



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam.

DEC 15 2016

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Tres Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

3316-2270
Office of the Speaker
Judith T. Won Pat, Ed.D

Date: 12-19-16
Time: 9AM
Received By: [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 387-33 (COR), "AN ACT TO REZONE LOT NO. 8, TRACT 25305, MUNICIPALITY OF YOÑA, AND LOT NO. 402-R10- 2-10- 1, MUNICIPALITY OF SANTA RITA, FROM AGRICULTURAL ZONE (A) TO PUBLIC FACILITY ZONE (PF) FOR THE PURPOSE OF CONSTRUCTING TWO (2) SEWER LIFT STATIONS," which was signed into law on December 15, 2016, as Public Law 33-199.

Senseramente,


EDDIE BAZA CALVO

2016 DEC 19 AM 10:49
2270

2270



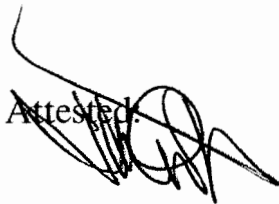
**I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session**

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

This is to certify that **Bill No. 387-33 (COR)**, "AN ACT TO REZONE LOT NO. 8, TRACT 25305, MUNICIPALITY OF YOÑA, AND LOT NO. 402-R10-2-10-1, MUNICIPALITY OF SANTA RITA, FROM AGRICULTURAL ZONE (A) TO PUBLIC FACILITY ZONE (PF) FOR THE PURPOSE OF CONSTRUCTING TWO (2) SEWER LIFT STATIONS," was on the 2nd day of December 2016, duly and regularly passed.

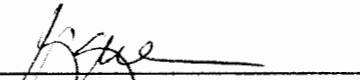


Judith T. Won Pat, Ed.D.
Speaker


Attested: 

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 1th day of Dec,
2016, at 4:30 o'clock P.M.


Assistant Staff Officer
Maga'låhi's Office

APPROVED:


EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: DEC 15 2016

Public Law No. 33-199

**OFFICE OF THE GOVERNOR
CENTRAL FILES**

RECEIVED BY 
TIME 4:50 P.M. DATE 12-17-16

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

Bill No. 387-33 (COR)

Introduced by:

T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
Frank F. Blas, Jr.
B. J.F. Cruz
James V. Espaldon
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
Mary Camacho Torres
N. B. Underwood, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO REZONE LOT NO. 8, TRACT 25305, MUNICIPALITY OF YOÑA, AND LOT NO. 402-R10-2-10-1, MUNICIPALITY OF SANTA RITA, FROM AGRICULTURAL ZONE (A) TO PUBLIC FACILITY ZONE (PF) FOR THE PURPOSE OF CONSTRUCTING TWO (2) SEWER LIFT STATIONS.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the Guam Waterworks Authority (GWA), under United States Department of
4 Justice ORDER FOR PRELIMINARY RELIEF RE: DEADLINES FOR
5 OUTSTANDING PROJECTS UNDER THE AMENDED STIPULATED ORDER

1 Civil Case No. 02-00035 (2011 Court Order), effective 11/10/2011, the *Baza*
2 Gardens Wastewater Treatment Plant (BGWWTP) is required to comply with the
3 National Pollutant Discharge Elimination System (NPDES) permit. As required by
4 the 2011 Court Order at Paragraph 14, GWA must complete the BGWWTP
5 upgrades by April 30, 2018.

6 *I Liheslaturan Guåhan* finds that GWA has been working to address the
7 critical property needs to meet the 2011 Court Order deadlines.

8 *I Liheslaturan Guåhan* finds that GWA is currently designing the *Baza*
9 Gardens Wastewater Cross-Island Pumping and Conveyance System project, a
10 Federal Environmental Protection Agency Stipulated Order requirement that will
11 provide for the transmission of wastewater collected at the BGWWTP currently
12 discharging effluent into the *Togcha* River to the proposed new *Agat-Santa Rita*
13 Wastewater Treatment Plant currently under construction through the Route 17 and
14 Route 5 rights of way corridors. The project, when completed, will retire the use of
15 the existing BGWWTP and eliminate effluent discharge into the *Togcha* River.
16 Instead, the wastewater previously treated at *Baza* Gardens will be transmitted to
17 the *Agat* Treatment Plant for secondary treatment. Because of the undulating
18 topography of the Route 17 corridor, two lift stations will be required along the
19 way, one in the Municipality of *Yoña*, Lot No. 8, Tract 25305, and the other in the
20 Municipality of *Santa Rita*, Lot No. 402-R10-2-10-1.

21 *I Liheslaturan Guåhan* finds that according to the Stipulated Order,
22 construction of the project must begin in October 2016—hence the need for the
23 expedited re-zoning of these lots.

