



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

JUN 18 2002

The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Sais na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature
Suite 200
130 Aspinal Street
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Bill No. 318 (LS) "AN ACT TO AMEND PAGE 23 OF P.L. NO. 26-32, RELATIVE TO THE GUAM ENVIRONMENTAL PROTECTION AGENCY WATER QUALITY STANDARDS" which I have signed into law as **Public Law No. 26-113**.

Very truly yours,

Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Attachments: original bill for vetoed legislation or
copy of bill for signed or overridden legislation
and legislation enacted without signature

cc: The Honorable Antonio R. Unpingco
Speaker

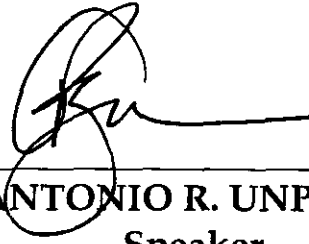
OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u> </u>
Time	<u>2:53pm.</u>
Date	<u>06/18/02</u>

0840

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session

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

This is to certify that Bill No. 318 (LS), "AN ACT TO AMEND PAGE 23 OF P.L. NO. 26-32, RELATIVE TO THE GUAM ENVIRONMENTAL PROTECTION AGENCY WATER QUALITY STANDARDS," was on the 17th day of May, 2002, duly and regularly passed.



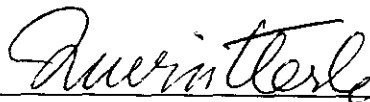
ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 6th day of June, 2002,
at 11:35 o'clock 9 .M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahaen Guåhan

Date: 6-18-02

Public Law No. 26-113

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>8</u>
Time	<u>2:53 pm.</u>
Date	<u>06/18/02</u>

Q

I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2002 (SECOND) Regular Session

Date: 5/17/02

VOTING SHEET

Bill No. 318(LS)

Resolution No. _____

Question: _____

75-1124

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.	✓				
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.					✓
CAMACHO, Felix P.	✓				
CHARFAUROS, Mark C.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LEON GUERRERO, Lourdes A.	✓				
MOYLAN, Kaleo S.	✓				
PANGELINAN, Vicente C.	✓				
SANTOS, Angel L.G.	✓				
UNPINGCO, Antonio R.					✓
WON PAT, Judith T.	✓				

TOTAL

13 0 0 0 2

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

2nd 3rd
5/17/02 5/17/02

6
5/17/02

**MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session**

Bill No. 318(LS)

Introduced by:

J.M.S. Brown
J.T. Won Pat
V.C. Pangelinan

**AN ACT TO AMEND PUBLIC LAW 26-32 THE GUAM
ENVIRONMENTAL PROTECTION AGENCY WATER
QUALITY STANDARDS**

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

2 **Section 1. Legislative Findings and Intent.** On August 10, 2001, the Acting
3 Governor enacted Public Law 26-32, the Water Quality Standards for Guam Environmental
4 Protection Agency. *I Liheslaturan Guahan* has hence discovered a typographical error on
5 page 23 of Public Law 26-32, Water Quality Standards.
6

7 **Section 2. Amend page 23 of the Guam Environmental Protection Agency**
8 **Water Quality Standards.**

9 Page 23 of the Water Quality Standards previously enacted by Public Law 26-32 is
10 hereby amended to read as "Exhibit A" attached hereto so indicates. Specifically, the
11 "Applicable Criteria" for S-2 "Water Categories" is amended to read: " Columns B1, B2, and
12 D1. All Pollutants."
13

14 **Section 3. Severability.** If any provisions of this Law or its application to any person
15 or circumstances is found to be invalid or contrary to law, such invalidity shall not affect
16 other provisions or applications of this Law which can be given effect without the invalid
17 provisions or application, and to this end the provisions of this Law are severable.

EXHIBIT A

<u>Water Categories</u>	<u>Applicable Criteria</u>
S-1	<u>Columns B1, B2, and D1</u> <u>all pollutants</u>
S-2	<u>Columns B1, B2 and D2 D1</u> <u>all pollutants</u>
S-3	<u>Columns B1, B2 and D2</u> <u>all pollutants</u>

ii. For those priority pollutants in the Appendix A matrix that are metals, the limits are applied as total recoverable; for those that are carcinogens, the 10 to the minus sixth power risk level will be used (10^{-6}).

C. Pesticides

i. For acceptable concentrations of all pesticides (Organochlorides, Organo-phosphates, Carbamates, Herbicides, Fungicides, Defoliants, and Botanicals) please refer to the U.S. Water Quality Criteria Guidance "Blue Book" (NAS/NAE, 1973) (US-GPO#5501-00520), "Red Book" (USEPA, 1976), "Green Book", (FWPCA, 1968) and "Gold Book"(USEPA, 1986a) which is updated periodically.

ii. The setting or publishing of maximum concentration (limits) for specific pesticides and other toxics should in no way be construed as official approval or authorization for their use where such use is contrary to U.S. Environmental Protection Agency or other Federal or local regulations.

Section 5104 Effluent Limitations.

A: General Requirements.

The Agency reserves the right to amend or extend the following criteria as improved standard methods are developed or revisions consistent with the enhancement of water quality are justified.



