

**KENAI HARBOR COMMISSION
REGULAR MEETING
JANUARY 8, 2018, 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
<http://www.kenai.city>**

AGENDA

- 1. CALL TO ORDER & ROLL CALL**
- 2. AGENDA APPROVAL**
- 3. ELECTIONS OF THE CHAIR AND VICE CHAIR**
- 4. APPROVAL OF MEETING SUMMARY**
 - a. December 11, 2017
- 5. PERSONS SCHEDULED TO BE HEARD**
 - a. Bob McIntosh – A Citizen’s Perspective of the Harbor Commission
- 6. UNFINISHED BUSINESS**
 - a. **Discussion** – Defining Roles & Responsibilities
- 7. NEW BUSINESS**
 - a. **Discussion/Recommendation** - Revision to Agenda Order
- 8. REPORTS**
 - a. Public Works Director
 - b. Commission Chair
 - c. City Council Liaison
- 9. NEXT MEETING ATTENDANCE NOTIFICATION** – February 12, 2018
- 10. COMMISSIONER COMMENTS/QUESTIONS**
- 11. PERSONS NOT SCHEDULED TO BE HEARD**
- 12. INFORMATION**
 - a. 2014/2016 Integrated Water Quality Monitoring and Assessment Report.
- 13. ADJOURNMENT**

PLEASE CONTACT US IF YOU WILL NOT BE ABLE TO ATTEND THE MEETING: JACQUELYN -- 283-8231 OR, SEAN -- 283-8240
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**KENAI HARBOR COMMISSION MEETING
DECEMBER 11, 2017 – 6:00 P.M.
CITY HALL COUNCIL CHAMBERS
CHAIR CHRISTINE HUTCHINSON, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER & ROLL CALL

Commission Chair Hutchinson called the meeting to order at 6:00 p.m. Roll was confirmed as follows:

Commissioners present: C. Hutchison, G. Greenberg, N. DuPerron, J. Desimone, B. Peters, M. Dunn, C. Crandall

Commissioners Absent: None

Staff/Council Liaison present: Public Works Assistant K. Feltman, Council Member J. Glendening

A quorum was present.

2. AGENDA APPROVAL

The agenda was approved as presented.

MOTION:

Commissioner DuPerron **MOVED** to approve the meeting agenda; and Commissioner Peters **SECONDED** the motion. There were no objections; **SO ORDERED**.

3. APPROVAL OF MEETING SUMMARY

- a. November 6, 2017

MOTION:

Commissioner DuPerron **MOVED** to approve the meeting summary of November 6, 2017; and Commissioner Crandall **SECONDED** the motion. There were no objections; **SO ORDERED**.

4. PERSONS SCHEDULED TO BE HEARD

Jesse Bjorkman of Nikiski, owner of commercial fishing vessel, Fancy Nancy, expressed concern about the mooring situation in the Kenai River and the affect it has on the fishery. He reported that much of the river filled in with mud/silt this last year, creating dry areas in the river channel during low-tide and does not allow boats to float during that time. Bjorkman noted that it caused an unsafe situation for those fishing boats unsuspecting of running aground in areas of the river at low-tide, as it was historically a location to float. Bjorkman requested that the issue be addressed to make sure there is safe moorage for those boats in the river.

Bjorkman also requested better policing for dedicated moorings permitted through the Army Corps of Engineers. Bjorkman stated that dedicated moorings are being taken up by commercial fishing operations or individuals that just do not realize that those sites are permitted through the Corps of Engineers. Bjorkman further noted that this past season there was very little organization or policing of that process.

Mr. Bjorkman expressed concern on the safety of the Dipnet fishery and the ability for people to participate in Dipnet boat fishery in a safe manner along with commercial fishery, and its regular operation. He emphasized that more enforcement could be used on the river to patrol the No-Wake zone in front of the City dock. He noted it was a constant safety concern and hazard for boats launching at the Dock while commercial boats are maneuvering that same water. He added that it seemed many individuals in both fisheries do not understand their rights of way and applying that process safely. He suggested a permanent enforcement at the City Dock location during summer months.

