

City Council

Monday, April 24, 2017

Special Meeting 2:00 p.m.

Worksession 4:00 p.m.

Committee of the Whole 5:00 p.m.

Regular Meeting 6:00 p.m.

 hello
spring!



City Hall Cowles Council Chambers
491 E. Pioneer Avenue
Homer, Alaska



April-May 2017

- Monday 24th:** **CITY COUNCIL**
Special Meeting 2:00 p.m. Worksession 4:00 p.m., Committee of the Whole 5:00 p.m., and Regular Meeting 6:00 p.m.
- Tuesday 25th:** **CITY COUNCIL**
Worksession 4:00 p.m.
- Wednesday 26th:** **PORT & HARBOR ADVISORY COMMISSION**
Regular Meeting 5:00 p.m.
- Thursday 27th:** **CANNABIS ADVISORY COMMISSION**
Regular Meeting 5:30 p.m.
- Monday 1st:** **POLICE STATION BUILDING TASK FORCE**
Regular Meeting 4:00
- Tuesday 2nd:** **LIBRARY ADVISORY BOARD**
Worksession 4:30, Regular Meeting 5:30 p.m.
- Wednesday 3rd:** **HOMER ADVISORY PLANNING COMMISSION**
Worksession 5:30 p.m., Regular Meeting 6:30 p.m.
- Thursday 20th:** **PARKS ART RECREATION AND CULTURE ADVISORY COMMISSION**
Regular Meeting 5:30 p.m.
- Monday 8th:** **CITY COUNCIL**
Worksession 4:00 p.m., Committee of the Whole 5:00 p.m., and Regular Meeting 6:00 p.m.

Regular Meeting Schedule

- City Council 2nd and 4th Mondays 6:00 p.m.
Library Advisory Board 1st Tuesday 5:30 p.m. with the exception of
January April August November
Economic Development Advisory Commission 2nd Tuesday 6:00 p.m.
Parks Art Recreation and Culture Advisory Commission 3rd Thursday 5:30 p.m. with the exception of
July, December, January
Planning Commission 1st and 3rd Wednesday 6:30 p.m.
Port and Harbor Advisory Commission 4th Wednesday 5:00 p.m. (May-August 6:00 p.m.)
Cannabis Advisory Commission Quarterly 4th Thursday 5:00 p.m.

MAYOR AND CITY COUNCILMEMBERS AND TERMS

- BRYAN ZAK, MAYOR – 18
DAVID LEWIS, COUNCILMEMBER – 17
CATRIONA REYNOLDS, COUNCILMEMBER – 17
DONNA ADERHOLD, COUNCILMEMBER – 18
HEATH SMITH, COUNCILMEMBER – 18
SHELLY ERICKSON, COUNCILMEMBER – 19
TOM STROOZAS, COUNCILMEMBER - 19
City Manager, Katie Koester
City Attorney, Holly Wells

HOMER CITY COUNCIL
491 E. PIONEER AVENUE
HOMER, ALASKA
www.cityofhomer-ak.gov



SPECIAL MEETING
2:00 P.M. MONDAY
APRIL 24, 2017
COWLES COUNCIL CHAMBERS

MAYOR BRYAN ZAK
COUNCIL MEMBER DAVID LEWIS
COUNCIL MEMBER CATRIONA REYNOLDS
COUNCIL MEMBER DONNA ADERHOLD
COUNCIL MEMBER HEATH SMITH
COUNCIL MEMBER TOM STROOZAS
COUNCIL MEMBER SHELLY ERICKSON
CITY ATTORNEY HOLLY WELLS
CITY MANAGER KATIE KOESTER
CITY CLERK JO JOHNSON

SPECIAL MEETING AGENDA

- 1. CALL TO ORDER, 2:00 P.M.**
- 2. AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)
- 3. NEW BUSINESS**
 - A. Appeal to the Board of Adjustment**
Appeal of Penalty on Delinquent Assessment Payment for the Homer Natural Gas Special Assessment District. Page 7
- 4. COMMENTS OF THE AUDIENCE**
- 5. ADJOURNMENT NO LATER THAN 4:50 P.M.**
Next Regular Meeting is Monday, May 8, 2017 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Please Consider waiving my
late fee's! I work out of town
Some times up to 7 months the Bill
was late before I recieved it!
AS I WAS in ATTU on the alution chain
on a envirmmental clean up for Bristol Bay
Native corperation! thank you.

William Sjaell

4-13-17

APR 13 2017



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

April 4, 2017

William Stovell
4803 Rochelle Road
Homer, AK 99603

Subject: Denial of the natural gas assessment waiver

This letter is to notify you that on March 28, 2017 City Council adopted Ordinance 17-15 that updated and clarified the implementation of penalty and interest structure, provided terms for reinstatement and waiving penalties for special assessments in the Homer Natural Gas Distribution Special Assessment District that became delinquent on or after July 1, 2016. This Ordinance included an appeal process for waiver denials to the Board of Adjustment.

What this means for you is that you have the opportunity to appeal the decision to deny your "Request for Waiver of Penalty on Delinquent Assessments" of the natural gas assessment penalty that was filed in late 2016.

If you wish to appeal that decision, you will need to submit a letter requesting reconsideration of the denial. The request must be received no later than close of business on April 17, 2017.

If there is additional information that supports your request, please include it with your letter.

Requests for reconsideration will be heard by the Board of Adjustment for a final decision at 2:00 p.m. on April 24, 2017. This meeting is a public meeting that you are welcome to attend and will be held in Council Chambers. You will be given the opportunity to state your reasons for the waiver of penalty on the assessment. If you choose not to appeal, the denial of your request remains.

Respectfully,

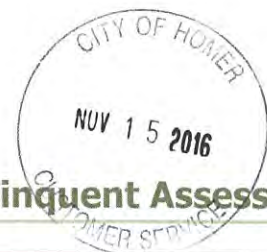
Jo Johnson, MMC
City Clerk

Enclosure(s): Ordinance 17-15



City of Homer

Request for Waiver of Penalty on Delinquent Assessments



Property Address: 4803 Rochelle RD + Date: 11-15-16

Parcel ID: 179320-03 / 179320-04
Acct #: 150.932003 / 150 932004
Request complete: Y/N
Owner: William Stovell
Mailing address: 4803 Rochelle RD
Email: lets go @ alaska.net
Phone numbers: 907-392-4604

Legal Description:

Note: This application for a waiver of penalty must include payment of all delinquent assessment payments owed to the City.

Reason for request. Clerical error by City personnel. Examples are:

- Timely payment to the wrong account.
Failing to send property owner timely notice of the payment due date.
Sending the payment notice to a name or address that does not appear on the Kenai Peninsula Borough property tax roll.

Note: The property owners are responsible for notifying the KPB of any change in property owner name and address.

U.S. Postal Service (USPS) error:

- Attach proof that the USPS failed to deliver the notice of payment due date or the payment to the address on the envelope.
Attach proof that the USPS delayed delivery of the notice of the payment due date or the payment that contributed to the late payment.
Attach proof that the postmark on the payment was not accurate when the property owner delivered payment to USPS.

Serious illness or death of the property owner or immediate family member that prevented making payment on time.

- Attach death certificate or confirmation of serious illness.

Other extreme non-financial hardship. Describe and attach proof:

I was in Alaska working on an environmental job. Bristol environmental/Ind.

Signature: W Stovell

Finance Department Review

Finance Director's Initials: [Signature]
Date: 11/16/17
Recommendation: Do Not Recommend

Comments/Conditions: penalty paid

See back for procedures:

Rec'd 11/15/16 - 12:25 178

Upon the City receiving your request for waiver of penalty on delinquent special assessment payment, the form and attachments will be reviewed by the Finance Director who will provide a recommendation to Council based on appropriate documentation and consistency with policy. The form, without any confidential documents attached, will be forwarded to Council for final review at a regularly scheduled Council meeting. The application must include payment of all delinquent assessment payments owed to the City which will be refunded if the waiver is approved by Council. The City Clerk will notify you of the Council's decision, which is not subject to appeal (Resolution 16-079(S)(A)).

APR 13 2017



To: Homer City Council

April 10, 2017

I did not attend the last council meeting where penalty fees for late payments of gas assessments were being considered, because I had submitted the necessary form for a request for waiver of the penalty fees (estimated to be \$400) with an explanation, and naturally assumed the fee would be waived.

Since it wasn't, and because I've heard that the matter of some of the penalty fees may be reconsidered, I wanted to briefly explain the reason that my payment was late.

In 2015, I paid my first assessment in person and after questioning whether bills would be sent out for future payments, was assured that they would be. That settled the question for me as to whether I needed to remember or track the billing myself.

In August of 2016, it dawned on me that I hadn't received a bill for the assessment and figured that it was near the time that it should be due. I contacted the Finance Department asking when the bills would be sent out and was advised at that time that they were past due by about a month. I immediately drove to City Hall and paid the bill. I mentioned that I never received a bill and upon reviewing the matter, Finance discovered that my bill was being sent to an address on Triton Court where I have never lived nor received one piece of mail. It was a clerical error with the Borough's data base which the City of Homer was using. So, it was no fault of the City's, but neither was it any fault of mine that the billing didn't reach me, to notify me that the payment was due.

Had I not taken the initiative, I still would not have received a billing, or even be aware that there were any penalties due. It seems only reasonable that I not be penalized for a clerical error that was no fault of mine. I took the initiative in the matter, and have followed through with the Borough to get them to correct their error. Had the mistake or negligence been mine, you wouldn't be hearing from me.

Thank you for your consideration.

Dan Gardner
P.O. Box 238
Homer, AK 99603
4455 East Hill Road – Residence
KPB# 179 030 73



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue

Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

April 4, 2017

Dan & Debbie Gardner
P.O. Box 238
Homer, AK 99603

Subject: Denial of the natural gas assessment waiver

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What this means for you is that you have the opportunity to appeal the decision to deny your "Request for Waiver of Penalty on Delinquent Assessments" of the natural gas assessment penalty that was filed in late 2016.

If you wish to appeal that decision, you will need to submit a letter requesting reconsideration of the denial. The request must be received no later than close of business on April 17, 2017.

If there is additional information that supports your request, please include it with your letter.

Requests for reconsideration will be heard by the Board of Adjustment for a final decision at 2:00 p.m. on April 24, 2017. This meeting is a public meeting that you are welcome to attend and will be held in Council Chambers. You will be given the opportunity to state your reasons for the waiver of penalty on the assessment. If you choose not to appeal, the denial of your request remains.

Respectfully,

Jo Johnson, MMC
City Clerk

Enclosure(s): Ordinance 17-15



City of Homer



Request for Waiver of Penalty on Delinquent Assessments

* Payment was made the day I called to ask why I hadn't rec'd a bill

Property Address: 4455 East Hill Rd. Date: 11/7/16

Parcel ID: 17903073	Owner: Dan + Debbie Gardner
Acct # _____	Mailing address: P.O. Box 238
Request complete: Y / N	Email: _____
	Phone numbers: 907 399-4170

Legal Description: J Waddell Sub 2002 Adn. Lot 3

Note: This application for a waiver of penalty must include payment of all delinquent assessment payments owed to the City.

Reason for request. Clerical error by City personnel. Examples are:

- Timely payment to the wrong account.
- Failing to send property owner timely notice of the payment due date.
- Sending the payment notice to a name or address that ~~does not appear on the Kenai Peninsula Borough property tax roll.~~ *Was incorrect in Borough records*

Note: The property owners are responsible for notifying the KPB of any change in property owner name and address.

U.S. Postal Service (USPS) error:

- Attach proof that the USPS failed to deliver the notice of payment due date or the payment to the address on the envelope.
- Attach proof that the USPS delayed delivery of the notice of the payment due date or the payment that contributed to the late payment.
- Attach proof that the postmark on the payment was not accurate when the property owner delivered payment to USPS.

Serious illness or death of the property owner or immediate family member that prevented making payment on time.

- Attach death certificate or confirmation of serious illness.

Other extreme non-financial hardship. Describe and attach proof:

Was mailed to my son's address who never lived at or owned my property. He is out of state. I never received, so I called asking where billing was. Paid in full at that time.

Signature: *[Handwritten Signature]*

Finance Department Review

Finance Director's Initials: <i>[Signature]</i>	<input checked="" type="checkbox"/> Recommend <input checked="" type="checkbox"/> Do Not Recommend <input type="checkbox"/> Recommend with Conditions
Date: 1/16/17	

Comments/Conditions:

KPB had wrong information (due to KPB error not property owner) - penalty not paid

See back for procedures: *- We mailed to address of record.*

Upon the City receiving your request for waiver of penalty on delinquent special assessment payment, the form and attachments will be reviewed by the Finance Director who will provide a recommendation to Council based on appropriate documentation and consistency with policy. The form, without any confidential documents attached, will be forwarded to Council for final review at a regularly scheduled Council meeting. The application must include payment of all delinquent assessment payments owed to the City which will be refunded if the waiver is approved by Council. The City Clerk will notify you of the Council's decision, which is not subject to appeal (Resolution 16-079(S)(A)).

APR 14 2017 PM 12:33 WJ

City of Homer
491 E. Pioneer Ave.
Homer Alaska 99603

April 14, 2017

We write this letter in consideration for the waiver of penalties and fees associated to a late payment of the gas assessment at 4800 Diamond Creek and the reinstatement of the yearly installment plan.

On May 2015 a quick claim deed (# 2015-004149-0) for our property, located at 4800 Diamond Creek, was deeded to Steven J Rich. As part of the litigation, there was an agreement that the gas assessment installment was to be paid by the grantor to the City of Homer. Mail was sent to the grantor and was not received by Steven. When the 2016 notice was received, we realized the payment had not been made and promptly paid both 2015 and 2016 assessments.

After our payments were processed we immediately asked to be reinstated on the payment plan for the gas assessment. City employees advised that the payment plan was no longer available. Moreover, late fees and penalties will incur until the entire balance of the assessment was paid in full. The employee went on to state, "do not pay any fees or penalties as the City is working on a petition to waive the fines and fees." We proceeded as advised and held off on any further payments. Additionally, we contacted Brian Zac who echoed not to pay the fees/fines. He advised we presented a reasonable explanation to have our fees and penalties dismissed. Furthermore, the City Council was working on an ordinance regarding this specific issue and asked us to send a letter explaining our circumstance.

On June 20th, 2016 we wrote a letter explaining the reason for the late payment. We continued to check in every month to inquire about our status. January of 2017, we received a reply stating we had been denied. There was not an explanation. We called to discuss the denial and we were advised that there had been an option to be reinstated on the payment plan. However, since we had not paid the penalties we "missed our window of opportunity". This situation has become very frustrating as we have been following the instructions of City of Homer staff and Council member. On February 14th, we wrote another letter and presented our situation at the bi-monthly City meeting. We were again told we posed a valid concern and the City Council would review and establish a new process.

In response to the most current letter from the City, we would like to appeal one more time. We ask and greatly appreciate your consideration to reinstate our assessment installment plan and waive all late fees and penalties. We feel this is justified as we have been heartily in contact with the City and have been making due diligence in effort for a resolution. Furthermore, we have been honest about our situation and believe we fall within the justifications per the letter we received this April.

We sincerely thank you for the time you have put into this issue and we look forward to your response.

Kind Regards,

Nikki and Steven Rich

N&S Rich

*Please contact us @ 907-299-8979
for any questions.*





City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue

Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

April 4, 2017

Steven J. Rich
1025 Lakeside Drive
Homer, AK 99603

Subject: Denial of the natural gas assessment waiver

This letter is to notify you that on March 28, 2017 City Council adopted Ordinance 17-15 that updated and clarified the implementation of penalty and interest structure, provided terms for reinstatement and waiving penalties for special assessments in the Homer Natural Gas Distribution Special Assessment District that became delinquent on or after July 1, 2016. This Ordinance included an appeal process for waiver denials to the Board of Adjustment.

What this means for you is that you have the opportunity to appeal the decision to deny your "Request for Waiver of Penalty on Delinquent Assessments" of the natural gas assessment penalty that was filed in late 2016.

If you wish to appeal that decision, you will need to submit a letter requesting reconsideration of the denial. The request must be received no later than close of business on April 17, 2017.

If there is additional information that supports your request, please include it with your letter.

Requests for reconsideration will be heard by the Board of Adjustment for a final decision at 2:00 p.m. on April 24, 2017. This meeting is a public meeting that you are welcome to attend and will be held in Council Chambers. You will be given the opportunity to state your reasons for the waiver of penalty on the assessment. If you choose not to appeal, the denial of your request remains.

Respectfully,

Jo Johnson, MMC
City Clerk

Enclosure(s): Ordinance 17-15



City of Homer

Request for Waiver of Penalty on Delinquent Assessments

Rec'd 11/16/16 [Stamp: CITY OF HOMER NOV 16 2016]

Property Address: _____ Date: 11/5/2016

Parcel ID: 17369008 Owner: Steven J. Rich
Acct #: 150369008 Mailing address: 1025 Lakeside Dr.
Request complete: (Y) N Email: skateeratak@yahoo.com
Phone numbers: (907) 399-1877 - (907) 299-8979

Legal Description: T6SR 14W Sec 13 Sew. Mer Hm 08 40004 EAGLE VIEW SUB Amen Lot 2

Note: This application for a waiver of penalty must include payment of all delinquent assessment payments owed to the City.

Reason for request. Clerical error by City personnel. Examples are:

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Sending the payment notice to a name or address that does not appear on the Kenai Peninsula Borough property tax roll.

Note: The property owners are responsible for notifying the KPB of any change in property owner name and address.

U.S. Postal Service (USPS) error:

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Attach proof that the USPS delayed delivery of the notice of the payment due date or the payment that contributed to the late payment.
Attach proof that the postmark on the payment was not accurate when the property owner delivered payment to USPS.

Serious illness or death of the property owner or immediate family member that prevented making payment on time.

- Attach death certificate or confirmation of serious illness.

Other extreme non-financial hardship. Describe and attach proof:

Tax bill was sent to former co-owner of property. Didn't receive notice until bill was already delinquent.

Signature: Steven Rich

Finance Department Review

Finance Director's Initials [Signature]
Date: 11/16/17
Recommend [X] Do Not Recommend [] Recommend with Conditions []

Comments/Conditions: We mailed to owner of record, penalties not paid. [Signature]

See back for procedures:

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Jo Johnson

From: nikki hennick <nikkihennick@hotmail.com>
Sent: Wednesday, February 15, 2017 9:49 AM
To: David Lewis; Donna Aderhold; Tom Stroozas; Catriona Reynolds; Heath Smith; shellyrichson@ci.homer.ak.us; Mayor Email
Subject: Gas Assessment

City of Homer
City Council Members
491 E. Pioneer Ave
Homer Alaska 99603

February 14, 2017

City Council Members:

This last year I was notified that the gas assessment for my Diamond Ridge property had not been paid for 2015. I had gone through a litigation, dissolving the joint ownership of this property. As part of an agreement, the other owner was to pay the assessment bill. Much to my surprise, when the 2016 assessment notice was released, the payment had not been made. Immediately, my wife contacted the City, and the now, Mayor Brian Zak. Mr. Zak instructed us to write a letter to the City of Homer and that there shouldn't be any issue, as it seemed like a reasonable situation. I submitted a letter dated June 20, 2016, presented my predicament and stated I paid the 2015 assessment, as well as the 2016 dues up to date. I asked to have any penalties waived and reinstated on the original payment plan the City of Homer provided. When I submitted the letter, I paid the assessment installments to date. My wife was told that the City was creating a procedure to address the issue of penalties and was told to wait and see what happens.

My wife consistently contacted the City in regards to the letter I submitted. It took over seven months to get any information regarding our concern. Each time my wife contacted the City, she was told "we are working on it" and hold off on anything until the City was able to establish a process addressing penalties on the gas assessment. In late 2016 we received the form to request the penalty waiver. Promptly, I filed the application and had expected to be notified of the process.

This week we received a letter stating we had been denied, with no explanation. When we contacted the City's Financial Department, we were told that the entire balance was due in full. In addition, all penalties apply and will continue to incur charges each month until the entire balance was paid.

The Finance Clerk told us that there had been an ordinance passed that stated: If the property owner pays the penalties and the outstanding installments, they were able to go back on the yearly agreement. She advised it was the second time they passed such an order. The Clerk, Jenna, commented that there was a letter sent to that regard, however we had not sent one since we had paid everything, except penalties and interest. She continued to state 'we missed the window of opportunity.' This was quite surprising and upsetting, at no time was I offered any payment resolution to my situation.

I feel as though there has been a lack of communication or even miss-communication from the City. I am writing to request my account be placed back on the yearly agreement, especially since I could have been included in the last ordinance. I am also continuing my petition to reverse the penalties on the basis: a.) I thought the 2015 payment was made, no notification of non-payment was issued until the following year, b.) once the lack of payment was identified, we immediately contacted the City to inquire about a resolution and paid the installments to date., c.) was under the impression from the office staff at the City that there was no

need to pay the penalties as the City was working on options for property owners with disputes similar to my situation.

We greatly appreciate your time addressing this issue and look forward to the options available. In the end our main concern is wanting to be placed back on installments and not being penalized. Feel free to contact us via email at nikkihennick@hotmail.com or stevenrichak@yahoo.com.

Kind Regards,

Nikki and Steven Rich

City of Homer
City Council Members
491 E. Pioneer Ave
Homer Alaska 99603

June 20, 2016

Dear City Council Members :

I am writing in hopes to discuss options regarding late penalties on the Gas Line Assessment. I have been involved in a legal transaction regarding negotiation of title on my personal property, located off Diamond Creek and Eagleview. During this litigation, the dues for the gas line became due. The mailing address that the billing was sent to was being collected by the person who, at the time was in joint ownership of the property. Needless to say, I retained the property and was unaware that the invoice was due and hence, it was not paid. To add to that, I did not receive late notices in regards to the balance due until the other day.

The letter I received stated almost \$1400 due on the financed portion of the assessment. I called and spoke to the representative and inquired about possible options to get my account to date. She stated that the fees were non-negotiable and hence due in full or else additional fees would be applied. I understand the high penalties on individuals who were not in contact with the City, however due to the mailing and legal issues I was having, I am hoping you can waive my penalties and fees, as I am up to date on my account.

My fiancé and I have two parcels in the City of Homer. We have one up to date and the other is the Diamond Creek property. Nikki Hennick was born here and I have lived here for over 15 years. We are getting married next month and any financial break would be very appreciated. Had I known that the payment was not included in the litigations on my Diamond Creek property, last year dues would have been cleared up. For his I am truly regretful. Nikki spoke to Brian Zak who suggested that we write a letter asking to have the penalties waived and my account placed back on the original payment schedule, due to the unfortunate circumstances.

I understand that there will be discussions of this topic at the next City Council meeting. I truly hope there are options as I am in a position of hardship.

Thank you for your time and consideration.

Sincerely,



Steven Rich



1/17/2017 10:02 AM

Address Change Audit

173-690-08

Owner
RICH STEVEN RICH STEVEN J
J

ADDRESS

1025 LAKESIDE DR
HOMER AK 99603

TIME

10/3/2016 10:35:41 AM CHayes

USER

NOTES (IF ANY)

Owner
RICH STEVEN J

PO BOX 3261
HOMER AK 99603-3261

5/27/2015 4:37:01 PM RKrohn

Owner
RICH STEVEN J

PO BOX 3261
HOMER AK 99603-3261

6/1/2006 3:28:59 PM

COA PER ONLINE REQUEST
SUBMITTED BY STEVEN J RICH

.....

.....

.....

APR 18 2017



To THE CITY OF HOMER April 15 2017

REGARDING PENALTY AND INTEREST FOR SPECIAL ASSESSMENTS NATURAL GAS

In April of 2015 my wife and I purchased a house in the Homer area. One of the things we discussed was an assessment for the gas line. After calling the buro and city and trying to find out what the plan was for paying this, I was told-"we are not sure, but you will have plenty of notice when we do."

We went about our business for the summer, and after a long salmon season we moved to Unalaska in Sept. and rented out our house. At this time we had not received any kind of notice of the gas assessment. The spring of 2015 we get a notice, we are in arears for the payment for 2015. So a bill for 2015, 2016 plus penalties, and late fees came to about \$1350 which we paid promptly. Later we find we can contest this, but were denied. Now I see enough property owners must have complained and the city s allowing another chance to contest this.

So here we go

1. NO NOTICE RECEIVED IN 2015

After talking with a number of people, including a couple title companies, we find that others had similar things happen to them.

From what I could gather the notice was probably sent to the owner of record on Jan first of that year, not June or May first.

2. NO FURTHER NOTICE RECEIVED

Till the notice came in spring of 2016. This seems untimely as to take a year to send a second notice and then charge outlandish penalties and fees. Upon receipt of this notice we paid said amount. 2016

3. NO FORGIVENESS

However we have been denied forgiveness, even though we paid promptly when we did receive notice of what we owed.

Our feelings are that if the City used old data (i.e. Jan 1st ownership) the City should be a little more responsible for any tardiness of payment. We admit that we did move to Unalaska for the winter and do not know if any mail was Not forwarded to us. However upon receiving the notice in 2016 we did make prompt and full payment for 2 years assessment and penalties and fees.

Considering this , I would request that you would reverse your denial on our assessment waiver and credit us with that amount toward future gas assessment owed to the City.

Respectfully

Guy and June Morgan

Property 1646 Saltwater DR Homer AK

11/11/2019 11:11:11 AM



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue

Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

April 4, 2017

Guy & June Morgan
P.O. Box 1054
Homer, AK 99603

Subject: Denial of the natural gas assessment waiver

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If there is additional information that supports your request, please include it with your letter.

Requests for reconsideration will be heard by the Board of Adjustment for a final decision at 2:00 p.m. on April 24, 2017. This meeting is a public meeting that you are welcome to attend and will be held in Council Chambers. You will be given the opportunity to state your reasons for the waiver of penalty on the assessment. If you choose not to appeal, the denial of your request remains.

Respectfully,

Jo Johnson, MMC
City Clerk

Enclosure(s): Ordinance 17-15



City of Homer



Request for Waiver of Penalty on Delinquent Assessments

Property Address: _____ **Date:** Nov 30 2016

Parcel ID: <u>17508211</u>	Owner: <u>Guy + June Morgan</u>
Acct # <u>150.508211</u>	Mailing address: <u>Po Box 1054 Homer, AK 99603</u>
Request complete: Y / N	Email: <u>thefarpi102@yahoo.com</u>
	Phone numbers: <u>907 538 3665 / 907 532 7007</u>

Legal Description: _____

Note: This application for a waiver of penalty must include payment of all delinquent assessment payments owed to the City.

Reason for request. Clerical error by City personnel. Examples are:

- Timely payment to the wrong account.
- Failing to send property owner timely notice of the payment due date.
- Sending the payment notice to a name or address that does not appear on the Kenai Peninsula Borough property tax roll.

Note: The property owners are responsible for notifying the KPB of any change in property owner name and address.

U.S. Postal Service (USPS) error:

- Attach proof that the USPS failed to deliver the notice of payment due date or the payment to the address on the envelope.
- Attach proof that the USPS delayed delivery of the notice of the payment due date or the payment that contributed to the late payment.
- Attach proof that the postmark on the payment was not accurate when the property owner delivered payment to USPS.

Serious illness or death of the property owner or immediate family member that prevented making payment on time.

- Attach death certificate or confirmation of serious illness.

Other extreme non-financial hardship. Describe and attach proof:

I commercial fish out of false pass + was gone when Assessment Arrived. my wife had taken a job in Fairbanks for the summer and was also gone. when she got the mail she called me on Sat. + I have had a annuity sent ACH to City of Homer, - we are now 70y

Signature: [Handwritten Signature]

Finance Department Review

Finance Director's Initials: <u>[Signature]</u>	<input type="checkbox"/> Recommend <input checked="" type="checkbox"/> Do Not Recommend <input type="checkbox"/> Recommend with Conditions
Date: <u>1/16/17</u>	

Comments/Conditions: _____

penalties paid [Signature]

Upon the City receiving your request for waiver of penalty on delinquent special assessment payment, the form and attachments will be reviewed by the Finance Director who will provide a recommendation to Council based on appropriate documentation and consistency with policy. The form, without any confidential documents attached, will be forwarded to Council for final review at a regularly scheduled Council meeting. The application must include payment of all delinquent assessment payments owed to the City which will be refunded if the waiver is approved by Council. The City Clerk will notify you of the Council's decision, which is not subject to appeal (Resolution 16-079(S)(A)).

~~*~~ Back in Homer + hope to stay here except for fishing in summer AS - Therefore we are requesting to be reimbursed for penalty + late fees of approximately \$538.

P.S. I usually leave for fishing around May 10th
Any chance of getting the Bill before that in the future?

HOMER CITY COUNCIL
491 E. PIONEER AVENUE
HOMER, ALASKA
www.cityofhomer-ak.gov



WORKSESSION
4:00 P.M. MONDAY
APRIL 24, 2017
COWLES COUNCIL CHAMBERS

MAYOR BRYAN ZAK
COUNCIL MEMBER DAVID LEWIS
COUNCIL MEMBER CATRIONA REYNOLDS
COUNCIL MEMBER DONNA ADERHOLD
COUNCIL MEMBER HEATH SMITH
COUNCIL MEMBER TOM STROOZAS
COUNCIL MEMBER SHELLY ERICKSON
CITY ATTORNEY HOLLY WELLS
CITY MANAGER KATIE KOESTER
CITY CLERK JO JOHNSON

WORKSESSION AGENDA

- 1. CALL TO ORDER, 4:00 P.M.**
- 2. AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)
- 3. WATER AND SEWER RATES**
 - A. Memorandum 17-067 from City Manager Re: Water and Sewer Rate Recommendations
Page 39
- 4. COMMENTS OF THE AUDIENCE**
- 5. ADJOURNMENT NO LATER THAN 4:50 P.M.**

Next Regular Meeting is Monday, May 8, 2017 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum 17-067

TO: Mayor Zak and Homer City Council
FROM: Katie Koester, City Manager
DATE: April 19, 2017
SUBJECT: Water Sewer Rate Recommendations

Pursuant to HCC 14.08.080 and 14.04.040 water and sewer rates shall be reviewed annually and amended as necessary. Traditionally a worksession is scheduled in the spring and any rate changes are adopted by Council by June 1.

History

2014 was the first year the Consumption Based Rate Model took effect. This was the culmination of many months of work by the Water and Sewer Rate Task Force to make changes to the model that more accurately reflect water usage. As part of the 2015 budgeting process Public Works performed an extensive review of personnel allocations between Water & Sewer Special Revenue Fund and the Public Works functions. The review in 2015 resulted in shifting about 13% of labor costs back to the General Fund. This improved the health of the water and sewer fund. In 2015 the sewer fund was running a deficit and sewer rates were amended by 6.5% by Council. In the 2017 budget cycle the City stopped billing water usage to the sewer treatment plant as this is an operational expense. Though this resulted in an almost \$90,000 reduction in water revenue for 2017, it resulted in a commiserate reduction in sewer expenses.

2017

Attached is an analysis of 2016 budget, actual and water usage by month. Overall, actual revenue for the water and sewer fund combined was down \$15,000, which is a small variance in an almost \$4m budget. Water usage in 2017 is up from 2016, which makes staff comfortable that we will be able to meet budget goals for 2017. Most customers use both water and sewer which makes water usage a good proxy for revenue. The 2017 budget places a healthy \$335,840 in Sewer reserves which will be important as we anticipate a number equipment needs in the next few years at the sewer treatment plant, a 25 year old aging piece of infrastructure.

Recommendation

Based on the attached analysis, the Finance Director and City Manager recommend keeping the water and sewer rate structure the same for 2017. In the future, Council may want to look at gradual regular increases to rates based on inflation (or some other modest mechanism) as a way to avoid large irregular increases. The next step for 2017 is a resolution from Mayor and Council maintaining the current rate structure that can be introduced at your next meeting.

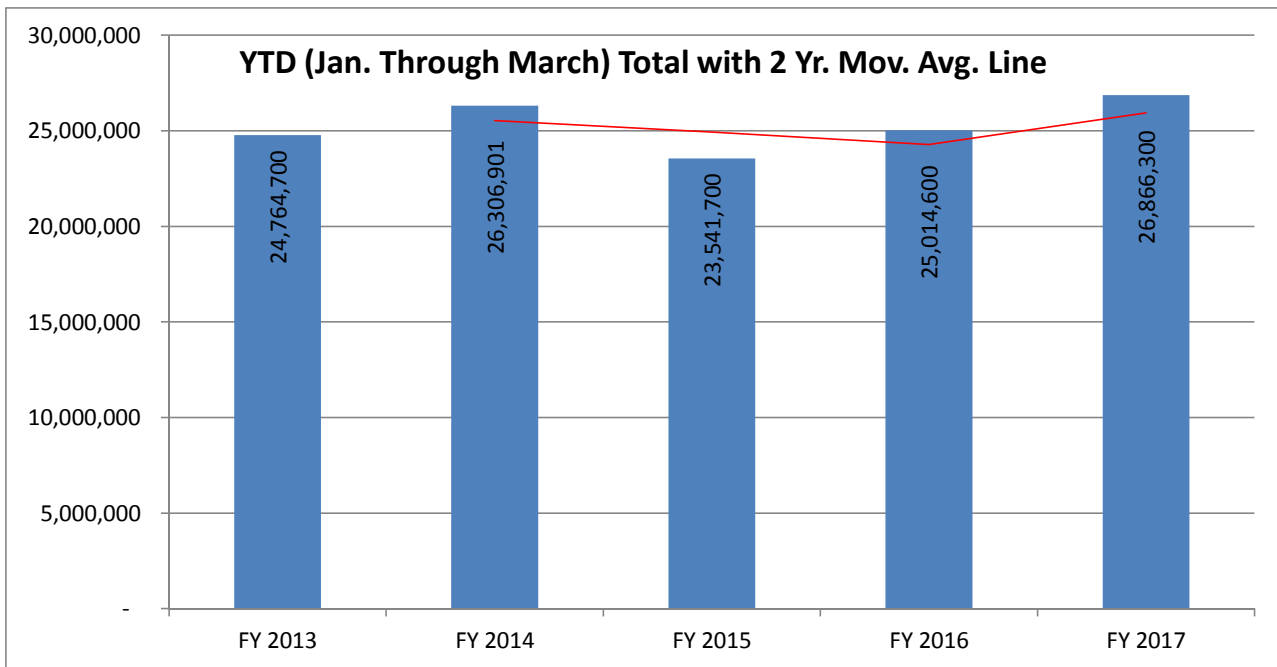
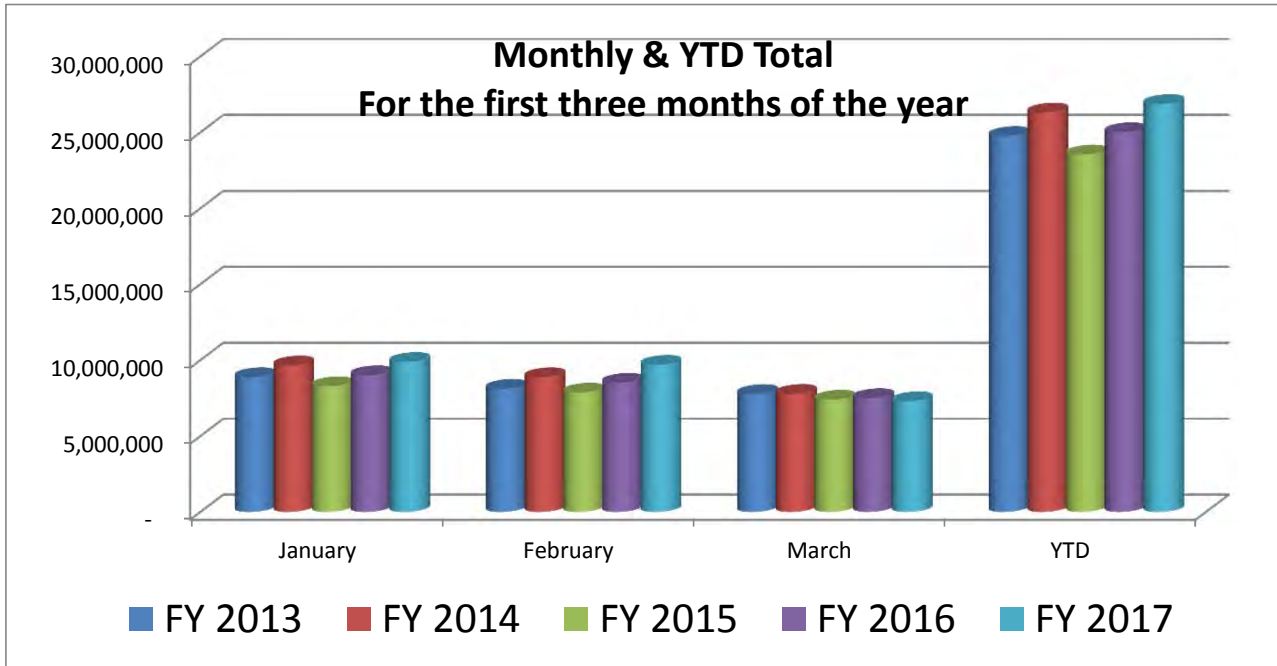
Operating Revenues & Expenses - Utility Fund

	FY 16 Budget	FY 16 Actual ¹	FY 17 Budget
Water			
Meter Sales	1,890,000	1,770,380	1,839,784
Other Revenue	45,003	48,198	49,887
Hydrant Transfer	170,246	170,246	180,956
Water Fund - Total Revenue	2,105,249	1,988,824	2,070,627
Salaries, Wages & Benefits	863,136	848,080	899,186
Non-Personnel Costs:			
Maintenance & Operations	907,307	829,099	897,315
Transfers to Reserves	334,805	343,958	264,126
Water Fund - Total Expenses	2,105,248	2,021,137	2,060,627
Revenues over Expenses	1	(32,313)	10,000
Sewer			
Meter Sales	1,608,000	1,620,664	1,727,214
Other Revenue	18,500	14,088	14,683
Sewer Fund - Total Revenue	1,626,500	1,634,752	1,741,897
Salaries, Wages & Benefits	716,922	721,982	740,415
Non-Personnel Costs:			
Maintenance & Operations	790,241	768,811	665,641
Transfers to Reserves	134,338	126,280	335,840
Sewer Fund - Total Expenses	1,641,501	1,617,073	1,741,897
Revenues over Expenses	(15,001)	17,679	1
Utility Fund Total (Operating Only)	(15,000)	(14,635)	10,001

¹ Unaudited (Independent Audit will be finalized at the end of June, 2017)

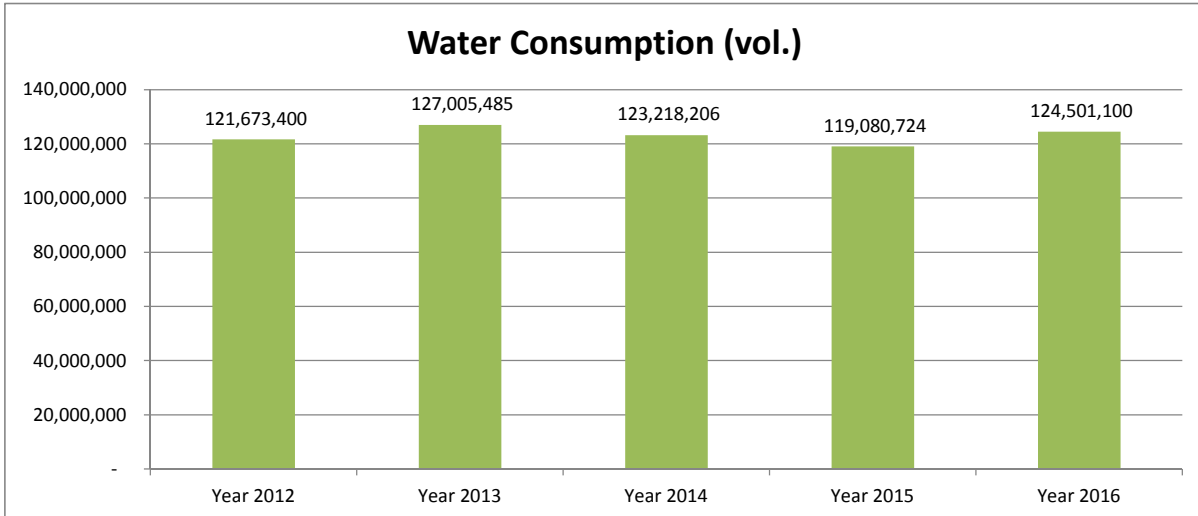
Water Consumption (Gallons)

<u>Yr.\Mo.</u>	<u>January</u>	<u>February</u>	<u>March</u>	<u>YTD</u>
FY 2013	8,880,000	8,114,400	7,770,300	24,764,700
FY 2014	9,648,900	8,878,200	7,779,801	26,306,901
FY 2015	8,280,300	7,862,200	7,399,200	23,541,700
FY 2016	9,005,200	8,511,100	7,498,300	25,014,600
FY 2017	9,878,800	9,692,600	7,294,900	26,866,300

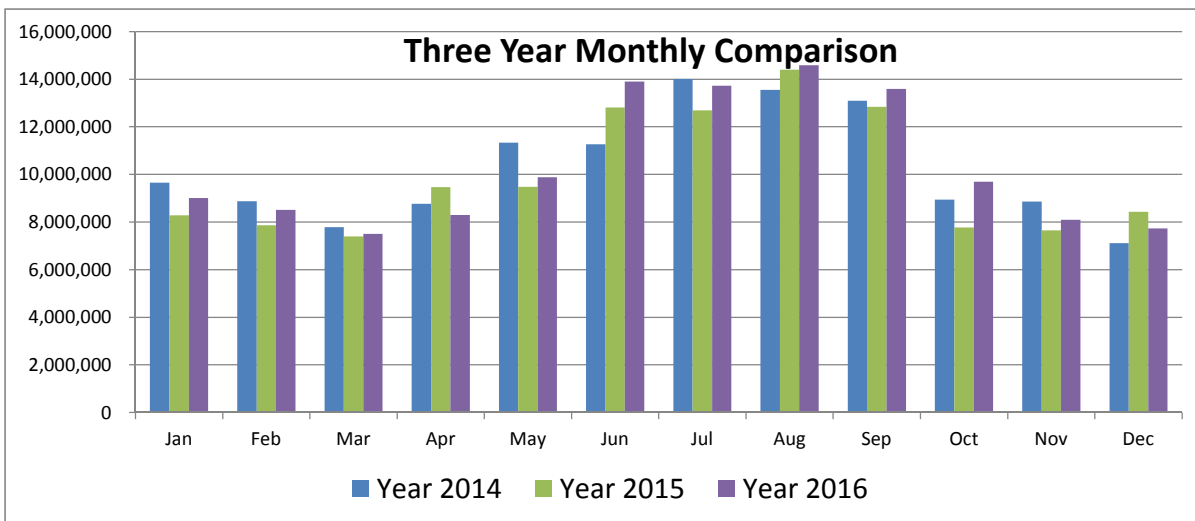


Water Consumption

By Year	Year 2012	Year 2013	Year 2014	Year 2015	Year 2016
Water (vol.)	121,673,400	127,045,485	125,926,274	132,291,300	131,120,000
Operational Adj.		(40,000)	(2,708,068)	(13,210,576)	(6,618,900)
Water (vol.) after adj.	121,673,400	127,005,485	123,218,206	119,080,724	124,501,100



Month\Year	Year 2014	Year 2015	Year 2016
Jan	9,648,900	8,280,300	9,005,200
Feb	8,878,200	7,862,200	8,511,100
Mar	7,779,801	7,399,200	7,498,300
Apr	8,763,906	9,471,700	8,293,400
May	11,328,902	9,481,952	9,876,500
Jun	11,264,103	12,815,584	13,904,500
Jul	14,007,700	12,686,496	13,719,400
Aug	13,544,818	14,402,524	14,581,400
Sep	13,092,528	12,833,256	13,589,000
Oct	8,940,335	7,773,632	9,693,400
Nov	8,854,336	7,649,316	8,097,300
Dec	7,114,677	8,424,564	7,731,600
Total	123,218,206	119,080,724	124,501,100
	-3.0%	-3.4%	4.6%



WATER FEES:

Water Connection Fee

Single Family \$300

Multi-Family/Commercial \$375

Customer classification definitions for determining water connection and extension permit fees:

Single Family Residential – A unit providing housing for one household; with less than 25% of the building area used for business or commercial purposes.

Multi-Family Residential- A building or lot occupied by more than one household: contained within one building or several building within one complex. Examples of multi-family units includes duplexes, four-plexes and up, apartments, condominiums, co-housing projects, and multiple structures on one lot (where units are normally rented or occupied for longer than one month at a time). Examples of units not considered as multi-family include hotels, motels, B&B’s seasonal rooms/cabins (where units are routinely rented or occupied for less than one month at a time.)

Commercial - Any user not defined as Residential.

Water Rate Schedule.

All water utility services shall be billed according to the following schedule. This schedule is for monthly water service and is in addition to any charges for connecting or disconnecting the service, installation of the service or any assessment of the improvements.

Rates	Water	
	Monthly Service	Table III
Customer Classification		Usage Charge/Gallon
Lift-Station Customer	\$ 19.00	\$0.0109
Non-Lift-Station Customer	\$ 19.00	\$0.0109
Multi-units (additional per unit)	\$ 5.00	
Bulk Water	\$ 19.00	\$0.0149

Customer classification definitions for determining water rates:

Bulk Water Customers: The bulk water customers are the resellers of water or water users who purchase water from the water plant directly and are not in the metered water distribution system.

Non-Bulk Customers: All customers who receive water from the metered water distribution system.

Multi-Units: An additional \$5 monthly charge shall apply to each of the units of a building or lot occupied by more than one household or commercial entity contained within one building or several

buildings within one complex. Examples of multi-family units include duplexes, four-plexes and up, apartments, condominiums, co-housing projects, and multiple structures on one lot (where units are normally rented or occupied for longer than one month at a time). Examples of units not considered as multi-family include hotels, motels, and B&B's seasonal rooms/cabins (where units are routinely rented or occupied for less than one month at a time.)

This fee applies to all multi-unit structures defined in the sewer section of this for apartments, rental units or multi-unit buildings where each unit would have one or more restrooms and are intended to be rented on a monthly basis where there is only one meter installed, excluding a rental building restroom used for shared or public use.

Meter Size Deposits.

<u>Size (inches)</u>	<u>Residential Users</u>	<u>Nonresidential Users</u>
5/8	\$75.00	\$220.00
3/4	\$80.00	\$230.00
1	\$90.00	\$250.00
1-1/2	\$115.00	\$310.00
2	\$150.00	\$370.00
3	\$220.00	\$525.00
4	\$310.00	\$730.00
6	\$520.00	\$1,225.00

\$750 meter deposit shall apply to metered fire hydrant connections. The deposit will be returned when the meter is returned undamaged. This deposit may be waived upon the recommendation of the Public Works Superintendent.

If a bulk water customer purchases a meter from the City for measuring the quantity of water purchased, it shall be exempt from the monthly meter service charge. It is the responsibility of the bulk water customer to maintain that meter so the City can accurately determine the amount of water being purchased. In the event the meter fails, it is the bulk water customer's responsibility, at its expense, to repair it or purchase a replacement meter from the City. The City may at any time test the meter for accuracy.

HOMER CITY COUNCIL
491 E. PIONEER AVENUE
HOMER, ALASKA
www.cityofhomer-ak.gov



COMMITTEE OF THE WHOLE
5:00 P.M. MONDAY
APRIL 24, 2017
COWLES COUNCIL CHAMBERS

MAYOR BRYAN ZAK
COUNCIL MEMBER DAVID LEWIS
COUNCIL MEMBER CATRIONA REYNOLDS
COUNCIL MEMBER DONNA ADERHOLD
COUNCIL MEMBER HEATH SMITH
COUNCIL MEMBER TOM STROOZAS
COUNCIL MEMBER SHELLY ERICKSON
CITY ATTORNEY HOLLY WELLS
CITY MANAGER KATIE KOESTER
CITY CLERK JO JOHNSON

COMMITTEE OF THE WHOLE AGENDA

1. **CALL TO ORDER, 5:00 P.M.**
2. **AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 6)
3. **Resolution 17-040**, A Resolution of the City Council of Homer, Alaska Declaring the 2017 Property Tax Assessments to be Unfair in Relationship to Other Borough Communities and Request Said Assessments be Invalidated Until the New Tax Model is Fairly Implemented Borough Wide. Stroozas/Erickson/Smith. Page 89
4. **CONSENT AGENDA**
5. **REGULAR MEETING AGENDA**
6. **COMMENTS OF THE AUDIENCE**
7. **ADJOURNMENT NO LATER THAN 5:50 P.M.**
Next Regular Meeting is Monday, May 8, 2017 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

CALL TO ORDER
PLEDGE OF ALLEGIANCE
AGENDA APPROVAL

HOMER CITY COUNCIL
491 E. PIONEER AVENUE
HOMER, ALASKA
www.cityofhomer-ak.gov



REGULAR MEETING
6:00 P.M. MONDAY
APRIL 24, 2017
COWLES COUNCIL CHAMBERS

MAYOR BRYAN ZAK
COUNCIL MEMBER DAVID LEWIS
COUNCIL MEMBER CATRIONA REYNOLDS
COUNCIL MEMBER DONNA ADERHOLD
COUNCIL MEMBER HEATH SMITH
COUNCIL MEMBER TOM STROOZAS
COUNCIL MEMBER SHELLY ERICKSON
CITY ATTORNEY HOLLY WELLS
CITY MANAGER KATIE KOESTER
CITY CLERK JO JOHNSON

REGULAR MEETING AGENDA

**Special Meeting 2:00 p.m. Worksession 4:00 p.m. and Committee of the Whole 5:00 p.m.
in Homer City Hall Cowles Council Chambers.**

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Department Heads may be called upon from time to time to participate via teleconference.

2. AGENDA APPROVAL

(Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 2.08.040.)

3. MAYORAL PROCLAMATIONS AND RECOGNITIONS

A. Promotion of Police Officer Larry Baxter to Investigations Sergeant

B. Mayor's Proclamation, Week of the Young Child, April 24-28, 2017 Page 59

4. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

5. RECONSIDERATION

6. CONSENT AGENDA

(Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

- A. Homer City Council unapproved Regular meeting minutes of April 10, 2017. City Clerk. Recommend adoption. Page 67
- B. **Resolution 17-040**, A Resolution of the City Council of Homer, Alaska Declaring the 2017 Property Tax Assessments to be Unfair in Relationship to Other Borough Communities and Request Said Assessments be Invalidated Until the New Tax Model is Fairly Implemented Borough Wide. Stroozas/Erickson/Smith. Recommend adoption. Page 89
- C. **Resolution 17-041**, A Resolution of the City Council of Homer, Alaska, Approving the Terms and Conditions for the Sale of T 7S R 13W Sec 1 Seward Meridian HM 0890034 Homer Spit Sub Amended Lot 47, KPB Parcel No. 18103408 and Authorizing the City Manager to Enter into Negotiations. City Manager. Recommend adoption. Page 91
- D. **Resolution 17-042**, A Resolution of the City Council of Homer, Alaska Supporting HB 177, An Act Relating to the Response to, and Control of, Aquatic Invasive Species; Establishing the Aquatic Invasive Species Response Fund; and Relating to the Provision of Information About Aquatic Invasive Species. Aderhold. Recommend adoption. Page 95
- E. **Resolution 17-043**, A Resolution of the Homer City Council Opposing SB 14, HB 132, Prohibiting Municipalities From Regulating Transportation Network Companies and Network Company Drivers. Mayor/City Council. Recommend adoption. Page 293
- F. **Resolution 17-044**, A Resolution of the City Council of Homer, Alaska, Re-adopting the Established Investment Policy for the Permanent Fund. City Manager. Recommend adoption. Page 309
- Memorandum 17-066 from Finance Director as backup. Page 311
- 7. VISITORS**
- A. Lisa Asselin Martin, Week of the Young Child, 10 Minutes
- B. Safe and Healthy Kids Fair Coalition, 10 Minutes
- 8. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS**
(10 minute limit per report)

A. **Memorandum 17-065** from City Clerk, Re: Ballot Language for the Special Election of June 13, 2017. Page 323

B. Borough Report

C. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
3. Economic Development Advisory Commission
4. Parks Art Recreation and Culture Advisory Commission
5. Port and Harbor Advisory Commission
6. Cannabis Advisory Commission

9. PUBLIC HEARING(S)

A. **Ordinance 17-07(S-2)**, An Ordinance of the City Council Of Homer, Alaska, Amending Homer City Code 21.93.060, 21.93.070, 21.93.080, 21.93.100, 21.93.110, 21.93.500, 21.93.540, 21.93.550, 21.93.560, 21.93.570, 21.93.700, 21.93.710 to Offer Appellants the Choice Between an Appeal Before the Board of Adjustment or a Hearing Officer in Appeals of Planning Commission Decisions. Erickson. Introduced January 23, 2017, Referred to Planning Commission, Public Hearing and Second Reading March 28, 2017. Reconsidered by Erickson, March 29, 2017. Substitute S-2 Introduced April 10, 2017, Public Hearing and Second Reading April 24, 2017 Page 331

Memorandum 17-064 from Councilmember Aderhold as backup. Page 345

B. **Resolution 17-038**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Accelerated Roads and Trails Program Policy Manual Adding Sections for Project Eligibility and Funding for Sidewalks, Eliminating the Provision for Debt Service Ratio, and Editing for Readability and Consistency. City Clerk/Planning Commission. Page 355

Memorandum 17-028 from Deputy City Planner as backup. Page 363

10. ORDINANCE(S)

11. CITY MANAGER’S REPORT

- A. City Manager’s Report Page 379
- B. Bid Report Page 393
- C. Records Destruction Report Page 395
- D. Letter to Mayor Navarre Re: Sky Lanterns Page 397

12. CITY ATTORNEY REPORT

13. COMMITTEE REPORT

- A. Employee Committee Report
- B. Americans with Disabilities Act Compliance Committee
- C. Police Station Building Task Force

14. PENDING BUSINESS

- A. **Ordinance 17-04**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.30.020 to Add “Auto Equipment Sales, Rentals, Service, Repair and Storage” to the List of Permitted Uses in the Marine Industrial District. Lewis. Introduced January 23, 2017, Referred to Planning Commission. Recommend Public Hearing May 8, 2017. Page 405

Ordinance 17-04(S), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.30.040 to add a Definition of “Temporary Auto Sales” and 21.30.050 to add “Temporary Auto Sales” to the List of Permitted Uses in the Marine Industrial District. Lewis. Page 409

Memorandum 17-063 from City Planner as backup. Page 415

- B. **Memorandum 17-055(A)**, From Mayor Zak, Appointment of Ralph Crane and Garrette Garoutte to the Cannabis Advisory Commission. Page 473

15. NEW BUSINESS

16. RESOLUTIONS

- 17. COMMENTS OF THE AUDIENCE**
- 18. COMMENTS OF THE CITY ATTORNEY**
- 19. COMMENTS OF THE CITY CLERK**
- 20. COMMENTS OF THE CITY MANAGER**
- 21. COMMENTS OF THE MAYOR**
- 22. COMMENTS OF THE CITY COUNCIL**

23. ADJOURNMENT

Next Regular Meeting is Monday, May 8, 2017 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

MAYORAL PROCLAMATIONS
AND RECOGNITIONS

**CITY OF HOMER
HOMER, ALASKA**

MAYOR'S PROCLAMATION

WEEK OF THE YOUNG CHILD™

Whereas, The City of Homer and other local organizations, in conjunction with the National Association for the Education of Young Children, are celebrating the Week of the Young Child™, April 24-28, 2017; and

Whereas, These organizations are working to improve early learning opportunities, including early literacy programs, that can provide a foundation of learning for children in Homer, Alaska; and

Whereas, teachers and others who make a difference in the lives of young children in Homer, Alaska, deserve thanks and recognition; and

Whereas, public policies that support early learning for all young children are crucial to young children's futures.

NOW, THEREFORE, I, Bryan Zak, Mayor of Homer, Alaska, do hereby proclaim

April 24-28, 2017 as the Week of the Young Child™

In Homer, Alaska, and encourage all citizens to work to make a good investment in early childhood in Homer, Alaska.

