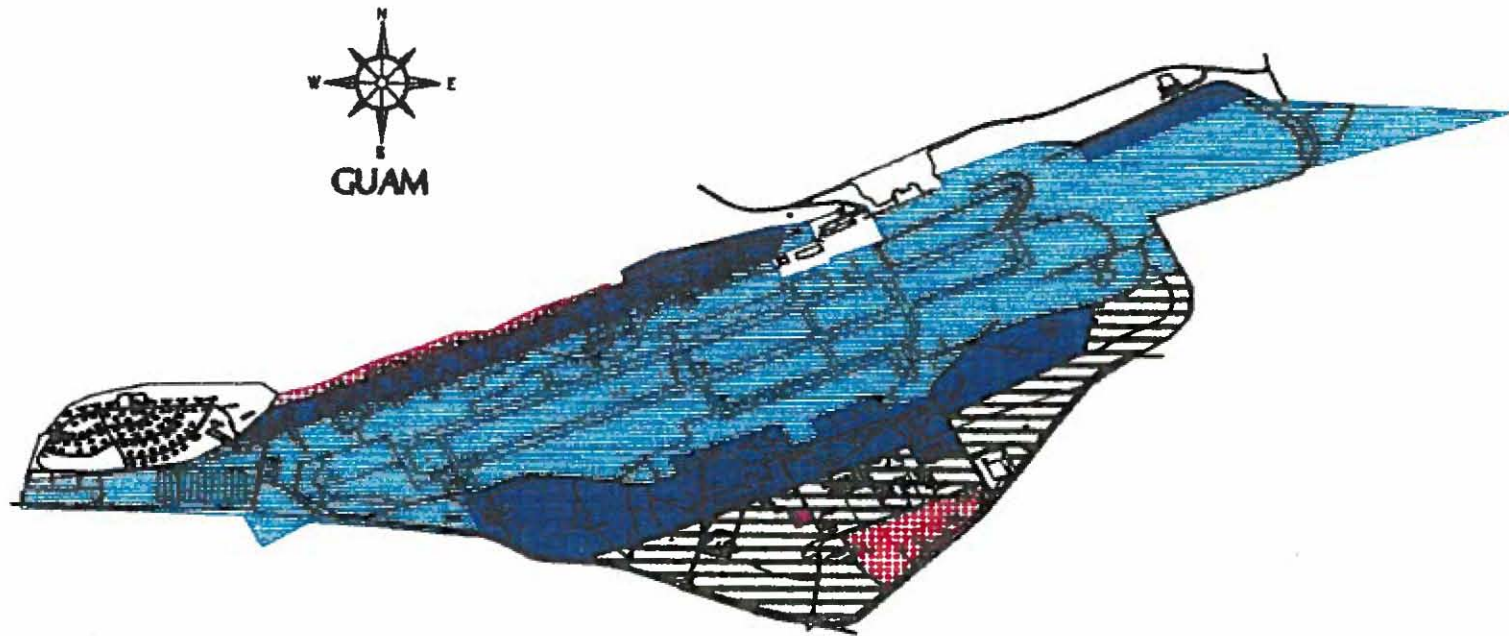


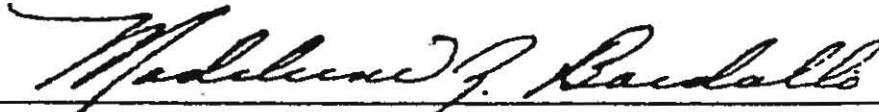
NAS AGAÑA

Base Reuse Master Plan



Prepared by

The Komitea Para Tiyan
December 22, 1995


Lt. Governor Madeleine Z. Bordallo, Chairperson

Reprinted April 1998

Bureau of Planning



UFISINAN I MAGA'LAHI
TERITORION GUAM

DEC 26 1995

The Honorable Joshua Gotbaum
Assistant Secretary of Defense for Economic Security
3300 Defense Pentagon
Washington, D.C. 20301-3300

Dear Mr. Secretary,

I am pleased to transmit the Naval Air Station Agana Base Reuse Master Plan and Homeless Assistance Application for your review and approval. As you will note in these documents, the long range plan for the reuse of NAS calls for redevelopment of the base for economic development, airport operations, transportation and recreational land uses.

The Komitea Para Tiyan, the committee I appointed to develop the NAS reuse plan for the Government of Guam, as the DoD recognized Local Redevelopment Authority, has worked many hours in the preparation of this plan. The reuse plan focuses its major attention to the redevelopment of NAS for the long term improvement and growth of Guam's economy by emphasizing the growth and expansion of the Guam International Airport, effective systems of highways and major thoroughfares to alleviate major traffic congestion problems in central Guam and the development of industrial and business parks with emphasis on airport related enterprises. The Komitea has insured that the Guam Airport Authority has sufficient property for development of an adequate revenue base to protect its long term viability and stability, as well as, to improve its aircraft handling capabilities in cadence with advancing technologies.

I hope that you can concur with our approach given the uniqueness of our circumstances and those of the base we plan to reuse. Upon your concurrence with this plan, public benefit transfers for parcels to be developed as community parks and recreational facilities and property to be developed as major highways and arteries to alleviate the traffic congestion in central Guam will be prepared and transmitted accordingly. The Guam Airport Authority has already been informed to begin applying for public benefit transfers, under FAA sponsorship, for all parcels designated within GAA boundaries.

Should you have any questions, please contact Mr. Joaquin Perez, Chief of Staff for the Lieutenant Governor of Guam, whom I have designated as Guam's point of contact for this matter and who has been coordinating the activities of the Komitea Para Tiyan. Mr. Perez can be reached by phone at (671) 475-9209, by facsimile at (671) 477-6425 or by mail at Post Office Box 2950, Agana, Guam 96910.

Thank you for your consideration.

Sincerely,


CARL T.C. GUTIERREZ

Bureau of Planning

cc: The Honorable Robert Underwood
Guam's Delegate to Congress
Rear Admiral David Brewer, III
Commander, Naval Forces Marianas



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

DEC 26 1995

Mr. Perry Vietti
Division of Community Viability, Room 7220
Department of Housing and Urban Development
451 7Th Street, SW
Washington, D. C. 20410

Dear Mr. Vietti:

I am pleased to transmit the Naval Air Station Agana Base Reuse Master Plan and Homeless Assistance Application for your review and approval. As you will note in these documents, the long range plan for the reuse of NAS calls for redevelopment of the base for economic development, airport operations, transportation and recreation land uses. In the long term, as the Guam International Airport expands, housing will not be compatible with airport operations. However, numerous housing units are being excessed by the military under BRACC 95 which may be more suitable for homeless purposes. Therefore, the Local Redevelopment Authority (the Government of Guam) has developed an interim approach to addressing homeless needs. This approach involves the allocation of 50 units of housing (25 duplexes) to accommodate homeless assistance needs to be placed under the administrative jurisdiction of the Guam Housing and Urban Renewal Authority. These units will be used for homeless purposes until such time as the Navy develops its disposal plan for NAS or a homeless assistance application is submitted for the BRACC 1995 closures, whichever comes first.

This interim approach has been accepted by homeless providers on Guam. In fact, the language contained in the master plan was developed by the homeless provider representative on the Komitea Para Tiyan, the NAS reuse planning committee I established to develop the enclosed plan. Additionally, homeless providers expressed complete support for this

proposal in the public hearing that was held on the homeless assistance application.

As you may know, I submitted a grant application under the HUD Community Planning Assistance program to conduct an island-wide assessment of Guam's continuum of care system. The results of this assessment would have been used for both BRACC '93 and '95 closures and realignments. Although my staff has been informed that grant has received the verbal approval of HUD officials, circumstances within HUD relating to current staffing constraints have delayed the grant award. As a result, we have been unable to begin a more thorough assessment of Guam's continuum of care system in time for submission of the NAS Base Reuse Master Plan. As soon as the HUD grant funds are awarded, the Government of Guam will carry out the assessment and utilize the data in the development of reuse plan for the bases closed and realigned by both BRACC '93 and '95 decisions. In this way, a long term solution to the needs of Guam's homeless population can be identified and implemented.

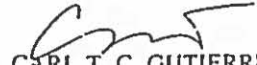
Finally, a total of seventeen requests for homeless assistance were received during the screening process. While the enclosed homeless assistance application identifies and provides copies of all seventeen requests, you should note that we have not assessed these requests from the standpoint of eligibility, feasibility, resources available for implementation or other HUD criteria because we are not currently in a position to assess homeless needs without the completed assessment of Guam's continuum of care system. We expect that GHURA in collaboration with the homeless providers will conduct a preliminary assessment of these requests as they develop the process for allocating units at Naval Air Station to satisfy homeless needs.

I hope that you can concur with our approach, given the uniqueness of our circumstances and those of the base we plan to reuse. Should you have any questions, please contact Mr. Joaquin Perez, Chief of Staff for the Lieutenant Governor of Guam, whom I have designated as Guam's point of contact for this matter and who has been coordinating activities with Mr.

Leland Bettis, Mr. Mike Duenas and Mr. Mike Cruz. Mr. Perez can be reached by phone at (671) 475-9209, by facsimile at (671) 477-6425, or by mail at Post Office Box 2950, Agana, Guam 96910.

Thank you for your consideration.

Sincerely,



CARL T. C. GUTIERREZ

Enclosures

cc: The Honorable Robert Underwood
Guam's Delegate to Congress
Rear Admiral David Brewer, III
Commander, Naval Forces Marianas
Ms. Patty Nicholas
Director, HUD Office of Community Planning
and Development, Honolulu, Hawaii

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CHAPTER I

Introduction

For many years, the Government of Guam (GovGuam) has been petitioning the U.S. Navy to return Naval Air Station Agaña (NAS Agaña) to GovGuam ownership for its use mainly as a civilian international airport. Since the 1960's, when air travel became the preferred mode of transportation to and from Guam, civilian air traffic moved through NAS Agaña. With the advent of the jumbo jet and the initiation of Guam as a desired tourist destination, it became apparent that permitting civilian air traffic through NAS would not be acceptable to either the Navy, the civilian government or the commercial airlines. With the bulk of visitor traffic coming from foreign countries such as Japan, Korea, Taiwan, the Philippines and other foreign destinations, it was obvious that an alternative to using the NAS base proper had to be found.

In 1974, the Guam Airport Authority was created with the mandate to plan and develop a civilian international air terminal which would be adequate to service the needs of the island over the long term. The first step in this process was the development of a joint use agreement with Naval Air Station which would permit the joint use of NAS facilities and air traffic control. To assist the Authority in accomplishing its goals, the Navy granted a permit to GAA for the development of a new terminal on vacant land on the northeastern side of the runways. The terminal built in the mid 70's became inadequate very quickly. With funds raised through a bond issue guaranteed by Duty Free Shoppers, the GIAT built a new terminal which opened in the early 80's. The economic boom of the late 80's and early 90's, with its concurrent

increase in hotel rooms, tourist facilities and visitor arrivals, rendered this terminal inadequate. With an even larger bond issue, the GAA began a massive expansion program which will triple the size of the existing terminal and which is scheduled for completion in 1998.

The 1993 Base Realignment and Closure Commission ordered the realignment of NAS Agaña. The official closure of the Base occurred on March 31, 1995 when the Naval Air Station flag was lowered for the last time at the Base's quarterdeck. This makes the closure of NAS Agaña the fastest base closure undertaken in recent history. Likewise, and with the same spirit, GovGuam has exerted itself in efforts to effectuate the fastest re-utilization of the vacated facilities. The purpose of this Base Reuse Master Plan for NAS Agaña is to prescribe how the land and facilities of the Base are to be used, after completion of required environmental remediation efforts and conveyance of title to GovGuam, to meet projected needs to the year 2015, while providing a degree of flexibility to meet possible needs beyond that time.

The Base Reuse Process

The Base Realignment and Closure ("BRAC") Act, as amended, defines the process by which the Base will be closed and transferred. This process is on-going and will not be completed until all lands and facilities have been certified to be environmentally available for transfer.

A number of screening processes are required for determining the disposition of lands and facilities, some of which are under way and some of which are completed but for which decisions have not been issued. The requisite Federal screening

process has been completed, but the disposition of requests received is still being studied. A summary of land areas is shown in Table 1.

**TABLE 1
LAND AREAS**

NAS AGANA PROPERTY AREAS	
AREA	ACREAGE
TOTAL BASE (Fee Ownership)	1,827
EASEMENTS (To NAS Agana)	204
PROPOSED BASE DISPOSAL	
AREA	ACREAGE
NAVY RETENTION AREA (Officer Housing)	88
GUAM INTERNATIONAL AIRPORT COMMUNITY REUSE	1,471 268
TOTAL	1,827
EASEMENTS TO GUAM INT'L AIRPORT	204

Note: Land area rounded to the nearest acre.

Requests from local agencies have been received for both interim leases and ultimate disposition. Requests for meeting the needs of providers of homeless services will be based upon the Base Closure Community Redevelopment and Homeless Assistance Act of 1994 and its companion regulations. The Department of Housing and Urban Development has approved a grant for \$123,000 to conduct an islandwide study on homeless needs and what is presently available. The study is being

conducted on an islandwide basis with the intent that the results will also be applicable for the submission of the reuse plans for BRAC 95.

The draft reuse plan was developed by the consulting firm of JFP International with substantial revisions made by the Komitea Para Tiyan (KPT), Government of Guam's reuse planning committee, to include community input (through the screening of notice of interest and public hearings conducted in contiguous villages) received during the KPT approval process. The KPT is solely responsible for the proposals contained in this plan.

Purpose of this Plan

The BRAC rules require the preparation of a redevelopment plan by the local community affected by base closure. This document constitutes the redevelopment plan for all of NAS Agaña. Another document, entitled the Guam International Airport Master Plan, to be submitted by the Guam Airport Authority in conjunction with its Public Benefit Transfer application under sponsorship of the Federal Aviation Agency, identifies aviation needs and the airfield facilities required to accommodate these needs.

These documents are intended to serve as guides for Navy and Department of Defense decisions for land transfers pursuant to the Final Base Closure Rules issued in July 1995.

Study Documentation

During the course of preparing this plan, six draft working

documents were prepared:

1. "Inventory" Draft Working Paper, submitted in August 1994;
2. "Facilities Analyses and Evaluations" draft drawings, submitted in September 1994;
3. "Market Demand Study" draft report submitted in October 1994;
4. "Alternative Land Uses and Facilities Programs submitted in November 1994;
5. "Alternative Base Reuse Plans and Evaluations" submitted in December 1994; and
6. "Base Reuse Master Plan" Draft submitted in January 1995.

These Draft Working Papers and documents were reviewed by the Komitea Para Tiyan, the Guam Airport Authority and other agencies and their comments are addressed as appropriate in this Master Plan. Monthly staff and community meetings were held as part of the planning process by which this Base Reuse Master Plan has been created. Numerous other coordination meetings with agency, Navy and other staff and personnel were held as needed. The working documents, drawings and slides used in presentations to describe alternatives and design proposals are part of the record on file at the Guam Airport Authority offices.

The Airport Master Plan is part of this Master Plan and is produced as a separate document. As part of the process of creating the Airport Master Plan, nine additional Draft Working Papers and documents were produced:

1. "Inventory " Draft Working Paper submitted in August 1994;

2. "Aviation Demand Forecasts" Draft Working Paper submitted in September 1994;
3. "Facilities Requirements" Draft Working Paper submitted in October 1994;
4. "Demand/Capacity" Draft Working Paper submitted in November 1994;
5. "Airport Land Use Plans" Draft Working Paper submitted in November 1994;
6. "Airport Terminals, Support Structures and Infrastructure" Draft Concepts and Sketches submitted in November 1994;
7. "Aviation Noise Element" Draft Working Paper submitted in December 1994;
8. "Pacific Basin Regional Aeronautical Activities" Draft Feasibility Studies submitted in December 1994; and
9. "Development Schedules and Cost Estimates" Draft submitted in January 1995.

Preparation of the Guam International Airport Master Plan followed the same course of public and agency reviews outlined above and their comments are included in the Guam International Airport Master Plan Report. An Airport Layout Plan, Terminal Master Plan and Airport Control Surfaces Plan are part of the Guam International Airport Master Plan and are produced under separate cover.

Public Input and Plan Approval Process

In addition to the input from the Komitea Para Tiyan (KPT), various meetings and public hearings were held. These include:

1. A public scoping meeting in August 1994;
2. Meetings at the Guam Legislature in August 1994;
3. Three public hearings on plan alternatives in November 1994;
4. Three public hearings on the draft plan in April 1995;
5. A meeting, on December 14, 1995 with the Homeless Consortium to review the Homeless Assistance Application;
6. A public hearing on the Homeless Assistance Application on December 19, 1995.

Copies of comments received and summaries of the final public hearings are included in the appendix.

Mandated Reviews

Pursuant to Public Law 20-147, establishing the Territorial Planning Council (TPC) and mandating a Guam Master Plan, it was initially thought that the TPC would have to conduct a review and act on the Plan. Thereafter, the plan would be submitted for the approval of the Governor of Guam and the Twenty-Third Guam Legislature, after which the Plan would be transmitted to the U.S. Department of Housing and Urban Development and the Department of the Navy. Thereafter, properties on the base will be transferred by the Navy as provided for in the approved plan upon completion by the Navy of an environmental impact statement, a finding of suitability to transfer, a record of decision, completion of environmental cleanup and approval of individual applications for property transfer for those properties to be used for public benefit transfer and economic development conveyance purposes.

On a request from the TPC, the Komitea Para Tiyan requested a legal opinion from the Attorney General of Guam on the question of whether the NAS Reuse Plan would require adoption by the Territorial Planning Council and the Guam Legislature prior to submission. The Attorney General of Guam noted that because the TPC was created to develop a Comprehensive Master Plan for Guam and one of the expressed purposes of said Master Plan was to serve as a guide by which all subsequent plans were to be developed and approved, the fact that the TPC had not yet developed or approved a Comprehensive Master Plan, or a mandated component land use plan, submission of the NAS Reuse Plan for TPC review would be premature and, at the moment, not necessary. More importantly, the Attorney General notes that because there are deadlines to be met with the NAS Base Reuse Plan submission, it would be unreasonable and counterproductive to require that the Plan must be submitted to the TPC. The Attorney General held that the same parameters and guidelines apply relative to submission of the Plan to the Guam Legislature.

CHAPTER II

Regional Background and Rationale for the Master Plan

Guam's place in 4,000 years of Chamorro civilization in the Mariana Islands has been of primary importance throughout history. Two characteristics, which in recent history have secured Guam's regional primacy, are its strategic geographic location in the western Pacific, and the lush tropical environment which has inspired such descriptions as "tropical Pacific paradise."

Guam's relative isolation from European culture came to an abrupt end in the sixteenth century with its discovery by Ferdinand Magellan in 1521. Forty-four years later, Guam was officially claimed for the Spanish crown, and four hundred years of European settlement and colonization ensued. The Spanish regime grew in strength and importance as trading routes were established across the Pacific. The Philippines were administered from Acapulco, and Guam was a key staging point in the much traveled routes from Mexico.

In 1898 the United States usurped the colonial rule of Spain on Guam, the largest and most strategic island in the Marianas. The island's strategic geographic location was subsequently responsible for increasing interdependence with Southeast Asia, and today, Guam's economy is closely tied to the economies of its Asian neighbors in the western Pacific.

Guam's social and physical infrastructure has evolved significantly since the island's discovery. The pre-contact Chamorro population, estimated to be around 75,000 was scattered

around the island in 180 villages, the larger generally located along the coast. With the advent of Spanish colonial rule and its attendant Roman Catholic social structure, the island's population was organized and consolidated into a more easily controlled pattern of villages, each with a church at its geographic center and as a focal point of village life.

Tiyan

Prior to its development as an airfield, the Tiyan area, a high plateau perched above the palisades overlooking Tumon Bay to the west, was characterized by little more than a loose collection of plots and homesteads, bounded by Mt. Tuyan (now Barrigada Heights) to the northeast, and the districts of Barrigada and Toto to the south. Most of the agricultural plots in the Tiyan area were developed as copra plantations during the period between the two world wars. While the strategic advantages of the Tiyan area were recognized by the U.S. military as early as 1929, an airfield was not constructed until after the Japanese invasion in 1941. In response to an American aerial attack on the Japanese airfield on Orote Peninsula in 1944, the Imperial authorities conscripted Chamorros sixteen years and older and set them to work on the Tiyan airfield. They worked without pay, were poorly nourished, and suffered terrible abuse at the hands of the occupying forces.

On the 21st of July, 1944, American Marines landed on Guam's beaches in a bloody battle to liberate the island from the Japanese Imperial Army. In the second week of battle, following initial strong resistance, the Marines advanced northward from Agaña towards Barrigada through the jungle, capturing the Tiyan airfield against only token resistance.

Barrigada village soon fell, and by August 3rd the liberating forces stood on Mount Barrigada, watching the first American aircraft, sixteen P-47's and three B-25's of the Seventh Air Force arrive from Saipan. NAS Agaña/Brewer Field was immediately expanded by the Marines following the recapture of Guam. Within months over half a million soldiers arrived on Guam to stage an invasion of Japan.

The airfield was developed with extensive improvements to the runways, ramps, hangars and maintenance facilities, as well as, barracks and support facilities to accommodate the proposed bombing operation of targets in the Japanese homeland. By early 1945, four other large air bases and eight airstrips were in operation at Orote, Finegayan (Harmon Field), Machanao-Finaguayoc (Northwest Field) and Upi (North Field, now Andersen Air Force Base). The only airfields operational on Guam today are Andersen Air Force Base and NAS Agaña, a joint military/civilian use facility.

With the BRACC '93 decision to realign NAS Agaña and transfer its squadrons to Andersen Air Force Base, the last operational squadrons at NAS Agaña, which were Helicopter Combat Support Squadron Five (HC-5), Fleet Air Reconnaissance Squadron One (VQ-1), and Fleet Air Reconnaissance Squadron Five (VQ-5), left prior to March 31, 1995.

Existing Land Use

The current state of development around the perimeter of NAS Agaña and its environs is evident in the description of current land uses shown in Figure 1: "Existing Land Use Map". The Base is surrounded by lower density land uses, primarily agriculture and single family detached housing to the east and

west, off the ends of the runways. Low density development is also evident to the south, although there are signs of significant commercial encroachment into sensitive areas to the southwest near the aircraft clear zones which, if allowed to continue unchecked may lead to compatibility conflicts in the near future.

The Harmon industrial area and the commercial and tourist zones along Route 1 are to the north of the Base. Further north are the resort hotels bordering Tumon Bay along San Vitores Road. The rapid and extensive development of the latter areas could be attributed to the presence and direct adjacency of the airport, an increasingly important engine of growth over the last several decades.

Current zoning designations are shown in the Existing Zoning Map, Figure 2. This zoning document appears to reinforce existing land use patterns, and while large areas are retained for agricultural zones, particularly off the departure end of runways 6L/R, potential for some future conflict exists where residential zoning occurs in noisy areas.

The Territorial Planning Council and the I Tano'ta Land Use Plan

In 1990, the Twentieth Guam Legislature passed a law (P.L. 20-147) mandating the development of a comprehensive development plan to provide long range guidance for the physical, economic and social development of the Territory. As envisioned by its authors, the development plan, when adopted by the Territorial Planning Council and the Guam Legislature and enacted by the Governor of Guam, would eventually serve as a yardstick and parameters by which subsequent land use and

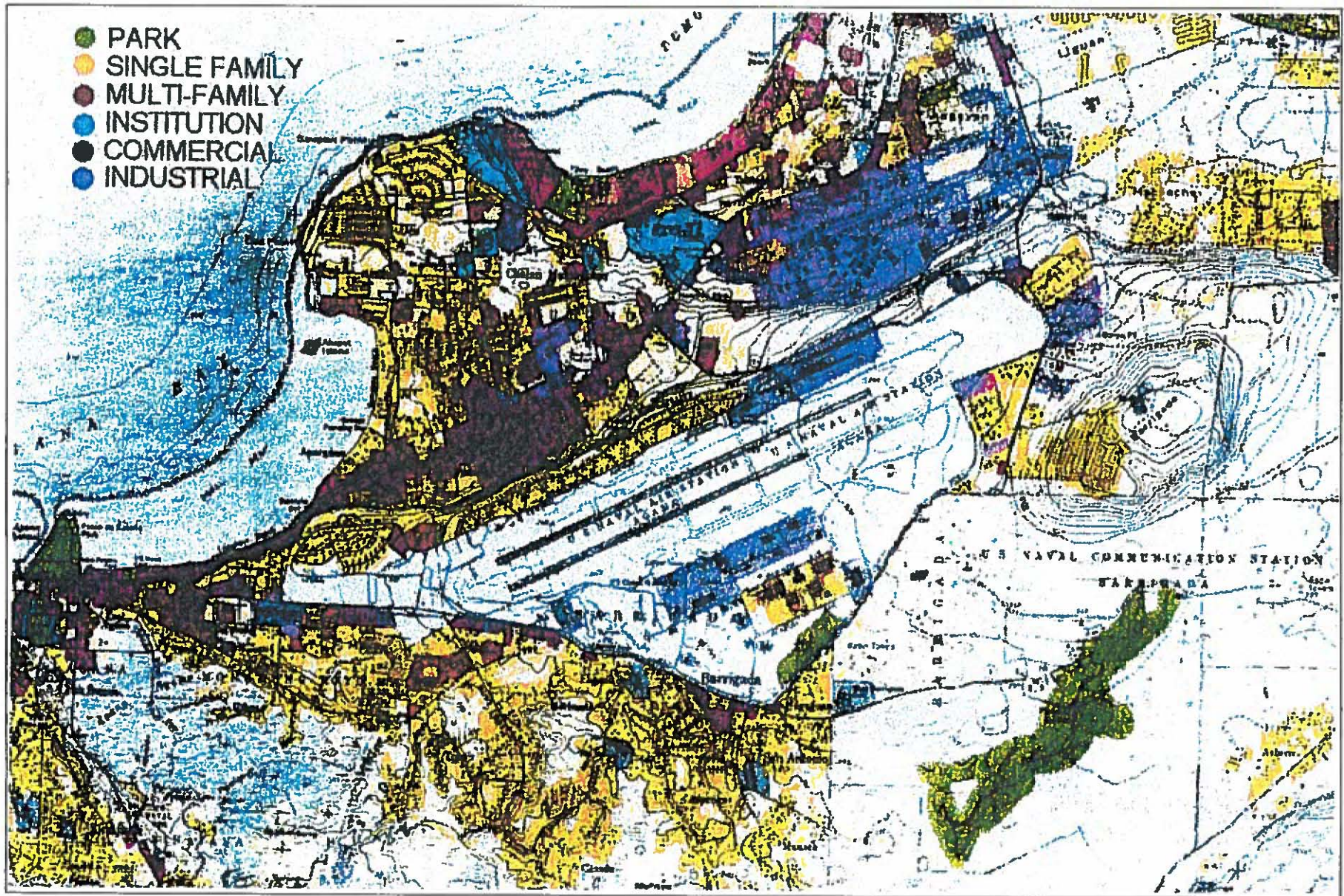


FIGURE 1. EXISTING LAND USE MAP

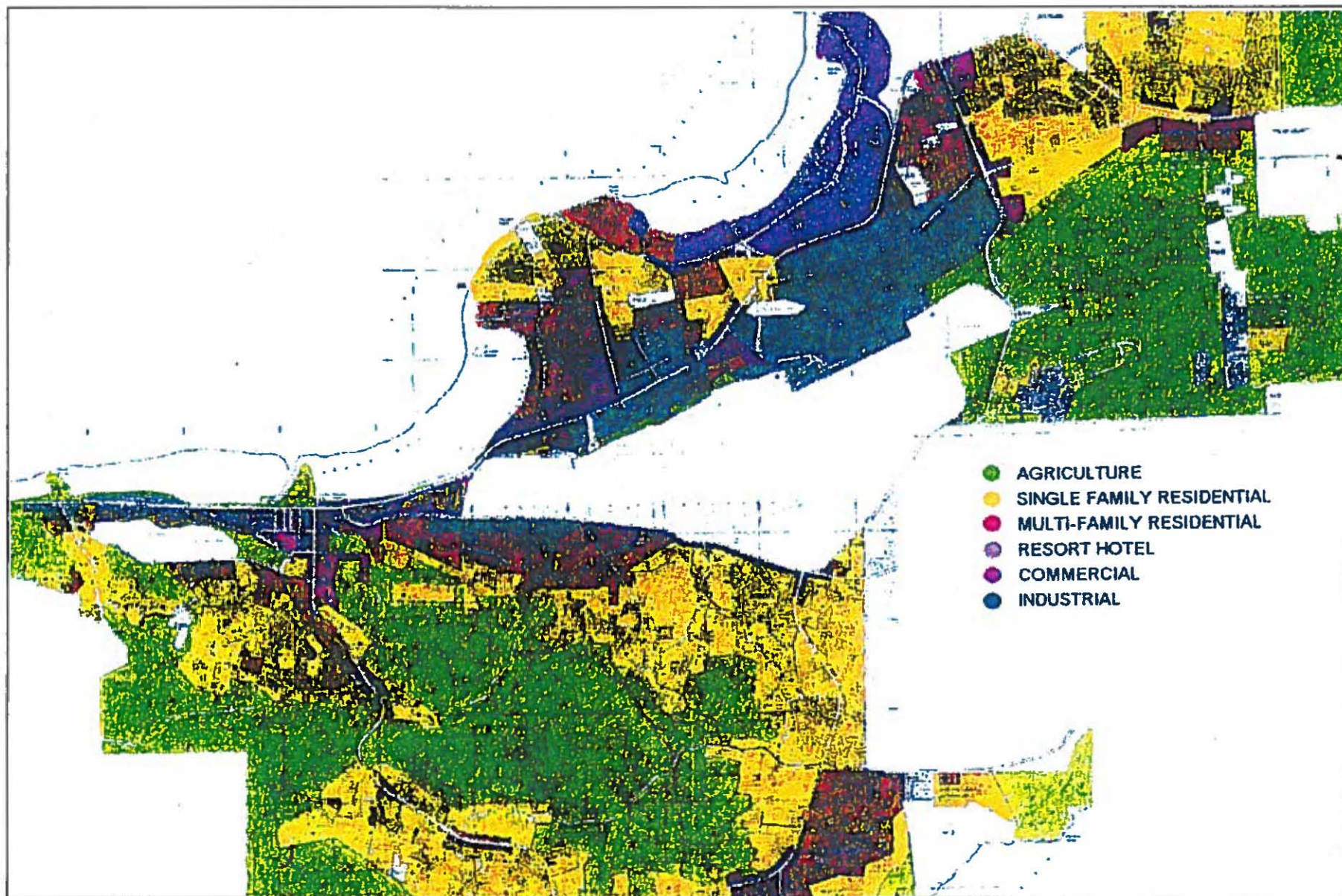


FIGURE 2. EXISTING ZONING MAP

development plans would be measured and approved. One element of the comprehensive development plan is the proposed I Tano'ta Land Use Plan which, when adopted, will become the new zoning code for Guam. I Tano'ta, as currently configured, proscribes development opportunities in the form of "Density Districts" and "Performance Standards".

An analysis of the proposed I Tano'-Ta Land Use Map in Figure 3 shows what appears to be a lack of recognition of airport activity. The absence or oversight can be attributed to the hesitancy and lack of authority on the part of the local government to "zone" or specify land use zoning standards for military installations. This lack of recognition of airport activity is reflected in the increase in allowable densities of residential development, particularly in areas affected by noise off the ends of the runways. This would likely, in time, lead to compatibility conflicts and possibly even safety concerns. These considerations will be addressed in a forthcoming revision of the Performance Standards, which will recognize the "Airport Zone" as an overlay subject to different development criteria in order to ensure safety and noise compatibility.

Regional Circulation

Currently, the Naval Air Station is a fenced military base north of the Village of Barrigada. The base and the village are further separated by Route 8 and Route 16, both busy five lane highways. With the closure of the base, there is an opportunity for growth of Barrigada toward the north and connection to new development on the former base.

The scattered distribution of pre-contact Chamorro villages around the island was responsible for a loose arrangement of paths

which conformed primarily to topographic features for ease of passage. These paths were adjusted and developed further into a system of tracks and bull cart trails as European colonization consolidated settlements and established trade routes within the island. With the primacy of Agaña as the island's economic and political center, tracks and roads tended to form a radial pattern emanating from the capital and following the beaches, lowlands and valleys northwards through Tiyan towards Barrigada and Dededo.

The presence of the bluff, which parallels the coast from Agaña all the way north to Dededo exacerbated this radial pattern of roads by presenting engineering difficulties in the development of lateral roads across the cliff line. The radial pattern of roads, established in the pre-industrial era, has serious shortcomings in the age of automobiles.

The lack of through routes and preponderance of "T" intersections in the congested center of the island has diminished the smooth flow of traffic and restricted direct access between key urban nodes. While the network of local streets is extensive, primary road routes lack the redundancy necessary to ensure alternate circulation routes when key roads and intersections are congested at peak traffic hours or as a result of traffic accidents. Typically, these alternate routes would parallel the primary roads, in both north-south, as well as, east-west directions.

This condition is particularly acute around NAS Agaña, whose ownership by the Navy presented an impediment to the development of parallel, as well as, lateral routes, which could provide traffic alternatives to Marine Drive and Routes 8 and 16, alleviating frequent congestion in Agaña and Tamuning.

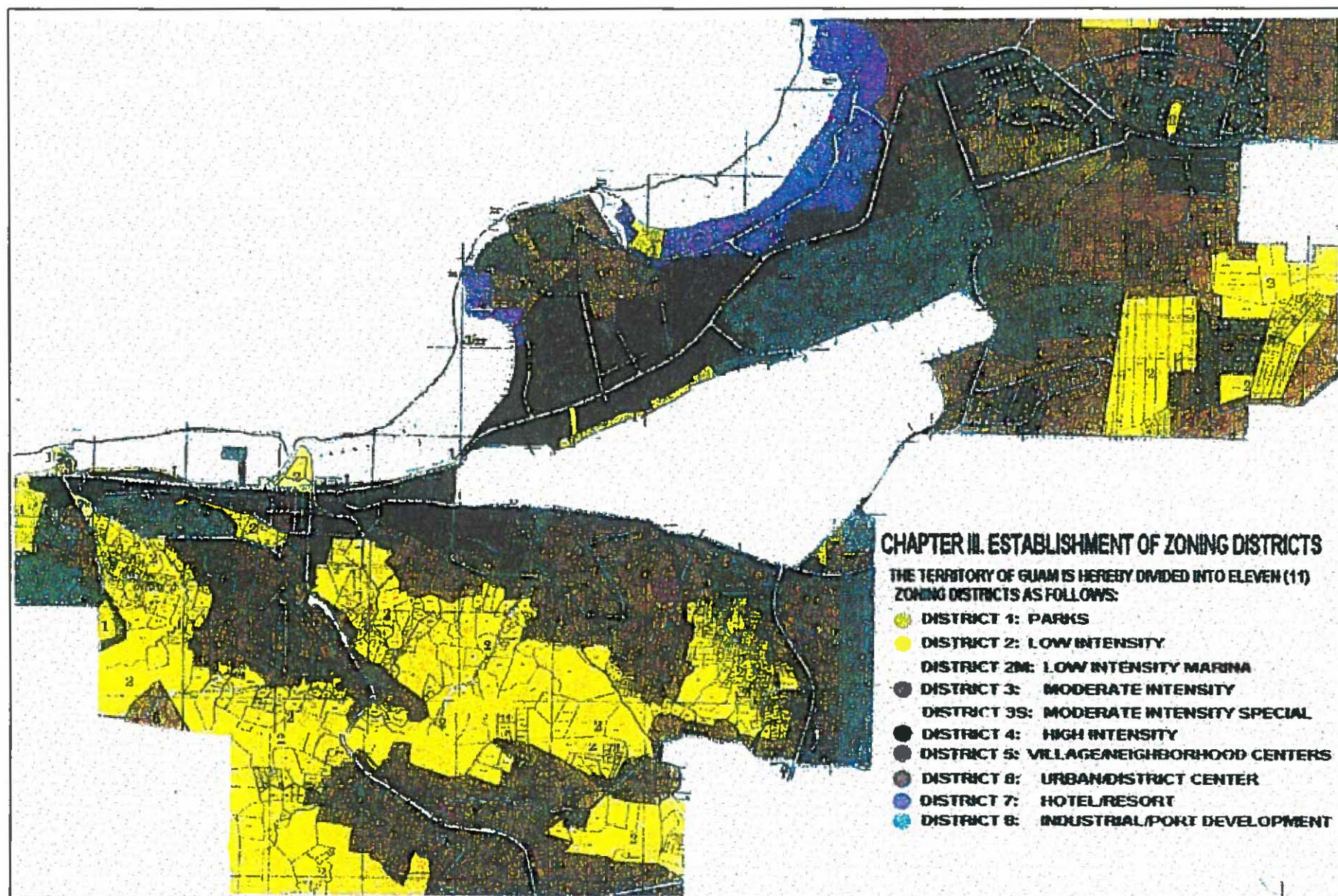


FIGURE 3. PROPOSED I TANO'TA LAND USE MAP

The 2010 Highway Master Plan was prepared for the Department of Public Works as a guide for road development and improvements in anticipation of continued rapid growth of the island's stock of motor vehicles, which is growing at twice the rate of population. This plan was examined with respect to the opportunities that will arise with the release of NAS Agaña. While the 2010 Plan proposes to upgrade the existing highway network, primarily by widening intersections and roads, opportunities for optimizing use of NAS Agaña land for the establishment and reinforcement of an island wide network of roads and highways have only recently been recognized.

The closure of the base provides many reuse and infill opportunities for development in the strategic central portion of Guam. Where once there was a bottleneck, there could be additional through connections and integration to the island urban form.

The 2010 Highway Master Plan proposes new roads in the NAS area. Further connections and minor revisions to the Master Plan can improve island traffic flow even more. The 2010 Highway Plan conceptualizes a linked existing highway system in the north-south direction with regularly spaced cross-island connectors. The objective is to alleviate traffic jams at the many "T" intersections by adding 4 way intersections and redundancy in the island highway network giving people more movement choices.

As the NAS Agaña becomes available for civilian development, potential strategic road improvements become obvious. The deficiency of north-south connector roads, between Tumon and Barrigada can be alleviated with new links across the cliff line. These links are possible with conventional engineering

solutions involving some grading along the bluffs, and by restoring preexisting rights of way.

Longitudinal roads, running east-west across the top of the bluff and across the southern portion of the base in line with Mariner Avenue could also facilitate circulation between Dededo and Agaña, reducing the loads on already congested Routes 1, 8 and 16. Adding these proposed roads into the current network will give immediate benefits to the local circulation system.

By making relatively minor adjustments to the 2010 Highway Master Plan, the incorporation of the proposed roads can lead to significant improvements to the island's network of roads and highways without major economic or environmental impact.

Economy/Employment

The distribution of civilian employment in the Territory, listed by industry and based on payrolls, is set forth in Table 2. Excluded from the civilian employment estimates is a large number of self-employed individuals, proprietors and unpaid family workers. Because of the structure of the Territory's economy and cultural considerations, this group represents an unusually large percentage of the working population.

The civilian employment base in the Territory during the period March 1990 through March 1994 increased at an average compound annual growth rate of 5.6 percent. In 1991, the civilian employment base increased by 12 percent from 1990. A similar annual increase of 10 percent was experienced in 1992. Civilian employment suffered a 9 percent decrease in 1993 from 1992 and a 4 percent decrease for the first three months of 1994, compared with a similar period in 1993 primarily due to a sluggish economy

affected by several factors, including Typhoon Omar and the downturn in the tourism industry during 1993 (See Tables 2 and 3).

Of the approximately 7,490 civilians employed on Guam by the Federal government in March 1994, approximately 60 percent were employed by the Department of Defense and approximately 40 percent by other Federal departments. Efforts have been made to develop the local labor force through implementation of the Navy's apprenticeship program at the Navy Public Works Center and the Ship Repair Facility. The Guam Community College and the University of Guam have been active in training persons in other vocations and professions as well.

Table 2. Civilian Employment on Guam. Note: Data includes full-time and part-time employees who worked during or received pay for any part of the pay period which included the 12th day of the survey month. The CES Survey counts any person employed by 2 or more establishments at each place of employment. Proprietors, self-employed, unpaid family workers, domestic servants and military personnel are excluded.

Source: Current Employment Statistics (CES), Bureau of Labor Statistics, Department of Labor, Government of Guam.

TABLE 2
CIVILIAN EMPLOYMENT IN GUAM

CATEGORY	MARCH				
	1990	1991	1992	1993	1994
AGRICULTURE	230	290	420	360	280
CONSTRUCTION	8,510	10,420	12,540	10,440	8,660
Building construction	6,860	7,850	9,470	7,940	6,800
Other construction	450	510	800	580	400
Special trade contractors	1,200	2,060	2,270	1,920	1,460
MANUFACTURING	1,870	1,950	1,950	1,770	1,890
Food and kindred products	480	560	550	580	610
Printing and publishing	450	460	470	450	470
All other manufacturing	940	930	930	740	810
TRANSPORTATION AND PUBLIC UTILITIES	2,270	3,700	3,720	4,110	4,760
TRADE	11,270	12,400	13,340	13,790	2,100
Wholesale	1,710	1,850	2,060	2,050	11,220
Retail	9,560	10,550	11,280	11,740	
FINANCE, INSURANCE & REAL ESTATE	2,010	2,450	2,660	2,760	2,740
SERVICES	10,100	11,860	13,050	13,350	12,810
Hotels & other lodging places	3,820	4,670	5,690	5,110	5,020
All other services	6,280	7,190	7,360	8,240	7,790
ALL INDUSTRIES PRIVATE	36,260	43,070	49,670	46,790	44,460
PUBLIC SECTOR					
Federal Government	6,950	6,730	7,200	7,690	7,490
Guam Government	11,280	11,890	12,710	13,940	13,850
TOTAL PUBLIC SECTOR	18,230	18,620	19,910	21,630	21,340
TOTAL PAYROLL EMPLOYMENT	54,490	61,690	67,530	68,200	65,800

**TABLE 3
LABOR STATISTICS**

YEAR	TOTAL LABOR FORCE	NUMBER UNEMPLOYED	UNEMPLOYMENT RATES
1989	38,410	1,010	2.6%
1990	40,560	760	1.9
1991	46,960	1,450	3.1
1992	48,740	2,060	4.2
1993	47,030	2,820	6.0
1994 ⁽¹⁾	46,970	3,170	6.7

1. As of March 1994.

Note: Tallied for December for the years 1989 through 1993. Data includes civilian noninstitutional population 16 years of age and older, but excludes non-immigrant aliens and civilians living within military installations or in military housing. Individuals with one or more jobs or dual jobs are counted once.

Source: *Guam Department of Labor, Bureau of Labor Statistics.*

Effects of Base Closure

Originally, the Navy announced that two of the three major active military units that compose the bulk of the organizational structure at NAS would be temporarily relocated to the U.S. mainland with the third unit relocated to Andersen Air Force Base situated at the northern tip of the island. This decision has now been revised to permanently relocate these units off-island.

The number of military personnel affected includes approximately 1,430 enlisted personnel, and 185 officers. Base closure will also result in reduction in civilian employment at the Base. The combined military and civilian payroll figures for NAS Agaña are approximately \$67 million, compared to a combined Navy and civilian payroll of approximately \$358 million for all military

operations on Guam. Contractual expenditures for NAS Agaña are approximately \$1.2 million with annual territorial taxes of \$7.7 million. Total Navy contracts on Guam are approximately \$30 million and territorial tax receipts are about \$45 million.

The existing consumer-oriented facilities at NAS, including a bowling alley, a movie theater, a gallery, an automotive service facility, an exchange store, three service clubs, a credit union, a mini-mart and a cafeteria, have a combined annual gross sales of \$2.2 million.

CHAPTER III

Base Reuse Consideration: Community Concerns

NAS Añaña has been an important feature in the life of Guam since its inception. It carries deep emotional, historical and functional implications for almost all citizens of Guam. Memories of past conditions and events are strong and not easily forgotten nor forgiven. Strong efforts continue to be made to redress wrongs and address current problems. Notwithstanding notification by Department of the Navy officials that the BRAC process does not provide avenues for the resolution of Guam's original landowner issues, there are those who look to decisions to be taken regarding NAS Añaña to solve these problems and resolve long standing issues.

When the Imperial Japanese Army decided, belatedly in 1943, that it should fortify Guam, a hasty effort was begun to build the airfield at Tiyan which later became NAS Añaña. Labor was conscripted from the local population, especially in Tiyan, and citizens were forced to destroy their copra farms and homes to carve out an airstrip and airplane parking aprons on the Tiyan plateau.

No compensation was offered to the landowners, and perhaps none was ever contemplated. After the liberation of Guam in 1944, U.S. Navy Seabees greatly expanded the airport, adding a second runway, expanding the airplane parking areas, installing thousands of troops in large areas of barracks, plus adding storage and other facilities needed for the coming invasion of Japan itself.

Again, in the rush of war and the hectic pace of post war

recovery and rehabilitation, no offer of compensation was made. Subsequently, two hearings and adjudicated settlements have been made to the owners of the original properties at NAS Añaña. Many feel that these settlements are inadequate, and continue to seek a redress of historic injustices either through direct return of lands to original owners and their heirs or by allowing them to benefit directly from base reuse. *It should be noted that the Government of Guam presentation justifying the closure of NAS Añaña rested heavily on the redress of perceived injustices resulting from methods used to condemn the property by the occupying Japanese forces and eventually, the liberating American troops.*

Airport Considerations

NAS Añaña provides Guam's only functional link by air to the outside world. Not only is Guam dependent on NAS Añaña facilities for travel of its citizens and visitors, it is central to Guam's economic cornerstone, the tourist industry. In December 1994 the 1,000,000th tourist stepped off a flight from Japan. The 1,000,000th visitor to Guam for 1995 arrived at the Guam International Air Terminal in September indicating that that threshold could be exceeded at a pace of +25% in this calendar year.

In announcing Vision 2001, a strategic plan to revitalize and expand Guam's economy and economic base, Governor Carl Gutierrez called attention to public-private sector goals of 2,000,000 tourists by the year 2001. Visitor industry officials point to a need for an additional 5,600 hotel rooms or the equivalent of 16 additional hotels of the size predominant on the island. In addressing this objective, tourist industry, airline and airport officials point to the need to expand airport operations and

facilities to permit the handling of more air traffic, provide for expanded aircraft servicing capabilities and to provide for the more efficient handling of passengers and baggage through the arrivals and departure terminals. These needs were considered by the Komitea and were central in the Komitea's decision on the final boundaries for the airport.

Because of distances from primary sources, many foodstuffs and fresh produce, such as flowers, fresh vegetables and fresh fish and shrimp, electronics and other high value products are moved almost exclusively by air. With the planned and projected rapid development of Guam's visitor industry, additional capacity and capabilities will be needed to handle even greater quantities of these imports. Gaining control of NAS Agaña as a completely civilian airport is one of the highest priorities of GovGuam. For the first time, there will be the ability to attract aviation industry activities that have bypassed Guam for lack of space and facilities.

Locational Impacts

Together with the Naval Computer and Telecommunications Area Master Station Barrigada (NCTAMS Barrigada) which is located adjacent to NAS Agaña and extends nearly to the eastern shore of the island, NAS Agaña has caused traffic flows and land uses to be displaced from where they would more logically and functionally be placed. Many citizens and businesses are looking forward to the opportunities to "short cut" through the base in place of the long drive around now required. Since the March 31st standdown of NAS, political figures have requested the unrestricted opening of Central Avenue as a means to alleviate traffic congestion on Route 16 due to on going expansion construction on that heavily traveled highway. The denials of these requests have been based on the inadequacy of the

internal road systems of NAS for the anticipated intensity of traffic should Central Avenue be opened as an alternate to Route 16 and/or Marine Drive.

The central location of the airport passenger terminal at the top of Tiyan Bluff is probably an important factor in the location of Guam's tourist industry on Tumon Bay. It is also a strong reason why many businesses chose to locate on Marine Drive (Route 1) at the base of the bluff. The close linkage of the airport to the Marine Drive business center and to the Tumon Bay tourist industry amplifies and magnifies the importance of a plan for the most effective reuse of NAS Agaña.

Existing Base Conditions

The approximately 1,800 acres occupied by NAS Agaña on top of the Tiyan bluff in central Guam are relatively flat and clear of forest. The largest part of the base, occupied by the runways and aprons of the airport, has been extensively graded and is now essentially flat, with a very slight slope downward toward the southwest (Figure 4).

Building Conditions

Most of the buildings on NAS Agaña are second generation, having been constructed in the 1950's when the original airbase was largely reconstructed. Hundreds of Quonset huts which had occupied the top of the bluff since the end of the war were removed in favor of the family housing now located there. Airfield operations which had largely been conducted along the north side of the airfield in front of this Quonset hut community were relocated to the south side of the airport into new

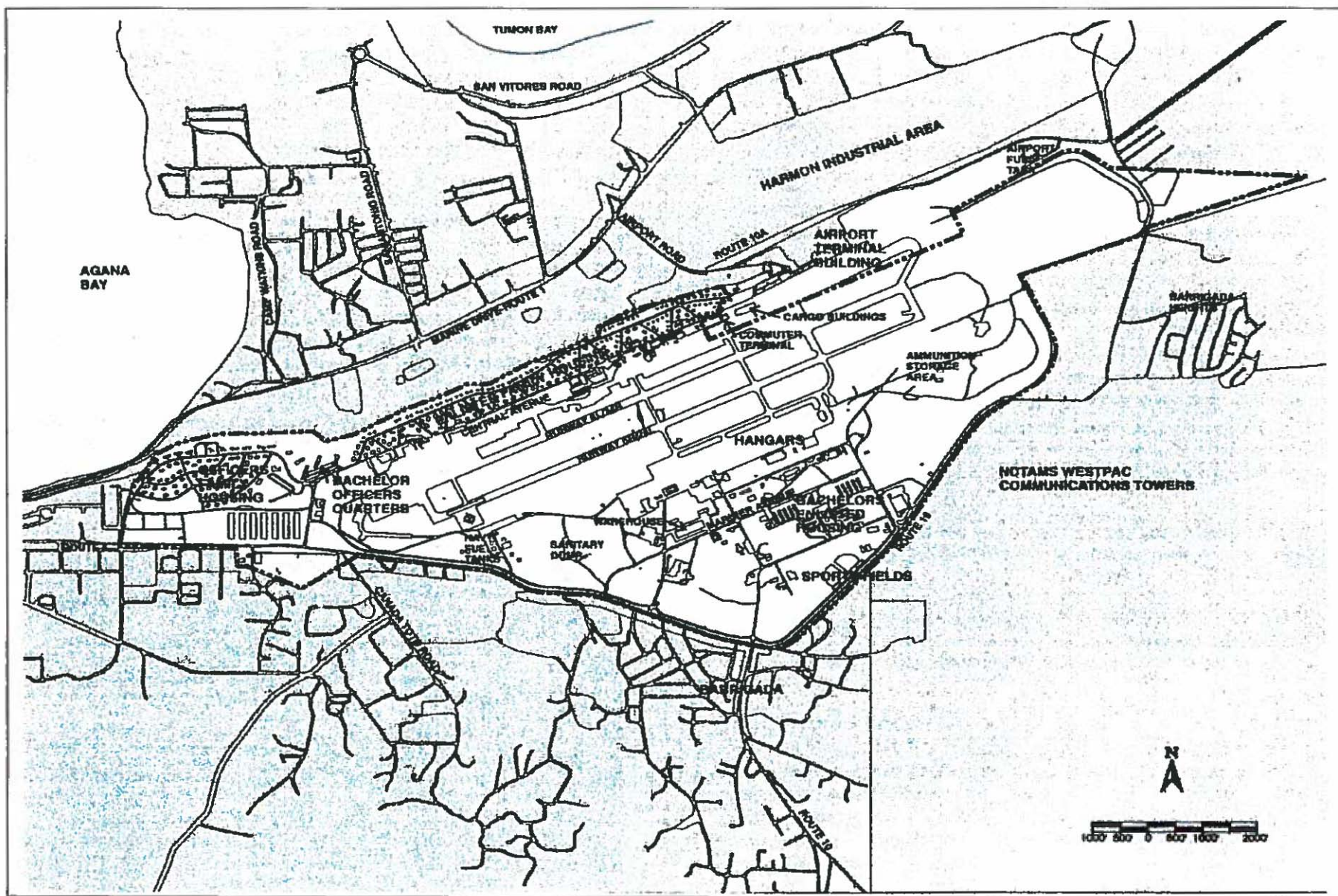


FIGURE 4. EXISTING NAS AGANA

hangars located on new aprons.

A new community was begun on the south side of the airfield among what had been taxiways and aircraft parking areas. Under construction toward the end of the 1950's, these were never completed. The south side retains its spread-out partially finished look, with old road patterns and a few remaining buildings from the 1940's still visible.

All buildings on the Base have been carefully maintained by the Navy. Because the buildings are almost all of concrete construction, reuse will not require extensive reconstruction to meet fire and/or durability requirements. Some non-concrete buildings, such as the newer large metal warehouse (Building 17-3120) are provided with sprinklers and fire-rated walls and openings. Because of the relatively recent reconstruction of the base and its utilities, these meet most of today's contemporary code requirements for their existing uses.

A preliminary survey of all buildings has been completed by the Navy. This survey indicates that numerous buildings contain friable and non-friable asbestos, radon, lead-based paint and other environmental hazards. Federal law requires that these conditions be cleaned up at the level required by the reuse activity. These conditions will have to be addressed on a building-by-building basis when the Navy completes its detailed survey. Preliminary indications are that these problems will not prohibit reuse of the buildings, but that time delays and increased costs may be encountered at the time of reconstruction for new uses. The Determination of Surplus for NAS Agaña indicated that 57,852 square feet of operations and administrative space in four buildings, 3,737 square feet of storage space in five buildings and 16,085,152 square feet of aircraft maintenance hangars and shops,

various types of housing accommodations and other facilities in 666 buildings were surplus and being made available. In addition, aircraft runways, taxiways and parking aprons, fuel tanks and pipelines, recreational facilities and supporting road and utility systems, on a total land area of 1,739 acres of land owned in fee simple and 204 acres of land for which easements had been secured were also surplus and available for reuse.

Equipment Conditions

Most of the heavy equipment on the Base was removed by the Navy to other locations. Equipment in good condition that has been specially constructed to be used in certain buildings, such as heavy cranes and winches that are built into high tracked locations in hangars for example, have been left in place. On-going inspections and discussions have been held regarding most of the equipment with the result that much equipment will remain in place in various locations. Some fire fighting equipment for the airfield will remain for use by the new civilian airport fire fighting unit. Obsolete and worn equipment is being removed by the Navy. Much personal property (movable furniture and equipment as defined by the Navy) is no longer of use to the Navy and is being left on the base. Extensive lists of these items have been given to the Komitca Para Tiyan. This property consists of office equipment, furniture and many miscellaneous items. Until reuse, the personal property is being stored in designated locations on the base.

Existing Infrastructure Conditions

Based on site investigations and a review of the available documents, the existing infrastructure generally appears to be in

good condition for the present use of the area. Existing roadways with asphaltic concrete pavement (varying from 20 to 28 feet wide) can adequately support light-duty traffic currently generated within the base. Some paved road shoulders show signs of deterioration and indicate need for maintenance. The existing road system is shown in Figure 5.

Potable Water System Condition

The general condition of the potable water system is good. The existing potable water system is shown in Figure 6. The existing water system, which draws its water supply from Fena Reservoir through a 16-inch diameter waterline along Route 8 and Route 16, is capable of meeting the entire base peak domestic demand. Fire and emergency water demands are supplied by the 3 million gallon Barrigada Reservoir on the same water network but located off-base in Radio Barrigada. In addition, there is an onsite water well that pumps approximately 150-200 gpm into the system. Studies regarding the quality of this well water are ongoing.

Wastewater Collection and Disposal System

The condition of the existing wastewater collection and disposal system is generally good. Existing wastewater generated from NAS Agaña is routed via 8-inch, 10-inch, and 12-inch diameter sewer lines to an 18-inch diameter line along Route 8 which then conveys flows to the Agaña Wastewater Treatment Plant. The effluent from the plant is disposed through an ocean outfall into the Philippine Sea. The existing wastewater system is shown in Figure 7.

Storm Drain Systems

The base is served by several separate storm drainage systems. A portion of the runoff from the northern section of the base is collected by a network of catch basins and routed through 48-inch diameter lines to an existing concrete channel that discharges into the Harmon Sink located off-base. Use of this sink is based on land easements held by the Navy. The remaining storm runoff is routed to percolation basins located along Route 10A. Runoff generated by the southern section of the base is routed to the existing localized percolation fields some of which contain injection wells designed to facilitate the percolation in the area. A small portion of the runoff is routed to the existing abandoned sanitary landfill. The existing storm drainage system is shown in Figure 8.

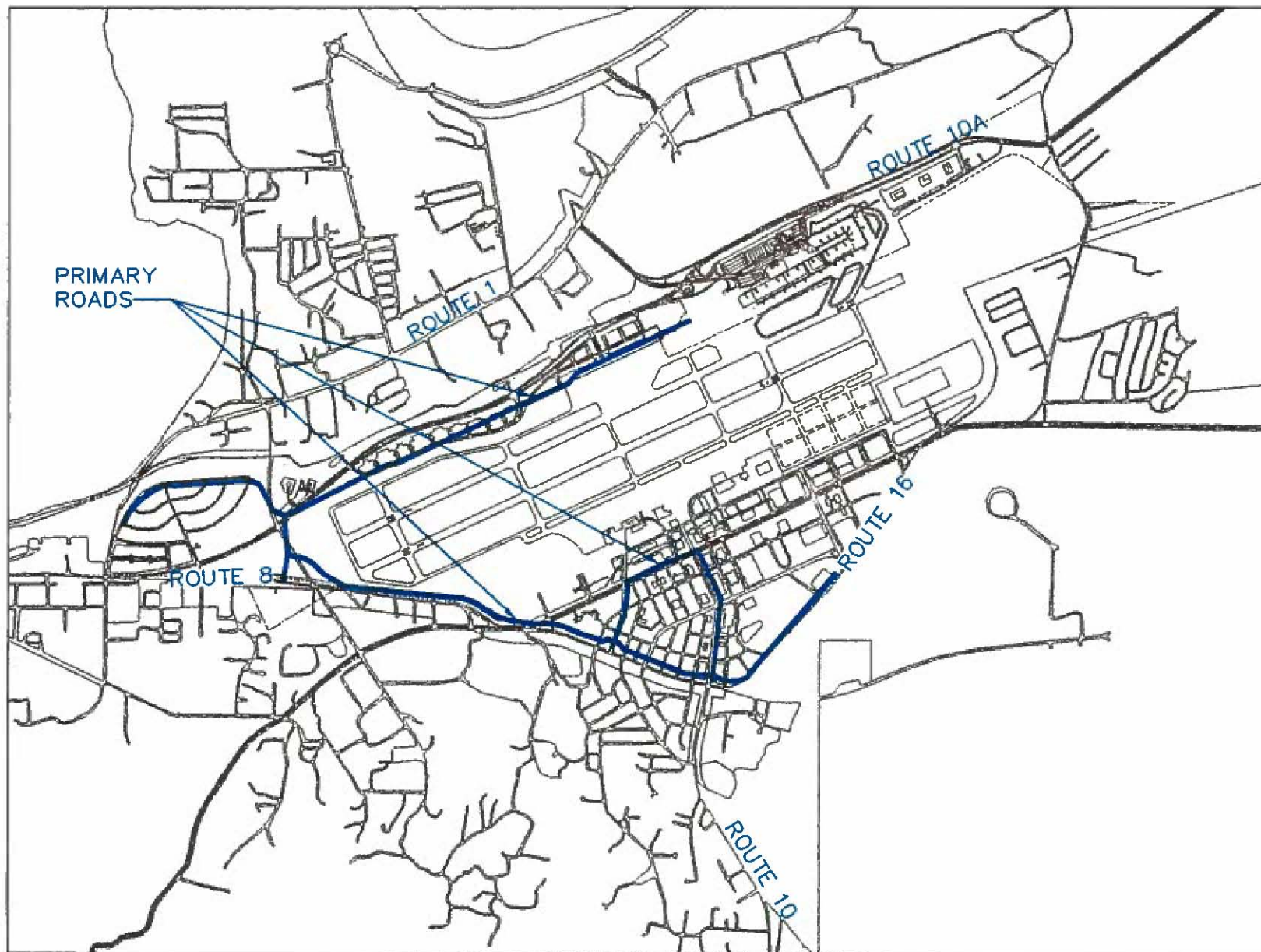
Electrical and Telecommunication Systems

Existing electrical (Figure 9) and telecommunication (Figure 10) demands are being supplied by a network of underground and overhead lines. These systems appear to be in a good working condition.

