City of Homer
Agenda
City Council Worksession
Tuesday, March 29, 2022 at 4:00 PM
In Person at City Hall Cowles Council Chambers and Zoom Webinar
https://cityofhomer.zoom.us/j/96586314135?pwd=WTdvVHdDVmxxZHJwaC9ZNmFYYlZ3dz09
Dial: (669) 900 6833 or (253) 215 8782 or Toll Free (888) 788 0099 or (877) 853 5247
Webinar ID: 965 8631 4135 Password: 792566

CALL TO ORDER, 4:00 P.M.

AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council’s Operating Manual, pg. 6)

DISCUSSION TOPIC(S)

a. Legislative Update - Representative Sarah Vance

b. Lobbyist Update - J&H Consulting

c. Memorandum from Special Projects & Communications Coordinator Re: Legislative Worksession

COMMENTS OF THE AUDIENCE (3 minutes)

ADJOURNMENT NO LATER THAN 4:50 P.M.

Next Regular Meeting is Monday, April 11, 2022 at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.
J&H Consulting
Legislative Update for City of Homer
March 2022
Legislative Update:

Much has changed since the beginning of session.

- Oil prices are up and a new Spring revenue forecast
  - $101 per barrel, up $30 per barrel from December.
  - $1.2 billion increase in revenue for current year.
  - For FY 23, a projected $2.4 billion increase in revenue; Senate Finance will still base budget on $80 per barrel.
  - Some of the windfall will go to savings.
  - A long-term fiscal plan is not likely: HB 259 and SB 200/HB 260: 25/75 or 50/50 split proposals for Permanent Fund earnings.
  - PFD of $1,250.00, plus a proposed energy relief check of $1,300. May be higher.

Operating budget is in House Finance, over to Senate early April.

Capital Budget is in Senate Finance -- April release and federal funds in a separate bill.

G.O. Bond bill on shelf for now.
Operating Budget Process:

- Operating budget starts in the House, Capital budget in the Senate.
- Subcommittees meet for each state department and make recommendations to House Finance.
- House Finance decides which recommendations to accept, and then issues a committee substitute (CS).
- Public testimony is taken. Finance members then introduce their own amendments.
- This year, a pause is taken as legislators wait for a new revenue forecast to come out on March 15th.
- House Finance will make further adjustments after receiving the new revenue forecast.
- **WE ARE HERE:** The CS bill passes out of House Finance and is introduced on the House floor. More amendments are introduced, the bill is debated, approved, and passed to the Senate; this typically takes a week. The same process takes place in the Senate, where senators add in their important items.
- The Senate votes to pass, and the changed bill goes back to the House for a concurrence vote, which generally fails.
- Differences between the two budgets are worked out in a conference committee.
- When the operating budget passes over to the Senate, Senate sends Capital budget to the House in exchange.
Operating Budget:

- Community Assistance: Includes proposed $31.8M FY22 supplemental capitalization into the community assistance fund and an additional $7.1M directly to DCCED to distribute as community assistance payments to eligible recipients under CAP in the most current House version. This would result in approximately $37M available for distribution to eligible recipients in FY 23.

- Homer receives $206,337.00 of which $26,941.00 is from the $7.1M.

- $23.9m in general fund is appropriated to communities under the shared fisheries business tax and $18.1m based upon collections in calendar year 2022 is appropriated for the first seven port of call communities under the commercial passenger vessel tax collection program (cruise ship head tax sharing program).

- Increased Community Jails by $4 million.

SB 131: Breast cancer added as a presumption of compensability for firefighters. L&C (H)

SB 9: Sen. Micciche’s rewrite of Alaska alcohol statute. Fin (H)

HB 3: Adds cybersecurity to the definition of disaster for access to disaster relief funding. Transmitted to Gov. for signature.

HB 54: Creates an Invasive Species Council within the Department of Fish and Game to help eradicate/manage invasive species. Passed House, in Senate Resources.

HB 28: This legislation removes duplicative registration and numbering requirements for active commercial fishing, tender, and processing vessels, by allowing certain vessels licensed by Commercial Fisheries Entry Commission to bypass additional DMV registration requirements. The proposed effective date of this legislation is January 1, 2022. Passed House, in Senate Finance. In sen. Fin.

HB 272/HB 273, increase school funding; SB 111/HB 164, Pre-K and Reading bills, important for end negotiations. SB 34, Tribal Compacting.
HB 358: Extends the state Renewable Energy Fund for ten years from its current termination on June 30, 2023, to the same date in 2033. This bill is moving fast. Fin (H)

SB 175/HB 265: Allows medical providers to do consultations by telehealth, which was allowed while the state was under a pandemic health emergency.

HB 220: Adds a Tier V defined benefit option for some types of employees. HB 55 (similarly creating a Tier V DB option, but only for public safety) has already passed the House, so if these move forward they will depend on the Senate - and likely Finance - for support.

HB 363: Enabling legislation for a state broadband office, creates a broadband advisory board, and creates a mechanism for broadband support where costs are high. Fin (H).

