

ANADROMOUS WATERS HABITAT PROTECTION

Protecting salmon spawning and rearing habitat within the Kenai Peninsula Borough



Everyone benefits...

On July 2, 2013, the Kenai Peninsula Borough ("KPB") Assembly expanded the existing habitat protection district to include all documented salmon bearing waters within the Kenai Peninsula Borough, with certain exceptions. The new regulations are effective January 1, 2014.

Why Did the Assembly Expand the Regulations?

As the population of the Borough continues to grow, the land and vegetation along our salmon bearing waters are increasingly affected by numerous factors such as vegetation trampling, clearing, erosion, pollution, wetland fill and drainage and excavation, and construction. A 50-foot habitat protection district was established to help protect a valuable public resource - salmon spawning and rearing habitat. This is accomplished by creating a 50-foot buffer, or setback, along these important waters. The sensitivity of riparian areas requires a restriction on activities that known to cause damage to these areas.

Why is Habitat Protection Important?

The plant life (or "riparian vegetation") that grows adjacent to water bodies serves many important functions and is essential to healthy fisheries. Riparian vegetation provides food and cover for a variety of fish and the wildlife that fish depend on, reduces erosion, contributes to bank stability, moderates the effects of storm water runoff and flooding and protects property values. The bottom line? Protecting and restoring damaged near-shore vegetation is important and has many benefits for all of us.

What Kind of Projects Require Permits?

Most projects that are within 50-feet of a documented anadromous water body will require a permit.

To ensure compliance with applicable regulations and to obtain necessary permits, an application must be submitted to the River Center *before* starting the work.

There are activities within the 50-foot habitat protection district that are prohibited. They include clearing native vegetation, excavation, filling, building construction, and any other activity that may cause significant erosion or damage to riparian habitat, or results in -- or increases -- ground or water pollution. In some cases these prohibited activities may be allowed with a conditional use permit or a variance. Conditional use permits and variances are approved or denied by the KPB Planning Commission.

Are Project Costs

Eligible for Reimbursement?

Habitat protection and restoration projects may be eligible for a KPB tax credit on land assessments. Projects must be pre-qualified before beginning construction. Partial funding may also be available from other sources for approved projects that protect property while restoring near-shore habitat.

These include, but are not limited to, bank stabilization, revegetation of eroded banks and removal of structures detrimental to salmon habitat such as jetties and bulkheads.



An example of a light penetrating grate walk above a restored riverbank. This project is eligible for a tax credit and partial cost reimbursement.

Are There Any Activities That Don't Require a Permit?

Permits are not required for:

- routine maintenance of legally established landscapes.
- pruning woody shrubs and trees.
- removal of trees downed by force of nature.

A permit is not required for private, non-commercial recreational uses that do not involve construction, excavation or fill of land. If you are unsure whether your project requires a permit, call the River Center.

What About Prior Existing Uses and Structures?

Structures and uses that were in place before the adoption of this ordinance are grandfathered and are allowed to continue if they do not result in significant erosion or damage to riparian habitat. In general, prior existing uses and structures may be maintained but cannot be expanded.

Who Can Answer My Questions?

Since the information provided here is not all-inclusive and projects and their potential impact on habitat differ on a case-by-case basis, you are encouraged to contact the River Center in advance to discuss and receive guidance related to your specific project.

The River Center is open Monday through Friday from 8 a.m. to 5 p.m. Feel free to contact us with any questions you might have. We're here to work with you!

What is the River Center?

The Center is a multi-agency permitting, information and education center. Three agencies and one non-profit organization work cooperatively to protect the near-shore and salmon bearing waters of the Kenai Peninsula and its watersheds.

Who's At the River Center?

- ◆ Kenai Peninsula Borough, River Center's habitat protection and floodplain regulations.
- ◆ Alaska Department of Fish and Game, Division of Habitat.
- ◆ Alaska Department of Natural Resources, Division of Parks and Outdoor Recreation (State Parks).
- ◆ Kenai Watershed Forum, Education and Outreach.

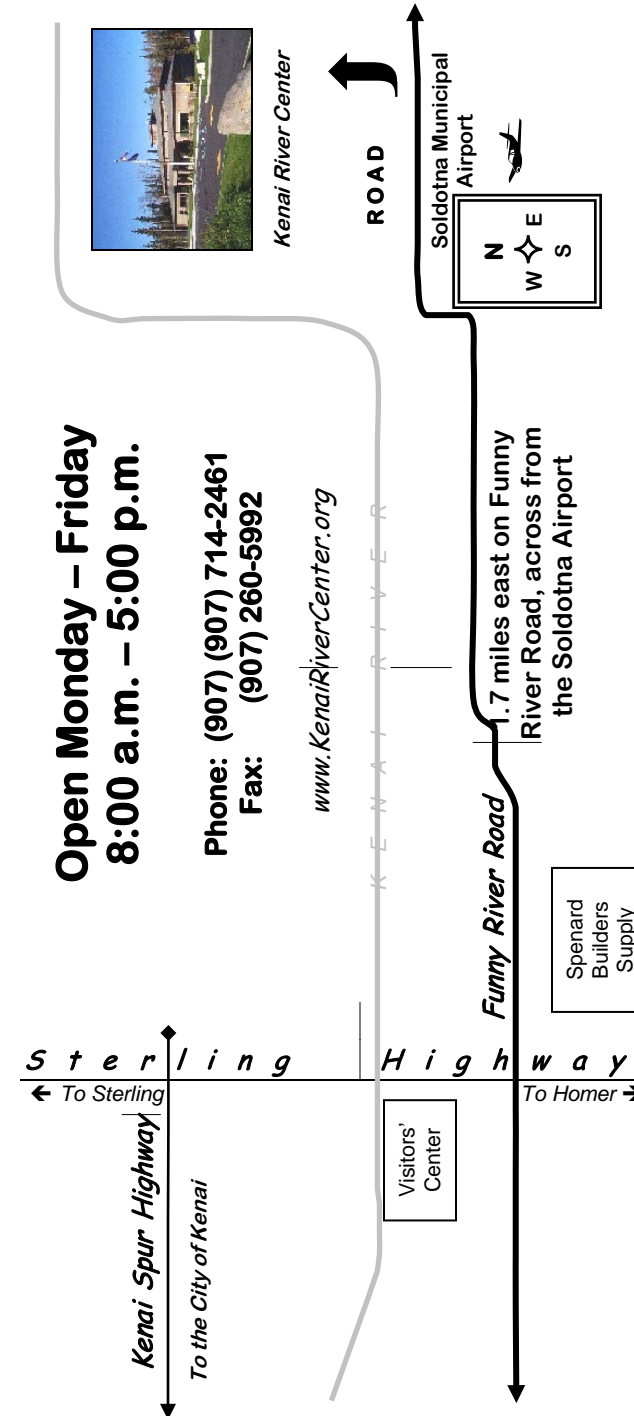
The River Center coordinates project applications with the U.S. Army Corps of Engineers and the U.S. Fish & Wildlife Service, among others. A single application, submitted to the River Center, will be reviewed by relevant local, state and federal permitting agencies.

How Can They Help Me?

If you own or manage land along a river, lake, or stream the staff at the River Center can offer advice on how to best utilize near-shore property while providing valuable riparian habitat for salmon.



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*Important Information on
New Regulations Affecting
Property Owners...*

PROTECTING THE ANADROMOUS WATERS...



...OF THE KENAI PENINSULA BOROUGH

You have questions.
The River Center has answers.