submitted, and the results of the Community Public Hearing satisfies the above section.

- (c) **General Welfare: The following fact support a finding that the General Welfare of the public is best served by the granting of a zone change:**

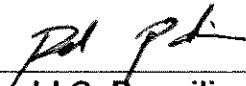
That the application as presented by the applicant, the Application Review Committee's position statements submitted, and the results of the Community Public Hearing satisfies the above section.

Decision Granting Zone Change (with findings)
Ref. No. Application 2025-21
Page 3

The members, after due consideration voted to approve the application. The vote of the members was as follows:

4 Ayes 0 Nays 0 Abstentions

This decision was adopted this 12th day of February, 2026, and shall be submitted to the Governor for final approval pursuant to Title 21 GCA §61634.



Ronald C. Pangilinan
Acting Chairperson
Guam Land Use Commission



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



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

LOURDES A. LEON GUERRERO
MAGAYHAGA • GOVERNOR

JOSEPH M. BORJA
DIRECTOR

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

JOSHUA F. TENORIO
SIGENDOMAGATAM • DEPUTY GOVERNOR

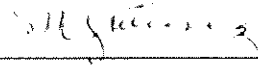
ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

AFFIDAVIT OF PUBLICATION

I, the undersigned, do hereby depose and state that:

1. I am an employee of the Department of Land Management, Government of Guam, and I am not an interested party in the above-entitled matter.
2. I have personal knowledge of all the facts herein.
3. I am competent to testify to the matters stated herein and would so testify in any hearing concerning this matter.
4. On **October 29, 2025**, I cause the submission of the Official Memorandum (attached as **Attachment A**) from the Guam Chief Planner to the Guam Daily Post, Tamuning, GU; a request to publish the 2 x 2 legal notice to appear on **November 3, 2025**, for Application No. 2025-21, Pacific Energy Corporation to be heard on Thursday November 13, 2025, at the Tamuning Community and Senior Citizen Center. Proof of publication is attached as **Attachment B**.
5. This Affidavit is executed as proof of compliance with 21 G.C.A. Section 61633 (Hearing Date – Notice).

In WITNESS, WHEREOF, I hereby affix my signature this 17th day of June, 2026.

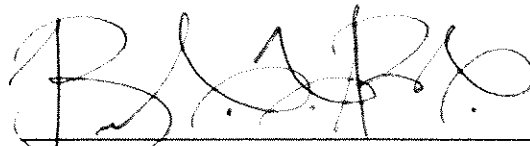

M. Cristina Gutierrez - WPS II

MANEJA DE LOS ASUNTOS LEGALES

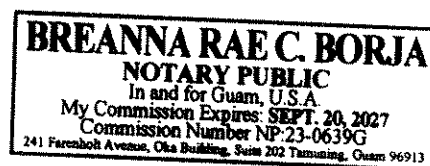
EXHIBIT A

Island of Guam)
) ss.
City of Tamuning)

Subscribed and sworn to before me this 10th day of June, 2026



Notary



Handwritten signature



DIPATTAMENTON MINANEHAN TÂNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)



Street Address
590 S. Marine Corps Drive
Suite 13311C Building
Tamuning, GU 96913

CHARLES A. LEON GERRERO
MAGASAHA GOVERNOR

LYNDIA E. TENORIO
SUCESOR MAGASAHA DEPUTY GOVERNOR

JOSEPH M. BORJA
DIRECTOR

ROSSANA SAN MIGUEL TESTON
DEPUTY DIRECTOR

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

October 29, 2025

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

Guam Daily Post
Attn: Kathy San Agustin
388 S. Marine Corps Drive
Core Tech Int'l Bldg., Suite 301
Tamuning, Guam 96913

E-mail Address
dlm@land.guam.gov

Hafa Adai Ms. San Agustin:

Please publish the attached legal notice on a **2x2-inch** column ad to appear in the Guam Daily Post on **Monday, November 3, 2025**.

Please send proof to celine.cruz@land.guam.gov for review and approval.

Telephone
671-649-LAND (5263)

Thank you for your attention to this request.

Regards,

CELINE L. CRUZ
Guam Chief Planner

Facsimile
671-649-5383

Attachments: Public Hearing Notice - Application 2025-21, Pacific Energy Corporation
Check Number 1024 **by A 101794**

ATTACHMENT A

ATTACHMENT B

THE GUAM
DAILY POST



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



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

LOURDES A. LEON GUERRERO
MAGA HAGA • GOVERNOR

JOSEPH M. BORJA
DIRECTOR

JOSHUA F. TENORIO
SIGUNDO MAGA HAGA • DEPUTY GOVERNOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

Mailing Address
P.O. Box 2950
Hagatña GU 96932

AFFIDAVIT OF MAILING

I, the undersigned, do hereby dispose and state that:

1. I am an employee of the Department of Land Management, Government of Guam, and I am not an interested party in the above-entitled manner.
2. I have personal knowledge of all the facts herein.
3. I am competent to testify to the matters stated herein and would so testify in any hearing concerning this matter.
4. On **October 31, 2025**, I, **Celine L. Cruz**, deposited in the United States Postal Service in Hagatna, Guam, via certified return receipt mail (Attachment A), [25 certified mail], with postage fully paid, each containing a copy of the Notice of Public Hearing for Pacific Energy Corporation, 2025-21, (Attachment B) addressed to the following property owners:

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

E-mail Address
dlmdir@land.guam.gov

Telephone
671-649-LAND (5263)

Facsimile
671-649-5383

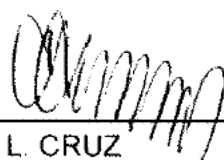
	Owner	Delivery Address	Delivery Address 2
1	ANGELINE ANDERSON CHLARSON ET AL		YONA, GUAM 96915
2	ANNA M. TAMAYO AND BARBARA TORRES-POPE ET AL		HAGATNA GU 96932
3	ANNIE MESA MAKEPEACE AND GLEN RANDY MAKEPEACE ET AL		BARRIGADA GUAM 96921
4	ANTONIO M. ECLAVEA ET AL		HAGATNA GU 96932
5	DAVID J. LUJAN ET AL		HAGATNA GUAM 96910
6	DOREEN ECLAVEA BORJA AND DANIEL DUENAS LEON GUERRERO ET AL		AGANA HEIGHTS. GUAM 96910
7	EDNA M. ECLAVEA ET AL		HAGATNA GUAM 96932
8	FRANK THOMAS CRUZ AND GEORGE WILLIAM JR CRUZ ET AL		VALLEJO, CA 94589
9	GRASSHOPPER INC., A GUAM CORPORATION ET AL		TAMUNING GU 96913
10	GUAM K & I CORPORATION		TAMUNING GU 96931
11	GUAM K & I CORPORATION		TAMUNING GU 96931
12	HELEN E. EUSTAQUIO ET AL		BARRIGADA, GUAM 96921
13	JACQUELINE M. ECLAVEA ET AL		BARRIGADA, GUAM 96921
14	JAKE ANTHONY ANDERSON ET AL		YONA, GUAM 96915

15	KAISHA ANDERSON CALVO ET AL	HAGATNA, GUAM 96932
16	KIL KOO YOON AND MYUNG SOOK YOON	TAMUNING GUAM 96931
17	LUCIA BOJA WHITEHOUSE ET AL	DEDEDO GUAM 96929
18	MARGARET E. LEWIS AND JENNIFER M ECLAVEA ET AL	BATON ROUGE LA 70817
19	RICHARD SUKHOON CHI AND SUNOK ELIZA CHI	BARRIGADA GU 96913
20	ROBERT P. SALAS ET AL	TUMON, GUAM 96913
21	ROSIE E. FRANCISCO ET AL	BARRIGADA, GUAM 96921
22	SHENEKA ANDERSON BARCINAS ET AL	MERIZO, GUAM 96916
23	TONY M. ECLAVEA ET AL	HAGATNA, GUAM 96932
24	WILLIE T. FLORES	HAGATNA GU 96932
25	MAYOR LOUISE C. RIVERA	HAGATNA GU 96932

AFFIDAVIT OF MAILING

5. The above-referenced names and addresses are those of the landowners owning land within five hundred (500) feet of the property for which rezoning is requested, including those to the Commissioner of the Municipal District concerned.
6. This Affidavit is executed as proof of compliance with 21 G.C.A. Section 61633.

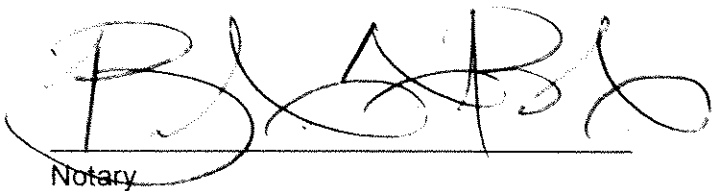
IN WITNESS, WHEREOF, I hereby affix my signature this 9th day of June, 2026.

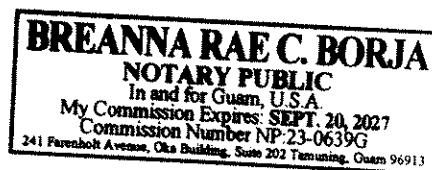


 CELINE L. CRUZ
 Guam Chief Planner

Island of Guam)
) ss
City of Tamuning)

Subscribed and sworn to before me this 9th day of June, 2026


Notary



9589 0710 5270 0207 7790 41

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Artemio M. Echevarria El Al

PS Form 3800, January 2023 PSN 7530-01-000-9001 See Reverse for Instructions

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Enrique Mesa Velazquez El Al

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 Postage

Total Postage and Fees

Anna M. Talarca El Al

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Argelma Rodriguez El Al

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Total Postage and Fees

Hector Martinez Cruz El Al

PS Form 3800, January 2023 PSN 7530-01-000-9001 See Reverse for Instructions

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Total Postage and Fees

Edna L. Echevarria El Al

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Total Postage and Fees

Leon Echevarria El Al

PS Form 3800, January 2023 PSN 7530-01-000-9001 See Reverse for Instructions

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Don G. L. L. El Al

PS Form 3800, January 2023 PSN 7530-01-000-9001 See Reverse for Instructions

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Total Postage and Fees

Artemio M. Echevarria El Al

PS Form 3800, January 2023 PSN 7530-01-000-9001 See Reverse for Instructions

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Helio E. Echevarria El Al

PS Form 3800, January 2023 PSN 7530-01-000-9001 See Reverse for Instructions

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Enrique Mesa Velazquez El Al

PS Form 3800, January 2023 PSN 7530-01-000-9001 See Reverse for Instructions

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Enrique Mesa Velazquez El Al

PS Form 3800, January 2023 PSN 7530-01-000-9001 See Reverse for Instructions

ATTACHMENT A

order to protect the privacy of any individuals.

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Date of Receipt _____

Signature of Addressee _____

Only Stamp _____



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Address _____
City/State _____

Postage _____
Fees _____
Total _____

Signature _____
Date _____

City/State _____

PS Form 3800, January 2003 (PSN 7530-02-000-9000) See Reverse for Postage

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AGATHA POST OFFICE
 JAN 11 2005
 9:00 AM

95002

V3 39125

PS Form 3800, January 2002 (with changes) See Reverse for Instructions

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HAGATNA POST OFFICE
NOV 10 2015
98632

9569 071X0 5270 0207 7792 56

PS Form 3800, January 2013 PSN 7530-02-000-9001 See Reverse for Use Instructions

[illegible][illegible][illegible]

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

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

ZC 2025-21

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

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383



LOURDES A. LEON GUERRERO
MAGA HAGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA LAHI • LIEUTENANT GOVERNOR

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



JOSEPH M. BORJA
DIRECTOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

October 31, 2025

Dear Sir/Madam:

An application has been filed with the Guam Land Use Commission (GLUC) by:

Application No. 2025-21, the applicant, Pacific Energy Corporation, represented by W.B. Flores & Associates, is requesting a Zone Change from "H" (Resort-Hotel) to "M1" (Light Industrial) for the proposed construction and operation of a photovoltaic solar power facility on Lot 10185-4-2, in the Municipality of Tamuning.

For any **Zone Change** request, the Guam Land Use Commission is mandated by law to conduct a Public Hearing in the Municipal District where the property is located. Accordingly, a public hearing for this application is scheduled as follows:

PLACE: Tamuning Community & Senior Center
DATE: Thursday, November 13, 2025
TIME: 6:00 p.m.

As a property owner identified within 500 feet of this proposed development, we invite you to attend this public hearing and participate in the review process, and to express your opinion on this application. If you are unable to attend the public hearing, please submit written comments to our office on or before the scheduled Guam Land Use Commission Meeting, which will be published in the Guam Daily Post and noted on the applicant's on-site sign. Our office is located on the third floor (Suite 304) of the ITC Building and written comments should be addressed to:

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

ATTACHMENT B

Public Hearing Notice
Pacific Energy Corporation
Page 2

For your information, the scheduled public hearing will also be advertised in the Guam Daily Post and noted on the applicant's on-site sign. You may review the Zone Change Application at our office or the Tamuning Mayor's Office.

Thank you for your interest.

Si Yu'os Ma'ase,



CELINE L. CRUZ
Guam Chief Planner

Scan QR Code for Vicinity Map





GUAM POWER AUTHORITY
 ATURIDAT ILEKTRESE DAT GUAHAN
 P.O. BOX 2977 • HAGATNA, GUAM U.S.A. 96932 2977
 Telephone Nos: 671 648 3045 55 or Facsimile 671 648 3165



John M. Benavente, P.E.
 General Manager

INVITATION FOR BID

This notice is paid for by the GUAM POWER AUTHORITY REVENUE FUNDS
 Public Law 26-12

BID NO.:	DUE DATE:	TIME:	DESCRIPTION:
RE BID GPA 044 25	02/19/2026	9 00 A.M.	Data Transport Air Fiber (Revenue)
GPA 006 26	02/24/2026	10 00 A.M.	Indoor Medium Voltage Vacuum Circuit Breaker (CIP)
GPA 026 26	02/24/2026	9 00 A.M.	Pad Mounted Transformers (Revenue)
GPA 027 26	02/19/2026	10 00 A.M.	Line Post Clamp Top (Revenue)
GPA 028 26	02/19/2026	11 00 A.M.	Bracket, Streetlight, Mast Arm (Revenue)
GPA 030 26	02/24/2026	11 00 A.M.	Industrial Ethernet Switches (CIP)

Bid packages may be picked up at the GPWA Procurement Office, 1st Floor, Room 101, Gloria B. Nelson Public Service Building, 68B Route 15, Mangilao, Guam. All interested firms should register with GPA's Procurement Division to be able to participate in the bid. Please call our office at (671) 648 3045 / 3055 to register. Registration is required to ensure that all "Amendments and Special Reminders" are communicated to all bidders throughout the bid process. Procurement instructions are posted on the Authority's web site at <https://notices.guam.gov>.