HB 234: Sets a $2,000 limit on individual donations to campaigns and limits the influence of special interests from the Lower 48 by requiring that 75% of a candidate’s individual donations come from Alaskans. Passed House.
Quyanaqpak and Taikuu! Working together to advance the priorities of the City of Homer
Memorandum

TO: City Council and Mayor Castner

FROM: Jenny Carroll, Special Projects & Communications Coordinator

THROUGH: Rob Dumouchel, City Manager

DATE: March 23, 2022

SUBJECT: March 29, 2022 Legislative Work Session

The purpose of this memo is to outline legislative issues that the City of Homer has taken an interest in and supported through Resolution. Representative Vance will be joining the Tuesday, March 29 worksession via Zoom to provide Council an update on session. J&H Consulting will attend the work session via Zoom to give a lobbyist update.

Relevant Resolutions passed since 2020 with status update as of March 23, 2022:

▶ Resolution 21-064: A Resolution of the City Council of Homer, Alaska in Support of Full Funding of $11,492,760 for the State of Alaska Municipal Harbor Grant Program in the FY 2023 State Capital Budget. City Manager/Port Director.

Funding for the Municipal Harbor Grant Program was not included in the first version of the State Capital budget; we are advocating for it to be included in the committee substitute.


City staff shared the CIP with local representatives digitally and in hard copy, and entered Legislative priority projects into the State CAPSIS program for consideration in the capital budget process. City Council members, staff and lobbyists met with thirteen legislators in Juneau in February 2022 to promote Homer legislative priority projects for capital funding. The priority projects are:

(1) Large Vessel Harbor Expansion

▶ Council adopted Resolution 22-013 In Support of State of Alaska Department of Transportation Appropriation to Supply a Local Match of $750,000 for the US Army Corps of Engineers General Investigation Study for the Homer Port Expansion in the FY 2023 State Capital Budget. City Manager/Port Director.
State matching funds for the General Investigation tops the list of capital project requests from District 31 legislators.

(2) Slope Stability Program, (3) Barge Mooring & Large Vessel Haul Out Repair Facility, and (4) Homer Spit Erosion Mitigation. These three projects are also included in the District 31 capital funding priorities list compiled by Representative Vance and Senator Stevens.

The fifth legislative priority project is the Multi-Use Community Center. When a design concept and next steps are formulated (after completing scoping and preliminary design work with Stantec), staff will be updating the CIP project description to reflect current project status and financial request.


Resolutions on the agenda for consideration on the March 29, 2022 Council agenda:

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▶ Resolution 22-0xx, A Resolution of the City Council of Homer, Alaska Supporting Alaska House Bill 28 and Encouraging Automatic Registration for Vessels Active in the Alaska CFEC Database.

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The City has shared this public input opportunity with the public through the City website, Facebook page and newsletter. Please participate and share with your constituents.
CITY OF HOMER
HOMER, ALASKA

RESOLUTION 21-059

A RESOLUTION OF THE HOMER CITY COUNCIL ADOPTING THE
2022-2027 CAPITAL IMPROVEMENT PLAN AND ESTABLISHING
CAPITAL PROJECT LEGISLATIVE PRIORITIES FOR FISCAL YEAR
2023.

WHEREAS, Duly published hearings were held on September 13 and September 27, 2021 to
introduce the final draft of the 2022-2027 Capital Improvement Plan (CIP) and to obtain public
comments on capital improvement projects and legislative priorities; and

WHEREAS, The Council received comments from all of the City of Homer Advisory Board
and Commissions and held a Special Meeting on August 23, 2021; and

WHEREAS, It is the intent of the City Council to provide the Governor, the State Legislature,
State agencies, the Alaska Congressional Delegation, and other potential funding sources with
adequate information regarding the City’s capital project funding needs.

NOW, THEREFORE BE IT RESOLVED by the City Council of Homer, Alaska, that the “City of
Homer Capital Improvement Plan 2022-2027” is hereby adopted as the official 6-year capital
improvement plan for the City of Homer.

BE IT FURTHER RESOLVED that the following capital improvement projects are identified
as priorities for the FY2023 State Legislative Request:
1. Port of Homer: New Large Vessel Harbor
2. Multi-Use Community Center
3. Slope Stability Project
4. Homer Barge Mooring and Large Vessel Haul Out Facility
5. Homer Spit Coastal Erosion Mitigation

BE IT FURTHER RESOLVED that projects for the FY2023 Federal Legislative Request
will be:
1. Port of Homer: New Large Vessel Harbor
2. Multi-Use Community Center

BE IT FINALLY RESOLVED, that the City Manager is hereby instructed to advise
appropriate State and Federal representatives and personnel of the City’s FY 2023 capital
project priorities and take appropriate steps to provide necessary background
information.
PASSED AND ADOPTED by a duly constituted quorum of the City Council for the City of Homer on this 13th day of September, 2021.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

RENEE KRAUSE, MMC, ACTING CITY CLERK

Fiscal Note: N/A
CITY OF HOMER
HOMER, ALASKA

RESOLUTION 21-064

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, IN
SUPPORT OF FULL FUNDING OF $11,492,760 FOR THE STATE OF
ALASKA MUNICIPAL HARBOR FACILITY GRANT PROGRAM IN THE
FY 2023 STATE CAPITAL BUDGET.

