



Speaker Won Pat <speaker@judiwonpat.com>

Messages and Communications: GALC Meeting - August 13, 2014

Speaker Won Pat <speaker@judiwonpat.com>

Tue, Sep 2, 2014 at 10:59 AM

To: Guam Legislature Clerks Office <clerks@guamlegislature.org>

9/2/2014 9/2/2014 Guahan Ancestral Land Commission

Regular Monthly Public Meeting August 13, 2014 32-14-2012
*emailed

----- Forwarded message -----

From: **Jhoana V Casem** <jhoana.casem@galc.guam.gov>
Date: Tue, Sep 2, 2014 at 10:40 AM
Subject: GALC Meeting - August 13, 2014
To: Speaker Won Pat <speaker@judiwonpat.com>
Cc: Ed Pocaigue <edpocaigue@judiwonpat.com>

32-14-2012
Office of the Speaker
Judith T. Won Pat, Ed.D

Date: 9.2.14
Time: 10:59am
Received By: [Signature]

Buenas yan Hafa Adai Speaker!

How are you doing? Hope you had a splendid weekend with all the fun-filled activities going on.

Please see the link for GALC's August 13th meeting.
http://www.mediafire.com/view/4sm7iv2vui8s94o/GALC_Meeting_-_August_13,_2014.PDF

Should you have any questions or comments, please feel free to contact our office.

Si yu'os ma'ase and have a great day/week.

--
Senseramente,
Jhoana Marie V. Casem
Department of Land Management
w. 473-5263 or 649-5263 x680
www.dlm.guam.gov

--
Ufisinan I Etmås Ge'helo'Gi Liheslaturan Guåhan
Office of Speaker Judith T. Won Pat Ed.D.
Kumiten Idukasion yan Laibirihan Publeko
Committee on Education and Public Libraries & Women's Affairs
155 Hesler Place, Suite 201, Hagatna, Guam 96910
Fax: (671) 472-3589
www.guamlegislature.com / speaker@judiwonpat.com

2014 SEP -2 AM 11:23
[Handwritten mark]

Tel: (671) 472-3586

GALC Meeting - August 13, 2014.PDF
10004K

2012

**BOARD OF
COMMISSIONERS**

Anita F. Orlino
Chairperson

Ronald T. Laguana
Vice Chair

Ronald F. Eclavea
Commissioner

James C. Matanane
Commissioner

Lydia M. Tyner
Commissioner

Anthony J.P. Ada
Commissioner

Maria G. Cruz
Secretary/Treasurer

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

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

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

E-mail Address:
galc.staff@dlm.guam.gov

Telephone:
(671) 473-5263/7 or
(671) 649-LAND (5263)
ext. 680/681

Facsimile:
671-649-5383



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

DIPATTAMENTON MINANEHAN TANO'
(Department of Land Management)

KUMISION I TANO' SAINA-TA
(Guahan Ancestral Lands Commission)



MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

Regular Monthly Public Meeting
Wednesday, August 13, 2014 at 2:00pm

I. CALL TO ORDER

II. ROLL CALL/QUORUM COUNT by Director

III. FANOHGGE CHAMORRO / INIFRESI

IV. APPROVAL OF RECORD OF MOTIONS

A. ROM's from July 23, 2014 Meeting

V. NEW BUSINESS

A. GEDA Monthly Report

VI. OLD BUSINESS

A. GALC Rules and Regulations

VII. ADMINISTRATIVE

A. Update on GALC Financial Statements from BOH

VIII. PUBLIC COMMENTS

IX. GALC BOARD OF COMMISSIONER'S COMMENTS

A. Regular Monthly Public Meetings for August 2014

1. Wednesday, August 27, 2014 at 2:00pm

X. ADJOURNMENT / RECESS





GUAM ANCESTRAL LANDS COMMISSION

a division of the
DEPARTMENT OF LAND MANAGEMENT



Eddie Baza Calvo
Governor

Michael J.B. Borja
Director

Ray Tenorio
Lieutenant Governor

David V. Camacho
Deputy Director

In compliance with Public Law 24-109,

Guam Ancestral Lands Commission

published the

Public Meeting Announcement

for

Wednesday, August 13, 2014

in the

**Guam Pacific Daily News on
August 6th and August 12th, 2014**

Attached are photo copies of the published GALC Meeting Notices

Aug. 13

- The Guam Ancestral Lands Commission Board will meet at 2 p.m. Aug. 13 at the Department of Land Management in the ITC Building, Tamuning. For special accommodations, call 649-5263, ext. 341/682.
- The Guam Board of Medical Examiners will meet at 4 p.m. Aug. 13 at the Guam Memorial Hospital Agency in Tamuning. For more information, call 473-7405~12. For special accommodations, call Jimmy Sian at 735-7102 or TDD 649-1801.

Aug. 14

- The Guam Housing Corporation's Board of Directors will meet at 3 p.m. Aug. 14 at the Guam Economic Development Authority in the ITC Building, Tamuning. For special accommodations, call 647-4143.
- The Civil Service Commission will meet at 5:45 p.m. Aug. 14 in Suite 6A, 777 Route 4, Sinajana. For more information or special accommodations, call 647-1855/57 or TTY 649-7002.

Aug. 15

- Department of Parks and Recreation Commission will meet at 11 a.m. Aug. 15 at 490 Chalan Palasyo, Agana Heights. For more information, call 475-6296.

Aug. 18

- The Guam Academy Charter Schools Council will meet at 3 p.m. Aug. 18 at the Department of Chamorro Affairs Conference Room in the Terlaje Building in Hagåtña. Individuals requiring special accommodations or services can call 735-2193/1 or 727-5522.

Aug. 19

- The Civil Service Commission will meet at 5:45 p.m. Aug. 19 in Suite 6A, 777 Route 4, Sinajana. For more information or special accommodations, call 647-1855/57 or TTY 649-7002.

Aug. 27

- The Guam Ancestral Lands Commission Board will meet at 2 p.m. Aug. 27 at the Department of Land Management in the ITC Building, Tamuning. For special accommodations, call 649-5263 ext. 341/682.

Submissions

- The Pacific Daily News runs government meetings as a public service to the community. Send your government meeting notices to life@guampdn.com. For more information, call Community

Aug. 13

- The Guam Ancestral Lands Commission Board will meet at 2 p.m. Aug. 13 at the Department of Land Management in the ITC Building Tamuning. For special accommodations, call 649-5263, ext. 341/682.