/s/ JOHN M. BENAVENTE, P.E.
 General Manager



GUAM POWER AUTHORITY
 ATURIDAT ILEKTRESE DAT GUAHAN
 P.O. BOX 2977 • HAGATNA, GUAM U.S.A. 96932 2977
 Telephone Nos: 671 648 3045 55 or Facsimile 671 648 3165



John M. Benavente, P.E.
 General Manager

SOLE SOURCE

Public Law 36-70 • 5GCA § 5214

PO NO.:	VENDOR:	DESCRIPTION:	CONTRACT TERM:	AMOUNT:
34681	U.S. DEPARTMENT OF AGRICULTURE	Control of the Brown Tree Snake	October 01, 2025 to September 30, 2026	\$240,529.04

This notice is paid for by the GUAM POWER AUTHORITY REVENUE FUNDS. Public Law 26-12

Sole Source award is posted on the Authority's web site at http://go.opengovguam.com/bids/awarded_sole_source/gpa.

/s/ JOHN M. BENAVENTE, P.E.
 General Manager

LAW OFFICES OF JACQUES G. BRONZE
 A Professional Corporation
 173 Aspinall Avenue, Suite 206A
 Hagatna, Guam 96910
 Telephone: 671 644 2196
 Facsimile: 671 649 2191
 Attorney at Law

IN THE SUPERIOR COURT OF GUAM

IN THE MATTER OF THE ESTATE

OF

JACOB AUSEC, JR.

Decedent

By

DANIEL E. KO,

Petitioner

PROBATE CASE NO. PRO171 25

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN by the undersigned Daniel E. Ko, Administrator of the Estate of Jacob Ausec, Jr., decedent, to the creditors of, and all persons having claims against the said estate or against said decedent, that within sixty (60) days after the first publication of this notice, they either file their claims in the office of the Clerk of the Superior Court of Guam, or provide them with the necessary vouchers to Jacques G. Bronze, P.C., 173 Aspinall Avenue, Suite 206A, Hagatna, Guam 96910, the same being the place for the transaction of the said business of Estate.

DATED: January 20, 2026

/s/ DANIEL E. KO
 Administrator

ARRIOLA LAW FIRM, LLC
 259 Martyr Street, Suite 201
 Hagatna, Guam 96910
 TEL: 671 477 4700
arriola@arriolalawfirm.com
 Counsel for Petitioner
 Raefna J. Arroyo

IN THE SUPERIOR COURT OF GUAM

TERRITORY OF GUAM

IN THE MATTER OF THE ESTATE OF

RONALD J. ARROYO

Decedent

PROBATE CASE NO. PRO200-25

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN by the undersigned RAIFNA J. ARROYO, Administrator of the Estate of RONALD J. ARROYO, deceased, to the creditors of and all persons having claims against the said Estate or against said deceased, that within sixty (60) calendar days after the first publication of this Notice they either file them with necessary vouchers in the Office of the Clerk of the Superior Court of Guam, or exhibit them with necessary vouchers to the ARRIOLA LAW FIRM, LLC, 259 Martyr Street, Suite 201, Hagatna, Guam 96910, the same being the place for the transaction of said Estate.

Dated at Hagatna, Guam 1-28-2026

/s/ RAIFNA J. ARROYO

Open lot for rent.

Advertise your Real Estate properties here in The Guam Daily Post



GUAM HYBRID LAND USE COMMISSION
 Department of Land Management
 ITC Building, Third Floor, Tamuning, GU 96913
 P.O. Box 2950, Hagatna, Guam 96932
 Tel: 671 649 5263 Ext. 300 • Fax: 671 649 5383



A regular Guam Hybrid Land Use Commission meeting will be held on Thursday, February 12, 2026, at 1:30 p.m., Department of Land Management Conference Room, 590 S. Marine Corps Dr., 3rd Floor, ITC Building, Tamuning. Livestreamed on YouTube at Guam Department of Land Management Channel.

- Notation of Attendance/Roll Call
- Approval of Minutes - October 9, 2025, October 23, 2025 & January 8, 2026
- Old or Unfinished Business [None]
- New Business

A. Application No. H2025 22, Pacific Energy Corporation, requests a Conditional Use Permit to allow for the construction and operation of a photovoltaic solar power facility on Lot 2442 5, Lot 2442 6, and a portion of Lot 2442 7, Barrigada, "A" zone

- Administrative & Miscellaneous Matters
- Adjournment

Funding Source provided by the Applicant.



GUAM LAND USE COMMISSION
 Department of Land Management
 ITC Building, Third Floor, Tamuning, GU 96913
 P.O. Box 2950, Hagatna, Guam 96932
 Tel: 671 649 5263 Ext. 300 • Fax: 671 649 5383



AGENDA

A regular Guam Land Use Commission meeting will be held on Thursday, February 12, 2026, at 1:30 p.m., Department of Land Management Conference Room, 590 S. Marine Corps Dr., 3rd Floor, ITC Building, Tamuning. Livestreamed on YouTube at Guam Department of Land Management Channel.

- Notation of Attendance/Roll Call
- Approval of Minutes - December 2, 2025, December 11, 2025 & January 8, 2026
- Old or Unfinished Business [None]
- New Business

A. Application No. 2023 07 Jose Luis M. DeVera, requests a Zone Change from "A" zone to "C" zone, for a proposed two story structure with a retail store and duplex, on Lot 1, Block 1, Tract 2913, Yona

B. Application No. 2025 21 Pacific Energy Corporation, requests a Zone Change from "H" zone to "M1" zone, for the proposed construction and operation of a photovoltaic solar power facility, on Lot 10185 4 2, Tamuning

- Administrative & Miscellaneous Matters

C. Application No. 2025 04A, Conrado V. Alegria & Katherine D. Alegria, requests a first extension of time pursuant to E.O. 96 26, for a previously approved Final Subdivision for the Legacy Subdivision, on Lot 13, Tract 10416, Yigo

- Adjournment

Funding Source provided by the Applicant

11/15/02, 5:23:03 AM

NOTICE OF MEETING

IN-PERSON MEETING AT 9:00 A.M. ON THURSDAY, FEBRUARY 12, 2026

MEETING TO BE HELD AT 10:00 AM, WEDNESDAY, 10/1/79

V GENERAL BUSINESS

- For special accommodations, please contact Maria P. Magnayon, CSC ADA Coordinator at 671-647-1872 or 671-647-1855.
 © Daniel D. Leon Guerrero, Executive Director
 Paid for by the Civil Service Commission



JUNE U. BLAS
MAYOR



JUNE U. BLAS
MAYOR

VIII Announcements
IX Adjournment

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations may contact Myra Hase at: 1-877-334-3337 or email hase@hase.com. Doc No 38GI-26-2575 *

For special accommodations call
Geraldine A. Cepeda at (671) 477-7623.



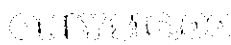
Persons requiring special accommodations, please call Cristina Gutierrez 671 649-5263 ext. 375



Funding Source provided by the Applicant.
Persons requiring special accommodations, please call Cristina Gutierrez 671-649-5263 ext. 375



This advertisement was paid by (b)(6) of (b)(7)(C).



PACIFIC ENERGY CORPORATION

Zone Change

From “H” Hotel Zone to “M-1” Zone
For the Construction of a Photovoltaic Solar Power Facility

Lot No. 10185-4-2
Municipality of Tamuning



Prepared by:





P.O. Box 27747 Barrigada, Guam 96921
Office: (671) 646-1714 Fax: (671) 646-1715

December 13, 2024

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

Subject: Pacific Energy Corporation (PEC) Zone Change Application from “H” Zone to “M-1” zone
Lot 10185-4-2 in the village of Ukudu, Municipality of Tamuning, Guam

Håfa Adai:

On behalf of Pacific Energy Corporation, (PEC) we hereby submit the following documents for a Zone Change Application from “H” Zone to “M-1” zone in compliance with **Guam Code Annotated 21 GCA, Chapter 61, § 61303**. This application seeks GLUC approval for the construction of a Photovoltaic Solar Power Facility.

In accordance with submittal requirements, the following documents are herein transmitted:

- 1) Vicinity Map Depicting General Location of Subject Lots
- 2) Proposed Site Layout to Delineate Ingress, Egress
- 3) 8 ½ x 14 Scaled Map Showing all Parcels within 750 Feet from the Site Boundaries
- 4) 8 ½ x 14 Scaled Map Showing all Parcels within 500 Feet from the Site Boundaries
- 5) Copy of Registered Survey Map
- 6) Preliminary Environmental Assessment

PROJECT DESCRIPTION:

Pacific Energy Corporation (PEC), a Guam-registered corporation, was awarded the “Renewable Energy Resource Acquisition Phase IV” on December 29, 2023. (See Exhibit 7). The competitively procured contract was solicited as GPA bid no. GPA-012-23.

To satisfy the project requirements PEC must design, install and construct a photovoltaic (PV) power station, to produce electrical power to supply to the GPA grid. The solar station, or farm, is a utility use so requires a Zone Change Permit if to be constructed in an “M-1” zone, as per **§61309. M-1 Light Industrial**.

SITE DESCRIPTION:

The solar power facility will sit on approximately 12-acres of property in the village of Ukudu, Municipality of Tamuning located to the northwest of the property is Two Lover's Point. The Okudu Power Plant is approximately ½ mile to the Southeast and approximately ¾ miles to the Northwest is the Northern District Sewer Treatment Plan.

The recorded subject lot areas in square feet, square meters and acres:

Lot No. 10185-4-2 526,613.55 ± SF; 48,924 ± SM; 12.08 ± Acres

The lots and surrounding uses are vacant, undeveloped land and open spaces. The terrain is relatively flat. Open ground is predominantly secondary overgrowth or grass-covered.

We trust that the information provided addresses the application requirements for a Zone Change Permit and confirms that the project meets the intent of the zoning law as regards to the need for appropriate allowed uses.

We look forward to presenting this project before the Guam Land Use Commission and appreciate your consideration of this Zone Change Application.

Si Yu'us Ma'åse,



Lina S. Rojas

WB Flores & Associates

Duly Authorized Representative

Enclosures: Exhibit 1 – Justification Letter
 Exhibit 2 - Authorization to Represent
 Exhibit 3 – Decree Settling Final Account & Final Distribution
 Exhibit 4 – Option Agreement
 Exhibit 5 – Property Map/Vicinity Map/Overall Site Plan
 Exhibit 6 – Radius Map
 Exhibit 7 – Preliminary Environmental Assessment
 Exhibit 8 – GPA Notification of Successful Bidder

ZONE CHANGE

TO: Executive Secretary, Guam Land Use Commission
c/o Land Planning Division, Department of Land Management
Government of Guam, P.O. Box 2950, Hagåtña, Guam 96932

The Undersigned owner(s)/lessee(s) of the following described property hereby request consideration for a Zone Change.

1. Information on Applicant:

Name of Applicant: Pacific Energy Corporation U.S. Citizen: ☒ Yes ☐ No

Mailing Address: 220 E. HARMON INDUSTRIAL PARK, TAMUNING GUAM 96913

Telephone No.: Business: _____ Home: _____

2. Location, Description and Ownership:

Subdivision Name: N/A

Lot(s): 10185-4-2 Block: _____ Tract: _____

Lot Area: Acres 12.08± Square Meters 48,924± Square Feet 526,613.55±

Village: Ukudu Municipality: Tamuning

Registered Owner: ROBERT P. SALAS

Certificate of Title No.: _____ Recorded Document No.: 938754

3. Current and Proposed Land Use:

Current Use: UNDEVELOPED Zoned: "H"

Proposed Use: PHOTOVOLTAIC SOLAR POWER FACILITY Proposed Zone: "M-1"

Master Plan Designation: _____

4. Attach a one page typed, brief, and concise justification (letter format explaining the compatibility of the proposed project with adjacent and neighborhood developments as they exist; your intentions and purpose of the Zone Change request justifying public necessity, public convenience, and general welfare in accordance with **§61630, Ch. 61, Title 21 GCA Zoning Law**).

5. Support Information. The following supporting information shall be attached to this application:

- a. 8 1/2" X 11" map, drawn to scale, showing existing zoning within 1,000 feet radius from the subject lot's boundaries.
- b. All parcels and their uses within a 750-feet radius from the subject lot's boundaries. The map shall also contain:
 - (1) Lot number for every parcel(s);

ZONE CHANGE

Supporting Information (Continuation):

- (2) Identify by name and use of all existing activities on all parcel(s) through a legend/code reference;
- (3) All adjacent inclusive and exclusive easements and roads to the property, their widths, and condition of surfaces;
- (4) The nearest location of all public utilities to the subject lot;
- (5) All natural or topographic peculiarities.
- c. 8 1/2" X 11" map, drawn to scale, showing all parcels within a 500-foot radius of the subject lot's boundaries. Each parcel shall be identified with property a lot number.
- d. The most recent property map certified and recorded at the Department of Land Management, showing the subject property.
- e. A detailed As-Built Plan of the lot shall include the following:
 - (1) Total number and type of building(s);
 - (2) Parcel size in square meters/feet;
 - (3) Layouts of utilities and drainage;
 - (4) Proposed lot coverage of building(s) and accessories in square meters/feet;
 - (5) Approximate gross and net densities allowed on the parcel;
 - (6) Feasibility study;
 - (7) Topography;
 - (8) Existing earth faults and sinkholes;
 - (9) Water courses and lens;
 - (10) Reservation, conservation, and historic places;
 - (11) Total percentage of open spaces exclusive of parking stalls and other man-made features;
 - (12) Percentage of building footprint for proposed development only; and
 - (13) Compatibility to surrounding uses, Planned Development (PD) zone only.
- f. If leased, lease agreement (the assignment of lease and the covenant).
- g. An initial comprehensive *Environmental Impact Assessment (EIA)* in accordance to Executive Order 90-10, or (*Findings of No Significant Impact*) if acceptable to GEPA in place of an *EIA*.
- h. Additional information as required by the Guam Chief Planner.

