

Kenai Peninsula Borough

Planning Department – Land Management Division

MEMORANDUM

TO: Brent Johnson, Assembly President
Members. KPB Assembly

THRU: Peter A. Micciche, Mayor *PAM*
Scott Griebel, Road Service Area Director *SG*
Robert Ruffner, Planning Director *RR*

FROM: Marcus A. Mueller, Land Management Officer *mam*

DATE: February 7, 2024

RE: Resolution 2024- 010 , Authorizing the Mayor to Enter into a Memorandum of Agreement with Chugach Electric Association to Provide for Efficient Danger Tree Removal Adjacent to Above-Ground Utility Infrastructure within KPB Lands and KPB Rights-of-Way (Mayor)

The Kenai Peninsula Borough (“KPB”) and Chugach Electric Association (“CEA”) share the common goals of keeping communities safe and resilient to power disruption and reducing wildfire risks as identified in the KPB Community Wildfire Protection Plan. The current spruce bark beetle situation impacting many KPB communities highlights the need to be proactive and to work together to optimize our capabilities in responding to the changing forest conditions.

Recognizing the importance of operationalizing this relationship, the memorandum of agreement (“MOA”) acts as a framework for ongoing collaboration. The Resolution authorizes the Mayor to enter into an MOA with CEA. The MOA itself provides CEA standing permission during utility infrastructure maintenance to enter KPB land or KPB road rights-of-way to address trees that are dangerous to above-ground utility infrastructure. The MOA sets forth standards for operation which ensure the protection of other KPB interests. Additionally, as proposed through a US Forest Service Community Wildfire Defense grant, the MOA can serve as an example for future similar agreements between other power utilities and the KPB or other large landowners.

The activities covered by the MOA are of a maintenance nature. The danger trees are deemed to be of no commercial value for the purposes of the KPB code provisions applicable to disposal of commercial quantities of materials and forest resources.

Your review and consideration of the Resolution is appreciated.