The responsibility for the moorings and where those anchorages are located was asked about. Chairperson C. Hutchison noted that at the next meeting in January, the Commission will hold a work session town-hall meeting and a public meeting notice will be in the newspaper. Hutchison requested that Bjorkman attend and noted that she contacted some stakeholders to attend. It was suggested to invite the Corp of Engineers to the meeting.

5. UNFINISHED BUSINESS

a. Discussion – Defining Roles & Responsibilities

Commissioner DuPerron recommended to table this discussion until the next meeting.

MOTION:

Commissioner DuPerron **MOVED** to postpone the discussion of defining roles and responsibilities until the next scheduled meeting; Commissioner Crandall **SECONDED** the motion. There were no objections; **SO ORDERED**.

6. NEW BUSINESS

a. Discussion – FY2018 Dipnet Report

The Commission reviewed and discussed the FY2018 Dipnet Report, as provided in the packet.

Council Member Glendening noted that the Chamber of Commerce would be helping manage the Dipnet app for personal use fishery and should be more dynamic. It was agreed that it would be beneficial to contact Johnna Beech and request her attendance at the next meeting to provide information about the website and answer questions.

It was suggested that the Parks and Recreation Director, Bob Frates or representative from the Parks and Receptions Commission to attend the next meeting to discuss the pedestrian trails, specifically the interest expressed for public access to the mouth of the Kenai River. It could possibly be of interest surrounding the topic of defining roles and responsibilities of the Harbor Commission.

7. REPORTS

- a. **Public Works Director** – None.
- b. **Commission Chair** – Hutchison reported that the City Clerk would develop Public Notices for the upcoming Town-Hall meeting. She noted that she would share that further and contact additional individuals requesting attendance.
- c. **City Council Liaison** – Council Member Glendening reported on the action taken at the December 6 City Council meeting.

8. NEXT MEETING ATTENDANCE NOTIFICATION – January 8, 2018

B. Peters noted he would be absent at the next meeting.

9. COMMISSIONER COMMENTS/QUESTIONS

Chairperson Hutchison thanked everyone for attending and reminded them to spread the word about the town hall meeting on January 8.

Commission members expressed appreciation to Bjorkman for his comments and information.

Council Member Glendening reported that Council Member Molloy will be the new Harbor Commission Liaison for next year. He also expressed his gratitude and encouragement to the Harbor Commission.

10. PERSONS NOT SCHEDULED TO BE HEARD – None.

11. INFORMATION – None.

12. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:10 p.m.

Meeting summary prepared and submitted by:

Jacquelyn Kennedy
Deputy City Clerk

This is a list of all motions made by the Harbor Commission from 2012 to present in reverse chronological order. Motions to approve agenda, meeting minutes, and adjourn have not been included.

SEPTEMBER 11, 2017

MOTION: Commissioner DuPerron MOVED that administration come back next month, with more information on creating a "No Wake" zone from the mouth of the Kenai River to the dock, including the number of signs, justification, effectiveness, cost, enforcement and placement; Commissioner Crandall SECONDED the motion. There were no objections; SO ORDERED.

AUGUST 7, 2017

MOTION: Commissioner Duperron MOVED that the Harbor Commission support the Draft Landscape Site - Plan Ordinance and Commissioner Greenberg SECONDED the motion. MOTION PASSED.

FEBRUARY 6, 2017

MOTION: Commissioner Hutchison MOVED to recommend to Council that the Harbor Commission change to quarterly meetings for the next two years and Commissioner Greenberg SECONDED the motion. MOTION PASSED.

JULY 11, 2016

MOTION: Commissioner Peters MOVED to recommend approval of classification to lease a portion of Tidelands Survey Number 272 Section 35, Township 5 North, Range 11 West and Commissioner Thornton SECONDED the motion. There were no objections; SO ORDERED. b. Recommendation to Council Regarding Classifying for Leasing, a Parcel MOTION: Identified as Tract 4, Shore Fishery Plat No. 71 Commissioner Peters MOVED to recommend approval of classification to lease, Tract 4, Shore Fishery Plat No. 71 and Commissioner Thornton SECONDED the motion. There were no objections; SO ORDERED.