Submit one set of the Application with all the supporting information listed above. Once the Application is reviewed and accepted, the applicant must submit the required number of hard copies (32 sets) of the application and eight (8) copies of the Application in electronic format (example: in CD format, flash drives or thumb drives etc.)

Reference Information for Requirements for Zone Changes: §61630, Ch. 61, Title 21 GCA and Review by Municipal Planning Council: §61638, Ch. 61, Title 21 GCA

1.

- 6. Filing Fee: Fifty Dollars (\$50.00)** filing fee plus \$2.00 for the first five pages, and \$0.25 for any additional page, under Public Law 29-02, Chapter V, Part III (Fees and Charges Assessed by the Department of Land Management).

ZONE CHANGE

7. **Required Signatures:** All legal owners/lessees of designated parcel shall sign form with name(s) typed or handwritten, signed and dated:

"I hereby certify that all information contained in this application and its supplements are true and correct. I also understand that any misrepresentation in this application shall void the entire submission. Further, that thirty-two (32) sets of the above listed required information is provided."

(Owner(s) or Lessee(s) and Date)

Lina S. Rojas



12/13/24

(Representative, if any, and Date)

THIS FORM SHALL NOT BE MAILED. APPLICANT OR REPRESENTATIVE SHALL SUBMIT IN PERSON, BY APPOINTMENT ONLY, TO THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT.

FOR OFFICIAL USE ONLY

Date Accepted: _____ Accepted By: _____

Date of Notice in Newspaper(s): _____ Date of Notice to
Adjacent Property Owners: _____

Date of Public Hearing: _____

Filing Fee(s) Paid (\$): Yes [] No [] Check [] Cash [] Other [] _____

Receipt No.: _____ Application Number: _____

Date of GLUC Action: _____ Conditions: Yes [] (See Below) No []

Conditions of Approval: _____

GLUC Resolution No.: _____ Date of Notice of Action: _____



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Exhibit 6b	750 Feet Radius Map
Exhibit 6c	1000 Feet Radius Map
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EXHIBIT 8	GPA Notification of Successful Bidder

EXHIBIT 1 Justification Letter



W.B. Flores & Associates

P.O. Box 27747 Barrigada, Guam 96921
Office: (671) 646-1714 Fax: (671) 646-1715

JUSTIFICATION LETTER

Pacific Energy Corporation - Zone Change Application from "H" to "M-1" at Lot 10185-4-2,
Municipality of Ukudu Guam

Pacific Energy Corporation (PEC), a Guam-registered corporation, was awarded the "Renewable Energy Resource Acquisition Phase IV" on December 29, 2023 by the Guam Power Authority (GPA). To satisfy the project requirements PEC must design, install and construct a photovoltaic (PV) power station, to produce electrical power to supply to the GPA grid. The solar station, or farm, is a utility use so requires a Zone Change Permit if to be constructed in an "M-1" zone, as per **§61309. M-1 Light Industrial**.

On behalf of PEC we hereby submit this application for a Zone Change from the existing "H" zone to "M-1" at the lot described in the subject line above. This request conforms to **Guam Code Annotated 21 GCA, § 61630** which authorizes the Guam Land Use Commission, with the approval of the Governor, to change the zones established under this Chapter whenever it finds that the public necessity, convenience and general welfare justify such action." This application seeks GLUC approval in accordance with **§ 61303** as follows:

- (a) Public Necessity - GPA is required to generate a certain percentage of its 460+ MW power production from renewable sources. By 2035 the requirement will be 50% and then 100% by 2045. This proposed solar farm will form a key component of this objective by adding renewables to the current 18% supply. Thus the proposed project supplies the public necessity requirement.
- (b) Public convenience will be served as this project will alleviate the electrical supply shortages which occur frequently on Guam under the current available power supply. This will enhance convenience for residents, businesses and public uses.
- (c) The general welfare requirement will be served by the facility helping to maintain an appropriate quality of life. GPA power directly impacts the public island's health care system, highway safety, perishable goods and services and maintains other aspects of public safety.

We submit that approval of the requested zone change will be in line with public necessity, public convenience and to sustain and enhance the island's general welfare.

Si Yu'us Ma'ase.

Lina S. Rojas

WB Flores & Associates

Duly Authorized Representative

EXHIBIT 2 Authorization to Represent

- Exhibit 2a – Authorization to Represent – Robert P. Salas
- Exhibit 2b – Authorization to Represent – Pacific Energy Corporation

EXHIBIT 2a

April 22, 2025

Chairperson

Guam Land Use Commission
GITC Building, Marine Corps Dr.
Tamuning, Guam 96913

Re: "Authorization to Process" Zone Change Application from "H" Zone to "M1" Zone for Lot No. 10185-4-2, in the Municipality of Ukudu, Guam

Dear Madame Chair:

This is to confirm that Pacific Energy Corporation is authorized to process a Zone Change Application from "H" Zone to an "M1" Zone for the construction and operation of a Photovoltaic Solar Power Facility at the referenced lot in the Municipality of Ukudu, Guam.

This request is valid until the GLUC permit is acted upon or otherwise revoked.

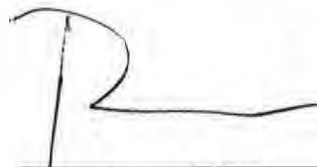
For questions or clarification please contact me at 671-688-0690 or email boblms@guam.net.

Sincerely,



Robert P. Salas

DATED this the 28th day of April 2025



Signature of Applicant

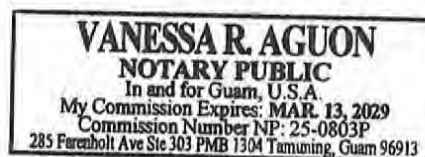
SWORN to subscribed before me, this 28th day of April 2025.



NOTARY PUBLIC

My commission expires:

Mar 13, 2029



April 22, 2025

Chairperson

Guam Land Use Commission
GITC Building, Marine Corps Dr.
Tamuning, Guam 96913

Re: "Authorization to Represent" Pacific Energy Corporation for a Zone Change Application from "H" Zone to an "M1" Zone for Lot No. 10185-4-2, in the Municipality of Ukudu, Guam

Dear Madame Chair:

This is to confirm that WB Flores and Associates is authorized to represent Pacific Energy Corporation for the processing and filing of a Zone Change Application from "H" Zone to an "M1" Zone for the construction and operation of a Photovoltaic Solar Power Facility at the referenced lot in the Municipality of Ukudu, Guam.

This request is valid until the GLUC permit is acted upon or otherwise revoked.

For questions or clarification please contact Lina S. Rojas at 671-646-1714 or email lrojas@wbflores.com.

Sincerely,

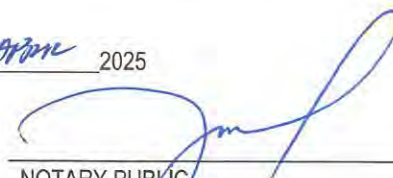

Tae Sun Kim
Authorized Representative
Pacific Energy Corporation

DATED this the 29th day of April 2025



Signature of Applicant

SWORN to subscribed before me, this 29th day of April 2025



NOTARY PUBLIC

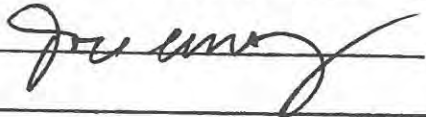
My commission expires:

FEB 28, 2026

JOCELYN I. REBANAL
NOTARY PUBLIC
In and for the Territory of Guam, U.S.A.
My Commission Expires: **FEB. 28, 2026**
P O Box 2662, Hagatna, Guam, 96932

EXHIBIT 3 Decree Settling Final Account and Final Distribution

938754

GOVERNMENT OF GUAM - Department of Land Management			
Office of the Recorder			
File for Record is Instrument Number			938754
On the Year 20	19	Month 8	Day 19 Time 1231
Recording Fee	60	Receipt No.	23243
Deputy Recorder			

**Decree Settling Final Account
and for Final Distribution**

PR0159-07

938751
FILED
SUPERIOR COURT
OF GUAM

2019 AUG -1 PM 12: 04

CLERK OF COURT

BY: _____

Jon A. Visosky
ROBERTS FOWLER & VISOSKY LLP
865 South Marine Corps Drive, Suite 201
Tamuning, Guam 96913
Tel.: (671) 646-1222
Fax: (671) 646-1223
visosky@guamlawoffice.com

Attorneys for Executor
Willie T. Flores

IN THE SUPERIOR COURT OF GUAM

Estate of Remedios Torres Flores,
Decedent.

PROBATE CASE NO. PR0159-07

**Decree Settling Final Account
and for Final Distribution**

This matter came on for hearing pursuant to the First and Final Accounting (15 GCA § 2705) and Petition for Final Distribution (15 GCA §§ 2713 and 3011) filed by Willie T. Flores, Executor of the Estate of Remedios Torres Flores ("Decedent").

1. Willie T. Flores, Executor of the Estate of Remedios Torres Flores ("Decedent") submits the following First and Final Accounting (15 GCA § 2705) and Petition for Final Distribution (15 GCA §§ 2713 and 3011).

2. On January 28, 2007 Remedios Torres Flores ("Decedent") died owning Guam real property subject to administration.

3. Notice to Creditors was published according to 15 GCA §§ 3401 and 2503. More than sixty (60) days have elapsed since the first publication of the Notice to Creditors and the time for filing claims has expired. No claims were filed against the Decedent or the Estate.

4. The Estate assets consist of four (4) lots (collectively the "Property"):

Lot No. 10185-4-1, Municipality of Tamuning, Guam, as said Lot is described in that Decedents Estate Survey Map of Lot 10185-4, as shown on map Drawing No.

Estate of Remedios Torres Flores
Probate Case No. PR159-07
Final Decree

938754

RLSTAM - 11, as L.M. Check No. 345 FY 2017, dated 22 January 2018 and recorded on 7 February 2018 under Instrument Number 917921 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 38,748± square meters.

Last Certificate of Title Number: 5682 - The Naval Government of Guam, for an behalf of United States of America (as to Basic Lot "Revised Harmon Air Force Base" Civil Case No. 33-50, Estate No. 431).

Lot No. 10185-4-2, Municipality of Tamuning, Guam, as said Lot is described in that Decedents Estate Survey Map of Lot 10185-4, as shown on map Drawing No. RLSTAM - 11, as L.M. Check No. 345 FY 2017, dated 22 January 2018 and recorded on 7 February 2018 under Instrument Number 917921 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 48,924± square meters.

Last Certificate of Title Number: 5682 - The Naval Government of Guam, for an behalf of United States of America (as to Basic Lot "Revised Harmon Air Force Base" Civil Case No. 33-50, Estate No. 431).

Lot No. 10185-4-3, Municipality of Tamuning, Guam, as said Lot is described in that Decedents Estate Survey Map of Lot 10185-4, as shown on map Drawing No. RLSTAM - 11, as L.M. Check No. 345 FY 2017, dated 22 January 2018 and recorded on 7 February 2018 under Instrument Number 917921 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 97,849± square meters.

Last Certificate of Title Number: 5682 - The Naval Government of Guam, for an behalf of United States of America (as to Basic Lot "Revised Harmon Air Force Base" Civil Case No. 33-50, Estate No. 431).

Lot No. 10185-2 (Estate No. 431), Municipality of Tamuning, Guam, as said Lot is described in that Decedents Estate Survey Map of Lot 10185 (Estate No. 431), as shown on map Drawing No. RLSTAM-09, as L.M. Check No. 061 FY 2013, dated

Estate of Remedios Torres Flores
Probate Case No. PR159-07
Final Decree

938754

25 February 2013 and recorded on 15 April 2013 under Instrument Number 850467 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 10,176 ± square meters.

Last Certificate of Title Number: 5682 - The Naval Government of Guam, for an behalf of United States of America (as to Basic Lot "Revised Harmon Air Force Base" Civil Case No. 33-50, Estate No. 431).

5. The Subdivision Map was recorded at Land Management pursuant to the Court's Decision and Order filed May 4, 2017, a copy of which is attached as **Exhibit 1**. The fourth (4th) lot, Lot 10185-2, was previously created in a separate probate, the *Consolidated Estates of Consolacion Nededog Torres*, PR70-65, and *Luis Espinosa Torres*, PR32-49 as explained below.

6. Decedent's 20 hectares were subdivided out of Estate 431, in a separate probate, the *Consolidated Estates of Consolacion Nededog Torres*, PR70-65, and *Luis Espinosa Torres*, PR32-49, the resulting in the following 2 Guam real properties:

Lot No. 10185-4 (Estate No. 431), Municipality of Tamuning, Guam, as said Lot is described in that Decedents Estate Survey Map of Lot 10185 (Estate No. 431), as shown on map Drawing No. RLSTAM-09, as L.M. Check No. 061 FY 2013, dated 25 February 2013 and recorded on 15 April 2013 under Instrument Number 850467 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 185,521 ± square meters.

Last Certificate of Title Number: 5682 - The Naval Government of Guam, for an behalf of United States of America (as to Basic Lot "Revised Harmon Air Force Base" Civil Case No. 33-50, Estate No. 431).

and

Lot No. 10185-2 (Estate No. 431), Municipality of Tamuning, Guam, as said Lot is described in that Decedents Estate Survey Map of Lot 10185 (Estate No. 431), as shown on map Drawing No. RLSTAM-09, as L.M. Check No. 061 FY 2013, dated 25 February 2013 and recorded on 15 April 2013 under Instrument Number 850467 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 10,176 ± square meters.

Estate of Remedios Torres Flores
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Last Certificate of Title Number: 5682 - The Naval Government of Guam, for an behalf of United States of America (as to Basic Lot "Revised Harmon Air Force Base" Civil Case No. 33-50, Estate No. 431).

7. Because the Subdivision Map was recorded in February of 2018, the three (3) newly subdivided lots created by the Subdivision Map have not been appraised by the Executor, nor have they been appraised by the Government of Guam Real Property Tax Division, as of the initial filing date of the petition for final distribution. Lot 10185-2 was not subdivided in this probate, and has been appraised by the Real Property Tax Division. But for the three (3) "4" newly subdivided lots, the Executor has used the Real Property Tax Division appraisals for the prior basic Lot 10185-4. Accordingly, the total value of the Estate is thus **\$3,764,243.00**, based on the following:

Lot No. 10185-4, Municipality of Tamuning, Guam, as said Lot is described in that Decedents Estate Survey Map of Lot 10185-4, as shown on map Drawing No. RLSTAM - 11, as L.M. Check No. 345 FY 2017, dated 22 January 2018 and recorded on 7 February 2018 under Instrument Number 917921 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 185,521 ± square meters.