MINA 'LENTE SAIS NA LIHESLATURAN GUAHAN

Kumitehan Areklamento, Hinanao Gubetnamenton Hinirát, Rifotma yan Rinueba,
yan Asunton Fidirát, Taotao Hiyong yan Hinirát

*Senadot Mark Forbes, Gehilu
Kabisiyon Mayurát*

08 MAY 2002

MEMORANDUM

TO: Chairperson
Committee on Natural Resources

FROM: Chairman
Committee on Rules, General Governmental Operations, Reorganization and
Reform, and Federal, Foreign and General Affairs

SUBJECT: Principal Referral - Bill No. 318 (LS)

The above bill is referred to your Committee as the Principal Committee, in accordance with Section 6.04.05.01. of the Standing Rules. Your Committee is the Committee authorized to perform the public hearing on this bill and to amend or substitute the bill, as well as report the bill out to the Body. It is recommended that you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment



LEGISLATIVE COUNCIL

MAY 02, 2002

**MINA'BENTE SAIS NA LIHESLATURAN GUAHAN
2002 (SECOND) Regular Session**

Bill No. 318 (25)

Introduced by: _____

J.M.S. Brown 

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ENVIRONMENTAL PROTECTION AGENCY WATER
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S-3	<u>Columns B1, B2 and D2</u> <u>all pollutants</u>

ii. For those priority pollutants in the Appendix A matrix that are metals, the limits are applied as total recoverable; for those that are carcinogens, the 10 to the minus sixth power risk level will be used (10^{-6}).

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I MINA BENTE SAIS NA LIHESLATURAN GUAHAN

**COMMITTEE ON NATURAL RESOURCES
SENATOR JOANNE M.S. BROWN
CHAIRPERSON**

**Public Hearing
On
Guam Environmental Protection Agency and
Division of Aquatic & Wildlife Resources,
Department of Agriculture**

**Thursday, May 16 , 2002
9:30 a.m.
Public Hearing Room**

AGENDA

Commencement of Public Hearing

- I. Confirmation of Maria C. Quinata, Member,
Board of Directors, Guam Environmental
Protection Agency
- II. Bill 318 (LS) “An Act to Amend Public Law 26-32,
The Guam Environmental Protection Agency Water
Quality Standards.”
- III. Bill 321 (LS) “ An Act to Amend Section 63130 of
Title 5 of the Guam Code Annotated, Relative to
Accountability over the Wildlife Conservation Fund”
- IV. Adjournment

I Mina Bente Sais Na Liheslaturan Guahan

COMMITTEE ON NATURAL RESOURCES

Thursday, May 16, 2002, 9:30 a.m.

Legislative Public Hearing Room

Public Hearing of the Guam Environmental Protection Agency

BILL 318 (LS): "AN ACT TO AMEND PUBLIC LAW 26-32,
THE GUAM ENVIRONMENTAL PROTECTION AGENCY
WATER QUALITY STANDARDS."

SIGN IN SHEET

<i>Name</i>	<i>Representing</i>	<i>Contact number</i>
CHRISTOPHER A. LOND	GEPA WATER DIVISION	475-1621

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 Dededo, 632-9207.

SCOREBOARD

▲ Continued from Page 54

Albert Portes, Spain, 6-1, 6-4.
 Lucas Arnold and Gaston Ellis, Argentina, def. Guillermo Canas, Argentina, and Maral Safin, Russia, 6-0, 6-3.
 Petr Pala and Pavel Viznar, Czech Republic, def. Sebastien Grosjean, France, and Ivan Ljubicic, Croatia, 6-4, 6-3.
 Michael Hill, Australia, and Daniel Vacak, Czech Republic, def. Andrew Florent, Australia, and Jeff Tarango, United States, 6-4, 4-6, 10-8 tiebreak.

TRANSACTIONS AUTO RACING

NASCAR—Fined Todd Parrott, crew chief for Dale Jarrett, and Marc Reno, crew chief for Jimmy Spencer, \$2,500 each for rules infractions discovered last weekend at Richmond International Raceway.

BASEBALL

COMMISSIONER'S OFFICE—Suspended Boston Red Sox OF Trot Nixon four games for throwing his bat at Tampa Bay Devil Rays RHP Ryan Rupe, and Boston RHP Frank Castillo five games for intentionally hitting Tampa Bay OF Randy Winn with a pitch. Fined Nutch, Castillo and Rupe, who intentionally hit Boston SS Nomar Garciaparra and Boston 3B Shea Hillenbrand with pitches, undisclosed amounts.

KANSAS CITY ROYALS—Placed C Brent Mayne on the 15-day disabled list, retroactive to April 30. Recalled OF Brandon Berger from Omaha of the PCL.

OAKLAND ATHLETICS—Agreed to terms with LHP Barry Zito on a four-year contract extension. Activated INF Mario Valdez from the 15-day disabled list and designated him for assignment.

SEATTLE MARINERS—Placed RHP Paul Abbott on the 15-day disabled list, retroactive to May 6. Called up RHP Justin Kays and RHP Julio Mateo from Tacoma of the PCL. Assigned LHP Brian Fitzgerald to Tacoma. Designated RHP Wescor Serrano for assignment.

TORONTO BLUE JAYS—Placed OF Shannon Stewart on the 15-day disabled list, retroactive to May 1. Purchased the contract of OF Brian Leshar from Syracuse of the International League. Transferred RHP Steve Parris from the 15-day to the 60-day disabled list, National League.

