

State of Alaska FY2004 Governor's Operating Budget

Department of Public Safety Fish and Wildlife Protection Budget Request Unit Budget Summary

Fish and Wildlife Protection Budget Request Unit

Contact: Colonel Joel Hard, Director, Fish and Wildlife Protection

Tel: (907) 269-5584 **Fax:** (907) 269-5616 **E-mail:** joel_hard@dps.state.ak.us

BRU Mission

The mission of the Division of Fish & Wildlife Protection is to enforce the state's fish and wildlife laws.

BRU Services Provided

- Perform primary police service in remote communities.
- Perform wildlife law enforcement patrols and investigations throughout Alaska's 586,000 square miles of landmass, 36,000 miles of coastline and 336,000 square miles of expanded Federal jurisdiction in the Bering Sea.
- Maintain 36 Fish and Wildlife Protection posts strategically located throughout Alaska to assure optimum trooper presence and coverage.
- Provide boating safety enforcement.
- Participate in search and rescue missions statewide.

BRU Goals and Strategies

The division's purpose is to protect state fish and game resources by a combination of uniform trooper patrols, covert investigations and educational and public awareness programs.

Increase trooper presence in remote Alaska, where little or no other law enforcement exists and improve public safety services.

Key BRU Issues for FY2003 – 2004

The Division of Fish & Wildlife Protection represents some of the most diversely trained and fully capable commissioned police officers available statewide. These troopers routinely operate vessels and aircraft in the state's backcountry where rural and urban residents alike access hunting and fishing resources. As fully commissioned law enforcement officers, they independently recognize and act upon many other Public Safety emergencies and concerns.

Continued public safety and security concerns stemming from the terrorist attacks of September 11, 2001 and global uncertainty have further burdened Alaska's law enforcement resources. Every state trooper more so than any other time in the past, has become essential to the public's everyday safety and to the state's plan in providing that service. The troopers in Fish and Wildlife Protection, through their presence in remote communities and regions, are pivotal to this effort and are typically the first responders for:

- Deaths
- Aircraft and vessel accidents
- Hunting accidents
- Assaults
- Search and rescues
- Other emergencies

The primary role of wildlife protection involves patrolling an array of sport, commercial, personal use and subsistence fisheries and commercial, sport and subsistence hunting in various regions.

COMMERCIAL FISHERIES

Commercial fisheries in state and federal waters have historically been inadequately covered due to limited division resources and the expense and complexity of the 20 plus commercial fisheries. Enforcement of many offshore fisheries such as Bering Sea king crab, Opilio and Bairdi crab, pollock and other species is very difficult. Many fisheries occur in remote and dangerous offshore waters where deploying troopers is extremely difficult. Enforcement patrols with the 121-foot Patrol Vessel (PV) Woldstad, the 156-foot PV Stimson, and a Beechcraft King Air 200 aircraft have been the only consistent deterrent to illegal fishing in these waters. With the National Marine Fisheries Service officers and many US Coast Guard resources being deployed to homeland defense duties in September 2001, FWP's role has become even more critical.

Alaska commercial fisheries comprise about 50% of the total U.S. fish catch each year. In 2001, the North Pacific Fishery Management Council reported that Alaska catch was more than 1,834,000 metric tons of groundfish, alone. This is over 4 billion pounds of groundfish with an ex-vessel value of \$565 million dollars. The Alaskan groundfish fishery accounted for 44% of the weight, 16% of the ex-vessel value of total United States (U.S.) domestic landings, and 51% of the ex-vessel value off Alaska. In 2002, the Alaskan halibut catch was 61,860,000 pounds representing 73% of the total catch limit set by the International Pacific Halibut Commission (IPHC). In total, the 15,046 licensed Alaska commercial fishing vessels produced an ex-vessel value of 32% of the total U. S. domestic catch.

The Commercial Fishing Industry continues to change and, with it, enforcement needs. In 1992, the North Pacific Fishery Management Council approved the largest Individual Fisheries Quota (IFQ) program in the nation, transforming the highly competitive 24-hour halibut and sablefish fisheries into an orderly eight-month fishery. In 1998, the American Fisheries Act was passed by Congress, and implemented by the Council. This act provided for the Bering Sea Pollock fisheries to be limited to a specific number of qualifying vessels and processors and a cooperative system instituted. Both of these have changed the fishing industry and enforcement requirement. While not needing to have the same level of fishing vessels and processors with this approach, the extended fishing periods have increased the need for continued "on scene" enforcement presence. Fishing is not restricted to several limited openings that enforcement can devote all its resources to, but, is virtually ongoing which adds considerable operational pressure to the division. This same approach was selected in June 2002 as the Council's preferred method for the Bering Sea/Aleutian Islands Crab fisheries. Other Gulf of Alaska groundfish fisheries are currently being evaluated as well.

