

# **State of Alaska FY2012 Governor's Operating Budget**

## **Department of Law Natural Resources Component Budget Summary**

## Component: Natural Resources

### Contribution to Department's Mission

The Natural Resources Section provides legal advice and representation to state departments, boards and commissions that regulate Alaska's lands, waters, fish, game, and other renewable natural resources. The Statehood Defense unit of the Department of Law provides advice and representation to state agencies on issues raised by conflicts between state and federal jurisdiction.

### Core Services

- The Natural Resources Section advises the Department of Natural Resources and the Department of Fish and Game to ensure that land, water, fish, game, and other renewable natural resources are managed and allocated by state agencies in accordance with state law. The section also advises the Mental Health Trust Land Office and the Big Game Commercial Services Board. The section pursues legal actions for forfeiture of vessels and other property used in violating state natural resource laws.
- Statehood Defense attorneys handle complex cases arising out of state/federal jurisdictional conflicts which profoundly affect management of Alaska's natural resources. Issues include title navigability, RS 2477 rights-of-way, access across and within federal lands, Alaska National Interest Lands Conservation Act (ANILCA) questions, Alaska Native Claims Settlement Act (ANCSA) conveyances and 17(b) easements, subsistence, Endangered Species Act (ESA), and management issues.
- Statehood Defense attorneys also provide legal advice and assistance to the Governor's Office and state agencies on matters of federal Indian law.

### Key Component Challenges

1. Natural Resources. During the upcoming fiscal year, the Natural Resources Section will provide advice at the meetings of the Board of Fisheries and the Board of Game, assist in drafting and reviewing regulations, and defend the actions of the boards in state courts. Issues related to aquaculture, Commercial Fisheries Entry Commission (CFEC) permits, and vessel forfeitures will require additional attorney time. The section advises the Alaska Department of Fish and Game (DF&G) regarding Endangered Species Act issues and the North Pacific Fisheries Management Council. The section also continues to work on subsistence issues. The section will continue to be involved in litigation concerning Alaska's right to charge nonresidents higher annual fees to participate in the state's commercial fisheries. The section will provide representation for the CFEC in a number of appeals related to permit denials.

The section continues to advise the Department of Natural Resources (DNR) on permitting and access issues for large mines, including the Red Dog, Pogo, Fort Knox, Pebble, and Kensington projects. There are an increasing number of cases in Southeast Alaska dealing with ownership of accreted lands. The section will continue advising DNR on recovery of fire suppression costs and damages from wildfires, as well as issues related to management of state owned timber. Section attorneys assist in clearing clouds on title to state lands as DNR tries to increase the amount of state land it offers for sale. Additional issues related to land sale contracts and transfer instruments also require legal advice. The section provides advice relating to water allocation and use, and rights-of-way and easements on public and private land. Mental Health Trust Land issues continue to require assistance from an attorney in the section. The Natural Resources Section also will provide significant advice and representation to the Division of Parks and Outdoor Recreation on a broad range of issues related to management of parkland. The section also advises the Habitat Division in DF&G and the Office of Project Management and Permitting within DNR.

2. During FY 2010, the Statehood Defense unit will work to protect and ensure access to state and private lands and on public waters across Alaska through assertions of RS 2477 rights-of-way, ANILCA access rights, and ownership of navigable waters. Statehood Defense attorneys will work with the Department of Natural Resources (DNR) and the DF&G to file with the Bureau of Land Management (BLM) additional applications for recordable disclaimers of interest for navigable waters, and provide information to BLM to convince it to declare waterways

navigable within the survey windows it is completing. The unit will continue to insure the state's land entitlement from the federal government is fulfilled.

The Statehood Defense unit will participate in and monitor the ongoing federal actions relating to application to Alaska's Tongass and Chugach National Forests of a national Roadless Rule, timber sales, and implementation of forest management plans. Legal work related to the Endangered Species Act (ESA) continues to increase. The unit will participate in the ESA process as it relates to decisions or proposals to list polar bears, Cook Inlet beluga whale and other species, and designate critical habitat. The unit is also participating in issues relating to management of Pacific Salmon and to ensure adherence to the Pacific Salmon Treaty. The unit will also advise DF&G regarding the North Pacific Fisheries Management Council. The unit will continue to closely monitor the federal subsistence program, assist DF&G in preparation of state comments, and challenge actions by the Federal Subsistence Board (FSB) when necessary. The unit will continue litigation challenging the use of claimed Federal Reserved Water Rights to expand federal subsistence jurisdiction. Attorneys will monitor actions taken under federal legislation to complete conveyances under ANCSA and ANILCA and the Alaska Native Allotment Act and review proposed federal public use management plans for federal lands. Attorneys will provide comments on federal legislative proposals that affect Alaska land and natural resources. The unit will also continue to work on issues relating to assertions of tribal sovereignty that impact state interests, including an attempt by several tribes to invalidate a regulatory ban on taking land into trust in Alaska.

