

# **State of Alaska FY2008 Governor's Operating Budget**

## **Department of Natural Resources Office of Habitat Management and Permitting Component Budget Summary**

## Component: Office of Habitat Management and Permitting

### Contribution to Department's Mission

The mission of the Habitat component is to protect Alaska's valuable fish and wildlife resources and their habitats as Alaska's population and economy continue to expand.

### Core Services

- Review applications and issue permits for activities in anadromous waterbodies and fish-bearing waters (Title 41); provide expertise to protect important fish and wildlife habitat; monitor authorized projects.
- Review proposed timber harvest activities; conduct field inspections; work cooperatively with timber operators and other governmental agencies.
- Maintain and revise the Catalog of Waters Important for the Spawning, Rearing, or Migration of Anadromous Fishes.
- Review development projects (e.g., oil and gas, hard-rock mining, hydropower, roads) authorized under other agencies' authorities.
- Conduct research on ways to minimize impacts of development projects on fish and wildlife resources.

End Results	Strategies to Achieve Results
<p><b>A: Protect Alaska's valuable fish and wildlife resources and their habitats during resource development activities.</b></p> <p><u>Target #1:</u> 100% of resource developers meet agency requirements for protection of fish, wildlife, and their habitats.</p> <p><u>Measure #1:</u> Percentage of developers in compliance with their approved permit.</p>	<p><b>A1: Enhance our Title 41 review process by adding appropriate conditions to protect resources, reviewing projects in a timely manner, and monitoring, as needed.</b></p> <p><u>Target #1:</u> 100% of Fish Habitat (Title 41) permit applications are approved as is or modified with appropriate conditions to protect resources.</p> <p><u>Measure #1:</u> Percentage of Fish Habitat (Title 41) permits approved as is or modified with appropriate conditions.</p> <p><u>Target #2:</u> 10-day average permit review timeframe.</p> <p><u>Measure #2:</u> Average number of days to complete Fish Habitat (Title 41) permit reviews.</p> <p><b>A2: Enhance our participation in project reviews coordinated by other agencies by adding conditions to protect important habitat and by reviewing projects in a timely manner.</b></p> <p><u>Target #1:</u> 93.5% of coordinated reviews include appropriate conditions to protect important habitat.</p> <p><u>Measure #1:</u> Percentage of coordinated reviews where appropriate conditions are included to protect important habitat.</p> <p><u>Target #2:</u> 14-day average review timeframe.</p> <p><u>Measure #2:</u> Average number of days to complete reviews for projects in a coordinated review process.</p>

### Major Activities to Advance Strategies

- Maintain a web site that includes information on the Anadromous Waters Catalog and how to apply for Fish Habitat Permits
- Develop simple technical guidelines & design criteria for applicants to use to complete and submit permit applications or prepare site rehab plans
- Conduct field research for select projects which can be used as models to develop policies/criteria for mitigation impacts to fish/wildlife resources
- Actively work with project applicants to identify issues, requirements and solutions prior to submittal of permit application packages
- Provide advance identification of fish habitat and stream cataloging in areas where projects are likely to occur
- Actively participate on the state's large project teams for hard rock mines, oil and gas development, and major new road projects
- For specific projects (oil and gas development, hard-rock mines, etc.) issue Fish Habitat Permits that do not expire until use & rehab are complete.
- Issue General Permits (GPs) for certain activities such as vehicle crossings of anadromous fish streams, boat launches, etc.
- Extensively use "general concurrences" in the coastal zone as a tool to decrease permit issuance time for most permit actions
- Maintain an automated permit tracking system, which allows staff to ensure timely responses
- Review and comment on authorizations issued by other resource agencies to ensure that fish and wildlife needs are addressed, as required by law
- Issue over-the-counter recreational placer mining permits for recreational mining using hand tools and small suction dredges