Last Certificate of Title Number: 5682 - The Naval Government of Guam, for an behalf of United States of America (as to Basic Lot "Revised Harmon Air Force Base" Civil Case No. 33-50, Estate No. 431).

Appraised Value: **\$3,547,899.00**.

and

Lot No. 10185-2, Municipality of Tamuning, Guam, as said Lot is described in that Decedents Estate Survey Map of Lot 10185 (Estate No. 431), as shown on map Drawing No. RLSTAM-09, as L.M. Check No. 061 FY 2013, dated 25 February 2013 and recorded on 15 April 2013 under Instrument Number 850467 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 10,176 ± square meters.

Last Certificate of Title Number: 5682 - The Naval Government of Guam, for an behalf of United States of America (as to Basic Lot "Revised Harmon Air Force Base" Civil Case No. 33-50, Estate No. 431).

Estate of Remedios Torres Flores
Probate Case No. PR159-07
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Appraised Value: \$216,344.00.

8. The names, relationships, ages and addresses of Decedent's heirs are:

a. **Willie T. Flores** (Executor); son; age of majority; P. O. Box 904, Hagåtña, Guam

96932.

b. **Annie T. Rosenberger**; daughter, deceased. According to the Declaration of Robert Salas filed November 21, 2016 in this matter, Annie T. Rosenberger "conveyed, assigned and transferred her interest in Lot 431, Gongga, Dededo, Guam" to Robert ("Bob") Salas under the Deed and Assignment attached to said declaration.

9. Decedent's will, section 5 provides:

5. Disposition of Dededo Property. I authorize my son Willie to pursue and obtain all interest and rights in my 20 hectares located in Dededo ("Dededo Propety") [sic], Guam, also known and designated as a piece of land within the "Gongna" municipality of Dededo, Estate 431. I give, devise, and bequeath to my son, Willie and daughter, Annie all of my interest in the Dededo Property, with right of survivorship as follows:

5.01. To my son, Willie I give, devise and bequeath $\frac{3}{4}$ (15 hectares) of the Dededo Property, Guam.

5.02. To my daughter, Annie I give, devise and bequeath $\frac{1}{4}$ (5 hectares) of the Dededo Property, Guam.

5.03. Once title to the Dededo property is obtained, I authorize my son, Willie in his sole discretion to determine which parcel of the 20 hectares he is to receive and which parcel my daughter Annie is to receive.

10. Accordingly, pursuant to section 5 and the Court's Decision and Order, the Property is hereby distributed according to the Subdivision Map as follows:

Lot 10185-4-1: Willie T. Flores

Lot 10185-4-2: Bob Salas

Lot 10185-4-3: Willie T. Flores

Lot 10185-2: Willie T. Flores

Estate of Remedios Torres Flores
Probate Case No. PR159-07
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11. The Executor has paid **\$6,589.00** in property taxes for the tax years 2017 and 2018. The Executor does not seek reimbursement for said property tax payments, conditioned upon this matter concluding promptly with Court approval of this petition and no appeal or other proceedings related to this probate.

12. Roberts Fowler & Visosky ("RFV") is entitled to **\$41,992.43** in statutory attorney fees pursuant to 15 GCA §§ 2811 and 2803. RFV has agreed to a reduced fee of **\$30,000.00**, conditioned upon this matter concluding promptly with Court approval of this petition and no appeal or other proceedings related to this probate. The Executor does not seek payment from Bob Salas for any of said attorney fees, which the Executor shall be responsible for, again conditioned upon this matter concluding promptly with Court approval of this petition and no appeal or other proceedings related to this probate.

13. The Executor is entitled to **\$41,992.43** in statutory Executor fees pursuant to 15 GCA § 2803. The Executor does not seek payment from Bob Salas for any of said administrator fees, which the Executor shall be responsible for, conditioned upon this matter concluding promptly with Court approval of this petition and no appeal or other proceedings related to this probate.

14. RFV is awarded **\$1,387.56** in costs on behalf of the Estate not including the costs of the final petition. The Executor does not seek payment from Bob Salas for any of said costs, which the Executor shall be responsible for, conditioned upon this matter concluding promptly with Court approval of this petition and no appeal or other proceedings related to this probate.

15. The Executor does not seek payment from Bob Salas for the Court's closing fee, which the Executor shall be responsible for, conditioned upon this matter concluding promptly with Court approval of this petition and no appeal or other proceedings related to this probate.

16. All other debts of the Decedent and the Estate have been paid except the attorney fees, executor fees, costs and the Court's closing fee.

17. The Executor has performed all other duties required and the Estate is ready for closure.

Estate of Remedios Torres Flores
Probate Case No. PR159-07
Final Decree

938754

It Is Therefore Decreed that, upon payment of the court's closing fee:

1. The First and Final Accounting and Petition for Final Distribution and the Executor's acts in administering the Estate are approved.
2. Payment to RFV of the statutory Executor and attorney fees and costs above, plus the cost of final petition and Land Management recording fees, all payable by the Executor, not Robert Salas, is approved.
3. The Property is distributed as provided for above.
4. The Estate shall be closed without further hearing and the Executor discharged.

Date: JUL 30 2019

Original Signed By:
Hon. Alberto C. Lamorena III

THE HONORABLE ALBERTO C. LAMORENA, III
Judge, Superior Court of Guam

G:\2\02 Probate, Trusts and Wills\F-109 Flores, Willie T. (Torres)\F109.10 Estate of Remedios Torres Flores\31 Final Decree 02.docx

AUG - 1 2019

I do hereby certify that the foregoing
is a full true and correct copy of the
original on file in the office of the
clerk of the Superior Court of Guam


Alfred A. Santos
Deputy Clerk Superior Court of Guam

938754

[illegible]

**GOVERNMENT OF GUAM
DEPARTMENT OF LAND MANAGEMENT 938754**

OFFICE OF THE RECORDER					
RECORDING DATE: AUGUST 19, 2019			938754		NO. PAGE: 10
FILE TIME		FILING FEES		RECEIPT NO:	
A.M.	P.M.	60		23245	
Appointed Deputy Recorders for Ex-Officio Recorder			Signature of Recorder		
Joel D. Antenoracruz; Liza M. Quitano; May M. Castro; Lisa P. Cruz; Amy T Bautista; Victoria C. Torres; Andrew D. Santos					
MARK (X) TYPE OF INSTRUMENT RECORDED					
	DEED		AFFIDAVIT		
	MORTGAGE		RELEASE		
	ASSIGNMENT		AMENDMENT		
X	ADDENDUM		ASSUMPTION		
	DECREE		MAP		
	ORDERS		JUDGEMENT		
	POWER OF ATTORNEY		REVOCATION		
	AGREEMENT		TERMINATION		
MARK (X) TYPE OF INSTRUMENT RECORDED					
	LEASE		CLAIMS		
	CONTRACT		CANCELLATION		
	CERTIFICATE		NOTICE		
	DECLARATION		BILL OF SALE		
	EASEMENT		WITHDRAWAL		
	OTHERS:				
ABSTRACT OF TITLE SUMMARY					
ABSTRACT BY:		DATE	NEW CERTIFICATE OF TITLE NO.	CANCELLED CERTIFICATE OF TITLE NO.	
COMMENTS					
DATA ENTRY INFORMATION SECTION					
PROPERTY LISTING NO.					
MUNICIPALITY:					
LOT NUMBER			UNIT OF MEASUREMENT		
BLOCK NUMBER			SQUARE METERS		
TRACT NUMBER			SQUARE FEET		
ESTATE NO.					
L.M. NO.					
SEPIA NO.					
DATA ENTRY BY:					
SCANNED BY:					

Revised: 06/20/08

EXHIBIT 4 OPTION AGREEMENT

EXCLUSIVE OPTION AGREEMENT

Robert P. Salas, and/or any individual Lessor's designee (collectively "Lessor") and **Pacific Energy Corp.** ("**PEC**"), and/or its designee (collectively "Lessee") enter into this Exclusive Option Agreement ("Option Agreement").

This Exclusive Option Agreement is based on the following facts which are made a part of the Exclusive Option Agreement.

- A. Lessee desires an option to lease the Property defined below, in connection with Lessee's potential development of Guam Power Authority's ("GPA") bid for GPA-012-23 Renewable Energy Resource Acquisition Phase IV (the "Project"). Lessee has not yet been awarded the contract for the Project, but intends to submit a bid for the Project by November 2023.
- B. Lessor will not engage with any other Lessee on the potential lease of the Property defined below until this agreement expires.

ACCORDINGLY, FOR AND IN CONSIDERATION of the mutual covenants contained in this Option Agreement, and other good and valuable consideration, the sufficiency and adequacy of which is acknowledged, the parties agree:

1. PROPERTY SUBJECT TO OPTION. The "Property" means (i) good, indefeasible fee simple title to an area of approximately Twelve (12) acres, being portions of Lot 10185-4-2 as indicated on **Exhibit A**, the final boundaries of which shall be determined according to the Real Property Lease and Sale Agreement attached as **Exhibit B** (the "Lease Agreement") including the exhibits thereto.

2. OPTION TERM. The Option Term shall begin the date Lessee is awarded the Project contract and shall terminate on the 90th day after the award.

3. EXERCISE OF OPTION AND CONDITION. As long as Lessee is not in default under this Option Agreement and all conditions to the exercise of the Option are satisfied or are waived in writing by Lessor, Lessee may exercise the Option in accordance with this Section. **Lessee's right to exercise the Option is expressly conditioned upon Lessee being awarded the contract for the Project. If Lessee is not awarded the Project contract, then this Option Agreement shall be terminated.** If the Option is exercised, then the Lessee must send written notice to Lessor before the expiration of the Option Term and the payment by Lessee of the **Ten Thousand Dollar (\$10,000.00) deposit** defined in the Lease Agreement including the exhibits thereto. The notice shall affirmatively state that Lessee exercises the option without condition or qualification. Within fifteen (15) business days after the exercise of the Option, the parties shall execute and deliver the Lease Agreement. **If Lessee does not exercise its right to lease the Property during the Option Term no party hereto shall have any other liability, obligation or duty pursuant to this Option Agreement.**

4. REAL PROPERTY LEASE AND SALE AGREEMENT. If Lessee exercises its Option, Lessor and Lessee agrees to lease the Property according to the terms of the Lease Agreement.

5. LESSEE'S RIGHT TO INSPECT. Immediately upon the signing of this Option

Agreement by all the parties, Lessee and its agents shall have the right to enter the Property at reasonable times for the purpose of conducting a Phase I environmental site assessment and other related tests regarding the Real Property, including but not limited to, surveys, test borings, soil analyses, environmental tests and inspections, meteorological testing and such other tests or inspections as Lessee deems reasonably necessary to the purposes related to this transaction (collectively the “Assessment”) provided Lessee provides prior written notice to Lessor. Lessee shall pay the cost of the Assessment. In connection with its Assessment, Lessee shall indemnify Lessor and hold Lessor harmless from and against any and all claims, demands, losses, administrative proceedings, and expenses (including reasonable attorney’s fees) incurred by Lessor as a result of Lessee’s Assessment, and this obligation of Lessee shall survive any lease of the Property and any termination of this Option Agreement. Notwithstanding the previous sentence, Lessee shall have no liability or duty to Lessor arising from the discovery prior to closing under the Lease Agreement of any environmental condition with respect to the Property. Lessee shall conduct the Assessment reasonably promptly following the signing of this Option Agreement by all the parties.

6. WAIVERS. Except as this Option Agreement otherwise expressly provides, a waiver by either party of any covenant, term or condition of this Option Agreement must be in writing and executed by the party waiving such covenant, term or condition. One or more waivers of any covenant, term or condition of this Option Agreement by either party shall not be construed as a waiver of a subsequent breach of the same covenant, term or condition. The consent or approval by either party to or of any act by the other party requiring such consent or approval shall not be deemed to waive or render unnecessary consent to or approval of any subsequent similar act.

7. AUTHORITY. Each party to this Option Agreement and its representative(s) executing the Option Agreement on such party’s behalf warrants and represents to the other party that it has the power and authority to enter into and perform its obligations under this Option Agreement in the names, titles and capacities herein stated and on behalf of any entities, persons, estates or firms represented or purported to be represented by such party or person, and that all requirements necessary or required by the law of any jurisdiction or private agreement in order for such party to enter into and be bound to perform this Option Agreement have been fully complied with.

8. ENTIRE AGREEMENT. This Option Agreement represents the entire agreement between Lessee and Lessor regarding the subject matter dealt with herein, other than the Lease Agreement, and it may not be modified, amended or discharged except by written amendment executed by the parties hereto.

9. GOVERNING LAW; ENFORCEMENT. The terms, provisions and conditions of this Option Agreement shall be governed by and construed in accordance with Guam law (other than the conflict or choice of law provisions thereof) except to the extent that such laws are preempted by federal law. Any dispute between Lessor and Lessee arising out of or related to this Option Agreement shall be settled by arbitration conducted in Hagåtña, Guam and the decision of the arbitrator shall be final and binding; each party expressly waives the right to seek judicial review of this Option Agreement. The arbitration shall be conducted pursuant to Guam arbitration statutes and any award shall be entered as a judgment in the Superior Court of Guam.

Arbitration shall be by a single arbitrator selected by mutual agreement of the parties. If the parties are unable to agree within ten (10) days of either party’s demand for arbitration upon the arbitrator, the presiding judge of the Superior Court of Guam, upon application of either party,

shall designate an arbitrator. The arbitrator shall award reasonable attorney and professional fees to the substantially prevailing party.

10. SEVERABILITY. If any provision of this Option Agreement shall, for any reason, be held to be in violation of any applicable law, then the invalidity of such specific provision shall not be held to invalidate any other provision of this Option Agreement, all of which other provisions shall remain in full force and effect to the maximum extent allowed by applicable law.

11. EXHIBITS AND ATTACHMENTS. All exhibits and attachments referenced herein as being attached are incorporated herein by reference as if set forth herein in their entirety.