ENVIRONMENTAL CONDITIONS

Geology

Guam is composed of two distinct geomorphic provinces, a northern limestone plateau and a southern hilly-volcanic terrain. These provinces are separated by a steep fault, which tracks northwest from Pago Point to Adelup. Upper Tertiary and Quaternary marine limestone is exposed at the surface over most of the northern half of Guam. These rocks overlie Tertiary volcanic and volcanoclastic rocks, which are exposed throughout

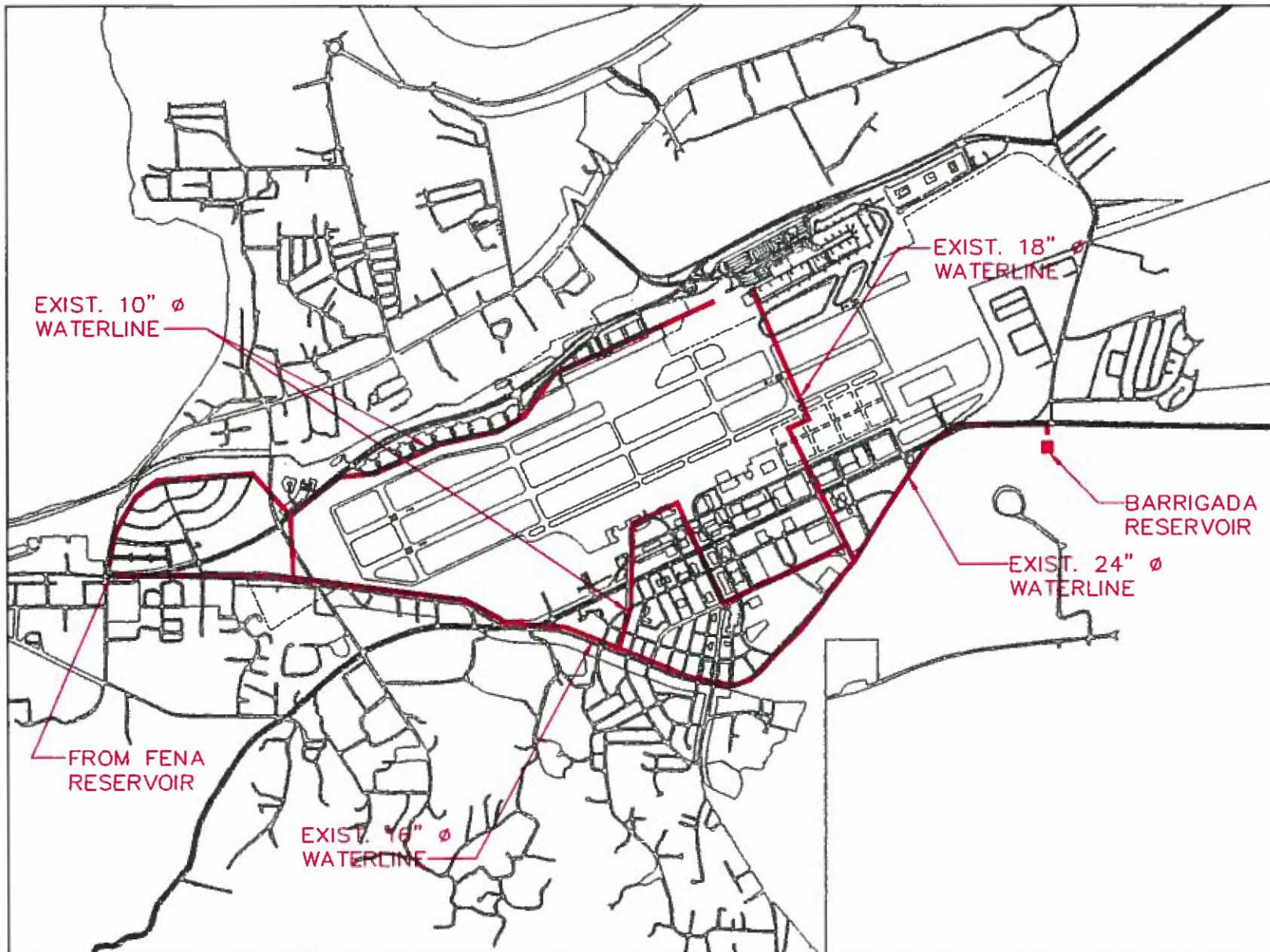


EXISTING
ROADS PLAN

0 1400 2800
SCALE: 1" = 2800'

**DUEñas &
ASSOCIATES**

FIGURE 5. EXISTING ROADS PLAN

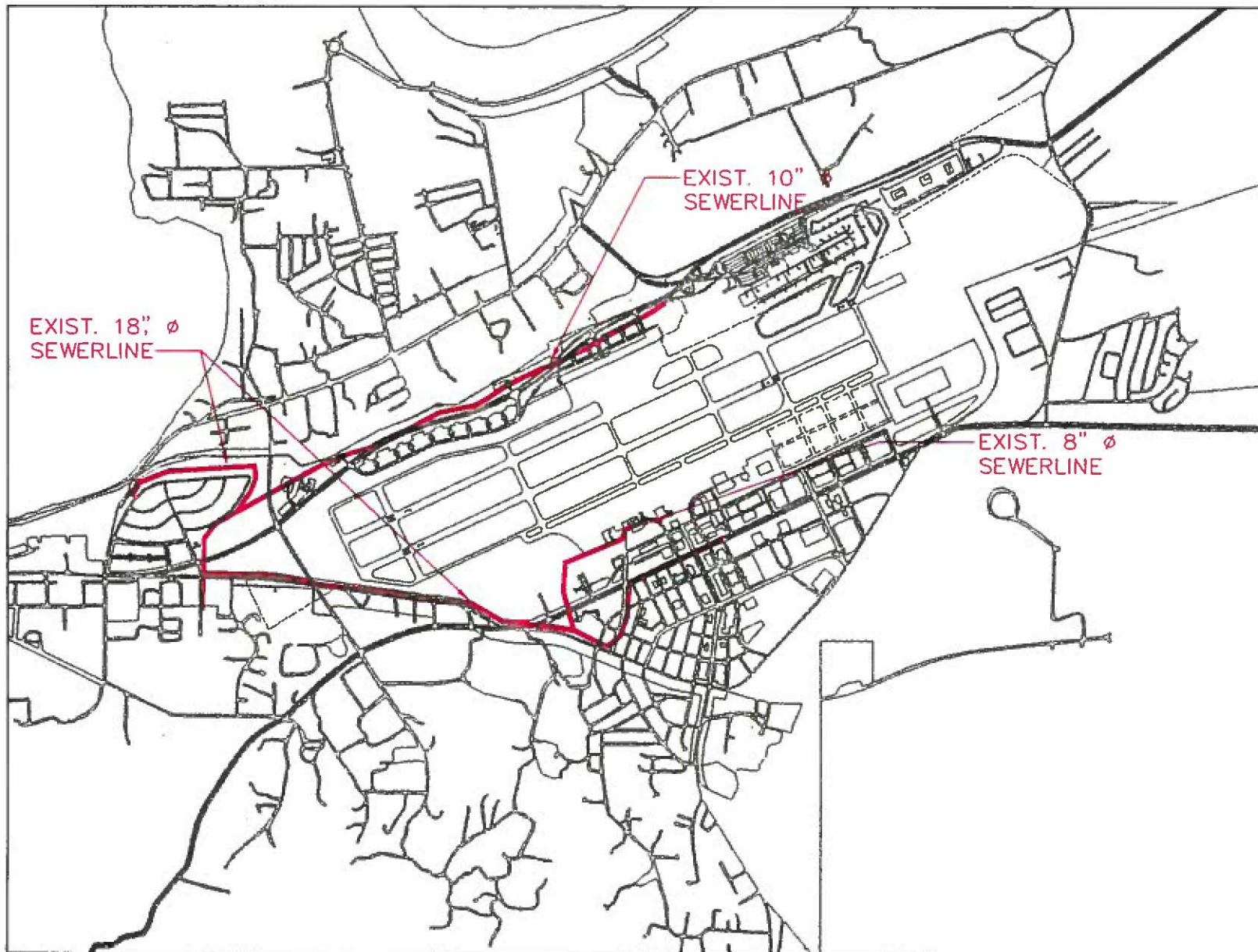


EXISTING
WATER LINE
PLAN

0 1495 2990
SCALE 1" = 3900'

**DUROS &
ASSOCIATES**

FIGURE 6. EXISTING WATER LINE PLAN



EXISTING
SANITARY
SEWER PLAN

0 1482 2964
SCALE: 1" = 2964'

DUSTON &
ASSOCIATES

FIGURE 7. EXISTING SANITARY SEWER PLAN

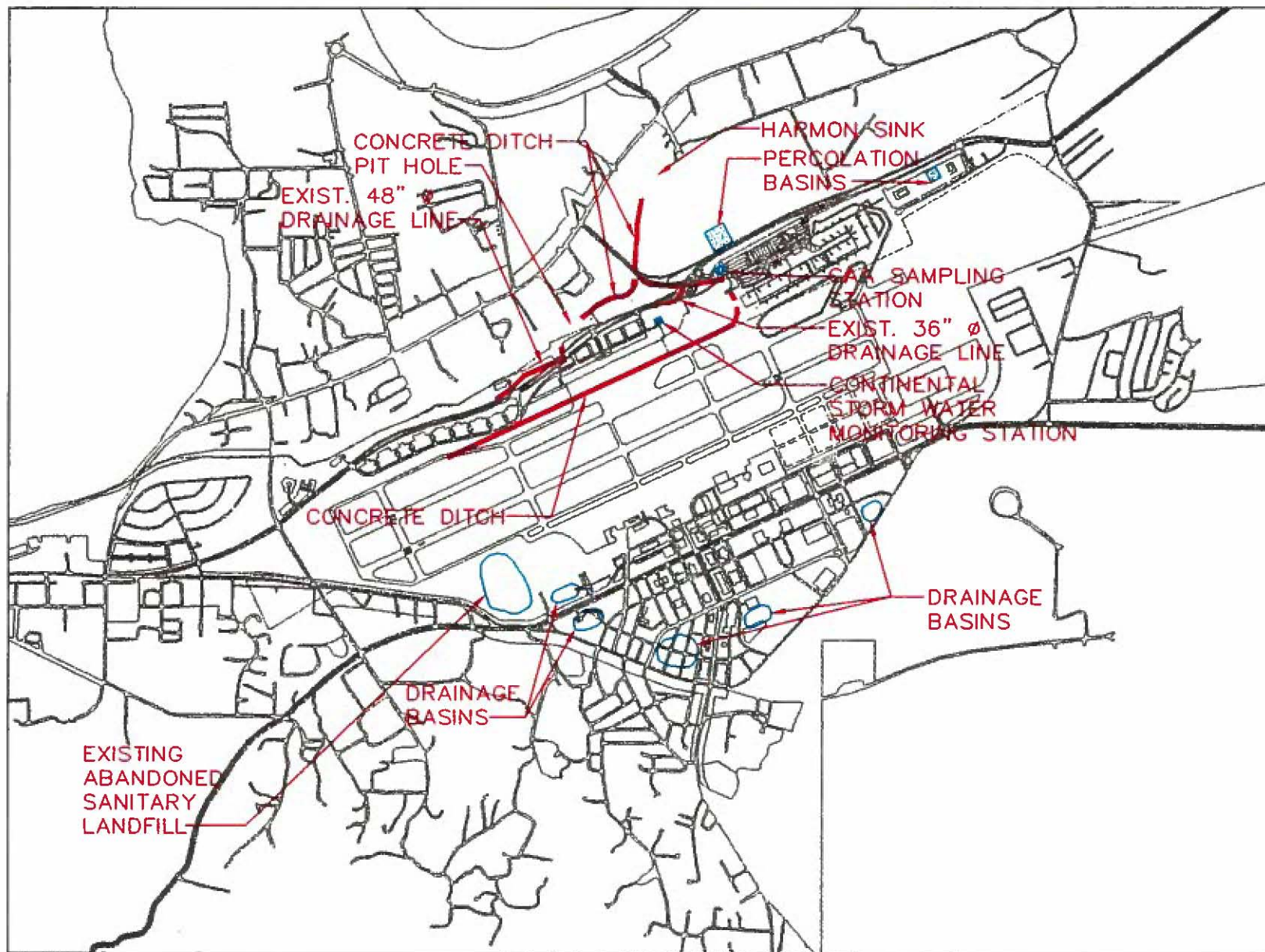


FIGURE 8. EXISTING STORM DRAINAGE PLAN

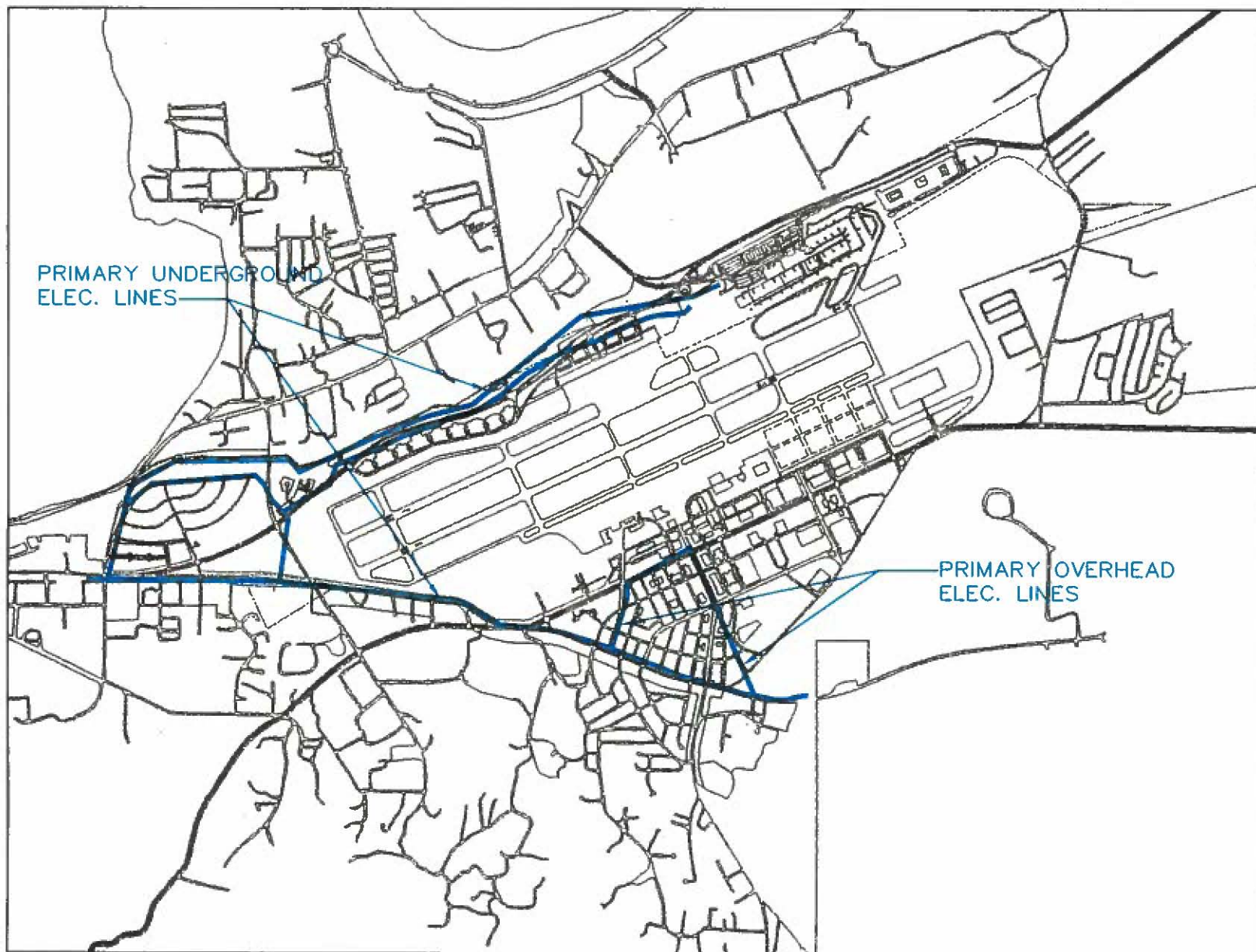
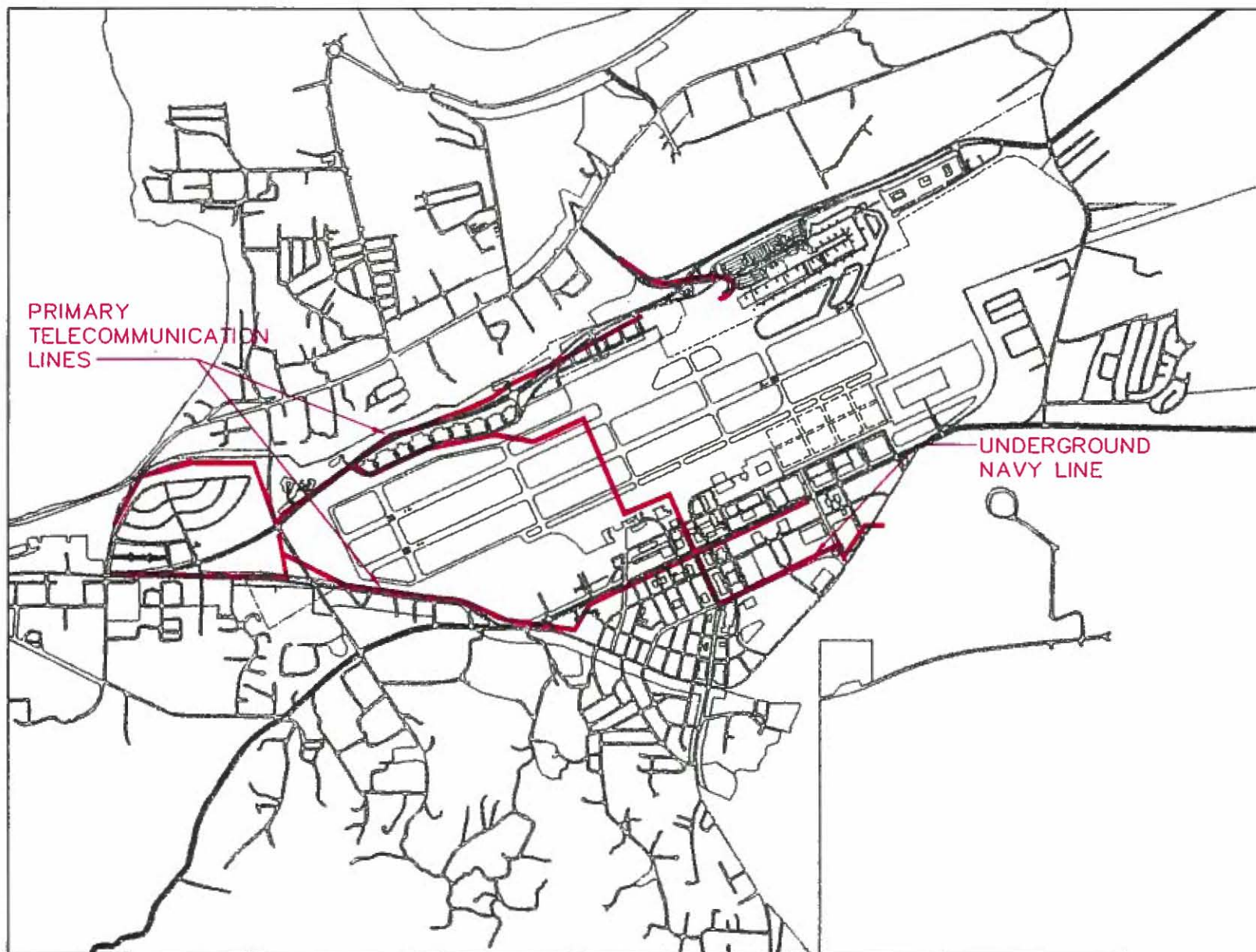


FIGURE 9. EXISTING ELECTRICAL PLAN



EXISTING
TELECOMMUNICATION
PLAN

0 100 200
SCALE: 1" = 200'

DUGES &
ASSOCIATES

FIGURE 10. EXISTING TELECOMMUNICATION PLAN

the southern half of the island.

Most of the NAS site is underlain by Quaternary Mariana Limestone. Mariana Limestone overlies Upper Tertiary Barrigada Limestone, which is exposed in two small areas of the NAS site. A northeast-trending normal fault, located northwest of NAS, parallels the northern boundary. The southeast side (NAS side) of this fault has moved up relative to the down-dropped northwest side.

Flooding and Drainage Hazards

NAS Agaña receives an average of 80 to 90 inches of rainfall per year. However, due to the high permeability of the underlying limestone and the depth of the water table, there are no perennial streams in the NAS area. Intermittent drainage at NAS is collected in a system of storm drains and unlined drainage ditches, and is percolated into the ground in a series of dry wells and the 23-acre Harmon sink. Storm water from the northern half of the base is discharged either to Harmon Sink or through an outfall pipe to Agaña Bay. Soil disturbance, construction, and added pavement increase storm water runoff and flooding hazards. GEPA now requires all runoff to be ponded and/or percolated on-site.

Environmental Contamination

Potential areas and sources of hazardous contamination on NAS Agaña include: above and underground storage tanks; fuel pipe-lines; storage areas for paints, solvents, and petroleum products; asbestos in buildings; lead and lead-base paint; and radon in buildings. Twenty-three potential hazardous waste sites were listed in the Base Realignment and Closure (BRAC) Cleanup Plan (Table 4 and Figure 11).

Radon gas, lead-based paint, and asbestos studies were conducted at various facilities on NAS Agaña, excluding family housing and community/personnel support areas. Radon gas was detected in 24 of 64 facilities tested. Ten facilities had radon concentrations above the GEPA recommended action level of 4.0 pCi/L. Seventeen sites were found to contain friable asbestos, and 52 sites containing non-friable asbestos were identified. Lead-based paint was found in 147 of the 159 sites sampled. The high percentage of buildings found to contain asbestos and radon, and the general high-risk of radon gas exposure in northern Guam, indicate the need to investigate and if necessary remediate all contaminated structures on NAS Agaña.

Historical and Archeological Resources

Brewer Field, a former coral bed airfield, is not eligible for nomination to the National Register due to severe alteration of the site. Fourteen other sites, which were constructed on NAS Agaña prior to 1954, were considered to be possible historical resources.

However, only 3 of the 14 sites are potentially eligible for National Register status: Building 12-65 and two abandoned aircraft, which are located near the fire fighting training pit. Four of the sites no longer exist and the other seven are not eligible for National Register status, being of minor significance or having undergone severe alterations. Building 12-65 is one of the earliest permanent structures on the installation and could be eligible for National Register status.

A cultural resources survey of NAS Agaña was performed in August 1993. No prehistoric Chamorro Period or Spanish Period archaeological sites were found (Ogden, 1994a). The Guam Historic Preservation Plan contains no sites on NAS Agaña (DPR, 1976).

TABLE 4
POTENTIAL HAZARDOUS WASTE SITES AT NAS AGANA

SITE	DESCRIPTION	PA/EBS	SI	FINDINGS	FINAL
IRP-01	Sanitary Landfill	X	X	Soil and groundwater contamination	RI in progress
IRP-02	Drainage Basin Holding Pond	X	X	Soil and groundwater contamination	RI in progress
POI-01	Former and Current Tank Farms	X		Potential contamination	RI in planning
POI-02	Tank Farm Hazardous Waste Storage Areas	X		Potential contamination	RI in planning
POI-03	Former Aircraft Graveyard	X		Potential contamination	RI in planning
POI-04	Test Cells	X		Potential contamination	RI in planning
POI-05	Former Hobby Shop #4	X		Potential contamination	RI in planning
POI-06	GSE Maintenance Facility	X		Potential contamination	RI in planning
POI-07	HC-5 Drainage	X		Potential contamination	RI in planning
POI-08	Disposal Area Behind CB Facility	X		Potential contamination	RI in planning
POI-09	Former Go Cart Track	X		Potential contamination	RI in planning
POI-10	Former Fire Fighting Training Pits	X		Potential contamination	RI in planning
POI-11	Former Coral Pit/Dump	X		Potential contamination	RI in planning
POI-12	Former Plane Wash Area	X		Potential contamination	RI in planning
POI-13	Armory Agitene Disposal Area	X		Potential contamination	RI in planning
POI-14	Former Pistol Range	X		Potential contamination	RI in planning
POI-15	PWC Storage Area	X		Potential contamination	RI in planning
POI-16	PWC Guam Boiler Plant	X		Potential contamination	RI in planning
POI-17	SCE Hazardous Waste Storage Area	X		Potential contamination	RI in planning
POI-18	VQ-5/Interceptor Drainage	X		Potential contamination	RI in planning
POI-19	PWC Guam Vehicle Maintenance Repair Shop	X		Potential contamination	RI in planning
POI-20	PWC Guam Gas Station	X		Potential contamination	RI in planning
POI-21	Former Operations Area North of Runway	X		Potential contamination	RI in planning

CHAPTER IV

CONCEPTS AND ALTERNATIVES

Community Needs, Requests and Proposals

Since 1898, the economic well-being of Guam has been highly dependent on decisions made in Washington, D.C., especially regarding military activities. Up until the 1980s, military land use and employment has dominated the economy of Guam. Recently, the first major break from this pattern occurred with the growth of the resort and tourist trade. This trade was able to use non-military lands and skills, except for the use of the airport.

Closure of NAS Agaña can become another important step along the way toward Guam's growth and economic diversity. NAS Agaña constitutes over one percent of the land area of Guam, located in both the geographic and economic centroid of the island. This large area represents an opportunity rarely presented to a community to redirect its future.

There are many community and business needs that the land and facilities on NAS Agaña can address. In some cases, facilities can be reused with almost no modification. In other cases, the facilities may provide an excellent "starter" or "incubator" type of facility for initial use, with future expanded use either accommodated through remodeling or by moving later to another site. Many of the political, social and business leaders of Guam have recognized these opportunities and have made requests for use of facilities.

One of the purposes of this Reuse Master Plan is to allow

the allocation of these facilities to provide optimum benefit to the community. This section of the report discusses the needs, requests and proposals that have been made apparent to the Komitea Para Tiyan during the planning process, and reviews a number of alternatives that were analyzed to enable community review of possibilities and constraints leading to a consensus view of the plan.

Airport

The closing of NAS Agaña is the culmination of a long-held desire on Guam to be able to control the civilian airport and thus, the economic destiny of the island. Full control will free the Guam Airport Authority to attract aviation uses that could not be accommodated on military land and which in some cases have already by-passed Guam for other locations. Provision of these facilities is a critical component in a potential synergistic upward spiral of better airline service leading to expanded tourist and business trade, in turn leading to:

- expanded economic potential;
- increased revenues; and
- improvements in the quality of life.

Acquisition of military assets used at the Guam International Airport and sufficient land to support long range development of the airport and aviation industry is an agreed upon primary community goal.

At the request of the GAA, after considering testimony received at three village public hearings and after weighing alternatives and considering ways by which resolution of original landowner issues can be achieved, the Komitea voted to grant

additional land areas, specifically, a large portion of the enlisted men's housing area, five of the Bachelor Enlisted Quarters and acreage abutting the southwestern portions of the airport operations area to accommodate the GAA Master Plan.

Job Creation

The loss of jobs at NAS Agaña, both military and civilian, is an economic loss to Guam not just because of the numbers and the multiplier effects of these jobs, but also because these jobs include many that require a high level of skills and that represent an industry not present in the civilian sector on Guam. Creation of new high paying jobs that require high levels of technical skill will contribute to goals of economic diversity and self-sufficiency.

Economic Development

Guam's immediate and obvious future lies in tourism. This industry requires land and facilities and a trained work force to supply the high level of service and management that will be required as the world market for these activities becomes increasingly competitive. The danger in being a "one industry" economy has been apparent in Guam in the last few years as the tourist industry experienced a significant drop in activity.

The Governor's planning initiative, consolidated as Vision 2001, is a conscious and concerted collaborative effort between the private and public sectors to develop economic strategy for the revitalization of the existing economy, to provide for the expansion of the tourist industry, and to develop the necessary spectrum of infrastructure for the establishment of new ventures which will expand the economic base of the island. Consideration of the span of installation closures, as a result of BRACC 93 and 95, are an

integral part of the Vision 2001 planning initiative and strategy.

New possibilities such as:

- banking and office administrative services;
- import and export activities via air and surface transportation;
- aviation-related services;
- telecommunications and information services; and
- other economic markets

growing with the Pacific Rim expansion offer Guam a chance to diversify its economic base. More diverse opportunities will allow more of Guam's citizens to consider remaining or returning rather than perceiving that better opportunities lie elsewhere.

Governmental Offices

Governmental offices on Guam are scattered in many locations around the island. Most of these offices are leased, often at rates higher than prevailing market values. Many of the facilities are no longer appropriate for their present use, such uses having expanded or changed beyond the capability of the current location and facilities to accommodate them.

Because of the widely dispersed locations of offices, it is often difficult for persons needing services to access them. Likewise because related or interdependent services are situated in many locations distant to each other, the efficiency of these services and their employees are adversely affected. This has created a visible morale problem among employees and public criticism of inefficiencies which are beyond the control of employees in these government services.

Many buildings on NAS Agaña are attractive to governmental departments in the near term. The close proximity of these facilities to each other make them even more attractive to government departments who have had to operate and maintain inefficient and costly split operations because of a lack of adequate space in a single location. Requests for offices, maintenance facilities, storage areas and special use facilities have been received.

Recreational Facilities

There is an island-wide shortage of adequate recreational facilities open to the public. As noted previously, both high land prices and budgetary constraints are causative in restraining the development of recreational facilities which are adequate for the needs of Guam's growing population and the increasing popularity of team sports. Few locations are available for spectator events and competitions and the civilian community has had to depend largely on the military installations for venues for various sporting events.

The availability of adequate sports facilities has become an important consideration in community planning. In addition, this has become more important with the growing popularity of invitational regional games. Guam will host the 1999 South Pacific Games, a regional Olympic style sporting event which enjoys a participant level exceeding 3,000 athletes and even more spectators.

Existing facilities of high quality at NAS Agaña and the possibility of land for expanding the facilities have attracted attention of both the government and sports organizations. Providing for increased recreational facilities is seen as important for improving the quality of life, for expanding economic

opportunities and as a basis for establishing, cultivating and strengthening regional ties and cooperative efforts.

Social and Cultural

For a number of years, there has been an expressed desire to have on Guam a Performing Arts Center. The theater on the Base has, on occasion, been used for concert symphonies and other performances. It has been noted that this building could serve to start along that road, even though the building is small and not well equipped for this role. Under the interim use of the Guam Department of Education, the NAS theater is now being utilized for the staging of student theatrical productions and for graduation ceremonies for those schools without adequate facilities to host such activities.

Provision of services and/or homes for homeless persons and families is a high priority in the base closure process. Agencies and nonprofit organizations providing homeless services in Guam, have requested facilities on the Base for provision of these services. Use of existing houses and/or dormitories for housing or offices has been requested. Numerous volunteer agencies exist on Guam providing a wide range of social services. These agencies typically operate on very low budgets.

It is generally agreed that the services they provide are very valuable to the community. It has been suggested that perhaps facilities on the Base could be made available to these agencies at no or very low cost. Facilities needed would be mostly very modest for offices and storage. Requests that have been received for numerous facilities at the time of this writing are shown on the map shown in Figure 1. The colors on the map indicate that many of the facilities have been requested by more

than one group or agency. The resolution of the needs identified in these requests will be made by the Komitea in conjunction with the requirements of the federal mandates of the base closure process.

LAND USE OPPORTUNITIES

The driving concept of the Master Plan will be determined by the overall "theme" adopted for reuse of the base. This "theme" can be "industrial center", "resort", "new town" or "government center" to cite a few examples. The discussion below and the following illustrations examine some potential themes that would respond to expressed goals and the constraints of the Base.

Air Industry

A principal focus or theme for reuse of NAS Agaña will be as an air industry center as shown in Figure 12. This is predicated on ongoing efforts, as one of the strategic plans of Vision 2001, as well as, previous initiatives, to build Guam into a major air hub serving as the gateway from the west coast of the United States to the emerging and fast growing markets of the Pacific Rim. As the western most U.S. soil, Guam offers the political, economic and social stability associated with the applicability of U.S. Constitution and federal laws. If successfully marketed, the following opportunities are available:

- expanded air carrier service with Guam international Airport becoming a hub between long distance U.S. flights and shorter flights to Southeast Asia and island destinations;
- expanded air cargo service providing the same hub

connections;

- large aircraft maintenance center including airframe, powerplant replacement, avionics replacement and interior reconstruction;
- air package express hub similar to the Federal Express operation in Memphis, Tennessee in which overnight guaranteed service could be provided to all Pacific Rim countries;
- air industries industrial park providing manufacturing, refurbishment and just-in-time inventories of aircraft parts and supplies and aviation engineering, business and maintenance services.

This theme would maximize job generation and provide a second economic focus for Guam. This plan alternative would require a very aggressive marketing effort and probably some forms of initial subsidies and/or tax relief to become reality.

Business

Vision 2001 also contains plans for building Guam into an International Business Center for the Pacific Rim and islands as shown in Figure 13. The idea would be to maximize Guam's special advantage of being a U.S. Gateway with easy access to focus international business dealings, financing, import-export and trade through Guam. The airport area would become the center with direct service to international flights. Research and development and education in business and science would be important components of this theme.

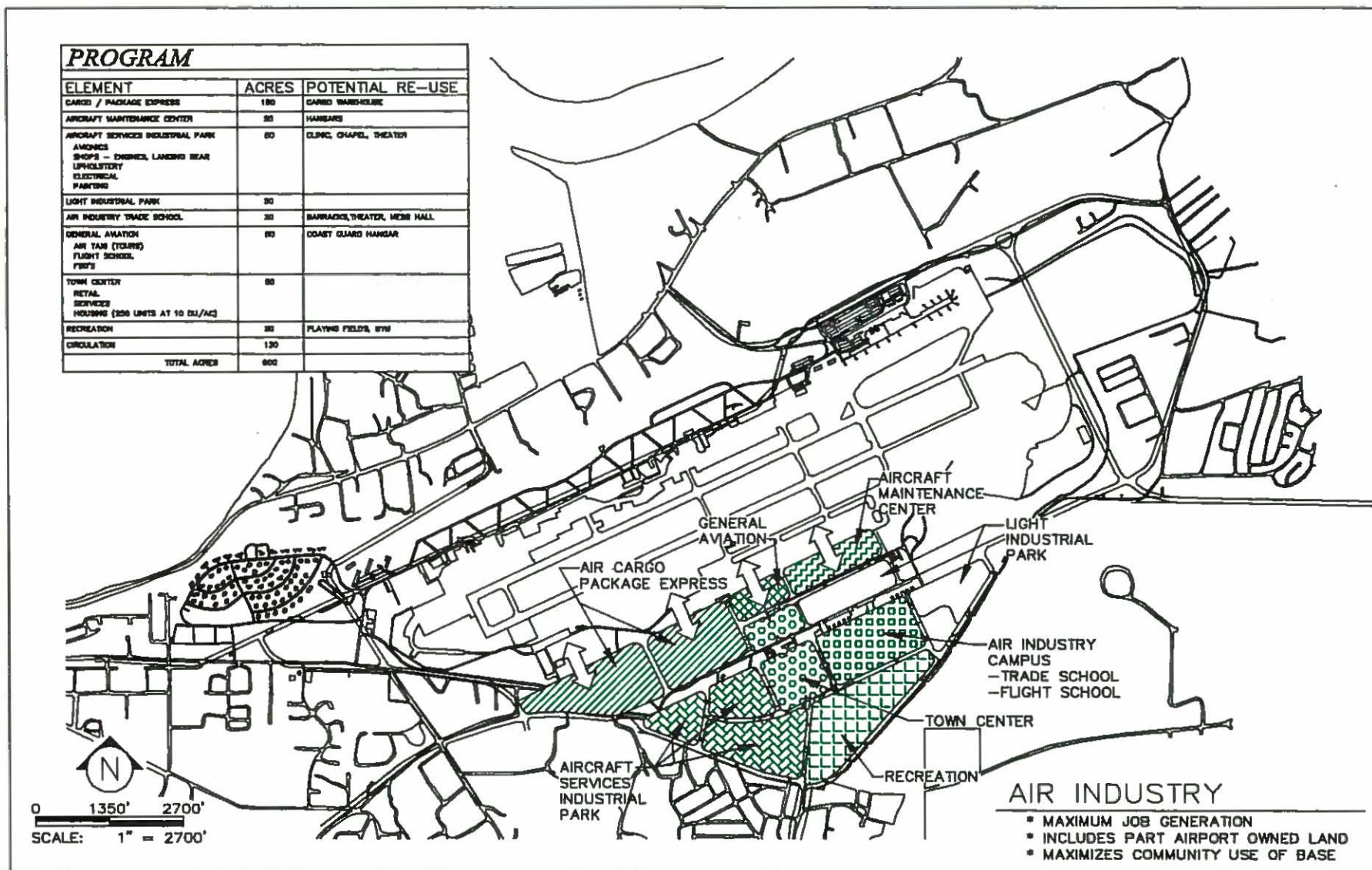


FIGURE 12. LAND USE OPPORTUNITY: AIR INDUSTRY

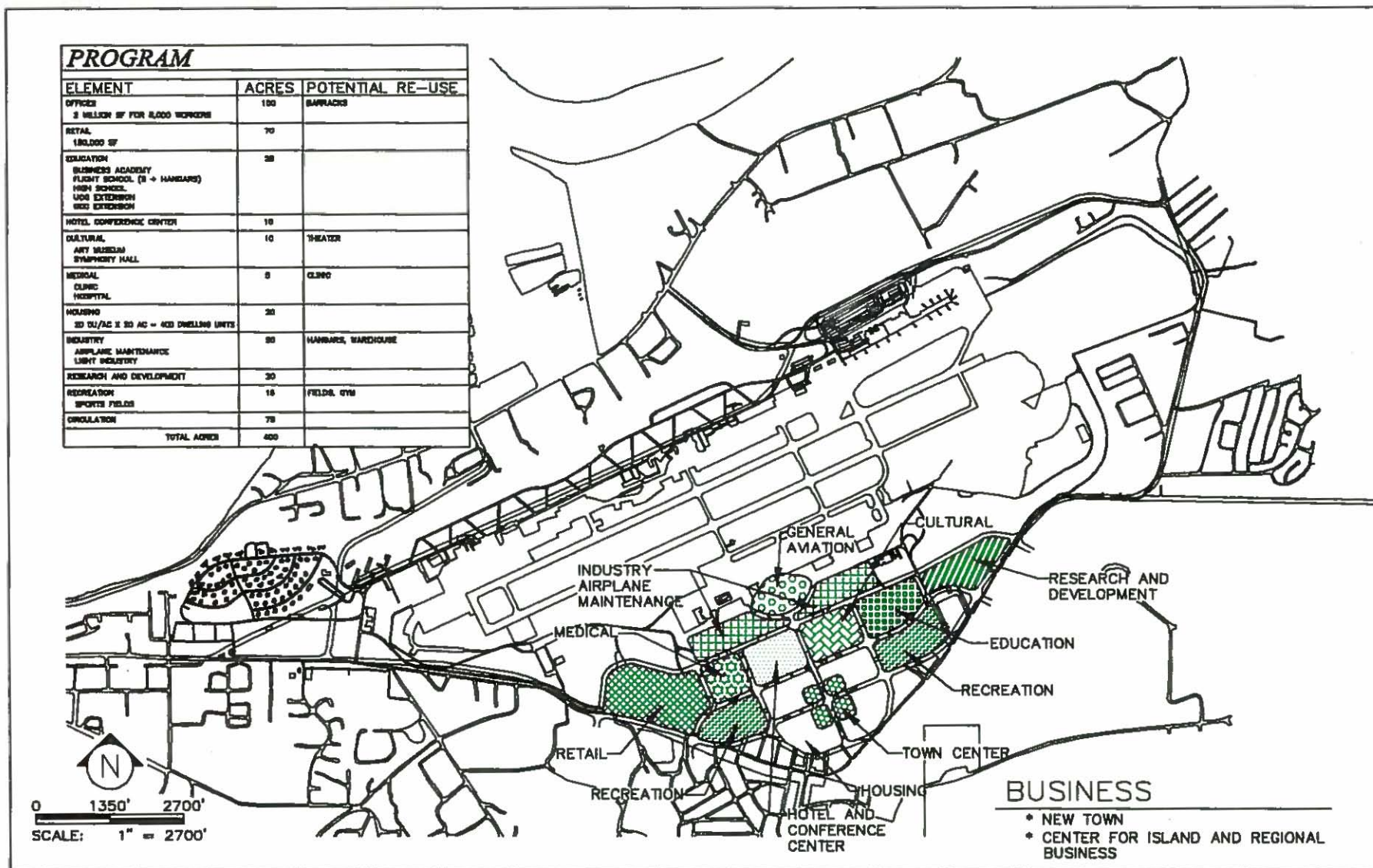


FIGURE 13. LAND USE OPPORTUNITY: BUSINESS

Education

In response to public sentiments and testimony at three public hearings in Barrigada, MongMong-Toto-Maite and Tamuning, all contiguous to NAS Agaña, the Komitea Para Tiyan deleted preliminary plans for the establishment of a high school in returned base facilities (Figure 14). Testimony at these public hearings supported the use of base facilities to support the development of the airport noting that the establishment of a high school in close proximity to an airport may not be a conducive learning environment.

However, because of the existence of aircraft maintenance facilities, such as hangars, and barracks which could provide dormitory housing for students, the establishment of an airframe and powerplant school will be pursued. Because Guam is U.S. soil and FAA regulations dictate that FAA certified aircraft maintenance schools, capable and authorized to issue FAA certifications to its students, be situated on U.S. soil, an airframe and powerplant school will undoubtedly attract students from countries bordering on the Pacific Rim. Such a facility would attract students from Guam and other areas of the Pacific. An aircraft maintenance school would also provide an opportunity to federal employees displaced because of base closure, in particular workers skilled and with talent in mechanical trades, to retrain and redirect those skills and talents. Officials of airlines serving Guam have indicated that they would be prepared and anxious to recruit aircraft maintenance personnel trained at such school when available.

Civic Center

Locating all or a large part of the Guam governmental

agencies and offices on the Base could provide an economic and efficient context for improving governmental operations as shown in Figure 15. Perhaps the Base could be thought of as a New Capital City for Guam. It is centrally located, adjacent to the major port of entry (the airport), and could accommodate expansion. Agaña will not easily be able to return to its status as a working capital city because of the land ownership problems there.

Housing

Despite the fact that there exists a large demand for housing on island, because of the public testimony received at the public hearings in Barrigada, MongMong-Toto-Maite, the Komitea voted to delete all plans contained in the preliminary drafts for the establishment of housing tracts on Tiyan (Figure 16).

Heritage

A possible plan to focus on island culture and the history and background of this site in Tiyan was developed as a possible way to address, in some small part, the question of cultural change represented by the Base and its history (Figure 17). In recognition of this, a plan was developed that focuses on elements of Guam's heritage, that offers opportunities to develop traditional crafts and lifestyles in ways relevant to the present.

MARKET DEMAND ANALYSIS

The Market Demand Working Paper explores pertinent socio-economic factors which describe the current and future population characteristics of the residents on Guam. It analyzes

PROGRAM

ELEMENT	ACRES	POTENTIAL RE-USE
HIGH SCHOOL	30	THEATER, BARRACKS, MESS HALL,
MIDDLE SCHOOL	18	HARBOR'S
UDG	40	
ODG	40	
AVIATION FLIGHT SCHOOL	10	
TOWN CENTER	30	CHAPEL, BOWLING ALLEY, CLINIC
RECREATION	40	PLAYING FIELDS, GYM
CIRCULATION	40	
TOTAL ACRES	238	

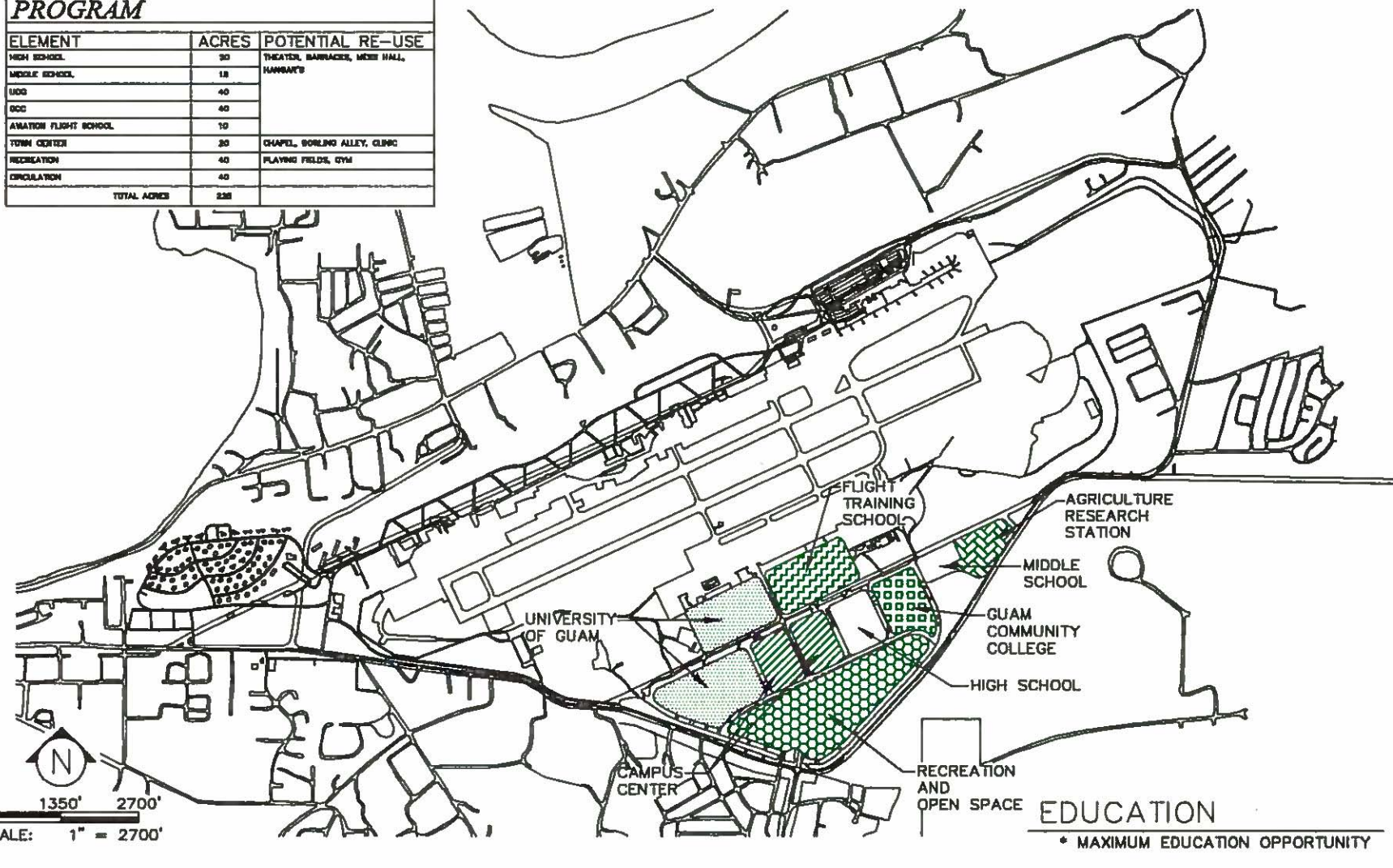


FIGURE 14. LAND USE OPPORTUNITY: EDUCATION

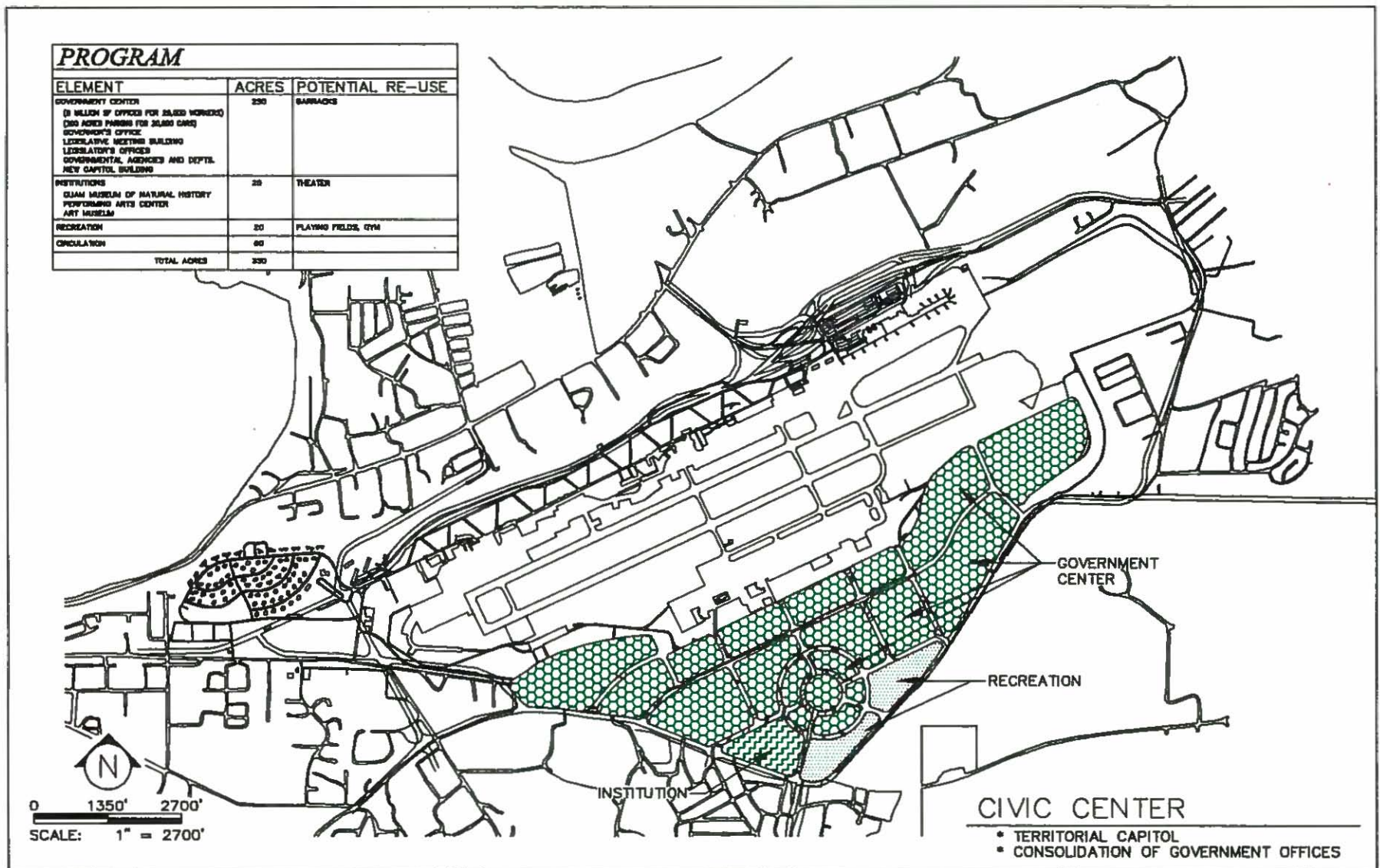


FIGURE 15. LAND USE OPPORTUNITY: CIVIC CENTER

PROGRAM

ELEMENT	ACRES	POTENTIAL RE-USE
SINGLE FAMILY HOUSING 8000 SF/ LOT = 800 LOTS	100	
TOWN CENTER SERVICES	10	CLINIC, CHAPEL, THEATER
NORTH SIDE HOUSING	180	ENLISTED QUARTERS
RESTORED LIMESTONE FOREST	100	
RESTORED COPRA PLANTATION	80	
RECREATION	40	PLAYING FIELDS, GYM
CIRCULATION	80	
TOTAL ACRES	500	

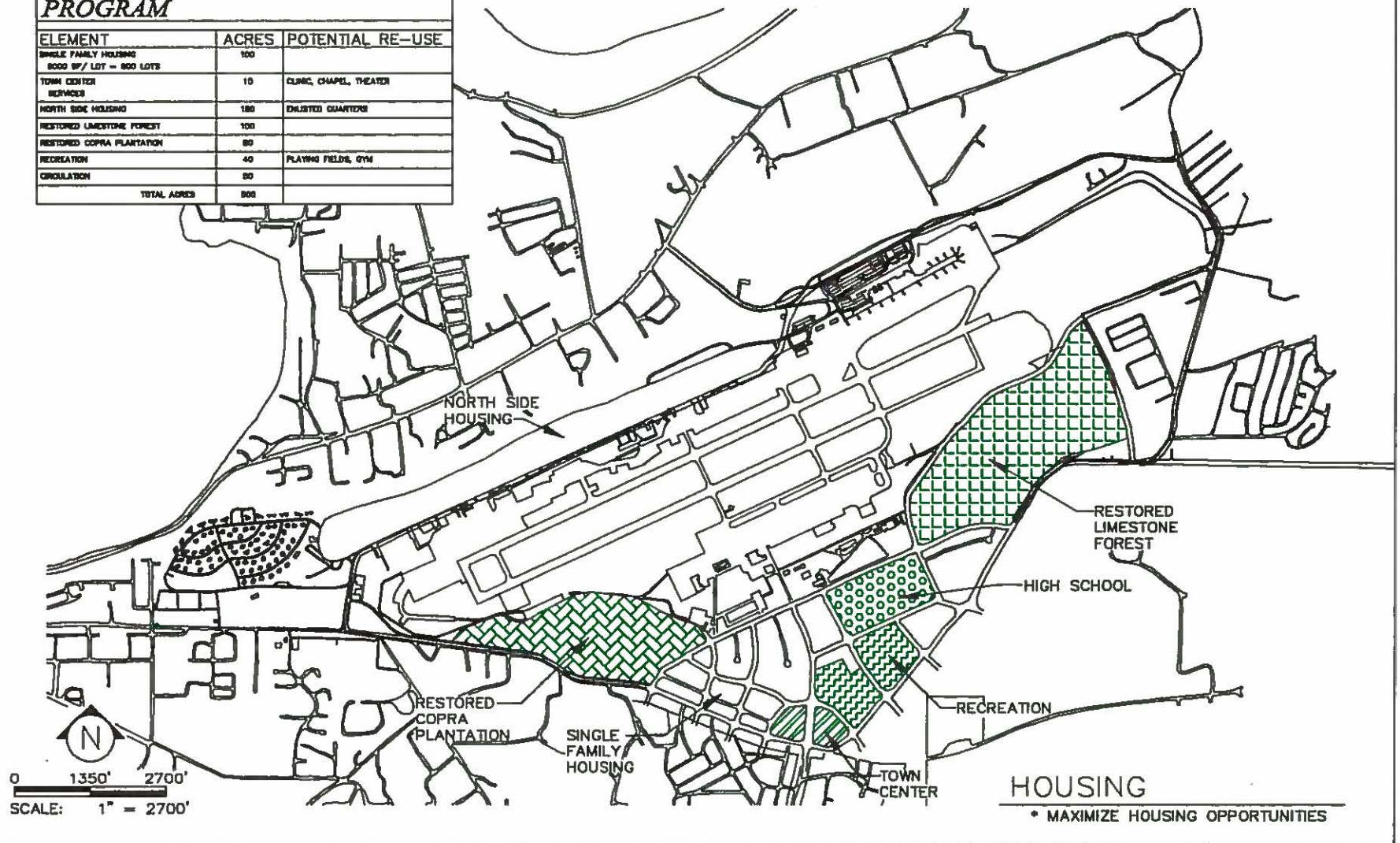


FIGURE 16. LAND USE OPPORTUNITY: HOUSING

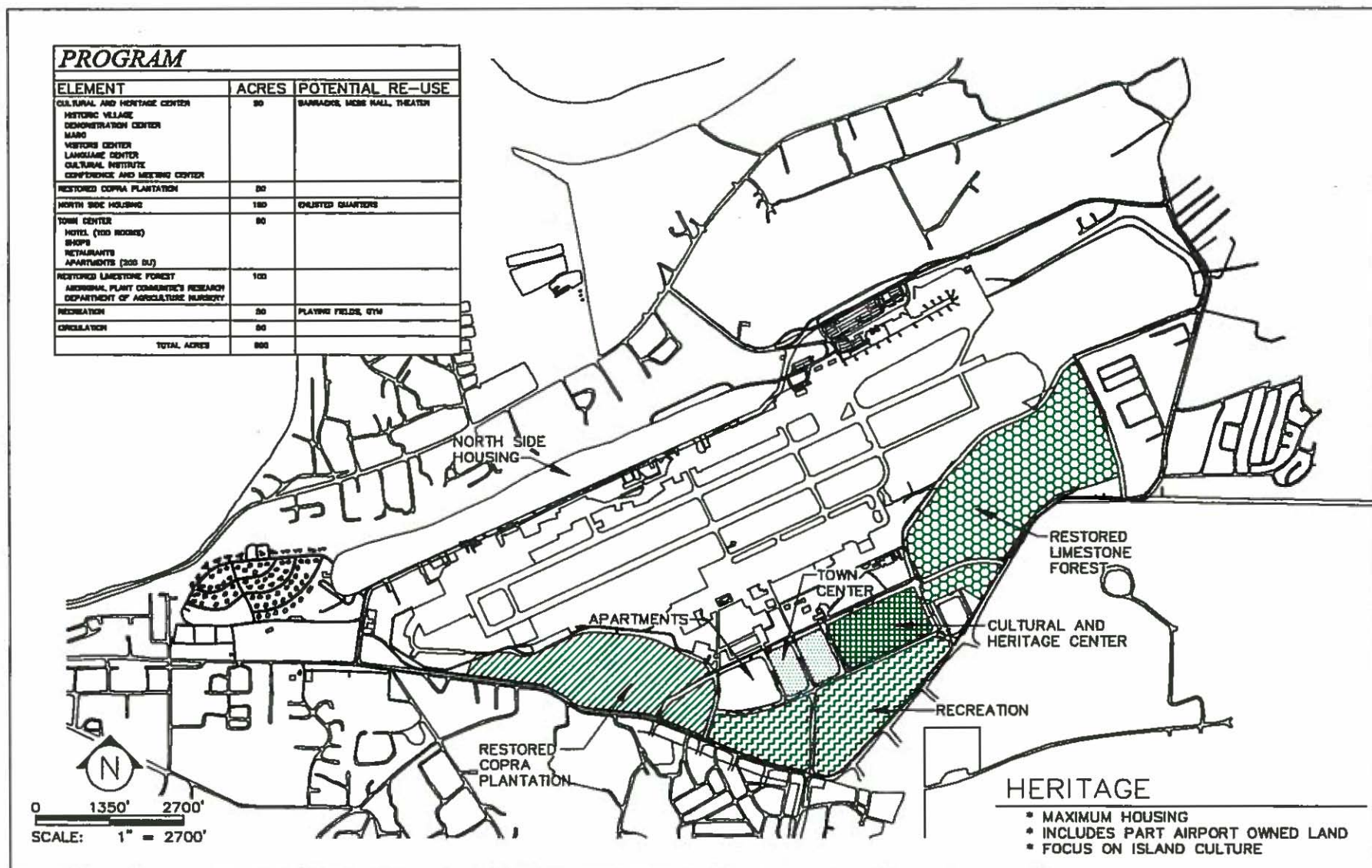


FIGURE 17. LAND USE OPPORTUNITY: HERITAGE

business activity information to understand the nature of the Territory's existing economic base. Tourism is discussed in detail given its historic, strategic and continuing importance as a principal contributor of direct and indirect economic support to many of the industries on Guam. Land use and development is also described. Key regional economic indicators for the Pacific Rim are also presented. A range of data sources were used to prepare the analysis contained in the Working Paper. Interviews were conducted with individuals and organizations knowledgeable about demographics, overall economic activity, land use and real estate development. Published information was obtained and analyzed, including reports and documents produced by numerous agencies of the Government of Guam (Department of Commerce, Guam Economic Development Authority, Department of Labor, Department of Public Works, Department of Revenue and Taxation, the Guam Visitors Bureau and the Bureau of Planning), other existing studies, articles, periodicals and similar sources.

The Market Demand Working Paper provides a full discussion of the following key findings:

- **Socio-Economic Data:** The resident population is expected to experience continued, albeit modest, growth into the forecast period. Key issues include broadening of the economic base which is heavily influenced by employment in the services industry, principally tourism, and public sector employment. Tight local labor markets keep wage levels high, a hindrance to certain industrial and manufacturing processes.

- **Tourism:** Key visitor markets and trends are presented and analyzed. Visitor arrivals from Japan continue to lead all other foreign markets. Arrivals have rebounded after declines in the previous year. Through its significant contributions

of visitor spending and capital investment by foreign corporations, tourism will remain a principal underpinning of the Guam economy.

- **Land:** The principal land uses of hotel, residential, commercial and services, industrial and manufacturing and tourist-oriented are discussed and analyzed relative to development potentials. Land values are high and pose a constraint to further development.

- **Pacific Rim Economic Activity and Potentials:** Guam is strategically positioned to significantly expand its trading activity in the Pacific Rim, thereby diversifying its local economic base. Data is presented in Table 5 for selected economies in the Pacific Rim.

MARKET OPPORTUNITIES

Each of the alternative plan themes described above is dependent on the reality of the marketplace for its implementation. The following section provides a look at market opportunities that were considered in evaluating the alternative themes. It also builds on the information contained in the Market Demand Working Paper and describes opportunities for land development at the NAS property.

Land Values

The value of land on Guam has been impacted by two major factors: availability and tourism. While there does not appear to be any current official indication of land value, the Tumon area, the center of Guam's tourism industry, has the highest

TABLE 5
POPULATION AND GROSS DOMESTIC PRODUCT
OF SELECTED PACIFIC RIM COUNTRIES

COUNTRY	POPULATION (IN MILLIONS)	PER CAPITA (IN U.S. DOLLARS)	AVERAGE ANNUAL GDP GROWTH 1980-1990	CURRENT ANNUAL GDP GROWTH
Japan	124.3	23,801	4.10%	2.20%
Hong Kong	6.0	10,938	7.10%	6.10%
Singapore	2.8	10,925	6.40%	7.50%
Taiwan	21.0	7,343	NA	6.80%
South Korea	44.0	4,890	9.70%	6.00%
Malaysia	19.1	2,413	5.70%	8.00%
Thailand	60.7	1,436	7.60%	7.50%
Philippines	65.6	752	0.90%	1.10%
Indonesia	189.0	570	5.50%	7.00%
China	1,191.3	330	9.50%	12.80%

Source: World Development Report; World Bank Far Eastern Economic Review, July 1993, and Bank Negara Report, 1993/1994.

land values, followed by Tamuning and Agaña. The Department of Revenue and Taxation, which tracks assessed and appraised values of land and buildings, published data through 1988. As shown in Table 6, the total appraisal value of real estate (land and buildings) in 1988 was reported at approximately \$3.2 billion. This represented an increase of nearly 12 percent per year between 1984 and 1988.

Tourism

Tourism accounts for a significant share of the Guam economy. As set forth in Table 7, the number of visitors to Guam increased from 351,087 in 1983 to 784,018 in 1994, representing an annual average compound growth rate of approximately 8.4

TABLE 6
LAND VALUES: APPRAISED VALUE OF REAL ESTATE
(THOUSANDS OF DOLLARS)

FISCAL YEAR	LAND	BUILDINGS	TOTAL
1979	\$1,244,053	\$594,904	\$1,838,957
1980	1,483,798	486,631	1,970,429
1981	1,216,438	822,453	2,038,891
1982	1,148,125	827,530	1,975,655
1983	1,160,126	904,543	2,064,669
1984	1,169,249	905,629	2,074,878
1985	1,136,700	872,300	2,009,000
1986	1,134,826	926,458	2,061,284
1987	1,697,407	1,395,831	3,093,238
1988	1,733,775	1,512,797	3,246,572
COMPOUND ANNUAL GROWTH			
FY 79-83	-1.70%	11.00%	2.90%
FY 84-88	10.30%	13.70%	11.80%

Note: Data for FY 1989 through 1993 is not available.

Source: Department of Revenue and Taxation, Government of Guam.

percent. From 1986 to 1990, the number of annual visitors to Guam increased at an average annual compound growth rate of approximately 17.7 percent, reflecting the rapid increase in the total number of Japanese overseas travelers.

The 5.6 percent decrease in the number of visitors to Guam in 1991 is directly attributable to decreased traffic in February and March 1991 during the Persian Gulf conflict. For the other 10 months of 1991, the number of visitors to Guam increased slightly when compared to the corresponding 10 months of 1990.

Following the Persian Gulf conflict in early 1991, visitor arrivals and airline passenger traffic in Guam recovered more rapidly than international passenger traffic worldwide. For 1992, the number of visitors to Guam increased 18.9 percent, compared with 1991.

TABLE 7
TOURISM: VISITORS TO GUAM, 1993-1994

YEAR	VISITOR ARRIVALS	PERCENT CHANGE
1983	351,187	--
1984	368,620	5.00%
1985	377,941	2.50%
1986	407,061	7.70%
1987	483,956	18.90%
1988	585,799	21.00%
1989	668,827	14.20%
1990	780,404	16.70%
1991	737,260	-5.50%
1992	876,742	18.90%
1993	784,018	-10.60%

Source: Guam Visitors Bureau.

TABLE 8
VISITORS DURING JANUARY THROUGH JULY
1983-1994

MONTH	1983	1994	PERCENT CHANGE
January	75,633	84,992	10.90%
February	74,349	109,187	46.90%
March	77,668	102,184	31.60%
April	55,396	80,678	45.60%
May	66,237	75,618	15.90%
June	65,786	79,308	20.60%
July	76,625	92,033	21.70%
TOTAL	490,694	624,000	27.20%

Source: Guam Visitors Bureau.

While part of this large percentage increase is attributable to the comparison of visitor levels in February and March 1992, with abnormally low visitor levels in March and February 1991 during the Persian Gulf conflict, there have also been significant increases in the number of visitors to Guam in each of the other months of 1992 (through August) compared with 1991.

The impact of Typhoon Omar reduced the number of visitors in 1992. Nevertheless, the total number of visitors in 1992 compared with 1990 showed an overall increase of 12.4 percent. In 1993, the number of visitors to the Territory declined by 10.6 percent from the previous year. This decline can be attributed chiefly to the natural disasters that severely impacted Guam (Typhoon Omar in August 1992 and the 8.1 magnitude earthquake

of August 8, 1993), together with the Japanese recession, and a change in the Japanese tax law that increases the incentives for companies to subsidize employees' trips to destinations more distant than Guam. Visitor arrivals have rebounded to record levels in the first half of 1994. As set forth in Table 8, through July 1994, the number of visitors to the Territory totaled 624,000, an increase of 27.2 percent as compared to the same seven month period in 1993 (Table 8).

From 1990 to 1993, Guam's tourism industry demonstrated a degree of resiliency in spite of adverse natural and economic occurrences (see Tables 9 through 12). Guam needs to maintain and enhance its capture of tourism from Japan, South Korea, Taiwan and the other major markets. The Guam Visitors Bureau continues to be active in pursuing this objective through aggressive marketing and promotional efforts. Aside from the direct expenditures by visitors in the local economy, tourism imparts other benefits by familiarizing the residents of other countries with Guam. As foreign visitors increase their awareness of the strategic position and advances of conducting business with the United States (through Guam), non-tourism investment should increase. Given the modest population base, small manufacturing sector and associated export activity, Guam needs to look beyond its shores for new opportunities.

The development of the aquaculture industry is an excellent example of identifying a marketable product for export. Targeting other viable opportunities requires extensive market research and feasibility testing. Such detailed analysis is beyond the present scope. It is possible, however, to identify major and significant economic trends in the Micronesia and Pacific Rim regions which provide opportunities for further assessment.

TABLE 9
VISITOR ARRIVALS BY COUNTRY
1989-1993

COUNTRY	1989	1990	1991	1992	1993	FIVE YEAR AVERAGE	PERCENT
Japan	555,748	637,569	582,270	676,659	549,343	6000,318	0.78
Korea	4,514	7,645	19,008	39,121	68,604	27,778	0.036
United States	42,678	51,544	50,258	59,558	61,169	53,041	0.069
CNMI	22,990	30,469	27,860	24,291	26,455	26,413	0.034
Taiwan	966	2,189	8,574	12,443	23,562	9,547	0.012
Philippines	3,960	4,424	5,484	8,189	7,914	5,994	0.008
Hong Kong	1,990	2,161	3,019	8,608	6,613	4,478	0.006
Australia	5,194	7,784	6,040	6,660	4,404	6,016	0.008
Europe	2,793	2,643	1,998	2,463	2,278	2,471	0.003
Canada	715	655	639	884	726	724	0.001
Other	17,414	22,793	23,572	24,038	24,047	22,373	0.029
Subtotal Air	658,962	769,876	728,722	863,094	775,115	759,154	0.987
Subtotal Sea	9,865	10,528	8,538	13,648	8,903	10,296	0.013
TOTAL	668,827	780,404	737,260	876,742	78,4018	769,450	1

Source: Guam Visitors Bureau.

Trade Mart

This use is envisioned to serve as a showcase for Pacific Rim trade shows and convention activity. According to a recent article in the Pacific Business News (July 11, 1994), the Asian

convention market is growing at four times the rate of the United States market. Hawaii is building a new convention center which will be an international facility designed to capture the Asian meeting market. There is competition from Japan, and a new convention center in Taiwan, as well as first-class facilities in Malaysia, Singapore and Hong Kong. While Guam is perhaps better

located than Hawaii to capture group business from Pacific Rim cities, a trade mart is highly speculative, and requires targeted market research. Pending completion of such studies, this use should be considered as an alternative land use in an office/business park area.

TABLE 10
JAPANESE TRAVEL TO GUAM
1989-1994

YEAR	OVERSEAS TRAVEL	GUAM SHARE	PERCENT
1989	9,662,572	558,748	5.8%
1990	10,997,431	637,529	5.8%
1991	10,633,777	582,270	5.5%
1992	11,788,699	664,801	5.6%
1993	11,933,620	549,343	4.6%
1994 ⁽¹⁾	N/A	369,597	4.6%

(1) Year-to-date, through July.

Source: Japan National Tourist Organization; Guam Visitors Bureau.

Hotel

The NAS Valuation Study identified potential demand for an approximately 200-room hotel at the airport. Such a facility, oriented to the transient business market, appears a logical use especially in proximity to an office/business park. Assuming implementation of the other industrial and commercial uses for the NAS property, a business hotel is worthy of additional consideration (see Table 13).

TABLE 11
KOREAN TRAVEL TO GUAM
1989-1994

YEAR	OVERSEAS TRAVEL	GUAM SHARE	PERCENT
1989	1,213,112	4,514	0.40%
1990	1,560,923	7,645	0.50%
1991	1,856,018	19,008	1.00%
1992	2,043,299	39,121	1.90%
1993	2,419,930	68,604	2.80%
1994 ⁽¹⁾	N/A	55,202	2.80%

(1) Year-to-date, through July.

Source: Guam Visitors Bureau.

TABLE 12
TAIWANESE TRAVEL TO GUAM
1989-1994

YEAR	OVERSEAS TRAVEL	GUAM SHARE	PERCENT
1989	2,108,018	4,514	0.20%
1990	2,942,316	2,189	0.10%
1991	3,666,076	8,574	0.20%
1992	4,214,734	12,443	0.30%
1993	4,654,436	23,562	0.50%
1994 ⁽¹⁾	N/A	23,240	0.50%

(1) Year-to-date, through July.

Source: Tourism Ministry of Transportation and Communications, Republic of China and Guam Visitors Bureau.

Office/Business Park

An office/business park could be located on NAS property, initially resulting from the reuse of selected military housing by governmental agencies. Reuse of the existing military housing as GovGuam office space will help to establish this area as an office node. According to the Bureau of Planning, GovGuam spends approximately \$6 million annually on office leases throughout the island. Government agencies with ten or fewer employees could serve as a target list for marketing the space. Capturing a portion of this GovGuam demand minimizes the risks associated with speculative office development and would help to establish an office/business park.

Package Express

According to numerous experts in the field, air express in the Pacific Rim/Asia markets is in a high growth phase that is typical of industries in their early development. With such an outlook, it would be appropriate to conclude that this is a long-term potential which would be proper to consider.

Industry: Warehouse and Distribution

There is very limited light-industrial activity or space on Guam. Most industrial space is warehousing. Demand is expected to remain strong in the airport vicinity and adjacent to the Port, given the need to import much of what is purchased and consumed on Guam. A typical 6,000 square foot Butler-type warehouse in the Harmon Industrial Park area can be constructed today for approximately \$53 per square foot. This includes hard and soft costs and site development. It is estimated that there is

between 150,000 to 200,000 square feet of vacant industrial space on the Island. This represents a 20 percent vacancy rate. Apart from the Harmon area immediately west of the airport, the other industrial areas with M-1 zoning are in Tamuning (behind Denny's, along Pick-A-Nail Road) and in Harmon behind Computerland. There exists an abundance of zoned industrial land in these areas.

The GAA achieved limited success in developing an airport industrial park however, only one building stands today. The land prices being requested at that time were cited as a chief reason for the lack of demand. The Port of Guam users have an immediate need for between 100,000 to 150,000 square feet of industrial space.

TABLE 13
HOTEL ROOM INVENTORY, OCCUPANCY AND TAXES
1983-1993

YEAR	HOTEL ROOMS	OCCUPANCY RATE	OCCUPANCY TAXES COLLECTED
1983	2,819	0.87	\$3,028,000
1984	2,964	0.84	\$3,501,540
1985	2,991	0.82	\$4,051,467
1986	3,248	0.87	\$4,533,912
1987	3,664	0.86	\$5,730,243
1988	3,939	0.84	\$8,825,854
1989	4,133	0.90	\$11,774,343
1990	4,955	0.89	\$14,600,503
1991	5,894	0.79	\$15,983,692
1992	6,218	0.71	\$18,252,600
1993	6,161	0.61	\$14,570,558

Source: Government of Guam, Department of Commerce, Economic Development and Planning.

Residential demand for housing will be driven by natural growth in the resident population and pent-up demand to reduce overcrowding conditions. According to local brokers, average rental rates in the NAS vicinity for a 3-bedroom unit are between \$1,200 and \$1,500 per month and \$800 to \$1,200 for a 2-bedroom unit. Sales prices are currently averaging \$190,000 for a typical 3-bedroom, 2 bath home in the NAS vicinity. Multi-family development (R-2) was recommended by the I Tano'ta Land Use Plan for the Route 8 area, given the predominance of this product type today and the area's excellent access and infrastructure. A 3-bedroom, 2-bath unit (average of 1,200 square feet) would sell for between \$160,000 and \$170,000 in this area; a 2-bedroom unit (average of 800 to 850 square feet of living area) would sell for between \$130,000 and \$150,000.

Retail

The demand for retail facilities at the NAS property will be incremental in nature, driven to a large degree by new development and employment in close proximity to the site. Additionally, support for new retail development may result from residents in existing nearby neighborhoods which may be induced to shift retail purchases to new, more centrally-located facilities. Rents are \$18 to \$25 per square foot (full service, except for electricity). Retail conditions are quite strong on Guam. Occupancy rates are 90 percent. Major retail facilities like the Micronesia Mall, Agaña Shopping Center and Gibson's, comprising approximately 500,000 to 600,000 square feet of retail space, are full.

Service: Financial Services, Banking and Insurance

Under existing tax laws, Guam's financial system has the potential to handle increases in off-shore banking business and to

develop captive insurance and mutual fund operations, with little additional investment cost. These activities may not create a large number of new direct jobs, but will help to diversify the island's economic base and strengthen its position as the financial center of Micronesia. A major component of Vision 2001 is the development of Guam into a financial service and banking center in the Pacific.

As a territory of the United States where U.S. Constitution guarantees apply, Guam enjoys a claim to the political/government stability which is of primary concern to financial institutions which thrive on long term agreements and business arrangements and relationships. Likewise, because Guam is serviced by three major U.S. flag air carriers (Continental Micronesia, Northwest Airlines and United Airlines), the transportation links stability demanded by air carriers is more assured on Guam than any other island in the Pacific.

Maintenance

The reuse of certain existing facilities at the NAS for the servicing and maintenance of commercial aircraft, such as Continental Micronesia, and other carriers in the Pacific Rim, holds some promise. Interest has been expressed in the various hangars and other repair facilities located on the south side and adjacent to the runway.

The availability of skilled workers at competitive wage costs is critical to such ventures. The development of training programs through the Guam Chamber of Commerce and other local institutions may assist these efforts. The interest shown in two hangars, classroom space and barracks space for dormitory by an airframe and powerplant school will make retraining and redirection of the skills already possessed by federal employees displaced by

the SRF and FISC closure much easier. Ostensibly the availability of these skilled workers will be a positive consideration in plans by Continental Micronesia to build Guam into a hub and major repair station.

Target Industries

To meet the region's strong growth, companies in a range of industries have experienced success in marketing key goods and services. The rapid development has created demand for increased infrastructure, particularly electric power and telephones. Increased consumer wealth has increased demand for many household products, like televisions and VCRs. Asian nations are moving away from being a source of cheap labor and low-cost assembly work and increasingly becoming centers of high technology and engineering expertise, in part because of a new class of professionals educated abroad. This is particularly true in countries like Singapore, Malaysia and Thailand. Assembly will be subcontracted to lower-cost centers e.g., Vietnam, India, Pakistan, China, Cambodia, etc.

The previously cited SPC/ESCAP study highlighted numerous factors which argue well for increased economic opportunities for Guam. Among these are the following:

- Rising per capita incomes in this region present a range of market opportunities for well targeted, cost competitive goods and services;
- Economic growth in Asia is producing large numbers of wealthy entrepreneurs who may be willing to look at targeted investments in more remote and less-populated areas like Guam;
- Efforts are continuing to expand regional and global

trade throughout this region, including the GATT, ASEAN and APEC trading pacts;

- Pacific Rim entrepreneurs have fully embraced the rapid developments in information technology and communications. Guam is well positioned to accommodate the real-time needs of these entrepreneurs with its excellent telecommunications links to the United States and beyond.
- The United States market continues to be attractive to Asian producers and Guam is the nearest U.S. territory.

