



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

**Department of Environmental  
Conservation**

DIVISION OF ADMINISTRATIVE SERVICES

410 Willoughby Ste 303  
Juneau, Alaska 99801  
Main: 907-465-5010  
Fax: 907-465-5097  
[www.dec.alaska.gov](http://www.dec.alaska.gov)

February 10, 2016

The Honorable Cathy Muñoz  
Chair, House Finance Subcommittee  
State Capitol Room 501  
Juneau AK, 99801

Dear Representative Muñoz:

Some additional questions were raised by Representative Reinbold on February 8<sup>th</sup>, and I have responded to these questions below. If you would like additional information, or have additional questions, I am happy to assist.

***Is any money being spent on global warming issues? If so, how much?***

The Department does conduct work related to climate change issues. These activities are part of the normal course of business and the Department does not track spending specific to climate change issues.

- Pursuant to Administrative Order 238, the Commissioner serves on the Alaska Climate Change Sub-Cabinet;
- The Commissioner takes part in the Alaska Climate Change Executive Roundtable (ACCER), a partnership of State and federal agencies, and in addition, Air Quality staff participate in the steering committee for the Alaska Long Term Monitoring workgroup under ACCER;
- In 2015, the Division of Air Quality conducted a Greenhouse Gas Inventory of emissions for Alaska from 1990 – 2010 related to power production, transportation, economic development, and other human activities;
- The Department worked with agency partners including the Regulatory Commission of Alaska, Alaska Energy Authority, and the Department of Law to provide comments to EPA's proposed Clean Power Plan, which did result in a delay of implementation in Alaska.

***What percent of department people are funded with federal dollars? Do the Feds pay their retirement, office space, benefits, etc., or just their direct work? What benefits does the State get?***

The number of employees funded by federal receipts was provided in a response to the Subcommittee on February 9, 2016. Employee payroll costs paid for by federal receipts include benefits and other payroll costs borne by the State on behalf of the employee. Federal indirect for administrative and overhead costs related to administering federal grants is collected and spent based on approved federal cost allocation plans specific to each division within the Department.

***On what are “standards” based? Are these federal or state or best practices?***

In most cases the Department’s regulations are based on Statutory or federal requirements. Below please find the areas where the Department’s regulations exceed federal requirements:

- The EPA only requires states to protect only demonstrated uses of receiving waters. When the federal Clean Water Act went into effect, the State designated all waters in Alaska as protected for all uses, including for drinking water, aquaculture, recreation, and industrial. There is a procedure to remove a use once it has been designated, but it would be difficult to achieve and would ultimately need to be approved by the EPA.
- Air Non-Point Mobile Source regulations for new wood-fired heating devices in the Fairbanks North Star Borough PM2.5 non-attainment area are more stringent than the EPA’s current standards. These regulations were adopted in 2014 to help bring the area into compliance. An independently peer-reviewed paper documenting the justification was provided and released along with the proposed regulations during the public comment period. All public notices and documentation can be found online here: [http://dec.alaska.gov/air/anpms/comm/fbks\\_pm2-5\\_proposed-regs\\_2013.htm](http://dec.alaska.gov/air/anpms/comm/fbks_pm2-5_proposed-regs_2013.htm). EPA’s standards will be more stringent than the State standards in 2020. A listing of the State and EPA standards for wood-fired heating devices can be found online here: <http://burnwise.alaska.gov/docs/DEC-EPA-Standards.pdf>
- Contingency planning regulations for tank vessels/oil barges, oil terminal facilities, and pipelines/exploration and production facilities include requirements that could be perceived as more stringent than federal requirements, primarily because of the response planning standards set forth in statute (AS 46.04.030). Federal contingency planning requirements require the mobilization of response resources within specified timelines. Alaska law goes beyond timelines for the mobilization of response resources to include a planning “standard” for how much oil a plan holder should actually be able to contain or control, and clean up within a set timeframe (72 hours). For the tank vessels that operate in Prince William Sound, the 72-hour planning standard of 300,000 barrels is quite aggressive in comparison with federal requirements.
- Alaska requirements for permitting pesticide use for water application, aerial application, and application by State agencies to private land, as well as Integrated Pest Management plan requirements for State agencies, all exceed minimum standards set by EPA under the EPA’s Federal Insecticide Fungicide and Rodenticide Act. This is also true of the State requirements for posting and notification for public place pesticide application and school application.
- The State’s animal import regulations are more stringent than the federal interstate movement regulations, as is the case with all other 49 states. Alaska requires testing for some diseases that are not currently in Alaska, but could be transported with animal movements.

