



**EDDIE BAZA CALVO**  
Governor

**RAY TENORIO**  
Lieutenant Governor

*Office of the Governor Of Guam.*

DEC 15 2016

173-16-2282

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

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. 361-33 (COR), "AN ACT TO TRANSFER LOT NO. 421-80 IN THE MUNICIPALITY OF TALOFOFO, WITH AN AREA OF TWO THOUSAND ONE HUNDRED (2,100) ± SQUARE METERS, FROM THE CHAMORRO LAND TRUST COMMISSION LANDS INVENTORY TO THE GUAM POWER AUTHORITY FOR THE PURPOSE OF EXPANDING THE TALOFOFO ELECTRICAL SUBSTATION," which was signed into law on December 15, 2016, as Public Law 33-211.

*Senseramente,*

  
EDDIE BAZA CALVO

2016 DEC 19 AM 10:51

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2282

**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. 361-33 (COR)**, "AN ACT TO TRANSFER LOT NO. 421-80 IN THE MUNICIPALITY OF *TALOFOFO*, WITH AN AREA OF TWO THOUSAND ONE HUNDRED (2,100) ± SQUARE METERS, FROM THE *CHAMORRO* LAND TRUST COMMISSION LANDS INVENTORY TO THE GUAM POWER AUTHORITY FOR THE PURPOSE OF EXPANDING THE *TALOFOFO* ELECTRICAL SUBSTATION," was on the 2<sup>nd</sup> 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 15<sup>th</sup> day of Dec,  
2016, at 4:50 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. 33-211

OFFICE OF THE GOVERNOR  
CENTRAL FILES

RECEIVED BY  
TIME 4:50 PM DATE 12.15.16

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

**Bill No. 361-33 (COR)**

As amended by the Committee on Transportation,  
Infrastructure, Lands, Border Protection,  
Veterans' Affairs and Procurement; and  
further amended on the Floor.

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 TRANSFER LOT NO. 421-80 IN THE MUNICIPALITY OF *TALOFOFO*, WITH AN AREA OF TWO THOUSAND ONE HUNDRED (2,100) ± SQUARE METERS, FROM THE *CHAMORRO* LAND TRUST COMMISSION LANDS INVENTORY TO THE GUAM POWER AUTHORITY FOR THE PURPOSE OF EXPANDING THE *TALOFOFO* ELECTRICAL SUBSTATION.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that § 8203 of Article 2, Chapter 8, Title 12, Guam Code Annotated, provides the

1 Guam Power Authority (GPA) with the authorization to acquire lands for the  
2 purposes of constructing, improving, equipping, maintaining, repairing, renewing,  
3 replacing, and reconstructing the electrical system of GPA. *I Liheslaturan Guåhan*  
4 finds that the GPA has identified property under the administrative jurisdiction of  
5 the *Chamorro* Land Trust Commission (CLTC) for the purpose of expanding the  
6 *Talofof* Electrical Substation, and preparing the site for the future construction of  
7 an Energy Storage System. These improvements are essential in meeting current  
8 and future growth demands for electrical generation and distribution to the Island  
9 Wide Power System (IWPS).

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

14 *I Liheslaturan Guåhan* finds that the construction and installation of an  
15 Energy Storage System facility at the selected site will provide significant power  
16 output stabilization from the *Dandan* solar facility and wind turbine, thus firming  
17 the net power output.

18 **Section 2. Authorization to Transfer Land to the Guam Power**  
19 **Authority (GPA).** Notwithstanding any other provision of law, rule or regulation,  
20 *I Liheslaturan Guåhan* authorizes the *Chamorro* Land Trust Commission (CLTC)  
21 to transfer to the Guam Power Authority (GPA) approximately two thousand one  
22 hundred (2,100) square meters (0.518 acres), more or less, identified as Lot No.  
23 421-80 in the municipality of *Talofof*, as shown on the Agricultural Subdivision  
24 Master Plan of Lot No. 421, prepared by the Department of Land Management and  
25 filed under Document No. 502952, for the construction of a new Energy Storage  
26 System (ESS) parcel (Exhibit A).

1 (a) GPA shall pay for an appraisal of the ESS parcel by a certified  
2 real estate appraiser licensed to do business on Guam, which shall be  
3 selected by the Administrative Director of the Chamorro Land Trust  
4 Commission.

5 (b) GPA shall have the Talofofu Electrical Substation expansion  
6 property surveyed and registered by a professional land surveyor licensed to  
7 do business on Guam, and the land registration survey map, parceling map,  
8 and consolidation survey map shall be approved and recorded by the  
9 Department of Land Management.

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

16 (d) CLTC grants right of entry to the ESS parcel immediately for  
17 GPA and/or its contractors to complete the required geotechnical survey,  
18 topographic survey, archeological studies, or other required testing for the  
19 design, permitting, and construction of the Energy Storage System project,  
20 while both parties are finalizing compensation and the Conditional Grant  
21 Deed is recorded.

22 (e) GPA shall, upon acquiring the Conditional Grant Deed, submit  
23 to the court the land registration of the property, and all land registration  
24 expenses shall be borne by GPA.

25 **Section 3. Proceeds of Sale.** All proceeds from the sale of Lot No. 421-  
26 80 in the municipality of Talofofu shall be deposited in the Chamorro Land Trust

1 *Infrastructure and Survey Fund*, identified as Department of Administration  
2 Revenue Account Number 3669-57001.

3       **Section 4. Rezoning.** Notwithstanding 21 GCA § 61637 or any other  
4 provision of law, rule or regulation, Lot No. 421-80 in the municipality of *Talofof*  
5 is hereby rezoned from Agricultural Zone (A) to Public Facility Zone (PF) for the  
6 purpose of expanding the *Talofof* Electrical Substation and constructing the  
7 Energy Storage System.

8       **Section 5. Effective Date.** This Act *shall* take effect upon enactment.

9       **Section 6. Severability.** If any provision of this law or its application to  
10 any person or circumstance is found to be invalid or contrary to law such invalidity  
11 *shall not* affect other provisions or applications of this law that can be given effect  
12 without the invalid provisions or applications and to this end the provisions of this  
13 law are severable.

