

**State of Alaska  
FY2023 Governor's Operating Budget**

**Department of Law  
Environmental Law  
Component Budget Summary**

Component: Environmental Law

### Contribution to Department's Mission

The Environmental Law section provides advice and legal representation to state agencies, primarily the Department of Environmental Conservation (DEC), on state and federal environmental laws and programs.

### Core Services

- Section attorneys assist DEC with implementation and enforcement of state environmental laws and regulations.
- The section advises and defends DEC in administrative appeals of DEC decisions and certifications.
- When spills occur, section attorneys provide investigative, enforcement, and litigation services to ensure prompt and complete response, and reimbursement of state costs and damages.
- The section advises DEC on air and water discharge permitting and enforcement.
- The section provides legal advice and representation to DEC on public health issues such as food safety, animal health, pesticides, solid waste, and drinking water.

### Major Component Accomplishments in 2021

In FY2021, the section assisted DEC in recovering \$1,740,556 for civil assessments, state costs recovery and penalties related to violations of state environmental laws and spills. Costs associated with operating the section totaled \$1,161,300 for all fund sources.

### Key Component Challenges

- Recovering costs of DEC oversight and cleanup costs of spill response and contaminated sites, and diminished ability to pursue cleanup of "lingering contaminated sites" where no responsible party is undertaking a cleanup.
- Defending challenges to DEC decisions before the Office of Administrative Hearings.
- Engaging federal agencies on matters and decisions that affect the state's interests. The section provides legal advice and representation on federal regulatory or administrative actions and rulemakings and to represent state agency interests, either to support or to challenge federal rules.

### Significant Changes in Results to be Delivered in FY2023

No significant changes are anticipated in the next fiscal year.

### Statutory and Regulatory Authority

AS 44.23.020  
AS 46.08.070

### Contact Information

**Contact:** Jennifer Currie, Chief Assistant Attorney General  
**Phone:** (907) 269-5100  
**E-mail:** jennifer.currie@alaska.gov

Environmental Law Personal Services Information				
Authorized Positions			Personal Services Costs	
	<u>FY2022</u> <u>Management</u> <u>Plan</u>	<u>FY2023</u> <u>Governor</u>		
Full-time	11	11	Annual Salaries	1,010,064
Part-time	0	0	Premium Pay	0
Nonpermanent	0	0	Annual Benefits	592,664
			<i>Less 3.88% Vacancy Factor</i>	(62,128)
			Lump Sum Premium Pay	0
<b>Totals</b>	<b>11</b>	<b>11</b>	<b>Total Personal Services</b>	<b>1,540,600</b>

Position Classification Summary					
Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Associate Attorney 2	1	0	0	0	1
Attorney 2	1	0	0	0	1
Attorney 3	2	0	0	0	2
Attorney 4	2	0	0	0	2
Attorney 5	1	0	0	0	1
Attorney 6	1	0	0	0	1
Law Office Assistant 1	2	0	0	0	2
Paralegal 2	1	0	0	0	1
<b>Totals</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>11</b>