12. HEADINGS; CONSTRUCTION. The headings contained in this Option Agreement are for reference purposes only and shall not modify or affect this Option Agreement in any manner whatsoever. Wherever required by this Option Agreement, either gender shall include the other gender, the singular shall include the plural and the plural shall include the singular. All references to “herein,” “hereunder” or “hereby” shall be construed as referencing this entire Option Agreement, rather than a particular Section or subsection or clause, unless specifically stated to the contrary.

13. COMPUTATION OF TIME. The time in which any act is to be done under this Option Agreement is computed by excluding the first day, and including the last day, unless the last day is a holiday or Saturday or Sunday, and then that day is also excluded. Unless expressly indicated otherwise, (a) all references to time shall be deemed to refer to Guam Time, and (b) all time periods shall expire at 5:00 p.m. Guam Time.

14. SUCCESSORS AND ASSIGNS. The terms and provisions of this Option Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and assigns.

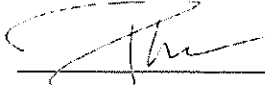
15. TIME OF THE ESSENCE. Time is of the essence of this Option Agreement.

16. NO RECORDATION. Neither Lessor nor Lessee shall record this Option Agreement or any memorandum thereof in or among the land or chattel records of any jurisdiction.

17. COUNTERPARTS; FACSIMILE OR .PDF SIGNATURES. This Option Agreement may be executed in one or more counterparts, each of which is deemed an original, but all of which together shall constitute one and the same agreement. A facsimile, telecopy, .PDF or other reproduction of this Option Agreement may be executed by one or more parties, and an executed copy of this Option Agreement may be delivered by one or more parties by facsimile, email, or similar instantaneous electronic transmission device under which the signature of or on behalf of such party can be seen, and such execution and delivery is to be considered valid, binding and effective for all purposes. At the request of any party, the parties agree to execute an original of this Option Agreement as well as any facsimile, .PDF, telecopy or other reproduction hereof.

18. ASSIGNMENT. This Option Agreement and/or the right under this Option Agreement to buy the Property may not be assigned by Lessee.

LESSOR:

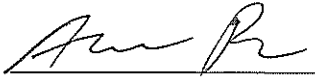


Robert P. Salas

11/25/2023

Date

LESSEE:



Andrew Park

10/25/2023
Date

Exhibit A

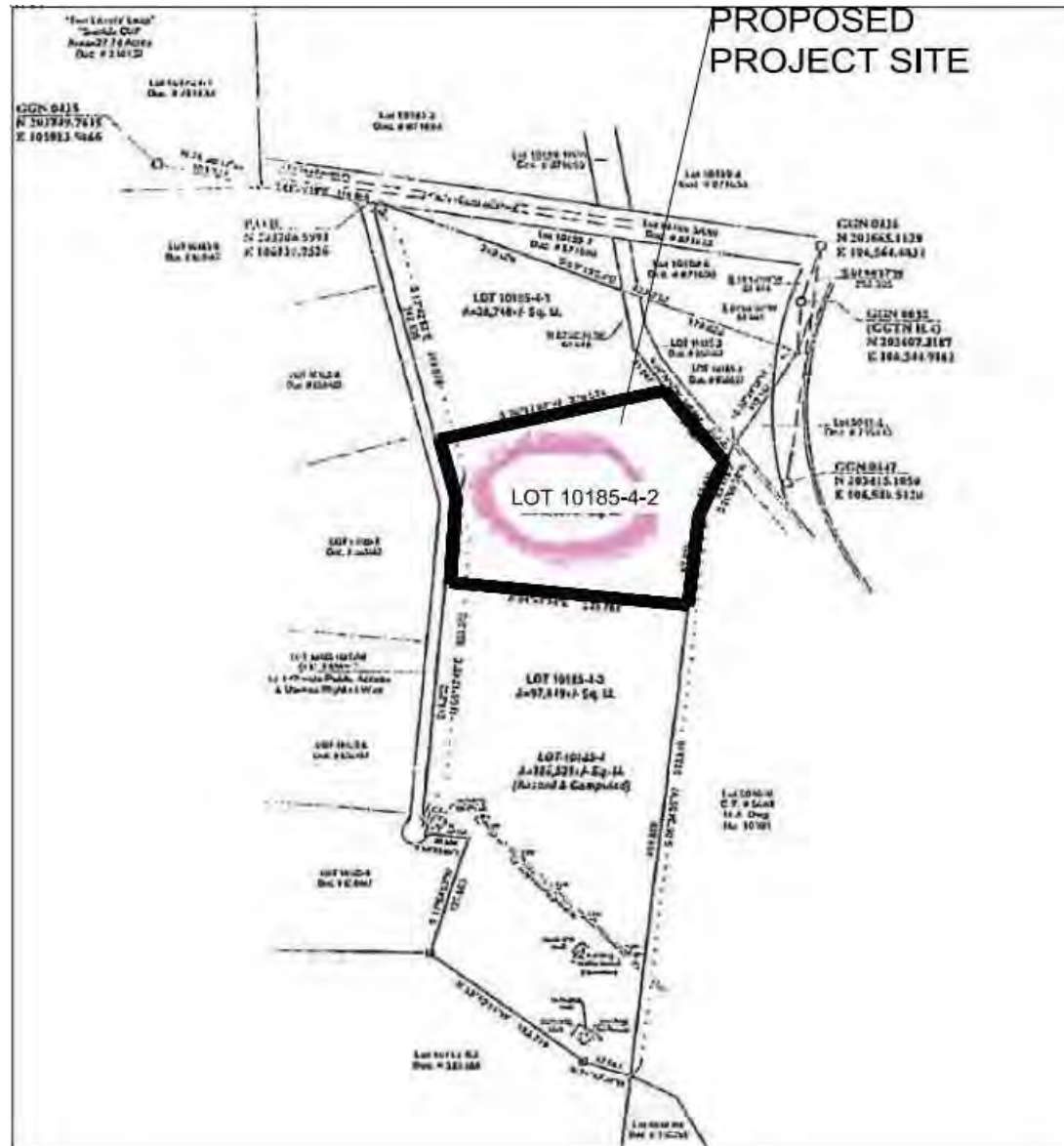


Exhibit B

REAL PROPERTY LEASE AND SALE AGREEMENT

Robert P. Salas, and/or any individual Lessor's designee (collectively "Lessor") and **Pacific Energy Corp.** ("PEC"), and/or its designee (collectively "Lessee"), enter into this Real Estate Lease and Sale Agreement ("Agreement") effective as of the date all parties have signed this Agreement ("Effective Date").

This Agreement is based on the following facts which are made a part of this Agreement.

A. Lessor desires to lease the Property defined below along with certain related personal and intangible property, and Lessee desires to lease the Property in connection with Lessee's planned development, construction, operation and maintenance of a solar-powered electrical generation facility (the "Project").

ACCORDINGLY, FOR AND IN CONSIDERATION of the mutual covenants contained in this Agreement, and other good and valuable consideration, the sufficiency and adequacy of which is acknowledged, Lessor and Lessee agrees to lease the Property, on the terms and conditions specified below.

1. DESCRIPTION OF PROPERTY BEING SOLD. For purposes of this Agreement, the "Property" being sold means (i) good, indefeasible fee simple title to an area of approximately Twelve (12) acres, being portions of Lot 10185-4-2 as indicated on **Exhibit 1**, the final boundaries of which shall be determined promptly by Lessor and Lessee, after which the metes and bounds description of shall be finally determined by the Survey to be obtained by the Lessee (defined below), after which the surveyor preparing the Survey shall prepare the subdivision map contemplated in Section 7 (the "Real Property"), together with all rights and appurtenances thereto, all rights of Lessor in and to any and all adjacent rights-of-way, alleys, streets, strips or gores of land, and all improvements and fixtures thereon, and (ii) all of the following: (A) all of Lessor's interests in and to any and all mineral interests relating to the Real Property as well as all development rights, air rights, water, water rights (and water stock, if any) relating to the Real Property (the "Mineral Interests"); (B) all rights of Lessor in and to any intangible personal property used in the ownership, use and operation of the Property now and any contract or lease rights, agreements, utility contracts, maintenance and services contracts or other rights relating to the ownership, use and operation of the Property (collectively, the "Intangible Property"); and (C) all rights of Lessor in and to any tangible personal property if any on the Real Property (the "Tangible Property").

2. LEASE PERIOD; LEASE PRICE; DEPOSIT AND ESCROW. Lease period is agreed by Lessor and Lessee for **Thirty Three (33) years**. The 1st year lease price payable by Lessee to Lessor at Closing is **Forty Four Thousand One Hundred Forty Seven Dollars (\$44,147.00)**, less any deposited amount credited at Closing (the "Lease Price"). The total lease price payable by Lessee to Lessor for 33 years is **One Million Four Hundred Fifty Six Thousand Eight Hundred Sixty Dollars (\$1,456,860.00)**. The Lease Price is payable by cashier's check, certified check, or wire transfer of immediately available funds in U.S. dollars by the federal bank wire transfer system, deliverable on the Closing Date (as

defined below) to Title Guaranty of Guam (the “Escrow Agent”). On the Effective Date, Lessee shall deposit into escrow with the Escrow Agent **Ten Thousand Dollars (\$10,000.00)** as earnest money (the “Deposit”). Any interest earned on the Deposit shall be considered part of the Deposit. Except as otherwise provided in this Agreement, the Deposit shall be held by the Escrow Agent in a federally insured interest-bearing account and applied against the Lease Price at Closing. **The Deposit shall be irrevocably transferred to Lessor sixty (60) days after the Effective Date**, subject to the termination of this Agreement pursuant to Lessor’s Default.

3. LESSEE’S RIGHT TO INSPECT.

(A) Lessee shall have the right to order a title commitment for title insurance (the “Title Commitment”) within thirty (30) days of the Effective Date. Additionally, Lessee shall have the right to order an ALTA/ACSM survey (“Survey”) of the Real Property, certified by a licensed surveyor and reasonably acceptable to Lessor and the issuer of the Title Policy (defined below) within sixty (60) days of Lessee’s receipt of the final Assessment (defined below). Lessee and Lessor shall each have ownership rights to the Survey. Lessee shall pay the cost of the surveyor preparing the Survey and the related subdivision map.

(B) Within thirty (30) days of the Effective Date, Lessee and its agents shall have the right to enter the Real Property at reasonable times prior to Closing for the purpose of conducting a Phase I environmental site assessment and other related tests regarding the Real Property, including but not limited to, surveys, test borings, soil analyses, environmental tests and inspections, meteorological testing and such other tests or inspections as Lessee deems reasonably necessary to the purposes related to this transaction (collectively the “Assessment”) provided Lessee provides prior written notice to Lessor. Lessee shall pay the cost of the Assessment. In connection with its Assessment, Lessee shall indemnify Lessor and hold Lessor harmless from and against any and all claims, demands, losses, administrative proceedings, and expenses (including reasonable attorney’s fees) incurred by Lessor as a result of Lessee’s Assessment, and this obligation of Lessee shall survive Closing or any termination of this Agreement. Notwithstanding the previous sentence, Lessee shall have no liability or duty to Lessor arising from the discovery prior to the Closing of any environmental condition with respect to the Property. Lessee shall conduct the Assessment reasonably promptly following the Effective Date.

(C) Lessee shall have sixty (60) days following receipt of the Title Commitment from the Escrow Agent, final Assessment report and Survey to deliver written notice (“Lessee’s Title Notice”) to the Lessor of any title or Survey defect, lien, encumbrance, physical or environmental issue or other matter adversely affecting the Real Property that is unacceptable to Lessee (each a “Title Defect”). Upon receipt of Lessee’s Title Notice, Lessor shall use commercially reasonable efforts to eliminate or cure to Lessee’s reasonable satisfaction all Title Defects by the Closing Date (defined below). If Lessor fails to eliminate or cure any Title Defect on or before sixty (60) days after Lessee’s Title Notice, Lessee shall have the right to terminate this Agreement by delivering written notice of termination (“Lessee’s Termination Notice”) to Lessor. If Lessee so terminates, the Deposit shall be returned to Lessee and the parties shall have no further obligations under this Agreement. If Lessee fails to timely deliver Lessee’s Title Notice to Lessor or if Lessee fails to timely deliver Lessee’s Termination Notice to Lessor, it shall be conclusively presumed that Lessee has approved all title, survey, physical and environmental items, and has waived any Title Defect which was or should have been disclosed by the Assessment as well as having waived any

condition to close based on such matter, and that Lessee has waived any and all Title Defects, in which case, unless Lessee is separately entitled to reimbursement of the Deposit hereunder, the Deposit shall become non-refundable, shall apply against the Lease Price, and Escrow Agent shall immediately disburse the Deposit to Lessor.

4. MAINTENANCE OF THE REAL PROPERTY. Lessor agrees to maintain the Real Property in its present condition until Closing.

5. REPRESENTATIONS AND WARRANTIES.

(A) Notwithstanding the warranties and representations expressed in this section 5, if any individual Lessor collectively identified as “Lessor” is found to have breached or misrepresented any such warranty or representation, no other individual owner shall be liable for any breach, claim or damage arising in connection with such breach or misrepresentation. Each of the persons comprising Lessor represents and warrants to Lessee, as of the date hereof and at Closing (as defined below), that, except as otherwise disclosed by Lessor to Lessee in writing prior to the Effective Date: (i) each of the persons comprising Lessor is either an individual or an entity duly organized and validly existing under the laws of its jurisdiction of formation and is in good standing under Guam law; (ii) to Lessor’s knowledge, there are no parties or trespassers in possession or that have a right to possession of any of the Property; (iii) Lessor has not granted, nor is Lessor aware of, any right of first refusal or option to acquire any interest in the Property or any part thereof, and Lessor has not sold or contracted to sell the Property or any part thereof, in favor of any person or entity other than Lessee; (iv) there exists no lease, service or maintenance contracts or any other contracts, leases, encumbrances, instruments or liens of any kind that are binding on or affect the Property (other than liens that will be extinguished at or prior to Closing); (v) to the best of Lessor’s knowledge, there is no litigation or threatened litigation that could now or in the future in any way constitute a lien, claim, or obligation of any kind on any of the Property, affect the use, ownership or operation of or otherwise adversely affect the Property; (vi) this Agreement is, and all documents executed by Lessor that are to be delivered to Lessee at the Closing, are or at the Closing will be, duly authorized, executed, and delivered by Lessor, and are and at the Closing will be (as pertaining to documents to be delivered at the Closing) legal, valid, and binding obligations of Lessor, are sufficient to convey title, and do not violate any provisions of any agreement to which any person comprising Lessor is a party or to which it is subject; (vii) to Lessor’s knowledge, the Real Property is not in violation of any applicable laws or regulations of local, state or federal authorities; and (viii) the persons comprising Lessor collectively are the sole legal fee owners of the Real Property, and none of them is holding fee title as a nominee for any other person or entity; and (ix) to Lessor’s knowledge, the Property is not the subject of (or is under active threat of) condemnation or eminent domain proceeding. The term “knowledge” shall mean and be limited to the current actual knowledge of the Lessor without any express or implied duty of such persons to conduct any independent inquiry or investigation.

