

Kenai Peninsula Borough Legal Department

MEMORANDUM

TO: Brent Hibbert, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Brent Johnson, Assembly Vice-President BJ
Melanie Aeschliman, Planning Director MA

FROM: Sean Kelley, Deputy Borough Attorney SK
Samantha Lopez, Acting River Center Manager SL

DATE: March 25, 2021

RE: Ordinance 2021-15, Amending KPB 21.18, Anadromous Waters Habitat Protection, in Accordance with Recommendations Contained in the Final Report of the Work Group Formed to Provide a Review of Chapter 21.18 (Johnson)

The assembly formed the Anadromous Waters Habitat Protection Work Group (work group) via Resolution 2019-058, as amended by Resolution 2020-09, for the purpose of examining the current anadromous waters habitat protection permit process and potentially recommending amendments to KPB 21.18.

The final report, approved by the work group January 28, 2021, provides discussion and justification for the recommendations. The recommendations range from a flagpole exemption to "housekeeping" items that are aimed to clean up and clarify code to repeal and replace KPB 21.18.072 concerning limited commercial activity within the habitat protection district. A map provided by GIS that depicts the recommended commercial activity permit area and the final report accompanies this ordinance.

Your consideration of this ordinance is appreciated.