ARIZONA DIAMONDBACKS—Signed INF Hanley Fitas to a minor league contract.

CINCINNATI REDS—Placed RHP Joey Hamilton on the 15-day disabled list. Recalled RHP Jose Acevedo from Louisville of the International League. Promoted LHP Lance Davis from Chattanooga of the Southern League to Louisville.

MONTREAL EXPOS—Optioned OF Peter Bergeron to Ottawa of the International League. Called up OF Erny Chavez from Ottawa.

ST. LOUIS CARDINALS—Activated LHP Bud Smith from the 15-day disabled list. Optioned LHP Jose Rodriguez to Memphis of the PCL.

SAN FRANCISCO GIANTS—Placed OF Shannon Dunston on the 15-day disabled list. Purchased the contract of OF Tom Goodwin

from Fresno of the PCL.
PACIFIC COAST LEAGUE
SACRAMENTO RIVER CATS—Designated 1B Mario Valdez for assignment.

BASKETBALL

Women's National Basketball Association
DETROIT SHOCK—Waived G Abby Gancheh-Jaramillo, G Carol Smith and G Nikki Thompkins.

MINNESOTA LYNX—Waived G Sharon Francis, F ShaRae Mansfield and F Lauri McIntosh.

SACRAMENTO MONARCHS—Acquired F Cass Bauer-Blaudeau from Washington for a 2003 third-round draft pick.

WASHINGTON MYSTICS—Waived F Valerie Mounieka.

FOOTBALL

National Football League
CHICAGO BEARS—Signed Dick Jauron, coach, to a three-year contract through the 2004 season.

KANSAS CITY CHIEFS—Signed OL Marcus Spears to a four-year contract and FB Josh Roth to a two-year contract.

NEW YORK JETS—Signed S Doug Stanahan, Waived S Bobby Jackson and DE John Frank.

PITTSBURGH STEELERS—Agreed to terms with LB Joey Porter on a six-year contract.

SAN FRANCISCO 49ERS—Waived LB Zach Grady and WR Scott Lipton.

NFL Europe
AMSTERDAM ADMIRALS—Activated DT Scott Pospisil from the practice squad.

Canadian Football League
B.C. LIONS—Released RD Robert Drummond.

CALGARY STAMPEDE—Re-signed WR Travis Moore.

WINNIPEG BLUE BOMBERS—Signed FB Mike Sellers.

HOCKEY

National Hockey League
FLORIDA PANTHERS—Promoted Randy Sieminski to director of media relations. Named Chris Reichart strength and conditioning coach.

East Coast Hockey League
ECHL—Fined Greenville coach John Maris for his actions following a May 5 game against Dayton. Suspended Dayton F Chris Thompson two games for actions in a May 5 game against Greenville.

United Hockey League
UHL—Announced the Asheville and Knoxville franchises have suspended operations.

Where to go for Lunch?

Log on to guampiko.com for ideas.

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 Pacific Island Hours
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THE SUPERIOR COURT OF GUAM

IN THE MATTER OF THE ESTATE OF LOELLA ROSE ARMSTRONG, Decedent.

PROBATE CASE NO. PR13-02

NOTICE TO CREDITORS

Notice is hereby given by the undersigned Sarah Jane Rayphand, Executrix, of the Estate of LOELLA ROSE ARMSTRONG, deceased, to the creditors and all persons having claims against the said estate or against said decedent, that within two (2) months after the first publication of this notice, they either file them with necessary vouchers in the office of the Clerk of the Superior Court, Hagatna, Guam, or exhibit them with necessary vouchers to the said Executrix or her attorney, THE LAW OFFICES OF BARCINAS & ERLAJE, P.C., Suite 216, Union Bank Building, Hagatna, Guam, the same being the place for the transaction of the said estate.

Dated this 24th day of January, 2002.

/s/ SARAH JANE RAYPHAND
 Executrix

MANGILAO GOLF CLUB

Accounting Clerk
 Accounting experience required.

Engineer Helper
 Knowledgeable with Air Conditioning/Refrigeration, Electrical, Plumbing and other mechanical work preferred.

Applications are available at the front gate at our golf course in Pagat, Mangilao, Route 15 Monday to Friday between 8am ~ 5pm
Police and Court Clearance Required

MINA' BENTE SAIS NA LIHESLATURAN GUAHAN
 Committee on Natural Resources
 Senator Joanne M. S. Brown
 Chairperson

Notice of Public Hearing

The Committee on Natural Resources will be conducting a Hearing on Thursday, May 16, 2002, 9:30 a.m., at the Legislative Public Hearing Room, 155 Hesler Street, Hagatna on the following:

Appointment of Ms. Maria C. Quinata to serve as a Member of the Guam Environmental Protection Agency Board of Directors.

Bill 318(LS): An Act to Amend Public Law 26-32 the Guam Environmental Protection Agency Water Quality Standards.

Bill 321 (LS): An act to Amend Section 63103 of Title 5 of the Guam Code Annotated, Relative to Accountability over the Wildlife Conservation Fund.

ADA Coordinator: Carl Quinata at 472-3450
 The public is invited to attend.

