

Introduced by:	Mayor
Date:	09/07/10
Hearing:	10/12/10
Action:	Enacted
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2010-19-15**

**AN ORDINANCE ACCEPTING AND APPROPRIATING \$98,271.68 FROM THE U.S.
DEPARTMENT OF INTERIOR FOR THE CROOKED CREEK STATE RECREATION
AREA RIVERBANK RESTORATION PROGRAM UNDER THE COASTAL IMPACT
ASSISTANCE PROGRAM**

- 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 non-competitive 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, henceforth known as the Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE), for final approval; and
- WHEREAS,** the Crooked Creek State Recreation Area Riverbank Restoration project was approved for funding by the Kenai Peninsula Borough Assembly through adoption of KPB Resolution 2008-017; and
- WHEREAS,** in addition to previous funding the borough has received a second grant award via a grant amendment from BOEMRE for the Crooked Creek State Recreation Area Riverbank Restoration Program in the amount of \$151,351.68; and
- WHEREAS,** the assembly approved and appropriated a portion of this award by way of Ordinance 2009-19-12 in the amount of \$53,080 as detailed in the attached memo; and
- WHEREAS,** this ordinance will approve the remaining funds in the amount of \$98,271.68 to complete the total project; 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 to accept the remaining funds from the U.S. Department of Interior, Bureau of Ocean Energy Management, Regulation and Enforcement in the amount of \$98,271.68 through its Coastal Impact Assistance Program, and is authorized to execute grant agreements and any other documents deemed necessary to accept and expend the grant and fulfill the intents and purposes of this ordinance.

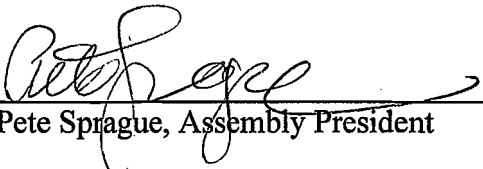
SECTION 2. That grant funds totaling \$98,271.68 are hereby appropriated to account number 251.21135.15161.49999, Crooked Creek State Recreation Area Riverbank Restoration, for the purpose of completing the project approved in KPB Resolution 2008-017.

SECTION 3. It is the borough's intent to award this project through a competitive bid process.

SECTION 4. That due to the length and nature of this project, the appropriation established through the ordinance shall not lapse at the end of any particular fiscal year.

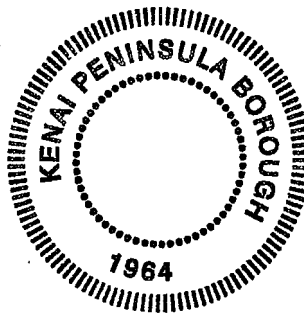
SECTION 5. This ordinance shall become effective immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 12TH DAY OF OCTOBER, 2010.


Pete Sprague, Assembly President

ATTEST:


Johni Blankenship, Borough Clerk



Yes: Fischer, Haggerty, Knopp, McClure, Pierce, Smalley, Smith, Superman, Sprague
No: None
Absent: None