## Significant Changes in Results to be Delivered in FY2012

The Statehood Defense component has been combined with Natural Resources to align with management of the component.

## Major Component Accomplishments in 2010

### 1. Natural Resources.

- The section successfully defended the state's predator control program.
- The section successfully defended a challenge in federal district court to state regulations for salmon fishing in Prince William Sound and on the Copper River.
- The section successfully defended a challenge in federal district court to regulations for salmon fishing in Upper Cook Inlet based on alleged violations of the Takings Clause of the U.S. Constitution. The section briefed the subsequent 9<sup>th</sup> Circuit appeal.
- Defended a challenge to the Chitina Subdistrict salmon regulations based the subsistence law and Alaska Constitution, resulting in a decision largely favorable to the Board of Fisheries.
- The section resolved a challenge to commercial Dungeness crab fishing in the Kasaan Bay area.
- The Section assisted in orientation of new Board of Fisheries and Board of Game members.
- The section assisted the boards in five regular Board of Fisheries meetings, three regular Board of Game meetings, Big Game Commercial Services Board meetings, additional special and emergency meetings, and reviewed and edited hundreds of pages of regulatory changes made at the meetings.
- The section drafted, reviewed and commented on legislation related to natural resources.
- The section filed suit against the U.S. Fish and Wildlife Service based on failure to permit limited predator control activities to restore the Unimak caribou herd.
- The section petitioned the Alaska Supreme Court for review of the extremely high rate of interest imposed on the judgment in the *Carlson* class action nonresident commercial fishing fees case.
- The section advised DF&G on aquatic farming issues, fish habitat and special area permits.

- The section advised DF&G on issues relating to potential filming of a major motion picture in the Rabbit Creek Shooting Park in the Anchorage Coastal Wildlife Refuge.
- The section assisted the criminal division in several cases involving charges related to illegal taking of fish and game.
- The section is defending a challenge to the legality of the Bristol Bay Area Plan and advising DNR regarding Pebble Mine water and permit issues.
- The section is advising and defending DNR on several municipal entitlement applications.
- The section assisted the Mental Health Trust Land Office with numerous land transactions, including a coal lease, land sales, and an eminent domain proceeding for the 40<sup>th</sup> Avenue extension in Anchorage.
- The section completed a regulations project for the Recorder's Office regarding electronic recording.
- The section successfully defended appeals of denials of Commercial Fishery Entry Commission permits. The permits are often valued in the hundreds of thousands of dollars; our work ensures that the permits go to the most qualified applicants and helps maintain the value of the permits.
- The section continued to represent DNR in quiet title actions regarding ownership of accreted land and land formed by isostatic rebound.
- The section advised DNR on sale of the Big Lake Hatchery.
- The section successfully defended DNR's denial of a preference right to land now conveyed to the Aleutians East Borough.
- The section defended a challenge to the Knik Public Use Area Management Plan.
- The section advised the Division of Parks and Outdoor Recreation on amendments to regulations related to the Kenai River Special Management Area.
- The section worked extensively with DNR on a decision on the North Slope Borough's municipal entitlement applications.
- The section assisted DNR with resolution of multiple instances of trespass on state tidelands.
- The section defended changes to the hunting regulations for the Nelchina caribou herd.
- The section won an appeal before the Alaska Supreme Court regarding the state's ability to require a lease for use of a state-owned riverbed by a riparian owner.

## 2. Statehood Defense.

- The section completed briefing on challenges to the listing of the polar bear as a threatened species.
- The section filed suit challenging the beluga whale listing. Endangered species listings can have severe impacts on the economy of the area where they are found.
- With DF&G, the section developed comments on the proposed designations of critical habitat under the ESA for the polar bear and Cook Inlet beluga whale and comments on the status of Pacific Walrus.
- The section worked with DF&G to prepare special conditions for the reintroduction of endangered wood bison to Alaska under section 10(j) of the ESA that, if adopted, will permit land use and development in any manner otherwise allowed by law.
- The section represented the state in litigation regarding the Secretary of the Interior's authority to take land into trust in Alaska for the benefit of Alaska tribes. The section also assisted with preparation of state

comments on several bills in Congress to address land into trust issues.