Aug. 14

- The Guam Housing Corporation's Board of Directors will meet at 3 p.m. Aug. 14 at the Guam Economic Development Authority in the ITC Building, Tamuning. For special accommodations, call 647-4143.
- The Guam Visitors Bureau Board of Directors will meet at 4 p.m. Aug. 14 at GVB in Tumon. For special accommodations, call 646-5278.
- The Civil Service Commission will meet at 5:45 p.m. Aug. 14 in Suite 6A, 777 Route 4, Sinajana. For more information or special accommodations, call 647-1855/57 or TTY 649-7002.

Aug. 15

- Department of Parks & Recreation Commission will meet at 11 a.m. Aug. 15 at 490 Chalan Palasyo, Agana Heights. For more information, call 475-6296.

Aug. 28

- The Guam Parole Board hearing will be held at 9 a.m. and the Guam Pardon Review Board hearing will be held at 3 p.m. Aug. 28 at the Guam Sports Complex in Dededo. For more information or special accommodations, call 735-4133/34.

Aug. 29

- The Government of Guam Retirement Fund Board of Trustees will meet at 12:30 p.m. Aug. 29 at the Fund in Maite. For special accommodations, call 475-8900/01.

Submissions

- The Pacific Daily News runs government meetings as a public service to the community. Send your government meeting notices to life@guampdn.com. For more information, call Community Editor Duane M. George at 479-0415 or send email to dmgeorge@guampdn.com.

**BOARD OF
COMMISSIONERS**

Anita F. Orlino
Chairperson

Ronald T. Laguana
Vice Chair

Ronald F. Eclavea
Commissioner

James C. Matanane
Commissioner

Lydia M. Tyner
Commissioner

Anthony J.P. Ada
Commissioner

Maria G. Cruz
Secretary/Treasurer

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

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

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

E-mail Address:
galc.staff@dlm.guam.gov

Telephone:
(671) 473-5263/7 or
(671) 649-LAND (5263)
ext. 680/681

Facsimile:
671-649-5383



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

DIPĀTTAMENTON MINANEHAN TĀNO'
(Department of Land Management)

KUMISION I TĀNO' SAINA-TA
(Guahan Ancestral Lands Commission)



MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

August 19, 2014

PURPOSE: To establish the motion by the Board of Commissioners,
to table GALC Rules and Regulations

CITATION: Excerpt from Minutes of August 13, 2014 Regular Meeting
Agenda Item VI – Old Business

DISCUSSION: Laguana – “I move to table the voting on the adoption of the Rules and Regulations based on the recommendations of the Director of Land Management referencing the litigation process still at pending which for possibly if we do take action on it now it will possibly subject us to litigation so that is my motion.” Orlino – “Okay, so you guys heard the before you motion that we’re going to table our Rules and Reg until such time that this decision has been done. So can I hear a vote from mister?” Eclavea – “We’re still discussing it prior to him making a motion.” Director – “You can discuss it.” Laguana – “You second it and then you discuss it.” Orlino – “Is there a second?” Tyner – “I second it.” Orlino – “It’s been seconded by Commissioner Tyner and then we go into discussion. Commissioner Eclavea?” Eclavea – “Okay, so with regard to where we’re at on the very last end of this part of where we’re at here finalizing what we have now; what we have decided to do, we can’t just final touch that up and...we’re just right there, and then it’s tabled and put on the side.” Laguana – “Can you be acknowledged by the chairman please?” Orlino – “Are you done Commissioner Eclavea?” Cruz – “I’m sorry, I apologize. I suggest we get a clerk because the way we distribute the funds will make a difference on the interpretation of the dispossessed and extinguishment of claim, of um, property.” Eclavea – “Okay, so if it’s still quite a wait then maybe we should just table it if that’s the case. If it’s not right there then...” Cruz – “At least we have it pretty much down packed and hopefully they’ll be just a few changes. There is still the administrative portion that is not required adjudication it’s just a process that these commissioners need to look at – time tables, like to set a deadline on when the claims can be submitted, and other things that should be considered. Again, that does not require adjudication, just our approval on the process.”

Motion By: Ronald T. Laguana, Commissioner
Seconded By: Lydia Tyner, Commissioner
Vote Call: 6 – Aye
Result: Motion carried

CERTIFIED BY:

DAVID V. CAMACHO
Deputy Director

ANITA F. ORLINO
GALC Chairwoman

MARIA G. CRUZ
GALC Secretary/Treasurer

PREPARED BY:

JHONNA MARIE V. CASEM
Land Agent I

**BOARD OF
COMMISSIONERS**

Anita F. Orlino
Chairperson

Ronald T. Laguana
Vice Chair

Ronald F. Eclavea
Commissioner

James C. Matanane
Commissioner

Lydia M. Tyner
Commissioner

Anthony J.P. Ada
Commissioner

Maria G. Cruz
Secretary/Treasurer

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

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

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

E-mail Address:
galc.staff@dlm.guam.gov

Telephone:
(671) 473-5263/7 or
(671) 649-LAND (5263)
ext. 680/681

Facsimile:
671-649-5383



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

DIPATTAMENTON MINANEHAN TANO'
(Department of Land Management)

KUMISION I TANO' SAINA-TA
(Guahan Ancestral Lands Commission)



MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

August 19, 2014

PURPOSE: To establish the motion by the Board of Commissioners,
to approve Record of Motions of July 23, 2014

CITATION: Excerpt from Minutes of August 13, 2014 Regular Meeting
Agenda Item IV – Approval of Record of Motions

DISCUSSION: Laguana – “Motion to approve the excerpts from the minutes of the last meeting from July 23rd with the corrections madam chair.” Tyner – “I’ll second the motion.”

Motion By: Ronald T. Eclavea, Commissioner
Seconded By: Lydia Tyner, Commissioner
Vote Call: 4 – Aye
Result: Motion carried

CERTIFIED BY:

DAVID V. CAMACHO
Deputy Director

ANITA F. ORLINO
GALC Chairwoman

MARIA G. CRUZ
GALC Secretary/Treasurer

PREPARED BY:

JHONA MARIE V. CASEM
Land Agent I





GEDA

Guam Economic Development Authority

Aturid ad Inadilanton Ikunumihan Guahan

Edward J.B. Calvo
Governor of Guam
I Maga' Lahen Guahan

Raymond S. Tenorio
Lt. Governor of Guam
I Segundo Na Maga' Lahen Guahan

John A. Rios
Acting Administrator
Adminastradot

MEMORANDUM

Date: August 13, 2014
To: Executive Director, Guam Ancestral Lands Commission
From: Acting Administrator
Subject: Progress Report – June 25, 2014 to August 13, 2014

Hafa Adai!

