



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Environmental
Conservation

DIVISION OF ADMINISTRATIVE SERVICES

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The Honorable Cathy Muñoz
Chair, House Finance Subcommittee
State Capitol Room 421
Juneau AK, 99801

Dear Representative Muñoz:

Thank you for the opportunity to provide you with a brief overview of the Divisions of Administrative Services and Environmental Health's FY2014 budget requests on February 12th. During our meeting some questions arose that required additional information. I have responded to those questions below. If you would like additional information, or have additional questions, I am happy to assist.

Is the \$400,000 increment request by the Division of Administrative Services to receive a federal grant? (Representative Wilson)

As a clarification, this \$400,000 federal funds increment request is not for a federal grant received by the Division of Administrative Services. The \$400,000 federal funds increment request will allow the Division of Administrative Services to collect allowable indirect costs from grants received by the four programmatic Divisions within the Department. All grants received by the Department are administratively managed by the Division of Administrative Services. Over time, the programmatic Divisions of the Department have received an increasing number of federal grants, and the requirements for tracking and reporting on those grants have expanded dramatically. Given the number of grants and their overall dollar value, the Division of Administrative Services no longer has sufficient federal authority to receive the allowable indirect cost related to the administrative management of these grants.

Is the Environmental Crimes Unit involved in the Fairbanks Air Quality case? If so, why not? What kinds of cases does it get involved in? (Representative Kawasaki)

Fairbanks air quality violations are being handled by the Division of Air Quality through a civil judicial enforcement process. The civil judicial process is used for serious or recalcitrant violators of environmental laws, to seek prompt correction of imminent hazardous situations posing an immediate threat to human health or the environment. The Department may also take criminal enforcement action against a company or individual who has knowingly and willfully committed a violation of the law. In those cases, the matter is referred to the Environmental Crimes Unit (ECU). The ECU enforces the State's environmental laws by investigating cases and collecting evidence to assist in the prosecution of criminal conduct that threatens public health and the environment. As opposed to civil enforcement actions, criminal enforcement actions are usually reserved for only the most serious violations. Court conviction can result in the imposition of fines and/or imprisonment. In this specific instance, the Division of Air Quality did not refer the Fairbanks air quality violations to the ECU for investigation or criminal enforcement. The ECU investigates criminal conduct of violations in Chapter AS 17.20, AS 46.03, AS 46.04, AS 04.09, and AS 46.14.

Does the State have a coordinated plan for Marine Debris clean-up efforts? When will money be available? What beaches are impacted? Are we confident NOAA can and will do their part? Will issuing contracts complicate the process for getting money to organizations doing Marine Debris clean-up? Can volunteers help? (Full Subcommittee)

Tsunami-generated marine debris clean-up is clearly an issue of statewide importance. Under Administrative Order 263, the Department of Environmental Conservation is charged with coordinating the State's response to tsunami-generated marine debris. The Legislature should expect the Administration to come forward in the very near future with a supplemental request to accept funds from the Government of Japan administered by the National Oceanic and Atmospheric Administration. Within the next week, the Department will provide the Legislature with a brief summarizing the tsunami debris situation in Alaska. That brief will address the known extent of the debris accumulation, plans and timeline for clean-up activities, potential costs for clean-up activities, available funds for clean-up activities, and a description of how the Department will coordinate the State's efforts with the participating agencies.

What is included in the Department's measure of "high risk" food establishments? (Representative Wilson)

High risk facilities include restaurants with complex menus, nursing homes, hospitals, and food processors. The risk is assigned using several factors, including the menu and population served.

Sincerely,



Tom Cherian
Director, Division of Administrative Services

Cc: Representatives Austerman and Stoltze, Co-Chairs, House Finance Committee
David Teal & Danith Watts, Legislative Finance Division
Christopher Clark, Staff to Representative Muñoz