NOTICE OF FORECLOSURE BY POWER OF SALE

NOTICE dated April 16, 2002, Pursuant to 18 G.C.A. §36113, that mortgage, dated June 29, 1998, recorded under instr. no. 586706, and now by ANTHONY S. FINONA, Jr. and JOCELYN M. FINONA, whose mailing address is 198 Gordenia Avenue, Dededo, Guam 96912, ("Mortgagee"), to ComUnity Lending, Inc., a California corporation, whose address is 175 Bernal Road, suite 260, San Jose, CA 95119, as assigned to COUNTRYWIDE HOME LOANS, INC., whose mailing address is 400 Countrywide Way, Simi Valley, CA 93065-6298 ("Mortgagee"), by that

A. B. Won Pat Guam International Airport Authority
 CALIBANET PUEYTON BATHON AIRRN ENTERRASIAST (GUAMHNN)
 P.O. Box 8770, Tamuning, Guam 96931 Telephone: (671) 642-3001/2

The Honorable Carl T.C. Coronel
 Governor of Guam

The Honorable Magdalena I. Bordele
 Lt. Governor of Guam

REQUEST FOR PROPOSALS

PLANNING SERVICES

The A.B. Won Pat Guam International Airport Authority (GIAA), a public corporation and an autonomous instrumentality of the Government of Guam, is seeking proposals from professional planning firms to perform services in conducting an AIRPORT MASTER PLAN UPDATE.

Request For Proposal (RFP) package may be obtained at the GIAA Administration Office, 3rd Floor between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays, or send your request to P.O. Box 8770, Tamuning, Guam 96931. Information regarding submission requirements is included in the RFP package.

Deadline for submission of all proposals is 4:00 p.m. Monday, June 3, 2002 at the GIAA Administration Office, 3rd Floor, Guam International Airport. All proposals must be submitted to the attention of the Executive Manager. For additional information, contact Mr. Ray S. Topesna at (671) 642-4639 anytime during the hours stated above.

MICHAEL P. WELLS
 Executive Manager

MARCEPHIL CABANA
 Acting Deputy Executive Manager

AD PWD FOR BY GUAM INTERNATIONAL AIRPORT AUTHORITY

NOTICE OF JOB OPPORTUNITY

David G. Dell'Isola
 Director, Department of Labor

By authority from Immigration and Naturalization Service, the Guam Department of Labor is making a determination on Terms

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TIRE TECHNICIAN
Triple J Express Tire & Lube is seeking the right individual to fill the position of Tire Technician. Some automotive experience an advantage, but will train the right person.

AUTOMOTIVE TECHNICIAN
Position available for a qualified individual with 2 years work experience required. Current ASE certification preferred. Must have own tools.

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NO PHONE CALLS PLEASE

Current driver's license & court or police clearance required upon submitting application. Pre-employment drug test and police clearance required upon selection.

Triple J is an equal opportunity employer.

MINA RENTE SAIS NA LINESLATUN
Committee on Natural Resources
Senator Jimmy M. S. Brown
Chairperson

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NOTICE OF SALE UNDER MORTGAGE

NOTICE IS HEREBY GIVEN, pursuant to 18 GCA § 26113, that the Mortgage, Security Agreement and Financing Statement assumed the obligations of a preliminary note and mortgage, made, amended and delivered by MARIANNA LESURE CORPORATION, A GUAM CORPORATION, as Mortgagor ("Mortgagor") to FIRST MARIANNA BANK ("Mortgagee"), dated March 23, 1993 and recorded on March 24, 1993, in the Department of Land Management, Government of Guam, as Document Number 486236, and by first certain Amended Mortgage, Security Agreement and Financing Statement dated July 24, 1998 and recorded in the Department of Land Management, Government of Guam on June 26, 1998 under Instrument Number 585987 (the "Mortgage"), will be foreclosed pursuant to a power of sale contained in the Mortgage by sale of the premises encumbered by such Mortgage, on hereinafter described to the highest bidder of public auction at the Mayor's Office, Municipality of Agaña Heights, Territory of Guam, at 10:00 a.m., on June 6, 2002 to satisfy the current due on such Mortgage on the day of sale, the terms of the sale are strictly cash, certified or cashier's check.

The sale will be made without warranty being given to satisfy the obligations of MARIANNA LESURE CORPORATION, A GUAM CORPORATION, secured by and under said power of sale.

The premises that are described in such Mortgage and that will be sold to satisfy the Mortgage are as follows:

FIRST: TOWNHOUSE CONDOMINIUM NO. A-8, (THE "TOWNHOUSE CONDOMINIUM") OF THOSE CERTAIN PREMISES COMPRISING THE APUGAN VILLA ESTATES (A CONDOMINIUM PROJECT), SITUATE AT TITULAN, MUNICIPALITY OF SANAIGUAN, GUAM, THE PROJECT HAVING BEEN ESTABLISHED AS A HORIZONTAL PROPERTY REGIME BY THE DECLARATION AND BYLAWS FILED IN THE OFFICE OF THE RECORDER, GUAM, UNDER AND PURSUANT TO THE PROVISIONS OF THE ACT, AS SHOWN ON THE CONDOMINIUM MAP NO. 091 ABSOLUTELY AND FREE SIMPLE.