The following is a progress report on GEDA's efforts to manage Land Bank Trust properties as required by Section 1 (i) of the MOU between GEDA and GALC Land Bank Trust:

- Apra Harbor Parcel No. 1 (Commissary Junction) – There is no change to the status of this subleased area. KwikSpace Guam is current with its monthly lease payments.
- Apra Harbor Reservation F-12 (Polaris Point) –
 - Matson Navigation Company – Tenant is basically current with its monthly rents. As described in the previous report an *Action Memorandum (AM): Time Critical Site Inspection and Removal Action Old NSD Drum Storage Lot Site, Guam (Polaris Point) April 2014* detailing an approved plan and action items the Navy will undertake with regard to the Areas of Concern (AOC) within Matson's Leased area.
 - Since our last report, the Navy has been sending GEDA daily progress reports of their contractors' work. As of July 15, 2014, the Navy's contractor has begun its work to include:
 - Removal of left-over old metal drums, asphalt debris
 - Boring
 - Trenching
 - Sorting and containerizing asphalt, tar, and storage material
- Knik Construction – There is no change to the status of this subleased area. Tenant is current with its lease payment.
- Balli Steel Guam (BSG) – To date, BSG still has a remaining balance of rents owed to the Commission in the amount of \$49,478.39 (including applicable penalties) for the period May 2012 to July 2013. Although GEDA had been working with Legal counsel to determine possible courses of action to pursue these arrears, GEDA has concluded services with previous counsel and now must update new counsel on this matter. GEDA's new counsel has



not yet reviewed this matter however, it is still GEDA's understanding from previous counsel is that despite any further action to be taken against Balli, the property is available for lease should the Commission so desire.

- Brand Inc. – It is GEDA's understanding that the property has been licensed by GALC to TransSteel and that GALC management maintains an agreement with DLM and CLTC to use this lot as a staging area for aggregate materials which will be offered to CLTC beneficiaries for use as needed. GEDA has made numerous attempts to contact the former the former Tenant, Brand Inc. but to no avail.
- N5D Mangilao (Route 15) – Issuance of a new RFP for the N5D 72-acre parcel is on hold until resolution is reached on the legal dispute between the GALC and WSTCO Quality Feed and Supply. GALC Legal Counsel indicated they would update the Commission on this matter. GEDA continues to receive questions and expressions of possible interest in this, or portions of, this property. It is GEDA's understanding that the courts have determined that Crown Properties are not public lands but instead are private lands held in trust, thus PL 32-40 and its 5 year limitation may not apply. However, again, it is recommended that GALC Legal counsel confirm this assumption before proceeding on advertising any lease availability for this lot or any other property in the GALC inventory.
- Wettengel Junction – RFP 12-028 was concluded with a fully executed lease with Northern Market, LLC (NM) on December 20, 2013 and effective January 01, 2014. Unfortunately, the archaeological process has not been resolved, and although the DPR Director has indicated his support to expedite, NM is still awaiting final approval before they can initiate the actual ground breaking. NM has advised their archaeological consultant to meet directly with DPR Director, and Mr. Carlos Camacho has indicated that he will attend that meeting if needed. NM has also informed GEDA that they have already had a public hearing with GHURA and are now awaiting them to complete to review to send to Hawaii for their approval as HUD will provide about 40% of their financing structure. As always, GEDA will follow NM's progress closely and keep the Commission advised on these developments.
- License Agreements for Tiyan Properties
 - DPHSS WIC Program – As WIC's license term is up for renewal at the end of September 2014, GEDA is in discussions with the tenant with regard to a rate increase. Throughout the current term, WIC has been paying the Commission \$1 per square foot of the facility for the property for a total of \$8K per month. GEDA has informed the tenant that if no appraisal is completed by the renewal date, a higher rate of \$1.15 per month may be assessed based on comparable estimates in the Tiyan area.
 - Guam Environmental Protection Agency (GEPA) – With GEPA's latest payment the tenant's arrears are now due for May to July 2014.
- Revenues Generated from Land Leases – For the period from October 2007 to August 7, 2014, GEDA collected a total of **\$3,421,775.78** in both ground lease rents and participation rents of which, **\$2,927,281.27** was remitted to GALC with the difference retained by GEDA as provided for in the MOU.

Should you have any questions, please contact Larry Toves, Mike Cruz or Diego Mendiola at 647-4332.
Si Yu'os Ma'ase' for your continued support in generating revenues for the beneficiaries of the Trust.