CITY OF HOMER

ATTEST:

BRYAN ZAK, MAYOR

JO JOHNSON, MMC, CITY CLERK

PUBLIC COMMENTS
UPON MATTERS
ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

Session 17-08 a Regular Meeting of the Homer City Council was called to order on April 10, 2017 at 6:00 p.m. by Mayor Bryan Zak at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS: ADERHOLD, ERICKSON, LEWIS, REYNOLDS, SMITH, STROOZAS

STAFF: CITY MANAGER KOESTER
CITY CLERK JOHNSON
DEPUTY HARBORMASTER CLARKE
FINANCE DIRECTOR WALTON
FIRE CHIEF PAINTER
LIBRARY DIRECTOR DIXON
PUBLIC WORKS DIRECTOR MEYER

Council met for a Worksession from 4:00 p.m. to 4:45 p.m. to discuss Employee Wages and Benefits. From 5:00 p.m. to 5:52 p.m. Council met as a Committee of the Whole to discuss Ordinances 17-07(S) and 17-07(S-2), the Land Allocation Plan, and Consent and Regular Meeting Agenda items.

Department Heads may be called upon from time to time to participate via teleconference.

AGENDA APPROVAL

(Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 2.08.040.)

Pending Business was moved to be heard after Reconsideration.

Mayor Zak called for a motion for the approval of the agenda as amended.

LEWIS/ADERHOLD – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

A. Mayor’s Proclamation – Chamber of Commerce Clean-Up Day, April 22, 2017

Councilmember Stroozas read and presented the proclamation to Chamber of Commerce Executive Director Karen Zak and Visitor Center & Events Coordinator Jan Knutson.

B. Mayor's Proclamation – National Library Week, April 9 – 15, 2017

Councilmember Aderhold read and presented the proclamation to Library Director Ann Dixon and Library Advisory Board Member Mark Massion.

C. Mayor's Recognition - Earth Day, April 22, 2017

Councilmember Reynolds read and presented the proclamation to Roberta Highland, Kachemak Conservation Society.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Roberta Highland, city resident, commented on Memorandum 17-057. It breaks her heart, but the silver lining is that it has brought so many people together for support. She thanked Councilmembers Aderhold, Lewis, and Reynolds who are experiencing emotional trauma.

Sarah Vance, city resident, commented on Memorandum 17-057. This has brought unrest and division in the community. The recall was issued. It is not unkind, vicious, and an act of hatred. It is about truth and accountability, expecting honesty and integrity from government officials.

Kevin Hogan, city resident, spoke on Resolution 17-039. The RFP was from the Port and Harbor Advisory Commission with no accountability. His proposal was rejected and he believes he deserves a better explanation as to why it was.

Kris Holderied, city resident, commented on Memorandum 17-057. She is shocked at the recall since the councilmembers are just doing their job, representing all the different pieces of the community. She hopes we can figure out ways to move through this.

Robert Archibald, city resident, commented on Memorandum 17-057. The reason for the recall is a gray area. In the future he would hope that Council gets legal advice before bringing things forward.

Wendy Wayne, Homer resident, commented on Memorandum 17-057. She supports the councilmembers that brought Resolution 17-019 forward. Her earlier comments at the Committee of the Whole were not recorded in the minutes. While at the meeting she heard

threats and swearing against councilmembers. She hopes all councilmembers support each other.

Roxanne Lawver, city resident, commented on Memorandum 17-057. The newspaper and media have been producing a timeline of comments and sessions between the three councilmembers that are up for recall. There are a lot more emails that have not been published. She cautioned not to believe the media that is slanted.

Larry Slone, city resident, commented on Memorandum 17-057. It was an overt attempt to hijack the direction the city should be going. Although he resents that, he can find no basis to support the recall petition. Council has a right to free speech, but is representing thousands of other citizens of the town.

Rika Mouw, city resident, commented on Memorandum 17-057. She echoed Roberta, Kris, Wendy, and Robert's comments in support of the councilmembers. She doesn't see how one council person can reflect all the constituents since they are each representing different segments. The three being recalled are highly qualified and dedicated councilmembers.

Katherine George, city resident, commented on Memorandum 17-057. She thanked Councilmembers Lewis, Reynolds, and Aderhold. They didn't do anything wrong; they did a lot of things right.

Sue Christiansen, city resident, commented on Memorandum 17-057. She supports the three councilmembers that are being bullied. She thanked them for their time and energy. She asked the other councilmembers to support them. It makes her sad and she considers leaving this place she loves so much.

Cassie Lawver, Homer resident, commented on Memorandum 17-057. She has been streaming Facebook live at the meetings. The conservatives' voice is not here, but they are watching.

Ron Keffer, city resident, commented on Memorandum 17-057. The founding fathers who put together the constitution were radicals and had never done this sort of experiment. They tried to set things up to work, but it was not a clean process. We have to fight it out; that is the way Americans do business and get along in the long run.

Daniel Zatz, Homer resident, commented on the new SPARC building that is beautiful. Starting on Saturday the kids will play. He thanked the City Council and the community for their help

on the project. There were over 3,000 hours of volunteer time. An open house is scheduled for Saturday from 1:00 to 3:00 p.m. There is still more work to do and more fundraising. The community came together to create this and there are a lot of other projects that need to get done.

Keisha Etzweiler, city resident, commented on Memorandum 17-057. She challenged anyone to look at the good people that signed the recall and to call them bullies. It is Opinion A and Opinion B. That doesn't make one group right or wrong. Comments like these continue the division and creates labels for those that don't agree with you.

Katherine Carsow, city resident, commented on Memorandum 17-057. At the recall headquarters there is a sign saying, "You're fired." The three councilmembers are not on a television show. As a voter she feels very abused and disagrees with the Clerk's memo that the voter gets to decide on the recall. She hopes each councilmember is supporting the members on recall.

Jack Cushing, city resident and former mayor, commented on Memorandum 17-057. Folks have to listen to the rhetoric being aimed at the three people for recall. They are not deserving; he will support them. Without people speaking up, things would not happen. People should speak up for the greater area, community, state, and nation.

Poppy Benson, city resident, commented on Memorandum 17-057. There are small town values and only so many of us here at the end of the road. National politics and state politics are rough. Knowing these people are what makes it so painful. All of our lives are intertwined. We have to protect the tightly woven fabric as we are tearing at it. Recall is political assassination.

Brandy Super, Homer resident, commented on Memorandum 17-057. She appreciates all of the hard work. She wants a safe community for children, a place for people and businesses to prosper, and welcome law-abiding citizens who contribute. Having voted for President Trump, it is hurtful to hear people resisting him and all the rhetoric.

Mary Griswold, city resident, commented on Memorandum 17-057. She is disappointed Council can be censored for bringing forth resolutions. She voted for the Council to fulfill their full term and respects them for considering our opinions and making decisions for us.

Ralph Crane, city resident, commented on Memorandum 17-057. In reading through the information it seems to be safe wisdom to involve more than the circles some travel in. If he knew something would be controversial he would get other people who may be in opposition involved.

Mayor Zak thanked everyone for their comments regarding the recall petition process. He told the listening audience City Council members are free to discuss the recall petition when they are on their own time and not acting in their official capacity as councilmembers. The City Attorney has advised all councilmembers to refrain from discussing the recall petition during council meetings, work sessions, and other official public events. This means that none of the councilmembers can respond to or address any of the public comments or concerns raised tonight regarding the recall petition.

RECONSIDERATION

- A. **Ordinance 17-07(S)**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 4.10.040, 8.08.120, 14.05.425, 21.93.060, 21.93.070, 21.93.100, 21.93.110, 21.93.500, 21.93.540, 21.93.550, 21.93.560, 21.93.570, 21.93.700, and 21.93.710 to Replace the Board of Adjustment With a Hearing Officer to Decide Administrative Appeals Under the Homer City Code, Including But Not Limited to, the Use of a Hearing Officer to Order Impoundment of Dangerous Animals, Decide Disputes Regarding Itinerant Merchant Licenses, and Decide Disputes Regarding Qualifications of a Candidate for Office. Aderhold. Introduced January 23, 2017, Referred to Planning Commission, Public Hearing and Second Reading March 28, 2017. Reconsidered by Erickson, March 29, 2017.

Mayor Zak called for a motion for the reconsideration of the vote on Ordinance 17-07(S).

ERICKSON/REYNOLDS – SO MOVED.

There was no discussion.

VOTE: YES. LEWIS, SMITH, ADERHOLD, REYNOLDS, STROOZAS, ERICKSON

Motion carried.

PENDING BUSINESS

A. **Ordinance 17-07(S)**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 4.10.040, 8.08.120, 14.05.425, 21.93.060, 21.93.070, 21.93.100, 21.93.110, 21.93.500, 21.93.540, 21.93.550, 21.93.560, 21.93.570, 21.93.700, and 21.93.710 to Replace the Board of Adjustment With a Hearing Officer to Decide Administrative Appeals Under the Homer City Code, Including But Not Limited to, the Use of a Hearing Officer to Order Impoundment of Dangerous Animals, Decide Disputes Regarding Itinerant Merchant Licenses, and Decide Disputes Regarding Qualifications of a Candidate for Office. Aderhold. Introduced January 23, 2017, Referred to Planning Commission, Public Hearing and Second Reading March 28, 2017. Reconsidered by Erickson, March 29, 2017.

Ordinance 17-07(S-2), An Ordinance of the City Council Of Homer, Alaska, Amending Homer City Code 21.93.060, 21.93.070, 21.93.080, 21.93.100, 21.93.110, 21.93.500, 21.93.540, 21.93.550, 21.93.560, 21.93.570, 21.93.700, 21.93.710 to Offer Appellants the Choice Between an Appeal Before the Board of Adjustment or a Hearing Officer in Appeals of Planning Commission Decisions. Erickson.

Mayor Zak called for a motion for the adoption of Ordinance 17-07(S) by reading of title only.

ERICKSON/LEWIS – SO MOVED.

ERICKSON-/LEWIS – MOVED TO SUBSTITUTE ORDINANCE 17-07(S-2) FOR ORDINANCE 17-07(S).

Councilmembers Erickson and Stroozas are supportive of S-2 as a compromise. The appellant is able to choose if they want a hearing officer or the Board of Adjustment to hear their appeal.

VOTE: (substitute) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

LEWIS/REYNOLDS - MOVED TO POSTPONE TO APRIL 24TH FOR PUBLIC HEARING AND SECOND READING.

There was no discussion.

VOTE: (postponement) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Erickson was excused due to a prior commitment.

CONSENT AGENDA

(Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

- A. Homer City Council unapproved Special and Regular meeting minutes of March 28, 2017. City Clerk. Recommend adoption.
- B. **Memorandum 17-055** from Mayor Zak, Re: Re-Appointment of Mike Stockburger to the Port and Harbor Advisory Commission and Appointment of Garrette Garroute and Grant Garroute to the Cannabis Advisory Commission.

Moved to New Business, Item A. Aderhold.

- C. **Memorandum 17-056** from Deputy City Clerk, Re: Liquor License Transfer for the Down East Saloon.
- D. **Resolution 17-031**, A Resolution of the City Council of Homer, Alaska, Confirming the Appointments of Elizabeth Walton as Treasurer and Jenna deLumeau as Deputy Treasurer for Calendar Year 2017. City Manager.
- E. **Resolution 17-032**, A Resolution of the City Council of Homer, Alaska, Designating Signatories of City Accounts and Superseding Any Previous Resolution So Designating. City Manager.
- F. **Resolution 17-033**, A Resolution of the City Council of Homer, Alaska Approving the 2017 Land Allocation Plan. Mayor/City Council.

Memorandum 17-058 from Deputy City Planner as backup.

- G. **Resolution 17-034**, A Resolution of the City Council of Homer, Alaska Approving the Sale of Lot 1 Harry Feyer Subdivision, Section 14, Township 6 South, Range 13 West, Seward Meridian, KPB Parcel No. 179-110-05 to the Responsible Bidder for One Dollar and Authorizing the City Manager to Execute the Appropriate Documents to Finalize the Sale. City Manager.

- H. **Resolution 17-035**, A Resolution of the City Council of Homer, Alaska, Awarding a Term Contract for Road, Trail and Drainage Professional Engineering Services to HDL Engineering Consultants of Kenai, Alaska, Kinney Engineering of Anchorage, Alaska, and Nelson Engineering of Kenai, Alaska and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 17-059 from Public Works Director as backup.

- I. **Resolution 17-036**, A Resolution of the City Council of Homer, Alaska, Awarding a Term Contract for Water and Sewer Professional Engineering Services to DOWL of Anchorage, Alaska and GV Jones and Associates of Anchorage, Alaska and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 17-060 from Public Works Director as backup.

- J. **Resolution 17-037**, A Resolution of the City Council of Homer, Alaska, Awarding a Term Contract for Port/Harbor/Marine Professional Engineering Services to R&M Consultants, Inc. of Anchorage, Alaska and HDR of Anchorage, Alaska and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 17-061 from Public Works Director as backup.

- K. **Resolution 17-038**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Accelerated Roads and Trails Program Policy Manual Adding Sections for Project Eligibility and Funding for Sidewalks, Eliminating the Provision for Debt Service Ratio, and Editing for Readability and Consistency. City Clerk/Planning Commission. Page 269 Memorandum 17-028 from Deputy City Planner as backup.

Moved to Resolutions, Item A. Aderhold.

- L. **Resolution 17-039**, A Resolution of the City Council of Homer, Alaska, Requesting the City Manager Issue a Request for Proposals for Operation of Fish Pump Services on the South Trestle of the Homer Fish Dock. Erickson.

Item B, Memorandum 17-055 was moved to New Business, Item A. Aderhold.

Item K, Resolution 17-038 was moved to Resolutions, Item A. Aderhold.

Mayor Zak called for a motion for the approval of the recommendations of the consent agenda as read.

LEWIS/REYNOLDS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS

A. Joy Steward, The Homer Foundation, City of Homer Grants Program

Joy Steward of The Homer Foundation reported this is the 18th year the City of Homer Grants Program has been administered. To date \$740,000 has been distributed to local non-profits. Earnings from the City of Homer and Kachemak City funds are \$41,887, which is available for distribution this year. There are eight applicants who the funds will be distributed to, and a portion will go into the corpus fund. The eight organizations who the funds will be distributed to have generated over \$3.6M in revenue with \$1.9M coming from outside sources. The eight non-profits employ 59 full and part-time employees, creating \$1.5M in wages. The non-profit sector is an economic driver, and makes for a healthier, safer, and more vibrant place to live. City support is vital. The Homer Foundation appreciates the opportunity to administer the program and charges no fees to the City. The funding makes sure that non-profits are strong and resilient. Additionally, The Homer Foundation provided oversight to funding of SPARC; Ms. Steward saw each receipt as every dollar was matched 2:1.

B. Michael Hawfield, Alaska Historical Commission, 150th Anniversary of the Alaska Treaty of Cession

Michael Hawfield, Alaska Historical Commissioner, recognized the Treaty of Cession which is the purchase of Alaska in 1867 at a cost of \$7.2M. We celebrated the day when the process began on Seward's Day. William Seward was a visionary and expansionist who had his eye on the Caribbean and Hawaii to expand the United States. Right after the American Civil War the Russians were feeling the need to draw in their empire from international competition from the British. The Russians approached the Secretary of State with their proposal to see their interest in Alaska. The conversation was held in Washington, D.C. in the dead of the night when the treaty was signed. The next morning it went to the Senate. The Senate voted 37:3 to go with the treaty; it took another year and a half to complete. A check was issued in August 1868. It is a 150-year commemoration to reflect on. The Alaska native people were not happy with the treaty. Lt. Governor Bryon Mallott is a Tlingit leader and he is in charge of the commemoration. We need to be reflective of the impact of the event and understand the importance of the event for all people. Money for the commemoration was raised with private and corporate donors.

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

(10 minute limit per report)

- A. **Memorandum 17-057**, From City Clerk Re: Recall Petition - Councilmembers Aderhold, Lewis, and Reynolds.

- B. Borough Report

Kenai Peninsula Borough Assembly President Kelly Cooper reported the Borough received a grant for \$15,500 from the State of Alaska Division of Homeland Security and Emergency Management to purchase GIS software. This is to help communities implement hazard mitigation measures following a presidential major disaster declaration. The GIS software will evaluate land cover data, derivative hazard, and risk information. This is vital for evaluating land cover during wildland fire or flood response operations.

An ordinance is being introduced to authorize some unused funds from a 2001 grant to Cook Inlet Regional Citizens' Advisory Council to prepare a report on underwater aging pipelines in Cook Inlet. Following the recent incidents of a leaking gas line in Cook Inlet, Governor Walker directed ADEC to make the aging pipelines in Cook Inlet the number one priority.

The Borough Emergency Services Work Group will be having a community meeting Wednesday at 6:00 p.m. in Council Chambers. They will share information about the KPB highway corridor service area project. The bill for this is moving along in the legislature at this time.

Alaska Municipal League is asking communities to send emails to their house representatives in opposition to HB 132 relating to transportation network companies and drivers. The bill is about the state eroding local government control. The senate version has already passed and HB 132 is in rules committee.

Mayor Zak congratulated Kelly Cooper on her award as Woman of Distinction.

- C. Commissions/Board Reports:

- 1. Library Advisory Board

Library Advisory Board Member Mark Massion reported in the first quarter of 2017 circulation is up 12% from last year. In one month of 2017 there were 15,580 items circulated. Friends of the Homer Library bought a one-year subscription to lynda.com. It is an online educational site with an assortment of courses with free access. Additionally, books and materials from the library wish lists can be purchased at the Homer Bookstore and Amazon.com. Mr. Massion thanked the Council for their support to the library and for their work.

Mayor Zak announced the Friends of the Homer Library recognized Millie Martin as a Lifelong Learner.

2. Homer Advisory Planning Commission

Planning Commissioner Roberta Highland reported two preliminary plat time extensions were granted. There was a public hearing on auto sales in the marine industrial district. They reviewed three preliminary plats, a vacation of road easement, and the Comprehensive Plan Chapter 8 Economic Vitality.

Auto sales in marine industrial on the Spit was voted down. Ms. Highland came up with every creative idea she could think of to permit auto sales somewhere, but it changed the zoning and allowed the whole Spit to do this. It is spot zoning if you give it to one entity.

3. Economic Development Advisory Commission

4. Parks Art Recreation and Culture Advisory Commission

Parks Art Recreation and Culture Advisory Commissioner Robert Archibald reported on the March 16th meeting. U.S. Fish and Wildlife will be installing new signage at Bishop's Beach. The commission would like to get similar signage for Mariner Park. They discussed the display of the Teshio art collection at the Pratt Museum. There are 39 pieces that need to be on public display. Small plaques to be placed by city art have been purchased. Mr. Archibald thanked the Council for their approval to purchase property adjacent to Jack Gist Park. Next, the commission will be reviewing the Homer Non-Motorized Trails and Transportation Plan. April 22nd is Earth Day and the city Clean-Up-Day. Since there will be a lot of folks and kids on the road he asked people to drive carefully. Soon the city campgrounds will open. He thanked the folks that worked hard on SPARC. It demonstrates what a committee pulling together can do.

5. Port and Harbor Advisory Commission

Port and Harbor Advisory Commissioner Bob Hartley reported on the commission's meeting on March 22nd. They elected Cathy Ulmer as chair and Steve Zimmerman as vice chair. The commission reviewed the Land Allocation Plan as it pertains to Spit properties and recommended approval. Finally, the commission considered the new port and harbor tariff revision. The revision was needed as the old version was confusing and contradictory. The harbormaster has done an excellent job revising the tariff. There are no great changes and it is now in a format that people can understand.

6. Cannabis Advisory Commission

Councilmember Lewis announced the next meeting on April 27th.

Mayor Zak called for a recess at 7:49 p.m. and reconvened the meeting at 8:00 p.m.

PUBLIC HEARING(S)

- A. **Ordinance 17-16**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 5.24.020 to Identify Lighted Free-Floating Luminaries as Fireworks and Prohibit the Sale and Use of these Luminaries within the Corporate City Limits of Homer. City Manager/Fire Chief. Introduction March 28, 2017, Public Hearing and Second Reading April 10, 2017.

Mayor Zak opened the public hearing.

Ralph Crane, city resident, expressed opposition to a ban. He questioned if the luminaries could be regulated rather than be outright banned. It seems that they are safe to light on the Spit, and banning them would push them to another jurisdiction outside city limits.

Mayor Zak closed the public hearing.

Mayor Zak called for a motion for the adoption of Ordinance 17-16 by reading of title only for second and final reading.

LEWIS/REYNOLDS – SO MOVED.

Asked by Councilmember Smith what the complication would be of allowing luminaries on the Spit, Fire Chief Painter said once released there is no control; that is the issue. The lifespan of the luminary depends on the fuel used and the quality of the product purchased or made. They are considered outlawed by the State of Alaska and once permitted it opens the City up for liability.

Councilmember Smith suggested we ask the Borough to make a similar ban. Councilmember Reynolds commented the packaging warns the luminary should not be released within 5 miles of an airport.

Fire Chief Painter said we are receiving more and more calls regarding the legality of luminaries. An Anchorage church group set luminaries off on a lot in Merrill Field and disrupted aircraft and drivers. Luminaries are beautiful, but are a big risk in causing fires and disrupting the public.

SMITH/LEWIS – MOVED TO AMEND LINE 42 TO MOVE “EXCULDING PILOTED BALLOONS” TO THE END OF LINE 44.

There was no discussion.

VOTE: (amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE: (main motion as amended) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Ordinance 17-17**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.04.030 to Remove the Prohibition on the City Manager and City Employees From Securing or Contributing Money Towards the Nomination or Election of a Candidate for a Municipal Office, and Amending Homer City Code 4.10.050 to Prohibit Candidates for Municipal Office From Accepting or Soliciting Campaign Contributions From City Employees or the City Manager. Smith. Introduction March 28, 2017, Public Hearing and Second Reading April 10, 2017.

Mayor Zak opened the public hearing. In the absence of public testimony, Mayor Zak closed the public hearing.

Mayor Zak called for a motion for the adoption of Ordinance 17-17 by reading of title only for second and final reading.

LEWIS/STROOZAS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- C. **Ordinance 17-18**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds in the Amount of \$5,000 From the General Fund Balance and Authorizing the Use

of Limited Staff Time and City Equipment for Public Information on the Ballot Proposition Including Without Limitation Information That May Influence the Outcome of the Election on the Proposition. City Manager. Introduction March 28, 2017, Public Hearing and Second Reading April 10, 2017.

Memorandum 17-052 from Special Projects and Communication Coordinator as backup.

Mayor Zak opened the public hearing. In the absence of public testimony, Mayor Zak closed the public hearing.

Mayor Zak called for a motion for the adoption of Ordinance 17-18 by reading of title only for second and final reading.

LEWIS/ADERHOLD - SO MOVED.

Asked by Councilmember Smith if the Council will have an opportunity to review the material before it is brought to the public, City Manager Koester answered she would appreciate getting as much feedback as possible. The materials and draft will be included in her manager's report.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

CITY MANAGER'S REPORT

A. City Manager's Report

Revenue Sharing/ Community Assistance

The City received notice from the Department of Commerce, Community and Economic Development of the FY 2018 community assistance amount, \$145,735.18. This amount is subject to change depending on the actions of the Legislature this session. The State is on a June- July fiscal year, so we will not receive those funds until the end of 2017. As you recall, the City Council removed community assistance (then termed Revenue Sharing) from the City's operating budget via Ordinance 15-18(S-2). Unless directed otherwise by Council, the Community Assistance funds will go into General Fund Fund Balance when received.

City Clerk Retiring

City Clerk Jo Johnson's last day with the City is May 31. After 13 years of dedicated service to the City of Homer she is retiring to enjoy exploring this great state and nation with family. Jo has set a high standard for professional conduct and integrity in the Office of the City Clerk. As a liaison between the public and Council, the City Clerk plays a key role in providing the public with information and access to government. Fortunately Clerk Johnson has encouraged professional development in her office and leaves the City in good hands with Deputy City Clerk Jacobsen. You will see Melissa at more Council meetings during the transition. In the meantime, the City will advertise for a position in the Clerk's office later this spring.

Telephonic Participation

Information Technology has been working with equipment and councilmembers to make sure telephonic participation in council meetings is clear and noise interference is mitigated throughout the meeting. Staff realizes how important it is to the process and the listening public that remote participation is as clear as possible. One thing that helps is to call in to using a headset rather than putting your phone on speaker. This cancels out a lot of the background noise and helps the recording equipment equalize. Thanks for your help calling in early and testing the equipment when you travel.

Commercial Passenger Vessel Tax funds

The City receives funds annually based on the number of cruise ship visitors that visit Homer both directly from the State and as a pass through from the Kenai Peninsula Borough. The amount from each in 2016 is \$27,630. In order to pass the funds through to municipalities, the Borough requests a letter every year indicating what the funds will be used for. Per state statute and federal law, the expenditure has to have a direct link to the vessel and the passenger. Funding amounts have ranged from less than \$3,000 to \$30,000 and have been used to help fund Load and Launch Ramp improvements, Ramp 3 replacement, signage and benches. The Port and Harbor Director has recommended combining the Borough pass through funds with the state funds and letting them accumulate (the City has 3 years of state funding that has built up) to eventually replace Ramp 2 restroom (see attached project description). However, cost estimates for an in-kind replacement (building stick frame, on the existing concrete slab and with the same stall configuration) for the largest and heaviest use public restroom on the Spit range from \$300,000 to \$500,000 which would take many years to accumulate. One possibility may be to fund the project from Harbor Reserves and reimburse the Enterprise over time with CPV funds. This option, however, still vetted through the Port and Harbor Commission, Borough and State. If Council has an interest in replacing the Ramp 2 restroom with CPV funds, I will do more research on the possibility of borrowing from the enterprise and come back to Council with authorizing legislation.

Graphite One

The Kenai Peninsula Economic Development District (KPEDD), in coordination with the Alaska Industrial Development and Export Authority (AIDEA), is looking into the economics of establishing the refining portion of a graphite flake mine proposed for Nome in the State of

Alaska. The mining company, Graphite One, is currently forecasting construction and mine start-up for 2020-2021 and has considered locating the project's refinery in the state of Washington. They are open, however, to work with state agencies to evaluate potential sites for a refinery in Alaska, keeping this value added industry in state.

Upon request, my office provided Tim Dillion of KPEDD with information about Homer's Port and Harbor as he sought to identify potential sites on the Kenai Peninsula. Of the locations presented to AIDEA and Graphite One, Homer's Port and Harbor is one of four short-listed candidates selected for further evaluation.

Graphite flakes, once shipped to the refinery would be purified and superheated in furnaces and then shipped to markets. Flake graphite is a primary component in lithium ion batteries used in electric cars and a growing number of smaller electronic devices.

The graphite refinery would bring 150 jobs with it; however, there are hurdles to overcome to make Homer an ideal candidate, including feasibility of barge unloading and access to a refinery site, utilization of Pioneer Dock for loading ships taking product to market and competitive electrical utility costs. What may end up being more feasible is a refinery site on the Peninsula with Homer's Port and Harbor filling a supportive role. Because shipping would most likely have to be a seasonal operation due to it being in Nome, Homer would be an obvious choice for wintering over some of the fleet of vessels that would be needed to support the Northern end of the operation. These vessels will need to be maintained and have periodic haul-out inspections which of course fit in very well with our harbor expansion and barge mooring/haul-out and repair facility and the large towboats would be able to moor in the large vessel harbor.

Homer's proposed Large Boat Harbor would help make Homer a more feasible location, in that it could accommodate large commercial vessels outside the busy and crowded small boat harbor, provide adequate moorage capability, and a barge ramp for industrial uses. The proposed Barge Mooring/Haul-Out Repair Facility would also support this type of industry in that it provides the infrastructure necessary for the barge fleet to complete repairs and their required annual inspections while wintering over.

Employee Anniversaries

I would like to take the time to thank the following employees for the dedication, commitment and service they have provided the City and taxpayers of Homer over the years.

Matt Clarke,	Port	16	Years
Mitch Hrachiar,	Public Works	16	Years
Elton Anderson,	Port	11	Years
Renee Krause,	Clerks	10	Years
Angie Kalugin,	Finance	2	Years

Nate Hull,	Police	4	Years
Jenny Carroll	Admin	1	Year
Austin McAvoy	Police	1	Year

City Manager Koester thanked Friends of the Homer Library for sponsoring *Lunch with a Councilmember*. Today was with Councilmembers Reynolds and Erickson. Due to summer approaching, the program will be suspended until September.

Assembly President Kelly Cooper mentioned HB 132 and SB 14. Alaska Municipal League and Representative Seaton's office has contacted her. It limits local municipalities' ability to control, regulate, and license taxi drivers and chauffeurs. The current process is that a person registers with the Police Department, has a background check, vehicle inspection, and proof of insurance. She is concerned if the legislation passes as it will take the power away from municipalities. We have been asked for input. Although she cannot take an official position since the Council has not weighed in on it, she can let them know that concerns have been raised.

B. Bid Report

CITY ATTORNEY REPORT

COMMITTEE REPORT

- A. Employee Committee Report
- B. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported they will meet this week.

- C. Police Station Building Task Force

14. PENDING BUSINESS

- A. (If Reconsideration Passes) **Ordinance 17-07(S)**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 4.10.040, 8.08.120, 14.05.425, 21.93.060, 21.93.070, 21.93.100, 21.93.110, 21.93.500, 21.93.540, 21.93.550, 21.93.560, 21.93.570, 21.93.700, and 21.93.710 to Replace the Board of Adjustment With a Hearing Officer to Decide Administrative Appeals Under the Homer City Code, Including But Not Limited to, the Use of a Hearing Officer to Order Impoundment of Dangerous Animals, Decide

Disputes Regarding Itinerant Merchant Licenses, and Decide Disputes Regarding Qualifications of a Candidate for Office. Aderhold. Introduced January 23, 2017, Referred to Planning Commission, Public Hearing and Second Reading March 28, 2017. Reconsidered by Erickson, March 29, 2017.

Ordinance 17-07(S-2), An Ordinance of the City Council Of Homer, Alaska, Amending Homer City Code 21.93.060, 21.93.070, 21.93.080, 21.93.100, 21.93.110, 21.93.500, 21.93.540, 21.93.550, 21.93.560, 21.93.570, 21.93.700, 21.93.710 to Offer Appellants the Choice Between an Appeal Before the Board of Adjustment or a Hearing Officer in Appeals of Planning Commission Decisions. Erickson.

Heard after Reconsideration.

NEW BUSINESS

- A. **Memorandum 17-055** from Mayor Zak, Re: Re-Appointment of Mike Stockburger to the Port and Harbor Advisory Commission and Appointment of Garrette Garroute and Grant Garroute to the Cannabis Advisory Commission.

Mayor Zak announced we have another application for the Cannabis Advisory Commission. Ralph Crane has applied.

LEWIS/REYNOLDS - MOVED TO APPROVE MEMORANDUM 17-055.

LEWIS/REYNOLDS - MOVED TO APPROVE MIKE STOCKBURGER REAPPOINTMENT TO THE PORT AND HARBOR ADVISORY COMMISSION AND POSTPONE THE APPOINTMENT OF THE TWO BROTHERS TO JUST HAVE ONE SEAT AVAILABLE AND APPOINT RALPH CRANE TO THE CANNABIS ADVISORY COMMISSION.

VOTE: (reappointment and postponement) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

RESOLUTIONS

- A. **Resolution 17-038**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Accelerated Roads and Trails Program Policy Manual Adding Sections for Project Eligibility and Funding for Sidewalks, Eliminating the Provision for Debt Service Ratio, and Editing for Readability and Consistency. City Clerk/Planning Commission.

Memorandum 17-028 from Deputy City Planner as backup.

Mayor Zak called for a motion for the adoption of Resolution 17-038 by reading of title only.

ADERHOLD/REYNOLDS – SO MOVED.

Councilmember Aderhold suggested postponing to hold a public hearing. She questioned items contained in Memorandum 17-028 and noted that the sample grant and scoring application were not included in the council packet.

City Manager Koester answered Council recently passed an ordinance to ask the voters to add maintenance. If the ballot proposition passes in October it will change the HART Policy Manual since there will be voter permission to spend HART money on some of the maintenance projects. The sample grant and scoring application will be included in the next council packet.

A legal review of HCC 17.04.180 will be conducted to make sure the language is valid on road assessments and double frontage.

ADERHOLD/LEWIS – MOVED TO POSTPONE RESOLUTION 17-038 TO OUR NEXT MEETING OF APRIL 24TH AND HOLD A PUBLIC HEARING.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

COMMENTS OF THE AUDIENCE

Roberta Highland, city resident, read from a book from Bob Durant on being kind to others.

Josh Cooper, city resident and taxi owner, expressed concerns with HB14 that is quickly moving through the State Legislature. It means loss of revenue for Homer and less safety regulations. He urged Council to contact the house representative as soon as possible.

Ryan Eisenberg, city resident, supports the spirit of Resolution 17-019. He thanked the City for the excellent road maintenance and maintaining good drainage. He thanked the City Council for their efforts.

Sarah Vance, city resident, said Homer is feeling broken and bruised after going through a rough process. Like the lupine, we will take root and bloom to something beautiful again. She challenged every member of the community to rise above the negativity and lies.

Larry Slone, Homer resident, commented Mayor Zak is doing a good job. His manner and comments are helpful to maintain the contact.

Robert Archibald, Prince William Sound Regional Citizens' Advisory Council Member, commented on HB 177. It is an aquatic invasive species bill that requires the Alaska Department of Fish and Game to swiftly address outbreaks of aquatic invasive species. Although it probably won't pass this session, it is an important issue for Kachemak Bay.

COMMENTS OF THE CITY ATTORNEY

City Attorney Wells was not present.

COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comments.

COMMENTS OF THE CITY MANAGER

City Manager Koester had no comments.

COMMENTS OF THE MAYOR

Mayor Zak commented the City Clerk's last day is May 31st. Council received a lot of good information about the employees' pay scales and benefits. He appreciates the employees who attended the Worksession. He praised the employees for the wonderful job they are doing, likening them to the DNA of the organization. Council always goes through the City Manager to discuss employee matters and the Employee Committee reports to the Council. He appreciates all the citizens who attended tonight. The Council meets tomorrow at 4:00 p.m. for a Worksession on legislative matters. They will address HB 132 and HB 177.

COMMENTS OF THE CITY COUNCIL

Councilmember Lewis will not be present at tomorrow's meeting.

Councilmember Smith reminded everyone April 22nd is Clean-Up-Day and Earth Day. He has been involved with the Scouts for many years cleaning up a section with the Lions. It is good to get young people out there appreciating and owning the community. On Tuesday, April 18th the

Police Station Building Task Force meets. The ballot proposition failed last year so we want to bring something forward that can be accepted and embraced. He invited the public to come to the meetings and to be constructive in their input. Tomorrow from 6:30 p.m. to 8:00 p.m. is a meet and greet for Edison Chouest who is taking over the waterways for Crowley.

Councilmember Aderhold commented on everything going on this weekend. It reminded her how amazing the community is for its size. We were awarding women of distinction and wise women. We were recognizing life-long learners. We had a string quartet with international acclaim at our high school theatre. SPARC also finished up and there was a fundraiser for Hoxie Parks. This community is amazing.

Councilmember Reynolds echoed Councilmember Aderhold's comments on the amazing things happening with everyone pulling together as a community. She appreciates the information from The Homer Foundation on the non-profit organizations' contributions to the local economy. She gave a shout out to Homer Mariner's Soccer Team who won their first game 6-2 against Grace Christian who they were viewing as a major rival. One player got four goals and her kid got the other two.

Councilmember Stroozas congratulated the North Carolina Tar Heels on winning the NCAA men's basketball tournament. It was a great event. It was a good meeting tonight and it is good to see a lot of the community come out and participate in the council meetings.

ADJOURNMENT

There being no further business to come before the Council, Mayor Zak adjourned the meeting at 8:48 p.m. The next Regular Meeting is Monday, April 24, 2017 at 6:00 p.m., Committee of the Whole 5:00 p.m., Worksession 4:00 p.m. and Special Meeting 2:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

JO JOHNSON, MMC, CITY CLERK

Approved: _____

**CITY OF HOMER
HOMER, ALASKA**

Stroozas/Erickson/Smith

RESOLUTION 17-040

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
DECLARING THE 2017 PROPERTY TAX ASSESSMENTS TO BE UNFAIR
IN RELATIONSHIP TO OTHER BOROUGH COMMUNITIES AND
REQUESTS SAID ASSESSMENTS BE INVALIDATED UNTIL THE NEW
TAX MODEL IS FAIRLY IMPLEMENTED BOROUGH WIDE.

WHEREAS, Real property 2017 assessments for City of Homer property owners have increased to values that are not indicative of “prevailing market conditions”, as per AS 29.45.110; and

WHEREAS, 2017 assessment notices for many land parcels within the City of Homer have been increased by more than 100%, with over 750 submitted appeals throughout the borough; and

WHEREAS, The Kenai Peninsula Borough Mayor has cited a 50% increase in land value due to parcel access to natural gas; and

WHEREAS, The Kenai Peninsula Borough Mayor has cited “view factors” may add up to 90% for parcels with “excellent views”; and

WHEREAS, This newly implemented assessment methodology is currently limited to Sterling and Homer, and not being borough wide, is found to be unfair and inequitable to property owners within the City of Homer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, declares the 2017 property tax assessments to be unfair in relationship to other borough communities and requests said assessments be invalidated until the new tax model is fairly implemented borough wide.

PASSED AND ADOPTED by the Homer City Council this 24th day of April, 2017.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 City Manager

4 **RESOLUTION 17-041**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 DETERMINING THAT A PUBLIC PURPOSE DOES NOT EXIST FOR
8 LOT 47 HOMER SPIT SUBDIVISION AMENDED, SECTION 1,
9 TOWNSHIP 7 SOUTH, RANGE 13 WEST, SEWARD MERIDIAN, KPB
10 PARCEL NO. 18103408, AND AUTHORIZING THE CITY MANAGER TO
11 ENTER INTO NEGOTIATIONS WITH LAND'S END ACQUISITION
12 CORPORATION FOR THE SALE OF LOT 47.
13

14 WHEREAS, HCC 18.12.020 provides that real property that is no longer required for
15 public purpose may be sold; and
16

17 WHEREAS, Lot 47 Homer Spit Subdivision Amended is a 3,485 square feet irregular
18 shaped lot that does not meet the minimum development standards; and
19

20 WHEREAS, On April 10 the Homer City Council reviewed the 2017 Land Allocation Plan
21 and indicated an interest in selling Lot 47; and
22

23 WHEREAS, Due to the location, odd shape, and small size of Lot 47 the City has
24 determined that no public purpose exists for this parcel and that it is in the best interest of the
25 City to sell the lot; and
26

27 WHEREAS, Land's End Acquisition Corporation is the contiguous property owner and
28 has indicated an interest in purchasing the property; and
29

30 WHEREAS, Land's End Acquisition Corporation was granted a right of entry permit by
31 the City of Homer in 2013 to fill, landscape and construct a lawful freestanding sign on Lot 47;
32 and
33

34 WHEREAS, HCC 18.12.050(d) authorizes the disposal of property to an owner of
35 contiguous property of a parcel that contains an area less than the minimum required for
36 improvements without violating setbacks; and
37

38 WHEREAS, Homer Real Estate is currently under contract as the Real Estate Agent for
39 the City of Homer per Resolution 16-053 and has successfully negotiated the sale of several City
40 owned parcels; and
41

42 WHEREAS, Approval of the disposal of Lot 47, including final terms and conditions of
43 sale, shall be by Ordinance.
44

45 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, determines
46 that a public purpose does not exist for Lot 47 Homer Spit Subdivision Amended and hereby
47 authorizes the City Manager to contract with Homer Real Estate to represent the City in
48 negotiations with Land’s End Acquisition Corporation for the sale of Lot 47 at fair market value.
49

50 PASSED AND ADOPTED by the Homer City Council this 24th day of April, 2017.

51

CITY OF HOMER

52

53

54

55

BRYAN ZAK, MAYOR

56

57 ATTEST:

58

59

60

JO JOHNSON, MMC, CITY CLERK

61

62

63

Fiscal Note: 2016 Assessed value \$34,700

Lot 47 highlighted in red





1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3
4 Aderhold

5 **RESOLUTION 17-042**

6
7 A RESOLUTION OF THE HOMER CITY COUNCIL SUPPORTING HB
8 177, AN ACT RELATING TO THE RESPONSE TO, AND CONTROL
9 OF, AQUATIC INVASIVE SPECIES; ESTABLISHING THE AQUATIC
10 INVASIVE SPECIES RESPONSE FUND; AND RELATING TO THE
11 PROVISION OF INFORMATION ABOUT AQUATIC INVASIVE
12 SPECIES.

13
14 WHEREAS, HB 177 provides the Alaska Department of Fish and Game (ADF&G) with the
15 statutory authority to swiftly address outbreaks of aquatic invasive species; and

16
17 WHEREAS, *Didemnum vexillum* (also known as D. vex and sea vomit), is an example
18 of an aggressive invasive tunicate that is threatening the mariculture industry, commercial
19 fisheries and integrity of the ecosystem in Whiting Harbor near Sitka, Alaska; and

20
21 WHEREAS, The Kachemak Bay National Estuarine Research Reserve based in Homer,
22 Alaska, monitors for D. vex and another marine invasive species, the European green crab,
23 with the support of a team of citizen scientists who live throughout Kachemak Bay, which
24 provides the first line of defense against the introduction of marine aquatic invasive species
25 into Kachemak Bay; and

26
27 WHEREAS, Marine aquatic invasive species may enter Alaskan waters, including
28 Kachemak Bay, through the exchange of ballast water, on the hulls of ships, attached to the
29 legs of jack up rigs transported across oceans, and by other means; and

30
31 WHEREAS, The State of Alaska and local communities such as Homer, are also faced
32 with potential ecological and economic harm from existing and future freshwater and
33 terrestrial invasive plant and animal species; and

34
35 WHEREAS, Homer's economy depends on commercial and sport fishing, mariculture,
36 and tourism, and residents depend on the natural environment for their livelihoods, lifestyle,
37 culture, subsistence, and quality of life; and

38
39 WHEREAS, All other west coast states and British Columbia have established
40 statewide invasive species coordinating councils focusing on preventing and responding to
41 the spread of invasive species; and

42
43 WHEREAS, Numerous state and federal agencies have jurisdiction related to invasive
44 species, and non-governmental organizations such as the University of Alaska Anchorage

45 Center for Conservation Science maintain databases and act as clearinghouses of
46 information related to invasive species; and

47
48 WHEREAS, The Prince William Sound Regional Citizens Advisory Council, of which
49 Homer is a member, recommends the formation of a statewide invasive species coordinating
50 council; and

51
52 WHEREAS, HB 177 gives the ADF&G the authority to use chemical, biological, or
53 physical methods to deal with aquatic invasive species; and

54
55 WHEREAS, As a prevention measure, HB 177 encourages the Alaska Marine Highway
56 System to provide a pamphlet to every passenger educating the public on aquatic invasive
57 species and how to mitigate their spread; and

58
59 WHEREAS, It is in the interest of the City of Homer for the State of Alaska to have
60 appropriate aquatic invasive species education, protection, and response measures in place
61 to protect Alaskan waters from invasive species.

62
63 NOW, THEREFORE, BE IT RESOLVED that the City of Homer supports HB 177 relating to
64 the response and control of aquatic invasive species, establishing the aquatic invasive
65 species response fund, and relating to the provision of information about aquatic invasive
66 species.

67
68 BE IT FURTHER RESOLVED that the City of Homer supports the formation of a
69 statewide invasive species coordinating council to coordinate invasive species response
70 efforts statewide.

71
72 PASSED AND ADOPTED by the Homer City Council on this 24th day of April, 2017.

73
74 CITY OF HOMER

75
76
77
78 _____
79 BRYAN ZAK, MAYOR

80 ATTEST:
81
82
83 _____
84 JO JOHNSON, MMC, CITY CLERK

85
86 Fiscal Note: N/A

HOUSE BILL NO. 177

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES TARR, Kawasaki

Introduced: 3/14/17

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the response to, and control of, aquatic invasive species; establishing**
2 **the aquatic invasive species response fund; and relating to the provision of information**
3 **about aquatic invasive species to users of the Alaska marine highway system."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 16.05 is amended by adding a new section to read:

6 **Sec. 16.05.093. Response to, and control of, aquatic invasive species.** (a)
7 Consistent with applicable state and federal law, the department may use chemical,
8 biological, mechanical, or physical methods, singly or in combination, to control the
9 occurrence of or eradicate an aquatic invasive species.

10 (b) In responding under (a) of this section to the occurrence of an aquatic
11 invasive species, the department may apply for suspension of, or emergency,
12 quarantine, public health, crisis, or other exemptions to, applicable environmental laws
13 and regulations.

14 (c) Response to, and management of, an aquatic invasive species under (a) of

1 this section shall be given priority over activities regulated by the department in the
2 area where an incipient population of an aquatic invasive species is being targeted.
3 The commissioner or an authorized designee may summarily open or close a season or
4 area under AS 16.05.060 to aid in responding to the occurrence of an aquatic invasive
5 species under this section.

6 (d) Each state department, agency, or other entity shall cooperate with the
7 department response to the occurrence of an aquatic invasive species when the
8 department has jurisdiction, and the department shall cooperate with another state
9 department, agency, or entity responding to the occurrence of an aquatic invasive
10 species when the department, agency, or other entity has jurisdiction.

11 (e) The Department of Natural Resources and the department shall include in
12 all relevant leases and permits a provision that the state and the officers and employees
13 of the state shall be held harmless for an act under (a) of this section that affects
14 private property of the lessee or permittee.

15 (f) In responding under (a) of this section to the occurrence of freshwater
16 aquatic invasive species, the department shall respond in a manner determined to
17 cause the least harm to noninvasive fish populations that are used for recreational,
18 personal use, commercial, or subsistence purposes.

19 (g) In responding under (a) of this section to the occurrence of an incipient
20 population of an aquatic invasive species, the department shall provide reasonable
21 notice to affected property owners and shall consider the potential effects of its
22 response measures on private property while selecting the most effective methods to
23 eradicate or control the aquatic invasive species.

24 (h) The aquatic invasive species response fund is established in the general
25 fund. The fund consists of appropriations made to the fund. The purpose of the fund is
26 to pay for responses to aquatic invasive species carried out under (a) of this section.
27 Money appropriated to the fund may be spent for responses made to control the
28 occurrence of or to eradicate an aquatic invasive species under (a) of this section
29 without further appropriation. Money appropriated to the fund does not lapse.

30 (i) In this section, "aquatic invasive species" means northern pike, didemnum
31 tunicate, European green crab, spartina, crayfish, or another organism introduced to a

1 marine or freshwater ecosystem to which it is not native and whose introduction
2 causes, or is likely to cause, economic or environmental harm or harm to human
3 health.

4 * **Sec. 2.** AS 19.65 is amended by adding a new section to read:

5 **Sec. 19.65.033. Provision of information relating to aquatic invasive**
6 **species.** To the extent possible, the commissioner of transportation and public
7 facilities shall ensure that a person who purchases a ticket for vehicle deck space on a
8 ferry for the purpose of transporting a vessel into the state is provided with any
9 information relating to aquatic invasive species that has been published in pamphlet
10 form by the Department of Natural Resources or the Department of Fish and Game.

ALASKA STATE LEGISLATURE



REPRESENTATIVE GERAN TARR

Aquatic Invasive Species Sponsor Statement

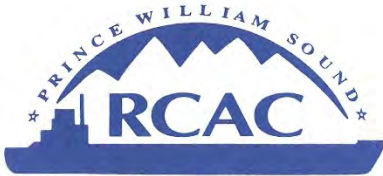
“An act relating to the response to, and control of, aquatic invasive species; establishing the aquatic invasive species response fund and relating to the provision of information about aquatic invasive species to users of the Alaska Marine Highway System.”

HB177 provides the Alaska Department of Fish and Game (ADF&G) with the statutory authority, and a fund, to swiftly address outbreaks of aquatic invasive species such as Dvex.

Didemnum vexillum (Dvex), also known as Sea Vomit, is an aggressive tunicate invader that grows rapidly and has few known natural predators. It creates metabolic toxins that help it smother substrates and other organisms to create monoculture infestations from intertidal, subtidal to deep sea habitats. As demonstrated in a recent infestation in Whiting Harbor near Sitka, the rapid spread of Dvex is a threat to the mariculture industry, commercial fisheries and ecosystem integrity.

HB177 gives ADF&G the authority to use chemical, biological, mechanical, or physical methods to deal with the outbreak. It allows for expedited review of plans for dealing with invasive species, and directs ADF&G staff to prioritize eradication of the invasive species over other management issues for a specific area.

Additionally, the bill directs the commissioner of transportation and public facilities to provide any person transporting a vessel on the Alaska Marine Highway System with a pamphlet relating to aquatic invasive species. This important low cost preventative measure can be used educate travelers to Alaska about the potential for harm should they bring an invasive species with them during transport.



Regional Citizens' Advisory Council / *"Citizens promoting environmentally safe operation of the Alyeska terminal and associated tankers."*

In Anchorage: 3709 Spenard Road / Suite 100 / Anchorage, Alaska 99503 / (907) 277-7222 / FAX (907) 277-4523
 In Valdez: P.O. Box 3089 / 130 South Meals / Suite 202 / Valdez, Alaska 99686 / (907) 834-5000 / FAX (907) 835-5926

MEMBERS

Alaska State
Chamber of Commerce

Senator Gary Stevens
State Capitol Room 429
Juneau AK, 99801

Chugach Alaska
Corporation

April 14, 2017

City of Cordova

Re: Support for HB177

City of Homer

Dear Senator Stevens:

City of Kodiak

As you know, the Prince William Sound Regional Citizens' Advisory Council (Council) is an independent non-profit corporation whose mission is to monitor and promote environmentally safe operation of the Valdez Marine Terminal and associated oil tankers transporting oil from the terminal through Prince William Sound. We are writing to you to express our strong support for HB177, which would create a rapid response plan for threats from invasive species. We recently supported the passage of HB 177 on the House side of the Alaska legislature and would like to request your support on the Senate side.

City of Seldovia

City of Valdez

City of Whittier

During the Council's work over the past 27 years in partnership with industry and regulators, we have dealt with many issues involving oil tankers operating in Prince William Sound and the Gulf of Alaska, including their discharge of ballast water. Over that time, we have monitored and advocated for measures to address the increasing threat from invasive species entering Alaskan waters, particularly through the vector of oil tanker ballast water discharged into Prince William Sound. Ballast water discharge and hull fouling are two of the many manners in which invasive species threaten Alaska.

Community of
Chenega Bay

Community of
Tatitlek

Cordova District
Fishermen United

In addition to supporting HB177, in the past the Council has supported the formation of a statewide invasive species coordinating council. Alaska currently does not have an invasive species council while British Columbia and all other west coast states have such councils focusing on preventing and responding to the spread of invasive species.

Kenai Peninsula
Borough

Kodiak Island
Borough

We think that state agencies like the Alaska Department of Fish and Game have knowledgeable personnel who can make a major positive contribution toward reducing the threat and responding to the arrival of invasive species. However, these agencies need access to resources in order to adequately respond in a rapid manner to potential invasions as well as a comprehensive plan to ensure a timely and organized response.

Kodiak Village Mayors
Association

Oil Spill Region
Environmental
Coalition

Having monitored the threat of invasive species and recognizing the risk to the health of marine resources that residents of our region depend upon for subsistence, food, and their living, the Council strongly supports HB177, which would create a rapid response plan and fund response to threats from invasive species.

Port Graham
Corporation

Prince William Sound
Aquaculture
Corporation

The potential financial harm to our region's subsistence, fishing, and tourism

industries is significant, and the creation of an emergency response plan appears to require only a modest investment. HB177 would help Alaska take necessary steps to address the threats from invasive species.

We have provided several links/references below that give additional information on the various risks associated with invasive species in Alaska. Thank you for your consideration of our views. Please let us know if we can provide you with more information.

Sincerely,



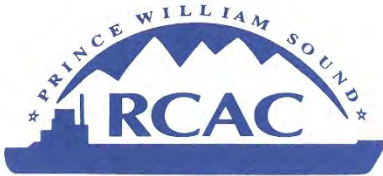
Donna Schantz
Executive Director

[NOAA's "Invasive Impact: What's the Status of Invasive Species in Alaska?"](http://www.nmfs.noaa.gov/stories/2015/06/06_24_15invasive_species_in_alaska.html)
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[University of Alaska Anchorage Institute of Social and Economic Research's "Managing Invasive Species: How Much Do We Spend?"](http://www.iser.uaa.alaska.edu/Publications/2012_07-InvasiveSpecies.pdf)
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Regional Citizens' Advisory Council / "Citizens promoting environmentally safe operation of the Alyeska terminal and associated tankers."

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MEMBERS

Alaska State
Chamber of Commerce

Senator Mike Dunleavy
State Capitol Room 11
Juneau AK, 99801

Chugach Alaska
Corporation

April 14, 2017

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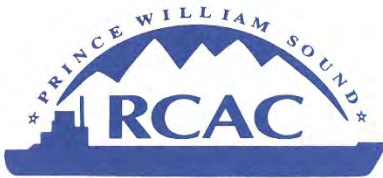
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Regional Citizens' Advisory Council / *"Citizens promoting environmentally safe operation of the Alyeska terminal and associated tankers."*

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Dear Senator Stevens:

City of Kodiak

As you know, the Prince William Sound Regional Citizens' Advisory Council (Council) is an independent non-profit corporation whose mission is to monitor and promote environmentally safe operation of the Valdez Marine Terminal and associated oil tankers transporting oil from the terminal through Prince William Sound. We are writing to you to express our strong support for HB177, which would create a rapid response plan for threats from invasive species. We recently supported the passage of HB 177 on the House side of the Alaska legislature and would like to request your support on the Senate side.

City of Seldovia

City of Seward

City of Valdez

City of Whittier

During the Council's work over the past 27 years in partnership with industry and regulators, we have dealt with many issues involving oil tankers operating in Prince William Sound and the Gulf of Alaska, including their discharge of ballast water. Over that time, we have monitored and advocated for measures to address the increasing threat from invasive species entering Alaskan waters, particularly through the vector of oil tanker ballast water discharged into Prince William Sound. Ballast water discharge and hull fouling are two of the many manners in which invasive species threaten Alaska.

Community of
Chenega Bay

Community of
Tatitlek

Cordova District
Fishermen United

In addition to supporting HB177, in the past the Council has supported the formation of a statewide invasive species coordinating council. Alaska currently does not have an invasive species council while British Columbia and all other west coast states have such councils focusing on preventing and responding to the spread of invasive species.

Kenai Peninsula
Borough

Kodiak Island
Borough

We think that state agencies like the Alaska Department of Fish and Game have knowledgeable personnel who can make a major positive contribution toward reducing the threat and responding to the arrival of invasive species. However, these agencies need access to resources in order to adequately respond in a rapid manner to potential invasions as well as a comprehensive plan to ensure a timely and organized response.

Kodiak Village Mayors
Association

Oil Spill Region
Environmental
Coalition

Having monitored the threat of invasive species and recognizing the risk to the health of marine resources that residents of our region depend upon for subsistence, food, and their living, the Council strongly supports HB177, which would create a rapid response plan and fund response to threats from invasive species.

Port Graham
Corporation

Prince William Sound
Aquaculture
Corporation

The potential financial harm to our region's subsistence, fishing, and tourism

industries is significant, and the creation of an emergency response plan appears to require only a modest investment. HB177 would help Alaska take necessary steps to address the threats from invasive species.

We have provided several links/references below that give additional information on the various risks associated with invasive species in Alaska. Thank you for your consideration of our views. Please let us know if we can provide you with more information.