SECOND: AN UNDIVIDED THREE AND THREE THOUSAND THREE HUNDRED THIRTY THREE THIRTYTHREE PERCENT (3,333.3333%) INTEREST IN THE COMMON ELEMENTS OF THE PROJECT NOW EXISTING OR HEREAFTER CREATED AS DESCRIBED IN THE DECLARATION, OR SUCH OTHER UNDIVIDED INTEREST AS MAY HEREAFTER BE ESTABLISHED AS APPURTENANT TO THE TOWNHOUSE CONDOMINIUM BY AMENDMENT OF THE DECLARATION, SUBJECT TO ALL ENCUMBRANCES APPURTENANT TO ANY OTHER TOWNHOUSE CONDOMINIUMS OF THE PROJECT AND TO ALL ENCUMBRANCES AFFECTING THE PROJECT.

TOGETHER WITH PARCELING STALL NO. 01.

TOGETHER WITH THE LIMITED COMMON ELEMENTS DESCRIBED IN THE DECLARATION AND THEREIN DESIGNATED FOR THE EXCLUSIVE USE OF THE TOWNHOUSE CONDOMINIUM.

SUBJECT, HOWEVER, TO ENCUMBRANCES FOR THE ENCROACHMENT OF ANY PORTION OF THE COMMON AREAS AND FACILITIES OF THE PROJECT NOW EXISTING OR HEREAFTER CREATED, AND FOR SUCH ENTRIES AS MAY BE NECESSARY FOR THE OPERATION OF THE PROJECT OR FOR MAKING REPAIRS OR FOR THE INSTALLATION, MAINTENANCE, REPAIR OR REPLACEMENT OF ANY COMMON AREAS AND FACILITIES IN ACCORDANCE WITH THE BYLAWS THEREOF ATTACHED, AS EITHER MAY FROM TIME TO TIME BE AMENDED.

TOWNHOUSE CONDOMINIUM NO. A-8, APUGAN VILLA ESTATES TOWNHOUSE IS LOCATED ON THE FOLLOWING DESCRIBED REAL PROPERTY:

LOT NUMBER 27-4, TRACT NUMBER 214, MUNICIPALITY OF AGAÑA HEIGHTS, FORMERLY OF SANAIGUAN, TERRITORY OF GUAM, ESTATE NUMBER 61881, SANAIGUAN AS SAID LOT IS MARKED AND DESIGNATED ON DRAWING NUMBER DMP-17-0486, AS L.N. CHECK NUMBER 267 FF 86, DATED MAY 15, 1986 AND RECORDED MAY 16, 1986 IN THE DEPARTMENT OF LAND MANAGEMENT, GOVERNMENT OF GUAM, UNDER INSTRUMENT NUMBER 371412.

THIS LAND IS REGISTERED LAND.

AREA: 4,379.476 SQUARE METERS

LAST REGISTERED OWNER BEING: FUI DEVELOPMENT CORPORATION, A GUAM CORPORATION

LAST CERTIFICATE OF TITLE NO. BEING: 87994

The undersigned are attorneys for the lawful owner of such Mortgage and the Preliminary Note (the "Notes") secured thereby. The Mortgagors have defaulted in the performance of the terms and conditions of the Note and Mortgage, and Mortgagee claims all of the principal in the sum of SEVENTY-SIX THOUSAND SEVEN HUNDRED TWENTY-FOUR DOLLARS AND NINETY-TWO CENTS (\$76,724.92), interest and late charges in the sum of FOUR THOUSAND TWO HUNDRED DOLLARS AND THIRTY-NINE CENTS (\$4,202.39) on April 30, 2002, together with interest upon the unpaid principal portion of the rate of EIGHT AND ONE-HALF PERCENT (8.50%) per annum from and after April 30, 2002, together with late charges, expenses, costs of sale and attorney's fees.

DATED this 1st day of May, 2002

KEENA ALAR, STELLING & JOHNSON
A PROFESSIONAL CORPORATION

NOTICE OF SALE UNDER MORTGAGE

NOTICE IS HEREBY GIVEN, pursuant to 18 GCA § 26113, that the Mortgage assumed the obligations of a preliminary note and mortgage, made, amended and delivered by MARIANNA LESURE CORPORATION, A GUAM CORPORATION, as Mortgagor ("Mortgagor") to FIRST MARIANNA BANK ("Mortgagee"), dated March 23, 1993 and recorded on March 24, 1993, in the Department of Land Management, Government of Guam, as Document Number 486236, and by first certain Amended Mortgage, Security Agreement and Financing Statement dated July 24, 1998 and recorded in the Department of Land Management, Government of Guam on June 26, 1998 under Instrument Number 585987 (the "Mortgage"), will be foreclosed pursuant to a power of sale contained in the Mortgage by sale of the premises encumbered by such Mortgage, on hereinafter described to the highest bidder of public auction at the Mayor's Office, Municipality of Agaña Heights, Territory of Guam, at 10:00 a.m., on June 6, 2002 to satisfy the current due on such Mortgage on the day of sale, the terms of the sale are strictly cash, certified or cashier's check.

The sale will be made without warranty being given to satisfy the obligations of MARIANNA LESURE CORPORATION, A GUAM CORPORATION, secured by and under said power of sale.