Senseramente,



MANA S. TAIJERON
Acting Administrator

cc: Board Members, Guam Ancestral Lands Commission

7

Date	Receipt No.	Check No.	Description	Lease	Participation Rent	TOTAL Lse/Prctptn R.	GALC SHARE			GEDA SHARE		
							Lse 85.70%	Prctptn 80%	Total	Lse 14.30%	Prctptn 20%	Total
	Total FY2007,2008,2009,2010,2011,2012 & 2013			2,738,471.15	77,121.30	2,815,592.45	2,346,868.94	61,697.04	2,408,565.98	391,602.21	15,424.26	
10/2/2013	100213K	ck40757	Knk Const. Oct.-Dec.2013	18,000.00		18,000.00	15,426.00		15,426.00	2,574.00		
10/8/2013	GF-6455	ck40757	Matson Navigation Aug.2013	24,804.20		24,804.20	21,257.20		21,257.20	3,547.00		
10/9/2013	GF-6459	ck40757	Kwikspace Oct. 2013	3,239.61		3,239.61	2,776.34		2,776.34	463.27		
10/11/2013	GF-6460	ck40757	Matson Navigation Prt.Rent July	-	104.00	104.00	-	83.20	83.20	-	20.80	
10/15/2013	101513W	ck40791	DPHSS-WIC Sept.2013	8,000.00		8,000.00	6,856.00		6,856.00	1,144.00		
10/16/2013	101613G	ck40791	GEPA Dec.'12-Apr'13	40,000.00		40,000.00	34,280.00		34,280.00	5,720.00		
10/17/2013	101713G	ck40791	GEPA Dec. 2012	8,000.00		8,000.00	6,856.00		6,856.00	1,144.00		
10/01/13	101713G	ck40791	GEPA June & July 2013	16,000.00		16,000.00	13,712.00		13,712.00	2,288.00		
11/4/13	GF-6477	ck40825	Matson Navigation Co. Oct.2013	24,804.20		24,804.20	21,257.20		21,257.20	3,547.00		
11/6/13	GF-6479	ck40825	Kwikspace Nov.2013	3,239.61		3,239.61	2,776.34		2,776.34	463.27		
12/4/13	GF-6507	ck40906	Kwikspace Dec. 2013	3,239.61	-	3,239.61	2,776.34	-	2,776.34	463.27		
12/5/13	GF-6509	ck40906	Matson Navigation Nov.2013	24,804.20		24,804.20	21,257.20		21,257.20	3,547.00		
12/19/13	GF-6517	ck40970	Knk Const. 3rd Qtr.	-	635.94	635.94	-	508.75	508.75	-	127.19	
12/27/13	122713K	ck40970	Knk Const. Jan. - Mar 2014	18,000.00		18,000.00	15,426.00		15,426.00	2,574.00		
1/3/14	010314G	ck40970	GEPA Sept. 2013	8,000.00		8,000.00	6,856.00		6,856.00	1,144.00		
1/3/14	010314g	ck40970	GEPA Aug. 2013	8,000.00		8,000.00	6,856.00		6,856.00	1,144.00		
1/6/14	GF-6528	ck40970	Matson Navigation-Dec.2013	24,804.20		24,804.20	21,257.20		21,257.20	3,547.00		
1/6/14	GF-6529	ck40970	Knk Const. Prctn Rent 4th Qtr	-	990.00	990.00	-	792.00	792.00	-	198.00	
1/13/14	GF-6545	ck41003	Matson/V.Angoco Nov.-Dec.2013	-	52.00	52.00	-	41.60	41.60	-	10.40	
1/15/14	GF-6546	ck41003	Kwikspace -Jan. 2014	3,239.61		3,239.61	2,776.34		2,776.34	463.27		
1/27/14	012714W	ck41003	DPHSS-WIC Prog.Oct-Dec'13	12,000.00		12,000.00	10,284.00		10,284.00	1,716.00		
2/5/14	GF-6565	ck41003	Kwikspace Jan. 2014	3,239.61		3,239.61	2,776.34		2,776.34	463.27		
2/13/14	GF-6575	ck41093	Matson NavigIn-Jan.2014	24,804.20		24,804.20	21,257.20		21,257.20	3,547.00		
2/26/14	22614	ck41093	Guam Wic Prog.Nov.2014	4,000.00	-	4,000.00	3,428.00	-	3,428.00	572.00		
2/26/14	022614W	ck41093	Guam WIC Prog.Oct.2013	4,000.00		4,000.00	3,428.00		3,428.00	572.00		
2/26/14	W022614	ck41093	Guam WIC Prog. Dec.2013	4,000.00	-	4,000.00	3,428.00	-	3,428.00	572.00		
3/10/14	GF-6591	ck41093	Matson Navigation Feb.2014	24,804.20		24,804.20	21,257.20		21,257.20	3,547.00		
3/11/14	GF-6593	ck41093	Kwikspace/Mar.2014	3,239.61		3,239.61	2,776.34		2,776.34	463.27		
3/12/14	GF-6594	ck41093	Matson Navigation Prctptn Rent	-	78.00	78.00	-	62.40	62.40	-	15.60	
3/14/14	031414W	ck41093	DPHSS-WIC Prog. Jan.2014	8,000.00		8,000.00	6,856.00		6,856.00	1,144.00		
3/31/14	GF-6606	ck41145	Knk Const.Participation Rent	-	990.00	990.00	-	792.00	792.00	-	198.00	
3/31/14	033114W	ck41145	DPHSSWIC Prog.Mar.2014	4,000.00		4,000.00	3,428.00		3,428.00	572.00		
3/31/14	033114w	ck41145	DPHSSWIC Prog. Feb.2014	8,000.00		8,000.00	6,856.00		6,856.00	1,144.00		
4/2/14	040214K	ck41145	Knk Const.April to June 2014	18,000.00		18,000.00	15,426.00		15,426.00	2,574.00		
4/9/14	GF-6626	ck41170	Matson Navigation Mar.2014	24,804.20	-	24,804.20	21,257.20	-	21,257.20	3,547.00		
4/9/14	040914G	ck41170	GEPA Oct.-Jan.'14	32,000.00		32,000.00	27,424.00		27,424.00	4,576.00		
4/14/14	GF-6627	ck41170	Kwikspace Apr. 2014	3,239.61		3,239.61	2,776.34		2,776.34	463.27		

“BENEFICIARIES FOR THE LAND BANK TRUST FUND”

As cited by Public Law 24-45, the beneficiaries of the Land Bank Trust Fund administered by the Guam Ancestral Land Commission will include the following landowners under Class 1 who have lost their property by federal condemnation or taking on or after January 1, 1930 and their ancestral and their ancestral land has not been returned to them.

The same provisions in its entirety under the Land Trust Bank’s rules and regulations will cover landowners under Class 2 on lands yet to be declared excess by the federal and future claims.

Class 1- Dispossessed Landowners:

Federal excess land returned but retained by the government of Guam for use of its instrumentalities or for public use, and have not been received just compensation from the government of Guam.

Class 2- Dispossessed Landowner (Future Land Claims) on future lands declared excess.

Public Law 23-45 also requires that landowners must submit a claim for just compensation and a condition for monetary compensation will be the extinguishment of claim to their ancestral land.

Severability: If any of the provisions on this rules and regulations or application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this rules and regulations which can be given effect without the invalid provision or application, and to this end the provisions of the rules and regulations are severable.

“DISBURSEMENT AND RESEVERED FUNDS”

The Guam Ancestral Land Commission shall disburse Land Trust Funds to approved beneficiaries using the following approach:

In allowing the funds to grow in interest and revenue, disbursement of funds to its beneficiaries shall occur in a yearly basis. GALC shall take into consideration the amount to be retained in the Trust Fund, which amount shall be established by the Board preceding the disbursement schedule. After subtracting the amount to be retained in the trust fund, the Commission shall also retain 10% of this balance for its administrative cost with the significant portion of 90% on this balance to be disbursed to the approved beneficiaries of the trust fund. The administrative cost shall be capped at GALC’s approved fiscal year budget needs if it is less than 10% of the administrative cost. Any remaining amounts from the administrative cost due to GALC’s cap will be applied towards the disbursement for the beneficiaries on same year. The amount determined for disbursement to the approved beneficiaries shall the balance of the trust funds as of August 31, after the amount to be retained is determined and the 10% administrative cost is applied.

Timetable example: Account balance from Land Trust Bank

The Commission approved disbursement on the balance amount for August 31, 2015 and follows:

Bank Trust Fund as of August 31, 2015	\$4,900,000
Reserved Funds to be retained with Bank Trust	-50,000
Balance	\$4,850,000
10% Administrative Cost	-485,000
90% Amount to be disbursed Trust Fund Beneficiaries	<u>\$4,365,000</u>

“METHODOLOGY FOR COMPENSATION”

Under the Land Bank Trust Fund administered by the Guam Ancestral Land Commission, landowners may be paid the value of their land using one of the following methods:

- Calculate the average Fair Market Value (FMV) of at least three (3) real estate properties using the Department of Revenue and Taxation’s real estate property tax data on properties comparable to their ancestral land
- Landowners may submit a written justification and supportive valid data in substantiating the amount requested as just compensation for their property.
- Landowners may request to submit valid appraisal for their lands at which cost for such appraisal shall be at the landowner’s expense.