Sincerely,



Donna Schantz
Executive Director

[NOAA's "Invasive Impact: What's the Status of Invasive Species in Alaska?"](http://www.nmfs.noaa.gov/stories/2015/06/06_24_15invasive_species_in_alaska.html)
http://www.nmfs.noaa.gov/stories/2015/06/06_24_15invasive_species_in_alaska.html

[University of Alaska Anchorage Institute of Social and Economic Research's "Managing Invasive Species: How Much Do We Spend?"](http://www.iser.uaa.alaska.edu/Publications/2012_07-InvasiveSpecies.pdf)
http://www.iser.uaa.alaska.edu/Publications/2012_07-InvasiveSpecies.pdf

[NOAA's "What are Aquatic Invasive Species?"](http://www.habitat.noaa.gov/pdf/best_management_practices/fact_sheets/Aquatic%20Invasive%20Species%20Overview.pdf)
http://www.habitat.noaa.gov/pdf/best_management_practices/fact_sheets/Aquatic%20Invasive%20Species%20Overview.pdf

[Alaska SeaLife Center's "Final Report to the Prince William Sound Regional Citizens' Advisory Council Marine Invasive Species Program"](http://www.pwsrccac.org/wp-content/uploads/filebase/programs/nis/2012%20Economic%20Impacts%20of%20Marine%20Invasive%20Species(2).pdf)
[http://www.pwsrccac.org/wp-content/uploads/filebase/programs/nis/2012%20Economic%20Impacts%20of%20Marine%20Invasive%20Species\(2\).pdf](http://www.pwsrccac.org/wp-content/uploads/filebase/programs/nis/2012%20Economic%20Impacts%20of%20Marine%20Invasive%20Species(2).pdf)



Alaska SeaLife Center
w i n d o w s t o t h e s e a

Final Report

to the

**Prince William Sound
Regional Citizens' Advisory Council**

Marine Invasive Species Program

Contract No. 952.11.04

FINAL REPORT: July 19, 2011 – July 31, 2012

Submitted July 31, 2012

*The opinions expressed in this PWSRCAC-commissioned report
are not necessarily those of PWSRCAC*

Project Overview

Non-Indigenous Species (NIS) may specifically be classified as invasive when ecologically or economically damaging and/or causing harm to human health. We see the economic consequences of invasions in other states and regions. Alaska has not experienced significant impacts to date but examples tell us it may only be a matter of time, and all the more assured if we do nothing or little to prevent and mitigate invasions. To date, we as a state have not undertaken an economic assessment to estimate how severe an economic impact could be due to marine invasive species. Without this economic analysis the environmental arguments supporting action for an Alaska Council on Invasive Species become mute. There may be impacts, there may be environmental consequences, but a louder voice echoing the economic impacts may be required to get the ear of the Legislature. To this end we proposed to work in collaboration with the University of Alaska Anchorage's Institute of Social and Economic Research (ISER) to assess economic benefits and costs of taking action versus no action on invasive species in Alaska. This project is a result of the Marine Invasive Species Workshop held in 2010 by the Marine Subcommittee of the Alaska Invasive Species Working Group. Workshop participants discussed the status of marine invasive species in Alaska, the state's invasive species policies and management, and the potential impacts of marine invasive species on Alaska's commercial, recreation, and subsistence economies. Workshop participants developed general recommendations and committed to specific near-term actions of which an economic assessment was one priority area.

Progress during Reporting Period July 2011 – July 2012

This project took place between July 2011 and July 2012. To completely fund the project, several contracts had to be aligned before we could close the contract with Prince William Sound Regional Citizens Advisory Council (PWSRCAC). As a result, while this award officially started

July 19th, it was not executed until September 15th. Once the award was granted, we issued the subaward to ISER in September. The final deliverables for the project include 1) a four-page Research Summary (Appendix A), 2) a journal article to be submitted to a peer-reviewed academic journal (Appendix B), and 3) a PowerPoint presentation developed for the Alaska State Legislature (Appendix C). The following activities describe the details of the project. Products that are related to this project, but were completed outside the terms of this contract and through other funding sources will be supplemented to PWSRCAC when available.

The first step of the project was to develop a list of agencies that have undertaken invasive species work in the state (Appendix D). We completed this portion of the research by searching the Committee for Noxious and Invasive Plant Management (CNIPM) and Alaska Invasive Species Working Group websites, invasive species conference attendees lists, and also by talking with agencies and organizations about their collaborations. The list changed over the course of the project and was more extensive than we originally envisioned.

We designed a data request for expenditures of agencies and organizations involved in the management of invasive species in Alaska (Appendices E and F). We pretested and refined the data request in collaboration with several representatives from federal and state agencies that were present at the 2011 CNIPM Conference in Anchorage, Alaska. We then connected with agencies and organizations by email and follow-up phone calls to gather the information. Specifically, we requested budget information from 2007 to 2011 on employment, personnel cost, hourly effort, expenditures on equipment and supplies, volunteer effort, source and recipient of funds spent, and targeted invasive species. We also asked respondents to provide detailed information by species, action taken, location, and aerial extent of the action. If budget amounts were unknown, we asked respondents to provide a best estimate. Specific methods of data collection are noted in the journal article (Appendix B). Because of the large number of

agencies and organizations involved in the management of invasive species in Alaska and the complexity of gathering historical data from multiple people, the data collection period took longer than we anticipated. We collected data from November 2011 through March 2012. Overall, we gathered data from 84 of the 112 people that were contacted among 64 organizations (11 federal, eight state, 20 non-profit, seven private, six tribal, and seven university departments, and four local governments), a 75% response rate.

We worked closely with ISER to discuss data organization and analysis. The results from the data request are summarized in the following bullets. Further details can be found in the Research Summary (Appendix A) and the journal article (Appendix B).

- Who paid for invasive species work in Alaska between 2007 and 2011? There was a total of approximately \$29 million spent to manage invasive species during the data collection period, with an average of \$5.8 million per year. The federal government supplied most of those funds (84%).
- Who has done the work? Federal agencies carried out most of the work to manage invasive species. Non-profit organizations and state governments (including Universities) subsequently followed federal agencies, and other groups including out-of-state Universities, local and tribal governments, and private contractors spent much smaller amounts.
- How are funds being distributed regionally? Funding has been highest for the Southcentral and Southwest regions of Alaska, although funding has increased steadily for Southeast Alaska over the past five years.
- What species types (and therefore ecosystems) did the funding target? Most of the funding went to terrestrial invasive species (41% terrestrial plants and 38% terrestrial

animals), however funds for aquatic and marine plants and animals did increase over the past few years.

- What actions have been taking place? The greatest actions taking place are for research, monitoring, and eradication.
- How have jobs and payroll changed over time? Employment, payroll, and volunteer efforts have increased during the data collection period.

This spring, we were invited to present the preliminary results for this project at the Kenai Peninsula Weeds Workshop on May 4th, 2012 held in the Seward Marine Center Rae Building (Appendix G). This gave us the opportunity to inform the audience about the research that they had participated in and also allowed us to receive comments from our peers about the project.

This study also required us to develop a comprehensive list of literature to support our research (Appendix H). While there is an extensive body of literature for evaluating the economics of invasive species, this study is the first to evaluate historical expenditures of invasive species in Alaska. Only a few models are available to evaluate the cost-benefit ratios of different management actions of specific species. These data from this study will help us to project potential future investment scenarios and support the development of models for emerging invasive species threats. This will thereby help to provide recommendations for best management practices for invasive species.

The national trends and this study suggest there will be ongoing investments to address research, monitoring, eradication, and other actions related to invasive species in Alaska. While the invasive species problem in Alaska is still in its infancy, the state is not immune to the problem. There has been an influx of invasive species in Alaska due to increasing human population, development, and commerce. There is also an increasing awareness and involvement

by the public. With increasing significance of the problem, coordination of resources will become more critical in the future. Because Alaska is in early stages of species invasions, our state has the opportunity for cost-effective solutions such as early detection and rapid response and coordination of statewide stakeholders through an organizing body.

In closing, early detection and rapid response (EDRR) are among the most effective ways for reducing the costs of invasive species over the long-term (Leung et al. 2002). Despite the importance of prevention and early detection, there are many cases where non-indigenous species cause no harm. Often, invasions resulting from the introduction of non-indigenous species are difficult to predict and in cases where introduced species cause no harm, resources could be wasted in preparing for an unlikely invasion event (Keller et al. 2007). It is important to note that while prevention is the first line of defense, not all invasive species are stopped by even the best prevention measures. EDRR increases the likelihood that invasions will be stopped but success cannot be guaranteed. Ecosystem conditions and species' characteristics determine whether a non-native species will establish itself in a new location and whether it will cause damage. Keller et al. (2007) suggest that quantitative risk assessment can aid in optimally allocating resources towards prevention and early detection of the most likely invaders (Leung et al. 2002, Keller et al. 2007).

The Alaska Natural Heritage Program's Alaska Invasiveness Ranking System offers a tool to help invasive plant species management through prioritization of threats (Carson et al. 2008; Nawrocki et al. 2011). This plant ranking system allows priorities for action on invasive plants to be determined qualitatively but lacks to include marine and freshwater invasive species. Also, in order to address varying risks and trade-offs inherent in any management decision on invasive species, a more complex quantitative valuation and decision tool is needed that identifies the

economically optimal allocation of resources between prevention and control measures. Consequently, with just a qualitative ranking tool, there is no mechanism to tell a resource manager whether it is less costly to society to wait and let the introduction of an invasive species spread and turn into an invasion or whether it is best to act right away and eradicate. In both cases, trade-offs are important to account for when measuring the benefits and losses associated with each management alternative. As a result of this historic cost analysis project, the Institute of Social and Economic Research will develop a risk and decision analysis tool that will incorporate some of the economic trade-offs at hand for five select invasive species including glove leather tunicate, western water weed, reed canarygrass, knapweed, and clover. This tool will be aimed at helping resource managers allocate limited resources towards those invasive species where management actions offer the highest benefit cost ratios, in other words, where action results in the “most bang for the buck.”

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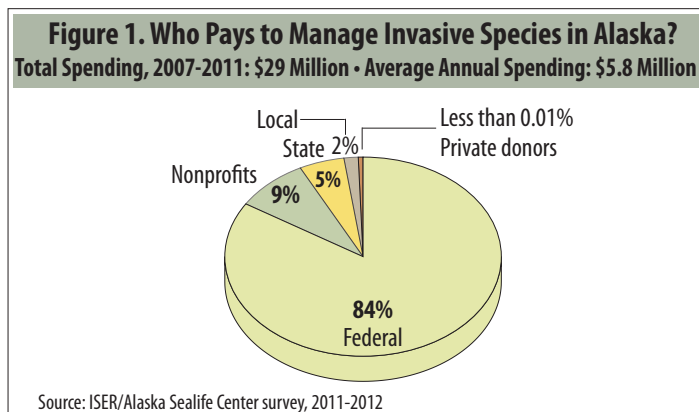


Managing Invasive Species: How Much Do We Spend?

Tobias Schwörer, ISER • Rebekka Federer and Howard Ferren, Alaska SeaLife Center

Invasive species: they're along roadways and up mountain trails; they're in lakes and along the coast; chances are they're in your yard. You might not recognize them for what they are—plants or animals not native to Alaska, brought here accidentally or intentionally, crowding out local species. This problem is in the early stages here, compared with what has happened in other parts of the country. But a number of invasive species are already here, and scientists think more are on the way. These species can damage ecosystems and economies—so it's important to understand their potential economic and other effects now, when it's more feasible to remove or contain them.

Here we summarize our analysis of what public and private groups spent to manage invasive species in Alaska from 2007 through 2011. This publication is a joint product of ISER and the Alaska SeaLife Center, and it provides the first look at economic effects of invasive species here. Our findings are based on a broad survey of agencies and organizations that deal with invasive species.¹ The idea for the research came out of a working group formed to help minimize the effects of invasive species in Alaska.² Several federal and state agencies and organizations funded the work (see back page).

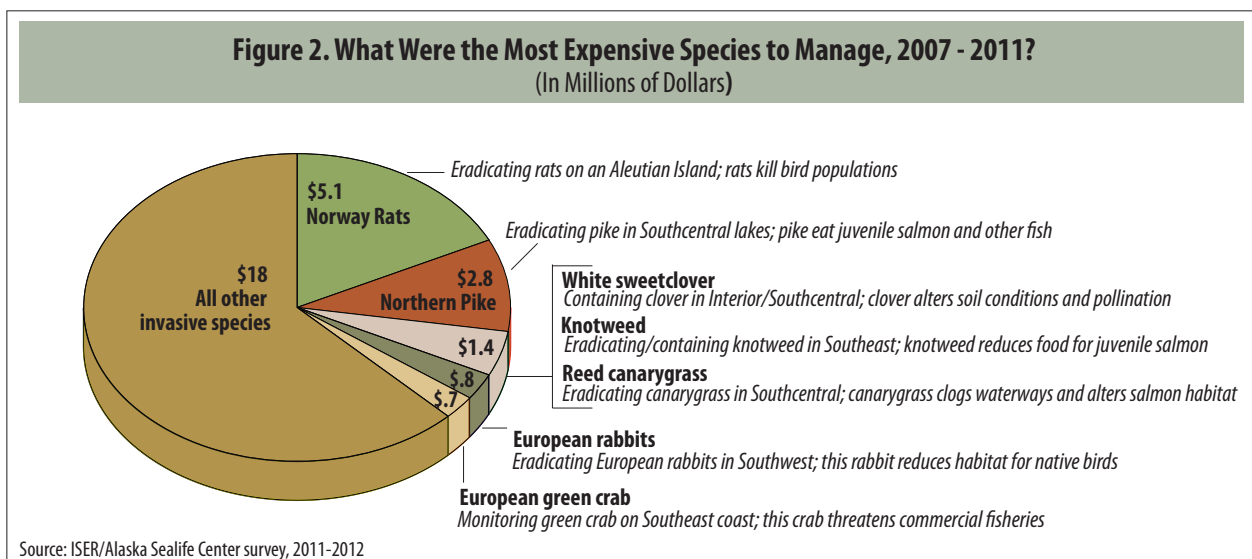


Who Paid?

Governments, nonprofits, and private donors spent about \$29 million to manage invasive species in Alaska from 2007 through 2011, with an annual average of \$5.8 million. The federal government put up most of the money—84%. Nonprofits and state and local governments supplied almost all the rest (Figure 1).

Which Were the Costliest Species?

The biggest expenses were \$5 million for eradicating Norway rats on an Aleutian Island where they had destroyed bird populations, and \$2.8 million for killing Northern pike in Southcentral lakes; pike are voracious eaters of juvenile salmon and other fish. Nearly \$1.5 million went for controlling a few damaging invasive plants. About \$700,000 went for monitoring the European green crab, which is moving toward Southeast and threatening commercial fisheries (Figure 2).



APPENDIX A

What are Invasive Species?

Invasive species are non-native species that establish themselves, dominate habitats, and cause or are likely to cause economic loss, environmental damage, or harm to human health. These are primarily plants or animals that come from outside the state, but some—like Northern pike—are native in parts of the state but invasive when introduced elsewhere in Alaska.

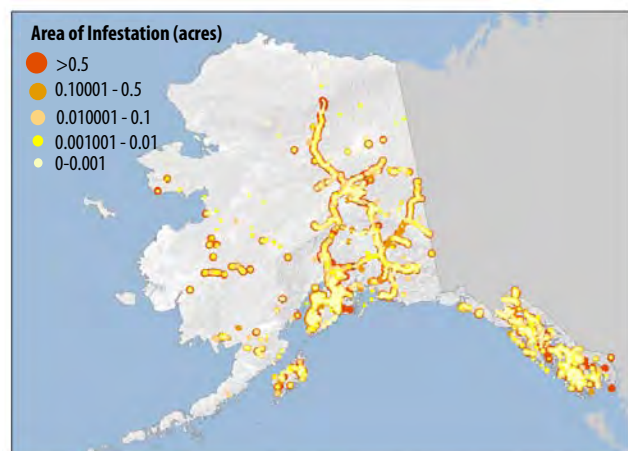
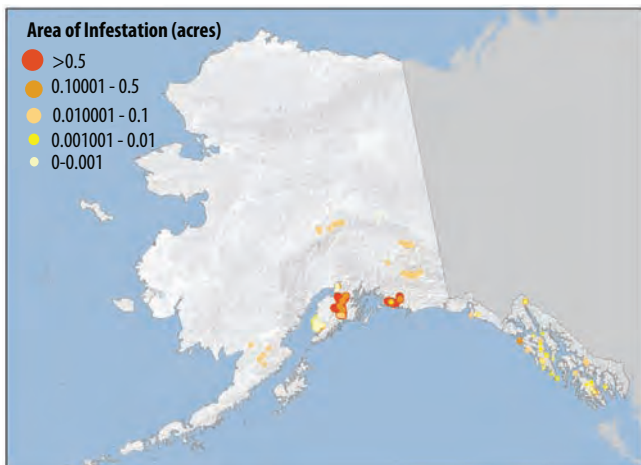
Some invasive species pose much bigger risks than others. Also, some non-native species aren't invasive and in fact benefit people. For example, non-native crops and livestock support the agricultural industry in Alaska and elsewhere.

In 2007, there were 283 known non-native plant species and 116 non-native animals species (fish, amphibians, birds, mammals, invertebrates, parasites, and pathogens) in Alaska. Between 1968 and 2007, the number of known non-native plant species in the state nearly doubled. That means more than 10% of Alaska's 2,100 known plant species are non-native.³

Invasive plants have just recently begun to take hold in much of Alaska. Maps from the Alaska Exotic Plant Information Clearinghouse at the University of Alaska Anchorage (below) show how invasive plants spread just from 2000 to 2011. In 2000, known invasive plants were mostly confined to limited areas of Southeast and Southcentral Alaska. Ten years later, invasive plants were far more widespread in those regions and had reached into Interior and Southwest Alaska.

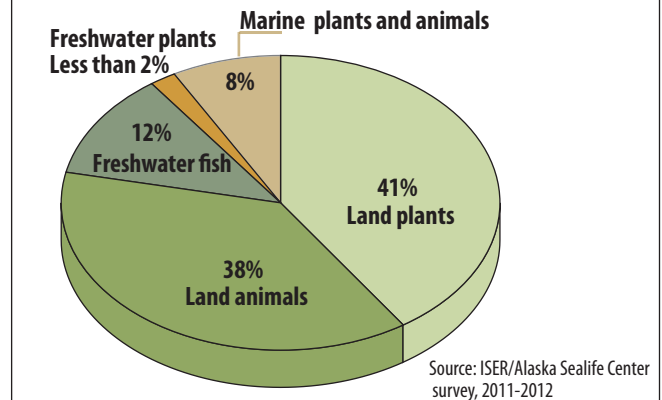
But in recent years there's also been more funding available for those who study invasive plants, so part of the reason for the sharp increase may simply be that the extra funding has allowed more observations of plants in more places. It's certainly likely that invasive plants are also in more remote areas of the state where they have yet to be observed.

Spread of Invasive Plants, 2000 to 2011



Source: Alaska Exotic Plant Information Clearinghouse, UAA

Figure 3. Distribution of Spending to Manage Invasive Species in Alaska, By Type, 2007-2011



Where Did the Money Go?

Figure 3 shows the distribution of spending for managing invasive species in Alaska, by type, from 2007 through 2011. More than 40% went for managing invasive land plants and another 38% for invasive land animals. As we discussed earlier, the biggest single expense for animals was for eradicating Norway rats.

Managing invasive freshwater fish accounted for another 12% of spending, but most was for eradicating a single species—Northern pike—in Southcentral Alaska, where it is invasive. In the Interior and the Arctic it is native.

Only about 8% of spending was for invasive marine life from 2007 through 2011. But big potential threats to Alaska's commercial fisheries have recently been identified, and spending to manage invasive marine plants and animals is likely to be up in the coming years. Those species include a dangerous marine animal called the glove leather tunicate (adjacent page) recently found in Sitka. It encrusts marine infrastructure and non-mobile marine animals like oysters and mussels, killing them. Another is the European green crab (adjacent page), which biologists fear could soon reach the Southeast coast of Alaska, threatening Dungeness and other native crabs.

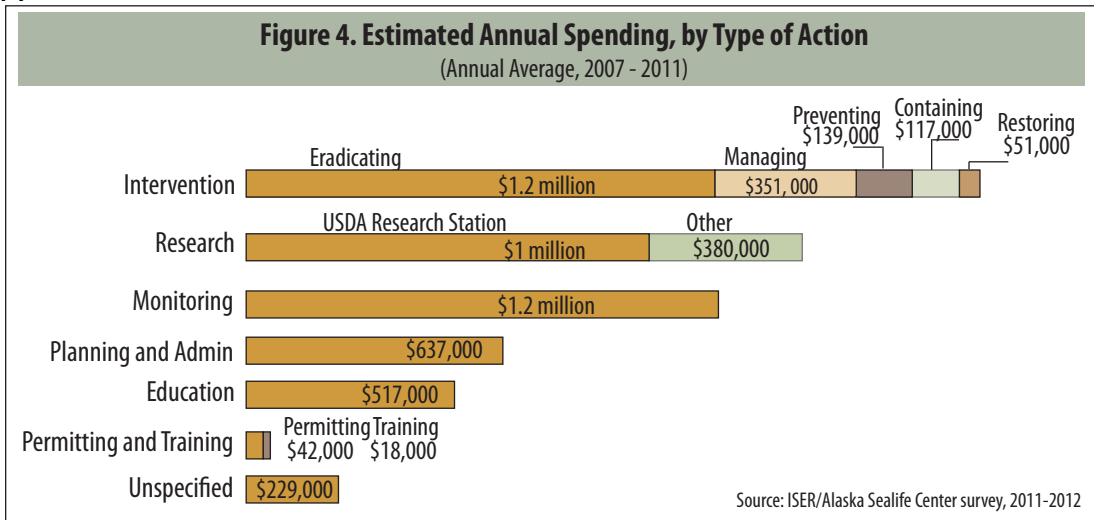


Northern pike (*Esox lucius*)
Photo courtesy of Alaska Department of Fish and Game

What Are the Management Actions?

There are a number of possible management actions for government agencies and nonprofits dealing with invasive species in Alaska. Figure 4 shows average annual spending for various management actions from 2007 to 2011.

- **Intervention.** About \$1.9 million went to intervention activities annually. That included *eradicating* species considered very dangerous; *managing* them



to keep established invasions from spreading; *preventing* them from reaching the state; *containing* new invasions when they reached Alaska; and *restoring* ecosystems to their original state, after invasive species were removed.

- **Research.** About \$1.4 million went for research annually. The U.S. Department of Agriculture’s Agricultural Research Station in Fairbanks accounted for most research spending from 2007 to 2011. The station studied effects of invasive species on ecosystems, and also advised government agencies about ways to control invasive plants. It will close in 2012, due to federal budget cuts.
- **Monitoring.** About \$1.2 million went to monitoring invasive species every year. Monitoring mostly tracks worrisome invasive species —like the European green crab—that may be finding their way to Alaska. It also includes monitoring species thought to be eradicated in Alaska, to make sure they are entirely gone.
- **Education.** Roughly \$500,000 of annual spending from 2007 to 2011 was to make Alaskans more aware of the dangers invasive species pose.
- **Other Spending.** Several other kinds of spending support management of invasive species. That includes spending for planning and administration; for getting required permits; and training volunteers. Together, spending for those expenses averaged close to \$700,000 annually in recent years.



Glove leather tunic (*Didemnum vexillum*)
Photo courtesy of Alaska Department of Fish and Game



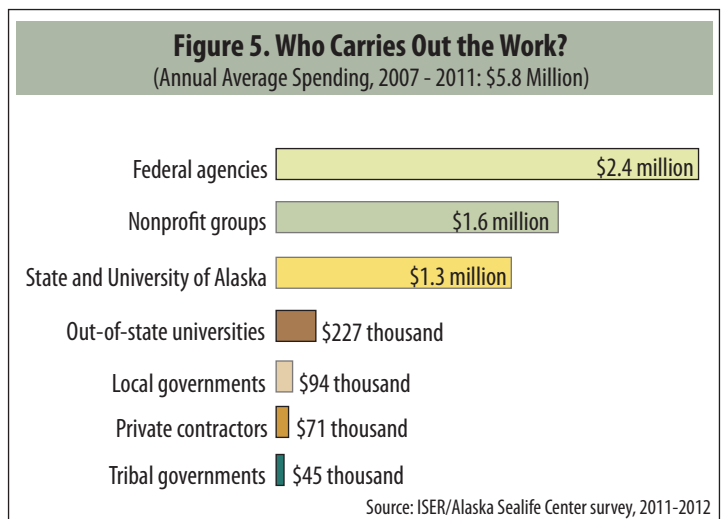
European green crab (*Carcinus maenas*)
Photo courtesy of National Oceanic and Atmospheric Administration

Who Does the Work?

Figure 1 on the front page shows who pays for managing invasive species in Alaska. But the agencies and organizations that put up the money don’t always do the management work. Figure 5 shows which entities actually carried out the work and their average annual spending from 2007 through 2011.

Federal agencies spent about \$2.4 million on an annual average. Nonprofit groups were next at \$1.6 million, followed by state entities (including the University of Alaska) at \$1.3 million.

Others—out-of-state universities, local and tribal governments, and private contractors—spent much smaller amounts.



APPENDIX A Jobs and Payroll

Managing invasive species in Alaska also generates jobs and payroll, as Figure 6 shows. During the study period, annual numbers ranged from 31 in 2007 to 73 in 2010. Payroll increased as job numbers went up, peaking at \$3 million in 2010.

But job and payroll figures for 2010 and 2011 were boosted by one-time money from the federal American Recovery and Reinvestment Act, which Congress passed to help bring the U.S. economy out of recession. That money has now essentially been spent, so figures for 2012 are likely to be lower.

Volunteers have also become increasingly important in efforts to control invasive species, especially plants. For example, the Alaska Parks Foundation, Mat-Su Conservation Services, and other organizations coordinate volunteer efforts, and the National Park Service hires crews of students (at nominal pay). And it was a community-based monitoring program in Sitka—BioBlitz—that recently discovered one of the more dangerous invasive marine species, the glove leather tunicate (pictured on page 3).

Conclusions

We know that numbers of invasive species are increasing in Alaska, but that's a fairly recent phenomenon, and ways of dealing with the problem are still in their infancy. Because the problem is at an early stage—compared with other areas of the country—Alaska has opportunities to develop cost-effective solutions and create institutions to coordinate a multitude of stakeholders.

But the state government will need to take a bigger role in managing invasive species. We know that in recent years state funds made up only about 5% of spending, with the federal government supplying 84%. Federal spending cuts will close the Agricultural Research Station in 2012, and further cuts in federal money for managing invasive species seem likely.

Also, as the problem becomes increasingly important, coordinating limited resources will become more critical in the future. Yet several attempts in recent years—including proposed legislative action—have failed to establish a formal Alaska Invasive Species Council.

The bulk of funding so far has been targeted toward terrestrial plants and animals, although funds for marine organisms have increased slightly over the last few years. A shift toward more spending for marine plants and animals seems likely, as more species that pose threats to Alaska's commercial fisheries are being identified. Much of the spending to combat invasive species in recent years has been in Southcentral and Southwest Alaska, but spending in Southeast Alaska has steadily increased over the past 5 years, with the arrival of invasive marine species in Alaska waters.

Finally, our study found increased employment, payroll, and volunteer effort in dealing with invasive species—which may suggest that Alaskans are becoming more aware of this important problem.

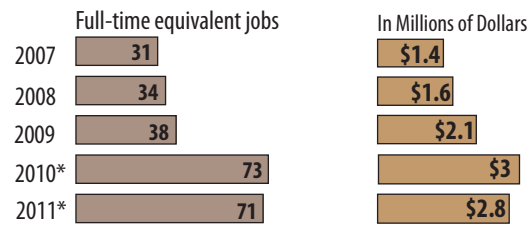
Acknowledgements

Funding for this research was provided by the Prince William Sound Regional Citizens Advisory Council, the U.S. Fish and Wildlife Service, Ocean Alaska Science and Learning Center, Alaska Legislative Council, and Bureau of Land Management. Special thanks to those who contributed data and expertise to this project. We are particularly indebted to Dr. Steve Colt for providing early comments and review of our work. We also thank the Alaska Natural Heritage Program, particularly Lindsey Flagstad, for providing mapping and other help.

About the Authors

Tobias Schwörer is an ecological economist at ISER, focusing on regional economic analysis, ecosystem services valuation, and energy economics. Rebekka Federer and Howard Ferren are with the Alaska SeaLife Center in Seward. Rebekka Federer manages the marine invasive species program and Howard Ferren is the director of conservation. The findings and conclusions of this report are those of the authors. For questions, contact Tobias Schwörer at ttschworer@alaska.edu.

Figure 6. Jobs and Payroll in Management of Invasive Species in Alaska



*The big jump in both jobs and payroll in these years is probably due largely to one-time money under the federal American Recovery and Reinvestment Act. Figures for 2012 will likely be lower.

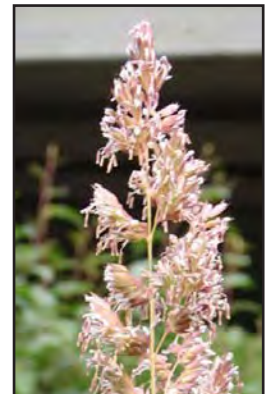
Source: ISER/Alaska Sealife Center survey, 2011-2012

Endnotes

1. We e-mailed questionnaires (and followed up with phone calls) to 112 people at 64 organizations: 11 federal, 8 state, 20 nonprofit, 7 private, 6 tribal, 7 university, and 4 local government. We asked for budget information from 2007 to 2011 on spending related to invasive species—employment, personnel cost, hourly effort, expenditures on equipment and supplies, volunteer effort, source and recipient of funds spent, and targeted invasive species. We also asked respondents to provide detailed information by species, action taken, location, and aerial extent of the action. We collected information from 84 of the 112 people we contacted, for a response rate of 75%. We were especially careful to try to avoid double-counting spending in the complex web of agencies and organizations involved in managing invasive species.

2. In 2006, representatives of federal, state, university, and nonprofit organizations that deal with invasive species in Alaska created the Alaska Invasive Species Working Group, an informal organization with a number of goals, including coordinating resources and activities to improve management of invasive species and developing a statewide plan for managing invasive species. Group members hope to establish a formal council, but legislative action hasn't yet succeeded.

3. Carlson, M.L. and Shephard, M. 2007. "Is the Spread of Non-Native Plants in Alaska Accelerating?" In *Meeting the Challenge: Invasive Plants in Pacific Northwest Ecosystems*, General Technical Report GTR-694, U.S. Forest Service Pacific Northwest Research Station; and McClory J. and Gotthardt T. 2008. *Non-Native and Invasive Animals of Alaska: A Comprehensive List and Select Species Status Reports*, Final Report, Alaska Natural Heritage Program, UAA.



Reed canarygrass (*Phalaris arundinacea*)

Photo courtesy of Alaska Natural Heritage Program, UAA



**Invasive Species Management Programs in Alaska – A Survey of Statewide Expenditures:
2007-2011**

Schwörer, Tobias ^{a,b}; Federer, Rebekka N ^c; Ferren II, Howard J ^c

- a) University of Alaska Anchorage, Institute of Social and Economic Research, 3211 Providence Dr., Anchorage, AK 99508, Phone: (907) 786-5404, Fax: (907) 786-7739, Email: tschwoerer@alaska.edu
- b) Corresponding author
- c) Alaska Sealife Center, 301 Railway Ave., P.O. Box 1329, Seward, AK 99664

Abstract

Invasive species are associated with the loss of biodiversity world-wide. Even though Alaska has remained relatively unaffected by non-native species for most of the 20th century, the influx of non-native plants shows that Alaska is not immune to the issue. With the problem in its infancy, Alaska can take advantage of cost-effective management given appropriate coordination, which to this date has not been established. This research collected data on statewide expenditures for invasive species programs between 2007 and 2011. Funding increased from \$4.7 million in 2007 to \$6.9 million in 2010, partly due to the American Reinvestment and Recovery Act. As in many other U.S. states, the main sources of funding (84%) were federal, with the remainder originating with non-profits (9%) and state and local governments (7%), cuts suggesting the state ought to take more ownership on the issue. The bulk of funding is targeted towards terrestrial plants and animals (79%), although funds have increased for marine and freshwater organisms over the past five years. During this period, the species with the largest expense included eradication of Norway rats from an Aleutian island (\$5 million), eradication of Northern pike from salmon habitat in Southcentral Alaska (\$2.7 million) and eradication of European rabbits affecting bird populations in the Aleutians (\$0.8 million). Research (24%) and monitoring and eradication (both 20%) attract the most funding. The study also found increased employment, payroll, and volunteer effort which may suggest the invasive species issue in Alaska may show slightly increased public awareness.

Keywords: invasive species, Alaska, expenditure survey, resource management, ecological economics

Introduction

Invasive species are a growing threat and world-wide problem for the environment and the economy. Introductions of invasive species are sharply increasing, due in part to human population growth, global trade, commerce, and human development. The results of invasions include loss of ecosystem services such as reductions in water supply, loss of biodiversity, and production losses in agriculture and aquaculture to name a few. In many cases, the eradication of invasive species is impossible once they are established within the native ecosystem. In cases where there are environmental and economic damages associated, the costs to society of trying to keep the invasions at bay become recurring long-term costs (Perrings et al. 2002). The human dimension of the problem shows that solutions may be sought as much in economics as in ecology.

We define non-native species as those species that were introduced by people. In the Western Hemisphere, the definition is typically thought to mean those species brought to North America by Euroamericans in the last 300 years. Invasive species are those non-native species that establish and generally dominate habitats and whose introduction does or is likely to cause economic loss, environmental damage, or harm to human health. In contrast to our definition, some people would consider Alaska's native alder to be "invasive". We restrict the term invasive species to non-native species, such as white sweet clover *Melilotus albus*, that establish and cause ecological alterations.

Not all non-native species result in invasions and not all invasions have solely negative effects on human society. Many non-native species, invasive and non-invasive, are beneficial to humans. For example, the cultivation of non-native crops and non-native livestock are the backbone of the U.S. agriculture industry. Non-native plants and freshwater plants and organisms play an important role in the horticulture, ornamental plant, and aquarium markets. Thus, non-native species can be important to many industries. In Alaska, the invasive non-native species of white and yellow sweet clovers *Melilotus officinalis* in conjunction with honeybees were introduced by local beekeepers to boost local honey production.

The management of invasive species is an economic and policy issue and has less to do with the biology and ecology than many people realize (Perrings et al. 2002). It is primarily an economic phenomenon requiring economic solutions. These can take the form of either incentivizing changes in human behavior or developing institutions focused on finding solutions to the problem. Social science and especially economics provide important tools for decision making.

Economics can be used to understand the drivers of the invasive species problem, analyze the costs, inform decision makers about the benefits of a set of management actions, and analyze the creation of proper institutions to deal with the problem adequately. The high degree of uncertainty associated with the ecology of invasive species adds complexity to any form of analysis (Horan et al. 2002).

There are many studies that estimate the economic effects of invasive species, particularly related to forestry and agriculture where invasives have a direct impact on commercial products and the effects are quantifiable based on measurable production losses (Feare 1980; Leitch 1994; Hirsch and Leitch 1996). More difficult to estimate and less studied are the impacts related to ecosystem services and health. These studies are considering the economic effects of invasive species within the total economic value framework, which includes market and non-market values. Non-market values are related to public goods such as clean air or water, which are not traded in the marketplace. Benefits provided by nature are often undervalued in the market place where private decisions and stewardship may not accurately reflect their true value to society. Non-market valuation studies are able to show the consequences of the loss or impairment of ecosystem services for the economic well-being of the people affected by invasive species. Often the reasons for the lack of research relates to the large amounts of data required to establish scientifically sound ecological-economic linkages. In many cases, the methodologies that relate marginal changes in the environment to marginal changes in economic value still need to be established (Aylward and Barbier 1992).

Due to the challenges associated with estimating the economic impacts of invasive species, there is no national or regional comprehensive study estimating all costs to society for all invasive species. Internationally, Gren et al. (2007) estimated the cost of alien invasive species in Sweden to range between 1.5 billion SEK and 5 billion SEK which is equal to between \$10 million and \$34 million in 2012 dollars annually. Oreska and Aldridge (2011) estimate the financial cost of freshwater invasive species control in Great Britain to amount to between £26.5 and £43.5 million per year equal to between \$41.5 and \$68 million annually. Interestingly, among all invasive species in Great Britain, the one with the largest control costs is Western waterweed *Elodea nuttallii*, a freshwater weed that was recently discovered in three locations in Alaska.

In the U.S. there are a few studies that attempted to quantify the costs of invasive species. The U.S. Congress Office of Technology Assessment estimated the economic losses of 79

invasive species between 1906 and 1991 to amount to \$160 billion 2012 dollars cumulatively (U.S. Congress 1993). Pimentel et al. (2005) estimated the annual economic cost of some of the approximately 50,000 invasive species in the U.S. to amount to at least \$137 billion in year 2012 dollars, equal to about one percent of the U.S. Gross Domestic Product. This estimate includes measurable productivity losses, the cost of damages to infrastructure, and invasive species control costs. Since the monetary value of ecosystem services lost and the loss of biodiversity is not included in this estimate, the measure at best serves as an underestimate and the true cost of invasions is likely several times larger (Pimentel et al. 2005). To name a few examples, the above estimate includes \$120 million in annual losses and control costs related to freshwater weeds, \$49 million in control costs and forage losses associated with purple loosestrife, and \$21 million in control costs and production losses related to other terrestrial weeds annually. But the estimate lacks for example the loss to society of a native species going extinct due to the invasion (Houlihan and Findlay 2004; Pimentel et al. 2005).

With expenditures of \$824 million in year 2000, the Federal government has been the most important source of funding to address harmful invasive species (GAO 2000). Most federal funds – about 88% of the total – came from the U.S. Department of Agriculture (USDA) (GAO 2000). More than half of total federal funds were spent on prevention activities (GAO 2000). States have made much lower investments in fighting invasive species and investment levels vary considerably by state and year (GAO 2000). For example, in 2000 California and Florida spent more than \$127 million and \$87.2 million in state money respectively (GAO 2000). State governments of Hawaii spent \$10 million, Idaho \$5 million, and Maryland \$2.8 million in 2000 (GAO 2000). In 2008, state agencies in Oregon spent \$5.2 million in state funds for invasive species related projects (Creative Resource Strategies 2010).

On a statewide basis, there are a few reports that estimate the economic losses related to invasive plants. Leitch et al. (1994) estimated the losses related to knapweeds in Montana, South Dakota and Wyoming to amount to \$14 million annually. Leafy spurge, an invasive plant affecting range lands, causes an estimated \$42 million in losses in Montana alone (Hirsch and Leitch 1996). Most recently, the economic impacts of freshwater invasive species in the Great Lakes states cost households and businesses significantly over \$100 million annually (Rosaen et al. 2012).

No economic analysis has been conducted to shed light on past and current investments to address invasive species in the state of Alaska. Current and future investments in managing

invasive species need to be viewed as conserving market and non-market values humans derive from healthy Alaska ecosystems at risk from invasions (Colt 2001). In this context, the project's objective was to collect data on direct management costs for the years between 2007 and 2011. The survey was conducted with federal, state, local, tribal, non-profit, and private agencies and organizations involved in invasive species management in Alaska. This approach allowed us to get a complete picture of the investments taken on all levels of government and citizens' involvement.

Invasive Species in Alaska

OVERVIEW

While Alaska has remained relatively unaffected by non-native plants for most of the 20th century, the state has recently experienced an influx of non-native plants related to an increasing human population, development, and commerce. Carlson and Shephard (2007) found that between 1985 and 2005, the number of invasive plant species collected and recorded in Alaska increased by 81%. In Alaska, 154 non-native plant taxa were known in 1941, 174 in 1961, and 283 in 2007, relative to a total of 2,100 known taxa in 2007.

The Alaska Exotic Plant Information Clearinghouse (AKEPIC) keeps track of known infestations in Alaska. Figures 1 and 2 show the extent of known terrestrial plant infestations in Alaska in years 2000 and 2011. The two maps show a dramatic increase in the known infested area over the last decade and shows predominately infestations along roads and human development because observation effort is higher for areas along the road system compared to remote areas of the state (AKEPIC 2012). Since observation effort is known to have increased in the last decade and the available data does not show where invasive species are absent, the maps shown are biased and likely understate the current spread of invasive plant species in Alaska. Despite the uncertainty and lack of absence data, the extent of infestations shown in Figures 1 and 2 can be viewed as a conservative (minimum) measure of the extent of invasive plant species in Alaska. In addition, the map does not show the extent of invasive terrestrial animals, fishes, or marine invasive species, thus excluding potential dangerous threats to Alaska's commercial fisheries.

Fig. 1 Map of Alaska showing the year 2000 presence of invasive plants in Alaska as recorded by AKEPIC, with a few invasions larger than half an acre occurring in Southcentral Alaska, in addition to spotty invasions of up to half an acre in size in Southeast Alaska

Fig. 2 Map of Alaska showing the year 2011 presence of invasive plants in Alaska as recorded by AKEPIC, with extensive occurrence and dramatically increased acreage of invasions in Southeast Alaska and statewide along road corridors and larger road-less communities in rural Alaska

Figures 1 and 2 show that Alaska is not immune against the influx and invasions of non-native species and that the problem may have grown exponentially over the last ten years. Carlson and Shepard (2007) compare the current infestation condition of Alaska with the infestation condition the lower 48 states experienced 60 to 100 years ago. The invasive species problem in Alaska is still in its infancy where the most effective action can be taken well before invasions reach critical thresholds at which eradication and control effort becomes very expensive (Figure 3). Taking action now rather than delaying it into the future provides a unique opportunity for Alaska to minimize long-term economic loss.

Fig. 3 Public perception of the invasive species problem in relation to abundance of invasive species along a logistic invasion trajectory illustrating that Alaska is at an early stage in the invasion process where there is a known lack of public perception

Early detection and rapid response (EDRR) are among the most cost efficient and effective ways for reducing the costs of invasive species over the long-term (Leung et al. 2002). Education is an important process driving EDRR and needs to strengthen links between the public, different levels of government, industry, and non-governmental organizations (Perrings et al., 2002). Despite the importance of prevention and early detection, there are many cases where non-indigenous species cause no harm. Often, invasions resulting from the introduction of non-indigenous species are difficult to predict and in cases where introduced species cause no harm, resources could be wasted in preparing for an unlikely invasion event (Keller et al. 2007). It is important to note that while prevention is the first line of defense, not all invasive species are stopped by even the best prevention measures. EDRR increases the likelihood that invasions will be stopped and eradicated but success cannot be guaranteed. Ecosystem conditions and species' characteristics determine whether a non-native species will establish itself in a new location and whether it will cause damage. Keller et al. (2007) suggest that quantitative risk assessment can aid

in optimally allocating resources towards prevention and early detection of the most likely invaders (Leung et al. 2002, Keller et al. 2007).

The Alaska Natural Heritage Program's Alaska Invasiveness Ranking System offers a tool to help invasive plant species management through prioritization of threats (Carson et al. 2008; Nawrocki et al. 2011). While this plant ranking system allows priorities for action on invasive plants to be determined qualitatively, it does not offer a quantitative framework that identifies the economically optimal allocation of resources between prevention and control measures.

Consequently, there is no mechanism to tell a resource manager whether it is less costly to society to wait and let the introduction of an invasive species spread and turn into an invasion (requiring control action in the future) or whether it is best to act right away and eradicate. In addition, it is the only tool currently available and entirely ignores other invasive species like freshwater and marine invaders.

Because invasive species costs to society are closely related to the abundance of invasive species, costs to society closely follow the biological invasion curve in Figure 3. Consequently, prevention measures, if successful, are the most cost effective management action for economic and environmental reasons (Leung et al. 2002). The costs of managing invasive species rise rapidly as the species gain a stronger foothold in the ecosystem. After the establishment and naturalization phases, eradication may no longer be a possibility, and damage mitigation and control may be the only feasible policy response (Figure 3). Once the non-native species establishes itself in the ecosystem, control measures result in continued expenses and long-term costs to keep the invasions from developing into harmful pests with serious economic consequences and environmental degradation.

Just like costs to society, public awareness seems to also follow the invasion curve (Figure 3). The public may not be aware of an invasive species problem until it is almost too late for applying cost effective measures to fight the non-native species from turning into wide spread pests. Often, the large expense related to continued control of an invasive species seems to raise public awareness more than education and outreach could at an early stage of the problem (Figure 3). This disparity emphasizes the importance of outreach and education in Alaska now rather than later.

INSTITUTIONAL HISTORY

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In Alaska, invasive species have been on people's radar since the early 1990s and action was starting to be taken in 2000 when the Presidential Executive order 13112 on Invasive Species called for increased coordination among federal and state agencies, established a National Invasive Species Council comprised of eight federal departments, created the Invasive Species Advisory Committee, comprised of diverse stakeholders, and directed the preparation of the National Invasive Species Management Plan. In 2000, the Alaska Committee for Noxious and Invasive Plants Management (CNIPM) was founded as an informal group of individuals representing agencies and organizations statewide. The CNIPM list-serve provides information on invasive plant issues statewide. The group looks for solutions to fight invasive plants in the state.

The Alaska Department of Fish and Game (ADF&G) in 2002 developed the Freshwater Nuisance Species Management Plan. The plan focuses on taking advantage of Alaska's early state in the invasive species problem, and as such focuses on prevention of invasions. Its main goal is coordination of prevention and monitoring efforts among the public, federal, state, local, and tribal governments, and the development of an effective public communications program. The plan further outlines the establishment of a coordinating council similar to the invasive species councils created by most of the lower 48 states. To this date, ten years after the goal of creating a council, steps have been taken to create this institution but legislation yet has to pass to formally establish it. A total of three former attempts to create an Alaska Council on Invasive Species by legislative action failed in 2007, 2009, and 2012. Recent invasions of Western water weed and the glove leather tunicate *Didemnum vexillum* suggest statewide coordination and prioritization is pre-requisite to managing resources effectively.

In 2006, the Alaska Invasive Species Working Group (AISWG) was formed by Memorandum of Understanding (MOU) among invasive species experts in federal, state, and local government positions. The group was established with hopes of becoming a formalized Alaska invasive species council in the future. The University of Alaska Fairbanks' (UAF) Cooperative Extension Service coordinates the group with funding through the Environmental Protection Agency (EPA). AISWG's mission is to minimize invasive species impacts in Alaska by facilitating collaboration, cooperation and communication among AISWG members and the people of Alaska. This MOU formed another step in creating an invasive species council but again, no formal coordinating body has been established.

The Alaska Northern Pike Management Plan was completed in 2007 and by 2009, could show the first successful eradication of Northern pike *Esox lucius* in three closed-system lakes, two in Southcentral Alaska and a series of ponds in Yakutat. Besides the efforts of resource management agencies in Alaska, volunteerism increasingly became a part of invasive species management with community-based monitoring playing an increasingly important role.

In 2010, the Marine Subcommittee of the AISWG held a workshop in Seward. This research is a result of that meeting during which the AISWG members and workshop attendees set as one of the priorities the need to conduct an economic impact study for Alaska (AISWG 2010). During a 2010 community-based invasive species survey, an unidentified colonial ascidian was found covering submerged lantern nets at an aquaculture site in Sitka, Alaska. It was later identified as glove leather tunicate. Several glove leather tunicate eradication attempts have been implemented throughout the world with varying levels of success. The ADF&G has developed a response plan for eradication of glove leather tunicate in Sitka.

The year 2012, also brought federal spending cuts to Alaska which resulted in the USDA's Agricultural Research Service (ARS) Alaska operations to close. This closure leaves Alaska without an important research facility dedicated to researching the effects of invasive species on native ecosystems.

Methods

We developed a data request for agencies and organizations involved in the management of invasive species in Alaska. The data request was sent out by email and included a word document and excel table to provide a flexible format for agencies to respond in (Online Resource 1). We pretested and refined this data questionnaire in collaboration with several representatives from federal and state agencies that were present at the 2011 CNIPM conference in Anchorage, Alaska. Specifically, we requested budget information from 2007 to 2011 on employment, personnel cost, hourly effort, expenditures on equipment and supplies, volunteer effort, source and recipient of funds spent, and targeted invasive species. We also asked respondents to provide detailed information by species, action taken, location, and aerial extent of the action. If budget amounts were unknown, we asked respondents to provide a best estimate.

Due to the complex web of federal, state, local, tribal, and non-profit organizations involved, we paid particular attention to where the money was coming from and where it was finally expended, often involving several pass through organizations. For example, federal

agencies are major funding sources for non-profit and state agencies, but also actively manage invasive species on the ground. By checking funding sources and sinks, we minimized double counting of any of the funds recorded and thus could come up with a distribution of funds being expended on invasive species in Alaska. The difficulty in gathering historical data is that some agencies and organizations were unable to obtain data for certain projects or did not have a detailed budget tracking system in place. Also, for some agencies/organizations, there was only one contact and for other agencies/organizations there were several contacts. If there were several contacts for one agency/organization and only half the contacts responded, it does not imply half the funds were accounted for because the individuals that did not respond may have made up for more or less than half of what was reported by the individuals that did respond. Thus, the estimates presented are rather conservative in nature.

On the basis of a list of 112 agency contacts, we collected information from 84 individuals for a response rate of 75 %. We contacted 64 organizations, including 11 federal, eight state, 20 non-profit organizations, seven private organizations, six tribal organizations, seven university departments, and four local governments (Online Resource 2). Due to the different accounting systems, not all organizations were able to provide the information in the format we requested. We dealt with this issue by setting the following conventions: For agencies and organizations with varying fiscal years, we recorded data that applies to each individual organization's fiscal year. Even though fiscal years among different organizations may not align accurately, slight differences average out over the five year data collection period. In cases where the initial funding organizations were not known, we allocated the entire budget among multiple sources.

For calculating the number of jobs associated with invasive species management in Alaska, we estimate the Full-time Equivalent (FTE) employment of part-time workers based on hourly effort data collected and the number of full-time positions reported. We dealt with lump sum amounts for multiple actions or types of expenses across multiple years or across categories by dividing the total lump sum amount reported by the number of actions, years, or categories, assuming equal amounts per action, year, or category of expense. Some agencies added a travel category for expense which was not part of the data request. Consequently, the travel category is likely underestimated. For volunteer hours, we stated them as recorded by respondents or we imputed the hours based on an eight hour work day and the volunteer days and number of

volunteers reported. At last, we conducted follow up phone calls with all contacts in the data collection period from November 2011 until March 2012.

Results

In this section we report budget information for the past five years in nominal dollars, not adjusted for inflation. We first show the different sources of funding available for invasive species efforts in the state, followed by how these funds are distributed by action implementing entities, species type, and type of management action. We then present analysis of the number of jobs and payroll associated with invasive species work over the past five years and the number of volunteers involved. Finally, we show how the annual invasive species funds are allocated among the five Alaska regions and how this allocation has changed over the past five years.

In years 2007 to 2011, the amount of available funds for invasive species related effort in Alaska varied between \$4.7 million in 2007 and \$6.9 million in 2010 (Table 1). Funding originated to 84% from federal, 9% from non-profit, 5% from state sources, with the remainder from local government and private donors. On an annual average, the federal government contributed \$4.9 million, non-profit organizations expended more than half a million dollars each year, and the State of Alaska spent roughly \$300,000 on average annually. Local governments expend approximately \$100,000 per year on average statewide.

For the past five years, the top two funding organizations for invasive species related efforts in Alaska were the U.S. Fish and Wildlife Service (USFWS) with over \$1.6 million dollars in distributed funding annually and the USDA with over \$1.5 million annually. These two federal agencies provided almost half of the total funding for invasive species work in the state between 2007 and 2011. The Alaska Sustainable Salmon Fund provided almost \$400,000 annually for invasive species related efforts statewide. The available funds were then distributed among state, local, tribal and non-profit organizations.

Table 1 Alaska invasive species funding by source, 2007-2011

In 2009, under the American Reinvestment and Recovery Act of 2009 (ARRA), the Alaska Association of Conservation Districts entered into a cooperative agreement with the U.S. Forest Service (USFS) to accept \$1.14 million to implement the Alaska Invasive Plants Project. The purpose of this grant from the USDA was to oversee and coordinate invasive plant programs

via coordinator positions stationed in Soil and Water Conservation Districts throughout the state. The coordinators conducted invasive plant surveys, control, education, and outreach projects in their regions. In addition, the Alaska Natural Heritage Program conducted the second phase of the Alaska Invasiveness Ranking System, a tool to prioritize invasive species management.

Over the past five years, federal entities not only played the main role in funding other entities, they were also the main entities implementing management actions with annual operating budgets for invasive species totaling more than \$2.4 million annually (Figure 4). Federal agencies were followed by non-profit organizations with over \$1.6 million annually in operating budget for invasive species work, as well as state agencies including state universities with budget obligations of \$1.3 million annually (Figure 4).

Fig. 4 Action implementing entities and five year mean operating budget, 2007-2011

Over the past five years, more than three fourth of all funding went towards invasive species in terrestrial ecosystems (79%), followed by freshwater ecosystems (14%) and marine ecosystems (8%) (Table 2). On an annual basis, the proportions of funds spent among marine, freshwater, and terrestrial ecosystems have changed somewhat with increasing funds going towards marine and freshwater ecosystems. This trend indicates a shift towards a more balanced approach across all ecosystems. The expenditures were focused on terrestrial plants (41%) and terrestrial animals (38%), with an increasing share going towards the marine ecosystem over the time period investigated. In 2007, the proportion of funds going to marine invasive species equaled 7% whereas in 2011 it was 17% of the total available funds. Freshwater invasive species issues received between 12% in 2007 and 2008, and 20% of total available funds in 2009. For freshwater ecosystems, the largest proportion of funds was spent on invasive freshwater fish, particularly the eradication of Northern pike in Southcentral Alaska.

Table 2 Alaska invasive species funding by species, 2007-2011

Some of the most costly invasive species in Alaska within the past five years include Norway rats *Rattus norvegicus* (\$5 million), Northern pike (\$2.8 million), European rabbit *Oryctolagus cuniculus* (\$0.8 million), and European green crab *Carcinus maenas* (\$0.7 million).

The costs and type of actions required to deal with each invasive species vary by species. The rats were introduced by a shipwreck to Rat Island where they decimated local bird populations requiring actions costing over \$5 million over the past five years. More than 50% of the funds were used for eradication efforts followed by 33% for monitoring. Northern pike which were introduced by local anglers into lakes and streams in Southcentral Alaska required \$2.8 million between 2007 and 2011. Even though Northern pike are native to some parts of Alaska, they have detrimental effects on local salmon populations in Southcentral Alaska. Sixty-seven percent of funds for pike were spent on monitoring while 12% were used for the eradication. Most (96%) of the \$0.8 million going towards European rabbits were used for eradication.

Given the importance of commercial fisheries in Alaska, the threat of marine invasive species including the observed northward movement of European green crab may warrant increased investments in the area of marine invasive species in the future (Hines et al. 2004). Between 2007 and 2011, Alaska spent \$0.7 million mainly on monitoring, research, and outreach.

Terrestrial plant species that required recent and costly action include white sweet clover and knotweed *Polygonum spp.* (both \$0.5 million), and reed canarygrass *Phalaris arundinacea* (\$0.4 million). White sweet clover was intentionally introduced to Alaska by beekeepers to enhance honey production but the plant is known to alter soil conditions and pollination patterns, and degrade natural grass land communities (Klein 2011). Over 71% of the spending on white sweet clover went towards control measures and research. We subdivided control actions into management actions which keep established invasions from spreading and containment actions which keep new invasions from further dispersal. Knotweed and reed canarygrass are both able to clog waterways and have negative effects on local salmon populations. In both cases more than 80% of the available funds were spent on eradication efforts. Also, an increasing proportion of funds were spent on freshwater plants, which shows that these invasive species have arrived in Alaska and will require more attention in the future as the recent discovery of Western water weed in Alaska suggests.

Statewide, most budget obligations go towards intervention and research. Between 2006 and 2011, the largest proportion – about 25% of invasive species funding – was spent on research. Research amounted to approximately \$1.4 million annually, ranging between approximately \$1.2 million in 2007 and \$1.6 million in 2008 (Table 3). Monitoring efforts were the second largest obligation with approximately \$1.2 million annually. Monitoring budgets have ranged between

\$0.5 million in 2008 and almost \$1.6 million in 2009 but recently have decreased to over \$1.0 million in 2011.

Table 3 State-wide funding by management action, 2007 - 2011

Administrative and planning expenses amount to between approximately \$280,000 and \$800,000 annually, or between 11% and 17% of total available funds (Table 3). Administrative expenses seem to have stabilized at approximately \$700,000 annually in recent years. It is interesting to note, permitting requires approximately 1% of the total funding annually. Among all management actions, education and outreach received an increasing amount of funding with \$290,000 in 2009 (7% of available funds) and more than \$700,000 in 2010 and 2011 (13% of available funds) in that year. In regards to fostering public awareness early on in the invasion process, this trend seems to be an appropriate direction for Alaska (Figure 4).