In addition, there are several areas the State regulates to protect human health and the environment, where the federal government does not have specific requirements, or where they provide guidelines, but no requirements. These include areas such as pools and spas, retail food, food manufactured for intra-state commerce, direct market fishing vessels, Class C drinking water systems, cleanup levels for contaminated sites, mixing zones, and certain water quality criteria for turbidity and contaminants of concern (e.g. iron, manganese, and petroleum hydrocarbons). There are also areas such as human health criteria for toxic substances where State regulations are calculated based on EPA recommendations. Due to state-specific variables, for example human consumption of aquatic life, used in the calculations, these regulations may exceed national standards.

***Please provide a list of the top 100 salaries and PCN’s for DEC.***

This list is attached.

***Please provide a list of the total travel costs for the department, including per diem expenses for all DEC employees?***

FY2015 Actuals show the Department spent a total of \$1,384.6 in the travel line, \$768.3 less than was budgeted in the FY2015 Management Plan. There is currently \$2,101.0 budgeted for travel in both FY2016 and FY2017, \$51.9 less from what was budgeted in FY2015. Based on current spending, the Department anticipates it will underspend budgeted travel in FY2016.

***Please provide a list of all expenses associated with attending conferences, including fees, travel, meals etc.***

The State of Alaska accounting system records travel expenditures by accounting code (such as airfare, ground transportation, lodging, per diem, etc.), but it does not record travel expenditures by general purpose (conference, inspection, training, etc.). For that reason, we cannot report travel expenditures related to conferences separately from travel for other purposes.

***Please provide a list of the last 60 days of spending (checkbook) for each fiscal year from 2006-2016.***

The Alaska Data Enterprise Reporting (ALDER) system has been unavailable this morning which has interrupted our ability to pull all of this data. The Department will provide these reports as soon as we are able.

***We need the policy regarding the evaluation system for employees in DEC and how many get laid off per year based on low evaluations?***

The State's general policy regarding performance evaluations can be found on the Department of Administration, Division of Personnel and Labor Relations website here: <http://doa.alaska.gov/dop/employeeorientation/generalinfo/>

Information specific to performance evaluations as it relates to each bargaining unit can be found in the individual collective bargaining agreements, which are available here: <http://doa.alaska.gov/dop/LaborRelations/unionContracts/>

The Department's employees are covered under the following bargaining units: General Government (GGU), Supervisory (SU), Labor Trades and Crafts (LTC), and Confidential (KK).

There are disciplinary procedures that must be followed when an employee receives a poor performance evaluation, specific to the governing collective bargaining agreement. Procedures also vary depending on whether the employee is in the probationary period, or if they have been made a permanent employee. In FY2015, five employees were not retained due to disciplinary reasons that may have included poor job performance. There may have been other employees that had begun disciplinary proceedings, but often times employees choose to leave before they are not retained.

***How much money is spent on publications, newsletters, advertisements etc. per year?***

In FY2015, the Department spent \$258.1 on advertising, including required public notices.

The accounting code for printing costs is inclusive of all printing done on Department printers and copiers, lease and maintenance costs related to Department printers and copiers, as well as print jobs that may be sent out to private print shops. For that reason, we cannot report costs specific to printing publications and newsletters.

***How many pink slips have gone out with DEC during the fiscal crisis – 2015 and 2016, and what do you anticipate in 2017? True pink slips/layoffs, not “vacant” positions or people who retired?***

A summary of deleted positions for FY2016 and FY2017, including information specific to vacancies and layoffs, was provided in a response to the Subcommittee on February 9, 2016. In FY2015, the Department took a \$1.4 million decrement and lost five positions related to assumption of section 404 of the Clean Water Act. Three of those five positions were filled. All three incumbents moved into other positions within the Department.

***What is your constitutional basis for having DEC?***

The Department mission and core services are primarily based on the following sections of the Alaska Constitution:

- Article 7, Section 4: Public Health – The legislature shall provide for the promotion and protection of public health.
- Article 8, Section 1: Statement of Policy – It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest.
- Article 8, Section 2: General Authority – The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people.
- Article 8, Section 5: Facilities and Improvements – The legislature may provide for facilities, improvements, and services to assure greater utilization, development, reclamation, and settlement of lands, and to assure fuller utilization and development of the fisheries, wildlife, and waters.

