

State of Alaska FY2004 Governor's Operating Budget

Department of Public Safety Marine Enforcement Component Budget Summary

Component: Marine Enforcement

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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 wildlife law enforcement patrols and investigations throughout Alaska's 36,000 miles of coastline and 336,000 square miles of expanded federal jurisdiction in the Bering Sea.

- Investigate and apprehend criminal offenders.
- Participate in Search and Rescue missions in coastal and offshore waters.
- Provide Boating Safety enforcement.
- Provide a safe and reliable research platform for state and federal wildlife managers.

Component Goals and Strategies

The component's purpose is to protect state fisheries and game resources by a combination of uniform trooper patrols on the grounds.

Another tangible benefit of these patrols are increased trooper presence in remote Alaska where little other law enforcement exists. By such presence, public safety services, and support and trust of state government are improved in rural areas.

Key Component Issues for FY2003 – 2004

Considering the economic value of Alaska's wild resources, there is significant incentive for industry participants to violate regulations. Insufficient law enforcement resources exist to assure this does not occur and adversely impact the long-term viability of Alaska's fisheries.

- 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. It recorded an increase of 134.7 million pounds over 2000 landings. 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 funded troopers.

The division's marine patrol area is unrivaled by the remaining states, and insufficient vessels and sea days exist to assure essential protection of critical offshore fisheries in the Gulf, Bering Sea and Aleutian Islands.

Given projected overall statewide budget reductions for FY 2004, the division has proposed to dry-dock the P/V Woldstad while the department evaluates its overall fleet needs and the potential for contracting out for vessel patrols. As fisheries are diminished, Individual Fisheries Quota (IFQ) fisheries continue to develop and alternative enforcement tools such as satellite monitoring technologies are implemented more frequently, patrol requirements for the department's largest vessels may diminish in the future. The department's remaining large vessels will be used to fill in the gaps as a result of

this proposal. The P/V Stimson will be moved from Dutch Harbor to Kodiak, where infrastructure is already in place to support this vessel.

PATROL VESSEL FUEL PRICE HIKES

As with patrol vehicle and aircraft fuel price increases statewide, current funding levels do not allow for the increased prices related to vessels. The Marine Enforcement component is where marine gas, diesel fuel and diesel generated shore power are budgeted. The Governor's FY2001, FY2002 and FY2003 operating budget requests were based on prices paid during the Fall 1999 season. Diesel fuel in Dutch Harbor is presently \$1.16 per gallon up from \$.93 in the Fall 1999 and in King Salmon is presently \$1.60 per gallon up from \$1.15 in the fall 1999 (25% and 39% increases respectively). Fortunately, the division received supplemental funding in FY2001 and FY2002 for the added costs. Through organizational restructuring and the proposed dry-dock of the P/V Woldstad, the division will try to manage to the current budget levels.

CAPITAL IMPROVEMENT PROJECT (CIP) BUDGET

Annual CIP funds have not kept pace with maintenance, causing problems for the division's most expensive and costly offshore vessels. Increased potential for Homeland security and emergency response requirements further characterize the need for fully maintained and operational marine assets. This 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 putting the vessel and crew at great risk, breakdowns at sea are prohibitively expensive.

Major Component Accomplishments in 2002

COMMERCIAL FISHERIES ENFORCEMENT

This critical support component of the department shares everyday in the overall accomplishments of the Division of Fish & Wildlife Protection. Without the flexibility and mobility afforded by well-maintained vessels and professionally trained crews, much of Alaska's marine resources would be unprotected and a broad expanse of the Bering Sea and North Pacific Ocean would be patrolled less frequently.

In 2000, troopers with the assistance of the industry were able to investigate and charge an out of state fisherman in Southeast Alaska for fishing his salmon seine within a creek mouth essentially catching all the red salmon needed for escapement. Troopers seized the vessel and, in 2001, a Sitka jury found the fisherman guilty of fishing in closed waters. The skipper was levied a fine that totaled \$105,000 and was ordered to serve 3 months in jail. He was also ordered to pay a \$25,000 civil fine and had to forfeit his seine skiff, block and seine net. This one case represents the importance of enforcing our commercial fishing regulations.

The division continues to patrol the state's pot fisheries including crab and groundfish. In Year 2001, the division's three large vessels, PV Enforcer, PV Woldstad and PV Stimson inspected 1,342 pots and seized 142 that were found to be in violation. The three large vessels logged 18,331 patrol miles and their skiffs logged another 3,500 miles. Troopers assigned to these vessels not only patrolled the commercial fishing grounds they also participated in search and rescue efforts and conducted criminal investigations in communities within their patrol zones. During these offshore patrols, the division utilized its FLIR (Forward Looking Infra Red) equipped King Air to assist in locating the fleet and detecting violations.

The PV Camai responded to a vessel in distress. The FV Legasea had gone aground in Uganik passage but the PV Camai was on scene within forty minutes. The individuals aboard the vessel were transported to the PV Camai. No injuries were reported and the FV Legasea was re-floated on the next tide.