WHEREAS, The majority of the public boat harbors in Alaska where constructed by the
State during the 1960s and 1970s; and

WHEREAS, These harbor facilities represent critical transportation links and are the
transportation hubs for waterfront commerce and economic development in Alaskan coastal
communities; and

WHEREAS, These harbor facilities are ports of refuge and areas of protection for ocean-
going vessels and fishermen throughout the State of Alaska, especially in coastal Alaskan
communities; and

WHEREAS, The State of Alaska over the past nearly 30 years has transferred ownership
of most of these State-owned harbors, many of which had infrastructure at or near the end of
their service life at the time of transfer, to local municipalities; and

WHEREAS, The municipalities took over this important responsibility even though they
knew that these same harbor facilities were in poor condition at the time of transfer due to the
state’s failure to keep up with deferred maintenance; and

WHEREAS, Consequently, when local municipal harbormasters formulated their annual
harbor facility budgets, they inherited a major financial burden that their local municipal
governments could not afford; and

WHEREAS, In response to this financial burden, the Governor and the Alaska Legislature
passed legislation in 2006, supported by the Alaska Association of Harbormasters and Port
Administrators, to create the Municipal Harbor Facility Grant program (AS 29.60.800); and

WHEREAS, The Department of Transportation and Public Facilities utilizes a beneficial
administrative process to review, score and rank applicants to the Municipal Harbor Facility
Grant Program, since state funds may be limited; and

WHEREAS, For each harbor facility grant application, these municipalities have
committed to invest 100% of the design and permitting costs and 50% of the construction cost; and
WHEREAS, The municipalities of the City of Valdez, City and Yakutat, City & Borough of Juneau, City & Borough of Sitka, City of Homer, City of Edna Bay, Aleutians East Borough/City of Sand Point, and the Municipality of Anchorage have committed to contribute $11,492,760 in local match funding for FY2023 towards harbor projects of significant importance locally as required in the Harbor Facility Grant Program; and

WHEREAS, Completion of these harbor facility projects is all dependent on the 50% match from the State of Alaska’s Municipal Harbor Facility Grant Program; and

WHEREAS, During the last fifteen years the Municipal Harbor Facility Grant Program has only been fully funded twice; and

WHEREAS, A survey conducted by the Alaska Municipal league of Alaska’s ports found that the backlog of projects necessary to repair and replace former State-owned harbors has increased to over $500,000,000; and

WHEREAS, Over the past five years municipal harbors have submitted $70 million in capital project match requests, representing over $116 million in shovel-ready capital projects that have received only $20 million in funding through the Municipal Harbor Facility Grant program with zero funding in FY21 and half of the requested funding in FY 22.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, urges full funding in the amount of $11,492,760 by the Governor and the Alaska Legislature for the State of Alaska’s Municipal Harbor Facility Grant Program in the FY 2023 State Capital budget in order to ensure enhanced safety and economic prosperity among Alaskan coastal communities.

PASSED AND ADOPTED by the Homer City Council this 27th day of September, 2021.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal note: N/A
CITY OF HOMER
HOMER, ALASKA

RESOLUTION 21-008

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
PROVIDING COMMENTS TO THE STATE OF ALASKA DEPARTMENT
OF NATURAL RESOURCES DIVISION OF PARKS AND OUTDOOR
RECREATION ON THE KACHEMAK BAY STATE PARK AND
KACHEMAK BAY STATE WILDERNESS PARK MANAGEMENT PLAN
INTENT TO ADOPT, DATED NOVEMBER 2020

WHEREAS, The State of Alaska Department of Natural Resources Division of Parks and
Outdoor Recreation (DPOR) released an Intent to Adopt Management Plan for Kachemak Bay
State Park and Kachemak Bay State Wilderness Park in November 2020 to the public for review
and comment, with comments on the plan due by January 22, 2021; and

WHEREAS, DPOR states in the Intent to Adopt plan that “the planning process allows
DPOR to reassess its management policies to determining if they are meeting the needs of the
recreating public while ensuring that uses and activities are not significantly impacting the
natural and cultural resources. This plan, therefore, addresses several significant issues that
have arisen since the last management plan. The primary reason for revising the management
plan is to update the management guidelines and trail and facility recommendations where
necessary to support an increasing number of visitors to the park units and to provide diverse
recreational opportunities consistent with the mission of the agency and the purposes of the
units.”; and

WHEREAS, The plan states that Kachemak State Park and Kachemak Bay State
Wilderness Park were created via legislation in the early 1970s with the purpose for the state
park to “… protect and preserve this land and water for its unique and exceptional scenic
value, the park is established and shall be managed as a scenic park” (Alaska Statute (AS)
41.21.131) and with the purpose of the wilderness park to “… protect and preserve this land
and water for its unique and exceptional value, this park is established and shall be managed
as a wilderness park” (AS 41.21.140); and

WHEREAS, The plan also provides management direction for several state recreation
sites on the north side of the Bay (Diamond Creek, Overlook Park, and Eveline State Recreation
Sites) which were created administratively and lack a purpose statement or unit-specific
statutes; and
WHEREAS, The City of Homer is the gateway to Kachemak Bay State Park, State
Wilderness Park, and the state recreation sites on the north side of the bay and derives tax
revenues because of its proximity to the park; and

WHEREAS, Residents of and visitors to Homer enjoy year round use of all park units and
Homer residents make up the bulk of park volunteers who maintain trails and other facilities
within the park; and

WHEREAS, Some Homer residents derive a livelihood at least in part due to the
proximity of the park, through concessions such as water taxis and guide services.