Sincerely,



Tom Cherian  
Director, Division of Administrative Services

Attachments:

List of Top 100 DEC Salaries by PCN

Cc: Alexei Painter, Legislative Finance Division  
Samantha Gatton, Office of Management and Budget  
Crystal Koeneman, Staff to Representative Muñoz

**Department of Environmental Conservation  
FY2017 Governors Top 100 Salaries by PCN**

<b>PCN</b>	<b>Total Salary</b>
18-7084	\$ 156,501.00
18-7002	\$ 149,423.00
18-7435	\$ 143,859.00
18-7035	\$ 143,526.00
18-7188	\$ 142,151.00
18-7684	\$ 139,753.00
18-7000	\$ 137,712.00
18-7160	\$ 135,495.00
18-7327	\$ 134,726.00
18-7656	\$ 133,039.00
18-7552	\$ 129,840.00
18-7395	\$ 129,158.00
18-7795	\$ 128,363.00
18-7379	\$ 128,093.00
18-7423	\$ 127,996.00
18-7010	\$ 127,669.00
18-7568	\$ 126,842.00
18-7371	\$ 126,833.00
18-7274	\$ 126,087.00
18-7812	\$ 125,046.00
18-7284	\$ 124,497.00
18-7394	\$ 122,877.00
18-7489	\$ 121,413.00
18-7070	\$ 121,345.00
18-7556	\$ 120,709.00
18-7579	\$ 120,234.00
18-7006	\$ 119,870.00
18-7122	\$ 119,736.00
18-7779	\$ 118,609.00
18-7285	\$ 118,427.00
18-7437	\$ 118,343.00
18-7164	\$ 116,281.00
18-7703	\$ 115,759.00
18-7629	\$ 115,666.00
18-7441	\$ 115,651.00
18-7236	\$ 114,793.00
18-7040	\$ 114,648.00
18-7387	\$ 114,035.00
18-7381	\$ 113,953.00
18-7510	\$ 113,237.00
18-7072	\$ 112,152.00
18-7158	\$ 110,372.00
18-7001	\$ 109,950.00
18-7453	\$ 109,404.00
18-7475	\$ 109,255.00
25-0074	\$ 108,908.00
18-7162	\$ 108,816.00
18-7749	\$ 108,026.00
18-7660	\$ 107,225.00
18-7704	\$ 106,710.00
18-7810	\$ 106,104.00
18-7137	\$ 105,810.00
18-7215	\$ 105,662.00

<b>PCN</b>	<b>Total Salary</b>
18-7642	\$ 105,437.00
18-7826	\$ 105,323.00
18-7480	\$ 105,291.00
18-7543	\$ 104,884.00
18-7244	\$ 104,217.00
18-7168	\$ 103,935.00
18-7471	\$ 103,652.00
18-7844	\$ 103,584.00
18-7049	\$ 103,325.00
18-7280	\$ 103,294.00
18-7324	\$ 103,283.00
18-7056	\$ 102,972.00
18-7213	\$ 102,768.00
18-7148	\$ 101,992.00
18-7493	\$ 101,988.00
18-7721	\$ 101,766.00
18-7485	\$ 101,634.00
18-7851	\$ 101,568.00
18-7349	\$ 101,359.00
18-7638	\$ 100,958.00
18-7436	\$ 100,934.00
18-7655	\$ 100,814.00
18-7131	\$ 100,557.00
18-7005	\$ 100,544.00
18-7302	\$ 100,368.00
18-7315	\$ 100,367.00
18-7452	\$ 100,308.00
18-7759	\$ 100,005.00
18-7561	\$ 99,605.00
18-7264	\$ 99,504.00
18-7715	\$ 99,156.00
18-7306	\$ 99,156.00
18-7211	\$ 99,140.00
18-7329	\$ 98,841.00
18-7442	\$ 98,446.00
18-7631	\$ 97,953.00
18-7076	\$ 97,952.00
18-7682	\$ 97,328.00
18-7426	\$ 96,661.00
18-7451	\$ 96,452.00
18-7143	\$ 96,294.00
18-7756	\$ 96,060.00
18-7765	\$ 95,756.00
18-7652	\$ 95,544.00
18-7725	\$ 95,448.00
18-7117	\$ 95,211.00
18-7531	\$ 94,243.00