**Component Detail All Funds**  
**Department of Law**

**Component:** Environmental Law (2092)  
**RDU:** Civil Division (Excludes Janus) (35)

Non-Formula Component

	FY2021 Actuals	FY2022 Conference Committee	FY2022 Authorized	FY2022 Management Plan	FY2023 Governor	FY2022 Management Plan vs FY2023 Governor	
71000 Personal Services	901.5	1,577.2	1,577.2	1,577.2	1,540.6	-36.6	-2.3%
72000 Travel	3.0	20.0	20.0	20.0	20.0	0.0	0.0%
73000 Services	243.3	400.5	400.5	400.5	400.5	0.0	0.0%
74000 Commodities	10.0	9.0	9.0	9.0	9.0	0.0	0.0%
75000 Capital Outlay	3.5	0.0	0.0	0.0	0.0	0.0	0.0%
77000 Grants, Benefits	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
78000 Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
<b>Totals</b>	<b>1,161.3</b>	<b>2,006.7</b>	<b>2,006.7</b>	<b>2,006.7</b>	<b>1,970.1</b>	<b>-36.6</b>	<b>-1.8%</b>
<b>Fund Sources:</b>							
1004 Gen Fund (UGF)	161.8	764.9	764.9	764.9	717.2	-47.7	-6.2%
1007 I/A Rcpts (Other)	604.6	769.8	769.8	769.8	777.4	7.6	1.0%
1055 IA/OIL HAZ (Other)	259.7	472.0	472.0	472.0	475.5	3.5	0.7%
1061 CIP Rcpts (Other)	135.2	0.0	0.0	0.0	0.0	0.0	0.0%
<b>Unrestricted General (UGF)</b>	<b>161.8</b>	<b>764.9</b>	<b>764.9</b>	<b>764.9</b>	<b>717.2</b>	<b>-47.7</b>	<b>-6.2%</b>
<b>Designated General (DGF)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0%</b>
<b>Other Funds</b>	<b>999.5</b>	<b>1,241.8</b>	<b>1,241.8</b>	<b>1,241.8</b>	<b>1,252.9</b>	<b>11.1</b>	<b>0.9%</b>
<b>Federal Funds</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0%</b>
<b>Positions:</b>							
Permanent Full Time	11	11	11	11	11	0	0.0%
Permanent Part Time	0	0	0	0	0	0	0.0%
Non Permanent	0	0	0	0	0	0	0.0%

**Change Record Detail - Multiple Scenarios with Descriptions**  
**Department of Law**

**Component:** Environmental Law (2092)  
**RDU:** Civil Division (Excludes Janus) (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions		NP
										PFT	PPT	
<b>***** Changes From FY2022 Conference Committee To FY2022 Authorized *****</b>												
<b>FY2022 Conference Committee</b>												
	ConfCom	2,006.7	1,577.2	20.0	400.5	9.0	0.0	0.0	0.0	11	0	0
1004 Gen Fund		764.9										
1007 I/A Rcpts		769.8										
1055 IA/OIL HAZ		472.0										
<b>Subtotal</b>		<b>2,006.7</b>	<b>1,577.2</b>	<b>20.0</b>	<b>400.5</b>	<b>9.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>11</b>	<b>0</b>	<b>0</b>
<b>***** Changes From FY2022 Authorized To FY2022 Management Plan *****</b>												
<b>Transfer Attorney 4 (03-0195) to Child Protection for Required Legal Expertise</b>												
	Trout	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-1	0	0
Transfer one full-time Attorney 4 position (03-0195), range 24, located in Anchorage, to the Child Protection component from the Environmental Law component to keep pace with the required level of legal expertise needed within the office. The remaining staff in Environmental Law are sufficient to accommodate anticipated workload.												
<b>Transfer Attorney 2 (03-0379) from Opinions, Appeals and Ethics for Required Legal Expertise</b>												
	Trin	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1	0	0
Transfer one full-time Attorney 2 position (03-0379), range 20, located in Anchorage, from the Opinions, Appeals and Ethics component to the Environmental Law component to keep pace with the required level of legal expertise needed within the office. The remaining staff in Opinions, Appeals and Ethics are sufficient to accommodate anticipated workload. This position is recruited as an Attorney 4.												
<b>Subtotal</b>		<b>2,006.7</b>	<b>1,577.2</b>	<b>20.0</b>	<b>400.5</b>	<b>9.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>11</b>	<b>0</b>	<b>0</b>
<b>***** Changes From FY2022 Management Plan To FY2023 Governor *****</b>												
<b>FY2023 Executive Health Insurance, SBS, and Risk Management Rate Changes</b>												
	SalAdj	15.3	15.3	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		4.3										
1007 I/A Rcpts		7.5										
1055 IA/OIL HAZ		3.5										
FY2023 Change Partially Exempt & Exempt Executive (EE) - Health Insurance from \$1,555 to \$1,685; SBS and Risk Management Rates: \$15.3												
<b>FY2023 General Government Unit SBS and Risk Management Rate Changes</b>												
	SalAdj	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		0.3										
1007 I/A Rcpts		0.1										
FY2023 Change General Government Unit (GG, GP, GY, GZ) - SBS, and Risk Management Rates: \$0.4												