- Section staff prepared comments and attended numerous Federal Subsistence Board meetings and meetings of the North Pacific Fishery Management Council to assist DF&G with issues impacting state fish and wildlife management.
- The section filed briefs in the 9<sup>th</sup> Circuit appeal of the federal district court case challenging the United States' claims of Federal Reserved Water Rights in federal subsistence regulations. The section also continues to represent the State in litigation in which the plaintiffs claim federal subsistence fishing rights in marine waters in Southeast Alaska.
- The section intervened and successfully circumvented preliminary injunctions in federal district court and the 9<sup>th</sup> Circuit in support of the U.S. Forest Service to defend the Logjam timber sale in the Tongass National Forest.
- The section intervened in federal court in support of the Forest Service defending the validity of the exemption of the Tongass National Forest from the Roadless Rule which prohibits all logging in Roadless areas.
- The section advises DNR Forestry and the Governor's office on matters related to the Tongass National Forest, participates on the State Tongass Team, and submitted numerous FOIA requests to the Forest Service and USDA regarding national forest matters.
- The section settled a case involving the State's claim of title to the bed of the Skagway River that will quiet title in the State.
- The section represents the State in a case to quiet title to the Kotsina River.
- The section appealed to the Interior Board of Land Appeals a decision of Bureau of Land Management (BLM) denying the State's application for a recordable disclaimer of interest for the Stikine River.
- The section assisted DNR and DF&G with applications to the BLM for recordable disclaimers of interest (RDI) for lands underlying navigable waters. The State has received a number of RDI's from BLM. The State continues to educate landowners about the public's right to use state navigable waters.
- The section prevailed in an appeal to the Interior Board of Land Appeals challenging BLM's failure to reserve adequate public access easements across land to be conveyed to Doyon.
- The section assisted DF&G with an application to enter into a limited cooperative agreement for the conservation of animal species with the National Marine Fisheries Service.
- The section moved to intervene and briefed a federal lawsuit challenging Cook Inlet salmon regulations as inconsistent with the Magnuson-Stevens Act.
- The section advised CFEC regarding legislation to facilitate the federal buyback program in the Southeast Purse Seine Fishery.
- The section advised DNR regarding storm water permitting requirements at material sites.
- The section continued to monitor litigation related to pacific salmon in Washington and Oregon.
- The section provided legal advice to DF&G regarding the Pacific Salmon Treaty and coast wide salmon management issues.
- The section continued to monitor and comment on proposed amendments to the Magnuson-Stevens Act, the Marine Mammals Protection Act, the Sealaska lands bill and other federal legislation.

## Statutory and Regulatory Authority

AS 44.23.020

**Contact Information**

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**Natural Resources  
Component Financial Summary**

*All dollars shown in thousands*

	FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
<b>Non-Formula Program:</b>			
<b>Component Expenditures:</b>			
71000 Personal Services	2,817.9	2,109.8	2,180.6
72000 Travel	55.0	26.3	26.3
73000 Services	1,234.3	1,096.0	1,096.0
74000 Commodities	56.9	58.8	58.8
75000 Capital Outlay	36.5	7.2	7.2
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
<b>Expenditure Totals</b>	<b>4,200.6</b>	<b>3,298.1</b>	<b>3,368.9</b>
<b>Funding Sources:</b>			
1004 General Fund Receipts	3,872.5	3,038.1	3,111.6
1007 Inter-Agency Receipts	328.1	260.0	257.3
<b>Funding Totals</b>	<b>4,200.6</b>	<b>3,298.1</b>	<b>3,368.9</b>

**Estimated Revenue Collections**

Description	Master Revenue Account	FY2010 Actuals	FY2011 Management Plan	FY2012 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	328.1	260.0	257.3
<b>Restricted Total</b>		<b>328.1</b>	<b>260.0</b>	<b>257.3</b>
<b>Total Estimated Revenues</b>		<b>328.1</b>	<b>260.0</b>	<b>257.3</b>

**Summary of Component Budget Changes  
From FY2011 Management Plan to FY2012 Governor**

*All dollars shown in thousands*

	<u>Unrestricted Gen (UGF)</u>	<u>Designated Gen (DGF)</u>	<u>Other Funds</u>	<u>Federal Funds</u>	<u>Total Funds</u>
<b>FY2011 Management Plan</b>	<b>3,038.1</b>	<b>0.0</b>	<b>260.0</b>	<b>0.0</b>	<b>3,298.1</b>
<b>Adjustments which will continue current level of service:</b>					
-FY2011 Sal Inc Noncovered 2% Fund Source Change Request	2.7	0.0	-2.7	0.0	0.0
-FY 2012 Personal Services increases	63.4	0.0	8.5	0.0	71.9
-FY 2011 Over/Understated GGU/SU salary adjustments	-1.1	0.0	0.0	0.0	-1.1
-Correct Unrealizable Fund Sources for Personal Services Increases	8.5	0.0	-8.5	0.0	0.0
<b>FY2012 Governor</b>	<b>3,111.6</b>	<b>0.0</b>	<b>257.3</b>	<b>0.0</b>	<b>3,368.9</b>

Natural Resources Personal Services Information				
Authorized Positions			Personal Services Costs	
	FY2011 Management Plan	FY2012 Governor		
Full-time	17	18	Annual Salaries	1,563,666
Part-time	0	0	COLA	35,910
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	795,221
			<i>Less 8.94% Vacancy Factor</i>	(214,197)
			Lump Sum Premium Pay	0
<b>Totals</b>	<b>17</b>	<b>18</b>	<b>Total Personal Services</b>	<b>2,180,600</b>

