

Introduced by: Mayor, Johnson  
Date: 08/06/24  
Hearing: 09/03/24  
Action: Enacted  
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2024-25**

**AN ORDINANCE AMENDING KPB 21.18.025 TO ADDRESS ADOPTIONS AND DELETIONS OF ANADROMOUS WATERS WITHIN THE SOUTH DISTRICT OF THE KPB 21.18 APPENDIX THAT HAVE BEEN IDENTIFIED IN THE "ATLAS AND CATALOG OF WATERS IMPORTANT FOR SPAWNING, REARING, OR MIGRATION OF ANADROMOUS FISH" PUBLISHED BY THE ALASKA DEPARTMENT OF FISH AND GAME**

- WHEREAS,** the Kenai Peninsula Borough (KPB) is home to vital watersheds that our salmon require to spawn, rear, and grow in; and
- WHEREAS,** maintaining watershed connectivity via riparian habitat buffers along anadromous waterbodies is one crucial tool that has proven to aid in sustaining the Kenai Peninsula's salmon populations; and
- WHEREAS,** Goal 2, Objective D, Strategy 2 of the 2019 KPB Comprehensive Plan calls for the identification and protection of critical natural systems of the KPB, its rivers, watersheds, floodplains and fish and wildlife habitats and resources, specifically through KPB 21.18; and
- WHEREAS,** the Alaska Department of Fish and Game (ADFG) has jurisdiction over anadromous water and maintains the "Atlas and Catalog of Waters Important for the Spawning, Rearing, or Migration of Anadromous Fish" (Catalog); and
- WHEREAS,** KPB 21.18.030(D) requires that ADFG's additions and deletions to the Catalog be reviewed every three years; and
- WHEREAS,** certain waters in the Catalog do not have sufficient ADFG documentation to verify their anadromous status and should not be regulated by KPB Chapter 21.18; and
- WHEREAS,** direct mail notice of this ordinance as required by KPB 21.04.020 was sent to impacted property owners; and
- WHEREAS,** the Planning Commission at its regularly scheduled meeting of August 12, 2024 recommended approval by unanimous consent;

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

**SECTION 1.** That KPB 21.18.025 is hereby amended as follows:

**21.18.025. Application.**

A. The following anadromous waters, as identified in the "Atlas and Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish" published by the Alaska Department of Fish and Game (ADF&G) and listed in the KPB 21.18 Appendix adopted by the assembly and incorporated herein by reference, are subject to this chapter:

[1. KENAI RIVER DISTRICT ANADROMOUS WATERS MADE SUBJECT TO THIS CHAPTER ON MAY 15, 1996.]

[2. MAJOR WATERS DISTRICT ANADROMOUS WATERS MADE SUBJECT TO THIS CHAPTER ON MAY 16, 2000.]

[3]1. West District anadromous waters made subject to this Chapter beginning January 1, 2014.

[4]2. North District anadromous waters made subject to this Chapter beginning January 1, 2014.

a. Including the Kenai River, formerly known as the Kenai River District, made subject to this chapter on May 15, 1996.

b. Including various major waterbodies identified within the KPB 21.18 Appendix, formerly included in the Major Waters District, made subject to this chapter on May 16, 2000.

[5]3. South District anadromous waters made subject to this Chapter beginning January 1, 2014.

a. Including various major waterbodies identified within the KPB 21.18 Appendix, formerly included in the Major Waters District, made subject to this chapter on May 16, 2000.

b. Additional substantiated waterbodies identified in the KPB 21.18 Appendix made subject to this chapter on October 1, 2024.

**SECTION 2.** That this ordinance shall be effective immediately.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD DAY OF SEPTEMBER, 2024.**

*Brent Johnson*

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Brent Johnson, Assembly President

ATTEST:

*Michele Turner*

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Michele Turner, CMC, Borough Clerk



Yes: Cooper, Cox, Ecklund, Elam, Ribbens, Tunseth, Tupper, Johnson  
No: None  
Absent: Hibbert