The premises that are described in such Mortgage and that will be sold to satisfy the Mortgage are as follows:

FIRST: TOWNHOUSE CONDOMINIUM NO. C-19 ONE ("TOWNHOUSE CONDOMINIUM") OF THOSE CERTAIN PREMISES COMPRISING THE APUGAN VILLA ESTATES (A CONDOMINIUM PROJECT), SITUATE AT TITULAN, MUNICIPALITY OF AGAÑA HEIGHTS, FORMERLY OF SANAIGUAN, GUAM, THE PROJECT HAVING BEEN ESTABLISHED AS A HORIZONTAL PROPERTY REGIME BY THE DECLARATION AND BYLAWS FILED IN THE OFFICE OF THE RECORDER, GUAM, UNDER AND PURSUANT TO THE PROVISIONS OF THE ACT, AS SHOWN ON THE CONDOMINIUM MAP NO. 091 ABSOLUTELY AND FREE SIMPLE.

SECOND: AN UNDIVIDED THREE AND THREE THOUSAND THREE HUNDRED THIRTY THREE THIRTYTHREE PERCENT (3,333.3333%) INTEREST IN THE COMMON ELEMENTS OF THE PROJECT NOW EXISTING OR HEREAFTER CREATED AS DESCRIBED IN THE DECLARATION, OR SUCH OTHER UNDIVIDED INTEREST AS MAY HEREAFTER BE ESTABLISHED AS APPURTENANT TO ANY OTHER TOWNHOUSE CONDOMINIUMS OF THE PROJECT AND TO ALL ENCUMBRANCES AFFECTING THE PROJECT.

TOGETHER WITH PARCELING STALL NO. C-19.

TOGETHER WITH THE LIMITED COMMON ELEMENTS DESCRIBED IN THE DECLARATION AND THEREIN DESIGNATED FOR THE EXCLUSIVE USE OF THE TOWNHOUSE CONDOMINIUM.

SUBJECT, HOWEVER, TO ENCUMBRANCES FOR THE ENCROACHMENT OF ANY PORTION OF THE COMMON AREAS AND FACILITIES OF THE PROJECT NOW EXISTING OR HEREAFTER CREATED, AND FOR SUCH ENTRIES AS MAY BE NECESSARY FOR THE OPERATION OF THE PROJECT OR FOR MAKING REPAIRS OR FOR THE INSTALLATION, MAINTENANCE, REPAIR OR REPLACEMENT OF ANY COMMON AREAS AND FACILITIES IN ACCORDANCE WITH THE BYLAWS THEREOF ATTACHED, AS EITHER MAY FROM TIME TO TIME BE AMENDED.

THE PARCEL OF LAND INCLUDES WITHIN THE PROJECT ARE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LAND DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY TOGETHER WITH THE SHALANES AND EMPLOYMENTS NOW OR HEREAFTER THEREON, SITUATE, SITING AND BEING AT TITULAN, MUNICIPALITY OF SANAIGUAN, GUAM, DESCRIBED AS FOLLOWS:

LOT NUMBER 27-4, TRACT NUMBER 214, MUNICIPALITY OF AGAÑA HEIGHTS, FORMERLY OF SANAIGUAN, GUAM, ESTATE NUMBER 61881, SANAIGUAN AS SAID LOT IS RECORDED IN THAT RETRACTION SHEET MAP OF LOT 27-4, TRACT 214, AS SHOWN ON DRAWING NUMBER DMP-17-0486, AS L.N. CHECK NUMBER 267 FF 86, DATED MAY 15, 1986 AND RECORDED MAY 16, 1986, UNDER INSTRUMENT NUMBER 371412 AT LAND MANAGEMENT.

THIS LAND IS REGISTERED LAND.

AREA: 4,379.476 SQUARE METERS

LAST CERTIFICATE OF TITLE NUMBER: 87994

LAST KNOWN REGISTERED OWNERS: FUI DEVELOPMENT CORPORATION, A GUAM CORPORATION, THE OWNER OF RECORD BEING DAVO J. ULLA, AS HIS SOLE AND SEPARATE PROPERTY

The undersigned are attorneys for the lawful owner of such Mortgage and the Preliminary Note (the "Notes") secured thereby. The Mortgagors have defaulted in the performance of the terms and conditions of the Note and Mortgage, and Mortgagee claims all of the principal in the sum of ONE HUNDRED SEVEN THOUSAND FIVE HUNDRED THIRTY-ONE DOLLARS AND THIRTY-NINE CENTS (\$117,574.39), interest and late charges in the sum of SEVEN THOUSAND TWO HUNDRED SEVENTY-FIVE DOLLARS AND THIRTY-NINE CENTS (\$7,275.39) on April 30, 2002, together with interest upon the unpaid principal portion of the rate of EIGHT AND ONE-HALF PERCENT (8.50%) per annum from and after April 30, 2002, together with late charges, expenses, costs of sale and attorney's fees.

DATED this 1st day of May, 2002

KEENA ALAR, STELLING & JOHNSON
A PROFESSIONAL CORPORATION

NOTICE OF SALE UNDER MORTGAGE

NOTICE IS HEREBY GIVEN, pursuant to 18 GCA § 26113, that the Mortgage, Security Agreement and Financing Statement assumed the obligations of a preliminary note and mortgage, made, amended and delivered by MARIANNA LESURE CORPORATION, A GUAM CORPORATION, as Mortgagor ("Mortgagor") to FIRST MARIANNA BANK ("Mortgagee"), dated March 23, 1993 and recorded on March 24, 1993, in the Department of Land Management, Government of Guam, as Document Number 486236, and by first certain Amended Mortgage, Security Agreement and Financing Statement dated July 24, 1998 and recorded in the Department of Land Management, Government of Guam on June 26, 1998 under Instrument Number 585987 (the "Mortgage"), will be foreclosed pursuant to a power of sale contained in the Mortgage by sale of the premises encumbered by such Mortgage, on hereinafter described to the highest bidder of public auction at the Mayor's Office, Municipality of Agaña Heights, Territory of Guam, at 10:00 a.m., on June 6, 2002, to satisfy the current due on such Mortgage on the day of sale, the terms of the sale are strictly cash, certified or cashier's check.