Position Classification Summary					
Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Assoc Attorney I	1	0	0	0	1
Attorney III	0	0	1	0	1
Attorney IV	3	0	1	0	4
Attorney V	6	0	0	0	6
Attorney VI	1	0	0	0	1
Law Office Assistant I	3	0	1	0	4
Law Office Assistant II	1	0	0	0	1
<b>Totals</b>	<b>15</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>18</b>

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

**Component:** Natural Resources (2212)  
**RDU:** Civil Division (35)

	<b>FY2010 Actuals</b>	<b>FY2011 Conference Committee (Final)</b>	<b>FY2011 Authorized</b>	<b>FY2011 Management Plan</b>	<b>FY2012 Governor</b>	<b>FY2011 Management Plan vs FY2012 Governor</b>	
71000 Personal Services	2,817.9	2,104.3	2,137.7	2,109.8	2,180.6	70.8	3.4%
72000 Travel	55.0	26.3	26.3	26.3	26.3	0.0	0.0%
73000 Services	1,234.3	1,096.0	1,096.0	1,096.0	1,096.0	0.0	0.0%
74000 Commodities	56.9	58.8	58.8	58.8	58.8	0.0	0.0%
75000 Capital Outlay	36.5	7.2	7.2	7.2	7.2	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>4,200.6</b>	<b>3,292.6</b>	<b>3,326.0</b>	<b>3,298.1</b>	<b>3,368.9</b>	<b>70.8</b>	<b>2.1%</b>
<b>Fund Sources:</b>							
1004 Gen Fund	3,872.5	3,035.3	3,066.0	3,038.1	3,111.6	73.5	2.4%
1007 I/A Rcpts	328.1	257.3	260.0	260.0	257.3	-2.7	-1.0%
<b>Unrestricted General (UGF)</b>	<b>3,872.5</b>	<b>3,035.3</b>	<b>3,066.0</b>	<b>3,038.1</b>	<b>3,111.6</b>	<b>73.5</b>	<b>2.4%</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>328.1</b>	<b>257.3</b>	<b>260.0</b>	<b>260.0</b>	<b>257.3</b>	<b>-2.7</b>	<b>-1.0%</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	16	17	17	17	18	1	5.9%
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:** Natural Resources (2212)  
**RDU:** Civil Division (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions		NP
										PFT	PPT	
***** Changes From FY2011 Conference Committee (Final) To FY2011 Authorized *****												
<b>FY2011 Conference Committee</b>												
	ConfCom	3,292.6	2,104.3	26.3	1,096.0	58.8	7.2	0.0	0.0	17	0	0
1004 Gen Fund		3,035.3										
1007 I/A Rcpts		257.3										
<b>ADN 0310030 FY 2011 Non-covered Salary Increase Year 1 SLA 10 Chapter 56 (HB 421) (Sec2 SLA10 CH41 P50 L24 (HB 300))</b>												
	FisNot	33.4	33.4	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		30.7										
1007 I/A Rcpts		2.7										
: \$33.4												
<b>Subtotal</b>		<b>3,326.0</b>	<b>2,137.7</b>	<b>26.3</b>	<b>1,096.0</b>	<b>58.8</b>	<b>7.2</b>	<b>0.0</b>	<b>0.0</b>	<b>17</b>	<b>0</b>	<b>0</b>
***** Changes From FY2011 Authorized To FY2011 Management Plan *****												
<b>Transfer PCN 03-0409 from Commercial &amp; Fair Business</b>												
	Trin	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1	0	0
Transfer PCN 03-0409 Attorney V without funding from Commercial & Fair Business to Natural Resources for the required level of legal expertise needed within this component.												
Department of Law's Attorney positions are Partially Exempt (PX) and flexibly-ranged positions, Attorney I - VI, and are moved in accordance with attorney salary placement and allowing positions to be subfilled at lower levels. Positions are also moved to accommodate promotions.												
<b>Transfer PCN 03-0203 to Labor &amp; State Affairs</b>												
	Trout	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-1	0	0
Transfer PCN 03-0203 Attorney IV without funding from Natural Resources to Labor & State Affairs for the required level of legal expertise needed within this component.												
Department of Law's Attorney positions are Partially Exempt (PX) and flexibly-ranged positions, Attorney I - VI, and are moved in accordance with attorney salary placement and allowing positions to be subfilled at lower levels. Positions are also moved to accommodate promotions.												
<b>Transfer PCN 03-0026 to Labor &amp; State Affairs</b>												
	Trout	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-1	0	0
Transfer PCN 03-0026 Attorney IV without funding from Natural Resources to Labor & State Affairs for the required level of legal expertise needed within this component.												