All intervention actions (i.e. prevention, containment, restoration, management, and eradication) combined amounted to a third of all invasive species obligations over the last five years, totaling more than \$1.8 million per year. Eradication, which destroys and removes new invasions, accounted for the third largest expense overall with more than \$2.5 million spent on Norway rats alone in 2008, a fifth of total obligations. In addition, more than \$350,000 annually are spent on management measures, keeping established invasions from spreading, followed by prevention (\$139,000/year), which stops introductions, and containment (\$117,000/year), which stops new invasions from spreading. Investments related to attempting to restore ecosystems to their initial state after removing invasions amounted to \$50,000 annually, 1% of total budget (Table 3).

The survey we conducted also collected data on each individual organization's operating budget for invasive species, the number of jobs, and payroll associated with positions focused on invasive species actions in the state. The organizations with the largest annual operating budgets for invasive species related efforts include the USFWS (\$1.1 million annually), USDA (\$1.0 million), The Nature Conservancy (TNC) and the ADF&G (each \$0.4 million).

Between 2007 and 2011, the number of jobs associated with invasive species efforts in Alaska increased from an estimated 31 FTE positions in 2007 to more than 70 FTE positions in 2010 and 2011. These jobs are mostly located in Alaska but include a few research positions

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outside Alaska. Overall the payroll among all organizations for these positions amounted to \$1.4 million in 2007, \$1.6 million in 2008, \$2.1 million in 2009, \$3 million in 2010, and \$2.8 million in 2011 for an annual average of \$2.5 million and a total of almost \$11 million spent on payroll over the past five years. The USFWS on average has 33 part time positions and one full-time position dedicated to invasive species work. ADF&G has 15 part-time positions and one full-time person employed. USDA had 10 full-time positions which are defunded as of 2012. The Smithsonian Environmental Research Center has 10 part-time positions. USDA had total payroll of \$506,000 annually, Alaska Natural Heritage Program \$288,000 annually, USFWS \$207,000 annually, followed by the National Park Service (NPS) with \$190,000 and ADF&G with \$178,000 annually. Besides payroll, agencies reported costs for machinery to amount to between \$202,000 and \$1 million for an annual average of \$440,000. The costs for equipment and supplies ranged between \$429,000 and \$872,000 annually for an annual average of \$688,000.

Volunteer effort is an important aspect of community based monitoring, and control efforts for invasive species nationwide as well as in Alaska. Without the communities and their volunteers, many of the projects we collected data for would not have been possible to accomplish. It was in fact volunteers of a community-based monitoring program called a BioBlitz who discovered in Sitka one of the more dangerous marine invasive species, a colonial ascidian called glove leather tunicate. The number of volunteers involved in invasive species work in Alaska has increased in the last five years from around 200 in 2007 and 2008 to over 3,000 in 2011. This sharp increase is mainly due to funds being available for invasive species related work through the ARRA. Every year, the NPS hires crews of seven to nine students through programs with AmeriCorps or Student Conservation Association who provide supervision, transportation, equipment, and logistic support for “volunteer” crews pulling weeds in national parks. The crews receive small compensation and are considered “volunteers” by the NPS. Since ARRA made funds available to hire large crews, volunteer effort in 2010 and 2011 was unusually high with over 322,000 volunteer hours in 2010, and more than 100,000 volunteer hours in 2011. In comparison to other years, we estimate volunteer hours to range between 5,000 and 7,000 annually.

The Alaska State Parks Foundation reported 880 volunteers in 2011, up from 12 in 2009 and 513 in 2010, focusing on controlling invasive terrestrial and freshwater plants. Matanuska-Susitna Conservation Services reports more than 400 volunteers annually over the last three years. Despite the effect of ARRA, reports of increasing volunteerism from many other organizations

responding to our survey may indicate that public involvement and awareness is on the rise concerning the invasive species problem in Alaska.

We divide Alaska into five regions for the purposes of this funding analysis, North, Interior, Southcentral, Southwest, and Southeast. The allocation of available invasive species funding among the five regions in Alaska varies by year. Over the past five years, most funding went to efforts in Southcentral Alaska (43% of total), followed by Southwest Alaska (32%), and Interior Alaska (16%) (Figure 5). In Southwest Alaska, invasive species efforts cost on average almost \$1.2 million per year (Table 4). Successful eradication efforts by the USFWS and the TNC concentrated on Norway rats, European rabbits, feral horses, hoary marmots, caribou, and Arctic foxes within the Alaska Maritime National Wildlife Refuge and other areas. As eradication efforts in the Alaska Maritime National Wildlife Refuge were completed in 2010, relatively fewer funds were expended in 2011 (Table 4).

Fig. 5 Annual invasive species funding by Alaska region, 2007-2011

More recently, invasive species efforts have increasingly focused on Southcentral Alaska with annual overall budgets of \$886,000 in 2007 and over \$2.2 million in 2011 for an annual average of almost \$1.6 million (Table 4). One of the primary invasive species in Southcentral Alaska is Northern pike, which threatens salmon populations in Upper Cook Inlet. Primarily funded through USFWS and the Alaska Sustainable Salmon Fund, activities focused on monitoring, eradication, management, and outreach and amounted to more than \$2.7 million over the past five years. In addition, \$2.8 million was spent over the same time period to fight invasive terrestrial plants like orange hawkweed *Hieracium aurantiacum*, reed canarygrass, white sweetclover *Melilotus alba*, European bird cherry *Prunus padus*, and Canada thistle *Cirsium arvense*. Most funds for invasive terrestrial plants are originating from a diverse set of federal, state, and private sector sources with the highest proportion of funds spent on eradication and management of established invasions.

For the past five years, substantially less funding was received by the Interior, Southeast, and Northern regions of Alaska (Table 4 and Figure 5). In Interior Alaska, invasive species related work amounted to about \$600,000 annually and concentrated on terrestrial plants like white sweet clover and European bird vetch *Vicia cracca*. As of recent, the Western water weed, which is

present in Fairbanks, Anchorage, and Cordova, has gotten increased attention by resource managers.

In Southeast Alaska, efforts during the past five years focused on marine invasive species due to the vicinity to British Columbia where many marine invasive species like European green crab and glove leather tunicate are already established. Consequently, local efforts are focused on monitoring activities amounting to approximately \$350,000 annually (Table 4 and Figure 5). Such monitoring activities were successful in 2010 with the detection of glove leather tunicate in Sitka. In addition, Southeast Alaska saw successful eradication efforts for giant hogweed *Heracleum mantegazzianum*. Management efforts were conducted for stands of knotweed, orange hawkweed, and Canada thistle which were successfully removed but eradication could not be attained.

In Northern Alaska monitoring and research is occurring for invasive terrestrial plants along the Dalton Highway with expended funds of approximately \$11,000 annually Table 4 and Figure 5). In Southeast Alaska, the presence of glove leather tunicate resulted in an increase in expenditures on marine invasive species over the last few years. The annual average amount of invasive species funding that is used statewide and not targeted on a particular region amounted to more than \$1.9 million per year (Table 4). Over one million dollars of this amount was associated with the USDA's ARS located in Fairbanks. As a subject of federal spending cuts, ARS will close its Alaska operations in 2012. In the past, the ARS played a critical role in advising the USFS and Bureau of Land Management (BLM) on how to control invasive plants such as white sweet clover, orange hawkweed, and European bird vetch. ARS studied the effects of these invasive species on native ecosystems, operated the only cold climate seed bank in Alaska, and conducted a wide array of research concerned with food security (Fairbanks Daily News Miner, 2012).

Conclusions

This research offers insight to historic spending on invasive species in Alaska between 2007 and 2011. Given the observed trends nationally and as evidenced in this study we project ongoing investments to address research, monitoring, eradication and other actions related to invasive species in Alaska. During 2007 and 2011, total expenditures ranged between \$4.7 million and \$6.9 million annually with 84% of the available funds being provided through federal sources and only 5% originating as state funds. Compared to California, which in 2000 spent more than \$127 million in state funds on invasive species, the relatively low investment level overall and particularly by the State of Alaska underlines the fact that the issue of invasive species is still in its

infancy in Alaska. The early stage of the problem offers an opportunity for cost-effective solutions like EDRR and the creation of formal institutions that are able to coordinate a multitude of stakeholders. There is a need for the state to take more ownership in regards to the problem, especially with federal spending cuts eliminating federal programs on invasive species in Alaska. Also, with an increasing importance of the problem, coordination of limited resources will become more critical in the future, yet after three failed attempts, establishing a formal Alaska Invasive Species Council has yet to be implemented.

The bulk of funding is targeted towards terrestrial plants and animals, although funds have increased slightly for marine and freshwater organisms over the last few years. The actions requiring the largest proportion of funding included research, monitoring, and eradication efforts. Invasive species work has been targeted in Southcentral and Southwest Alaska, although this has increased steadily for Southeast Alaska over the past five years with the arrival of marine invasive species in Alaska waters. The study also found increased employment, payroll, and volunteer effort which may suggest the problem of invasive species in Alaska is increasing and may result in slightly increased public awareness.

Acknowledgments

Special thanks to those that contributed data and expertise to this project. We are also indebted to Steve Colt and Linda Leask from the Institute of Social and Economic Research and Michael Shephard from the NPS for providing early comment and review of our work. We would also thank the Alaska Natural Heritage Program for providing mapping support, especially to Lindsey Flagstad for her database expertise. Funding was provided by Prince William Sound Regional Citizens Advisory Council, USFWS, Ocean Alaska Science and Learning Center, Alaska Legislative Council, and BLM.

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Table 1

	2007	2008	2009	2010	2011	mean	%
Federal	4,264,000	5,973,000	4,252,000	5,441,000	4,385,000	4,863,000	84%
Non-profit	336,000	346,000	466,000	697,000	682,000	505,000	9%
State	82,000	112,000	407,000	614,000	327,000	308,000	5%
Local	25,000	127,000	126,000	114,000	121,000	103,000	2%
Private	13,000	13,000	55,000	26,000	30,000	27,000	<0%
Total	4,720,000	6,571,000	5,306,000	6,892,000	5,545,000	5,806,000	100%

Table 2

	2007	2008	2009	2010	2011	%
Terrestrial plants	1,712,000	1,858,000	2,041,000	3,521,000	2,710,000	41%
Terr. animals	2,272,000	3,635,000	1,932,000	1,988,000	1,144,000	38%
Freshwater fish	421,000	553,000	878,000	825,000	716,000	12%
Marine	248,000	451,000	373,000	487,000	800,000	8%
Freshwater plants	67,000	74,000	82,000	71,000	175,000	2%
Total	4,720,000	6,571,000	5,306,000	6,892,000	5,545,000	100%

Table 3

	2007	2008	2009	2010	2011	mean	%
Research	1,232,000	1,563,000	1,386,000	1,398,000	1,323,000	1,380,000	24%
Monitoring	1,470,000	498,000	1,569,000	1,241,000	1,081,000	1,172,000	20%
Eradication	202,000	3,261,000	611,000	1,076,000	663,000	1,163,000	20%
Admin./Planning	796,000	279,000	628,000	765,000	718,000	637,000	11%
Outreach	350,000	452,000	290,000	776,000	718,000	517,000	9%
Management	197,000	323,000	318,000	268,000	649,000	351,000	6%
Prevention	57,000	73,000	134,000	199,000	235,000	139,000	2%
Containment	293,000	39,000	73,000	114,000	68,000	117,000	2%
Restoration	26,000	33,000	53,000	78,000	65,000	51,000	1%
Permitting	37,000	31,000	44,000	77,000	23,000	42,000	1%
Training	24,000			12,000		8,000	0%
Not specified	36,000	19,000	200,000	888,000	2,000	229,000	4%
Total	4,720,000	6,571,000	5,306,000	6,892,000	5,545,000	5,806,000	100%

Table 4

	2007	2008	2009	2010	2011	mean	%
Southcentral	886,000	1,278,000	1,516,000	1,980,000	2,265,000	1,585,000	27%
Southwest	1,443,000	2,624,000	912,000	866,000	141,000	1,197,000	21%
Interior	510,000	703,000	821,000	688,000	277,000	600,000	10%
Southeast	98,000	305,000	352,000	379,000	606,000	348,000	6%
North			4,000	50,000	2,000	11,000	0%
Statewide	1,689,000	1,648,000	1,633,000	2,148,000	2,243,000	1,873,000	32%
Not-specified	94,000	13,000	67,000	781,000	11,000	192,000	3%
Total	4,720,000	6,571,000	5,306,000	6,892,000	5,545,000	5,806,000	100%

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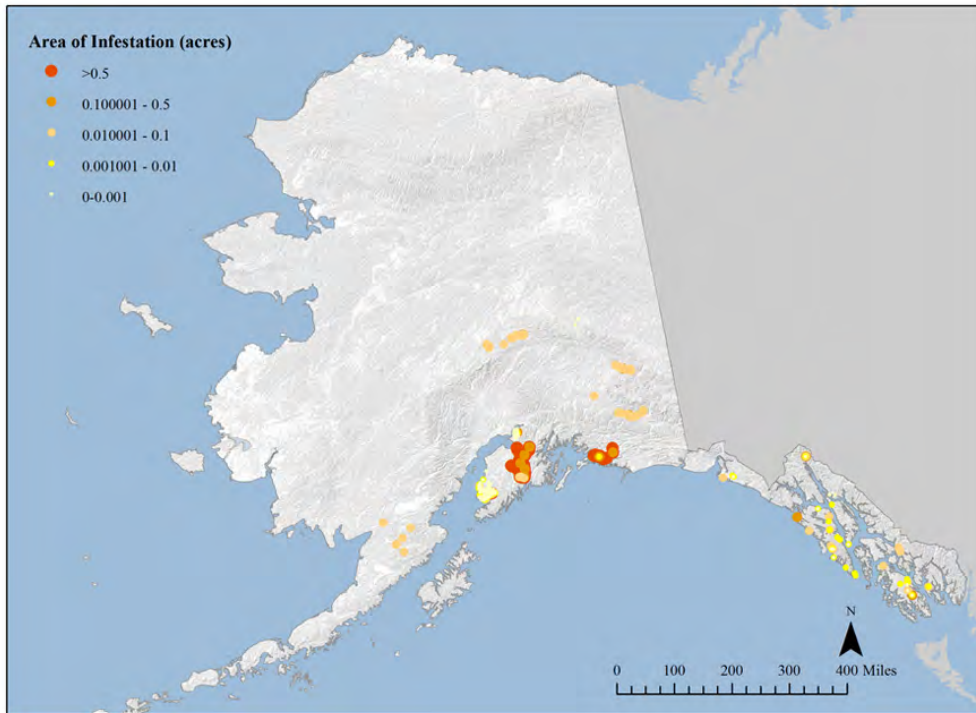


Figure 1

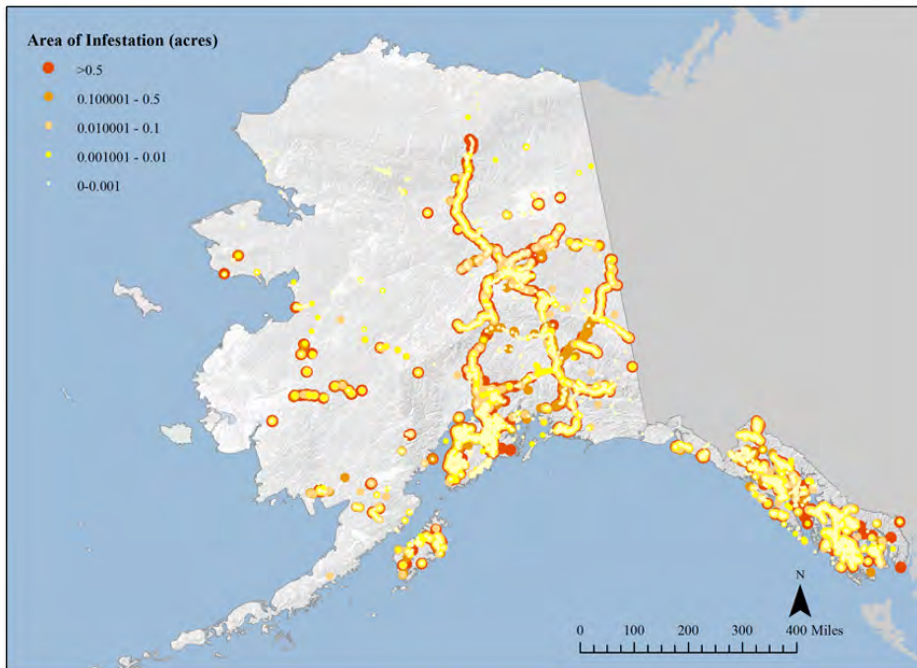


Figure 2

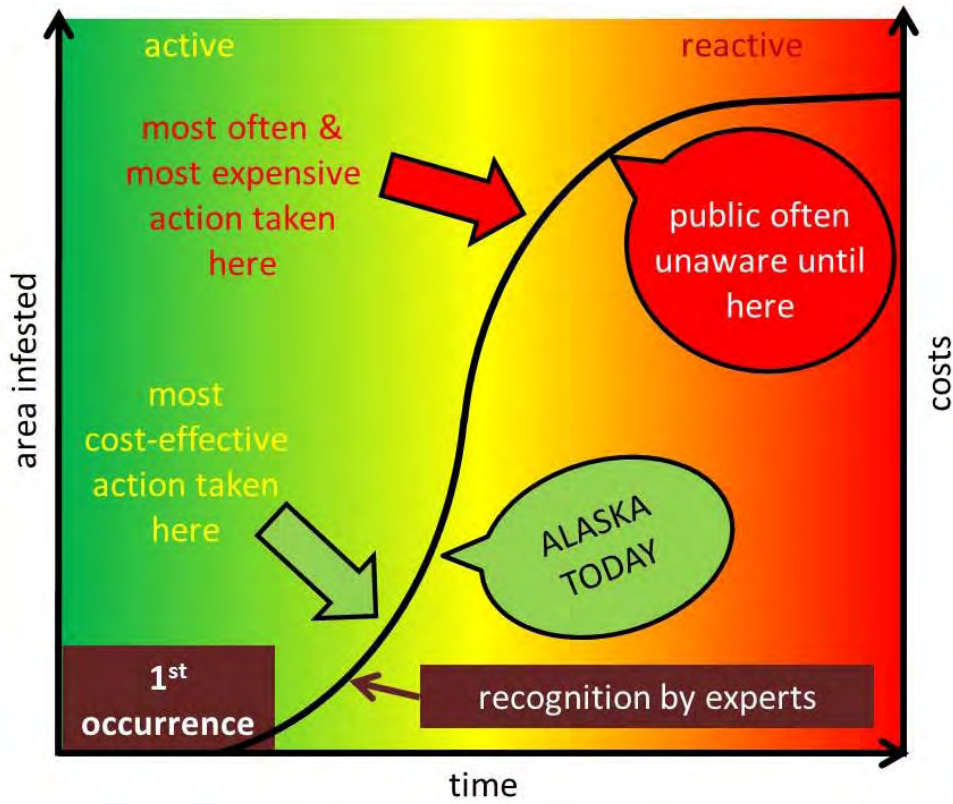


Figure 3

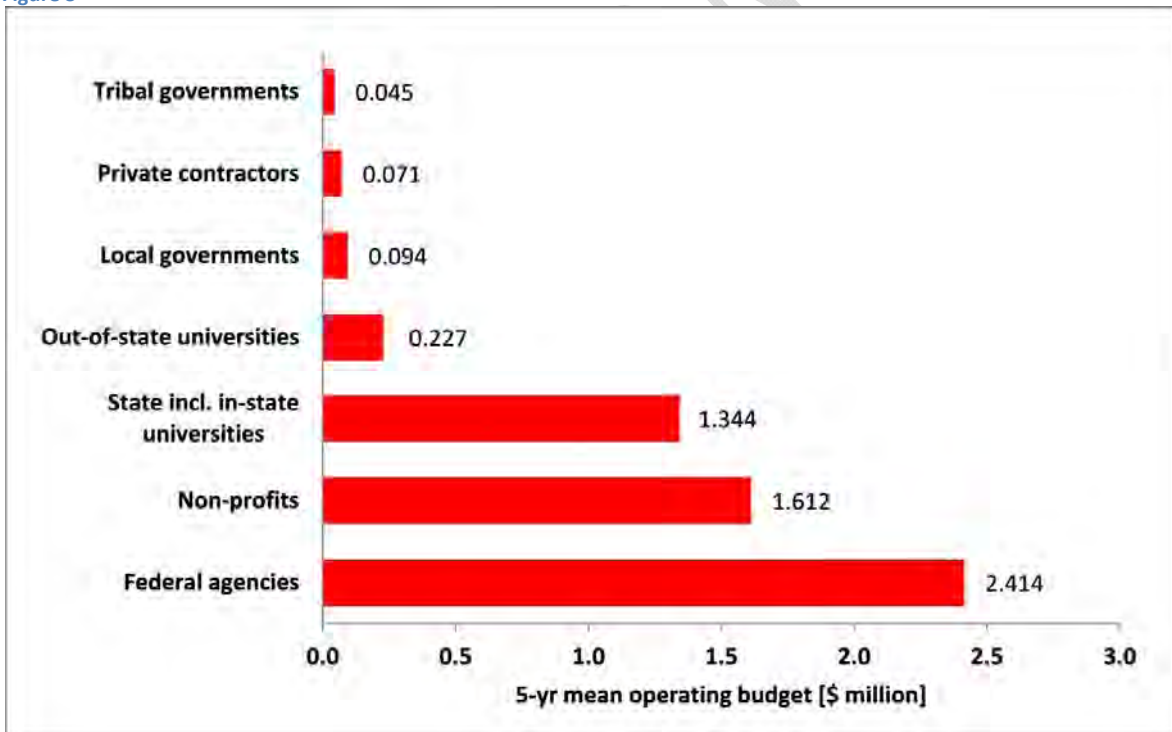


Figure 4

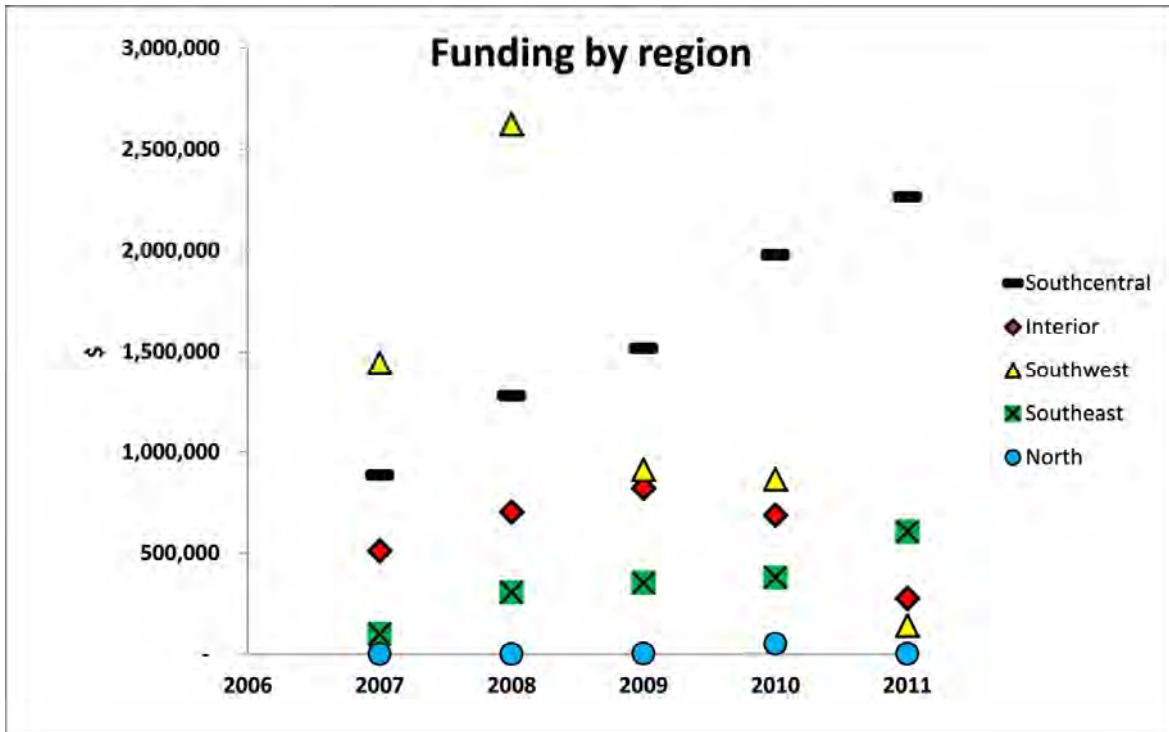


Figure 5

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Online Resource 1

Alaska Invasive Species Economic Impact Study – Data Check List



Alaska SeaLife Center®
w i n d o w s t o t h e s e a



**UAA Institute of Social
and Economic Research**
UNIVERSITY of ALASKA ANCHORAGE

Your annual invasive species program’s budget for the past five years (2007 – 2011):

1. Budget (excel file or similar) for each year detailing:
2. Personnel:
 - Count of employees
 - Payroll
 - If available some measure of effort (labor hours, days, etc.)
3. Equipment:
 - Machinery, equipment rentals
4. Misc. supplies:
 - Herbicides, chemicals, office supplies, etc.
5. Volunteers:
 - Count of volunteers
 - Days annually where volunteers were present
 - If none applies, provide any other measure of volunteer effort
6. Amount of funding provided to other organizations:
 - Specify name of organization
 - Specify purpose of funding
7. List of invasive species you targeted that year

Additional information:

- Specify “Actions” taken that year:
 1. Preparation of Permits or Environmental Impact Statements for proposed actions
 2. Intervention (specify as follows!)
 - a. Prevention – stopping introductions
 - b. Eradication – destroying/removing new invasion
 - c. Containment – stopping new invasion from spreading
 - d. Management – keeping established invasion from spreading
 - e. Restoration – restoring ecosystem to initial state
 3. Monitoring
 4. Education / Outreach
 5. Research
 6. Other (specify!)

Please, continue next page!

Alaska Invasive Species Economic Impact Study – Data Check List

- Action budget amount
 - If unknown, try to approximate!
- Action species
 - Specify the invasive species
- Action location:
 - North, Southwest, Southeast, Southcentral, Interior
 - road system vs. remote
- Action area / action extend:
 - Total area treated (mile²)
 - Stream length treated
 - Etc.
- Action success:
 - Provide some measure of success for the action in that year. This can be a qualitative or quantitative statement. For example, “eradicated, no re-growth for several years after treatment” or “density diminished by half”

Example for how you could provide the additional information:

Species name	budget	Action (see list above)	Location	Area/extend of treatment	Measure of success
Elodea	10% of annual budget	Eradication	Interior Fairbanks	5 square miles	Marginal success, Elodea came back one year after treatment
Green Alder Sawfly	\$150,000	Monitoring	Southcentral	100 square miles	
.....			

Contact:

Tobias Schwörer
 Institute of Social and Economic Research
 tobias@uaa.alaska.edu
 (907) 786 - 5404

Rebekka Federer
 Alaska SeaLife Center
 rebekcaf@alaskasealife.org
 (907) 224-6377



Annual Invasive Species Program/Efforts Budget						
		YEARS				
Category	Description	2007	2008	2009	2010	2011
Personnel	Count of Employees					
	Payroll					
	Measure of effort if available (labor hours, days, etc.)					
Equipment	Machinery, equipment rentals					
Misc Supplies	Herbicides, chemicals, office supplies, etc.					
Volunteers	Count of volunteers					
	Days annually where volunteers were present					
	If none applies, provide any other measure of volunteer effort					
Amount of funding provided to other organizations	Specify name of organization					
	Specify purpose of funding					
Targeted invasive species	List of invasive species you targeted each year					

* see also "annual actions" worksheet

Annual Invasive Species Program/Efforts Action					
2007					
Species Name	Budget	Action	Location	Area/Extent	Measure of Success
2008					
Species Name	Budget	Action	Location	Area/Extent	Measure of Success
2009					
Species Name	Budget	Action	Location	Area/Extent	Measure of Success
2010					
Species Name	Budget	Action	Location	Area/Extent	Measure of Success
2011					
Species Name	Budget	Action	Location	Area/Extent	Measure of Success
* see also "annual budget" worksheet					

Key for Spreadsheet										
<i>Specific action:</i>										
EIS Statements or Permitting										
Intervention - Prevention (i.e., stopping introductions)										
Intervention - Eradication (i.e., destroying/removing new invasions)										
Intervention - Containment (i.e., stopping new invasion from spreading)										
Intervention - Management (i.e., keeping established invasion from spreading)										
Intervention - Restoration (i.e., restoring ecosystem to initial state)										
Monitoring										
Education/Outreach										
Research										
Other (please specify!)										
<i>Action budget:</i>										
if unknown, try to approximate										
<i>Action species:</i>										
Specify the invasive species										
<i>Action location:</i>										
North, Southwest, Southeast, Southcentral, Interior										
road system vs. remote										
<i>Action area/extent (this will vary by action, but below are some examples of ways that you could report for each action:</i>										
Total area treated (miles squared)										
Stream length treated										
# monitoring traps/plates used										
# people reached for Education/Outreach										
<i>Action success:</i>										
Provide some measure of success for the action. This can be a qualitative or quantitative statement (e.g., "eradicated, no re-growth for several years after treatment" or "density diminished by half")										

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Online Resource 2

List of organizations and agencies contacted

Level	Agency/Organization: Division		Responses	Contacts
Federal	Coastal and Ocean Resources	Reported by another agency (n = 1 of 1)	1	1
	Department of Interior: Bureau of Land Management	Responded (n = 3 of 3)	3	3
	Department of Interior: Bureau of Ocean and Energy Management	Responded (n = 1 of 1)	1	1
	Department of Interior: National Park Service	Responded (n = 1 of 1)	1	1
	Department of Interior: USFWS (Alaska Maritime, Arctic, Becharof, Innoko, Izembek, Kanuti, Kenai, Kodiak, Koyukuk-Nowitna, Tetlin, and Yukon Flats National Wildlife Refuges and Anchorage, Fairbanks, and Juneau Regional Offices)	Responded (n = 17 of 17)	17	17
	Environmental Protection Agency	Responded (n = 1 of 1)	1	1
	National Oceanic and Atmospheric Administration	Responded (n = 1 of 1)	1	1
	Pacific Services	Reported by another agency (n = 1 of 1)	1	1
	Pacific States Marine Fisheries Commission	Reported by another agency (n = 1 of 1)	1	1
	Smithsonian Environmental Research Center	Responded (n = 1 of 1)	1	1
	United States Air Force	Responded (n = 1 of 1)	1	1
	United States Coast Guard	No Response (n = 0 of 1)	0	1
	United States Department of Agriculture: Agricultural Research Service	Responded (n = 1 of 1)	1	1
	United States Department of Agriculture: Animal and Plant Health Inspection Service	Responded (n = 1 of 1)	1	1
	United States Department of Agriculture: Natural Resources Conservation Service	No Response (n = 0 of 1)	0	1
	United States Department of Agriculture: United States Forest Service	Responded (n = 2 of 5)	2	5
	United States Geological Survey	No Response (n = 0 of 1)	0	1
State	Alaska Department of Fish and Game	Responded (n = 3 of 3)	3	3
	Alaska Department of Natural Resources	Responded (n = 1 of 1)	1	1
	Alaska Railroad Corporation	No Response (n = 0 of 1)	0	1
	Alaska State Legislature	Some Response (n = 0.5 of 1)	0.5	1
	Alaska Department of Transportation and Public Facilities	Some Response (n = 2 of 4)	2	4
	California State Lands Commission	Reported by another agency (n = 1 of 1)	1	1
	Kachemak Bay Estuarine Research Reserve	Responded (n = 1 of 1)	1	1
	State Pathology Lab	No Response (n = 0 of 1)	0	1
Tribal	Alaska Intertribal Council	No Response (n = 0 of 1)	0	1
	Bristol Bay Native Association	Responded (n = 1 of 1)	1	1
	Council of Athabascan Tribal Government	No Response (n = 0 of 1)	0	1
	Ekuik Village Council	No Response (n = 0 of 1)	0	1
	Metlaktla Indian Community	Responded (n = 1 of 1)	1	1
	Sitka Tribe of Alaska	Responded (n = 1 of 1)	1	1

APPENDIX B2

Non-Profit	Alaska Association of Conservation Districts: Soil and Water Conservation Districts (Fairbanks, Homer, Kenai, Kodiak, Salcha-Delta, Seward, and Upper Susitna; No Response from Anchorage, Juneau, Mid Yukon-Kuskokwim, Palmer, and Wasilla)	Responded (n = 7 of 13)	7	13
	Alaska Parks Foundation	Responded (n = 1 of 1)	1	1
	Alaska SeaLife Center	Responded (n = 1 of 1)	1	1
	Citizens Against Noxious Weeds Invading the North	Reported by other agency (n = 1 of 1)	1	1
	Coast Alaska	Reported by other agency (n = 1 of 1)	1	1
	Coastal and Oceans Research Institute	Reported by other agency (n = 1 of 1)	1	1
	Cook Inlet Aquaculture Association	Responded (n = 1 of 1)	1	1
	Cook Inlet Regional Citizens Advisory Council	Reported by other agency (n = 1 of 1)	1	1
	Copper River Watershed Project	Reported by other agency (n = 1 of 1)	1	1
	Juneau Watershed Partnership	No Response (n = 0 of 1)	0	1
	Kenai Watershed Forum	Responded (n = 1 of 1)	1	1
	Mat-Su Conservation Services	Responded (n = 1 of 1)	1	1
	Prince William Sound Regional Citizens Advisory Council	Responded (n = 1 of 1)	1	1
	Prince William Sound Science Center	Responded (n = 1 of 1)	1	1
	Resurrection Bay Conservation Alliance	Responded (n = 1 of 1)	1	1
	Sitka Sound Science Center	Responded (n = 1 of 1)	1	1
	Southeast Alaska Guidance Association	Reported by other agency (n = 1 of 1)	1	1
	Student Conservation Association	Reported by other agency (n = 1 of 1)	1	1
	The Nature Conservancy	Responded (n = 1 of 1)	1	1
	Trout Unlimited	Reported by other agency (n = 1 of 1)	1	1
Local	City and Borough of Juneau: CBJ Jensen-Olson Arboretum	Responded (n = 1 of 1)	1	1
	City of Sitka	Reported by other agency (n = 1 of 1)	1	1
	Municipality of Anchorage: Department of Public Works	Responded (n = 1 of 1)	1	1
	Yukon Flats School District	Reported by other agency (n = 1 of 1)	1	1
University	Alaska Pacific University	Responded (n = 2 of 2)	2	2
	Portland State University	Reported by other agency (n = 1 of 1)	1	1
	San Francisco State University: Romburg Tiburon Center for the Environment	Responded (n = 1 of 1)	1	1
	University of Alaska Anchorage: Alaska Natural Heritage Program, Institute of Social and Economic Research, and Turf Department	Responded (n = 3 of 3)	3	3
	University of Alaska Fairbanks: Alaska SeaGrant Marine Advisory Program and Cooperative Extension Service	Responded (n = 2 of 2)	2	2
	University of Alaska Southeast: Landscaping (No Response from Mchapman)	Responded (n = 1 of 2)	1	2
	University of Washington	Reported by other agency (n = 1 of 1)	1	1
Private	Alaska Botanical Garden	No Response (n = 0 of 1)	0	1
	Alaska Garden and Pet Supply	No Response (n = 0 of 1)	0	1
	Granite Construction Co.	No Response (n = 0 of 1)	0	1
	Ground Effects Landscaping	No Response (n = 0 of 1)	0	1
	Kachemak Bay Shellfish Hatchery	No Response (n = 0 of 1)	0	1
	MISC Contractors	Reported by other agency (n = unknown)		
	PWS Oyster farm and shrimp trawling on Perry Island	No Response (n = 0 of 1)	0	1
Total			84.5	112
Response rate			75%	

Supplementary Material Info Sheet

Journal: Biodiversity and Conservation

Title: Invasive Species Management Programs in Alaska – A Survey of Statewide Expenditures: 2007-2011

Author names and affiliations: Tobias Schwörer (corresponding author), Ecological Economist, University of Alaska Anchorage, Institute of Social and Economic Research, 3211 Providence Dr., Anchorage, AK 99508, Phone: (907) 786-5404, Fax: (907) 786-7739, Email: tschwoerer@alaska.edu; Rebekka Federer, Marine Invasive Species Program Manager, and Howard Ferren, Director of Conservation, both Alaska SeaLife Center, 301 Railway Ave., P.O. Box 1329, Seward, AK 99664

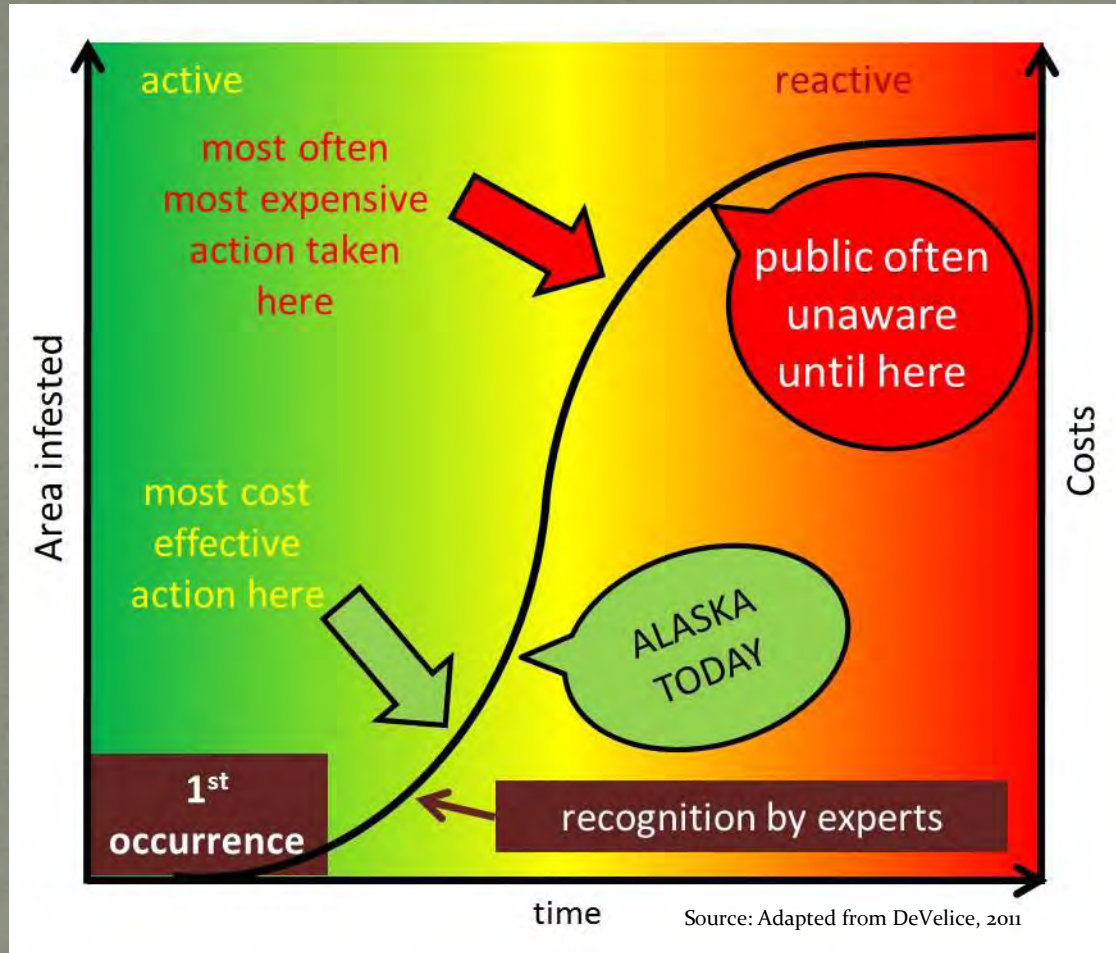
Supplementary material included:

Online Resource 1.pdf Alaska Invasive Species Economic Impact Study – Data Check List

Online Resource 2.pdf List of organizations and agencies contacted

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Investments in Statewide Invasive Species Management Programs in Alaska: 2007-2011



Tobias Schwörer, Economist
Rebekka Federer, Marine Invasive Species Program Manager
Howard Ferren, Director of Conservation



Overview

- Invasive Species - What's at stake?
- Invasive Species in Alaska
- Legislation and Actions in Alaska
- How the project came about?
- Need for Economic Study in Alaska
- Methods
- Data Analysis
- Summary
- Conclusions

Invasive Species-What's at stake?



Source: Linda Shaw, NOAA



Source: Alaska CNIPM



Source: USFS



Source: ADF&G



Source: Stop Rats!

- “Invasive” = Non-native species ‘whose introduction does or is likely to cause economic or environmental damage, or harm to human health’ (*Federal Register 1999*)
- An economic and ecological problem
- Costs to U.S. society estimated at \$137B/year (*Pimentel et al. 1999*)
- Effects on health; biodiversity loss; water supply, agriculture, commercial fishing, aquaculture, recreation, property values

Invasive Species in Alaska



Presence of invasive plants in Alaska

Source: AKEPIC

- Alaska not immune to invasive species problem
- Influx of non-native plants related to an increasing human population, development, and commerce
 - E.g.'s, 154 non-native plant taxa were known in 1941, 174 in 1961, 283 in 2007; Maps illustrate dramatic increase b/t 1990 and 2011 (AKEPIC); Number of invasive species collected and recorded b/t 1985 and 2005 increased by 81% (Carlson and Shephard 2007)
- The costs of managing invasive species rise rapidly as a species establishes in an ecosystem

Legislation and Actions in Alaska

- 1990: Federal Non-indigenous Aquatic Nuisance Prevention and Control Act
- 1996: National Invasive Species Act
- 1997: Western Regional Panel established an advisory panel to the Aquatic Nuisance Species Task Force
- 1999: Presidential Executive Order 13112 on Invasive Species
- 2000: CNIPM founded
- 2001: 100th Meridian Initiative established
- 2002: ADF&G develops the Aquatic Nuisance Species Management Plan
- 2006: AISWG founded
- 2007: Alaska Northern Pike Management Plan completed
- 2008: Alaska House Resources committee sponsors HB 330
- 2009: Representative Johnson, Buch, Munoz, and Wilson sponsor HB 12
- 2009: First successful eradication of Northern pike from 3 closed lakes
- 2010: Quagga-Zebra Mussel Action Plan for Western US waters by WRP
- 2010: AISWG Workshop in Seward – recommended this study as a priority action
- 2010-2011: Found and identified *D.vex* in Whiting Harbor, Sitka, Alaska
- 2012: Development of *D.vex* response plan for Whiting Harbor
- 2012: USDA Agricultural Research Service closes due to federal spending cuts

How the project came about?

- Marine Invasive Species Workshop held by the Alaska Invasive Species Working Group (March 2010)
 - Invited outside experts from HI, WA, CA, BC, D.C.
 - Six key priorities and 11 near-term actions developed:
 - *Research and Development – Economic Impact Study*
 - Presentations and Workshop Report:
http://www.alaskasealife.org/New/research/mis_workshop.php



Need for Economic Study in AK

- Estimate investments in statewide invasive species management programs
- Develop benefit-cost framework for select invasive species deserving further attention
 - Risk assessment / decision analysis tool
- Examine the investment value to establish an Organizing Body
 - *Workshop Priority and Near-Term Action Item: Management and Coordination – Invasive Species Council*
- Offer evidence to suggest whether or not there is a need to provide resources and direct managers to be more responsive

Methods

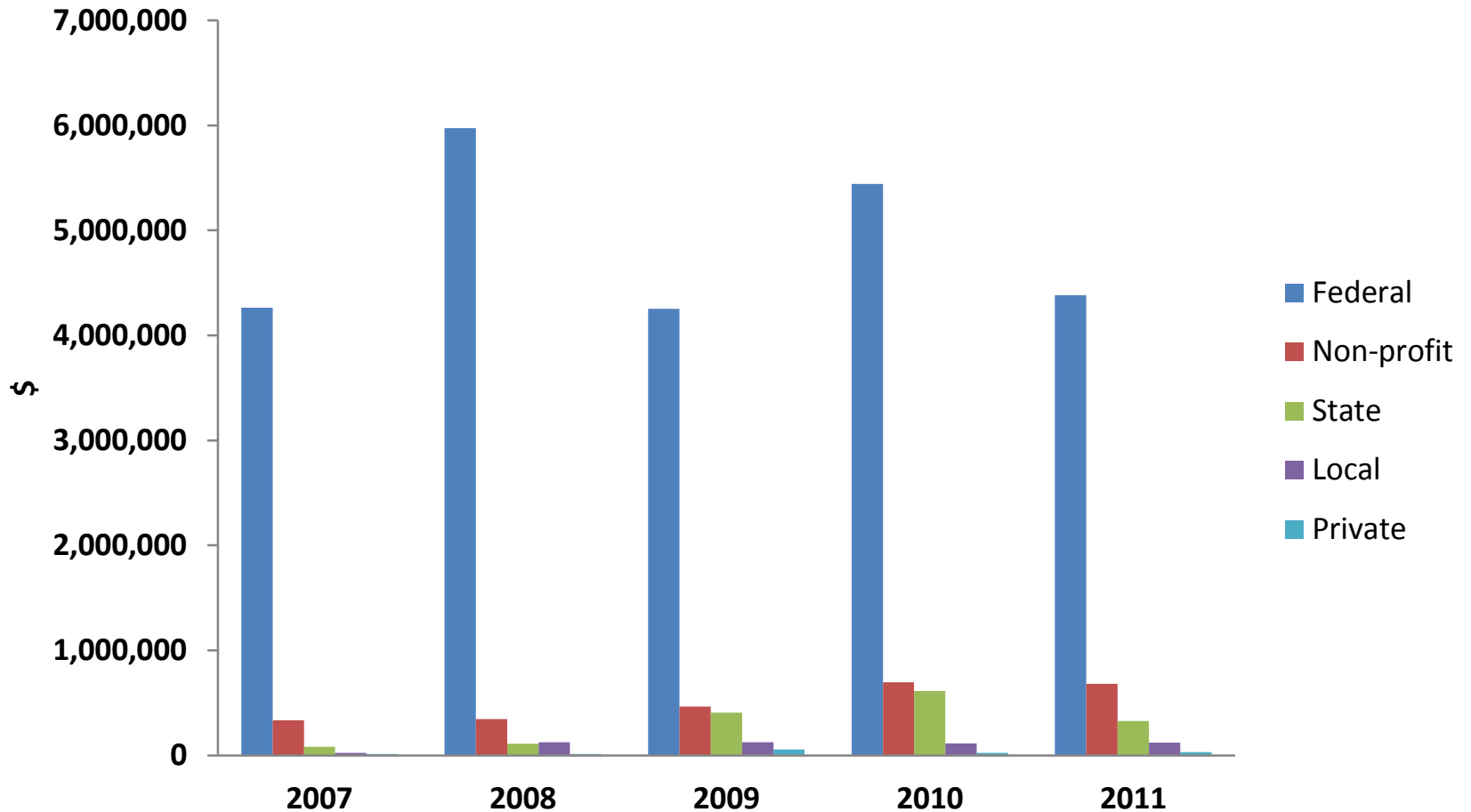
- Stakeholder survey of agencies/organizations (2007-2011):
 - federal, state, tribal, non-profit, local gov., private
- Data collection: November 2011-March 2012
- Variables:
 - Overall budget, payroll, employment, equipment, supplies, volunteerism, funding dispersal, action type, species type, location, etc.
- Of 112 agency contacts in 64 organizations, 84 individuals responded from 48 organizations (75% response)

Data Analysis

- Establish baseline data for costs of invasive species
- Analyze changes in investment levels over time
 - e.g., sources of funds, how money is dispersed, how and where money is used, species and ecosystems targeted, etc.

Sectors providing funding?

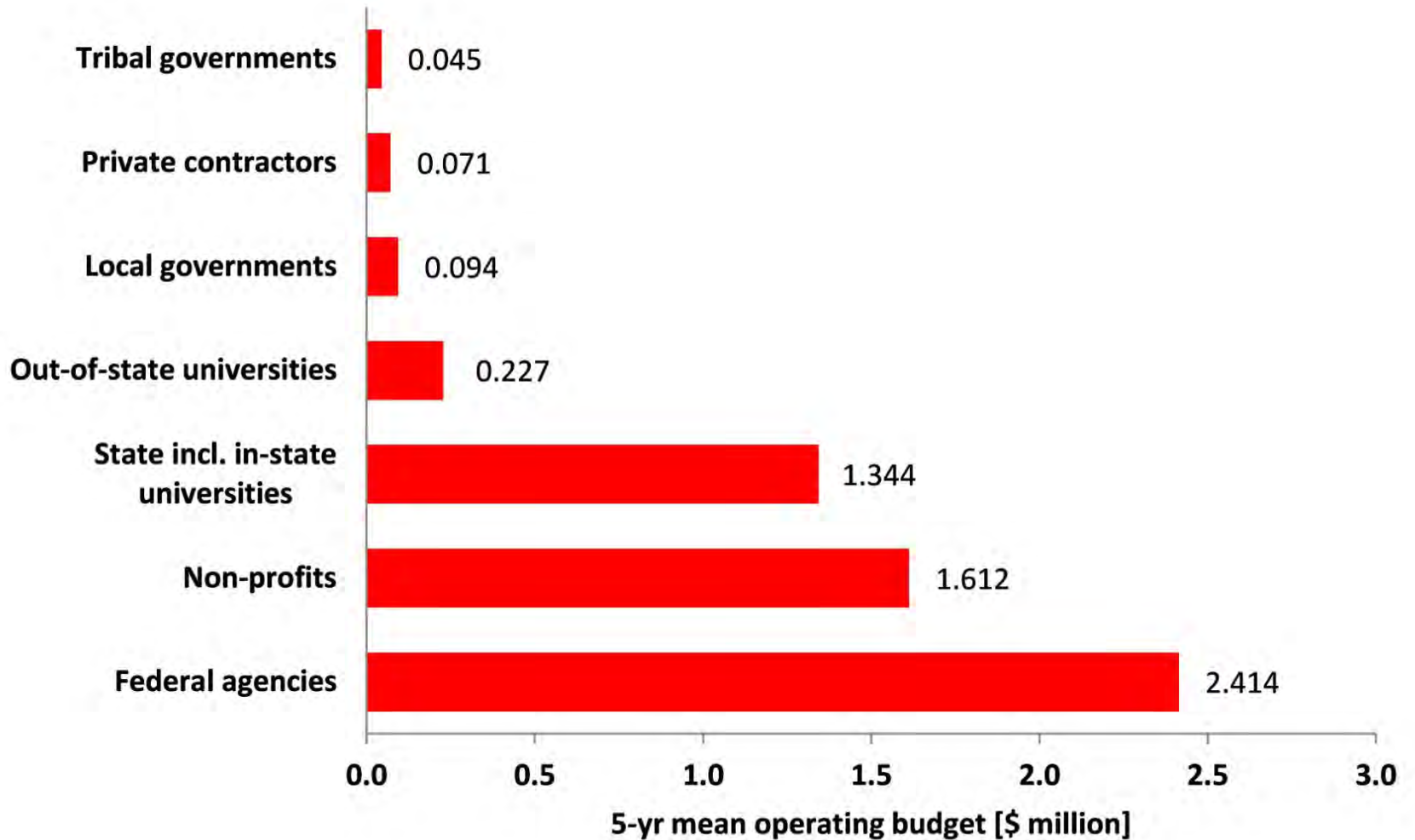
Funding sources



Sectors providing funding?

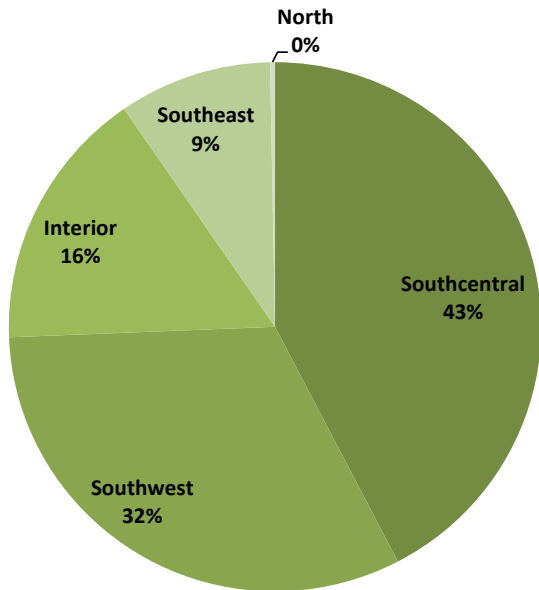
							5-yr mean	
U.S. Fish and Wildlife Service							1,648,000	
U.S. Department of Agriculture							1,509,000	
Alaska Sustainable Salmon Fund							385,000	
National Oceanic and Atmospheric Administration							270,000	
National Park Service							216,000	
Alaska Department of Fish and Game							186,000	
Bureau of Land Management							156,000	
	2007	2008	2009	2010	2011	mean	%	
Federal	4,264,000	5,973,000	4,252,000	5,441,000	4,385,000	4,863,000	84%	
Non-profit	336,000	346,000	466,000	697,000	682,000	505,000	9%	
State	82,000	112,000	407,000	614,000	327,000	308,000	5%	
Local	25,000	127,000	126,000	114,000	121,000	103,000	2%	
Private	13,000	13,000	55,000	26,000	30,000	27,000	0%	
TOTAL	4,720,000	6,571,000	5,306,000	6,892,000	5,545,000	5,806,000	100%	

Who is doing the work?

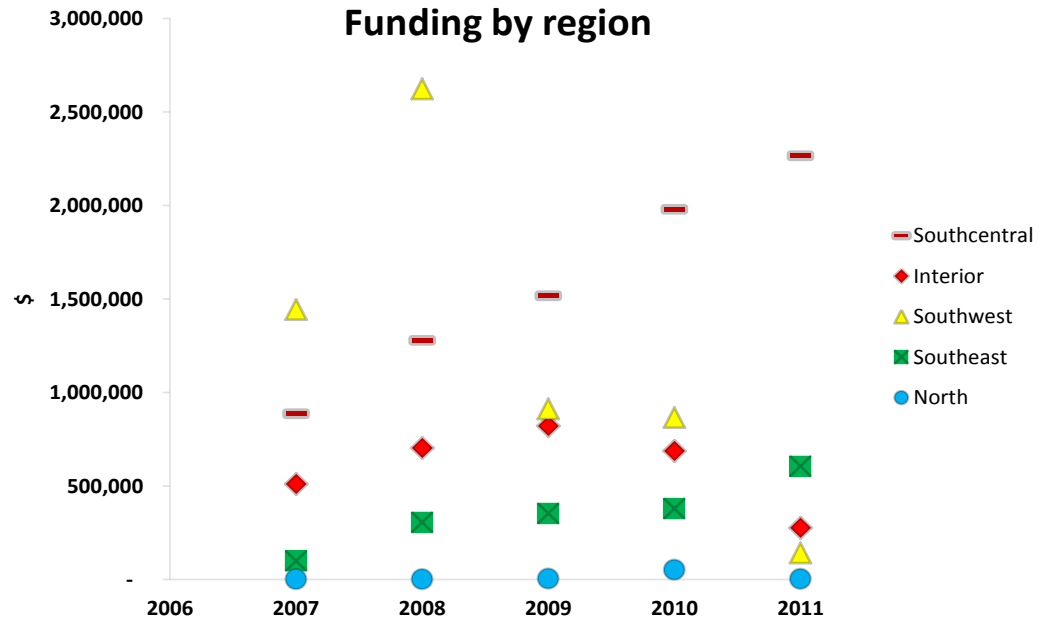


How are funds distributed regionally?

