

# **State of Alaska FY2002 Governor's Operating Budget**

Department of Public Safety  
Marine Enforcement  
Component

## **Component: Marine Enforcement**

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### **Component Mission**

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

### **Component Services Provided**

Provide safe, effective marine patrols of approximately 335,000 square miles of ocean, 36,000 miles of coastline, and the Yukon Kuskokwim River System. These enforcement patrols monitor that commercial, sport and subsistence users observe regulations aimed at sustained yield of these resources.

Vessels are sent to shipyards and repaired to maintain safe, economical operations. These repairs and shipyard trips take a great deal of planning and management supervision, especially for major vessels.

Ongoing training is required for marine personnel in specialized areas such as fire fighting and other emergency evolutions. Search and rescue operations in harsh weather conditions require skilled and experienced personnel.

The 156-foot Patrol Vessel STIMSON stationed in Dutch Harbor is the largest, most capable vessel the Division has ever operated. The P/V STIMSON protects the substantial commercial fishery resources in the Bering Sea.

The 121-foot Patrol Vessel WOLDSTAD stationed in Kodiak is the Division's second largest major enforcement vessel. The P/V WOLDSTAD is also assigned to extended fisheries patrols.

The Patrol Vessel 65-foot TROOPER in Kodiak will be replaced with a high speed aluminum 65-foot catamaran to be completed in FY2001.

### **Component Goals and Strategies**

- To provide patrol vessels and personnel to protect the valuable fish and game resources located in and near the state's marine waters.
- The main goal of Marine Enforcement is to patrol and enforce regulations developed to ensure sustained yield of fishery resources. These patrols prioritize high value fisheries and those that are easily exploitable by poachers.
- Patrol 493 sea days in large vessels (65 feet and over) and 742 days in small vessels (from 25 to 42 feet).
- Continue to maintain and safely operate 19 marine vessels so that no sea patrols are missed due to preventable mechanical failures.
- Continue specialized training of marine personnel. This includes evaluating all new vessel operators and certifying their skills and abilities before they are assigned to full time vessel operation.
- Provide search and rescue capability on waters patrolled.

### **Key Component Issues for FY2001 – 2002**

#### **DECREASE OF PATROL VESSEL FLEET**

Without approval of funds to replace old, unsafe patrol vessels, the Division has had to turn to alternative methods of procuring replacements. In the past year, the Division gained legislative approval to sell 7 of its old, inefficient vessels and use the proceeds for replacement vessels. Unfortunately, the current market prices and the estimated value of the existing vessels may allow the purchase of only 2 new vessels to replace the 7 that were sold. This is a net decrease of 5 patrol vessels statewide. While these purchases will provide some improvement to present conditions within the fleet, it falls far short of needed replacements. Without multi-year approval of CIP funds for replacement vessels, the continuing trend will be to downsize the patrol fleet, purchase and operate smaller vessels, and reduce

sea worthiness. This will ultimately result in reduced enforcement of highly vulnerable fisheries and potential elimination of the highly valuable revenue to the state and economic support to communities they represent.

Division vessels need to be replaced in a timely manner if they are to be safe and effective in resource protection. Of the present operable vessels, four vessels are more than 15 years old with one 47 years old.

#### CAPITAL IMPROVEMENT PROJECT (CIP) BUDGET

To maintain the Department's vessel fleet, an annual CIP appropriation is needed to fund the major expenses connected with shipyard overhauls and ongoing repairs needed especially for major vessels operating in harsh, salt-water environments. Without fully operational and safe patrol vessels, the Division commercial fisheries enforcement patrols are not possible. Preventative shipyard maintenance is critical. Besides being unsafe for the vessel and crew, break-downs at sea can be expensive both for the higher costs incurred in making repairs on the fishing grounds and the reduced level of enforcement patrols when the resource is at its greatest risk from illegal harvest.

#### PATROL VESSEL FUEL PRICE HIKES

As with patrol vehicle and aircraft fuel price increases statewide, current funding levels do not allow for the increased price of vessel fuel. The Marine Enforcement component is where marine gas and diesel fuel are budgeted for this Division. The FY2001 operating budget was based on current fuel prices paid during the Fall 1999 season when the FY2001 budget was being written.

### **Major Component Accomplishments for FY2000**

#### COMMERCIAL FISHING ENFORCEMENT

Following a State investigation, a Kenai seafood processor was charged in Federal court with conspiracy and illegal halibut purchases. Approximately \$42,000 worth of halibut caught in violation of federal regulations was purchased. An effort was made to alter records to legitimize the purchase. The involved fisherman was sentenced to six months in jail followed by six months of home detention. He was fined \$3,000, forfeited his fishing vessel, and ordered to surrender his Individual Fishing Quotas. The Processor is awaiting trial.

A purse seiner was seized following a creek robbing complaint at Redfish Bay in Southeast Alaska. The F/V Tsiu had set inside the markers of this sensitive salmon fishery. ADF&G described the impact of this violation to Redfish Bay sockeye as devastating. They had observed about 14,000 fish in the closed waters at the head of the bay, very close to their necessary escapement goal. This illegal catch in closed waters resulted in only 1,000 fish left in the bay, raising serious biological and subsistence concerns. It characterizes the importance of an enforcement presence in all fisheries, something current Division resources cannot provide. The vessel was seized and the skipper and seizure are pending in court.