The PV Camai also responded to a call for assistance from the FV Miss Marissa. The fishing vessel had lost power and was adrift. The PV Camai located the vessel, took it under tow and brought it back safely to Kodiak.

In August, FWP from Kodiak responded to a reported assault on a vessel near Afognak Island. That investigation resulted in three felony charges and one charge for interference with commercial fishing. This case and many others demonstrate the versatility and capability of this new patrol vessel.

A vessel was caught fishing in a closed bay near Togiak. This area is never open to fishing. The resulting investigation resulted in the seizure of the vessel and a fine exceeding \$15,000.

Patrol Vessels Stimson, Woldstad and Camai have spent a combined total of 340 days at sea, patrolled 22,095 miles of Alaska commercial fishing areas, and the skiffs assigned to these vessels patrolled an additional 8,385 miles. 539 fishing vessels were boarded, checked and fishing gear on the grounds were checked, including 782 pots. These patrols resulted in 172 case investigations that included fishing during closed season and closed waters, illegal gear and over limit of gear, fishing without permits and license violations.

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

	FY2002 Actuals	FY2003 Authorized	FY2004 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,972.6	2,180.7	2,138.4
72000 Travel	87.8	75.2	24.3
73000 Contractual	556.3	368.8	365.3
74000 Supplies	511.3	558.1	493.2
75000 Equipment	97.9	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
Expenditure Totals	3,225.9	3,182.8	3,021.2
Funding Sources:			
1004 General Fund Receipts	2,664.6	2,770.5	2,593.0
1007 Inter-Agency Receipts	154.6	0.0	0.0
1134 Fish and Game Criminal Fines and Penalties	406.7	412.3	428.2
Funding Totals	3,225.9	3,182.8	3,021.2

Marine Enforcement

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.

EMPLOYEE TRANSFERS

Approximately eleven commissioned employee moves will not be funded in the Marine Enforcement and Enforcement & ISU components.

MARINE VESSEL FLEET

The division has proposed to move the Patrol Vessel Stimson from Dutch Harbor to Kodiak to realize operational and capital budget savings. The crew of five civilians and one State Trooper Sergeant would transfer to Kodiak from Dutch Harbor. After careful review of the vessel patrol schedules of our four large patrol vessels (PV Stimson, Woldstad, Enforcer and Cama'i) the only responsible means to effect further reductions is to dry-dock the PV Woldstad while a longer-term study is undertaken to evaluate the division's large vessel fleet.

This strategy is prudent to consider rather than force overall fleet patrol reductions to address this funding loss. It will also delay critical propulsion maintenance for the PV Woldstad and it will eliminate a warehouse capital request for Dutch Harbor.

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>
FY2003 Authorized	2,770.5	0.0	412.3	3,182.8
Adjustments which will continue current level of service:				
-Annualize FY2003 COLA for General Government and Supervisory Bargaining Units	0.0	0.0	1.5	1.5
-Transfer PCN 12-3136 and Funding to Enforcement & ISU-ADN 1230043	-82.9	0.0	-0.7	-83.6
-Transfer PCN 12-3093 and Funding from Enforcement & ISU-ADN 1230044	92.4	0.0	9.6	102.0
-Fish and Wildlife Protection Vehicle Cost Consolidation-ADN 1230046	-11.1	0.0	0.0	-11.1
-Transfer from AST Detachments to Fund Telecommunication and Computer Svcs Billing Methodologies	41.5	0.0	0.0	41.5
Proposed budget decreases:				
-Reduce Employee Move Funding	-46.8	0.0	0.0	-46.8
-Move the PV Stimson to Kodiak	-61.8	0.0	0.0	-61.8
-Dry Dock Patrol Vessel Woldstad - Reduce Sea Days by 100	-160.0	0.0	0.0	-160.0

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
Proposed budget increases:				
-Increased Variable Benefit Costs: Working Reserve and PERS Rates	51.2	0.0	5.5	56.7
FY2004 Governor	2,593.0	0.0	428.2	3,021.2

Marine Enforcement

Personal Services Information

	Authorized Positions		Personal Services Costs	
	<u>FY2003</u> <u>Authorized</u>	<u>FY2004</u> <u>Governor</u>		
Full-time	22	22	Annual Salaries	1,161,429
Part-time	0	0	Premium Pay	464,981
Nonpermanent	0	0	Annual Benefits	580,110
			<i>Less 3.09% Vacancy Factor</i>	(68,120)
			Lump Sum Premium Pay	0
Totals	22	22	Total Personal Services	2,138,400

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Assistant	1	0	0	0	1
Boat Officer I	0	0	0	2	2
Boat Officer III	0	0	0	4	4
Boat Officer IV	0	0	0	2	2
F&W Aide	0	0	0	3	3
Sergeant PS	0	0	0	1	1
State Trooper	0	0	0	6	6
Vessel Supervisor	1	0	0	0	1
Vessel Technician II	0	0	0	2	2
Totals	2	0	0	20	22