



ACMP Enhancement Grants Program

Proposal No. 1 of 1

DEADLINE: February 27, 2009

PROJECT TITLE: Western Kenai Peninsula Legal Access Study

Amount of FY 2010 Funding Requested: \$21,350.00

Project Contact: Gary Williams

Organization: Kenai Peninsula Borough

EGP

Mailing Address: 514 Funny River Rd.
Soldotna, Alaska 99669

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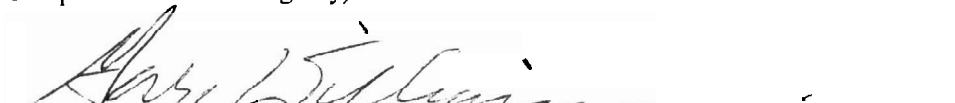
Fax No.: 907 260-5992

Email: gwilliams@borough.kenai.ak.us

APPLICANT SIGNATURE: The applicant certifies that this proposal is approved by the coastal district or State agency.

Authorized Signature

(Coastal Coordinator if a coastal district, or appropriate state agency staff or Alaska Coastal Management Program (ACMP) Working Group member if a state agency)


Printed Name and Title *zone coordinator*

2/27/09
Date

Include a letter of support from the affected coastal district, if an agency proposal.

SECTION 309 PROGRAM ENHANCEMENT OBJECTIVE(S): The high-priority enhancement grant categories are listed below. Please identify the categories this project addresses. For district plan amendments, check Cumulative and Secondary Impacts.

- | | |
|---|---|
| <input checked="" type="checkbox"/> Coastal Hazards | <input type="checkbox"/> Cumulative and Secondary Impacts |
| <input type="checkbox"/> Ocean Resources | <input checked="" type="checkbox"/> Public Access |

STATEMENT OF PROJECT PURPOSE AND OBJECTIVES: Briefly describe the primary purpose and objectives of the project.

Purpose

This project will enable the Kenai Peninsula Borough CMP to inventory legal coastal public access points designated on subdivision plats for the western Kenai Peninsula from the peninsula's northerly end to the Fox River near Homer. This inventory will enable the public to know where they have a legal right to access coastal bluffs and beaches. Land and right-of-way managers will have a central point of reference in planning and managing coastal access points. Projects involving coastal access will receive a more thorough consistency review. Access points that are illegal will be more easily identified and managed appropriately.

Objectives

With knowledge of the existence of all section line easements and rights-of-way dedicated on subdivision plats, we will know whether existing traveled ways to bluffs and beaches are legally established and who the legal owner is. We will learn whether the access is within the legal footprint of the easement or right-of-way. We will be able to map the legal access points and share this information with state and federal land management agencies. We will seek to amend our coastal zone management program to reflect these findings in policy changes. This study will help us identify areas of coastal erosion that result from inappropriate use of legal public access points.

STATEMENT OF THE ISSUE OR PROBLEM: Describe the issue, problem, or public need for the project.

The Kenai Peninsula Borough bluff line is increasingly being cut by parties known and unknown to access the shore for commercial and recreational use. Whether these access points are within section lines or dedicated by plat is unknown. The proliferation of bluff cuts has serious implication for bluff erosion which is threatening commercial and residential properties. State, federal and borough entities may be liable for damage caused to adjacent properties by allowing inappropriate and erosive use of public rights-of-way.

RELATIONSHIP TO THE 309 ASSESSMENT/STRATEGY: Describe how this project will enhance or contribute to meeting the priority needs and objectives identified in Alaska's Enhancement Grants Program 2006 Assessment & Strategy.

Coastal erosion in South-Central Alaska has been identified under the high priority section regarding coastal hazards in the 309 assessment. It directly addresses the identified impediment to program objectives, "there is a lack of mapped hazards to facilitate hazard vulnerability identification throughout the state specifically at the community level". This project will enable the borough to map legal coastal access points.

DESCRIBE HOW THE PROJECT WILL BE USED: Explain how this project will contribute to improved coastal management in Alaska. What is the overall benefit to the public? Where applicable, describe how this project might benefit other agencies or coastal districts in Alaska, or other states.

After the inventory is complete and having drawn the easements into ArcMap, this information will be distributed via CD-Rom to federal, state and local land managers. The inventory will be placed on the borough's GIS website, published in hard copy and noted on the KPBCZMP web page that the information is available to members of the public on CD-Rom. This information will assist managers to properly assess and manage legal access points insuring that viable, legal access points are maintained in public use. Legal access points that have become traveled ways without proper authority and are contributing to bluff erosion may be identified and managed. Legal access points that have been "taken" for private use or which have been blocked to public use may be identified.

At the coastal district level, this project will be especially useful to the borough during its re-evaluation of ordinances concerned with protection of water bodies from inappropriate use or access and in consistency reviews where evaluation of coastal access and natural hazard standards are involved.

DESCRIBE SUPPORT FOR THE PROJECT: Have you or others already committed, or intend to commit, resources to this project (funding, in-kind services, technology, other)? If so, please describe. Describe district support for the project. Provide any examples of local support (minutes from meetings, resolutions).

The Kenai Peninsula Borough is in its second phase of study of the causes of erosion on the Kenai Peninsula. In addition, the Kenai Peninsula Borough has commissioned a guide book for coastal property owners describing natural coastal processes and advice and recommendations for good stewardship of coastal property.

The borough will commit office facilities and administrative and technical staff to affect and/or oversee the project. Borough staff will utilize GIS staff and ArcMap software to create the mapped product.