**Change Record Detail - Multiple Scenarios with Descriptions**  
**Department of Law**

**Component:** Environmental Law (2092)  
**RDU:** Civil Division (Excludes Janus) (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions		NP
										PFT	PPT	
<b>FY2023 PERS Actuarial Rate Adjustment to 24.79% Ch9 SLA2021 (SB55)</b>												
	SalAdj	-52.3	-52.3	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		-17.6										
1007 I/A Rcpts		-24.1										
1055 IA/OIL HAZ		-10.6										
Includes: FY2023 Adjustment for PERS ARM Board Approved Rate of 24.79% (from 30.11%): \$-52.3												
<b>Realign PERS Rate Adjustment by Fund Source Ch9 SLA2021 (SB55)</b>												
	FndChg	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		-34.7										
1007 I/A Rcpts		24.1										
1055 IA/OIL HAZ		10.6										
Remove one-time UGF subsidy for rate agency assigned in SB55 fiscal note (Ch 9 SLA 2021).												
<b>Totals</b>		<b>1,970.1</b>	<b>1,540.6</b>	<b>20.0</b>	<b>400.5</b>	<b>9.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>11</b>	<b>0</b>	<b>0</b>

**Line Item Detail (1676)**  
**Department of Law**  
**Travel**

**Component:** Environmental Law (2092)

Line Number	Line Name		FY2021 Actuals	FY2022 Management Plan	FY2023 Governor
2000	Travel		3.0	20.0	20.0
Object Class	Servicing Agency	Explanation	FY2021 Actuals	FY2022 Management Plan	FY2023 Governor
<b>2000 Travel Detail Totals</b>			<b>3.0</b>	<b>20.0</b>	<b>20.0</b>
2000	In-State Employee Travel	Travel for attorneys to interview witnesses and attend court proceedings, as well as for necessary training for both attorneys and paraprofessionals. Includes travel for management purposes.	1.1	10.2	10.2
2002	Out of State Employee Travel	Travel costs and expenses for out-of-state travel for conferences, training, etc.	0.0	4.8	4.8
2006	Other Travel Costs	Travel cost transfers.	1.9	5.0	5.0

**Line Item Detail (1676)**  
**Department of Law**  
**Services**

**Component:** Environmental Law (2092)

<b>Line Number</b>	<b>Line Name</b>		<b>FY2021 Actuals</b>	<b>FY2022 Management Plan</b>	<b>FY2023 Governor</b>
3000	Services		243.3	400.5	400.5
<b>Object Class</b>	<b>Servicing Agency</b>	<b>Explanation</b>	<b>FY2021 Actuals</b>	<b>FY2022 Management Plan</b>	<b>FY2023 Governor</b>
<b>3000 Services Detail Totals</b>			<b>243.3</b>	<b>400.5</b>	<b>400.5</b>
3000	Education Services	Conferences, training and memberships.	6.1	10.0	10.0
3002	Legal and Judicial Services	Depositions, research costs, expert witness and consultant fees.	0.1	10.0	10.0
3006	Delivery Services	Freight, courier, postage, and transportation of trial exhibit materials.	0.1	3.0	3.0
3009	Structure/Infrastructure/Land	Rentals/leases - records and evidence storage.	0.0	15.0	15.0
3011	Other Services	Cost transfers and miscellaneous items within the services line (commissions, etc.).	237.0	362.5	362.5