5-year average funding

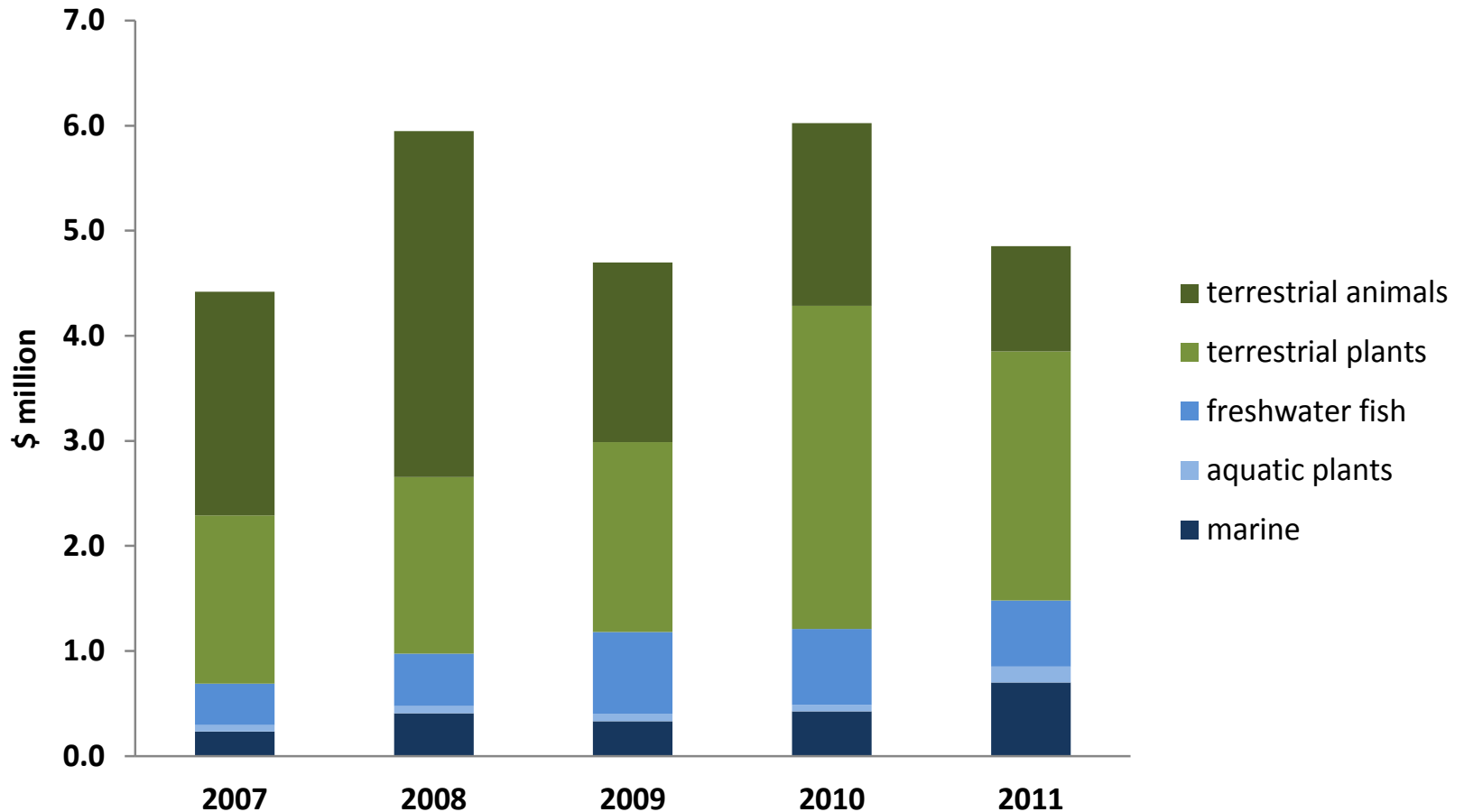


Funding by region



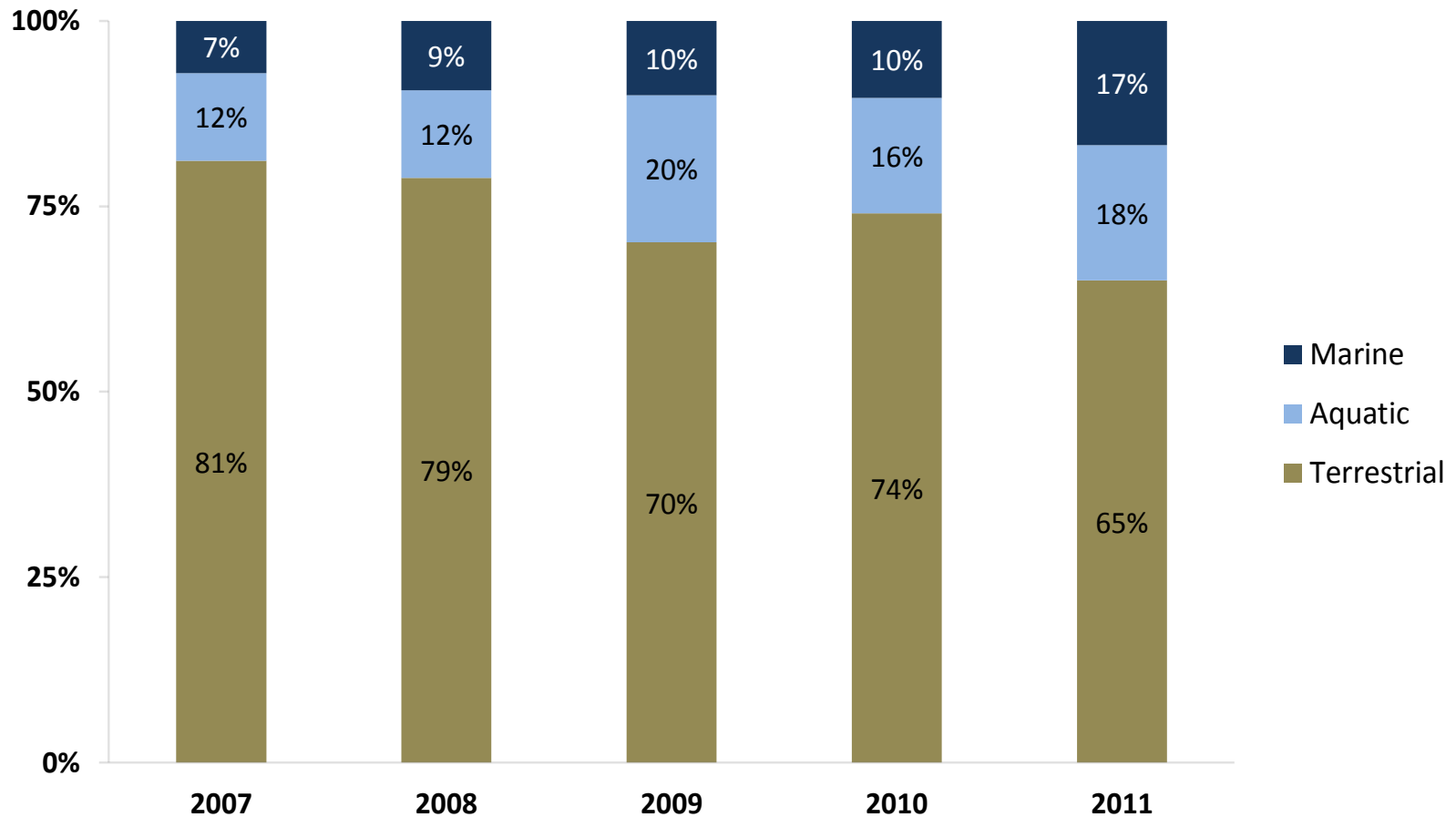
Species type being targeted

Total annual budgets by species type



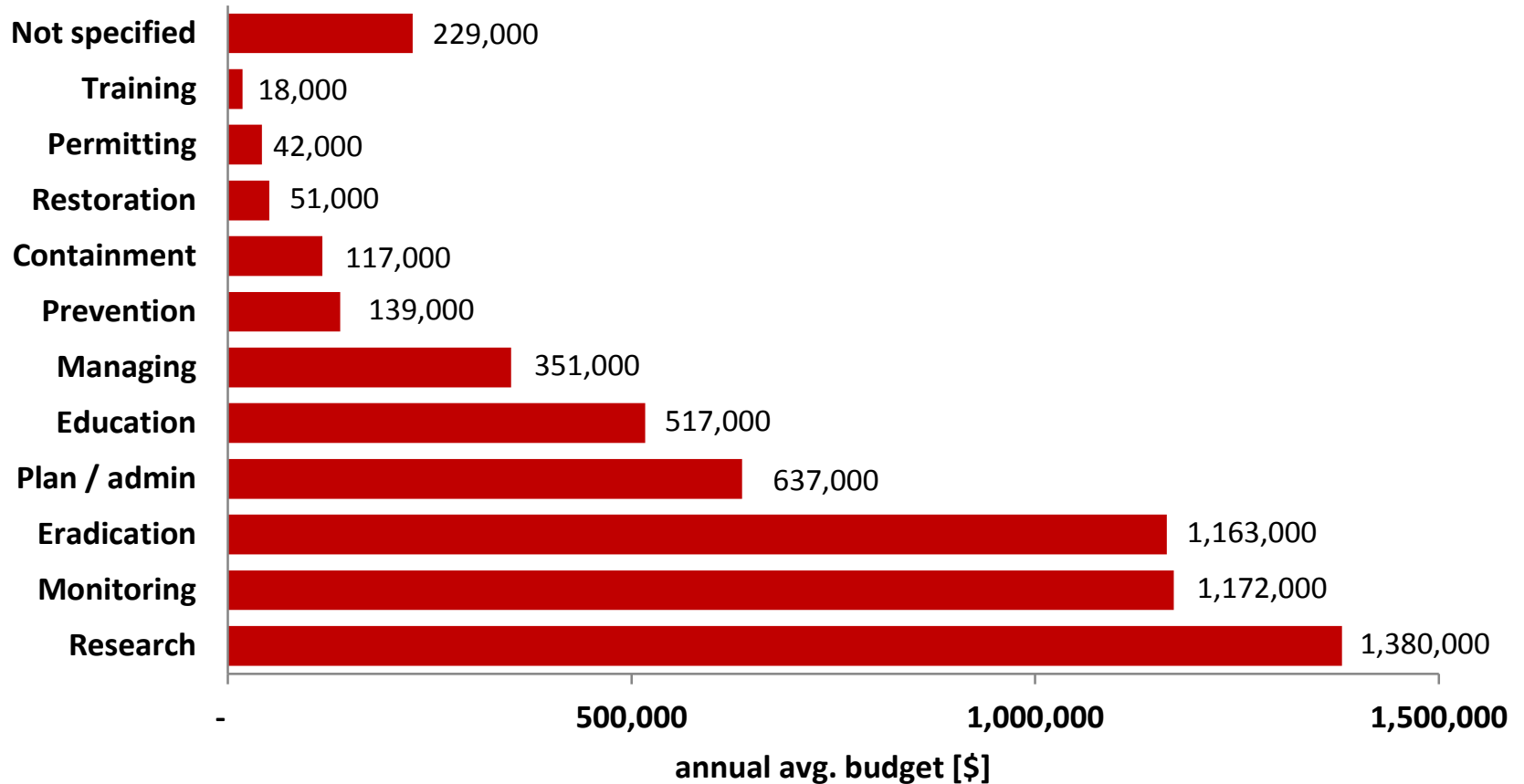
Ecosystems being targeted

Proportion of total annual funding by ecosystem



What actions are taking place?

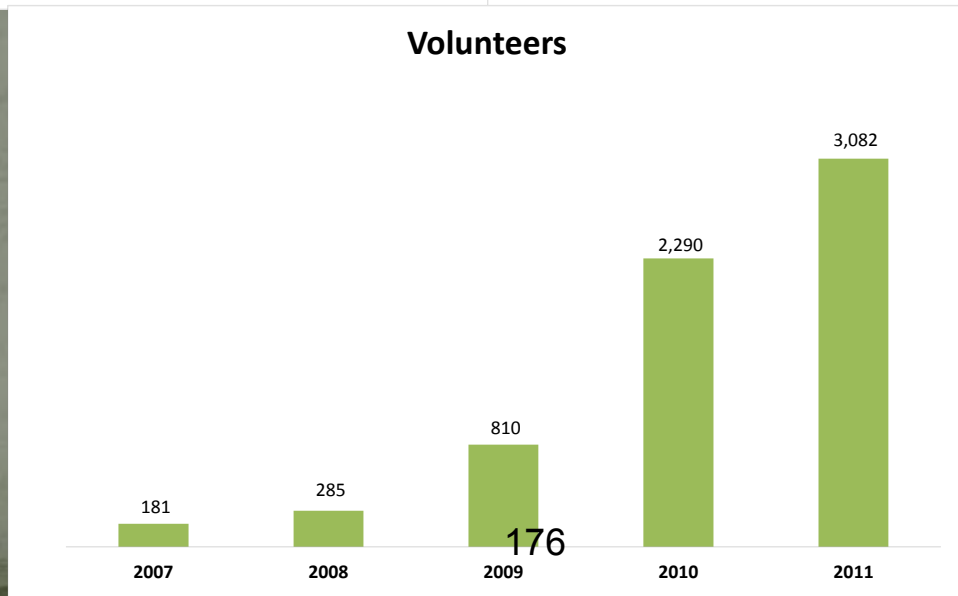
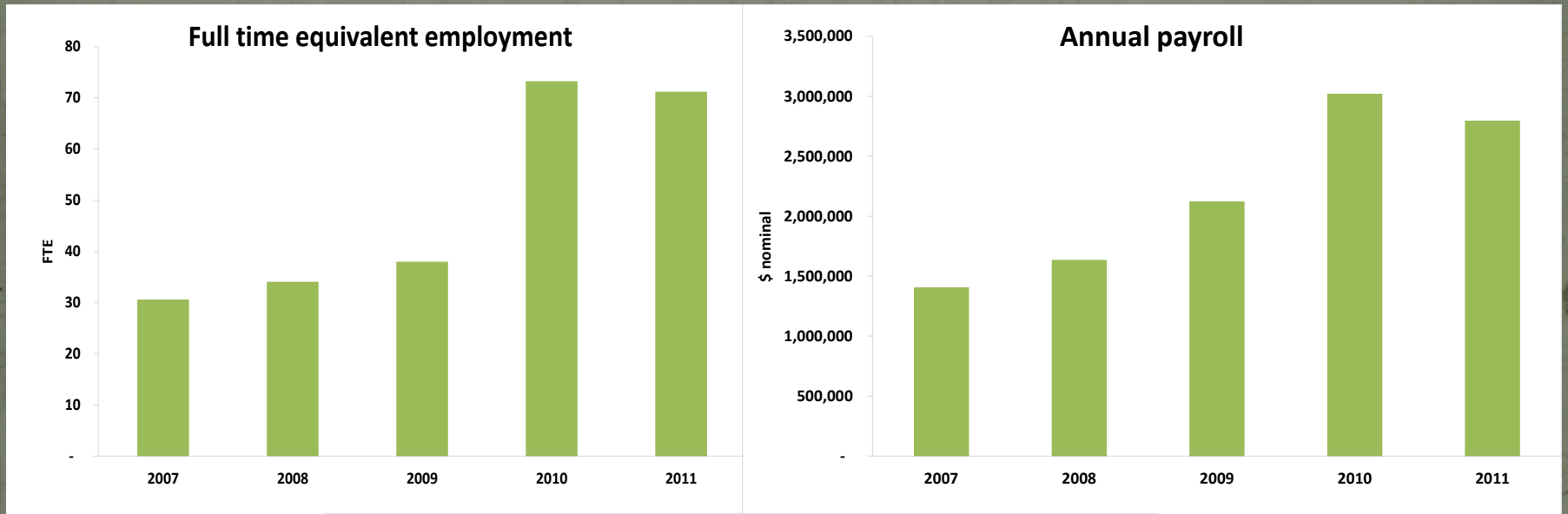
Annual budgets by action



What are the budgets per organization?

	5-yr mean
U.S. Fish and Wildlife Service	1,174,000
U.S. Department of Agriculture	1,016,000
The Nature Conservancy	429,000
Alaska Department of Fish and Game	419,000
National Park Service	348,000
Cook Inlet Aquaculture Association	341,000
Alaska Natural Heritage Program at UAA	301,000
Alaska Association of Conservation Districts	379,000
Alaska Cooperative Extension Service at UAF	166,000
Smithsonian Environmental Research Center	152,000
U.S. Forest Service	149,000
Alaska Department of Transportation	133,000

Employment, payroll, and volunteer efforts



Summary

- This project offers insight to historic spending on invasive species in AK between 2007-2011
- National trends and this study suggest there will be ongoing investments to address research, monitoring, eradication, and other actions related to invasive species in AK
- Alaska invasive species problem is in its infancy, but is not immune
- There is an influx of invasive species in Alaska due to increasing human population, development, and commerce
- There is increasing awareness and involvement by the public

Summary

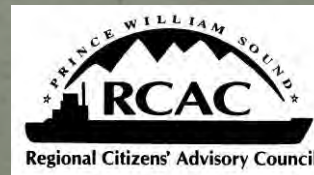
- Total expenditures in AK ranged b/t \$4.7-6.8M annually
- Primary funding sources and work efforts are currently through the federal agencies
- Bulk of funding for terrestrial plants and animals, but funds have increased slightly for marine and aquatic organisms
- Greatest actions taking place are research, monitoring, and eradication
- Funding has been highest in the SC and SW regions, although this has increased steadily for SE over the past 5 years
- Levels of increased employment, payroll, and volunteer effort

Conclusions

- Coordination of resources will become more critical in the future with increasing importance of the problem
- AK's early stage of the problem offers an opportunity for cost-effective solutions (i.e., EDRR and statewide coordination of stakeholders)
- Projection of potential future investment scenerios will help us to better understand economic costs for specific species

Many thanks!

- Funding provided by: PWSRCAC, USFWS, OASLC, Alaska Legislative Council, BLM
- All the agencies and organizations that contributed data!



APPENDIX D

Level	Agency/Organization: Division	Response		
Federal	Coastal and Ocean Resources	Reported by another agency (n = 1 of 1)	1	1
	Department of Interior: Bureau of Land Management	Responded (n = 3 of 3)	3	3
	Department of Interior: Bureau of Ocean and Energy Management	Responded (n = 1 of 1)	1	1
	Department of Interior: National Park Service	Responded (n = 1 of 1)	1	1
	Department of Interior: USFWS (Alaska Maritime, Arctic, Becharof, Innoko, Izembek, Kanuti, Kenai, Kodiak, Koyukuk-Nowitna, Tetlin, and Yukon Flats National Wildlife Refuges and Anchorage, Fairbanks, and Juneau Regional Offices	Responded (n = 17 of 17)	17	17
	Environmental Protection Agency	Responded (n = 1 of 1)	1	1
	National Oceanic and Atmospheric Administration	Responded (n = 1 of 1)	1	1
	Pacific Services	Reported by another agency (n = 1 of 1)	1	1
	Pacific States Marine Fisheries Commission	Reported by another agency (n = 1 of 1)	1	1
	Smithsonian Environmental Research Center	Responded (n = 1 of 1)	1	1
	United States Air Force	Responded (n = 1 of 1)	1	1
	United States Coast Guard	No Response (n = 0 of 1)	0	1
	United States Department of Agriculture: Agricultural Research Service	Responded (n = 1 of 1)	1	1
	United States Department of Agriculture: Animal and Plant Health Inspection Service	Responded (n = 1 of 1)	1	1
	United States Department of Agriculture: Natural Resources Conservation Service	No Response (n = 0 of 1)	0	1
	United States Department of Agriculture: United States Forest Service	Responded (n = 2 of 5)	2	5
	United States Geological Survey	No Response (n = 0 of 1)	0	1
State	Alaska Department of Fish and Game	Responded (n = 3 of 3)	3	3
	Alaska Department of Natural Resources	Responded (n = 1 of 1)	1	1
	Alaska Railroad Corporation	No Response (n = 0 of 1)	0	1
	Alaska State Legislature	Some Response (n = 0.5 of 1)	1	1
	Alaska Department of Transportation and Public Facilities	Some Response (n = 2 of 4)	2	4
	California State Lands Commission	Reported by another agency (n = 1 of 1)	1	1
	Kachemak Bay Estuarine Research Reserve	Responded (n = 1 of 1)	1	1
	State Pathology Lab	No Response (n = 0 of 1)	0	1
Tribal	Alaska Intertribal Council	No Response (n = 0 of 1)	0	1
	Bristol Bay Native Association	Responded (n = 1 of 1)	1	1
	Council of Athabascan Tribal Government	No Response (n = 0 of 1)	0	1
	Ekuk Village Council	No Response (n = 0 of 1)	0	1
	Metlakatla Indian Community	Responded (n = 1 of 1)	1	1
	Sitka Tribe of Alaska	Responded (n = 1 of 1)	1	1
Non-Profit	Alaska Association of Conservation Districts: Soil and Water Conservation Districts (Fairbanks, Homer, Kenai, Kodiak, Salcha-Delta, Seward, and Upper Susitna; No Response from Anchorage, Juneau, Mid Yukon-Kuskokwim, Palmer, and Wasilla)	Responded (n = 7 of 13)	7	13
	Alaska Parks Foundation	Responded (n = 1 of 1)	1	1
	Alaska SeaLife Center	Responded (n = 1 of 1)	1	1

APPENDIX D

Level	Agency/Organization: Division	Response			
Non-Profit	Citizens Against Noxious Weeds Invading the North	Reported by other agency (n = 1 of 1)	1	1	
	Coast Alaska	Reported by other agency (n = 1 of 1)	1	1	
	Coastal and Oceans Research Institute	Reported by other agency (n = 1 of 1)	1	1	
	Cook Inlet Aquaculture Association	Responded (n = 1 of 1)	1	1	
	Cook Inlet Regional Citizens Advisory Council	Reported by other agency (n = 1 of 1)	1	1	
	Copper River Watershed Project	Reported by other agency (n = 1 of 1)	1	1	
	Juneau Watershed Partership	No Response (n = 0 of 1)	0	1	
	Kenai Watershed Forum	Responded (n = 1 of 1)	1	1	
	Mat-Su Conservation Services	Responded (n = 1 of 1)	1	1	
	Prince William Sound Regional Citizens Advisory Council	Responded (n = 1 of 1)	1	1	
	Prince William Sound Science Center	Responded (n = 1 of 1)	1	1	
	Resurrection Bay Conservation Alliance	Responded (n = 1 of 1)	1	1	
	Sitka Sound Science Center	Responded (n = 1 of 1)	1	1	
	Southeast Alaska Guidance Association	Reported by other agency (n = 1 of 1)	1	1	
	Student Conservation Association	Reported by other agency (n = 1 of 1)	1	1	
	The Nature Conservancy	Responded (n = 1 of 1)	1	1	
	Trout Unlimited	Reported by other agency (n = 1 of 1)	1	1	
	Local	City and Borough of Juneau: CBJ Jensen-Olson Arboretum	Responded (n = 1 of 1)	1	1
		City of Sitka	Reported by other agency (n = 1 of 1)	1	1
		Municipality of Anchorage: Department of Public Works	Responded (n = 1 of 1)	1	1
Yukon Flats School District		Reported by other agency (n = 1 of 1)	1	1	
University		Alaska Pacific University	Responded (n = 2 of 2)	2	2
	Portland State University	Reported by other agency (n = 1 of 1)	1	1	
	San Francisco State University: Romburg Tiburon Center for the Environment	Responded (n = 1 of 1)	1	1	
	University of Alaska Anchorage: Alaska Natural Heritage Program, Institute of Social and Economic Research, and Turf Department	Responded (n = 3 of 3)	3	3	
	University of Alaska Fairbanks: Alaska SeaGrant Marine Advisory Program and Cooperative Extension Service	Responded (n = 2 of 2)	2	2	
	University of Alaska Southeast: Landscaping (No Response from Mchapman)	Responded (n = 1 of 2)	1	2	
	University of Washington	Reported by other agency (n = 1 of 1)	1	1	
Private	Alaska Botanical Garden	No Response (n = 0 of 1)	0	1	
	Alaska Garden and Pet Supply	No Response (n = 0 of 1)	0	1	
	Granite Construction Co.	No Response (n = 0 of 1)	0	1	
	Ground Effects Landscaping	No Response (n = 0 of 1)	0	1	
	Kachemak Bay Shellfish Hatchery	No Response (n = 0 of 1)	0	1	
	MISC Contractors	Reported by other agency (n = unknown)			
	PWS Oyster farm and shrimp trawling on Perry Island	No Response (n = 0 of 1)	0	1	

85 112

Alaska Invasive Species Economic Impact Study – Data Check List



Alaska SeaLife Center®
w i n d o w s t o t h e s e a



**UAA Institute of Social
and Economic Research**
UNIVERSITY of ALASKA ANCHORAGE

Your annual invasive species program’s budget for the past five years (2007 – 2011):

1. Budget (excel file or similar) for each year detailing:
2. Personnel:
 - Count of employees
 - Payroll
 - If available some measure of effort (labor hours, days, etc.)
3. Equipment:
 - Machinery, equipment rentals
4. Misc. supplies:
 - Herbicides, chemicals, office supplies, etc.
5. Volunteers:
 - Count of volunteers
 - Days annually where volunteers were present
 - If none applies, provide any other measure of volunteer effort
6. Amount of funding provided to other organizations:
 - Specify name of organization
 - Specify purpose of funding
7. List of invasive species you targeted that year

Additional information:

- Specify “Actions” taken that year:
 1. Preparation of Permits or Environmental Impact Statements for proposed actions
 2. Intervention (specify as follows!)
 - a. Prevention – stopping introductions
 - b. Eradication – destroying/removing new invasion
 - c. Containment – stopping new invasion from spreading
 - d. Management – keeping established invasion from spreading
 - e. Restoration – restoring ecosystem to initial state
 3. Monitoring
 4. Education / Outreach
 5. Research
 6. Other (specify!)
- Action budget amount
 - If unknown, try to approximate!
- Action species
 - Specify the invasive species

Please, continue next page!

Alaska Invasive Species Economic Impact Study – Data Check List

- Action location:
 - North, Southwest, Southeast, Southcentral, Interior
 - road system vs. remote
- Action area / action extend:
 - Total area treated (mile²)
 - Stream length treated
 - Etc.
- Action success:
 - Provide some measure of success for the action in that year. This can be a qualitative or quantitative statement. For example, “eradicated, no re-growth for several years after treatment” or “density diminished by half”

Example for how you could provide the additional information:

Species name	budget	Action (see list above)	Location	Area/extend of treatment	Measure of success
Elodea	10% of annual budget	Eradication	Interior Fairbanks	5 square miles	Marginal success, Elodea came back one year after treatment
Green Alder Sawfly	\$150,000	Monitoring	Southcentral	100 square miles	
.....			

Contact:

Tobias Schwörer
 Institute of Social and Economic Research
 tobias@uaa.alaska.edu
 (907) 786 - 5404

Rebekka Federer
 Alaska SeaLife Center
 rebekcaf@alaskasealife.org
 (907) 224-6377



Annual Invasive Species Program/Efforts Action

2007					
Species Name	Budget	Action	Location	Area/Extent	Measure of Success
2008					
Species Name	Budget	Action	Location	Area/Extent	Measure of Success
2009					
Species Name	Budget	Action	Location	Area/Extent	Measure of Success
2010					
Species Name	Budget	Action	Location	Area/Extent	Measure of Success
2011					
Species Name	Budget	Action	Location	Area/Extent	Measure of Success

* see also "annual budget" worksheet

APPENDIX F

Key for Spreadsheet

Specific action:

EIS Statements or Permitting

Intervention - Prevention (i.e., stopping introductions)

Intervention - Eradication (i.e., destroying/removing new invasions)

Intervention - Containment (i.e., stopping new invasion from spreading)

Intervention - Management (i.e., keeping established invasion from spreading)

Intervention - Restoration (i.e., restoring ecosystem to initial state)

Monitoring

Education/Outreach

Research

Other (please specify!)

Action budget:

if unknown, try to approximate

Action species:

Specify the invasive species

Action location:

North, Southwest, Southeast, Southcentral, Interior

road system vs. remote

Action area/extent (this will vary by action, but below are some examples of ways that you could report for each action:

Total area treated (miles squared)

Stream length treated

monitoring traps/plates used

people reached for Education/Outreach

Action success:

Provide some measure of success for the action. This can be a qualitative or quantitative statement (e.g., "eradicated, no re-growth for several years after treatment" or "density diminished by half")

Annual Invasive Species Program/Efforts Budget

		YEARS				
Category	Description	2007	2008	2009	2010	2011
Personnel	Count of Employees					
	Payroll					
	Measure of effort if available (labor hours, days, etc.)					
Equipment	Machinery, equipment rentals					
Misc Supplies	Herbicides, chemicals, office supplies, etc.					
Volunteers	Count of volunteers					
	Days annually where volunteers were present					
	If none applies, provide any other measure of volunteer effort					
Amount of funding provided to other organizations	Specify name of organization					
	Specify purpose of funding					
Targeted invasive species	List of invasive species you targeted each year					

* see also "annual actions" worksheet

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Annual Invasive Species Program/Efforts Action

2007					
Species Name	Budget	Action	Location	Area/Extent	Measure of Success
2008					
Species Name	Budget	Action	Location	Area/Extent	Measure of Success
2009					
Species Name	Budget	Action	Location	Area/Extent	Measure of Success
2010					
Species Name	Budget	Action	Location	Area/Extent	Measure of Success
2011					
Species Name	Budget	Action	Location	Area/Extent	Measure of Success

* see also "annual budget" worksheet

APPENDIX F2

Key for Spreadsheet

Specific action:

EIS Statements or Permitting

Intervention - Prevention (i.e., stopping introductions)

Intervention - Eradication (i.e., destroying/removing new invasions)

Intervention - Containment (i.e., stopping new invasion from spreading)

Intervention - Management (i.e., keeping established invasion from spreading)

Intervention - Restoration (i.e., restoring ecosystem to initial state)

Monitoring

Education/Outreach

Research

Other (please specify!)

Action budget:

if unknown, try to approximate

Action species:

Specify the invasive species

Action location:

North, Southwest, Southeast, Southcentral, Interior

road system vs. remote

Action area/extent (this will vary by action, but below are some examples of ways that you could report for each action:

Total area treated (miles squared)

Stream length treated

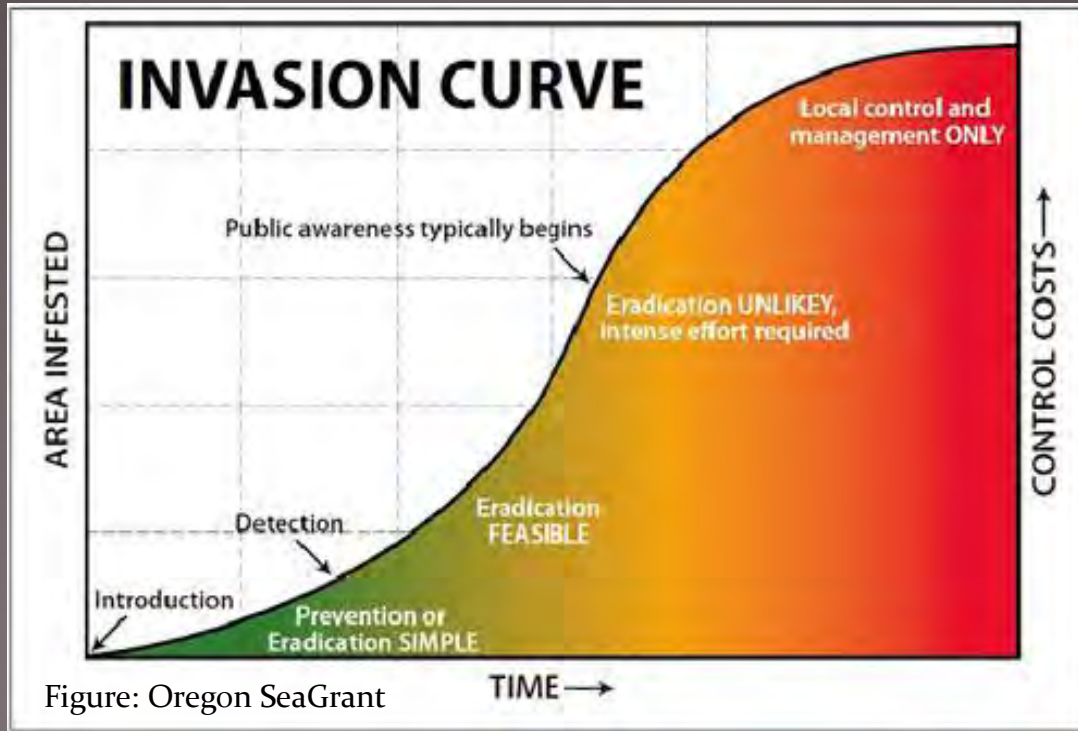
monitoring traps/plates used

people reached for Education/Outreach

Action success:

Provide some measure of success for the action. This can be a qualitative or quantitative statement (e.g., "eradicated, no re-growth for several years after treatment" or "density diminished by half")

Economic Impact Study of Invasive Species in Alaska



Rebekka Federer, Marine Invasive Species Program Manager
Howard Ferren, Director of Conservation
Kira Hansen, Conservation AmeriCorps Member
Tobias Schwoerer and Steve Colt, Economists



Invasive Species-What's at stake?

- Non-native species 'whose introduction does or is likely to cause economic or environmental harm, or harm to human health' (*Federal Register 1999*)
- ~Eco. and environ. costs total more than \$137B/year for losses, damages, and control in US (*Pimentel et al. 1999*)
- Impacts to human health; biodiversity; jobs in fishing, mariculture, recreation, and tourism; food resources; property values; and more!
- A few current examples.....tunicates, waterweeds, reed canarygrass, pike, and rats, oh my!!

Didemnum vexillum *marine vomit*

- Few known predators, smothers substrate and organisms, impacts mariculture, alters ecosystem integrity, has impacts on eelgrass and seagrass communities important for nursery habitat



Elodea nuttallii western waterweed



Photo: Alaska CNIPM

- Degraded fish habitat, difficulty with boat travel, alter freshwater habitat

Phalaris arundinacea

Reed canarygrass



Photo: USFS

- Reduces biodiversity, alters hydrology, and limits tree regeneration

Esox lucius

Northern Pike



- Native in some parts of Alaska but introduced in others
- Piscivorous fish, causes large-scale changes in fish communities

Rattus norvegicus

Norway rat

- Decimated seabird populations by eating adults and eggs in island and coastal habitat



Photos: Stop Rats!



How the project came about?

- MIS Workshop held by AISWG (March 2010)
 - MIS Reps. from AK, HI, WA, CA, BC, D.C. attended
 - Six key priorities and 11 near-term actions developed:
 - *Research and Development – Economic Impact Study*
 - Presentations and Workshop Report:
http://www.alaskasealife.org/New/research/mis_workshop.php



Need for Economic Study in AK

- Invasive species costs for Alaska are not known!
- Discipline and methods of economics provides tools needed to inform managers/policymakers about costs of invasive species and cost-benefit of different strategies
- Provide leverage to establish an Organizing Body
 - *Workshop Priority and Near-Term Action Item:
Management and Coordination – Invasive Species Council*
- Need greater support from the AK Legislature to provide resources and direct managers to be more responsive
 - Bills for invasive species introduced but did not pass

Project Phases

- Phase 1: Literature Review (completed)
- Phase 2: Data collection (completed)
- Phase 3: Data Analysis (underway)
- Phase 4: Report (underway, Final = summer 2012)

Phase 1: Literature review

- Collected literature on any available economic impact studies
- Collected papers useful for modeling specific species: (e.g., spotted knapweed, creeping thistle, *D.vex*, *Elodea*, EGC, knotweed *spp.*, WSC, RCG, parasites
 - Year introduced, cost/area, % dispersal rate/year, carrying capacity area
- Almost 175 articles thus far!

Phase 2: Data collection

- Contact all agencies and organizations that may have contributed to invasive species work in AK
- Aimed to collect 5 years of data (2007-2011)
- Collected data from November 2011-March 2012
- Datasheet included monetary information for personnel, equipment, and supplies; volunteer info; funding dispersal; and info for species, action, location, area/extent, measure of success
- Data gathered from \$\$ source and receiver of \$\$
- Info from 84 individuals from 48 agencies/organizations

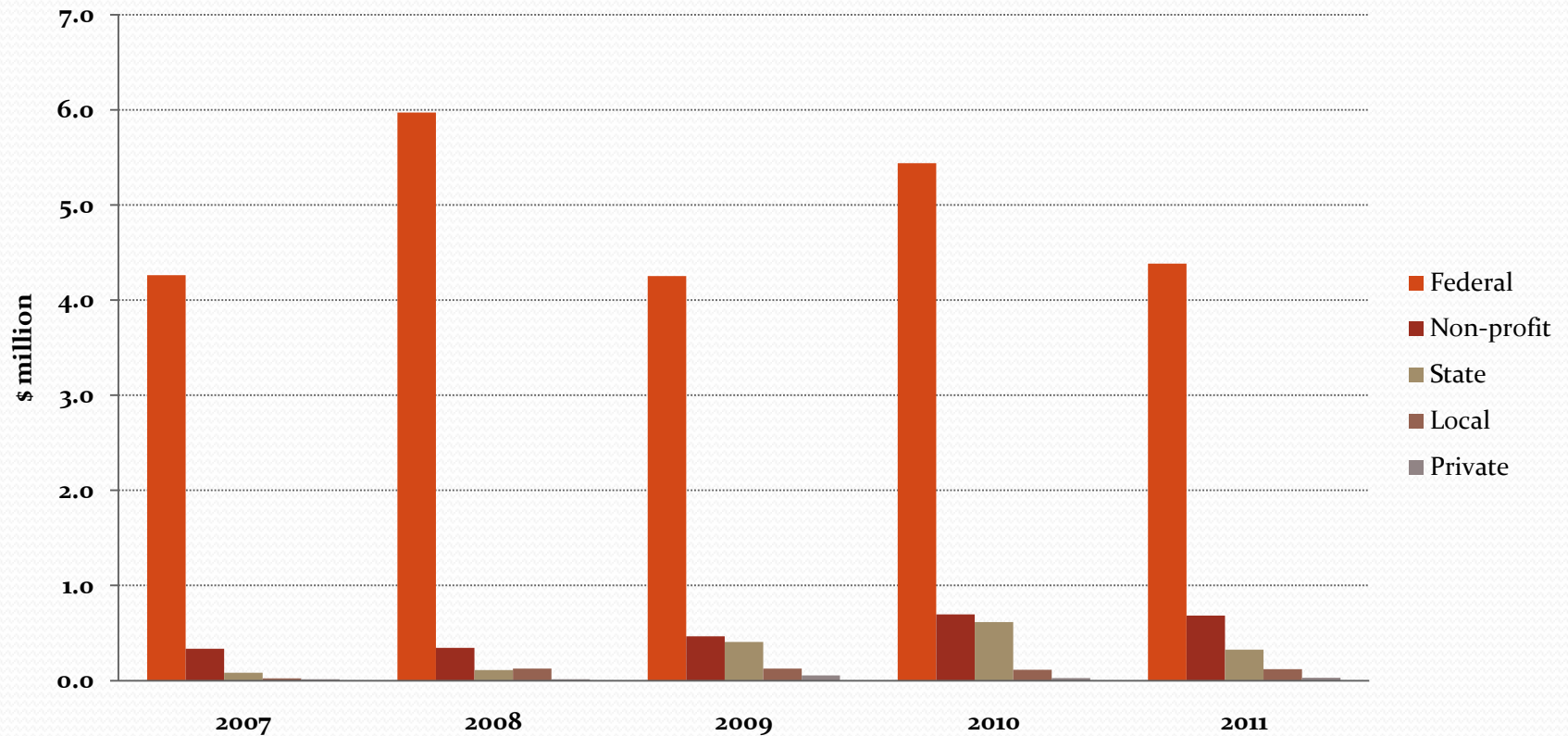
Phase 3: Data Analysis

- Establish baseline data for costs of invasive species, analyze changes in investment levels over time, how money is used, and how money is dispersed
- Project potential future investment scenerios
- Additional economic modeling costs for specific species:
 - ISER evaluating available models through USGS (e.g., RCG*, WSC*, Canada thistle, knotweed spp., spotted knapweed)
 - No available models for other species, but ISER can develop simplistic models (e.g., marine vomit, western waterweed, Northern pike, EGC)

Phase 3: Data Analysis

Preliminary results

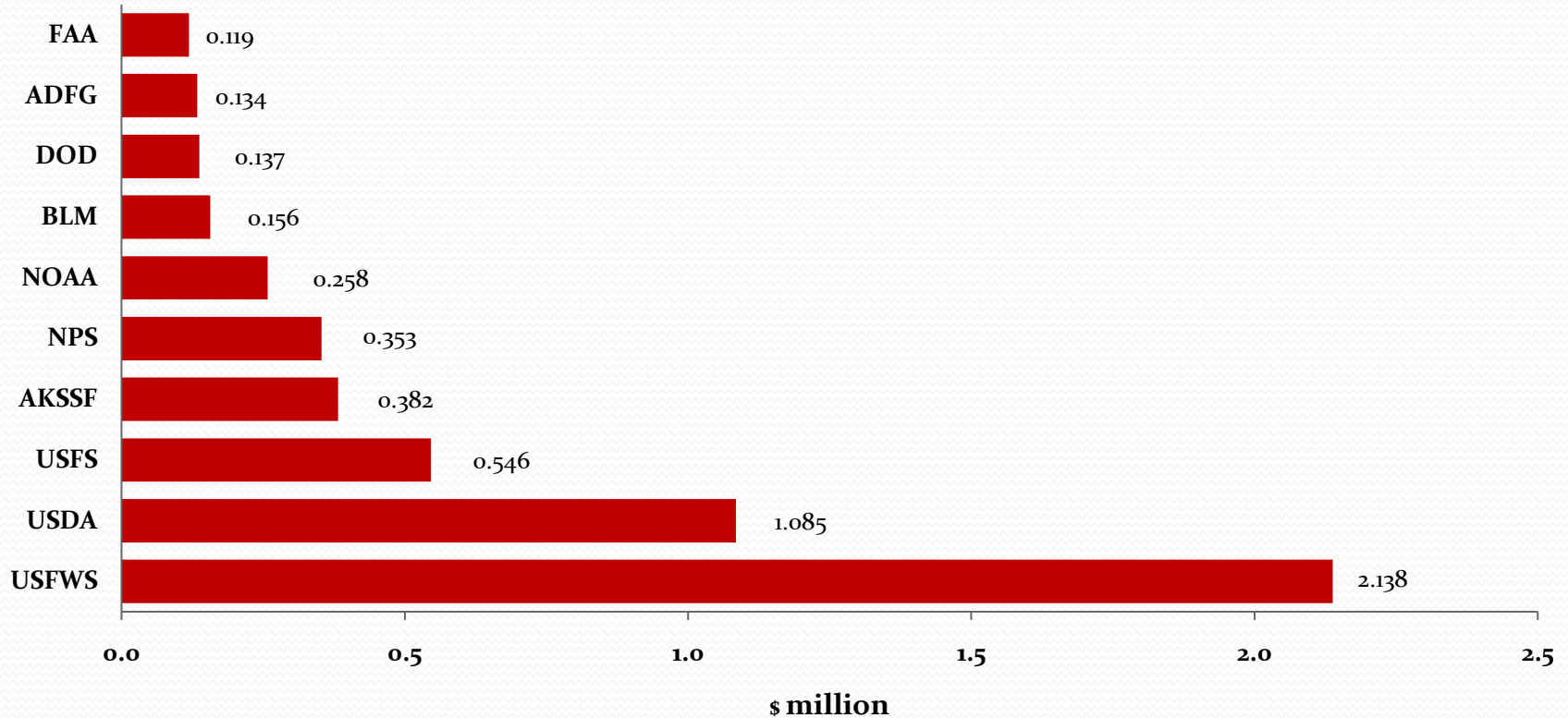
Funding sources



Phase 3: Data Analysis

Preliminary results

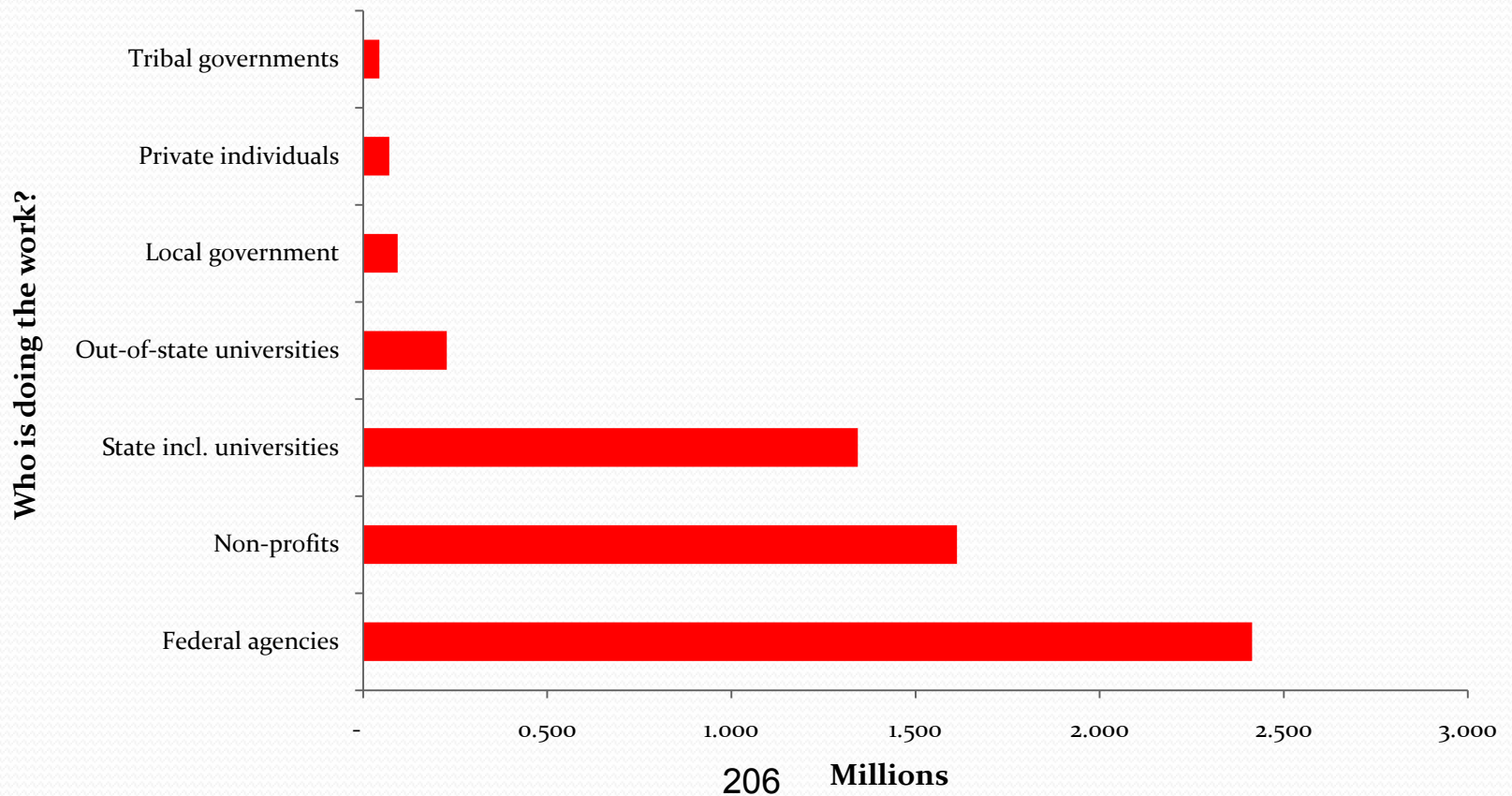
Top ten funding organizations (5-yr avg)



Phase 3: Data Analysis

Preliminary results

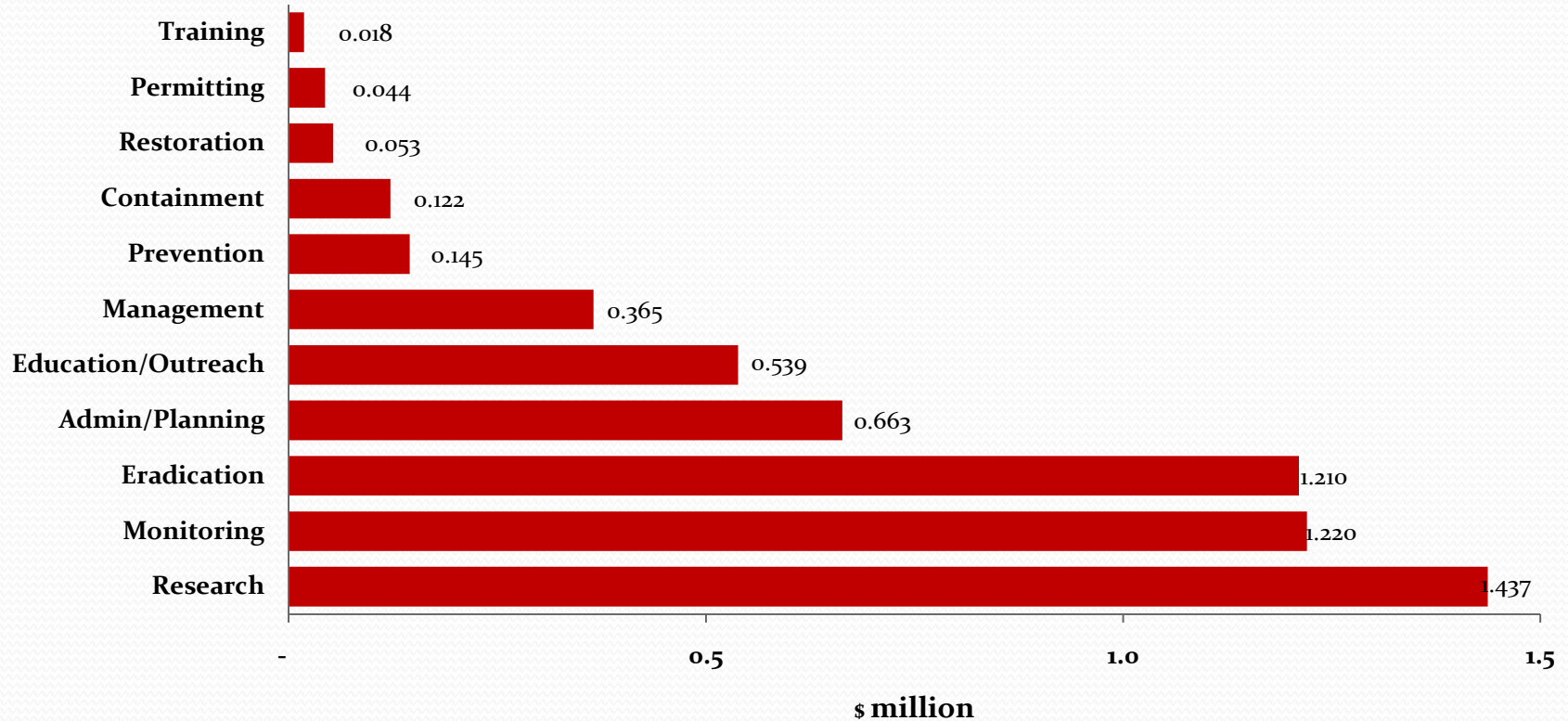
Total Dollars (millions) spent per agency/organization (5-yr avg)



Phase 3: Data Analysis

Preliminary results

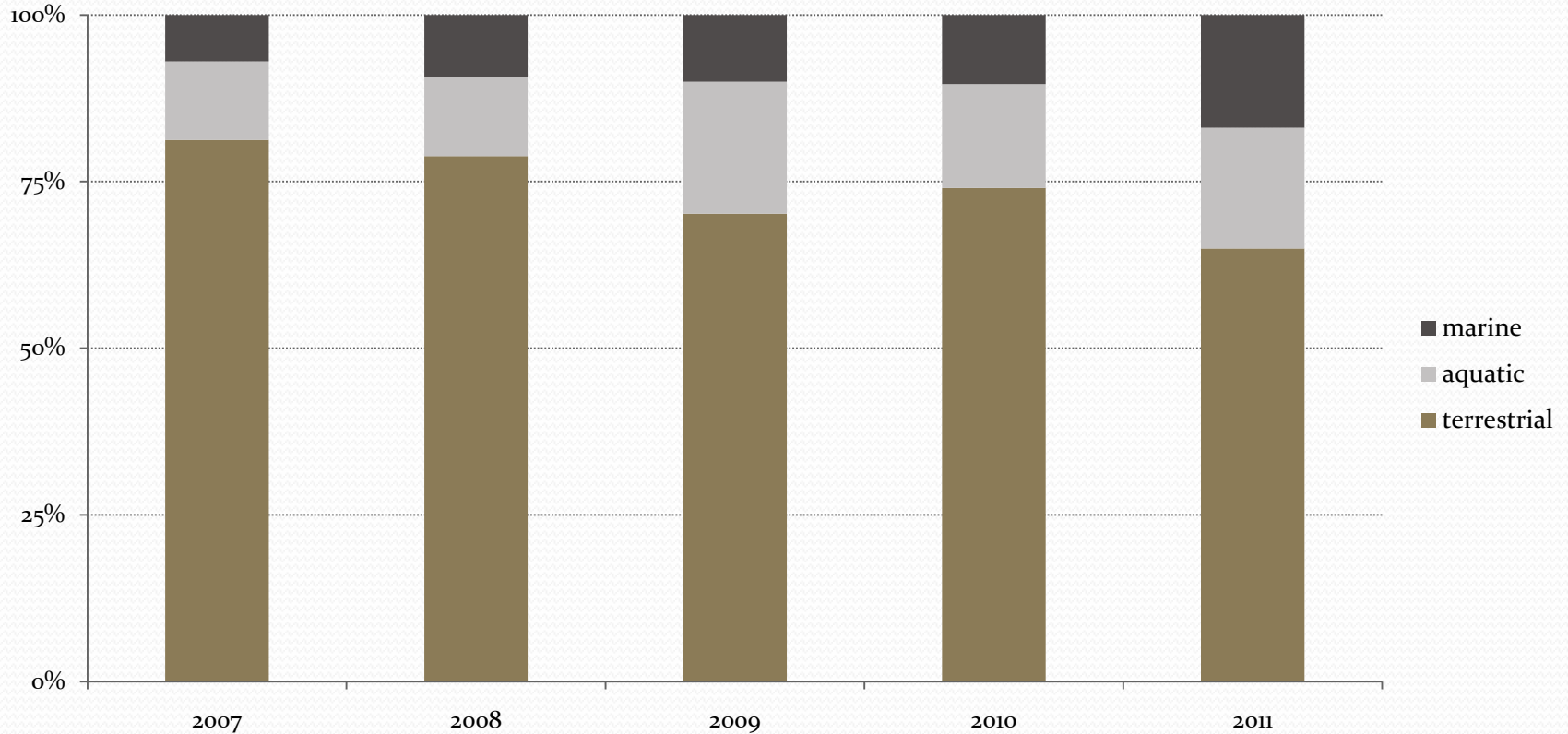
Annual budgets by action (5-yr avg)



Phase 3: Data Analysis

Preliminary results

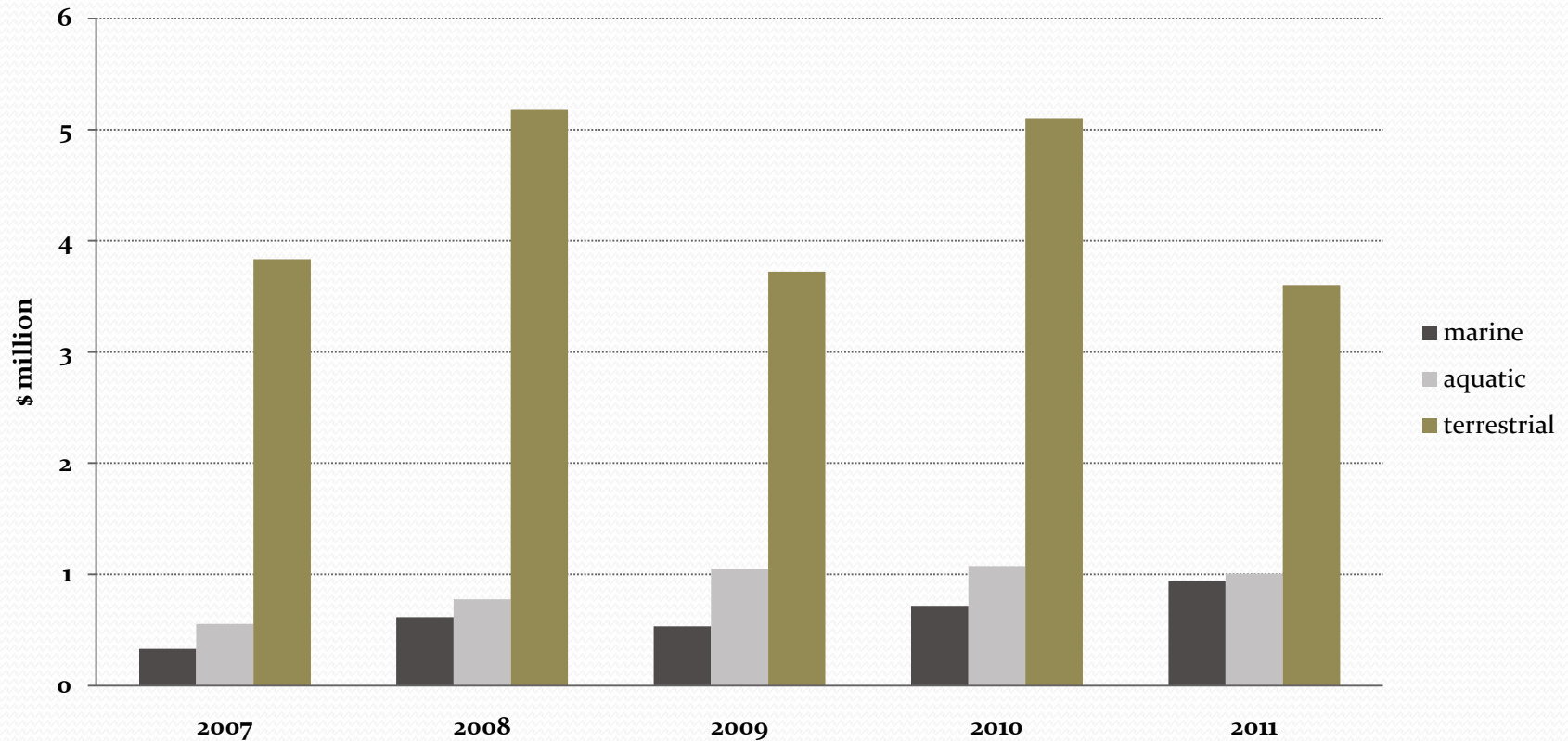
Proportion of total annual budgets by species type



Phase 3: Data Analysis

Preliminary results

Total annual budgets by species type



“Until prevention speaks the language of economics as well as ecology, it will consistently take a back seat to transportation and trade.”