### FY2008 Resources Allocated to Achieve Results

**FY2008 Component Budget: \$4,372,700**

**Personnel:**

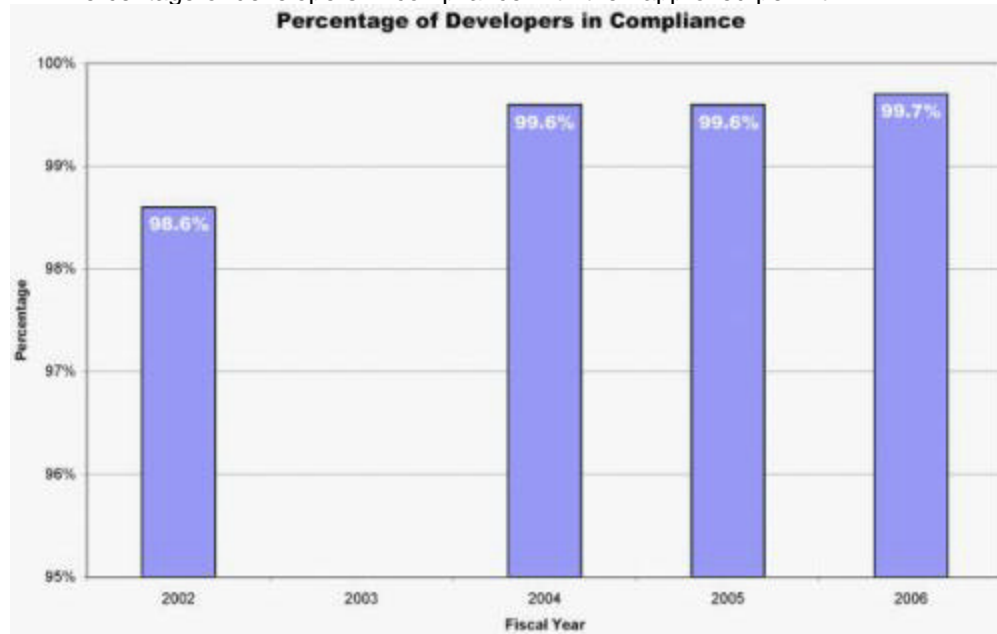
Full time	38
Part time	1
<b>Total</b>	<b>39</b>

## Performance Measure Detail

### A: Result - Protect Alaska's valuable fish and wildlife resources and their habitats during resource development activities.

**Target #1:** 100% of resource developers meet agency requirements for protection of fish, wildlife, and their habitats.

**Measure #1:** Percentage of developers in compliance with their approved permit.



#### # of Title 41 permit applications reviews

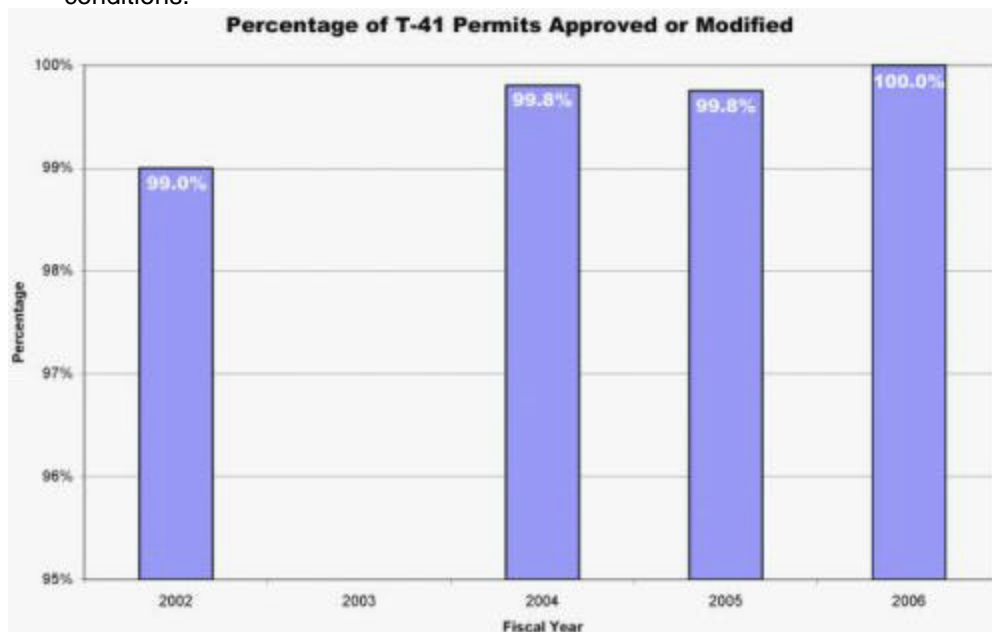
Fiscal Year	YTD Total
FY 2004	1,597
FY 2005	2,397
FY 2006	2,648