The sale will be made without warranty being given to satisfy the obligations of MARIANNA LESURE CORPORATION, A GUAM CORPORATION, secured by and under said power of sale.

The premises that are described in such Mortgage and that will be sold to satisfy the Mortgage are as follows:

FIRST: TOWNHOUSE CONDOMINIUM NO. B-3, (THE "TOWNHOUSE CONDOMINIUM") OF THOSE CERTAIN PREMISES COMPRISING THE APUGAN VILLA ESTATES (A CONDOMINIUM PROJECT), SITUATE AT TITULAN, MUNICIPALITY OF AGAÑA HEIGHTS, FORMERLY OF SANAIGUAN, GUAM, THE PROJECT HAVING BEEN ESTABLISHED AS A HORIZONTAL PROPERTY REGIME BY THE DECLARATION AND BYLAWS FILED IN THE OFFICE OF THE RECORDER, GUAM, UNDER AND PURSUANT TO THE PROVISIONS OF THE ACT, AS SHOWN ON THE CONDOMINIUM MAP NO. 091 ABSOLUTELY AND FREE SIMPLE.

SECOND: AN UNDIVIDED THREE AND THREE THOUSAND THREE HUNDRED THIRTY THREE THIRTYTHREE PERCENT (3,333.3333%) INTEREST IN THE COMMON ELEMENTS OF THE PROJECT NOW EXISTING OR HEREAFTER CREATED AS DESCRIBED IN THE DECLARATION, OR SUCH OTHER UNDIVIDED INTEREST AS MAY HEREAFTER BE ESTABLISHED AS APPURTENANT TO THE TOWNHOUSE CONDOMINIUM BY AMENDMENT OF THE DECLARATION, SUBJECT TO ALL ENCUMBRANCES APPURTENANT TO ANY OTHER TOWNHOUSE CONDOMINIUMS OF THE PROJECT AND TO ALL ENCUMBRANCES AFFECTING THE PROJECT.

TOGETHER WITH PARCELING STALL NO. 18.

TOGETHER WITH THE LIMITED COMMON ELEMENTS DESCRIBED IN THE DECLARATION AND THEREIN DESIGNATED FOR THE EXCLUSIVE USE OF THE TOWNHOUSE CONDOMINIUM.

SUBJECT, HOWEVER, TO ENCUMBRANCES FOR THE ENCROACHMENT OF ANY PORTION OF THE COMMON AREAS AND FACILITIES OF THE PROJECT NOW EXISTING OR HEREAFTER CREATED, AND FOR SUCH ENTRIES AS MAY BE NECESSARY FOR THE OPERATION OF THE PROJECT OR FOR MAKING REPAIRS OR FOR THE INSTALLATION, MAINTENANCE, REPAIR OR REPLACEMENT OF ANY COMMON AREAS AND FACILITIES IN ACCORDANCE WITH THE BYLAWS THEREOF ATTACHED, AS EITHER MAY FROM TIME TO TIME BE AMENDED.

TOWNHOUSE CONDOMINIUM NO. B-3, APUGAN VILLA ESTATES TOWNHOUSE IS LOCATED ON THE FOLLOWING DESCRIBED REAL PROPERTY:

LOT NUMBER 27-4, TRACT NUMBER 214, MUNICIPALITY OF AGAÑA HEIGHTS, FORMERLY OF SANAIGUAN, TERRITORY OF GUAM, ESTATE NUMBER 61881, SANAIGUAN, AS SAID LOT IS MARKED AND DESIGNATED ON DRAWING NUMBER DMP-17-0486, AS L.N. CHECK NUMBER 267 FF 86, DATED MAY 15, 1986 AND RECORDED MAY 16, 1986 IN THE DEPARTMENT OF LAND MANAGEMENT, GOVERNMENT OF GUAM, UNDER INSTRUMENT NUMBER 371412.

THIS LAND IS REGISTERED LAND.

AREA: 4,379.476 SQUARE METERS

LAST REGISTERED OWNER BEING: FUI DEVELOPMENT CORPORATION, A GUAM CORPORATION

LAST CERTIFICATE OF TITLE NO. BEING: 87994

The undersigned are attorneys for the lawful owner of such Mortgage and the Preliminary Note (the "Notes") secured thereby. The Mortgagors have defaulted in the performance of the terms and conditions of the Note and Mortgage, and Mortgagee claims all of the principal in the sum of SEVENTY-SIX THOUSAND SEVEN HUNDRED TWENTY-FOUR DOLLARS AND THIRTY-NINE CENTS (\$76,724.92), interest and late charges in the sum of FOUR THOUSAND TWO HUNDRED DOLLARS AND THIRTY-NINE CENTS (\$4,202.39) on April 30, 2002, together with interest upon the unpaid principal portion of the rate of EIGHT AND ONE-HALF PERCENT (8.50%) per annum from and after April 30, 2002, together with late charges, expenses, costs of sale and attorney's fees.



