

Kenai Peninsula Watershed Improvements - Clean Water Act, Section 404, Settlement **FY2010 Request: \$900,000**
Reference No: 48792

AP/AL: Allocation **Project Type:** Construction
Category: Natural Resources
Location: Kenai Areawide **Contact:** Frank Richards
House District: Kenai Areawide (HD 33-35) **Contact Phone:** (907)465-3900
Estimated Project Dates: 04/19/2010 - 12/31/2011
Appropriation: Regulatory Compliance

Brief Summary and Statement of Need:

Project fulfills one of two conditions of a negotiated settlement, between the State of Alaska, Department of Transportation (DOT&PF) and the Environmental Protection Agency (EPA), for alleged violations of Section 404 of the Clean Water Act (CWA). The funding will be provided to a qualified, third party, non-profit established to preserve, for public benefit, land with significant natural, recreational, or cultural value on the Kenai Peninsula. The non-profit is to purchase and place conservation easements over properties that will preserve water quality and salmon habitat.

Funding:	<u>FY2010</u>	<u>FY2011</u>	<u>FY2012</u>	<u>FY2013</u>	<u>FY2014</u>	<u>FY2015</u>	<u>Total</u>
Gen Fund	\$900,000						\$900,000
Total:	\$900,000	\$0	\$0	\$0	\$0	\$0	\$900,000

<input type="checkbox"/> State Match Required	<input checked="" type="checkbox"/> One-Time Project	<input type="checkbox"/> Phased - new	<input type="checkbox"/> Phased - underway	<input type="checkbox"/> On-Going
0% = Minimum State Match % Required		<input type="checkbox"/> Amendment	<input type="checkbox"/> Mental Health Bill	

Operating & Maintenance Costs:

	<u>Amount</u>	<u>Staff</u>
Project Development:	0	0
Ongoing Operating:	0	0
One-Time Startup:	0	0
Totals:	0	0

Additional Information / Prior Funding History:

None.

Project Description/Justification:

The alleged violations arose in connection with work initiated by DOT&PF to address damage caused by two 100-year floods that occurred on the Kenai Peninsula in October and November of 2002. DOT&PF restored roadways and public facilities at twelve sites placing bank protection along the Ninilchik, Resurrection, Kenai and Anchor River, and Deep Creek, in alleged violation of the CWA. If the funding is not provided to the non profit the EPA will consider us in breach of our agreement and will file suit.