

Introduced by:	Mayor
Substitute Introduced:	05/19/09
O2008-19-54 (Mayor)	See Original for Prior History
Hearing:	05/19/09
Action:	Enacted
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2008-19-54**

(MAYOR) SUBSTITUTE

**AN ORDINANCE ACCEPTING AND APPROPRIATING \$98,080 FROM THE U.S.
DEPARTMENT OF INTERIOR FOR TWO RIVERBANK RESTORATION PROJECTS
IN THE CROOKED CREEK AREA**

WHEREAS, the Coastal Impact Assistance Program (CIAP) was established under Section 384 of the Energy Act of 2005 and authorizes the Secretary of the Interior to disburse funds to Outer Continental Shelf oil and gas producing states; and

WHEREAS, the purpose of the CIAP is to provide funding through a noncompetitive grant process to oil and gas producing states to mitigate the effects of offshore oil and gas activities; and

WHEREAS, eligible recipients of CIAP funds in Alaska are those communities that participate in the Alaska Coastal Management Program, which includes the Kenai Peninsula Borough; and

WHEREAS, eligible recipients are required to submit a list of approved projects to the Alaska Department of Natural Resources, and upon their approval the projects are forwarded to the U.S. Minerals Management Service for final approval; and

WHEREAS, four worthy projects throughout the Peninsula were approved through adoption of KPB Resolution 2007-032; and

WHEREAS, through adoption of Resolution 2008-17 the Crooked Creek Recreational Area Riverbank Restoration Project was added to the assembly-approved list of CIAP projects; and

WHEREAS, most of the assembly-approved projects have also been approved by the State and the U.S. Department of Interior, Minerals Management Service, for funding under CIAP; and

WHEREAS, the Borough has received notice of two grant awards for Crooked Creek Riverbank Restoration Projects: \$83,080 for restoration in the State recreation area, and \$15,000 for bank restoration and habitat protection at Crooked Creek near the Sterling Highway and Johnson Lake Road; and

WHEREAS, the assembly finds it is in the best interest of the Kenai Peninsula Borough to participate in the Coastal Impact Assistance Program;

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

SECTION 1. That the mayor is authorized accept the above-described grants from the U.S. Department of Interior, Minerals Management Service, in the amounts of \$83,080 and \$15,000, through its Coastal Impact Assistance Program, and is authorized to execute grant agreements and any other documents deemed necessary to accept and expend the grants and fulfill the intents and purposes of this ordinance.

SECTION 2. That grant funds totaling \$98,080 are hereby appropriated to the following accounts:

\$83,080 to account 251.21135.15161.49999 - Crooked Creek State Recreation Area Riverbank Restoration Project

\$15,000 to account 251.21135.15197.49999 - Crooked Creek bank restoration and habitat protection

SECTION 3. That due to the length and nature of this project, the appropriation established through this ordinance shall not lapse at the end of any particular fiscal year.

SECTION 4. This ordinance shall become effective immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 19TH DAY OF MAY, 2009.



Milli Martin, Assembly President

ATTEST:



Johni Blankenship, Borough Clerk



Yes: Fischer, Knopp, Long, Pierce, Smalley, Smith, Sprague, Superman, Martin
No: None
Absent: None