**Analysis of results and challenges:** 99.7% of all developers are in compliance with Fish Habitat permits (Title 41). The above percentage reflects projects where permits have been successfully issued and the developer is in compliance with their approved permit conditions. This percentage is an indication of our success in protecting fish, wildlife, and their habitats, while allowing approvable development activities to proceed. Data are not available for FY 2003, the year the Office of Habitat Management and Permitting (OHMP) moved to the Department of Natural Resources (DNR). Further, the number of Title 41 permit applications reviews continues to increase. For FY 04, 05, and 06, the numbers were 1597, 2397, and 2648, respectively, or an increase of almost 66% in 3 years. Trend-wise, this data indicates that OHMP continues to consistently achieve a high level of habitat protection simultaneous with an increase in permitted development activity.

# **A1: Strategy - Enhance our Title 41 review process by adding appropriate conditions to protect resources, reviewing projects in a timely manner, and monitoring, as needed.**

**Target #1:** 100% of Fish Habitat (Title 41) permit applications are approved as is or modified with appropriate conditions to protect resources.

**Measure #1:** Percentage of Fish Habitat (Title 41) permits approved as is or modified with appropriate conditions.



**Analysis of results and challenges:** The Office of Habitat Management and Permitting's (OHMP) top priority is the review of Fish Habitat (Title 41) permit applications. 100% of Fish Habitat permits applications are approved as is, or modified with appropriate conditions to protect resources. This measure is an indication of the quality of our review. In spite of an 18% cut in staff and an 11% cut in budget in FY 04, OHMP continues to achieve high level results. Typically less than 1% of permits are denied or withdrawn, which means that OHMP is successful in reviewing and authorizing appropriate development activities while simultaneously protecting fish and fish habitat. Data are not available for FY 2003, the year that OHMP moved to the Department of Natural Resources (DNR). Trend-wise, this data indicates that OHMP consistently is able to approve permits while protecting the natural resources we manage.

**Target #2:** 10-day average permit review timeframe.

**Measure #2:** Average number of days to complete Fish Habitat (Title 41) permit reviews.

## **Average number of days to complete Title 41 permit reviews.**

Year	YTD Total
2002	13.0
2003	15.0
2004	14.0
2005	12.0
2006	7.9

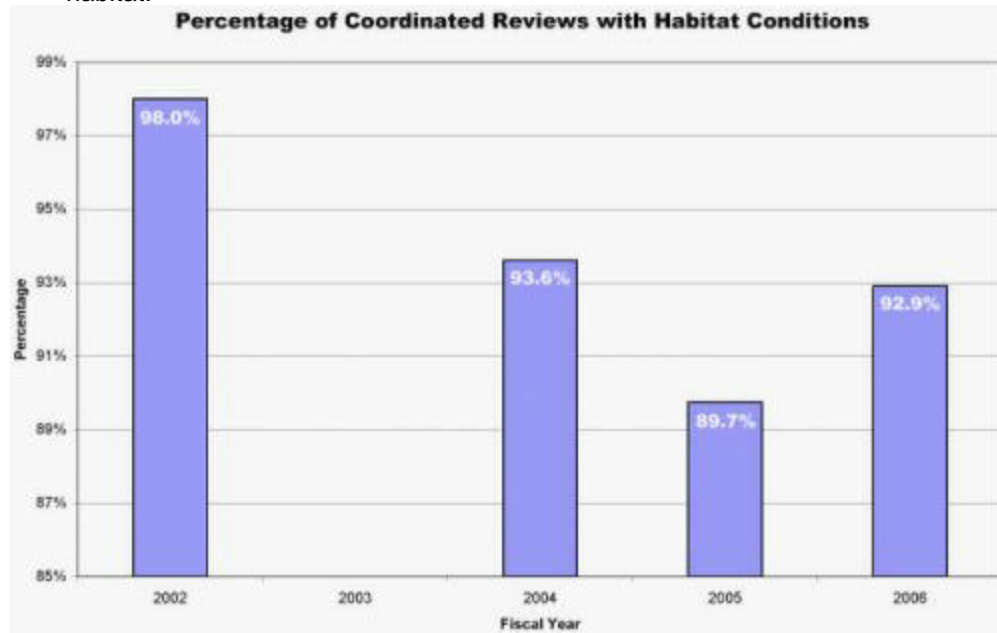
**Analysis of results and challenges:** The Office of Habitat Management and Permitting (OHMP) quickly processes permit applications and our application review timeframe continues to decrease. This measure is an indicator of the timeliness of our reviews. Trend-wise, in spite of an 18% cut in staff and an 11% cut in budget in FY 04, OHMP continues to improve on this timeline, with an FY 06 average of just 7.9 days. This means that our permits are timely issued and appropriate development activities are not held up. Further, the number of T41 applications reviewed continues to increase. For FY 04, 05, and 06, the numbers were 1597, 2397, and 2648, respectively, or an increase of almost 66% in 3 years. For FY 07, we have increased our target to reduce our