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

**Component:** Natural Resources (2212)  
**RDU:** Civil Division (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions		NP
										PFT	PPT	
Department of Law's Attorney positions are Partially Exempt (PX) and flexibly-ranged positions, Attorney I - VI, and are moved in accordance with attorney salary placement and allowing positions to be subfilled at lower levels. Positions are also moved to accommodate promotions.												
<b>Transfer PCN 03-0268 from Opinions, Appeals and Ethics</b>												
	Trin	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1	0	0
Transfer PCN 03-0268 Law Office Assistant I without funding from Opinions, Appeals and Ethics to Natural Resources accommodate the workload and section demands.												
<b>ADN 03-1-0045 Transfer funds to Labor and State Affairs for Personal Services Vacancy Factor Adjustments</b>												
	Trout	-27.9	-27.9	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		-27.9										
Transfer funds from Natural Resources to Labor and State Affairs for Personal Services Vacancy Factor Adjustments.												
<b>Subtotal</b>		<b>3,298.1</b>	<b>2,109.8</b>	<b>26.3</b>	<b>1,096.0</b>	<b>58.8</b>	<b>7.2</b>	<b>0.0</b>	<b>0.0</b>	<b>17</b>	<b>0</b>	<b>0</b>
***** <b>Changes From FY2011 Management Plan To FY2012 Governor</b> *****												
<b>FY2011 Sal Inc Noncovered 2% Fund Source Change Request</b>												
	FndChg	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		2.7										
1007 I/A Rcpts		-2.7										
Fund Source Change request inadvertently omitted in Fiscal Note: SLA 10 CH56 (HB 421) FY2011 Non-covered Salary Increase Year 1.												
<b>Transfer PCN 03-0009 from Labor &amp; State Affairs</b>												
	Trin	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1	0	0
Transfer PCN 03-0009 Attorney V from Labor & State Affairs to Natural Resources for the required level of legal expertise needed within this component.												
Department of Law's Attorney positions are Partially Exempt (PX) and flexibly-ranged positions, Attorney I - VI, and are moved in accordance with attorney salary placement and allowing positions to be subfilled at lower levels. Positions are also moved to accommodate promotions.												
<b>FY 2012 Personal Services increases</b>												
	SalAdj	71.9	71.9	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		63.4										
1007 I/A Rcpts		8.5										
This change record includes the following personal services increases: : \$71.9												

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

**Component:** Natural Resources (2212)

**RDU:** Civil Division (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions		NP
										PFT	PPT	
Alaska State Employees Assn (GGU) FY2012 Health Insurance Increased Costs : \$8.0												
Alaska Public Employees Assn (SU) FY2012 Health Insurance Increased Costs : \$1.9												
Non-Covered Employees FY2012 Health Insurance Increased Costs : \$23.3												
Alaska State Employees Association (GGU) FY 12 COLA increases : \$3.7												
Alaska Public Employees Association (SU) FY 12 COLA increases : \$1.2												
Non-Covered Employees FY 12 COLA increases : \$32.9												
Alaska State Employees Association - ASEA Geographic Differential for GGU : \$0.9												
<b>FY 2011 Over/Understated GGU/SU salary adjustments</b>												
	SalAdj	-1.1	-1.1	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		-1.1										
When the SU and GGU salary adjustments were calculated, errors were made that understated some GGU amounts and overstated some SU amounts. This change record identifies the over and under stated amounts associated with these calculations.: \$-1.1												
<b>Correct Unrealizable Fund Sources for Personal Services Increases</b>												
	FndChg	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		8.5										
1007 I/A Rcpts		-8.5										
To fund baseline increases as a result of personal services and benefits that are associated with nonrealizable fund sources. It is the intent of the department to distribute these increases to the agencies the department anticipates collecting them from through a federally approves cost allocation plan.												
<b>Totals</b>		<b>3,368.9</b>	<b>2,180.6</b>	<b>26.3</b>	<b>1,096.0</b>	<b>58.8</b>	<b>7.2</b>	<b>0.0</b>	<b>0.0</b>	<b>18</b>	<b>0</b>	<b>0</b>

