



**INFORMATIONAL BRIEFING
35TH GUAM LEGISLATURE**

**GUAM MILITARY BUILDUP
GOVERNMENT OF GUAM WORKING GROUP**

NOVEMBER 25, 2019



GUAM ENVIRONMENTAL PROTECTION AGENCY

CURRENT ACTIVITIES

- Permit Processing
- Inspections
- Enforcement & Compliance
- Federal & Local Mandates
- Statute Updates

CHALLENGES TO REGULATORY/COMPLIANCE:

- Influx of DOD permits will require additional resources for:
 - Plan review and Inspections
 - Potential for enforcement action on non-compliance with permits, statutes
 - Estimated influx is 30% of current regulatory and compliance duties
- Current duties with non-DOD permits will likely be affected by influx

Staffing Needs

- **Estimate – FTE**

- Customer Service Rep
- Program Coordinator
- Lab Tech
- Environmental Tech
- Professional Engineer
- Inspector
- Environmental Health
- Planner

Equipment and Office Space



DEPARTMENT OF LABOR

H-2B CURRENT SITUATION- PROGRAM STATUS:

Three Pathways to H-2B:

- 1. Regular H-2B Process- No cases filed- chilling effect still in place.
- 2. NDAA Exemption- **1663** positions approved for FY 19 & 20 to date
 - 100% Approval from USCIS – No denials to date
- 3. GCA Lawsuit Temporary Injunction
 - No action from federal court yet on merits of the case
 - Pending motion to hold USCIS in contempt for violating preliminary injunction

Significant Developments:

- 2019 List of Approved H-2B Countries removed Philippines
- NDAA Exemption assists with meeting 'National Interest' – net effect is requirement for **named beneficiaries** versus unnamed when Philippines was on the list

CURRENT STATISTICS

11/20/19 to Date

USCIS Filings : 1,959 positions filed in with USCIS
USCIS Approvals: 1,663 positions approved
Current Worker Population: 1,122

Outlook for FY 20:

- Arrivals remain slower than expected - we expect minimum population of over **1,300 by January 2020**
- Slow deployment possibly due to workforce housing situation and chilling from H-2B approved list as well as requirement for named beneficiaries.

CURRENT ISSUES

OneGuam push needed for Statutory H-2B Relief for Guam

- NDAA exemption working, but lack of Guam only temporary worker visa stifles local investments in some civilian sectors
- Need Trump Administration and Congress Support
- Military, GovGuam and Private Sector need to lobby White House, Senate & House Judiciary Committees
- Guam exemption from H-2B list exclusively for Philippines needed to smooth deployment of skilled workers

Processing Breakpoint- GDOL Alien Labor Processing & Certification Division

With current FTE staff of 4, the division is currently at maximum capacity with an anticipated H-2B population of 1,500 workers.

• STAFFING CHALLENGES

Alien Labor Processing & Certification Division (ALPCD) - Labor Certifications & H-2B program enforcement

- FTE Positions Needed: 2 FTE
- Annual Cost: \$104,158

Wage and Hour Division (WHD) - Enforcement and monitoring of wage laws and prevailing wage standards

- FTE Positions Needed: 1 FTE
- Annual Cost: \$52,079

• GRAND TOTAL- ANNUAL COST: \$156,237

• ALPCD

PROCESSING BREAKPOINT: 1,500 H-2B Workers

- Without additional staffing, Labor Certification processing times will double or triple as demand rises, registration times will be 60-90 days and compliance monitoring will be insufficient. Also, sustained data tracking and statistics will be unrealistic and will fall in priority to core mission of labor certification processing.
- Crisis point has already been reached since training time for new staffing is 12-18 months for staff to become sufficiently productive to mitigate workload demands.
- Seed funding needed for staffing. Program self funds once the H-2B population sufficiently increases.

WHD

- Permanent FTE staff of 1 person is vastly insufficient to handle the wage monitoring for projects associated with the military realignment.
- Crisis point reached – current staffing must concentrate on non- realignment sectors and cannot be expected to deal with huge increase in workers being employed as a result of the build up.
- Training time for new staffing is 12-18 months for staff to become sufficiently productive to mitigate workload demands.



DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES

Background

- Division of Environmental Health (DEH) is one of 5 divisions of the Department of Public Health and Social Services (DPHSS)
- One of the major functions of DEH is regulating the sanitary operation of health-regulated establishments, including Temporary Workforce Housing (TWH)
- TWH is a commercial facility utilized to temporary house employees, such as migrant workers
- At this time, there are 114 TWH permitted with DEH; one inspector assigned
- Frequency of inspection determined by risk: Non-compliant TWH inspected more often than compliant TWH
- Currently manageable but will need more inspectors for military build-up due to more TWHs and workers
 - 1 Inspector per 1,000 workers
- Concern for the introduction and establishment of mosquito-borne disease
 - Medical Entomologist is sought for DEH's Mosquito Surveillance and Control Program

STAFFING NEEDS

- Max 14,000 workers anticipated (2022); thus, 14 staff needed
 - **14** Total: 12 inspectors and 2 supervisors
 - Total Cost: \$527,160
- **1** Medical Entomologist
 - \$140,000
- Total recruitment cost = \$798,565
- When steady-state reached (2027)
 - Inspectors: \$285,353
 - Medical Entomologist: \$140,000
 - Total: \$423,353

CHALLENGES

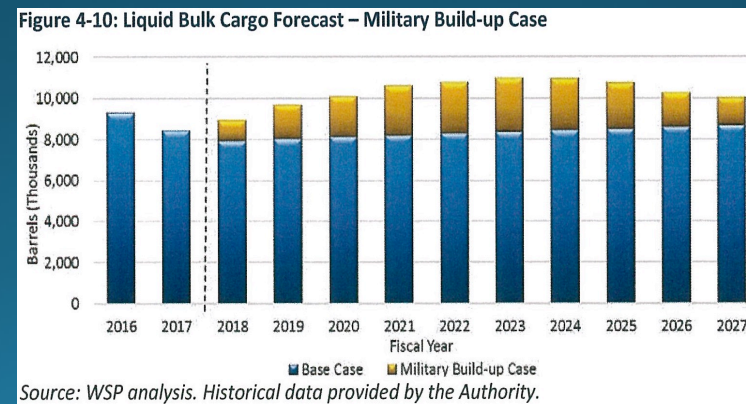
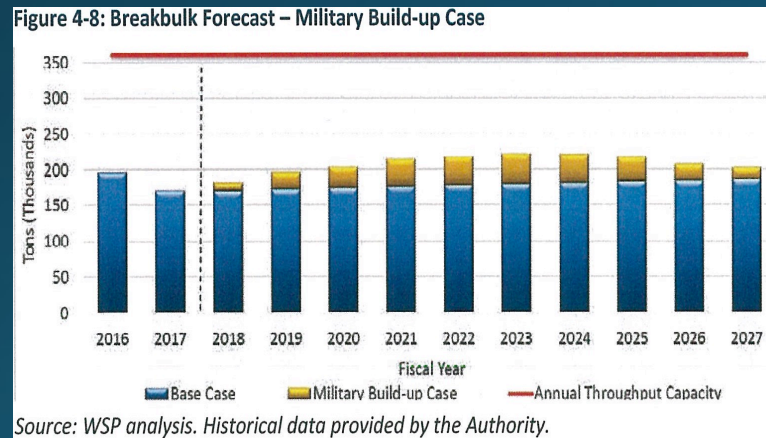
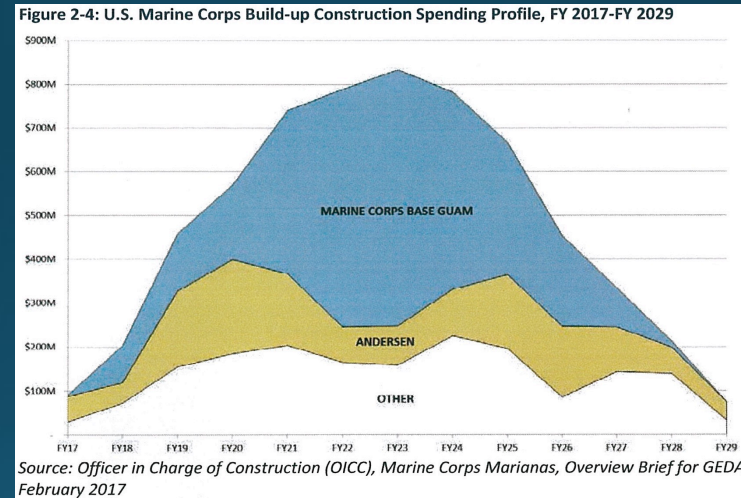
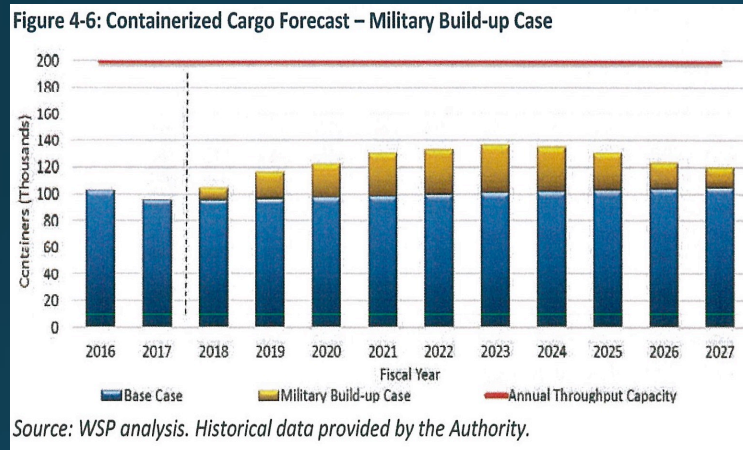
- Recruiting interested and qualified applicants and retaining them
- Following may need to be addressed
 - Instituting competitive salary
 - Improving recruitment process
- Cost do not include:
 - Equipment, supplies, and training
 - Benefits (only salary)



