

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

Bill No. 301-33 (COR)

Introduced by:

T. C. Ada 

**AN ACT TO TRANSFER A PORTION OF LOT 421-R26,  
TENTATIVELY IDENTIFIED AS “LPORION 421-77”  
MUNICIPALITY OF *TALOFOFO* WITH AN AREA OF 2,100±  
SQUARE METERS FROM THE CHAMORRO LAND TRUST  
INVENTORY 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 §8203  
3 of Title 12 of the Guam Code Annotated provides that the Guam Power Authority (GPA)  
4 is authorized to acquire lands for the purposes of constructing, improving, equipping,  
5 maintaining, repairing, renewing, replacing and reconstructing the electrical system of  
6 GPA. *I Liheslaturan Guåhan* finds that the Guam Power Authority (GPA) has identified  
7 property, under the administrative jurisdiction of the Chamorro Land Trust Commission  
8 (CLTC), for the purpose of expanding the *Talofof* Electrical Substation, preparing the  
9 site for the future construction of an Energy Storage System. These improvements are  
10 essential in meeting current and future growth demands for electrical generation and  
11 distribution to the Island Wide Power System (IWPS).

12           *I Liheslaturan Guåhan* finds that the Guam Power Authority has commissioned a  
13 25.65 MW solar farm through NRG Energy (independent power producer) and a 275 KW  
14 wind turbine renewable energy as part of its integrated resource plan; and

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

5            **Section 2. Authorization to Transfer Land to the Guam Power Authority**  
6 **(GPA).** Notwithstanding any other provision of law, rule or regulation, *I Liheslaturan*  
7 *Guåhan* authorizes the Chamorro Land Trust Commission (CLTC) to transfer  
8 approximately two thousand one hundred (2,100) square meters (0.518 acres), more or  
9 less, which is a portion of Lot 421-R26, tentatively identified as “LPortion 421-77,”  
10 Municipality of *Talofof*, as shown on the Agricultural Subdivision Master Plan of Lot  
11 421, prepared by Department of Land Management, filed under instrument No. 880748  
12 for the construction of a new Energy Storage System (ESS Parcel). (See exhibit A)

13            a) GPA shall pay for an appraisal of the ESS parcel by a certified Real  
14 Estate Appraiser licensed to do business on Guam, which shall be selected by the  
15 Administrative Director of the Chamorro Land Trust Commission.

16            b) GPA shall have the *Talofof* Electrical Substation Expansion  
17 property surveyed and registered by a Professional Land Surveyor licensed to do  
18 business on Guam and the land survey registration survey map, parceling map, and  
19 consolidation survey map shall be approved and recorded by the Department of  
20 Land Management.

21            c) GPA shall work with the CLTC to determine an appropriate  
22 compensation solely for the ESS parcel to include preferably, but not limited to  
23 purchase at fair market value, in-kind service exchange of equal value or a  
24 combination of options to be approved by GPA, the Consolidated Commission on  
25 Utilities (CCU) and the CLTC. GPA and CLTC will have one hundred eighty  
26 (180) days to finalize the compensation agreement.

1           d) CLTC grants right of entry immediately for GPA and or its  
2 contractors to the ESS parcel to complete required geotechnical survey,  
3 topographic survey, archeological studies or other required testing for the design,  
4 permitting and construction of the Energy Storage System project, while both  
5 parties are finalizing compensation and the Conditional Grant Deed is recorded.

6           e) GPA shall, upon acquiring the Conditional Grant Deed, submit to the  
7 court the Land Registration of the property and all Land Registration expenses  
8 shall be borne by GPA.

9           **Section 3. Proceeds of sale.** All proceeds made from the sale of Lot 421-R26  
10 tentatively identified as “LPortion 421-77,” shall be deposited into the *Chamorro Land*  
11 *Trust Infrastructure and Survey Fund*, identified as Department of Administration  
12 Revenue Account Number 3669-57001.

13           **Section 4. Rezoning.** The Portion of Lot 421-R26, tentatively identified as  
14 “LPortion 421-77,” Municipality of *Talofof* for the ESS, is hereby rezoned from  
15 Agricultural (A) to Public Facility (PF) for the purpose of expanding the *Talofof*  
16 Substation and constructing the Energy Storage System.

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

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

361-33 (COR)



**PROPOSED SUBDIVISION SKETCH  
OF PORTION OF LOT 421-77  
MUNICIPALITY OF TALOFOFO**

**REFERENCES:**

1. AGRICULTURAL SUBDIVISION MASTER PLAN OF LOT 421 DOC. NO. 880748
2. LAND REGISTRATION SURVEY MAP OF LOT 427 DOC. NO. 806752
3. LAND REGISTRATION SURVEY MAP OF LOT 415 DOC. NO. 330105



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GPA Talofofo Electric Substation Expansion

Drawn By:

Checked by:

Date: 6/2/2016