SPORT FISHERIES

Nearly every river, stream, lake and coastal region in Alaska supports active and prosperous sport fisheries. Many of these fisheries occur during the peak commercial fishing and hunting seasons, when it is difficult for the division's 91 troopers to provide adequate enforcement coverage. Over 400,000 anglers fish more than 5 million days, generating harvests that can quickly exploit local stocks. FWP's presence is the most significant deterrent to poaching but division's resources are inadequate for the necessary coverage.

As some fisheries become more congested, smaller more vulnerable populations are subjected to user pressures that require additional enforcement, providing a challenge to the division's alignment of its enforcement capabilities. New regulations are issued in an effort to control regional harvests and there is an expectation by managers that enforcement is allocated to assure compliance. In many areas enforcement simply cannot occur.

HUNTING

Hunting is deeply rooted in Alaska cultures and lifestyles. Vulnerable game populations are broadly disbursed throughout Alaska making consistent enforcement impossible given available resources. Troopers are rotated from season to season to areas of highest priority. Such a strategy keeps violators guessing and provides adequate protection to some areas while other areas are ignored.

OVERALL ENFORCEMENT

Safeguarding valuable, renewable resources is critical to Alaska's future and the future of many Alaska communities and cultures. An adequate patrol presence and aircraft and vessel fleet is critical to this effort. Without a consistent and reliable presence in the field and on the water, illegal activity is allowed to foster. Big game and fisheries are exploited. Poachers remain undeterred gaining huge profits.

Much can be learned by reviewing the results of overfishing and overhunting in other parts of the country. While Alaska remains viable in its resource production, some diminished fisheries and game populations are in serious need of further study and protection.

Due to insufficient equipment funding over the last several years, critical patrol needs have not been met and trooper effectiveness has been reduced. Essential off-road patrol vehicles are aged and badly in need of replacement. Many have been extended to the point they are no longer reliable for patrols.

Each time an equipment failure occurs, it further reduces Fish & Wildlife Protection's ability to provide a consistent presence in important fishing and hunting regions in all seasons.

AIRCRAFT

The utilization of trooper/pilots within the department has proven to be an extremely effective and efficient practice for many years. Successful law enforcement is dependent on consistent and reliable presence in all regions and programs that address educational, social and community concerns. Aircraft are essential to that purpose. Both divisions rely heavily on department aircraft and pilots to perform law enforcement and resource protection statewide. Without immediate access to well-equipped and maintained aircraft, the department is unable to perform its various missions.

Today, there are 35 year-round posts and one seasonal post providing police protection for 274 communities. Approximately 46 of the commissioned personnel are trooper/pilots that operate various aircraft. The Divisions of AST and FWP cooperate and communicate well when planning for aircraft use and logistics, since all aircraft are used extensively for a multitude of assignments and purposes.

VESSELS

Regulated marine fisheries occur on a year round basis in the coastal and offshore waters of the State of Alaska. These fisheries are of common concern to both state and federal managers who share an interest in ensuring that fisheries are protected. In this effort, the state has been delegated enforcement authority in federal waters as well.

Even though under Title 16 of the Alaska Statutes, the Commissioner of Fish & Game is recognized as having both management and enforcement authority over fish and game in Alaska, enforcement responsibility was transferred to the Department of Public Safety in 1972. The Division of Fish & Wildlife Protection leads the state's fish and wildlife law enforcement efforts.

Providing fish and wildlife law enforcement in a state so large and diversely populated is no easy measure. Many years of research, trial and errors have provided the basis for sound enforcement programs. The division has strategically considered the assignment of personnel, equipment and facilities for best efficiency. The state's 3 billion-dollar fisheries dictate a substantial marine enforcement section. FWP presently operates 4 major endurance vessels and another 14 midsize vessels used for patrols statewide. These include those vessels 25' and larger.

The state's fisheries are seasonal issues for the division and closely parallel the recreational boating season. Because the division's fisheries enforcement efforts account for thousands of vessel boarding and on water contacts each year, troopers have assumed the added role of boating safety enforcement.

INTERAGENCY COORDINATION

Currently, FWP and the National Marine Fisheries Service (NMFS) cooperate from a mutual agreement to use joint resources to improve enforcement of marine conservation laws. The focus of this agreement is to use a state King Air aircraft and a NMFS Forward Looking Infrared (FLIR) camera to patrol primarily ground fish and crab fisheries.

