

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 33-199 387-33 (COR)	T. C. Ada	AN ACT TO REZONE LOT NO. 8, TRACT 25305, MUNICIPALITY OF YONA AND LOT NO. 402-R10-2-10-1, MUNICIPALITY OF SANTA RITA, FROM AGRICULTURAL (A) ZONE TO A PUBLIC FACILITY (PF) ZONE FOR THE PURPOSE OF CONSTRUCTING TWO (2) SEWER LIFT STATIONS.	10/17/16 11:33 a.m.	10/17/16	Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement	10/26/16 9:30 a.m.	11/20/16 5:43 p.m.	Fiscal Note Request 10/21/16 Fiscal Note 11/16/16
	DATE PASSED	TITLE	DATE AND TIME TRANSMITTED		DUE DATE	<small>DATE SIGNED BY</small> I MAGA'L A HEN GU A HAN	PUBLIC LAW NO.	NOTES
	12/02/16	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.	12/05/16	4:50 p.m.	12/16/16	12/15/16	P.L. 33-199	M&C No. 33GL-16-2270



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

33-16-2270
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

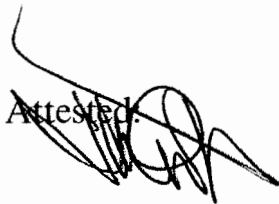
**I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session**

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.

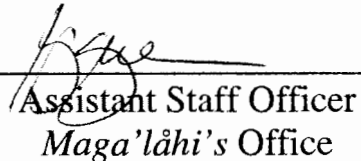


**Judith T. Won Pat, Ed.D.
Speaker**

Attested: 

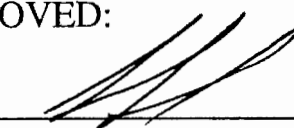
**Tina Rose Muña Barnes
Legislative Secretary**

This Act was received by *I Maga'låhen Guåhan* this 1st 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.

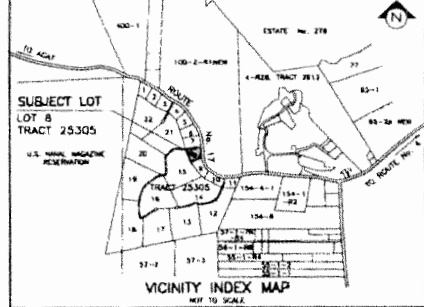
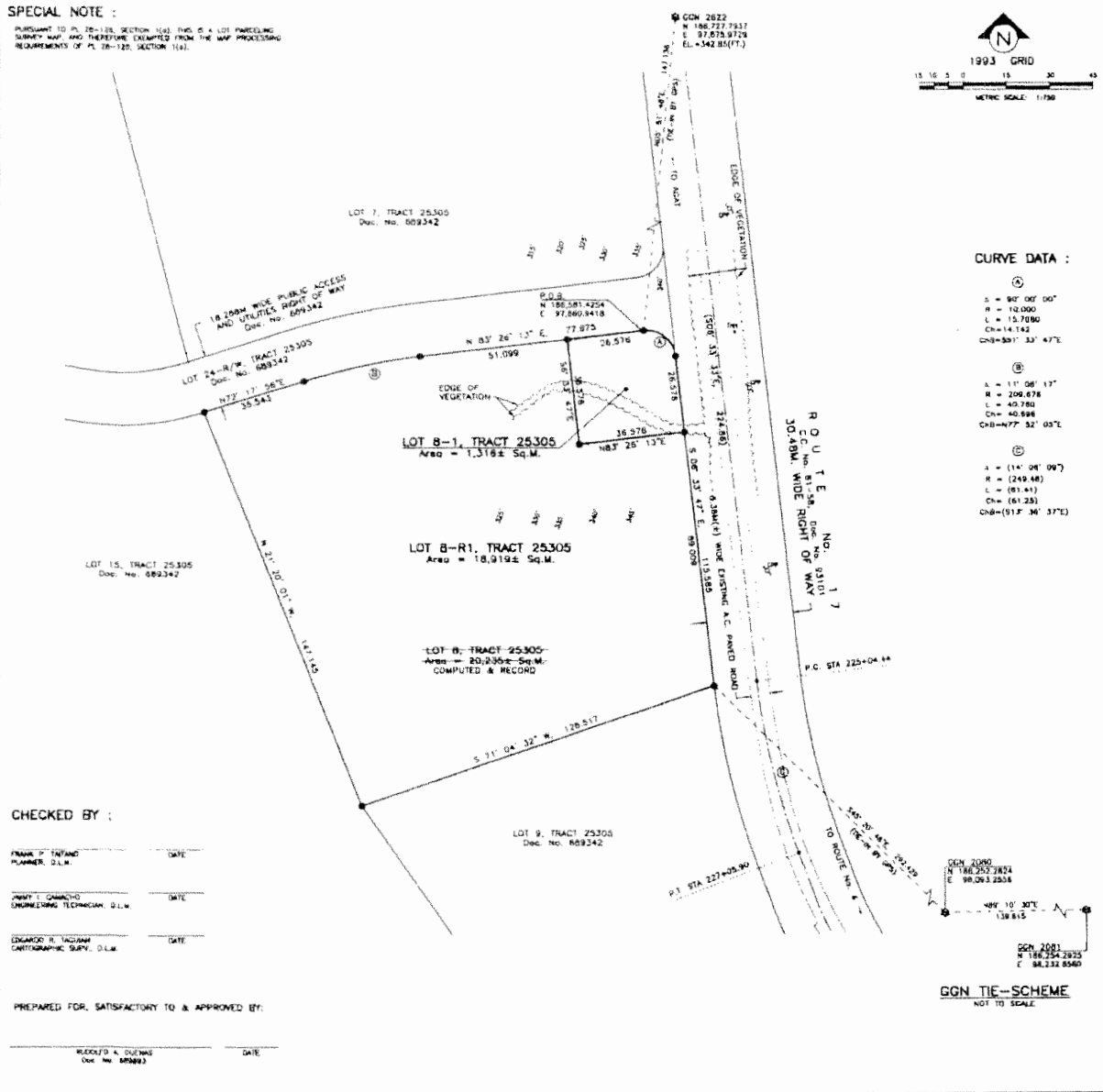
16 **Section 4. Effective Date.** This act *shall* take effect upon enactment.

