

Introduced by: Scalzi
Date: 11/02/93
Hearing: 12/07/93
Postponed to: 01/18/94
Action: Defeated as Amended
Vote: Unanimous

**KENAI PENINSULA BOROUGH
ORDINANCE 93-54**

**AN ORDINANCE AMENDING KPB CODE 17.50.030, FOREST RESOURCE
DISPOSAL, BY ADDING SECTION C, BUFFER ZONES FOR HIGH VALUE
RESIDENT FISH STREAMS AND RIPARIAN AREAS ON ALL BOROUGH OWNED
LANDS OF THE KENAI PENINSULA BE ESTABLISHED
AT A MINIMUM OF 300 FEET**

- WHEREAS**, the personal use of salmon, the commercial fishing industry's dependence on salmon, and all anadromous high value fish being a main attraction to the tourist trade, are all mainstays of the economy on the Kenai Peninsula; and
- WHEREAS**, the health of commercial fishing, tourism, and personal use rely on a healthy fish and wildlife base; and
- WHEREAS**, the populations of said fish and wildlife are only as strong as their habitat enabling them the ability to procreate; and
- WHEREAS**, poor logging practices in the Pacific Northwest states and British Columbia have proven detrimental to anadromous fishing streams by degrading habitat protection causing washouts during heavy rains and raising water temperatures during periods of droughts beyond marginal limits for salmon reproduction; and
- WHEREAS**, mature spruce can absorb between 100 to 150 gallons of water a day to absorb such extreme fluctuations in precipitation and provide valuable shade cover in periods of drought; and
- WHEREAS**, buffer zones on private lands are a minimum of 66 feet and on state land 100 feet as defined in the Forest Practices Act; and
- WHEREAS**, these are now deemed inadequate by both the Clinton administration and more locally by PacFish; and
- WHEREAS**, it has been recommended by PacFish (Pacific Coast Fisherman's Association) that riparian areas associated with anadromous streams be increased to 300 feet; and

WHEREAS, anadromous streams are owned by all people of the State of Alaska and deserving of its best protection and the Kenai Peninsula Borough is in the best position to safeguard these resources; and

WHEREAS, the Kenai Peninsula Borough Assembly has a responsibility to maintain its existing economic diversification and encourage economic growth;

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

SECTION 1. That KPB Code 17.50.030 is amended by adding:

- C. A 300-foot no-harvest riparian buffer zone shall be identified on both banks of all waterbodies supporting anadromous and high value resident fish on lands owned by the Kenai Peninsula Borough.
- D. Timber harvest activities between 100 and 300 feet from the ordinary high water mark of a water body may occur only by submitting and receiving approval for a variance from the standard described in C.
- E. Timber harvest activities between 100 and 300 feet from the ordinary high water mark of a water body may occur with approval by the mayor or his designee with due deference given to the Alaska Department of Fish and Game regarding the effects on fish and wildlife habitat from timber harvesting in riparian areas.
- F. No timber harvesting activities shall be permitted in the riparian buffer area within 100 feet of the ordinary high water mark of a water body except for stream crossings described in the timber harvest operational plan and reviewed by the Alaska Department of Fish and Game pursuant to AS 16.05.870.

SECTION 2. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE KENAI PENINSULA BOROUGH ASSEMBLY THIS ____ DAY OF _____, 1993.

Betty J. Glick, Assembly President

ATTEST:

Gaye J. Vaughan, Borough Clerk