(B) Lessee represents and warrants to Lessor that: this Agreement is, and all documents executed by Lessee that are to be delivered to Lessor at Closing are or at Closing will be, duly authorized, executed, and delivered by Lessee, and is and at Closing will be (as it pertains to documents to be delivered at Closing) legal, valid, and binding obligations of Lessee, and do not violate any provisions of any agreement to which Lessee is a party or to which it is subject.

(C) Lessee's and Lessor's representations and warranties made under this Agreement shall survive the Closing Date (as defined below) for a period of twelve (12) months.

(D) From and after the Closing Date, Lessor shall indemnify and hold harmless Lessee and its directors, managers, officers, employees, affiliates, agents and representatives and their successors and assigns (collectively, the "Lessee Indemnitees") from and against all liabilities, demands, claims, deficiencies, actions or causes of action, assessments, losses, damages, costs and expenses (including without limitation, interest, penalties, reasonable attorneys' fees and expenses and all reasonable amounts paid in settlement of any of the foregoing) (collectively, "Lessee's Damages") asserted against or incurred by any Lessee Indemnitee to the extent arising out of or resulting from any breach of any representation or warranty of Lessor in Section 5(A). Lessor shall be obligated to indemnify the Lessee Indemnites only for those claims giving rise to Lessee Damages as to which the Lessee Indemnites have given Lessor written notice, in reasonable detail, prior to the end of the survival period stated in Section 5(C), except in the case of fraud by Lessor in which case Lessee Indemnites shall have until the end of the applicable limitations period of the governing law.

(E) From and after the Closing Date, Lessee shall indemnify and hold harmless Lessor and its directors, managers, officers, employees, affiliates, agents and representatives and their successors and assigns (collectively, the "Lessor Indemnites") from and against all liabilities, demands, claims, deficiencies, actions or causes of action, assessments, losses, damages, costs and expenses (including without limitation, interest, penalties, reasonable attorneys' fees and expenses and all reasonable amounts paid in settlement of any of the foregoing) (collectively, "Lessor Damages") asserted against or incurred by any Lessor Indemnitee to the extent arising out of or resulting from any breach of any representation or warranty of Lessee in Section 5(B). Lessee shall be obligated to indemnify the Lessor Indemnites only for those claims giving rise to Lessor Damages as to which the Lessor Indemnites have given Lessee written notice, in reasonable detail, prior to the end of the survival period stated in Section 5(C), except in the case of fraud by Lessee in which case Lessor Indemnites shall have until the end of the applicable limitations period of the governing law.

6. RESERVED.

7. CONDITIONS TO CLOSE. In addition to the delivery of those items described in Section 8 below by Lessee and Lessor, as applicable, which are also conditions precedent to close, the following are conditions precedent to Lessee's or Lessor's obligations to close, as indicated:

(A) Lessee's Conditions to Close:

1. Pursuant to the Survey, Lessee and Lessor have agreed on the specific location and description of the Real Property to be leased hereunder.
2. Lessee has received a pro forma Title Policy and Survey reasonably acceptable to Lessee.

3. If any personal property is included in the Lease Price, Lessee shall have thirty (30) days from the Effective Date to satisfy itself with regard to the title condition of such personal property; provided that Lessor shall provide Lessee within thirty (30) days of the Effective Date copies of any liens or encumbrances affecting such personal property of which Lessor is aware.

4. Lessor has delivered to Lessee (and to the Escrow Agent) such other notices, documents and certifications as may be required by law or as may reasonably be requested by the Escrow Agent, and specifically Lessor has executed and delivered to the Escrow Agent its standard affidavit as to debts, liens and possession as necessary for issuance of the Title Policy without exception for mechanic's liens or claims or parties in possession (other than Lessor and Lessee).

5. All representations and warranties by Lessor are true on the Effective Date and at Closing and Lessor has complied with all its covenants stated herein.

6. The Property has been legally subdivided and the resulting subdivision map is recorded at the Department of Land Management, Government of Guam.

(B) Lessor's Conditions to Close:

1. All representations and warranties by Lessee are true on the Effective Date and at Closing and Lessee has complied with all its covenants stated herein.

2. The Property has been legally subdivided and the resulting subdivision map is recorded at the Department of Land Management, Government of Guam.

8. **CLOSING.** Closing under this Agreement ("Closing") shall occur through escrow with the Escrow Agent on or before **One Hundred and Eighty (180)** days after the exercise of the Option. The date on which Closing occurs is called the "Closing Date." If the conditions to close are not satisfied on or before the Closing Date, either party, not then in default, may terminate this Agreement at its sole discretion by giving written notice to the other party. In the event of such a termination the balance of the Deposit shall be delivered to Lessor and thereafter Lessor and Lessee shall have no further liability under this Agreement unless (i) the termination is due to Lessor's default. At Closing, the parties shall deliver:

(A) Lessee shall pay the Section 2 Lease Price, adjusted for any prorations pursuant to Section 9 and closing costs pursuant to Section 11.

(B) Escrow Agent shall issue to Lessee an owner's policy of title insurance reasonably satisfactory to Lessee (the "Title Policy").

(C) Lessee shall deliver to Lessor (and to the Escrow Agent) such other notices, documents and certifications as may be required by law or as may reasonably be requested by the Escrow Agent.

9. **PRORATIONS.** At Closing, all items of income and expense of the Property including but not limited to, ad valorem taxes and assessments (based on most recently available tax rate and

assessed value information), utility costs and prepayments relating to the Property, shall be prorated as of midnight the day immediately before the Closing Date. Prorations shall be performed in order to allocate to Lessor all costs and expenses attributable to the ownership and operation of the Property prior to midnight on the day immediately before the Closing Date, and so as to allocate to Lessee all costs and expenses attributable to the ownership and operation of the Property on or after the Closing Date (subject to the limitation that Lessee is not obligated to assume any liabilities, costs or obligations under any contract or other agreements that were not disclosed in writing by Lessor to Lessee). Any such prorations shall be made as credit or debit adjustments to the Lease Price payable at Closing. All such prorations that are made at Closing on the basis of estimates of the actual amounts will be re-prorated between the parties (and proper payments made to and from each party) after Closing within thirty (30) days after the final information related to such proration item is available. The provisions of this paragraph survive Closing until fully performed.

10. CONFIDENTIALITY. Lessee and Lessor agree not to disclose the per square meter or total amount of the Lease Price to any person, other than such of Lessee's and Lessor's agents, accountants, attorneys, employees and consultants who have a need to know such information (and Lessee and Lessor shall cause any such persons not to disclose such information further) without the other party's prior written consent except as may be required by law.

11. CLOSING COSTS. Each party shall bear and pay all of its own costs of the Closing and of leasing the Property and performing its obligations under this Agreement including legal fees, at or before Closing, except that:

(A) Lessor and Lessee shall each pay one-half (1/2) of the Escrow Agent's fee and expenses.

12. ADDITIONAL EVENTS OF DEFAULT. In addition to the failure to perform any other obligation under this Agreement, Lessee shall be in default if any of the following occurs:

(A) Lessee fails to make any payment under this Agreement or pay any other sum owed by Lessee to Lessor.

(B) Lessee fails to comply with any term, or perform any act provided for under this Agreement, or any other agreement executed by Lessee in connection with any obligation secured hereby.

(C) Lessee files a petition in bankruptcy under the federal bankruptcy laws or the laws of any jurisdiction, or if an order for relief in the case of an involuntary petition filed under the federal bankruptcy laws or the laws of any jurisdiction against Lessee is entered, or if any proceeding under any other Act of Congress or law of Guam or any other jurisdiction relating to the relief of debtors is commenced for the relief or readjustment of any indebtedness of Lessee, either through reorganization, composition, extension or otherwise, or if Lessee makes an assignment for the benefit of creditors.

(D) A final judgment for the payment of money is rendered against Lessee, and Lessee fails to discharge the same within thirty (30) days from the entry thereof or fails to appeal therefrom and secure a stay of execution, or if any writ of attachment is levied against the Property which is not discharged within thirty (30) days from the date of attachment.

(E) Prior to Closing, by court order, a trustee, receiver or liquidator of Lessee's interest in the Property or this Agreement or any material part thereof is appointed, or if any levy, attachment, seizure, lien or encumbrance, for any cause or reason whatsoever, is made upon all or any material part of the Property of this Agreement.

13. NOTICES. Unless otherwise provided in this Agreement, all notices and other communications under this Agreement shall be in writing and may be given by any of the following methods: (a) personal delivery; (b) facsimile transmission; (c) registered or certified mail, postage prepaid, return receipt requested; or (d) overnight delivery service. Such notices and communications shall be sent to the appropriate party at its address or facsimile number given below or at such other address or facsimile number for such party as shall be specified by notice given under this Agreement (and shall be deemed given upon receipt by such party or upon actual delivery to the appropriate address, which with respect to registered or certified mail means the date of first attempted delivery by the postal service at such appropriate address, whether or not accepted, receipted for or left unclaimed, or, in case of a facsimile transmission, upon transmission by the sender and issuance by the transmitting machine of a confirmation slip that the number of pages constituting the notice have been transmitted without error; in the case of notices sent by facsimile transmission, the sender shall contemporaneously give a copy of the notice to the addressee at the address provided for below using one of the other delivery methods set forth above; *provided, however*, that such copy shall in no way alter the time at which the facsimile notice is deemed received):

if to Lessor: Robert P. Salas
202 Hilton Road B01
Lower Lobby Room 0019
Tumon Bay, GU 96913

if to Lessee: **Pacific Energy Corp.**
220 E. Harmon Industrial Park Rd
Tamuning, GU 96913
POC: Andrew Park

14. WAIVERS. Except as this Agreement otherwise expressly provides, a waiver by either party of any covenant, term or condition of this Agreement must be in writing and executed by the party waiving such covenant, term or condition. One or more waivers of any covenant, term or condition of this Agreement by either party shall not be construed as a waiver of a subsequent breach of the same covenant, term or condition. The consent or approval by either party to or of any act by the other party requiring such consent or approval shall not be deemed to waive or render unnecessary consent to or approval of any subsequent similar act.

15. AUTHORITY. Each party to this Agreement and its representative(s) executing this Agreement on such party's behalf warrants and represents to the other party that it has the power and authority to enter into and perform its obligations under this Agreement in the names, titles and capacities herein stated and on behalf of any entities, persons, estates or firms represented or purported to be represented by such party or person, and that all requirements necessary or required by the law of

any jurisdiction or private agreement in order for such party to enter into and be bound to perform this Agreement have been fully complied with.

16. ENTIRE AGREEMENT. This Agreement represents the entire agreement between Lessee and Lessor regarding the subject matter dealt with herein, and it may not be modified, amended or discharged except by written amendment executed by the parties hereto.

17. GOVERNING LAW; ENFORCEMENT. The terms, provisions and conditions of this Agreement shall be governed by and construed in accordance with Guam law (other than the conflict or choice of law provisions thereof) except to the extent that such laws are preempted by federal law. Any dispute between Lessor and Lessee arising out of or related to this Agreement shall be settled by arbitration conducted in Hagåtña, Guam and the decision of the arbitrator shall be final and binding; each party expressly waives the right to seek judicial review of this Agreement. The arbitration shall be conducted pursuant to Guam arbitration statutes and any award shall be entered as a judgment in the Superior Court of Guam. Arbitration shall be by a single arbitrator selected by mutual agreement of the parties. If the parties are unable to agree within ten (10) days of either party's demand for arbitration upon the arbitrator, the presiding judge of the Superior Court of Guam, upon application of either party, shall designate an arbitrator. The arbitrator shall award reasonable attorney and professional fees to the substantially prevailing party.

18. SEVERABILITY. If any provision of this Agreement shall, for any reason, be held to be in violation of any applicable law, then the invalidity of such specific provision shall not be held to invalidate any other provision of this Agreement, all of which other provisions shall remain in full force and effect to the maximum extent allowed by applicable law.

19. EXHIBITS AND ATTACHMENTS. All exhibits and attachments referenced herein as being attached are incorporated herein by reference as if set forth herein in their entirety.

20. HEADINGS; CONSTRUCTION. The headings contained in this Agreement are for reference purposes only and shall not modify or affect this Agreement in any manner whatsoever. Wherever required by this Agreement, either gender shall include the other gender, the singular shall include the plural and the plural shall include the singular. All references to "herein," "hereunder" or "hereby" shall be construed as referencing this entire Agreement, rather than a particular Section or subsection or clause, unless specifically stated to the contrary.

21. COMPUTATION OF TIME. The time in which any act is to be done under this Agreement is computed by excluding the first day, and including the last day, unless the last day is a holiday or Saturday or Sunday, and then that day is also excluded. Unless expressly indicated otherwise, (a) all references to time shall be deemed to refer to Guam Time, and (b) all time periods shall expire at 5:00 p.m. Guam Time.

22. SUCCESSORS AND ASSIGNS. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and assigns.

23. TIME OF THE ESSENCE. Time is of the essence of this Agreement.

24. NO RECORDATION. Neither Lessor nor Lessee shall record this Agreement or any memorandum thereof in or among the land or chattel records of any jurisdiction.

25. COUNTERPARTS; FACSIMILE OR .PDF SIGNATURES. This Agreement may be executed in one or more counterparts, each of which is deemed an original, but all of which together shall constitute one and the same agreement. A facsimile, telecopy, .PDF or other reproduction of this Agreement may be executed by one or more parties, and an executed copy of this Agreement may be delivered by one or more parties by facsimile, email, or similar instantaneous electronic transmission device under which the signature of or on behalf of such party can be seen, and such execution and delivery is to be considered valid, binding and effective for all purposes. At the request of any party, the parties agree to execute an original of this Agreement as well as any facsimile, .PDF, telecopy or other reproduction hereof.

