

**State of Alaska  
FY2004 Governor's Operating Budget**

**Department of Public Safety  
Enforcement and Investigative Services Unit  
Component Budget Summary**

## **Component: Enforcement and Investigative Services 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**

### **Component Mission**

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

### **Component 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.
- Investigate and apprehend criminal offenders.

### **Component 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.

While patrolling a confusing array of sport, commercial, personal use or subsistence fisheries and commercial sport or subsistence hunting seasons, FWP troopers are fully commissioned Alaska state troopers who independently recognize and act upon many other public safety emergencies and concerns.

### **Key Component Issues for FY2003 – 2004**

**MAINTENANCE LEVEL FUNDING FOR BASIC SERVICES** - The Division of Fish and Wildlife continues to struggle to provide maintenance level service when there are cost increases in bargaining unit contract costs, office and housing lease costs, fuel costs, risk management premiums, and other supplies and services. Program changes geared towards budgetary savings and efficiencies in administrative functions are underway. These program changes may include consolidation of services, posts, and equipment and deployment of automated processes in lieu of manual processes.

#### **TROOPER HOUSING**

Trooper housing leases have lapsed in many areas of the state requiring rebid and renegotiations. Invariably, this has caused costs to rise beyond the control of the department. The department only seeks housing where private housing markets are not sufficient to support remote trooper assignments. If the division experiences a vacancy in a location that has a long-term rural trooper housing lease, or if a trooper with a family of seven needs to find his/her own housing instead of occupying a "required-to-live" housing unit with only two bedrooms, the lease costs do not go away. In fact, the cost increases due to the elimination of the employee's rent payment on the unit. This can be costly to the division.

#### **FUEL PRICE HIKES**

This issue continues to be a major concern for the division in its operational needs. The current funding levels does not allow for the increased price for fuel. FY2000, was the first year that the division paid vehicle fuel costs as a direct cost. In previous years, it was built into the HWCF operating rate. As such, the division used an estimated cost per vehicle provided by DOT/SEF to budget for fuel costs. In FY2000, \$98,800 was budgeted and \$118,000 was paid creating a difference of \$19,200. In FY2001, the division elected not to seek incremental funding in hopes that the fuel prices would go down but ended up paying \$43,200 more than budgeted. The same continued in FY2003 when the division ended up with costs of \$59,400 over the budgeted amount. Fortunately, the division was able to obtain supplemental funding in FY2001 and FY2002 for the added costs. Through the program changes mentioned above, the Division will try to manage these increased costs without affecting service levels.

All FWP troopers in the field need dependable vehicles, aircraft or vessels depending on the coverage needs in the 7,325 square mile patrol area.

#### ENFORCEMENT COVERAGE

The division continues to operate at a minimally acceptable enforcement level. Many areas of the state are unpatrolled or are randomly patrolled at best. Presently,

- Since 1991, the state population has grown from 569,054 to 634,892 (U.S. Census Bureau, 4/29/02).
- In FY1991, 380,872 resident and nonresident sporting licenses were sold in Alaska compared to FY2002, when 491,780 were sold, an increase of over 29% in 11 years.
- In the last decade, trooper positions have remained essentially flat, and unable to keep pace with a growing state population and the hunting and fishing public.
- Each FWP field trooper has to cover over 7,325 square miles.

In FY2002, the legislature funded two of ten requested new state trooper positions. The retirements of a large number of pipeline-era troopers in the last four years have changed the complexion of this agency to a much younger, less experienced corps of state troopers with lower salary costs. While this has allowed the division to fund all authorized positions, FWP remains well behind in its ability to provide a consistent presence in all important fishing and hunting regions in all seasons.

FWP frequently hears from the general public, resource industry representatives, ADF&G, and public officials voicing disappointment in the state's protection efforts. Generally, they aren't disappointed in the quality of FWP's efforts; they just can not understand why there are not more troopers present.

Alaska's vulnerable coastline of 36,000 miles represents 40% of the nation's coastline and almost 89% of the Pacific states' coastline.

- Washington and Oregon, who have just 4,436 miles of tidal shoreline, and ¼ of Alaska's landmass, employ over twice the number of resource law enforcement officers as Alaska.
- The division's patrol area is unrivaled by the remaining states, and is the equivalent in distance from the Carolinas to California and Texas to the Great Lakes. 91 troopers simply cannot patrol this area effectively and consistently to assure compliance to important conservation laws and regulations.

Considering the economic value of Alaska's wild resources, FWP must apply law enforcement resources to make certain the management objectives of sustained yield do not fail.

Many commercial fisheries, big game hunting areas and sport fisheries receive little or no resource enforcement. Both commercial and sport fisheries resource demands are continuing to grow and this division must keep pace with the growth. This can only be done through having adequate personnel and modern equipment, which will provide the division the ability to provide necessary protection of the state's valuable resources.