MAY 9, 2016

MOTION: Commissioner Peters MOVED to recommend approval of the leases and Commissioner Greenberg SECONDED the motion. There were no objections; SO ORDERED. b. Request Council Revise the Commission's Meeting Start time from 7pm to 6pm. It was noted that City Council meets at 6pm. MOTION: Commissioner Hutchison MOVED to request City Council revise the Commission's meeting time to 6pm and Commissioner Barth SECONDED the motion. MOTION PASSED.

OCTOBER 12, 2015

(I have included this item despite no motion being made regarding it)

Dock and Harbor Capital Improvement Program Priorities for FY2016, FY2017 and FY2018. It was decided that the priorities for 2016 would be as follows:

- 1) Mooring Buoy Permitting Study
- 2) Launch Ramp Extension Design

It was also decided that the priority for 2017 would be construction of the launch ramp extension; the priority for 2018 would be float replacement.

JANUARY 12, 2015

MOTION: Commissioner Askin MOVED to recommend City Council amend KMC Code 11.10.010 (a) to read "As requested by the council or administration do the following:" and Glendening SECONDED. There were no objections; SO ORDERED.

MOTION: Commissioner Greenburg MOVED to recommend City Council amend KMC Code 11.10.010 (a)(6) to read "Review reports and plans for approval by the City Council." and Glendening SECONDED. There were no objections; SO ORDERED.

MOTION: Commissioner Greenburg MOVED to request Council Liaison Gabriel take previous two recommendations to City Attorney Bloom, to draft an ordinance for amendments; Commissioner Glendening SECONDED. There were no objections; SO ORDERED.

May 12, 2014

Ordinance No. 2755 -2014 — Amending Kenai Municipal Code 13.20.035 - Camping, Fires, and other Activities on City Beaches, to Authorize the City Manager to Temporarily Regulate Beach Activities to Protect Public Safety, Health or Welfare, and for City Maintenance of Property.

MOTION: Commissioner Thompson MOVED to support enacting the Ordinance and Commissioner Peters SECONDED the motion. There were no objections. SO ORDERED.

Ordinance No. 2756 -2014 — Repealing Kenai Municipal Code 13.20.030 - Protection of North and South Shore, and Re- Enacting it as Kenai Municipal Code 13.20.030 - Protection of Environmentally Sensitive Areas, to Expand its Application and to Authorize the City Manager to Implement Restrictions on Public Entry, Access and Use for the Protection of Environmentally Sensitive Areas Owned or Managed by the City, Subject to Change by the Council.

MOTION: Commissioner Askin MOVED to support enacting the Ordinance and Commissioner Peters SECONDED the motion. There were no objections. SO ORDERED.

APRIL 7, 2014

Ordinance No. 2749 -2014 "An Ordinance of the Council of the City of Kenai, Alaska, Enacting KMC 11.05.100 - No Wake Zones, Authorizing the City Manager to Establish No Wake Zones in the Kenai Harbor as Needed for Public Safety and /or to Protect Public and Private Property." Chair Morin spoke against the 5 mph definition of a no -wake zone. Council Member Gabriel spoke regarding the ordinance. General discussion occurred.

MOTION: Commissioner Peters MOVED to support enacting the Ordinance and Commissioner Nelson SECONDED the motion. There were no objections. SO ORDERED.

DECEMBER 9, 2013

Capital Improvement Project List:

Chair Morin reviewed the list included in the lay down and general discussion occurred.

MOTION: Commissioner Peters MOVED to add Drift Boat Pullout as Number 5 under FY14/15 and Commissioner Askin SECONDED the motion. There were no objections. SO ORDERED.

MOTION: Commissioner Askin MOVED to add "or the City of Kenai" after "State of Alaska" in the notes under Drift Boat Pullout and Commissioner Osborn SECONDED the motion. There were no objections. SO ORDERED.