26. ASSIGNMENT. This Agreement and/or the right under this Agreement to lease the Property may be assigned by Lessee, but no such assignment shall relieve Lessee of any of the obligations under this Agreement.

LESSOR:

Robert P. Salas

Date

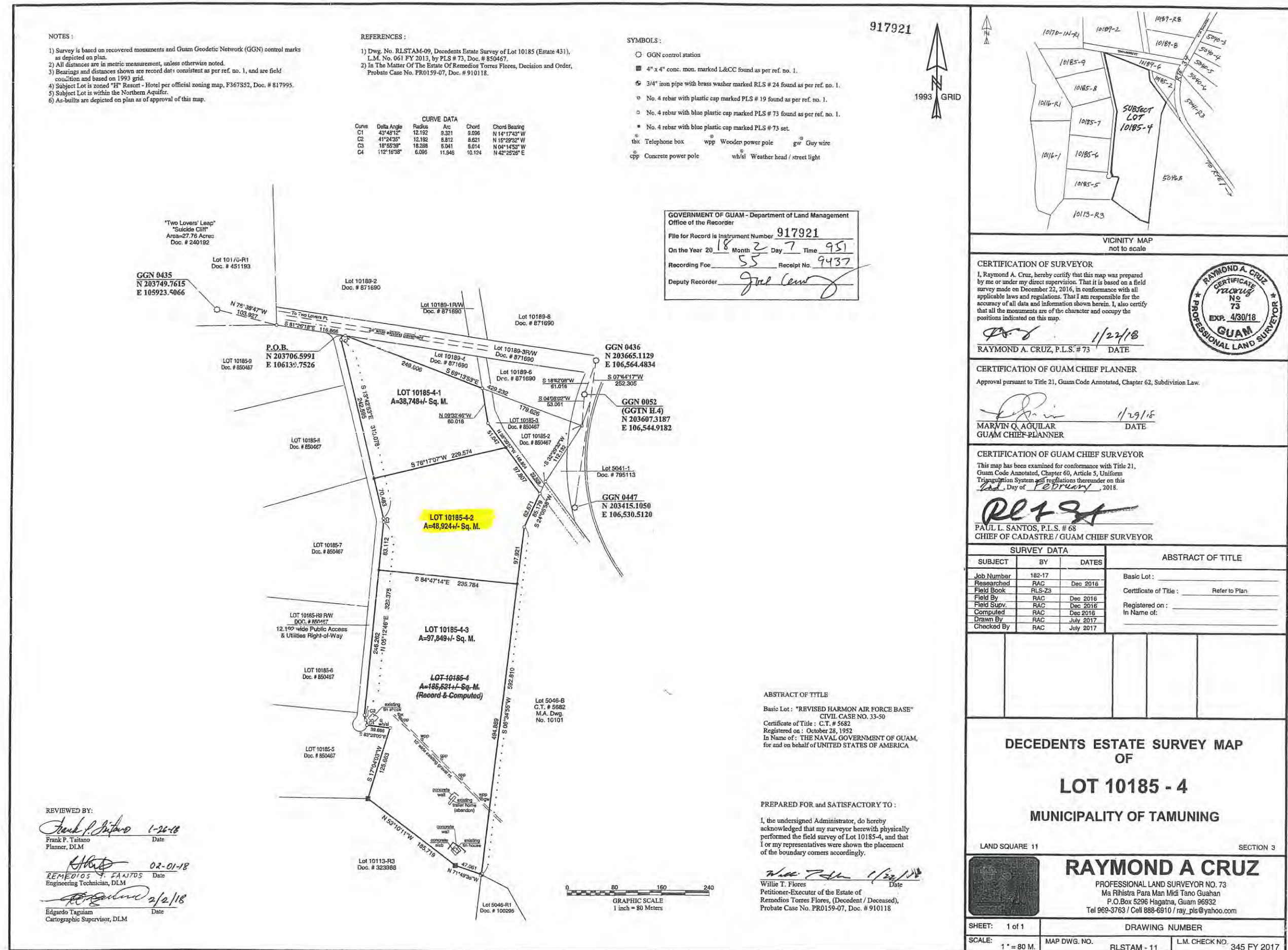
LESSEE:

Andrew Park

Date

EXHIBIT 5 PROPERTY MAP/VICINITY MAP/OVERALL SIGHT PLAN

- Exhibit 5a – Property Map
- Exhibit 5b – Vicinity Map
- Exhibit 5c – Overall Site Plan





VICINITY MAP

Pacific Renewable Unlimited, LLC
Lot No. 10185-4-2
Municipality of Tamuning

EXHIBIT 5b

Prepared by:



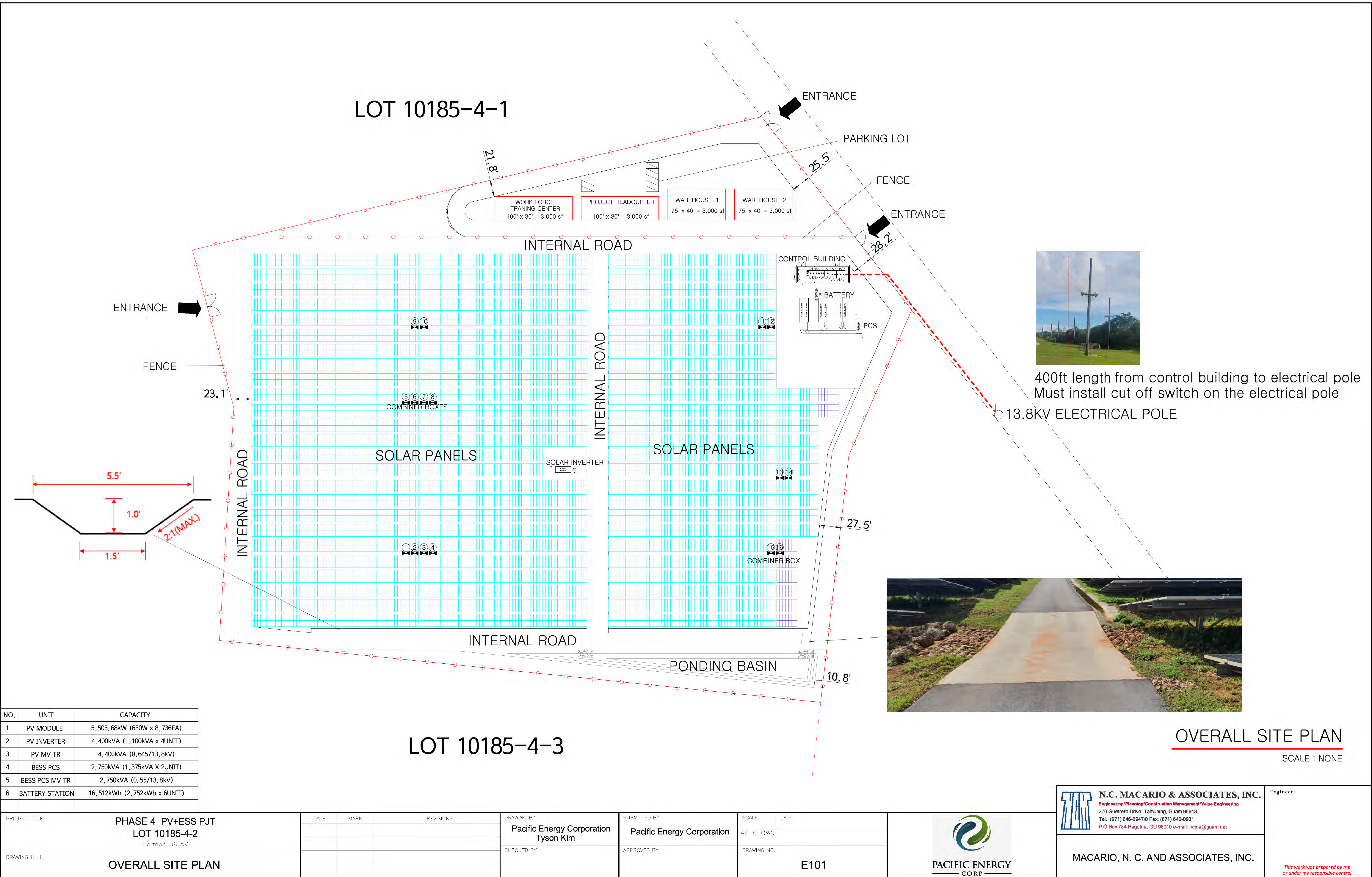
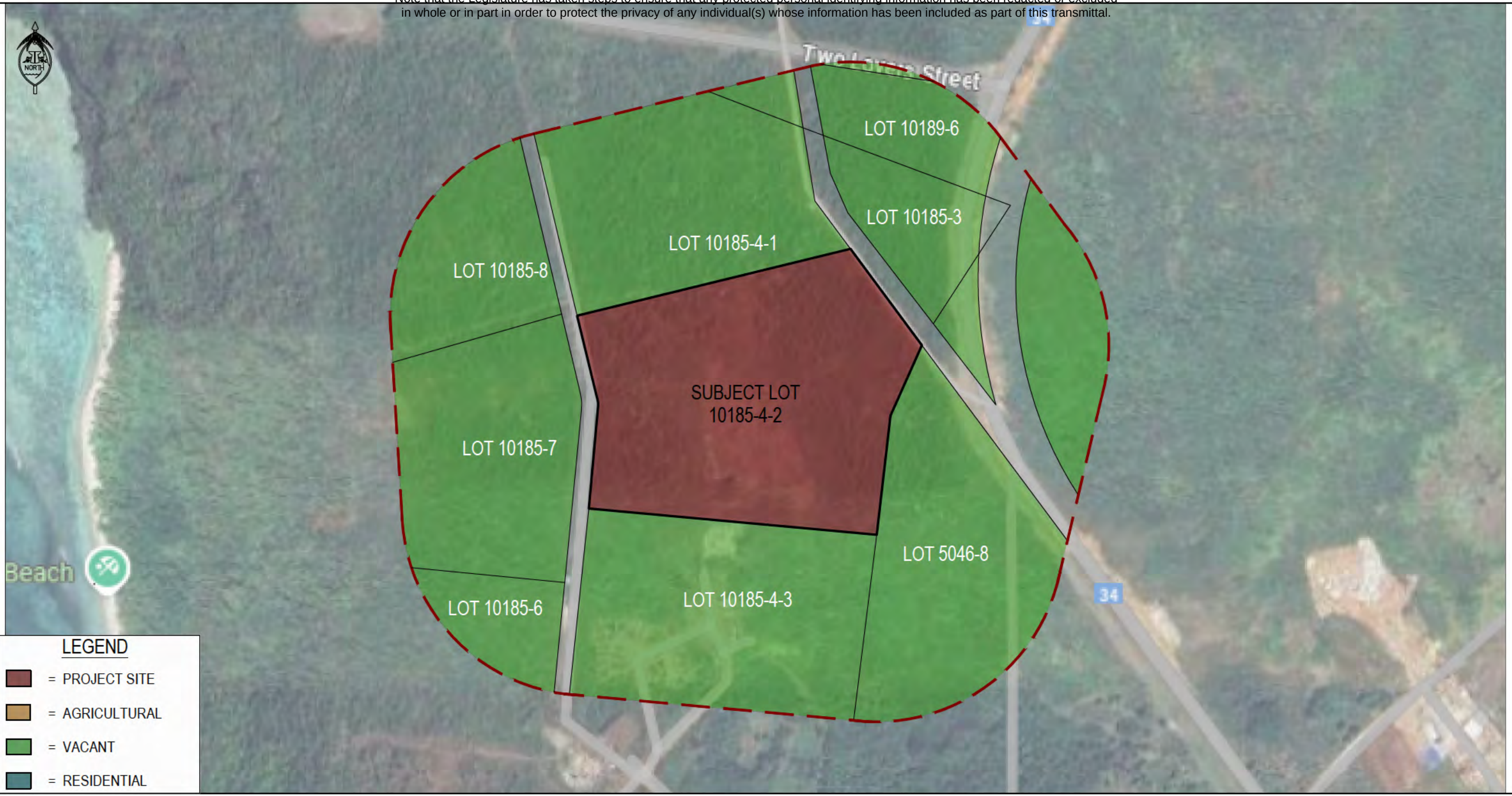


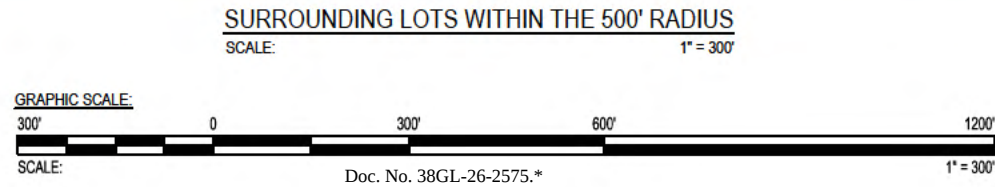
EXHIBIT 6

RADIUS MAP

- Exhibit 6a – 500 Feet Radius Map
- Exhibit 6b – 750 Feet Radius Map
- Exhibit 6c – 1000 Feet Radius Map



PACIFIC ENERGY CORPORATION
LOT NO. 10185-4-2
MUNICIPALITY OF TAMUNING





Two Lovers
Point Window Cabw...