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

**Scenario:** FY2012 Governor (8665)  
**Component:** Natural Resources (2212)  
**RDU:** Civil Division (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	GF Amount
03-0009	Attorney V	FT	A	XE	Anchorage	AA	25L / M	12.0		120,588	3,080	0	54,950	178,618	178,618
03-0030	Attorney IV	FT	A	XE	Juneau	AA	24K	12.0		105,336	2,780	0	50,635	158,751	79,376
03-0036	Law Office Assistant II	FT	A	SS	Anchorage	600	13E	12.0		45,000	0	0	30,368	75,368	75,368
03-0037	Attorney VI	FT	A	XE	Anchorage	AA	26O	12.0		135,900	3,471	0	59,191	198,562	198,562
03-0080	Attorney V	FT	A	XE	Anchorage	AA	25N	12.0		126,444	3,229	0	56,572	186,245	186,245
03-0147	Assoc Attorney I	FT	A	XE	Anchorage	AA	17E / F	12.0		60,464	1,618	0	35,455	97,537	97,537
03-0215	Attorney IV	FT	A	XE	Anchorage	AA	24F / J	12.0		100,155	2,681	0	48,882	151,718	151,718
03-0217	Law Office Assistant I	FT	A	GP	Juneau	202	11B / C	12.0		36,424	0	0	27,942	64,366	48,275
03-0268	Law Office Assistant I	FT	A	GP	Anchorage	200	11B	12.0		34,704	0	0	27,360	62,064	0
03-0270	Law Office Assistant I	FT	A	GP	Anchorage	200	11D	12.0		36,840	0	0	28,083	64,923	64,923
03-0306	Attorney V	FT	A	XE	Anchorage	AA	25O	12.0		131,184	3,350	0	57,885	192,419	144,314
03-0311	Law Office Assistant I	FT	A	GP	Anchorage	200	11D / E	12.0		36,892	0	0	28,101	64,993	64,993
03-0336	Attorney III	FT	A	XE	Juneau	AA	22J / K	12.0		91,715	2,455	0	46,027	140,197	105,148
03-0337	Attorney IV	FT	A	XE	Anchorage	AA	24J / K	12.0		103,434	2,769	0	49,992	156,195	156,195
03-0385	Attorney IV	FT	A	XE	Anchorage	AA	24J / K	12.0		105,336	2,780	0	50,635	158,751	158,751
03-0403	Attorney V	FT	A	XE	Anchorage	AA	25M / N	12.0		124,158	3,171	0	55,939	183,268	183,268
03-0409	Attorney V	FT	A	XE	Anchorage	AA	20K / L	12.0		80,784	2,162	0	42,329	125,275	125,275
03-0411	Attorney V	FT	A	XE	Anchorage	AA	25A	12.0		88,308	2,364	0	44,875	135,547	135,547

<b>Total Positions</b>		<b>New</b>	<b>Deleted</b>	<b>Total Salary Costs:</b>	1,563,666
<b>Full Time Positions:</b>	18	0	0	<b>Total COLA:</b>	35,910
<b>Part Time Positions:</b>	0	0	0	<b>Total Premium Pay:</b>	0
<b>Non Permanent Positions:</b>	0	0	0	<b>Total Benefits:</b>	795,221
<b>Positions in Component:</b>	18	0	0	<b>Total Pre-Vacancy:</b>	2,394,797
				<b>Minus Vacancy Adjustment of 8.94%:</b>	(214,197)
				<b>Total Post-Vacancy:</b>	2,180,600
				<b>Plus Lump Sum Premium Pay:</b>	0
				<b>Personal Services Line 100:</b>	2,180,600

PCN Funding Sources:	Pre-Vacancy	Post-Vacancy	Percent
1004 General Fund Receipts	2,154,112	1,961,443	89.95%
1007 Inter-Agency Receipts	240,685	219,157	10.05%
<b>Total PCN Funding:</b>	<b>2,394,797</b>	<b>2,180,600</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.

**Line Item Detail**  
**Department of Law**  
**Travel**

**Component:** Natural Resources (2212)  
**RDU:** Civil Division (35)

Line Number	Line Name		FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
72000	Travel		55.0	26.3	26.3
Expenditure Account	Servicing Agency	Explanation	FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
<b>72000 Travel Detail Totals</b>			<b>55.0</b>	<b>26.3</b>	<b>26.3</b>
72110	Employee Travel (Instate)	Attorney travel to provide counsel for departments and agencies of state government, including hearings, board meetings and legal counsel in court cases. Investigations and taking depositions for court actions.	44.8	18.8	18.8
72120	Nonemployee Travel (Instate Travel)	Witness travel costs.	0.0	5.0	5.0
72410	Employee Travel (Out of state)		10.2	2.5	2.5

**Line Item Detail**  
**Department of Law**  
**Services**

**Component:** Natural Resources (2212)  
**RDU:** Civil Division (35)

<b>Line Number</b>	<b>Line Name</b>		<b>FY2010 Actuals</b>	<b>FY2011 Management Plan</b>	<b>FY2012 Governor</b>
73000	Services		1,234.3	1,096.0	1,096.0
<b>Expenditure Account</b>			<b>FY2010 Actuals</b>	<b>FY2011 Management Plan</b>	<b>FY2012 Governor</b>
<b>73000 Services Detail Totals</b>			<b>1,234.3</b>	<b>1,096.0</b>	<b>1,096.0</b>
73025	Education Services		2.9	3.5	3.5
73050	Financial Services	Administrative Services	8.8	8.4	8.4
73075	Legal & Judicial Svc		955.9	832.8	832.8
73156	Telecommunication		10.0	10.0	10.0
73225	Delivery Services		2.5	2.5	2.5
73650	Struc/Infstruct/Land		4.0	4.0	4.0
73675	Equipment/Machinery		3.5	3.5	3.5
73750	Other Services (Non IA Svcs)		3.5	3.5	3.5
73805	IT-Non-Telecommnctns	Law	34.0	34.0	34.0
73805	IT-Non-Telecommnctns	Admin	15.0	11.8	11.8
73806	IT-Telecommunication	Admin	26.3	25.6	25.6
73809	Mail	Admin - Central Mail	1.3	1.1	1.1
73811	Building Leases	Admin - Leases	153.8	153.8	153.8
73814	Insurance	Admin - Risk Management	0.5	0.4	0.4
73815	Financial	Admin - Finance	12.0	0.9	0.9