PORT AUTHORITY OF GUAM (PAG)

Military Buildup Effect on Cargo

- Currently, the military accounts for 30% of all cargo that comes in through the Port.
- During the peak of the buildup, additional equipment, supplies, and construction materials are expected to nearly double the Port's military cargo volumes.



Military Buildup Effect on Port Operations

The buildup is expected to impact the Port in three ways:

- DoD contractors will import substantial volumes of materials and supplies, thus affecting the amount of containerized, breakbulk, and liquid bulk cargo.
- Additional DoD personnel and dependents will increase the flow of household goods, personal vehicles, and goods sold at the commissaries and local businesses, primarily impacting containerized cargo, with some impacts to breakbulk and liquid bulk.
- The realignment will require additional workers from off-island both during and after construction, furthering these impacts.

**Table 4-1: Military Build-up Case
Annual Percent Increase Over Base
Case Volumes by Cargo Type**

Fiscal Year	% Increase in Containerized Cargo	% Increase in Breakbulk Cargo	% Increase in Liquid Bulk
2018	9.0%	6.1%	12.4%
2019	20.4%	13.9%	20.7%
2020	25.3%	17.2%	24.2%
2021	32.2%	21.9%	29.1%
2022	33.3%	22.7%	30.0%
2023	35.1%	23.9%	31.3%
2024	32.7%	22.3%	29.5%
2025	27.6%	18.8%	25.9%
2026	18.7%	12.7%	19.4%
2027	14.4%	9.1%	15.6%

Source: WSP analysis.

Port Challenges to the Military Buildup

- **Ship-to-Shore (STS) Gantry Cranes**

- Current Situation***

- ✓ The Port owns three (3) reconditioned 1983/1984 Port of Los Angeles (POLA) STS gantry cranes that are nearing their life expectancy
 - ✓ Based on a recent assessment report on the Port's gantry cranes, the actual lifespan has been reduced by nine (9) years
 - ✓ The Port's harsh corrosive environment coupled with the sulfur laden fumes from the adjacent GPA power plant shortens the lifespan of the gantry cranes and thus warrants an aggressive and periodically executed preventative maintenance plan
 - ✓ It is critically important that the gantry cranes be replaced as soon as possible to ensure the Port can maintain its operational sustainability and mission capabilities in support of the military buildup

- Mitigation Initiative***

- ✓ The Port submitted a grant application to the US DOT/MARAD Port Infrastructure Development Program in the amount of \$30 Million to purchase two (2) brand new STS gantry cranes
 - ✓ The successful acquisition of the gantry cranes will ensure that the Port continues to meet the needs of Guam and the Micronesian region as well as properly service the military buildup and future mission capabilities
 - ✓ A loan application to the USDA for a third gantry crane is being developed
 - ✓ To ensure long-term operational sustainability , the Port has established a Port Improvement Program inclusive of capital improvements, equipment replacements and on-going Port maintenance projects.

Manpower Resources

Current Situation

Maintenance Division

- ✓ The Division currently employs 83 employees consisting of Management & Administration, Building, Janitorial, Electrical, Maintenance Control, Equipment, Crane, Preventative Maintenance, Fleet, and Welders
- ✓ Current manpower levels are adequate to ensure building and equipment maintenance capacity and sustainability in support of organic growth/base case scenario

Operations Division

- ✓ The Division currently employs 155 employees consisting of Management & Administration, Terminal, Transportation, and Stevedoring
- ✓ Current manpower levels and overall high degree of performance provide operational sustainability and consistency in the delivery of services

Peak Military Buildup Impact

- ✓ Increased cargo traffic volume will require additional manpower resources to address and maintain maintenance and operational capacity and high level of customer service during military buildup case

Mitigation Initiative

- ✓ On August 27, 2019 the Port Board of Directors approved Management's request to develop a scope of work that will allow the Port to hire a professional temporary employment services contractor to assist the Port with the hiring of temporary employees to address manpower needs in support of the military buildup



DEPARTMENT OF LAND MANAGEMENT

- IMPACT ON LAND MANAGEMENT OF THE MILITARY BUILDUP

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- 1. impacted by the military buildup in its Planning Division and in the Guam Land Use Commission
- 2. with tsunamis to the Department of Public Works and the Department of Public Health and Social Services.

