

Introduced by: Merkes, Brown
Date: December 2, 1997
Action: Adopted
Vote: 7 Yes, 1 No,
1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 97-089**

**A RESOLUTION REQUESTING THE COMMISSIONER OF THE DEPARTMENT OF
NATURAL RESOURCES TO REVIEW AND CLARIFY THE COMPOSITION AND
AUTHORITY OF THE KENAI RIVER SPECIAL MANAGEMENT AREA BOARD**

WHEREAS, the Alaska Legislature established the Kenai River Special Management Area (KRSMA) as a State Park in 1984 according to AS 41.21.502; and

WHEREAS, the Legislature also required the Commissioner of the Department of Natural Resources to appoint a KRSMA Advisory Board, with members who are representative of user groups according to AS 41.21.510; and,

WHEREAS, the Board's duty and authority was established in AS 41.21.510, which specifically is to advise and make recommendations to the Commissioner of the Department of Natural Resources concerning a Plan for the Special Management Area; and,

WHEREAS, the KRSMA Board gave its recommendations to the Commissioner in 1991 and a plan was adopted by the Commissioner; and,

WHEREAS, in 1995 the Commissioner requested the Board to recommend any modifications to the plan; and

WHEREAS, the KRSMA Board has submitted a draft proposal to the Commissioner; and

WHEREAS, the KRSMA Board has stated its intention to submit an application to the U.S. President and Cabinet for nominating the Kenai River as an American Heritage River, an action not authorized in the Plan or the Statutes.

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

SECTION 1. That the Commissioner issue an opinion before December 4, 1997 on the authority of the KRSMA Board to initiate and apply to the President and Cabinet an application for nominating the Kenai River as an American Heritage River.


SECTION 2. That the Commissioner issue a statement to the Board clarifying its status and obligations.

SECTION 3. That the Commissioner revisit the composition of this Board to ensure it properly represents user groups and to minimize the real or apparent conflict of interest in its members.

SECTION 4. That this resolution takes effect immediately upon its adoption; and

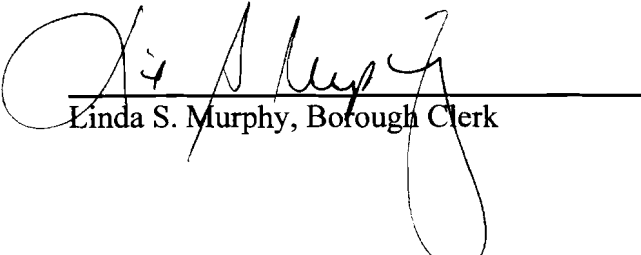
SECTION 5. That upon its adoption, copies of this Resolution be sent to Governor Knowles, Commissioner Shively, Senator John Torgerson, Senator Jerry Ward, Senator Georgianna Lincoln, Representative Gail Phillips, Representative Gary Davis, Representative Mark Hodgins, Representative Irene Nicholia, and KRSMA Board President Ben Ellis.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 2ND DAY OF DECEMBER, 1997.



Jack E. Brown, Assembly President

ATTEST:



Linda S. Murphy, Borough Clerk