MOTION: Commissioner Nelson MOVED to forward the amended list to Council and Commissioner Peters SECONDED the motion. There were no objections. SO ORDERED.

MOTION: Commissioner Nelson MOVED to recommend the Council pass a resolution in opposition of the initiative that would ban the use of set nets in Cook Inlet. Commissioner Osborn SECONDED the motion. There were no objections. SO ORDERED.

MARCH 25, 2013

Resolution No. HC13 -01 — Recommending the Kenai City Council Submit a Proposal to the Alaska Board of Fisheries to Amend 5 AAC 57.121(3)(A) by Adding an Additional Non - Motorized Vessel Day in May, June and July on the Kenai River from the Sterling Bridge Highway Upstream to the Outlet of Skilak Lake.

MOTION: Commissioner Nelson MOVED to amend the resolution by striking "Sterling Bridge" and replacing it with "Warren Ames Bridge." Commissioner Askin SECONDED the motion. General discussion occurred. MOTION PASSED.

DECEMBER 2012

Public Works Director Wedemeyer reviewed the list and general discussion occurred. Comments included: • Support for a drift boat pullout. • Concerns when personal use fishery went 24 hours. • Suggested a resolution in support of additional drift days on the river. Commissioner Nelson MOVED to move the entire "other" project list to the FY2016 Capital Improvement Project list. Commissioner Osborn SECONDED the motion. There were no objections. SO ORDERED.

SEPTEMBER 10, 2012

Discussion /Recommendation -- Comprehensive Plan General discussion occurred.

MOTION: Commissioner Peters MOVED to support all strategies in Objective #24 and to include mention of a need for a drift boat pullout within the City of Kenai in the Plan. Commissioner Askin SECONDED the motion. There were no objections. SO ORDERED.

MARCH 12, 2012

Discussion -- Senior Discounts at the Boat Launch Ramp City Manager Koch provided a copy of a draft resolution to include a senior discount for boat launch and parking fees at the City Dock. Council Member Gabriel spoke in support of the resolution.

MOTION: Commissioner Askin MOVED to recommend approval of the resolution to Council after amending the dates in the fee schedule. Commissioner Nelson SECONDED the motion. There were no objections. SO ORDERED.

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"Village with a Past, City with a Future"

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MEMORANDUM

TO: Commission Chair Hutchison and Harbor Commission Members
THROUGH:
FROM:  Jamie Heinz, City Clerk
DATE: December 28, 2017
SUBJECT: **Change to Agenda Order**

In an effort to bring consistency to all City of Kenai public meeting formats, I am recommending a change to all Commission, Committee, and Council on Aging agenda orders. The changes will include the Pledge of Allegiance, Roll Call, and Agenda Approval as subsections of the Call to Order, ensure there is an opportunity for the public to speak at the beginning of the meeting and at the end of the meeting, and move approval of the meeting summary after public comment. These changes will bring your agenda to much the same order as the City Council's agenda.

Your consideration is appreciated.



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JANUARY 8, 2018
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
<http://www.kenai.city>
REGULAR MEETING –6:00 P.M.**

1. **CALL TO ORDER**
 - a. Pledge of Allegiance
 - b. Roll Call
 - c. Agenda Approval
2. **SCHEDULED PUBLIC COMMENTS** *(Public comment limited to ten (10) minutes per speaker)*
3. **UNSCHEDULED PUBLIC COMMENT** *(Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated)*
4. **APPROVAL OF MEETING SUMMARY**
 - a. December 11, 2017
5. **UNFINISHED BUSINESS**
 - a. Discussion/Recommendation – XXXX
6. **NEW BUSINESS**
 - a. Discussion/Recommendation – XXXX
7. **REPORTS**
 - a. Public Works Director
 - b. Commission Chair
 - c. City Council Liaison
8. **NEXT MEETING ATTENDANCE NOTIFICATION** – February 12, 2018
9. **COMMISSIONER COMMENTS AND QUESTIONS**
10. **ADDITIONAL PUBLIC COMMENT**
11. **INFORMATION ITEMS**
 - a. XXXXX
12. **ADJOURNMENT**