NOW THEREFORE BE IT RESOLVED that the City of Homer, Alaska provides the following
comments on DPOR’s Intent to Adopt Management Plan for Kachemak Bay State Park and
Kachemak Bay State Wilderness Park dated November 2020:

- The City of Homer appreciates the goals and objectives for each of the park units and
the recognition that the parks are currently understaffed to adequately manage,
monitor, oversee, and regulate activities in such a large and diverse park system. We
encourage DPOR to actively seek state funding to add much needed staff to the park to
maintain the goals and objectives of the park units.

- The City of Homer agrees with the intents listed in Chapter 5 of the plan for each of the
park units. Related to the state recreation sites, we applaud the intent to improve
parking and outhouse facilities and provide accessible (terra) access and trails at
Eveline, enhance parking and add camping and public use cabins at Diamond Creek,
and recognize the unique natural resources of Overlook Park.

- The City of Homer recognizes that the Alaska Department of Fish and Game authorized
use of personal watercraft (PWC) in Kachemak Bay Critical Habitat Area effective
January 9, 2021. The Intent to Adopt plan states that within the “Natural Zone” of the
park “If this occurs, PWC use may be authorized under 11 AAC 18.010 until a regulation
allowing use is promulgated.” We encourage DPOR to carefully evaluate the
compatibility of PWC regarding the purpose of the park before authorization.

- The City of Homer previously provided comments on DPOR’s determination that
hatcheries (specifically the Tutka Bay Lagoon Hatchery operated by Cook Inlet
Aquaculture (CIAA)) are “likely incompatible with park purposes” because the park
cannot dispose of land (see City of Homer Resolution 20-134). We provide the following
additional comments:

  - We encourage DPOR to continue evaluation of the issue of compatibility and land
disposal with CIAA, Alaska Department of Fish and Game, and legal counsel before the
current CIAA operating agreement expires in 2031.

  - We request that more information be provided to justify the incompatible finding for
each park zone in the Intent to Adopt plan in the Fisheries Enhancement – Hatchery row
of the Resource Management Activities table in Chapter 5.
• We request that DPOR further evaluate the potential impact to the personal use fishery within the park (China Poot) and other public uses the hatchery benefits within the park before making a final determination of incompatibility.

PASSED AND ADOPTED by the City Council of Homer, Alaska, this 11th day of January, 2020.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal note: N/A
CITY OF HOMER  
HOMER, ALASKA  

Evensen/Hansen-Cavasos/Mayor

RESOLUTION 20-134(A)

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA  
SUPPORTING REGIONAL AQUACULTURE ASSOCIATIONS AND  
STRONGLY OPPOSING PROPOSED CHANGES TO MANAGEMENT  
PLAN OF KACHEMAK BAY STATE PARK AND STATE WILDERNESS  
PARK THAT WOULD DISPROPORTIONATELY AND NEGATIVELY  
IMPACT THE HOMER COMMUNITY

WHEREAS, The State of Alaska Division of Natural Resources (DNR) recently proposed  
management plan with intent-to-adopt, which includes effective elimination of the “Fishery  
Enhancement – Hatcheries” category with respect to Kachemak Bay State Park (Park) and its  
Tutka Bay Lagoon Hatchery; and

WHEREAS, Built by the State of Alaska, the Tutka Bay Lagoon Hatchery (TBLH) is a  
regular component within the Park and nearly as old as the Kachemak Bay State Park (1970)  
itself; and it is currently operated by Cook Inlet Aquaculture Association (CIAA) and has been  
serving the greater Homer community continuously since 1978; and

WHEREAS, CIAA is a private, non-profit, regional aquaculture corporation that works  
with regional stakeholders to engage in salmon fisheries enhancement and habitat work  
throughout the Cook Inlet region for the benefit of commercial, subsistence, sport, and  
personal use fishing; and

WHEREAS, CIAA activities bolster salmon throughout their entire lifecycle and the  
nutrients that they provide uniquely support land-based ecosystems; and this marine-to-land  
transference of biomass is rare biologically and critical to inland wildlife populations near  
Homer; and

WHEREAS, One distinguishing feature of Alaskan aquaculture is that fisheries  
enhancement is designed to provide salmon harvest opportunities while maintaining the  
sustainability of wild salmon through science-based programs; and this concept and  
terminology should not be confused with environmentally offensive “fish farming” – a  
controversial, offshore practice that remains illegal in the State of Alaska; and

WHEREAS, Citizens of Homer and visitors to Kachemak Bay directly benefit from CIAA  
activities from at least the following run fisheries:

• Sockeye salmon providing sport, personal use, and commercial fishing harvest at  
  China Poot River and waterfall, Kachemak Bay
• Sockeye salmon released at Hazel Lake, returning to Kachemak Bay for sport and commercial fishing harvest
• Pink salmon providing sport, personal use, and commercial fishing harvest at Port Graham Bay, Kachemak Bay
• Pink and **sockeye** salmon providing sport and commercial fishing harvest at Tutka Bay, Kachemak Bay
• Coho salmon providing sport, and personal use fishing harvest throughout Kachemak Bay (CIAA-initiated Caribou Lake stock)

WHEREAS, A corollary to local benefited fisheries, the largest sector of tourism in and around Homer involves sport fishing; and these visitors also represent the largest user group (volumetrically) of the Homer Harbor and its facilities; and

WHEREAS, Citizens of Homer reap economic benefits from CIAA activities associated with TBLH, including support of Homer-based marine trades and businesses, fish processing jobs, State and City fish processing tax (landing tax), and related industry jobs that support both sport fishing and commercial fishing fleets in Homer; and

WHEREAS, Common property harvest at TBLH fills a strategic gap in the mid-season timing of the Commercial Lower Cook Inlet Salmon Fishery and some years the “Tutka Run” has represented the most substantial harvests; and TBLH also represents crucial operations for CIAA that allow salmon enhancement and monitoring regionally throughout Kachemak Bay and Lower Cook Inlet; and

WHEREAS, Within the Park the majority of seasonal traffic directed at Tutka Bay and Tutka Bay Lagoon is due to sport fishing supplied by TBLH; and heavy Park usage directed at the China Poot Dip Net Fishery also relates to TBLH and CIAA; and

WHEREAS, Proposed changes to the management plan for Kachemak Bay State Park and cessation of the TBLH would harm the largest usage of the Park, diversity of users within the Park, and current and historic economies of the Homer community; and furthermore it would severely or permanently limit salmon deliveries to the Homer Dock, encumber fish-processing and fish-transporting businesses, potentially eliminate related business niches, commercial and sport fishing operations based from Homer, families that rely on personal use fishing for subsistence, regional tourism in a widespread manner, and – generally – the citizens of Homer; and
WHEREAS, In summary, implementation of plans proposed by DNR would unfairly and
disproportionally affect the livelihoods of citizens and the economy of one community,
Homer; and

WHEREAS, Continued support and operation at TBLH as a Park-compatible asset is in
the interest of the citizens of Homer and the numerous stakeholders surrounding Homer’s
regional world-class marine-, river- and lake-based resources.

NOW, THEREFORE BE IT RESOLVED that the Homer City Council affirms its general
support for regional aquaculture associations and their programs, and for CIAA in particular.

BE IT FURTHER RESOLVED that the Homer City Council supports scientific and
unbiased methods to assess the interaction of aquaculture programs with marine
ecosystems.

BE IT FURTHER RESOLVED that the Homer City Council is strongly opposed to
proposed changes in the Kachemak Bay State Park Management Plan that would encumber,
restrict, or terminate continued operations of this long-standing Hatchery (TBLH) due to
widespread economic and historic/cultural benefits for the greater Homer community and
owing to its clear compatibility within Kachemak Bay State Park.

BE IT FURTHER RESOLVED that the Homer City Council is strongly opposed to
proposed changes that could specifically cause economic hardship for Lower Cook Inlet
commercial fishermen, Homer-based marine trades and businesses, wharfage, crane and ice
sales at the city Fish Dock, fish processing jobs, State and City fish processing tax (landing
tax), and related industry jobs that support our commercial fishing fleet in Homer.

BE IT FURTHER RESOLVED that the Homer City Council calls on the Division of Natural
Resources to work dutifully with the regional aquaculture associations, the Alaska
Department of Fish and Game, Alaska Board of Fisheries, commercial fishermen, and marine
scientific organizations to further its understanding of the importance of Alaskan aquaculture
programs for all Alaskans and our visitors to Kachemak Bay State Park and Wilderness Park.

PASSED AND ADOPTED by the Homer City Council this 14th day of December, 2020.

CITY OF HOMER

KEN CASTNER, MAYOR
ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: N/A
TO: City Council and Mayor Castner
FROM: Jenny Carroll, Special Projects & Communications Coordinator
THROUGH: Rob Dumouchel, City Manager
DATE: March 23, 2022
SUBJECT: March 29, 2022 Legislative Work Session

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(2) Slope Stability Program, (3) Barge Mooring & Large Vessel Haul Out Repair Facility, and (4) Homer Spit Erosion Mitigation. These three projects are also included in the District 31 capital funding priorities list compiled by Representative Vance and Senator Stevens.

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CITY OF HOMER
HOMER, ALASKA

RESOLUTION 21-059

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2023.

