

Introduced by: Mayor  
Date: 9/21/04  
Hearings: 10/12/04 & 10/26/04  
Action: Enacted as Amended  
Vote: 9 Yes, 0 No

**KENAI PENINSULA BOROUGH  
ORDINANCE 2004-33**

**AN ORDINANCE ADOPTING THE 2004 KENAI PENINSULA BOROUGH  
ALL-HAZARD MITIGATION PLAN**

**WHEREAS**, the Kenai Peninsula Borough is threatened by many forms of natural hazards, including floods, earthquakes, fires and severe weather; and

**WHEREAS**, since 1995, the Kenai Peninsula Borough has suffered four major disaster events; and

**WHEREAS**, the disasters were declared by the Borough Mayor, Governor of Alaska, and President of the United States, which enabled the Borough to receive federal disaster relief funding; and

**WHEREAS**, the Borough received notice from the State of Alaska Division of Homeland Security and Emergency Management (DHS&EM) and the Federal Emergency Management Agency (FEMA) that an adopted All-Hazard Mitigation Plan is required by November 1, 2004 as a prerequisite of future mitigation funding; and

**WHEREAS**, in 2003, the Kenai Peninsula Borough received two grants from the DHS&EM to develop a multi-jurisdictional All-Hazard Mitigation Plan for the Borough and incorporated cities to use for comprehensive planning; and

**WHEREAS**, the purpose of a pre-disaster mitigation plan is to reduce community vulnerability to disaster losses; and

**WHEREAS**, hazard mitigation has proven to be cost effective across the nation and in the State of Alaska; and

**WHEREAS**, the final draft of the Interagency All Lands/All Hands Action Plan, a 5-year strategic plan proposing wildland fire prevention and protection, hazard fuel reduction, forest ecosystem restoration, and community assistance activities within the Kenai Peninsula Borough, will be incorporated into the All-Hazard Mitigation Plan as the wildfire hazard mitigation section; and

**WHEREAS,** the Kenai Peninsula Borough cooperated with the DHS&EM, Cities of Homer, Kachemak, Kenai, Seward, and Soldotna, and the All Lands/All Hands Interagency Wildfire Mitigation group and undertook a public participation process that included public notices and meetings with advisory planning groups, email, mail, and phone outreach to stakeholders, and establishment of an informational online website, which included a public hazard survey; and

**WHEREAS,** the Planning Commission at its October 11, 2004 meeting recommended approval by unanimous consent; and

**WHEREAS,** the draft plan was reviewed by the public, the stakeholders and the Kenai Peninsula Borough Planning Commission; and

**WHEREAS,** the formation of a steering committee is important to successful implementation of the All-Hazard Mitigation Plan.

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

**SECTION 1.** That the All-Hazard Mitigation Plan and the Interagency All Lands/All Hands Action Plan are hereby adopted by the Kenai Peninsula Borough Assembly and enacted as Chapter 2.80 Hazard Mitigation. The Mayor is authorized to make administrative changes and advise the Assembly.

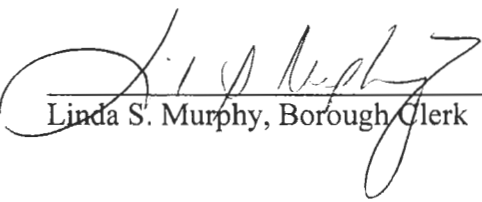
**SECTION 2.** A steering committee will be established to implement the All-Hazard Mitigation Plan. The committee will be composed of the following Department heads or their designees: the Mayor's Office, Planning, Capital Projects, Emergency Management, Risk Management, Road Service Area, Solid Waste, Maintenance, Spruce Bark Beetle, and the Kenai Peninsula School District. The steering committee will be coordinated through the office of the Mayor.

**SECTION 3.** That this ordinance shall take effect immediately upon its enactment.

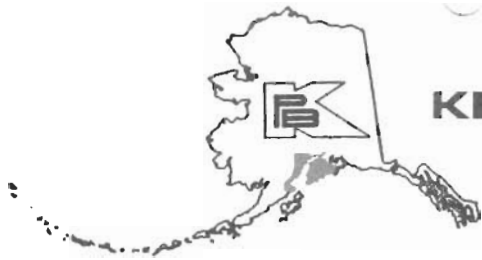
**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 26TH DAY OF OCTOBER, 2004.**

  
\_\_\_\_\_  
Gary Superman, Assembly President

ATTEST:

  
\_\_\_\_\_  
Linda S. Murphy, Borough Clerk





## KENAI PENINSULA BOROUGH

144 N. BINKLEY • SOLDOTNA, ALASKA • 99669-7599  
BUSINESS (907) 262-4441 FAX (907) 262-1892

DALE BAGLEY  
MAYOR

### MEMORANDUM

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

**THRU:** *DLB* Dale L. Bagley, Borough Mayor

**THRU:** *PO* Max Best, Planning Director

**FROM:** David Gibbs, Emergency Manager *(DAG)*

**DATE:** September 9, 2004

**SUBJECT:** Ordinance 2004-33, Adopting the All-Hazard Mitigation Plan for the Kenai Peninsula Borough.

In 2003, the Office of Emergency Management applied for, and received, \$50,000 in grant funding to prepare a Borough-wide multi-jurisdictional All-Hazard Mitigation Plan (Plan). The funding was accepted and appropriated under Ordinances 2003-19-15 (\$20,000) and 2003-19-26 (\$30,000). The Borough must have a FEMA approved plan in place by November 1, 2004 to be eligible for certain types of hazard mitigation funding.

The purpose of this hazard mitigation planning effort is twofold: first, as a viable tool for reducing community vulnerability to disaster loss and damage; and second, as a prerequisite for receiving certain types of future federal and state hazard mitigation funding.

To fulfill the multi-jurisdictional aspects of the Plan, the Borough coordinated project planning, public outreach and plan development with the six incorporated cities: Homer, Kachemak, Kenai, Seldovia, Seward, and Soldotna. Five of the cities have chosen to complete draft plans, which are included in the KPB Plan as Annex Sections. Each city will formally adopt their own plan. Although an Annex Section was reserved for the City of Seldovia, it has opted to complete its plan in conjunction with development of an emergency response plan at a later date.

To ensure timely submission of the plan to FEMA a final hearing is requested on October 26, 2004.

The final draft of the Interagency All Lands/All Hands (AL/AH) [Wildfire] Action Plan has been incorporated into the All-Hazard Mitigation Plan as the wildfire hazard mitigation section (see Annex H). Although the AL/AH will be adopted as part of the All-Hazard Mitigation Plan, it

will be implemented through the interagency agreements specifically spelled out in the AL/AH Action Plan document. The All-Hazard Mitigation Plan will be implemented through a steering committee composed of Borough Department heads or their designees.

Final drafts of the All-Hazard Mitigation Plan will be provided to the Assembly in advance of the October 26 meeting. Copies of the nearly completed draft are currently available from the Clerk's office as well as on the KPB All Hazard Mitigation Plan website (<http://www.borough.kenai.ak.us/emergency/hazmit/plan.htm>).

Due to the relatively short adoption process timeframe, the Plan will be provided to the members of the Planning Commission for consideration during their September 27 and October 11 meetings.



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DALE BAGLEY  
MAYOR

### MEMORANDUM

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

THRU: *E.O.* Dale L. Bagley, Borough Mayor

FROM: *m* Max J. Best, Planning Director

DATE: October 14, 2004

SUBJECT: Ordinance 2004-33; Adopting the All-Hazard Mitigation Plan for the Kenai Peninsula Borough

The Planning Commission reviewed the subject ordinance during their regularly scheduled October 11, 2004 meeting. A motion to recommend enactment of the ordinance passed by unanimous consent.

Draft, unapproved minutes of the subject portion of the meeting are attached.

Commissioner Isham stated that this is probably the first of many that will be received. This is a test of whether we will allow them to go through or not.

Commissioner Hutchinson commented that it says in Section One of the resolution that the contents of the Sterling Community Plan be taken into consideration. It needs to be acknowledged and taken into consideration to use it or not. He stated that it is pretty cut and dry.

Commissioner Johnson stated he agrees with Commissioner Troeger that the responsibility falls on the Planning Commission to put the Comprehensive Plan together. The input from each of the communities from the advisory planning commissions is valuable. He states this is input and sees no harm with mentioning it in the Comprehensive Plan. Commissioner Johnson will be voting in favor of the Sterling Plan.