Office of Senator
Joanne M. Salas Brown
MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

May 16, 2002

Speaker Antonio R. Unpingco
Mina' Bente Sais Na Liheslaturan Guahan
155 Hesler Street
Hagatna, Guam 96910

Dear Speaker Unpingco:

The Committee on Natural Resources, was referred **Bill 318 (LS) " AN ACT TO AMEND PUBLIC LAW 26-32, THE GUAM ENVIRONMENTAL PROTECTION AGENCY WATER QUALITY STANDARDS."** The Committee reports back to the Legislature its recommendation, **TO PASS.**

The voting sheet is as follows:

TO PASS	<u>10</u>
NOT TO PASS	<u>0</u>
TO REPORT OUT ONLY	<u>0</u>
ABSTAIN	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

Copies of the Committee Report and other pertinent documents are enclosed.

Thank you for your attention to this matter.

Sincerely,

JOANNE M.S. BROWN
Senator and Chairperson
Committee on Natural Resource

Attachments

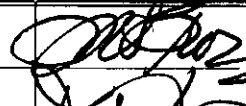
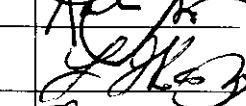
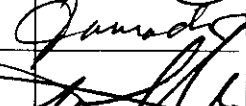
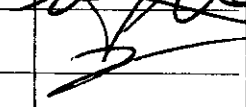
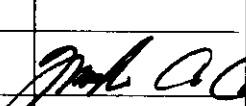
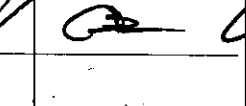
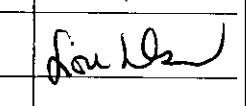


MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

Committee on Natural Resources
 Joanne M.S. Brown
 Chairperson

VOTING SHEET

COMMITTEE REPORT

Bill 318 (LS) “ An Act to Amend Public Law 26-32, The Guam Environmental Protection Agency Water Quality Standards.”

COMMITTEE MEMBERS	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN	INACTIVE FILE	SIGNATURE
Joanne M.S. Brown Chairperson	✓					
Kaleo S. Moylan Vice Chairman	✓					
L. Kasperbauer Member	X					
Felix P. Camacho Member	✓					
M. Forbes Member	✓					
V. Pangelinan Member	✓					
Thomas C. Ada Member						
M.C. Charfauros Member	✓					
Angel L.G. Santos Member	✓					
Judith T. Won Pat Member						
Lou Leon Guerrero Member	✓					
A.R. Unpingco Ex-Officio Member						

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session

Bill No. 318 (LS)

Introduced by:

J.M.S. Brown 

**AN ACT TO AMEND PUBLIC LAW 26-32 THE GUAM
ENVIRONMENTAL PROTECTION AGENCY WATER
QUALITY STANDARDS**

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

2 **Section 1. Legislative Findings and Intent.** On August 10, 2001, the Acting
3 Governor enacted Public Law 26-32, the Water Quality Standards for Guam Environmental
4 Protection Agency. *I Liheslaturan Guahan* has hence discovered a typographical error on
5 page 23 of Public Law 26-32, Water Quality Standards.
6

7 **Section 2. Amend page 23 of the Guam Environmental Protection Agency**
8 **Water Quality Standards.**

9 Page 23 of the Water Quality Standards previously enacted by Public Law 26-32 is
10 hereby amended to read as "Exhibit A" attached hereto so indicates. Specifically, the
11 "Applicable Criteria" for S-2 "Water Categories" is amended to read: " Columns B1, B2, and
12 D1. All Pollutants."
13

14 **Section 3. Severability.** If any provisions of this Law or its application to any person
15 or circumstances is found to be invalid or contrary to law, such invalidity shall not affect
16 other provisions or applications of this Law which can be given effect without the invalid
17 provisions or application, and to this end the provisions of this Law are severable.

EXHIBIT A

<u>Water Categories</u>	<u>Applicable Criteria</u>
S-1	<u>Columns B1, B2, and D1</u> <u>all pollutants</u>
S-2	<u>Columns B1, B2 and D2 D1</u> <u>all pollutants</u>
S-3	<u>Columns B1, B2 and D2</u> <u>all pollutants</u>

ii. For those priority pollutants in the Appendix A matrix that are metals, the limits are applied as total recoverable; for those that are carcinogens, the 10 to the minus sixth power risk level will be used (10^{-6}).

C. Pesticides

i. For acceptable concentrations of all pesticides (Organochlorides, Organo-phosphates, Carbamates, Herbicides, Fungicides, Defoliants, and Botanicals) please refer to the U.S. Water Quality Criteria Guidance "Blue Book" (NAS/NAE,1973) (US-GPO#5501-00520), "Red Book" (USEPA, 1976), "Green Book", (FWPCA, 1968) and "Gold Book"(USEPA, 1986a) which is updated periodically.

ii. The setting or publishing of maximum concentration (limits) for specific pesticides and other toxics should in no way be construed as official approval or authorization for their use where such use is contrary to U.S. Environmental Protection Agency or other Federal or local regulations.

Section 5104 Effluent Limitations.

A. General Requirements.

The Agency reserves the right to amend or extend the following criteria as improved standard methods are developed or revisions consistent with the enhancement of water quality are justified.