average permit review timeframe to 10 days (less than the 5-year performance average).

**A2: Strategy - Enhance our participation in project reviews coordinated by other agencies by adding conditions to protect important habitat and by reviewing projects in a timely manner.**

**Target #1:** 93.5% of coordinated reviews include appropriate conditions to protect important habitat.

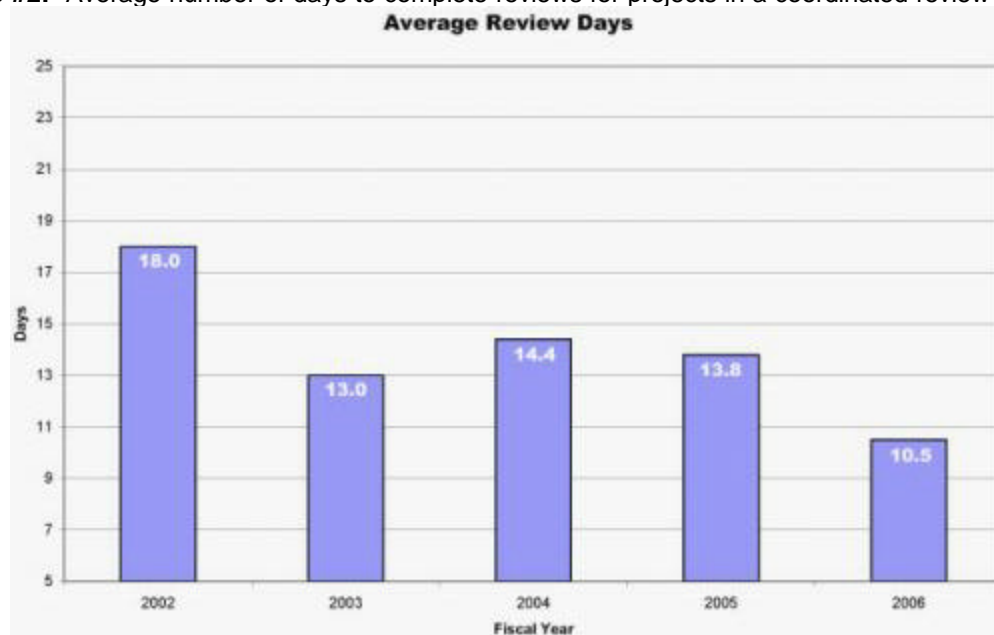
**Measure #1:** Percentage of coordinated reviews where appropriate conditions are included to protect important habitat.



**Analysis of results and challenges:** The Office of Habitat Management and Permitting (OHMP) also participates in the coordinated review of other proposed resource development activities, and adds appropriate conditions to protect habitat. In spite of an 18% cut in staff and an 11% cut in budget in FY 04, OHMP continues to exceed our targets; FY 06's result was 92.9%. This means that appropriate development activities are authorized to proceed while habitat is protected. For FY 07, we are increasing our target to 93.5% (the previous 4-year average; data are not available for FY 03, the year the Office moved to the Department of Natural Resources) to ensure continued participation at a very high level.