Major BRU Accomplishments in 2002

ENFORCEMENT, INVESTIGATIONS AND SEARCH AND RESCUES

Juneau FWP received information during the commercial salmon fishery in Taku Inlet, that fishing boats were stripping roe and dumping the Chum salmon carcasses at Poor Man's Bay. A stakeout team observed three different fishing boats dumping salmon carcasses back in the water after pulling the salmon from their nets. One boat also stripped the roe prior to dumping the salmon carcasses back into the sea. Troopers followed up with an underwater camera to

document the dead salmon carcasses on the ocean floor. Three individuals will be charged with a misdemeanor.

Troopers investigated a wildlife safeguard complaint regarding the illegal killing of an undersized bull moose in a remote area of Game Management Unit 16B, accessible only by aircraft. This investigation led to a second illegal moose kill in the same Game Management Unit. Evidence necessary to prosecute was recovered by the Department of Public Safety Tactical Dive Unit from a small lake near one of the kill sites. This father and son received \$25,500 in fines and restitution to pay, 5 days jail time, and 7 years loss of hunting privileges.

While on aircraft patrol of remote western Cook Inlet, troopers received information of over limit fishing of king salmon on the Talachulitna River. This remote fishing stream, accessible only by helicopter, resulted in the contact of four Italian foreign nationals, who were found to be in possession of 18 king salmon (possession limit 8). In court, the four individuals received a total of \$8,000 in fines. During service of search warrants in the case, log notes from the fishermen revealed they had taken over 35 King salmon during their trip in an area, with a seasonal bag limit of 5 per person.

In June 2002, Cordova FWP enforcement efforts on the Copper River Flats resulted in the seizure of the FV Libertas, a 32' drift gillnet fishing vessel. Troopers discovered that the vessel was being used without a permit. The fine was set at \$34,000.

Troopers are investigating the Prince William Sound commercial tender fleet for illegally purchasing fish from fishermen without permit and buyers present. The investigation revealed this to be widespread throughout the region and leading into additional charges being filed.

A joint effort by the Kenai River Enforcement Taskforce, spearheaded by FWP, and including USFWS, AK State Parks, and ADFG, resulted in numerous citations being issued in July 2002. These impacted the Kenai River and resulted through the combined efforts of this multi agency taskforce developed to enhance and focus the limited enforcement resources. Four misdemeanor charges were filed against four persons and one arrest made, for the possession of illegally sport caught salmon destined for export.

The following notable rescues were performed:

A hunter, a guide, and a packer were rescued near Dillingham by helicopter after their camp and Supercub were destroyed by winds. Winds on the day of rescue were too high for fixed wing aircraft, but a helicopter could be used in the rescue effort.

Troopers performed a night rescue of an injured snow machine rider near Portage creek and transported him to the Naknek clinic.

Troopers searched for and found a person believed to be suicidal who had left a lodge in the King Salmon area.

Troopers searched for a person that fell overboard off a fishing boat in Ugashik. Due to the weather a helicopter was brought to the scene and the search continued in the areas where ceilings and visibility were adequate. FWP later flew AST in a fixed wing to the area to assist with the body recovery and investigation.

Troopers rescued a pilot that had overturned a Supercub on takeoff in the King Salmon area.

The Aniak trooper rescued eight people stranded on ice with the use of the Robinson R44 helicopter.

The trooper in Dillingham rescued wet and hypothermic snow machine riders who were lost near the village of Manakotak after their machines broke through the ice. They were transported to Manakotak for treatment.

A trooper using a snow machine in Nome assisted in tracking and apprehending a suspect that had reportedly killed and buried two people.

In October, FWP charged two fishermen with possession of undersize crab. Although the case is still pending, FWP expects that the outcome will result in criminal fines and forfeiture amounts exceeding \$44,500.

EDUCATION AND PUBLIC AWARENESS

FWP troopers made 62 information and education presentations to schools, clubs and organizations in FY2002. These proactive measures augmented the enforcement function to help improve the public's resource law knowledge and understanding. They have also fostered and developed productive and helpful relationships with many community groups much of the state.

In Southeast and Western Alaska troopers made 125 visits and public appearances to provide information and meet with village residents to discuss local problems and issues.

Key Performance Measures for FY2004

Measure:

Sport fish violations compared to the percentage change in overall license sales.

Sec 117 Ch 124 SLA 2002(HB 515)

Alaska's Target & Progress:

	FY2001	FY2002	% of Change
Sport fish violations:	2,729	2,584	-5.3%
Overall license sales:	\$13,028,107	\$13,353,298	2.5%

Benchmark Comparisons:

There is no comparative data from other jurisdictions.

Background and Strategies:

The Division of Fish and Wildlife Protection protects Alaska's fish and wildlife resources by deterring violations or criminal activity through a combination of uniformed patrols, investigations and educational efforts. There are many difficulties associated with resource law enforcement, notably that 91 commissioned officers covering 586,000 square miles of landmass/ 36,000 miles of coastline cannot assure that all resource users comply with Fish and Game regulations.