Guam may be seen as a way to penetrate broader North American markets (including Canada and Mexico). Additionally, it presents a physically-forward position for U.S. corporations to support their Asian operations. Aside from the cultural, language and historical differences among the countries in the Pacific Region, their economies are distinctive. The dominant market in this region is China with a population of approximately 1.2 billion, and current annual growth approaching 13 percent. Incomes, as measured by per capita Gross Domestic Product (GDP) is estimated at \$330. At the other end of the income range is Japan, with a population of 124 million, annual growth of approximately 2 percent and per capita GDP of nearly \$24,000. In between, there are seven countries (Hong Kong, Singapore, Taiwan, South Korea, Malaysia Thailand and Indonesia) which are expected to experience annual growth in the range of 6 to 8 percent in 1994. The Philippines have the region's lowest annual growth rates and per capita incomes.

A recent analysis of some of the major high-growth companies in the Pacific Rim was reviewed. To be included in the survey, a company must have been publicly traded, had data

available for the past three consecutive years and had a positive income for each of the years.

Table 14 presents a selected list of high-growth companies with 1993 revenues in excess of \$20 million. Table 15 presents a listing of companies with 1993 net income (profits) in excess of \$10 million. The companies listed have experienced exceptional growth, and represent a wide range of industries: publishing, electronics, property, tourism, chemical and textiles. The home countries of these fast-growing companies include Australia, Hong Kong, Thailand, Philippines, Malaysia and Singapore.

Most of these countries have economic linkages with Guam today which can be exploited. As such, both the companies and their respective industries are worthy of additional study and research.

Development Incentives

The General Headnote 3(A) program of the Tariff Schedules of the United States (TSUS) allows duty-free entry into the U.S. Customs Territory for those items manufactured and assembled in Guam under certain requirements that enable Guam to be considered the "country of origin". Manufacturers may import foreign raw materials or component parts, to which at least 30 percent (and in some cases 50 percent), of the value of the finished product must be added on Guam. These items must undergo a "substantial transformation" in order to benefit from the duty-free provision of this program.

Another trade incentive program allows products manufactured on Guam to be imported by participating nations at a reduced tariff rate. Guam is the beneficiary of the following

countries: Japan, Australia, and the European Common Market. Guam provides incentives for the establishment of Foreign Sales Corporations (FSC) through a Guam law known as the Export Incentive Act. FSCs are foreign-incorporated subsidiaries of U.S. parent corporations engaged in export transactions which qualify them for partial U.S. tax exemptions, provided they maintain certain processes.

ALTERNATIVE PLANS

Based on community input from a series of public meetings, input from members of the subcommittees of the Komitea Para Tiyan, and a better understanding of market conditions, a new set of three alternative plans was drawn. The intention of these plans was to explore the most desirable and feasible ideas from the "theme" plans. Portions of the previous plans were combined to reduce the alternatives to three and to examine the effects of combining land uses to optimize more than one economic sector or community goal in each alternative.

Education/Heritage

As indicated in its title, the Education/Heritage Alternative Plan (Figure 18) is created by combining the best features of the education and heritage themes. These two ideas both focus on the island's people, culture and knowledge. The idea of devoting most of the base to forests, copra plantations and museums was not viewed as an economic use of the Base. However, the general idea of promoting the past, the history of the site and preserving cultural knowledge was supported.

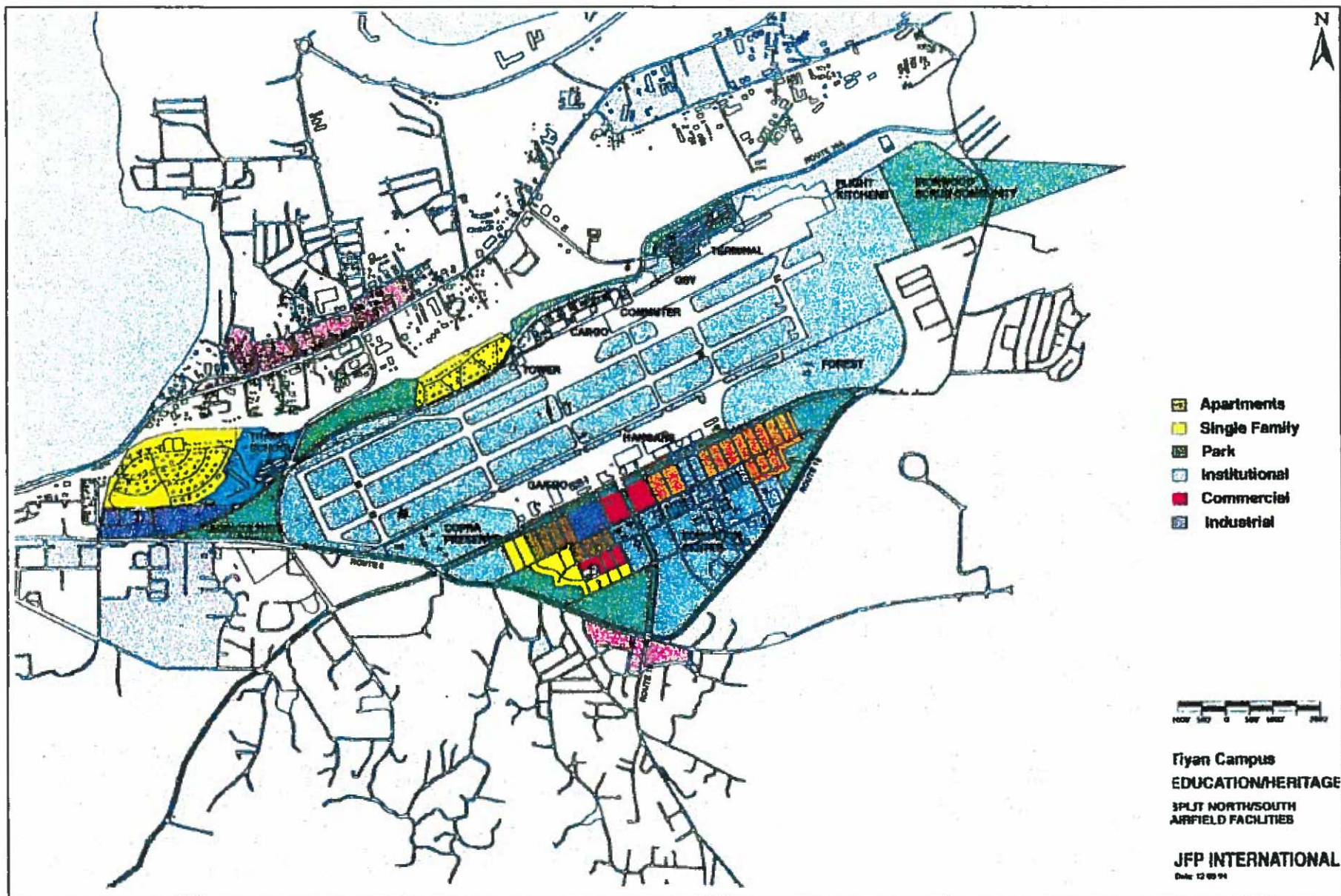


FIGURE 18. ALTERNATIVE PLAN: EDUCATION/HERITAGE

TABLE 14
SELECTED FASTEST GROWING COMPANIES
IN PACIFIC RIM ASIA: REVENUES GREATER THAN \$20 MILLION

	COMPANY	INDUSTRY	1993 REVENUE (MILLIONS OF U.S. DOLLARS)	TWO-YEAR AVERAGE GROWTH
A U S T R A L I A	Adelaide Steamship	Diversified	\$9,880.00	1,887.00%
	Petroleum Secs.	Mining	23.40	713.00%
	Normandy Poseidon	Mining	667.30	547.00%
	St. Barbara Mines	Mining	40.20	480.00%
	David Jones	Retail	938.50	394.00%
	Poseidon Gold	Minerals	514.70	216.00%
	Tooth & Co.	Breweries	367.20	123.00%
	Command Petroleum	Energy	20.30	115.00%
	Memtec	Electronics	20.00	109.00%
	Plutonic Resources	Minerals	155.80	68.00%
	Village Roadshow	Leisure	49.50	53.00%
	Ampolex	Electronics	274.30	48.00%
H O N G K O N G	CITIC Pacific	Property	1,440.00	9,831.00%
	Henderson Land	Property	72.90	217.00%
	Grande Hlds.	Electronics	718.30	182.00%
	South Sea Devt.	Textiles	63.60	103.00%
	Top Glory Intl.	Property	24.00	100.00%
	CNT Group	Chemical	92.00	72.00%
	Harbour Centre	Property	117.10	52.00%
	Starlight	Electronics	173.90	51.00%
	Ming Pao	Publishing	162.80	50.00%

	COMPANY	INDUSTRY	1993 REVENUE (MILLIONS OF U.S. DOLLARS)	TWO-YEAR AVERAGE GROWTH
M A L A Y S I A	Hopewell	Property	62.80	50.00%
	Wo Kee Hong	Electrical Equip.	379.80	45.00%
	Dunlop Estates	Plantations	616.30	441.00%
	Tanjong	Diversified	517.40	198.00%
	Multi-Purpose	Diversified	721.60	198.00%
	Renong	Containers	120.40	103.00%
	Promet	Instruments	87.20	80.00%
	NYLEX	Diversified	131.30	47.00%
S I N G A P O R E	THE PHILIPPINES			
	Ayala Corp.	Diversified	348.00	6,553.00%
	EEL	Diversified	88.10	92.00%
	Orchard Parade	Hotels	47.30	103.00%
	Hotel Properties	Hotels	184.30	75.00%
	Seapower Asia	Diversified	30.60	69.00%
	Lim Kah Ngam	Instruments, tools	115.00	63.00%
	Cycle & Carriage	Autos	1,152.00	56.00%
	SPP	Paper	58.20	52.00%
	Sunshine Allied	Food	58.20	50.00%
T H A I L A N D	Steamers Naritime	Shipping	61.80	45.00%
	THAILAND Land & Homes	Property	253.60	47.00%

Source: Datastream Intl., and Star Systems Inc.

TABLE 15
SELECTED FASTEST GROWING COMPANIES
IN PACIFIC RIM ASIA: REVENUES GREATER THAN \$10 MILLION

	COMPANY	INDUSTRY	1993 NET INCOME (MILLIONS OF U.S. DOLLARS)	1993 REVENUE (MILLIONS OF U.S. DOLLARS)
A U S T R A L I A	John Fairfax	Printing	\$137.90	183.00%
	Bunnings	Building Materials	12.30	83.00%
	Wills, W.D. & H.O.	Tobacco	29.50	82.00%
H O N G K O N G	Eltec. & Eltek	Electrical Equipment	16.20	917.00%
	Tai Cheung	Property	1,200.00	257.00%
	Cul Turecom	Publishing	11.80	193.00%
	Hon Kwok Land	Property	21.50	176.00%
	Realty Development	Property	141.40	152.00%
	Laws International	Textiles	34.30	149.00%
	Lai Sun Development	Property	71.10	148.00%
	CITIC Pacific	Property	244.10	148.00%
	TSE Sullivan	Retail	10.10	137.00%
	Sing Tao	Publishing	35.40	105.00%
	Starlight	Electrical Equipment	10.30	90.00%

COMPANY			INDUSTRY	1993 NET INCOME (MILLIONS OF U.S. DOLLARS)
MALAYSIA	Tanjong	Diversified	69.40	180.00%
	Faber Merlin	Hotels	19.70	128.00%
	Kamunting	Mining	10.00	99.00%
	Pilecon Engineering	Diversified	10.10	82.00%
THE PHILIPPINES				
	RFM	Diversified	11.20	91.00%
SINGAPORE	Marco Polo Devt.	Hotels	23.80	412.00%
	Hotel Properties	Hotels	44.60	226.00%
	Orchard Parade	Hotels	11.30	202.00%
	First Capital	Financial	33.70	145.00%
	Singapore Financial	Financial	10.80	93.00%
THAILAND				
	CMIC Financial	Financial	37.60	113.00%

Source: Datastream International and Star Services, Inc.

After establishing the airport, devoting the entire remaining area of the Base to educational use was not seen as desirable, but the idea of establishing a high school generated favorable response from government officials concerned about the ability of Guam to finance high school facilities to relieve overcrowded conditions. Guam Community College prepared a proposal to create an airframe and powerplant school to provide vocational training using a hands-on approach at the airport.

The University of Guam has expressed interest in conducting research regarding original Guam plant forms and environmental communities that have been largely replaced by imported plants today. The limestone forest preserve and copra plantation areas were noted as possible locations for the University to pursue this work. Therefore, the educational and environmental features were reduced and combined. The resultant plan contains a small town center, an aviation industry area and housing for students, faculty and workers.

Business/Industry

Combining the Air Industry and Business theme resulted in an alternative plan geared to the developing the maximum economic return for Guam as shown in Figure 19. Job generation and revenues would be highest from this plan. The entire south side of the airfield is designated in this plan as industrial land for aviation industries, cargo warehouses, distribution and other uses. Perhaps electronics parts assembly in a duty-free environment could be located here.

A large retail center, equivalent to the Micronesia Mall was incorporated into this plan to test its market feasibility. This mall would be targeted toward the resident population of the island and

would depend upon its central island location and improved road connections for its success.

Educational facilities tailored to providing high quality business and industrial skills were incorporated as part of this plan. A small amount of housing was included to absorb land that seemed beyond the absorption rates foreseen in this scenario for the business and industrial uses.

Housing/Community

This alternative plan, as shown in Figure 20, is primarily based on the housing theme with the addition of community facilities. It is conceived as an extension northward of Barrigada, which is how the community probably would have grown if the Base had not been there. To accomplish a close community tie, traffic from Routes 8 and 16 are diverted onto a new parkway on the alignment of Mariner Avenue. This reduction of traffic allows connection of local streets northward across Route 8 to tie the community together. Route 10 is shown extended northward following existing streets on the base to tie to the relocated Routes 8 and 16. A new town center with retail shops and services for the local community and surrounding area is placed at the intersection of Routes 8, 16 and 10. The convergence of traffic here will make this a natural location for a new center. The clinic, bowling alley and chapel are included as features of the new town center.

Housing shown includes single family homes on standard lots and multifamily housing near the central area. This alternative includes an exploration of the remodeling of the Bachelors' Enlisted Quarters as multifamily housing. This could be either as condominium units (already designed by the Navy but never remodeled as such) or as apartment units. In this alternative, to

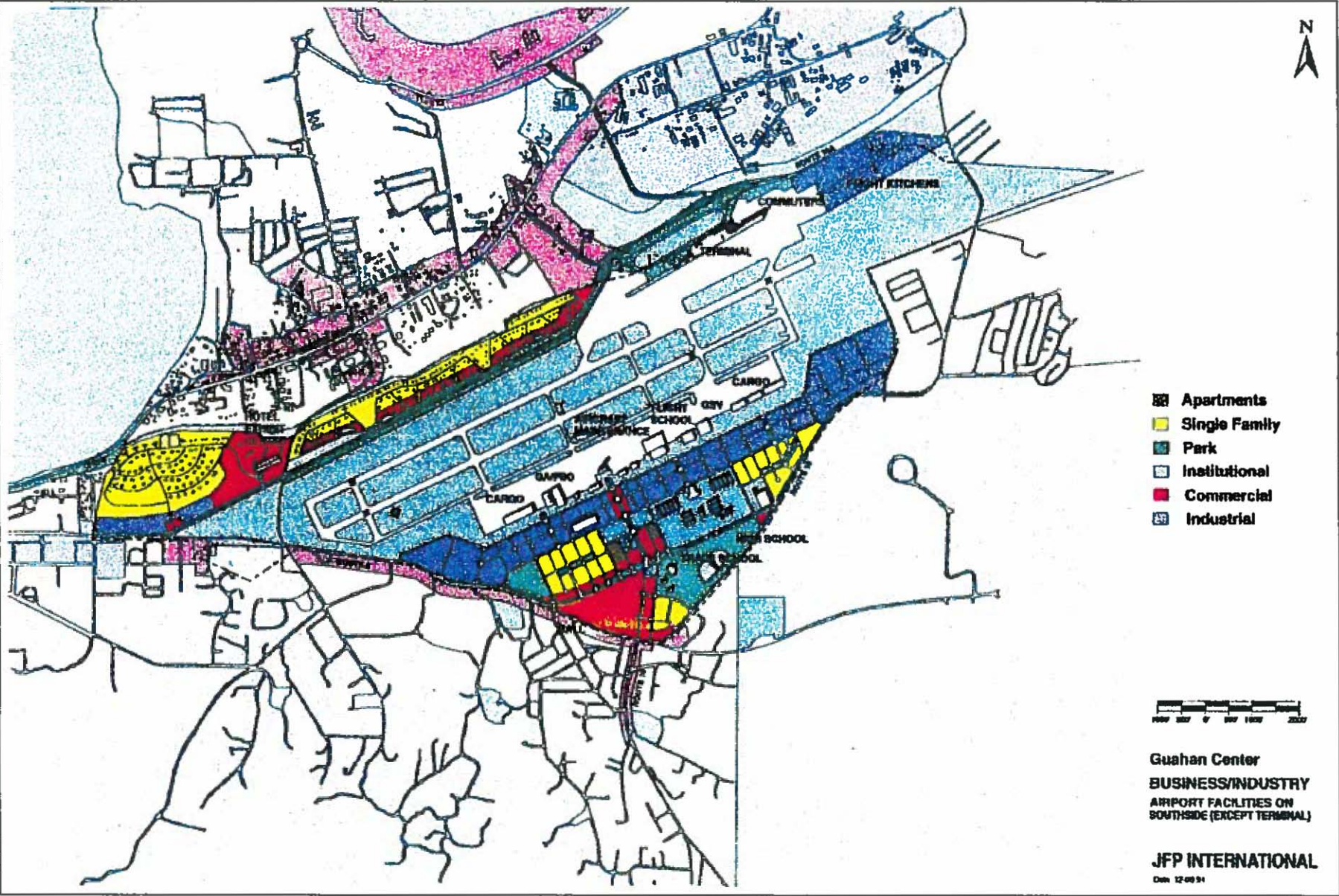


FIGURE 19. ALTERNATIVE PLAN: BUSINESS/INDUSTRY

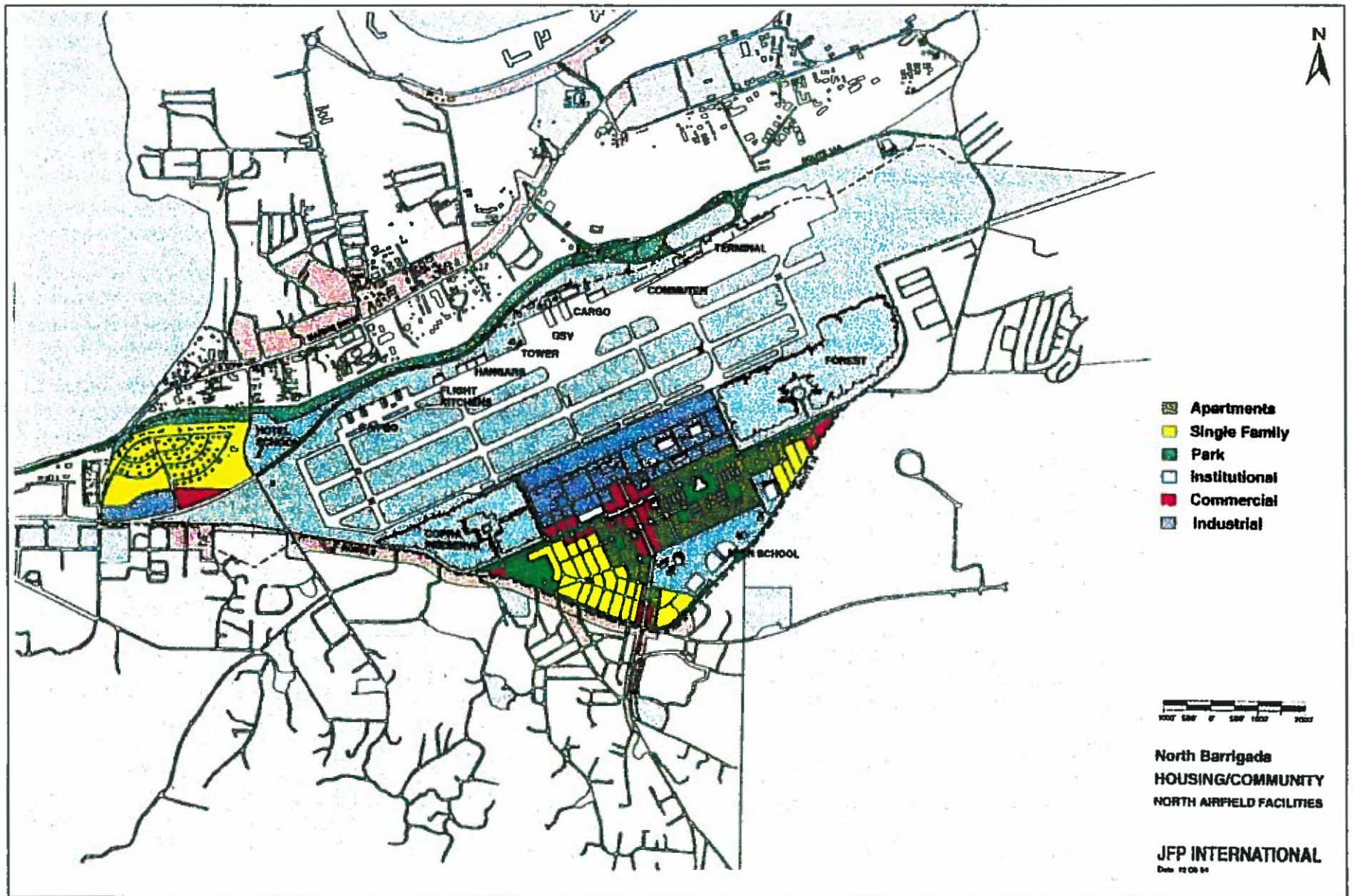


FIGURE 20. ALTERNATIVE PLAN: HOUSING/COMMUNITY

maximize the possible provision of new housing, a high school is shown occupying a portion of the playfield area. The classrooms would be new buildings located along the northern part of the site in this alternative. The advantage of this scheme is that the high school is compact, walking distances to gym, theater and fields are short, and construction is limited to mostly the least costly parts of the campus, the classrooms.

The major disadvantage is that the dining halls and kitchens are not included from the barracks. In this alternative, the majority of the airport facilities are shown located on the north side of the airfield, so a small industrial area for the remaining aviation industries on the south allows large forested areas to be included as research and/or park lands.

EVALUATION OF ALTERNATIVES

Evaluation of alternatives was conducted both analytically and through opinions and reactions from the members of the Komitea Para Tiyan, their staffs and other members of the public attending the public meetings at which the alternatives were discussed. Criteria selected upon which to evaluate the alternatives includes subjective and objective elements. The intention is to cover the range of community goals from costs to aesthetics, immediate to long term, and public to personal. Each criterion was assigned a rating number for each alternative plan, with the most favorable receiving the highest rating as shown in the Evaluation Matrix (Table 16).

More important criteria were given a double weight in the ratings. The result of this evaluation is the preferred plan, which was reviewed and revised by the KPT and the public. The final plan for submission to the Territorial Planning Council, the Governor and the Legislature is presented in the next chapter.

**TABLE 16
EVALUATION MATRIX**

CRITERIA		EDUCATION HERITAGE	BUSINESS/ INDUSTRY	HOUSING/ COMMUNITY	COMMENTS
1	JOB GENERATION* High potential to add to employment base	6	20	14	Most jobs generated - Higher score
2	PUBLIC BENEFIT TRANSFER	10	10	7	Maximum area of PBT - Higher score
3	INCOME POTENTIAL*	6	20	14	Return of revenues to both public and private sectors - Higher score
4	TAX BASE CONTRIBUTION* Increase in Government revenues	6	20	14	Higher tax returns from development values, sales revenue and business taxes - Higher score
5	AMOUNT OF SUBSIDY Government-assisted programs requirements	3	9	5	Requirement for less public investment in infrastructure or public programs - Higher score
6	ENVIRONMENTAL IMPACTS	9	9	7	Less impact - Higher score
7	LAND USE COMPATIBILITY	7	9	7	none
8	TRANSIT/CIRCULATION IMPACTS	9	8	7	Less requirements for new roads - Higher score
9	HOUSING POTENTIAL	5	7	8	none
10	EDUCATIONAL POTENTIAL	10	5	7	More classroom and/or dormitory space - Higher score
11	RECREATIONAL BENEFIT*	20	10	14	none

CHAPTER V

THE BASE REUSE MASTER PLAN OVERVIEW

The planned program of land uses and facilities envisioned for 2015 is shown in Figure 21, "NAS Base Reuse Master Plan". The amount of development described in this plan balances provision of community services and expected market demand for development. This plan provides a broad outline for evaluating development proposals and providing infrastructure and community services over the next twenty years. The acreage for the areas shown on Figure 21 are presented in the following table:

1. Airport Operations Area	(59%)	1024 acres
2. Economic Development Areas	(16%)	281 acres
3. Airport related Development Areas	(20%)	340 acres
4. Recreational Areas	(5%)	88 acres
Total	(100%)	1,739 acres

(Note: the total acreage excludes the 88 acre Officers Housing Area but includes the land area needed for roads and other utilities).

The plan provides a framework of streets and utilities, a coherent traffic plan connecting this central location to the island, and a land use plan to guide decisions. This framework provides the backbone upon which a flexible pattern of improvements can take place in response to the market conditions and requirements of Guam over the next twenty years. Land areas on the base are divided into large developable tracts, well served by the planned roads and utilities infrastructure. These land areas contain: facilities that will be put to immediate reuse through a leasing program as soon as the Base is closed; facilities that may be remodeled for use in the longer term after environmental cleanup operations are completed; and undeveloped land areas that will be

developed in the future.

The Base Reuse Plan for NAS Agaña has three principal parts; the Guam International Airport, economic development areas and public use areas. The land use proposals are planned to be flexible and to respond to emerging community and economic needs over the next twenty years.

THE GUAM INTERNATIONAL AIRPORT

Guam International Airport is the single most important element in the economic well-being of Guam. It is the vital transportation link without which Guam would be isolated from the world and without which the tourists who form the basis of Guam's economy could not arrive. The airfield portion of the base is proposed to be used by the Guam International Airport Authority for aviation, revenue production and noise compatibility purposes consistent with Federal Aviation Administration guidelines.

The plan recognizes that it is vitally important to include all those portions of the base necessary to support the personal, business and tourist travel needs of Guam, not for just the next twenty years, but well beyond into the future. Specific uses for the airport area are also presented in the Guam International Airport Master Plan. The fundamental approach of the Government of Guam is to support tourism development. Tourism is the single largest industry in Guam, and its future development will be important in achieving employment goals and economic growth.

Forecasts of Aviation Demand/Passenger Forecast

The predicted increase in annual passenger enplanements to between 4.3 and 5.0 million for the year 2015, and provision for

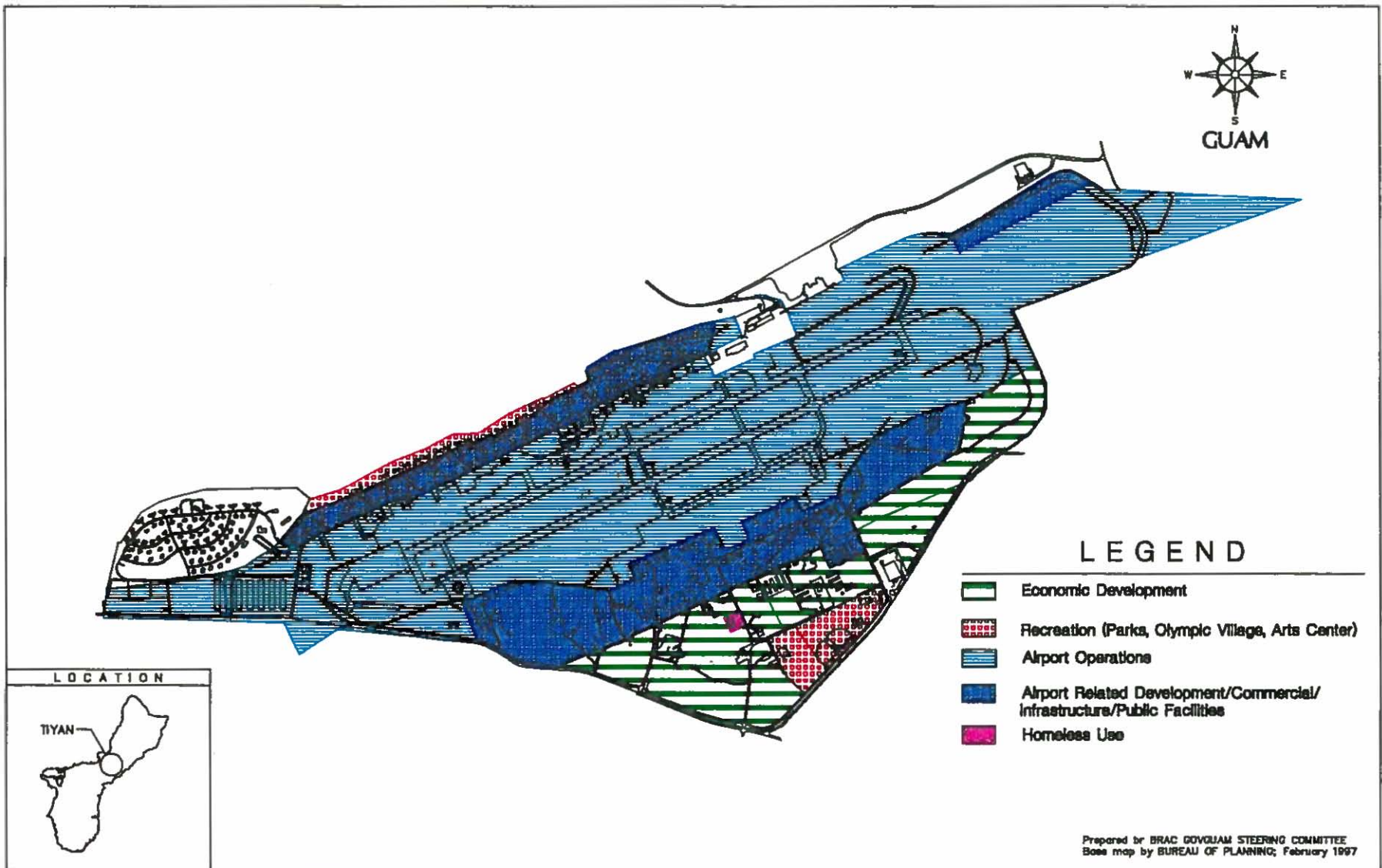


FIGURE 21. NAS BASE REUSE MASTER PLAN

expected aviation-related business growth will require expansion of the airport beyond current plans. Recognizing this, the Komitea Para Tiyan agreed to establish the boundaries of the airport to provide enough property to provide for the expansion of the north side taxiway and airport related industries, such as cargo warehouses, on the north side (where the enlisted men's housing area is presently located) and on the south side (the area adjacent to the runway and established by extending Marine Avenue on a straight line to Route 16).

Cargo and Mail

Cargo and mail are important to the economy of Guam with most cargo arriving and departing in combination aircraft as belly-cargo. Cargo into Guam is limited predominantly to consumables and items for retail sale. Outgoing cargo is mostly fish and seafood. The average annual growth rate for the planning period is 5.6 percent, increasing from 22 million pounds in 1985 to 211 million pounds in 2015. Annual total on-and off-island mail is forecast to increase from 10 million pounds to 32 million pounds. The present facility is at capacity and will need upgrading to meet future demand.

The area established by extending Marine Avenue on a straight line to Route 16 will make available adequate acreage for the expansion of bonded cargo and mail facilities immediately adjacent to the Guam Main Facility post office on Route 16. Likewise, the enlisted men's housing area, up to East Sunset Boulevard will be available to the airport for expansion of cargo consolidation operations and warehousing.

Air Carrier Operations

Air carrier and commuter operations are forecast by dividing passengers by the expected average boarding per passenger flight.

The average air carrier operation in 1993 and 1994 had 122 enplaning passengers on board. Two factors tend to increase the average enplanements on a typical departing flight. First, the aircraft size tends to increase over time. Second, the enplaning load factor (percentage of seats occupied) tends to increase over time. It is forecast that the enplanements per air carrier operation will increase to 160 in the year 2000, 175 in 2005 and 190 in 2015. Air carrier operations are determined using passenger forecasts and the above load factors.

General Aviation

General aviation demand on Guam has been limited over the years. Past analysis has indicated a significant potential demand for aviation activity on Guam. The present projections cover only a base level demand for general aviation activity, and rely heavily on the FAA Terminal Area Forecast for Guam. It is possible that general aviation demand could be considerably higher, particularly if one of the possible developments a major training facility for air carrier pilots occurs. The FAA forecast of activity is used as a base in this plan with the addition of one activity which will be part of the demand on Guam sightseeing flights of either fixed wing aircraft or helicopters. This market is developing on Guam, although most helicopter sightseeing trips presently operate off airport. It is assumed that there is an equivalent of 16 trips a day in 2000, 24 trips a day in 2005, and 32 trips a day in 2015. The forecast also assumes that there are approximately 5,000 air taxi operations in each year. These represent the purchase of service of small planes on demand. In addition to the air taxi demand, there

is expected to be a level of approximately 20,000 local general aviation operations per year, in line with recent use. These are primarily training flights.

Airport Land Use Plan

The principal use recommended for NAS Agaña is as the expanded Guam International Airport. This includes the airfield, passenger and cargo terminals, maintenance hangars and support facilities, airport related commerce and industries and airport access roads.

Runways and Taxiways

Growth at the airport will require extensions to both runways. This is required to accommodate non-stop flights to the U.S. west coast and to ensure that one runway is capable of accommodating non-stop flights at all times. Construction of a new taxiway on the north side of the airport is planned so that runways will not have to be used as taxiways. Removal of the southeastern hill will allow for expansion of the south runway to 10,000 feet.

Passenger Terminal

The current terminal expansion will provide capacity for 6 million enplaned passengers annually, adequate through the 2015 planning horizon. For the long term, a reserve zone has been created to the west of the existing terminal for expansion beyond 2015.

Cargo Center

Creation of a new cargo terminal on the north side of the

airport to receive and distribute air freight is planned to meet increasing cargo demand. The plan calls for a new cargo center to be built west of the existing cargo building. The new center will remain close to the terminal so that it will be convenient to handle the cargo on passenger flights, which will carry the majority of the cargo. However, because the only feasible area for future expansion of the passenger terminal beyond the year 2015 is to the west, adequate expansion space has been retained between the passenger terminal and cargo center to accommodate long term facility growth.

Aircraft Maintenance Center

Establishment of an aircraft maintenance base and aviation industry center can generate a new job base on Guam. One major airline plans at present to create a primary maintenance base at Guam. Others could soon follow, especially if lower fees and lease charges can attract them from crowded Asian airports. A large maintenance base will depend on creating a growing well-trained labor pool, thus underlining the importance of aviation training proposals discussed elsewhere in the plan. This function is proposed to be located on the south side of the airfield in existing hangars. Existing hangars designated 17-100 17-3308 and 17-3404 are recommended as the initial location for establishing this center. The development of 17-100 is expected to occur in the first year after Base closure. * Expansion of the hangars is foreseen by addition of large aircraft hangars bays to the north of the existing hangars to accommodate B-747 and other large aircraft.

These areas and facilities, located between the runways and Mariner Avenue have been included within the boundaries of the Guam Airport Authority.

Aircraft Maintenance Support Industries

There are a host of potential aircraft and aviation maintenance support industries which have expressed interest in the facilities available at Guam International Airport. Buildings 17-3305, 17-3305A, 17-3306, 17-3403, and 17-3414, located on the south side of the airport in the area "behind" the hangars are recommended to be used for these purposes. These areas and facilities, located between the runways and Mariner Avenue, have been included within the boundaries of the Guam Airport Authority.

Airport Maintenance

The airport maintenance function including vehicle maintenance, warehousing, landscaping and various trade shops, is recommended for building 16-6103. This building located on the southwest corner of the airfield represents a significant opportunity for the development of a facility to replace the limited storage yard and vehicle repair area now used by the GAA. This facility, located between the runways and Mariner Avenue, has been included within the boundaries of the Guam Airport Authority.

Flight Kitchens

At the present time the single flight kitchen operator is located off-airport. This presents a workable but undesirable situation. Space for two flight kitchens is recommended for future development, to be located in the airport industrial park on the north east side of the airfield. A direct connection to the security guard post is to be provided near this location.

Fuel Farm

It is recommended that the Fuel Farm be completely removed as the facilities will not meet EPA and DOT regulations beyond 1998. Several fuel suppliers were approached to determine interest in the fuel farm and these suppliers all agreed that it would be more economical to have the facilities removed.

Air Traffic Control Tower

A new Air Traffic Control Tower (ATCT) site has been identified as a desirable long term development project. The existing ATCT on the south side of the airfield has line-of-sight limitations to large areas of the east terminal expansion area. Space has been reserved on the north side of the airfield for a proposed air traffic control tower. Prior to actual construction of the control tower, the FAA will select a site on the north side and determine the appropriate placement of the tower facility.

Federal Aviation Administration Offices

The Federal Aviation Administration (FAA) will require space for administrative and technical functions at the airport. It is recommended that all FAA spaces be located in the existing Administration Building which also contains the control tower.

National Weather Service

Offices for the administration of functions performed by the National Weather Service are recommended to be co-located in the building with the FAA on the south side of the airport.

General Aviation and Fixed Base Operations

It is forecast that some air taxi and recreational tourist flying will be accommodated in light planes and helicopters. A general aviation terminal and service center is planned at the west end of the south apron, using the former Coast Guard Hangar, previously designated as 17-80. This facility has hangar space and areas for tenant office as well as a public airside interface which would be well suited for this function. The adjacent apron area is relatively isolated from large aircraft jet blast and of sufficient dimension to be flexibly developed to accommodate a wide variety of parking arrangements for numerous aircraft types.

Flight School

The good flying conditions on Guam provide an opportunity for creating a commercial flight training school. Winds are less than 8 miles per hour nearly 90% of the time and Visual Flight Rules conditions prevail 99% of the time. No other location so near to Asia presents the opportunity for United States certification for pilots. The flight school activity is recommended to be carried out from the General Aviation Terminal, with office space in the second floor of the building perhaps serving as classroom space.

Airframe and Powerplant School

An airframe and powerplant school will be absolutely essential for Guam to be able to attract an aircraft maintenance and/or refurbishment industry. Plans and programs have already been put forward for this school. A combination of classrooms and on-airport facilities such as hangars and machine shops is needed for this program. The airframe and powerplant school is recommended to utilize a mix of air hangar, laboratory, and

classroom buildings on the south side of the airfield. Buildings 17-3308, 17-3311, 17-3404, and 17-3307 are recommended for these purposes.

The Bachelors Enlisted Quarters can be used for classrooms and faculty offices, perhaps with the first level as classrooms with outside access to maximize use of the full width of the building and offices and seminar spaces upstairs with an interior hallway. If students can be attracted from other islands, some of the existing barracks could be utilized directly and with minimal change as dormitories. The former HC-5 hangar (17-3404) and large machine shop located in the space behind the VQ-1 hangar (17-100) is the proposed training areas for the airframe and powerplant school. They are near the proposed classrooms and dormitories (13-16 through 13-20 c Bachelors Enlisted Quarters). Nearby space can be used for future construction of classrooms or expanded shops. Inclusion of courses on maintenance and use of avionics and navigation instruments would be a useful part of the airframe and powerplant school.

Avionics Lab Building 17-3311 is among the available facilities on the Base. Although the Navy will remove the instruments, the building's wiring and facilities would make it easy to reuse for a classroom laboratory.

Package Express/Cargo Hub

Setting aside land on the south side for future large scale aviation businesses such as a package express hub might bring as many as 1,000 jobs to Guam. A package express hub is very different from a general cargo center such as planned for the north side near the passenger terminal. Instead of using the lower deck or "belly" of passenger jets, the package express company operates

its own fleet of planes and therefore does not need to be located near the terminal. In addition, there will be a large number of planes on the ground at one time while packages are redistributed among the planes to be taken to their destinations. As many as 35 planes may be on the apron at once. When the Navy owned the Base, cargo and package express carriers were not able to consider using Guam as a cargo airport or a package express hub because there was no land for development of cargo infrastructure. While current air carrier plans do not include Guam as a package express or cargo hub, the reuse of the Base now provides an opportunity for consideration by air carriers. As with passenger traffic, there is some hubbing of cargo at Guam today. Guam is a natural connecting point for cargo to or from points in Micronesia, although it is fairly low in volume. It is expected that this traffic will grow moderately in the future. The real question is whether there might be a significant change in the way freight is handled in the Pacific Rim area, and whether there is an option for Guam to participate in the major traffic flows. A drawback to hubbing is that Guam's geographic location does not provide efficiency for aircraft operations in the large Asian markets. An advantage to Guam is its reputation for a stable political climate which recommends it above most competing locations which are politically less stable.

Aircraft Rescue and Fire Fighting

The existing U.S. Navy Public Works Center Maintenance Facility (Building 17-3309) is recommended to be used for the purpose of maintenance and repair of aircraft rescue and fire fighting equipment.

Revenue Producing Properties

Maintaining a financially sound international airport is vital

to Guam's economy. To offset increasing capital and operating costs, revenue producing airport land should be developed. Land areas which are not currently needed to support active airport operations, runway protection zones, or airfield security are available for either short or long-term leasing. These land areas are especially attractive for industries and business activities that can contribute to the efficient and economical operation of the airport, (such as aircraft parts suppliers) or that can benefit from use of properties adjacent to the airport (such as freight forwarders). If needed, some of the leasable lands can be provided with direct access to aircraft parking aprons through modifications to the definition of the Airport Operating Area (AOA). Leasing of these properties can contribute revenues toward support of the airport while allowing control to be retained for future airport requirements currently unforeseen, or past the year 2015 time frame of this plan.

Reuse of Enlisted Family Housing

The Enlisted Family Housing consists of 352 dwelling units on the north side of the airfield. The majority of the houses, primarily those situated south of East Sunset Boulevard, are located within a noisy area as defined by the LDN 65 noise contour in the Airport Noise Study. It is not recommended to reuse these buildings as residential.

All of the buildings are recommended for eventual removal for the creation of an air cargo/airport related business complex and for the much needed Laderan Tiyan Parkway on the edge of the bluff to provide a bypass for Marine Drive. This is reflected in the Komitea Para Tiyan's recommendation and definition of boundaries for the airport to include the property up to East Sunset Boulevard for the planned expansion of the airport's taxiway and the development of an airport business/industrial park for airport

related industries.

Many of the buildings, which for the interim period are housing government offices, are planned to remain for approximately 5 years. These buildings have been converted to offices. Office uses are not as noise sensitive as homes, and the concrete construction of the buildings will provide a large measure of the sound insulation needed. The duplex buildings are larger and more conducive to remodeling as offices. Companies requiring more than 3,000 square feet of space may not find this option attractive. Most of the single family buildings have less than 1,500 square feet. These buildings could be used for very small companies on a short term basis only.

Use of Environmental Cleanup Area

An industrial area, designed primarily for airport related industries, is planned to be located on the site of the existing sanitary landfill. It would require removal of this landfill to make this site appropriate for construction of buildings.

Airport Auto and Vehicle Circulation and Access

A new parkway along the top of the northern bluff overlooking the Philippine Sea will provide an important access direct to the airport, acting as a bypass for congested traffic on Marine Drive below and a beautiful promenade for enhancement of tourist traffic in Guam. The Laderan Tiyan Parkway will greatly improve the traffic efficiency of Route 8, Airport Access Road and Marine Drive while greatly reducing congestion at the Agaña intersection of Route 8 and Marine Drive. The Parkway will provide an alternative to Marine Drive and Route 16 as access to the Airport from interior villages such as Barrigada, Mangilao,

MongMong-Toto-Maite.

A new arterial street will connect from Marine Drive at Camp Watkins Road to Route 8 at Canada Toto Road. This connector will provide a new route up the bluff to relieve traffic at the airport's terminal access road connection to Route 1, improve access to the commercial centers and the medical services facilities presently located in Tamuning. The new route will also restore a direct link from the beaches and Marine Drive to MongMong Toto-Maite and the interior, which has been blocked by the Navy's presence since the 1940's.

ECONOMIC DEVELOPMENT AREAS

Areas not needed for airport operational or revenue generation use now or in the foreseeable future are planned for economic activities which will provide new jobs for the island. The southern portion of the Base is planned primarily as an economic development area.

This area is divided into six economic zones (Figure 22) defined by major collector and arterial streets. Each of these zones may be developed at different times and in different intensities in response to community needs and market conditions.

With the construction of the new parkway along Mariner Avenue from Route 8 to Route 16, and the extension of Route 10 to meet it, a natural location for commerce identified as zones A, B and C is created. This location is also the central entrance to the airport's south side aviation industries area. These zones are envisioned to contain commercial uses given their proximity to Routes 8, 16 and 10 (extension). Commercial uses including shopping and services is planned in zones A, B and C, serving

<u>ZONES</u>	<u>ACREAGE</u>
A	53.09
B	24.63
C	68.64
D	19.37
E	33.91
F	53.08
HOMELESS USE	2.00
TOTAL	254.72

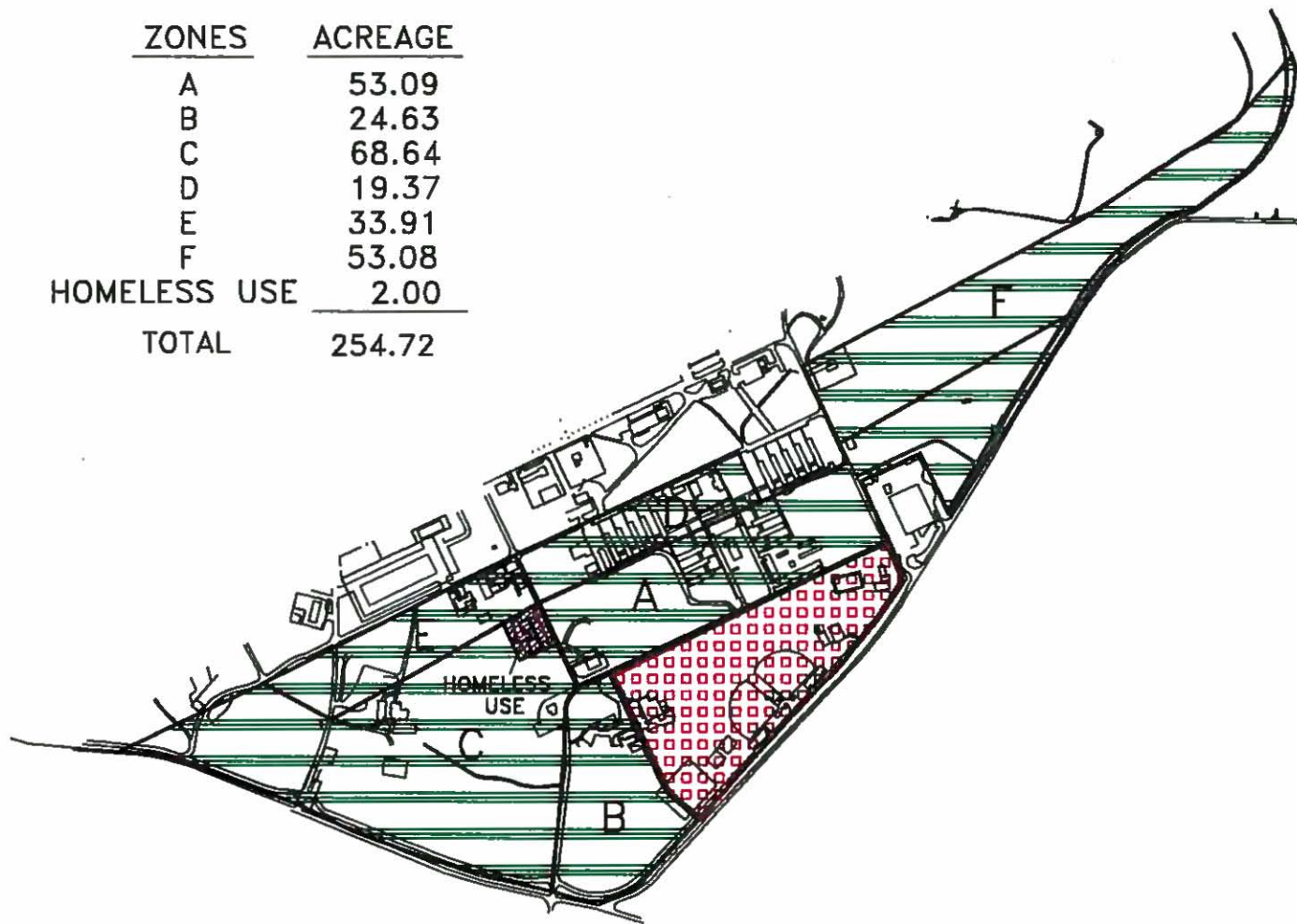


FIGURE 22. ECONOMIC DEVELOPMENT ZONES

local residents, employees in the aviation service industries and passing traffic on the Mariner Parkway and Route 10.

The commercial district is planned to be pedestrian scale, with arcade shopping on the ground floor. Route 10, for the length of the commercial district, is planned to be heavily planted on both sides to provide shade and an aesthetic environment. Restaurants, banks and service offices are envisioned to be important components of this center, some of them in second level locations above the shopping. Surface parking in the rear is planned to ensure adequate and convenient parking for all uses.

North of this town center toward the intersection of Mariner Parkway and the Route 10 extension, are economic zones D, E and F in which light industrial activities are proposed to create jobs and also to serve as a transitional buffer for the heavy industry, aviation-related development south of the runways.

PUBLIC USES

Three major recreational areas and infrastructure improvements including three new regional highways are proposed through the Base to alleviate these long-standing needs.

Reuse of Playing Fields

A high degree of interest exists in Guam for outdoor recreation of all types. Available facilities do not meet the current demand, especially in terms of quality. Few facilities exist that can host public games or tournaments. Night lighting is especially desired. Little funding is currently available for improving existing public facilities. The playing fields at NAS Agaña are widely regarded as some of the best maintained on the island and are

highly sought after for local and regional use. They could be managed as a unit by the Department of Parks and Recreation as a regularly scheduled site for Micronesian Games, South Pacific Games, Olympics trials and other tournaments. Space is available at the playing fields for additional baseball, softball, football, track or other desired facilities. An Olympics Training Center could be set up, perhaps on a regularly scheduled basis, using not only the playing fields but the gymnasium, the dormitories and classrooms of the Airframe and Powerplant School.

Reuse of Swimming Pool at Bachelors Officers Quarters

The swimming pool complex with diving facilities on the north side of NAS Agaña is proposed to be temporarily reused as a training and public swimming facility. The location of this pool at the edge of the Tiyan bluff could make it a spectacular place to stage regional swimming events. Spectators and TV cameras in the bleachers could enjoy not only the swimming and diving events but the spectacular view of Tumon and Agaña Bays spread out below them. However, the pool's location near the proposed taxiway makes recreational use of this area a temporary one pending construction of the taxiway proposed in this plan and studies to determine compliance with FAA and EPA noise level regulations. That the swimming pool does not satisfy Olympic requirements presents an additional limitation which reduces the pool's utility as a venue for officially sanctioned events.

Parks

As the population of Guam expands, space for parks and outdoor sports fields will become difficult to acquire for public use. Therefore, it is recommended that as much park space be provided on the NAS Agaña lands as consistent with the economic and social

services goals of the plan. The following additional park spaces are recommended in the plan:

Regional Recreation Park

A large islandwide park with open spaces, sports fields, and spectator areas appropriate for regional, island-wide and inter-island events is an appropriate and desirable use for NAS Agaña land along Route 8 in MongMong-Toto-Maite. Although close to the aircraft approach zone to the Guam International Airport, recreational use of this area will be permitted. Facilities construction, however, should be reviewed by GAA and approved by FAA to ensure that structures meet obstruction clearance and other regulatory requirements of the Federal Aviation Administration.

Laderan Tiyan Memorial Park

The edge of the Tiyan Bluffs provides one of the most spectacular vistas on Guam. Half the island can be seen from here, and the vista of clouds and sea is ever changing. Few people on Guam have seen this vista because of the closed access to the base. The plan includes a park and parkway along the edge of the bluff. The park is planned to incorporate walkways, bikeways, jogging trails, picnic and sitting areas and small open spaces for family fiestas and informal sports. It is planned to extend the length of the bluff from the Bachelors Officers Quarters to the Airport Terminal and range from 100 to 300 feet in width.

The paralleling Laderan Tiyan Memorial Parkway, in addition to performing its critical bypass service for Marine Drive, is planned to provide the same spectacular view for the enjoyment of drivers and passengers. The Parkway will be a beautiful

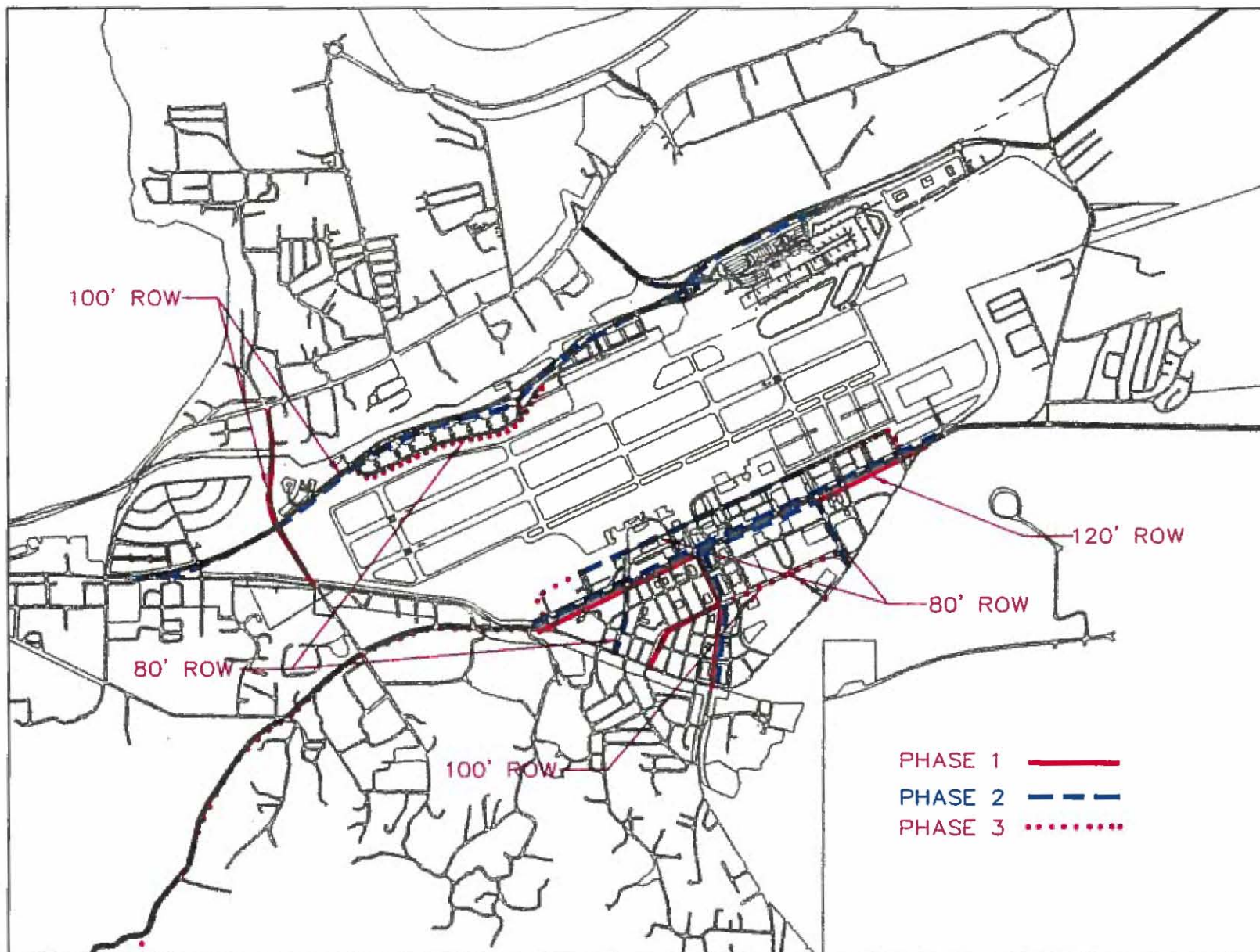
entrance and exit for Guam's front door, the Airport Terminal, and will become a tourist attraction, an added event for a stay in Guam and a memorable "photo opportunity". As part of Laderan Tiyan Memorial Park, it is proposed to construct a memorial to the men, women and children who lived through the occupation and liberation of Guam, and especially to those who were conscripted to construct the original airfield in Tiyan. The beautiful setting would be appropriate to such a memorial.

Transportation Improvements

The regional highway system and local street system in the vicinity of NAS Agaña must be substantially improved to correct historical inadequacies caused by the closed nature of the base and to provide adequate access to the expanding airport and planned new developments on the Base. Two kinds of improvements must be made:

1. New north-south and east-west connections must be made through the Base to provide relief and bypass routes for traffic that has been historically limited to one street.
2. Local streets on and around the base must be improved to provide access to the airport and proposed developments in a new and more open pattern than the Navy gatehouses provide (Figure 23).

Correction of the existing regional bottlenecks and discontinuities is required so that traffic can move efficiently from northern Guam to southern Guam. Reduction of regional congestion is required to allow for the expansion of Tamuning and central Guam to provide the needed services for the growing population



PROPOSED
ROADS PLAN

NAS AGAÑA
AIRPORT MASTER PLAN AND
BASE REUSE MASTER PLAN

0 1400 2800
SCALE: 1" = 2800'

**DUBOIS &
ASSOCIATES**

FIGURE 23. PROPOSED ROADS PLAN

and economy. Regional improvements are necessary to provide adequate connections to the new developments envisioned in the Base Reuse Master Plan and to the airport.

The 2010 Highway Master Plan proposes a roadway linking Route 8 and Route 10a along the top of the Tiyan Bluff and a roadway connecting up the bluff from Route 1 to Route 8 as long term proposals. This Base Reuse Master Plan proposes to take maximum advantage of the opportunities presented to resolve both regional and airport access needs as soon as possible.

Many miles of new rights-of-way are available on the Base. These rights-of-way should be designated immediately so that the opportunity is not lost but held until funds are available for construction. The following regional access improvements are required:

- a new Laderan Tiyan Memorial Parkway along the top of the northern bluff;
- a new Camp Watkins Road/Toto Canada Road Connector Road from Route 1 at Camp Watkins Road extending up the bluff to Toto Canada Road at Route 8; and
- a new Cabras Parkway on the alignment of Mariner Drive on the south boundary of the airport.

These regional improvements are consistent with the requirements for circulation and access as shown in the "2010 Highway Master Plan for Guam".

Laderan Tiyan Memorial Parkway

The new Laderan Tiyan Parkway along the top of the northern bluff, will provide local access to northside airport

developments, a second entry to the airport passenger terminal area, a bypass for traffic to avoid Marine Drive (Route 1) and, if ultimately extended as shown here and in the "2010 Highway Master Plan for Guam", a direct connection from Dededo in the north to Adelup in the south.

The option for establishing the proposed Laderan Tiyan Parkway through NAS Agaña is immediately available. It should be designated as a right-of-way and constructed as soon as budgets and designs can be established. Consideration should be given to diverting budgeted funds from proposed improvements and widening of Route 1. They may be unnecessary, if the Parkway were to be constructed at an early date to divert the traffic from Route 1. All plans which have the effect of reducing traffic demand on existing Marine Drive and Airport Road (Route 10a) will produce large benefits in terms of reduced delays and improved safety.

The Laderan Tiyan Memorial Parkway is planned to be a high capacity scenic road with four lanes in two widely separated carriageways that will be capable of handling between 30,000 and 40,000 vehicles per day. This would provide a significant capacity increase to handle the 65,000 to 70,000 vehicles per day which currently use Route 1 through Tamuning. Access points along this road will be limited to no less than 1/4 mile spacing. New interchanges at the passenger terminal will provide the required service for 2015 and beyond.

It is recommended that a right-of-way no less than 200 feet wide and varying up to 300 feet be established for the parkway. This will allow flexibility to design a handsome and well landscaped parkway including paralleling walkways, bikeways and jogging trails. The views from the Parkway across Tamuning to the Philippine Sea will be spectacular. It is intended that the

Parkway should become an early and high quality link in a system of tourist and pedestrian-oriented scenic highways on Guam.

Adelup-Dededo Connector

Minor changes to the regional highway network can be made which will make the proposed Laderan Tiyan Memorial Parkway even more useful for regional traffic purposes. The suggested changes would produce a new continuous road paralleling Route 1 from Adelup to Dededo providing more a convenient bypass to Route 1. These changes are expected to divert the maximum amount of traffic from Route 1. For the first time, there would be two north-south roads on the west coast instead of only one as at present. The effect of this diversion on congestion through Tamuning would be dramatic. To achieve this connection the following improvements are needed:

- The connection of East O'Brien Drive to Route 8 should be returned to its original curving configuration so that it reestablishes a continuous connection to Route 4;
- The continuation of O'Brien Drive along the base of the hill through Agaña should be improved;
- O'Brien Drive should be connected to Route 1 near Adelup;
- Route 10a (which will be part of the proposed Parkway) should be extended from Route 16 to Route 1 at Dededo as proposed in the "2010 Highway Master Plan".

Camp Watkins Road/Canada-Toto Road Connector

The new Camp Watkins Road/Canada Toto Road Connector

Road is planned to extend from Route 1 at the Camp Watkins Road intersection up the bluff and across the airport to Route 8 at the Canada Toto Road intersection. This will provide direct access from Tamuning to Maite and the southside airport services and industries. It will also provide an alternative route to reduce traffic on Airport Road (Route 10a) in front of the airport terminal. The new Camp Watkins Road/Canada Toto Road Connector Road is planned to be a four lane road from Route 1 to Route 8 capable of handling 20,000 to 30,000 cars per day. It is recommended that a right-of-way not less than 150 feet wide be established and that the road be planned for future expansion to as much as 8 lanes.

The grade up to the top of the bluff can be accomplished with a 7% maximum slope and with cut and fill not exceeding 60 feet. Design of the road should incorporate walkways, bikeways and landscaping located so that these features need not be removed if the road is widened. Ultimately, this new connector road could be extended from the bottom of Canada Toto Road to Route 10 at University Drive, providing a new east-west link in the island wide network providing a direct connection from San Vitores Road to Mangilao and the University of Guam campus.

Cabras Parkway (Mariner Avenue Parkway)

The plan recommends construction of a new Parkway on the alignment of Mariner Avenue through the south side of the Base. This new Parkway will initially provide a direct link through the former Navy Base from Route 8 to Route 16 and access to southside airport lands and services. This is planned to be a four-lane divided roadway with a capacity of 30,000 to 40,000 vehicles per day. Access to this parkway is proposed to be limited and based on service access requirements of adjacent land uses. Access points at 350-foot spacing in the town center area on the south side of the

airport are proposed to provide good access to the commercial and industrial developments here. To the east and west of its intersection with Route 10, access should be limited to 1,000 feet or so. It is recommended that a minimum of 100 feet be established as the right-of-way width for this parkway, and that walkways, bikeways and landscaping be part of the original design for the Parkway.

Ultimately, the parkway proposed on the Mariner Avenue alignment could be extended northward and southward to create a third north-south road paralleling the east coast from the port area at Cabras to the Ysengsong area in North Dededo. This road would provide long term traffic relief to the congested Tumon and Agaña areas. The Parkway could be extended southward in the right-of-way of the military pipeline across Agaña Swamp, up the Chaot River Valley, across the heights of Asan and down to Cabras, joining Route 1 at Route 6.

Although it would have to be widened, use of this right-of-way may ease acquisition. The military pipeline will have to be protected, perhaps by burial. The area in the swamp and Chaot Valley is one of the most beautiful natural country remaining on Guam. It would be beautiful if a very wide right-of-way could be established and the vegetation protected so that a true parkway could provide a new environmental amenity and addition to the scenic highway network. An alternative alignment is shown in the 2010 Highway Master Plan for Guam which could also be used to provide the link to Cabras.

Northward, the parkway can be extended along the edge of the NCTAMS WESTPAC Communications Station and along the southeast flank of Barrigada Hill, crossing Route 1 in south Dededo and following Ysengsong Road to Route 3 and the northern end of the island. This portion of the road should be provided with a 100-

foot right-of-way and be designed in a more urban way for service to the areas along it. Most of the proposed right-of-way for the Cabras Island Parkway is not built up. Securing the right-of-way should be undertaken as soon as possible because the rapid growth of population in this part of Guam will soon make this idea infeasible.

Access to the Airport

A plan for improving circulation in front of the newly expanded passenger terminal building has been prepared by the Guam Airport Authority. Objectives of this plan are to reduce conflicts between through traffic using Airport Road (Route 10a) as a shortcut between Tamuning and Route 16 and to allow free flow of traffic to and from the terminal, eliminating the need for traffic signals. With the closure of NAS Agaña, Central Avenue will be opened to public traffic for the first time. It is expected that this will quickly become a heavily traveled route to reach Barrigada and Route 10 and southeastern Guam from the Tamuning area. The plan for improvements in front of the terminal did not anticipate this new traffic pattern. If the Central Avenue connection to the terminal area remains as shown in the plan, traffic in the vicinity of the terminal is expected to become congested, increasing delays and compromising safety. Traffic from Central Avenue and, ultimately, from the new Laderan Tiyan Memorial Parkway must be incorporated into this plan.

The new Laderan Tiyan Memorial Parkway should be treated as a continuous north/south through route from Route 4 in Agaña to Route 16 and beyond to Dededo, with Airport Road (Route 10a) becoming a short connecting road from Marine Drive (Route 1) to the airport terminal. The new Parkway should be completely separated from the return loop in front of the passenger

terminal so that no intermingling of through and terminal traffic occurs. A new interchange should be built to connect Laderan Tiyan Memorial Parkway to Airport Road passing underneath the Parkway. The plan to accomplish these objectives is shown in Figure 19.

Access to Proposed Development: Route 10 Extension

Route 10 is planned to be extended northward from its current terminus at Route 8 through the existing Navy (Contractors) gate to a new terminus at the planned Cabras Parkway. A right-of-way of 100 feet is proposed for this road. For the two blocks as this road passes through the town center, it is envisioned that there will be a large central median and diagonal parking.

Route 8 and Route 16

Traffic will be reduced on Routes 8 and 16 in the Barrigada area because the through traffic will be using the Cabras Island Parkway. Southbound traffic on Route 10 may continue to use the existing roads. Proposed widening of the routes should be unnecessary. Turning movements at Route 10 will also be reduced since they will be distributed to two intersections rather than one.

When the Navy's fence is removed, Routes 8 and 16 can be relandscaped.

The pipeline paralleling the roads will remain and will need to be protected. It is recommended that parts of it be buried so that local street connections can be made across from Barrigada into the former Base so that the strong separation is blurred.

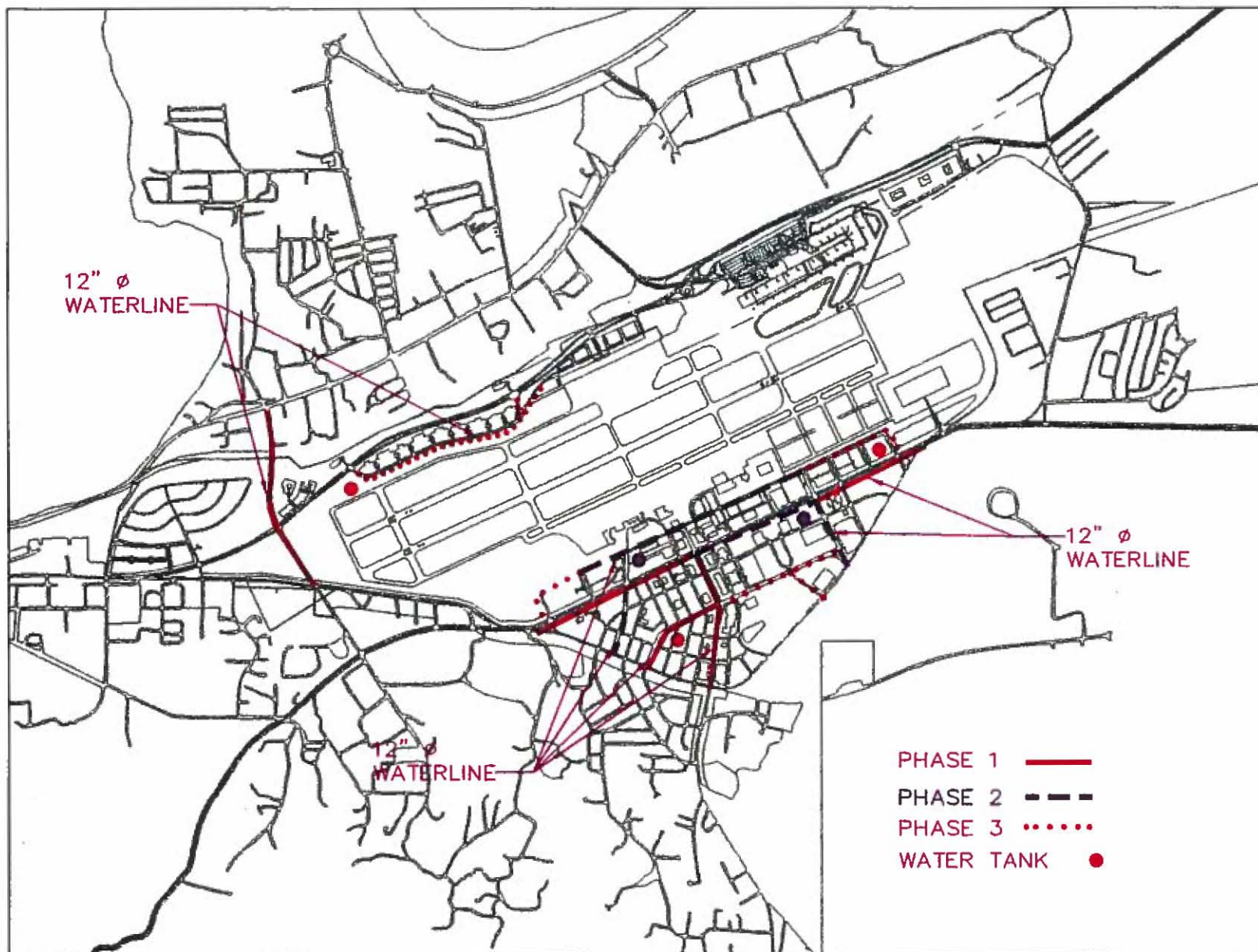
Collector Street Framework

Local collector streets will be designed at the time of subdivision of the larger parcels and will be based on the land use decisions made at that time. The local streets should have rights-of-way of 70 feet in commercial and industrial areas. These are slightly wider than the current standards and are recommended because the current standards do not adequately provide for landscaping and the possibility of on-street parking.