STATEMENT OF ACMP PROGRAM CHANGE/PRODUCTS: Please indicate and describe below the program change to the ACMP, as required by NOAA, OCRM, that will result from the project. What other interim or final products will the project produce? If the project will take more than one year, describe fully the first year's interim products.

- New or revised ACMP statutes or regulations
- Revisions to approved coastal district plans to add or revise enforceable policies, designated areas, or resource inventory and analysis
- MOU/MOA
- Implementation of approved program changes
- Revisions or additions to the "ABC" List

Program Change Description:

This study will provide a sound basis for further refinement of the coastal program's Natural Hazards and Recreational and Coastal access policies. The study will result in changes to Issues of Local Concern, Goals and Objectives and Enforceable Policies to the extent the Kenai Peninsula Borough Assembly determines acceptable.

Interim Products:

Inventory of legal access to Kenai Peninsula bluffs and shorelines.
Inventory mapped in ArcView.

Final Products:

An amendment to the Kenai Peninsula Borough Coastal Zone Management Program.

DESCRIPTION OF PROJECT DESIGN/METHODOLOGY: Describe program methodology. Describe how the project will achieve the ACMP program change and stated project objectives. Describe the public outreach/education component. Describe any research component (case file study, survey, field work, interviews, literature search, reports, peer review, etc). Will the project use innovative techniques? What, if any, technical support or equipment would the agency seek to complete the project? Will the project use steering committees or working groups? How would districts, agencies, and the public be involved in the project? If you involve other agencies or a coastal district, do you have their agreement to participate in this project? Will any of the funds support their participation?

Through the use of Kenai Peninsula Borough planning, platting and GIS staff and with the assistance of a title company or other research professional, the subdivision plats on the Kenai Peninsula will be researched to determine the existence of legal easements and rights-of-way adjacent to the peninsula's bluff and shoreline. This information will be drawn into ArcMap and will be provided to government agency land managers. Information found to be in conflict with that of government agencies will be further researched.

The information gained in this research will be compared to aerial photography as a first step in ground-truthing. A second step will involve going on site to determine the condition of the access point.

All projects need to result in a program change. A phased project is an option. Phase I can be the gathering of information and Phase 2 can be the actual program change (e.g. change to a coastal district plan, new designated areas, etc.).

Is your Project PHASED? Yes / no

PROJECT TIME FRAME: Estimate the time frame to complete the project. Multi year projects will be considered. However, this grant can only provide funding for Fiscal Year (FY) 2010. Provide a project time line and completion dates for interim products (e.g., draft regulations, reports), benchmarks (e.g., public review, legislative action), final products, and the ACMP program change(s). If the project will be undertaken in phases, describe what will be completed in each phase (and each State fiscal year, if applicable).

PHASE 1

Interim Products:

<u>Completion Date</u>	<u>Product</u>
December 31, 2009	Complete the inventory of legal access points and draw into ArcMap.

Benchmarks:

<u>Completion Date</u>	<u>Product</u>
October 31, 2009	Complete plat research and ground-truthing as necessary
November 30, 2009	Draw results of research into ArcMap.
December 30, 2009	Share results with government agencies. Seek feedback.

Final Products:

<u>Completion Date</u>	<u>Product</u>
January 30, 2010	Draw final results into ArcMap and distribute to agency managers.

PHASE 2

ACMP Program Change:

<u>Completion Date</u>	<u>Product</u>
May 30, 2010	Revision to KPB CZM Program: Issues of Concern; Goals and Objectives; Enforceable Policy changes. Publish results and distribute as required by ACMP regulations.

PROJECT BUDGET: Estimate project costs for FY 2010. Also estimate future funding needs for this project. Yearly products will be reviewed to evaluate future funding requests.

FY 2010

Category	Amount	Rationale (brief description of how funds will be spent)
Personal Services	\$14,000	260 staff research and coordination hours on 500 plats and parcels. Draw legal access points into ArcMap.
Contractual Printing/production Postage Software Teleconference/ Telephone Room rental Consultant Other	\$6,850	Title company (or other professional) research on 137 plats @ \$50.00 ea. Publish results of interim and final results on CD-Rom.
Equipment		
Supplies		
Travel	\$500.00	Site visits to ground-truth results of easements and R/W research. 800 miles @ .61 per mile (borough rate).
Total	\$21,350.00	

BUDGET NARRATIVE: Describe how the above cost estimates are figured for each category (e.g., %FTE of personal services).

- Personal Services: 260 hours of plat and parcel examination and time drawing legal access points into ArcMap. 100 hours of project coordination, ground-truthing and reporting.
- Contractual: Qualified plat examiner to research legal access dedications particularly federal transfer to state ownership, determination of actual width.
- Travel: As detailed above. Travel to location on beach or bluff to photograph and narratively describe access condition.

Future Funding Needs, beyond FY 2010

Category	Amount	Rationale (brief description of how funds will be spent)
Personal Services	\$1,000.00	Revise Issues, Goal and Objectives and Enforceable Policies section of CZM plan
Contractual Printing/production Postage Software Teleconference/ Telephone Room rental Consultant Other	\$1,500.00	Reproduce plan in hard copy and CD-Rom and distribute as required by ACMP regulations
Equipment		
Supplies		
Travel		
Total	\$2,500.00	

**Full Grant Proposals must be received by DCOM by mail, fax, or email by
February 27, 2009, 4:30 p.m.**

**Send your grant application to:
Division of Coastal and Ocean Management
302 Gold Street, Suite 202
P.O. Box 111030
Juneau, AK 99811-1030**

