#### I Mina'Trentai Tres Na Liheslaturan Received Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
PUBLIC LAW 33-198 393-33 (COR)	T. C. Ada	AN ACT TO TRANSFER WITH COMPENSATION A PORTION OF THE LOT IDENTIFIED AS "ANDERSEN COMMUNICATION ANNEX NO. 1 (AJKD), MUNICIPALITY OF DEDEDO" AN AREA OF ±70,000 SQUARE METERS OR 17.297 ACRES FROM THE GUAM ANCESTRAL LANDS COMMISSION INVENTORY OF SPANISH CROWN LANDS TO THE GUAM WATERWORKS AUTHORITY FOR THE PURPOSE OF CONSTRUCTION OF THE EXPANSION OF THE NORTHERN DISTRICT WASTEWATER TREATMENT PLANT (NDWWTP); AND TO REZONE THE TRANSFERRED PORTION FROM THE CURRENT HOTEL ("H") ZONE TO PUBLIC FACILITY ("PF") ZONE.	10/27/16 10:13 a.m.	10/27/16	Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement	11/10/16 2:00 p.m.	11/22/16 10:03 a.m.	Fiscal Note Request 10/31/16 Fiscal Note 11/15/16
	DATE PASSED	TITLE	DATE AND TIME TRANSMITTED		DUE DATE	DATE SIGNED BY I MAGA'LÅ HEN GUÅ HAN	PUBLIC LAW NO.	NOTES
	12/02/16	AN ACT TO TRANSFER WITH COMPENSATION A PORTION OF THE LOT IDENTIFIED AS "ANDERSEN COMMUNICATION ANNEX NO. 1 (AJKD)" IN THE MUNICIPALITY OF DEDEDO, CONTAINING AN AREA OF 70,000 ± SQUARE METERS, FROM THE GUAM ANCESTRAL LANDS COMMISSION INVENTORY OF SPANISH CROWN LANDS TO THE GUAM WATERWORKS AUTHORITY FOR THE PURPOSE OF CONSTRUCTION OF THE UPGRADE AND EXPANSION OF THE NORTHERN DISTRICT WASTEWATER TREATMENT PLANT; AND TO REZONE THE TRANSFERRED PORTION FROM THE CURRENT HOTEL ZONE (H) TO PUBLIC FACILITY ZONE (PF).	12/05/16	4:50 p.m.	12/16/16	12/15/16	P.L. 33-198	M&C No. 33GL-16-2269



**EDDIE BAZA CALVO** Governor RAY TENORIO Lieutenant Governor

# Office of the Governor Of Guam.

DEC 1 5 2016

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

33-16-2269
Office of the Speaker Judjth T. Won Pat. Fd D

Date: 12-19-16
Time: 9944
Received By: 995

Dear Madame Speaker:

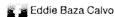
Transmitted herewith is Bill No. 393-33 (COR), "AN ACT TO TRANSFER WITH COMPENSATION A PORTION OF THE LOT IDENTIFIED AS "ANDERSEN COMMUNICATION ANNEX NO. 1 (AJKD)" IN THE MUNICIPALITY OF DEDEDO, CONTAINING AN AREA OF 70,000 ± SQUARE METERS, FROM THE GUAM ANCESTRAL LANDS COMMISSION INVENTORY OF SPANISH CROWN LANDS TO THE GUAM WATERWORKS AUTHORITY FOR THE PURPOSE OF CONSTRUCTION OF THE UPGRADE AND EXPANSION OF THE NORTHERN DISTRICT WASTEWATER TREATMENT PLANT; AND TO REZONE THE TRANSFERRED PORTION FROM THE CURRENT HOTEL ZONE (H) TO PUBLIC FACILITY ZONE (PF)," which was signed into law on December 15, 2016, as Public Law 33-198.

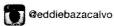
Senseramente,

EDDIE BAZA CALVO

2269

Office of the Governor of Guam • 513 West Marine Drive • Ricardo J. Bordallo Complex • Hagåtña, Guam 96910







### 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. 393-33 (COR), "AN ACT TO TRANSFER WITH COMPENSATION A PORTION OF THE LOT IDENTIFIED AS "ANDERSEN COMMUNICATION ANNEX NO. 1 (AJKD)" IN THE MUNICIPALITY OF DEDEDO, CONTAINING AN AREA OF 70,000 ± SQUARE METERS, FROM THE GUAM ANCESTRAL LANDS COMMISSION INVENTORY SPANISH CROWN LANDS TO THE GUAM WATERWORKS AUTHORITY FOR THE PURPOSE OF CONSTRUCTION OF THE UPGRADE AND **EXPANSION** THE NORTHERN DISTRICT **OF** WASTEWATER TREATMENT PLANT: AND TO REZONE THE TRANSFERRED PORTION FROM THE CURRENT HOTEL ZONE (H) TO PUBLIC FACILITY ZONE (PF)," was on the 2<sup>nd</sup> day of December 2016, duly and regularly passed.

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

#### Bill No. 393-33 (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
Judith T. Won Pat, Ed.D.
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.