Other Utilities and Infrastructure

Water

The entire water demand for the existing facilities on NAS is currently being supplied by a 16-inch diameter Navy waterline located along Route 8 and Route 16. Since this waterline also serves Navy facilities along Route 3 and the vicinity of Radio Barrigada, it will not be turned over to the Government of Guam and according to the representatives of the Navy, will remain under Navy ownership. PUAG will be required to enter into an agreement to purchase water from the Navy. The proposed water system is shown in Figure 24. Based on preliminary engineering analyses, fire flow requirements of 3,500 gallons per minute (gpm) for two hours for industrial and commercial areas dictate the sizing and pressures of the water distribution system. Potable water demand requirements will be met partially by the existing 16-inch diameter Navy line along Route 8 and Route 16. The remaining water requirements must be supplied by PUAG. The conceptual design of the proposed water system provides 12 and 16-inch diameter lines that form the backbone of the water distribution network, whereas secondary 8 and 10-inch diameter lines will be looped to



PROPOSED
WATERLINE
PLAN

NAS AGAÑA
AIRPORT MASTER PLAN AND
BASE REUSE MASTER PLAN

0 1480 2960
SCALE: 1" = 2960'

**DUSTON &
ASSOCIATES**

FIGURE 24. PROPOSED WATER SYSTEM

serve smaller subareas. Fire flow and emergency flow requirements will be supplied by new on-site water storage tanks and booster pumps that will keep the system adequately pressured.

Sanitary Sewer

The wastewater generated by existing base facilities is currently routed via 8, 10 and 12-inch diameter lines to an existing 18-inch diameter interceptor line along Route 8. This interceptor currently falls under the ownership of Government of Guam. The proposed sanitary sewer system is shown in Figure 25. The conceptual design of the proposed sewer system incorporates the minimum standards adopted by PUAG. Wastewater flows generated by the new facilities will be routed through new 8, 10 and 12-inch diameter sewer lines to 18-inch diameter sewer interceptor. Due to grade differences, wastewater generated in certain areas will have to be pumped into the gravity collection system. Wastewater flows will be routed to the Agaña Wastewater Treatment Plant via a new 24-inch diameter sewer line. Based on data available from the Wastewater Facilities Master Plan, the existing treatment facility is capable of handling additional flows from the airport.

Storm Drainage

Based on available information, there are currently three National Pollutant Discharge Elimination System (NPDES) permits issued for base stormwater discharge into the percolation system and the Harmon Sink area. These permits were issued to Continental, Lockheed and GAA. There is storm water monitoring equipment located near Outfall No. 1. GAA currently performs manual water sampling near GAA Outfall No. 1. The Navy currently does not possess any NPDES permit for its stormwater discharge. Since improvements will likely result in additional

runoff that will be routed to the Harmon Sink, it is anticipated that additional NPDES permits will be required. Existing NPDES permits licensed to GAA and its tenants should not be affected by the NAS Agaña base closure. A group NPDES permit application for NAS Agaña has been prepared and submitted by PACNAVFACENGCOM, and is currently being processed. Figure 26 shows the proposed storm drainage system. The storm drainage system for the proposed roadways will be routed through a roadside drainage collection system to a series of percolation basins. The storm drainage runoff generated from the northern section of the airport which is expected to potentially carry significant pollutants and contaminants will be routed through oil/water separators before discharge to percolation basins located on-site or the Harmon Sink. The remainder of the runoff not expected to potentially carry significant pollutants and contaminants will continue to be disposed of in the same manner as the existing system. The storm drainage runoff generated by the southern section of airfield which is expected to potentially carry significant pollutants and contaminants will also be routed through an oil/water separator before discharge to a percolation system. Remainder of the runoff from this area that is not expected to carry significant pollutants and contaminants will continue to be disposed of in the same manner as the existing system.

Telephone

Based on discussions with the Navy, the ownership and use of the primary telephone lines that originate from the Tamuning Telephone Exchange and are routed underneath the airfield to Route 16 will be retained by the Navy via an easement. Some secondary lines, however will be available to the Guam Telephone Authority (GTA) for future use. The proposed telephone system is shown in Figure 27. Based on discussions with GTA, there will be two

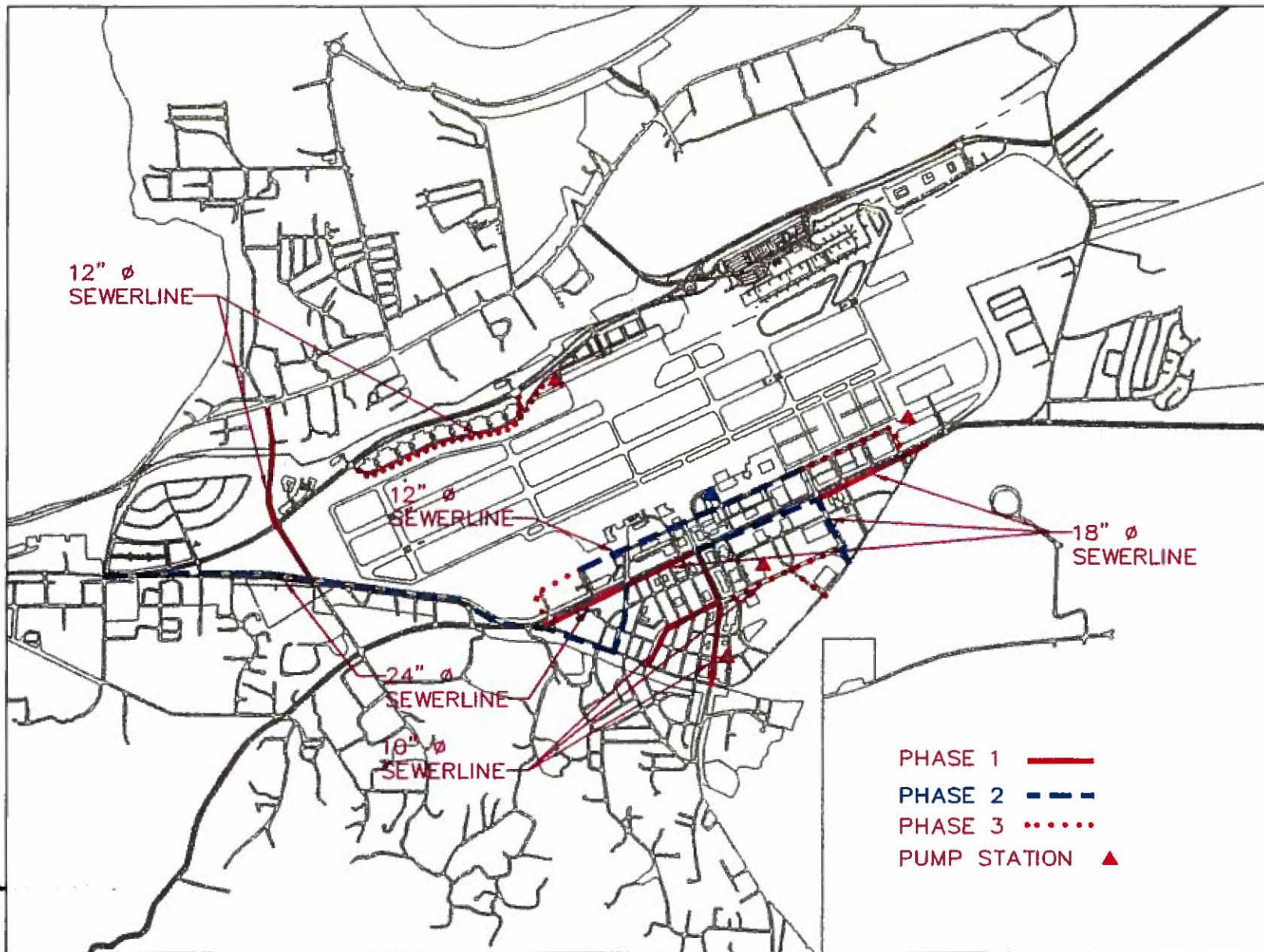
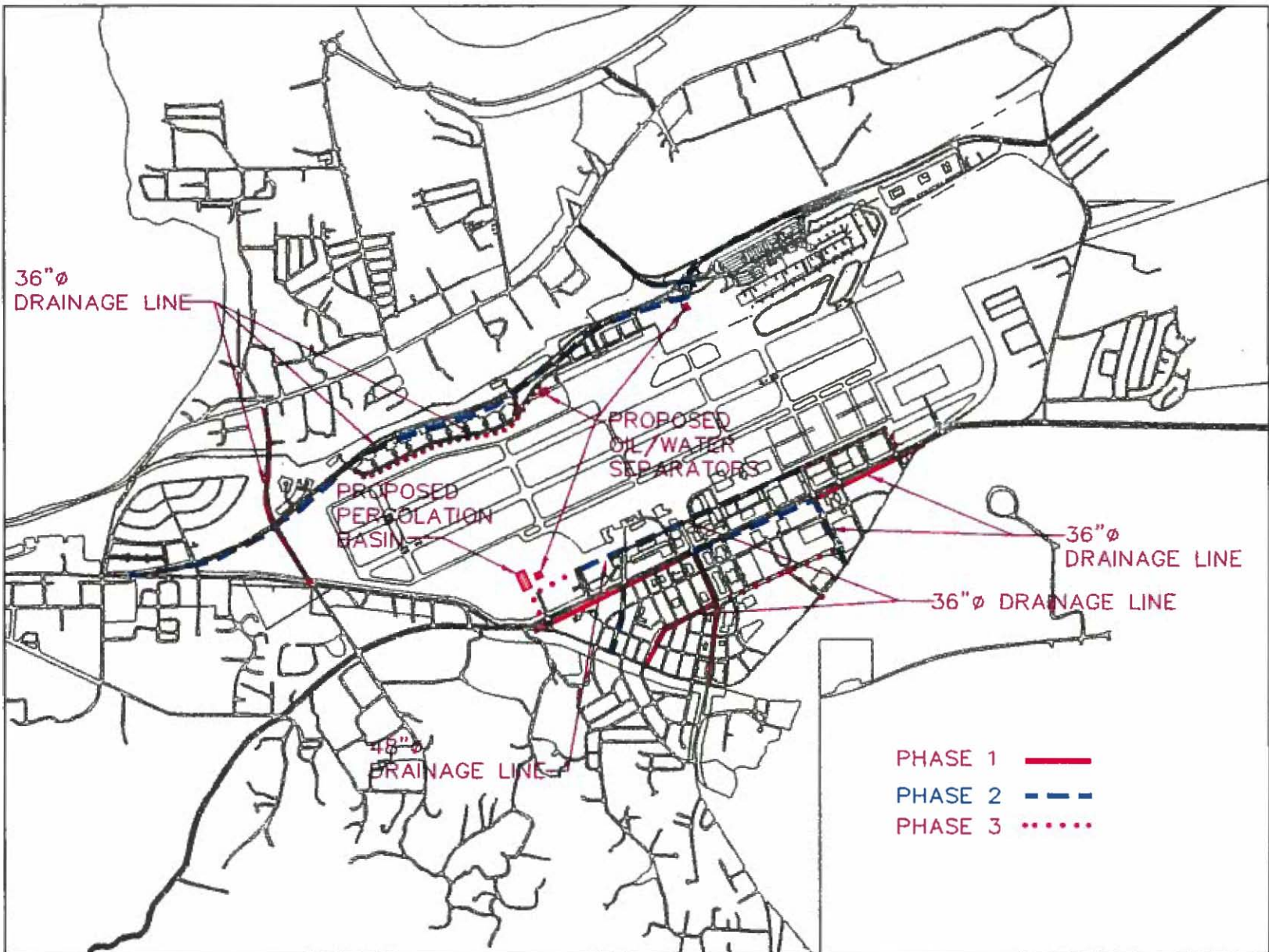


FIGURE 25. PROPOSED SANITARY SEWER SYSTEM



PROPOSED
STORM DRAINAGE
PLAN

NAS AGAÑA
AIRPORT MASTER PLAN AND
BASE REUSE MASTER PLAN

0 1000 2000
SCALE 1" = 200'

**DUSTY &
ASSOCIATES**

FIGURE 26. PROPOSED STORM DRAINAGE PLAN

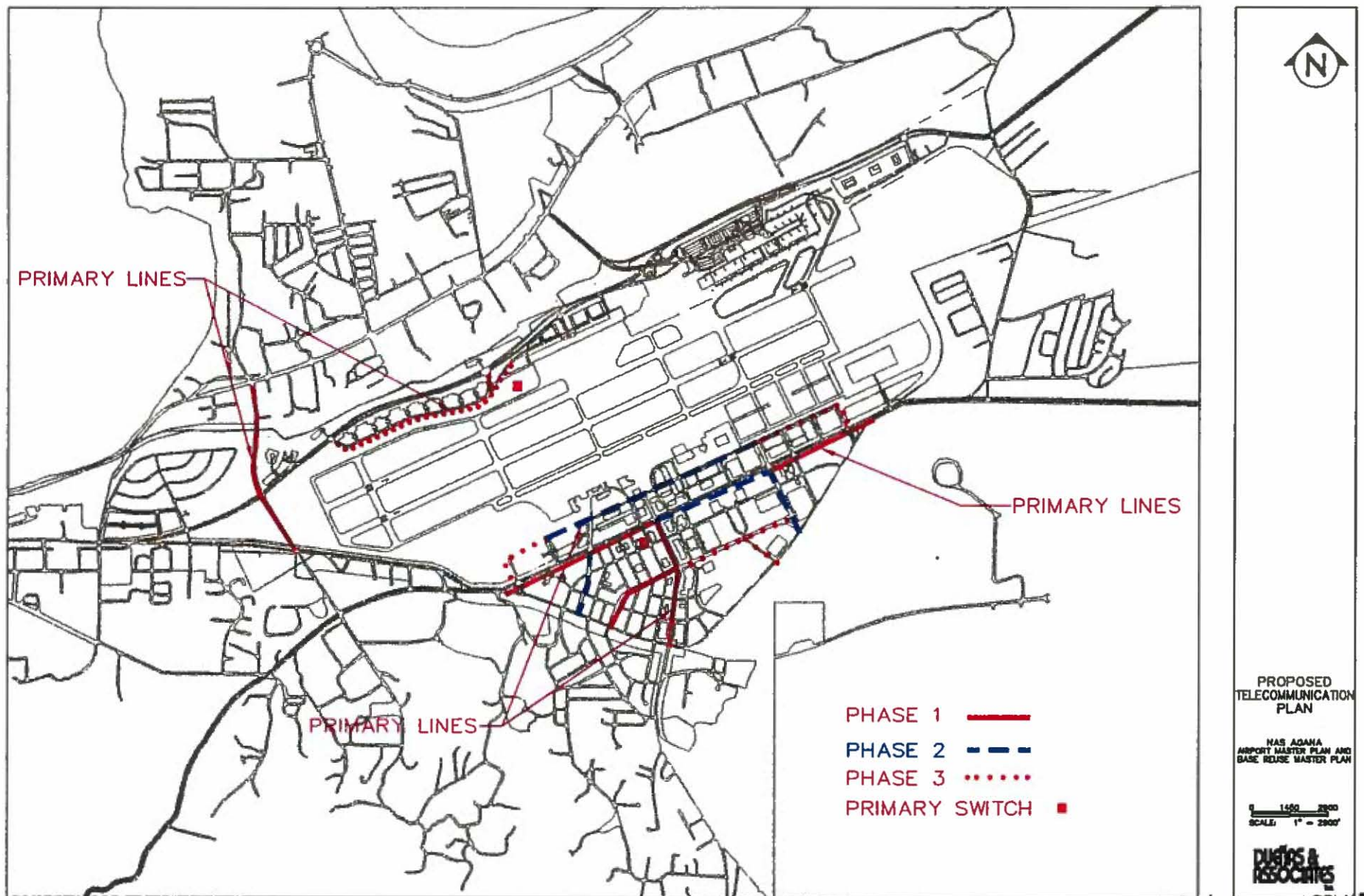


FIGURE 27. PROPOSED TELEPHONE SYSTEM

primary switching facilities that will be required to adequately serve this project. Most of the infrastructure currently in-place will need to be replaced.

Power

It is anticipated that due to additional electrical demands caused by proposed new facilities, only a portion of the existing electrical infrastructure will be reusable. Most of the existing system must be replaced as a result of new improvements. The proposed electrical system is shown in Figure 28. It is anticipated that most of the existing electrical system will be replaced.

Secondary Improvements on Project-by-Project Basis

It is anticipated that the government will provide the primary road and utility infrastructure to serve the general area. The construction of secondary road and utility infrastructure will be addressed by the entities responsible for developing the base parcels.

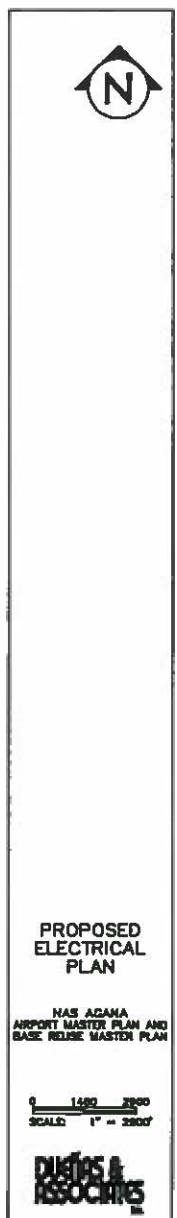
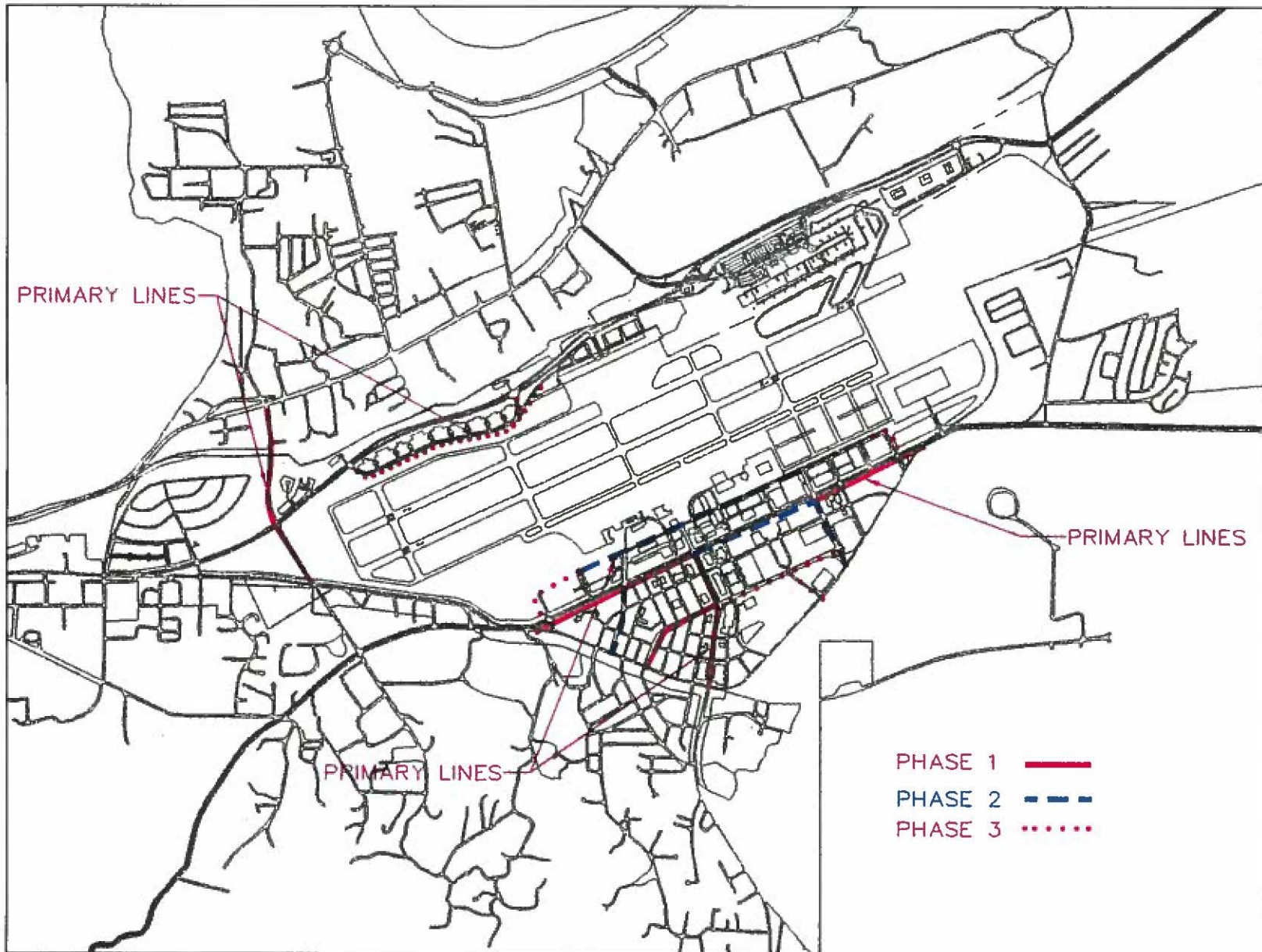


FIGURE 28. PROPOSED ELECTRICAL SYSTEM

CHAPTER VI

Implementation: Base Realignment and Closure Process

The following section describes the Base Realignment and Closure Process, recent statutory updates and recommendations for the designated Local Redevelopment Authority.

Statutory Update

In October of 1994, the Pryor Amendment Interim Rules were modified in response to comments received during the public comment period. The thrust of the modifications was to revise the provisions pertaining specifically to Economic Development Conveyance Requests. On July 20, 1995, the final base closure rules were promulgated and on August 8, 1995, the homeless assistance interim rules were published. Comments on the interim rules are due on October 10, 1995 but are required to be followed during the comment period.

Designation of LRA

The Government of Guam has been designated as the LRA by the Office of Economic Adjustment since it has the ability to own and hold title to property. Given the substantial adverse impact created by the closure and realignment decisions made by BRACC '95 and the Komitea Para Tiyan's renewed focus on economic initiatives to offset these impacts, the designation of a new LRA is being considered in order to focus substantially more effort on economic recovery.

DOD/Federal Agency Screening

The Department of Defense (DOD) conducted Federal Agency screening early in 1994. The following federal entities made requests for portions of NAS Agaña:

1. General Services Administration for 8 acres to construct a federal courthouse;
2. U.S. Army Reserve for the Bachelors Officers Quarters to consolidate Reserve activities (this request was subsequently withdrawn);
3. U.S. Property and Fiscal Office for Guam (Guam Army National Guard) for various facilities on the south side to be temporary used for operational purposes until their new facility in Radio Barrigada is completed;
4. U.S. Postal Service for a building to house postal activities;
5. Federal Aviation Administration for the air traffic control facility for their operations;
6. National Weather Service for their operations; and
7. Defense Commissary Agency (DECA) for the large warehouse for storage of commodities for resale at commissary facilities.

The Komitea Para Tiyan reviewed each federal agency request for consistency with the draft reuse plan and recommended that only the Federal Aviation Administration and the National Weather Service requests be approved as these agencies perform functions essential to the operations of an airport. Although the Commander of the Naval Forces in the Marianas agreed with the position of the Komitea Para Tiyan, higher Navy command has yet to make its final decision on federal agency requests.

McKinney Act Screening

In accordance with the provisions of the Base Closure Community Development and Homeless Assistance Act, Guam has indicated its intent to control the McKinney Act Screening process.

Approved by the Navy, the Government of Guam now has opportunity to address homeless requests in a manner that is consistent with the local reuse plan. Essentially, the provisions of the law mandate that all homeless providers submit their applications directly to the LRA, whereupon the LRA is to hold outreach seminars and prepare its reuse plan in a manner which attempts to accommodate the needs of the homeless. Upon completion of the reuse plan, the plan, along with a homeless assistance application, are submitted to the Department of Housing and Urban Development (HUD) for evaluation and a determination as to whether HUD believes the needs of the homeless have been adequately addressed, either on or off base. To the extent the reuse plan is deemed to adequately address the needs of the homeless, reuse decisions on homeless requests will be made in accordance with the reuse plan.

To the extent HUD feels that this reuse plan does not adequately address the needs of the homeless, then HUD will make disposal recommendations to the DOD as to homeless parcels, which recommendations will then be followed by DOD.

Given the accelerated schedule of the Base Disposal Process, this Reuse Plan will be completed and submitted before the McKinney Act screening process can be completed. Consequently, this Base Reuse Plan may require modification or amendment upon completion of the screening process.

To date, the following steps have been taken to complete the

McKinney Act screening process requirement:

1. The Komitea Para Tiyan has received applications from homeless providers.
2. The Komitea Para Tiyan has applied and received HUD approval for a grant to fund a community wide study of homelessness. This study will provide the basis for determining whether this community has adequately addressed homeless issues, overall. This study will provide the Komitea Para Tiyan with the data it needs to decide whether homeless needs should be met on Tiyan.
3. The Interim Use Authority has set aside a portion of the existing enlisted men's housing area, i.e. those units outside of the 65 db noise level zones, for temporary use by qualified homeless providers. The Guam Housing and Urban Renewal Authority is assigned the responsibility for management of these housing resources.
4. The Local Redevelopment Authority (GovGuam) will enter into a legally binding agreement with GHURA to insure that the needs of the homeless providers are accommodated in accordance with the provisions of federal mandates.
5. GHURA, in collaboration with the Homeless Consortium will develop timelines and qualifying guidelines for the acceptance and approval of applications for service or facilities under the agreement between GHURA and the LRA.

Furthermore, BRACC 95 specifies that additional bases on Guam will be closed. These bases include housing facilities. Therefore, the Komitea Para Tiyan believes homeless issues must be set aside until the community wide study of homelessness has

been completed and an overall, community wide determination of homeless needs and resources which can be allocated can be completed.

Other Base Property Transfers

The transfer process for the remaining portions of the NAS Agaña, exclusive of any Federal Agency requests approved by the Navy, now consists of Public Benefit Conveyance Requests, Economic Development Conveyance requests and negotiated and/or public sales.

Public Benefit Transfers

The KPT and GAA have analyzed the boundaries of a proposed public benefit transfer request for airport uses. As a result, this plan recommends that the airport operations area be transferred to the Guam Airport Authority. In addition, the boundaries approved by the Komitea for transfer to GAA includes other properties which will be used for airport related uses to benefit the airport. The Komitea Para Tiyan has included these parcels within the GAA boundaries because of compatibility issues and revenue generation concerns. The final boundaries for the Guam Airport Authority are depicted on appended diagrams. The Federal Aviation Administration ("FAA") will decide upon this request soon after the public benefit application is submitted by GAA.

Other areas for which public benefit transfers will be requested include:

- A. **By the Department of Public Works** under the sponsorship of the Department of Transportation, for

improvements to the island's highway and street network utilizing NAS parcels:

- 1. the rights-of-way required for the development of the Laderan Tiyan Memorial Parkway;
- 2. the rights of way required for the development of Cabras Parkway/Mariner Avenue Parkway; and
- 3. the rights of way for the completion of the Route 10 Extension.

- B. **By the Department of Parks and Recreation** under the sponsorship of the Department of the Interior, National Park Service for:

- 1. the Laderan Tiyan Memorial Park;
- 2. the MongMong-Toto-Maite Regional Park (adjacent to the NAS Officer's Housing Area and the Calvo Family Compound); and
- 3. the Sports and Recreational fields and facilities.

Economic Development Requests

The new amended rules under the Pryor Amendment have simplified the Economic Development Conveyance Request process, to some extent. Specifically, the previous market test requirement has been eliminated and certain eligibility criteria have been established by the DOD in order to evaluate Economic Development Conveyance Requests. In addition, the terms of any Economic Development Conveyance Requests have been modified so as to provide greater flexibility in negotiations between LRA's and DOD with respect to price and terms. This plan recommends that Economic Development Conveyance applications for the economic development areas contained in the plan be submitted by the LRA for approval by the Navy upon acceptance of the NAS Base Reuse Plan. Any application for an Economic Development Conveyance Request must now contain the following elements:

1. An adopted redevelopment plan;
2. An indication of the size of the parcels and the intended uses;
3. Discussion of the impacts of the closure of the base;
4. A job creation strategy;
5. A market analysis and business plan to determine financial feasibility; and
6. A statement of why the conveyance is needed and why other disposal authorities cannot be used to create jobs.

The criteria to be used by DOD in evaluating Economic Development Conveyance Requests include the following:

1. Job creation potential;
2. Impact of closure on the local community;
3. Feasibility of development under the reuse plan;
4. Local investment and risk;
5. Local real estate market conditions;
6. Relationship with disposal plan of the military departments;
7. Extent of economic benefit conveyances to governmental entities (including maintenance costs savings factors); and
8. Comments from other Federal Disposal Agencies.

Rural Exemption

The Navy has notified the Government of Guam that its application for rural designation has been approved. As a result, Guam would be eligible to receive properties under an Economic Development Conveyance at no cost.

Negotiated and/or Public Sales

To the extent the property is not disposed of in accordance with any of the preceding procedures, it may then be offered for sale, either on a negotiated basis to an identified entity (in this case presumably GovGuam), or failing that, to the public. Generally, such a sale would seek recoupment by the Navy of the property's fair market value however, ultimate use of the property would be governed by this reuse plan.

CAPITAL IMPROVEMENT PROGRAM

Costs

The costs for implementing the Base Reuse Plan will be shared by both public and private sectors over the next twenty years and will at the same time represent economic opportunities in terms of jobs and business opportunities created in order to implement the plan. Public implementation costs will be shared among a number of governmental bodies. Some agencies have direct revenue sources such as dedicated income from operations, and federal grants. Included among these agencies are the Guam Airport Authority and the Department of Public Works. Other agencies must depend on the General Fund and will thus be dependent upon general economic conditions to provide adequate budgets for implementation. Major costs related to commercial and industrial development will be borne by the private sector. Development of tracts and major projects is expected to include development of local streets and utilities and contributions to offsite utility costs needed to service the development; i.e., a private developer will finance this infrastructure out of the project budget with little or no public subsidy. The cost estimates presented in this section are developed at a conceptual level and have been costed using realistic

average rates for the various works. As such, these estimates must be considered to be an indication only of the likely order of costs to be incurred.

Significant detail design work will need to be completed before these budgets are converted to and considered as construction cost estimates. All estimates are based on cost as of February 1995. No allowances have been included for increasing costs due to inflation and market factors. To attempt to forecast the effect of rising costs for up to twenty years in the future would only serve to completely distort the cost structures and diminish the accuracy of the estimates. In any case, increases in development costs through inflation or market pressures will generally be balanced by increased income for those organizations funding the work. Estimates for design and construction management fees are included here, but provisions have not been made for administration or supervision costs which may be incurred by GovGuam Departments or Agencies which have jurisdiction over individual sections of the development program. The summary in the following tables has been formulated to identify the cost of three major cost centers. These three cost centers are:

1. Regional Infrastructure;
2. Airport Developments; and
3. Community Developments

The purpose of this breakdown is to be able to assess the costs to each of the major cost centers that will be involved in implementing the plan.

Regional Infrastructure

Referring to Table 17, arterial roads and primary utilities will provide a benefit to the airport, the developments proposed on

NAS Agaña and the surrounding region by improving traffic flow and utilities availability to and around NAS Agaña. The cost of these roads and utilities will generally be shared between airport-related and community-related developments. In some cases, private developers of large projects and GovGuam agencies

TABLE 17
SUMMARY OF COSTS: REGIONAL INFRASTRUCTURE

REGIONAL INFRASTRUCTURE	ALL MILLION 1995\$
<i>ROADS</i>	
Mariner Ave. (East to Route 8)	1.00
Mariner Ave. (West to Route 16)	1.10
Camp Watkins Extension	3.80
Mariner Ave. (Route 8 to Route 16)	3.70
Bluff Drive (Route 8 to Route 10A)	14.60
Subtotal	24.20
<i>UTILITIES</i>	
GTA Telephone	2.00
Mariner Ave. (Route 8 to Sherman Blvd.)	5.30
Mariner Ave. (Sherman Blvd. to Corsair Ave..)	1.00
Mariner Ave. (Fury Road to Route 16)	1.70
Bypass Road (Route 8 to Property Line)	0.60
Mariner Ave. (Corsair Ave. to Fury Road)	4.80
Bluff Drive	6.40
Perimeter Road	1.70
Subtotal	23.50
TOTAL	47.70

developing large projects such as housing may be required to contribute to the cost of the improvements in proportion to their use. Further detail design will require to be completed prior to establishing an accurate cost sharing formula for these utilities.

Airport Costs for projects on airport lands will be borne either by the airport directly with reimbursement coming through user fees or leases or by the developer of the facility with ground leases or other fees going to the airport authority (Table 18).

TABLE 18
SUMMARY OF COSTS: AIRPORT DEVELOPMENT
(IN MILLIONS OF 1995 DOLLARS)

CATEGORY	EARLY ACTION 1995-1996	PHASE I 1996-2000	PHASE II 2001-2005	PHASE III 2008-2015	SUBTOTAL
AIRFIELD UPGRADING					
Rehabilitate Runway 06R/24L	8.00				8.00
Reconstruct Overrun 06L/24R up to 1,000 ft. East	4.10				4.10
Construct Holding Lane on East Ramp		7.00			7.00
Rehabilitate Runway 06L/24R		7.50			7.50
Provide 20: 1 Civil Approach Slope and Runway 24L		7.10			7.10
Extend Pavement 06R/24L 1,000 ft. West		6.30			6.30
Extend Pavement 06L/24R 1,000 ft. West		3.90			3.90
Construct North Parallel Taxiway to End Runway 06L			14.90		14.90
Construct New Taxiway from End Runway 06L/24R			3.10		3.10
Excavate and Reconstruct Runway 24L 2,000 ft. East				18.00	18.00
Construct New Taxiway 06R on West Side of Ramp				15.10	15.10
Airport Stormwater Drainage		4.20	2.70	0.60	7.50
TOTAL - AIRFIELD UPGRADING	12.10	36.00	20.70	33.70	102.50

TABLE 18 (Continued)
SUMMARY OF COSTS: AIRPORT DEVELOPMENT (IN MILLIONS OF 1995 DOLLARS)

CATEGORY	EARLY ACTION 1995-1996	PHASE I 1996-2000	PHASE II 2001-2005	PHASE III 2008-2015	SUBTOTAL
AVIATION INDUSTRY INFRASTRUCTURE					
Utilities		4.30	15.60	18.10	38.00
Roads			9.60	6.20	15.80
Subtotal - Aviation Industry Infrastructure	0.00	4.30	25.20	24.30	53.80
AVIATION INDUSTRY IMPROVEMENTS					
Office Park	1.50	0.50	0.50	51.50	54.00
Airport Maintenance Yard	2.00	0.60			2.60
General Aviation and Fixed Base Operations	2.00				2.00
Refurbish/Expand Existing Hanger	2.00	7.60	7.60		17.20
FAA/Weather Service	0.70				0.70
Air Rescue/Fire Fighting Center	0.50				0.50
Cargo Center		7.80	2.70	2.30	12.80
Hotel/Trade Center			53.00		53.00
Maintenance/Refurbishment Facilities		2.00	48.80		50.80
West Industrial Park				14.00	14.00
Northeast Industrial Park				14.00	14.00
New Hangar				7.00	7.00
Flight Training School			3.00		3.00
Package Express Center				75.00	75.00
Ground Service Vehicle Facility		1.30			1.30
Subtotal - Aviation Industry Improvements	8.70	19.80	115.60	163.80	307.90
TOTAL - AVIATION INDUSTRY	8.70	24.10	140.80	188.10	361.70

The airport cost center has been further broken down into three sub-centers as follows:

Airfield Upgrading

Included are the estimated cost of runway, taxiway apron and other remedial works and extensions. Although the cost of these works is required to be funded directly by GAA, this sub-center includes only those works which are likely to attract FAA subsidies.

Aviation Industries/Infrastructure

This cost sub-center includes the local roads and utilities required to service the proposed developments within the Guam International Airport boundaries. The cost of this infrastructure will be recovered from the proceeds of the sale or lease of the available land.

Developments

The cost of upgrading existing structures and constructing new structures are included in this cost sub-center. It is envisaged that most of these costs will be met by private developers or business organizations constructing specific use facilities. In some cases, the Airport Authority may choose to fund these developments and recover costs through leases and fees.

Community

Referring to Table 19, this cost center has been further broken down into a Community Infrastructure cost sub-center and

a Commercial and Industrial Developments cost sub-center. However, it should be noted that some of the costs identified in these sub-centers were based upon the draft Base Reuse Master Plan that included certain land uses (e.g., housing) that were subsequently revised by the Komitea Para Tiyan. These costs will be revised after all local approvals of the plan have been obtained and are provided only to give a sense for the costs involved.

TABLE 19
SUMMARY OF COSTS: COMMUNITY INFRASTRUCTURE

COMMUNITY INFRASTRUCTURE	ALL MILLION 1995 \$
<i>MAJOR ROADS</i>	
Corsair Avenue	0.75
Seagull Avenue	2.35
Seagull Extension	1.25
Admiral Sherman Blvd.	0.85
Fury Road	0.70
Subtotal	5.90
<i>PRIMARY UTILITIES</i>	
Corsair Avenue	2.30
Seagull Avenue	7.20
Seagull Extension	4.40
Admiral Sherman Blvd.	1.10
Fury Road	4.20
Subtotal	19.20
TOTAL	25.10

Community Infrastructure

This cost subcenter includes the cost of collector roads and primary utility feeders necessary to enable further subdivision of the available land into the economic zones described in Figure 22. The funding for this infrastructure will need to be provided by the relevant Government agencies or instrumentalities in advance of the developments. Costs are expected to be recovered through normal user fees, although in instances of large development proposals, some or all of these costs may be negotiated to be borne up front by the developing company or agency.

Commercial and Industrial Developments

This cost sub-center includes the capital cost of both public developments such as recreation and private developments such as retail, commercial services, offices, and industrial development (Table 20). The associated local infrastructure including streets and utilities are included in this sub-center but are identified separately. This is because the cost of these services can be recovered from the proceeds of the lease of the available land to either private developers or the government agency which will be operating the facilities.

REVENUE CONSIDERATIONS

Referring to Table 21, the economic benefits resulting from the operational phase of the reuse activities will flow through the local Guam economy in several forms:

- **Direct Impacts:** The direct impacts are created by proprietors as they make purchases in the local economy for goods and services.

- **Indirect Impacts:** The direct expenditures by proprietors flow to vendors and other service providers, which in turn cycle the expenditures to other suppliers. This spending results in the so-called multiplier effect, and the dollars ripple through the economy. Typically, a dollar will turnover a total of five to six times in a regional economy before all the stimulative effects are exhausted.

TABLE 20
SUMMARY OF COSTS: COMMUNITY DEVELOPMENTS

COMMUNITY DEVELOPMENTS	SUBTOTAL (ALL MILLION 1995\$)
PUBLIC	
<i>Parks/Open Space</i>	
Recreation Center/Olympic Village	5.50
Perimeter Jogging/Bike Path	1.60
Bluff Park	1.20
Mongmong-Toto-Maite Park	
Subtotal - Public	
PRIVATE	
<i>Commercial Development</i>	
Town Center	29.20
Neighborhood Convenience	10.60
Industrial Development	
Subtotal - Private	
SECONDARY INFRASTRUCTURE	
Roads	11.30
Utilities	26.10
Subtotal - Secondary Infrastructure	37.40
TOTAL	507.80

- **Induced Impacts:** Induced impacts occur at the household sector level and result from the expenditure of payroll dollars in the local economy for goods and services. It is at this third level, the household level, where the benefits to individuals are most strongly felt. In time, as the economic benefits of the NAS reuse flow through to the household sector, an overall improvement in per capita incomes and quality of life will be achieved.

- **Government Revenues:** The reuse of the NAS property creates government revenues in several stages:

1. The conveyance of leases to qualified parties for use of the properties will create ground lease revenue streams. To the extent that the ground leases are structured to include participation in project revenue streams, additional revenues to the government may occur.

TABLE 21
REVENUE GENERATION EVALUATION: COMMUNITY USES

LAND USE	REVENUE GENERATION		JOB GENERATION	
	POTENTIAL	COMMENTS	CONSTRUCTION	PERMANENT
EDUCATION				
Airframe and Maintenance School	moderate	ground and building leases	low	10
Avionics and Aviation Electronics School	moderate	ground and building leases	low	10
Commercial Pilots School	moderate	ground and building leases	low	20
CULTURAL/INSTITUTIONAL: RECREATION				
Gym	moderate	ground and building leases	very low	10
Sports Park	low	user fees; share in ticket proceeds	very low	80
Parks	low	user fees; public use	very low	20
INDUSTRIAL				
Northeast				
Light Industrial	high	ground and building leases	moderate	150
Warehousing, Cargo, Distribution	high	ground and building leases	moderate	110

TABLE 21 (Continued)
REVENUE GENERATION EVALUATION: COMMUNITY USES

LAND USE	REVENUE GENERATION		JOB GENERATION	
	POTENTIAL	COMMENTS	CONSTRUCTION	PERMANENT
INDUSTRIAL Northeast				
West				
Light Industrial	high	ground and building leases	moderate	210
Warehousing, Cargo, Distribution	high	ground and building leases	low	50
South				
Light Industrial	high	ground and building leases	low-moderate	70
Warehousing, Cargo, Distribution	high	ground and building leases	moderate	330
Aviation Support	moderate	ground and building leases	moderate	440
COMMERCIAL				
Northside				
Offices	high	ground lease, recurring taxes	moderate-high	2,000
Business Hotel	high	participating ground lease	moderate	200
Exhibit/Trade Center	moderate	none	moderate	100
Southside				
Retail	high	ground lease, recurring taxes	moderate-high	300
Offices	high	ground lease, recurring taxes	moderate-high	400
TOTAL COMMUNITY USES				4,510

2. As business activities are initiated and expand, there will be revenues to the government from gross receipts taxes, business license fees, income taxes

and other applicable fees. It is difficult to quantify these potential revenue streams since they depend on the particular use, absorption and overall feasibility of a development project.

3. In addition, depending on the structure and the land disposition agreement with the Navy, there may be off-setting caretaker costs associated with the NAS property.

Job Generation

The most important objective which drives the development of any base reuse plan, and in particular, the reuse plan for Naval Air Station Agana, is the generation of new jobs to off set the jobs lost as a result of closures and to provide gainful and meaningful employment to those who are among the unfortunate casualties of military downsizing. As shown in Tables 21 and 22, reuse of NAS Agaña has the potential of generating over 6,700 new jobs after full implementation, 4,500 in commercial and industrial uses and 2,200 in aviation related uses.

**TABLE 22
REVENUE GENERATION EVALUATION: AIRPORT**

AIRPORT FACILITY	ACRES	BLDG. SQ. FT.	REVENUE GENERATION		JOB GENERATION		RECURRING FISCAL IMPACTS	
			POTENTIAL	COMMENTS	CONSTRUCTION	PERMANENT	GAA	GOVGUAM
Passenger Terminal								
Airlines				landing fees; passenger facility charges	moderate	200		
Immigration and			moderate	government use	low	50	positive	
Terminal Services			none	government use	moderate	300	N/A	
Cargo Center	10	100,000	none	ground and building leases	moderate	100	N/A	
Aircraft Maintenance	40	500,000	moderate	ground and building leases	moderate	330	positive	
GA/FBO	20		moderate-high	ground and building leases	low	25	positive	
Traffic Control Tower	0.5	20,000	moderate-high	ground and building leases	low	25	N/A	
Weather Service	2	5,000	none	ground and building leases	low	20	N/A	
Airport Services	2	20,000	none	ground and building leases	moderate	100	N/A	
Airport Maintenance	5	20,000	none	ground and building leases	low	30	N/A	
ARFF	5	20,000	none	ground and building leases	low	20	N/A	
Package Express	115	500,000	high	ground and building leases	moderate-high	1,000	positive	
TOTAL AIRPORT	200	1,185,000				2,200		

Note: The key assumption underlying this analysis is that NAS property will be conveyed by the U.S. Navy to the Government of Guam (or related entity). Use and development of the property proceeds on a ground lease basis.

APPENDICES

Homeless Assistance Application (Under Separate Cover)

KPT Meeting Minutes

Public Law 20-147 Territorial Planning Council

Public Law 12-226 Chamorro Land Trust Commission

Public Law 21-148 Chamorro Land Trust Commission

Public Law 23-23 Land Repatriation Commission Act

Public Law 23-38 Amendments to P.L. 12-226

Public Law 23-39 Repeals Land for Landless Acts

Listing of Interested Occupants: Non-Profit Organizations

Consolidated Listing of Applicants by Facility Requested

Listing of Interested Business Occupant

Listing of Interested Occupants: Government Agency

Listing of Interested Occupants: Clubs and Organizations

**KOMITEA PARA TIYAN
NAS AGANA REUSE COMMITTEE**

**Minutes of the Regular Meeting
Thursday, December 21, 1995
3:00 p.m., Cabinet Conference Room
Office of the Governor, Adelup**

Notation of Attendance of Committee Members:

Lt. Governor Madeleine Z. Bordallo, Chairperson
Mr. Leland Bettis, Commission on Self-Determination
Mayor Greg Borja, Mayor, Santa Rita
Mr. Joseph M. Borja, Administrative Director, Chamorro Land
Trust Commission
LCDR William Cords, Assistant Officer-In-Charge, PACDIV, CSO
Senator Tony Lamorena, Twenty-Third Guam Legislature
Mr. Ronald Teehan, Original Landowner Representative
Dr. David Watt, Homeless Provider Consortium Representative

Also Present:

Mr. Frank P. Camacho, Territorial Planning Council
Mr. Michael Cruz, Komitea Staff
Former Senator Herminia Dierking, BRACC '95
Ms. Miki C-Leon Guerrero, Bureau of Planning
Mr. Joaquin Perez, Office of the Lt. Governor
Ms. Andrienne Loerzel, Pacific Daily News
LT. Gregory Robinson, Base Transition Coordinator, NAS, Agana
Mr. Richard L. Underwood, Superintendent, Tiyon Reuse
Authority
Mr. Mike Weakly, Office of the Lt. Governor

I. CALL TO ORDER

The regular meeting of the Komitea Para Tiyan was called to order by the Chairperson, Lieutenant Governor Madeleine Z. Bordallo on Thursday, December 21, 1995 at 3:16 p.m., in the Cabinet Conference Room, Adelup.

II. ROLL CALL

The Chair announced that the Komitea Para Tiyan had a quorum with eight (8) members present; an attendance sheet is being circulated.

III. APPROVAL OF MINUTES (October 14, 1995)

Mr. Ron Teehan moved to approve the minutes of October 14, 1995 subject to corrections; Dr. Watt seconded the motion. The member voted unanimously to approve the minutes of October 14, 1995 subject to corrections.

IV. OLD BUSINESS

Homeless Assistance

Chairperson: This meeting was specifically called for one item under Old Business and that is the Homeless Assistance. Since the last time we met in December 14th, there was a public hearing conducted on December 19th and I'd like to ask Mr. Joaquin Perez who chaired that public hearing to make a report on what occurred and in addition if Dr. Watt also wishes to say a few words.

Mr. Joaquin Perez: The public hearing was scheduled for December 19th at 1:00 o'clock in the Governor's Cabinet Conference Room. By appointment, I conducted the hearing as the Hearing Officer. Attending that public hearing were two members of the Komitea, Dr. David Watt, the representative of the Homeless Consortium, and Lieutenant Commander Cords, the Navy representative to the Komitea.

Also present were various staffers of the Komitea; Mr. Michael Duenas from Urban Renewal and Mr. Michael Cruz who is the Acting Executive Director of the Guam BRAC '95 Office.

Attending the public hearing representing various organizations in the homeless consortium were: Mr. Padruic McCurthy from Sanctuary, Incorporated; Ms. Stephanie Smith from Sanctuary, Incorporated, Mrs. Janette Sablan Tanos, Director of Mental Health and Substance Abuse, Ms. Mariles Benavente from Mental Health, Mr.

Danny Duenas from Mental Health, and Ms. Joan Glang who is from Healing Hearts.

We began the meeting by informing those present that the BRACC regulations and federal law, particularly the homeless assistance act, require that provisions be made in every base reuse plan to provide assistance to the homeless and the homeless providers. The matter has been under consideration by several sectors and in February of this year, we announced for a Notice of Interest and seventeen (17) notices of interest were filed with the Komitea and the staff looked over these things and contained in your minutes are a summary of those submissions.

We also informed these people, the members of the coalition, that because of the relatively small geographic size of Guam, we thought it would be advantageous to consolidate the homeless assistance assessments and the programs into one whole, considering the island as a whole rather than on an individual basis such as NAS and BRACC. Much of this was discussed with members of the consortium, with GHURA, with other people in the community and with some consensus Dr. Watt at the October 4th meeting of the Komitea suggested language to the reuse plan which would provide for an interim plan program to provide homeless assistance. This program called for assigning twenty-five (25) duplex units in the enlisted men's housing area to GHURA which would be under a legally binding agreement to provide services and facilities to the homeless providers. In your packets there is a summary of the testimony that was received on this language. There was a request by Mr. McCarthy from Sanctuary, Incorporated, to add to the language of what's contained in the reuse plan to provide for a time line for submission of applications to GHURA for assistance and, also, to provide for a time line during which time GHURA would provide that assistance.

In other words, if we're going to require these homeless providers a certain period of time, a window to apply, we should also provide and make it GHURA's responsibility to respond within a period of time. We can't leave these organizations and the people hanging. They also recommended that qualifying conditions must be met by applicants in order to qualify for assistance under the programs that will be provided through GHURA. Some of these qualifying conditions include recognition or certification as a provider by somebody; that body would have to be decided upon in a collaborative effort between the Homeless Consortium and GHURA. This was the recommendations of the Sanctuary group and the Homeless Consortium.

Mrs. Jeanette Tanos, the Director of Mental Health, testified noting that her agency and some of its programs were in dire need of facilities, particularly, residential facilities for the Guma' Manhoben which is a group home for young people with emotional problems. They are now situated up at the old Guam

Memorial Hospital in a building that has been declared unsafe by OSHA and that particular need is critical.

Mr. Danny Duenas representing Guma' Ifet or the home to provide services to senior citizens also testified that they are in need of residential assistance.

Mrs. Joan Glang who is the head of the Healing Hearts Rape Crisis Center, testified that they had submitted a Notice of Interest to secure a facility for victims of rape and spousal abuse and violence against women and they would prefer that those facilities be up at NAS because of one, the relative isolation and number two, because of the relative safety of the area. They wanted to make sure whatever assistance we gave them, the facility would be secure. They wanted to make sure that abusive husbands or boyfriends wouldn't have the opportunity to come and further abuse their spouse or their girlfriend. They would also like a facility to be used for a counseling center where the children of the abuse women can be visited by their fathers. They need to provide some kind of contact so maybe these people can get back into society.

All in all, the Homeless Consortium supported the language. Four of the homeless providers provided letters of support; Sanctuary, Catholic Social Services, Guma' Mami and the Department of Mental Health and Substance Abuse. They all provided supportive testimony. The Consortium itself provided a statement of support signed by the heads of each of those providers.

After the public hearing, the staff of the Komitea got together and adjusted the Homeless Assistance Application in accordance with the public hearing and in accordance to how the Komitea authorized us to adjust the assistance application at the last meeting on December 14th.

This morning we were on the phone with HUD indicating to them that we would submit the application no later than Monday of next week or Tuesday of next week since Monday is Christmas and that we were prepared to adjust the MOU in accordance with the desires of the homeless providers and also in accordance with rules that HUD has promulgated. One of the provisions is, and Mr. Vietti impressed upon us, that we have to make sure that the MOU is a legally binding document which legally binds the Government of Guam and it legally binds GHURA. We would provide whatever services would be needed to GHURA for them to provide to these homeless providers. We informed them that we would make the document as legally binding as possible under our laws, the laws of Guam, and that we were hopeful that they would find it acceptable under the laws of the United States and the BRAC regulations. This application and the MOU will be cleared by the Attorney General of Guam.

Mr. Vietti also noted that the provision of services to the homeless groups does not have to be on the facilities. It can be off base and we told him that we were aware of that and that would also be contained in the MOU. One of the points that the representative of the military has pointed out that we would include on the MOU, is to ensure that the MOU complies with the terms and conditions of the interim lease that we will be securing with the Navy for the property and that any constraints because of environmental considerations or environmental constraints imposed by EPA would be duly followed. This is in reference particularly to certain facilities up at Tiyan or in other areas that contain asbestos or lead-base paint.

Mr. Bettis: Point of clarification. In the packet there's a Memorandum of Agreement. Is that a legally binding agreement we're looking at submitting?

Mr. Perez: No, what HUD is requesting is a proposal. A proposed MOU.

Mr. Bettis: The MOU is not acceptable.

Mr. Perez: I'm sorry, a legally binding Memorandum of Agreement.

Mr. Bettis: Is that the draft in here?

Mr. Perez: That's just a draft.

Mr. Bettis: Can this be sent to HUD tonight and get some feedback from them?

Mr. Perez: Well one of the problems in talking with Mr. Vietti this morning, is that HUD got furloughed. So, the only one in the office was Mr. Vietti. We will fax it if that's the wish of the Komitea and try to get some feedback. What they have indicated is that they'll look at it and get back to us as soon as possible whether we give them the package today or we give them the package next week on Monday.

It should also be noted that in the draft rules and regulations, submission of this thing is literally up to us. One of the reasons why we are in such a hurry and up against-the-wall is the fact that this application and the base reuse plan is going to be very important component in Guam securing environmental clean-up funds. If we miss certain deadlines, we might find ourselves at the end of the line for a lot of money that would be needed to clean up that base and this is one of our concerns. That has been impressed upon us by Washington that the race for the environmental money is going to be on very shortly and this is why we're in such a hurry.

Mr. Teehan: A couple of clarifications. It seems like some of these groups are really more of social problems or concerns. They technically meet the criteria of, for example, although, I fully sympathize with battered spouses, that's a social problem not necessarily a homeless one. Let's say that battered spouse has in fact a couple homes or who gets custody of the home. That's a court issue on division of community property. A minor child, again, is a social problem and do we provide homes for minors in their own right, per se. Additionally we have other numbers in here which are essentially statistics on Micronesian immigrants and how they are homeless. Again, does that really fit into the criteria category of "homeless" per se? We got the numbers of houses being designated which seems to me rather high and in light of all we need to do technically to comply, is provide a few buildings for the homeless providers and not necessarily try to provide umpteen homes. If we're going to get into the provision of homes, then I think there's quite a few families out there right now that would like to get in line for that very cause.

Mr. Perez: We're not necessarily providing homes per se in the sense that we will be giving these people homes for residential purposes. This is one of the reasons why we're bringing GHURA into this thing because GHURA has criteria that they have to pay attention to. The federal definition for homeless is a person who doesn't have a roof over his head for the evening and a battered spouse who gets kicked out of the house or has to run away from the home because she doesn't want to get beaten to death, is considered homeless.

Mr. Teehan: So that would qualify her?

Mr. Perez: Yes.

Mr. Teehan: That's what I was wondering.

Mr. Bettis: If I could also provide some clarification. I met with Mr. Vietti for about an hour-an-a-half last week in Washington and one of the shortcomings that we obviously have is the fact that we have not received a HUD grant to do the needs assessment and that puts a little bit of a tricky situation here for us and that's why these fifty (50) units or twenty-five (25) duplexes represent I think a "good faith" effort on the part of the Komitea and the Government of Guam to make available facilities for homeless needs. While that need assessment is done and everything can be wrapped up probably on an island-wide type package once the needs assessment is done together with BRACC '95. However, I did take the liberty of pointing out to Mr. Vietti something which he says should be fully included in the final report and in our definition of homeless and homeless needs is the situation with respect to land and the fact that most of these lands were taken from people who have a least one generational removed memory of who these lands belong to and, of course, we recognize and the United

States Congress has recognized that the lands were taken under duress and so there is a sensitive issue with respect to land going to other parties.

There's also the immigration question for Micronesia and he felt that both of those issues were legitimate concerns that could be put into our definition of what homelessness was in Guam and the other local conditions around which the homeless question is addressed. So, when we look forward in doing the needs assessment in the future, we should not shy away from some of the local political issues that are related to land takings and those lands now being returned through the BRACC process as well as the Micronesian immigration issue.

Mr. Perez: I think one of the reasons why we want to make this application as early as possible is that what we're sending is a proposal. We're sending a proposal for a legally binding agreement and we would like them to return to us if the proposal is adequate, sufficient, or whether it has to be amended and we've asked Mr. Vietti that after they review this thing, to indicate to us what adjustments need to be met in the legally binding agreement.

It should also be understood that the way the application is written, it is written for the interim period of the four years. It's also written so that the door is kept open. They have approved the \$123,000 worth of federal grants to do a homeless assessment on Guam. Two problems exist for that grant. Number one, the federal budget problem. They don't have the money to transmit to us yet. Number two, because they've been on furlough their work force has been reduced for so long, they haven't been able to get enough people together to get these monies into the tubes. I'm not sure whether he explained this to Leland, but Mr. Vietti is the only individual in the entire United States government that reviews the homeless applications and that means that he is the only individual in the entire United States government that's going to review all of the homeless applications from every single base closure in the United States and that is because HUD is being cut back by a horrendous number of people and they're short-staffed. This is one of the driving forces in why it is so important to get as close to the front of the line as possible. Very similar to Mr. Borja's first-come, first-serve situation and that's what we will be. If our application gets there first then Mr. Vietti will review it first. It's as simple as that and I'm very, very concerned about how much environmental clean-up money we may forgo because we're late.

Mr. Bettis: Just to wrap up one of the points in this issue. My discussion with Mr. Vietti, it seems fairly normal that communities do not meet every standard in their first submission on this issue. In fact, HUD has now drafted up and it's still in draft form, it's not even released yet, publicly -- has drafted up

guidelines on how applications are put together. It's not a template or anything, but it's just questions that people should ask themselves. So, HUD is obviously experienced a lot of misunderstandings on how these submissions are put in and are trying to put out something to guide communities, but I think that we have a sixty-day clock once we submit it; we can work with HUD to rectify any situations that may need clarification either in the legal binding agreement or in the application. And they seem very interested in cooperating. As much as I think we'd like to have everything through the first time, we'd probably be one of the very few communities in the nation that have done it that way. Perhaps what we've gleaned, we're getting closer to what will be approved, but if not we do have sixty days to straighten anything out in final.

Mr. Perez: Mr. Vietti has been extremely helpful with this thing. With a firm promise that I would never release the document to anybody, he gave me a copy of the draft regulations through our Washington lawyer and we have structured this application and the legally binding agreement essentially after what HUD is looking for. So, I'm confident that we'll be able to meet their requirements even before they publish their regulations in the CFR. So, in my opinion and after preparing this thing and then going over it, I think we're ready for immediate transmittal simply because we have followed those draft regulations that Mr. Vietti has been very nice to let us have. And part of the reason why he was very nice to let us have it is because of Mr. Bettis' visit to Washington.

Mr. Teehan: Perhaps this is neither here nor there, but if I may ask a question. Has any community failed to meet the requirements and actually ended up at the penalty end of this process or the losing end of this process because they failed to meet it?

Chairperson: I don't think we can answer that as yet.

Mr. Teehan: Just out of question of curiosity.

Chairperson: According to Leland here, they've had to send out notifications that things have been in error and put out a guideline.

Mr. Bettis: Madam Chair, Mr. Vietti was very helpful. In fact he even suggested that it would be fine with him if we delayed our submission for a week or so and that's kind of pushing the edge of the federal regs and I'm not sure you want to do that, but they were very helpful in the office and I think that if the "t's" are not crossed exactly the way the lawyers in HUD want they done the first time around, that we are going to be very close to having a form of an agreement and an application which is going to meet HUD's testing very shortly.

Chairperson: The members all have this copy of the Homeless Assistance Application for the Reuse of Naval Air Station prepared by GovGuam? I think there were two reports. This is the latest. This is the updated one. Dr. Watt would you like to comment now on anything to do with the public hearing or feelings you would like to express?

Mr. Watt: Various speakers have talked about the "good faith" effort that the Government of Guam is making in this homeless application and the Homeless Consortium members recognize that "good faith" effort. We're particularly pleased with the language that says that GHURA is to design a program in collaboration with homeless providers. They're whole process of continuum of care involves grass roots involvement. Everything that HUD is doing is a collaborative inclusive kind of process and we believe that would be the way in which we can address the homeless needs on Guam. Now we recognize that some of the people who applied for lands at Tiyan under the homeless providers may in fact not be homeless providers, but what the Committee has done here is simply listed all the not-for-profits who applied for space at Tiyan and the determination of whose a homeless provider and who is not and who qualifies under HUD's very narrow definition of homelessness is yet to be resolved.

We have difficulty with the narrowness of the homeless definition that HUD uses. There are other definitions used by jurisdictions in Hawaii that are much, much broader that enable a much broader spectrum of the housing issue as well as the homeless issue to be addressed and that once it becomes a local planning issue, I think that can be addressed more effectively then. So, in short, we are please with the "good faith" effort that the Government of Guam is making to address a serious problem in this community and to use the resources and particularly the broad interpretation, fifty (50) units at NAS or wherever else within the GHURA inventory and it makes it a very, very promising "good faith" effort.

Chairperson: Thank you, Dr. Watt.

Mr. Borja: I was looking real carelessly I guess through the Memorandum of Agreement, is there any concern with the Consortium on the term of use of these units with the understanding, of course, that GovGuam right now would be only qualified for an interim lease knowing full well and I know that you're not only addressing on the Tiyan site, but any other facilities they may have, but it's within the agreement that's presented here as a draft form, is there any addressing the term of the agreement?

Dr. Watt: There is concern that it be a long enough term to make it worthwhile using those facilities or other facilities, but it's seen as part of a larger commitment to look at the problem over the long-term, not only with BRACC '93, but BRACC '95 and that there will be a serious investigation of the entire problem in due

course and I think it's that long-term commitment that's evident in the plan and in the discussion that has taken place that makes the Homeless Consortium quite comfortable with the term. We recognize that NAS or those units are not ideal for much of what we're doing, but the fact that those units or others within the GHURA inventory can be used makes a very real commitment to solving that problem.

Mr. Borja: From your experience, Dr. Watt, has there ever been an opportunity, I don't know if there's been the occasion, for a comprehensive study of the homeless situation as provided and maybe GHURA can also help on that, but has there ever been like a comprehensive study of the homeless problem or homeless providers, for example, here on Guam to your knowledge other than the opportunity provided under the agreement?

Dr. Watt: The Homeless Consortium itself with GHURA's assistance has tried to conduct such a study just by polling its members, but that's not a complete study. It's not nearly comprehensive enough.

Mr. Borja: Maybe now with some funding it might be able to provide that study.

Dr. Watt: I think we'll get probably the first such picture of that whole set of issues. There have been extensive studies done for housing, but homelessness as an issue and what that brings into it, I don't think that's ever been fully addressed.

Mr. Borja: And I would fully endorse and encourage you on that local definition of homelessness because it is such a narrow definition. I'm sure there's some Chamorros that are homeless that I would consider homeless, but because of culture we do not necessarily not have a place to sleep at night. They're taken care of by family.

Dr. Watt: Exactly. One of the members of the Komitea at one of the hearings said, "Well, if my grown children are asked to leave, they would be homeless? but that's the same case in my case.

Mr. Bettis: Madam Chair, again, not to belabor but just to again provide some thoughts about how to proceed in the future, I think the idea of having the more open definition of housing together with homelessness is very important and as we go through the needs assessment process. I think it's important that we take a very broad view of the needs of people with respect to housing and shelter and look at it in relation to externally imposed immigration considerations as well as the issue of land and repatriation of lands. But there's something that Mr. Vietti mentioned and I think we may have heard it at some point that we may want to reconsider in the future and that is that we need not necessarily provide housing or lands in the cases of homeless providers. HUD would equally be satisfied if we had a program

which provided monies to help acquire housing or to help in home construction for those kinds of programs. So we have a lot of flexibility in looking at the future needs in ways we can deal with beyond just provision of housing. Thank you.

Mr. Perez: I'd like to make one comment. This is one of the reasons why we put that into the agreement. We put in that GHURA and the Homeless Consortium will get together in a collaborative effort to define qualifying conditions; to define time lines and maybe they could expand this to even define in the agreement, what the definition is of a homeless individual on Guam. Hopefully, because this thing is only a proposal and we're waiting for HUD to approve the proposed agreement, when it comes back or even before then, we will ask Mr. Vietti if it would be proper for us to put a definition or to insert that GHURA and the Homeless Consortium would consider a local definition of what's homelessness. And we're scheduled to talk to Mr. Vietti tomorrow morning.

Mr. Bettis: I think it's important that this approach we're taking is something that HUD has not seen before. Mr. Vietti has not seen an approach like the one we're doing because in most instances you have a needs assessment that is done and then the Komitea decides which of the people who have applied are suitable providers and HUD really is not going to question that very much as long as we give a basis for explaining either why we identified some and why we haven't identified others. There's a great deal of power that's given to the Komitea by HUD in deciding who we will recognize to be the providers under some sort of homeless assistance program.

I think what we have done, if we don't have the homeless needs assessment, in some ways we are at a disadvantage, but in other ways, I think it's a more progressive approach because we've opened up the process for a continued basis of interaction with the program and hopefully that would be well received by HUD. And I'd just like to say that I think the assistance of the homeless consortium together with the Komitea and GHURA is going to be very helpful in HUD's review in this process.

Mr. Perez: Mrs. Dierking who was the Executive Director of GHURA has been assigned to work on the homeless assessment. As soon as that money is here, we're prepared to get together with the Homeless Consortium, bring the University in and design an assessment package that enable us to determine how closely we are with the continuum of care to national standards and how closely we are to defining what our homeless are on Guam. One drawback is if we define homeless on Guam, Mr. Borja may have more customers.

Mayor Borja: One observation. I attended the meeting with Patty Nicolas when she was here up at GHURA conference room and the homeless providers were present; Dr. Watt was present also and that was the first time that I asked Patty if the providers here can use

GHURA and whether it could be acceptable to HUD to have GHURA as the single provider through HUD and then the local consortium would go through GHURA for that as the clearinghouse and she said that would be acceptable.

Also, I notice that on most of the homeless providers here are actually on a short-term provision in providing shelters on a short-term basis except Guma' Mami, maybe, and a few others, but a number of them are more in a short-term basis, not in a long-term.

Chairperson: I would like to read to you the minutes on page 7. It was Dr. Watt who moved, "... that the Komitea adopt the Homeless Assistance Application as presented in this draft form," and then Mr. Kin Perez interjected and said, "That given the anticipated public hearing, it would be appropriate to include in the motion, 'subject to public hearing,' so, Dr. Watt then amended his motion to include, 'subject to modifications by the public hearing,' which Mr. Leon Guerrero seconded the motion; the Chair called for the question and the motion carried unanimously.

Mr. Bettis: Madam Chair, to that perhaps we should add a corollary, "and also subject to continuing dialogue and negotiations with Housing and Urban Development".

Chairperson: Well, I think that would require a new motion.

Mr. Bettis: That's what I'm recommending as a corollary motion to the one that was made at the last meeting to allow the staff at least to continue to work with HUD and reach a satisfactory agreement that meets all their regulatory requirements.

Chairperson: Is that a motion then, Mr. Bettis?

Mr. Bettis: Yes. In addition to the language of the meeting of December 14th offered by Dr. Watt on the Homeless Assistance Application, I would move that the Homeless Assistance Application and the legally binding agreement in addition to the "subject to public hearing," also be "subject to continuing negotiations and decisions with HUD".

Mayor Borja: Second.

Chairperson: Any further discussion on that motion? (No response.) All those in favor say "aye".

Members response with "ayes".
Those opposed? (No response.)
The motion is carried.

V. ANNOUNCEMENTS

Mr. Teehan: Madam Chair, I'd like to change direction if I may and make a motion to once again revisit an issue I tried to address the last time and to further clarify this time placing it writing for consideration of the members. I have a extra copy if staff could pass this out to the other members and I'll read the motion.

Chairperson: Before you continue, Mr. Teehan, I've looked over the motion and this has to do with the boundaries again and inasmuch as this meeting was called strictly for the homeless assistance, it would be fair for the Airport and all others concerned with boundaries to be present.

Mr. Teehan: I would still, nonetheless, like to make the motion that this should be opened up.

Chairperson: All right, so your motion then is strictly that we open it up to revisit the boundaries.

Mr. Teehan: Yes.

Chairperson: I'll get a vote from the Komitea on that, so do I hear a second to that motion?