Consequently, in addition to eligibility determination as a beneficiary for the Bank Trust, the landowners’ request on the amount of compensation for their ancestral land must also be approved the Commission.

Distribution Method Using Pro-rata Share:

It is anticipated that the Land Bank Trust Funds may not cover full compensation to the eligible landowners on a short term period and that it may take more than five (5) years to settle full compensation due to the anticipated number of eligible landowners who may qualify for the funds, and that GALC rely mainly on income generated from its crown lands to fund the Trust. Therefore, landowners will be issued a yearly disbursement of funds until such time the landowners reaches the full compensation on the amount approved by the Board for their land. Disbursement of funds to be issued to *each Estate* will be based on the percentage on the size of their land from the grand total square meters of land on all Estate to be paid out. That percentage will then be multiplied with the amount approved by the Board for disbursement of

GUAM ANCESTRAL LAND COMMISSION
Rules and Regulations
LAND BANK TRUST

funds. The results will be the disbursement amount to the landowner's Estate.

For example, if the total square meters of land in all categories of dispossessed landowners is 4,000,000 square meters, and the amount in the land bank trust account available for distribution at a given time is \$4,207,500.00, and a landowner's area is 95,000 square meters within that 4,000,000 square meters, then the 95,000 square meters divided by 4,000,000 % = 2.375% then multiply with 4,207,500. The result is \$99,928.00 disbursement for that landowner.

The GALC will maintain a record of the accumulated funds issued to the landowners to ensure landowners are compensated in accordance with the approved amount.

"BENEFICIARIES FOR THE LAND BANK TRUST FUND"

As cited by Public Law 24-45, the beneficiaries of the Land Bank Trust Fund administered by the Guam Ancestral Land Commission will include the following landowners under Class 1 who have lost their property by federal condemnation or taking on or after January 1, 1930 and their ancestral and their ancestral land has not been returned to them.

The same provisions in its entirety under the Land Trust Bank's rules and regulations will cover landowners under Class 2 on lands yet to be declared excess by the federal and future claims.

Class 1- Dispossessed Landowners:

Federal excess land returned but retained by the government of Guam for use of its instrumentalities or for public use, and have not been received just compensation from the government of Guam.

Class 2- Dispossessed Landowner (Future Land Claims) on future lands declared excess.

Public Law 23-45 also requires that landowners must submit a claim for just compensation and a condition for monetary compensation will be the extinguishment of claim to their ancestral land.

Exempted on Land Transfers is cited under Section 7 of Public Law 23-141 are lands presently utilized for public easements such as roads, water, power, sewer, or underground telephone communications or other such government utility use or infrastructure uses essential to the public's safety's safety, welfare, health and protection.

Severability: If any of the provisions on this rules and regulations or application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this rules and regulations which can be given effect without the invalid provision or application, and to this end the provisions of the rules and regulations are severable.

Copy to:
Dave
Kristan
GALC

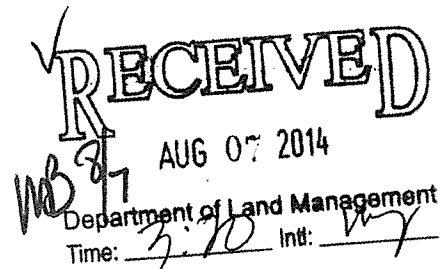
THE VANDEVELD LAW OFFICES, P.C.

Mr. Curtis C. Van de veld, Esq.
Legal Counselor and Attorney

August 6, 2014

VIA HAND DELIVERY

Anita F. Orlino.
Chairperson
Guam Ancestral Lands Commission &
Guam Ancestral Land Trust
ITC Building, 3rd Floor
Tamuning, Guam



RE: Proposed Rules and Regulations for Distributing Guam Ancestral Lands Commission and Land Bank Trust Revenues

Ms. Chairperson:

I represent several Guam Ancestral Lands Commission ("GALC") and Land Bank Trust ("Trust") claimants.

I recently read media reports that the GALC and Trust are currently crafting rules and regulations to effectuate the distribution of GALC and Trust revenues to certain claimants.

News reports publish that the GALC and Trust intend to pay this distribution to claimants only until such time as they are paid an amount equal to the estimated value of their unreturned properties.

I, on behalf of my clients, and others similarly situated, hereby object to any rules and regulations that limit the distribution of GALC and Trust revenues to claimants as proposed. The income stream constituting GALC and Trust revenues are the private property of the claimants in perpetuity. As such, all claimants are entitled to receive a prorated portion of all income generated from GALC and Trust property in perpetuity without a time limit or restriction on total amount.

Secondly, there is no basis in any law to limit compensation to only those claimants whose lands are currently retained by the Government of Guam. All claimants whose lands were not returned and are currently held by the Government of Guam and the United States Government are entitled to a prorated portion of any income stream generated by the GALC and the Trust

Letter to Anita F. Orlin, Chairperson
Guam Ancestral Lands Commission
Re: Objection to Proposed Rules and Regulations for Distribution

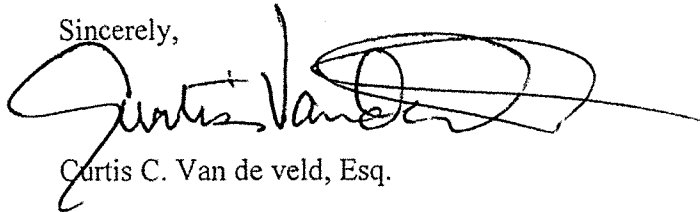
8/6/2014

Page 2 of 2

I respectfully request that the rules and regulations be amended to reflect the position stated herein.

I remain ready to discuss and further these points with your legal representative at her convenience.

Sincerely,



Curtis C. Van de veld, Esq.



For appointment or emergency call Attorney Van de veld: 671.488.0888
Restored Historic Dungca House, 2nd Floor, 123 Hernan Cortes Avenue, Hagåtña, GU 96910
Hagåtña Office: 671.472.4396 Facsimile: 671.472.2561 Home Office: 671.477.2020
Email: curtis@vandeveldlawguam.com or curtisguamlawyer@hotmail.com

Last statement: June 30, 2014
This statement: July 31, 2014
Total days in statement period: 31

Page 1 of 1
Number of Enclosures: (0)



00000075-TDBSAS12400731004060-LETTER01-000000
GUAM ANCESTRAL LANDS COMMISSION
LANDOWNERS RECOVERY FUND
PO BOX 2950
HAGATNA GU 96910

Direct inquiries to:
877 553-2424

HAGATNA BRANCH
134 W SOLEDAD AVE FL 2
HAGATNA GU 96910

Handwritten: RECEIVED
AUG 08 2014

Bank of Hawaii

Department of Land Management

Time: *J 10* Int: *SP*

GO GREEN AND AVOID PAPER CLUTTER BY SWITCHING TO ONLINE STATEMENTS. UP TO 18 MONTHS OF STATEMENTS ARE SECURELY FILED. IT'S FREE WITH E-BANKOH(R) ONLINE BANKING. LEARN MORE AT BOH.COM/ESTATEMENTS. MEMBER FDIC.