**Line Item Detail**  
**Department of Law**  
**Services**

**Component:** Natural Resources (2212)

**RDU:** Civil Division (35)

<b>Expenditure Account</b>		<b>Servicing Agency</b>	<b>Explanation</b>	<b>FY2010 Actuals</b>	<b>FY2011 Management Plan</b>	<b>FY2012 Governor</b>
			<b>73000 Services Detail Totals</b>	<b>1,234.3</b>	<b>1,096.0</b>	<b>1,096.0</b>
73816	ADA Compliance	Labor - Americans With Disabilities	RSA LABOR, Americans With Disabilities Act.	0.3	0.2	0.2

**Line Item Detail**  
**Department of Law**  
**Commodities**

**Component:** Natural Resources (2212)  
**RDU:** Civil Division (35)

Line Number	Line Name			FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
74000	Commodities			56.9	58.8	58.8
Expenditure Account	Servicing Agency	Explanation		FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
<b>74000 Commodities Detail Totals</b>				<b>56.9</b>	<b>58.8</b>	<b>58.8</b>
74200	Business	E&ED	Library materials including Alaska Statutes, Alaska Code, Advanced Legislative Service and Court Rules; subscriptions, office supplies; software applications, printer cartridges, paper and misc. data processing supplies; computer supplies - desktop refresh, non-capital.	56.9	58.8	58.8

**Line Item Detail**  
**Department of Law**  
**Capital Outlay**

**Component:** Natural Resources (2212)  
**RDU:** Civil Division (35)

Line Number	Line Name		FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
75000	Capital Outlay		36.5	7.2	7.2
Expenditure Account	Servicing Agency	Explanation	FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
<b>75000 Capital Outlay Detail Totals</b>			<b>36.5</b>	<b>7.2</b>	<b>7.2</b>
75830	Info Technology	Computer equipment, printers and modems.	36.5	7.2	7.2

**Restricted Revenue Detail**  
**Department of Law**

**Component:** Natural Resources (2212)  
**RDU:** Civil Division (35)

<b>Master Account</b>	<b>Revenue Description</b>	<b>FY2010 Actuals</b>	<b>FY2011 Management Plan</b>	<b>FY2012 Governor</b>
51015	Interagency Receipts	328.1	260.0	257.3

**Detail Information**

<b>Revenue Amount</b>	<b>Revenue Description</b>	<b>Component</b>	<b>Collocation Code</b>	<b>AKSAS Fund</b>	<b>FY2010 Actuals</b>	<b>FY2011 Management Plan</b>	<b>FY2012 Governor</b>
51015	Interagency Receipts Unprogrammed I/A receipt authority.			11100	0.0	175.0	177.3
59100	Natural Resources Legal services provided to the Mental Health Trust Land Office for issues pertaining to the administration and management of Trust lands.	Mental Health Lands Admin	03208531	11100	29.2	55.0	50.0
59100	Natural Resources Legal services provided to the Agricultural Revolving Loan Fund (ARLF) collections. FY11 relocated RSA to Commercial & Fair Business section.	Agr Revolving Loan Pgm Admin	03208551	11100	0.0	0.0	0.0
59100	Natural Resources Unbudgeted RSA, FGMI Mining Project.	Large Project Permitting	03208608	11100	0.3	0.0	0.0
59100	Natural Resources Unbudgeted RSA, Greens Creek Mine.	Large Project Permitting	03208609	11100	2.7	0.0	0.0
59100	Natural Resources Unbudgeted RSA, Kensington Mine.	Large Project Permitting	03208611	11100	12.2	0.0	0.0
59100	Natural Resources Unbudgeted RSA, Niblack Project.	Large Project Permitting	03208612	11100	0.1	0.0	0.0
59100	Natural Resources Unbudgeted RSA, Pogo Mining Project.	Large Project Permitting	03208613	11100	1.2	0.0	0.0
59100	Natural Resources Unbudgeted RSA, Red Dog Mine.	Large Project Permitting	03208615	11100	1.3	0.0	0.0
59100	Natural Resources	Large Project Permitting	03208616	11100	10.1	0.0	0.0

**Restricted Revenue Detail**  
**Department of Law**

**Component:** Natural Resources (2212)  
**RDU:** Civil Division (35)

<b>Master Account</b>	<b>Revenue Description</b>	<b>FY2010 Actuals</b>	<b>FY2011 Management Plan</b>	<b>FY2012 Governor</b>
51015	Interagency Receipts	328.1	260.0	257.3