—Jason Van Driesche and Roy Van Driesch 2001

“In the long term, economic sustainability depends on ecological sustainability.”

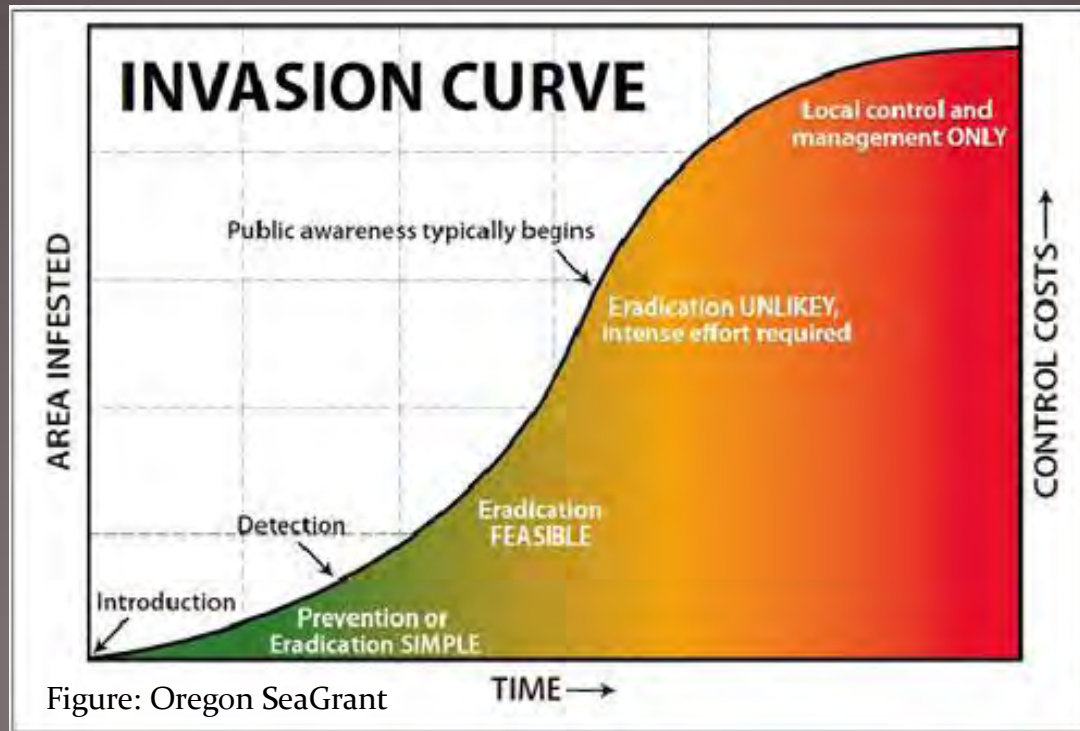
— “America’s Living Oceans” [Pew Oceans Report, 2003]

Many thanks!

- Funding provided by: PWSRCAC, USFWS, OASLC, Alaska Leg. Council, BLM
- All the agencies and organizations that contributed data!
- Stay tuned for the rest of the story.....expected date of Final Report at the end of summer 2012.



Economic Impact Study of Invasive Species in Alaska



Rebekka Federer, Marine Invasive Species Program Manager
Howard Ferren, Director of Conservation
Kira Hansen, Conservation AmeriCorps Member
Tobias Schwoerer and Steve Colt, Economists



Invasive Species-What's at stake?

- Non-native species 'whose introduction does or is likely to cause economic or environmental harm, or harm to human health' (*Federal Register 1999*)
- ~Eco. and environ. costs total more than \$137B/year for losses, damages, and control in US (*Pimentel et al. 1999*)
- Impacts to human health; biodiversity; jobs in fishing, mariculture, recreation, and tourism; food resources; property values; and more!
- A few current examples.....tunicates, waterweeds, reed canarygrass, pike, and rats, oh my!!

Didemnum vexillum *marine vomit*

- Few known predators, smothers substrate and organisms, impacts mariculture, alters ecosystem integrity, has impacts on eelgrass and seagrass communities important for nursery habitat



Elodea nuttallii western waterweed



Photo: Alaska CNIPM

- Degraded fish habitat, difficulty with boat travel, alter freshwater habitat

Phalaris arundinacea

Reed canarygrass



Photo: USFS

- Reduces biodiversity, alters hydrology, and limits tree regeneration

Esox lucius

Northern Pike



- Native in some parts of Alaska but introduced in others
- Piscivorous fish, causes large-scale changes in fish communities

Rattus norvegicus

Norway rat

- Decimated seabird populations by eating adults and eggs in island and coastal habitat



Photos: Stop Rats!



How the project came about?

- MIS Workshop held by AISWG (March 2010)
 - MIS Reps. from AK, HI, WA, CA, BC, D.C. attended
 - Six key priorities and 11 near-term actions developed:
 - *Research and Development – Economic Impact Study*
 - Presentations and Workshop Report:
http://www.alaskasealife.org/New/research/mis_workshop.php



Need for Economic Study in AK

- Invasive species costs for Alaska are not known!
- Discipline and methods of economics provides tools needed to inform managers/policymakers about costs of invasive species and cost-benefit of different strategies
- Provide leverage to establish an Organizing Body
 - *Workshop Priority and Near-Term Action Item:
Management and Coordination – Invasive Species Council*
- Need greater support from the AK Legislature to provide resources and direct managers to be more responsive
 - Bills for invasive species introduced but did not pass

Project Phases

- Phase 1: Literature Review (completed)
- Phase 2: Data collection (completed)
- Phase 3: Data Analysis (underway)
- Phase 4: Report (underway, Final = summer 2012)

Phase 1: Literature review

- Collected literature on any available economic impact studies
- Collected papers useful for modeling specific species: (e.g., spotted knapweed, creeping thistle, *D.vex*, *Elodea*, EGC, knotweed *spp.*, WSC, RCG, parasites
 - Year introduced, cost/area, % dispersal rate/year, carrying capacity area
- Almost 175 articles thus far!

Phase 2: Data collection

- Contact all agencies and organizations that may have contributed to invasive species work in AK
- Aimed to collect 5 years of data (2007-2011)
- Collected data from November 2011-March 2012
- Datasheet included monetary information for personnel, equipment, and supplies; volunteer info; funding dispersal; and info for species, action, location, area/extent, measure of success
- Data gathered from \$\$ source and receiver of \$\$
- Info from 84 individuals from 48 agencies/organizations

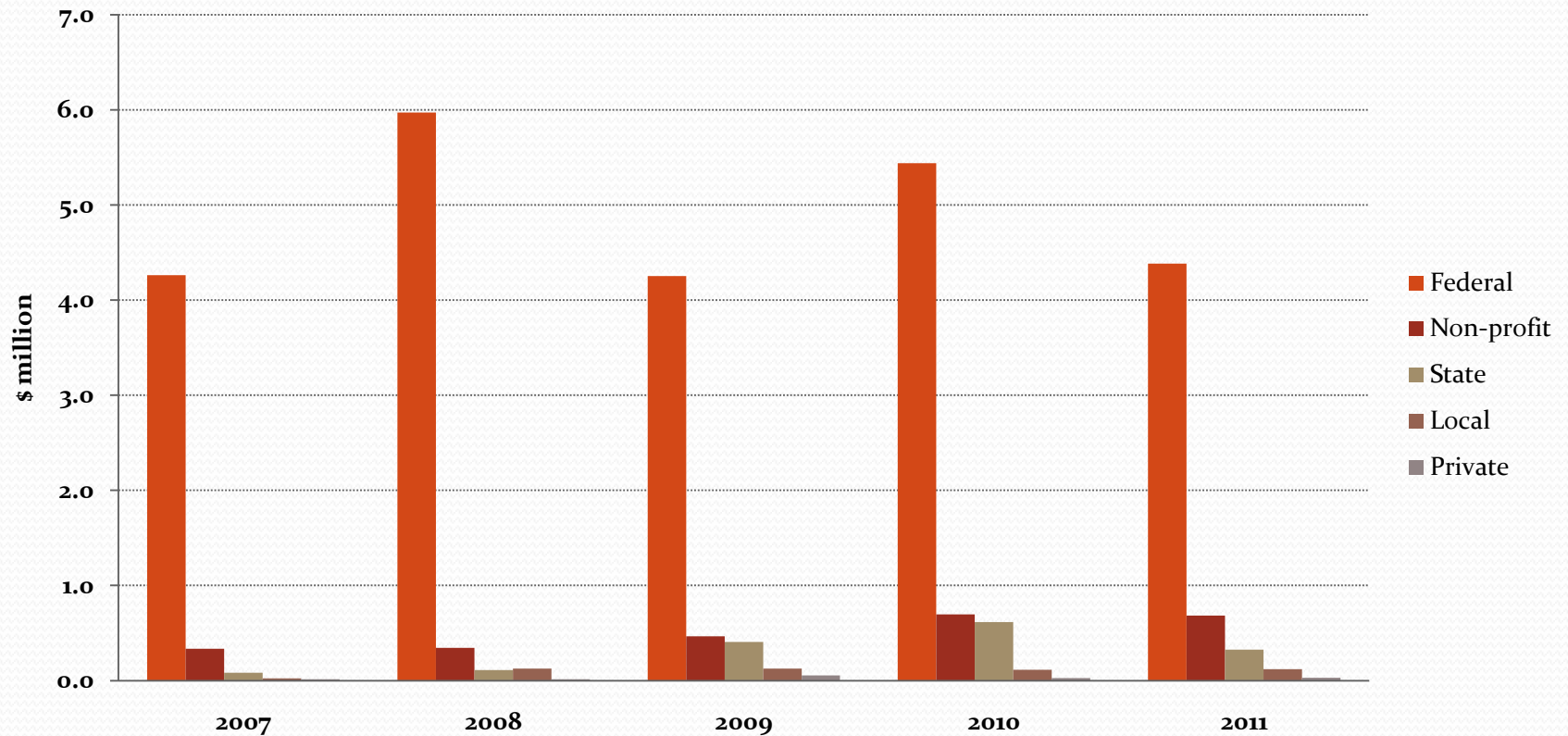
Phase 3: Data Analysis

- Establish baseline data for costs of invasive species, analyze changes in investment levels over time, how money is used, and how money is dispersed
- Project potential future investment scenerios
- Additional economic modeling costs for specific species:
 - ISER evaluating available models through USGS (e.g., RCG*, WSC*, Canada thistle, knotweed spp., spotted knapweed)
 - No available models for other species, but ISER can develop simplistic models (e.g., marine vomit, western waterweed, Northern pike, EGC)

Phase 3: Data Analysis

Preliminary results

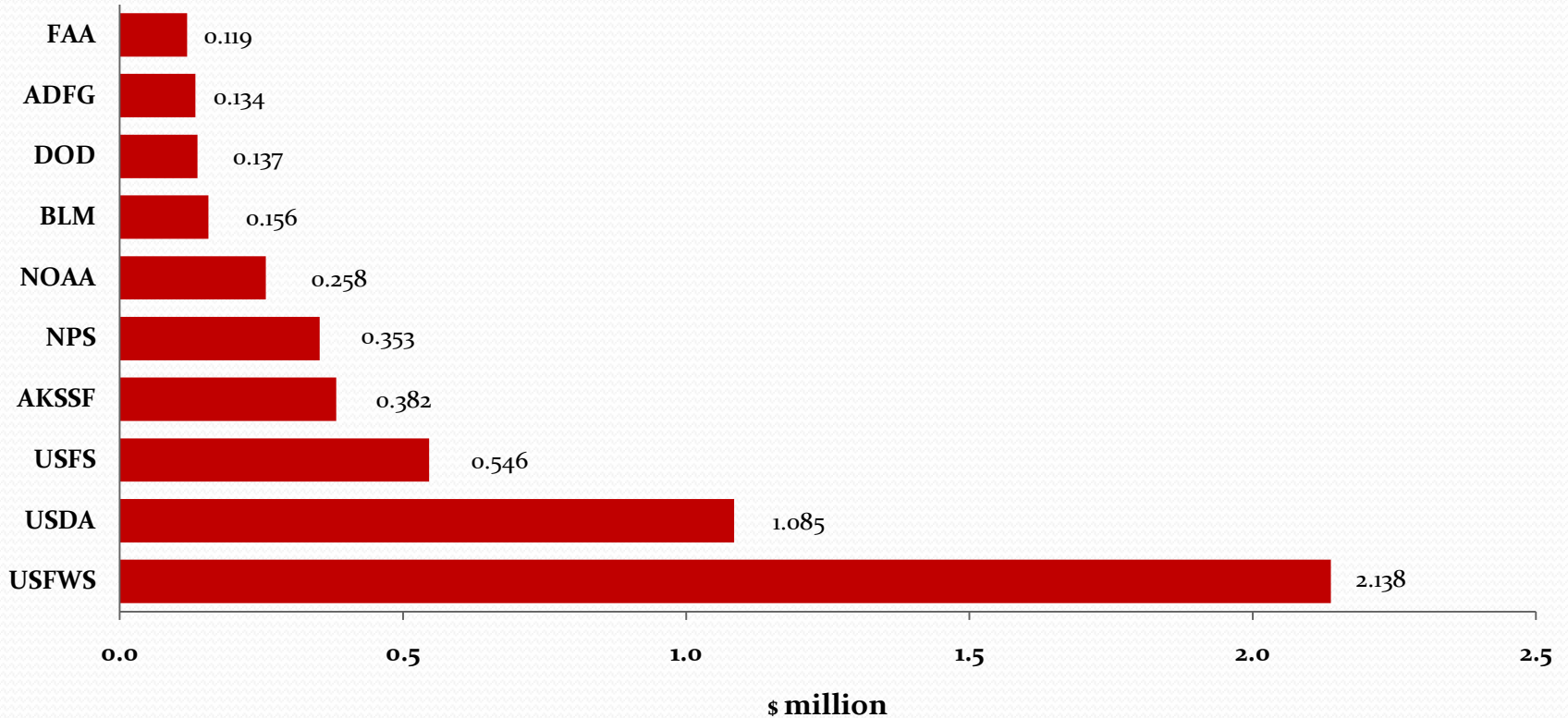
Funding sources



Phase 3: Data Analysis

Preliminary results

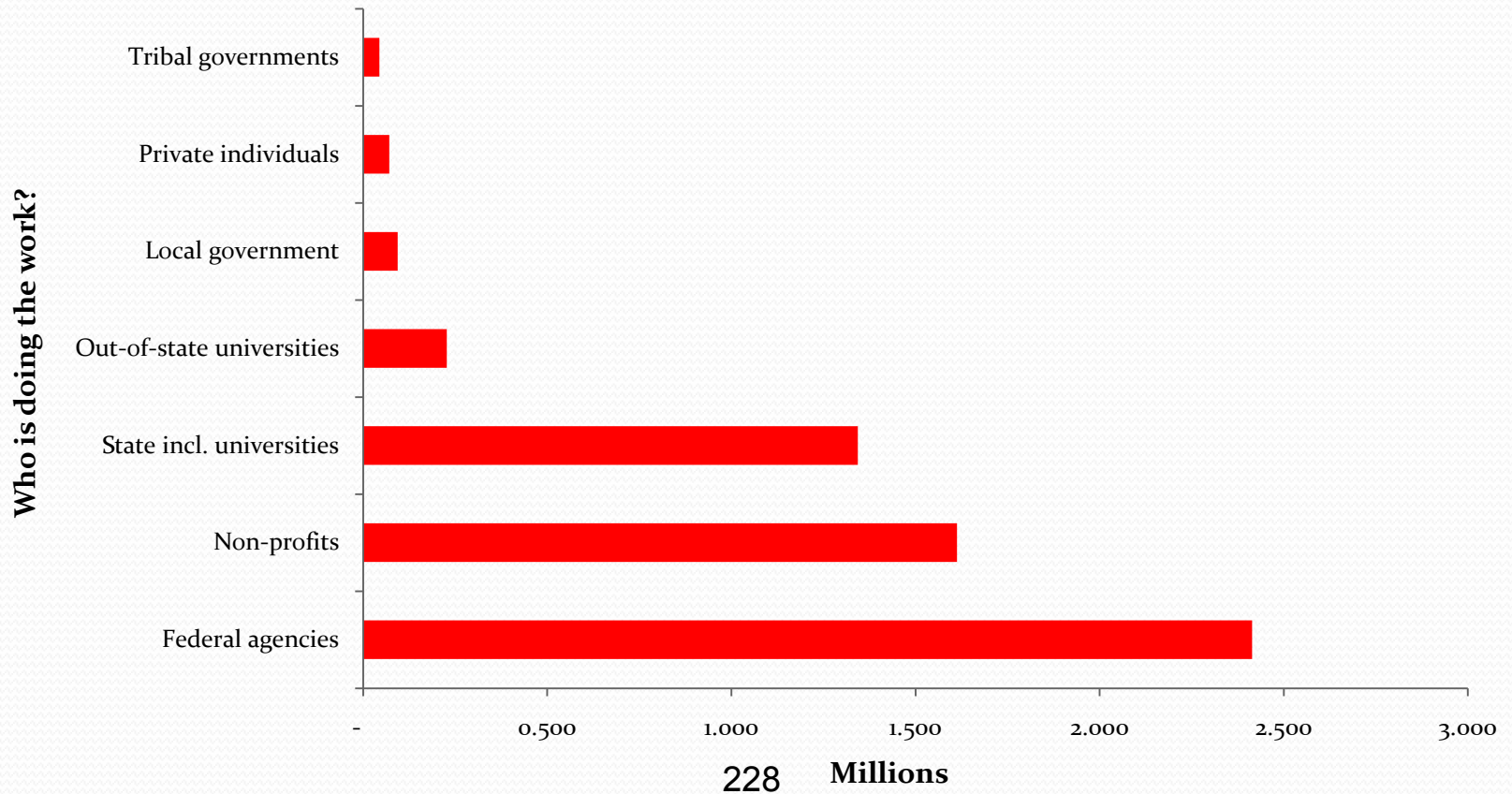
Top ten funding organizations (5-yr avg)



Phase 3: Data Analysis

Preliminary results

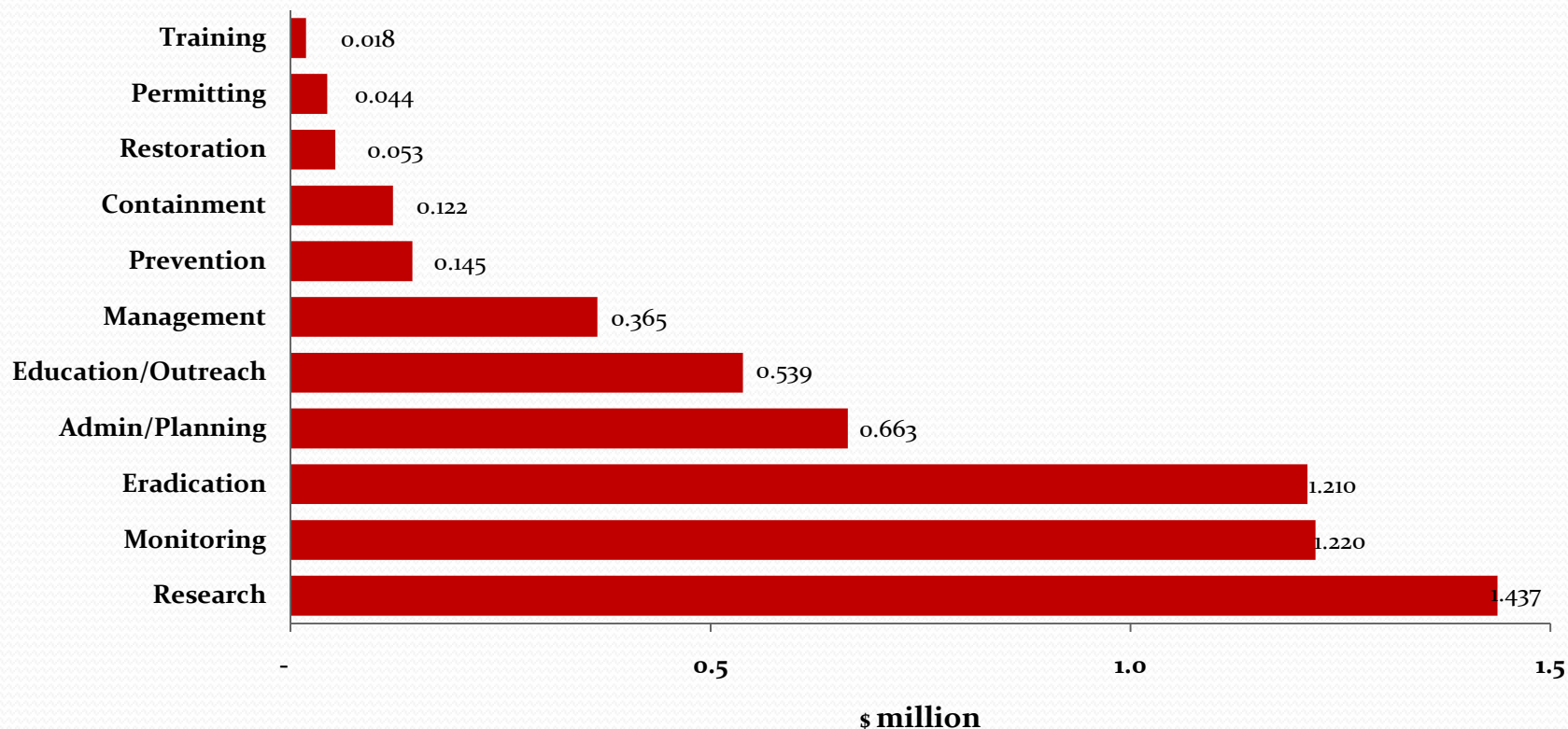
Total Dollars (millions) spent per agency/organization (5-yr avg)



Phase 3: Data Analysis

Preliminary results

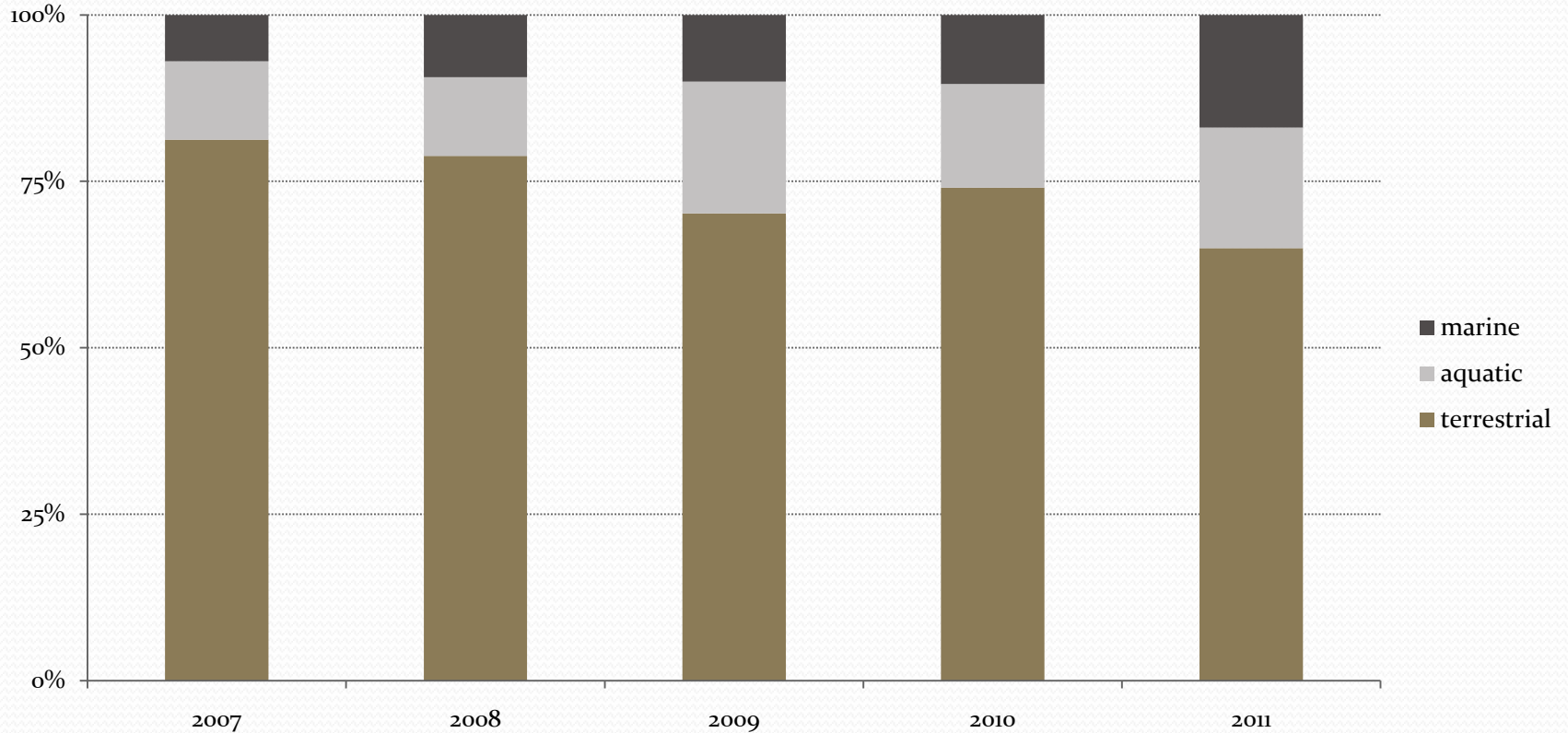
Annual budgets by action (5-yr avg)



Phase 3: Data Analysis

Preliminary results

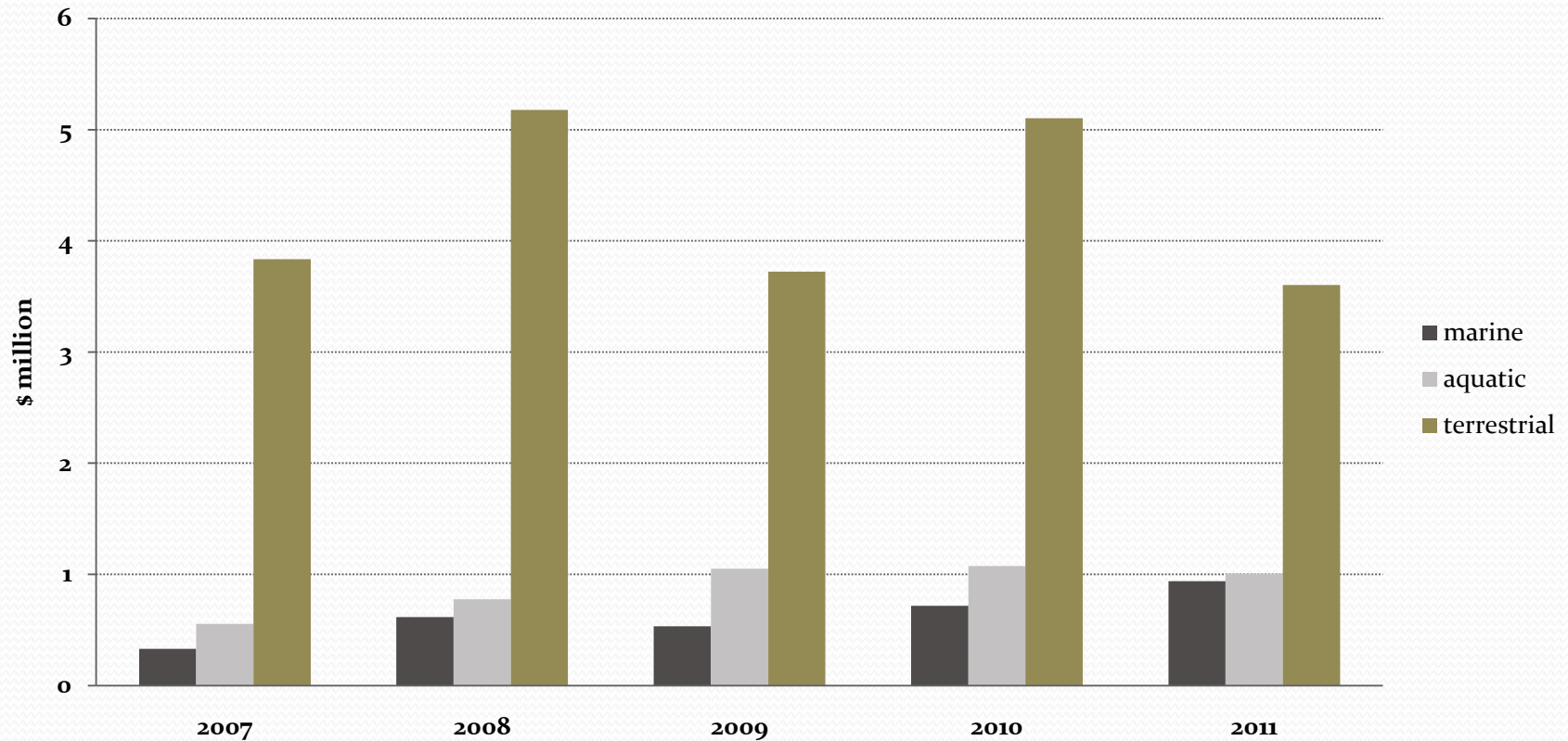
Proportion of total annual budgets by species type



Phase 3: Data Analysis

Preliminary results

Total annual budgets by species type



“Until prevention speaks the language of economics as well as ecology, it will consistently take a back seat to transportation and trade.”

—Jason Van Driesche and Roy Van Driesch 2001

“In the long term, economic sustainability depends on ecological sustainability.”

— “America’s Living Oceans” [Pew Oceans Report, 2003]

Many thanks!

- Funding provided by: PWSRCAC, USFWS, OASLC, Alaska Leg. Council, BLM
- All the agencies and organizations that contributed data!
- Stay tuned for the rest of the story.....expected date of Final Report at the end of summer 2012.



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Title	Date	Author(s)	Journal Name Vol: pg	Online Link
Alaska Marine Invasive Species Workshop Summary and Recommendations "Economic evaluation of biological invasions- a survey"	2010	Alaska Invasive Species Working Group Born, W., Rauschmayer F., 2004 Bräuer, I.	Document	http://www.alaskasealife.org/New/research/mis_documents/MIS%20Workshop%20Proceedings.pdf
"Novel contaminants and pathogens in coastal waters"	2004	CIESM	Document	http://www.ciesm.org/online/monographs/NeuchatelExecSum.pdf
"Invasive Alien Species A Threat To Biodiversity"	2009	Biological Diversity	Document	http://www.cbd.int/doc/bioday/2009/idb-2009-booklet-en.pdf
"The Economics of Invasive Species"	2009	Cusack, C., M. Harte, S. Chan	Document	http://www.oregon.gov/OISC/docs/pdf/economics_invasive.pdf?ga=t
"Early Detection and Rapid Response Plan for the European Green Crab, <i>Carinus maenas</i> , in Alaska"	2009	Davidson, T., A. Larson, C. de rivera	Document	Partial print. ASLC Ntwk: T:\Stewardship\Invasive Marine Species\Literature, fact sheets, posters etc\D folder\Davidson folder
"Hull fouling is a risk factor for intercontinental species exchange in aquatic ecosystems"	2007	Drake, J.M., D.M. Lodge	Aquatic Invasions (2007) Volume 2, Issue 2: 121-131 DOI 10.3391/ai.2007.2.2.7	www.vliz.be/imisdocs/publications/155934.pdf
"Potential microbial bioinvasions: evaluating options for ballast water management"	2007	Drake, L.A., M.A. Doblin, F.C. Dobbs	Marine Pollution Bulletin 55 (2007) 333–341 doi:10.1016/j.marpolbul.2006.11.007	http://www.clr.pdx.edu/mbic/papers/microbialbioinvasions.pdf
"Global redistribution of bacterio-plankton and virioplankton communities"	2001	Drake, LA.	Invasions Volume 3, Number 2 (2001), 193-199, DOI: 10.1023/A:1014561102724	http://www.springerlink.com/content/j2tbpalxuh6486hj/fulltext.pdf
"A Toolkit for the Economic Analysis of invasive Speices"	2008	Emerton, L., G. Howard. GiSP Evans, Edward A., Spreen, Thomas H., Knapp, J.L.	Document	http://www.gisp.org/publications/toolkit/Economic toolkit.pdf
Economic Issues of Invasive Pests and Diseases and Food Safety	2002		Document	http://ideas.repec.org/b/ags/uflomo/15696.html

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"Pathogenic Human Viruses in Coastal Waters"	2003	Griffin, D.W., K. Donaldson, J. Paul, J. Rose	Clinical Microbiology Reviews,16(1): 129–143 DOI: 10.1128/CMR.16.1.129–143.2003	http://www.ncbi.nlm.nih.gov/pmc/articles/PMC145303/pdf/0008.pdf
"Transport of toxic dinoflagellates via ships ballast water: bioeconomic risk assessment and efficacy of possible ballast water management strategies"	1998	Hallegraff G.M.	Marine Ecology Progress Series 168: 297-309	http://www.int-res.com/articles/meps/168/m168p297.pdf
"Non-native species impacts on native salmonids in the Columbia River Basin"	2008	Independent Scientific Advisory Board	Document	ISAB 2008-4. Northwest Power and Conservation Council
"Using contingent valuation to estimate the value of forest ecosystem protection"	2003	Kramer, R. A., T. P. Holms and M. Haefele	Document	fds.duke.edu/db/attachment/405
"Invasive Species (human-induced)"	2010	Lassuy, D., P. Lewis	Arctic Biodiversity Trends 7: 45-48	http://abt.arcticportal.org/images/stories/report/pdf/Indicator_07_Invasive_species_human_induced.pdf
"An Ounce of Prevention or a Pound of Cure: Bioeconomic Risk Analysis of Invasive Species"	2002	Leung, B. D.M. Lodge, D. Finnoff, J.F. Shogren, M.A. Lewis and G. Lamberti	Proc. R. Soc. Lond. B (2002) 269, 2407–2413 DOI 10.1098/rspb.2002.2179 Agricultural and Resource Economics Review 35/1 (April 2006)	http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1691180/pdf/12495482.pdf
"The Economic Impacts of Aquatic Invasive Species: A Review of the Literature"	2006	Lovell, S., S. Stone Mack, R., D.	195–208	http://ageconsearch.umn.edu/bitstream/10175/1/35010195.pdf
"Biotic Invasions: Causes, Epidemiology, Global Consequences and Control"	2000	Simberloff, M. Lonsdale, H. Evans, M. Clout, F. Bazzaz	Issues in Ecology 5: 1-20	http://www.epa.gov/owow/watershed/wacademy/acad2000/pdf/issue5.pdf
"Non-Native and Invasive Animals of Alaska: A Comprehensive List and Select Species Status Reports"	2008	McClory, J. and T. Gothard	Document	http://www.adfg.alaska.gov/static/species/nonnative/invasive/pdfs/invasivespp_report.pdf

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"Invasive Species and Delaying the Inevitable: Valuation Evidence from a National Survey"	2010	McIntosh, C. R., J. F. Shogren and D. C. Finoff	Ecological Economics 3(15): 632-640	http://www.sciencedirect.com/science/article/pii/S0921800909004066
"Outbreak of <i>Vibrio parahaemolyticus</i> Gastroenteritis Associated with Alaskan Oysters"	2005	McLaughlin, J.B., A. DePaola, C. Bopp, K. Martinek, N. Napolilli, C. Allison, S. Murray, E. Thompson, M. Bird, J. Middaugh	New England Journal of Medicine 353: 1463-1470	http://www.nejm.org/doi/pdf/10.1056/NEJMoa051594
"Economic Valuation of the Influence of Invasive Alien Species on the Economy of the Seychelles Islands"	2010	Mwebaze, P., A. MacLeod, D. Tomlinson, H. Barois and J. Rijpma	Document	http://www.webmeets.com/files/papers/WCERE/2010/317/PMWEBAZE/WCERE2010.pdf http://books.google.com/books?hl=en&lr=&id=hCoJiTo7I3wC&oi=fnd&pg=PA241&dq=naylor,+rosamond+the+economics+of+alien+species+invasions&ots=OLmhr-IsDy&sig=KhOeYoFx579zJ3Wa8j-Pl0x_2ZA#v=onepage&q=naylor%2C%20rosamond%20the%20economics%20of%20alien%20species%20invasions&f=false
"The Economics of Alien Invasive Species" (chapter in <i>Changing World</i>) "Measuring the Economic Value of Marine Protection Program Against the Introduction of Non-Indigenous Species in Netherlands"	2000 2002	Naylor Nunes, P. A L D.	Book Document Environmental and Resource Economics 28(4): 517-532 DOI: 10.1023/B:EARE. 0000036777.830	http://www.tinbergen.nl/discussionpapers/02057.pdf
"Can People Value Protection against Invasive Marine Species? Evidence from a Joint TC-CV Survey in the Netherlands"	2004	Nunes, P.A.L.D., J.C.J.M. van den Bergh	60.b6	http://www.springerlink.com/content/r8172523g8201p76/?MUD=MP
"The Economics of Biological Invasions"	2000	Perrings, C., M. Williamson, E. Barbier, D. Delfino, S. Dalmazzone	Land Use and Water Resource Research 1(3): 1-9	http://www.luwrr.com/uploads/paper01.bak/paper01-03new.pdf

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Biological Invasion Risks and the Public Good: an Economic Perspective	2002	Perrings, C., M. Williamson, E. Barbier, D. Delfino, S. Dalmazzone, J. Shogren, P. Simmons, A. Watkinson	Conservation Ecology 6(1):1	http://www.ecologyandsociety.org/vol6/iss1/art1/print.pdf
"Environmental and Economic Costs of Nonindigenous Species in the United States"	2000	Pimentel, D., R. Zuniga, D. Morrison	Bio Science 50(1):53-65	http://www.tcnj.edu/~bshelley/Teaching/PimentelEtal00CostExotics.pdf
"Update on the environmental and economic costs associated with alien-invasive species in the United States"	2004	Pimentel, D., R. Zuniga, D. Morrison	Ecological Economics 52(3): 273-288	http://www.sciencedirect.com/science/article/pii/S0921800904003027
"Economic and environmental threats of alien plant, animal, and microbe invasions"	2000	Pimentel, D., S. McNair, J. Janecka, J. Wightman, C. Simmonds, C.O'Connell, E. Wong, L. Russel, J. Zern, T. Aquino, T.Tsomondo	Agriculture, Ecosystems and Environment 84 (2001) 1–20	http://siteresources.worldbank.org/EXTABOUTUS/Resources/gss-economic-environ-threats-ias.pdf
"California Aquatic Nusiance Speicies Management Plan"		Pimentel, D., S. McNair, J. Janecka, J. Wightman, C. Simmonds, C. O'Connell, E. Wong, L. Russel, J. Zern, T. Aquino, T. Tsomondo	Document	http://www.anstaskforce.gov/State%20Plans/CA_SMP_Final.pdf
"Invasion of Coastal Marine Communities in North America: Apparent Patterns, Processes, and Biases"	2000	Ruiz, G.M., P. Fofonoff, J. Carlton, M. Wonham, A. Hines	Annu. Rev. Ecol. Syst. 31:481–531	http://www.limnoreferences.missouristate.edu/assets/limnoreferences/Ruiz_et_al_2000.pdf
"Alaska Aquatic Nusiance Speicies Management Plan"	2002	State of Alaska	Document	http://www.anstaskforce.gov/State%20Plans/ak_ansmp.pdf
"How well do we understand the impats of alien species on ecosystem services? A pan-European, cors-s-taxa assessment"	2009	Vila, M., C. Basnou, P. Pysek, M.Josesson, P. Genovesi, S. Gollasch, W. Nentwig, S. Olenin, A. Roques, D. Roy, P. Hulme	Frontiers in Ecology and the Environment 8(3): 135-144	http://www.esajournals.org/doi/pdf/10.1890/080083

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"The effect of an aquatic invasive species (Eurasian watermilfoil) on lakefront property values", "Economic analysis of containment programs, damages, and production losses from noxious weeds in Oregon."	2010	Zhang, C. and K. J. Boyle	Ecological Economics online only doi: 10.1016/j.ecolecon.2010.09.011	http://www.eaglelake1.org/envirnonmental_issues/invasive_species/aquatic/milfoil/Zhang%20and%20Boyle%20EE%202010.pdf
"Economic Impacts of Invasive Plants in BC" Californa Aquatic Invasive Species Rapid Repsonse Fund, An Economic Evaluation 13 Impacts of Invasive Species on Ecosystem Services	2009	Frid, L., D. Knowler, C. Murray, J. Meyers, L. Scott	Document	http://www.oregon.gov/ODA/PLANT/docs/pdf/weed_body_a.pdf?ga=t
"Science and Economics in the Management of an Invasive Species"	2011	Cohen, A. and Cardno ENTRIX	Document	http://69.89.31.205/~refbcom/userfiles/Invasive%20Plant%20Council%20Final%20Rpt%201007-119.pdf
"Assessing the Econmoic, Environmental, and Societal Losses from Invasive Plants on Rangeland and Wildlands"	2007	H. Charles, J. Dukes	Book	http://nrm.dfg.ca.gov/FileHandler.aspx?DocumentID=36250
"A note on the economics of biological invasions" "An Analysis of Economic Cost Minimization and Biological Invasion Damage Control Using the AWQ Criterion"	2006	Hoagland, P., D. Jin Luncan, C.A., J.J. Jacetta, M.L. Brown, V.F. Carrithers, J.K. Clark, J.M. DrTomaso, R.G. Lym, K.C. McDaniel, M.J. Renz, P.M. Rice	BioScience 56(11):931-935.	http://dge.stanford.edu/DGE/Dukes/Charles_Dukes_inpress.pdf http://www.bioone.org/doi/full/10.1641/0006-3568%282006%2956%5B931%3ASAEITM%5D2.0.CO%3B2
"On Prevention and Control of an Uncertain Biological Invasion" "Economic Policy for Invasive Species"	2004	P.M. Rice	Weed Technology 18: 1411-1416 Ecological Economics 39: 197-202	http://www.jstor.org/discover/10.2307/3989662?uid=3739512&uid=2129&uid=2&uid=70&uid=4&uid=3739256&sid=21101122838627
"On Prevention and Control of an Uncertain Biological Invasion" "Economic Policy for Invasive Species"	2001	Barbier, E.B.	Economics 39: 197-202	http://papers.ssrn.com/sol3/papers.cfm?abstract_id=296879
"On Prevention and Control of an Uncertain Biological Invasion" "Economic Policy for Invasive Species"	2007	DeAngelo, G., A.A. Batabyal, S. Kumar	Document Review of Agricultural Economics 27: 491-497	http://www.gregorydeangelo.com/Cost_Minimization_using_AWQ.pdf
"On Prevention and Control of an Uncertain Biological Invasion" "Economic Policy for Invasive Species"	2005	Olson, L.J., S. Roy	Economics 27: 491-497	http://papers.ssrn.com/sol3/papers.cfm?abstract_id=876734
"On Prevention and Control of an Uncertain Biological Invasion" "Economic Policy for Invasive Species"	2002	Jensen, R.	Document	http://www.nd.edu/~rjensen1/workiingpapers/InvasiveSpecies.pdf

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"Managing invasive species: rules of thumb for rapid assessment"	2005	Leung, B. Finnoff, J.F. Shogren, D. Lodge	Ecological Economics 55: 24-36 doi:10.1016/j.econ.2005.04.017	http://biology.mcgill.ca/faculty/leung/articles/Leung_Rulesofthumb.pdf
"Nonindigenous Aquatic Species Comprehensive Management Plan" "First Report of <i>Armillaria sinapina</i> , a Cause of Armillaria Root Disease, Associated with a Variety of Forest Tree Hosts on Sites with Diverse Climates in Alaska"	1993	Sinnott, T.J., E. Paul	Document	http://www.dec.ny.gov/docs/wildlife_pdf/noninsp.pdf
"Potential Economic Losses Associated with Uncontrolled Nutria Populations in Maryland's Portion of the Chesapeake Bay"	2004	Maryland Dept of Nat. Resources	Document Agricultural and Resource Economics Update 13(3): 1-4	www.dnr.state.md.us/irc/docs/00006595.pdf
"Invasive Species, Border Enforcement, and Firm Behavior"	2010	Ameden, H., S. Brody, S.B. Cash, D. Zilberman	Economics Update 13(3): 1-4	http://giannini.ucop.edu/media/are-update/files/issues/v13n3.pdf
"Trade, the Damage from Alien Species, and the Effects of Protectionism Under Alternate Market Structures"	2006	Batabyal, A.A., H. Beladi	Document	https://editorialexpress.com/cgi-bin/conference/download.cgi?db_name=MWITSpring2009&paper_id=41
"On the Garden Path: An Economic Perspective on Prevention and Control Policies for an Invasive Species"	2006	Kaiser, B.A.	Choices magazine 3rd quarter 21(3): 139-142	http://www.choicesmagazine.org/2006-3/invasive/2006-3-03.htm
"Economic Lessons from Control Efforts for an Invasive Species: <i>Miconia calvenscens</i> in Hawaii"	2007	Burnett, K., B. Kaiser, J. Roumasset	Document	http://www.uhero.hawaii.edu/assets/JFE.pdf
"On Economic-Cost Minimization Versus Biological-Invasion Damage Control"	2006	DeAngelo, G., A.A. Batabyal, S. Kumar	Book	http://library.wur.nl/frontis/plant_health/03_deangelo.pdf

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"Bioeconomic management of invasive vector-borne diseases"	2009	Fenichel, E.P., R.D. Horan, G.J.	Biological Invasions 12(9): 2877-2893 DOI: 10.1007/s10530-010-9734-7	http://www.springerlink.com/content/08n5222102202h51/fulltext.pdf
"Risk and Nonindigenous Species Management"	2005	Finnoff, D., J.F. Shogren, B. Leung, D.	Agricultural Economics 27(3): 475-482	http://biology.mcgill.ca/faculty/leung/articles/Finnoff_risk.pdf
"Robust Inspection for Invasive Species with a Limited Budget"	2006	Lodge Moffitt, L.J, J.K. Stranlund, B.C. Field, C.D. Osteen	Book Agricultural and Resource Economics Review 35(1): 178-194	http://library.wur.nl/frontis/plant_health/02_moffitt.pdf
"The Economics of Terrestrial Invasive Species: A Review of the Literature"	2006	Olson, L.J.	Economics Review 35(1): 178-194	http://ageconsearch.umn.edu/bitstream/10181/1/35010178.pdf
"Spatial Management of Invasive Species: Pathways and Policy Options"	2009	Sanchirico, J.N., H.J. Albers, C. Fischer, C. Coleman	Environ Resource Econ 45:517-535 DOI: 10.1007/s10640-009-9326-0	http://www.springerlink.com/content/b8q736717005q221/fulltext.pdf
"The Economics of Pesticides and Pest Control"	2007	Sexton, S.E., Z. Lei, D. Zilberman	International Review of Environmental and Resource Economics 1: 271-326	http://ecnr.berkeley.edu/vfs/PPs/Sexton-Ste/web/pesticides.pdf
"Aggregate Costs and Benefits of Government Invasive Species Control Activities in California"	2006	Sumner, D.A., H. Brunke, M. Kreith	Document	http://aic.ucdavis.edu/publications/Costs-Benefits_govCA-EPDControl.pdf
"Estimated Annual Cost of Invasive Plant Work in California"	2009	California Invasive Plant Council Eiswerth, M.E., W.S.	Document	http://www.cal-ipc.org/ip/research/cost.php
"Estimating Net Losses in Recreation Use Values from Non-Indigenous Invasive Weeds"	2010?	Johnson, J. Agapoff, T.D. Darden, T.R. Harris	Document	http://www.unce.unr.edu/publications/files/nr/2003/SP0310.pdf
"Problems, Predators, and Perception: Management of Quahog (<i>hardclam</i>) <i>Mercenaria mercenaria</i> , stock enhancement programs in southern New England"	2001	Walton, C.W., W.C. Walton	Journal of Shellfish Research 20(1): 127-134	http://www.biodiversitylibrary.org/pdf/001662000018776.pdf

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"Effect of an invasive crab upon a marine fishery: green crab, <i>Carcinus maenas</i> , predation upon a venerid clam, <i>Katelysia scalarina</i> , in Tasmania (Australia)."	2002	Walton, W.C., C. Mackinnon, L.F. Rodriguez, C. Proctor, G.M. Ruiz	Journal of experimental Marine Biology and Ecology 272(2): 171-189	http://cat.inist.fr/?aModele=afficheN&cpsidt=13707608
"Economic Impacts of Aquatic Invasive Species Workshop Washington, DC, July 20-21, 2005"	2005	EPA	Document Journal of	http://yosemite.epa.gov/ee/epa/eer.m.nsf/vwAN/EE-0493-01.pdf/\$file/EE-0493-01.pdf
"Invasion biology of the Chinese mitten crab <i>Eriocheir sinensis</i> : A brief review"	2009	Dittel, A.I., C.E. Epifanio	Experimental Marine Biology and Ecology 374: 79-92	www.delawareestuary.org/pdf/ScienceReportsbyOthers/mitten_crabs.pdf
"Overview of the Life History, Distribution, Abundance, and Impacts of the Chinese mitten crab, <i>eriocheir sinensis</i> " (in the appendix of "A Draft National Management Plan For the Genus Eriocheir")	1999	Veldhuizen, T.C., S. Stanish	California Department of Water Resources	dropbox and http://www.anstaskforce.gov/Chinese-mitten-crab-plan2-02.pdf#page=40
"Reconstructing the range expansion and subsequent invasion of introduced European green crab along the west coast of the United States"	2010	See, K.E., B.E. Feist	Biol Invasions (2010) 12:1305–1318D OI 10.1007/s10530-009-9548-7	http://noaa.academia.edu/BlakeFeist/Papers/439700/Reconstructing_the_range_expansion_and_subsequent_invasion_of_introduced_European_green_crab_along_the_west_coast_of_the_United_States
"The Effects of Aquatic Invasive Species on Property Values: Evidence from a Quasi-Random Experiment" "Hedonic analysis of effects of a nonnative invader (Myriophyllum heterophyllum) on New Hampshire (USA) lakefront properties."	2008	Horsch, E.J., D.J. Lewis Halstead, J.M., J. Michaud, S. Hallas-Burt	Document Environ Manage 32(3): 391-398	http://www.pugetsound.edu/files/resources/8111_stpap530.pdf http://www.ncbi.nlm.nih.gov/pubmed/14753624
"Value added to the U.S. economy by the agricultural sector via the production of goods and services, 2000-2010 ALASKA"	2011	USDA	Document	http://www.ers.usda.gov/data-products/farm-income-and-wealth-statistics.aspx

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"California Invasive Plant Council Newsletter" "Reducing the Risk of Biological Invasion by Creating Incentives for Pet Sellers and Owners to Do the Right Thing"	2009	Brusati, E., D. Johnson, H. Brady	Document	http://www.cal-ipc.org/resources/news/pdf/Cal-IPC_News_Spring09.pdf
"Estimating the financial costs of freshwater invasive species in Great Britain: a standardized approach to invasive species costing"	2011	Perry, G., M. Farmer	Journal of Herpetology	http://www.bioone.org.proxy.library.uaf.edu/doi/pdf/10.1670/09-254.1
"ID of Non-Native Plants in Alaska" "A Statewide Management Assessment of Invasive Species in Oregon" "Economic and Environmental impacts of N.C. Aquatic Weed Infestations"	2010	Oreska, M.P.J., D.C. Aldridge Cortes-Burns, H., Carlson, M., Flagstad, L.	Biological Invasions 13(2): 305-319	http://www.ingentaconnect.com/content/klu/binv/2011/0000013/0000002/00009807
"Commercial Fisheries of Alaska"	2012	DeBruyckere, L.	Document	http://aknhp.uaa.alaska.edu/botany/akepic/publications/
"Rapid Response Planning for Aquatic Invasive Species A Maryland Example" "UAF To Study Invasive Sweet Clover" "Economic Impact of the Spread of Alien Species in Germany"	2010	N.C. Dept of Health and Natural Resources	Document	www.clr.pdx.edu/docs/statewidemanagementassessmentreportfinal.pdf http://www.ncwater.org/Education and Technical Assistance/Aquatic Weed Control/
"Marine Algal Toxins: Origins, Health Effects, and Their Increased Occurrence" "Vibrio Parahaemolyticus in Alaska: Results three years after the Prince William Sound outbreak"	2005	Woodby, D., Carlile, D., Siddeek, S., Funk, F., Clark, J., Hulbert, L.	Document	www.sf.adfg.state.ak.us/FedAidPDFs/sp05-09.pdf
"Rapid Response Planning for Aquatic Invasive Species A Maryland Example"	2009	Smits, J., Moser, F.	Mid-Atlantic Panel on Aquatic Invasive Species	http://www.mdsg.umd.edu/images/uploads/siteimages/MarylandPlanFinal.pdf
"UAF To Study Invasive Sweet Clover"	2010	Richardson, J.	News Article	http://www.iab.uaf.edu/news/iitn_pdfs/171.pdf
"Economic Impact of the Spread of Alien Species in Germany"	2003	Reinhardt, F., et. Al	Document	http://www.nobanis.org/files/EconomicImpactNeobiota.pdf
"Marine Algal Toxins: Origins, Health Effects, and Their Increased Occurrence"	200	VanDolah, F	Environmental Health Perspectives 108(1): 133-141	http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1637787/
"Vibrio Parahaemolyticus in Alaska: Results three years after the Prince William Sound outbreak"	2008	RaLonde, R.	Document	http://www.docstoc.com/docs/89261911/ABSTRACTS-OF-TECHNICAL-PAPERS-Presented-at-the-100th-Annual-

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"Northward Spread of Marine Nonindigenous Species along Western North America: Forecasting Risk of Colonization in Alaskan Waters Using Environmental Niche Modeling."	2007	de Riviera, C., et. Al	Document	http://www.pwsrca.org/docs/d0041100.pdf
"Alaska Exotic Plants Clearinghouse (AKEPIC)"	2012		Database	http://aknuhp.uaa.alaska.edu/maps/akepic/
"Valuing Environmental Functions in Developing Countries"	1992	Aylward, B., Barbier, EB	Biodiversity and Conservation 1(1): 34-50 DOI: 10.1007/BF00700249	http://www.springerlink.com/content/w8g526j8l2109318/
"Is the Spread of Non-native Plants in Alaska Accelerating?"	2007	Carlson, M.L., Shepard, M.	Document	http://aknhp.uaa.alaska.edu/wp-content/uploads/2010/11/Carlson_et_al_2008.pdf
"Invasiveness ranking system for non-native plants in Alaska"	2008	Carlson, M.L., Shepard, M. et. Al	Document	http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsbdev2_037575.pdf
"The Economic Importance of Healthy Alaska Ecosystems. Report prepared for the Alaska Conservation Foundation"	2001	Colt, S.	Document American Journal of Agricultural Economics	http://www.commerce.state.ak.us/od/toubus/pub/healthyeocsystems.pdf
"Biological Pollution Prevention Strategies under Ignorance"	2002	Horan, RD, Perrings, C. et. Al	84(5): 1303-1310	http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsbdev2_037575.pdf
"Effect of Invasive Plant Species on temperate Wetland Plant Diversity"	2004	Houlahan, JE, Findlay, CS	Conservation Biology 18(4): 1132-1138 DOI: 10.1111/j.1523-1739.2004.00391.x	http://onlinelibrary.wiley.com/doi/10.1111/j.1523-1739.2004.00391.x/abstract