Chairman Bryson called for a Role Call Vote

**VOTE:** The motion passed by majority consent.

BRYSON NO	CLARK NO	FOSTER YES	GROSS YES	HOHL YES	HUTCHINSON YES	ISHAM YES
JOHNSON YES	MARTIN ABSENT	MASSION YES	PETERSEN YES	TAURIAINEN YES	TROEGER NO	9 YES 3 NO 1 ABSENT

7. Ordinance 2004-33; Adopting the All-Hazard Mitigation Plan for the Kenai Peninsula Borough

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To fulfill the multi-jurisdictional aspects of the Plan, the Borough coordinated project planning, public outreach and plan development with the six incorporated cities: Homer, Kachemak, Kenai, Seldovia, Seward, and Soldotna. Five of the cities have chosen to complete draft plans, which are included in the KPB Plan as Annex Sections. Each city will formally adopt their own plan. Although an Annex Section was reserved for the City of Seldovia, it has opted to complete its plan in conjunction with development of an emergency response plan at a later date.

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END OF STAFF REPORT

Director Best introduced Glenda Landua who wrote the Hazard Mitigation Plan. He referred any questions to Ms. Landua.

Chairman Bryson asked Ms. Landua to explain what the reference to Kenai Annex constitutes.

Ms. Landua explained that the state and FEMA required the Borough to do a multi-jurisdictional plan. The Borough met with the incorporated cities, asked them to participate in the planning process and to write their own plans. She comments this is a layered plan in that the state has a plan; under the state's umbrella the Borough has a plan; under the Borough's umbrella, each of the cities have a plan. The cities are adopting their own plans. The City of Kenai has an annex into the Borough's plan but the Borough is not adopting the city's annex. The Borough is coordinating with implementation of the planning process and the mitigation strategies whenever it is appropriate. Ms. Landua along with the help of Ann Garibaldi focused on the areas that were not incorporated and the cities focused on the incorporated areas. She states as the drafts were put together, the cities gave information and was put in where it seemed appropriate.

Commissioner Foster commented he enjoyed reading the flood and community sections of the plan. He asked Ms. Landua if mapping the coastal erosive sites, bluff sites as well as the alluvial fans that are a component of the flood mapping could be more specifically stated. Commissioner Foster commented he noticed in Strategy 3 there is a section on mapping that is specific areas.

Ms. Landua asked if Commissioner Foster was specifically addressing the City of Homer. Commissioner Foster answered that he was addressing the entire Borough. He stated that Homer and Kachemak City totally left it out. The Borough has places where it could be interpreted but wondered if it could be more specific.

Ms. Landua asked Commissioner Foster if he wants to know if there is a way to be more specific about needing updated or additional maps that include the coastal storm velocity zones and other erosion prone areas. Commissioner Foster stated, right. Ms. Landua stated that yes it is one of the goals for the Borough. There is already a prioritized list of map updates that are needed. The Borough has grown quite a bit since the original FEMA maps were created.

Commissioner Foster stated he appreciates that because one of the problems of compartmentalizing each of these specific types of hazards, of pulling erosion as a separate hazard, limits the opportunity to realize that with saturated soils and flooding, there is going to be some erosion. He is not sure it fits under erosion or flooding. Ms. Landua stated they tried to cover that as much as they could with the time they had. She hopes to include a section on erosion in future plan updates. They tried to tie together floods, weather, tsunamis, erosions, avalanches, landslides, which could be considered independently and interrelatedly. Ms. Landua stated they focused more on the flood section because flooding has been the biggest problem with flooding in recent years in terms of disasters and declarations.

Commissioner Foster commented he appreciates the work that was done on this plan.

Commissioner Troeger asked staff if a recommendation to the Assembly was needed at this meeting. Ms. Landua stated yes.

Chairman Bryson opened the meeting for public comment. Seeing and hearing no one wishing to comment, Chairman Bryson closed the public hearing and opened discussion among the Committee.

**MOTION:** Commissioner Foster moved, seconded by Commissioner Tauriainen to support Resolution 2004-33, recommending adoption of the All Hazard Mitigation Plan for the Kenai Peninsula Borough to the Assembly.

**VOTE:** The motion passed by unanimous consent.

BRYSON YES	CLARK YES	FOSTER YES	GROSS YES	HOHL YES	HUTCHINSON YES	ISHAM YES
JOHNSON YES	MARTIN ABSENT	MASSION YES	PETERSEN YES	TAURIAINEN YES	TROEGER YES	12 YES 1 ABSENT

AGENDA ITEM G. KENAI RIVER HABITAT PROTECTION (KPB 21.18)

1. An amended Conditional Use Permit Pursuant to KPB 21.18 for the previous repair of highway infrastructure caused by the floods of November 2002, and for the current maintenance, repair, and retrofit of highway infrastructure resultant from the October and November 2002 Floods. Work has and will occur along the