

Introduced by:	Torgerson
Date:	11/02/93
Public Hearing:	12/07/93
Postponed to:	01/18/94
Action:	Enacted as Amended
Vote:	6 yes, 1 no

**KENAI PENINSULA BOROUGH
ORDINANCE 93-55**

**AN ORDINANCE AMENDING KPB 17.08.020, CONTRACTS
FOR RESOURCE EXTRACTION**

BE IT ORDAINED BY THE KENAI PENINSULA BOROUGH ASSEMBLY:

SECTION 1. That KPB Code Section 17.08.020 is amended to read:

17.08.020. General terms and conditions applicable to all contracts.

A....
B....
C....
D....
E....
F....
G....
H....
I....
J....

K. All use activities shall be conducted with appropriate planning including environmental assessments and notification to agencies involved in the management of these resources.

L. All timber management will be subject to the requirements of the State of Alaska Forest Resource and Practices Act and regulations. In case of conflict between the State of Alaska Forest Practice Act and the Kenai Peninsula Borough Code, the Kenai Peninsula Borough Code shall govern in all cases where the requirements exceed those of the State of Alaska.

M. Riparian standards for borough lands. No forest operator will be allowed to cause any resource extraction within a 300 foot distance of any anadromous streams within the boundaries of the Kenai Peninsula Borough, except as outlined below:

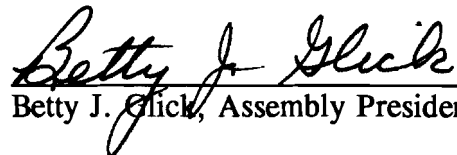
1. A 300-foot no-harvest riparian buffer zone shall be identified on both banks of all waterbodies supporting anadromous and high value resident

fish on lands owned by the Kenai Peninsula Borough.

2. 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 item 1.
3. 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.
4. 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 or life and safety conditions 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 upon adoption.

ENACTED BY THE KENAI PENINSULA BOROUGH ASSEMBLY THIS 18th DAY OF JANUARY, 1993.


Betty J. Glick, Assembly President

ATTEST:


Gaye J. Vaughan, Borough Clerk