

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 494-30 (LS), "AN ACT TO ZONE APRA HARBOR RESERVATION LOT F-12-1 AND LOT F-12-R1, IN THE MUNICIPALITY OF PITI, TO LIMITED INDUSTRIAL (M1) ZONE," was on the 22nd day of December, 2010, duly and regularly passed.




Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 23 day of Dec., 2010, at
8:02 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

Bill No. 494-30 (LS)

As amended on the Floor.

Introduced by:

T. R. Muña Barnes
Judith T. Won Pat, Ed.D.
T. C. Ada
V. Anthony Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
E. J.B. Calvo
B. J.F. Cruz
J. V. Espaldon
Judith P. Guthertz, DPA
Adolpho B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
Telo Taitague
Ray Tenorio

**AN ACT TO ZONE APRA HARBOR RESERVATION
LOT F-12-1 AND LOT F-12-R1, IN THE MUNICIPALITY
OF *PITI*, TO LIMITED INDUSTRIAL (M1) ZONE.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 Lot Apra Harbor Reservation (AHR) Nos. F-12-1 and Lot F-12-R1, in the
4 Municipality of *Piti*, Estate No. 372, Suburban as said lots are marked and
5 designated on Drawing No. RCPIT-06, as L.M. Check No. 199 FY 2005 as
6 described in that Parceling Survey Map dated April 16, 2007 and recorded April
7 18, 2007 at the Department of Land Management under Document No. 753932 is

1 land returned to Guam by the United States and has therefore never been given a
2 zone designation. Lots AHR F-12-1 and F-12-R1 are now held by the Guam
3 Ancestral Lands Commission as “Trustee” for the GALC Land Bank Trust for the
4 purposes identified at Title 21 GCA 80104(e).

5 *I Liheslaturan Guåhan* further finds that in December of 2003, the Guam
6 Ancestral Lands Commission conveyed thirteen thousand four hundred ninety-six
7 (13,496) square meters of Lot AHR F-12-R1 to the Estates of Ana Rios Zamora
8 and Agueda Cruz Manibusan in that Quitclaim Deed recorded with the Department
9 of Land Management of the Government of Guam on December 31, 2003 under
10 Instrument No. 686064 and also known as “Lot 193, Piti”. Lot 193, Piti is
11 EXCLUDED from the land use zone designation established by this Bill. The
12 remainder of Lots AHR F-12-R1 and F-12-1 was land created by the Navy after
13 World War II during the dredging of Apra Harbor.

14 Lot AHR F-12 was the property of the United States of America, acting by
15 and through the Department of Navy, until April 18, 2001, at which time the
16 United States conveyed Lot AHR F-12 to the Guam Economic Development
17 Authority in that certain Quitclaim Deed dated April 18, 2001, and recorded with
18 the Department of Land Management on April 25, 2001 under Instrument No.
19 636645. The Guam Economic Development Authority subsequently conveyed Lot
20 AHR F-12 to the Guam Ancestral Lands Commission in that Quitclaim Deed dated
21 June 5, 2001 and recorded with the Department of Land Management on June 6,
22 2001 under Instrument No. 638645.

23 The Guam Ancestral Lands Commission has entered into commercial leases
24 for portions of Lot AHR F-12. In 2009, the Guam Ancestral Lands Commission
25 leased five (5) acres of Lot AHR F-12 to the Bali Steel Guam, LLC, a Guam
26 limited liability company, for the purpose of establishing a scrap metal recycling
27 facility. The five (5) acres leased to Bali Steel Guam, LLC is now known as Lot

1 AHR F-12-1. The Lease Agreement with Bali Steel Guam, LLC was recorded
2 with the Department of Land Management on August 18, 2009 under Instrument
3 No. 794595.

4 On July 1, 2010 the Guam Ancestral Lands Commission, as “Trustee” for
5 the GALC Land Bank Trust, entered into a Lease Agreement with the Matson
6 Navigation Company, Inc. for one hundred twenty-two thousand four hundred
7 forty-nine (122,449) square meters of Lot AHR F-12-R1 for the purpose of a
8 container yard, staging areas for construction materials and other cargo, staging
9 areas for vehicles and containers, office space, warehouses and other activities
10 permissible in an M1 zone. The Lease Agreement with the Matson Navigation
11 Company, Inc. was recorded with the Department of Land Management on July
12 16, 2010 under Instrument No. 808809.

13 The Guam Ancestral Lands Commission through its administrative agent,
14 the Guam Economic Development Authority, is in the process of leasing other
15 portions of Lot AHR F-12-R1 for uses allowable under an M1 zone.

16 **Section 2. Zoning.** The Guam Ancestral Lands Commission as the
17 Trustee for the GALC Land Bank Trust, the Guam Economic Development
18 Authority, the Matson Navigation Company, Inc. and Bali Steel Guam, LLC have
19 all requested the assistance of *I Liheslaturan Guåhan* to establish a zone
20 designation of Limited Industrial/M1 for Lot Apra Harbor Reservation F-12-1 and
21 F-12-R1, but *not* including the portion of Lot 193 which is within Lot F-12-R1. *I*
22 *Liheslaturan Guåhan* therefore finds that in order to provide uniformity to the
23 zoning of the lands of Guam, it is prudent to act on this zone change request and
24 deems it reasonable and appropriate.

25 **Section 3.** Lot Nos. Apra Harbor Reservation F-12-1 and F-12-R1,
26 Municipality of *Piti*, Guam, Estate No. 372, Suburban as said lots are marked and
27 designated on Drawing No. RCPIT-06 as L.M. Check No. 199 FY 2005, as

1 described in that Parceling Survey Map dated April 16, 2007 and recorded April
2 18, 2007 at the Department of Land Management, Government of Guam under
3 Document No. 753932, EXCLUDING, HOWEVER, that portion of Lot AHR F-
4 12-R1 which was conveyed by the Guam Ancestral Lands Commission to the
5 Estates of Ana Rios Zamora and Agueda Cruz Manibusan in that Quitclaim Deed
6 recorded with the Department of Land Management on December 31, 2003 under
7 Instrument No. 686064 and known as “Lot 193, *Piti*”, is hereby zoned Limited
8 Industrial Zone (M1).

9 **Section 4. Severability.** *If* any of the provisions of this Act or the
10 application thereof to any person or circumstance is held invalid, such invalidity
11 shall *not* affect any other provision or application of this Act which can be given
12 effect without the invalid provision or application, and to this end the provisions of
13 this Act are severable.