Business Money Market

Low balance	\$8,625.04	Beginning balance	\$8,625.04
Average balance	\$8,625.04	Total additions	.22
		Total subtractions	0.00
		Ending balance	<u>\$8,625.26</u>

CREDITS

Date	Description	Additions
07-31	Interest Payment	<u>.22</u>

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
06-30	8,625.04	07-31	<u>8,625.26</u>		

INTEREST INFORMATION

Annual percentage yield earned	0.03%
Interest-bearing days	31
Average balance for APY	\$8,625.04
Interest earned	\$0.22



MEMBER FDIC

EQUAL HOUSING LENDER

Last statement: June 30, 2014
This statement: July 31, 2014
Total days in statement period: 31

Page 1 of 1
Number of Enclosures: (0)



00000077-TDBSAS12400731004060-LETTER01-000000
GUAM ANCESTRAL LANDS COMMISSION
TRUST ACCOUNT
PO BOX 2950
HAGATNA GU 96910

Direct inquiries to:
877 553-2424

HAGATNA BRANCH
34 W SOLEDAD AVE FL 2
HAGATNA GU 96910

8/8 AM
RECEIVED
AUG 08 2014

Bank of Hawaii

Department of Land Management

Time: *3:10* Int: *SP*

GO GREEN AND AVOID PAPER CLUTTER BY SWITCHING TO ONLINE STATEMENTS. UP TO 18 MONTHS OF STATEMENTS ARE SECURELY FILED. IT'S FREE WITH E-BANKOH(R) ONLINE BANKING. LEARN MORE AT BOH.COM/ESTATEMENTS. MEMBER FDIC.

Business Money Market

Low balance	\$77,757.32	Beginning balance	\$77,757.32
Average balance	\$77,757.32	Total additions	3.96
		Total subtractions	0.00
		Ending balance	<u>\$77,761.28</u>

CREDITS

Date	Description	Additions
07-31	Interest Payment	3.96

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
06-30	<u>77,757.32</u>	07-31	<u>77,761.28</u>		

INTEREST INFORMATION

Annual percentage yield earned	0.06%
Interest-bearing days	31
Average balance for APY	\$77,757.32
Interest earned	\$3.96



MEMBER FDIC

EQUAL HOUSING LENDER

Last statement: June 30, 2014
This statement: July 31, 2014
Total days in statement period: 31

Account:
Page 1 of 1
Number of Enclosures: (0)



00000472-TDBSAD22400731004024-LETTER01-000000
GUAM ANCESTRAL LANDS COMMISSION
PO BOX 2950
HAGATNA GU 96932

Direct inquiries to:
877 553-2424

HAGATNA BRANCH
134 W SOLEDAD AVE FL 2
HAGATNA GU 96910

9/8/14
RECEIVED
AUG 08 2014

Bank of Hawaii

Department of Land Management

Time: 3:10 Int: B

GO GREEN AND AVOID PAPER CLUTTER BY SWITCHING TO ONLINE STATEMENTS. UP TO 18 MONTHS OF STATEMENTS ARE SECURELY FILED. IT'S FREE WITH E-BANKOH(R) ONLINE BANKING. LEARN MORE AT BOH.COM/ESTATEMENTS. MEMBER FDIC.

Business Checking Option 1

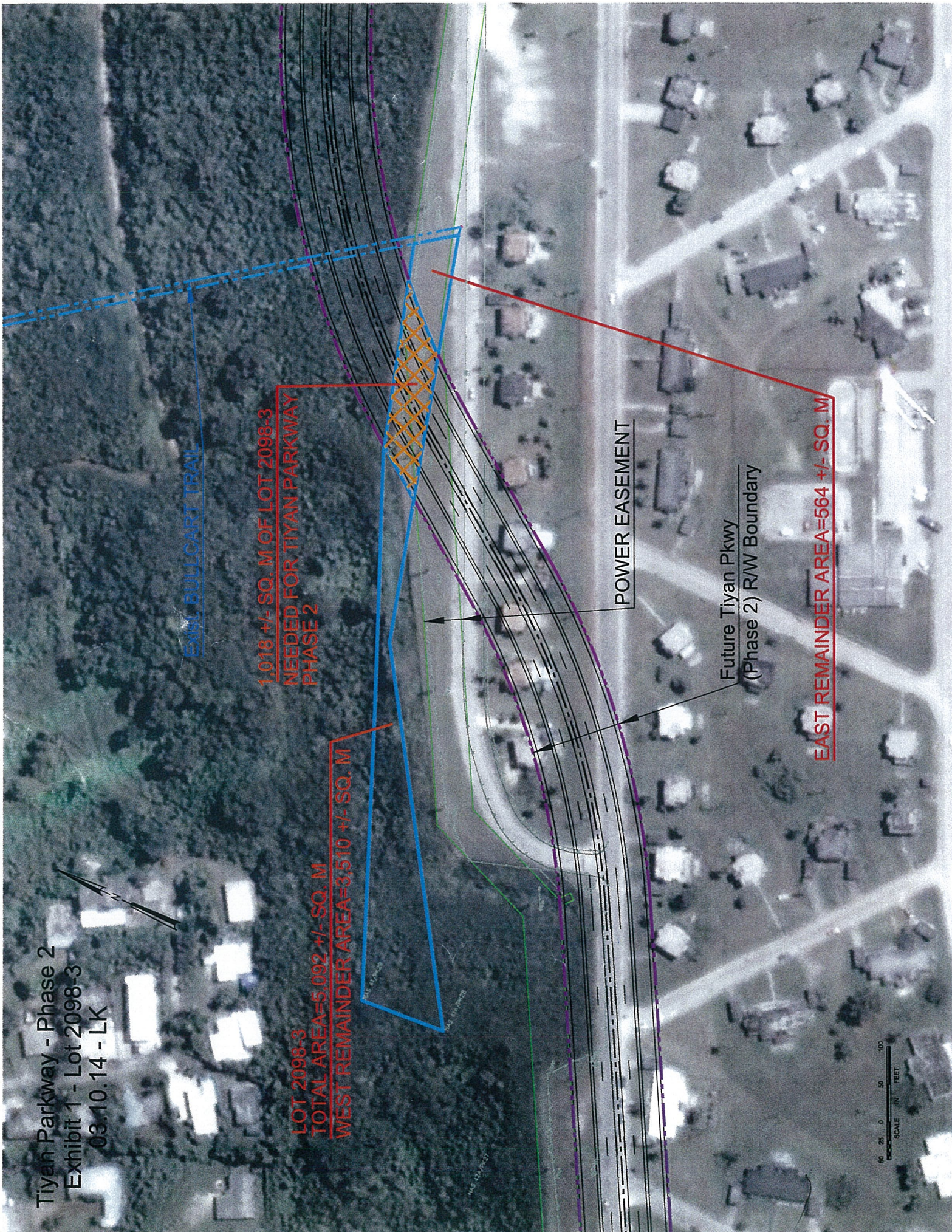
Low balance	\$78.01	Beginning balance	\$78.01
Average balance	\$78.01	Total additions	.00
		Total subtractions	.00
		Ending balance	<u>\$78.01</u>

