

ALASKA STATE LEGISLATURE

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SENATOR PETER A. MICCICHE

Sponsor Statement

DISTRICT

Anchor Point

SB 148 "An Act excluding certain land from the Kachemak Bay Critical Habitat Area."

Clam Gulch

Cohoe

SB 148 amends AS 16.20.590 by exempting the Homer Port and Harbor from the Kachemak Bay Critical Habitat Area (KBCHA).

Diamond Ridge

Fox River

There is discrepancy between the Kachemak Bay and Fox River Flats Critical Habitat Areas Management Plan and AS 16.20.590 establishing the KBCHA. The Management Plan states on page 1, "The plan does not apply to federal or municipal lands within the critical habitat areas." However, statute does not spell out such an exemption, which has created legal ambiguity about both the enforceability of the municipal lands exemption provision in the Plan and Alaska Department of Fish and Game's (ADF&G) ability to permit certain legitimate activities at the port, most notably oil and gas drill rigs docking for the purpose of maintenance and repair.

Fritz Creek

Funny River

Halibut Cove

Happy Valley

Homer

Kachemak City

Kachemak Selo

Kalifornsky

Kasilof

Kenai

The Management Plan further states that a vessel that drops anchor or moors at a dock for more than 14 days must obtain a permit from ADF&G. This is impractical and inefficient for a large municipal port and harbor facility. The City of Homer has experienced costly and time-consuming permitting hurdles for construction projects in the port and harbor, even when those projects comprised replacing and repairing existing infrastructure.

Nikolaevsk

Ninilchik

Razdolna

Ridgeway

Seldovia

Soldotna

Voznesenka

The KBCHA protects Kachemak Bay and the resources which provide the foundation of Homer's local economy, lifestyle and quality of life. This legislation will improve environmental protection in Kachemak Bay and the Lower Cook Inlet, giving oil and gas drilling rigs a safe place to dock for maintenance, repair and emergency services. The location, quality tradesmen and accessibility by road and air make the Homer Port and Harbor a necessary part of the support system for responsible oil and gas exploration in Cook Inlet. SB 148 is required to allow that support to take place in an efficient manner.