Senator Lamorena: I second that for purposes of discussion, although, I do agree with Madam Chair that we should have the appropriate agencies here and maybe we can entertain the motion at another meeting so that we can have them present.

Mr. Teehan: Prior to the submission of the plan.

Chairperson: All right. It's been moved and seconded; any further discussion? (No response.)

Commander Cords: If the Komitea is going to have to meet prior to discuss this issue further, I question the timing of the submission of the reuse plan?

Chairperson: That's correct. This would depend now if we want to revisit it. If you do not care to revisit it then it's up to our vote here. We do have a time situation, but I do very firmly believe that when we revisit anything, the principals party should be here, so I'll call for the question. All those in favor say "aye".

Members response with "ayes".
Those opposed? (No response.)

Chairperson: The motion is carried.

Mr. Borja: What is the timing now?

Chairperson: We're going to have to call a full-fledged public meeting again; bring in all the principals -- do you understand this? What we're doing here?

Mr. Borja: No, I don't think I do.

Chairperson: All right. I think we have to clarify this, Mr. Teehan. Mr. Teehan wants to go back to what we discussed at the last meeting, December 14th, and that's the boundaries where we all agreed between the airport and Tiyan. He wants to revisit it; he wants to open it up again, make changes, whatever, but I feel very strongly that the parties that were here at that December 14th meeting should be here if we're going to revisit this subject. It's very important. It's not fair that the principals parties are not here.

Mr. Teehan: I agree to that.

Dr. Watt: So the maker of the motion wants to revisit the issue of that's already been decided?

Chairperson: That's right. I'm calling for the motion now if you want to revisit it. If you do not and you feel the December 14th was adequate then you vote "no"; you don't want to revisit it. Is that understood?

Mr. Teehan: This is not the motion. The motion is to open it up. If it opens up, then I will subsequently make this motion which I've written down and disseminated. The motion is to open the issue back up and I agree with Madam Chair that it is appropriate that others be here as well. I have no problems with that.

Dr. Watt: So then my vote is to not reopen it.

Mr. Borja: But the motion needs clarification because I heard a trailing sentence at the end that not only to revisit it, but to revisit it before submission.

Chairperson: That's correct. You're right.

Mr. Teehan: It would be pointless to revisit it after submission.

Chairperson: I just want to be sure that you understand the motion very clearly. If you vote "yes" that means you want to open up this subject.

Mr. Teehan: This is not the motion before us.

Chairperson: It's just, do we want to revisit it again? If we feel the December 14th was adequate, you vote "no" against this; if you feel that you want to bring it up again, vote "yes". I think I'll call for a show of hands on the motion so we get it perfectly straight.

Mayor Borja: During that meeting, if you go back to the members in attendance at our last meeting on the 14th of December, there are several members that were present at that meeting that voted on that meeting that are not here. There are members of the Committee that are present today that were not here at that meeting, so there will be some inconsistency.

Chairperson: Well, it's entirely up to the Komitea now either you want to open it up again or you do not?

Mr. Borja: Madam Chair, what is the date of submission again? or anticipated date of submission without the motion?

Mr. Perez: The way the law reads our initial deadline is December 27th.

Mr. Teehan: Our initial deadline.

Chairperson: That's right.

Mr. Perez: Now, after that date the Navy literally has the option to put this property up on the auction block.

Mr. Borja: If that is the case, are we looking at a meeting some time in the next few days then?

Chairperson: That's right.

Mr. Perez: It would be impossible because I would not be able to give public notice. We need forty-eight hours prior to the meeting.

Mr. Borja: I think you better double-check that because holiday schedules are seventy-two, not forty-eight.

Mr. Perez: We won't be able to publish.

Chairperson: And I wish to remind the Komitea that this motion was accepted unanimously.

Mr. Teehan: No, there was one dissenting vote. I voted "no".

Chairperson: That's correct. I'm sorry, yes, but everyone else voted in favor.

Mr. Bettis: I would just like to note that I was not a part of that meeting because I was away; however, I am very disappointed to have learned that the Airport took in some very strong terms the Komitea's sincerity to task. As a person who, I think, throughout this process has continued to focus on the needs of the Airport and its expansion, I take gross exception to what the Airport raised in a letter by the Airport board Chairman with respect to the action of this Komitea. I would further like to note that the Airport, to date, Madam Chair, has yet to provide this Komitea with one single scrap of paper outlining their revenue requirements. Not one thing; not a business plan; nothing and I raise this not because I'm opposed to the airport nor am I opposed to what I think are the reasonable needs of the airport, but I raise that in relation to the fact that they took this Komitea to task in some very strong language. I think unacceptable language.

Chairperson: They were taken to task for that, Mr. Bettis, and they apologized.

Mr. Bettis: And especially when they have not done their own due diligence in representing what they say is their need for airport expansion. I just want to place that on the record. Thank you.

Chairperson: I'm going to entertain this motion, but if we don't meet deadlines and public notice days, what are we going to do? This is putting us into a real uncomfortable position.

Mr. Teehan: I understand that, however, many families on this island have been put in an uncomfortable position for decades now and this issue continues to fester in our community. We need to come to some kind of grips with it and not simply say, "the highest and best use test," with no consideration whatsoever to Tan Maria and Tun Jose that we are going to take the easy road as opposed to what we know to be the right road and I'm just asking that this body can consider taking perhaps a more difficult road, but a road that our community needs to take. I can't imagine the Navy is going to put us, considering the history here, on the auction block. I can't imagine it. This community would go nuts if they tried that. Realistically, looking at the politics and sediments of the island, this community would go nuts if the Navy took that direction.

Chairperson: So your concern then, Mr. Teehan, is the original landowners, correct? for NAS. What about the BRACC '95 for housing and properties?

Mr. Teehan: Our community has yet to come to grips with this whole issue. We have a mishmash approach to it. We have what became US Public Law 10339 releasing public lands pursuant to certain conditions, yet our own local law, 22-145, says we're going to give it back to the original owners. We have other situations

where lands with the Chamorro Land Trust are distributed. We don't have a consistent rhyme and reason and that's some of the problem on it.

Chairperson: Mr. Teehan, the only reason I supported the idea was the fact that the airport has no other area to expand except NAS. They can't expand at Nimitz housing; they can't expand down at SRF; there's no way.

Now, I have talked to the original landowners and one particular, Mrs. Rios, who stated to me at one time that she had no problem with airport expansion. If it was for the expansion of the airport they understand. I don't know who she represents, but she did speak to me on that subject and perhaps it could be exchanged of property in the other BRACC closures. I frankly would be right up there in front supporting them that they should be given some.

Mr. Teehan: If we examine all the testimony at the public hearings to include that of Mrs. Rios, there was by far a strong cry by the original owners and there's was a cry for inclusion, not exclusion. I think the landowners have been more than accommodating in saying that, "We support airport related uses." Supporting airport related uses and surrendering the rights or the opportunities to economically participate in those airport related uses are two different things that should be kept distinctly separate. Support the public benefit of airport related uses as how it promotes tourism or what-have-you yet still make it through a method of inclusion whether by trust established down the road or what-have-you, whatever vehicle we create down the road, at least the options are open. Like I said, the landowners have been very accommodating; to now not accommodate them when they have not in fact objected to airport related uses, all they have objected to is exclusion and that is why I wish to revisit it, so that they are not excluded, because the way things stand right now, they are excluded. And as far as land exchanges, under BRACC '95 how can we offer somebody from NAS, my family's property is coming up for release, Vince Leon Guerrero's property is coming up for release under BRACC '95, so would you take from Tan Maria to give to Tun Jose? We can't do that. We end up with this musical-chair type approach. We don't have a consistent policy. This Komitea to its credit supported a motion early on in a resolution introduced by me early on calling upon the Legislature to help set policy. So far that hasn't come about, unfortunately, and we still continue to struggle and have yet to come to grips with how we're going to approach this issue. It has been left hanging in the air with want of solutions and we continue on saying, "This is in the public interest," while the landowners sit there watching what's in the public interest, yet exclusively bear the burden and it should be a public burden.

Chairperson: Well, it's entirely up to the Komitea now. If we decide to revisit the issue, we will miss the deadline. There's no question about it.

Mr. Teehan: I would say that you have been extremely facilitative of the landowner interest more than its ever been and I don't want it to be misconstrued that I implied anything to the contrary and from the bottom of my heart, I thank you for what you have done in that regard. I will always thank you for that.

Chairperson: Thank you.

Dr. Watt: Just a question. It would appear that the only item on the agenda today is the homeless assistance question and it would appear to me to be inappropriate for the Komitea to consider any other action issue at this meeting. If we wish to consider other actions, it should be part of an agenda; it should be part of the program that we're following. To revisit that issue which was discussed at length, quite heatedly, and then decided, appears to me to be at least out of order at this point. I would oppose revisiting that issue.

Mr. Teehan: Unless process in Committee proceedings has changed, the Committee by a motion can open up anything they wish just because it's not on the agenda. I am first to agree with Madam Chair that it is appropriate that others that are not here be here. I have no problem with that whatsoever, but as far as the ability of the Komitea to change direction or make a decision to revisit, that is the prerogative of the Komitea at any meeting and just as the Legislature can change direction so any body that meets can change direction pursuant to a motion. This is no different, so I don't see how that's out of order as long as it's seconded and passed.

Senator Lamorena: Rather than adjourn maybe what we can do is recess and call in the appropriate agencies so then we can avoid the seventy-two hour notification process.

Chairperson: No, we can't do that. It has to be a properly announced public meeting.

Mr. Perez: It was public record on the decision made and there is also an agreement between the Airport and the Komitea. It was a sub-lease from the Airport back to the Komitea back to Government of Guam on the housing units that are now presently being used, so there is an agreement between the Airport and even though it hasn't been made official on paper yet, it's on public record that there is an agreement between the Airport and the Komitea to continue to use the housing units up at NAS for the agencies that we have there. If there's any change in that, they would have to agree to the change because they're a party to the sub-lease agreement.

Chairperson: I think we've discussed this and Committee member Borja has asked for a roll-call vote on this so, Mr. Weakly will call the roll.

Mr. Weakly: Roll-call vote:

Mr. Bettis: Aye.

Mayor Borja: No.

Mr. Joseph Borja: No.

Lt. Commander Bill Cords: I regretfully abstain from voting. I believe it more of a territorial concern than a Navy concern to make a position on this matter.

Senator Lamorena: Aye.

Mr. Teehan: Aye.

Dr. Watt: Nay.

Lt. Governor Bordallo: Nay.

Three (3) ayes; Four (4) nays; I believe you need five to pass the motion, so therefore the motion fails.

Chairperson: Are there any other announcements to be brought before the Komitea at this time.

Mr. Borja: Has there been any feedback from the Legislature concerning an oversight hearing that they had on the plan? any official response or anything?

Chairperson: None, that I know of.

Mr. Borja: Is there anything that we're waiting for from the Legislature?

Mr. Perez: No.

Mr. Bettis: Point of information. Do we need a motion at this point to submit the homeless plan and the reuse plan in its entirety to the appropriate officials? I know we've done the motion for the Homeless Assistance Application. The plan itself, are we already to submit this to the Governor and then go forth?

Chairperson: I think we could take a motion to make it more firm to be sure that it's there.

Mr. Bettis: In that regard then, the homeless plan together with the reuse plan, I would like to make a motion that those two be submitted to the Governor of Guam and subsequently to the appropriate federal officials.

Mayor Borja: Seconded.

Chairperson: Any further discussion on the homeless assistance plan? (No response.) All those in favor say "aye".

Members respond with "ayes".

Those opposed? (No response.)

The motion is carried.

Chairperson: I would like to take this opportunity now while this would be our last meeting prior to the holidays, to thank the Komitea members. We've been a very active group over the year and I've enjoyed working with you; we've always had a quorum at every meeting and I think that's quite a feat and I'd like to take this opportunity to thank each of you for all the work that you've done on the Komitea particularly the sub-committees and to wish you and your families a very happy holidays. Thank you.

VI. ADJOURNMENT

Chairperson: The meeting is adjourned.

The Komitea Para Tiyan adjourned at 4:15 p.m.

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KOMITEA PARA TIYAN
NAS AGANA REUSE COMMITTEE
Minutes of December 21, 1995

RECORDED AND TRANSCRIBED BY:

Susan L. Corbin

SUSAN L. CORBIN

Dated: December 22, 1995

CONCURRED BY:

LIEUTENANT GOVERNOR MADELEINE Z. BORDALLO
Chairperson, Komitea Para Tiyan

Dated: _____

December 21, 1995 • 3:00 p.m.
Cabinet Conference Room, Adelup

AGENDA

- I. Call To Order
- II. Roll Call
- III. Approval of Minutes (Dec. 14, 1995)
- IV. Old Business
Homeless Assistance
- V. Announcements
- VI. Adjournment

**KOMITEA PARA TIYAN
NAS AGANA REUSE COMMITTEE**

**Minutes of the Regular Meeting
Thursday, December 14, 1995
3:00 p.m., Cabinet Conference Room
Office of the Governor, Adelup**

Notation of Attendance of Committee Members:

Lt. Governor Madeleine Z. Bordallo, Chairperson
Mr. Cel Babauta, Territorial Board of Education
Mayor Greg Borja, Mayor, Santa Rita
Mr. Joseph M. Borja, Administrative Director, Chamorro Land
Trust Commission
Senator Hope A. Cristobal, Twenty-Third Guam Legislature
Mr. Vince Leon Guerrero, Congressman Underwood's Office
Mr. Ronald Teehan, Original Landowner Representative
Dr. David Watt, Homeless Provider Consortium Representative

Also Present:

Mr. Frank P. Camacho, Territorial Planning Council
Mr. Frank Caluya, BRAC Environmental Coordinator, NAS,
Agana/Representative for PACDIV, CSO
Mr. Mike Cruz, Komitea Staff
Ms. Miki C-Leon Guerrero, Bureau of Planning
Ms. Jacqueline A. Marati, Chief of Administration, Guam
Airport Authority
Mr. Joaquin Perez, Office of the Lt. Governor
Mr. Ricky Reynolds, Executive Manager, Guam Airport
Authority
Ms. Linda Rivera, Pacific Daily News
LT. Gregory Robinson, Base Transition Coordinator, NAS, Agana
Mr. William R. Thompson, Chairman, Guam Airport Authority
Board
Mr. Richard L. Underwood, Superintendent, Tiyan Reuse
Authority
Mr. Mike Weakly, Office of the Lt. Governor
CDR David L. Willis, Base Transition Coordinator, BRACC '95

I. CALL TO ORDER

The regular meeting of the Komitea Para Tiyan was called to order by the Chairperson, Lieutenant Governor Madeleine Z. Bordallo on Thursday, December 14, 1995 at 3:12 p.m., in the Cabinet Conference Room, Adelup.

II. ROLL CALL

The Chairperson announced that the Komitea Para Tiyan had a quorum with seven (7) members present.

III. APPROVAL OF MINUTES (October 4, 1995)

Mr. Vince Leon Guerrero moved to approve the minutes of October 4, 1995; Mayor Borja seconded the motion and Senator Cristobal requested that the minutes be approved subject to corrections. The member voted unanimously to approve the minutes of October 4, 1995 subject to corrections.

IV. NEW BUSINESS

A. Finalisation of the boundaries of the Guam Airport and the Government of Guam. Inclusion/Exclusion of Enlisted Men's Housing in GAA boundaries.

Mr. Teehan commented that the Guam Airport Authority not act at the expense of others and insisted that the members not include the enlisted men's housing in the boundaries of the Guam Airport Authority. He asserted that the return of NAS Agana Base should not be issued on the "Public Benefit Transfer" because it will hinder all benefits to the original landowners. He urged the members to keep all options open for the landowners.

Mr. Leon Guerrero referred to a letter from the Chairman of the Guam Airport Authority addressed to the Lieutenant Governor which implied some sinister actions were taken by the Komitea Para Tiyan and he vehemently took exception to the allegations.

Senator Cristobal stated for the record that the initial return of NAS Agana was for the airport expansion and to benefit the original landowners; however, there was no mention in the NAS Agana Reuse Plan which specifically addresses the return of lands to the "original" landowners.

Mr. Babauta reiterated that the Guam Airport Authority's letter addressed the need for the enlisted men's housing to sub-lease these units, provide for an aviation school and for the expanded operations of the airport. He questioned if the agency was striving to be an airport, a rental agency or an educational institution.

Senator Cristobal questioned the lack of details to the NAS Agana Reuse Plan. The Chair replied that the details will be incorporated after the reuse plan is adopted.

Mr. William Thompson, Chairman, Guam Airport Authority Board, was recognized by the Chair. Mr. Thompson noted for the record that the Guam Airport Authority was not at odds with the Komitea Para Tiyan. He commented that the Guam Airport Authority was not invited to become a member of Komitea and they were previous members during the past Administration. He requested that the Guam Airport Authority be given an opportunity to present their Master Plan which delineates their boundaries to the Komitea Committee.

Mr. Ricky Reynolds, Executive Manager, Guam Airport Authority, was recognized by the Chair. Mr. Reynolds expounded on the letter from the Guam Airport Authority Chairman and stated that upon their meeting with Mr. Howard Yoshioka, they were advised that the option of the airport leasing the enlisted men's housing at fair market value for office space including the cost of maintenance, security and utilities would be acceptable.

Attorney Oliver Bordallo, Legal Counsel for the Guam Airport Authority, was recognized by the Chair. Attorney Bordallo reemphasized Mr. Reynolds' projections.

Mr. Leon Guerrero refuted Mr. Reynold's claims that relinquishing NAS Agana Base to the Guam Airport Authority is the only viable option for a cost-free transfer. He stated that an Economic Development Conveyance will enable a cost-free transfer if jobs were generated in the process. He expounded that the transfer of NAS Agana Base to the Government of Guam can be beneficial to all parties involved so that funds generated can be funneled into the General Fund versus an exclusive airport fund controlled by one entity.

Attorney Bordallo warned that the Economic Development Conveyance has not been tested by any other government and could be risky as well as a difficult procedure in complying with federal regulations which mandates the transfer of surplus Navy properties and may not result in a cost-free transfer.

Attorney Bordallo stated that the Federal Aviation Administration noted in their letter that they endorsed the Public Benefit Transfer to the Guam Airport Authority. He reported that the Guam Airport Authority has increased its expenses by Four Million Dollars in obtaining the aviation operations from the military which includes areas of crash, fire and rescue units, additional security units and additional cargo buildings to maintain. The airport is in need of generating additional funding to maintain airport operations.

The Chairperson noted for the record that the Komitea is not in receipt of such a letter from the Federal Aviation Administration.

Dr. Watt questioned whether the Guam Airport Authority under the specific reference of the Homeless Assistance Application will be able to honor the commitment the Government of Guam has obligated in offering fifty (50) units for this program.

Mr. Reynolds demonstrated with an overhead projector the boundaries of the airport as delineated in their master plan. He reported that there are now thirty (30) people whom have expressed interest in an aviation school and could accommodate this request in a month. He reiterated that the airport is in need of generating funds to keep the cost of the airlines down and to keep the airport viable.

Senator Cristobal questioned the number of acres the airport now utilizes. Mr. Reynolds responded that the airport utilizes 1,257 acres out of the total 1,800 with the exception of wetlands and fuel farms.

Senator Cristobal questioned the indemnification which is now non-existent since the US Government has turned over all liability of Tiyan. She recommended that excess federal lands should be turned over to the Chamorro Land Trust Commission to be transferred back to the original landowners and noted that nowhere in the NAS Agana Base Reuse Plan was there mention of "original landowners".

Mr. Borja clarified that the Chamorro Land Trust Commission rules and regulations do not address "original" landowners.

Mr. Joaquin Perez explained that the issue of "original landowners" cannot be addressed until the title is conveyed. He further emphasized that if the Guam Airport Authority receives the title versus the Government of Guam that will finite the return of the land and it cannot be renegotiated.

Mr. Teehan moved that all land in Tiyan be pursued by the Komitea Para Tiyan under the Economic Development Conveyance; seconded by Mr. Vince Leon Guerrero.

(Discussions on the motion were had on the NAS Agana Base property qualifying as a "rural exemption" and the possibility of not receiving that exemption given the Economic Development Conveyance process.)

Mr. Teehan amended his motion: "I amend my motion that Komitea Para Tiyan pursue the Economic Development Conveyance of all properties to Government of Guam with the exception of school and park areas for appropriate use and that the Economic Development Conveyance include uses consistent with airport related uses retained by the Government of Guam."

(The Chair requested that the motion be made more specific for the purpose of clarity. A five minutes recess was taken.)

Mr. Teehan was recognized by the Chair. Mr. Teehan withdrew his motion and declared that he will not support any motion which does not address the best interest of the "original landowners".

Dr. Watt was recognized by the Chair. "I would present a motion; the motion is, I move that the portion of the enlisted housing area at NAS Agana, Tiyan, shown on the September, 1995 map be included in the Public Benefit Transfer to Guam Airport Authority;" seconded by Mr. Babauta.

Mr. Leon Guerrero requested that Dr. Watt withdraw his motion and he would reintroduce one with similar verbiage to cover all avenues. Dr. Watt withdrew his motion only for the purpose of further discussion.

Mr. Leon Guerrero was recognized by the Chair. "Madam Chair, I would like to offer a motion to stipulate that the boundaries of the Guam International Airport shall consists of those areas presently covered by the Lease Agreement between GAA and the US Navy and to include the enlisted men's housing area up to East Sunset Boulevard and the joint use areas;" seconded by Senator Cristobal.

The Chair announced that she has requested Legal Counsel of the Guam Airport Authority, through their Chairman, to execute a letter to ascertain protection for the Government of Guam agencies until the deed is issued to the Government of Guam.

(The letter from the Guam Airport Authority is read on the record (verbatim):

"This is an agreement to sub-lease. Agreement made this 14th day of December, 1995 by and between the Guam Airport Authority ("GAA") and the Government of Guam ("GovGuam"). GAA hereby agrees in return for approval of its boundaries which shall include the flight line operations, airport operations and enlisted housing areas and upon amendment of the Interim Lease dated September 21, 1995 by and between GAA and the United States of America to include the enlisted housing area, to immediately enter into a sub-lease between GAA and GovGuam, to permit GovGuam to continue its use and occupancy of facilities within both the enlisted housing area and the flight line areas and any other areas or facilities not needed by GAA for airport operations or expansions until the title to the property is transferred to GAA.

In consideration for the sub-lease, GovGuam agrees to pay directly or reimburse GAA for all cost of maintenance, protection, security and insurance for the facilities occupied by GovGuam agencies, the parties acknowledging that set costs are equal to or greater than the fair rental value of the facilities to be sub-leased.

Dated and signed by..."

Mr. Leon Guerrero noted that a slight deviation still existed in the description of the property boundaries for the enlisted men's housing which was delineated as "East Sunset Boulevard."

The Chair reiterated that the portion "up to East Sunset Boulevard" would be included into the agreement. The Chairperson requested the motion be restated for the record.

Mr. Leon Guerrero restated the motion for the record: "Move that the boundaries for the Guam International Airport shall consist of those areas presently covered by the Lease Agreement between GAA and the US Navy and to include the enlisted men's housing area up to East Sunset Boulevard;" seconded by the Senator Cristobal.

The Chairperson called for the question. "All those in favor say "aye".

Six (6) committee members responded with "ayes".
One (1) committee member responded with "nay."

The Chair confirmed that the motion is carried and the boundaries are finally decided.

B. Discussion on the Homeless Provisions Process

Dr. Watt was recognized by the Chair. Dr. Watt ratified his endorsement for the Homeless Assistance Application shown in its draft form.

Senator Cristobal inquired as to the community consensus required by the BRAC rules and regulations. The Chair confirmed that upon the acceptance of the provisions by the Committee, it will be presented to the public in the form of a public hearing for their input.

Senator Cristobal explained that her understanding of the consensus process was that each provider be addressed individually and to take each application seriously. For the record, she conceded that if it was the decision of the Komitea Committee that there is public consensus then she will oblige.

Dr. Watt was recognized by the Chair. "I move that the Komitea adopt the Homeless Assistance Application as presented in this draft form."

Mr. Perez interjected that given the anticipated public hearing, it would be appropriate to include in the motion, "subject to public hearing."

Dr. Watt amended his motion to include, "... subject to modifications by the public hearing;" Mr. Leon Guerrero seconded the motion. The Chair called for the question; the motion carried unanimously.

C. Transmittal of NAS Reuse Plan

Mr. Leon Guerrero initiated a motion regarding the transmittal letter to the Legislature; however withdrew his motion after further discussion.

D. Miscellaneous Items

1. Staff Report on Meeting with Dr. Sam Rosenblatt, Senior Economist of the Office of Economic Adjustment, on the Economic Development Conveyance Process.
2. Staff Report on meeting with Mr. Mark Braley, Guam Project Director, Office of Economic Adjustment, on the designation of LRA and status of Guam's grant application for BRACC '93 and '95 and the extension and reprogramming of BRACC '93.

Mr. Perez announced that he will memorialize the reports on a written document and distribute it to the members for discussion at the next meeting.

The members agreed to postpone discussion on the staff reports until the next meeting.

3. Staff Report on Executive Partnering Session, Bill Nos. 326 & 327 and on the Homeless Providers.

The Chair announced that this staff report will also be included for discussion at the next meeting.

V. ANNOUNCEMENTS

Dr. Watt announced that at the last meeting of the Restoration Advisory Board Committee a concern was brought to the Board that some of the modifications of buildings on Tiyan are not being done in accordance with EPA requirements and that these infractions should be dealt with immediately. He stated that he spoke with Mr. Underwood, the Superintendent of Tiyan; however, wanted to avail the Committee of this information.

Mr. Richard Underwood, Superintendent, Tiyan Reuse Authority was recognized by the Chair. Mr. Underwood responded that he was made aware of problem and is in the process of correcting the situation.

The Chair recognized and introduced Commander Willis, the new Base Transition Coordinator. Commander Willis commented that he is primarily responsible for BRACC '95.

VI. NEXT MEETING

The next meeting which is scheduled for December 21st at 3:00 p.m., the Cabinet Conference Room, Adelup.

VII. ADJOURNMENT

The meeting of the Komitea Para Tiyan adjourned at 6:25 p.m.

KOMITEA PARA TIYAN
NAS AGANA REUSE COMMITTEE
Minutes of December 14, 1995

RECORDED AND TRANSCRIBED BY:

Susan L. Corbin

SUSAN L. CORBIN

Dated: *December 18, 1995*

CONCURRED BY:

Maheleine Z. Bordallo

LIEUTENANT GOVERNOR MADELEINE Z. BORDALLO
Chairperson, Komitea Para Tiyan

Dated: *12/21/95*

KOMITEA PARA TIYAN

AGENDA

June 23, 1995

- I. CALL TO ORDER**
- II. ADOPTION OF MINUTES**
- III. RESULTS OF PUBLIC HEARINGS**
 - A. Meeting with the Mongmong-Toto-Maite community**
 - B. Meeting with the Tamuning community**
 - C. Meeting with the Barrigada community**
- IV. PUBLIC INPUT**
- V. ADJOURNMENT**

The following are issues, proposals and comments obtained during the NAS Reuse Master Plan Public Hearings on June 12, 13 and 14, 1995.

LAND USE:

1. Reserve 12 acres of land for recreation, even if its just practice fields and reserve for residents of Mongmong-Toto-Maite.
2. Build a third runway just for cargo.
3. All of NAS should be used for airport purposes.
4. Reserve quarters for visiting atheletic teams.
5. Provide access through NAS to alleviate traffic.
6. Begin planning for new airport in an area other than NAS.
7. Reserve area for arboratum/park for indigeneous plants of Guam.
8. Reserve and develop an area along the cliffline as a memorial for those who built the runway during Japanese occupation and call it "Ginen I manmasa'pit mannainata".
9. Pattern Route 8 after Marine Drive in Agana, with landscaped buffers and separated collector streets.
10. Proposed Jalaquac Road will require acquisition of private property off-base in the Tamuning area and resulting traffic will adversely affect residents in the area.
11. Use base for economic development in order to benefit original landowners.
12. Do not support interim use by GovGuam agencies.
13. Stress airport uses and safety zones over other uses.
14. Do not allow educational uses, convert areas to industrial use.
15. Do not allow housing due to safety and noise impacts.
16. No housing on NAS - private developers should build housing elsewhere on the island.

17. Provide interchange at Route 10.

LAND OWNERSHIP:

18. Transfer jurisdiction over recreational facilities to Barrigada community.
19. All parks and recreational facilities should be transferred to the Dept. of Parks and Recreation.
20. Give dollars from use of NAS to original landowners.
21. Incorporate Tiyan into Barrigada and do not create separate Tiyan village.
22. Allow original landowners to operate businesses on the base.
23. Return land to original landowners. Should GovGuam need to use lands, rent from original landowners.
24. Exchange land if it cannot be returned to original landowners.

REVIEW PROCESS:

25. Extend deadline for public comment.
26. Include all original owners in plan development and review and approval process.

Questions and Comments:

27. Who will get title over the area reserved for airport uses?
28. Will GAA be able to sell property in the future if airport relocates to area outside of Tiyan?
29. Can rural exemption be used as a mechanism to return property to original landowners?
30. The plan is an "unintentional formula for civil disobedience".
31. Do not repeat historical injustices which are violations of private property rights.
32. The BRACC process does not work for Guam.

33. What if public desires for NAS differs from what is allowed under federal regulations?
34. Different rules are being applied on Guam than in other base closures stateside.
35. Contrary to Chamorro Culture, we would have to kick out our children from our homes and into the streets in order for them to qualify as homeless.
36. Allowing for competitive bid for properties is an insult to Chamorros and original landowners.

KOMITEA PARA TIYAN PUBLIC HEARING

MINUTES OF PUBLIC HEARING Barrigada Community Center

Wednesday, June 14, 1995

I. CALL TO ORDER

The Public Hearing on the NAS Reuse was called to order by Mr. Ron Teehan, a member of the Komitea Para Tiyan, on Wednesday, June 14, 1995 at 7:00 p.m. in the Barrigada Community Center.

Notation of Attendance:

Mr. Joseph Borja	Komitea Member
Mr. Ron Teehan	Komitea Member
Major Greg Borja	Komitea Member
LCDR Bill Cords	Komitea Member
Dr. David Watt	Komitea Member
Mr. Mike Cruz	Bureau of Planning
Ms. Jackie Murati	Guam Airport Authority
Mr. Darryl Taggerty	Tiyan Reuse Authority
Mr. Francis Toves	Tiyan Reuse Authority
Ms. Rose Muna	Tiyan Reuse Authority
Ms. Beverly Hiatt	Tiyan Reuse Authority

II. NOTATION OF PERSONS TESTIFYING

Opening statement was made by Mr. Ron Teehan with the introduction of guests, and the purpose of this Public Hearing. All those who wish to present formal testimony should sign up with the Komitea staff. Any written testimony can be submitted tonight or can be sent to the Chairperson, Komitea Para Tiyan, P.O. Box 2750, Agana, Guam 96910.

Mr. Teehan express to the community that the Komitea is not here tonight to defend the plan. He explain that we are here to discuss the plan and obtain your input and testimony on it.

The first testimony was made by Mr. Castro. He suggested that the other original landowners (he has a list of names) be contacted, and a meeting be held so that they can discuss the return of the land or compensation.

Ron Teehan gave his word that at the next meeting of the Komitea, he will make a motion that each and every original landowner or heir will be notified, for testimony regarding the reuse plan. He also expressed to Mr. Castro that he cannot promise, but he will try his best on this issue.

The first presentation was made by Darryl Taggerty, Acting Superintendent of Tiyan Reuse Authority. He presented the a general outline of the long range plan of the property. This is just a draft of a plan that must be submitted to the Navy for approval according to Federal Laws and the Base Closure Regulations and Laws.

There are two parties applying for the land. One of them is the Komitea Para Tiyan and the other is the Guam Airport Authority, a branch of the Government of Guam.

The other presentation was made by Mike Cruz, Bureau of Planning. His presentation is based on all the Federal restrictions required by law. He also expressed the requirements by Federal Laws that pieces of land be identified that may be kept by the Federal government. There are seven request by the different Federal agencies for the use of these properties. The Navy has the final decision on which Federal agency could get properties on NAS. The Navy also relies on what the Komitea has to say about the particular uses. Out of the seven requests, the Komitea have supported two, the National Weather Services and the Federal Aviation Administration.

The second presentation by Mike Cruz is on the rules and the role of HUD for the homeless. Federal Law requires that if there is any federal turn over of land, the homeless have first crack, particularly under the McKinley Act. During the interim lease the local reuse authority is not required to accommodate the homeless. In the final reuse plan something must be done for them. If it is determined by HUD Guam in its entirety has adequate provision to take care of the homeless, then HUD will not force us to provide for the homeless on NAS.

Ms. Jackie A. Murati, Chief of Administrative Service, at the Guam Airport Authority, presented a long term plan for the need of the airport. The needs for the airport are as follows: 1) the proposal of an additional runway for airplanes to taxi to and from the terminal 2) new cargo facilities near the terminal to accommodate expansion for the great demand 3) a roadway to run adjacent to Marine Drive.

The following individuals expressed in length, the desire for the entire NAS to be turned over to the original landowner or heirs, and the Barrigada Planning Council, for their control as they see fit.

- 1) Mr. Felix Benavente, representing the Barrigada Manicipal Planning Council, and Chairman to review the Reuse Master Plan. He presented to the panel drawings of the map of Guam, showing that Tiyan is part of Barrigada municipality. One of the chart shows that Barrigada is divided into two sections. The village is divided into three major landowners, one is the Navy (NAS), civilian areas, and the Government of Guam through Tiyan. The Council wishes to reconnect Barrigada into one major village. The Mayor of Barrigada is constantly worried about trespassing on military properties, he has been indicted two times all for wishing to created recreation areas for the people of Barrigada. Barrigada has always been short changed with land. People that lived near the Rosario Detention Center moved out because of the danger to be close to the jail, so the Government gave them land in exchange at Mt. Barrigada. The MPC is asking the Komitea to consider turning over the parks and recreation areas in Tiyan to the municipality of Barrigada. Over 70% of the land uses in the Tiyan boundary area is more than adequate for economic development. Other areas should be set aside singly or jointly for recreation and open space. Active park and recreation facilities should be turned over to the community of Barrigada. Revenue generating opportunity should be maximized for facility maintenance and operations, and new constructions. Barrigada supports the concepts that at a minimum a trust be established to attempt to compensate the original landowners and their heirs. A percentage of revenue derives from Tiyan area facilities should be set aside for the appropriate receiving venous. Barrigada MPC and its sister non-profit organizations will assist and support original landowners in pursuit of this option. A highway with a buffer frontage road should be designed to elevate future urban stress on the community, specifically around Route 8, Route 16, Route 8A, and Route 10. We foresee a huge traffic jam in these intersections; and guess who will be involved in traffic accidents here. We have an elementary school early in the morning, with buses turning left and right in this intersection (pointing to charts) and down in this intersection. We should set aside land for interchange to fix all these areas out. We do not want to see a strip of Route 8 turn into what we have in Tamuning. We are forecasting ten times the traffic of what we have not here on Route 8. So we are in support of a parkway going through

Barrigada which is called Mariner Parkway as a bufferway. We are also disturbed by the fact that the Governor or the Komitea appears to be creating or appears to be heading toward the direction that its going to create a new village in Tiyan. What we are suggesting is that we incorporate Tiyan into the big area of Barrigada as it already is. We support the idea of a central village core, but lets just flow into it. Look at the whole area, Tiyan speaks out already saying can't you see what's in front of you, in terms of land use planning. You have a community here with residences, this will be turned over again to GovGuam. Let's just make it regional and convert this into an urban park with greenways and give to Mongmong-Toto-Maite their little area, they were also short changed. All of the public land where GW used to be in Mongmong-Toto-Maite where turned over again to private people. Why can't GovGuam save those properties and give the land back for recreation facilities. In ten, twenty or may be thirty years, this whole area is going to turn into high intensity urban. This is the opportunity for the Komitea to service the community of Mongmong-Toto-Maite and Barrigada. There is no other place that is available for us. Our comments are meant to be constructive, we would like to have the Komitea's assistance and support.

2. Mr. Joe Borja, member of the Komitea, stated that for the record to show that Felix Benavente is the authorized representative of the MPC relative to the Reuse Plan of Tiyan. He suggests that he provide copies of his presentation, the maps and figures and also a written record, maybe in a form of a resolution. Suggest that it be submitted in three parts; 1) Recognition or Non-recognition of the Airport as a primarily function of Tiyan, 2) You did mention some very serious policy matters I believe in your presentation. I want to clarify that up especially speaking as a member or representative of the MPC. 1. The Council support some basic concepts of the plan, but takes special exception to the ownership of the property and the sharing of that revenue with the original landowners or agrees with the sharing of revenues with the landowners, and that the MPC other basic stands that they will prefer when possible and these lands be return to the private landowners for their economic development. In the absence of that possibility of returning the actual piece of property, the MPC supports some kind of landowner trust that the original landowners take part in the revenue or profits generated by the reuse of Tiyan. This is a suggestion to the commission, I am not sure of the deadline to submit comments is June 16. Please check and meet this deadline.

I am a resident of Barrigada, and also I sit on the Komitea in several different functions. I am the Director of the Chamorro Land Trust Commission, and if GovGuam receives any part of NAS in fee simple title, and does not reserve it in sixty days, that property automatically goes to the Chamorro Land Trust Commission. So I watch out for that interest also. Also, as member of the Komitea, and all these other people are member of the Komitea, we were appointed to this Komitea for several different functions. But one of the major functions is the responsibility to the people of Guam. A much larger constituent than just the original landowners and the airport does play a major part on that. There are several types of economic development that can take place on base, one is sponsored by the government, one with the original landowner doing it, and maybe some sort of trust to do it. These are the three basic ideas. I am also a grandson of a deceased landowner at NAS. If they move the fence another 300 feet inward we will have our property back or fronting Route 8. I do know a little bit about the Tiyan area. There never really was a village of Barrigada. The village of Barrigada was created by the military. The village of Barrigada use to belong to about 20 landowners (the village proper itself). In the whole condonation of Barrigada, and Barrigada along with Yigo and Dededo in the early part really were three municipalities that suffered in terms percentage of what was taken from the original landowners. Barrigada was one of the biggest, and we can see that today with NAS, Radio Barrigada, Route 16, Route 8 and various other smaller condemnation. But the village of Barrigada was created by the military, if you drive around Barrigada you will notice that the lots are uniform size all the roads are straight, and most have sewer and water, and that is because it was condemned from 20 original landowners. The Federal government took it, returned it to the Government of Guam and the Government of Guam sold each and every one of these houses. These people that are living in Barrigada now in these village size lots, some of them are original landowners from Barrigada. But all of these lots that you see in the village, the Government condemned it from original landowners, took it and resold it to the public. What some of the ideas that have been proposed by the government officials tonight and all these other meetings is something similar to that. The Government has done this before, where they have condemned original landowners land and taken it for themselves cut it up and sold it out in the private market. It just so happen that at that time when it was out in the private market, the private market was composed of mostly Chamorros and it had a qualification and a priority list so that you have to

qualify and meet some conditions before you bought those properties. The municipalities of Barrigada is one of the largest municipalities on the island, Lalo, Asbegcos, San Antonio, Leyang, Canada, Aspengao, Maite, Toto, Nalao, Adacao, Oda Agaga, Barrigada itself, Tiyan, Analaguag. Those parcel are parts of Barrigada. It is one of the biggest areas on the island, and for some reason or another, NAS was called Tiyan at one time. I don't know what it means, whether it means the belly of the island, or is it part of the island that feeds the rest of the island; because before the war everybody has a house in Agana, but I guarantee you they have a ranch in Barrigada that fed that house in Agana. That's the way it was, the Japanese came in, slave labor built it, my parents was one of those that took part in building that base and dug up the gravel with their bare hands. The U.S. came in, they took it again. They paid a little for it back in '46, 1950, 1953 and then the Federal government paid for it again in 1977 under the Guam Lands Claim Cases. Today, the community of Barrigada, the island of Guam has a very important policy decision to make. Right now, today, we are talking about Tiyan. But I fail to see how the Navy can continue to justify to keep areas like the golf courses, the antenna fields. Subsequently, I believe, in a couple of years those areas have to be returned. So the policies, the ideas that you put down tonight may have an effect on those later returns. Each one of us here that sit on the Komitea have different functions. And yes, we have different interests, and it may not be consistent with the Government, it may not be consistent with the Airport, and it may not be consistent with the original landowners. But we're here tonight is to listen to your ideas. Our jobs is not to agree with you or to disagree with you, our job is to listen to you, recorded, give to the powers that make these decisions. Now there are several opportunities along the way where the public in general can influence the decision. Tonight is one of them, but when the plan goes to TPC, before the Legislature, before the Governor, you also have a chance. So, do not feel that what you say tonight will not be heard because there at least three other opportunities for you to convince people. You may not convince me, and you may not convince the other people, but what we're here tonight is to listen. The municipality of Barrigada, the Mayors Council plays a very important part and I would assume and hope that they do have a very important input because you represent Barrigada in general, more than Tamuning and more than Maite, the original landowners reside in Barrigada much more than any other municipality. I suggest to the MPC to try and get something written on record, and like I said, tonight is not

the only opportunity. This process is not the only opportunity. We hear of ideas and people saying in cast and stone and that's the plan and everything. Things can change, and I suggest that you submit something formal in writing. It's being recorded tonight, but I think a little pamphlet from the village of Barrigada MPC may attract a little attention. That's basically my suggestion to the Council. Thank you.

3. Mr. Tomas Iriarte, Heir to the land here at Tiyan. My grandfather Jose Ogo Blas along with his brothers and sisters owns a great portion of the land here at Tiyan. I have not seen any plan for the original landowners in any of the handout. He has not seen it, he has not read it. My father died and has nothing give his children. Share the wealth that will be profited from this land. If you can't give us back our land, let us run some of these so called education centers. I am a civil engineer and I know what it takes to renovate these so called education center. The Government of Guam ain't got the money to do it - not five years from now, not ten years from now. Thank you.
4. Mr. Joe Morcilla, did not have a prepared testimony. Where would we be without the Airport? The Airport is our blood line. The Airport is what brings people here and spends money on the island. The Airport is what brings goods to the island that we purchase. We have to make sure that whatever happens with this plan, the airport comes first. The Governor has gone to Asia and expressed that he would like to see 4000 new rooms here on Guam. If we have these number of rooms we would anticipate about 2000 more flights to the island in any given year. Another thing that we have to consider is the safety concerns. The plans show town center, commercial center and whenever you see those near an airport there is always a potential for an airline accident. The plan to buffer the north side of the airport is a great idea. The idea of a school, I don't know what kind of a school is being planned there, even if its a high school, you're attracting about 700 maybe 1000 students. The airport has a number of safety zones. What happens within the Tiyan area should be airport related or industrial related. Something that falls in line with airport operations. When we look at Tiyan, as being a gold mine, not only where an individual will make money but the Government itself. That's good, but I don't think that will be the primary factor of the reuse in Tiyan. I think you should think of the quality of life in and around the airport. More planes mean more noise. Overall all I support the need for the airport. Maybe a new alternate

site for the airport is important.

Again, the following individuals testified some of them in Chamorro. They all expressed the desire of wanting the land back to the original landowner or be compensated.

5. Mr. Hensley
5. Mr. Ben Garrido (Malait Matlak) Heir
6. Mr. David Munoz Heir
7. Mr. Arthur Jackson Heir
8. Mr. Robert Benevante Heir
9. Mr. Danny Jackson Heir
10. Mr. Manuel Diaz MTM Resident
11. Mr. Edwin Jackson Heir
12. Mrs. Marianne Rios, Guahan Landowners United Inc. Proposed that the title of Tiyan be placed in a trust for the original landowners and that the landowners control the use of the land and its development. Mrs. Rios will submit a formal written testimony in support of her interest in the reuse plan for NAS.
13. Mr. Tony Artero stated his support of Mrs. Rios proposals for placing the title of the land in a trust for the original landowners.

The following is a discussion between Ron Teehan and Jackie Murati in regards to the Title of the land.

Teehan: I need clarification - you were explaining the airport use for the land. You state you need the additional area to generate revenue?

Murati: Yes areas north of Mariner.

Teehan: Will this revenue be utilized to pay the bonds?

Murati: Areas north of Mariner was identified specifically to cover the additional \$3 - \$4 million a year it would cost to operate the runways and to maintain a crash crew that we must have 24 hours a day, 7 days a week as mandated by FAA.

Teehan: The payment of the bonds is not dependent upon this revenue?

Murati: The payment of the bond is dependent on the revenue of the airport in general. As long as we can cover those costs to a certain degree, yes.

Teehan: But those bonds were floated before the BRAC process.

Murati: Yes, and before that there was no plan or projected expense of \$3-\$4 million a year to run the operation.

Teehan: The existing bond, the justification, has nothing to do with so ever with the additional properties in question.

Murati: No, the ground was already broken for 3 to 5 years before that. Planning had to be done in order to start the architects design of the building and to break ground. All of these is before we had a hint of the base closure. One of the main reasons we sought to get NAS returned, was for airport expansion.

Teehan: But nothing was committed by the government as far as the bonds went and now the additional anticipated annual expenditure is specifically for the runway.

Murati: The operation and staffing of the crash crew.

Teehan: Strictly facility maintenance & terminal maintenance.

Murati: We don't expect to see the \$3-\$4 million generated by areas even over the next 2 to 3 years. If we can start, then that would be helpful. But to have all the units fully rented to be able to generate the kind of dollars to just pay for the cost that's not going to be coming for several years.

Teehan: The airports needs are \$3-\$4 million a year?

Murati: As estimated right now.

Teehan: Discussing assets, It doesn't matter whether the Airport Authority has possession of this or GovGuam under Tiyan reutilization office or any other entity we set up? It is not necessary we turn this over to the Airport Authority as much as necessary that we come up with the money to maintain the runway.

Murati: In fact, I think one of the reasons the airport authority led the way to get funds because by citing public airport that was the guarantee to acquire those lands from the Navy cost free. That was the key thing acquiring cost free.

Teehan: I'm right or wrong on this - that when airport authority and Guam elected leadership under the past administration were justifying the need for Tiyan, did they or did they not site the historical injustices to the people of Guam as part of their reasoning or rational, why the Navy or the Federal Government should give special consideration to the release of that land.

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Murati: I'm not aware of that.

Teehan: I am aware of that! Because I have kept track of the statements of the very promise. As a matter of fact, was one of the least point. It was always an economic opportunity, even necessary for the airport, but the justification was constantly thrown out as I recall was the historical injustices, historical injustices are very specific, their sitting right here as well as other areas of the island. The question is, we have not approved this plan, we haven't even approved the airports title acquisition of the airfield itself it might now. All you bonds are floating or just your commitment on the revenue.

Murati: The expansion.

The Public Hearing was adjourned at 11:20 p.m.

KOMITEA PARA TIYAN PUBLIC HEARING

MINUTES OF PUBLIC HEARING
Tamuning Community Center
June 13, 1995

I. CALL TO ORDER

The Public Hearing on the NAS Reuse was called to order by Mr. Ron Teehan, a member of the Komitea Para Tiyan, on Tuesday, June 13, 1995 at 7:05 p.m. in the Tamuning Community Center.

Komitea Members Present:

Ron Teehan	Komitea Member
LCDR Cords	Komitea Member
Dr. David Watt	Komitea Member
Mayor Borja	Komitea Member
Sen. Lamorena	Komitea Member
Joseph Borja	Komitea Member
Jackie Murati	Guam Airport Authority
Mike Cruz	Bureau of Planning
Darryl Taggerty	Tiyan Reuse Authority

Formal testimony was provided by:

Rita Franquea
Catherine McCollum
Marianne Rios
Francisco Castro
Millie Artero
Viola G. Castro

Opening statements made by Ron Teehan. Introduction of staff, Mike Cruz, Chief Planner, Bureau of Planning, Darryl Taggerty, Acting Superintendent Tiyan Reuse Authority and Jackie Murati, Guam Airport Authority.

The purpose of Public Hearing is to gather input from the local communities. Written testimony can be submitted to the Chairman of KPT by June 15th. Mr Teehan reiterated that no plan has been adopted nor has any land been distributed to any individual, corporation or government entity.

First presentation was by Darryl Taggerty. Plan being discussed was submitted by JFP International, which was finalized in March 1995. This plan was based on interviews with government officials and members of the community as a starting point for possible uses of what is formerly known as Naval Air Station. Mike Cruz is most familiar with federal regulations and laws

regarding the entire reuse process as land is transferred from military control to civilian control. The majority of the land would be used primarily as an airport, which is the largest area of the base.

The proposal by the professional planning contractor is to consolidate the land for airport and community interest. Public comments help the Komitea Para Tiyan (KPT), the Government of Guam and the Territorial Planning Council revise the plan so it reflects the interest of the community, within the parameters of federal laws and regulations and the incentives inside the federal policies that allow for the transfer of the land.

The Government of Guam agencies and the Territorial Planning Council are reviewing the plan in depth to find the impact on their responsibilities under Guam law on behalf of the people. KPT will decide on what revisions should be made and what the final plan look like. The plan will be transmitted to the Governor, who has a chance to review and transmit to the Legislature for review and to make further changes if they see fit. The plan must conform to the process which is permitted under federal law for the base closure. It must address concerns of the homeless. After the plan is completed, and it is approved by the Navy in the later part of the year, the plan will dictate clean up activities that will allow planned uses to go into effect at some future date. The plan does not dictate interim use which is where we are now. We are in the third month of transfer from the Navy to civilian use. The plan refers to the usage of land after the title of land passes to civilian hands.

Enlisted housing located north of the runway has been proposed for airport related use, such as expansion of the cargo areas. Creating a public thoroughfare, the Tiyan Parkway, will connect Rt. 8 to Airport Access Road; also proposed is constructing a road connecting the Tiyan Parkway to Camp Watkins Road. The elimination of housing in favor of commercial development because of the impact from airport operations. A second area is for airport operations proper, including the clear zones and former Navy operations area. The third area involves Mariner Ave which is the dividing line between airport operations and community usage. Mariner as proposed would be used to connect Rt. 8 to Rt. 10. Rt 10 would be extended to Mariner Ave. This would allow for the development for housing, commercial, recreation and educational areas. Using the area for recreation and education is an incentive under federal law which allows for cost free conveyance to the Government of Guam. Housing and commercial areas would be an extension of Barrigada. These uses were proposed in response to the economic conditions when the plan was initiated. These conditions have changed. Officer family

housing was not included in the 1993 Base Closure . It may be included in the 1995 Base Closure process.

No comments or statements made following Darryl Taggerty's presentation.

Mike Cruz's presentation included the requests made by seven federal agencies which has requested property. Mike pointed out the Government of Guam supported the requests of only two agencies. Dept of Navy has final say in which agencies will receive property. Federal law requires the plan address the needs of the homeless. Fourteen homeless organizations has submitted requests to include fifty housing units, barracks and MWR areas. The requirements for the homeless are for those who lack adequate night time residency.

Comments by Mr. Francisco G. Castro, original landowner, asking why the homeless should be considered before the original landowners. His family's land is now property of the airport. Wants to know why the airport and Government of Guam is making money when his family was never compensated for the loss of the land. Also wants to know what guarantees there are for his family to be compensated for the land as promised. Concerned that the plan does not address the original landowners and wants a better proposal that addresses compensation to those people who lost their land.

Mrs. Marianne Rios, spokesperson for Guahan Landowners United, questioned the request by the National Guard. She wanted to know if the National Guard had shown any justification for the area requested in addition to the complex they are in the process of building. Mike Cruz's response was they had only submitted a letter of request. Her next comment was in regards to the homeless issue and wanted to know if the needs could be addressed outside the parameters of the base. Response was, federal laws required the needs be addressed, either on or off the base. Mrs. Rios asked if an assessment or study has ever been done to assess the homeless situation on the island. Her next question was in regards to the 14 homeless organizations which had submitted requests, how many qualify under HUD requirements? She is extremely concerned with fact the reuse plan has not changed since the beginning. The problem with the KPT is with the Chairwoman, participation and input. Nowhere in the KPT meetings has a decision ever been made. She also requested the deadline for written testimony be extended beyond June 18th. Mrs. Rios believes the deadline does not give the people adequate time to submit a responsible or intelligent input and also insists the original landowners should be part of the decision making process of the reuse plan. Mrs. Rios requests the plan must be revised to

the thinking and wants of the people. People are not stupid and should have a say.

Next question was in regards to the airport. Understands that Guam's airport is the fastest growing in the world. When will the island outgrow the airport? She questioned the demolition of 500 housing units for the expansion. Jackie Murati explained that the present airport was built to accommodate 750,000 people per year. Last year there were over 1 million visitors to the island and this year there are 1.2 million expected. Mrs. Rios stated that at the present rate of increase the airport would outgrow itself within 10 years. Jackie stated there is expected to be a leveling off period in visitors to the island and by the year 2015 the airport would fit in the present proposed expansion.

Mrs. Rios next asked about the rural exemption. How was it asked for? Was it under the economic conveyance? Mike's response was under advice from the Navy and consultants the rural exemption was requested. The application was submitted and a letter was received in response. When the application for Economic Conveyance is submitted in combination with rural exemption and approved by the Navy then the land could be returned at no cost, but only if certain criteria is met. The rural exemption is in reference to the islands population density, not NAS.

LCDR Cords stated the letter which was received although is not clear is only the first step which falls under the Economic Development Conveyance (EDC) and if approved with the rural exemption, the land could be returned at no cost. Guam must show two things, one the significant impact of the closure and that the possibility for development or recovery would be difficult. Mrs. Rios asked if it is possible that the way the land was taken would be a favorable reason for falling under the rural exemption. Mrs. Rios then referred to Bill 21-44 regarding original landowners. Original landowners are willing and able to take land back as entrepreneurs. Mrs. Rios believes they are being told that they can not be trusted with their own land. She suggested the KPT look at the original landowners and believes they should have a say. Mrs. Rios believes government entities on the land is a wrong direction. Government of Guam does not pay taxes. People do. Most importantly include the people. She had read the minutes of past KPT meetings and has seen no decision made. We need a plan to make a bad thing good. Be daring. Lastly extend the deadline for written testimony.

Comments from Sen. Lamorena, Chairman on Economic Development. Sen. Lamorena stated he does not like the proposed plan. He believes it should benefit the original landowners. Public input

is needed. Feels there should not be a high school on the land. Disagrees with the proposed 80% being used as parks. Would like to see a trust be set up to compensate the landowners. Mrs. Rita Franquez - to the KPT you have a hard job. Wishes Mrs. Rios the best in her endeavors. But stated that since the 70s many people have fought to get the land back, she, Mrs. Rios is not the first. I have land I'll never see again. Asks for parameters-one size fits all- Chamorro's, present parameters the size of a coffin. The staff and KPT members can be beat up, but they have no authority to do anything. But must follow the law. She used to work on the field during the war. Mrs. Franquez would like to see a park or an arboretum for indigenous plants for Guam be built. Second, along the cliff line, maybe an outlook, like Nimitz Hills, in honor of those who built the airport. We lost lands many years ago. Leave something significant behind.

Catharine Flores McCullum, (Lourdes Punzalan, mother), 3rd generation. Take the map, list names of original landowners and their heirs and make a new village. Would like to put a house on the hill but can not. Is disgusted with the plan. Grandmother held a picket sign to fight for Ritidian Pt. Was asked not to give up the fight for their land and she will not. Asked if when the plan is finalized will the original landowners be notified. Ron Teehan stated no specific plan was made to notify individuals. Mrs. McCullum questioned the proposed road connecting Tiyan to Camp Watkins Rd. By doing that this road would cut through what little property owned by her family and then her family would truly be homeless. Wants to see the original landowners compensated for the land or give it back. Would her family be compensated by the Government of Guam for the land taken to build a road? Believes not.

Ron Teehan explained that Government of Guam owes hundreds of millions in outstanding debts to landowners

Tony Artero, President of Guahan Landowners Association, Defines NAS as the 'Heir strip'. And will add on to the laundry list of problems to the KPT: Too much government is involved. Best government is less. Tiyan was productive prior to WWII. Government took away the freedom to use the land, making people wards of the state. Guam needs a plan with the exception of the airport. Guam has no plan. Believes the airport should not be expanded in its present location. Airport should be moved to Anderson AFB or Northwest Field. Tiyan should be used to address housing affordability problem on the island.

LCDR Cords suggested a partnering session to look at Guam's issues and benefits.

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Artero stated he does not agree with GovGuam Agencies moving into Tiyan during the interim period. Barracks could be used as a 'bed and breakfast' which would instantly create jobs and revenues.

Meeting adjourned at 9:48pm

KOMITEA PARA TIYAN PUBLIC HEARING

MINUTES OF PUBLIC HEARING Toto Community Center

Monday, June 12, 1995

I. CALL TO ORDER

The Public Hearing on the NAS Reuse was called to order by Mr. Ron Teehan, a member of the Komitea Para Tiyan, on Monday, June 12, 1995 at 7:05 p.m. in the Toto Community Center.

Notation of Attendance:

Mr. Joseph Borja	Komitea Member
Mr. Ron Teehan	Komitea Member
Major Greg Borja	Komitea Member
LCDR William Cords	Komitea Member
Dr. David Watt	Komitea Member
Mr. Mike Cruz	Bureau of Planning
Ms. Jackie Murati	Guam Airport Authority
Mr. Darryl Taggerty	Tiyan Reuse Authority
Mr. Kin Camacho	Tiyan Reuse Authority
Mr. Francis Toves	Tiyan Reuse Authority
Ms. Rose Muna	Tiyan Reuse Authority
KUAM Media	

Notation of Persons Testifying:

Mrs. Catalina Blas
Mr. Frank Agualo
Mr. Ben Pinaula
Mr. Dennis Zermeno
Mr. John Taitano

Mr. Ron Teehan started the Public Hearing with the following. Tonight, we are holding a public hearing on the NAS Base Reuse Master Plan which will guide the use of NAS over the long term. All those who wish to present formal testimony should sign up with the Komitea staff and they will be called upon to testify in the order they have signed up. Any written testimony can be submitted tonight or can be sent to the Chairperson, Komitea Para Tiyan, P.O. Box 2930, Agana, Guam and must be received by Thursday, June 15, 1995 in order to be included in the hearing minutes. Those who wish to raise questions or provide comments during the staff presentations need not sign up however, we ask that you state your name for the record before raising your question or providing your comments. Copies of the summary of the plan can be picked up from the staff.

Upon completion of the public hearing on the draft plan, the Komitea Para Tiyan will meet to discuss comments received, make changes to the plan and submit its recommendations to the Territorial Planning Council as required by Public Law 20-147, which established the method for adopting master plans. The Territorial Planning Council will then hold one islandwide public hearing to solicit comments on the final plan before submitting its recommendations on the plan to the Governor. Thereafter, the Governor will submit his recommendations on the plan to the Legislature for adoption. By federal law, the plan must be submitted to the Navy and the U.S. Department of Housing and Urban Development by December 9, 1995.

The Komitea Para Tiyan has NOT adopted the plan at the present time. The members of the Komitea present tonight are simply here to listen to your comments. We will NOT defend the plan. The staff will present the plan and answer any questions you may have.

Are there any questions on the role of the Komitea, the manner in which the hearing is being held, or the approval process of the plan?

I would like to introduce Mr. Mike Cruz, Chief Planner of the Bureau of Planning, Ms. Jackie Murati, Chief of Administrative Services for the Guam Airport Authority and Mr. Darryl Taggerty, Acting Superintendent of the Tiyan Reuse Authority to present a summary of the plan. Thank you.

Mr. Teehan introduce Mr. Mike Cruz to present a summary of the Reuse Plan.

Mr. Cruz indicated that his presentation was pattern after the summary that was distributed. As indicated earlier the deadline for the plan is December 9, 1995 at which point the plan should be submitted to the Navy and the Department of Housing and Urban Development. By Federal regulation the reuse plan should to contain information as indicated in the summary which is as follows:

1. The plan should to identify parcels that are recommended for transfer to Federal agency and their proposed uses.
2. It should identify parcels recommended to be transfer for use by homeless organizations.
3. It should identify parcels recommended to be use for public benefit purposes as defined by federal law.

4. It should identify parcels recommended to be purchased at fair market value for other non-public uses.
5. It should identify properties that are to be transferred for economic development purposes and to describe how many jobs the plan will create if the plan is implemented.

Basically, the federal government is primarily concerned with how the property is going to be used.

- A. Federal Request. At this time, seven federal agencies have requested to utilize properties, lands and buildings at NAS. The U.S. General Services Administration has asked for eight acres along Route Eight by Mongmong-Toto-Maite to construct a federal courthouse. The U.S. Army Reserve has requested 17 acres, and 68,000 square feet of space at the bachelors quarters near the NAS swimming pool for centralize U.S. Army Reserve Center. The Guam Army National Guard has asked for almost 9 acres and 6 buildings containing 47,000 square feet to be used as a property and fiscal offices. U.S. Postal Office has requested .3 acres and one building containing 3,000 square feet for post office. Federal Aviation Administration has requested 2.8 acres and 2 buildings totaling 24,000 square feet for an office and operational use. The Defense Commissary Agency has requested almost 10 acres and 1 building totaling 86,000 square feet for central commissary facility. The National Weather Services has asked for 1.4 acres and 1 building containing 5,000 square feet for weather forecasting office. No decision has been made on these particular federal agencies by the Navy at this point in time. However, the Komitea has taken a position on all of these 7 uses and have indicated to the federal government that of the 7 agencies that have requested for property at NAS we support two (2) of them. Those two are the Federal Aviation Administration request and the National Weather Services request. All other requests were objected by the Komitea. The Komitea has taken the position that it prefers that both FAA and National Weather Services utilize the property at no cost and do not get a fee transfer title of the land.
- B. Request for Homeless. The Komitea has screened the property and approximately 14 homeless organization submitted requested for properties on NAS. The 14 agencies requested 50 units of housing, 2 barracks,

the BOQ and the swimming pool, the Youth Center, the Child Care Center, Chief Petty Officers Club and the Enlisted Mens Club and the MWR office and workshop. The Komitea has not taken a position on any of the requests. However, emphasis was made that based on federal laws, we are required to deal with homeless organization needs. We need to address that within the plan, whether providing facilities on the base or off the base, or we may not need to address them at all if sufficient resources has been allocated for homeless needs.

Mrs. Catalina Blas inquired if these homeless people stated above are indeed from Guam or any place else. Mr. Cruz response was yes. These are people from Guam and not any place else as they were earlier request from a homeless organization in Oklahoma.

Mrs. Catalina Blas has requested for 12 acres of land for a gym, and softball field, and land for the young and the old. She indicated that the population on MTM is increasing and she believes there is no government land for the community. She inquired whether land can be reserved by the government for MTM for these purposes.

Mr. Cruz and Mr. Teehan indicated to Mrs. Blas that Tiyan is bordered by both MTM and Barrigada and has acres and acres of Parks and Recreation land and facilities that is available for these villages.

Mrs. Blas expressed again that she wants a parcel of land dedicated to MTM and not as part of Tiyan.

Mr. Frank Agualo represented Monsignor Calvo's Corporation. Stated that a letter was submitted a while back in regards to a request for parcels of land that Msgr. Calvo family owned before the war. According to the map, this piece of land was indicated for federal use. This land is in the corner of Maite in the Officers Housing area. The purpose of this request is to build a museum for the people of Guam to benefit. My question is can this request fall under the institutional/educational 80 acres of land put aside for such a purpose? Can this land be obtained for the building of a museum. Mr. Mike Cruz indicated that this request indeed falls under this particular land identification.

Mr. Agualo's request is that the museum and chapel be built on the same location that the chapel was standing many years ago or expand on the current chapel location if the first option is not available.

Ms. Jackie Arriola Murati, Chief of Administration Services for the Guam Airport Authority introduced herself and explained that she had been involved in the planning of the Airport Master Plan for approximately six months. The following is just a proposal of what the boundaries are to be: nothing is final, nothing has been signed.

At the end of March, the area that encompasses the runways was the area which constituted Modification Number 3 of Joint Use Agreement. This allowed for the Guam Airport Authority to continue operating after April 1st because NAS was disestablished on March 31st.

The area that is currently being negotiated is the area around the crash crew buildings, a number of hangers, some maintenance facilities, and areas adjacent to the runway area.

For information only, the expenses that the Airport Authority will incur in connection with running the airport in going to increase by 3 to 4 million dollars a year. This include funding for the crash crew units, runway lights, grass cutting and other maintenance and improvements.

The other area that is currently proposed is the enlisted area. Under the long term plan, the Guam Airport Authority will require a new taxiway. The two current runways do not have a taxiway. In the near future some of this area north of the runways will be converted into a new taxiway. This will also include a Tiyan Parkway (a roadway). A new cargo facility will have to be built to accommodate the ever growing need for the island.

The main objective the Government requested for NAS is for the expansion of the airport. In the meantime, until the airport is ready for the new taxiway and the cargo facilities areas, the government of Guam can best determine the interim use of these homes.

Ben Pinault suggested that a runway be dedicated for cargo only. Areas in question are on the enlisted housing and south of the runway.

Dennis Zermeno inquired does anybody know how many runways does the San Francisco airport have? He suggested that maybe the two runways maybe adequate enough if good traffic control is enforced.

Mr. Zermeno (retired GovGuam employee from the Department of Parks and Recreation for 23 years) emphasized the need for all of the recreational building and facilities on Tiyan to be turned over to the Department of Parks and Recreation. The one facility that is most important that the Parks and Recreation should be entrusted to is the Gymnasium. This department has the expertise to run and manage this facility.

The other thing that is most important is the Bachelors Quarters (at least part of it) for the use of the athletic team visiting from off-island. There are all kinds of these teams needing a place to stay while on Guam.

Mayor Borja supported Dennis Zermeno's request for the Bachelors Quarters to be used for athletic team visiting Guam.

Mr. John Taitano inquired why is there clear land south of the runway?

Ms. Murati explained the clear land is required by FAA for safety zone.

Mr. Taitano is also requesting that the officer's family housing be returned to MTM for future generation use.

Mr. Taitano also wants to thank the committee for their interest and concern for the people of Mongmong-Toto-Maite.

Mr. Darryl Taggerty explained Mr. Mike Cruz is concerned with the application of Federal Law to the process of the transition, and Jackie Murati is concerned with the smooth operation of the Guam Airport. The Tiyan Reuse Authority has a small portion of the base that is going to the people of Guam that is not for airport related use.

Use of this portion of the land is subject for a plan that will conform with the requirement of federal laws and regulations and conform with the wishes of the people of Guam. It must be sent to the Federal Government for their approval by December 9, 1995.

Once a plan is approved by the Komitea, the Governor and the Legislature, it is up to the Navy if they want to accept the plan. Only then will they know how they need to clean up the land. (Referring to color coded map) some areas are subject for the clean up activity within the next few years after the plan is approved.

The purple triangle area is subject for clean up. The other purple area is set aside for recreation, the pink area for education, the dark green area is for commercial development, and tan area is for housing. These were proposed by the contractor who drafted this plan. These are starting points for our discussion for in community. Some of this is driven by federal laws. The Airport gets a lot of land for free. The recreation and educational land can be received by the Government of Guam at no cost. Other uses have some cost involved.

THE LIGHTS WENT OUT AS A RESULT OF A POWER OUTAGE AT 8:30 P.M.

Ron Teehan stated we can continue with the hearing, wait for the power to return in an hour or reschedule the meeting. The members, staff and the public agree to reschedule the Public Hearing. Mr. Teehan than stated we will reschedule the Public Hearing and announce the date, time and place.

KOMITEA PARA TIYAN
(Naval Air Station Reuse Committee)
Subcommittee on Community Reuse, Interest & Concerns

December 27, 1994

To: Lieutenant Governor Frank F. Blas
Chairman, KOMITEA PARA TIYAN

Fr: Joseph M. Borja
Co-Chairman, Subcommittee on Community Re-use, Interest & Concerns

Re: KOMITEA Public Meeting Minutes

Enclosed please find minutes of KOMITEA public meetings as follows:

1. Governor's Cabinet Conference Room, Adelup - November 15, 1994
2. Tamuning Community Center - November 21, 1994
3. Mongmong Toto Maite Community Center - November 22, 1994
4. Carbullido Elementary School - November 23, 1994

I recommend that the incoming KOMITEA address the issue of "Public and Original Landowners participation" in the new KOMITEA.


JOSEPH M. BORJA
Sub-Committee Co-Chairman

cc: Lt. Gov-elect Madeleine Bordallo
Frank Toves
Michael Cruz
Therese Certeza
Frank Aguon

**KOMITEA PARA TIYAN
PUBLIC MEETING MINUTES
MONGMONG TOTO MAITE
23 November 1994/ 6:30 P.M.**

Joseph Borja, Co-chairman of the subcommittee for Land Re-use, and member of Komitea Para Tiyan conducted the fourth public meeting. Mr Borja introduced other members of the Komitea, Frank Toves-Project Manager of Bureau of Planning, Jackie Marati of Guam Airport Authority, Commander Jim Poole and Navy constituents. He provided information on the presence of the Navy, and their facilitating responsibilities on the closure of the NAS installation. The purpose of the public meetings is the importance for obtaining public opinion and views. Mr Borja explained that the BRAC Commission was appointed by Congress and was responsible for instructing local entities to set up a re-use committee in the planning and implementation of programs which the federal properties will be used for. Guam's re-use committee was created by Executive Order - Governor Ada, appointed Lt. Governor Blas as the Chairman of the Committee known as Komitea Para Tiyan. 'Tiyon' is adopted from the original name of the area prior to its possession by the Federal Government. Members of the Komitea consists of business sector members, general community, and government officials. They are assisted by the RAB (Restoration Advisory Board) which is responsible for the oversight and clean up of environmental problem at NAS; (List of members available for public review) in accordance with EPA requirements. RAB is open for membership to the community. Another group assisting the Komitea is a re-use consultant hired by the GAA and the Komitea using federal funds (approximately \$450K-FAA, 500K-OEA) for the purpose of conducting research for various possible uses contingent to benefit of the community.