- *The need for temporary workers housing facilities due to military buildup construction projects and its ripple effect on small scale but numerous and varied development in the area requires an increased demand for services from the severely understaffed and fragile Planning Division of DLM.*
- The Department of Land Management (DLM) provides staff, administrative and ministerial services to the Guam Land Use Commission (GLUC).

- **Temporary Workers Housing Facilities*

- only allowed on lands zoned M-1, somewhat rare land in present day Guam
- hence numerous requests to rezone other lands into M-1.
- The review and processing of these complex rezoning applications by the Planners is detailed and tedious.
- The processing time of these rezoning applications can take up to two years from submittal of application to commission decision.
- DLM, through the GLUC, to date, has approved land use applications for 20,827 temporary workers housing units.
- These facilities have to be building permitted by DPW and health inspected by DPH&SS.
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- From this DLM/GLUC approved action a tsunami then hits the Department of Public Works and will be chronic. Increased permitting requests for the construction of these housing facilities will require DPW to hire additional permit processors and building inspectors.
- Another tsunami from this DLM/GLUC action will also hit the Department of Public Health and Social Services as they would have to hire additional health inspectors to process applications and conduct health inspections of the sanitary conditions of 20,827 temporary workers housing units.
- DLM is additionally dealing with an onslaught of land use applications for numerous small-scale developments in the areas immediately surrounding the largest temporary workers housing facility, the GRMC facility and the proposed Marine cantonment area.

- ***Severe Understaffing of the Planning Division; Capacity and Retention**

- ❖ The Planning Division of the Department of Land Management ideally operates with 21 approved positions.
- ❖ The Division presently has 14 vacancies.
- ❖ Only 7 positions are funded and filled.
- ❖ 4 are Planners, 3 senior 1 junior.
- ❖ In addition, the situation is further exacerbated by the recent retirement and subsequent rehire by a private consultant to the military of the chief planner.
- ❖ Of the three senior planners remaining, 2 are beyond retirement age and service. The junior planner is a Planner-2.
- ❖ Of the 7 filled positions, 4 are eligible for retirement. We do not want the retirement of senior planners at the peak of the buildup. DLM needs; and should endeavor to hire two (2) Planner-2s immediately to give time to build capacity. Two Planner 2s with software and equipment costs approximately \$125,000 per annum.
- ❖ **ONE-STOP CENTER responsibilities of DLM's Planning Division requires that a DLM Planner be stationed In the DPW One-Stop Center for Permit and Business License Application Clearances. DLM has not been able to fill that mandate, DLM presently only staffs the One-Stop Center on Tuesdays and Wednesdays. With the hiring of the Planner 2s, we hope to be present 5 days a week, 8am to 5pm.**



STATE HISTORIC PRESERVATION OFFICE

Current Activities

- Finalizing new MITT Programmatic Agreement with the Navy
- Formalizing Stipulation XIII invocation for Live Firing Range project
- Design phase of *Naftan Manaina-ta*
- Development of Archaeological Guidelines
- Recruit and retain experienced work force

Challenges to regulatory/compliance:

- Short staffed by seven (7) to properly review in a timely manner
- Only one (1) archaeologist on staff
- 70% of activities are DoD related
- Not having GIS personnel
- IT connectivity complications
- Staff development
- Exterior stakeholder Section 106 training needed

Staffing Needs

- SOI qualified Archaeologist
- GIS Specialist
- Computer Data Librarian
- Planner
- HP Specialists (2)
- Historic Architect



DEPARTMENT OF AGRICULTURE

CURRENT SITUATION

DEPARTMENT OF AGRICULTURE DIVISIONS	MILITARY BUILDUP IMPACTS TO DIVISION CAPACITY	IMMEDIATE REQUIREMENT FOR 2020/2021
Agriculture Dev Services	Permitting inspections for clearing, grading, wetlands, ARC	4 agriculturalists
Biosecurity (commodity inspection officers)	Inspections of incoming commodities	3 inspection officers
Biosecurity (agriculture technicians)	Service work to address invasive species	3 personnel
DAWR - biologists	Permitting, biological assessments and review, endangered and listed species, impacts to ocean	3 biologists
Conservation Officers	Inspections, Marine Preserves, poaching, hunter education training support, NOAA JEA support	5 officers
Animal Control/Animal Health -Animal Control Officers and Clerks	Animal permits entering/leaving Guam, registration, animal control	2 officers, 2 clerks
Forestry Aides and Forester	Urban and community forestry, forestry health, land use reviews (permits), invasive species	4 Foresters, 4 Forestry aide

THANK YOU

GUAM MILITARY BUILDUP OFFICE

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