AN ACT TO TRANSFER WITH COMPENSATION A PORTION OF THE LOT IDENTIFIED AS "ANDERSEN COMMUNICATION ANNEX NO. 1 (AJKD)" IN THE MUNICIPALITY OF DEDEDO, CONTAINING AN AREA OF 70,000 ± SQUARE METERS, FROM THE GUAM ANCESTRAL LANDS COMMISSION INVENTORY OF CROWN LANDS TO THE **GUAM** SPANISH WATERWORKS AUTHORITY FOR THE PURPOSE OF CONSTRUCTION OF THE UPGRADE AND EXPANSION DISTRICT NORTHERN WASTEWATER OF THE TREATMENT PLANT; AND TO REZONE TRANSFERRED PORTION FROM THE CURRENT HOTEL ZONE (H) TO PUBLIC FACILITY ZONE (PF).

#### BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. I Liheslaturan Guåhan finds that Guam's existing Northern District Wastewater Treatment Plant (NDWWTP) presently provides only the court-ordered chemically enhanced primary treatment (CEPT) without disinfection. The Guam Waterworks Authority (GWA) has determined that an upgrade of the NDWWTP will ensure that permit requirements of the National Pollution Discharge Elimination System (NPDES) are met for all discharges of current and future increases in wastewater flows from the population, civilian and military, in northern and central Guam. Additionally, the upgrade is necessary to mitigate the impact to marine resources resulting from increased ocean discharges, and to protect the northern Guam lens aquifer.

*I Liheslaturan Guåhan* finds that the U.S. Department of Defense supports the construction of the NDWWTP upgrade and expansion to ensure that the military wastewater requirements can be met, and that the Federal Clean Water Act (CWA) and Guam's water quality standards are met.

I Liheslaturan Guåhan further finds that an Implementation Plan was developed in 2015 by the Economic Adjustment Committee that supports the preferred alternative for upgrades to the civilian water and wastewater infrastructure, and that in conjunction with that plan, the U.S. Department of Defense, Office of Economic Adjustment has been authorized to provide the necessary funds to GWA to expand and upgrade the NDWWTP.

I Liheslaturan Guåhan finds that GWA has identified Spanish Crown Lands, located adjacent to the existing NDWWTP, that is held in trust by the Guam Ancestral Lands Commission (GALC). The property of interest would be suited for the purpose of expanding and upgrading the NDWWTP. I Liheslaturan Guåhan

further finds that GWA's interest in obtaining the property for public benefit with the appropriate compensation agreement is consistent with 21 GCA § 80104(e).

I Liheslaturan Guåhan finds that this NDWWTP project is necessary and will benefit the people of Guam and, therefore, intends to authorize the Guam Ancestral Lands Commission to transfer approximately 70,000 ± square meters to GWA to accomplish the necessary improvements described in this Section. GWA and GALC have discussed the basic terms of the transfer to meet the needs and mandates of both parties, and are committed to finalize compensation to GALC within one hundred twenty (120) days of the enactment of this Act.

# Section 2. Authorization to Transfer Land to Guam Waterworks Authority (GWA).

- (a) Notwithstanding any other provision of law, rule or regulation, *I Liheslaturan Guåhan* authorizes the Guam Ancestral Lands Commission (GALC) to transfer from its Spanish Crown Lands inventory a portion of the lot identified as "Andersen Communication Annex No. 1 (AJKD)" in the municipality of Dededo, with an area of approximately 70,000 ± square meters, as shown in the Department of Land Management sketch identified as Northern District Wastewater Treatment Plant (Exhibit A), to the Guam Waterworks Authority for the construction of the upgrade and expansion of the existing wastewater treatment plant, to include, but not be limited to, the oxidation ditches, odor control, enhanced headworks, secondary clarifiers, digesters, pumps and associated piping, and storm water basins.
- (b) The administrative transfer of said property *shall* become effective upon the enactment of this Act. GALC grants right of entry immediately to enable GWA to initiate the required geotechnical survey, topographic survey, and other required testing and studies pertinent to the

construction design of the expansion of the NDWWTP while both parties are finalizing compensation and the deed is recorded.

- (c) Appraisal. GWA *shall* pay for the appraisal of the property by two (2) different appraisers, one (1) of which *shall* be selected by the Executive Director of GALC. The appraisal *shall* be based on the Hotel Zone (H).
- (d) Survey. GWA *shall* have the property surveyed at its own expense, and the survey map *shall* be approved and recorded by the Department of Land Management.
- (e) Purchase Price and Transfer Agreement. The purchase price *shall* be based on the average of two (2) appraisals. A compensation and transfer agreement *shall* be finalized within one hundred twenty (120) days of enactment of this Act. Failure to achieve an agreement may result in the reversion of the property to GALC.
- (f) Proceeds from the land sale *shall* be deposited in the land bank account established in 21 GCA § 80104(e).
- Section 3. Zoning Designation. The portion of the lot identified as "Andersen Communication Annex No. 1 (AJKD)" in the municipality of Dededo, as shown in the Department of Land Management sketch identified as NDWWTP (Exhibit A), that will be utilized for the upgrade and expansion of the Northern District Wastewater Treatment Plant (NDWWTP), shall be rezoned from Hotel Zone (H) in accordance with the Official Zoning Map covering the municipality of Dededo, "Dos Amantes" Planning Area, Instrument No. 817995, to Public Facility Zone (PF) pursuant to 21 GCA § 61313.
- **Section 4. Severability.** If any provision of this law or its application to any person or circumstance is found to be invalid or contrary to law, such

invalidity *shall not* affect other provisions or applications of this law that can be given effect without the invalid provisions or applications and to this end the provisions of this law are severable.