None of the concepts demonstrated on the walls are final. They are merely concepts and different proposals presented by the consultant, public and other government offices. The public is encouraged to voice opinions on original land owners, aviation facilities, and educational complex.

The Komitea has various sub-committees and the GAA will be presenting ideas on planning consideration and re-use of NAS. Mr Borja drew attention to maps on the wall. He explained the existence of Route 8, Route 16 and area outside the fenced area of NAS, safety approach zone.

NAS is divided into two sections; area that Navy will retain and area that will be releasable which can also be broken down into two areas; the area which the Airport has expressed interest and areas which are basically not within any airport related activities. There have been various proposals such as the high school

adjacent to the GMF Post Office. Other federal agencies (seven to be exact) have requested use of various facilities and 2 of these agencies are in direct relation to airport activities (list available for review).

The Komitea has considered requests by Federal GSA for building site, the amount of 8 acres. The National Weather Service; Federal Aviation Administration; and the Army Reserves. There is a priority order on who gets first choice at property and the Federal Agencies are being screened as first in order of consideration. Next are the homeless providers (homeless organizations) certified by HUD; then state and local government requirements.

There are 1800 acres that will be returned in the NAS Agana area. The Airport authority occupies at least 1400 acres for airport activities and 400 acres by other agencies and organizations. The consultant will be concerned with developing two primarily plans:

- a) Continued existence and operation of the Airport Authority and
- b) Reuse of the 400 acres.

Jackie Marati of the Guam Airport Authority presented the GAA considerations for reuse. Airport will be totally responsible for maintenance and operation of the airport facilities, runway and other activities in April of 1995. Mr Fred Tupaz provided an outline of the area (i.e. clear zone, and approach zones, aviation related activities) proposed for leasing in which generated revenues from leases will support increased airport costs. By April 1, 1995 the Guam Airport will be a certified FAA civilian airport. The military no longer has any jurisdiction or responsibility. The Airport must be able to provide equipment, personnel, facilities and training to cover Aircraft Rescue and Firefighting missions which is a responsibility previously held by the Navy.

Mr Borja introduced the representative of JFP International consultant (Riccardo Tossani) who showed various options that has been drawn specifically projects;

- a) Airport Master Plan
- b) Base re-use Master Plan

Analysis derived from a team of four companies considered - condition of infrastructure, constraints, opportunities and assets. History, background, population and settlement patterns pre-war and post-war and the whole of Guam, region and economy. Development and birth of NAS Agana during WWII and it's place on Guam's colonial history. Chamorro Land Trust Commission studied together with the teams and identified original land holding issues, industries, and agricultural area before development of the airport facilities. Links criss-crossing roads between Tumuning, Barrigada and Tumon were identified. Opportunities of base re-use taking into consideration proposed aqua-fira, rural developments, infrastructure, topography, natural assets and characteristics that determine quality of life. These analysis can improve the opportunities such as circulation (traffic deviation) through NAS by distributing monopoly of traffic along incorporation of connector roads. Maximizing complexes for accommodating of the public of Guam, ie., schools, heritage centers, gymnasiums, plantations, limestone forests, cultural botanical gardens, historical villages, cultural activities, government centralized offices. Existing land use patterns, primarily single residential family development, agricultural. Zoning has been developed to increase residential areas around the airport area. Safety, traffic pattern, noise impact and compatability has been studied and taken into account. The airport master plan shows opportunities where the airport is functional and profitable for the next twenty years. The twenty year plan is specifically concentrated on anticipating growth and accomodation of the growth. These ideas will be considered to implement what is functional in a new environment, and possibilities in the development of the airport in the next twenty to thirty years. All these proposals are just 'bubbles' or growth plans.

Mr Borja solicited questions and comments from the public instructing them that comments will be considered by the Komitea when making decisions.

THOMAS RAMIREZ (Private Citizen) - Return land to original owners. The area is hazardous to establish a high school or other agencies because of the air traffic pattern.

ROBERT BENAVENTE (Chamoru Nation) - The plans are nice for convenience. Overlooked is the original land owners and their heirs. General feeling on the plan is to relocate landowners, or joint venture with people coming in. Hazards are present, ie. aircraft accidents. The plans being presented are all for the future, not

now, how about looking ahead 40 years consider the children and their children. Have all the negatives and positives of this issue considered. The Chamoru Nation People are landless and they in addition to all others should be considered first before any homeless, help us first, before outsiders. This land is made for Chamorro people and the society in it. Who will benefit from the plans.....entrepreneurs..., local government and who is controlling the local government, the federal government? EPA has faxed identified dumpsites to the Chamoru Nation totaling 39 in all in the AAFB area . In the Mogfog area there are dumpsites that have contaminants - how can the island be guaranteed that contaminants will be cleaned before vacating or returning land back to owners. Also, the media has been bought, they are shown to favor the plans being presented to the public before the public can even come forward with any comments.

FRED CASTRO - EPA explained that the dumpsites involve the territorial government and that the military through the consultants must go out and determine if the areas are contaminated and what kind of corrective action will occur. Government of Guam and the Military are joined in trying to ensure that the Federal Government will comply with the requirements in clean up of areas identified as contaminated.

ROBERT SPIDEL (Private Citizen) - recommended Mr Benavente become a member of the RAB Committee.

ROBERT BENAVENTE (Chamorro Nation) - stated that the media has indicated strong support of the land re-use plan. Mr Benavente said that the media has shown every indication of being bought and issues are geared toward the growth of entrepreneurs. Chamorro Nations washes its hands of the proposed plans. Return land to original land owners.

ROBERT SPIEDEL (Private Citizen) - said that the local government should take care of the original land owners. To keep land that was stolen is not right. What about plans on using of the existing homes at the NAS locality for low cost income, compensation for the original owners?
Are there any educators on the Komitea Committee?

Mr BORJA - said that that is a consideration headed by various government agencies. Komitea will be taking their cues from these agencies and is the reason for the public hearings. The educator on the committee is the present vice-chairman, Jose Leon Guerrero. The education board has requested for office space and school space.

Mr DONOVAN BROOKS (Media) - commented that his opinion is that the media is fair and reports accurately on the on-goings and development of events regarding issues of concern on the island.

Mr Borja told the audience that the sources for information for maps, location of NAS facilities, environmental reports of different sites at NAS are available at the Adelup Complex in the Chamorro Land Trust and Bureau of Planning Offices. Tours are available for interested citizens.

Commander Poole stated that there are rules and regulations available for educational purposes concerning the re-use decision and closure of the NAS installation.

DANNY JACKSON (Private Citizen) - stated that the federal government polluted different sites throughout the island and have yet to clean it up, who are the federal government to come in again and tell the local people about rules and regulations. What is the purpose of the rules and regulations, whose rules and regulations are those that the commander is waving around in our faces, why should we be govern by rules and regulations. The thing to do is to clean up whatever contaminants, forget the rules and regulations and return the land to the original owners.

There were no further comments from the public, the meeting adjourned at 8:09 p.m.

MARIE SAN AGUSTIN
Recorder

**KOMITEA PARA TIYAN
PUBLIC MEETING MINUTES
CARBULLIDO ELEMENTARY SCHOOL, BARRIGADA
22 November 1994/6:30 p.m.**

Lieutenant Governor Frank F. Blas, Chairman of the Komitea Para Tiyan conducted the third public meeting in Barrigada. There were 17 attendees. Lt. Governor Blas introduced the committee members of the Komitea Para Tiyan, Mr. Joseph M. Borja - Co-Chairman Subcommittee on Community Reuse, Interest & Concern, Mr. Frank Toves - Project Manager, Duane Siguenza - Guam Airport Authority, Captain Timothy Thorsen - Commanding Officer, Mr. Fred Castro - Co-Chairman Subcommittee on Community Reuse, Interest & Concern, Mayor Raymond Laguana of Barrigada, Captain Jim Poole - Base Transition Coordinator and Lt. Bill Cords of NAS Civil Engineering.

Lt. Governor Blas informed the public that the Komitea plans to get up to a starting point with suggestions from the public.

Joseph M. Borja reviewed the map of NAS lands available upon turnover March 31, 1995.

Commander Jim Poole has informed the public that Guam cannot turn over NAS to the Government of Guam unless we can provide a Re-use Plan, the Government of Guam can then decide what to do with the NAS properties.

The Barrigada Municipal Planning Council presented their ideas and concerns relative to the reuse of NAS. The Council was represented by Mr. Felix Benavente and Mr. James Castro. Some of their concerns are listed:

1. The establishment of a memorial to the Chamorro Slave Labor that built Tiyan Airfield.
2. The establishment of recreation areas and parks.
3. The establishment of a boulevard roadway system parallel to the existing Route 8 and connecting two major park areas.
4. The consolidation of released NAS lands as an extension of Barrigada village and under the jurisdiction of the Mayor of Barrigada.

They presented a sketch of the concepts presented. Custody of the sketch was turned over to Mr. Fred Tupaz, planner for GAA with possession of all drawings and sketches relative to NAS. Representatives of the Chamoru Nation conducted themselves in a distractive manner during the presentation by the Barrigada Municipal Planning Council.

Mr. Robert Benavente - Representative of the Chamoru Nation - Testimony was not recorded. Mr. Benavente threw the microphone to the floor thereby losing our recording capability.

Tony Artero stated some concern: The quality of life belong only to the men and women in uniform and the privileged few. Majority are sold down the river over and over, and over, and over so many times. To this very day, Guam still does not have a land use plan to speak of, so it's easy to say that the navy is not doing this because it's your community, you get involved in it, and then it's up to you but look at what happened out there at NCTAMS, the Naval Communications Station, the Navy built that McDonald's restaurant taking away business from the Private Sector, that's why they put it outside the fence because they want to make some profit, down sizing and the wipe-out of the Department of Defense Budget and the recreation welfare but it is unfair that the Department of Defense is competing with the Private Sector in our community. I would like to see admission to the closing down of Naval Air Station because of the military down sizing, close down the Navy Golf Course too. We now have so many Golf Courses on Guam that the Navy has no justification to maintain a golf course. I know it costs money to maintain a golf course. I would like to see this reuse plan taken wrestled by the horn by people with positions of authority in your office, and say that we need to have a reuse plan on this island from end to end. Guam being so small, only being 229 square miles of land mass. Once we do it right, it will be a savings and that the plan will be a stable plan, or maybe even for a hundred years to come. What we are approaching to do today is just another one of those piece meal patch-up solutions and it's going to cost the Government and the people of Guam a lot more in years to come, so I would like to suggest to the Komitea that we go in for this "Rural Community Exemption" but request that it will be given the attention for the entire island and not just NAS, and also for the Naval Golf Course to be closed down as well, and then we will be doing the right thing. Furthermore, for Guam not to be exempted from these superfunds that Congress had passed years back. If there is any American community today that is need of attention, I have to say it's not necessarily the highest but really I have to say it is Guam. We have been the power out post for the Defense of the United States of America. We are out here demonstrating democracy, although, all these years we have lived in a colonial democracy. We don't have a voice in the Federal Government to this day. I think it's for that reason why we don't have a land use plan on this island to this day. For that reason why housing affordability for our people is now super critical. In spite of the interest rates being at it's lowest within this past year, people just can't afford to buy a home. Even with the Land for the Landless Program and the other programs that are coming out, people still can't afford to buy, if we do it right we first have to want it, we first have to have the attitude can do, will do, and then naturally glad too. None of these of peace meal patch-ups will do. So I ask that we go after rural community development exemption for the entire island and for the NAS golf course to be closed down as well. Thank you.

Testimony by Mr. Joe Morcilla.

(Written comments attached.)

Mr. Joe Morcilla a resident of Barrigada who grew up a couple of lots down from NAS expressed his thoughts and concerns: My family still lives there, so I have some thoughts about the whole process that's being undertaken here for the reuse plan but first of all, I want to just express to Commander Poole that the frustrations you are hearing tonight really are frustrations that we all feel, although, some are more passionate in their expressions of the frustrations. I agree with a lot of the peoples thoughts about the different criteria that is needed to be used to evaluate how you deal with Guam issues rather than stateside issues in putting together these regulations to turn over military bases to communities. I think many times the issues that are important to the people of this island are not taken into consideration, I think that in the future, I should go on with this process, your going to hear more and more of these frustrations that that's the reason why you hear these frustrations because of we don't believe that we should be playing in the same playing field as a community in the USS Alameda Naval Base in California. There are different factors that affect this community that do not affect the community of Alameda, California, so I just want you to understand that and that's why we are kind of frustrated in this whole process here. But beyond that, I for one understand the importance of the Airport Facility on Guam as Jackie had mentioned earlier. It is the bloodline to this community, the airport and commercial port (the seaport) are the two most important asset's we have in this community. They provide us with the food, the clothing and the medical supplies. You name it, everything that we use on this island probably comes through Guam International Airport or through the Commercial Port of Guam, so I understand the importance of having those facilities remain in place and function as a top notch airport facility. With that in mind, I would like to express my thoughts about how I would like to see the Airport and the entire NAS facility be planned out. For one thing, I believe that the entire sight should be one large industrial park. An industrial park doesn't necessarily mean warehousing through the entire lot but what it means is that the primary function of the NAS sight should be one to accommodate airport needs and any of the ancillary uses for the airport, Warehousing, transshipment services, those kind of things. One of the things I would have love to have seen before I got over here was a lot of the information. There is a lot of good information available to us here that we can use to evaluate the actual production of the plan. One of the recommendations opposed to some the members of the presentation team is if you could possibly have this information placed where it is accessible to the people on this island, maybe we could take a look at it more closely and provide it with some ideas and some thoughts on what we think might work here. I prepared a written testimony, I don't want to read it but I would like to go over some of the points that I am presenting in my testimony here. One of the things that I think we have not discussed yet is (Ricardo had mentioned it a little bit) the whole idea of safety, in terms of operating an airport and I think the reason why we have a lot of green space around the eastern and southern part of the airport is because you need those buffer zones to protect all airport activity from adjoining residential and commercial activity. Just as Ricardo had indicated that there could be conflicting uses outside of the project sight,

there could be some conflicting uses within the sight also in looking at some of your proposed plans. We have to understand that the more we build in and around NAS and Agana, the less it becomes functional as an airport. We have to understand and insure that whatever we plan for that airport, let us not contradict the whole idea of it functioning as a primary airport. The other thing I would like to see, this is my biased opinion here but being a resident of Barrigada, I would like to see the recreational facilities of route 16 that exists today be turned over to the village of Barrigada to act as caretaker for the facility. Not necessarily for the use of only the community of Barrigada but for the island as well and have someone responsible for maintaining those facilities and I think the Mayor of Barrigada has done a good job for the village, I would like to see him assume that role. Felix brought up the idea of relocating the fuel storage facility that is located in a very dangerous part of the site. It is right next to a major highway and just down the street from there is a midsize hotel. There are a number of commercial and residential uses not too far from the existing fuel storage sights. One of the recommendations I would have is to relocate that sight to a place that would be less dangerous to the traffic and the residence of the community. In terms of the housing on the cliff side border in Tamuning and Maite, I didn't know that the officer's housing was not going to be turned over but my thoughts were that the cliffline area between the old terminal and the main gate of NAS should be converted into industrial uses where you can have additional warehousing and transshipment services. I was thinking the officer's quarters could be used for office space. Through this process, I would like to see the money generated from the use of those properties be deposited into the Chamorro Land Trust who could in turn possibly pay off former land owners and also assist the airport in their expansion efforts. I'm thinking it's a win, win situation here and it doesn't have to be either/ or. The chances of getting land back on NAS is very remote. I'm thinking the landowners have to be compensated and maybe through the Land Trust Commission, that would be one avenue of handling this situation. The existing air craft maintenance facilities can be a good money maker for the airport. I would like the airport to seriously consider Continental Airlines request to build a Regional Maintenance Facility on Guam. I happen to know they have been talking to the outer islands as well but Guam is still their primary target. I don't think we should let a good opportunity like that slip away. There are approximately 20 buildings on the eastern periphery of the sight which is those Bachelor's quarters that you indicated Joe. I would like to see those buildings turned into possibly, I saw one of the options back there as being a training facility, buildings used for training purposes. There is a parade ground and physical fitness facilities as well. I would like to see that turned into a Police Academy, or Fire Academy, maybe even become a regional academy for any training law enforcement type of activity in the Western Pacific Region, that again can generate some income for whoever is responsible for that sight. The additional building could be used to house some of the larger utility agencies. If you go down to Public Works and PUAG, you will see that they are really pretty tight there in terms of housing their vehicles and their offices. I think it is an ideal sight to house if not all then some of the utility agencies. GPA is looking for an administrative building for their operations. There are buildings there, the infrastructure, it only make sense to consider that as a possible

option for some of those buildings. I don't think the idea of putting a school on the sight is a good idea primarily for safety reasons. I don't think we want to endanger the lives of three hundred children, just several hundred feet away from the aircraft path line. The idea should not even be considered. It could also possibly serve as a central location for some of our police and fire services. As Felix indicated there is an existing fire station there but the police department right now is located down at Pedro's Plaza in Agana, which is not really an ideal sight for a central precinct. I would like to see a Police Department probably relocate up there to one of the larger facilities and maybe have their base operation based out of NAS. It is centrally located, it is accessible to all of the major roadways. I think it is an ideal sight for something like that. When I talked about the airport operations, I was concerned about what I have been reading in the newspapers. There is talk about a million tourists this year being accommodated at the airport, and now they are discussing two million tourists some time in the future. Twenty years ago we would have never envisioned a half a million tourists here on Guam but it is looking like that is where we are progressing. We may need to manage it somewhat to ensure that our quality of life is not compromised in any manner. However, being that as it may, we got to take a look at possibly future alternative sights for the airport, and I am surprised Tony Artero didn't mention northwest field because he and I think alike in that manner. Tony, I think it may not happen fifteen, twenty, or twenty five years from now, but I think the most ideal sight for an airport is northwest field. When you consider the safety issue, maybe the more adverse impact that people would complain about, probably would be the distance you would have to travel to get to the airport. In fifteen to twenty years we may have people movers that can move people from Agana to the airport. I am just bringing this up because that is a possibility we need to consider and start considering. Not ten to fifteen years from now but now. There was some talk about the road systems here and I just wanted to say that more roads is not necessarily the answer to our traffic problems. In fact I would like to see less roads on Guam. However, there is a need to provide access from Tamuning through Barrigada to kind of offset some of the congestion you see on Marine Drive, but beyond that I think we have to start looking at putting appropriate land uses in certain areas and not bunching everything together in one sight, that is one way of creating traffic congestion. Tamuning is Tamuning today simply because we decided at some point in our history to locate all commercial and large residential down there, and that is why Tamuning has a lot of traffic is because that is where people go to work, go to shop and go to play. We have to relook that whole process and maybe look at providing other locations for commercial, residential and recreational activities. I didn't like the option, in terms of the new runway that would run almost perpendicular to the existing runway. It is dangerous as it is now to have the planes land on NAS Agana. It will create much danger to allow the planes to fly directly smack into the middle of the island. Although, the population in Radio Barrigada is not that high, they are my villagers and I have their safety in mind here, so I would not recommend that you propose a runway that would run through that part of the sight. I just want to make sure that I have covered everything. As I indicated earlier, I believe that it is important that the community get involved, not only in the process of determining

where uses are to occur but also the types of uses that can occur on the side. I would like the community to get involved in that part of the process and I think once we get this information out, your going to see a lot more input from people, like the people from Barrigada. Thank you.

The Honorable Judge Benjamin J.F. Cruz - Secretary General for the Guam National Olympics Committee proposed that the sports facilities already existing on Naval Air Station, such as the Soccer Field, Pool and the Gymnasium be turned over to the National Olympic Committee for the use of a Sports Complex for participants who participate in the National Olympics, the Micronesian Games and the South Pacific Games. Also that one of the documentary quarters be turned over for the use by off-island visitors who participate various sports activities hosted by Guam, such as the in the Micronesian Games that is held on island and for participants who participate in the National Olympics as well.

Vincent Tenorio - Representative for the Chamoru Nation agreed with Mr. Joe Morcilla with his comment about adequate compensation to the original landowners of the Naval Air Station. He expressed how he feels that the original landowners are not being considered.

Judy Jackson - Representative for the Chamoru Nation - Asked whether "The Environmental Protection Agency will have to pay the price?".

Commander Poole responded that the Navy will pay the price.

Judy Jackson - I have a list here, just on Anderson Airforce Base alone, there is thirty-nine dump sights. There is a Landfill 1,020 acres at northwest field. The stuff that they dump on it are household, officeware oils, plastic metals and construction debris. It is all on your paper from Anderson. They also have toxic waste and pesticides. You are not using Harmon Annex anymore and according to this list there is no information available regards to this annex. It is all in black and white. Why can't you get these areas cleaned and straighten out. It has all the places, as far as numbers and areas, you have got it all the way to 8 acres, 20 acres, 40 acres, 2 acres in northernfill, 3 acres in northernfill, 14 acres in northern fill, 8 acres between north and westfill. These are all of your dumpsites. You have pesticides, wastes, oil, cleaning fluids, household, office wastes, solvents vehicle, engine fluids, oil solvents and hazardous waste. If you would like to see this list of information, you are more than welcome to. It is all in black and white with the heading Anderson Air Force Base. What do you have to say.

Commander Poole's response - the sites are being cleaned up. All I need to point out is that those sites are suspected, those sites are being accurately studied and some of them are being cleaned up.

Judy Jackson - According to EPA they are still being inspected and half of these have no information. These are all wastes.

Commander Poole's response - That is why further studies are being done to help determine what the extent of the damages is and whether it can or cannot be used.

Judy Jackson - Look at where it is at, where the water lands. This is all I have to say and it will be brought to the news.

Tony Artero - I just wanted to add to my previous comment, in regards to the McDonald's restaurant up at NCS. It is one of the reasons why I am eluding to try and do an island wide land use plan and if we can approach the National Leadership on this rural community exemption. Across the street from the McDonald's restaurant is the Aviation fuel pipeline that lies across the top of a lot of private land owners which is a residential area. It is hazardous. These people pay taxes for their properties inclusive of the fifty foot wide hazardous buffer zones, but this is compromising the safety of the people. So there are a lot of problems on this island that have come about within the last fifty years. Again, We have no say. This I think is an opportune time to say the tide must turn and the clean-up must be done from end to end. The land use plan has to be done islandwide. One small island community, one masterplan for the entire island. To do just NAS is a piece-meal, patch-up and will not get us anywhere. So that Aviation fuel pipeline that runs from Cabras Island all the way up to Anderson Air Force Base needs to be addressed as well.

Mr. Joseph M. Borja - Co-Chairman Subcommittee announced the office where information and maps can be obtained. He also announced that the next meeting will be on November 23, 1994 at the Toto Community Center. Meeting adjourned at 9:49 p.m.

Doreen P. Flores
Recorder

**Testimony by Joe Morcilla
Resident of Barrigada
NAS ReUse Plan Public Meeting
November 22, 1994
Barrigada Community Center**

Representatives of the Komitea Para Tiyan:

Thank you for the opportunity to provide input in the development of a masterplan for Guam's soon-to-be most prized possession, Naval Air Station.

I am a former resident of Barrigada, but my family still remains very active members in this community and I am speaking on behalf of my entire family. Understanding the economic importance of the Guam International Airport, we feel that the NAS property should primarily be an industrial park with airport operations as its nucleus.

We would like to see the existing buffer zones on the southern and eastern peripheries maintained to ensure that existing levels of safety and noise are not compromised. Open space and recreational facilities are the principal uses in these areas.

We would like all recreational facilities abutting Route 16 to be turned over to the Village of Barrigada who will ensure proper maintenance of the facilities. Use of all facilities, however, should be open to the entire island community. The Barrigada Mayor would simply serve as caretaker of the site.

We would like to see the existing fuel storage area relocated further away from Route 8 which has an average daily vehicle traffic of over 15,000 cars. The facility also sits a couple of hundred feet away from a mid-size hotel and a number of residential and commercial facilities. Again, safety is a major concern here.

As an industrial park, I would recommend that the cliffline housing area be converted to serve warehousing and transshipment operations. This would include the area from the old air terminal to NAS Gate 1. The remaining housing units on the west side of the airfield should probably be converted to office facilities under the jurisdiction of the Chamorro Land Trust Commission. In fact, all income generated from the lease of warehousing and office rent should be turned over to the Chamorro Land Trust, who in turn should pay off the original land owners of NAS and financially assist GAA in its expansion efforts. If we really want to support the airport's objective of becoming a regional "air operations" facility, then we must provide them the resources to do so.

Existing aircraft maintenance facilities on the southern portion of the site, should be turned over to GAA. Additional consideration must be given to Continental Airlines' request to operate a regional maintenance facility at NAS as this may be an opportunity slipping away from us.

The enlisted men's quarters on the eastern periphery, could be turned into a regional training facility for police, fire and other law enforcement type professions. Beyond the actual living quarters, there exist physical fitness facilities and parade grounds. We could serve as a regional training academy for the entire Western Pacific Region.

There are approximately 20 buildings on this section of NAS. The remaining buildings could be used by large government agencies such as GPA, PUAG, GTA and DPW. The site is central and would allow for the types of uses these agencies are associated with.

Other buildings on the south side of the property could be used by the police and fire departments, in fact a fire station already exists on the site. Again, the central location and its access to all major roadways makes it an ideal site for police and fire base operations.

The above ideas represent my thoughts for NAS in the short term. However, as we plan for the future of this island we must also consider long term issues. Twenty years ago, we never envisioned accommodating one million tourists in one year. That feat is only days away. Now there is talk of two million tourists a year. Soon there will be talk of three, four, five million tourists. My point is that NAS is the most ideal site for our current air traffic needs. But that will certainly not be the case in year 2020.

We must begin to take a good look at alternative sites for Guam's future airport needs and commence to lay the groundwork to make it happen. Northwest field is the most ideal site for Guam's future airport. Lets begin to explore this possibility.

In closing, I would like to suggest to the developers of the Masterplan to meet with the Municipal Planning Councils of the three most impacted communities to generate a more localized assessment of the desires of this island community. In fact, this should have probably been done prior to this meeting. Opportunity to review conceptual plans should have also been allowed prior to this meeting. Allow us to not only decide where certain uses can occur, but let us also decide what types of uses should occur. After all, the direct impacts of this Plan will be borne primarily by the residents of this community, not by the developers of the Plan.

NAS AGAÑA REUSE COMMITTEE

Tuesday, November 22, 1994, at 6:30 P.M.

Carbullido Elementary School Cafeteria, Barrigada

MEMBERS	INITIAL	MEMBERS	INITIAL
Frank F. Blas, Lt. Governor, Chairman	<i>Frank F. Blas</i>	Eloise Baza	
Leland Bettis		Joseph Borja	<i>Joseph Borja</i>
Eduardo J. Calvo		Ovidio "JR" Calvo	
Frank Campillo		Fred Castro	<i>Frank Campillo</i>
Richard Cherry		Chuck Crisostomo	
Mike Cruz		Al Dungca	
Raymond Laguana	<i>Raymond Laguana</i>	Dr. Jose Leon Guerrero	
Peter J. Leon Guerrero		Vince Leon Guerrero	
Tony Mariano		Tony Materne	
Tony Sanford		Duane Siguenza	<i>Tony Sanford</i>
Frank Taijeron		Tyrose Taitano	
Capt. Timothy Thorsen	<i>Capt. Timothy Thorsen</i>		

[illegible]

KOMITEA PARA TIYAN
NOVEMBER 22, 1994 (TUESDAY)
SIGN IN SHEET (PLEASE PRINT)

NAME	ADDRESS	CONTACT NO.	PLEASE CHECK COMMENT	
			WRITTEN	ORAL
Felix Benavente	POB AC, Agaña, GU	734-0509/734-3737		✓
Rumdo Benavente	PO Box 1609 Agaña, GU	734-4050		✓
Frank Guerrero	PO Box 2033 Agaña, GU	477-4246		✓
Art. T. Jackson	P.B. 11542 Yigo, GUAM	632-5138		✓
Marianna + Albert Rios	Endot, Guam	477-5789		✓
Awin R. Bong	American Legion Post	606		
William Boyd	MS	244427		
B.J. Gomez	123 Mango St Piti 9692	475-3110		✓
My [unclear]	[unclear]	72437		✓
Erwin A. Jackson	P.O. Box 23992, GMF 76101	637-5078		✓
Maria L. San Nicolas	P.O. Box 1002, Sinajana, GU. 96926	472-7647		✓
FRANCISCO MUNOZ	P.O. Box 1314, Agaña, GU. 96910	477-2300/632-5737		✓
MARY LOUISE WILSON	Box 4201 Agaña	472-3407/8/9		✓
HASH T. MORRIS	HARMON	N/A		✓
Aliza Pineda	Box 23641, GMF 96921	475-7760-3		✓
Thomas E. Dent	P.O. Box 26899 GMF	472-6082 (my parents)		
Barbara R. Dungco	Barrigada, Guam 96921	Carmen / Felix Dungco		

KOMITEA PARA TIYA
PUBLIC MEETING MINUTES
TAMUNING COMMUNITY CENTER
21 November 1994/6:30 p.m.

Lieutenant Governor Blas, Chairman of the Komitea Para Tiyan conducted the second public meeting in Tamuning. There were 33 attendees. Lt. Governor Blas introduced the committee members of Komitea Para Tiyan, Mr. Joseph M. Borja-Sub-committee Co-Chairman (Community Re-use, Interest & Concerns), Frank Toves-Project Manager, Duane Siguenza-Guam Airport Authority, RADM. David Brewer III-ComNavMar, Captain Timothy Thorsen-Commanding Officer of NAS, Commander Jim Poole-Base Transition Coordinator.

Lt. Governor Blas informed the public the Komitea committee plans to get up to a starting point with suggestions from the public.

Joseph Borja informed the public with an illustration of the map of NAS lands available upon turnover March 31, 1994.

Commander Jim Poole has informed the public that Guam cannot turn NAS over to the Government of Guam unless Guam can provide a Re-use Plan, Guam can then decide what to do with the NAS properties.

Carl Butler had asked, "Has any of the homeless people applied for the land"?

RADM. David Brewer III, commented the Navy has pushed for the land to be released.

Joseph Borja continued his presentation on available lands within the NAS jurisdiction.

Jackie Marati mentioned JFP International was hired to create a Land Use Plan, and to update the 1989 Master Plan. By April 1, 1995 Guam will have a civilian airport.

Ricardo Tossani of JFP International conducted a slide-show presentation of NAS re-use Plan.

Carl Butler had asked, "What are the chances of the original land owners being returned back their land?"

Danny Jackson commented his concern about toxic waste being dumped back in 1962 on NAS property. The property has been locked up for 50 years.

Captain Thorsen had responded it will be environmentally cleaned up.

Ben Garrido stated his opinion that the Komitea is not really about how the land is to re-used but to deny the original land owners (heirs) on getting their precious land back. Original land owners should tell the Komitea what they want done with their land first.

Vicki Lockren, a teacher at Price Elementary School, had asked what is going to happen to the swimming pool and the bowling alley at NAS. Her concern is on the Rules and Regulations on the outcome and infrastructure development side.

Catherine McCallam commented on "just compensation" on federal government properties. No financial involvement, just obtaining the land back.

RADM. David Brewer III, commented his office will be looking into keeping the facilities (swimming pool) open after March 31, 1995.

Mary Ann Rios questioned:

1. Does the original landowner have to be satisfied with the \$17.00 per hectare that was paid back in 1952, or does he have another way of going about it?
2. Will some of the profits from the expansion of the airport and future business operations be given to the original landowners?
3. Will non-profit organizations be able to give their profits back to original landowners or members?

David Munoz asked if the Komitea committee could keep the original landowners informed of what is happening with their efforts.

Tony Artero feels there is economic injustice, there are safety problems along with housing problems here on Guam, and feels the NAS airport in the wrong place and Guam needs to readdress our Master Plan. Mr. Artero had inquired who is paying JFP International for their services.

Duane Siguenza had responded with naming 3 agencies absorbing the cost for the services of JFP International.

Joe Pangelinan commented and provided input to please remember the original landowners and their requests.

Mary Ann Rios indicated Public Law 225 had transferred 30,000 acres of real property to the Government of Guam, landowners received no compensation. No tax base.

Joseph M. Borja responded to Mrs. Rios' questions and comments.

Catherine McCallan questioned the definition of the term "homeless person".

Minutes, Komitea Para Tiyan

November 21, 1994

Page 3 of 3

Joseph M. Borja informed the public that information is available at Bureau of Planning and the Chamorro Land Trust Commission.

Carl Butler requested for the Komitea to strongly consider the non-profit organizations upon turnover.

Danny Jackson along with brother Erwin Jackson commented on the return of excess land in NAS. There are alot of homeless Chamorro people. "Guam is a place where the Chamorros were born".

Lt. Governor Blas made his closing comments to the public. Meeting adjourned at 8:45 p.m.

Recorded by: Tammy L. Crisostomo

KOMITEA PARA TIYAN
NOVEMBER 21, 1994 (MONDAY)
SIGN IN SHEET (PLEASE PRINT)

NAME	ADDRESS	CONTACT NO.	PLEASE CHECK COMMENT	
			WRITTEN	ORAL
Mataxan, Francisco	Tamuning			✓
Daniel Jose M. R.	Yiga			
PEREDO, George	ETan			
David T. Mino	Beauville	632-5737		✓
Vicente Garcelon	Dagledo			
CARL T. BUTLER	late HTS	632-1971		
Araceli J. J.	Tamuning	646-7210	✓	—
Danny Jackson	Mangilao	632-2157		—
THAN (MADONNA)	Ayala HTS.	646-5701		
Peter C. Mayer	Mangilao	649-6859		
TONY ARTERO	P.O. Box 981 Agaña, GU 96910	477-1985		✓
Marianne Rios	P.O. Box 3969 Agaña, GU 96910	477-5789		
ANNE R. BERRY	P.O. Box 9, Agaña, GU	472-1865		
JOE PANGLOSS	P.O. Box 13042 Agaña, GU	234-2900		✓
Lauren P. Flores	P.O. Box 9051 Tamuning	646-8514		
Catherine T. McCallum	P.O. Box 12805 Tamuning	649-5008		

KOMITEA PARA TIYAN
NOVEMBER 21, 1994 (MONDAY)
SIGN IN SHEET (PLEASE PRINT)

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KOMITEA PARA TIYA .
PUBLIC MEETING MINUTES
GOVERNOR'S CABINET CONFERENCE ROOM
15 November 1994/2:00 p.m.

Mr. Mike Cruz, Member of the Komitea Para Tiyan conducted the first public meeting in the Governor's Cabinet Conference Room. Mr. Cruz introduced those committee members of Komitea Para Tiyan present, Mr. Joseph M. Borja-Sub-Committee Co-Chairman (Community Reuse, Interest & Concerns), Frank Toves-Project Manager

The Re-Use Consultant JFP International made 2 presentations:

- 1.) FAA Master Plan for the Airport areas
- 2.) Reuse Plan for non-Airport areas

Mr. Felix Benavente suggested a Memorial to the Chamorro Slave Labor that built Tiyan Airfield. Ms. Rita Franquez also agreed with this idea.

Mayor Antonio Babauta of Agat commented that other local agencies could benefit more than federal agencies. Points the Mayor indicated:

- a) Do people have money to renovate?
- b) Are the spaces available?
- c) Are the facilities available?
- d) These Federal agencies are just interested because it is a "freebie".
- e) What's wrong with what they have now?

Rita Franquez questioned what is available for a museum and a storage facility. She feels the Museum and Library requests have a low priority as well as the cultural preservation and archives.

Commander Jim Poole responded to these questions and comments.

Dr. David Watt of the Homeless Coalition presented the concerns of Homeless providers.

Reverend Mark W. Jankoski of the Tamuning Baptist Church asked what the possibility is of their group receiving its request.

Mike Cruz responded to Rev. Jankoski's request.

The meeting was adjourned at 3:24 p.m.

GTA may not impose on any provider of such long distance services any terms, conditions, or charges not contained in its standard terms and conditions or in its tariffs.

PUBLIC LAW NO. 20-147

Bill No. 1060 (COR)	Introduced by:	E.D. Reyes
Date Became Law: Mar. 21, 1990	J.P. Aguon	G. Mailloux
Governor's Action: Approved	T.S. Nelson	M.Z. Bordallo
	C.T.C. Gutierrez	P.C. Lujan
	M.D.A. Manibusan	E.P. Arriola
	J.G. Bamba	D.F. Brooks
	H.D. Dierking	E.R. Duenas
	E.M. Espaldon	D. Parkinson
	F.J.A. Quitugua	M.C. Ruth
	J.T. San Agustin	F.R. Santos
	T.V.C. Tanaka	A.R. Unpingco

AN ACT TO REPEAL AND REENACT
CHAPTER II OF TITLE LXV OF THE
GOVERNMENT CODE, AND TO REPEAL AND
REENACT SECTION 13200 AND SUBSECTION
(a) OF SECTION 48003 OF SAID CODE TO
ESTABLISH THE PROCESS FOR COMPRE-
HENSIVE DEVELOPMENT PLANNING IN GUAM

Section 1 ... R/R GC, Chapter II, Title LXV, Comprehensive
Planning.
Section 2 ... R/R GC §13200, Chapter III, Title XIV,
Territorial Land-Use Commission.
Section 3 ... R/R GC Chapter I, Title XLV, §48003(a),
Territorial Land-Use Commission.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

Section 1. Chapter II, Title LXV, Government Code, is repealed
and reenacted to read:

"CHAPTER II.

COMPREHENSIVE PLANNING

§62010. Legislative Findings. The Legislature recognizes that
since the early 1960s, Guam has experienced population, economic and
physical growth rates that are among the highest in the region; that
Guam and her people have benefited greatly from all levels of socio-
economic and physical development which has thus far taken place but
it is the desire of the people of Guam to sustain and encourage the

development of the island in a manner that would foster greater economic opportunities and stability for Guam without adversely affecting the cultural, environmental, social and natural resources unique to the island; that without careful study of the types and scale of socio-economic development anticipated for Guam and her residents, there will continue to be an absence of foresight, direction and guidance present in the current and future stages of development needed by Guam to sustain the desired standards and quality of living for its people; that to fully enjoy the benefits that can and would be derived from Guam's limited human and natural resources, development in Guam must be guided by a Comprehensive Development Plan that reflects the desires and aspirations of all who are guided by it; that a process for formulating Guam's Comprehensive Development Plan shall be established which shall identify the roles, authorities, responsibilities and processes involved in the formulation of the plan;

That there is a pressing need to establish policies which reflect the people's aspirations with respect to the future development of Guam - policies which evolve from sound strategic planning initiatives; policies that take into account all diverse elements of community needs and desires; policies that would channel the deployment of resources to meet the following goals and objectives:

1. To upgrade the quality of life for Guam's people;
2. To create conditions and opportunities whereby people fully participate and benefit at every level of social and economic activity;
3. To maintain balance and equity between development and the environment in order to preserve the unique culture, traditions and beauty of the island;
4. To optimize the use of resources to meet present and future infrastructure and suprastructure requirements of the people of Guam;
5. To develop and maintain infrastructure capacity at a level that could sustain future population, socio-economic and physical growth.

§62011. Legislative Intent. It is the intent of the Legislature (i) to integrate its policy-making efforts with public and private interests engaged in physical, social and economic development planning for the island; (ii) to establish a process and mechanism through which duly adopted policies of Guam are linked with all elements of governmental and non-governmental development planning and implementation activity, the island having experienced the ill-effects of fragmented and disjointed development efforts resulting from the absence of both an integrated planning process and a Comprehensive Development Plan that contain rational parameters for Guam's growth; (iii) that all planning efforts that occur in Guam, be they private or public, adhere and conform to the adopted policies, goals and objectives set forth in Guam's Comprehensive Development Plan; (iv) to ensure that the people of Guam are not subjected to unbridled and unmanageable growth that would threaten the benefits, comforts and

privileges to which each Guam resident is entitled; and (v) that the formulation of the Guam Comprehensive Development Plan serve to guide the island's growth and development up to and through the Twenty-First Century.

The Legislature wishes to collectively draw input, participation and expertise from all segments of the community in the effort to establish comprehensive planning for Guam and to solicit the services of development planning experts from both the public and private sectors.

In its desire to establish short-range and comprehensive long-term development objectives for Guam, inclusive of but not limited to the areas of education, visitor industry, economic development, community development, health, transportation, communication, public safety, agriculture, taxation, culture, labor and human resources, recreation, environment, and political development, the Legislature hereby establishes strategies for initiating comprehensive planning for Guam and the formulation of the Guam Comprehensive Development Plan. These strategies shall be as follows:

- a. To determine the extent that Guam's land, water and human resources limit urban and rural development;
- b. To plan for the preservation of the natural charm and character of Guam within the framework of a growing population and modern technology;
- c. To establish specified areas of use within urban, suburban, rural, agriculture, conservation, industrial, and resort contexts;
- d. To provide a development pattern that enhances the comfort, convenience and economic welfare of the individual;
- e. To prepare land-use capability criteria as a basis for real property evaluation that equalize the divergent qualities of location;
- f. To reappraise the extent of public, private and Federal land tenure in Guam and provide guidelines for relocation of inefficient or inappropriate uses;
- g. To plan for the development and extension of necessary infrastructure and transportation facilities;
- h. To plan for a high quality environment essentially free from pollution and with adequate and well-kept open space throughout Guam's varying activity centers;
- i. To prepare criteria of substandard neighborhoods and identify areas that meet these criteria;
- j. To recommend creative legislation regulating Guam's use of land for the protection of future generations.

Nothing in this Chapter is intended to limit the scope of any element or the areas of concern cited herein. However, it is the intention of the Legislature to fully integrate all planning elements and concerns within a viable development planning mechanism.

§62012. Territorial Planning Council.

(a) Creation and Membership. There is hereby created within the government of Guam a Territorial Planning Council (the "Council")

of twelve (12) members consisting of the Director of Land Management, the Director of Planning, the Administrator of the Guam Economic Development Authority, the Director of Commerce, the General Manager of the Guam Visitors Bureau, one (1) member of the Mayors' Council to be nominated by the Mayors' Council and appointed by the Governor, three (3) members of the Legislature, including one (1) minority member, each to be nominated by the Speaker and appointed by the Governor, one (1) member of the Chamber of Commerce appointed by the Governor with the advice and consent of the Legislature, one (1) member of the community at large appointed by the Governor with the advice and consent of the Legislature, and the Administrator of the Guam Environmental Protection Agency.

(b) Chairperson. The Council shall select a Chairperson and Vice-Chairperson from among its members to preside over its affairs.

(c) Executive Secretary. The Director of Planning shall be the Executive Secretary of the Council.

(d) Procedures. The Council shall, pursuant to the Administrative Adjudication Law, adopt rules, procedures, and regulations to govern its meetings, hearings, business and affairs.

(e) Fees. Members of the Council who are not public officials shall be compensated Fifty Dollars (\$50) per meeting not to exceed One Hundred Dollars (\$100) per month.

§62013. Council Responsibilities and Authority. The responsibilities and authority of the Council shall be:

(a) Prepare Plan. To cause to be prepared, through the services of a consortium of both public and private experts possessing diverse planning experience and expertise, a comprehensive development plan (the "Plan"), which shall provide short- and long-range guidance for the social, economic, infrastructure, supra-structure, and physical development of Guam, and which shall contain a statement of development objectives, standards and principles with respect to the most desirable use of land within Guam for residential, recreational, agricultural, commercial, industrial, and other uses completely serviced by an access and circulation network and infrastructure consistent with proper protection to enhance the quality of the environment and preserve Guam's natural beauty and historical heritage;

(b) Assist Planning. To harmonize, improve and assist in implementing comprehensive planning activities at all levels of government;

(c) Insure Consistency. To insure that the current planning programs and projects are consistent with the comprehensive development plan and the comprehensive program and financial plan (set out in the Executive Budget Acts) and the policies enumerated in this Chapter;

(d) Rules. To adopt any necessary rules or regulations in accordance with the Administrative Adjudication Law and to exercise all other powers necessary and proper for the discharge of its responsibilities;

(e) Recommendations. To develop all elements of the comprehensive development plan for Guam, as described in §62020 of this Chapter, and to make detailed written recommendations to the Governor, including minority dissenting opinions, for approval, disapproval, revision, amendment or referral to specific agencies or groups for further study and review;

(f) Agreements. To enter into and carry out any agreement or agreements in connection with the provisions of this Chapter and to solicit assistance from public, private or Federal sources as required in the development planning process and which are not inconsistent with or contrary to the laws of Guam; and

(g) Annual Report. To deliver to the Governor on the last Monday of January of each year a written report of the planning program and progress.

§62014. Support and Coordination for Comprehensive Planning. All agencies, departments, boards, commissions and other instrumentalities of the government of Guam shall review their present statutory authority, administrative regulations and current planning policies and procedures to determine whether there is any duplication, any deficiencies or inconsistencies therein which prohibit or tend to prohibit integration, coordination and compliance with respect to the purposes and provisions of this Chapter and shall thereafter propose to the Council at a date determined by the Council such measures as may be necessary to bring their planning authority functions and programs into conformity with the intent, purposes, and procedures set forth in this Chapter. All master plans, development plans, long-range plans, and the like prepared by public agencies shall be submitted to the Council for processing as part of the comprehensive planning program. Emphasis will be placed on the continuing nature of the comprehensive plan program rather than a final completion of a single plan. The Council may assign, with concurrence of the director or other head of the agency involved, planning staffs or portions thereof of staff or line agencies who shall prepare portions of the plan under the supervision of the Bureau of Planning.

§62015. Plan Review: Public Hearings. The Plan or any of its elements prepared by the various public agencies or any private entity, shall be submitted to the Council for review. Within forty-five (45) days following receipt of any such element or elements by the Council, the Council shall hold one (1) or more public hearings thereon. Announcements of such hearings shall be printed in a newspaper of general circulation on Guam ten (10) days and one (1) day prior thereto. Summaries of the element or elements to be heard shall be prepared by the Council and submitted to appropriate news media.

§62015.1. Plan Submission. Within thirty (30) days after the hearing of the Plan or any of its elements, the Council shall submit to the Governor its recommendation thereon including a summary of testimony at the hearing(s).

§62015.2. Cooperation of Other Departments. Every department and agency of the government of Guam is hereby directed to render such assistance to the Council as the Council may require.

§62016. Plan Adoption. The Plan or any of its elements received by the Governor from the Council shall be approved, disapproved or referred to the Council for further recommendation prior to approval. The Governor shall have sixty (60) calendar days to act on the Plan or any of its elements submitted; provided, however, that if no action is taken thereon within sixty (60) calendar days after submission, the Plan or any of its elements so submitted shall be deemed approved by the Governor. Within ten (10) calendar days of approval by the Governor, the Plan or any of its elements shall be submitted to the Legislature for adoption. The Legislature shall review and approve or disapprove the Plan or any of its elements within sixty (60) calendar days of its receipt. In the event of failure by the Legislature to act within such sixty (60) calendar day period, the Plan or any of its elements so submitted shall be deemed approved.

§62017. Bureau of Planning. There is created within the Office of the Governor, the Bureau of Planning (the "Bureau"), which shall provide technical assistance, support and planning information to the Council and assist the Council in its effort to integrate and coordinate all levels of development planning throughout the government of Guam. The administrator of the Bureau, who shall be designated Director of Planning (the "Director"), shall be appointed by the Governor with the consent of the Legislature, and shall be a person who, as a result of training, experience and attainments, is exceptionally well-qualified to analyze and interpret development trends and information of all kinds, to appraise and coordinate planning programs and supervise the execution of the responsibilities of the Council in accordance with the policies set forth in this Chapter. The Director shall be responsible for the administration of this Chapter and shall supervise the staff of the Bureau which, in addition to its regular duties, shall serve the Council.

§62018. Same: Staff Organization. The staff of the Bureau shall be organized into such divisions, sections, or units as are sufficient to appraise, coordinate and assist in the preparation of long-range planning programs for the social, economic, infrastructure, and suprastructure development of Guam. Expertise, either singly or collectively, should be evident in such areas as community facilities, conservation, cultural development, demography, economics, education, environment, finance, infrastructure, land utilization, natural resources, transportation, urban and rural design, utilities,

and visitor industry. Preparation of planning elements not the duty and function of staff and line agencies, shall be the responsibility of the staff of the Bureau.

§62019. Powers of the Bureau. In the execution of its responsibilities under this Chapter, the Bureau is authorized to perform the following functions:

(a) Grants. To apply for and accept grants, loans, contributions, appropriations and assistance from the Federal government and from any other sources, public or private, and enter into and carry out contracts or agreements in connection therewith, and include in any contract for financial assistance with the Federal laws as it may deem reasonable and appropriate and which are not inconsistent with the purposes of this Chapter and the laws of Guam;

(b) Contracts. To contract for any professional services if such work or services cannot satisfactorily be performed by its employees;

(c) Studies. To conduct, or cause to be conducted, investigations, studies, surveys, research and analysis relating to physical, human, social, and economic development of Guam and to publish the results thereof;

(d) Policies. To develop and recommend territorial policies to foster and promote the improvement of planning activity and development quality;

(e) Private Services. To utilize to the fullest extent possible, the services, facilities and information of public and private agencies and organizations and individuals in order that duplication of effort and expenses may be avoided;

(f) Appraise Plans. To review, appraise and make such use as it sees fit of all existing plans, inclusive of the 1978 Kabales Na Planu Para Guahan, and those presently being prepared;

(g) Data Bank. To develop an information system and data bank for the continual collection and storage of public information needed or utilized in the development plan process; and

(h) Annual Report. To report to the Council and the Legislature of its annual progress and of its fiscal year activities.

§62020. Content of the Plan. The Comprehensive Development Plan for Guam shall contain specific elements as follows:

(a) Land Use. A land-use element together with the appropriate zoning recommendations supporting distribution, location and the extent of uses of land for housing, business, industry, agriculture, recreation, education, public buildings, open space, conservation and other categories of public and private uses of land, which include islands, reef and lagoon areas, and the sea within the territorial waters, inclusive of a statement of the standards of population and building density and building intensity for the various districts and other areas covered by the Plan, and regulatory criteria governing the use, development and subdivision of land;

(b) Community Design. A community design element consisting of standards and principles governing the subdivision and development of land and showing recommended designs for community and neighborhood development and redevelopment, including sites for schools, parks, playgrounds and other community uses;

(c) Transportation. A transportation element which would provide a comprehensive transportation and circulation system consisting of existing and proposed major routes, thoroughfares, highways, and collector streets; locations of rights-of-way, terminals, viaducts, and grade separation, port, harbor, aviation and mass transit lines, and related facilities, all of which are correlated with the land use element of the Plan;

(d) Regulations. A regulatory element concerning parking facilities and building setback lines and the delineations of such systems on the land, a system of street naming, housing and building numbering, and such other matters as may be related to the improvement of circulation of traffic;

(e) Public Facilities. A public services and facilities element showing general plans for sewage, refuse disposal, drainage, and local utilities, and rights-of-way, easements, and facilities for them;

(f) Public Lands. A public lands element that provides an inventory of all government of Guam and federal lands;

(g) Public Buildings. A public buildings element identifying locations and arrangement of civic and community centers, public schools, libraries, police and fire stations, and other public buildings, including their architecture and the landscape treatment of their grounds;

(h) Housing. A housing element consisting of standards and plans for elimination of substandard dwelling conditions, the improvement of housing, and the provision of adequate sites for housing;

(i) Redevelopment. A redevelopment element for the elimination of unsafe or blighted areas, community redevelopment and the revitalization of housing sites, business and industrial sites, public building sites, and for other purposes authorized by law;

(j) Conservation. A conservation element to guide the conservation, development, and utilization of natural resources including forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources which, as sub-elements, may also incorporate the following:

1. Reclamation of land and waters;
2. Flood control;
3. Prevention and control of pollution of streams and other waters;
4. Regulations of the use of land in stream channels and conservation areas;
5. Prevention, control, and correction of the erosion of soils, beaches, and shores; and

6. Protection of watersheds.

(k) Recreation. A recreation element establishing a comprehensive system of areas and public sites for recreation, including the following and, when practicable, their locations and proposed development:

1. Natural reservations,
2. Parks,
3. Parkways,
4. Beaches,
5. Reef and lagoons,
6. Playgrounds,
7. Historic and archaeological sites, and
8. Other recreation areas.

(l) Safety. A safety element for the protection of the community from natural and man-made hazards including features necessary for such protection as evacuation routes, peak load water supply requirements, minimum road widths, clearances around structures, geologic hazard mapping in areas of known geologic hazards;

(m) Tourism. A visitor industry element which will establish cooperation and coordination between the public and private sectors to provide for steady and regulated growth within the visitor industry, while developing the industry in a manner that will continue to provide new business and job opportunities and steady employment for the people of Guam, and which will enable Guam's people to obtain job training and education geared for upward job mobility within the industry;

(n) Development Policy. A short and long-range socio-economic development strategy to include policy, opportunities, and programs to address or alleviate problems concerning health services, manpower planning, employment opportunity, education, elimination of poverty, law enforcement, welfare, substandard housing, consumer protection, public revenue and expenditures, cultural heritage preservation, visitor industry, and the like to include population characteristics and economic analysis with projections for each region and sub-region of the island;

(o) Capital Improvements. A short and long-range capital improvements program and projects to be derived from public and private input and compiled from schedules of proposed capital improvements submitted to the Council by each department, agency, division, board, commission, branch, and instrumentality of the government of Guam; and which shall provide recommendations and identify programs for the balanced development of the island's port, highway, communication, and public transportation facilities including, but not limited to, institutions of higher learning, health and welfare facilities, correctional institutions, elementary and secondary schools, electric power, water, telephone, sewer and other utility facilities;

(p) Policy Statements. A statement of specific policies for at least each of the following general areas: Socio-economic and human resource development, natural resource development, environmental protection, historical, and cultural preservation, public safety, housing and community development, education, land-use and population growth, visitor industry, or in other areas deemed appropriate by the Council;

(q) Other Elements. Such additional elements dealing with other subjects, which in the judgment of the Council relate to the physical development of Guam.

§62021. Plan Implementation and Financing. The Comprehensive Development Plan shall contain a schedule of programs and projects to be implemented annually. Funding for such programs and projects shall be identified in the Plan by the project's or program's principal or administering government agency or instrumentalities. Funding for programs or projects contained in the Plan which do not fall under the authority or responsibility of any particular instrumentality of the government of Guam shall be met by annual appropriation of the Legislature.

§62022. Annual Budget. The Chairman of the Council shall prepare and submit the Council's first annual fiscal year budget to the Legislature within ninety (90) calendar days of the enactment of this Chapter, and thereafter shall submit its annual budgets prior to the end of each fiscal year. Such budget shall contain a financial breakdown of personnel, administrative and all operating costs to be incurred by the Council in the performance of provisions set forth in this Chapter. Said personnel expenditures shall be applied to the full staffing requirements of the Council as submitted to the Legislature by the Council.

§62023. Master Plan Proposals. The Council shall proceed to develop proposals consisting of a scope of work and cost estimates for all elements of the Plan. The Council shall incorporate in its annual budget submission to the Legislature the amount of financial resources needed to facilitate the objectives of this Chapter.

§62024. Coordination of Effort. Any existing Committee, Commission, Task Force or body mandated to engage in planning for Guam or for particular areas or jurisdictions within Guam, shall seek to ensure that such planning efforts are provided the appropriate financial, human, technical and support resources necessary to accomplish any mandates or requirements of law relative to development planning; provided, however, that such planning efforts are supportive of and consistent with the intent of this Chapter.

For purposes of this Chapter, all plans prepared by any agency or instrumentality of the government of Guam shall be circulated to other agencies or instrumentalities affected by such plan and to the Bureau for review and finalization not later than sixty (60) days prior to submission of the plan to the Council.

§62025. Severability. If any provision of this Chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Chapter which can be given effect without the invalid provisions or application, and to this end, the provisions of this Chapter are severable."

Section 2. Section 13200, Title XIV, Chapter III, Government Code, is repealed and reenacted to read:

"§13200. Territorial Land-Use Commission. There is within the government of Guam the "Territorial Land-Use Commission." The Commission shall be composed of seven (7) members to be appointed by the Governor by and with the advice and consent of the Legislature for a period of five (5) years; provided, however, that of the seven (7) members first appointed, one (1) shall serve for a term of one (1) year, two (2) shall serve for terms of three (3) years each, and the remaining four (4) shall serve for terms of five (5) years each, as designated by the Governor."

Section 3. Subsection (a) of Section 48003, Title XLV, Chapter I, Government Code, is repealed and reenacted to read:

"(a) Commission means Territorial Land-Use Commission."

PUBLIC LAW NO. 20-148

Bill No. 1090 (COR)	Introduced by:	C.T.C. Gutierrez
Date Became Law: Mar. 21, 1990	T.S. Nelson	F.J.A. Quitugua
Governor's Action: Approved	H.D. Dierking	J.P. Aguon
	E.P. Arriola	M.Z. Bordallo
	P.C. Lujan	G. Mailloux
	D. Parkinson	E.D. Reyes
	F.R. Santos	J.T. San Agustin
	J.G. Bamba	D.F. Brooks
	M.D.A. Manibusan	E.R. Duenas
	E.M. Espaldon	M.C. Ruth
	T.V.C. Tanaka	A.R. Unpingco

AN ACT TO APPROPRIATE FUNDS TO
IMPLEMENT PAY RANGE REASSIGNMENTS
BY THE CIVIL SERVICE COMMISSION OF
CERTAIN ADMINISTRATIVE POSITIONS.

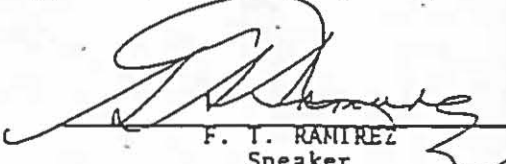
Section 1 ... Appropriate funds to implement pay range reassignments by the Civil Service Commission of certain administrative positions.

TWELFTH GUAM LEGISLATURE
1974 (SECOND) Regular Session

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141 San Ramon Rd.
Agaña, Guam 96910

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 715, "An Act to repeal Chapters VI, VII, VIII, and XI of Title XIV of the Government Code of Guam and to reenact Chapter VI of said Code relative to establishing the Chamorro Land Trust Commission", was on the 8th day of January, 1975, duly and regularly passed.


F. I. RANTIREZ
Speaker

ATTESTED:


G. M. BAMBA
Legislative Secretary

This Act was received by the Governor this 13th day
of January, 1975 at 9:15 o'clock A. M.

/s/ RICHARD D. MAGEE

RICHARD D. MAGEE, Acting
Attorney General of Guam

APPROVED:

151

RICARDO J. BORDALLO
Governor of Guam

DATED: 2.4.75
6:56 AM
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TWELFTH GUAM LEGISLATURE
1974 (SECOND) Regular Session

Bill No. 715

Introduced by P. J. Bordallo

AN ACT TO REPEAL CHAPTERS VI, VII, VIII, AND
XI OF TITLE XIV OF THE GOVERNMENT CODE OF GUAM
AND TO REENACT CHAPTER VI OF SAID CODE RELATIVE
TO ESTABLISHING THE CHAMORRO LAND TRUST
COMMISSION.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

2 Section 1. Chapters VI, VII, VIII, and XI of Title XIV of
3 the Government Code of Guam are hereby repealed in their
4 entireties.

5 Section 2. A new Chapter VI to Title XIV of the Government
6 Code of Guam is hereby enacted to read as follows:

7 "CHAPTER VI

8 CHAMORRO LAND TRUST COMMISSION

9 Section 13500. Definitions. When used in this title:

10 (a) The term 'Commission' means the Chamorro
11 Land Trust Commission.

12 (b) The term 'territory' means the territory of Guam.

13 (c) The term 'Chamorro homelands' means all lands
14 given the status of Chamorro homelands under the pro-
15 visions of Section 13504 of this Chapter.

16 (d) The term 'native Chamorro' means any person
17 who the Commission determines to be of at least one-
18 fourth part of the blood of any person who inhabited
19 the island prior to 1898.

20 (e) The term 'department' means the Department
21 of Land Management.

22 Section 13501. Commission: composition, chairman,
23 compensation. (a) There is within the government of
24 Guam the Chamorro Land Trust Commission. The Commission
25 shall be composed of five (5) members to be appointed

1 by the Governor with the confirmation of the Legislature.
2 Failure by the Legislature to confirm the appointment
3 of a Commission member within five (5) legislative days
4 after its receipt shall be deemed confirmation. Commission
5 members shall be appointed within sixty (60) days after
6 the enactment of this Chapter. All members shall have been
7 residents of the territory at least three (3) years prior
8 to their appointment and at least three (3) of the members
9 shall be native Chamorro. Members shall serve terms of
10 three (3) years, provided, however, that of the members
11 first appointed, one (1) shall be appointed for a term
12 of one (1) year and two (2) shall be appointed for terms
13 of two (2) years. The members of the Commission shall
14 serve without pay, but shall receive reimbursement for
15 actual expenses incurred by them in the discharge of their
16 duties as such members. The Governor shall appoint the
17 chairman of the Commission from among the members thereof.
18 The Commission shall have its first meeting within twenty
19 (20) days after confirmation of its members.

20 (b) The Commission may employ such clerical and other
21 assistants who shall be classified employees as may be
22 necessary to effectively execute its responsibilities. In
23 addition, the Commission shall employ and fix the com-
24 pensation for an Administrative Director who shall serve
25 in a full-time capacity and who shall exercise such powers
26 and authority as may be delegated to him by the Commission.
27 The director shall be a native Chamorro. Furthermore, the
28 Commission may employ and fix the salary of professional
29 consultants.

30 Section 13502. Administration. (a) The Commission
31 shall adopt rules, regulations, and policies in accordance

1 with Chapter III, Title XXV, Government Code of Guam.
2 The Commission may accept grants, contributions, and
3 appropriations and may make such expenditures, loans
4 and other disbursements as are authorized by this
5 Chapter. These disbursements shall be allowed and paid
6 out in accordance with the direction of the Commission
7 upon presentation to the Administrative Director of
8 itemized vouchers therefor signed by the Commission
9 certifying officer in accordance with Public Law 12-34.
10 The Administrative Director shall give bond in the sum of
11 Five Hundred Thousand Dollars (\$500,000) for the faithful
12 performance of his duties. These funds created by Section
13 13511 of this Chapter shall be maintained separate and
14 apart from any other government fund and shall be in the
15 custody of the Commission certifying officer. The
16 Commission shall make an annual finance and progress
17 report to the Legislature upon the first date of each
18 regular session thereof and such special reports as the
19 Legislature may from time to time require.

20 (b) When land originally leased by the Commission
21 is, in turn, subleased by the Commission's lessee or
22 sublessee, the Commission shall submit, within ten (10)
23 days of the convening of any regular session, a written
24 report to the Legislature which shall cover the sublease
25 transactions occurring in the calendar year prior to the
26 regular session and shall contain the names of the persons
27 involved in the transaction, the size of the area under
28 lease, the purpose of the lease, the land classification
29 of the area under lease, the lease rental, the reason
30 for approval of the sublease by the Commission, and the
31 estimated net economic result accruing to the Commission

1 lessee, and sublessee.

2 (c) The Commission shall have the power and authority
3 to invest and re-invest any of the money in any of its
4 funds, not otherwise immediately needed for the purposes
5 of the funds in such bonds and securities authorized in
6 Chapter III, Title V of this Code. Any interest or other
7 earnings arising out of such investment shall be credited
8 to and deposited in the Chamorro Home Loan Fund.

9 (d) The Commission is authorized to carry on any
10 activities it deems necessary to assist lessees in obtain-
11 ing maximum utilization of leased lands, including taking
12 any steps necessary to develop these lands for their
13 highest and best use commensurate with the purposes for
14 which the land is being leased as provided for in Section
15 13506, and assisting lessees in all phases of farming and
16 ranching operations and the marketing of their agricultural
17 produce and livestock. In these efforts the Commission
18 shall coordinate its efforts with the Department of
19 Agriculture.

20 (e) The Commission, may designate and plan sub-
21 divisions in accordance with the provisions of Title XIX,
22 Government Code of Guam, on available lands, in, adjacent
23 to, or near any village. Subdivision lots shall be leased
24 in accordance with Section 13506.

25 Section 13503. Certain government lands designated
26 'available lands'. (a) All government lands excluding (1)
27 lands held under agricultural lease, land use permit, or
28 right of purchase lease, (2) all lands dedicated to a
29 specific public use by law, and (3) all lands reserved
30 in accordance with Section 13004 of this Code which
31 reservations are submitted to and concurred in by the

1 Legislature within ninety (90) days of the enactment
2 of this Chapter, are hereby designated as available lands.

3 (b) Any land acquired by the government by whatever
4 means after the effective date of this Chapter shall
5 acquire the status of available lands unless reserved in
6 accordance with Section 13004 of this Code within sixty
7 (60) days after its acquisition.

8 Section 13504. Control by Commission of available
9 lands; return to Department. Upon and after the enactment
10 of this Chapter, all available lands shall immediately
11 assume the status of Chamorro homelands and shall be
12 under the control of the Commission to be used and dis-
13 posed of in accordance with the provisions of this
14 Chapter, except that:

15 (a) In case any government land is under lease,
16 permit or agreement at the enactment of this Chapter,
17 such land shall not assume the status of Chamorro
18 homelands until the lease, permit or agreement expires
19 or the lands are withdrawn from the operation of the
20 lease, permit or agreement. If the land is covered by
21 a lease, permit or agreement containing a withdrawal
22 clause, the department shall withdraw such lands from
23 the operation of the lease permit or agreement whenever
24 the Commission gives notice to it that the lands are
25 required by it for the purposes of this Chapter.

26 (b) Any available land as may not be immediately
27 needed for the purposes of this Chapter, may be returned
28 to the department for management. Any Chamorro homelands
29 so returned may be disposed of under a general lease only.
30 Each such lease, whether or not stipulated therein, shall
31 be deemed made subject to the right and duty of the

1 department to terminate the lease and return the lands to
2 the Commission whenever the Commission gives notice that
3 the lands are required by it for the purposes of this
4 Chapter. However, no lease shall be made for a term
5 to exceed twenty-five (25) years. All income arising
6 out of any lease or license entered into under this
7 subsection shall be credited to and deposited in the
8 Chamorro Home Loan Fund.

9 (c) The department may sell to any contiguous land-
10 owner any fractional lot placed under its management which
11 was created by the adoption of the standard block system.

12 (d) In the management of any retained available lands
13 not required for leasing under Section 13506, the
14 Commission may lease or license such lands to the
15 general public. Any lease or license made under this
16 subsection shall comply with the conditions of
17 subsection (b) above.

18 (e) The Commission may, in order to consolidate its
19 holdings or to better effectuate the purposes of this
20 Chapter, exchange the title to available lands for land
21 of an equal value. All lands so acquired by the Commission
22 shall assume the status of available lands as though the
23 same were originally designated as such under Section 13503.

24 (f) The Commission shall not lease or license any
25 available land until it is registered under the provisions
26 of Section 1157 et seq. of the Civil Code (Land Title
27 Registration Act).

28 Section 13505. Other officers not to control Chamorro
29 homelands; exception. The powers and duties of the
30 Governor and the department with respect to lands of the
31 territory shall not extend to lands having the status of

1 Chamorro homelands except as specifically provided
2 for in this Chapter.

3 Section 13506. Leases to Chamorro, licenses. (a) The
4 Commission is authorized to lease to native Chamorros the
5 right to the use and occupancy of a tract or tracts of
6 Chamorro homelands within the following acreage limits
7 per each lessee: (1) not less than one or more than
8 twenty (20) acres for agricultural use; or (2) not less
9 than one nor more than fifty (50) acres for grazing use,
10 and (3) not more than one (1) acre or any class of land
11 to be used as a residence lot.

12 (b) The title to lands so leased shall remain in the
13 territory. Applications for tracts shall be made to and
14 granted by the Commission under such regulations, not in
15 conflict with any provision of this Chapter, as the
16 Commission may prescribe. The Commission shall, whenever
17 tracts are available, enter into such a lease with any
18 applicant who, in the opinion of the Commission, is
19 qualified to perform the conditions of such lease.

20 (c) The Commission is authorized to grant licenses
21 for terms of not to exceed twenty-one (21) years in each
22 case, to public utility companies, or corporations as
23 easements for telephone lines, electric power and light
24 lines, gas mains, and the like. The Commission is also
25 authorized to grant licenses for lots within a village in
26 which lands are leased under the provisions of this
27 section, to:

28 (1) churches, hospitals, public schools,
29 post offices, and other improvements for public
30 purposes;

31 (2) theaters, garages, service stations,

1 markets, stores, and other mercantile establish-
2 ments (all of which shall be owned by lessees of
3 the Commission or by organizations formed and
4 controlled by said lessees).

5 (d) Upon direction by resolution from the Legislature,
6 the Commission shall release to the department any un-
7 leased available land designated for a public purpose.
8 Such land will no longer be considered to be Chamorro
9 homelands.

10 Section 13507. Conditions in leases. Each lease made
11 under the authority granted the Commission by the provi-
12 sions of Section 13506 of this Chapter, and the tract in
13 respect to which the lease is made, shall be deemed sub-
14 ject to the following conditions, whether or not stipulated
15 in the lease.

16 (a) The original lessee shall be a native Chamorro,
17 not less than eighteen (18) years of age. In case two
18 lessees either original or in succession marry, they
19 shall choose the lease to be retained, and the remaining
20 lease shall be transferred or cancelled in accordance
21 with the provisions of succeeding sections.