- Commercial fishermen brought 834.5 million pounds of fish (an increase of \$134.7 from the previous year) to the port of Dutch Harbor-Unalaska, Alaska in 2001, making it the highest volume of fish landings in the country. It has been the top landings slot for the 13th consecutive year. The increase in value of the large-landings in 2001 at Dutch Harbor-Unalaska came from increased groundfish catch from the Bering Sea/Aleutian Islands and the Gulf of Alaska.
- In 1991, 177,053 nonresident sport-fishing licenses were sold compared to 279,573 licenses in 2002, an increase of 63% in 11 years.

- 586,000 square miles of land and 336,000 miles of expanded jurisdiction in the Bering Sea cannot be adequately patrolled with 91 FWP troopers.

#### MARINE FISHERIES CAPITAL PROJECT

The Alaska Wildlife Investigations Bureau (WIB) is tasked with and places a high priority on conducting operations to apprehend commercial resource violators. WIB has been very successful in conducting such investigations. Unfortunately, FWP has not been able to focus on covert commercial fish enforcement primarily due to the amount of personnel and funding required for successful operations.

Over the course of many years, WIB has coordinated with the NOAA/Office of Law Enforcement in many joint investigations. Recently, a covert investigation into illegal halibut fishing and processing resulted in the defendant's loss of IFQ's, his vessel and an order to serve six months jail time.

FWP's current Joint Enforcement Agreement has furthered pending investigations of illegal halibut IFQ fishing and illegal processing of undocumented and/or sport-caught halibut on the Kenai Peninsula. Clearly there is more work than the current resources can address making another commissioned position highly desirable.

This increment funded through the NOAA/NMFS Joint Enforcement Agreement, will fund one state trooper (investigator) position to be assigned to WIB in Anchorage.

### **Major Component Accomplishments in 2002**

#### ENFORCEMENT AND INVESTIGATIONS

Investigations in Kodiak resulted in charges against hunters who exceeded their limit of deer and illegally used radios. Other hunters were charged with taking a sow Brown bear with cubs, taking over limit and wasting of Rocky Mountain goats.

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 complaint regarding the killing of a sub legal bull moose in a remote area of Game Management Unit 16B, accessible only by aircraft. This investigation led to the discovery of a second illegal moose kill investigation in the same 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 king salmon fishing 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. Prosecution resulted in \$34,000 in fines and restitution.

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

Homeland Security efforts at the Valdez terminal continued to play a major function for the troopers from Valdez and Cordova who were on temporary duty assignment to assist United State Coast Guard and Terminal Security personnel. AST Detachment provided additional support for the Homeland Security effort statewide.

The use of department aircraft and, specifically, the Robinson R44 helicopter for search and rescues and FWP enforcement has proved invaluable.

A joint effort by the Kenai River Enforcement Taskforce, spearheaded by FWP, and including United States Fish and Wildlife Service, Alaska State Parks, and Alaska Department of Fish & Game, resulted in numerous citations being issued in July 2002. The positive impacts on the Kenai River were the result of the combined efforts of this multi agency taskforce developed to enhance and focus the limited enforcement resources available for the region. Four misdemeanor charges were filed against four persons and one arrest made, for the possession of illegally sport caught salmon destined for export.

A hunter, a guide, and a packer were rescued near Dillingham after their camp and Supercub were destroyed by winds. Winds on the day of rescue were too high for fixed wing aircraft, but, the Robinson R44 helicopter could still be used.

A night rescue was performed of an injured snow machine rider near Portage creek. FWP transported the individual to the Naknek clinic.

FWP searched for and found a person believed to be suicidal who had left a lodge in the King Salmon. The person was taken for an evaluation.

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 viability were adequate. FWP later flew AST in a fixed wing to the area to assist with the body recovery and investigation.

A pilot, who had overturned a Supercub on takeoff in the King Salmon area, was rescued.

An Aniak trooper rescued 8 people stranded on the ice with the use of the Robinson R44 helicopter.

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

A trooper in Nome, assisted in tracking and apprehending a suspect that had reportedly killed and buried two people. The trooper tackled the suspect on a snow machine.

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

#### EDUCATION AND PUBLIC AWARENESS

FWP troopers delivered over 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 throughout 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.

### **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)

**Enforcement and Investigative Services Unit**  
**Component Financial Summary**

*All dollars in thousands*

	FY2002 Actuals	FY2003 Authorized	FY2004 Governor
<b>Non-Formula Program:</b>			
<b>Component Expenditures:</b>			
71000 Personal Services	8,913.1	9,129.5	9,132.1
72000 Travel	598.6	593.5	497.5
73000 Contractual	1,810.6	1,826.4	1,929.1
74000 Supplies	321.9	280.0	293.6
75000 Equipment	95.4	11.6	11.6
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>11,739.6</b>	<b>11,841.0</b>	<b>11,863.9</b>
<b>Funding Sources:</b>			
1004 General Fund Receipts	11,192.5	11,296.4	11,187.8
1007 Inter-Agency Receipts	62.1	61.5	62.9
1061 Capital Improvement Project Receipts	4.4	0.0	136.8
1134 Fish and Game Criminal Fines and Penalties	480.6	483.1	476.4
<b>Funding Totals</b>	<b>11,739.6</b>	<b>11,841.0</b>	<b>11,863.9</b>

**Enforcement and Investigative Services Unit  
Proposed Changes in Levels of Service for FY2004**

**BUDGET DEFICIT**

The overall State budget deficit will require all departments to review missions and programs and develop alternatives and strategies to reduce costs. Fish and Wildlife Protection will address budget reductions through varied means, minimizing, where possible, the impact of field level enforcement efforts.