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.

Bill No. 387-33 (Exhibit A)

SPECIAL NOTE :

PURSUANT TO PL 28-125, SECTION 114) THIS IS A LOT PARCELING SURVEY MAP AND THEREFORE EXEMPTED FROM THE MAP PROCESSING REQUIREMENTS OF PL 28-125, SECTION 114).



- 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 PARCELINGS ARE RECORD DATA, ALL OTHERS ARE 1983 DATA.
 4. SUBJECT LOT IS WITHIN THE NORTHERN AGRI-CULTURE.
 5. SUBJECT LOT IS ZONED "A" AGRICULTURAL PER 1986 OFFICIAL ZONING MAP 1347545.
 6. NO AD-VAULT EXIST AS OF APPROVAL OF THIS MAP.
 7. VERTICAL CONTROL SURVEY WAS BASED FROM GDM 2822 WITH AN ELEVATION OF 342.83 FEET MEAN SEA LEVEL (MSL) DATUM. CONTOURS WERE DEVELOPED FROM SPIRIT ELEVATIONS USING A COMBINATION OF GPS AND CONVENTIONAL TOPOGRAPHIC SURVEYING METHODS.
 8. CONTOUR ELEVATIONS ARE IN FEET.

- REFERENCES :**
1. DMS No. DM-1-02-25, DEED AND ESTATE SURVEY MAP (LOUSE DISTRIBUTION - PREVIOUS CASE No. 124-71) OF TRACT 25305 (FORMERLY LOT 100-82), PREPARED BY PLS No. 62, L.M. No. 02875004, DMS No. 008342.

- LEGEND :**
- GDM STATION
 - ⊙ FOUND NO. 4 MESHAN SET BY PLS No. 62, SEE REF # 1
 - ⊙ 14 MESHAN SET WITH PLASTIC CAP MARKED PLS AS
 - ⊙ CENTERLINE CORNER
 - ⊙ CONCRETE POWER POLE
 - ⊙ 30M TELEPHONE MARKER

CERTIFICATE OF GUAM CHIEF SURVEYOR
 THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE 21, GUAM CODE ANNOTATED, CHAPTER 81, ARTICLE 3, SURVEYING INSTRUMENTATION SYSTEM AND REGULATIONS THEREUNDER ON THIS DAY OF _____

PLS No. 62
 GUAM CHIEF SURVEYOR/CHIEF OF COURTESY

CERTIFICATE OF GUAM CHIEF PLANNER
 APPROVAL PURSUANT TO TITLE 21, GUAM CODE ANNOTATED, CHAPTER 81, ZONING LAW AND CHAPTER 82, SUBDIVISION LAW

MAPPER'S SIGNATURE
 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 JULY 28, 2018 IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS, THAT I AM RESPONSIBLE FOR THE ACCURACY OF ALL DATA AND INFORMATION SHOWN HEREON. I FURTHER CERTIFY THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITION INDICATED ON THIS MAP.