22 (b) The lessee shall pay a rental of One Dollar (\$1.00)
23 a year for the tract and the lease shall be for a term of
24 ninety-nine (99) years.

25 (c) The lessee shall occupy and commence to use or
26 cultivate the tract as his home or farm within one (1)
27 year after the lease is made. The lessee of agricultural
28 lands shall plant and maintain not less than five, ten,
29 fifteen and twenty trees per acre of land leased and the
30 lessee of grazing lands shall plant and maintain not less
31 than two, three, four, and five trees per acre of land

1 leased during the first, second, third and fourth
2 years, respectively, after the date of the lease. Such
3 trees shall be of types approved by the Department of
4 Agriculture and at locations specified by the Department
5 of Agriculture's agent. Such planting and maintenance
6 shall be by or under the immediate control and direction
7 of the lessee. Such trees shall be furnished by the
8 Department of Agriculture free of charge.

9 (d) The lessee shall thereafter, for at least such
10 part of each year as the Commission shall by regulation
11 prescribe, so occupy and use or cultivate the tract on
12 his own behalf.

13 (e) The lessee shall not in any manner transfer to,
14 or mortgage, pledge, or otherwise hold for the benefit of,
15 any other person or group of persons or organizations of
16 any kind, except a native Chamorro or Chamorros; and then
17 only upon the approval of the Commission, or agree so to
18 transfer, mortgage, pledge, or otherwise hold, his
19 interest in the tract. Such interest shall not, except
20 in pursuance of such a transfer, mortgage, or pledge to
21 or holding for or agreement with a native Chamorro or
22 Chamorros approved of by the Commission or for any indebted-
23 ness due the Commission or for taxes, or for any other
24 indebtedness the payment of which has been assured by the
25 Commission, including loans from governmental agencies
26 where such loans have been approved by the Commission,
27 be subject to attachment, levy, or sale upon court
28 process. The lessee shall not sublet his interest in
29 the tract or improvements thereon.

30 (f) The lessee shall pay all taxes assessed upon
31 the tract and improvements thereon. The Commission may

1 in its discretion pay such taxes and have a lien there-
2 - for as provided by Section 13513 of this Act.

3 (g) The lessee shall perform such other conditions,
4 not in conflict with any provision of this Chapter, as
5 the Commission may stipulate in the lease, provided,
6 however, that an original lessee shall be exempt from
7 all taxes for the first seven (7) years from date of
8 lease.

9 (h) The Commission may assure the repayment of loans
10 to lessees from governmental agencies where such loans
11 have been approved by the Commission up to the limits
12 prescribed in Section 13511 provided that the lessee has
13 no indebtedness due the Commission and the Commission
14 shall not make any loans to the lessee while loans from
15 governmental agencies are outstanding; provided further
16 that upon receipt of notice of default in the payment of
17 such loans, the Commission, may upon failure of the
18 lessee to cure the default within sixty (60) days, cancel
19 the lease and thereupon use its best efforts to redispose
20 of the tract to a qualified and responsible native
21 Chamorro or Chamorros as a new lessee who will assume the
22 obligation of the outstanding debt thereby assured, and
23 make payments to the governmental agency from available
24 funds either for the monthly payments as they become due
25 and payable or for the amount of the debt. In no event
26 shall the aggregate amount assured by the Commission
27 exceed Two Million Dollars (\$2,000,000).

28 Section 13508. Successors to lessees. (a) Upon the
29 death of the lessee, his interest in the tract or
30 tracts and the improvements thereon, including growing
31 crops (either on the tract or in any collective contract

1 or program to which the lessee is a party by virtue of
2 his interest in the tract or tracts), shall vest in the
3 relatives of the decedent as provided in this paragraph.
4 From the following relatives of the lessee, husband and
5 wife, children, widows or widowers of the brothers and
6 sisters, or nieces and nephews, -- the lessee shall design-
7 nate the person or persons to whom he directs his interest
8 in the tract or tracts to vest upon his death. Such
9 person or persons must be qualified to be a lessee of
10 Chamorro homelands: provided, that such person or persons
11 need not be eighteen (18) years of age. Such designation
12 must be in writing, must be specified at the time of
13 execution of such lease with a right in such lessee in
14 similar manner to change such beneficiary at any time
15 and shall be filed with the Commission and approval by
16 the Commission in order to be effective to vest such
17 interests in the successor or successors so named.

18 In the absence of such a designation as approved
19 by the Commission, the Commission shall select from the
20 relatives of the lessee in order named above as limited
21 by the foregoing paragraph one or more persons who are
22 qualified to be lessees of Chamorro homelands except
23 as hereinabove provided, as the successor or successors
24 of the lessee's interest in the tract or tracts, and
25 upon the death of the lessee, his interest shall vest
26 in the person or persons so selected. The Commission may
27 select such a successor or successors after the death
28 of the lessee, and the rights to the use and occupancy
29 of the tract or tracts may be made effective as of the
30 date of the death of such lessee.

31 In the case of the death of a lessee leaving no such

1 relative qualified to be a lessee of Chamorro homelands,
2 the land subject to the lease shall resume its status
3 as unleased Chamorro homelands and the Commission is
4 authorized to lease such land to a native Chamorro or
5 Chamorros as provided in this Chapter.

6 Upon the death of a lessee leaving no such relative
7 qualified to be a lessee of Chamorro homelands, or the
8 cancellation of a lease by the Commission, or the
9 surrender of a lease by the lessee, the Commission shall
10 appraise the value of all such improvements and growing
11 crops and shall pay to the legal representative of the
12 deceased lessee, or to the previous lessee, as the case
13 may be, the value thereof, less any indebtedness to the
14 Commission, or for taxes, or for any other indebtedness
16 the payment of which has been assured by the Commission,
17 from the deceased lessee or the previous lessee. Such
18 payments shall be made out of the loan fund and shall be
19 considered an advance therefrom reimbursable out of payments
20 made by the successor or successors to the tract involved.
21 Such appraisal shall be made by three appraisers, one of
22 which shall be named by the Commission, one by the pre-
23 vious lessee or the legal representative of the deceased
24 lessee, as the case may be, and the third shall be selected
25 by the two appraisers hereinbefore mentioned.

26 (b) After the cancellation of a lease by the
27 Commission in accordance with the provisions of Section
28 13509 or 13513 of this Title, or the surrender of a
29 lease by a lessee, the Commission is authorized to
30 transfer the lease or to issue a new lease to any
31 qualified Chamorro regardless of whether or not he is

1 related in any way by blood or marriage to the
2 previous lessee.

3 (c) Should any successor or successors to a tract be
4 a minor or minors, the Commission may appoint a guardian
5 therefor subject to the approval of the Superior Court.
6 Such guardian shall be authorized to represent the
7 successor or successors in all matters pertaining to the
8 leasehold: provided, that said guardian shall, in so
9 representing such successor or successors, comply with
10 the provisions of this Title and the stipulations and
11 provisions contained in the lease, except that said
12 guardian need not be a native Chamorro as defined in
13 Section 13500 of this Title.

14 Section 13509. Cancellation of leases. Whenever the
15 Commission has reason to believe that any condition
16 enumerated in Section 13507 or any provision of Section
17 13508 of this Chapter has been violated, the Commission
18 shall give due notice and afford opportunity for a hearing
19 to the lessee of the tract in respect to which the alleged
20 violation relates or to the successor of the lessee's
21 interest therein, as the case demands. If upon such hearing
22 the Commission finds that the lessee or successor has
23 violated any condition in respect to the leasing of such
24 tract, the Commission may declare his interest in the
25 tract and all improvements thereon to be forfeited and the
26 lease in respect thereto cancelled, and shall thereupon
27 order the tract to be vacated within a reasonable time.
28 The right to the use and occupancy of the Chamorro home-
29 lands contained in such tract shall thereupon revert in
30 the Commission and the Commission may take possession of
31 the tract and the improvements thereon.

1 Section 13510. Community pastures. The Commission
2 shall, when practicable, provide from the Chamorro home-
3 lands a community pasture adjacent to each village.

4 Section 13511. Chamorro Home Loan Fund; Chamorro
5 Home Development Fund; Chamorro Educational Fund;
6 Chamorro Commercial Loan Fund; Chamorro Home Repair Loan
7 Fund; and the Chamorro Loan Guarantee Fund. (a) There are
8 hereby established three (3) revolving funds to be known
9 as the Chamorro Home Loan Fund, the Chamorro Commercial
10 Loan Fund and the Chamorro Home Repair Fund and three (3)
11 special funds to be known as the Chamorro Home Development
12 Fund, the Chamorro Educational Assistance Fund, and the
13 Chamorro Loan Guarantee Fund.

14 (b) Chamorro Home Loan Fund. There is hereby authorized
15 to be appropriated from the Unappropriated Surplus of the
16 General Fund the sum of One Million Dollars (\$1,000,000)
17 as initial capital to said Fund. In furtherance of the
18 purposes herein, the Commission may do any one or more of
19 the following with moneys from this Fund and any borrowed
20 moneys under (6) herein below:

21 (1) The Commission may extend the benefits
22 of the Fund only to native Chamorros as defined
23 in this Chapter;

24 (2) The Commission may loan, or guarantee the
25 repayment of or otherwise underwrite any authorized
26 loan, up to a maximum of Twenty-Five Thousand
27 Dollars (\$25,000); provided, that where, upon the
28 death of a lessee living on Chamorro homelands
29 who leaves no relatives qualified to be a lessee
30 of Chamorro homelands, or the cancellation of a
31 lease by the lessee, the Commission shall be

1 authorized to make payment and to permit assumption
2 of loans in excess of Twenty-Five Thousand Dollars
3 (\$25,000) subject to the provisions of Section
4 13512(b);

5 (3) Where the dwelling is on Chamorro home
6 lands, anything in the Chapter to the contrary not-
7 withstanding, either the Commission or other govern-
8 mental agencies may make loans, and the loans made
9 in connection with the repair or maintenance or
10 purchase or erection or improvement of dwellings shall
11 be subject to, all applicable provisions of the
12 Chapter, including but not limited to the provisions
13 of Sections 13506, 13507, 13508, 13509, 13512, 13513,
14 and 13514, and to such legislative amendments of the
15 Chapter herein or thereafter enacted, provided such
16 amendments do not change the qualifications of
17 lessees or constitute a reduction or impairment of
18 the Chamorros Home Loan Fund, or Chamorro Home
19 Development Fund or otherwise required the consent
20 of the United States. Loans made to lessees by
21 governmental agencies shall be approved by the
22 Commission, and the Commission may assure the pay-
23 ment of such loans, provided that the Commission
24 shall reserve the following rights, among others:
25 the right of succession to the lessee's interest
26 and assumption of the contract of loan; right to
27 require that written notice be given to the Commission
28 immediately upon default or delinquency of the
29 lessee; and any other rights necessary to protect
30 the monetary and other interests of the Commission.

31 (4) Where the dwelling is on non-Chamorro home

1 lands, anything in the Chapter to the contrary not-
2 withstanding, either the Commission or financial
3 institutions may make loans, and in connection with
4 such loans, the Commission shall be governed by,
5 and the loans made in connection with the repair or
6 maintenance or purchase or erection or improvement of
7 dwellings shall be subject to, such terms and con-
8 ditions as the Commission may, by rules and regula-
9 tions promulgate, provided, the Commission shall
10 require any loan made or guaranteed or otherwise
11 underwritten to be secured adequately and suitably
12 by a first or second mortgage or other securities;

13 (5) The Commission shall establish interest rate
14 or rates at two and one-half per cent (2-1/2%) a
15 year or higher, in connection with authorized loans
16 on Chamorro homelands or non-Chamorro homelands, and
17 where the going rate of interest on loans made by
18 financial institutions to native Chamorros is higher,
19 pay from the Fund or the moneys borrowed, the
20 difference in interest rates;

21 (6) The Commission may borrow and deposit funds
22 into a special revolving account for the purposes of
23 repairing, maintaining, purchasing, erecting or im-
24 proving dwellings on Chamorro homelands and non-
25 Chamorro homelands and related purposes from
26 financial institutions, governmental, or private;

27 The Commission may purchase or otherwise acquire,
28 or agree so to do, before or after default, any notes
29 and mortgages or other securities, covering loans
30 under this program made by financial institutions,
31 and guarantee the repayment of or otherwise underwrite

1 the loans, and accept the assignment of any notes and
2 mortgages or other securities in connection therewith

3 (7) The Commission may exercise the functions
4 and reserved rights of a lender of money or mortgage
5 of residential property in all loans by financial
6 institutions made to Chamorros under this program.
7 The functions and reserved rights shall include but
8 not be limited to, the purchasing, repurchasing,
9 servicing, selling, foreclosing, buying upon fore-
10 closure, guaranteeing the repayment or otherwise
11 underwriting, of any loan, protecting of security
12 interest, and after foreclosure, the repairing, re-
13 novating or modernization and sale of the property
14 covered by the loan and mortgage, to achieve the
15 purposes of this program while protecting the
16 monetary and other interests of the Commission.

17 (c) Chamorro Home Development Fund. Twenty-five
18 per cent (25%) of the amount of moneys covered into the
19 Chamorro Home Loan Fund annually shall be transferred
20 into the Chamorro Home Development Fund. The moneys in
21 said development fund shall be available, with the prior
22 written approval of the Governor for construction of
23 sanitary sewerage facilities for the construction of
24 roads through and over Chamorro homelands, and for
25 other non-revenue producing improvements.

26 (d) Match moneys. The Commission is authorized
27 and empowered to use moneys in the development
28 fund, with the prior written approval of the
29 Governor, to match Federal funds available for

1 - the same purposes and to that end is authorized to enter
2 into such undertakings, agree to such conditions, transfer
3 funds therein available for such expenditures and do per-
4 form such other acts and things, as may be necessary or
5 required, as a condition to securing match funds for such
6 projects or works.

7 (e) Chamorro Educational Assistance Fund. Ten per cent
8 (10%) of the amount of moneys covered into the Chamorro
9 Home Loan Fund annually shall be transferred into the
10 Chamorro Educational Assistance Fund. The Department of
11 Education shall establish and direct educational projects
12 after consultation with the University of Guam and the
13 Commission which shall be directed primarily for the
14 educational improvement of the children of lessees, which
15 shall be funded with this Fund with prior written approval
16 of the Governor.

17 (f) Chamorro Commercial Loan Fund. The Commission is
18 authorized to create a Fund out of which loans may be
19 made to those holding leases issued under Section 13506 of
20 this Chapter. The loans shall be for theaters, garages,
21 service stations, markets, stores, and other mercantile
22 establishments and these shall all be owned by lessees or
23 by organizations formed and controlled by said lessees.
24 The amount and duration of loans from this Fund at any one
25 time to any lessee, or successor or successors in interest,
26 shall be determined by the Commission on the basis of the
27 proposed operations of lessee(s) and the security avail-
28 able, provided, that where, upon the death of a lessee
29 leaving no relative qualified to be a lessee of Chamorro
30 homelands, or the cancellation of a lease by the Commission,
31 or the surrender of a lease by the lessee, the Commission

1 shall make the payment provided for by Section 13508(2).
2 The amount of any such payment made to the legal repre-
3 sentative of the deceased lessee, or to the previous
4 lessee, as the case may be, shall be considered as part
5 or all, of any such loan to the successor or successors,
6 without limitations as to any pre-established maximum
7 amount but subject to provisions of Paragraph (b) of
8 Section 13512.

9 (g) Chamorro Home Repair Loan Fund. There is hereby
10 authorized to be appropriated from the Unappropriated
11 Surplus of the General Fund, the sum of One Hundred
12 Thousand Dollars (\$100,000) for the Chamorro Home Repair
13 Loan Fund. The moneys in this Fund shall be used to make
14 loans in amounts not in excess of Five Thousand Dollars
15 (\$5,000) to lessees for repairs to their existing homes
16 and for necessary additions to such homes due to increase
17 in family size. Such loans may be made for periods not to
18 exceed five (5) years.

19 (h) The Chamorro Loan Guarantee Fund. The Commission
20 is authorized to create a Fund out of which loans made
21 by governmental agencies or lending institutions to those
22 holding leases or licenses issued under Section 13506
23 of this Chapter may be guaranteed. This guarantee may
24 be for home or commercial loan purposes. The loan
25 guarantees shall be subject to the restrictions imposed
26 by Sections 13507 and 13512 of this Act.

27 Section 13512. Conditions of loans. Except as other-
28 wise provided in Section 13511, each contract of loan
29 under this Chapter with the lessee or any successor or
30 successors to his interest shall be held subject to the
31 following conditions whether or not stipulated in the

1 contract loan:

2 (a) The loans shall be repaid in periodic install-
3 ments, such installments to be monthly, quarterly, semi-
4 annual, or annual as may be determined by the Commission
5 in each case. The term of any loan shall not exceed
6 thirty (30) years. Payments of any sum in addition to the
7 required installments, or payment of the entire amount of
8 the loan, may be made at any time within the term of the
9 loan. All unpaid balances of principal shall bear interest
10 at the rate of two and one-half per cent (2-1/2%) a year
11 payable periodically or upon demand by the department may
12 determine. The payment of any installment due shall be
13 postponed in whole or in part by the Commission for such
14 reasons as it deems good and sufficient and until such
15 later date as it deems advisable. Such postponed payments
16 shall continue to bear interest at the rate of two and
17 one-half per cent (2-1/2%) a year on the unpaid principal.

18 (b) In the case of the death of a lessee the
19 Commission shall, in any case, permit the successor or
20 successors to the tract to assume the contract of loan.
21 In case of the cancellation of a lease by the Commission
22 or the surrender of a lease by the lessee, the Commission
23 may, at its option declare all installments upon the
24 loan immediately due and payable, or permit the successor
25 or successors to the tract to assume the contract of loan.
26 The Commission may, in such cases where the successor or
27 successors to the tract assume the contract of loan, waive
28 the payment, wholly or in part, of interest already due and
29 delinquent upon said loan, or postpone the payment of any
30 installment thereon, wholly or in part, until such later
31 date as it deems advisable. Such postponed payment shall,

1 however, continue to bear interest at the rate of two
2 and one-half per cent (2-1/2%) a year on the unpaid
3 principal. Further, the Commission may, if it seems
4 advisable and for the best interests of the lessees,
5 write-off and cancel, wholly or in part, the contract of
6 the deceased lessee, or previous lessee, as the case may
7 be, where such loans are delinquent and deemed uncollec-
8 tible. Such write-off and cancellation shall be made only
9 after an appraisal of all improvements and growing crops
10 on the tract involved, such appraisal to be made in the
11 manner and as provided for by Section 13508(a). In every
12 case, the amount of such appraisal, or any part thereof,
13 shall be considered as part or all, as the case may be,
14 of any loan to such successor or successors.

15 (c) No part of the moneys loaned shall be devoted to
16 any purpose other than those for which the loan is made.

17 (d) The borrower or the successor to his interest,
18 shall comply with such other conditions, not in conflict
19 with any provision of this Chapter, as the Commission may
20 stipulate in the contract of loan.

21 (e) The borrower or the successor to his interest
22 shall comply with the conditions enumerated in Section
23 13507 and with the provisions of Section 13508 of this
24 Chapter in respect to the lease of any tract.

25 (f) Whenever the Commission shall determine that a
26 borrower is delinquent in the payment of any indebtedness
27 to the Commission, it may require such borrower to execute
28 an assignment to it, not to exceed, however, the amount
29 of the total indebtedness of such borrower, including the
30 indebtedness to others the payment of which has been
31 assured by the Commission of all moneys due or to become

1 due to such borrower by reason of any agreement or con-
2 tract, collective or otherwise, to which the borrower is
3 a party. Failure to execute such an assignment when re-
4 quested by the Commission shall be sufficient ground for
5 cancellation of the borrower's lease or interest therein.

6 Section 13513. Insurance by borrowers; acceleration
7 of loans; lien and enforcement thereof. The Commission
8 may require the borrower to insure, in such amount as the
9 Commission may prescribe, any livestock, machinery, equip-
10 ment dwellings and permanent improvements purchased or
11 constructed out of any moneys loaned by the Commission;
12 or, in lieu thereof, the Commission may directly take out
13 such insurance and add the cost thereof to the amount of
14 principal payable under the loan. Whenever the Commission
15 has reason to believe that the borrower has violated any
16 condition enumerated in Paragraphs (b), (d), (e) or (f) of
17 Section Section 13512 of this Chapter, the Commission
18 shall give due notice and afford opportunity for a hearing
19 to the borrower or the successor or successors to his
20 interest, as the case demands. If upon such hearing the
21 Commission finds that the borrower has violated the
22 condition, the Commission may declare all principal and
23 interest of the loan immediately due and payable not-
24 withstanding any provision in the contract of loan to the
25 contrary. The Commission shall have a first lien upon the
26 borrower's or lessee's interest in any lease, growing
27 crops, either on his tract or in any collective contract
28 or program, livestock, machinery and equipment purchased
29 with moneys loaned by the Commission, and in any dwellings,
30 or other permanent improvements paid by the Commission,
31 and of all indebtedness of the borrower, the payment of

1 which has been assured by the Commission, including loans
2 from governmental agencies where such loans have been
3 approved by the Commission. Such lien shall have priority
4 over any other obligation for which the property subject
5 to the lien may be security. The Commission may, at such
6 times as it deems advisable, enforce any such lien by
7 declaring the borrower's interest in the property subject
8 to the lien to be forfeited, any lease held by the
9 borrower cancelled, and shall thereupon order such lease-
10 hold premises vacated and the property subject to the lien
11 surrendered within a reasonable time. The right to the use
12 and occupancy of the Chamorro homelands contained in such
13 lease shall thereupon revert in the Commission which may
14 take possession of the premises covered therein and the
15 improvements and growing crops thereon: provided that
16 the Commission shall pay to the borrower any difference
17 which may be due him after the appraisal provided for in
18 Paragraph (a) of Section 13508 of this Title has been made.

19 Section 13514. Ejectment, when: loan to new lessee
20 for improvements. In case the lessee or borrower or the
21 successor to his interest in the tract, as the case may
22 be, fails to comply with any order issued by the Commission
23 under the provisions of Section 13509 or 13513 of this
24 Chapter, the Commission may bring action of ejectment or
25 other appropriate proceedings for the enforcement of said
26 order. Any tract forfeited under the provisions of Section
27 13509 or 13513 of this Chapter may be again leased by the
28 Commission as authorized by the provisions of Section
29 13506 of this Chapter, except that the value, in the
30 opinion of the Commission, of all improvements made in
31 respect to such tract by the original lessee or any

1 successor to his interest therein shall constitute a
2 loan by the Commission to the new lessee. Such loan shall
3 be subject to the provisions of this section and Sections
4 13512 and 13513 to the same extent as loans made by the
5 Commission from the Chamorro Home Loan Fund.

6 Section 13515. All agencies, departments, boards,
7 commissions, and other instrumentalities of the territorial
8 government shall review their present statutory authority,
9 administrative regulations and current planning policies
10 and procedures for the purpose of determining whether
11 there are any deficiencies or inconsistencies therein
12 which prohibit full cooperation with the purposes and
13 provisions of this Chapter and shall propose to the
14 Commission not later than ninety (90) days after the
15 enactment of this Chapter measures as may be necessary to
16 bring their planning authority and policies into con-
17 formity with the intent, purposes, and procedures set forth
18 in this Chapter.

19 Section 13516. Severability. If any provision of this
20 Chapter or the application thereof to any person or cir-
21 cumstance is held invalid, such invalidity shall not
22 affect other provisions or applications of the Chapter
23 which can be given effect without the invalid provision
24 or application, and to this end the provisions of this
25 Chapter are severable."

26 Section 3. Section 3 of Public Law 12-61 is hereby amended
27 to read as follows:

28 "Section 3. Notwithstanding any other provision of
29 law to the contrary, Chamorro Land Trust Commission, the
30 Governor of Guam and the Director of the Department of
31 Land Management shall not sell, lease or exchange

1 government-owned property without the prior approval
2 of the Legislature. If the Legislature fails to act within
3 twenty (20) legislative days following receipt of such
4 proposed sale, lease or exchange, it shall be deemed to
5 have concurred. This section shall not apply to leases
6 made pursuant to Section 13506 of Chapter VI of the
7 Government Code of Guam."

8 Section 4. Section 13004 of Chapter I, Title XIV, Governme
9 Code of Guam is hereby amended to read as follows:

10 "Section 13004. Reservation for use of government.
11 The Director, after public hearing and with legislative
12 concurrence, may, when necessary, reserve or set aside
13 government real property not reserved by law for a specific
14 public use for the future use of any other department or
15 agency of the government; provided, that control of such
16 real property shall not pass to such department or agency
17 until it is necessary to the proper function and operation
18 thereof. Property so reserved or set aside for future
19 government use may be put to such temporary uses, con-
20 sistent with the public interest, as the Director, with
21 approval of the Governor, deems desirable."

22 Section 5. Effective date. Section 1 shall take effect in
23 two steps: Section 1 of the bill and Sections 13501 and 13503(b)
24 of Section 2 of the bill shall take effect January 1, 1975.
25 The remaining sections in Section 1, and Sections 2 and 3 shall
26 take effect on the date the Commission has its first meeting.

CHAPTER 75

Chamorro Land Trust Commission

- §75101. Definitions.
- §75102. Commission: Composition, Chairman, Compensation.
- §75103. Administration.
- §75104. Certain Government Lands Designated Available Lands
- §75105. Control by Commission of Available Lands; Return to Department
- §75106. Other Officers Not to Control Chamorro Homelands; exception.
- §75107. Leases to Chamorro, Licenses.
- §75108. Conditions in Leases.
- §75109. Successors to Leases.
- §75110. Cancellation of Leases.
- §75111. Community Pastures.
- §75112. Chamorro Home Loan Fund, Home Development Fund, Educational Fund, Commercial Loan Fund, Home Repair Loan Fund, Loan Guarantee Fund.
- §75113. Conditions of Loans.
- §75114. Insurance by Borrowers; Acceleration of Loans; Lien and Enforcement Thereof.
- §75115. Ejectment, when: Loan to New Lease for Improvements.
- §75116. Agency Review of Statutory Authority.
- §75117. Severability.

NOTES AS TO EFFECTIVE DATES: Original Chapter VI of the Government Code, Leases and Sales, enacted by P.L. 1-88, was repealed and a new Chapter VI, Chamorro Land Trust Commission (§§13500-13516), enacted by P.L. 12-226. Section 5 of P.L. 12-226 reads as follows:

"Section 5. Effective Date. Section 1 shall take effect in two steps: Section 1 of the bill and Sections 13501 and 13503(b) of Section 2 of the bill shall take effect January 1, 1975. The remaining sections in Section 1, and Sections 2 and 3 shall take effect on the date the Commission has its first meeting."

The Chamorro Land Trust Commission held its first meeting in March of 1993.

NOTE AS TO WAIVER OF CHAPTER FOR CERTAIN LANDS: Since the passage of the Chamorro Land Trust Act, the Legislature has passed many laws dealing with the transfer, lease, exchange and sale of government land. Some of these laws make no reference whatsoever to the Chamorro Land Trust Act. Others expressly waive its provisions. Listed in this Note are all laws which, in some manner, waive the applicability of the Land Trust Act to certain land transactions:

P.L. 13-48:3	PREFERENCES GIVEN TO PERSONS DISPLACED BY SPEEDWAY PARK.
P.L. 14-146:3	WAIVER FOR AS TUMBO SUBDIVISION
P.L. 15-68:5	WAIVER FOR LAND TRANSACTIONS IN SAID LAW.
P.L. 16-7	WAIVER FOR LAND TRANSACTION IN SAID LAW.
P.L. 16-92:2	WAIVER FOR LAND TRANSACTIONS IN SAID LAW.
P.L. 16-118:6	WAIVER FOR LAND EXCHANGE IN SAID LAW.
P.L. 20-72	WAIVER FOR PICUA SUBDIVISION
P.L. 20-133:6	WAIVER FOR UMATAC SUBDIVISION
P.L. 21-13:4	WAIVER FOR LAND EXCHANGE.
P.L. 21-14:9	WAIVER FOR LAND EXCHANGE.
P.L. 21-32:3	WAIVER FOR LAND SALE.
P.L. 21-108:3	WAIVER FOR POST OFFICE LAND LEASES.
21 GCA §60109	ACT NO APPLICABLE TO PRECEDING TWO SECTIONS.
21 GCA §68713	ACT INAPPLICABLE TO AGRICULTURAL LEASES EXECUTED BEFORE 4/18/79.
21 GCA §68202	INAPPLICABLE TO TALOFORD SUBDIVISION.
12 GCA §5206	ACT INAPPLICABLE TO HOUSING FOR ELDERLY AND HANDICAPPED.
12 GCA §2803	INAPPLICABLE TO HOTEL DEVELOPMENT LAND.

§75101. Definitions. When used in this title: (a) The term *Commission* means the Chamorro Land Trust Commission.

(b) The term *territory* means the territory of Guam.

(c) The term *Chamorro homelands* means all lands given the status of Chamorro homelands under the provisions of §75105 of this Chapter.

(d) The term *Native Chamorro* means any person who became a U.S. citizen by virtue of the authority and enactment of the Organic Act of Guam or descendants of such person.

(e) The term *department* means the Department of Land Management.

SOURCE: GC §13500 repealed and reenacted by P.L. 12-226. Subsection (d) amended by P.L. 15-113:1.

§75102. Commission: Composition, Chairman, Compensation. (a) There is within the government of Guam the Chamorro Land Trust Commission. The Commission shall be composed of five members to be appointed by the Governor with the confirmation of the Legislature. Commission members shall be appointed within sixty (60) days after the enactment of this Chapter. All members shall have been residents of the Territory at least three (3) years prior to their appointment and at least three of the members shall be native Chamorro. Members shall serve terms of three (3) years, provided, however, that of the members first appointed, one shall be appointed for a term of one (1) year and two shall be appointed for terms of two (2) years. The members of the Commission shall be paid at the rate of Fifty Dollars (\$50) for each day's attendance at a meeting of the Commission, provided, however, that such compensation shall not exceed One Hundred dollars (\$100) per month. The Governor shall appoint the Chairman of the Commission from among the members thereof. The Commission shall have its first meeting within twenty (20) days after confirmation of its members.

(b) The Commission may employ such clerical and other assistants who shall be classified employees as may be necessary to effectively execute its responsibilities. In addition, the Commission shall employ and fix the compensation for an Administrative Director who shall serve in a full-time capacity and who shall exercise such powers and authority as may be delegated to him by the Commission. The Director shall be a native Chamorro. Furthermore, the Commission may employ and fix the salary of professional consultants.

SOURCE: GC §13501 repealed and reenacted by P.L. 12-226. Subsection (a) amended by P.L. 13-64; 13-74:1 and 15-148:7.

§75103. Administration. (a) The Commission shall adopt rules, regulations, and policies in accordance with Article 3, Chapter 9 of Title 5 of the Guam Code Annotated, *Government Operations*. The Commission may accept grants, contributions, and appropriations and may make such expenditures, loans and other disbursements as are authorized by this Chapter. These disbursements shall be allowed and paid out in accordance with the direction of the Commission upon presentation to the Administrative Director of itemized vouchers therefor signed by the Commission certifying officer.* The Administrative Director shall give bond in the sum of Five Hundred Thousand Dollars (\$500,000) for the faithful performance of his duties. These funds created by §75112 of this Chapter shall be maintained separate and apart from any other government fund and shall be in the custody of the Commission certifying officer. The Commission shall make an annual finance and progress report to the Legislature upon the first date of each regular session thereof and such special reports as the Legislature may from time to time require.

(b) When land originally leased by the Commission is, in turn, subleased by the Commission's lessee or sublessee, the Commission shall submit, within ten (10) days of the convening of any regular session, a written report to the Legislature which shall cover the sublease transactions occurring in the calendar year prior to the regular session and shall contain the names of the persons involved in the transaction, the size of the area under lease, the purpose of the lease, the land classification of the area under lease, the lease rental, the reason for approval of the sublease by the Commission, and the estimated net economic result accruing to the Commission lessee, and sublessee.

(c) The Commission shall have the power and authority to invest and re-invest any of the money in any of its funds, not otherwise immediately needed for the purposes of the funds in such bonds and securities authorized in 4 GCA Chapter 8. Any

interest or other earnings arising out of such investment shall be credited to and deposited in the Chamorro Home Loan Fund.

NOTE: Reference to Chapter III, Title V of this Code, (Retirement of Public Employees), changed by Compiler to conform with the GCA recodification.

(d) The Commission is authorized to carry on any activities it deems necessary to assist lessees in obtaining maximum utilization of leased lands, including taking any steps necessary to develop these lands for their highest and best use commensurate with the purposes for which the land is being leased as provided for in §75107, and assisting lessees in all phases of farming and ranching operations and the marketing of their agricultural produce and livestock. In these efforts the Commission shall coordinate its efforts with the Department of Agriculture.

(e) The Commission, may designate and plan subdivisions in accordance with the provisions of Chapter 62 of this Title 21 Guam Code Annotated, on available lands, in, adjacent to, or near any village. Subdivision lots shall be leased in accordance with §75107.

SOURCE: GC §13502 as repealed and reenacted by P.L. 12-226.

NOTE: GC §13502 contained the words "...in accordance with Public Law 12-24" at point of asterisk in subsection (a) above. The portion of the law creating the Territorial Auditor's Office has been repealed and the functions of auditor have been shifted to other agencies of the government (P.L. 17-7). The functions of certifying officers are found in Chapter 14 of Title 4 GCA, *Public Officers and Employees*.

§75104. Certain Government Lands Designated Available Lands. (a) All government lands excluding (1) lands held under agricultural lease, land use permit, or right of purchase lease, (2) all lands dedicated to a specific public use by law, and (3) all lands reserved in accordance with §60105 of this Title which reservations are submitted to and concurred in by the Legislature within ninety (90) days of the enactment of this Chapter, are hereby designated as available lands.

(b) Any land acquired by the government by whatever means after the effective date of this Chapter shall acquire the status of available lands unless reserved in accordance with §60105 of this Title within sixty (60) days after its acquisition.

SOURCE: GC §13503 repealed and reenacted by P.L. 12-226. P.L. 12-226 provided that effective date of GC §13503(b) was January 1, 1975.

§75105. Control by Commission of Available Lands; Return to Department. Upon and after the enactment of this Chapter, all available lands shall immediately assume the status of Chamorro homelands and shall be under the control of the Commission to be used and disposed of in accordance with the provisions of this Chapter, except that:

(a) In case any government land is under lease, permit or agreement at the enactment of this Chapter, such land shall not assume the status of Chamorro homelands until the lease, permit or agreement expires or the lands are withdrawn from the operation of the lease, permit or agreement. If the land is covered by a lease, permit or agreement containing a withdrawal clause, the department shall withdraw such lands from the operation of the lease permit or agreement whenever the Commission gives notice to it that the lands are required by it for the purposes of this Chapter.

(b) Any available land as may not be immediately needed for the purposes of this Chapter, may be returned to the department for management. Any Chamorro homelands so returned may be disposed of under a general lease only. Each such lease, whether or not stipulated therein, shall be deemed made subject to the right and duty of the department to terminate the lease and return the lands to the Commission whenever the Commission gives notice that the lands are required by it for the purposes of this Chapter. However, no lease shall be made for a term to exceed twenty-five (25%) years. All income arising out of any lease or license entered into under this subsection shall be credited to and deposited in the Chamorro Home Loan Fund.

(c) The department may sell to any contiguous landowner any fractional lot placed under its management which was created by the adoption of the standard block system.

(d) In the management of any retained available lands not required for leasing under §75107, the Commission may lease or license such lands to the general public. Any lease or license made under this subsection shall comply with the conditions of subsection (b) above.

(e) The Commission may, in order to consolidate its holdings or to better effectuate the purposes of this Chapter, exchange the title to available lands for land of an equal value. All lands so acquired by the Commission shall assume the status of available lands as though the same were originally designated as such under §75104.

(f) The Commission shall not lease or license any available land until it is registered under the provisions of Chapter 29 of this Title (Land Title Registration Law).

SOURCE: GC §13504 repealed and reenacted by P.L. 12-226.

§75106. Other Officers Not to Control Chamorro Homelands; Exception. The powers and duties of the Governor and the department with respect to lands of the territory shall not extend to lands having the status of Chamorro homelands except as specifically provided for in this Chapter.

SOURCE: GC §13505 repealed and reenacted by P.L. 12-226.

§75107. Leases to Chamorro, Licenses. (a) The Commission is authorized to lease to native Chamorros the right to the use and occupancy of a tract or tracts of Chamorro homelands within the following acreage limits per each lessee: (1) not less than one nor more than twenty (20) acres for agricultural use; or (2) not less than one nor more than fifty (50) acres for grazing use, and (3) not more than one acre or any class of land to be used as a residence lot.

(b) The title to lands so leased shall remain in the territory. Applications for tracts shall be made to and granted by the

Commission under such regulations, not in conflict with any provision of this Chapter, as the Commission may prescribe. The Commission shall, whenever tracts are available, enter into such a lease with any applicant who, in the opinion of the Commission, is qualified to perform the conditions of such lease.

(c) The Commission is authorized to grant licenses for terms of not to exceed twenty-one (21) years in each case, to public utility companies, or corporations as telephone lines, electric power and light lines, gas mains, and the like. The Commission is also authorized to grant licenses for lots within a village in which lands are leased under the provisions of this section, to:

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

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

(d) Upon direction by resolution from the Legislature, the Commission shall release to the department any unleased available land designated for a public purpose. Such land will no longer be considered to be Chamorro homelands.

SOURCE: GC §13506 repealed and reenacted by P.L. 12-226.

§75108. Conditions in Leases. Each lease made under the authority granted the Commission by the provisions of §75107 of this Chapter, and the tract in respect to which the lease is made, shall be deemed subject to the following conditions, whether or not stipulated in the lease.

(a) The original lessee shall be a native Chamorro, not less than eighteen (18) years of age. In case two lessees either original or in succession marry, they shall choose the lease to be retained, and the remaining lease shall be transferred or cancelled in accordance with the provisions of succeeding sections.

(b) The lessee shall pay a rental of One Dollar (\$1.00) a year for the tract and the lease shall be for a term of ninety-nine (99) years.

(c) The lessee shall occupy and commence to use or cultivate the tract as his home or farm within one year after the lease is made. The lessee of agricultural lands shall plant and maintain not less than five, ten, fifteen and twenty trees per acre of land leased and lessee of grazing lands shall plant and maintain not less than two, three, four, and five trees per acre of land leased during the first, second, third and fourth years, respectively, after the date of the lease. Such trees shall be of types approved by the Department of Agriculture and at locations specified by the Department of Agriculture's agent. Such planting and maintenance shall be by or under the immediate control and direction of the lessee. Such trees shall be furnished by the Department of Agriculture free of charge.

(d) The lessee shall thereafter, for at least such part of each year as the Commission shall be regulation prescribe, so occupy and use or cultivate the tract of his own behalf.

(e) The lessee shall not in any manner transfer to, or mortgage, pledge, or otherwise hold for the benefit of, any other person or group of persons or organizations of any kind, except a native Chamorro or Chamorros; and then only upon the approval of the Commission, or agree so to transfer, mortgage, pledge, or otherwise hold, his interest in the tract. Such interest shall not, except in pursuance of such a transfer, mortgage, or pledge to or holding for or agreement with a native Chamorro or Chamorros approved of by the Commission or for any indebtedness due the Commission or for taxes, or for any other indebtedness the payment of which has been assured by the Commission, including loans from governmental agencies where such loans have been approved by the Commission, be subject to attachment, levy, or sale upon court process. The lessee shall not sublet his interest in the tract or improvements thereon.

(f) The lessee shall pay all taxes assessed upon the tract and improvements thereon. The Commission may in its discretion pay such taxes and have a lien therefor as provided by §75114 of this Law.

(g) The lessee shall perform such other conditions, not in conflict with any provision of this Chapter, as the Commission may stipulate in the lease, provided, however, that an original lessee shall be exempt from all taxes for the first seven (7) years from date of lease.

(h) The Commission may assure the repayment of loans to lessees from governmental agencies where such loans have been approved by the Commission up to the limits prescribed in §75112 provided that the lessee has no indebtedness due the Commission and the Commission shall not make any loans to the lessee while loans from governmental agencies are outstanding; provided further that upon receipt of notice of default in the payment of such loans, the Commission, may upon failure of the lessee to cure the default within sixty (60) days, cancel the lease and thereupon use its best efforts to redispense of the tract to a qualified and responsible native Chamorro or Chamorros as a new lessee who will assume the obligation of the outstanding debt thereby assured, and make payments to the governmental agency from available funds either for a monthly payments as they become due and payable or for the amount of the debt. In no event shall the aggregate amount assured by the Commission exceed Two Million Dollars (\$2,000,000).

SOURCE: CC §13507 repealed and reenacted by P.L. 12-226.

§75109. Successors to Lessees. (a) Upon the death of the lessee, his interest in the tract or tracts and the improvements thereon, including growing crops (either on the tract or in any collective contract or program to which the lessee is a party by virtue of his interest in the tract or tracts), shall vest in the relatives of the decedent as provided in this paragraph. From the following relatives of the lessee, husband and wife, children, widows or widowers of the brothers and sisters, or nieces and

nephews,--the lessee shall designate the person or persons to whom he directs his interest in the tract or tracts to vest upon his death. Such person or persons must be qualified to be a lessee of Chamorro homelands: provided, that such person or persons need not be eighteen (18) years of age. Such designation must be in writing, must be specified at the time of execution of such lease with a right in such lessee in similar manner to change such beneficiary at anytime and shall be filed with the Commission and approved by the Commission in order to be effective to vest such interests in the successor or successors so named.

In the absence of such a designation as approved by the Commission, the Commission shall select from the relatives of the lessee in order named above as limited by the foregoing paragraph one or more persons who are qualified to be lessees of Chamorro homelands except as hereinabove provided, as the successor or successors of the lessee's interest in the tract or tracts, and upon the death of the lessee, his interest shall vest in the person or persons so selected. The Commission may select such a successor or successors after the death of the lessee, and the rights to the use and occupancy of the tract or tracts may be made effective as of the date of the death of such lessee.

In the case of the death of a lessee leaving no such relative qualified to be a lessee of Chamorro homelands, the land subject to the lease shall resume its status as unleased Chamorro homelands and the Commission is authorized to lease such land to a native Chamorro or Chamorros as provided in this Chapter.

Upon the death of a lessee leaving no such relative qualified to be a lessee of Chamorro homelands, or the cancellation of a lease by the Commission, or the surrender of a lease by the lessee, the Commission shall appraise the value of all such improvements and growing crops and shall pay to the legal representative of the deceased lessee, or to the previous lessee, as the case may be, the value thereof, less any indebtedness to the Commission, or for taxes, or for any other indebted-

ness the payment of which has been assured by the Commission, from the deceased lessee or the previous lessee. Such payment shall be made out of the loan fund and shall be considered an advance therefrom reimbursable out of payments made by the successor or successors to the tract involved. Such appraisal shall be made by three appraisers, one of which shall be named by the Commission, one by the previous lessee or the legal representative of the deceased lessee, as the case may be, and the third shall be selected by the two appraisers hereinbefore mentioned.

(b) After the cancellation of a lease by the Commission in accordance with the provisions of §75110 or §75114 of this Chapter, or the surrender of a lease by a lessee, the Commission is authorized to transfer the lease or to issue a new lease to any qualified Chamorro regardless of whether or not he is related in any way by blood or marriage to the previous lessee.

(c) Should any successor or successors to a tract be a minor or minors, the Commission may appoint a guardian therefor subject to the approval of the Superior Court. Such guardian shall be authorized to represent the successor or successors in all matters pertaining to the leasehold: provided, that said guardian shall, in so representing such successor or successors, comply with the provisions of this Chapter and the stipulations and provisions contained in the lease, except that said guardian need not be a native Chamorro as defined in §75101 of this Chapter.

SOURCE: GC §13508 repealed and reenacted by P.L. 12-226.

§75110. Cancellation of Leases. Whenever the Commission has reason to believe that any condition enumerated in §75108 or any provision of §75109 of this Chapter has been violated, the Commission shall give due notice and afford opportunity for a hearing to the lessee of the tract in respect to which the alleged violation relates or to the successor of the lessee's interest therein, as the case demands. If upon such hearing the Commission finds that the lessee or successor has violated any condition in respect to the leasing of such tract, the Commission

may declare his interest in the tract and all improvements thereon to be forfeited and the lease in respect thereto cancelled and shall thereupon order the tract to be vacated within a reasonable time. The right to the use and occupancy of the Chamorro homelands contained in such tract shall thereupon revert in the Commission and the Commission may take possession of the tract and the improvements thereon.

SOURCE: CC §13509 repealed and reenacted by P.L. 12-226.

§75111. Community Pastures. The Commission shall, when practicable, provide from the Chamorro homelands a community pasture adjacent to each village.

SOURCE: CC §13510 repealed and reenacted by P.L. 12-226.

§75112. Chamorro Home Loan Fund; Chamorro Home Development Fund; Chamorro Educational Fund; Chamorro Commercial Loan Fund; Chamorro Home Repair Loan Fund; and the Chamorro Loan Guarantee Fund. (a) There are hereby established three (3) revolving funds to be known as the Chamorro Home Loan Fund, the Chamorro Commercial Loan Fund and the Chamorro Home Repair Fund and three (3) special funds to be known as the Chamorro Home Development Fund, the Chamorro Educational Assistance Fund, and the Chamorro Loan Guarantee Fund.

(b) Chamorro Home Loan Fund. There is hereby authorized to be appropriated from the Unappropriated Surplus of the General Fund the sum of One Million Dollars (\$1,000,000) as initial capital to said Fund. In furtherance of the purposes herein, the Commission may do any one or more of the following with moneys from this Fund and any borrowed moneys under (6) herein below.

(1) The Commission may extend the benefits of the Fund only to native Chamorros as defined in this Chapter.

(2) The Commission may loan, or guarantee the repayment of or otherwise underwrite any authorized loan, up to a maximum of Twenty-Five Thousand Dollars (\$25,000); provided, that where, upon the death of a lessee

living on Chamorro homelands who leaves no relatives qualified to be a lessee of Chamorro homelands, or the cancellation of a lease by the lessee, the Commission shall be authorized to make payment and to permit assumption of loans in excess of Twenty-Five Thousand Dollars (\$25,000) subject to the provisions of §75113(b).

(3) Where the dwelling is on Chamorro homelands, anything in the Chapter to the contrary notwithstanding, either the Commission or other governmental agencies may make loans, and the loans made in connection with the repair or maintenance or purchase or erection or improvement of dwellings shall be subject to, all applicable provisions of the Chapter, including but not limited to the provisions of §§75107, 75108, 75109, 75110, 75113, 75114 and 75116, and to such legislative amendments of the Chapter herein or thereafter enacted, provided such amendments do not change the qualifications of lessees or constitute a reduction or impairment of the Chamorros Home Loan Fund, or Chamorro Home Development Fund or otherwise required the consent of the United States. Loans made to lessees by governmental agencies shall be approved by the Commission, and the Commission may assure the payment of such loans, provided that the Commission shall reserve the following rights, among others: the right of succession to the lessee's interest and assumption of the contract of loan; right to require that written notice be given to the Commission immediately upon default or delinquency of the lessee; and any other rights necessary to protect the monetary and other interests of the Commission.

(4) Where the dwelling is on non-Chamorro homelands, anything in the Chapter to the contrary notwithstanding, either the Commission or financial institutions may make loans, and in connection with such loans, the Commission shall be governed by, and the loans made in connection with the repair or maintenance or purchase or erection or improvement of dwellings shall be subject to,

such terms and conditions as the Commission may, by rules and regulations promulgate, provided, the Commission shall require any loan made or guaranteed or otherwise underwritten to be secured adequately and suitably by a first or second mortgage or other securities;

(5) The Commission shall establish interest rate or rates at two and one-half per cent (2½%) a year or higher, in connection with authorized loans on Chamorro homelands or non-Chamorro homelands, and where the going rate of interest on loans made by financial institutions to native Chamorros is higher, pay from the Fund or the moneys borrowed, the difference in interest rates;

(6) The Commission may borrow and deposit funds into a special revolving account for the purposes of repairing, maintaining, purchasing, erecting or improving dwellings on Chamorro homelands and non-Chamorro homelands and related purposes from financial institutions, governmental, or private;

The Commission may purchase or otherwise acquire, or agree so to do, before or after default, any notes and mortgages or other securities, covering loans under this program made by financial institutions, and guarantee the repayment of or otherwise underwrite the loans, and accept the assignment of any notes and mortgages or other securities in connection therewith;

(7) The Commission may exercise the functions and reserved rights of a lender of money or mortgagee of residential property in all loans by financial institutions made to Chamorros under this program. The functions and reserved rights shall include but not be limited to, the purchasing, repurchasing, servicing, selling, foreclosing, buying upon foreclosure, guaranteeing the repayment or otherwise underwriting, of any loan, protecting of security interest, and after foreclosure, the repairing, renovating or modernization and sale of the property covered by the loan

and mortgage, to achieve the purposes of this program while protecting the monetary and other interests of the Commission.

(c) Chamorro Home Development Fund. Twenty-five percent (25%) of the amount of moneys covered into the Chamorro Home Loan Fund annually shall be transferred into the Chamorro Home Development Fund. The moneys in said development fund shall be available, with the prior written approval of the Governor for construction of sanitary sewage facilities for the construction of roads through and over Chamorro homelands, and for other non-revenue producing improvements.

(d) Match moneys. The Commission is authorized and empowered to use moneys in the development fund, with the prior written approval of the Governor, to match Federal funds available for the same purposes and to that end is authorized to enter into such undertakings, agree to such conditions, transfer funds therein available for such expenditures and to perform such other acts and things, as may be necessary or required, as a condition to securing match funds for such projects or works.

(e) Chamorro Education Assistance Fund. Ten percent (10%) of the amount of moneys covered into the Chamorro Home Loan Fund annually shall be transferred into the Chamorro Educational Assistance Fund. The Department of Education shall establish and direct educational projects after consultation with the University of Guam and the Commission which shall be directed primarily for the educational improvement of the children of lessees, which shall be funded with this Fund with prior written approval of the Governor.

(f) Chamorro Commercial Loan Fund. The Commission is authorized to create a Fund out of which loans may be made to those holding leases issued under §75107 of this Chapter. The loans shall be for theaters, garages, service stations, markets, stores, and other mercantile establishments and these shall all be owned by lessees or by organizations formed and controlled

buy said lessees. The amount and duration of loans from this Fund at any one time to any lessee, or successor or successors in interest, shall be determined by the Commission on the basis of the proposed operations of lessee(s) and the security available, provided that where, upon the death of a lessee leaving no relative qualified to be a lessee of Chamorro homelands, or the cancellation of a lease by the Commission, or the surrender of a lease by the lessee, the Commission shall make the payment provided for by §75109(a). The amount of any such payment made to the legal representative of the deceased lessee, or to the previous lessee, as the case may be, shall be considered as part or all, of any such loan to the successor or successors, without limitations as to any pre-established maximum amount but subject to provisions of Paragraph (b) of §75113.

(g) Chamorro Home Repair Loan Fund. There is hereby authorized to be appropriated from the Unappropriated Surplus of the General Fund the sum of One Hundred Thousand Dollars (\$100,000) for the Chamorro Home Repair Loan Fund. The moneys in this Fund shall be used to make loans in amounts not in excess of Five Thousand Dollars (\$5,000) to lessees for repairs to their existing homes and for necessary additions to such homes due to increase in family size. Such loans may be made for periods not to exceed five (5) years.

(h) The Chamorro Loan Guarantee Fund. The Commission is authorized to create a Fund out of which loans made by governmental agencies or lending institutions to those holding leases or licenses issued under §75107 of this Chapter may be guaranteed. This guarantee may be for home or commercial loan purposes. The loan guarantees shall be subject to the restrictions imposed by §§75108 and 75113 of this Act.

SOURCE: CC §13511 repealed and reenacted by P.L. 12-226.

§75113. Conditions of Loans. Except as otherwise provided in §75112, each contract of loan under this chapter with the lessee or any successor or successors to his interest shall be held subject to the following conditions whether or not stipulated in the contract loan:

(a) The loans shall be repaid in periodic installments, such installments to be monthly, quarterly, semi-annual, or annual as may be determined by the Commission in each case. The term of any loan shall not exceed thirty (30) years. Payments of any sum in addition to the required installments, or payment of the entire amount of the loan, may be made at any time within the term of the loan. All unpaid balances of principal shall bear interest at the rate of two and one-half per cent (2½%) a year payable periodically or upon demand as the department may determine. The payment of any installment due shall be postponed in whole or in part by the Commission for such reasons as it deems good and sufficient and until such later date as it deems advisable. Such postponed payments shall continue to bear interest at the rate of two and one-half per cent (2½%) a year on the unpaid principal.

(b) In the case of the death of a lessee the Commission shall, in any case, permit the successor or successors to the tract to assume the contract of loan. In case of the cancellation of a lease by the Commission or the surrender of a lease by the lessee, the Commission may, at its option declare all installments upon the loan immediately due and payable, or permit the successor or successors to the tract to assume the contract of loan. The Commission may, in such cases where the successor or successors to the tract assume the contract of loan, waive the payment, wholly or in part, of interest already due and delinquent upon said loan, or postpone the payment of any installment thereon, wholly or in part, until such later date as it deems advisable. Such postponed payment shall, however, continue to bear interest at the rate of two and one-half per cent (2½%) a year on the unpaid principle. Further, the Commission may, if it seems advisable and for the best interest of the lessees, write-off and cancel, wholly or in part, the contract of the deceased lessee, or previous lessee, as the case may be, where such loans are delinquent and deemed uncollectible. Such write-off and cancellation shall be made only after an appraisal of all improvements and growing crops on the tract

involved, such appraisal to be made in the manner and as provided for by §75109(a). In every case, the amount of such appraisal, or any part thereof, shall be considered as part or all, as the case may be, of any loan to such successor or successors.

(c) No part of the moneys loaned shall be devoted to any purpose other than those for which the loan is made.

(d) The borrower or the successor to his interest, shall comply with such other conditions, not in conflict with any provision of this Chapter, as the Commission may stipulate in the contract of loan.

(e) The borrower or the successor to his interest shall comply with the conditions enumerated in §75108 and with the provisions of §75109 of this Chapter in respect to the lease of any tract.

(f) Whenever the Commission shall determine that a borrower is delinquent in the payment of any indebtedness to the Commission, it may require such borrower to execute an assignment to it, not to exceed, however, the amount of the total indebtedness of such borrower, including the indebtedness to others the payment of which has been assured by the Commission of all moneys due or to become due to such borrower by reasons of any agreement or contract, collective or otherwise, to which the borrower is a party. Failure to execute such an assignment when requested by the Commission shall be sufficient ground for cancellation of the borrower's lease or interest therein.

SOURCE: GC §13512 repealed and reenacted by P.L. 12-226.

§75114. Insurance by Borrowers: Acceleration of Loans; Lien and Enforcement Thereof. The Commission may require the borrower to insure, in such amount as the Commission may prescribe, any livestock, machinery, equipment dwellings and permanent improvements purchased or constructed out of any moneys loaned by the Commission; or, in lieu thereof, the Commission may directly take out such insurance and add the cost thereof to the amount of principal payable under the loan.

Whenever the Commission has reason to believe that the borrower has violated any condition enumerated in Paragraphs (b), (d), (e), or (f) of §75113 of this Chapter, the Commission shall give due notice and afford opportunity for a hearing to the borrower or the successor or successors to his interest, as the case demands. If upon such hearing the Commission finds that the borrower has violated the condition, the Commission may declare all principal and interest of the loan immediately due and payable notwithstanding any provisions in the contract of loan to the contrary. The Commission shall have a first lien upon the borrower's or lessee's interest in any lease, growing crops, either on his tract or in any collective contract or program, livestock, machinery and equipment purchased with moneys loaned by the Commission, and in any dwellings, or other permanent improvements paid by the Commission, and of all indebtedness of the borrower, the payment of which has been assured by the Commission, including loans from governmental agencies where such loans have been approved by the Commission. Such lien shall have priority over any other obligation for which the property subject to the lien may be security. The Commission may, at such times as it deems advisable, enforce any such lien by declaring the borrower's interest in the property subject to the lien to be forfeited, any lease held by the borrower cancelled, and shall thereupon order such lease-hold premises vacated and the property subject to the lien surrendered within a reasonable time. The right to the use and occupancy of the Chamorro homelands contained in such lease shall thereupon revert in the Commission which may take possession of the premises covered therein and the improvements and growing crops thereon: provided that the Commission shall pay to the borrower any difference which may be due him after the appraisal provided for in Paragraph (a) of §75109 of this Title has been made.

SOURCE: GC §13513 repealed and reenacted by P.L. 12-226.

§75115. Ejectment, When: Loan To New Lessee For Improvements. In case the lessee or borrower or the successor

to his interest in the tract, as the case may be, fails to comply with any order issued by the Commission under the provisions of §75110 or §75114 of this Chapter, the Commission may bring action of ejectment or other appropriate proceedings for the enforcement of said order. Any tract forfeited under the provisions of §75110 or §75114 of this Chapter may be again leased by the Commission as authorized by the provisions of the §75107 of this Chapter, except that the value, in the opinion of the Commission, of all improvement made in respect to such tract by the original lessee or any successor to his interest therein shall constitute a loan by the Commission to the new lessee. Such loan shall be subject to the provisions of this section §§75113 and 75114 to the same extent as loans made by the Commission from the Chamorro Home Loan Fund.

SOURCE: GC §13514 repealed and reenacted by P.L. 12-226.

§75116. Agency Review of Statutory Authority. All agencies, departments, boards, commissions, and other instrumentalities of the territorial government shall review their present statutory authority, administrative regulations and current planning policies and procedures for the purpose of determining whether there are any deficiencies or inconsistencies therein which prohibit full cooperation with the purposes and provisions of this Chapter and shall propose to the Commission not later than ninety (90) days after the enactment of this Chapter measures as may be necessary to bring their planning authority and policies into conformity with the intent, purposes, and procedures set forth in this chapter.

SOURCE: GC §13515 repealed and reenacted by P.L. 12-226.

§75117. Severability. If any provision of this Chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Chapter which can be given effect without the invalid provision or application, and to this end the provisions of this Chapter are severable.

SOURCE: GC §13516 repealed and reenacted by P.L. 12-226.

--- Pages 511-512 do not exist. ---

OFFICE OF THE GOVERNOR
TERRITORY OF GUAM

MAY 30 1995

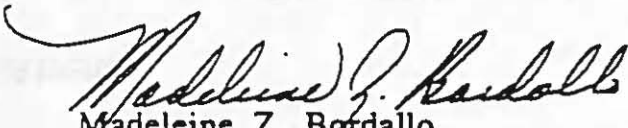
OFFICE OF THE GOVERNOR	
Date:	5.31.95
Time:	4:19 P
Received By:	Alicia Pagan
Print Name:	Alicia Pagan

The Honorable Don Parkinson -
Speaker
Twenty-Third Guam Legislature
424 West O'Brien Drive
Julale Center - Suite 222
Agana, Guam 96910

Dear Speaker Parkinson:

Enclosed please find a copy of Substitute Bill No. 128 (LS), "AN ACT TO CREATE THE GUAM LAND REPATRIATION COMMISSION BY ADDING A NEW CHAPTER 20 TO TITLE 1, GUAM CODE ANNOTATED", which I have signed into law today as **Public Law No. 23-23**.

Very truly yours,


Madeleine Z. Bordallo
Acting Governor of Guam

Attachment

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 128 (LS), "AN ACT TO CREATE THE GUAM LAND REPATRIATION COMMISSION BY ADDING A NEW CHAPTER 20 TO TITLE 1, GUAM CODE ANNOTATED," was on the 13th... day of May, 1995, duly and regularly passed.



TED S. NELSON
Acting Speaker

Attested:



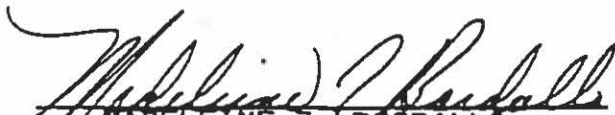
JUDITH WON PAT-BORJA
Senator and Legislative Secretary

This Act was received by the Governor this 19th day of May, 1995, at 9:25 o'clock 9 .M.



Assistant Staff Officer
Governor's Office

APPROVED:



MADELEINE Z. BORDALLO
Acting Governor of Guam

Date: May 30, 1995

Public Law No. 23-23

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

Bill No. 128 (LS)

As substituted by the Committee
on Federal & Foreign Affairs and
as further substituted on the floor.

Introduced by:

M. Forbes
A.C. Blaz
H.A. Cristobal
A.C. Lamorena V
E. Barrett-Anderson
J.M.S. Brown
F.P. Camacho
C.A. Leon Guerrero
T. C. Ada
J. P. Aguon
M. C. Charfauros
L. A. Leon Guerrero
T. S. Nelson
S. L. Orsini
V. C. Pangelinan
D. Parkinson
J. T. San Agustin
A. L. G. Santos
F. E. Santos
A. R. Unpingco
J. Won Pat-Borja

AN ACT TO CREATE THE GUAM LAND REPATRIATION
COMMISSION BY ADDING A NEW CHAPTER 20 TO TITLE 1,
GUAM CODE ANNOTATED.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF
2 GUAM:

1 Section 1. Legislative intent. When the return of Naval Air Station
2 Agaña, was first proposed six years ago, the proposal was met in some
3 circles with disbelief and scorn as an impossible dream. In April of 1995,
4 that impossible dream became a reality. The initial reaction of many
5 military and federal officials was that NAS was too vital to military
6 interests to be returned, and failing to demonstrate that effectively, that
7 return could not be possible unless the people of Guam were willing to pay
8 more than \$300 million for the return. Both positions have subsequently
9 been shown to be fallacious.

10 If there is any lesson to be learned from the NAS story, it is that the
11 people of Guam should never accept supposedly rational explanations
12 intended to illustrate the so-called "unreasonableness" of our legitimate
13 aspirations to see our own resources returned to us. The NAS story
14 demonstrates clearly that we should stand by our legitimate demands, and
15 that success only comes from taking a strong position and standing by it,
16 regardless of initial reception of our position.

17 To that end, the Legislature finds that many areas are no longer
18 required by the Federal Government for any legitimate use. Many of these
19 areas have been vacant for decades and put to no discernible use at all.
20 Other areas have seen their use cut down drastically in recent years, or are
21 about to suffer severe cutbacks in use as a result of military downsizing. As
22 much as we do not approve of the drastic cutbacks in military presence that
23 the Department of Defense itself proposes, we recognize that the worst of
24 all alternatives is for such presence to diminish, while the military
25 continues to keep unneeded land from the people of Guam. The Legislature
26 believes that such lands can be better put to use by Guam, especially to

1 help offset losses that may be suffered as a result of the military's desire to
2 cut back on force levels in Guam.

3 **Section 2.** A new Chapter 20 is added to Title 1, Guam Code
4 **Annotated**, to read as follows:

5
6 ----- **"CHAPTER 20"** -----

7 **Guam Land Repatriation Commission**
8

9 **§ 2000. Legislative Statement.** The Legislature finds that the reliance
10 upon the largesse and consideration of federal authorities for the return of
11 lands taken by the federal government in the period after World War II has
12 been a frustrating process which has produced poor results. Now is the
13 time to take a consistently proactive and aggressive stance in the
14 repatriation of these lands. The Legislature notes that the exercise of
15 patience in the matter of the return of three thousand two hundred (3,200)
16 acres of releasable federal property has resulted in a wait of more than
17 eighteen (18) years, with only a hope of resolution in the near future.

18 **§ 2001. Creation of Commission.** There is established the Guam
19 Land Repatriation Commission, hereinafter referred to as the
20 "Commission". The Commission shall be comprised of twelve (12)
21 members, including the Governor of Guam (or designee), the Speaker of
22 the Guam Legislature (or designee), the Guam Delegate to Congress, the
23 Chairperson of the Legislative Committee on Federal and Foreign Affairs,
24 the Executive Director of the Commission on Self Determination, the
25 Executive Director of the Chamorro Land Trust Commission, the Director
26 of the Bureau of Planning, an individual appointed by the Governor of

1 Guam who shall ~~also~~ be an officer of a duly recognized organization on
2 Guam comprised of original landowners of federally-held properties and
3 their descendants, ~~and~~ the Speaker of the Guam Youth Congress (or
4 designee). Of the ~~balance~~ of members the Governor shall appoint one (1)
5 member of the ~~Commission~~ who shall be an original landowner or heir to
6 an original landowners whose land(s) were subject to the United States
7 Condemnation Acts, ~~the~~ Speaker of the Guam Legislature shall appoint one
8 member to the ~~Commission~~; and the Minority Leader of the Guam
9 Legislature shall ~~app~~oint one (1) member of the Commission. The
10 Chairperson of ~~the~~ Commission shall be the Governor, should the
11 Governor choose ~~to~~ serve on the Commission. In the event that the
12 Governor designates another person to serve as member in the Governor's
13 stead, the Chairperson of the Commission shall be elected by the
14 membership from ~~among~~ the members of the Commission.

15 § 2002. ~~Function~~. The goal of the Commission is to work for the
16 return of federal ~~properties~~ in Guam that are deemed excess by the
17 Commission. ~~The~~ Commission is empowered to pursue whatever
18 strategies it determines will be conducive to the accomplishment of the
19 goals set forth herein, including but not limited to, direct negotiations with
20 federal officials, ~~negotiations~~ with the Defense Base Realignment and
21 Closure Commission, or actions by the houses of the United States
22 Congress. Nothing ~~in~~ this section shall be construed as prohibiting the
23 Commission from working towards the return of any federally-held
24 property in Guam, provided that the Commission immediately works
25 towards the return of lands specified in this section.

1 § 2003. Prohibition against Commission possessing or disposing of
2 returned land. The Commission shall not possess property returned as a
3 result of its actions, nor shall it have any authority to dispose of federally-
4 held property returned as a result of its actions or otherwise. Lands
5 returned by the Federal Government shall be accepted by the government
6 of Guam in a manner consistent with the appropriate Guam laws
7 prevailing at the time of the return.

8 § 2004. Policy with respect to original landowners. It is the policy
9 of the government of Guam that land returned by the federal government
10 to Guam be returned to the estates that held such property prior to the
11 condemnations of said lands by the Federal Government. Exceptions to
12 this policy shall be:

13 (a) Lands clearly under existing public use. In such circumstances,
14 the government of Guam shall make good faith efforts to derive a means of
15 compensation for continued public use of such lands.

16 (b) Lands that were Spanish Crown Lands, or otherwise passed
17 directly into the possession of the government of the United States with the
18 Treaty of Paris at the end of the Spanish-American War.

19 (c) Lands condemned by the government of the United States, or
20 otherwise acquired, prior to July 21, 1944.

21 (d) Land for which said original landholder against whom
22 condemnation was exercised was not an individual or family, but rather an
23 organization, be it fraternal or either a profit-making or non-profit
24 corporation, or otherwise.

25 §2005. Prohibition against hiring. Under no circumstances shall the
26 Commission hire or contract employees for any purpose. Any staff work

1 required for the activities of the Commission shall be performed by existing
2 staff in either the Legislative or Executive branches of the government or
3 Guam as detailed for that purpose by the respective proper authority.

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TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 317 (LS), "AN ACT TO ESTABLISH RULES AND REGULATIONS OF THE CHAMORRO LAND TRUST COMMISSION PURSUANT TO §§75103 AND 75107 OF CHAPTER 75, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO LEASES FOR RESIDENTIAL AND AGRICULTURAL USES," was on the 14th day of September, 1995, duly and regularly passed.



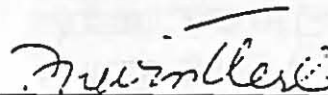
DON PARKINSON
Speaker

Attested:



JUDITH WON PAT-BORJA
Senator and Legislative Secretary

This Act was received by the Governor this 14th day of September,
1995, at 4:25 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: 9-14-95

Public Law No. 23-38

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

Bill No. 317 (LS)

As substituted by the
Committee on Community,
Housing and Cultural Affairs

Introduced by:

Committee on Rules, at the
request of the Governor
in accordance with the
Organic Act of Guam

J. P. Aguon

T. S. Nelson

J. T. San Agustin

T. C. Ada

E. Barrett-Anderson

A. C. Blaz

J. S. Brown

F. P. Camacho

M. C. Charfauros

H. A. Cristobal

M. Forbes

A. C. Lamorena

C. Leon Guerrero

L. Leon Guerrero

S. L. Orsini

V. C. Pangelinan

D. Parkinson

A. L. G. Santos

F. E. Santos

A. R. Unpingco

J. Won Pat-Borja

AN ACT TO ESTABLISH RULES AND REGULATIONS
OF THE CHAMORRO LAND TRUST COMMISSION
PURSUANT TO §§75103 AND 75107 OF CHAPTER 75,
TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO

LEASES FOR RESIDENTIAL AND AGRICULTURAL
USES.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

Section 1. (a) Legislative authority to establish rules and regulations. §§75103 and 75107 of Chapter 75, Title 21, Guam Code Annotated authorize the Chamorro Land Trust Commission to make rules and regulations pursuant to the Administrative Adjudication Law.

(b) Rules and regulations in bill form. Pursuant to Public Law 22-96, for the convenience of the Legislature, rules and regulations are submitted to the Legislature in bill form. Unless changed by statute, the rules and regulations submitted in bill form shall be approved pursuant to the Administrative Adjudication Law and be effective as rules and regulations subject to further change according to the provisions of the Administrative Adjudication Law.

Section 2. Chamorro Land Trust Commission rules and regulations as to tract leases. Notwithstanding any other provision of law, rule, regulation, and Executive Order, the rules and regulations for tracts to be leased by the Chamorro Land Commission, as revised by the Legislature and attached hereto as Exhibit "A", are hereby approved by the Twenty-Third Guam Legislature.