**Target #2:** 14-day average review timeframe.

**Measure #2:** Average number of days to complete reviews for projects in a coordinated review process.



**Average number of days to complete reviews for projects in a coordinated review process.**

Year	YTD Total
2002	18.0
2003	13.0
2004	14.4
2005	13.8
2006	10.5

**Analysis of results and challenges:** The Office Habitat Management and Permitting (OHMP) quickly reviews projects in a multi-agency, coordinated review process, and our review timelines are decreasing. In spite of an 18% cut in staff and an 11% cut in budget in FY 04, OHMP continues to improve on our review timelines. The FY 06 average review time for this activity was 10.5 days. This statistic means that permits are timely issued and conditioned, and that appropriate development is not held up. Further, the number of projects reviewed continues to increase. For FY 04, 05, and 06, the numbers were 751, 831, and 1048, respectively, or an increase of almost 40% in 3 years. For FY 07, we are increasing our target to ensure our review timelines remain at no more than 14 days (the 5-year performance average).

## Key Component Challenges

Provide a high level of service in core program areas (permitting, project review, monitoring).

This service requires active, and timely, identification and resolution of issues to ensure that development projects can proceed while providing necessary protections for fish and wildlife habitat. In addition, the division participates in the review of major resource development projects of critical importance to the state, including Fort Knox, True North, Gil Prospect, Pebble Gold Copper Prospect, Rock Creek Prospect, Donlin Creek Prospect, Kensington, Alpine Satellite Oil Projects, Greens Creek, and Red Dog. OHMP also conducts applied research to assess permitting effectiveness.

## Significant Changes in Results to be Delivered in FY2008

Continue to develop more efficient means of ensuring the efficient passage of fish through the use of General Permits (GPs), stream simulation, and design criteria and specifications. Ensure that OHMP's seven Area Offices are fully-functional and develop consistency in project reviews among diverse geographic areas of the state.

## Major Component Accomplishments in 2006

- Completed two regulatory updates of the Anadromous Waters Catalog. The Catalog identifies and provides information to applicants regarding the need for a Title 41.14.870 permit from OHMP.
- Continued to update and revise "Draft Working Guidelines", which provide direction to ensure consistent permitting decisions by OHMP's seven Area Offices.
- Continued focused work with the timber industry regarding OHMP's Title 41.14.840 statutory authority to ensure efficient and reasonable permitting. Co-convened a Scientific Advisory Work Group with the Division of Forestry to analyze scientific knowledge regarding fish passage, and to identify areas of flexibility. Continued to use a general permit for specific stream types to authorize crossing structures for timber harvest activities.
- Worked on a number of Large Mine Projects, including Fort Knox reclamation monitoring, and heap leach permitting: Donlin Creek baseline studies and permitting: Kensington construction oversight: Galore Creek project review: Pebble Gold Copper baseline studies review: Red Dog road management issues, annual inspection and monitoring: Greens Creek monitoring and operations: and Rock Creek permitting.
- Worked on a number of other large projects, including DOT&PF Roads to Resources (Bullen Point), and oil and gas projects, including BP Liberty Development Project.
- Shifted biologist positions among the seven Area Offices to provide enhanced services to the public and respond to shifting permit activity.
- Conducted applied field research to support permitting, monitoring/compliance, and closure of major resource development projects, including fisheries research for North Slope oil and gas projects and aquatic biomonitoring for Greens Creek, Fort Knox, and Red Dog Mines. Utilized a \$50.0K increment to support research projects for other activities, including FRPA effectiveness monitoring in the Mat-Su, fish habitat studies in Campbell Creek, and a blasting research project with the USFS on the Duffield Peninsula, among others.