WHEREAS, Duly published hearings were held on September 13 and September 27, 2021 to
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WHEREAS, The Council received comments from all of the City of Homer Advisory Board
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2. Multi-Use Community Center
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BE IT FINALLY RESOLVED, that the City Manager is hereby instructed to advise
appropriate State and Federal representatives and personnel of the City’s FY 2023 capital
project priorities and take appropriate steps to provide necessary background
information.
PASSED AND ADOPTED by a duly constituted quorum of the City Council for the City of Homer on this 13th day of September, 2021.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

RENEE KRAUSE, MMC, ACTING CITY CLERK

Fiscal Note: N/A
CITY OF HOMER
HOMER, ALASKA

RESOLUTION 21-064

City Manager/Port Director

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, IN
SUPPORT OF FULL FUNDING OF $11,492,760 FOR THE STATE OF
ALASKA MUNICIPAL HARBOR FACILITY GRANT PROGRAM IN THE
FY 2023 STATE CAPITAL BUDGET.

WHEREAS, The majority of the public boat harbors in Alaska where constructed by the
State during the 1960s and 1970s; and

WHEREAS, These harbor facilities represent critical transportation links and are the
transportation hubs for waterfront commerce and economic development in Alaskan coastal
communities; and

WHEREAS, These harbor facilities are ports of refuge and areas of protection for ocean-
going vessels and fishermen throughout the State of Alaska, especially in coastal Alaskan
communities; and

WHEREAS, The State of Alaska over the past nearly 30 years has transferred ownership
of most of these State-owned harbors, many of which had infrastructure at or near the end of
their service life at the time of transfer, to local municipalities; and

WHEREAS, The municipalities took over this important responsibility even though they
knew that these same harbor facilities were in poor condition at the time of transfer due to the
state’s failure to keep up with deferred maintenance; and

WHEREAS, Consequently, when local municipal harbormasters formulated their annual
harbor facility budgets, they inherited a major financial burden that their local municipal
governments could not afford; and

WHEREAS, In response to this financial burden, the Governor and the Alaska Legislature
passed legislation in 2006, supported by the Alaska Association of Harbormasters and Port
Administrators, to create the Municipal Harbor Facility Grant program (AS 29.60.800); and

WHEREAS, The Department of Transportation and Public Facilities utilizes a beneficial
administrative process to review, score and rank applicants to the Municipal Harbor Facility
Grant Program, since state funds may be limited; and

WHEREAS, For each harbor facility grant application, these municipalities have
committed to invest 100% of the design and permitting costs and 50% of the construction cost; and
WHEREAS, The municipalities of the City of Valdez, City and Yakutat, City & Borough of Juneau, City & Borough of Sitka, City of Homer, City of Edna Bay, Aleutians East Borough/City of Sand Point, and the Municipality of Anchorage have committed to contribute $11,492,760 in local match funding for FY2023 towards harbor projects of significant importance locally as required in the Harbor Facility Grant Program; and

WHEREAS, Completion of these harbor facility projects is all dependent on the 50% match from the State of Alaska’s Municipal Harbor Facility Grant Program; and

WHEREAS, During the last fifteen years the Municipal Harbor Facility Grant Program has only been fully funded twice; and

WHEREAS, A survey conducted by the Alaska Municipal league of Alaska’s ports found that the backlog of projects necessary to repair and replace former State-owned harbors has increased to over $500,000,000; and

WHEREAS, Over the past five years municipal harbors have submitted $70 million in capital project match requests, representing over $116 million in shovel-ready capital projects that have received only $20 million in funding through the Municipal Harbor Facility Grant program with zero funding in FY21 and half of the requested funding in FY 22.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, urges full funding in the amount of $11,492,760 by the Governor and the Alaska Legislature for the State of Alaska’s Municipal Harbor Facility Grant Program in the FY 2023 State Capital budget in order to ensure enhanced safety and economic prosperity among Alaskan coastal communities.

PASSED AND ADOPTED by the Homer City Council this 27th day of September, 2021.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal note: N/A
CITY OF HOMER
HOMER, ALASKA

RESOLUTION 21-008

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA PROVIDING COMMENTS TO THE STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF PARKS AND OUTDOOR RECREATION ON THE KACHEMAK BAY STATE PARK AND KACHEMAK BAY STATE WILDERNESS PARK MANAGEMENT PLAN INTENT TO ADOPT, DATED NOVEMBER 2020

WHEREAS, The State of Alaska Department of Natural Resources Division of Parks and Outdoor Recreation (DPOR) released an Intent to Adopt Management Plan for Kachemak Bay State Park and Kachemak Bay State Wilderness Park in November 2020 to the public for review and comment, with comments on the plan due by January 22, 2021; and

WHEREAS, DPOR states in the Intent to Adopt plan that “the planning process allows DPOR to reassess its management policies to determining if they are meeting the needs of the recreating public while ensuring that uses and activities are not significantly impacting the natural and cultural resources. This plan, therefore, addresses several significant issues that have arisen since the last management plan. The primary reason for revising the management plan is to update the management guidelines and trail and facility recommendations where necessary to support an increasing number of visitors to the park units and to provide diverse recreational opportunities consistent with the mission of the agency and the purposes of the units.”; and