**** No activity this statement period ****

TDBSAD22400731004024-00000472-001-001-1-000000-00-00



Tiyan Parkway - Phase 2
Exhibit 1 - Lot 2098-3
03.10.14 - LK



EXIST BULLCART TRAIL

1,018 +/- SQ. M OF LOT 2098-3
NEEDED FOR TIYAN PARKWAY
PHASE 2

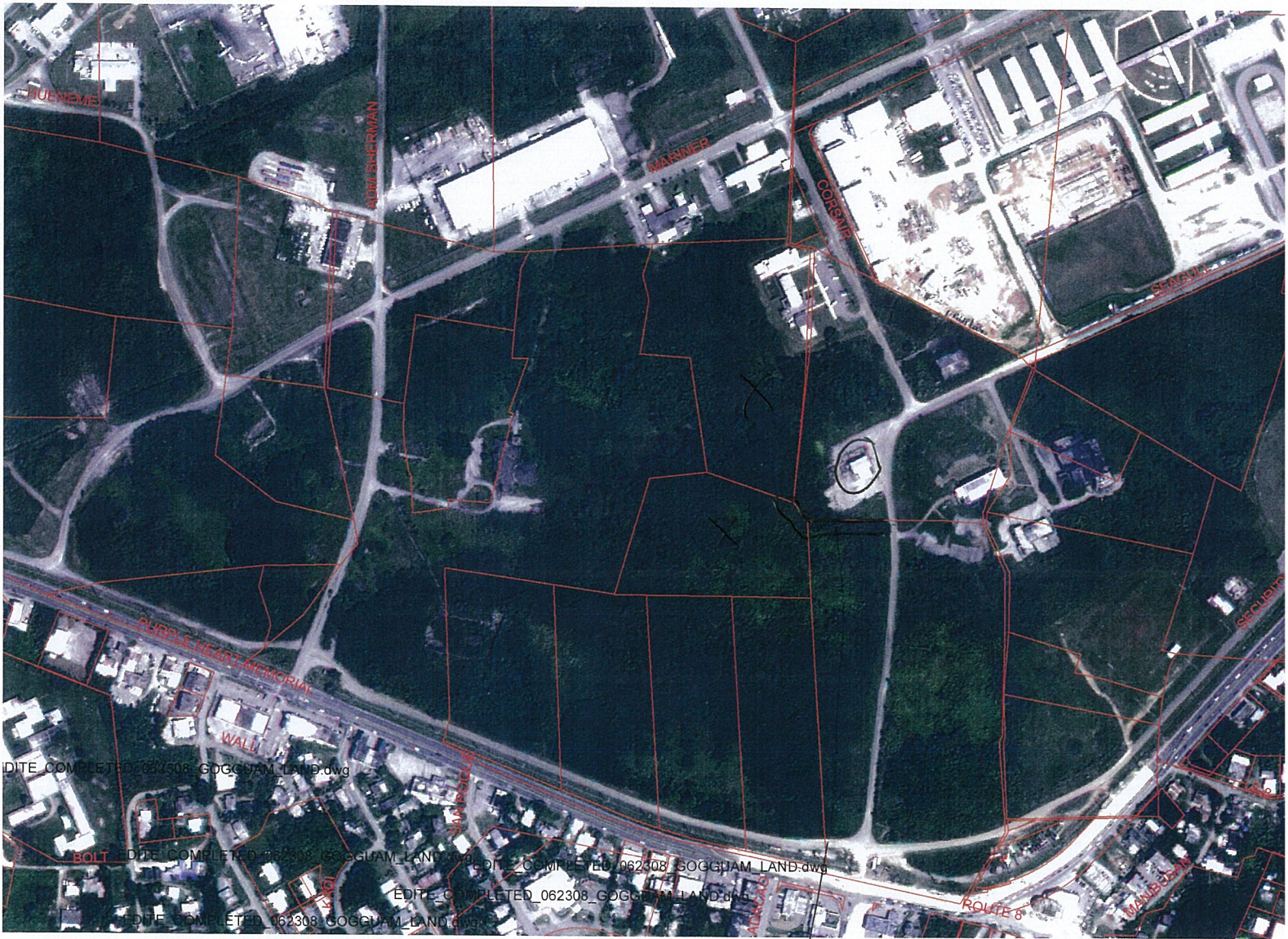
LOT 2098-3
TOTAL AREA=5,092 +/- SQ. M
WEST REMAINDER AREA=3,510 +/- SQ. M