**PLEASE CONTACT US IF YOU WILL NOT BE ABLE TO ATTEND THE MEETING:
JACQUELYN -- 283-8231 OR, SEAN -- 283-8236**

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State of Alaska
Department of Environmental Conservation



Larry Hartig
Commissioner

Candice Barber 907.465.5009
Public Information Officer candice.barber@alaska.gov

FOR IMMEDIATE RELEASE — December 15, 2017

CONTACT: Cindy Gilder, Division of Water, (907) 269-3066, cindy.gilder@alaska.gov

Integrated Report Highlights Condition of Alaska's Water

Eighteen healthy waters identified. DEC proposing to add the Kenai and Little Susitna Rivers to Alaska's list of waters that are not meeting all water quality criteria. Public invited to comment.

(ANCHORAGE, AK) — The Alaska Department of Environmental Conservation (DEC) has released for public comment the draft 2014/2016 Integrated Water Quality Monitoring and Assessment Report. The federal Clean Water Act requires each state to monitor and report every two years on the quality and status of its waters. This biennial report, called the "Integrated Report," helps states identify and prioritize waters for watershed protection, data gathering, and pollution restoration. The report for Alaska was prepared by DEC using available water quality data and includes a list of "impaired" waters, the waters in Alaska that do not consistently meet all state water quality criteria.

"In placing a waterbody on the list of impaired waters, this opens up a dialog with the public on how best to address the water quality concerns," stated DEC's Water Division Director Andrew Sayers-Fay. "For example, Granite Creek in Sitka was added to the impaired waters list in 1996 because of turbidity and sediment concerns. Through collaborative actions with the City and Borough of Sitka, including financial assistance through DEC's Alaska Clean Water Actions grants, the water quality of Granite Creek was restored, and it is now being removed from the impaired waters list."

In the draft 2014/2016 Integrated Report, eighteen waterbodies that were examined are listed as meeting all water quality standards. The Kenai River on the Kenai Peninsula and Little Susitna River in the Matanuska-Susitna Borough are both proposed to be listed as impaired due to excess turbidity. Turbidity is a measurement of water clarity, and increased turbidity is caused by sediment particles and other organic matter becoming suspended in the water column. The levels of turbidity in these rivers often exceed state water quality standards applicable to recreation and drinking water uses. Under the Clean Water Act and state law, all water bodies are to be protected for all designated uses unless the state follows a separate public process to remove a designated use.

"Although the Kenai and Little Susitna Rivers are impaired due to turbidity, the overall health of both rivers is good," said Sayers-Fay. "We plan to take the time that is needed to gather additional data that would be helpful in better understanding the potential causes of the high turbidity and the degree to which we have a continuing problem. We

look forward to collaborating with other agencies, local officials, and stakeholders to find workable solutions. It's a lot easier to fix pollution problems when they are small and isolated and everyone is pulling the same direction."

DEC is also proposing to list the Little Susitna River as threatened by petroleum pollution. Petroleum at the levels measured in the Little Susitna River can be detrimental to aquatic life. Fishing from boats with older, more polluting 2-stroke motors is prohibited in the Little Susitna under a ban passed by the Alaska Board of Fisheries. The 2-stroke motor ban went into effect in January 2017 and is expected to reduce petroleum pollution to levels that meet state water quality standards for petroleum. Once additional water quality sampling confirms the petroleum standard is being met, DEC can remove the Little Susitna River from the impaired list for petroleum contamination.

The public has until 5pm AKST January 29, 2018, to comment on DEC's findings in the draft 2014/2016 Integrated Report. A public meeting is also scheduled for January 4, 2018, in Anchorage. For more information on how to submit comments and for a list of frequently asked questions, see: <http://dec.alaska.gov/water/wqsar/waterbody/integratedreport.htm>.