The division routinely adjusts to address these challenges in the most productive manner. Carefully structured regional enforcement programs heighten presence of uniformed patrols in an area one season but target another area the next. Undercover operations might be selected as an enforcement strategy in one problem area, while education might be selected to focus on another area where particularly complex regulations have recently changed.

Measure:

Hunting violations compared to the percentage change in overall license sales.

Sec 117 Ch 124 SLA 2002(HB 515)

Alaska's Target & Progress:

	FY2001	FY2002	% of Change
Hunting violations:	1,186	1,275	7.5%
Overall license sales:	\$ 3,857,696	\$ 3,965,998	2.8%

Benchmark Comparisons:

There is no comparative data from other jurisdictions.

Background and Strategies:

The Division of Fish and Wildlife Protection protects Alaska's wildlife resources by deterring violations or criminal activity through a combination of uniformed patrols, investigations and educational efforts. There are many difficulties associated with resource law enforcement and the division routinely adjusts to address these challenges in the most productive manner.

Troopers devoted to wildlife law enforcement (91 commissioned officers covering 586,000 square miles of landmass/ 36,000 miles of coastline) cannot provide the level of visibility in all fisheries and hunting areas to assure that all

resource users comply with Fish and Game regulations.

Carefully structured regional enforcement programs heighten presence by uniformed patrols in an area one season but target another area the next. Undercover operations might be selected as an enforcement strategy in one problem area, while education might be selected to focus on another area where particularly complex regulations have recently changed.

Fish and Wildlife Protection
BRU Financial Summary by Component

All dollars in thousands

	FY2002 Actuals				FY2003 Authorized				FY2004 Governor			
	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds
<u>Formula</u>												
<u>Expenditures</u>												
None.												
<u>Non-Formula</u>												
<u>Expenditures</u>												
Enforcement/Inv estigative Svcs	11,192.5	0.0	547.1	11,739.6	11,296.4	0.0	544.6	11,841.0	11,187.8	0.0	676.1	11,863.9
Director's Office	260.4	0.0	0.0	260.4	267.2	0.0	0.0	267.2	289.4	0.0	0.0	289.4
Aircraft Section	1,836.2	0.0	770.9	2,607.1	1,749.4	0.0	854.4	2,603.8	1,608.8	0.0	855.1	2,463.9
Marine Enforcement	2,664.6	0.0	561.3	3,225.9	2,770.5	0.0	412.3	3,182.8	2,593.0	0.0	428.2	3,021.2
Totals	15,953.7	0.0	1,879.3	17,833.0	16,083.5	0.0	1,811.3	17,894.8	15,679.0	0.0	1,959.4	17,638.4

Fish and Wildlife Protection

Proposed Changes in Levels of Service for FY2004

In FY2002, the Legislature funded two of ten requested new state trooper positions. This provided the necessary funding to open a post to serve Girdwood/Whittier and reopen a post in Wrangell. The Wrangell post had been closed since FY1995 due to lack of funding. The opening of the new highway to Whittier has provided vastly improved access to Western Prince William Sound increasing its sport, personal use fishery and hunting opportunities. The Whittier position will address the increased pressures in this area.

The retirements of a large number of pipeline-era troopers in the last three years have changed the complexion of this agency. There have been two impacts. The lower salaries for new troopers have allowed the division to fund authorized trooper positions. At the same time the new troopers have less experience which impacts effectiveness in patrols, violation detection, investigations and other duties and results in a change in service levels.

Fish and Wildlife Protection

Summary of BRU Budget Changes by Component

From FY2003 Authorized to FY2004 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2003 Authorized	16,083.5	0.0	1,811.3	17,894.8
Adjustments which will continue current level of service:				
-Enforcement/Investigative Svcs	28.6	0.0	-8.3	20.3
-Director's Office	16.1	0.0	0.0	16.1
-Aircraft Section	10.1	0.0	0.1	10.2
-Marine Enforcement	39.9	0.0	10.4	50.3
Proposed budget decreases:				
-Enforcement/Investigative Svcs	-408.0	0.0	0.0	-408.0
-Aircraft Section	-167.4	0.0	0.0	-167.4
-Marine Enforcement	-268.6	0.0	0.0	-268.6
Proposed budget increases:				
-Enforcement/Investigative Svcs	270.8	0.0	139.8	410.6
-Director's Office	6.1	0.0	0.0	6.1
-Aircraft Section	16.7	0.0	0.6	17.3
-Marine Enforcement	51.2	0.0	5.5	56.7
FY2004 Governor	15,679.0	0.0	1,959.4	17,638.4