The Division's primary role of law enforcement includes Area M fisheries enforcement, the subject of a continuing heated debate related to fisheries disaster declarations in the Yukon/Kuskokwim regions. In June, three commercial seiners were observed discarding salmon overboard during a commercial fishing period while FWP troopers conducted a stakeout for illegal activity at Popoff Island. The skippers were charged for failure to retain the salmon caught and are awaiting trial. This case validated long-term suspicions of chum dumping in the False Pass region and resulted in formal direction to the Board of Fish to address regulations in the area.

#### BRISTOL BAY COMMERCIAL SALMON ENFORCEMENT

In 1999, the Division implemented changes to the enforcement effort in the Egegik District and the Dillingham area. This year we continued this practice and added an extra Trooper in Dillingham during the peak of the run and continued to operate two jet skiffs in the Egegik District. With these added resources the Division cited over 200 fishermen for fishing violations, an increase over the 160 cases in 1998, and 157 in 1999. Troopers arrested two fishermen and seized one vessel for fishing without a permit, and one fisherman was arrested twice for this same offense. This was the first year that a permit holder was not allowed to fish Bristol Bay because of the new point system instituted 3 years ago.

### **Statutory and Regulatory Authority**

- 1) Aeronautics (AS 02)
- 2) Criminal (AS 11)
- 3) Environment (AS 46)
- 4) Fish & Game (AS 16)
- 5) Fish & Game (5 AAC)
- 6) Guide/Outfitting (12 AAC)
- 7) Guide/Outfitting (AS 08)
- 8) Health & Safety (AS 18)
- 9) Limited Entry (20 AAC)
- 10) State Government (AS 44)

**Marine Enforcement**  
**Component Financial Summary**

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
<b>Non-Formula Program:</b>			
<b>Component Expenditures:</b>			
71000 Personal Services	1,901.2	2,126.3	2,140.6
72000 Travel	21.3	55.4	55.4
73000 Contractual	461.0	368.8	368.8
74000 Supplies	505.8	558.1	558.1
75000 Equipment	34.2	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
<b>Expenditure Totals</b>	<b>2,923.5</b>	<b>3,108.6</b>	<b>3,122.9</b>
<b>Funding Sources:</b>			
1004 General Fund Receipts	2,522.4	2,690.6	2,716.2
1024 Fish and Game Fund	401.1	3.9	0.0
1053 Investment Loss Trust Fund	0.0	12.7	0.0
1134 Fish & Game Duplicated Expenditures	0.0	401.4	406.7
<b>Funding Totals</b>	<b>2,923.5</b>	<b>3,108.6</b>	<b>3,122.9</b>

**Estimated Revenue Collections**

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
<b>Unrestricted Revenues</b>						
None.		0.0	0.0	0.0	0.0	0.0
<b>Unrestricted Total</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Restricted Revenues</b>						
Fish and Game Fund	51045	401.1	405.3	405.3	406.7	406.7
Investment Loss Trust Fund	51393	0.0	12.7	12.7	0.0	0.0
<b>Restricted Total</b>		<b>401.1</b>	<b>418.0</b>	<b>418.0</b>	<b>406.7</b>	<b>406.7</b>
<b>Total Estimated Revenues</b>		<b>401.1</b>	<b>418.0</b>	<b>418.0</b>	<b>406.7</b>	<b>406.7</b>

**Marine Enforcement****Proposed Changes in Levels of Service for FY2002**

The current level of service will remain unchanged as long as fuel prices are lowered to the amount experienced in FY2000.

**Summary of Component Budget Changes  
From FY2001 Authorized to FY2002 Governor**

*All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
<b>FY2001 Authorized</b>	<b>2,703.3</b>	<b>0.0</b>	<b>405.3</b>	<b>3,108.6</b>
<b>Adjustments which will continue current level of service:</b>				
-Year 2 Labor Costs - Net Change from FY2001	12.9	0.0	1.4	14.3
<b>FY2002 Governor</b>	<b>2,716.2</b>	<b>0.0</b>	<b>406.7</b>	<b>3,122.9</b>

**Marine Enforcement****Personal Services Information**

<b>Authorized Positions</b>			<b>Personal Services Costs</b>	
	<b>FY2001 Authorized</b>	<b>FY2002 Governor</b>		
Full-time	22	22	Annual Salaries	1,120,199
Part-time	0	0	COLA	28,738
Nonpermanent	0	0	Premium Pay	528,892
			Annual Benefits	520,217
			<i>Less 2.61% Vacancy Factor</i>	(57,446)
			Lump Sum Premium Pay	0
<b>Totals</b>	<b>22</b>	<b>22</b>	<b>Total Personal Services</b>	<b>2,140,600</b>

**Position Classification Summary**

<b>Job Class Title</b>	<b>Anchorage</b>	<b>Fairbanks</b>	<b>Juneau</b>	<b>Others</b>	<b>Total</b>
Administrative Assistant	1	0	0	0	1
Boat Officer I	0	0	0	3	3
Boat Officer II	0	0	0	3	3
Boat Officer III	0	0	0	2	2
F&W Aide	0	0	0	3	3
Sergeant PS	0	0	0	1	1
State Trooper	1	0	0	5	6
Vessel Supervisor	1	0	0	0	1
Vessel Technician II	0	0	0	2	2
<b>Totals</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>19</b>	<b>22</b>