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"Risk assessment for invasive species produces net bioeconomic benefits"	2007	Keller, RP, Lodge, DM et. Al	Proceedings of the National Academy of Sciences of the United States of America 104(1): 203-207 doi: 10.1073/pnas.0605787104	http://www.pnas.org/content/104/1/203.abstract
"Economic Effect of Leafy Spurge in the Upper Great Plains: Methods, Models, and Results"	1994	Leitch, JA, Leistriz, FL et. Al	Document	http://lib.ndsu.nodak.edu/repository/bitstream/handle/10365/3091/343!ei94.pdf?sequence=1 http://aknhp.uaa.alaska.edu/wp-content/uploads/2010/11/Invasiveness-Ranking-of-50-Non-Native-Plant-Species-for-Alaska Online-Size 012012.pdf http://www.newsminer.com/view/tu
Invasiveness Ranking of 50 Non-Native Plant Species for Alaska	2011	Nawrocki, T, Klein, H., Carlson, M. Conn, J. et. Al	Document	http://www.newsminer.com/view/tu ll_story/17319560/article-Say-goodbye-to-ag-research--Scientists-developed-plants-and-processes-for-Alaska-s-people?instance=home opinion community perspectives http://science.nature.nps.gov/im/units/swan/Libraries/2011SWAKScienceSymposium/posters/RDeVelice_Chugach_InvasivePlant_poster_SWAK_SciSym_2011101.pdf
"Say Goodbye to ag research: Scientists developed plants and processes for Alaska's people"	2012	Nancy Tamai	News Article	http://science.nature.nps.gov/im/units/swan/Libraries/2011SWAKScienceSymposium/posters/RDeVelice_Chugach_InvasivePlant_poster_SWAK_SciSym_2011101.pdf
"The invasive plant situation on the Chugach National Forest"	2011	DeVelice, R.L., B. Charnon, K. Mohatt	Document	http://www.aqualiens.tmbi.gu.se/Calculationofcost.pdf
"The economics of starling damage"	1980	Wright, E.N., I.R., Inglis, et. Al	Book	
"Calculation of costs of alien invasive specfies in Sweden-technical report"	2007	Gren, L., L. Isacs, M. Carlsson	Document	http://www.aqualiens.tmbi.gu.se/Calculationofcost.pdf
"The Value of Non-Native Plant Species to Honey Production in Alaska's Interior"	2010	Petersen, S.F., H.C. Livingston	Document	http://alaskainvasivespeciesconference.wikispaces.com/file/view/CNIPM_2010_speakers+Abstracts.pdf
"The Costs of Aquatic Invasive Species to the Great Lakes"	2012	Rosaen, A.L., E.A. Grover, C.W. Spencer, P.L. Anderson	Document	http://www.nature.org/ourinitiatives/regions/northamerica/areas/greatlakes/ais-economic-report.pdf
"Harmful Non-Indigenous Species in the United States"	1993	U.S. Congress	Document	http://www.princeton.edu/~ota/disk1/1993/9325_n.html

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"The Economic Cost of Invasive Non-Native Species on Great Britian"	2010	Williams, F., R.	Book	http://cabdirect.org/abstracts/20123122024.html;jsessionid=DA896457996A50A672028F05809B024A
		Eschen, A. Harris, D. Djeddour, C. Pratt, R.S. Shaw, S. Varia, J Lamontagne-Godwin, S.E. Thomas, S.T. Muphy		
Japanese, Giant, and Boheimam Knotweed	2007	H. Klein	Document	http://aknhp.uaa.alaska.edu/services/AKNHP.cfc?method=downloadDocumentByUsdaCode&documentType=risk_assessment&usdaCode=FAJA2
"Couple Forced to Demolish their £300k four-bed home after it was invaded by Japanese Knotweed"	2011	V. Elliot	News Article	http://www.dailymail.co.uk/news/article-2052337/Hertfordshire-couple-demolish-300k-home-rid-Japanese-knotweed.html
"Invasive Species Compendium- Selected sections for: Centaurea stoebe subsp. micranthos (spotted kanpweed)"	2011	CABI	Document	http://www.cabi.org/default.aspx?site=170&page=1016&pid=2225
"An Economic Evaluation of Control Methods for Diffuse and Spotted Knapweed in Western Canada"	1978	Harris, P., R. Cranston	Canadian Journal of Plant Science 59(2):	http://www.cabi.org/isc/Default.aspx?site=144&page=2540&LoadModule11=CABISEARCHRESULTS&LoadAction=LoadAbstract&term=sn%3A%22008-4220%22&AbstractSearchTerm=sn%3A%220008-4220%22&query=sn%3A%220008-4220%22&AbstractID=19790563797
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"The Impact of Knapweed on Montana's Economy"	1996	Hirsch, S.A., J.A. Leitch	Document	http://www.mtweed.org/library/wp-content/uploads/2009/10/impact-of-knapweed-mt-economy.pdf
"Spotted knapweed Centaurea stoebe ssp. Micranthos" "Economic Analysis of Containment Programs, Damages, and Production Losses From Noxious Weeds in Oregon"	2011	H. Klein	Document	http://aknhp.uaa.alaska.edu/services/AKNHP.cfc?method=downloadDocumentByUsdaCode&documentType=species_bio&usdaCode=CEST8
	2000	Oregon DoA	Document	http://cms.oregon.gov/ODA/PLANT/docs/pdf/weed_body_a.pdf

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"An Integrated Approach to the Control of Creeping Thistles"	2001	Dow AgroScience	Document	http://www.dowagro.com/PublishedLiterature/dh_016c/0901b8038016cc90.pdf?filepath=uk/pdfs/noreg/011-01006.pdf&fromPage=GetDoc
"Canada Thistle <i>Cirsium arvense</i> "	2011	H. Klein	Document	http://aknhp.uaa.alaska.edu/services/AKNHP.cfc?method=downloadDocumentByUsdaCode&documentType=species_bio&usdaCode=CIAR4
"Cirsium arvense"	2009	Nuzzo, V.	Document	
"Regional patch dynamics of <i>Cirsium arvense</i> and possible implications for plant-animal interactions"	2003	Eber, S., R. Brandl	Journal of Vegetation Science 14: 259-266	http://www.jstor.org/discover/10.2307/3236701?uid=3739512&uid=2129&uid=2&uid=70&uid=4&uid=3739256&sid=21101114570531
"Aminopyralid Effects on Canada Thistle (<i>Cirsium arvense</i>) and Native Plant Species"	2009	Samuel, L.W., R.G. Lym	Invasive Plant Science and Management 1(3): 265-278	http://www.bioone.org/doi/abs/10.1614/IPSM-07-049.1?journalCode=ipsm
"Invasive Species Compendium- Selected sections for: <i>Phalaris arundinacea</i> (reed canary grass)"	2011	CABI	Database	http://www.cabi.org/default.aspx?site=170&page=1016&pid=2225
"Reed canarygrass- <i>Phalaris arundinacea</i> L."	2011	H. Klein	Document	http://aknhp.uaa.alaska.edu/services/AKNHP.cfc?method=downloadDocumentByUsdaCode&documentType=species_bio&usdaCode=PHAR3
"Reed Canarygrass (<i>Phalaris arundinacea</i>) as a Biological model in the Study of Plant Invasions"	2004	Lavergne, S., J. Molofsky	Critical Review in Plant Sciences 23(5): 415-429	http://php53test.uvm.edu/~plantbio/molofsky.ReedCanaryGrass.pdf
"Reed Canarygrass, Control and Management in the Pacific Northwest"	2004	Tu, M.	Document	http://www.invasive.org/gist/moredocs/phaaru01.pdf
"Sweetclovers- Yellow sweetclover (<i>Melilotus officinalis</i>) and white sweet-clover (<i>M.alba</i>)"	2007	Clark, A.	Document	http://www.mccc.msu.edu/documents/managingccprof/ManagingCoverCropsProfitably_sweetclovers.pdf
"Sweetclover Production and Management"	2005	Meyer, D	Document	http://openagricola.nal.usda.gov/Record/IND91051171
"Yellow sweetclover- <i>Melilotus officinalis</i> (L.) Lam."	2011	Klein, H.	Document	http://aknhp.uaa.alaska.edu/services/AKNHP.cfc?method=downloadDocumentByUsdaCode&documentType=species_bio&usdaCode=MEOF

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"Role of Invasive <i>Melilotus officinalis</i> in Two Native Plant Communities"	2009	Riper, L., D. Larson	Document	http://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1076&context=usgsnpwrc
"Invasive sweetclover (<i>Melilotus alba</i>) impacts native seedling recruitment along floodplains of interior Alaska"	2011	Spellman, B.T., T.L. Wurtz	Biological Invasions Online Only DOI: 10.1007/s10530-010-9931-4	http://sage.lternet.edu/content/invasive-sweetclover-melilotus-alba-impacts-native-seedling-recruitment-along-floodplains-in
"EFFECT OF CHELATORS ON THE SUITABILITY OF NATURAL WATERS FOR HYDRILLA GROWTH"	1976	Victor D.M., D.F. Martin		
"Occurrence of Selected Nutrients, Trace Elements, and Organic Compounds in Streambed Sediment in the Lower Chena River Watershed near Fairbanks, Alaska, 2002–03"	2009	Kennedy, B.W., C.C. Hall	USGS	
"Water and Sediment Quality in the Nechako River (British Columbia, Canada): The Synergistic Effects of Point-Source Effluents, Historic Flow Reductions and Submerged Macrophytes"	2005	French, T.	BC Ministry of Water, Land and Air Protection, Environmental Stewardship Division	
"Morphological variations of natural populations of an aquatic macrophyte <i>Elodea nuttallii</i> in their native and in their introduced ranges"	2009	Thiébaud, F. Di Nino	Aquatic Invasions	
"Submerged vegetation and spread of <i>Egeria densa</i> Planchon in Lake Rotorua, central North Island, New Zealand"	2010	Wells, R.D.S, Clayton, J.S.	Ministry of Agriculture and Fisheries	
"Effects of an invasive cattail species (<i>Typha glauca</i>) on sediment nitrogen and microbial community composition in a freshwater wetland"	2006	Angeloni, N.L, K.J. Jankowski, N.C. Tuchman, J.J. Kelly		

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"Response of invasive macrophyte species to drawdown: The case of Elodea sp."	2007	Barrat-Segretain, M.- H., B. Cellot	Aquatic Botony	
"Comparison of three life-history traits of invasive Elodea canadensis Michx. and Elodea nuttallii (Planch.) H. St. John"	2002	Barrat-Segretain, M.- H., A. Elger, P. Sagnes, S. Puijalon	Institute of Biological Resources, Centre for Irrigation Research	
"Biology of Elodea canadensis Michx. and its management in Australian Irrigation Systems"	1984	Bowmer, K.H., D.S. Mitchell, D.L. Short	King County, Washington	
"King County Noxious Weed Control Program, Brazilian Elodea"	2010	kingcounty.gov	Thurston County, Washington	
Identification, Biology and Management of Elodea canadensis, Hydrocharitaceae"	1995	Bowmer, K.H., S.W.L. Jacobs, G.R. Sainty	Nordic Society Oikos	
"The Chehalis River Brazilian Elodea Removal Project"	2009	Thurston County WA		
"Littoral Oxygen Depletion Produced by a Cover of Elodea canadensis"	1958	Buscemi, P.A.		
"Habitat requirements of northern pike (Esox lucius)"	1996	Casselmann, J.M., C.A. Lewis	Biosystematics Research Insitute	
"The waterweeds (Elodea and Egeria, Hydrocharitaceae) in Canada"	1985	Catling, P.M., W. Wojtas	National Hydrology Reaserch Institute	
"Reducing flows in the Nechako River (British Columbia, Canada): potential response of the macrophyte community"	1997	French, T.D., P.A. Chambers		
"Chena River Watershed Summary"	1997	U.S. Army		
"A Revision of the Genus Elodea"	1984	Cook, C.D.K., K. Urmi- König	Aquatic Botony	
"Ecological life histories of the three aquatic nuisance plants, <i>Myriophyllum spicatum</i> , <i>Potamogeton crispus</i> and <i>Elodea canadensis</i> "	1986	Nichols, S.A., B.H. Shaw	Wisconsin Geological and Natural History Survey	

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"Chemical Defence in <i>Elodea nuttallii</i> Reduces Feeding and Growth of Aquatic Herbivorous Lepidoptera"	2007	Erhard, D., G. Pohnert, E.M. Gross	University of Konstanz	
"Survival of <i>Elodea nuttallii</i> : Competition with indigenous species and exposure to limiting factors"	2012	Baek, J.	West Valley High School, Fairbanks AK	
"Allelopathic activity of <i>Elodea canadensis</i> and <i>Elodea nuttallii</i> against epiphytes and phytoplankton"	2006	Erhard, D., E.M. Gross	Aquatic Botony	
"Habitat Quality of Historic Snake River Fall Chinook Slamon Spawning Locations and Implications for Incubation Survival. Part 2: Intra-Gravelwater Quality"	2005	Groves, P.A., J.A. Chandler	River Research and Applications	
"Distribution, Abundance and Natural History of the Arctic Grayling in the Tanana River Drainage"	1977	J. Hallberg	State of Alaska	
"Processes of Aquatic Weed Invasions: The New Zealand Example"	1993	Howard-Williams, C.	Aquatic Plant Management United States	
"Method of Killing <i>Elodea</i> "	1969	Hyde, R.W.	Patent Office Idaho State Department of Agriculture	
"Idaho Hydrilla Final Report"	2010	USDA		
"The Role of Recreational Boat Traffic In Interlake Dispersal of Macrophytes: A New Zealand Case Study"	1985	Johnstone, I.M., B.T. Coffey, C. Howard- Williams	Journal of Environmental Management	
"The Environmental Consequences of Alien Species in the Swedish Lakes Mälaren, Hjälmaren, Vänern and Vättern"	2001	Josefsson, M., B. Anderson	Royal Swedish Academy of Sciences	

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"Spread of <i>Elodea canadensis</i> in Lake Baikal" "Seasonal Growth and Profile Structure Development of <i>Elodea Nuttalli</i> (Planch.) St. John in Pond Ojaga-ike, Japan"	1992	Kozhova, O.M., L. A. Izhboldina	Irkutsk State University	
"Advantages and Disadvantages of Aquatic Plant Management Techniques" "Potential Control of <i>Elodea</i> By Nutrient-Control Agents"	1983 2000	Kunii, H. Madsen, J.D.	Aquatic Botony U.S. Army Engineer Research and Development Center	
"Ecological Significance of Vegetation to Northern Pike, <i>Esox lucius</i> , Spawning" "Assessing the Prospects for Biological Control of <i>lagarosiphon</i> "	1972 2002	McCarragher, D.B., R.E. Thomas MCGregor, P.G., H. Gourlay	Nebraska Game and Parks Commission New Zealand Department of Conservation	
"Aquatic Macrophyte Encroachment in Chinook Salmon Spawning Beds: Lessons Learned from Gravel Enhancement Monitoring in the Lower Mokelumne River, California" "PRODUCTION--ECOLOGICAL ANALYSIS OF A PLANT COMMUNITY DOMINATED BY <i>ELODEA CANADENSIS</i> MICHX"	2008	Merz, J.E., J.R. Smith, M.L. Workman, et. Al	American Fisheries Society	
"LAKE ENRICHMENT BY SUBMERSED MACROPHYTES: A NORWEGIAN WHOLE-LAKE EXPERIENCE WITH <i>ELODEA CANADENSIS</i> "	1986	Rorslett, B., D. Berge, S.W. Johansen	Unveristy of Oslo	

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"Alien species in fresh waters: ecological effects, interactions with other stressors, and prospects for the future"	2010	Strayer, D.L.	Freshwater Biology	
"LAKE TEMPERATURE AND ICE COVER REGIMES IN THE ALASKAN SUBARCTIC AND ARCTIC: INTEGRATED MONITORING, REMOTE SENSING, AND MODELING"	2010	Arp, C.D., B.M. Jones, et. Al	Journal of American Water Resources Association	
"Effects of small-scale disturbance on invasion success in marine communities"	2006	Altman, S., R.B. Whitlatch	Univeristy of Connecticut	
"Development and application of tools for incursion repsonse: Lessons learned from the management of the fouling pest <i>Didemnum vexillum</i> "	2006	Coutts, A., B.M. Forrest		Printed. For purchase: http://www.sciencedirect.com/scien ce/article/pii/S0022098106005855
Benefit-cost analysis of management options for <i>Didemnum vexillum</i> in Shakespeare Bay	2003	Sinner and Coutts		http://woodshole.er.usgs.gov/projec t- pages/stellwagen/didemnum/images /pdf/news/cawthron_924.pdf
"The colonial ascidian <i>Didemnum</i> sp. A: Current distribution, basic biology and potential threat to marine communities of the northeast and west coasts of North America"	2007	Bullard, S.G., G. Lambert, M.R. Carman, J. Byrnes, R.B. Whitlatch, G. Ruiz, R.J. Miller, L. Harris, P.C. Valentine, J.S. Collie, J. Pederson, D.C. McNaught, A.N. Cohen, R.G. Asch, J. Dijkstra, K. Heinonen	Journal of Experimental Marine Biology and Ecology	
"First occurrence of the invasive tunicate <i>Didemnum</i> <i>vexillum</i> in eelgrass habitat"	2010	Carman, M. R., Grunden, D.W.	Aquatic Invasions	
"Discovery and significance of the colonial tunicate <i>Didemnum vexillum</i> in Alaska"	2011	Cohen, S.C., L. McCann, T. Davis, L. Shaw, G. Ruiz	Aquatic Invasions	

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"An evaluation of incursion response tools for invasive species: a case study of <i>Didemnum vexillum</i> in the Marlborough Sounds"	2002	Coutts, A.	Cawthorn Institute	
"An Integrated Assessment of the Continued Spread and Potential Impacts of the Colonial Ascidian, <i>Didemnum</i> sp. A, in U.S. Waters"	2008	Daley, B.A., D. Scavia	NOAA	
"Biological Synopsis of the Invasive Tunicate <i>Didemnum</i> sp."	2007	Daniel, K.S., T.W. Therriault		
"Development of a method to reduce the spread of the ascidian <i>Didemnum vexillum</i> with aquaculture transfers" "Temperature and salinity effects on growth, survival, reproduction, and potential distribution of two non-indigenous botryllid ascidians in British Columbia"	2008	Denny, C.M. Epelbaum, A., L.M. Herborg, T.W. Therriault, C.M. Pearce		
"Forecasting the potential distribution of the invasive tunicate <i>Didemnum vexillum</i> "	2009	Herborg L., P. O'Hara, T.W. Therriault		
" <i>Didemnum</i> species Management Plan" " <i>Didemnum vexillum</i> – Feasibility of Eradication and/or Control"	2008	Kelly, J., C.M. Maguire	Invasive Species Ireland	
"IMPLICATIONS OF THE INVASIVE TUNICATE, <i>DIDEMNUM VEXILLUM</i> , TO SOUTHEAST ALASKA"	2009	Kleeman, S.N.		
	2010	Larson, S.		

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"Invasive Species Tunicate Response in the Puget Sound Region"	2009	LeClair, L., A. Pleus, J. Schultz	Tunicate	
			Response Advisory Committee and the Pudget Sound Partnership	
"The invasive colonial ascidian <i>Didemnum vexillum</i> on Georges Bank — Ecological effects and genetic identification"	2008	Lengyel, N.L., J.S. Collie, P.C. Valentine		
"Rapid response to non-indigenous species. 2. Case studies of invasive tunicates in Prince Edward Island"	2008	Locke, A., J.M. Hanson, N.G. MacNair, A. H. Smith		
"Impact of the invasive colonial tunicate <i>Didemnum vexillum</i> on the recruitment of the bay scallop (<i>Argopecten irradians irradians</i>) and implications for recruitment of the sea scallop (<i>Placopecten magellanicus</i>) on Georges Bank"	2008	Morris, J.A., M.R. Carman, K.E. Hoagland, E.R.M. Green-Beach, R.C. Karney	NOAA	
"Treatment methods used to manage <i>Didemnum vexillum</i> in New Zealand"	2007	Pannell, A. Vitousek, P.M, C.M.		BioSecurity New Zealand
"INTRODUCED SPECIES: A SIGNIFICANT COMPONENT OF HUMAN-CAUSED GLOBAL CHANGE"	1997	D'Antonia, L.L. Loope, M. Rejmànek, R. Westbrooks		New Zealand Journal of Ecology
"Monitoring the invasive tunicate <i>Didemnum vexillum</i> and other applications of the HabCam optical benthic habitat mapping systems"	2009	York, A., S. Gallager, R. Taylor, N. Vine Beveridge, C., Cook, E.J., Brunner, L., MacLeod, A., Black, K. Brown, C. & Manson, F.J.		GEOHAB
"Initial response to the invasive carpet sea squirt <i>Didemnum vexillum</i> in Scotland"	2011	F.J.		Scottish Natural Heritage Commissioned Report No. 413.

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Title	Date	Author(s)	Journal Name	Online Link
COST BENEFIT ANALYSIS OF MANAGEMENT OPTIONS FOR DIDEMNUM VEXILLUM (CARPET SEA SQUIRT) IN SCOTLAND	2011 K.	Nimmo, F., Cook, E. J., Moxey, A. P., Hambrey, J. and Black,	Report by Hambrey Consulting in association with the Scottish Association for Marine Science and Poseidon Aquatic Resource Management to the Scottish Government Tender Ref: Cr/2011/16	
Predicting Potential Invasive Species Distribution:An Application to New Zealand Mudsnaills in the Pacific Northwest	2011	Lim et al.	Selected Paper prepared for presentation at the Agricultural & Applied Economics Association's 2011 AAEE & NAREA Joint Annual Meeting, Pittsburgh, Pennsylvania, July 24-26, 2011	
"Modeling the impacts of the European green crab on commercial shellfisheries" "Aquatic Nuisance Project Fact Sheet" "Introduction, dispersal and potential impacts of the green crab <i>Carcinus maenas</i> in San Francisco Bay, California"	2010	Grosholz, E., S. Lovell, E. Besedin, M. Katz	University of California aquaticnuisance species.org	
"Early Detection and Rapid Response Plan for the European Green Crab, <i>Carcinus maenas</i> , in Alaska"	2009	Davidson, T., A. Larson, C. de rivera	Marine Biology	http://www.springerlink.com/content/p073572hgg1185ht/fulltext.pdf Partial print. ASLC Ntwk: T:\Stewardship\Invasive Marine Species\Literature, fact sheets, posters etc\D folder\Davidson folder

APPENDIX H

Title	Date	Author(s)	Journal Name	
			Vol: pg	Online Link
"Management Plan for the European Green Crab"	2002	Grosholz, E., Ruiz, G.	Aquatic Nuisance Species Task Force	dropbox
"Ecological and Economic Impacts and Invasion Management Strategies for the European Green Crab"	2008	EPA		http://yosemite.epa.gov/ee/epa/eer.m.nsf/vwAN/EE-0513-01.pdf/\$file/EE-0513-01.pdf
"Projecting Range Expansion of Invasive European Green Crabs (<i>Carcinus maenas</i>) to Alaska: Temperature and Salinity Tolerance of Larvae"	2004	Hines, A., G. Ruiz, N. Hitchcock, C. deRivera	Prince William Sound Regional Citizens' Advisory Council	
"The Green Crab Invasion: A Global Perspective, with Lessons from Washington State"	2001	Holmes, D.	Evergreen State College	
"East meets west: competitive interactions between green crab <i>Carcinus maenas</i> , and native introduced shore crab <i>Hemigrapsus</i> spp."	2002	Jensen, G.C., P.S. McDonald, D.A. Armstrong	School of Aquatic and Fishery Sciences, University of Washington EPA, National Center of Environmental Economics	http://www.int-res.com/articles/meps/225/m225p251.pdf
"Modeling Economic Impacts of the European Green Crab"	2007	Lovell, S. et. Al		
"Trading Green Backs for Green Crabs: Potential Impact of European Green Crab. Invasion on Shellfish Harvests in Puget Sound"		Mach, M.		
"Marine Algal Toxins: Origins, Health Effects, and Their Increased Occurrence"	1999	Dolah, F.		http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1637787/pdf/envhper00310-0137.pdf
"Spawning Habitat and Redd Characteristics of Sockeye Salmon in the Glacial Taku River, British Columbia and Alaska"	1989	Lorenz, J.M., Eiler, J.H.	National Marine Fisheries Service	

APPENDIX H

Title	Date	Author(s)	Journal Name	
			Vol: pg	Online Link
"Staff Comments on subsistence, personal use, sport, and commercial finfish regulatory proposals for the arctic-yukon-kuskokwim management area"	2010	ADF&G	Alaska Board of Fisheries meeting	
"Economic Impacts and Contributions of Sportfishing in Alaska, Summary Report"	2007	ADF&G		
"Effects of an invasive cattail species (<i>Typha glauca</i>) on sediment nitrogen and microbial community composition in a freshwater wetland"	2006	Angeloni, N.L, K.J. Jankowski, N.C. Tuchman, J.J. Kelly		
"Response of invasive macrophyte species to drawdown: The case of <i>Elodea</i> sp."	2007	Barrat-Segretain, M.- H., B. Cellot	Aquatic Botony	
"Mass Mortalities of Adult Salmon, <i>Salmo salar</i> , in the R. Wye"	1977	Brooker, M.P., D.L. Morris, R.J. Hemsworth	The Journal of Applied Ecology	

KACHEMAK BAY RESEARCH RESERVE

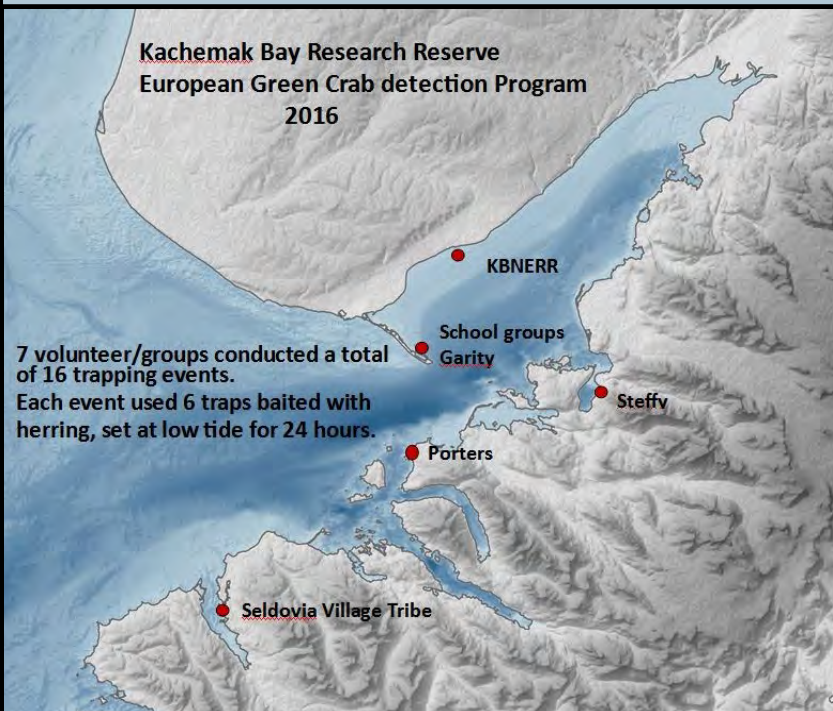
European Green Crab Monitoring

2016 Progress Report

Early Detection European green crab (EGC) monitoring in Kachemak Bay has been underway for 11 years to detect invasive EGC, should they arrive.

This year we had 7 volunteers/groups who conducted a total of 16 trapping events. Thank you so much for your effort and dedication to this project!

No EGC have been found in Alaska to date.

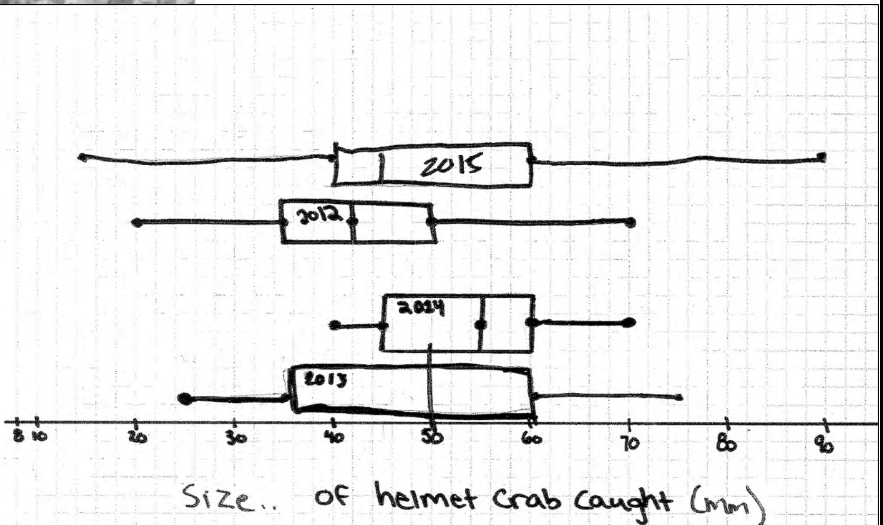


European Green Crab Found in new waters of Washington State

In the same week, but in two separate areas, European Green Crabs were spotted in Puget Sound, Washington. Although the invasive crab have been found further up the West Coast, they had not yet been detected in this large body of inland waters. Washington Sea Grant is the lead in a multi-agency effort to survey the area and estimate the extent of the invasion. We can only hope that the population is not too established. Although Padilla Bay NERR does not have a monitoring program, they did find one of the crabs!

McNeil Canyon Whisker Plot from Crab Trapping on Pier 1 Beach

McNeil Canyon 6th graders analyzed helmet crab size data from 2012-2015. The class found that there is not one age class getting larger each year. They concluded that there are probably many variables that influence why and when helmet crab move on and off of Pier One Beach. The size seen most often over the last four years is 45-50mm (~2 inches).

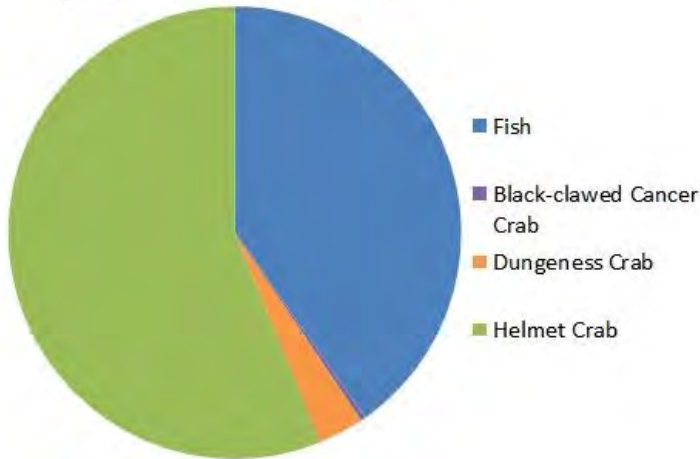


KACHEMAK BAY RESEARCH RESERVE

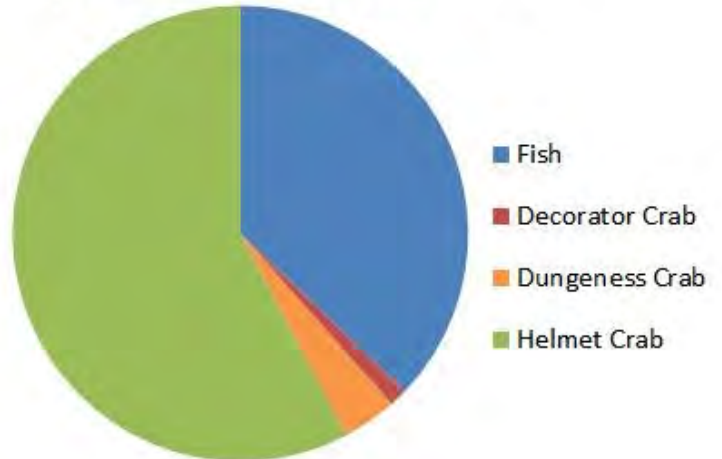
European Green Crab Monitoring

2016 Progress Report

Bycatch from Pier 1 2016



Bycatch from Seldovia 2016



Bycatch from Trapping for European Green Crabs

The pie graphs on this page compare the bycatch from the traps set this year at the Homer Spit, (Pier 1 Beach) and Seldovia, (near the harbor). We consider anything that is caught in the traps that is not a European Green Crab, (our target species) to be bycatch. We were actually surprised at the similarity of organisms between these two areas. The two sites are about 20 miles apart. Seldovia ocean water is a bit colder and saltier than inside the Homer spit in the summer. It looks like that doesn't affect species composition much in this particular case.

**We are recruiting trapping volunteers from these areas:
Bear Cove, Head of Kachemak Bay, N. Side of Kachemak Bay.**

For more information contact Catie Bursch
or Rosie Robinson at 907-235-4797
cmbursch@alaska.edu
rmrobinson3@alaska.edu



Braeden Porter is organized and ready to deploy traps at Sunshine Pt.





Invasive Species Assessment of the Randolph Yost, Kachemak Bay, April 21, 2016 for Furie Operating Alaska, LLC.

Introduction

On April 18, 2016 Kachemak Bay Research Reserve (KBRR) was contacted by Bruce Webb, Senior VP for Furie Operating Alaska LLC, to conduct a survey to investigate the potential for non-indigenous marine invertebrates or algal species to have been carried on the legs of the jack-up drill rig *Randolph Yost* and the possibility of these species being introduced into the marine water of Kachemak Bay and Cook Inlet. We agreed to conduct a visual survey of surfaces in representative areas of the legs to look for encrusted or attached marine biota. Crevices and cavities would also be looked at for potential to harbor more mobile species.

Background

The Randolph Yost jack-up rig last worked for years (unknown how many) in Balikpapan, Kalimantan, Indonesia before going to Singapore. (B. Webb, Furie Operating Alaska).

From the Shipping Agent's Letter documenting the movements of the Randolph Yost in Singapore; the Rig arrived in Singapore on April 10, 2015 where it was stored in the water (like at Homer Dock). It was then raised onto the land. It was in dry dock at Singapore from October 4, 2015 to February 8th, 2016 (4 months). (Bruce Webb/Document from 3J Shipping Agency PTE LTD, Singapore.)

In Sept, 2015 Bruce Webb from Furie Operating Alaska contacted Tammy Davis, Coordinator Invasive Species Program Alaska Department of Fish, to speak about the organisms that were on the legs of the Randolph Yost rig in Singapore. He proactively wanted to know what he should do in regards to invasive species for Alaskan waters. There are no regulations or protocol to follow besides the fact that it is illegal to introduce invasive species to Alaska. (State statute, Appendix D). Ms. Davis suggested he find out what kind of organisms were on the legs. Mr. Webb mentioned he could get samples and send them to Ms. Davis to be looked at. Samples were scraped off the legs of the rig September 12, 2015 while it was still in the water at Singapore and were Fed Ex'd to Bruce Webb in Anchorage arriving Sept.17, 2016. They appeared to still be alive, packed in a little dry ice and some sea water. They were shipped to Tammy Davis / ADF&G in Juneau on September 30, 2015.

This is really commendable behavior. In the absence of any regulations from the State of Alaska for jack-up rigs to be inspected before or upon arrival, this company took it on themselves to seek out the proper authorities in the hopes of avoiding trouble once they got here, and ultimately trying to prevent the introduction of an invasive species.

Ms. Davis received the specimen on Oct. 4, 2015 in Juneau and reported:

“All of the specimens I received appeared to be dead, with shells and other structures mainly vacated. On November 4, 2015 I sent photos to James Carlton, who is the preeminent marine invasive species taxonomist in the U.S. He’s a professor at College of William and Mary. (<https://mystic.williams.edu/about/faculty/dr-james-t-carlton/>) Jim replied on the same date listing these tropical groups from the photos I sent of the samples I received.”

- *Megabalanus* (possibly *M. coccopoma*)
- Tropical bryozoans (*Biflustra*-like)
- Tropical calms (chamids)
- Spirorbid polychaete works

James Carlton told Ms. Davis it was not probable that these tropical species would survive in Alaskan waters or a 30 day+ more dry dock period.

The city of Homer Port and Harbor received a berth request from John Stuart with Furie Operating Alaska VP of operations February 3rd, 2016. The Homer Harbor does not require any inspection or documentation when accepting vessels. The Coast Guard has no vetting on environmental issues that the Harbor has to comply with. The Harbor Masters are aware that a drying out period on land is a good “best practice” and they were told the rig had been in dry dock for several months. (Conversation with Brian Hawkins and Matt Clarke, City of Homer Port and Harbor.)

Back in Singapore, the Randolph Yost was put into a wet slot and loaded onto the Chinese heavy-lift vessel “**Tai An Kou**” on February 8, 2016 and began its 31 day journey to Kachemak Bay, Alaska. (Document from 3J Shipping Agency PTE LTD, Singapore). This transport method keeps the rig up out of the water but it could receive spray on the lower parts. The rig arrived in Kachemak Bay on March 10, 2016 and was floated off the Tan An Kou on March 12, 2016 and it put its legs down in 45 feet of water just off the Homer Deep Water Dock on the East side of the Homer Spit.

Here in Homer the rig has been undergoing repairs to the fresh water pipes (that froze in sub-zero temperatures off the coast of Japan), and upgrading the water discharge system before going out to the gas fields of Cook Inlet (conversation with Bruce Webb).

On April 18th, 2016 Bruce Webb contacted Ms. Bursch at Kachemak Bay Research Reserve about conducting a survey to satisfy questions and concerns he had heard about the potential for invasive species coming from the rig.

Survey Schedule

The visual survey was conducted by KBRR under and on the Randolph Yost on April 20, 2016 while it was east of the Homer Deep Water Dock. The survey was conducted by Catie Bursch, Harmful Species Coordinator for the Kachemak Bay Research Reserve and Rose Robinson, Research Technician. Ms. Bursch has worked in the Marine Invasive Species field for over 6 years in the state of Alaska. Ms. Robinson and Ms. Bursch were accompanied by Bruce Webb from Furie the entire time. A safety officer and a crane operator from the rig crew accompanied us when we were on the rig itself. The rig crew is hired by Advance Drilling Solutions.

Methods

Mr. Webb hired a water taxi to take us from the boat harbor to the rig legs to examine the metal structures that descend down into the water and into the substrate of Kachemak Bay at the Homer Deep Water Dock. We departed the harbor at 8:00am and within minutes were underneath the rig. We chose a low tide so that more of the legs would be visible. The water was not rough so we were able to idle and inspect each leg and nose up to them and take samples. Remains of calcareous (white shell material made of calcium carbonate) organisms covered 50% of the surface area of the legs under the rig. We were at ~ 45 foot level at that time from the bottom of the legs. Multiple samples and photos were taken from each of the three legs. We did not examine the spud cans at the bottom of the legs as they were under water. Appendix A

From 9:00-11:00am we went onto the rig itself to take representative samples, do a visual inspection and take photographs. The legs and jacking guides were the areas that organisms had grown on. The 3 legs of the Randolph Yost are each 400 feet long. At the Homer Deep Water Dock 45 feet were under the water leaving 355 feet sticking up in the air. The encrusting calcareous material went up to the 285 foot level. (So roughly $\frac{3}{4}$ of the legs) There were 3 levels on the rig that we could get close and inspect the legs. The deck and two “walk-arounds” that allowed us to examine the legs at 140 foot level, 160 feet and 180 feet. So at the highest level the legs rose up an additional 220 feet above our heads and were impossible to examine. The calcareous remains on the metal legs went from the bottom to 285 feet up the 400 foot legs. (Reflecting the water depth of the last deployment where the organisms attached in Indonesia.) We also looked at the deep water well where hoses uptake saltwater, but could not see in the large metal tube that the hoses come up out of. Appendix B
Samples were labeled and taken back to the lab to be photographed and sent to a taxonomist for species identification. Appendix C

Results

The calcareous remains covered between 50-100% of the metal surface on the legs on 285 of the 400 foot lengths. In some places the shell material was 3” thick. All shell material we saw was empty of any tissue and was bleached with no sign of life. The shell community consisted of the same 4-5 organisms in the spots we surveyed. All the calcareous shell material was on the rig legs and in the leg guides. No other surfaces had any old shells attached.

We feel comfortable that although we were able to survey only a small fraction of the rig, what we saw was a representation of the rest of the legs. The dry dock in Singapore and transfer time across the Pacific seemed to be sufficient in killing the organisms.

Discussion

Kachemak Bay is very fortunate that the dry dock schedule of the Randolph Yost inadvertently avoided the transport of non-indigenous species that could have possibly become established as invasive species in our area.

All the nooks and crannies and surface area of the hundreds of square yards of 3" thick shell material has a tremendous potential to harbor species if kept in a marine or even a damp marine environment. Removing the organisms or sufficient dry docking can diminish or extinguish this risk. There is a lot of potential for transport of marine organisms on Jack-up rigs as there is no financial incentive for rig companies to clean the legs. It is not like the hull of a ship where a smooth clean hull saves fuel costs. When rigs are to be moved shorter distances it is even more important to clean and inspect as they are towed by tugs and not lifted out of the water as on a heavy-lift ship. It could be riskier to tow a rig from an area that has an already introduced invader in one location in Alaska to another, than these cross Pacific journeys. Rigs are also moved seasonally and stored with legs down in sheltering bays for the winter. Spreading invasive species from one area of Alaska to the other should be investigated before these scheduled moves as well. Four years ago the jack-up rig Endeavor came to Homer and had much the same backstory as the Randolph Yost and in that instance as well we were fortunate that the rig had an extended period of time in dry dock before coming to Homer. Hopefully regulations or a protocol can be put into place before a rig comes without sufficient drying time and brings with it live organisms.

(It is interesting to note how far behind saltwater invasive safeguards are compared to terrestrial invasive species regulations. The garbage from any foreign flagged vessel at its first port of call to the States must be treated very carefully. Both the US Coast Guard and US Dept. of Agriculture require all garbage to be handled by a certified contractor and transported to the nearest certified incineration point. This was done on the Randolph Yost with the rigs garbage being trucked by a special contractor to the Anchorage Airport to be incinerated.)

(Conversation with Matt Clarke Asst. Homer Harbor Master.)

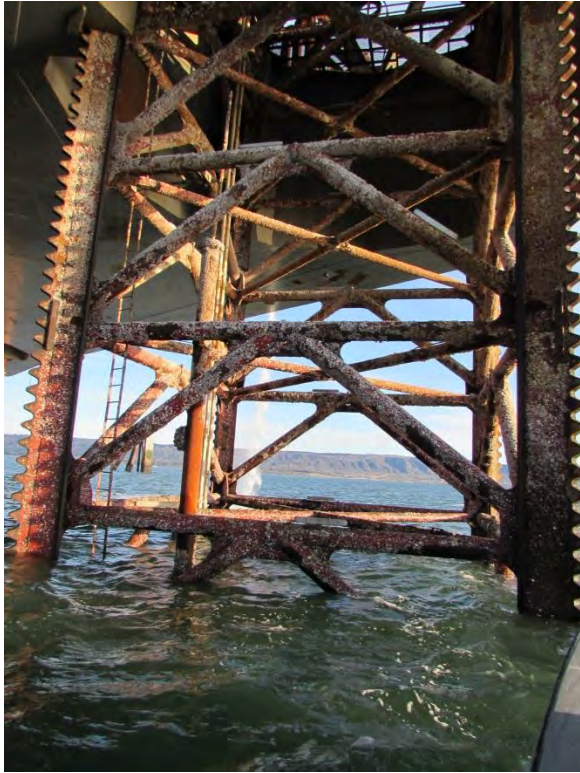
Recommendations:

- State of Alaska should create regulations to require jack-up rigs to document a complete dry dock period sufficient to kill all marine organisms attached to it, OR document the removal of organisms from the rig. It should also be required to have a survey conducted on the rig before it begins its journey to Alaskan waters, documenting it is clean of living organisms and ready for the journey. It would probably be a good idea to survey on arrival as well.
- If no state regulations are in place, which is the case now, cities or communities should protect themselves by requiring before giving berth:

- Organisms and shell structure be removed from all areas (legs, areas near the legs, spud cans, supporting structures and catwalks near legs, & jacking guides) before a rig comes into Alaska from another area OR to document a complete dry dock period sufficient to kill all marine organisms attached to the rig. It should also be required that the rig undergo a survey to document there are no living marine organisms attached to the rig before its journey to Alaska, and a survey upon arrival.
 - (During a discussion with Mr. Webb, he estimated that to sandblast and paint rig legs would cost \$1.5 million. Mr. Webb thought dry docking would be the least expensive option for the company.)
- Docking facilities or harbors are sometimes the first to know a jack up rig is coming to town. They should notify the invasive or harmful species agency in their area and Alaska Dept. of Fish and Game so that communication can be started about best practices, in the absence of regulations. Arrangements could be made for dry docking/removal of organisms and transit time can also be considered before it enters Alaskan waters.
- Jack up rigs are brought into protected waters for winter storage. Often they are towed some distance. Ideally they should be cleaned of organisms before they are towed to a new location/bay each season to minimize potential for transport of non-indigenous species from one area to another. Alaska does have invasive species and transporting marine structures is proven to be the most common way they are spread.
- It is recommended that the word “knowingly” is dropped from the Sec. 16.35.210. ►► Nonindigenous◀ fish state statute, as that word strips the stature of any teeth. See Appendix D

Appendix A: Survey underneath the rig from the boat.

Randolph Yost jack-up legs entering the water at the Homer Deep Water Dock. Approximately 50% of the metal legs had calcareous shell covering. No live organisms seen.

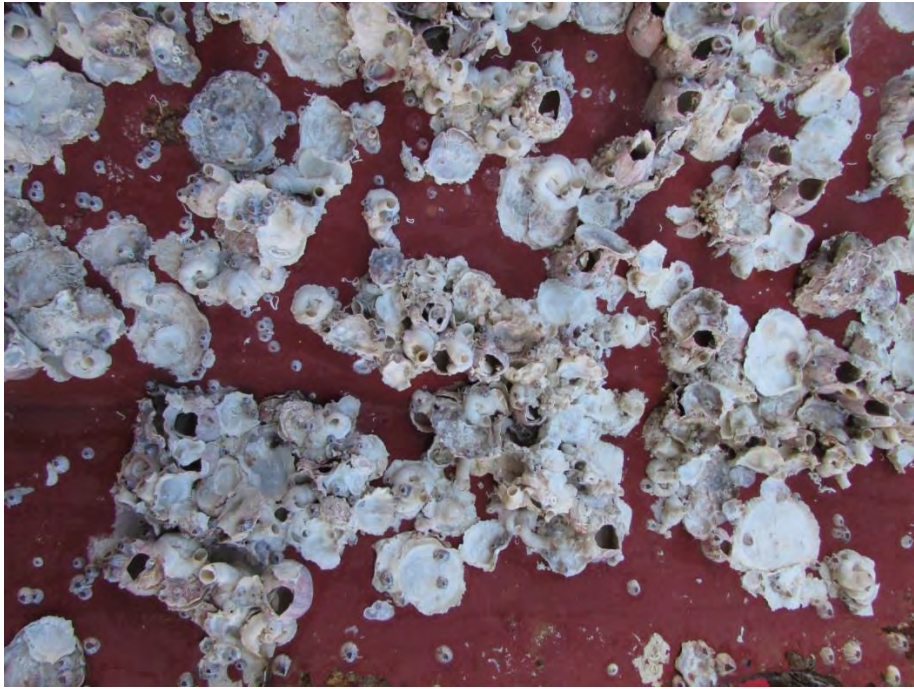




Appendix B: Survey on the rig.



Randolph Yost jack-up legs are 400 ft. total. 50-100% of the metal legs had calcareous shell coverage. No live organisms seen. Shells end at 285 ft.





Bivalve shells, calcareous tube worm workings and barnacles were by far the most dominant organism remains seen.



This photo above shows one of many corners of the legs, which creates a depression that can hold stagnant water. We did not see any living organisms in these spots but it is a location of concern on the lower legs if spray accumulates during transit on heavy lift vessel.

(above)

More of the jack-up rig legs encrusted with shell remains.

(right)

Appendix C: Samples taken; photos.

We will send these samples out for taxonomic review to find out as closely as we can what species they are. Contact Kachemak Bay Research Reserve for the results.



Possibly a spiny oyster. This is not a live organism. It was one of the only shells we saw with color that wasn't bleached out.





Small tube worm and barnacles shells inside bivalve shell.



Large and small tube worm casings and barnacle shells.



Large barnacles shells, large tube worm casings and oyster or bivalve shells. No living organisms.

Appendix D: state law on invasive fish (which includes invertebrates)

Sec. 16.35.210. ▶▶Nonindigenous◀◀ fish.

(a) A person may not knowingly release, or transport, possess, import, or export for the purpose of release, into the water of the state live ▶▶nonindigenous◀◀ fish or live fertilized eggs of ▶▶nonindigenous◀◀ fish, unless permitted by AS 16.05 - AS 16.40 or by a regulation adopted under AS 16.05 - AS 16.40. This subsection does not apply to

- (1) a fisherman who catches and releases a fish into the water from which the fish was taken; or
- (2) generally accepted conduct in relation to permitted salt water commercial or sport fishing.

(b) A person may not knowingly rear live ornamental fish in, or release live ornamental fish into, the water of the state.

(c) A person who violates this section is guilty of a class A misdemeanor.

(d) In addition to the penalty imposed under (c) of this section, a person who is convicted of violating this section may be ordered by the court to pay restitution to the state to cover the costs of damages to fishery resources of the state and of removing the introduced fish species from the water of the state.

(e) In this section,

(1) "knowingly" has the meaning given in AS 11.81.900;

(2) "▶▶nonindigenous◀◀ fish" means a species of fish that is not native to the body of water in which the fish is released or is intended to be released;

(3) "ornamental fish" means an aquatic finfish, commonly referred to as tropical fish, aquarium fish, or goldfish, an aquatic invertebrate, or an amphibian that is imported, cultured, or sold in the state customarily for viewing in an aquarium or for raising in an artificial containment system and that is not customarily used for sport fishing in the state or used for human consumption;

(4) "water of the state" means any water of the state forming a river, stream, lake, pond, slough, creek, bay, sound, estuary, inlet, strait, passage, canal, sea, or ocean, or any other body of water or waterway within the territorial limits of the state.



Kachemak Bay National Estuarine Research Reserve
Alaska Center for Conservation Science
UNIVERSITY of ALASKA ANCHORAGE

Catie Bursch
Kachemak Bay Research Reserve
2181 Kachemak Drive
Homer, AK 99603
907-235-4797
cmbursch@uaa.alaska.edu

Summary Memo on an Invasive Species Initial Assessment of the *Endeavour – Spirit of Independence*, Kachemak Bay, September 10-11, 2012, for Buccaneer Alaska, LLC.

Introduction

On September 8, URS was contacted by representatives of Buccaneer Alaska, LLC, to conduct a survey to investigate the potential for non-indigenous (alien) marine invertebrates or algal species to have been carried on the legs of the jack-up drill rig *Endeavour – Spirit of Independence* and possibility of these species being introduced into the marine water of Kachemak Bay and Cook Inlet. URS agreed to conduct an initial visual survey of surfaces in representative areas of the legs to look for encrusted or attached marine biota that might be considered invasive species. Crevices or cavities would also be evaluated for potential to harbor more mobile species.

Presidential Executive Order 13112 defines an "invasive species" as a species: 1) that is non-native to the ecosystem under consideration, and 2) whose introduction causes or is likely to cause economic or environmental harm or harm to human health. A non-indigenous species (NIS) is considered any species, including its seeds, eggs, spores, or other biological material capable of propagating that species, that is not native to that ecosystem (EO 13112, 1999).

This subject has become a concern in recent years as several non-indigenous species have made their way into Alaskan waters. NIS species are not currently common in Kachemak Bay, especially considering level of marine traffic, but changes in environmental condition such as water temperature may make this area more susceptible to marine species for the more southern latitudes (Ruiz et al 2006, Smithsonian 2011). Most the research effort has focused on ballast water as a mechanism for transport, but hulls of ships and barges are also an important mode of transport that can introduce species to an area (ADF&G 2012).

Background

As conveyed in conversations with representatives of Buccaneer, the *Endeavour* left the Keppel FEL shipyard in Singapore on August 1, 2012 and arrived in Kachemak bay on August 24, 2012 on a heavy-lift vessel semi-submersible float-on, float-off ship "Kang Sheng Kou", which carried the rig out of the water on its deck from the shipyard in Singapore to Alaska (D. Combs, Buccaneer Alaska, personal communication, also MM. Armstrong, Homer News, 2012). The rig remained on the vessel, out of the water, for approximately a week after arrival, when it was moored at the Homer Deep Water Dock (D. Combs, Buccaneer Alaska, personal communication). The rig had been undergoing repairs and upgrades in dry dock at the Singapore shipyard for a period of approximately 6 month. Prior to putting the rig in dry dock repair and upgrading, the rig had been cold-stacked (stored without power) in Malaysia in 40-50 feet of water since 2009 (B. Smith, Archer Drilling, personal communication).

Non-Indigenous species of Concern

A list of non-indigenous species of concern that have been documented in Alaska has been assembled by the Alaska Department of Fish and Game (ADF&G 2012) and the Prince William Sound Regional Citizens Advisory Council (PWSRCAC 2004) include following:

Algae

- Deadman’s fingers (*Codium fragile*)
- Rock Weed (*Fucus cottonii*)

Sponges

- Boring sponge (*Cliona thosina*)

Polychaetes

- Capitellid worm (*Heteromastus filiformis*)

Bryozoan

- Single-horned Bryozoan (*Schizoporella unicornis*)

Tunicates

- *Botrylloides violaceus* (orange or pink morph)
- *Botryllus schlosseri* (orange or white morph)
- Didemnum tunicate (*Didemnum vexillum*)

Shellfish

- Manila clam (*Venerupis philippinarum*)
- Eastern softshell clam (*Mya arenaria*)
- Pacific oyster (*Crassostrea gigas*) (not reproductive in Kachemak Bay)

Crustaceans

- European Green crab (*Carcinus maenas*)
- Chinese mitten crab (*Eriocheir sinensis*)
- Tube-dwelling amphipod (*Jassa marmorat*)

Most of these species are moving up the western coast of the U.S. and Canada as opposed to coming in from the Asian Pacific (Ruiz et al 2006). Additional species are suspected of being introduced but the origin and time and method of introduction is not understood. These are referred to as “cryptogenic” species (Hines and Ruiz 2000).

Survey Schedule

The visual invasive species survey was conducted on the *Endeavour* on September 10 and 11, 2012 while it was moored at the Homer Deep Water Dock. The survey was conducted by David Erikson, Senior Biologist with URS Corporation. Mr. Erikson is based out Homer and has over 40 years of professional experience in Alaska, including marine studies of Kachemak Bay and Lower Cook Inlet with Dames & Moore, a legacy company. Mr. Erikson was assisted by Don Combs, Buccaneer Alaska's QSE Coordinator, and Billy Smith, Offshore Installation Manager with Archer Drilling.

Methods

The focus of the first day of the survey was on the three legs (bow, port and starboard legs) of the rig, particularly the lower portions of the just about the waterline and the portions that were in the water during the cold-stack period. The survey was primarily a visual inspection with photographs and collection of some representative specimens. The bow leg of the rig and its support structures were initially evaluated for any marine life. The survey then focused on the jacking guides in each corner of the legs (chords), and guide slots, which seems to have the most marine growth (old oyster shell and barnacles). These attached shells near the guides extended up the legs from the main deck about 20 feet to the next level, but the survey focused on the lower extent of the legs that could be accessed and sampled safely. Photographs were taken of the shell or shell material and any other areas that showed signs of marine growth. Samples of shells were collected from the guide slot of loose shells on the deck or walkways, which had previously become detached.