**Line Item Detail (1676)**  
**Department of Law**  
**Commodities**

**Component:** Environmental Law (2092)

<b>Line Number</b>	<b>Line Name</b>		<b>FY2021 Actuals</b>	<b>FY2022 Management Plan</b>	<b>FY2023 Governor</b>
4000	Commodities		10.0	9.0	9.0
<b>Object Class</b>	<b>Servicing Agency</b>	<b>Explanation</b>	<b>FY2021 Actuals</b>	<b>FY2022 Management Plan</b>	<b>FY2023 Governor</b>
		<b>4000 Commodities Detail Totals</b>	<b>10.0</b>	<b>9.0</b>	<b>9.0</b>
4022	Commodity Transfer	Commodity cost transfers.	10.0	9.0	9.0

**Line Item Detail (1676)**  
**Department of Law**  
**Capital Outlay**

**Component:** Environmental Law (2092)

<b>Line Number</b>	<b>Line Name</b>		<b>FY2021 Actuals</b>	<b>FY2022 Management Plan</b>	<b>FY2023 Governor</b>
5000	Capital Outlay		3.5	0.0	0.0
<b>Object Class</b>	<b>Servicing Agency</b>	<b>Explanation</b>	<b>FY2021 Actuals</b>	<b>FY2022 Management Plan</b>	<b>FY2023 Governor</b>
<b>5000 Capital Outlay Detail Totals</b>			<b>3.5</b>	<b>0.0</b>	<b>0.0</b>
5009	Capital Outlay Transfer	Capital cost transfers.	3.5	0.0	0.0

**Revenue Detail (1681)**  
**Department of Law**

**Component:** Environmental Law (2092)

Revenue Type (OMB Fund Code) Revenue Source	Component	Comment	FY2021 Actuals	FY2022 Management Plan	FY2023 Governor
<b>5007 I/A Rcpts (1007 I/A Rcpts)</b>			<b>604.6</b>	<b>769.8</b>	<b>777.4</b>
5301 Inter-Agency Receipts	EnvCon - Department-wide	RSA Environmental Conservation, Water Quality - legal services. Program code: CV03204502.	217.0	250.0	250.0
5301 Inter-Agency Receipts	EnvCon - Department-wide	RSA Environmental Conservation, Water Quality - legal services provided for implementation of Commercial Passenger Vessel Environmental Compliance (CVPEC) law, air opacity and wastewater enforcement actions, and on-going services of a consultant expert to advise the state in pursuit of commercial passenger vessel air opacity violations. Program code: CV03204504.	21.7	50.0	50.0
5301 Inter-Agency Receipts	EnvCon - Department-wide	RSA Environmental Conservation, Air Quality - legal services. Program code: CV03204505.	52.5	75.0	75.0
5301 Inter-Agency Receipts	EnvCon - Department-wide	RSA Environmental Conservation, Environmental Health - legal services provided to the Food Safety & Sanitation section. Program code: CV03204506.	286.3	329.8	337.4
5301 Inter-Agency Receipts	EnvCon - Department-wide	RSA Environmental Conservation, Spill Prevention and Response - legal services supporting Department of Defense cleanup work. Program code: CV03204507.	26.3	50.0	50.0
5301 Inter-Agency Receipts	EnvCon - Department-wide	RSA Environmental Conservation, Commissioner's Office - legal services. Program code: CVEN18001.	0.8	15.0	15.0
<b>5055 IA/OIL HAZ (1055 IA/OIL HAZ)</b>			<b>259.7</b>	<b>472.0</b>	<b>475.5</b>
5391 Oil and Hazardous Waste Inter-Agency	EnvCon - Department-wide	RSA Environmental Conservation,	259.7	472.0	475.5