Beach



LEGEND

- = PROJECT SITE
- = AGRICULTURAL
- = VACANT
- = RESIDENTIAL

PACIFIC ENERGY CORPORATION
LOT NO. 10185-4-2
MUNICIPALITY OF TAMUNING

SURROUNDING LOTS WITHIN THE 750' RADIUS

SCALE: 1" = 350'

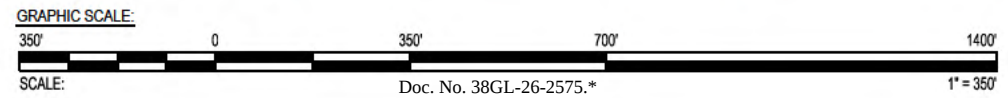
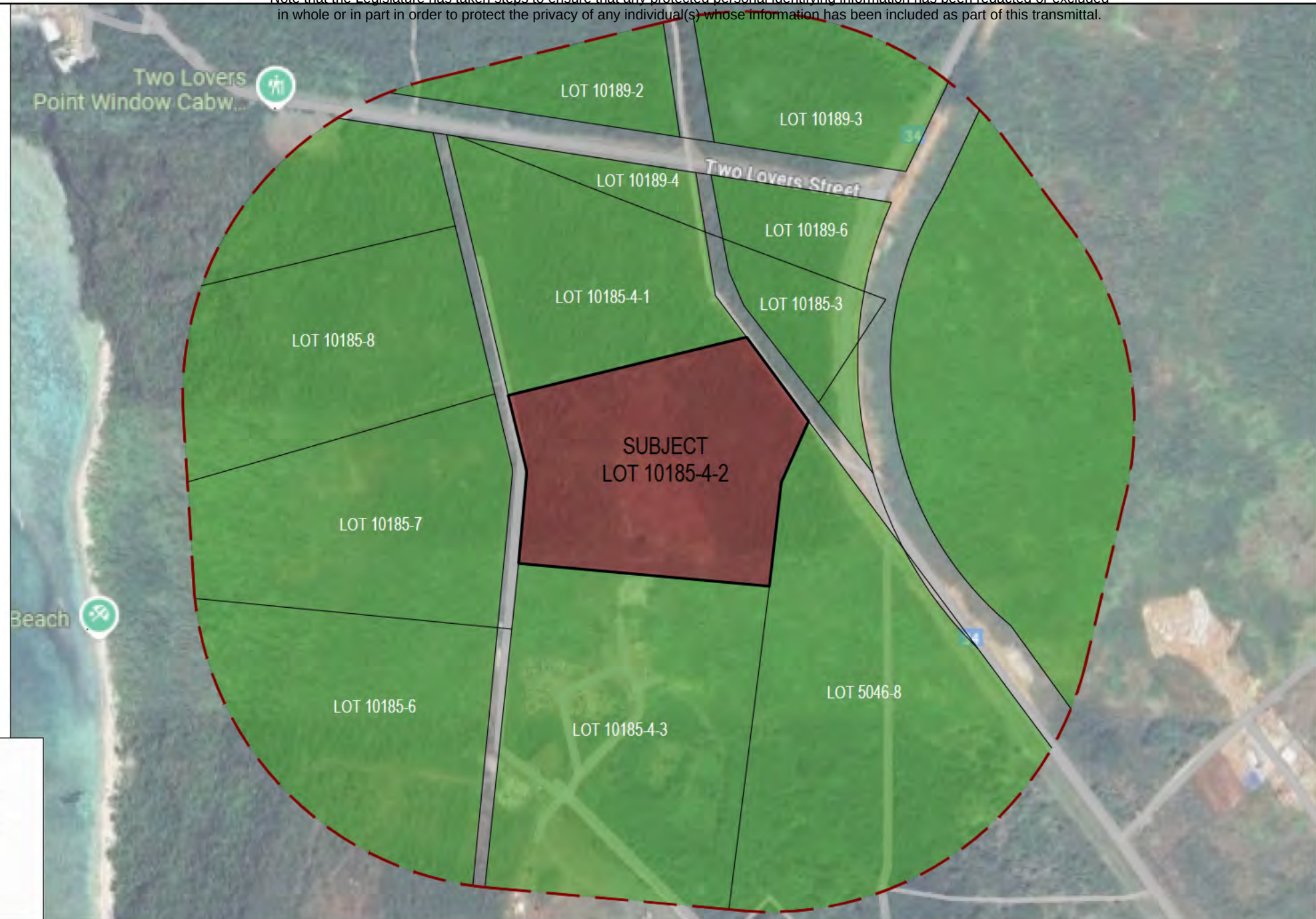


EXHIBIT 6b



LEGEND

-  = PROJECT SITE
-  = AGRICULTURAL
-  = VACANT
-  = RESIDENTIAL

PACIFIC ENERGY CORPORATION
LOT NO. 10185-4-2
MUNICIPALITY OF TAMUNING

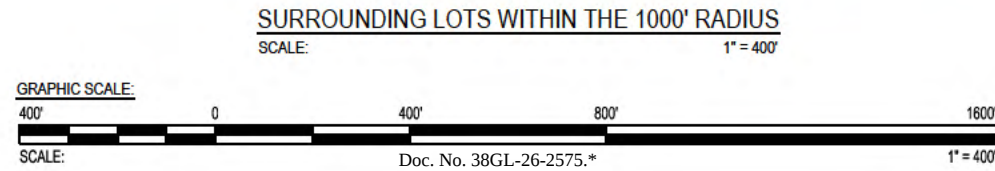


EXHIBIT 7 PRELIMINARY ENVIRONMENTAL ASSESSMENT

Preliminary Environmental Assessment Lot No. 10185-4-2 Tamuning, Guam



Prepared by:

PCR Environmental, Inc.
111 East Sunset Boulevard
Barrigada, GU 96913

Prepared for:

Pacific Energy Corp.
#220 E. Harmon Industrial Park Rd.
Tamuning, Guam 96913

September 30, 2023



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Proposed Development of Lot No. 10185-4-2 Tamuning, Guam. Project Description and Preliminary Environmental Analysis

Project Description

The proposed project involves the clearing of a lot for commercial use and the construction of a photovoltaic solar power facility on an approximately 12-acre parcel of property located in the Municipality of Tamuning, in northern Guam (See Figure 1 attached).

Preliminary Environmental Assessment

This preliminary environmental assessment (PEA) is in consideration of environmental laws, regulations, and executive orders as they apply to actions that can impact the natural environment. It incorporates the Council on Environmental Quality (CEQ) regulations for implementing the National Environmental Policy Act (NEPA), federal statutes and laws designed to protect the Nation's resources, as well as Guam-specific regulations.

The preparer of this PEA has knowledge of the environmental features of the area and general potential impacts associated with the proposed development. Although some of the analyses may be obtained from the preparer's own knowledge and observations, previous environmental documents and current agency correspondence are cited, when available.

The analysis and opinions offered in this PEA are applicable to current conditions of the subject property at the dated completion of this report. Future changes or findings at the site may require further analysis.

ANALYSIS OF ENVIRONMENTAL IMPACT CATEGORIES

SECTION 1. AIR QUALITY

The proposed project will not have an adverse impact on air quality, nor violate local, State, or Federal air quality standards under the Clean Air Act Amendments of 1990. The clearing of the property is not expected to generate significant air pollution and the developer will be required to use dust control if needed. The project is not located within or adjacent to a USEPA-defined Non-Attainment area. The project will have positive long-term impact by offsetting air pollutants from fossil fuel plants

SECTION 2. COASTAL RESOURCES

The entire island of Guam is considered a "Coastal Zone" as defined by the State's Coastal Zone Management Plan. Impacts to nearby coastal areas are not anticipated and the

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September 2023

developer will be required to use best management practices (BMPs) during construction and operation of the facility.

SECTION 3. COMPATIBLE LAND USE

The proposed project is compatible with the surrounding development and uses. The surrounding uses include, undeveloped land, open space, industrial facilities and commercial development. Nearby zoning for hotel and commercial use will not be adversely impacted.

SECTION 4. CONSTRUCTION IMPACTS

The property is located northwest of the Harmon substation and Ukudu Power Plant, and near Two Lovers Point in Tamuning Guam. New access roads and power transmission lines will need to be constructed. Temporary impacts to traffic patterns from construction operations will be minimized and BMPs to prevent erosion from cleared and excavated areas will need to be employed.

SECTION 5. DEPARTMENT OF TRANSPORTATION ACT, SECTION 4(f)

The proposed project is located on private property, which is not designated as a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance. In addition, the property is not identified as a historic site of national, State, or local significance. There will be minimal construction-related impacts to local traffic.

SECTION 6. FARMLANDS

The project site is undeveloped. No farmlands are located on adjacent properties. Therefore, no farmlands will be impacted by the project.

SECTION 7. FISH, WILDLIFE, AND PLANTS

A site visit of the subject property was conducted in September, 2023. Objectives of the visit were to identify flora, fauna, and habitat-type, observe the presence or absence of wetlands, and to observe if any impact to Federally-listed endangered, threatened, and candidate species, or designated critical habitat were present on the property.

The following plant species are potentially located in this area: *Bulbophyllum guamense*, *Dendrobium guamense*, *Tuberolabium guamense*, *Heritiera longipetiolata*, and *Cycas micronesica*. These species were not identified on the proposed site during the preliminary site assessment.

The following mammal species are potentially located in this area: the Mariana fruit bat (*Pteropus mariannus mariannus*). This species was not identified during the preliminary site assessment.

The following bird, reptile, snail, and insect species are potentially located in this area: Mariana Gray Swiftlet (*Aerodramus vanikorensis bartschi*), Mariana Common Moorhen (*Gallinula chloropus guami*), Guam Micronesian Kingfisher (*Halcyon cinnamomina cinnamomina*), which final critical habitat is found at the Guam National Wildlife Refuge,

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the Guam Rail (*Rallus owstoni*), Slevin's Skink (*Emoia slevini*), the Fragile Tree Snail (*Samoana fragilis*), Guam Tree Snail (*Partula radiolata*) and the Humped Tree Snail (*Partula gibba*).

These species were not identified on the proposed site during the preliminary site assessment.

The proposed project will have an effect on the physical environment, which is mostly undeveloped and overgrown with vegetation. It is not known if any listed species will be impacted. The Project Sponsor will be required to complete a biological assessment for potential endangered species and evaluate if mitigation for any species will be required prior to clearing the site.

SECTION 8. FLOODPLAINS

The proposed project is not located in a designated flood zone area. The project will need to incorporate stormwater management controls on site, such as ponding basins or injection wells.

SECTION 9. HAZARDOUS MATERIALS, POLLUTION PREVENTION, AND SOLID WASTE

No significant amount of hazardous waste is expected to be generated from the proposed clearing of the property. All solid wastes and construction debris will be properly handled and disposed of at Guam EPA-permitted solid waste management facilities.

SECTION 11. HISTORICAL, ARCHITECTURAL, ARCHEOLOGICAL, AND CULTURAL RESOURCES

The proposed project does not involve any "Historic" Structures over 50 years old that would be eligible for the National Register of Historic Places or other property of Federal, Tribal, State or local significance.

The proposed project involves disturbance of previously undisturbed ground and may affect potential cultural resources protected under the National Historic Preservation Act of 1966. Coordination with the State Historic Preservation Office (SHPO) and "determination of no effect" to historic, pre-historic or archaeological resources on or near the project site will be needed as part of the construction permitting process.

The Project Sponsor must ensure that construction specifications include conditions required by SHPO regarding unknown items found during clearing or construction.

SECTION 12. LIGHT EMISSIONS AND VISUAL IMPACTS

Additional lighting in the area upon completion of the development is not expected to adversely impact residential areas, schools, or hospitals. Reflective light emissions from solar panels will not project to surrounding areas.

SECTION 13. NATURAL RESOURCES AND ENERGY SUPPLY

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September 2023

The facility will have a minimal impact on local natural resources and there will be a net beneficial impact because of the increased availability of “clean” energy for Guam.

SECTION 14. NOISE

The proposed project is not expected to generate significant noise during construction (DNL 1.5 dB or greater), and will have no noise impact upon completion.

SECTION 15. SECONDARY (INDUCED) IMPACTS

No secondary impacts are expected since the facility will not create many onsite jobs and will not be required to support much infrastructure besides electrical transmission lines to a nearby substation.

SECTION 16. SOCIOECONOMIC IMPACTS, ENVIRONMENTAL JUSTICE, AND CHILDREN'S ENVIRONMENTAL HEALTH AND SAFETY RISKS

The proposed project will not result in a disproportionately high and adverse socioeconomic impact or impact on people of color and children. No displacement of persons will result from the proposed project.

SECTION 17. WATER QUALITY

The proposed project will not impound, divert, drain, control, or otherwise modify the waters of any stream or other body of water. The proposed project will not have a significant impact to groundwater, surface water bodies, and public water supply systems. The Project Sponsor will ensure that a National Pollutant Discharge Elimination System (NPDES) permit is obtained as required for construction projects.

SECTION 18. WETLANDS

This project does not involve new construction within or adjacent to wetlands. The site is not located in a Wetland area per 2022 National Wetland Inventory Map - U.S. Dept. of the Interior, Fish & Wildlife Center. Wetlands are not expected over Guam's northern limestone plateau.

SECTION 19. WILD AND SCENIC RIVERS

The project will not have an effect on the natural, free flowing or scenic qualities of a river in the National Wild and Scenic Rivers System since there are no rivers nearby.

CONCLUSION

In conclusion; the proposed project will most probably result in a net-positive impact to Guam's environment by expanding the availability of renewable, clean energy sources. Prior to construction a Cultural Resources Assessment/Survey, and an Endangered Species Survey will need to be conducted to evaluate the need for mitigation of any of those issues of concern.



Figure 1

EXHIBIT 8 GPA NOTIFICATION OF SUCCESSFUL BIDDER



GUAM POWER AUTHORITY

ATURIDĀT ILEKTRESEDĀT GUĀHAN
P.O.BOX 2977 • HAGĀTÑA, GUAM U.S.A. 96932-2977

December 29, 2023

Andrew Park
President
Pacific Energy Corp.
#220 Harmon Industrial Park Road
Tamuning, Guam 96913

REF.: Invitation for Multi-Step Bid No.: GPA-012-23 for Renewable Energy Resource Acquisition Phase IV

Dear Mr. Park:

The Guam Power Authority has completed its evaluation of the price proposals for the Multi-Step Bid GPA-012-23. GPA would like to notify Pacific Energy Corp. that it intends to award the 4.999, 4.999, 4.999 and 4.999 MWac projects to your company subject to the System Impact Study's recommendations and Pacific Energy Corp.'s acceptance thereof. Furthermore, the award is subject to Consolidated Commission on Utilities (CCU) and Guam Public Utilities Commission (PUC) approvals.

We will mobilize our contractor to commence with the System Impact Study. In addition, we would be requesting the data or information that will be required to proceed with the study. The estimated cost of each project study per site is \$49,630.00.

If you have any questions or concerns, please feel free to contact Mrs. Jamie Lynn C. Pangelinan, Supply Management Administrator at Telephone Nos.: (671) 648-3054/55, Fax (671) 648-3165 or E-mail: jpangelinan@gpagwa.com.

Respectfully,

A handwritten signature in blue ink, appearing to read 'B. Limtiaco'.

BEATRICE P. LIMTIACO
General Manager (A)