

Marine Fisheries Patrol Improvements

FY2021 Request: \$1,100,000

Reference No: 35825

AP/AL: Appropriation

Project Type: Life / Health / Safety

Category: Public Protection

Location: Statewide

House District: Statewide (HD 1-40)

Impact House District: Statewide (HD 1-40)

Contact: Kelly Howell

Estimated Project Dates: 07/01/2020 - 06/30/2025

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Brief Summary and Statement of Need:

This annual project is part of a joint enforcement agreement (JEA) with the National Marine Fisheries Service. Federally regulated marine fisheries occur on a year-round basis in the coastal and offshore waters of Alaska. Both the federal and state governments share an interest in ensuring these fisheries are protected. This project will help the department achieve its mission to ensure public safety, enforce fish and wildlife laws, and protection of wildlife resources. The JEA federal funding has been included in the capital budget as it primarily funds equipment purchases.

Funding:	<u>FY2021</u>	<u>FY2022</u>	<u>FY2023</u>	<u>FY2024</u>	<u>FY2025</u>	<u>FY2026</u>	<u>Total</u>
1002 Fed Rcpts	\$1,100,000						\$1,100,000
Total:	\$1,100,000	\$0	\$0	\$0	\$0	\$0	\$1,100,000

<input type="checkbox"/> State Match Required	<input checked="" type="checkbox"/> One-Time Project	<input type="checkbox"/> Phased - new	<input type="checkbox"/> Phased - underway	<input type="checkbox"/> On-Going
0% = Minimum State Match % Required		<input type="checkbox"/> Amendment	<input type="checkbox"/> Mental Health Bill	

Operating & Maintenance Costs:

	<u>Amount</u>	<u>Staff</u>
Project Development:	0	0
Ongoing Operating:	0	0
One-Time Startup:	0	0
Totals:	0	0

Prior Funding History / Additional Information:

- Sec1 Ch3 SLA2019 P6 L21 SB19 \$1,100,000
- Sec1 Ch19 SLA2018 P8 L30 SB142 \$1,083,877
- Sec1 Ch1 SLA2017 P6 L27 SB23 \$1,200,000
- Sec1 Ch2 SLA2016 P6 L9 SB138 \$1,200,000
- Sec1 Ch38 SLA2015 P6 L6 SB26 \$1,200,000
- Sec1 Ch18 SLA2014 P60 L23 SB119 \$1,200,000
- Sec1 Ch16 SLA2013 P75 L7 SB18 \$1,000,000

Continuing grant from the National Oceanic and Atmospheric Administration (NOAA) for specific activities related to marine fisheries enforcement.

Project Description/Justification:

The National Oceanic and Atmospheric Administration (NOAA) and the Office of Law Enforcement (OLE), have entered into an agreement with the State of Alaska, Department of Public Safety (DPS), Division of Alaska Wildlife Troopers (AWT), to enforce federal laws and regulations under the Magnuson-Stevens Fishery Conservation and Management Act; the Endangered Species Act of 1973; the Lacey Act Amendments of 1981; and the Northern Pacific

Halibut Act of 1982. Federally regulated marine fisheries occur on a year-round basis in the Exclusive Economic Zone (EEZ). This agreement (Joint Enforcement Agreement or JEA) provides a framework plan for the enforcement of federal and state fisheries regulations in the EEZ offshore of the State of Alaska. Recognizing enforcement needs in the North Pacific Ocean and Bering Sea, the DPS cooperates with OLE in enhanced patrols available through the Coastal Stewardship Act. The OLE recognizes that Alaska maintains the assets and personnel for efficient patrols and rather than create a redundant infrastructure, they prefer to augment the state's programs.

Fish and wildlife law enforcement in Alaska's coastal and offshore environments is of broad common interest to both the state and federal governments. However, these large geographic expanses suffer an absence of federal logistical support for patrolling, monitoring, and investigating fish and wildlife related activities and impacts. Even though Alaska's logistical enforcement capabilities are well beyond those available to the OLE and other federal agencies, the AWT is unable to broaden or enhance its field presence without this additional federal funding. In many cases, enhancing state funding will provide additional air and sea patrols during which state and federal concerns can be met concurrently. Such enhancement of existing state assets and infrastructure is much more cost effective than developing similar assets within the federal government.

This cooperative project is consistent with long-term state enforcement. For decades, the State of Alaska has been delegated federal enforcement authority in federal waters. These fisheries are of common concern to both state and federal managers. This project demonstrates that the federal government is concerned about enforcement presence and has agreed to share in the high costs of marine offshore enforcement in support of expanded AWT resource patrols. There is a continuing need to perform dockside monitoring of federal fisheries off-loads. AWT has trained professional staff stationed in many of the areas where these inspections need to be performed, and is capable of providing this service. The OLE has requested assistance and has agreed to enhance state funding to provide increased department shore-side presence to monitor landings. Many of the federal fisheries regulated by NOAA have requirements for onboard observers. NOAA-OLE has identified that a significant concern in an effective observer program is harassment of observers or other acts which decrease the quality of work performed. AWT has trained professional staff capable of conducting investigations and interviews related to observer harassment. The OLE has requested assistance and has agreed to enhance state funding to provide investigative services related to observer harassment.

Federal funding is intended to augment work currently performed by the AWT using existing personnel. The agreement is used to fund work provided by a full-time lieutenant in Kodiak, an administrative assistant in Kodiak and three public safety technician positions; one located in Cordova, one in Seward, and one in Sitka. These positions are primarily assigned to dockside monitoring and inspections for Individual Fishing Quota (IFQ)/Individual Processing Quota (IPQ) fishery compliance. The department provides large vessel support and troopers to assist in federal fisheries enforcement. Federally regulated marine fisheries occur on a year-round basis in the coastal and offshore waters of Alaska.