

Introduced by: Mayor
Date: 11/05/19
Action: Adopted as Amended
Vote: 7 Yes, 2 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2019-058**

**A RESOLUTION ESTABLISHING AN ANADROMOUS STREAMS HABITAT
PROTECTION WORK GROUP**

WHEREAS, in 1996 the Kenai Peninsula Borough Assembly enacted KPB Chapter 21.18 which established areas for regulation of activities for habitat protection within the Kenai River watershed; and

WHEREAS, through Ordinance 2000-08 the assembly expanded the scope of KPB 21.18 to apply to ten tributaries of the Kenai River and 14 additional streams within the east side of Cook Inlet; and

WHEREAS, through Ordinance 2011-12 the assembly expanded the protection area to anadromous waterbodies as listed in the “Atlas and Catalogue of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish”; and

WHEREAS, through Ordinance 2013-18 the assembly identified regulated waterbodies as those in the “Atlas and Catalogue of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish” and in the KPB 21.18 Appendix; and

WHEREAS, on April 6, 2010, May 4, 2010, June 8, 2010, June 21, 2012, May 15, 2102, and April 7, 2013 the assembly enacted amendments to KPB 21.18; and

WHEREAS, KPB 21.18.030 requires a staff review of KPB 21.18 to be presented to the planning commission and assembly every five years beginning in 2015; and

WHEREAS, this work group would establish a public process to fully review this chapter; and

WHEREAS, the review shall recommend whether it is advisable to amend the regulations to make them consistent with the purpose and findings of KPB 21.18 and the comprehensive plan, to take advantage of new information and techniques, to correct deficiencies or difficulties which may have developed in administration, or for other reasons as staff may determine;

NOW THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the work group is established for the purpose of examining the current anadromous stream habitat protection permit process and potentially recommending amendments to KPB 21.18.

SECTION 2. Staff support for the work group shall include a representative from the Kenai Peninsula Borough clerk's office, legal department, and the planning department.

SECTION 3. That the work group shall consist of at least one assembly member; one planning commissioner; and, five members of the public. The group shall elect from among its members a chair and vice-chair who may serve in the absence of the chair. The meetings will be conducted under Roberts Rules of Order. The assembly member shall be appointed by the assembly. The mayor will provide a list of 5 members of the public to be approved by the assembly with representation from the north, south, central, east and west regions of the borough.

SECTION 4. That each meeting time and place shall be advertised, open to the public and subject to the Open Meetings Act.

SECTION 5. The anadromous streams work group shall have no authority to act on behalf of the assembly or the administration or communicate on the borough's behalf other than to make recommendations to the planning commission, administration and assembly.

SECTION 6. The work group shall provide a final report to the planning commission, which may include recommendations for ordinance amendments, by March 23, 2020 and then discontinue unless extended by the assembly.


SECTION 7. That this resolution shall become effective immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH DAY OF NOVEMBER, 2019.



Kelly Cooper, Assembly President

ATTEST:



Johni Blankenship, MMC, Borough Clerk

Yes: Bjorkman, Blakeley, Carpenter, Cox, ~~Hubert~~, Johnson, Snodgrass
No: Cooper, Dunne
Absent: None