WHEREAS, The plan states that Kachemak State Park and Kachemak Bay State Wilderness Park were created via legislation in the early 1970s with the purpose for the state park to “… protect and preserve this land and water for its unique and exceptional scenic value, the park is established and shall be managed as a scenic park” (Alaska Statute (AS) 41.21.131) and with the purpose of the wilderness park to “… protect and preserve this land and water for its unique and exceptional value, this park is established and shall be managed as a wilderness park” (AS 41.21.140); and

WHEREAS, The plan also provides management direction for several state recreation sites on the north side of the Bay (Diamond Creek, Overlook Park, and Eveline State Recreation Sites) which were created administratively and lack a purpose statement or unit-specific statutes; and
WHEREAS, The City of Homer is the gateway to Kachemak Bay State Park, State Wilderness Park, and the state recreation sites on the north side of the bay and derives tax revenues because of its proximity to the park; and

WHEREAS, Residents of and visitors to Homer enjoy year round use of all park units and Homer residents make up the bulk of park volunteers who maintain trails and other facilities within the park; and

WHEREAS, Some Homer residents derive a livelihood at least in part due to the proximity of the park, through concessions such as water taxis and guide services.

NOW THEREFORE BE IT RESOLVED that the City of Homer, Alaska provides the following comments on DPOR’s Intent to Adopt Management Plan for Kachemak Bay State Park and Kachemak Bay State Wilderness Park dated November 2020:

- The City of Homer appreciates the goals and objectives for each of the park units and the recognition that the parks are currently understaffed to adequately manage, monitor, oversee, and regulate activities in such a large and diverse park system. We encourage DPOR to actively seek state funding to add much needed staff to the park to maintain the goals and objectives of the park units.
- The City of Homer agrees with the intents listed in Chapter 5 of the plan for each of the park units. Related to the state recreation sites, we applaud the intent to improve parking and outhouse facilities and provide accessible (terra) access and trails at Eveline, enhance parking and add camping and public use cabins at Diamond Creek, and recognize the unique natural resources of Overlook Park.
- The City of Homer recognizes that the Alaska Department of Fish and Game authorized use of personal watercraft (PWC) in Kachemak Bay Critical Habitat Area effective January 9, 2021. The Intent to Adopt plan states that within the “Natural Zone” of the park “If this occurs, PWC use may be authorized under 11 AAC 18.010 until a regulation allowing use is promulgated.” We encourage DPOR to carefully evaluate the compatibility of PWC regarding the purpose of the park before authorization.
- The City of Homer previously provided comments on DPOR’s determination that hatcheries (specifically the Tutka Bay Lagoon Hatchery operated by Cook Inlet Aquaculture (CIAA)) are “likely incompatible with park purposes” because the park cannot dispose of land (see City of Homer Resolution 20-134). We provide the following additional comments:
  - We encourage DPOR to continue evaluation of the issue of compatibility and land disposal with CIAA, Alaska Department of Fish and Game, and legal counsel before the current CIAA operating agreement expires in 2031.
  - We request that more information be provided to justify the incompatible finding for each park zone in the Intent to Adopt plan in the Fisheries Enhancement - Hatchery row of the Resource Management Activities table in Chapter 5.
We request that DPOR further evaluate the potential impact to the personal use fishery within the park (China Poot) and other public uses the hatchery benefits within the park before making a final determination of incompatibility.

PASSED AND ADOPTED by the City Council of Homer, Alaska, this 11th day of January, 2020.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal note: N/A
CITY OF HOMER
HOMER, ALASKA

Evensen/Hansen-Cavasos/Mayor

RESOLUTION 20-134(A)

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
SUPPORTING REGIONAL AQUACULTURE ASSOCIATIONS AND
STRONGLY OPPOSING PROPOSED CHANGES TO MANAGEMENT
PLAN OF KACHEMAK BAY STATE PARK AND STATE WILDERNESS
PARK THAT WOULD DISPROPORTIONATELY AND NEGATIVELY
IMPACT THE HOMER COMMUNITY

WHEREAS, The State of Alaska Division of Natural Resources (DNR) recently proposed
management plan with intent-to-adopt, which includes effective elimination of the “Fishery
Enhancement – Hatcheries” category with respect to Kachemak Bay State Park (Park) and its
Tutka Bay Lagoon Hatchery; and

WHEREAS, Built by the State of Alaska, the Tutka Bay Lagoon Hatchery (TBLH) is a
regular component within the Park and nearly as old as the Kachemak Bay State Park (1970)
itself; and it is currently operated by Cook Inlet Aquaculture Association (CIAA) and has been
serving the greater Homer community continuously since 1978; and

WHEREAS, CIAA is a private, non-profit, regional aquaculture corporation that works
with regional stakeholders to engage in salmon fisheries enhancement and habitat work
throughout the Cook Inlet region for the benefit of commercial, subsistence, sport, and
personal use fishing; and

WHEREAS, CIAA activities bolster salmon throughout their entire lifecycle and the
nutrients that they provide uniquely support land-based ecosystems; and this marine-to-land
transference of biomass is rare biologically and critical to inland wildlife populations near
Homer; and