24 *I Liheslaturan Guåhan* finds that this project will clean up and eliminate the
25 sewage discharge into the *Togcha* River and outfall near Lot No. 8 in the
26 municipality of *Yoña*. Further, the project is necessary and will immensely benefit

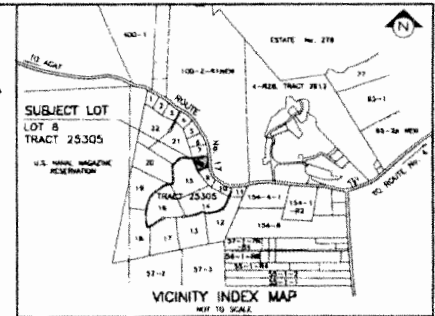
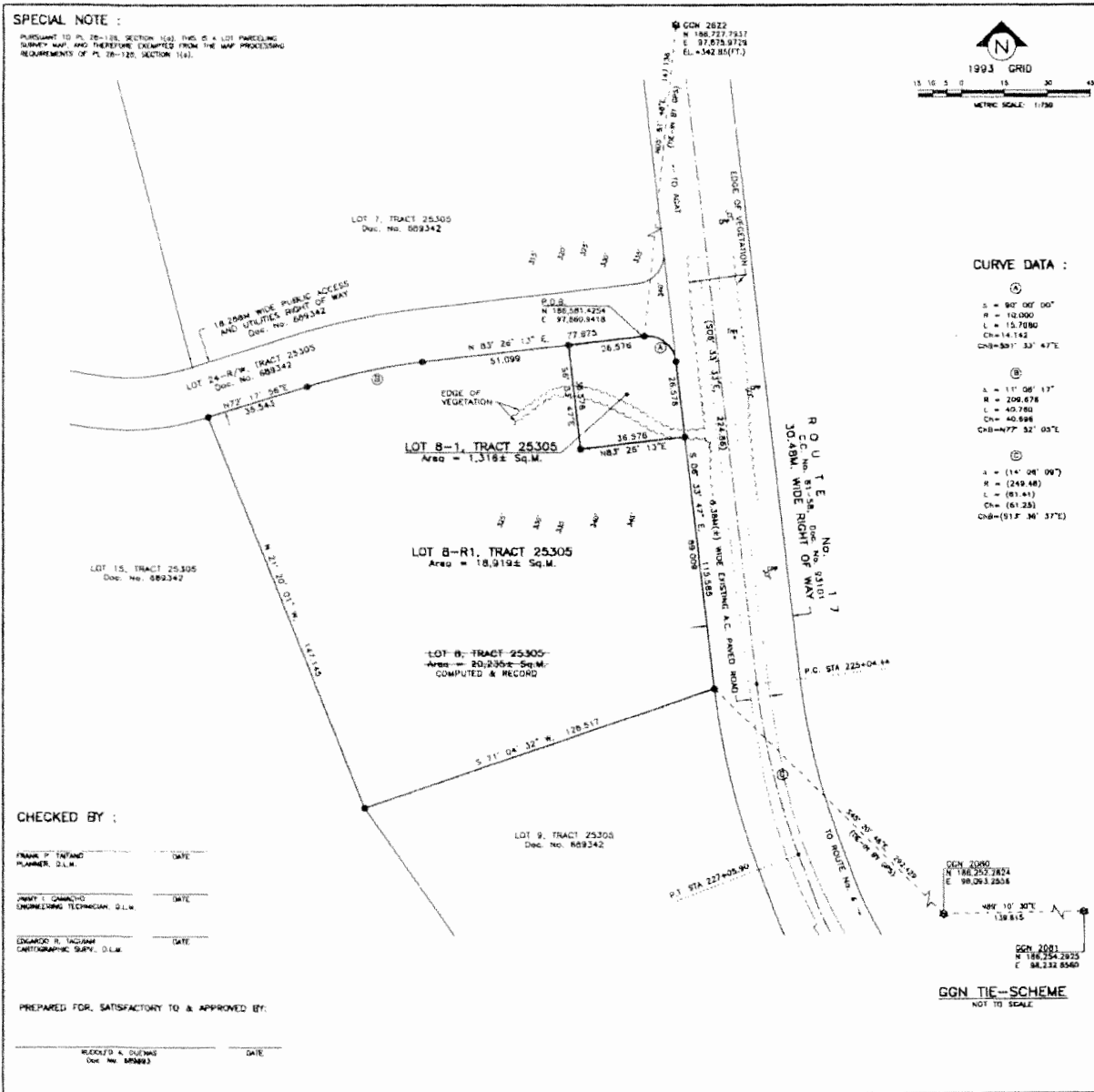
1 the people of Guam: specifically, the eastern coast of Guam and related
2 residential, recreational, and commercial areas.

3 **Section 2. Zoning Designations.** Notwithstanding 21 GCA § 61637, or
4 any other provision of law, rule or regulation, Lot No. 8, Tract 25305, Municipality
5 of *Yoña* (Exhibit A) and Lot No. 402-R10-2-10-1, Municipality of *Santa Rita*
6 (Exhibit B) *shall* be rezoned from an Agricultural zone (A) to a Public Facility
7 zone (PF) pursuant to 21 GCA § 61313.

