



KENAI PENINSULA BOROUGH

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**DAVID R. CAREY
BOROUGH MAYOR**

MEMORANDUM

TO: Pete Sprague, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: ~~Mary~~ David R. Carey, Borough Mayor

FROM: John Mohorcich, Director, Donald E. Gilman River Center

DATE: February 12, 2010

SUBJECT: Ordinance 2010- 14, KPB Chapter 21.18 review and recommendations

KPB 21.18.030 calls for a regular review of the benefits and effectiveness of KPB 21.18. In preparation for this review the borough supported a study completed by the Kenai Watershed Forum, (KWF) in 2009. All of the KWF reports and findings are available on the Donald E. Gilman River Center web site <http://www.kenairivercenter.org/workinggroup/index.html>. Attached is the second round of proposed revisions to the habitat protection ordinance as part of the Phase 1 review process.

The ordinance for introduction includes proposed changes to four separate sections of the existing code: 21.18.070(A) activities not requiring a permit, 21.18.070(B)(3), abdicating to the federal and state government; 21.18.070(B)(4) and (5), height and light requirements; and 21.18.070(B)(6), fish cleaning table standards. The rationale supporting each proposed revision is detailed in the power point presentation included in the assembly packet.

As part of the code review process, staff has presented power point presentations to the KPB 21.18 Interest Group, the KPB Planning Commission, and to the Kenai River Special Management Area Board regarding the recommended changes to KPB 21.18.070.

Staff's proposed recommendations are based on shortcomings of current code language, our experience in the field, research of similar municipal codes, goals and policies of the Kenai Peninsula Borough Comprehensive Plan, and public input through the 21.18 Interest Group. Staff will continue to work closely with the Planning Commission and Interest Group, which in turn will provide valuable specific recommendations.