**Detail Information**

<b>Revenue Amount</b>	<b>Revenue Description</b>	<b>Component</b>	<b>Collocation Code</b>	<b>AKSAS Fund</b>	<b>FY2010 Actuals</b>	<b>FY2011 Management Plan</b>	<b>FY2012 Governor</b>
	Unbudgeted RSA, Rock Creek Mine.						
59100	Natural Resources Unbudgeted RSA, A & E SMCRA.	Large Project Permitting	03208628	11100	0.1	0.0	0.0
59100	Natural Resources Unbudgeted RSA, Pebble Gold Copper Mining Project.	Large Project Permitting	03208636	11100	3.0	0.0	0.0
59100	Natural Resources Unbudgeted RSA, CINGS	Large Project Permitting	03208655	11100	9.0	0.0	0.0
59100	Natural Resources Unbudgeted RSA, Kotsina River Navigation/Survey Litigation	Large Project Permitting	03208661	11100	14.2	0.0	0.0
59100	Natural Resources Unbudgeted RSA, Kotsina River Geophysical Litigation	Large Project Permitting	03208663	11100	2.6	0.0	0.0
59100	Natural Resources Unbudgeted RSA, Skagway Litigation	Large Project Permitting	03208675	11100	12.5	0.0	0.0
59110	Fish & Game Legal services provided on behalf of the Fish and Game Fund.	Fish and Game Fund	03208528	11100	24.8	30.0	30.0
59110	Fish & Game Unbudgeted RSA, Endangered Species Act Response.	Wildlife Conservation	03208626	11100	194.8	0.0	0.0
59110	Fish & Game Unbudgeted RSA, Carlson v. State	Commercial Fish Entry Commission	03208640	11100	10.0	0.0	0.0

**Inter-Agency Services**  
**Department of Law**

**Component:** Natural Resources (2212)  
**RDU:** Civil Division (35)

Expenditure Account	Service Description	Service Type	Servicing Agency	FY2010 Actuals	FY2011		
					Management Plan	FY2012 Governor	
73050	Financial Services	Timekeeping administration and support.	Intra-dept	Administrative Services	8.8	8.4	8.4
				<b>73050 Financial Services subtotal:</b>	<b>8.8</b>	<b>8.4</b>	<b>8.4</b>
73805	IT-Non-Telecommnctns	RSA Law, Administration and Information Services & Procurement support.	Intra-dept	Law	34.0	34.0	34.0
73805	IT-Non-Telecommnctns	RSA Administration, ETS - Computer Services EPR	Inter-dept	Admin	15.0	11.8	11.8
				<b>73805 IT-Non-Telecommnctns subtotal:</b>	<b>49.0</b>	<b>45.8</b>	<b>45.8</b>
73806	IT-Telecommunication	RSA Administration, ETS -Telecommunication EPR.	Inter-dept	Admin	26.3	25.6	25.6
				<b>73806 IT-Telecommunication subtotal:</b>	<b>26.3</b>	<b>25.6</b>	<b>25.6</b>
73809	Mail	RSA Administration, Central Mailroom	Inter-dept	Admin - Central Mail	1.3	1.1	1.1
				<b>73809 Mail subtotal:</b>	<b>1.3</b>	<b>1.1</b>	<b>1.1</b>
73811	Building Leases	RSA Administration, GS&S - Leased Office Space - AG's Offices.	Inter-dept	Admin - Leases	153.8	153.8	153.8
				<b>73811 Building Leases subtotal:</b>	<b>153.8</b>	<b>153.8</b>	<b>153.8</b>
73814	Insurance	RSA Administration, Risk Management	Inter-dept	Admin - Risk Management	0.5	0.4	0.4
				<b>73814 Insurance subtotal:</b>	<b>0.5</b>	<b>0.4</b>	<b>0.4</b>
73815	Financial	RSA Administration, Finance Chargeback (AKSAS / AKPAY)	Inter-dept	Admin - Finance	12.0	0.9	0.9
				<b>73815 Financial subtotal:</b>	<b>12.0</b>	<b>0.9</b>	<b>0.9</b>
73816	ADA Compliance	RSA LABOR, Americans With Disabilities Act.	Inter-dept	Labor - Americans With Disabilities	0.3	0.2	0.2
				<b>73816 ADA Compliance subtotal:</b>	<b>0.3</b>	<b>0.2</b>	<b>0.2</b>
74200	Business	Library materials including Alaska Statutes, Alaska Code, Advanced Legislative Service and Court Rules; subscriptions, office supplies; software applications, printer cartridges, paper and misc. data processing supplies; computer supplies - desktop refresh, non-capital.	Inter-dept	E&ED	56.9	58.8	58.8
				<b>74200 Business subtotal:</b>	<b>56.9</b>	<b>58.8</b>	<b>58.8</b>
				<b>Natural Resources total:</b>	<b>308.9</b>	<b>295.0</b>	<b>295.0</b>
				<b>Grand Total:</b>	<b>308.9</b>	<b>295.0</b>	<b>295.0</b>