Below is a summary of the draft 2014/2016 Integrated Report actions:

There are five categories to which a waterbody can be assigned:

- Categories 1 and 2 are waters for which there is enough information to determine that they have attained all or some of the standards for their designated uses.
- Category 3 are waters for which there is not enough information to determine their status.
- Category 4 are waters that are impaired, but have waterbody recovery plans.
- Category 5 are waters that are impaired and do not yet have a waterbody recovery plan. Category 5 waters are also known as Clean Water Act Section 303(d) impaired waters.

Eighteen waters are now proposed to have met standards in Category 2 for some criteria:

- Five Unnamed Creeks, near Sweetwater Lake and USFS 3030 Road, where the waters are in attainment of the water quality criteria for a variety of metals.
- Chatanika River, north of Fairbanks, where the water is in attainment of the water quality criteria for arsenic and dissolved oxygen.
- Chena River in Fairbanks where the water is in attainment of the water quality criteria for sediment.
- Chena Slough in Fairbanks is in attainment of the water quality criteria for sediment.
- Cottonwood Creek in Wasilla is in attainment of the water quality criteria for dissolved gas, pH, sediment (settleable solids), and turbidity.
- Granite Creek in Sitka where the water is in attainment of the water quality criteria for sediment and turbidity.
- Kenai River in Kenai where the water is in attainment of the water quality criteria for arsenic, cadmium, chromium, lead, and pH.
- Lake Hood and Spenard Lake in Anchorage is in attainment of the water quality criteria for dissolved oxygen.
- Little Meadow Creek in the Matanuska-Susitna Borough is in attainment of the water quality criteria for dissolved gas; petroleum hydrocarbons, oils, and grease; pH; sediment; toxic and other deleterious organic and inorganic substances; and turbidity.

- Meadow Creek in the Matanuska-Susitna Borough is in attainment of the water quality criteria for dissolved gas; petroleum hydrocarbons, oils, and grease; pH; sediment; toxic and other deleterious organic and inorganic substances; and turbidity.
- Mosquito Lake on the Haines Highway is in attainment of the water quality criteria for dissolved gas, fecal coliform bacteria, and pH.
- Noyes Slough in Fairbanks is in attainment of the water quality criteria for sediment standard, but remains impaired from residues and petroleum hydrocarbons.
- Udagak Bay on Unalaska Island is in attainment of the water quality criteria for residues.
- Wasilla Creek in the Matanuska-Susitna Borough is in attainment of the water quality criteria for dissolved gas; petroleum hydrocarbons, oils, and grease; pH; sediment (settleable solids); and turbidity.

Five waters are now in Category 4a under a plan:

- Cottonwood Creek in Wasilla was previously in Category 5/Section 303(d) impaired list; the water now has a Total Maximum Daily Load (TMDL) that was developed and approved for fecal coliform bacteria.
- Goldstream Creek in Fairbanks was previously in Category 5/Section 303(d) impaired list; the water now has a TMDL that was developed and approved for turbidity and total suspended solids.
- Hawk Inlet in Southeast Alaska was previously in Category 5/Section 303(d) impaired list; the water now has a TMDL that was developed and approved for cadmium, copper, lead, mercury, and zinc.
- Matanuska River near Palmer was previously in Category 5/Section 303(d) impaired list; the water now has a TMDL that was developed and approved for residues/debris.
- Slate Creek in Denali National Park was previously in Category 5/Section 303(d) impaired list; the water now has a TMDL that was developed and approved for antimony, arsenic, and iron.

One water is now proposed to be place in Category 4b with alternative pollution controls:

- Little Susitna River threatened for 8.5 miles due to petroleum hydrocarbons and now has a waterbody recovery plan.

Three new waters are proposed for placement in Category 5/Section 303(d) impaired list:

- Lake Lucille in the Matanuska-Susitna Borough where two areas of freshwater lake bed sediments have elevated levels of lead and zinc. Lake Lucille is under an existing plan to correct dissolved gas.
- Kenai River for 7.5 miles for turbidity.
- Little Susitna River for 8.5 miles for turbidity. Little Susitna is also proposed to be listed as threatened from petroleum hydrocarbons from motorized boats. Since a plan is in place to address the petroleum hydrocarbons, the river is also placed in Category 4b.

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