## Statutory and Regulatory Authority

AS 41.14.840-900	Fish Passage and Fish Habitat
11 AAC 195	Anadromous Waters Catalog
AS 41.17	Alaska Forest Resources and Practices Act
11 AAC 95	Alaska Forest Resources and Practices

### Contact Information

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### Office of Habitat Management and Permitting Component Financial Summary

*All dollars shown in thousands*

	FY2006 Actuals	FY2007 Management Plan	FY2008 Governor
<b>Non-Formula Program:</b>			
<b>Component Expenditures:</b>			
71000 Personal Services	2,739.8	3,028.1	3,568.5
72000 Travel	130.2	138.4	143.5
73000 Services	335.1	546.1	554.7
74000 Commodities	112.8	105.0	106.0
75000 Capital Outlay	0.0	0.0	0.0
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
<b>Expenditure Totals</b>	<b>3,317.9</b>	<b>3,817.6</b>	<b>4,372.7</b>
<b>Funding Sources:</b>			
1004 General Fund Receipts	2,577.6	2,723.5	3,122.3
1007 Inter-Agency Receipts	430.8	648.5	787.6
1061 Capital Improvement Project Receipts	91.2	212.9	212.9
1108 Statutory Designated Program Receipts	218.3	232.7	249.9
<b>Funding Totals</b>	<b>3,317.9</b>	<b>3,817.6</b>	<b>4,372.7</b>

### Estimated Revenue Collections

Description	Master Revenue Account	FY2006 Actuals	FY2007 Management Plan	FY2008 Governor
<b>Unrestricted Revenues</b>				
None.		0.0	0.0	0.0
<b>Unrestricted Total</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Restricted Revenues</b>				
Interagency Receipts	51015	430.8	648.5	787.6
Statutory Designated Program Receipts	51063	218.3	232.7	249.9
Capital Improvement Project Receipts	51200	91.2	212.9	212.9
<b>Restricted Total</b>		<b>740.3</b>	<b>1,094.1</b>	<b>1,250.4</b>
<b>Total Estimated Revenues</b>		<b>740.3</b>	<b>1,094.1</b>	<b>1,250.4</b>

**Summary of Component Budget Changes  
From FY2007 Management Plan to FY2008 Governor**

*All dollars shown in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
<b>FY2007 Management Plan</b>	<b>2,723.5</b>	<b>0.0</b>	<b>1,094.1</b>	<b>3,817.6</b>
<b>Adjustments which will continue current level of service:</b>				
-FY 08 Health Insurance Increases for Exempt Employees	0.3	0.0	0.0	0.3
-Fund Source Adjustment for Retirement Systems Increases	110.5	0.0	-110.5	0.0
<b>Proposed budget increases:</b>				
-Lease Monitoring and Engineering Integrity Coordinator's Office Liaison	0.0	0.0	139.1	139.1
-FY 08 Retirement Systems Rate Increases	288.0	0.0	127.7	415.7
<b>FY2008 Governor</b>	<b>3,122.3</b>	<b>0.0</b>	<b>1,250.4</b>	<b>4,372.7</b>

**Office of Habitat Management and Permitting  
Personal Services Information**

Authorized Positions			Personal Services Costs	
	<u>FY2007</u> <u>Management</u> <u>Plan</u>	<u>FY2008</u> <u>Governor</u>		
Full-time	37	38	Annual Salaries	2,089,487
Part-time	1	1	Premium Pay	1,046
Nonpermanent	0	0	Annual Benefits	1,590,233
			<i>Less 3.05% Vacancy Factor</i>	(112,266)
			Lump Sum Premium Pay	0
<b>Totals</b>	<b>38</b>	<b>39</b>	<b>Total Personal Services</b>	<b>3,568,500</b>

**Position Classification Summary**

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Assistant	1	0	1	0	2
Administrative Clerk II	1	0	0	0	1
Administrative Clerk III	0	1	0	3	4
Administrative Manager I	0	1	0	0	1
Administrative Manager II	0	0	1	0	1
Division Director	0	0	1	0	1
Habitat Biologist I	0	0	1	0	1
Habitat Biologist II	3	1	1	2	7
Habitat Biologist III	3	5	2	5	15
Habitat Biologist IV	2	2	1	0	5
Operations Manager	0	1	0	0	1
<b>Totals</b>	<b>10</b>	<b>11</b>	<b>8</b>	<b>10</b>	<b>39</b>