**INTERAGENCY COORDINATION**

The division proposes to terminate the arrangement with ADF&G to share funding for a Criminal Justice Planner to attend the Board of Fisheries meetings. Fish & Wildlife Protection will also terminate the non-permanent Criminal Justice Planner position assigned to attend the Board of Game meetings. While these positions have improved efficiency and provided a consistent division presence as regulations are being developed, the division can assign Troopers regionally to represent the division's enforcement interests during the important deliberations of these two boards.

**CIVILIAN AND ADMINISTRATIVE SUPPORT**

The Division will eliminate support personnel and administrative costs will be reduced. Approximately eleven commissioned employee moves will not be funded. Seasonal aide man months will be reduced by 32, the equivalent of six positions. Three administrative clerk positions will be eliminated through overall Department reorganization and consolidation.

**Summary of Component Budget Changes  
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>
<b>FY2003 Authorized</b>	<b>11,296.4</b>	<b>0.0</b>	<b>544.6</b>	<b>11,841.0</b>
<b>Adjustments which will continue current level of service:</b>				
-Annualize FY2003 COLA for General Government, Confidential and Supervisory Bargaining Units	0.0	0.0	0.6	0.6
-Transfer PCN 12-3136 and Funding from Marine Enforcement and Reclass to Sergeant-ADN 1230043	82.9	0.0	0.7	83.6
-Transfer PCN 12-3093 and Funding to Marine Enforcement-ADN 1230044	-92.4	0.0	-9.6	-102.0
-Fish and Wildlife Protection Vehicle Cost Consolidation-ADN 1230046	24.0	0.0	0.0	24.0
-Transfer to FWP Director's Office to Fund Existing Staff-ADN 1230047	-9.0	0.0	0.0	-9.0
-Transfer from AST Detachments to Fund Telecommunication and Computer Svcs Billing Methodologies	23.1	0.0	0.0	23.1
<b>Proposed budget decreases:</b>				
-Reduce Employee Move Funding	-107.3	0.0	0.0	-107.3
-Terminate funding for shared	-30.0	0.0	0.0	-30.0

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
Criminal Justice Planner Position for Board of Fish				
-Eliminate the Non-Perm Criminal Justice Planner Position in FWP that Supports the Board of Game	-20.0	0.0	0.0	-20.0
-Eliminate Three Administrative Clerk II Positions	-129.1	0.0	0.0	-129.1
-Reduce Funding for Seasonal Fish & Wildlife Aides by One-Third	-121.6	0.0	0.0	-121.6
<b>Proposed budget increases:</b>				
-Add 1 PFT Trooper and Budget for O&M Costs for Federal Marine Fisheries Patrols-CIP IA Receipts	0.0	0.0	136.8	136.8
-Increased Variable Benefit Costs: Working Reserve and PERS Rates	270.8	0.0	3.0	273.8
<b>FY2004 Governor</b>	<b>11,187.8</b>	<b>0.0</b>	<b>676.1</b>	<b>11,863.9</b>

## Enforcement and Investigative Services Unit

### Personal Services Information

	Authorized Positions		Personal Services Costs	
	<u>FY2003</u> <u>Authorized</u>	<u>FY2004</u> <u>Governor</u>		
Full-time	110	108	Annual Salaries	6,339,730
Part-time	19	19	Premium Pay	706,565
Nonpermanent	0	0	Annual Benefits	2,708,527
			<i>Less 6.38% Vacancy Factor</i>	<i>(622,722)</i>
			Lump Sum Premium Pay	0
<b>Totals</b>	<b>129</b>	<b>127</b>	<b>Total Personal Services</b>	<b>9,132,100</b>

### Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Accounting Clerk II	1	0	0	0	1
Administrative Assistant	1	0	0	0	1
Administrative Clerk II	1	0	1	2	4
Administrative Clerk III	2	1	1	3	7
Captain PS	2	0	0	1	3
Criminal Justice Technician I	1	0	0	0	1
F&W Aide	3	2	2	21	28
Lieutenant PS	2	1	1	2	6
Major PS	1	0	0	0	1
Micro/Network Tech I	1	0	0	0	1
Radio Dispatcher II	0	0	0	1	1
Sergeant PS	1	1	1	8	11
State Trooper	8	4	3	47	62
<b>Totals</b>	<b>24</b>	<b>9</b>	<b>9</b>	<b>85</b>	<b>127</b>