**Revenue Detail (1681)**  
**Department of Law**

**Component:** Environmental Law (2092)

Revenue Type (OMB Fund Code) Revenue Source	Component	Comment	FY2021 Actuals	FY2022 Management Plan	FY2023 Governor
		Spill Prevention and Response - legal services. Program code: CV03204501.			
<b>5061 CIP Rcpts (1061 CIP Rcpts)</b>			<b>135.2</b>	<b>0.0</b>	<b>0.0</b>
5351 Capital Improvement Project Inter-Agency	Law - Environmental Law (2092)	Operating expenditures associated with capital project for Exxon Valdez Oil Spill record disposition and legal review. APTYP W06B.	135.2	0.0	0.0

**Personal Services Expenditure Detail**  
**Department of Law**

**Scenario:** FY2023 Governor (18673)  
**Component:** Environmental Law (2092)  
**RDU:** Civil Division (Excludes Janus) (35)

PCN	Job Class Title	Time Status	Retire Code	Barg Unit	Location	Salary Sched	Range / Step	Comp Months	Split / Count	Annual Salaries	COLA	Premium Pay	Annual Benefits	Total Costs	UGF Amount
03-0045	Attorney 4	FT	A	XE	Anchorage	N00	24D / E	12.0		102,151	0	0	58,268	160,419	32,084
03-0059	Attorney 5	FT	A	XE	Anchorage	99	25Q	12.0		151,395	0	0	76,314	227,709	45,542
03-0113	Attorney 2	FT	A	XE	Anchorage	N00	20E / F	12.0		81,393	0	0	50,540	131,933	59,370
03-0235	Associate Attorney 2	FT	A	XE	Anchorage	99	19M	12.0		87,848	0	0	52,943	140,791	28,158
03-0242	Attorney 6	FT	A	XE	Anchorage	N00	26T	12.0		168,500	0	0	81,633	250,133	62,533
03-0246	Paralegal 2	FT	A	GP	Anchorage	200	16A / B	12.0		53,355	0	0	38,645	92,000	92,000
03-0301	Law Office Assistant 1	FT	A	GP	Anchorage	200	11D / E	12.0		41,858	0	0	34,365	76,223	76,223
03-0317	Attorney 3	FT	A	XE	Anchorage	N00	22C / D	12.0		85,917	0	0	52,224	138,141	69,071
03-0330	Law Office Assistant 1	FT	A	GP	Anchorage	200	11B / C	12.0		39,205	0	0	33,377	72,582	0
03-0379	Attorney 4	FT	A	XE	Anchorage	N00	24F	12.0		106,451	0	0	59,869	166,320	83,160
03-0386	Attorney 3	FT	A	XE	Anchorage	N00	22E / F	12.0		91,991	0	0	54,486	146,477	0

	Total Positions	New	Deleted	Total Salary Costs:	Total COLA:	Total Premium Pay:	Total Benefits:
				1,010,064	0	0	592,664
<b>Full Time Positions:</b>	11	0	0				
<b>Part Time Positions:</b>	0	0	0				
<b>Non Permanent Positions:</b>	0	0	0				
<b>Positions in Component:</b>	11	0	0				
				<b>Total Pre-Vacancy:</b>			1,602,728
				<b>Minus Vacancy Adjustment of 3.88%:</b>			(62,128)
				<b>Total Post-Vacancy:</b>			1,540,600
				<b>Plus Lump Sum Premium Pay:</b>			0
				<b>Personal Services Line 100:</b>			1,540,600

PCN Funding Sources:	Pre-Vacancy	Post-Vacancy	Percent
1004 General Fund Receipts	548,140	526,892	34.20%
1007 Interagency Receipts	737,549	708,959	46.02%
1055 Interagency/Oil & Hazardous Waste	317,038	304,749	19.78%
<b>Total PCN Funding:</b>	<b>1,602,728</b>	<b>1,540,600</b>	<b>100.00%</b>

Note: If a position is split, an asterisk (\*) will appear in the Split/Count column. If the split position is also counted in the component, two asterisks (\*\*) will appear in this column. [No valid job title] appearing in the Job Class Title indicates that the PCN has an invalid class code or invalid range for the class code effective date of this scenario.

# CIVIL DIVISION

## Environmental Law