HECTOR C. GONCALVES PLS No. 65
 DATE: JULY 28, 2018

LOT PARCELING SURVEY MAP
 OF
LOT 8, TRACT 25305
 MUNICIPALITY OF YENA

SURVEY DATA		DATE	LOT DATA
FIELD	WMS & GDM	JULY 2018	B. TRACT 25305
BOOK	DGM-2018		CERT. OF FILE No. 124787
COMPUTED	CG	JULY 2018	REGISTERED ON
DRAWN	CG	JULY 2018	IN THE NAME OF
RESEARCHED	FD	JULY 2018	ESTATE OF JOSE CASTRO SUAREZ
CHECKED	MD	JULY 2018	

SATISFACTORY TO & APPROVED BY:
 S E E P L A N
 DRAWN: _____ DATE: _____
 ENG No. DGM-3-18-47 SH. 1 OF 1 SCALE 1:750 L.M. CHECK No. -FY 2018

CHECKED BY :

FRANK P. TRINIDAD
 PLANNER, D.L.M. DATE: _____

JERRY I. GONCALVES
 ENGINEERING TECHNICIAN, D.L.M. DATE: _____

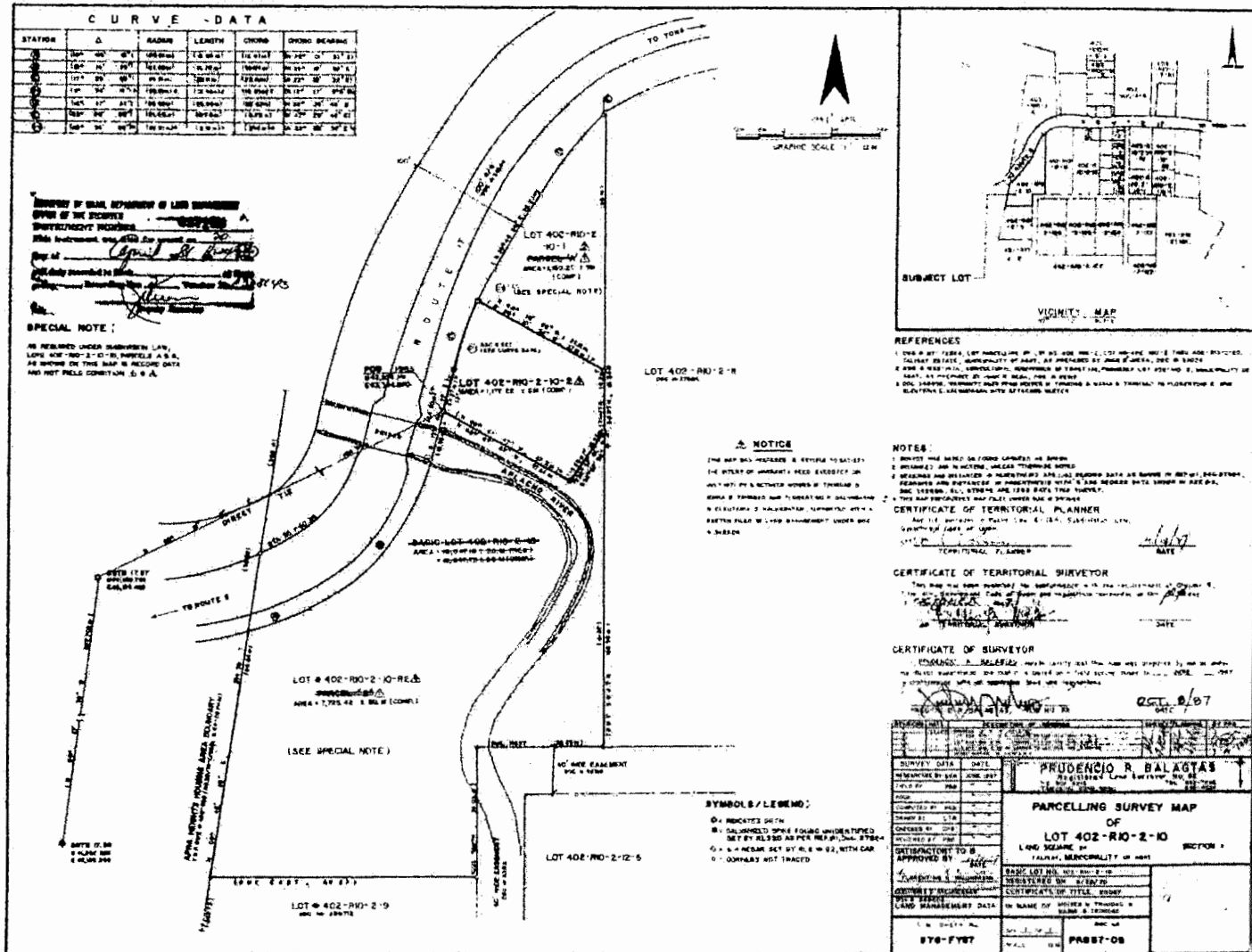
EDUARDO R. YACUBAN
 CARTOGRAPHIC SURV., D.L.M. DATE: _____

PREPARED FOR, SATISFACTORY TO & APPROVED BY:
 RECOLETO A. OLIVAS
 Doc No. 008082 DATE: _____

GGN TIE-SCHEME
 NOT TO SCALE

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

5810(R)
5810(R)



(R) 5810