POWER EASEMENT

Future Tiyan Pkwy
(Phase 2) R/W Boundary

EAST REMAINDER AREA=564 +/- SQ. M

SCALE IN FEET
0 25 50 100



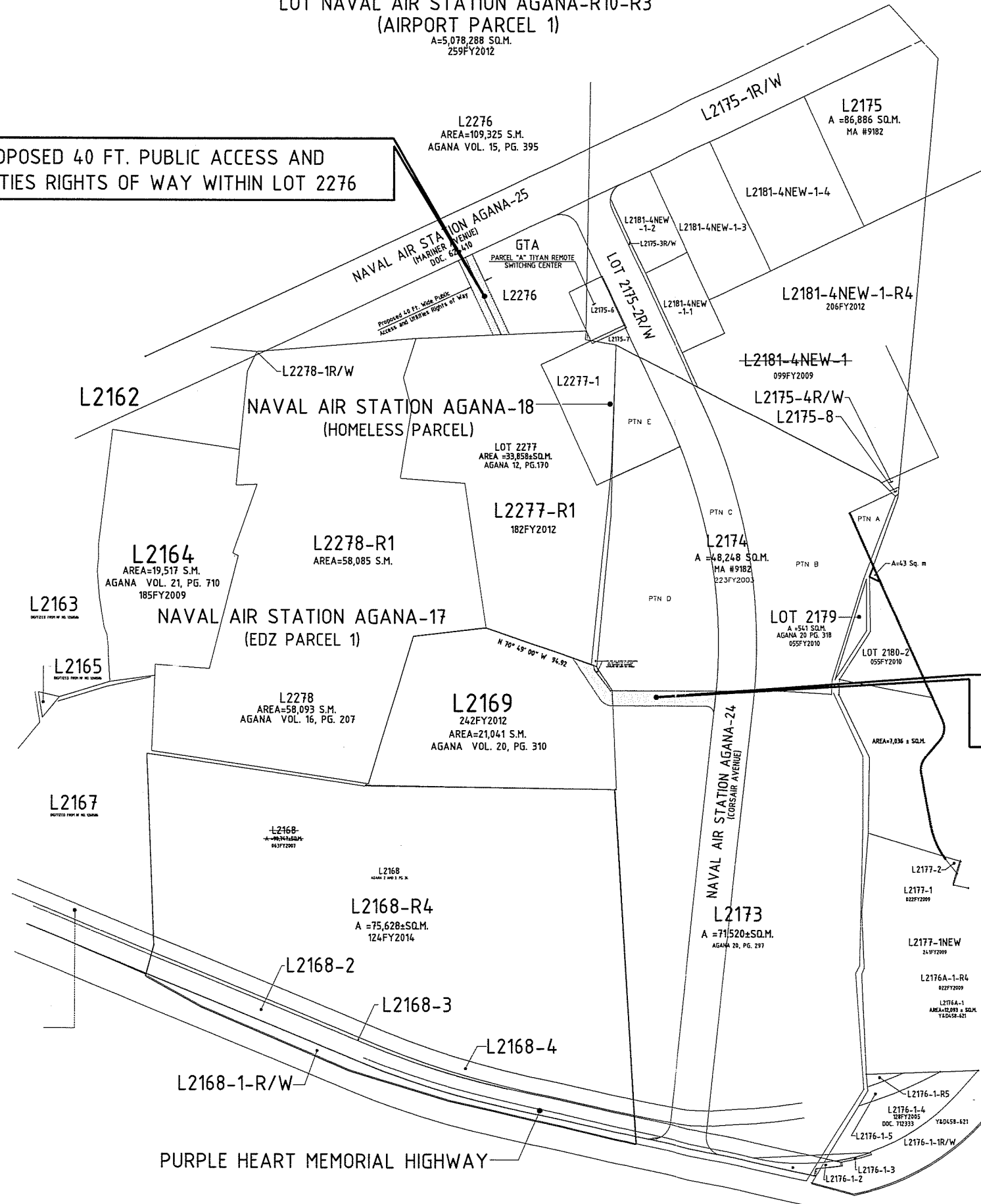
Rios
Mesa

proposed
element

LOT NAVAL AIR STATION AGANA-R10-R3
(AIRPORT PARCEL 1)
A=5,078,288 SQ.M.
259FY2012



PROPOSED 40 FT. PUBLIC ACCESS AND UTILITIES RIGHTS OF WAY WITHIN LOT 2276



PROPOSED 40 FT. PUBLIC ACCESS AND UTILITIES RIGHTS OF WAY WITHIN LOT 2173 AND LOT 2169

NAVAL AIR STATION AGANA-17
MUNICIPALITY OF BARRIGADA



GUAM ANCESTRAL LANDS COMMISSION



Eddie Baza Calvo
Governor

Ray Tenorio
Lieutenant Governor

Michael J.B. Borja
Director

David V. Camacho
Deputy Director

DEED SIGNING/TITLE HEARING/MEETING ATTENDANCE SHEET

DATE: AUGUST 13, 2014

PLACE: DLM Conference Room

CONVENED: 2:12 pm

RECESSED: _____

RECONVENED: _____

ADJOURNED: 4:15 pm.

Check one:

- Work Session
- Executive Session
- Regular Meeting
- Special Meeting
- Title Hearing
- Rehearing
- Deliberations
- Final Determinations
- Deed Signing
- Other

NAME: _____ TITLE: _____ SIGNATURE: _____

BOARD OF COMMISSIONERS:

		Present	Absent	
1. Anita F. Orlino	Chairwoman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Ronald T. Laguana	Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Maria G. Cruz	Secretary/Treasurer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. James C. Matanane	Commissioner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5. Lydia M. Tyner	Commissioner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Ronald F. Eclavea	Commissioner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7. Anthony J.P. Ada	Commissioner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Quorum Confirmed by: Yes No

Note here and initial if Board Member on GovGuam work time:

RTL Yes No

Number of Board Members certified for stipend this meeting:

Confirmed by:

STAFF and GUESTS:

		Present	Absent	
1. Michael J.B. Borja	Acting Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. David V. Camacho	Deputy Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Margarita Borja	Land Administrator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Matthew Leon Guerrero	Land Agent Supervisor	<input type="checkbox"/>	<input type="checkbox"/>	
5. Joey Leon Guerreo	Land Agent II	<input type="checkbox"/>	<input type="checkbox"/>	
6. Stephanie Duenas	Land Agent I	<input type="checkbox"/>	<input type="checkbox"/>	
7. Jhoana Casem	Land Agent I	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. Kristen Finney	AG - Legal Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Karen Charfauros	Senator Pangelinan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Scott Mendiola	Senator Pangelinan	<input type="checkbox"/>	<input type="checkbox"/>	

Remarks:

(2014 REV 05/27/2014)



GUAM ANCESTRAL LANDS COMMISSION



Eddie Baza Calvo
Governor

Ray Tenorio
Lieutenant Governor

Michael J.B. Borja
Director

David V. Camacho
Deputy Director

COMMISSION MEETING / HEARING ATTENDANCE SHEET

DATE: AUGUST 13, 2014 TIME: 2:00 PM
PLACE: DLM Conference Room

Check one:

- Work Session
- Executive Session
- Regular Meeting
- Special Meeting
- Title Hearing
- Rehearing
- Deliberations
- Final Determinations
- Deed Signing
- Other

PUBLIC SIGN IN SHEET: (OPTIONAL)

<u>NAME</u>	<u>VILLAGE</u>	<u>NAME</u>	<u>VILLAGE</u>
John Camacho	Talofolo		
FLORES, EVA	Sinjana		
FLORES, Leonides	Sinjana		
Ridgedy, Clyst	Pacific News Center		
Jo Aquino C.	ARZOLA		
Vicente GARRIDO	AGANA		
Diego Mondiola	Dededo - 632-5700/684-9075		
Miguel Cruz	GEDA		
Raynor Dolewa	"		
	PON		