WHEREAS, One distinguishing feature of Alaskan aquaculture is that fisheries
enhancement is designed to provide salmon harvest opportunities while maintaining the
sustainability of wild salmon through science-based programs; and this concept and
terminology should not be confused with environmentally offensive “fish farming” – a
controversial, offshore practice that remains illegal in the State of Alaska; and

WHEREAS, Citizens of Homer and visitors to Kachemak Bay directly benefit from CIAA
activities from at least the following run fisheries:

- Sockeye salmon providing sport, personal use, and commercial fishing harvest at
  China Poot River and waterfall, Kachemak Bay
• Sockeye salmon released at Hazel Lake, returning to Kachemak Bay for sport and commercial fishing harvest
• Pink salmon providing sport, personal use, and commercial fishing harvest at Port Graham Bay, Kachemak Bay
• Pink and **sockeye** salmon providing sport and commercial fishing harvest at Tutka Bay, Kachemak Bay
• Coho salmon providing sport, and personal use fishing harvest throughout Kachemak Bay (CIAA-initiated Caribou Lake stock)
• Monitoring natural salmon colonization at Paint River (via CIAA-built fish ladder), Kamishak Bay, Cook Inlet, with the goal of opening up common property fishing there
• Sockeye salmon providing sport and commercial fishing harvest at Kirschner River, near Bruin Bay, Kamishak Bay
• Monitoring stations (modern fish weirs) for natural sockeye salmon runs at Delight River and Desire River, Nuka Bay (near Kachemak Bay State Wilderness Park)

WHEREAS, A corollary to local benefited fisheries, the largest sector of tourism in and around Homer involves sport fishing; and these visitors also represent the largest user group (volumetrically) of the Homer Harbor and its facilities; and

WHEREAS, Citizens of Homer reap economic benefits from CIAA activities associated with TBLH, including support of Homer-based marine trades and businesses, fish processing jobs, State and City fish processing tax (landing tax), and related industry jobs that support both sport fishing and commercial fishing fleets in Homer; and

WHEREAS, Common property harvest at TBLH fills a strategic gap in the mid-season timing of the Commercial Lower Cook Inlet Salmon Fishery and some years the “Tutka Run” has represented the most substantial harvests; and TBLH also represents crucial operations for CIAA that allow salmon enhancement and monitoring regionally throughout Kachemak Bay and Lower Cook Inlet; and

WHEREAS, Within the Park the majority of seasonal traffic directed at Tutka Bay and Tutka Bay Lagoon is due to sport fishing supplied by TBLH; and heavy Park usage directed at the China Poot Dip Net Fishery also relates to TBLH and CIAA; and

WHEREAS, Proposed changes to the management plan for Kachemak Bay State Park and cessation of the TBLH would harm the largest usage of the Park, diversity of users within the Park, and current and historic economies of the Homer community; and furthermore it would severely or permanently limit salmon deliveries to the Homer Dock, encumber fish-processing and fish-transporting businesses, potentially eliminate related business niches, commercial and sport fishing operations based from Homer, families that rely on personal use fishing for subsistence, regional tourism in a widespread manner, and – generally – the citizens of Homer; and
WHEREAS, In summary, implementation of plans proposed by DNR would unfairly and
disproportionately affect the livelihoods of citizens and the economy of one community,
Homer; and

WHEREAS, Continued support and operation at TBLH as a Park-compatible asset is in
the interest of the citizens of Homer and the numerous stakeholders surrounding Homer’s
regional world-class marine-, river- and lake-based resources.

NOW, THEREFORE BE IT RESOLVED that the Homer City Council affirms its general
support for regional aquaculture associations and their programs, and for CIAA in particular.

BE IT FURTHER RESOLVED that the Homer City Council supports scientific and
unbiased methods to assess the interaction of aquaculture programs with marine
ecosystems.

BE IT FURTHER RESOLVED that the Homer City Council is strongly opposed to
proposed changes in the Kachemak Bay State Park Management Plan that would encumber,
restrict, or terminate continued operations of this long-standing Hatchery (TBLH) due to
widespread economic and historic/cultural benefits for the greater Homer community and
owing to its clear compatibility within Kachemak Bay State Park.

BE IT FURTHER RESOLVED that the Homer City Council is strongly opposed to
proposed changes that could specifically cause economic hardship for Lower Cook Inlet
commercial fishermen, Homer-based marine trades and businesses, wharfage, crane and ice
sales at the city Fish Dock, fish processing jobs, State and City fish processing tax (landing
tax), and related industry jobs that support our commercial fishing fleet in Homer.

BE IT FURTHER RESOLVED that the Homer City Council calls on the Division of Natural
Resources to work dutifully with the regional aquaculture associations, the Alaska
Department of Fish and Game, Alaska Board of Fisheries, commercial fishermen, and marine
scientific organizations to further its understanding of the importance of Alaskan aquaculture
programs for all Alaskans and our visitors to Kachemak Bay State Park and Wilderness Park.

PASSED AND ADOPTED by the Homer City Council this 14th day of December, 2020.

CITY OF HOMER

KEN CASTNER, MAYOR
128 ATTEST:
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132 MELISSA JACOBSEN, MMC, CITY CLERK
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134 Fiscal Note: N/A
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