8 **Section 3. Reversionary Clause Upon Inaction.** The Guam Waterworks
9 *Authority shall* begin construction of a wastewater lift station on each of the two
10 (2) lots in Section 2 (Lot No. 8, Tract 25305, municipality of *Yoña*, and Lot No.
11 402-R10-2-10-1, municipality of *Santa Rita*) within one (1) year from the date of
12 enactment of this Act. Notwithstanding any other provision of law, in the event
13 GWA does not begin construction of either lift station within the stipulated period,
14 the respective lot on which construction has not begun *shall* revert back to its
15 original Agricultural zone (A) designation.

16 **Section 4. Effective Date.** This act *shall* take effect upon enactment.

17 **Section 5. Severability.** If any provision of this law or its application to
18 any person or circumstance is found to be invalid or contrary to law, such
19 invalidity *shall not* affect other provisions or applications of this law that can be
20 given effect without the invalid provisions or applications and to this end the
21 provisions of this law are severable.



CURVE DATA :

①	S = 90.007.00°
	R = 13.000
	L = 15.700
	Ch = 14.142
	ChS = 50.17.32.47%
②	S = 111.04° 17'
	R = 209.676
	L = 40.783
	Ch = 40.898
	ChS = 77.32.03%
③	S = (14.04.09)°
	R = (249.48)
	L = (81.61)
	Ch = (61.23)
	ChS = (17.36.37)%

NOTES :

1. SURVEY WAS BASED ON FOUND CORNERS AS SHOWN.
2. ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED.
3. BEARINGS AND DISTANCES WITHIN THE PARCEL LINES ARE RECORD DATA. ALL OTHERS ARE 1983 CGRS.
4. SUBJECT LOT IS WITHIN THE NORTHERN AGRI-CULTURE.
5. SUBJECT LOT IS ZONED "A" AGRICULTURAL PER 1986 OFFICIAL ZONING MAP 13475A5.
6. NO AD-VAULT EXIST AS OF APPROVAL OF THIS MAP.
7. VERTICAL CONTROL SURVEY WAS BASED FROM CGN 2022 WITH AN ELEVATION OF 342.85 FEET MEAN SEA LEVEL (MSL) DATUM CONTOURS WERE DEVELOPED FROM SPIKE ELEVATIONS USING A COMBINATION OF GPS AND CONVENTIONAL TOPOGRAPHIC SURVEYING METHODS.
8. CONTOUR ELEVATIONS ARE IN FEET.

REFERENCES :

1. DWS No. 041-1-02-25, DEED AND ESTATE SURVEY MAP (LOUSE DISTRIBUTION - PRESENT CASE No. 124-71) OF TRACT 25305 (FORMERLY LOT 100-82), PREPARED BY PLS No. 62, L.M. No. 02875004, Doc. No. 606342.

LEGEND :

- ① GGN STATION
- ② FOUND CORNER - 4 IRON SET BY PLS No. 62, SEE REF # 1
- ③ 3/4 IRON SET WITH PLASTIC CAP MARKED PLS AS
- ④ CENTERLINE CORNER
- ⑤ CONCRETE POWER POLE
- ⑥ 3/4" TELEPHONE MARKER

CERTIFICATE OF GUAM CHIEF SURVEYOR
THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE 21, GUAM CODE ANNOTATED, CHAPTER 61, ARTICLE 3, SURVEYING REGULATION SYSTEM AND REGULATIONS THEREUNDER ON THIS DAY OF _____

PLS No. 62, L.M. No. 02875004, Doc. No. 606342

CERTIFICATE OF GUAM CHIEF PLANNER
APPROVAL PURSUANT TO TITLE 21, GUAM CODE ANNOTATED, CHAPTER 61, ZONING LAW AND CHAPTER 62, SUBDIVISION LAW

SURVEYOR'S DECLARATION
GUAM CHIEF PLANNER

CERTIFICATE OF SURVEYOR
I, HECTOR C. GONCALVES, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT IS BASED ON A FIELD SURVEY MADE ON _____, 2018 IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS, THAT I AM RESPONSIBLE FOR THE ACCURACY OF ALL DATA AND INFORMATION THEREON. I FURTHER CERTIFY THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITION INDICATED ON THIS MAP.



DDCA
DEPARTMENT OF DIASPORA AND COMMUNITY AFFAIRS

LOT PARCELING SURVEY MAP OF LOT 8, TRACT 25305

L/S 25		MUNICIPALITY OF YENA		SEC. 3	
SURVEY DATA		DATE	LOT DATA		
FIELD	WKS & CREW	JULY 2018	BASED LOT	B. TRACT 25305	
BOOK	DCM-2018		CERT. OF FILE No.	124767	
COMPUTED	CR	JULY 2018	REGISTERED ON		
DRAWN	CR	JULY 2018	IN THE NAME OF:		
RESEARCHED	FD	JULY 2018	ESTATE OF JOSE GASTRO SUENOS		
CHECKED	MD	JULY 2018			
SATISFACTORY TO & APPROVED BY:					
S E E P L A N					
DATE					
DRAWN					
ENG No.					
DCM No. DCM-3-18-47					
SHEET 1 OF 1					
SCALE 1:750					
L.M. CHECK No. -47 2018					

Bill No. 387-33 (COR) - Exhibit B

5810(R)
5810(R)