Section 3. The Rules and Regulations adopted by this Act shall not affect the provisions of the Chamorro Land Trust Act, Chapter 75 of Title 21, Guam Code Annotated. Any provision or application of these Rules and Regulations which conflicts with the Chamorro Land Trust Act or is held invalid shall be null and void. The invalidity of a provision or application shall not affect other provisions or applications of the Rules and Regulations.

1 which can be given effect without the invalid provision or application, and to
2 this end the provisions of the Rules and Regulations are severable.

3 **Section 4.** The Rules and Regulations adopted by this Act shall be
4 known as "The Senator Paul Bordallo Rules and Regulations for the
5 Chamorro Land Trust Commission".

6

Chamorro Land Trust Commission
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1. Authority and Purpose.

1.1 Authority.

Pursuant to the mandate of Public Law 12-226, now codified as Chapter 75 of Title 21, Guam Code Annotated, these rules and regulations are promulgated as authorized by §75103 of Title 21, Guam Code Annotated, to govern the implementation and administration of Chamorro homeland programs.

1.2 Purpose.

These rules and regulations set forth the necessary procedures with respect to lease applications; to set out in detail the standards of eligibility; to provide for methods of inspection and review, as well as a system of notice and hearing prior to lease revocation; and, generally, to provide for certain requirements necessary to meet the goals and objectives of the Chamorro homeland programs.

2. The Commission

2.1 Mission of Trustees.

The commission members, as trustees, shall: act exclusively in the interest of beneficiaries under the Act; hold and protect the trust property for beneficiaries under the Act; maintain and uphold their fiduciary responsibilities to the beneficiaries, and exercise such care and skill as a person of ordinary prudence would exercise in dealing with one's own

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property in the management of Chamorro homelands; and, adhere to the terms of the trust as set forth in the Act.

2.2 Offices.

The commission offices are located at Buildings 903, 905, and 907, Tiyan Barrigada, Guam or whatever successor office it might relocate to in the future.

2.3 Mailing address.

P.O. Box 2950, Agana, Guam 96910

2.4 Contact numbers.

Telephone: (671) 475-4251-8

Fax: (671) 477-8082

2.5 Hours.

The offices of the commission shall be open from 8:00 a.m. to 5:00 p.m., Monday through Friday, and provide for flexible hours as determined by the Commission for the convenience of the public.

2.6 Personnel.

All personnel on the commission's staff are under the direction of and are responsible to the director. The director, subject to law and civil service rules, shall select and discharge personnel for the commission's staff. The commission shall be informed of all changes in staff personnel.

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2.7 Absence, disability of director.

Whenever the director is absent or disabled from performing the duties of his office, the deputy shall assume the duties of the director.

3. The Management

3.1 Director to sign for commission.

All orders and other action of the commission shall be authenticated or signed by the director. The director shall approve and sign all vouchers and assignment of funds to be received under tract leases. After approval of the commission, the director shall sign all licenses, leases, loan contracts, personnel actions, procurement and purchase forms, contracts with other governmental agencies and commission resolutions. The Chairperson of the Commission shall countersign on behalf of the Commission where approval of the Commission is required.

3.2 Director responsible for administration.

The director shall have full charge of and responsibility for the administration and execution of all actions approved by the commission and in effectuating commission policy.

4. Definitions

As used in these rules and regulations:

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- (a) *Administrative Adjudication Law* means Chapter 9 of Title 5, Guam Code Annotated.
- (b) *Agricultural Tract* means Chamorro homeland with an area of not less than one (1) nor more than twenty (20) acres.
- (c) *Agricultural use* means the use of Chamorro homeland and improvements for farming purposes.
- (d) *Chamorro homelands* means all lands given the status of Chamorro homelands under the provisions of §75105 of Title 21, Guam Code Annotated.
- (e) *Chamorro Land Trust Act or the act* means the policy for management and disposition of Chamorro homelands and related programs found in Chapter 75 of Title 21, Guam Code Annotated or any part thereof.
- (f) *Commission* means the Chamorro Land Trust Commission established by §75102 of Title 21, Guam Code Annotated.
- (g) *Director* means the Administrative Director of the Chamorro Land Trust Commission established by §75102 of Title 21, Guam Code Annotated.
- (h) *Native Chamorro* means any person who became a U.S. citizen by virtue of the authority and enactment of the Organic Act of Guam or descendants of such person.
- (i) *Residential Tract* means Chamorro homeland with an area of not less than ten thousand (10,000) square feet nor more than one (1) acre, or such other area which may be specified by zoning, subdivision, or environmental policies.
- (j) *Residential use* means the use of Chamorro homeland and improvements for the purposes of the primary domicile of the applicant.

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5. Application for Leases

5.1 **Forms.** Beginning on November 1, 1995, subject to approval of the Rules and Regulations, applications for residential or agricultural leases shall be made on forms, consistent with the Act and these rules and regulations, provided by the commission and shall be made under oath. Falsification of a material fact for the purposes of making the applicant qualified on an application form shall be grounds for removal of the applicant's name from the waiting list, or cancellation of any lease awarded the applicant, and may subject the applicant to liability for perjury. The Chamorro Land Trust Commission shall publish, at least three (3) times in a daily newspaper of general circulation, notice of the November 1, 1995, initial date for receiving applications.

5.2 **Qualification of applicants.**

(a) Applicants for residential or agricultural tract leases shall provide the commission with documented proof that the applicant is:

- (1) at least eighteen (18) years of age; and
- (2) a native Chamorro.

(b) The commission shall accept all completed applications for residential or agricultural tracts from native Chamorros who are at least eighteen (18) years old.

(c) In addition to the qualifications required in subsection (a), a person applying for an agricultural lease may be required to comply with section 6.7 before a lease award can be made.

EXHIBIT "A"

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5.3 Application processing.

(a) Applications shall be dated and signed by the applicant and by an authorized commission representative. The commission shall acknowledge in writing receipt of all properly completed applications. An incomplete application shall be returned to the applicant with instructions necessary to properly complete the application. Completed applications shall be time stamped, and if accepted, assigned a numerical designation, and filed in the order of receipt. Additions, corrections or deletions may be made only with the approval of the applicant and the director. A copy of the application shall be made available to the applicant. Except as otherwise provided in this chapter, a numerical designation shall not be reassigned to any other person. The applicant shall pay a one-time processing fee of \$50.00 to the commission within 30 days from application submittal.

(b) Within thirty days after the submission and filing of the completed application and all such other documents as the commission shall require of the applicants, and any investigation the commission shall require of the applicants, and any investigation the commission may conduct, the director shall make a determination as to whether the applicant qualifies as an applicant. Such determination shall be based upon the application form, birth, marriage, and death certificates, and any investigation the commission may conduct consistent with the Act and these rules and regulations. An applicant who disagrees with any action taken by the commission shall have thirty days from receipt of written notice of such action within which to petition the commission for appearance before the next regular meeting of the commission concerning the action taken on the application, at which time

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the Commission shall hear and review the application and it shall make an independent decision on the matter.

5.4 Residential tract applications.

(a) Applications for residential tract leases shall be made for one lot only. One island-wide residential tract waiting list shall be maintained.

5.5 Agricultural tract applications.

For application purposes, the commission shall establish and maintain an island-wide waiting list for designated agricultural tracts.

5.6 Village and island-wide waiting lists.

(a) Applicants will be placed on the respective island-wide residential and/or agricultural tract waiting list in the order specified in section 5.3(a).

(b) In the event a new residential subdivision is opened, applicants on the island-wide waiting list shall be considered for award in accordance with rule 6.2.

(c) An applicant who is awarded a lot shall be able to decline lots in two different villages. After declining a third award, an applicant's name shall be removed from the waiting list.

(d) On or before the 15th day of every month, a copy of the priority listing for the previous month as of the last day of the month shall be recorded at the Department of Land Management.

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5.7 Contract for award; priority.

Applicants shall be considered for award in the order in which their completed applications were received by the commission; provided that awards shall first be made according to ranking in existing priority waiting lists in that order until those waiting lists are exhausted.

5.8 Transfer of application rights.

(a) An applicant may designate a relative qualified under the Act to include husband and wife, children, widows or widowers of the brothers and sister, or nieces and nephews to succeed to the applicant's application rights upon the death of the applicant. Upon the death of an applicant who dies without designating a successor, the application rights may be succeeded by the qualified relative as provided in (1) and (2) in this section upon application therefor. In the absence of such a designation, the commission may

(1) Designate, in its absolute discretion, a successor from among the applicants for succession to the application rights of the deceased applicant in the order named in this paragraph (a); or

(2) Allow an unqualified spouse to designate a qualified child to succeed to the deceased applicant's application rights.

Requests for succession to application rights shall be made to the commission in writing not later than 180 days after the death of the applicant; otherwise, the application will be cancelled and the applicant's name removed from the waiting list.

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5.9 Posting lessee awards.

The commission shall post, in every municipal mayor's office and once in a publication of general circulation, the names, file numbers, and dates of application of all who receive lease awards within two weeks after awards are made. They shall remain posted for a period of sixty (60) days.

5.10 Applicant current information.

(a) An applicant for awards must notify the commission, in writing, of any change in address or other information contained in the application within fifteen calendar days of such change. Whenever the commission initiates action for awards, all applicants whose application information is not current will be given ninety (90) days written notice to update the information. Written notice shall either be served personally upon the applicant or be sent to the applicant by registered mail addressed to his mailing address, as indicated on the applications. If notice is not personally served, it shall also be published once in a daily newspaper of general circulation in the territory of Guam within three days of the date the notice is mailed out. If the applicant does not furnish the information necessary to facilitate the award within 90 days of notice, the commission shall remove the applicant from the award list and the applicant must re-apply as a new applicant.

(b) The applicant may appeal the commission's decision to remove his name from any award list as provided by the Administrative Adjudication Law.

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6. Leases to Native Chamorros

6.1 Residential tract leases; awards.

(a) Whenever residential tracts are available, the commission shall award residential tract leases to applicants who, in the opinion of the commission, are qualified to perform the conditions of such leases. The commission's opinion as to the applicant's qualification shall be based on criteria specified in the Act.

(b) The lessee shall occupy and commence to use the tract as his home within one year after the lease is made.

(c) Lot size for a residential tract lease to be awarded shall be not less than 10,000 square feet with public sewer connection available nor less than one-half (1/2) acre with no public sewer connection available, but in neither case shall be more than one (1) acre; or lot size for a residential tract lease shall be specified by zoning, subdivision, environmental, or administrative policies, but in no circumstance may the area exceed one (1) acre.

6.2 Awards; when, order.

(a) Whenever homeland lots are available, the commission shall award leases to applicants who meet the qualification requirements specified herein and contained in the Act.

(b) The commission shall award lots on a first-come first-served basis at the discretion of the applicant.

(c) In addition to (a) and (b) above, the commission shall prioritize awards for residential tracts to applicants in the following descending order:

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- (1) Those who do not own land anywhere;
- (2) Those who own one (1) acre or less anywhere;
- (3) Those who own more than one (1) acre anywhere.

6.3 Award of lease; lessee's performance.

(a) The commission shall, whenever tracts are available, enter into such a lease with any applicant who, in the opinion of the commission, is qualified to perform the conditions of such lease.

(b) In determining whether an applicant is qualified to occupy, commence construction, or use a residence, any of the following shall be sufficient proof for the commission to find compliance:

- (1) Approved loan or financing for the construction of a residence, or a conditional letter of intent or the equivalent;
- (2) Contract between the applicant and a construction company for the construction of a residential dwelling;
- (3) Equivalent evidence of the applicant's intent and ability to construct a residential dwelling; or
- (4) Equivalent evidence of the applicant's intent and ability to fulfill pre-existing requirements entered into between other parties with respect to the residential dwelling the applicant wishes to occupy.

6.4 Awards to occupants of homelands; when.

(a) Notwithstanding the provisions of section 5, subsections 5.4 through 5.10, the commission shall not serve eviction notices to individuals who presently reside and have continuously resided on Chamorro homelands prior to July 12, 1995, and who qualify under the Act.

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(b) Persons presently holding land use permits and who qualify under section 5.2 will hereby maintain their home or farms, adhering to all other requirements of the Act and these rules and regulations.

6.5 Agricultural tract leases.

(a) Whenever agricultural tracts are available, the commission shall award agricultural tract leases to applicants who, in the opinion of the commission, are qualified to perform the conditions of such leases. The commission's opinion as to the applicant's qualification shall be based on criteria specified in the Act.

(b) The lessee shall occupy and commence to use the tract to cultivate as his farm, within one year after the lease is made.

(c) The lessee shall plant and maintain not less than five, ten, fifteen, and twenty trees per acre of land leased during the first, second, third, and fourth years, respectively, after the date of the lease. Such trees shall be of types approved, and provided free of charge, by the Department of Agriculture and at locations specified by the Department of Agriculture's agent. Such planting and maintenance shall be by or under the immediate control and direction of the lessee.

6.6 Residence permitted on agricultural lot.

(a) Residences shall be permitted upon agricultural tracts. Only one residence will be permitted per lessee on Chamorro homelands, subject to the following conditions:

(1) The lessee has actively cultivated or developed at least two-thirds of the agricultural tract at all times;

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(2) Approval by the commission; and

(3) Conformance to all territorial zoning and building requirements.

(b) A lessee possessing a residential tract lease may construct a residence on the lessee's agricultural tract; provided that, the lessee complies with all other conditions imposed by this section, section 7.3, and:

(1) Lessee makes prior arrangements to surrender or transfer the residential tract lease upon the completion of construction of the residence on the lessee's agricultural tract. Should it be feasible, the lessee may relocate the present house;

(2) Lessee must be financially able to assume the cost of relocation or construction of the new residence plus any related expenses necessary to maintain the agricultural tract. The commission may assist the lessee under chapter 8; and

(3) In the event the lessee surrenders the residential tract lease, the net proceeds thereof shall be first credited to any loan granted by the commission for the construction of a home on the agricultural tract.

(c) The commission shall not be liable for expenses incurred by the lessee for amenities brought to the tract. The commission shall not provide nor be required to provide such amenities, except as it may determine in the planned development of its lands.

(d) Upon cancellation, surrender, or transfer of the agricultural tract, the lessee shall relinquish the entire leasehold interest including the residence.

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6.7 Livestock and crops.

(a) Lessees may raise animals intended for consumption on their agricultural leasehold to supply immediate family needs.

(b) Lessees may raise animals on a commercial basis on their agricultural leasehold only after the following conditions are met:

(1) Submission of a plan for commercial production of animals which shall include, but not be limited to, projections for production, methods of production, sanitation control measures, and proximity to surrounding residences;

(2) Approval by the commission;

(3) Conformance to all territorial zoning and health laws and rules; and

(4) The operation is restricted to confined feeding and not for open grazing.

(c) Agricultural tract lessees may raise crops for fodder to be used only for animals on the lot. A portion of the lot may be utilized to raise vegetables or fruit crops for consumption by the lessee's immediate family.

6.8 Lease cancellation.

(a) The commission may cancel a lease to a native Chamorro, as specified by §75110 of the Act and the Administrative Adjudication Law, for the following reasons:

(1) Violation by the lessee of a condition enumerated in the Chamorro Land Trust Act;

(2) Violation of a condition enumerated in the lease agreement;

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(3) Violation of a condition enumerated in these rules and regulations;
or

(4) Intentional falsification of material information by the lessee on application for financial assistance submitted to the commission.

(b) No lease shall be cancelled without first affording the lessee the right to a hearing as prescribed in the Administrative Adjudication Law.

6.9 Commercial leases [Reserved]

No commercial leases shall be entered into by the Chamorro Land Trust Commission until Rules and Regulations covering the same have been adopted pursuant to the Administrative Adjudication Law.

7. Conditions in Leases.

7.1 Additional conditions generally.

In addition to the conditions in leases set forth in the Chamorro Land Trust Act, and in the lease document, all lessees shall be subject to the restrictions set forth in this section.

7.2 Industrial or commercial activities.

(a) No industrial or commercial activities shall be allowed on Chamorro homeland leaseholds, except those which are authorized for license by the Act.

(b) No leasehold or portion thereof shall be used for commercial activities of such a nature as to constitute a nuisance. Commercial activities shall not include selling of agricultural products raised upon the premises.

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7.3 Building requirements.

(a) No building structure or improvement may be constructed on the premises without written approval from the commission. Such an approval shall be considered only after submission of a plan as to design, materials, and probable value and use of the structure to be built on the leasehold. Such building structures or improvements must meet building and zoning codes and other ordinances and regulations of the territory.

(b) The commission shall provide assistance to the lessee in understanding the building code requirements which would render the proposed building or other improvement suitable for approval.

7.4 Contracts covering leased lands.

No lessee may, without written approval from the commission, enter into any contract, joint venture, agreement or other arrangement of any sort with a third person on lands covered by lessee's lease for the cultivation of crops or the raising of livestock.

7.5 Transfer of leases.

Requests for transfers will be considered for approval only if the lessee has held such lease for a period of at least seven years, unless the commission, in its considered opinion, finds that an emergency exists which makes transfer imperative. A lessee may transfer the leasehold to any individual who qualifies under the Act, and is at least eighteen (18) years old. The transferee must immediately occupy the residential tract or use or cultivate the agricultural tract. Failure to occupy or use such tract within sixty (60) days

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from date of transfer shall constitute grounds for cancellation of such lease. A transferee may own an interest in non-Chamorro homelands real property, regardless of degree of ownership.

7.6 Occupancy and other requirements.

(a) The time period by which a lessee is required to occupy a residential lot or to commence to use or to cultivate an agricultural lot shall be stipulated in the lease.

(b) Except as otherwise provided in the lease, the commission may require a lessee of an agricultural lot to have under development, cultivation, or use at least two-thirds of the usable acreage at all times.

(c) Lessees shall be responsible for maintaining their premises secure from fire, theft, and vandalism and shall comply with the requirements of their lease at all times.

(d) A lessee who does not have a house on the lot shall provide the commission with a current mailing address and such other information as the commission may require.

7.7 Sublease prohibited.

The lessee shall not sublet his interest in the tract or improvements thereon. Violation of this provision shall constitute grounds for cancellation of such lease.

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8. Loans and Funds

8.1 Loans and Funds. [Reserved]

Since a source of funding for loans has not been identified, no loans shall be made by the Chamorro Land Trust Commission until Rules and Regulations covering the same have been adopted pursuant to the Administrative Adjudication Law.

9. Successors to Lessees

9.1 Designation of successors.

(a) A lessee shall, upon execution of the lease, designate the person in whom lessee directs the interest in the tract to vest upon death. Such person must be qualified to succeed to Chamorro homelands as provided by the Act and these rules. A lessee may elect to provide for the surrender of the lot upon death and may select a recipient for the proceeds from the surrender. A lessee's designation under this section may be changed at any time by the lessee.

(b) Such designation shall be made as specified in the Act with the right in the lessee to change the beneficiary at any time, if filed with and approved by the commission.

9.2 Reversion to the commission.

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Where a lessee dies having failed to designate a successor, the commission may select a successor as provided in the Act. Otherwise, the lease shall be cancelled. The land subject to the lease shall resume its status as unleased Chamorro homelands, and the commission shall be authorized to lease said land to a native Chamorro as provided in the Act.

9.3 Notice to successors.

Upon the death of a lessee having no designated successor, the commission shall publish such fact by publishing a notice at least once in each of four successive weeks in a newspaper of general circulation. The notice shall state briefly that all persons claiming to be relatives of the lessees qualified to succeed to the lease shall present themselves at the commission with proof of their qualification, within four months from the first day of publication of the notice or be forever barred from succeeding to the lease. Those persons failing to present themselves within four months from the first day of publication of the notice shall be forever barred from succeeding to the lease in question.

9.4 Appraisals.

(a) Upon the death of a lessee leaving no individual qualified to be a successor lessee, if the commission is unable to designate a successor, or upon the cancellation or the surrender of a lease, the commission shall appraise the value of all improvements of the tract or tracts.

(b) An appraisal made pursuant to this section shall be made by three appraisers, subject to the exception of lessee waiver described herein, one of whom shall be named by the commission, one by the previous lessee or the

Chamorro Land Trust Commission
Kumision Inangokkon Tāno' Chamorro

legal representative of the deceased lessee, as the case may be, and the third shall be selected by the two appraisers herein before mentioned. The previous lessee or the designated representative of the deceased lessee shall bear the cost of its named appraiser. The cost of the third appraiser shall be shared equally between the commission and the previous lessee or legal representative of the deceased lessee. The previous lessee or legal representative of the deceased lessee may waive the three-man appraisal in favor of the sole appraisal made by the commission, or a compromise sole appraisal made by the commission, or a compromise valuation made between the commission and lessee.

9.5 Payments.

(a) The commission shall pay to the legal representative, administrator or executor of the deceased lessee or to the previous lessee, as the case may be, the appraisal value less:

- (1) Any indebtedness to the commission;
- (2) Taxes;
- (3) Any other indebtedness, the payment of which has been assured by the commission;
- (4) Any costs incurred by the commission for upkeep and cleaning of the leased premises; and
- (5) For any crops or improvements the commission demands removed;

(b) Payments provided in subsection (a) shall be made out of the Chamorro home loan fund and shall be considered an advance therefrom,

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Kumision Inangokkon Tāno' Chamorro

reimbursable out of payments by the transferee or new lessee to the tract involved.

(c) The commission may make the payment only after a new lessee is found and upon commencement of the new lease.

(d) Payments shall be made in equal annual increments over a period of five years, and shall bear interest at the rate of two and one-half percent (2 1/2%) on the unpaid balance; provided, that where the commission has sufficient funds available and such payment does not unreasonably impair the Chamorro home loan fund, the commission may pay the entire amount or fraction thereof as it deems proper, but in no case less than twenty percent (20%) per year for five years.

9.6 Cancellation and surrender.

(a) Upon receipt of written notification of a lessee's intent to surrender, the commission shall process the same. The commission may forego acceptance of a surrender until a new lessee is found and it is determined by the commission that sufficient funds are available in the Chamorro home loan fund to meet the payments required. At all times until acceptance of surrender, the lessee shall remain responsible for the demised leasehold together with any improvements thereon, and shall remain liable for all taxes, assessments and charges of whatever kind and nature, on said tract and improvements thereon.

(b) Upon the cancellation or surrender of a residential tract, should it be determined by the commission that the residence constructed on the premises is in such disrepair that demolition of the structure is required, the lessee shall be allowed to sell said structure within ninety (90) days from the date of the

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Kumision Inangokkon Tâno' Chamorro

cancellation or acceptance of surrender; provided that any proceeds be first used to satisfy any indebtedness to the commission, taxes, or any other indebtedness the payment of which has been assured by the commission, or any costs incurred by the commission for upkeep and cleaning of the leased premises. Sale of the structure shall not cause harm or affect in any way rights to the underlying property. Lessee shall repair and restore all damage to the Premises caused by removal of any alterations, additions, improvements or fixtures in the Premises. Lessee's obligations under this provision shall survive the expiration or termination of the Lease. If lessee fails to have structure removed, the commission may demolish the structure and the cost thereof shall be assessed the lessee.

10. Community Pastures

10.1 Location of community pastures.

The commission, when practicable and as authorized under the Act, shall maintain community pastures in such locations as it may determine.

10.2 Records.

A record of all stock in community pastures shall be kept by the commission.

10.3 Responsibilities.

(a) The lessees shall be responsible for:

(1) Permanently branding all animals with a registered brand of the lessee;

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Kumision Inangokkon Tāno' Chamorro

- (2) Worming and testing all animals and confirming district origin;
- (3) Removing sick, diseased or severely injured animals; and
- (4) Arranging for removal of animals at least forty-eight (48) hours in advance of the move with the commission.

(b) The commission shall be responsible for managing and supervising the operation to ensure equal access and use of the pastures.



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

SEP 15 1995

The Honorable Don Parkinson
Speaker
Twenty-Third Guam Legislature
424 West O'Brien Drive
Julale Center - Suite 222
Agana, Guam 96910

Dear Speaker Parkinson:

Enclosed please find a copy of Amended Bill No. 306 (LS), "AN ACT TO REPEAL SECTIONS 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, AND 17 OF PUBLIC LAW 21-60 AND TO REPEAL SECTION 21 OF PUBLIC LAW 21-72, RELATIVE TO AUTHORIZING THE GOVERNOR TO SELL PUBLIC LANDS IN YIGO, DEDEDO, AND AGAT AT LESS THAN FAIR MARKET VALUE; AND TO TRANSFER AVAILABLE LAND TO THE CHAMORRO LAND TRUST COMMISSION", which I have signed into law today as Public Law No. 23-39.

I have signed this bill into law to support the Chamorro Land Trust and the rules and regulations which I already approved in Public Law 23-38. In examining the public laws relative to the "Land for the Landless" program established in Public Laws 21-60 and 21-72, portions of which are repealed in Bill No. 306, it is evident that Section 9 of Public Law 21-60, which provides for a lottery to distribute land in the "Land for the Landless" program, was already repealed by Public Law 21-72. Prior to my signing Bill No. 306, a lottery was not authorized by law. In other words, further research has shown that the "Land for the Landless" program could not have been implemented anyway, prior to my signing Bill No. 306.

Bill No. 306 raises new issues, however, which I hope will be resolved in the future by the Legislature. Some of the provisions of current law, as well as the provisions of Bill No. 317, do not match up with the provisions of Bill No. 306. For example, there is a dateline set up in Bill No. 317, now Public Law 23-38, providing that Chamorros who already reside on "Chamorro homelands prior to July 12, 1995, and who qualify under the [Chamorro Land Trust] Act" shall not be served eviction notices. Chamorros who reside on the lands set aside for the "Land for the Landless" program in Dededo, Yigo, and Agat, however, are not included in the exception concerning eviction notices. Chamorros residing on the Dededo, Yigo, and Agat

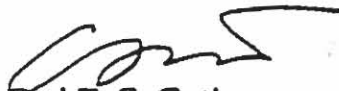
September, 1995 - pag. -

"Land for the Landless" lands on July 12, 1995 were not residing on Chamorro homelands on that date. Are they subject to eviction notices?

Section 5 of Bill No. 306 states that "all government-owned real properties affected by the provisions of . . . [Bill No. 306] are hereby designated as available land and shall assume the status of Chamorro Homelands pursuant to §§75104 and 75105 of Title 21, Guam Code Annotated." By invoking the provisions of §75104, the 60 day time limitation in that code section which specifies that land may be reserved for "specific public use for the future use of any other department or agency of the government" by the Director of Land Management may also apply to the land in the Dededo, Yigo, and Agat "Land for the Landless" program. The change in status of the Dededo, Yigo, and Agat "Land for the Landless" lots by Bill No. 306 calls into question the applicability of a variety of other provisions in previous statutes which are now made applicable to these lots. If the Dededo, Yigo, and Agat "Land for the Landless" lots are placed into the Chamorro Land Trust at this time, are those lands, and their present occupants, under a different status than the land previously within the Chamorro Land Trust inventory, and the present occupants of those lands?

I believe that there are legal and practical questions remaining to be examined and resolved. I hope that the Legislature will examine them further. In the meantime, the Executive Branch will implement the provision of the Chamorro Land Trust and the rules and regulations which were approved by statute.

Very truly yours,



Earl T. C. Gutierrez

Attachment

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 306 (LS), "AN ACT TO REPEAL SECTIONS 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, AND 17 OF PUBLIC LAW 21-60 AND TO REPEAL SECTION 21 OF PUBLIC LAW 21-72, RELATIVE TO AUTHORIZING THE GOVERNOR TO SELL PUBLIC LANDS IN YIGO, DEDEDO, AND AGAT AT LESS THAN FAIR MARKET VALUE; AND TO TRANSFER AVAILABLE LAND TO THE CHAMORRO LAND TRUST COMMISSION," was on the 14th day of September, 1995, duly and regularly passed.



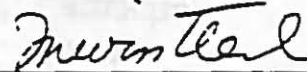
DON PARKINSON
Speaker

Attested:



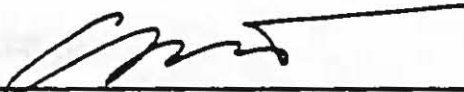
JUDITH WON PAT-BORJA
Senator and Legislative Secretary

This Act was received by the Governor this 14th day of Sept.
1995, at 4:25 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: 9-15-95

Public Law No. 23-39

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

Bill No. 306 (LS)

As amended by the Author

Introduced by:

A. L. G. Santos
J. T. San Agustin
T. C. Ada
J. P. Aguon
E. Barrett-Anderson
A. C. Blaz
J. S. Brown
F. P. Camacho
M. C. Charfauros
H. A. Cristobal
M. Forbes
A. C. Lamorena
C. Leon Guerrero
L. Leon Guerrero
T. S. Nelson
S. L. Orsini
V. C. Pangelinan
D. Parkinson
F. E. Santos
A. R. Unpingco
J. Won Pat-Borja

AN ACT TO REPEAL SECTIONS 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, AND 17 OF PUBLIC LAW 21-60 AND TO REPEAL SECTION 21 OF PUBLIC LAW 21-72, RELATIVE TO AUTHORIZING THE GOVERNOR TO SELL PUBLIC LANDS IN YIGO, DEDEDO, AND AGAT AT LESS THAN FAIR MARKET VALUE; AND TO TRANSFER AVAILABLE LAND TO THE CHAMORRO LAND TRUST COMMISSION.

1 **Section 1. Legislative statement.** The so-called 'land for the landless'
2 programs instituted by the government of Guam, while beneficial for th
3 qualified recipients, have eroded the land resources rightfully belonging to
4 the indigenous people of Guam. Sadly, legislation for such programs
5 acknowledged the existence of the Chamorro Land Trust Act; yet, more
6 attention, effort, and action were extended to the politically-advantageous
7 'land for the landless' programs, the first having been conceived by Public
8 Law 14-138 on August 25, 1978, than to the mandate and spirit of the
9 Chamorro Land Trust Act which became Public Law 12-226 on January 1,
10 1975.

11 The Chamorro people's self-determination process, out of reach for the
12 moment because the United States Government purposely mocks the United
13 Nations' Resolution Number 1514, relative to the right of indigenous people
14 to self-determination, will be significantly compromised by the reduction of
15 land and other resources upon which the Chamorro people will eventually
16 rely exercising that self-determination. Demonstrating the necessity to
17 preserve resources for future in that process is the fact that, of the aggregate
18 of 133,760 acres in Guam's 209 square miles occupied by the military,
19 government and private sectors, only 10,000 acres are under the Chamorro
20 Land Trust Commission's jurisdiction. Without land, self-determination
21 becomes self-destruction.

22 In order for future generations of Chamorros to survive in their own
23 homeland, the Legislature finds it imperative to terminate the give-away
24 programs embodied in the land-for-the-landless law.

25 **Section 2. Repeal.** Sections 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 of
26 Public Law 21-60, relative to authorizing the Governor to sell public lands in
27 Yigo and Agat at less than fair market value, are repealed in their entirety.

1 **Section 3. Repeal.** Section 21 of Public Law 21-72, relative to
2 authorizing the Governor to sell public lands in Yigo, Dededo, and Agat at
3 less than fair market value, is repealed in its entirety.

4 **Section 4. Applicability.** Sections 2 and 3 of this Act shall apply to only
5 those government-owned real properties which have not been lotteried to
6 qualified landless buyers as of July 1, 1995.

7 **Section 5. Transfer to Chamorro Land Trust.** All government-owned
8 real properties affected by the provisions of Sections 2 and 3 above are hereby
9 designated as available land and shall assume the status of Chamorro
10 Homelands pursuant to §§75104 and 75105 of Title 21, Guam Code
11 Annotated.

LISTING OF INTERESTED
OCCUPANTS
NON-PROFIT ORGANIZATIONS

	NAME	REQUESTED	D/R
1.	GUAM SYMPHONY SOCIETY	A. 3,000 SQ. FT. FOR REHEARSALS & OFFICE SPACE	3/95
* 2.	GUMA MAMI, INC	A. NEED 6 ONE STORY 2-BEDROOM UNITS (3-DUPLEXES) FOR TRANSITIONAL HOUSING UNITS, GROUP HOMES & OFFICE SPACE	3/95
3.	ARROW, INC.	A. NEED 1,500 TO 2,000 SQ. FT. OF SPACE FOR MEETING ROOMS & OFFICE SPACE	3/95
4.	TIYAN BARRIGADA TRUST FOUNDATION	A. BASEBALL, FOOTBALL & SOCCER FIELDS B. BASKETBALL, TENNIS & VOLLEYBALL COURTS C. BOWLING ALLEY D. GYMNASIUM E. OPEN BOONIE AREA FOR PARKS, CAMPGROUND, PICNIC AREA & PLAYGROUNDS F. MAINTENANCE BLDG. (MWR OFFICE) G. FIRST LIEUTENANTS BLDG. H. SEEBEE HILL & QUONSET HUT BLDG.	
5.	AMERICAN CANCER SOCIETY	A. 1,000 SQ. FT. SINGLE STORY 2-BEDROOM UNIT AT "K" ST. HOUSE #105 FOR OFFICE SPACE	2/95
* 6.	SANCTUARY, INC.	A. FOUR 3-BEDROOM DUPLEX UNITS & THE YOUTH CENTER	2/95
* 7.	HABITAT FOR HUMANITY OF GUAM, INC.	A. SIX HOUSES: TWO 2-BED ROOM & FOUR 3-BEDROOM LOCATED ADJACENT LOTS LEAST NOISE & CLOSE PROXIMITY CHILD CARE CENTER	2/95

8.	THE SALVATION ARMY	A. A BUILDING AT NAS FOR OFFICE SPACE	2/95
9.	DISABLED AMERICAN TRADE ENTERPRISE	A. HOUSING UNIT OR UNITS FOR OFFICE SPACE	2/95
10.	"PAN" PARENTS/AGENCIES NETWORKING	A. 2,400 SQ. FT. ONE 2-BEDROOM DUPLEX FOR OFFICE SPACE	2/95
11.	GUAM HUMANITIES COUNCIL	A. FIDDLERS GREEN	2/95
* 12.	CATHOLIC SOCIAL SERVICE	A. BLDG. NOS. 2300 YOUTH CENTER (5,184 SQ. FT.) B. 6101 CHILD CARE CENTER (7,140 SQ. FT.) C. 6104 ENLISTED CLUB (14,268 SQ. FT.) D. 5003 CHILD CARE CENTER (4,440 SQ. FT.) E. 5000 CHIEF'S CLUB (8,841 SQ. FT.) F. 3311 AVIONICS SHOP (15,797 SQ. FT.)	2/95
13.	GAIN - GUAM ANIMALS IN NEED	A. AN ACRE OF LAND FORMER MWR IMPOUND LOT OR CB HILL, BEHIND EL GECKO CLUB OR THE FORMER AMMUNITION BUNKER NORTH- EAST OF THE PRESENT POST OFFICE	2/95
14.	INAFMA MAOLEK	A. OFFICE SPACE AT NAS	2/95
15.	GUAM'S MARTIN LUTHER KING JR. INTERNATIONAL INSTITUTE	A. BOQS, THE CROSSWINDS, THE BILLEMENTING & TRANSIT QUARTERS & THE ADJACENT SWIMMING POOL AREA DESCRIBED AS BLDG. 1-1300 OR BLDG. 13-35 BEQ WHICH INCLUDES SECURITY BLDG. & OFFICE FURNISHINGS AND EQUIPMENT	2/95
16.	ASMUYAO COMMUNITY SCHOOL	A. BLDG. NOS. 2300 YOUTH CENTER, BLDG. 6106 CHILD CARE CENTER & ANY FOUR HOUSING UNITS AT SUNSET BLVD.	3/95

17.	CHALAN PAGO MONTESSORI CENTER	A. CDC2 BLDG. #6106 (7,000 SQ. FT.) OF SPACE FOR SCHOOL	2/95
18.	AVIATION MAINTENANCE SCHOOL - GUAM	A. BLDG. NOS. 17-3404 (HC-5) B. NOSE DOCK HANGER BLDG. #17-80 C. SEVERAL BEQS FOR CLASS ROOMS & RESIDENT HALLS	3/95
19.	KOSRAE ASSOCIATION OF GUAM (KAG)	A. ANY FACILITIES FOR THEIR OFFICE & MEETING PLACE	2/95
20.	AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES LOCAL 1689, INC.	A. BLDG. 2300 YOUTH CENTER (5,184 SQ. FT.) B. BLDG. 6-5000 FIDDLER'S GREEN (8,841 SQ. FT.) C. BLDG. 1-1306 BEQ (7,272 SQ. FT.)	2/95
21.	SPECIAL OLYMPICS GUAM	A. 500 TO 700 SQ. FT. OFFICE & STORAGE SPACE	3/95
22.	GUAM MASTER BASKETBALL ASSOCIATION	A. BLDG. 15-6107 GYMNASIUM	3/95
23.	GUAM SOCCER ASSOCIATION	A. TEMPORARY USE PERMIT FOR BARLOW FIELD, PARADE & DRILL FIELD FOOTBALL & BASEBALL FIELD	2/95
24.	GUMAT DISCONSA PARA MANOMBOT YAN ETNOTET	A. BOQ BLDG. NOS. 1-1300 '1-1301, 1-1306, SWIMMING POOL 1-1303 & WADING POOL 1-1305	3/95
25.	GUAHAN LANDOWNERS UNITED, INC.	A. NAS AGANA TO BE RETURN IN FEE SIMPLE TO ORIGINAL LANDOWNERS: ALL OFFICER'S QTRS. ALL CROSSROADS BOQ QTRS. ANY ENLISTED MEN'S HOUSING UNITS & THE SWIMMING POOL	3/95
26.	LIFE IN THE SON CHRISTIAN FELLOWSHIP	A. OFFICE SPACE IN NAS TO LEASE: TWO 3-BEDROOM DUPLEX UNITS LOCATED ADJACENT TO PLAYGROUND FOR 5-YEAR PERIOD.	3/95

27.	GUAM CHINESE CHRISTIAN CHURCH	A. CHAPEL OR THE CHAPEL ANNEX	3/95
28.	KOREAN ASSOCIATION OF GUAM	A. INTERESTED IN A LONG TERM LEASE (99 YRS) FOR NAS CHAPEL TO BE USE FOR THEIR COMMUNITY SERVICES	3/95
29.	PACIFIC ISLAND BIBLE COLLEGE	A. BEQ 13-33 (3,330 SQ. FT.) & BEQ 13-34 14,430 SQ. FT.) FOR TEMPORARY USE TO HOUSE 40 TO 50 STUDENTS	1/95
30.	CALVARY CHAPEL	A. BLDG. 15-5002 CHAPEL (7,495 SQ. FT.) & BLDG. 15-5003 RELIGIOUS EDUCATION (3,120 SQ. FT.)	10/94
31.	TAMUNING BAPTIST	A. BLDG. 15-5002 CHAPEL (7,495 SQ. FT.) & BLDG. 15-5003 RELIGIOUS ED. (3,120 SQ. FT.)	12/94
32.	ARCHBISHOP OF AGANA	A. BLDG. 15-5002 CHAPEL (7,495 SQ. FT.) & BLDG. 15-5003 RELIGIOUS ED. (3,120 SQ. FT.)	12-94
33.	MONSIGNOR OSCAR CALVO	A. BLDG. 15-5002 CHAPEL (7,495 SQ. FT.) & BLDG. 15-5003 RELIGIOUS ED. (3,120 SQ. FT.)	12/94
34.	AMERICAN ^c RED CROSS	A. BLDG. 17-3120 ASD WAREHOUSE (13,000 SQ. FT.) TO SUPPORT THEIR WAREHOUSING REQUIREMENTS OF 40,000 CUBIC FT.	8/94

CONSOLIDATED LISTING
OF
APPLICANTS BY FACILITY REQUESTED
as of April 5

FACILITY NO.	CURRENT USE	SO. FT.	REQUESTOR	date rec'd
01-1300	BOQ	23,394	U.S.ARMY RESERVE	7/94
"	"	"	GPD	
	4/95			
01-1301	BOQ	36,258	U.S. ARMY RESERVE	7/94
"	"	"	GPD	4/95
01-1302	DRESSING/RM/BH	7,440	PARKS & REC.	9/94
"	"		MANUKAI ATHL/CLUB	9/94
01-1303	SWIMMING POOL	N/M	PARKS & REC.	4/95
01-1305	WADING POOL	N/M	PARKS & REC.	2/95
01-1306	BOQ BILLETING	9,192	U.S. ARMY RESERVE	7/94
"	"	"	CHAMORRO LAND TRUST	3/95
"	"	"	GPD	4/95
"	"	"	GUM STATE COUNCIL ON VOCATIONAL ED.	3/95
01-1307	MINI MART	12,000	U.S. ARMY RESERVE	7/94
"	"	"	DOL	3/95
04-5000	FIDDLER'S GRN.	8,841	CUSTOM & QUARANTINE	2/95
"	"	"	VETERAN'S OF F/W	8/94
"	"	"	GUAM HOUSING CORP.	2/95
"	"	"	DOL	3/95
4-5003	CHILD CARE CENT.	4,440	DOE	1/95
"	"	"	GCC	4/95
4-5005	TOYLAND/GIFT SHP.	N/M	PASSPORT OFFICE	4/95
8A	GALLEY BLDG	38,107	DOE	1/95
8-2300	YOUTH CENTER	5,184	AFGE LOCAL #1689	9/94
"	"	"	VOCATIONAL REHAB	3/95
8-2310	PLAYING COURT	6,840	PARKS & REC	2/95
8-2315	SKATING RING	4,656	PARKS & REC.	2/95
13-1	NEX/PERSUPDET	12,760	DOE	1/95
"	"	"	REVENUE & TAX	1/95
"	"	"	AVIATION TECH. INC.	5/94

13-2	NAV/EXCH-NAV/RE	13,032	DOE	1/95
"	"	"	REVENUE & TAX	1/95
"	"	"	AVIATION TECH. INC.	5/94
13-3	BEQ	13,200	DOE	1/95
"	"	"	REVENUE & TAX	1/95
"	"	"	AVIATION TECH. INC.	5/94
13-4	BEQ	13,032	DOE	1/95
"	"	"	AVIATION TECH. INC.	5/94
13-5	BEQ	13,032	DOE	1/95
"	"	"	AVIATION TECH. INC.	5/94
13-6	BEQ	13,032	DOE	1/95
13-7	BEQ	13,032	GFD	2/95
"	BEQ	"	DOE	1/95
13-8	BEQ	13,200	GFD	2/95
"	"	"	DOE	1/95
"	"	"	GEPA	3/20
13-8A	MESS HALL	38,107	DOE	1/95
13-8B	COV.PICNIC AREA	200	PARKS & REC.	2/95
13-9	BARBECUE SHED	100	PARKS & REC.	2/95
13-13	BEQ	13,200	DOE	1/95
"	"	"	GPA	2/95
13-14	BEQ	13,032	DOE	1/95
"	"	"	GPA	2/95
13-15	LIB. BEQ/SPEC	13,032	DOE	1/95
"	SERVICE SEC.	"	GPA	2/95
13-16	BEQ	13,032	DOE	1/95
"	"	"	AVIATION TECH. INC.	5/94
13-17	BEQ	13,032	DOE	1/95
"	"	"	AVIATION TECH. INC.	5/94
13-18	BEQ	13,032	DOE	1/95
"	"	"	AVIATION TECH. INC.	5/94
13-19	BEQ	13,032	DOE	1/95
"	"	"	AVIATION TECH. INC.	5/94
13-20	BEQ	13,032	DOE	1/95
"	"	"	AVIATION TECH. INC.	5/94

13-33	BEQ	3,330	GPD	2/95
"	"	"	DMA	3/95
"	"	"	PACIFIC ISLAND	1/95
"	"	"	BIBLE COLLEGE	
"	"	"	GPA	2/95
13-34	BEQ	14,430	DPS	2/95
"	"	"	PACIFIC ISLAND	1/95
"	"	"	BIBLE COLLEGE	
"	"	"	GPA	2/95
13-35	BEQ	19,980	GPA	2/95
"	"	"	GPA	2/95
13-36	SECURITY/AC	3,114	DPS	2/95
"	PLANT BLDG.	"	DMA	3/95
13-5000	DIVE LOCKER	734	GFD	2/95
	BATH HOUSE			
13-5001	BOWLING ALLEY	10,400	DOE	1/95
"	"	"	PARKS & REC.	2/95
13-5002	NAS POST OFFICE	3,050	DOE	1/95
	& BANK BLDG.			
13-5003	VOLLEYBALL COURT	5,292	PARKS & REC	2/95
13-5005	PICNIC PAVILLION	1,040	PARKS & REC.	2/95
13-5006	BEQ VOLLEYBALL CT		PARKS & REC.	2/95
14-94	REC. PAVILLION	1,350	PARKS & REC.	2/95
14-93B	PUBLIC TOILET	820	PARKS & REC.	2/95
	FOOTBALL FIELD			
14-93C	TOILET BASKET-	440	PARKS & REC.	2/95
	BALL COURT			
14-5000	VOLLEYBALL CT.		PARKS & REC.	2/95
14-5001	BASKETBALL CTS.		DOE	1/95
"	"		PARKS & REC.	2/95
14-5002	SOFTBALL FILED #1		PARKS & REC.	2/95
14-5003	DISASTER PRE/IST	2,320	PARKS & REC.	2/95
	LT/SELF HELP			
"	"	"	DOE	1/95
14-5004	TENNIS CTS. BEQ		PARKS & REC.	2/95
"	"		DOE	1/95

14-5005	FOOTBALL FIELD		PARKS & REC.	2/95
"	"		DOE	1/95
"	"		GUAM SOCCER ASSO.	12/94
14-5006	SOFTBALL FIELDS #2		PARKS & REC.	2/95
"	"		DOE	1/95
14-5007	FIELD #1 RIGHT SIDE DUGOUT		PARKS & REC.	2/95
"	"		DOE	1/95
14-5008	FIELD #1 LEFT SIDE DUGOUT		PARKS & REC.	2/95
14-5009	FIELD #2 RIGHT SIDE DUGOUT		PARKS & REC.	2/95
"	"		DOE	1/95
14-5010	FIELD #2 LEFT SIDE DUGOUT		PARKS & REC.	2/95
"	"		DOE	1/95
14-5011	SOFTBALL CONCESSION COMPLEX		PARKS & REC.	2/95
"	"		DOE	1/95
14-5015	FIRST LIEUTENANT COMPLEX	3,600	PARKS & REC.	2/95
15-46A	NEX GAS SERVICE STATION	3,860	DOE	1/95
"	"	"	DPS	2/95
15-5002	CHAPEL	7,495	DOE	1/95
"	"	"	DPH&SS	2/95
"	"	"	CALVARY CHAPEL	10/94
"	"	"	TAMUNING BAPTIST	12/94
"	"	"	ARCHBISHOP-AGANA	12/94
"	"	"	MONSIGNOR CALVO	12/94
15-5003	RELIGIOUS ED.	3,120	DPH&SS	2/95
"	"	"	DOE	1/95
"	"	"	CALVARY CHAPEL	10/94
"	"	"	TAMUNING BAPTIST	12/94
"	"	"	ARCHBISHOP-AGANA	12/94
"	"	"	MONSIGNOR CALVO	12/94
15-6100	DISPENSARY	7,334	DPH&SS	2/95
"	"	"	DOE	1/95
"	"	"	DOCTOR'S CLINIC	4/94
15-6101	CALIBRATION LAB	8,438	GTA	3/95
"	"	"	DPH&SS	2/95

"	"	"	DOCTOR'S CLINIC	4/94
"	CALIBRATION LAB	"	GEPA	3/95
"	"	"	GPL&M (LIBRARY)	2/95
"	"	"	DOE	1/95
15-6102	DISPENSARY/STORAGE	940	DOCTOR'S CLINIC	4/94
15-6103	THEATER	8,052	DOE	1/95
"	"	"	SENATOR ARRIOLA	5/94
"	"	"	UOG	3/95
15-6104	EL GECKO NCO/CL	14,268	DOE	1/95
"	"	"	GUM NAVY CLUB	11/94
"	"	"	FLEET RESERVE	11/94
15-6105	"MWR" SPEC SERV	7,600	CHAMORRO LAND TRUST	3/95
"	"	"	GUM PUBLIC LIBRARY	2/95
"	"	"	PARKS & REC.	2/95
15-6106	CHILD CARE CENTER	7,140	DPH&SS	2/95
"	"	"	DOE	1/95
"	"	"	CUSTOM & QUARANT.	2/95
15-6107	GYMNASIUM	25,526	DOE	1/95
"	"	"	GUAM VOLLEYBALL FED.	4/95
15-6108	FLAMMABLE STORAGE	99	-	
15-6109	GENERATOR SHED	195	-	
15-6110	FUEL STORAGE TANK	1,000	-	
16-12A	STORAGE OPERATION	1,400	-	
16-12B	SEABEE STORAGE FLAMMABLE	336	-	
16-20	PASS/ID BLDG	684	-	
16-25	SEABEE'S STORAGE FACILITY	4,920	-	
16-94	PWC REFUELING STA.	414	DPS	2/95
16-3233	IMPOUND LOT	1,000	DPS	2/95
16-6103	PWC TRANSPORTATION GARAGE AUTO SHOP		PUAG	3/95
"	"		DOE	1/95
"	"		GAA	9/94
"	"		PARKS & REC	2/95
"	"		DPS	2/95

16-6105	AUTO SHOP OFFICES		DOE	1/95
17-80	NOSE DOCK BLDG.		AVIATION TECH. INC.	5
17-3120	WAREHOUSE	13,000	PUAG	3/95
"	"	"	AMERICAN RED CROSS	8/94
17-3307	PHOTO LAB BLDG	18,700	DOE	1/95
"	"	"	DPS	2/95
"	"	"	AVIATION TECH. INC.	5/94
17-3403	WEAPONS DEPT.	2,754	DPS	2/95
17-3404	HANGER (HC-5)	51,600	AVIATION TECH. INC.	5/94
17-3405	ORDNANCE	U/A	DPS	2/95
4001	AMMO STORAGE	4,840	DPS	2/95
"	"	"	GPA	2/95
B-5000	DIVE SHOP	-	DOE	1/95
50	ADJACENT TO AMMO STORAGE	U/A	GPA	2/95
66	UTILITIES BLDG.	2,088	DOE	1/95
67	UTILITIES BLDG.	"	DOE	1/95
33	POLICE STATION BLDG.		DOE	1/
36	POLICE STATION BLDG.		DOE	1/95
"	"		GPA	2/95
B-111	SMALL ARMS BUILDING		DPS	2/95
B-1112	HIGH EXPLOSIVE MAGAZINE		DPS	2/95
DUPLEX	ENLISTED MEN'S SINGLE STORY DUPLEX (11 UNITS) 27,500 SQ. FT.		GAA	3/95
DUPLEX	ENLISTED MEN'S SINGLE STORY DUPLEX HOUSE #901		DEVELOPMENT DISA. PLANNING COUNCIL	3/95
DUPLEX	ENLISTED MEN'S SINGLE STORY TYPE DD (2-UNITS)		DPH&SS	2/95
DUPLEX	ENLISTED MEN'S DUPLEX 2 STORY TYPE "E" (3 UNITS)		DPH&SS	2/95
DUPLEX	HOUSE NOS. 106 & 108, 1502 & 1504 LOCATED ON "N" STREET		DEPT. OF MENTAL HEALTH HEALING HEARTS CRISIS CENTER	3/95

DUPLEX	HOUSE NOS. 107, 109 & 111 LOCATED ON EAST SUNSET BLVD.	DEPT OF MENTAL HEALTH & SUBSTANCE ABUSE GUMA MANHOEN	3/9
DUPLEX	HOUSE NOS. 101 & 103 LOCATED ON EAST SUNSET	GUAM ENERGY OFFICE	3/95
DUPLEX	A-2090 DUPLEX LOCATED ON EAST SUNSET BLVD.	GUAM DIABETES ASSO	3/95
DUPLEX	A-2092 DUPLEX LOCATED ON "J" STREET	GUAM DIABETES ASSO	3/95
DUPLEX	A-2195 DUPLEX LOCATED ON EAST SUNSET BLVD.	CHAMORRO LAND TRUST COMMISSION	3/95
DUPLEX	A-2197 DUPLEX LOCATED ON EAST SUNSET BLVD.	CHAMORRO LAND TRUST COMMISSION	3/95
DUPLEX	A-2220 DUPLEX LOCATED ON CENTRAL AVE.	GTA	3/95
DUPLEX	ONE 3-BEDROOM (2,500-3,000 SQ. FT.)	DOL (OSHA)	3/95
N/M	NEED SPACE TO ACCOMODATE A MINIMUM OF 100 MALE & FEMALE YOUTH FOR RESIDENTIAL USE.	DYA	3/95
EQUIP.	TWO (2) STAKE TRUCKS DOA	(GSA)	3/95

LISTING OF INTERESTED
BUSINESS OCCUPANT

BUSINESS	REQUESTED	D/R
1. HYUN JOON CORP.	A. CROSSWIND OFFICERS CLUB B. EL GECKO CLUB C. PORTION OF NAS GALLEY	3/95
2. PACIFIC DRIVER'S EDUCATION SC.	A. 3 ACRE LOT FOR FIFTY YEAR LEASE	2/95
3. FRANK H. YOUNG JOINT FUNDING INC.	A. 20,000 SQ. FT. FOR AMUSEMENT PARK B. 30,000 SQ. FT. FOR GUAM LANGUAGE COLLEGE & SCHOOL C. 20,000 SQ. FT. FOR HOTEL (100 ROOMS) D. 30,000 SQ. FT. FOR MEMBERSHIP CONDOMINIUM	2/95
4. ROMEO MARIANO	A. NAS AGANA OFFICE HOUSING AREA. SHORT TERM LEASING	2/95
5. POSTAL ANNEX + GUAM	A. 1000 - 1200 SQ. FT. SPACE FOR CONSTRUCTION OF THEIR OFFICE & STORAGE. MINIMUM 5 YEAR LEASE	3/95
6. DOCTOR'S CLINIC	A. BLDG. 15-6100 - 7,334 SQ. FT. B. BLDG. 15-6101 - 8,438 SQ. FT. C. BLDG. 15-6102 - 540 SQ. FT. D. BLDG. 15-6106 - 7,140 SQ. FT. E. BLDG. 15-5002 - 7,495 SQ. FT. F. BLDG. 15-5003 - 3,120 SQ. FT. G. BLDGS. 13-1 TO 13-4 52,024 SQ. FT. H. BLDG. 13-16 TO 13-20 65,437 SQ. FT. I. 10 TO 35 ACRES OF VACANT LAND FOR ECONOMIC & HOUSING	4/94
7. ASA ENTERPRISES LTD.	A. NOT IDENTIFIED	6/94

8. GUAM ANIMALS IN NEED	A. NOT IDENTIFIED 1 ACRE	9/94
9. AVIATION SERVICES, LTD.	A. NOT IDENTIFIED	9/94
10. ENERGY & POWER SYSTEMS, INC.	A. BLDG. 1306 - 9,192 SQ. FT. B. BLDG. 5000 - 8,841 SQ. FT. C. AMMO. STORAGE BUNKER D. ENLISTED DUPLEX	12/94
11. MR. FRANK B. CRUZ	A. 10 ACRES NORTH OF GMF	11/94
12. LETICIA MERCADO	A. 1500 - 1800 SQ. FT. 2-BEDROOM 2-BATH HOUSE FOR LIVING PURPOSE	3/95
13. AVIATION TECHNOLOGIES, INC.	A. BLDG. 17-3404 HANGER (HC-5) 51,000 SQ. FT. B. BLDG. 17-3307 PHOTO- GRAPH BLDG. 18,700 SQ. FT. C. BLDG. 17-80 NOSE DOCK 40,000 SQ. FT. D. BEQ 13-1 TO BEQ 13-5 BEQ 13-16 TO BEQ 13-20 (TOTAL TEN BEQS) TO OPERATE A GUAM PLAN A&P SCHOOL	5/94

APRIL 6, 1995

LISTING OF INTERESTED
OCCUPANTS
GOVERNMENT AGENCY

DEPT/AGENCY	REQUESTED	D/R
DOA (GSA)	BLDG. 17-3120, AVIATION WHSE (86,560 S.F.) BLDG. 3308, VQ-5 HANGAR (43,712 S.F.) BLDG. 17-3404, HC-5 HANGAR (51,600 S.F.) NAS HANGAR (70,328 S.F.) BLDG. 100, VQ-1 HANGAR (40,200 S.F.) TWO (2) STAKE TRUCKS & ONE (1) ELECTRIC FORKLIFT	3/95
CHAMORRO LAND TRUST COMM.	BLDG. 15-6105, MWR OFFICES HOUSE NOS. A-2197 & A-2195 TWO (2) RESIDENTIAL UNITS (QUADPLEX)	3/95
CHAMORRU LANGUAGE COMM.	3-BEDROOM DUPLEXES ENLISTED HOUSING OR DAY CARE CENTER	3/95
CIVIL DEFENSE	FIFTY (50) CONFERENCE CHAIRS	3/95
CUSTOMS & QUARANTINE	CHILD DEVELOPMENT CENTER KIRK WILLIAMS YOUTH CENTER BLDG. 4-5003 FIDDLER'S GRN.	2/95
DEPT. OF COMMERCE	NEED 6,878 S.F. OF SPACE FOR THEIR OFFICE IN AREA A-6	2/95
DEVELOPMENT DISABILITIES PLANNING COUNCIL	DUPLEX LOCATED AT 901 CENTRAL AVE.	2/95
DOE	BLDG. 4-5003, CHILD CARE CEN.	1/95
"	BLDG. 15-6103, THEATER	
"	BLDG. 17-3120, WAREHOUSE	
"	BLDG. 17-3307, PHOTO LAB.	
"	BLDG. 15-6101, CALIBRATION LAB.	
"	BLDG. 15-6104, EL GECKO EM CLUB	
"	BLDG. 15-6100, DISPENSARY	
"	BLDG. 15-5002, CHAPEL	
"	BLDG. 15-5003, RELIGIOUS EDUCATION	
"	BLDG. 15-46A, GAS STATION	

	DOE	BLDG. 13-5001, BOWLING ALLEY	
	"	BLDG. 13-5002, BANK & POST OFFICE	
	"	BLDG. 15-6106, CHILD CARE CENTER	
	"	BLDG. 16-6103, GARAGE & AUTO SHOP	
	"	BLDG. 16-6105, AUTO SHOP OFFICES	
	"	BLDG. 15-6107, GYMNASIUM	
	"	BLDG. 14-5003, DISASTER PRE/IST	
	"	LT. SELF HELP	
	"	BEQS. 13-1,2,3,4,5,6,7,8,13,14,	
	"	15,16,17,18,19,20.	
	"	BLDG. 66, UTILITIES	
	"	BLDG. 67, UTILITIES	
	"	BLDG. 13-8A, MESS HALL/GALLEY	
	"	BLDG. B-5000, DIVE SHOP	
	"	BLDG. 33, POLICE STATION	
	"	BLDG. 36, POLICE STATION	
	"	BLDG. 14-5005, FOOTBALL FIELD	
	"	BLDG. 14-5006, SOFTBALL FIELDS #2	
	"	BLDG. 14-5007, FIELD #1 RIGHT SIDE	
	"	DUGOUT	
	"	BLDG. 14-5008, FIELD #1 LEFT SIDE	
	"	DUGOUT	
	"	BLDG. 14-5009, FIELD #2 RIGHT SIDE	
	"	DUGOUT	
	"	BLDG. 14-5010, FIELD #2 LEFT SIDE	
	"	DUGOUT	
	"	BLDG. 14-5011, SOFTBALL CONCESSION	
	"	COMPLEX	
	"	BLDG. 14-5002, SOFTBALL FIELD #1	
	"	BLDG. 14-5001, BASKETBALL COURTS	
	"	BLDG. 14-5004, TENNIS COURTS	
	"	BLDG. 14 & 15 WAREHOUSES	
9.	GAA	BLDG. 16-6103, PWC MAINT.	3/95
	"	FACILITY	
	"	(11) ENLISTED MEN'S DUPLEX	2/95
	"	(SINGLE STORY) HOUSING	
	"	FOR OFFICE SPACE	
10.	GCC	BLDG. 4-5003, CHILD CARE CEN.	4/95
11.	GEO	(2) ENLISTED MEN'S DUPLEX	2/95
	"	FOR OFFICE SPACE	
12.	GEPA	BLDG. 15-6101, CALIBRATION	3/95
	"	LAB.	
	"	BEQ 13-8 OR 13-5,	
13.	GFD	BLDG. 15-6100, DISPENSARY	2/95
	"	BLDG. 16-6103, PWC MAINT.	
	"	TRANSPORTATION SHOP	
	"	BEQS 13-8 & 13-7	
	"	BLDG. 13-5000, DIVE LOCKER	

14.	GHPDA	NEED OF ADDITIONAL SPACE (1,000 TO 1,500 S.F.) FOR OFFICE/MEETING AREA	2/95
15.	GH CORP. " "	BLDG. 4-5000, FIDDLER'S GRN ENLISTED MEN'S DUPLEX/ FOURPLEX FOR OFFICE FACILITIES	2/95
16.	GHURA "	FAMILY HOUSING, CHILD CARE FACILITIES & RECREATIONAL FACILITIES	3/95
17.	DOL	BLDG. 1-1307, MINI MART OR BLDG. 4-5000, FIDDLER'S GREEN	3/95
18.	DMA "	BEQ 13-33 BARRACKS #12 BLDG. 13-36, SECURITY OFFICE	3/95
19.	GUAM MUSEUM	NEED OF STORAGE SPACE FOR THEIR ARTIFACTS (METAL SHELVES) & BLDG. SPACE FOR MESEUM	1/95
20.	GPD "	BLDG. 13-33 BEQ, BLDG. 13-34 BEQ BLDG. 13-35 BEQ BLDG. 13-36 SECURITY BLDG. 1-1306, BOQ BLDG. 1-1300, BOQ BLDG. 1-1301, BOQ BLDG. 16-94, PWC REFUELING STA. BLDG. 16-3233, IMPOUND LOT BLDG. 16-1603, PWC TRANSP. GARAGE AUTO SHOP BLDG. 17-3307, PHOTOGRAPH LAB. BLDG. 17-3403, SMALL WEAPONS BLDG. 17-3405, ORDANANCE BLDG. 111, SMALL ARMS BLDG. 1112, HIGH EXPLOSIVE MAGA. FIRING RANGE LOCATED N/NW OF U.S. POST OFFICE BLDG. 15-46A, NEX GAS SERVICE STA.	2/95
21.	GPA " " " "	BEQS 13-13, 14, & 15 BEQS. 13-33, 34, & 35 BEQ 13-36 POLICE STATION BLDG. 4001 AMMO STORAGE BLDG. 50 ADJACENT TO AMMO STORAGE	2/95
22.	GPL&M	BOQS. 1-1300, 1-1301 & 1-1306 CLUB 6-5,000. OFFICER'S CLUB	2/95

	GPL&M	HOUSING #A2062, A2060, LOCATED ON EAST SUNSET BLVD.	
	"	HOUSING #A2211, A2209, A2207, HOUSING #A2205 & A2203, LOCATED ON CENTRAL AVE.	
	"	BLDG. 4-5003, CHILD CARE CENTER	
	"	BLDG. 4-5005, TOYLAND/GIFT SHOP	
	"	BLDG. 15-6101, CALIBRATION LAB.	
	"	BLDG. 15-6100, DISPENSARY	
	"	BLDG. 15-5002, CHAPEL	
	"	BLDG. 15-5003, RELIGIOUS ED.	
	"	BLDG. 15-6103, THEATER	
	"	BLDG. 15-6105, MWR SPECIAL SERV.	
23.	GGRF	BEQS. 13-34 & 13-35	
24.	GTA	BLDG. 15-6101, CALIBRATION LAB.	3/95
	"	MANHOLES, CONDUITS & CABLES ALONG CORSAIR RD., SEAGUL AVE., AND VICINITIES.	
	"	HOUSE #A2220, LOCATED ALONG CENTRAL AVE & "E" STREET	
25.	DMH&SA	ENLISTED MEN'S HOUSING NOS. 1504, 1502, 106 & 108 3-BEDRM UNITS LOCATED ON "N" ST. HOUSE NOS. 146, 148, 150, 152, 154 & 156, 2-BEDRM UNITS LOCATED ON LOWER EAST SUNSET BLVD. HOUSE NOS. 1610, 1612, 1614, 1616, 1618 & 1620, 2-BEDRM UNITS LOCATED ON EAST SUNSET BLVD. HOUSE NOS. 1601, 1603, 1605, 1607, 1609, 1611, 1613, 1615, 1617, 1619 & 1621, ONE BEDRM. UNITS LOCATED ON EAST SUNSET BLVD.	3/95
26.	DPR	BLDG. 1-1302, DRESSING ROOM & BATH HOUSE 1-1303, SWIMMING POOL 1-1305, WADING POOL 8-2300, YOUTH CENTER BLDG. BLDG. 15-6103, THEATER BLDG. 15-6107, GYMNASIUM, ARCHERY RANGE & CAMPING GROUNDS BLDG. 13-5001, BOWLING ALLEY BLDG. 14-93C, TOILET-BASKETBALL BLDG. 14-94, RECREATION PAVILION BLDG. 8-2310, PLAYING COURT BLDG. 8-2315, SKATING RINK	2/95

DPR BLDG. 13-5000, EM SWIMMING POOL
 " BLDG. 14-5000, VOLLEYBALL COURT
 " BLDG. 14-5001, BASKETBALL COURT
 " BLDG. 14-5002, PLAYING FIELD
 " BLDG. 14-5004, TENNIS COURTS-BEQ.
 " BLDG. 14-5005, BARLOW FIELD (F/B)
 " BLDG. 14-5006, SOFTBALL FIELDS 1&2
 " BLDG. 14-5007, FIELD 1
 " RIGHT SIDE OF DUGOUT
 " BLDG. 14-5008, FIELD 1 LEFT SIDE
 " DUGOUT
 " BLDG. 14-5009, FIELD 2 RIGHT
 " SIDE DUGOUT
 " BLDG. 14-5010, FIELD 2 RIGHT
 " SIDE DUGOUT.
 " BLDG. 14-5011, SOFTBALL
 " CONCESSION COMPLEX
 " BLDG. 13-9, BARBECUE SHED
 " BLDG. 16-6103, TRANSPORTATION
 " FACILITY (PWC)
 " BLDG. 14-5003, WAREHOUSE BLDG. &
 " ADJACENT QUOSET HUT
 " WITH FENCED YARD
 " BLDG. 15-6105, MWR SPECIAL SERV.
 " FIELD AREAS ON CORNER OF SEAGULL
 " AVENUE & FURY ROAD

DPH222 BLDG. 15-6101, CALIBRATION 2/95
 " LAB.
 " BLDG. 15-6100, MEDICAL CLINIC
 " BLDG. 15-5002, CHAPEL
 " BLDG. 15-5003, RELIGIOUS ED.
 " BLDG. 15-6106, CHILD CARE
 " CENTER
 " ENLISTED MEN'S HOUSING
 " TWO TYPE DD 3-BDRM UNITS
 " THREE TYPE E 3-BDRM UNITS

SCOVE BLDG. 01-1306, BOQ BILLETING 2/95

UOG BLDG. 15-6103, THEATER 3/95
 " 10 ACRES (OPEN FIELD -
 " PERIMETER LAND INSIDE THE
 " FENCE AREA FACING ROUTE 8)
 " FOR COMMUNITY GARDEN

DVR BLDG. 8-2300, YOUTH CENTER 3/95

DYA NO MENTION OF SPECIFIC BLDG. 3/95
 BUT IN NEED OF SPACE TO
 ACCOMODATE A MINIMUM OF 100

MALE & FEMALE YOUTH IN A
24 HOUR RESIDENTIAL
ENVIRONMENT.

..	PASSPORT OFC.	BLDG. 4-5005, TOYLAND/GIFT SHOP	4/95
33.	PUAG	BLDG. 16-6103, PWC TRANSP. GARAGE AUTO SHOP BLDG. 17-3120, WAREHOUSE	3/95
21	REVENUE & TAX	BLDG. 13-1, NEX/PERSUPDET	1/95
	"	BLDG. 13-2, NAV/EXCH-NAV/REL	
	"	BLDG. 13-3, BEQ	

LISTING OF INTERESTED
OCCUPANTS
CLUBS & ORGANIZATIONS

	NAME	REQUESTED	D/R
1.	VETERANS OF FOREIGN WARS POST NO. 1509	A. BLDG. 15-6104 EL GECKO 10,000 SQ. FT.	2/95
2.	THE AMERICAN LEGION GUAM POST 53	A. FIDDLERS GREEN CPO 8,000 - 10,000 SQ. FT.	2/95
3.	INDIAN WOMEN'S CLUB	A. LAND TO BUILD A COMMUNITY CENTER TO ACCOMMODATE 750 TO 1000 PEOPLE	1/95
4.	GUAM WOMEN'S CLUB	A. NEED SUITABLE SPACE FOR CLUB ACTIVITIES, OFFICES AND STORAGE	1/95
5.	GUAM NAVY CLUB	A. FIRST CHOICE EL GECKO B. 2ND CHOICE FIDDLERS GREEN C. HOUSE UNIT #105 & 107 ON "K" STREET	2/95
6.	AMERICAN FEDERATION OF OF GOVERNMENT EMPLOYEES LOCAL NO. 1689, INC.	A. YOUTH CENTER BLDG. 8-2300 5,184 SQ. FT.	9/94
7.	MANUKAI ATHLETIC CLUB	A. SWIMMING POOL BLDG. 1-1302 & 1-1303	9/94
8.	FLEET RESERVE ASSO.	A. EL GECKO EM CLUB 14,268 SQ. FT.	