

***I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN***  
**2016 (SECOND) Regular Session**

Bill No. 360-33 (COR)

Introduced by:

T. C. Ada 

**AN ACT TO TRANSFER LOT 427, MUNICIPALITY OF  
*TALOFOFO* WITH AN AREA OF 3,243± SQUARE  
METERS FROM THE ADMINISTRATIVE JURISDICTION  
OF THE CHAMORRO LAND TRUST COMMISSION TO  
THE GUAM POWER AUTHORITY FOR THE PURPOSE  
OF EXPANDING THE *TALOFOFO* SUBSTATION.**

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1           **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:**  
2           **Section 1. Legislative findings and intent.** *I Liheslaturan Guåhan* finds  
3 §8203 of Title 12 of the Guam Code Annotated provides that the Guam Power  
4 Authority (GPA) is authorized to acquire lands for the purposes of constructing,  
5 improving, equipping, maintaining, repairing, renewing, replacing and reconstructing  
6 the electrical system of GPA.  
7           *I Liheslaturan Guåhan* finds that the Guam Power Authority (GPA) has  
8 identified property, under the administrative jurisdiction of the Chamorro Land Trust  
9 Commission (CLTC), for the purpose of expanding the *Talofofò* Electrical Substation,  
10 preparing the site for the future construction of an Energy Storage System. These  
11 improvements are essential in meeting current and future growth demands for  
12 electrical generation and distribution to the Island Wide Power System (IWPS).

1            *I Liheslaturan Guåhan* finds that the Guam Power Authority has commissioned  
2 a 25.65 MW solar farm through NRG Energy (independent power producer) and a 275  
3 KW wind turbine renewable energy as part of its integrated resource plan; and

4            *I Liheslaturan Guåhan* finds that the construction and installation of an Energy  
5 Storage System facility at the selected site will provide significant power output  
6 stabilization from the *Dandan* Solar facility and wind turbine, thus firming the net  
7 power output.

8            *I Liheslaturan Guåhan* finds that considering the present and future ability of  
9 GPA to operate the Island Wide Power System, GPA desires to include Lot 427,  
10 Municipality of *Talofoyo* for the *Talofoyo* Electrical Substation Expansion and it  
11 desires that the CLTC convey to GPA, and such action is deemed in the best interest  
12 of both parties and necessary for the Land Registration.

13            **Section 2. Authorization to Transfer Land to the Guam Power Authority**  
14 **(GPA).** Notwithstanding any other provision of law, rule or regulation, *I Liheslaturan*  
15 *Guåhan* authorizes the Chamorro Land Trust Commission (CLTC) to transfer the  
16 existing *Talofoyo* Electrical Substation property containing an area of three thousand  
17 two hundred forty three (3,243) square meters, more or less, Lot 427, Municipality of  
18 *Talofoyo*, as shown on the Land Registration survey Map of Lot 427, Municipality of  
19 *Talofoyo* prepared by TG Engineers, filed under instrument No. 806752 (See exhibit  
20 A) for the construction of a new Energy Storage System (ESS Parcel). GPA shall,  
21 upon acquiring the Conditional Grant Deed, submit to the court the Land Registration  
22 of the property and all Land Registration expenses shall be borne by GPA.

23            (a). GPA shall pay for the appraisal of the property by two different  
24 appraisers certified to do business on Guam, which shall be selected by the  
25 Administrative Director of the Chamorro Land Trust Commission.

1 (b). GPA shall have the property surveyed and registered at its own  
2 expense.

3 (c). GPA shall work with the Chamorro Land Trust Commission (CLTC)  
4 to determine an appropriate compensation for the property to include preferably  
5 but not limited to purchase at fair market value, in-kind service exchange of  
6 equal value or a combination of options to be approved by GPA, the  
7 Consolidated Commission (CCU) and the (CLTC). GPA and CLTC will have  
8 one hundred and eighty (180) days to finalize the compensation agreement.

9 **Section 3. Proceeds.** All proceeds made from the sale of Lot 427 shall be  
10 deposited into the *Chamorro Land Trust Infrastructure and Survey Fund*, identified as  
11 Department of Administration Revenue Account Number 3669-57001.

12 **Section 4. Rezoning.** Lot 427, Municipality of *Talofof*, is hereby  
13 rezoned from Agricultural (A) to Public Facility (PF) for the purpose of expanding the  
14 *Talofof* Substation and constructing the Energy Storage System.

15 **Section 5. Effective Date.** This act shall take effect upon enactment.

16 **Section 6. Severability.** If any of provision of this law or its application to  
17 any person or circumstance is found to be invalid or contrary to law, such invalidity  
18 *shall not* affect other provisions or applications of this law, which can be given effect  
19 without the invalid provisions or applications and to this end the provisions of this act  
20 are severable.