Based on what was seen on the first day's survey, the survey on the following day focused on the spud cans (the bottoms of the legs) and their support members. These areas had not been recently scraped and painted like the rest of the legs and marine growth was evident. Collecting samples from this structure required additional assistance of a trained climber as it required accessing the spud can from the main deck by ladder and the use of a climbing harness. The target of this effort was a film of encrusted marine life on a structural component of the spud can. Close up photos of the crust were taken and a sample from two areas was collected for microscope examination.

Results

Remnant shell material and whole shells on the legs are primarily confined to a narrow 4-inch space between the leg chord and the jacking guide for the leg (Photo 1-3). The jacking movement doesn't appear to scrape these shells off in the process of raising and lowers the legs. The shell or shell crusts were found in the narrow, 4-inch gap on most of the chords (corner structures) of each of the three legs. Most of the shells in the narrow gap were covered with a thin coat of gray paint, which likely happened during the painting of the legs and their supports while it was in dry dock this past year. Remnants of oyster shell were also noted on the spud can support members and catwalks to the spud can manhole and on the lower portion of the jacking guide (seen through an inspection port) (Photo 4-7).

Shells in this 4-inch gap were primarily oyster (several species) with barnacles the second most common shell (Photo 8-12). Barnacle shells were both attached to metal surfaces and other shells. The starboard leg had more barnacles and less oyster shells. None of the shells examined supported any live animals,

nor was there any remnant of tissue associated with the shells. Some of the shells had been dead for some time, based on the deterioration of the shell material.

No living organisms were found in the encrusted marine film that was sampled from the spud can support member (Photos 14-17). Examination under a microscope found the mat to consist mostly of a dried calcareous tube worm cases, juvenile mussels, and a few juvenile clams (Photos 18-19). The mat was held together by the byssal threads of the mussels. Some of the juvenile mussels had some desiccated tissue still in the shell, suggesting they were likely alive when the rig went into dry dock. There were also dead fly larvae (maggots) entangled in the mat, which likely feed on the mussels and worms after they died.

Loose shell debris was found in several areas around the leg such as decks, stairways, cracks and crevices and catwalks. Much of this scattered shell debris appears to have come from the scraping and cleaning of the legs and supports prior to being painted this past year.

Discussion

Jack-up rigs with their large leg structures provide an excellent hard substrate for encrusting marine invertebrates and algae to attach to, and a certain amount of marine growth on any structure below the water is to be expected. Since the hull of a jack-up rig is regularly elevated out of the waters, it does not provide as suitable a substrate for attached marine life. Because of this, the legs do require periodic maintenance and cleaning to get rid of this growth and the potential for introducing invasive or non-indigenous species into areas when changing locations.

It would be difficult to accurately predict where and when the oysters attached to the Endeavour's legs, how long they have been there or when they died. However, the period of time the rig was cold-stacked in Malaysia would be a likely time period for attachment and grow of these oysters. Oysters are common in Malaysian region with six species documented, including the Pacific oyster, a locally farmed species in Kachemak Bay (Lam and Morton 2009). The time the rig spent in dry dock in Singapore would likely have killed any remaining oysters along with any other attached marine biota.

From the size of the shells, the attached oyster shells appeared to be from mature specimens at least a couple of years old. The number of species of oysters or barnacles present on the rig and their age was not determined. Some of the older shells had calcareous worm tubes attached to the inside valves of the shells, suggesting they have been dead for some time, but still attached to the legs. Some of the shells may have been from an earlier period in the rig's 30 year history of operation.

During this survey, we looked at the most likely place on the rig for living marine life: the spud can and supporting structure (encrusting mat) at the bottom of the legs. We found only dry, empty mussel shells and tube worm cases, which indicated these structures had not been in the water for some time. We also looked at the oyster shells and barnacles that had attached the metal surfaces in the gap near the jacking guides on the legs and support structures on the spud can and no live organisms were found. Some appear to have been dead for a very long time.

The extended period of time the rig was in dry dock (approximately 6 months) appears to have been long enough to kill whatever invertebrates and algae had become attached during or before the time it was cold-stacked. In addition, after spending months in dry dock, the rig underwent its 30-day journey to Alaska on the deck of the heavy lift vessel (out of the waters) allowing very little opportunity for new biota to become attached. With the rig and its legs out of the water for this extended period of time, survival of any attached marine biota on structures would be highly unlikely, especially soft-bodied organisms.

Based on the results of this survey, it appears that the period of time the rig spent out of the water during the last 6 months was the dominant factor in killing the attached marine biota and substantially reducing the potential for any non-indigenous or invasive species to be introduced to Kachemak Bay or Lower Cook Inlet.

Recommendations:

- Loose shell debris should be removed for all areas near the legs.
- The spud cans, supporting structures and catwalks should be scraped and painted at the same time as the other parts of the legs to minimize the risk of introducing non-indigenous species.
- The 4-inch gap near the jacking guides should be cleaned of old shell material and monitored for any build up after the drilling season.
- Leg structure should be cleaned of attached marine biota after the rig has completed its drilling season each year to minimize potential for transport of non-indigenous species.

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Photos



Photo 1. Old oyster shell on the bow leg (right) at the jacking guide slot (under gray paint). Operation of the jacking mechanism doesn't remove the old shells.



Photo 2. Dead barnacles shell on Starboard Leg (left) at the jacking guide slot on the right. Most of the barnacles have been painted over during the latest painting of the legs (gray paint).



Photo 3. Old shells encrusted on the Bow Leg in the slot by the jacking guide. Shells extend up to the next deck level.



Photo 4. Old oyster attachments on the top of a support member on the spud can. No live oysters



Photo 5. Shell debris on the catwalk out to the manhole on top of the spud can. Debris likely collected from cleaning the legs of encrusting marine biota prior to painting the legs.



Photo 6. Cable stretched across bow leg (center of photo) with encrusting marine organisms. This cable was likely underwater when the rig was cold-stacked.



Photo 7. Old oyster shells on the inside the lower portion of the leg guide on D chord of the Starboard leg. Shells attached to this structure can only be seen through this opening when the legs are raised.



Photo 8. Old oyster shells (unidentified) from the Bow Leg guide slots.



Photo 11. Right valves of typical oyster shell (unidentified) from the guide slot of bow leg.



Photo 12. Right valves of oyster shells that have fallen from the legs. Oysters been dead for an extended period and shells are deteriorating.



Photo 13. Old barnacle shells that had become detached from the legs.



Photo 14. Encrusted marine organisms (grayish film) on spud can support member just above the water level on the Bow Leg.



Photo 15. Worker preparing to take sample from vertical surface. Shell debris on the grate in the lower left.



Photo 16. Close up of encrusted juvenile mussels and calcareous worm tubes on the spud can structural support member.



Photo 17. Bare spot is where the sample of the encrusting organisms was taken for microscope evaluation. No living organisms were found.



Photo 18. Dry, encrusted marine biota from the spud can sample scrape with barnacles, tube worms, mussels, and other marine debris. Dried fly larvae (maggots) were also in the material.



Photo 19. Dead Juvenile mussels (unidentified) from the encrusted material. Dry tissue remnants were found in some of the of the mussel shells.

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3
4 Mayor/Council

5 **RESOLUTION 17-043**

6
7 A RESOLUTION OF THE HOMER CITY COUNCIL OPPOSING SB 14
8 AND HB 132 PROHIBITING MUNICIPALITIES FROM REGULATING
9 TRANSPORTATION NETWORK COMPANIES AND THEIR DRIVERS.

10
11 WHEREAS, SB 14 and HB 132 prohibit municipalities from regulating transportation
12 network companies and their drivers; and

13
14 WHEREAS, The City of Homer regulates chauffeur licenses through HCC 8.12.200- HCC
15 8.12.710 requiring a license fee of \$150, a background check, physical, vehicle inspection and
16 proof on commercial insurance; and

17
18 WHEREAS, SB 14 and HB 132 removes local control and puts enforcement in the hands
19 of the State without ensuring the regulatory capacity to implement adequate oversight; and

20
21 WHEREAS, The City of Homer does not oppose ‘transportation network companies’ but
22 believes that regulating local transportation is a local issue.

23
24 NOW, THEREFORE, BE IT RESOLVED that the City of Homer opposes SB 14 and HB 132
25 unless amended to give municipalities local control to regulate transportation network
26 companies.

27
28 PASSED AND ADOPTED by the Homer City Council on this 24th day of April, 2017.

29
30 CITY OF HOMER

31
32
33 _____
34 BRYAN ZAK, MAYOR

35
36 ATTEST:

37
38
39 _____
40 JO JOHNSON, MMC, CITY CLERK

41
42 Fiscal Note: N/A

HOUSE CS FOR CS FOR SENATE BILL NO. 14(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 4/3/17

Referred: Rules

Sponsor(s): SENATORS COSTELLO, MacKinnon, Hughes, Meyer

REPRESENTATIVES Wool, Pruitt, Millett, Saddler

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to transportation network companies and transportation network**
2 **company drivers; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 LEGISLATIVE INTENT. It is the intent of the legislature to clarify the Alaska
7 Workers' Compensation Act, ensure the safety, reliability, and cost-effectiveness of rides
8 provided by transportation network company drivers in the state, and preserve and enhance
9 access to these important transportation options for residents of and visitors to the state.

10 * **Sec. 2.** AS 09.65 is amended by adding a new section to read:

11 **Sec. 09.65.350. Immunity for certain actions related to transportation**
12 **network companies.** (a) The state or a municipality, and the officers, employees, and
13 agents of the state or a municipality, are not liable in tort for damages for the injury to
14 or death of a person or property damage resulting from an act, omission, or failure of a
15 transportation network company or driver to comply with the requirements of

1 AS 28.23 or other law.

2 (b) In this section, "transportation network company" and "driver" have the
3 meanings given in AS 28.23.180.

4 * **Sec. 3.** AS 21.96 is amended by adding a new section to read:

5 **Sec. 21.96.018. Transportation network company insurance provisions.** (a)

6 Insurers that write automobile insurance in the state may exclude, notwithstanding any
7 requirement under AS 28.20, any and all coverage afforded under the policy issued to
8 an owner or operator of a personal vehicle for any loss or injury that occurs while a
9 driver is logged onto the digital network of a transportation network company or while
10 a driver provides a prearranged ride. The right to exclude all coverage may apply to
11 any coverage included in an automobile insurance policy, including

- 12 (1) liability coverage for bodily injury and property damage;
- 13 (2) uninsured and underinsured motorist coverage;
- 14 (3) medical payments coverage;
- 15 (4) comprehensive physical damage coverage; and
- 16 (5) collision physical damage coverage.

17 (b) Nothing in this section

18 (1) implies or requires that a personal automobile insurance policy
19 provide coverage while the driver

20 (A) is logged onto the digital network of a transportation
21 network company;

22 (B) is engaged in a prearranged ride; or

23 (C) otherwise uses a personal vehicle to transport passengers
24 for compensation;

25 (2) may be construed to require an insurer to use specific policy
26 language or to refer to this section in order to exclude any and all coverage for any
27 loss or injury that occurs while a driver

28 (A) is logged onto the digital network of a transportation
29 network company; or

30 (B) provides a prearranged ride; or

31 (3) precludes an insurer from providing coverage for the personal

1 vehicle of a transportation network company driver if the insurer chooses to provide
2 coverage by contract or endorsement.

3 (c) Automobile insurers that exclude coverage under (a) of this section do not
4 have a duty to defend or indemnify any claim expressly excluded under (a) of this
5 section. Nothing in this section may be considered to invalidate or limit an exclusion
6 contained in a policy, including any policy in use or approved for use in this state
7 before the enactment of this section, that excludes coverage for vehicles used to carry
8 persons or property for a charge or available for hire by the public.

9 (d) An automobile insurer that defends or indemnifies a claim against a driver
10 that is excluded under the terms of its policy shall have a right of contribution against
11 other insurers that provide automobile insurance to the same driver in satisfaction of
12 the coverage requirements of AS 28.23.050 at the time of loss.

13 (e) In a claims coverage investigation, a transportation network company shall
14 immediately provide, upon request by directly involved parties or any insurer of the
15 transportation network company driver, if applicable, the precise times that a
16 transportation network company driver logged onto and off of the digital network of a
17 transportation network company in the 12-hour period immediately preceding and in
18 the 12-hour period immediately following the accident. Insurers potentially providing
19 coverage shall disclose, upon request of any insurer involved in the claim, the
20 applicable coverages, exclusions, and limits provided under any automobile insurance
21 maintained under AS 28.23.050.

22 (f) In this section, "digital network," "personal vehicle," "prearranged ride,"
23 "transportation network company," "transportation network company driver," and
24 "driver" have the meanings given in AS 28.23.180.

25 * **Sec. 4.** AS 23.30.230(a) is amended to read:

26 (a) The following persons are not covered by this chapter:

27 (1) a part-time baby-sitter;

28 (2) a cleaning person;

29 (3) harvest help and similar part-time or transient help;

30 (4) a person employed as a sports official on a contractual basis and

31 who officiates only at sports events in which the players are not compensated; in this

1 paragraph, "sports official" includes an umpire, referee, judge, scorekeeper,
2 timekeeper, organizer, or other person who is a neutral participant in a sports event;

3 (5) a person employed as an entertainer on a contractual basis;

4 (6) a commercial fisherman, as defined in AS 16.05.940;

5 (7) an individual who drives a taxicab whose compensation and written
6 contractual arrangement is as described in AS 23.10.055(a)(13), unless the hours
7 worked by the individual or the areas in which the individual may work are restricted
8 except to comply with local ordinances;

9 (8) a participant in the Alaska temporary assistance program
10 (AS 47.27) who is engaged in work activities required under AS 47.27.035 other than
11 subsidized or unsubsidized work or on-the-job training;

12 (9) a person employed as a player or coach by a professional hockey
13 team if the person is covered under a health care insurance plan provided by the
14 professional hockey team, the coverage is applicable to both work-related and
15 nonwork-related injuries, and the coverage provides medical and related benefits as
16 required under this chapter, except that coverage may not be limited to two years from
17 the date of injury as described under AS 23.30.095(a); in this paragraph, "health care
18 insurance" has the meaning given in AS 21.12.050; [AND]

19 (10) a person working as a qualified real estate licensee who performs
20 services under a written contract that provides that the person will not be treated as an
21 employee for federal income tax or workers' compensation purposes; in this
22 paragraph, "qualified real estate licensee" means a person who is required to be
23 licensed under AS 08.88.161 and whose payment for services is directly related to
24 sales or other output rather than the number of hours worked; **and**

25 **(11) a transportation network company driver who provides a**
26 **prearranged ride or is otherwise logged onto the digital network of a**
27 **transportation network company as a driver.**

28 * **Sec. 5.** AS 23.30.230(c) is amended by adding new paragraphs to read:

29 (4) "digital network" has the meaning given in AS 28.23.180;

30 (5) "prearranged ride" has the meaning given in AS 28.23.180;

31 (6) "transportation network company" has the meaning given in

1 AS 28.23.180;

2 (7) "transportation network company driver" has the meaning given in
3 AS 28.23.180.

4 * **Sec. 6.** AS 28 is amended by adding a new chapter to read:

5 **Chapter 23. Transportation Network Companies and Drivers.**

6 **Sec. 28.23.010. Not other carriers.** A transportation network company or
7 driver is not a common carrier, contract carrier, or motor carrier, and may not provide
8 taxicab or for-hire vehicle service. The state or a municipality may not require a
9 transportation network company driver to register the personal vehicle the driver uses
10 to provide prearranged rides as a commercial or for-hire vehicle.

11 **Sec. 28.23.020. Fare collected for services.** A transportation network
12 company may charge a fare to a transportation network company rider. Before a fare is
13 collected from a rider, the transportation network company shall disclose to the rider,
14 on the company's Internet website or in the company's software application, the
15 transportation network company's fare or fare calculation method. The transportation
16 network company shall provide riders the option of receiving an estimated fare before
17 the rider enters the vehicle of a transportation network company driver.

18 **Sec. 28.23.030. Identification of transportation network company vehicles
19 and drivers.** Before a rider enters the personal vehicle of a transportation network
20 company driver, the transportation network company shall display on the company's
21 Internet website or in the company's software application a picture of the
22 transportation network company driver and the license plate number of the personal
23 vehicle providing the prearranged ride.

24 **Sec. 28.23.040. Electronic receipt.** Within a reasonable period following the
25 completion of a trip, the transportation network company shall transmit to the rider, on
26 behalf of the transportation network company driver, an electronic receipt showing the
27 origin and destination of the trip and itemizing the fare paid, if any.

28 **Sec. 28.23.050. Financial responsibility of transportation network
29 companies.** (a) A transportation network company driver, or transportation network
30 company on behalf of the driver, shall maintain primary automobile insurance that
31 recognizes that the driver is a transportation network company driver or otherwise

1 uses a vehicle to transport passengers for compensation and that covers the driver
 2 while the driver is logged onto the digital network of a transportation network
 3 company or while the driver is engaged in a prearranged ride.

4 (b) The following automobile insurance requirements shall apply while a
 5 participating transportation network company driver is logged onto the digital network
 6 of a transportation network company and is available to receive transportation requests
 7 but is not engaged in a prearranged ride:

8 (1) primary automobile liability insurance in the amount of at least
 9 \$50,000 for death and bodily injury for each person, \$100,000 for death and bodily
 10 injury for each incident, and \$25,000 for property damage;

11 (2) uninsured or underinsured motor vehicle coverage as required
 12 under AS 21.96.020 and AS 28.20.440;

13 (3) the coverage requirements of this subsection may be satisfied by

14 (A) automobile insurance maintained by the transportation
 15 network company driver;

16 (B) automobile insurance maintained by the transportation
 17 network company; or

18 (C) any combination of (A) and (B) of this paragraph.

19 (c) The following automobile insurance requirements shall apply while a
 20 transportation network company driver is engaged in a prearranged ride:

21 (1) primary automobile liability insurance that provides at least
 22 \$1,000,000 for death, bodily injury, and property damage;

23 (2) uninsured or underinsured motor vehicle coverage as required
 24 under AS 21.96.020 and AS 28.20.440;

25 (3) the coverage requirements of this subsection may be satisfied by

26 (A) automobile insurance maintained by the transportation
 27 network company driver;

28 (B) automobile insurance maintained by the transportation
 29 network company; or

30 (C) a combination of (A) and (B) of this paragraph.

31 (d) If insurance maintained by a driver under (b) or (c) of this section has

1 lapsed or does not provide the required coverage, insurance maintained by a
 2 transportation network company must provide the coverage required by this section
 3 beginning with the first dollar of a claim, and the transportation network company
 4 insurer has the duty to defend that claim.

5 (e) Coverage under an automobile insurance policy maintained by the
 6 transportation network company may not be dependent on a personal automobile
 7 insurer first denying a claim nor shall a personal automobile insurance policy be
 8 required first to deny a claim.

9 (f) Insurance required by this section may be placed with an insurer licensed
 10 under AS 21.09.060 or with a surplus lines insurer eligible under AS 21.34 that has a
 11 credit rating not lower than A- from A.M. Best or a similar rating from another rating
 12 agency recognized by the division of insurance.

13 (g) Insurance satisfying the requirements of this section shall be considered to
 14 satisfy the financial responsibility requirement for a motor vehicle under AS 28.20.

15 (h) A transportation network company driver shall carry proof of coverage
 16 under (b) and (c) of this section with the driver at all times during the driver's use of a
 17 vehicle in connection with a digital network of a transportation network company. In
 18 the event of an accident, a transportation network company driver shall provide the
 19 insurance coverage information to the directly interested parties, automobile insurers,
 20 and investigating police officers upon request under AS 28.22.019. Upon that request,
 21 a transportation network company driver shall also disclose to directly interested
 22 parties, automobile insurers, and investigating police officers whether the driver was
 23 logged onto the digital network of a transportation network company or on a
 24 prearranged ride at the time of an accident.

25 (i) If the insurance carrier for the transportation network company makes a
 26 payment for a claim for physical damage to a personal vehicle that is subject to a lien,
 27 the insurance carrier shall pay the claim jointly to the owner of the personal vehicle
 28 and the primary lienholder or directly to the business repairing the personal vehicle.

29 **Sec. 28.23.060. Transportation network company automobile insurance**
 30 **disclosures.** A transportation network company shall disclose in writing to
 31 transportation network company drivers the following before the drivers are allowed

1 to accept a request for a prearranged ride on the digital network of the transportation
2 network company:

3 (1) the insurance coverage, including the types of coverage and the
4 limits for each coverage, that the transportation network company provides while the
5 transportation network company driver uses a personal vehicle in connection with a
6 transportation network company's digital network;

7 (2) that the automobile insurance policy of the transportation network
8 company driver might not provide any coverage while the driver is logged onto the
9 digital network of a transportation network company and is available to receive
10 transportation requests or is engaged in a prearranged ride, depending on the terms of
11 the automobile insurance policy of the driver; and

12 (3) that, if the personal vehicle the transportation network company
13 driver uses to provide transportation network services has a lien against it, using the
14 motor vehicle for transportation network services without physical damage coverage
15 may violate the terms of the contract with the lienholder.

16 **Sec. 28.23.070. Certificate of insurance.** A transportation network company
17 shall file a written certificate of insurance with the director of the division of insurance
18 demonstrating that the transportation network company has satisfied the requirements
19 of AS 28.23.050. The certificate of insurance must state that the applicable insurance
20 policy may not be cancelled unless written notice is provided to the division of
21 insurance at least 30 days before cancellation.

22 **Sec. 28.23.080. Limitations on transportation network companies.** A
23 transportation network company is not an employer of transportation network drivers
24 under AS 23.10.699, AS 23.20.520, or AS 23.30.395. A transportation network
25 company driver is an independent contractor for all purposes and is not an employee
26 of the transportation network company if the transportation network company

27 (1) does not unilaterally prescribe specific hours during which a driver
28 shall be logged onto the digital network of the transportation network company;

29 (2) does not impose restrictions on the ability of the driver to use the
30 digital network of other transportation network companies;

31 (3) does not restrict a driver from engaging in any other occupation or

1 business; and

2 (4) enters into a written agreement with the driver stating that the
3 driver is an independent contractor for the transportation network company.

4 **Sec. 28.23.090. Zero tolerance for drug or alcohol use.** The transportation
5 network company shall implement a zero-tolerance policy prohibiting drug and
6 alcohol use while a driver is providing a prearranged ride or is logged onto the digital
7 network of the transportation network company but not providing a prearranged ride.
8 The transportation network company shall post the company's zero-tolerance policy
9 prohibiting drug and alcohol use on the company's Internet website.

10 **Sec. 28.23.100. Transportation network company driver requirements.** (a)
11 Before a transportation network company allows an individual to accept trip requests
12 through its digital network, the transportation network company, or a third party, shall

13 (1) require the individual to submit to the transportation network
14 company an application that includes the individual's address, age, and driver's license
15 number, the motor vehicle registration and automobile liability insurance information
16 for the individual's personal vehicle, and other information required by the
17 transportation network company;

18 (2) conduct a local and national criminal background check for each
19 applicant that reviews

20 (A) a multi-state or multi-jurisdiction criminal records locator
21 or a similar commercial nationwide database with validation; and

22 (B) the United States Department of Justice National Sex
23 Offender Public Website; and

24 (3) obtain and review a driving history research report for the
25 individual.

26 (b) A transportation network company may not allow a driver to accept trip
27 requests through its digital network if the driver

28 (1) has, in the past three years,

29 (A) been convicted of or forfeited bail for a third or subsequent
30 moving traffic violation;

31 (B) been convicted of

1 (i) driving while license canceled, suspended, revoked,
2 or in violation of a limitation under AS 28.15.291;

3 (ii) failure to stop at the direction of a peace officer
4 under AS 28.35.182;

5 (iii) reckless or negligent driving under AS 28.35.400
6 or 28.35.410; or

7 (iv) a law or ordinance of another jurisdiction having
8 similar elements to an offense listed in (i) - (iii) of this subparagraph;

9 (2) has, in the past seven years, been convicted of

10 (A) any offense that is an unclassified, class A, or class B
11 felony in this or another jurisdiction; or

12 (B) a misdemeanor involving

13 (i) a crime under AS 28.33.030, AS 28.35.030, or
14 28.35.032;

15 (ii) a crime under AS 28.35.050 or 28.35.060;

16 (iii) a crime against a person under AS 11.41; or

17 (iv) a law or ordinance of another jurisdiction having
18 similar elements to an offense listed in (i) - (iii) of this subparagraph;

19 (3) is listed on the United States Department of Justice National Sex
20 Offender Public Website; or

21 (4) is under 21 years of age.

22 (c) A transportation network company driver may not

23 (1) provide a prearranged ride unless the transportation network
24 company rider has been matched to the driver through the digital network of the
25 transportation network company;

26 (2) solicit a ride or accept a street hail request for a ride; or

27 (3) solicit or accept cash payments for a fare from a rider.

28 **Sec. 28.23.105. Transportation network company vehicles.** A motor
29 vehicle that is used by a transportation network company driver for transportation
30 network company purposes may not be more than 12 years of age.

31 **Sec. 28.23.110. Nondiscrimination and accessibility.** (a) The transportation

1 network company shall adopt a policy prohibiting discrimination based on destination
 2 or a class or status protected under AS 18.80.210 with respect to a rider or potential
 3 rider. The company shall inform drivers of the policy.

4 (b) A transportation network company driver shall comply with all applicable
 5 laws relating to accommodation of service animals.

6 (c) A transportation network company may not impose additional charges for
 7 providing services to riders with physical disabilities because of those disabilities.

8 **Sec. 28.23.120. Records.** A transportation network company shall keep
 9 records

10 (1) maintained by the transportation network company for an
 11 individual prearranged ride for at least two years from the date of the prearranged ride;
 12 and

13 (2) maintained by individual transportation network company drivers
 14 for two years after the agreement between the transportation network company and
 15 driver entered into under AS 28.23.080(4) ends.

16 **Sec. 28.23.130. International airports.** The Department of Transportation and
 17 Public Facilities may, under AS 02.15, adopt a regulation or enter into a contract,
 18 lease, or other arrangement with a transportation network company or driver for use of
 19 an international airport owned or operated by the state. A regulation or arrangement
 20 under AS 02.15 must be consistent with this chapter.

21 **Sec. 28.23.180. Definitions.** In this chapter,

22 (1) "digital network" means any online-enabled application, software,
 23 website, or system offered or used by a transportation network company that enables
 24 the prearrangement of rides with transportation network company drivers;

25 (2) "personal vehicle" means a motor vehicle that is used by a
 26 transportation network company driver and is owned, leased, or otherwise authorized
 27 for use by the transportation network company driver; "personal vehicle" does not
 28 include a taxi, limousine, or other commercial motor vehicle for hire;

29 (3) "prearranged ride" means transportation provided by a driver to a
 30 rider, beginning when a driver accepts a ride requested by a rider through a digital
 31 network controlled by a transportation network company, continuing while the driver

1 transports a requesting rider, and ending when the last requesting rider departs from
 2 the personal vehicle; "prearranged ride" does not include shared expense carpool or
 3 vanpool arrangements or transportation provided using a taxi, limousine, or other
 4 commercial motor vehicle for hire;

5 (4) "transportation network company" means a corporation,
 6 partnership, sole proprietorship, or other entity that uses a digital network to connect
 7 transportation network company riders to transportation network company drivers who
 8 provide prearranged rides; a transportation network company may not be considered to
 9 control, direct, or manage the personal vehicles or transportation network company
 10 drivers that connect to its digital network, except where agreed to by written contract;

11 (5) "transportation network company driver" or "driver" means an
 12 individual who

13 (A) receives connections to potential passengers and related
 14 services from a transportation network company in exchange for payment of a
 15 fee to the transportation network company; and

16 (B) uses a personal vehicle to offer or provide a prearranged
 17 ride to riders upon connection through a digital network controlled by a
 18 transportation network company in return for compensation or payment of a
 19 fee;

20 (6) "transportation network company rider" or "rider" means an
 21 individual or person who uses a digital network of a transportation network company
 22 to connect with a transportation network company driver who provides prearranged
 23 rides to the rider in the driver's personal vehicle between points chosen by the rider.

24 **Sec. 28.23.190. Short title.** This chapter may be cited as the Transportation
 25 Network Companies Act.

26 * **Sec. 7.** AS 29.10.200 is amended by adding a new paragraph to read:

27 (66) AS 29.35.148 (regulation of transportation network companies or
 28 drivers).

29 * **Sec. 8.** AS 29.35 is amended by adding a new section to read:

30 **Sec. 29.35.148. Regulation of transportation network companies or**
 31 **drivers.** (a) The authority to regulate transportation network companies and

1 transportation network company drivers is reserved to the state, and, except as
2 specifically provided by statute, a municipality may not enact or enforce an ordinance
3 regulating transportation network companies or transportation network company
4 drivers.

5 (b) The prohibition on regulation under (a) of this section does not include

6 (1) imposition of a municipal sales tax on a transportation network
7 company driver that taxes a trip originating in the municipality in the same manner
8 that other services are taxed in the municipality;

9 (2) a municipal traffic ordinance.

10 (c) This section applies to home rule and general law municipalities.

11 (d) In this section,

12 (1) "transportation network company" has the meaning given in
13 AS 28.23.180;

14 (2) "transportation network company driver" has the meaning given in
15 AS 28.23.180.

16 * **Sec. 9.** This Act takes effect immediately under AS 01.10.070(c).

**CITY OF HOMER
HOMER, ALASKA**

City Manager/Finance Director

RESOLUTION 17-044

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, RE-ADOPTING THE ESTABLISHED INVESTMENT POLICIES OF THE PERMANENT FUND.

WHEREAS, Pursuant to Homer City Code 3.10.130(b)(2) the City Council shall review the investment policies of the Permanent Fund at least once a year during the first quarter and shall by formal resolution, re-adopt or modify said policies; and

WHEREAS, The Finance Director and City Manager recommend maintaining the investment policies adopted under HCC 3.10.130 which states:

-The portfolio of the growth sub-fund will be invested primarily in equities

-The portfolio of the income sub-fund will be invested primarily in bonds and other fixed rate securities as authorized by HCC 3.10.040

WHEREAS, In 2016 earnings in the growth sub-fund outpaced the income sub-fund and the administration is directed to reallocate the distribution between grown and income sub-funds to the 40/60 split required under HCC 3.12.030(a); and

WHEREAS, It is the policy of the City to reinvest earnings at midyear into the respective funds; and

WHEREAS, In 2016 overall earnings of the Permanent fund did not outpace inflation and earnings should be reinvested in the corpus of the fund to help inflation proof it.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, re-adopts the established investment policies of the Permanent Fund.

PASSED AND ADOPTED by the Homer City Council this 24th day of April 2017.

CITY OF HOMER

BRYAN ZAK, MAYOR

43 ATTEST:

44

45

46 _____

47 JO JOHNSON, MMC, CITY CLERK

48

49 Fiscal Note: N/A



City of Homer

www.cityofhomer-ak.gov

Finance Department

491 East Pioneer Avenue
Homer, Alaska 99603

finance@cityofhomer-ak.gov

(p) 907-235-8121

(f) 907-235-3140

Memorandum 17-066

TO: Mayor Zak and Homer City Council

THROUGH: Katie Koester, City Manager

FROM: Elizabeth Walton, Finance Director

DATE: April 19, 2017

SUBJECT: Permanent Fund Investment Policy Review

The purpose of this memo is to review the performance of the Permanent Fund and discuss the investment policy.

Brief Account Overview:

	FY 2016 Earnings	Account Balance (as of 2/28/17)	Allocation (as of 2/28/17)
Income Sub-Fund	6,772.00	723,822.45	32%
Growth Sub-Fund	18,315.97	1,556,176.01	68%
Total Across Permanent Fund	\$ 25,087.97	\$ 2,279,998.46	100%

Other Relevant Statistics:

Anchorage CPI: 2.4%

Amount needed to reinvest to inflation proof: \$54,719.96

Recommendations:

1. Reinvest earnings for Permanent Fund to help adjust for inflation (\$25,087).
2. Look to remove HCC 3.10.130 (5), due to fact it is not applicable to current account structure. This was a holdover from the old structure.
3. Perform redistribution of funds to bring Permanent Fund account in line with HCC 3.12.030, which states that 40% of account balance be invested in the income sub-fund and 60% in the growth sub-fund. Subsequent adjustments will be made at the beginning of the 4th quarter, consistent with City Code.
4. Evaluate the fund performance on a semi-annual basis and reinvest account earnings as necessary.

Enclosed:

Illustration showing sub-fund holdings and performance for 2016

Growth Sub-Fund

Holdings:

SYMBOL	CUSIP	DESCRIPTION	TRADE DATE Q...	MATURITY DATE ^	POSITION VALUE (POSITION CCY)
FGR	314994245	FEDERATED GOVERNMENT RESERVES	24,178.9400		24,178.94
QQQ	73935A104	POWERSHARES QQQ TR UNIT SER 1	4,848.0000		639,772.14
SPY	78462F103	SPDR S&P 500 ETF TR TR UNIT	3,813.0000		892,890.21

2016 Performance:



Income for 2016:

These products were purchased in March 2016 and typically pay dividends quarterly.

DATE	ACTIVITY	SYMBOL	SEC. DESCRIPTION	NET AMT. (BASE CCY)
12/30/2016	CASH DIVIDEND RECEIVED	QQQ	POWERSHARES QQQ TR UNIT SER 1	1,720.75
10/31/2016	CASH DIVIDEND RECEIVED	SPY	SPDR S&P 500 ETF TR TR UNIT	4,125.93
10/31/2016	CASH DIVIDEND RECEIVED	QQQ	POWERSHARES QQQ TR UNIT SER 1	1,424.68
7/29/2016	CASH DIVIDEND RECEIVED	SPY	SPDR S&P 500 ETF TR TR UNIT	4,112.10
7/29/2016	CASH DIVIDEND RECEIVED	QQQ	POWERSHARES QQQ TR UNIT SER 1	1,389.68
4/29/2016	CASH DIVIDEND RECEIVED	SPY	SPDR S&P 500 ETF TR TR UNIT	4,002.14
4/29/2016	CASH DIVIDEND RECEIVED	QQQ	POWERSHARES QQQ TR UNIT SER 1	1,540.69
				18,315.97

Income Sub-Fund

Holdings:

SYMBOL	CUSIP	DESCRIPTION	TRADE DATE Q...	MATURITY DATE ^	POSITION VALUE (POSITION CCY)
FGR	314994245	FEDERATED GOVERNMENT RESERVES	12,549.6500		12,549.65
FFCD43357...	3133EFC70	FEDERAL FARM CR BKS CONS SYSTEMWIDE BDS CONS BOND 1.120% 02/22/19 B/E DTD 02/22/16 CLB CLB 05/18/17	320,000.0000	2/21/19	318,892.80
	3136G3CF0	FEDERAL NATL MTG ASSN MEDIUM TERM NTS FIXED RATE 1.660% 12/23/20 B/E DTD 03/23/16 CLB CLB 06/23/17	400,000.0000	12/22/20	396,096.00

Treasury Yields:

Graph depicts comparison of what treasury yields were doing when these bonds were purchased (March 2016) as well as today.



Income for 2016:

These products were purchased in March 2016 and pay interest semi-annually based on their maturity dates.

Account #	5EQ832474			
name:	HOMER INCOME			
Transactio	All Transactions	Duration :	All Dates	
DATE	ACTIVITY	SYMBOL	SEC. DESCRIPTION	NET AMT. (BASE CCY)
12/23/2016	BOND INTEREST RECEIVED		FEDERAL NATL MTG ASSN MEDIUM TERM NTSFIXED RATE 1.660% 12/23/20 B/EDTD 03/23/16 CLB	3,320.00
8/22/2016	BOND INTEREST RECEIVED	FFCD4335790	FEDERAL FARM CR BKS CONS SYSTEMWIDE BDS CONS BOND 1.120% 02/22/19 B/EDTD 02/22/16 CLB	1,792.00
6/23/2016	BOND INTEREST RECEIVED		FEDERAL NATL MTG ASSN MEDIUM TERM NTSFIXED RATE 1.660% 12/23/20 B/EDTD 03/23/16 CLB	1,660.00
				6,772.00

All persons having responsibility for making decisions regarding the investment of City monies shall utilize the same judgment and care, under the circumstances then prevailing, that an institutional investor would use in the conduct of an enterprise of a like character and with like aims, not for speculation but for investment, considering the probable safety of capital as well as the probable income to be derived in accordance with the stated objectives. [Ord. [93-14](#) § 3, 1993].

3.10.040 Authorized investments.

a. City monies shall be invested only in the following instruments. All securities purchased by the City, and all other City investments, must mature not later than the time indicated below, measured from the date of the City's investment transaction:

1. U.S. Treasury securities – three years;
2. Other obligations by the U.S. Government, its agencies and instrumentalities – three years;
3. Repurchase agreements of acceptable securities listed in subsections (a)(1) and (2) of this section which meet a margin requirement of 102 percent; provided, however, the maturity limitations specified in those subsections do not apply if the securities in the repurchase agreement are marked to market daily;
4. Units of the Alaska Municipal League Investment Pool in accordance with an executed common investment agreement and in conformance with AS [37.23.010](#) through [37.23.900](#);
5. Certificates of deposit and other deposits at banks and savings and loan associations collateralized as provided in HCC [3.10.070](#) – three years;
6. Uncollateralized deposits at banks and savings and loan associations, to the extent that the deposits are insured by the Federal Deposit Insurance Corporation (FDIC) or the Federal Savings and Loan Insurance Corporation – three years;
7. Taxable bonds or notes which are issued by any state or political subdivision thereof, and which are graded AA or higher by Moody's Investor's Service, Inc., or Standard and Poor's Corporation – three years;
8. Commercial paper graded A1 or higher by Moody's Investor's Service, Inc., or P1 or higher by Standard and Poor's Corporation – 270 days;
9. Bankers' acceptances offered by banks rated at least "AA" by Moody's or Standard and Poor's;
10. Money market mutual funds whose portfolios consist entirely of instruments specified in subsections (a)(1), (2) and (3) of this section – with net asset value of \$1.00.

b. No person shall invest any City monies in any instrument which is not listed in subsection (a) of this section. This prohibition includes, but is not limited to, investment of City monies in any mutual fund (except as otherwise provided in subsection (a)(10) of this section), common or preferred stock, precious metals, zero coupon bonds, corporate bonds, option contract or futures contract.

c. This chapter represents the maximum amount of authority and discretion which the Finance Director/Treasurer may utilize in investing City monies. Nothing in this chapter shall be construed, however, to prohibit the Finance Director/Treasurer from adopting standards, rules, policies and procedures which are more restrictive than those contained in this chapter. The enumeration in this chapter of instruments which are authorized for City investments shall not be construed as requiring the Finance Director/Treasurer to invest in

all or any particular instrument contained in said list at any given time. The Finance Director/Treasurer may invest in some or all of said instruments as deemed appropriate. Similarly, the enumeration of instruments which are acceptable as collateral for City investments shall not be construed as requiring the Finance Director/Treasurer to accept all or any particular instrument contained in said list at any given time. The Finance Director/Treasurer may accept some of said instruments, and reject others. [Ord. [93-14](#) § 3, 1993].

3.10.050 Placement of City investments.

a. Because of rapid fluctuations of interest rates and the brief period of availability of some securities, bids may be solicited, received, and accepted, either orally or in writing. Solicitation, receipt, and acceptance of bids by telephone is authorized. In order for a bid to be responsive, it must meet all the specifications and requirements of the bid solicitation. The Finance Director/Treasurer shall not consider nonresponsive bids.

b. The Finance Director/Treasurer shall award a bid to the financial institution whose bid best fulfills the investment objectives contained in HCC [3.10.015](#), considering the City investment portfolio as a whole.

c. All securities transferred to or from the City, except securities transferred as collateral, shall be transferred using the delivery versus payment method. Securities transferred as collateral shall be actually received by the custodial bank designated by the Finance Director/Treasurer who may require financial institutions to deliver collateral to a custodial bank prior to bidding on City investments. [Ord. [93-14](#) § 3, 1993].

3.10.060 Diversification.

City investments shall be diversified to minimize the risk of loss resulting from overconcentration of investments in a specific maturity, a specific issuer, a specific class of security or a specific financial institution. Investments will be diversified to maintain a degree of liquidity. The Finance Director/Treasurer shall adopt administrative procedures to implement this section. [Ord. [93-14](#) § 3, 1993].

3.10.070 Collateralization.

a. If City monies are invested in certificates of deposit or other deposits, the entire amount of principal and interest which will be payable to the City upon maturity of the investment must be collateralized by a combination of the following securities, at the following margin requirements and maturities:

	COLLATERAL TYPE	MARGIN REQUIREMENT
1.	U.S. Treasury securities with a maturity date 5 years or less from the date of the City's investment transaction.	102%
2.	Actively traded U.S. Government agency or instrumentality securities, except mortgage pass-through securities with a:	
	a. Maturity date 1 year or less from the date of the City's investment transaction.	103%
	b. Maturity date between 1 and 5 years from the date of the City's investment transaction.	107%
3.	Government National Mortgage Association mortgage pass-through securities.	120%
4.	Obligations of the State of Alaska and its political subdivisions secured by the full faith, credit and taxing power thereof:	

Chapter 3.12 PERMANENT FUND

Sections:

- [3.12.010](#) Homer permanent fund established.
- [3.12.015](#) Definitions.
- [3.12.020](#) Contributions.
- [3.12.030](#) Allocation to sub-funds.
- [3.12.040](#) Additions to fund.
- [3.12.050](#) Investment of fund.
- [3.12.060](#) Expenditures from income sub-fund.
- [3.12.070](#) *Repealed.*
- [3.12.080](#) Expenditures with voter approval.

3.12.010 Homer permanent fund established.

There is hereby established the Homer permanent fund. The permanent fund shall be governed by this chapter. [Ord. [05-14\(S\)](#) § 1, 2006].

3.12.015 Definitions.

As used in this chapter:

“Income” means interest, dividends or coupon discounts derived from investments, and does not include realized or unrealized gains in the market value of investments.

“Permanent fund” means the Homer permanent fund established by HCC [3.12.010](#).

“Windfall monies” means monies received by the City after the effective date of the ordinance codified in this chapter that are not either standard budgeted operating revenues or monies received for a specific purpose, including without limitation bond proceeds, grant funds, and monies recovered through litigation other than the Exxon Valdez litigation as damages compensating or reimbursing the City for previous expenditures. In all cases, the City Council’s identification of monies as wind-fall monies shall be final and conclusive. [Ord. [13-25](#) § 2, 2013].

3.12.020 Contributions.

a. If monies from the distribution of the Exxon Valdez settlement or other forms of windfall monies become available to the City, not less than 95 percent of such funds shall be placed in the permanent fund.

b. The City Council shall appropriate all of the Exxon Valdez settlement funds and other windfall monies that remain after the contribution to the permanent fund required by subsection (a) of this section to the Homer Foundation City of Homer Endowment Fund or other local nonprofit organizations for the benefit of the community. [Ord. [13-25](#) § 3, 2013; Ord. [05-14\(S\)](#), 2006].

3.12.030 Allocation to sub-funds.

a. Each contribution to the permanent fund shall be allocated to two sub-funds as follows:

1. Forty percent of each contribution shall be allocated to an income sub-fund.
2. Sixty percent of each contribution shall be allocated to a growth sub-fund.

b. Annually at the beginning of the fourth quarter the City shall transfer money from the growth sub-fund to the income sub-fund to the extent necessary to cause the amount in the income sub-fund, plus the outstanding principal of all loans from the income sub-fund under HCC [3.12.060\(b\)](#), to be equal to 40 percent of the total amount in the permanent fund. [Ord. [13-25](#) § 4, 2013; Ord. [05-14\(S\)](#) § 1, 2006].

3.12.040 Additions to fund.

The City Council may elect to contribute monies to the permanent fund. Unless otherwise allocated by the Council, such contributions shall be allocated to sub-funds pursuant to HCC [3.12.030](#). [Ord. [05-14\(S\)](#) § 1, 2006].

3.12.050 Investment of fund.

The sub-funds of permanent fund shall be invested and managed in accordance with HCC [3.10.130](#). [Ord. [05-14\(S\)](#) § 1, 2006].

3.12.060 Expenditures from income sub-fund.

Expenditures from the income sub-fund may be made only as authorized in this section.

a. The income from the income sub-fund may be appropriated by the City Council and be expended for general governmental purposes, including but not limited to ordinary operating expenses.

b. The principal of the income sub-fund may be used as a source of loan funds for City capital projects, and not as a grant. To be eligible for such a loan the project must receive a majority of its funding from other sources. Such loans shall be on terms approved by resolution of the City Council, which must provide for the repayment of the loan over a reasonable period of time. [Ord. [13-25](#) § 5, 2013; Ord. [05-14\(S\)](#) § 1, 2006].

3.12.070 Loans from income sub-fund.

Repealed by Ord. [13-25](#). [Ord. [05-14\(S\)](#) § 1, 2006].

3.12.080 Expenditures with voter approval.

a. Except as provided in HCC [3.12.060](#), no expenditure may be made from the permanent fund without the approval of 60 percent of City voters voting on the question at a regular or special election.

b. Prior to submitting to the voters the question of whether to approve an expenditure from the permanent fund, the City Council shall find that all reasonable options for borrowing have been exhausted, including the option of borrowing from the permanent fund pursuant to HCC [3.12.060\(b\)](#). [Ord. [13-25](#) § 7, 2013; Ord. [05-14\(S\)](#) § 1, 2006].

**The Homer City Code is current through Ordinance 17-15,
passed March 28, 2017.**

Disclaimer: The City Clerk's Office has the official version of the Homer City Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

VISITORS

ANNOUNCEMENTS
PRESENTATIONS
BOROUGH REPORT
COMMISSION REPORTS



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum 17-065

TO: MAYOR ZAK AND HOMER CITY COUNCIL
FROM: JO JOHNSON, MMC, CITY CLERK
DATE: APRIL 18, 2017
SUBJECT: BALLOT LANGUAGE FOR THE SPECIAL ELECTION OF JUNE 13, 2017

On April 5, 2017 I certified petitions for the recall of Homer City Council Members Aderhold, Lewis, and Reynolds. A Special Election has been set for Tuesday, June 13, 2017 for the voters to decide if the councilmembers should be recalled.

The ballot will include three separate questions:

Shall Donna Aderhold be recalled from the office of Homer City Council?

Shall David Lewis be recalled from the office of Homer City Council?

Shall Catriona Reynolds be recalled from the office of Homer City Council?

Below each question there will be the sponsor's statement of the grounds for recall:

Statement for Recall: Be here advised that Homer City Council Members Aderhold, Lewis and Reynolds are each proven unfit for public office, as evident by their individual efforts in preparation of Resolution 16-121 and 17-019, the text of which stands in clear and obvious Violation of Oath of Office. Whereas the use of City Council office as a platform for broadcasting political activism is unlawful, unethical, and outside the bounds of permissible conduct in public service.

Misconduct in office is further claimed by the irreparable damage done by draft Resolution 17-019 being made public and widely distributed on social and news media, and publicly promoted as conspicuously drafted by and representing the city of Homer. This action has further caused economic harm and financial loss to the city of Homer.

Following the sponsor's statement, Council Members Aderhold, Lewis, and Reynolds may include a statement of 200 words or less.

Recommendation: Information only.

PUBLIC HEARING(S)

**CITY OF HOMER
PUBLIC HEARING NOTICE
CITY COUNCIL MEETING**

Ordinance 17-07(S-2) and Resolution 17-038

A **public hearing** is scheduled for **Monday, April 24, 2017** during a Regular City Council Meeting. The meeting begins at 6:00 p.m. in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Ordinance 17-07(S-2), An Ordinance of the City Council Of Homer, Alaska, Amending Homer City Code 21.93.060, 21.93.070, 21.93.080, 21.93.100, 21.93.110, 21.93.500, 21.93.540, 21.93.550, 21.93.560, 21.93.570, 21.93.700, 21.93.710 to Offer Appellants the Choice Between an Appeal Before the Board of Adjustment or a Hearing Officer in Appeals of Planning Commission Decisions. Erickson.

Resolution 17-038, A Resolution of the City Council of Homer, Alaska, Amending the Homer Accelerated Roads and Trails Program Policy Manual Adding Sections for Project Eligibility and Funding for Sidewalks, Eliminating the Provision for Debt Service Ratio, and Editing for Readability and Consistency. City Clerk/Planning Commission.

Ordinance 17-07(S-2) address: <http://www.cityofhomer-ak.gov/ordinances>

Resolution 17-038 address: <http://www.cityofhomer-ak.gov/resolutions>



All interested persons are welcome to attend and give testimony. Written testimony received by the Clerk's Office prior to the meeting will be provided to Council.

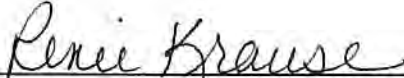
** Copies of proposed Ordinances, in entirety, are available for review at Homer City Clerk's Office. Copies of the proposed Ordinances are available for review at City Hall, the Homer Public Library, and the City's homepage - <http://clerk.ci.homer.ak.us>. Contact the Clerk's Office at City Hall if you have any questions. 235-3130, Email: clerk@ci.homer.ak.us or fax 235-3143.

Jo Johnson, MMC, City Clerk
Publish: Homer News April 20, 2017

CLERK'S AFFIDAVIT OF POSTING

I, Renee Krause, Deputy City Clerk for the City of Homer, Alaska, do hereby certify that a copy of the Public Hearing Notice for **Ordinance 17-07(S-2)**, Amending Homer City Code 21.93.060, 21.93.070, 21.93.080, 21.93.100, 21.93.110, 21.93.500, 21.93.540, 21.93.550, 21.93.560, 21.93.570, 21.93.700, 21.93.710 to Offer Appellants the Choice between an Appeal Before the Board of Adjustment or a Hearing Officer in Appeals of Planning Commission Decisions; **Resolution 17-038**, Amending the Homer Accelerated Roads and Trails Program Policy Manual Adding Sections for Project Eligibility and Funding for Sidewalks, Eliminating the Provision for Debt Service Ratio and Editing for Readability and Consistency was distributed to the City of Homer kiosks located at City Clerk's Office, and the Homer Public Library on Wednesday, April 12, 2017 and posted the same on City of Homer Website on Tuesday, April 11, 2017.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 11th day of April, 2017.



Renee Krause, CMC, Deputy City Clerk

ORDINANCE REFERENCE SHEET
2017 ORDINANCE
ORDINANCE 17-07

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 4.10.040, 8.08.120, 14.05.425, 21.93.060, 21.93.070, 21.93.100, 21.93.110, 21.93.500, 21.93.540, 21.93.550, 21.93.560, 21.93.570, 21.93.700, and 21.93.710 to Remove the Board of Adjustment as the Decision Making Body in Appeals of Planning Commission Decisions, Remove the City Manager as the Decision Maker Regarding the Impoundment of Dangerous Animals, Remove the Police Chief as the Decision Maker Regarding Merchant Licenses, and Permit the City Clerk to Designate a Hearing Officer to Determine the Qualifications of a Candidate for Office.

Sponsor: Aderhold

1. Council Regular Meeting January 23, 2017 Introduction
2. Council Regular Meeting March 13, 2017 Pending Business
 - a. Memorandum 17-042 from City Planner
 - b. Staff reports and minutes from Planning Commission
3. Council Regular Meeting March 28, 2017 Public Hearing and Second Reading
 - a. Memorandum 17-042 from City Planner
 - b. Staff reports and minutes from Planning Commission
4. Reconsidered by Erickson March 29, 2017
 - a. Reconsideration passed April 10, 2017
 - b. Substitute Ordinance 17-07(S-2) Introduced April 10, 2017
4. Council Regular Meeting April 24, 2017 Public Hearing and Second Reading on Ordinance 17-07(S-2)
 - a. Memorandum 17-064 from Councilmember Aderhold

CITY OF HOMER
HOMER, ALASKA

Erickson

ORDINANCE 17-07(S-2)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.93.060, 21.93.070, 21.93.080, 21.93.100, 21.93.110, 21.93.500, 21.93.540, 21.93.550, 21.93.560, 21.93.570, 21.93.700, AND 21.93.710 TO OFFER APPELLANTS THE CHOICE BETWEEN AN APPEAL BEFORE THE BOARD OF ADJUSTMENT OR A HEARING OFFICER IN APPEALS OF PLANNING COMMISSION DECISIONS

WHEREAS, It is in the City’s best interest to provide individuals appealing decisions issued by the Homer Advisory Planning Commission the ability to use a hearing officer rather than the Board of Adjustment; and

WHEREAS, The use of experienced hearing officers that do not otherwise advise the City on legislative land use matters promotes public confidence in the City of Homer’s administrative appeals process,

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Section 21.41.400 shall be amended to read as follows:

a. The Planning Commission shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Planning Department.

b. **The Board of Adjustment or A** hearing officer appointed by the City Manager shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Planning Commission.

Section 2. Section 21.91.110 shall be amended to read as follows:

Either the The Board of Adjustment **or a hearing officer appointed by the City Manager** shall hear and decide appeals **authorized by HCC 21.93. A person appealing a decision under HCC 21.93 shall select between an appeal before the Board of Adjustment or a hearing officer in the person’s notice of appeal.**

A hearing officer appointed by the City Manager shall hear and decide appeals

43 pursuant to the provisions of the zoning code.
44

- 45 a. A hearing officer appointed by the City Manager to act as the decision
46 maker in appeals of decisions made by the Planning Commission must
47 have at least five years' experience acting as an administrative law judge or
48 administrative hearing officer and must be licensed to practice law in the
49 State of Alaska and in good standing.
50

51 Section 3. Section 21.91.120 shall be amended as follows:
52

53 Appeals heard by the Board of Adjustment **or a hearing officer** shall be
54 conducted according to applicable procedures specified in Chapter 21.93 HCC.
55

56 Section 4. Section 21.91.130 shall be amended as follows:
57

- 58 a. An appeal from a final decision of the Board of Adjustment **or a hearing**
59 **officer** may be taken directly to the Superior Court by a party who actively and
60 substantively participated in the proceedings before the Board of Adjustment
61 **or the hearing officer** or by the City Manager or City Planner or any
62 governmental official, agency, or unit.
63

- 64 b. An appeal to the Superior Court shall be filed within 30 days of the date of
65 distribution of the final decision to the parties appearing before the Board of
66 Adjustment **or hearing officer**.
67

- 68 c. An appeal from a final decision of the **Board of Adjustment or** hearing
69 officer to the Superior Court is governed by court rules.
70

71 Section 5. Section 21.93.030 shall be amended to read as follows:
72

73 21.93.030 Decisions subject to appeal to the Board of Adjustment **or a hearing**
74 **officer**.
75

76 The following acts or determinations of the Commission, when final, may be
77 appealed to the Board of Adjustment **or a hearing officer appointed by the**
78 **City Manager** by a person with standing:
79

- 80 a. Grant or denial of a conditional use permit.
81

- 82 b. Grant or denial of a variance.
83

- 84 c. Grant or denial of formal recognition of a nonconforming use or structure, or
85 a decision terminating a nonconforming use or structure.
86
87 d. Grant or denial of a conditional fence permit.
88
89 e. A decision by the Commission in a matter appealed to the Commission
90 under HCC 21.93.020.
91
92 f. Any other final decision that is expressly made appealable to the Board of
93 Adjustment **or a hearing officer** by other provisions of the code.
94

95 Section 6. Section 21.93.060 shall be amended to read as follows:
96

97 21.93.060 Standing – Appeal to Hearing Officer.
98

99 Only the following have standing to appeal an appealable action or
100 determination of the Planning Commission to the Board of Adjustment **or a**
101 **hearing officer**:
102

- 103 a. Applicant for the action or determination, or the owner of the property that
104 is the subject of the action or determination under appeal.
105
106 b. The City Manager, the City Planner or the City Planner’s designee, or any
107 governmental official, agency, or unit.
108
109 c. Any person who actively and substantively participated in the proceedings
110 before the Commission and is aggrieved by the action or determination.
111
112 d. Any person who actively and substantively participated in the proceedings
113 before the Commission and would be aggrieved if the action or determination
114 being appealed were to be reversed on appeal.
115

116 Section 7. Section 21.93.070 shall be amended to read as follows:
117

118 a. An appeal to the Planning Commission must be filed within 30 days after the
119 date of distribution of the final action or determination to the applicant or
120 other person whose property is the subject of the matter being appealed.
121

- 122 a. An appeal to the Board of Adjustment **or a hearing officer** must be filed within
123 30 days after the date of distribution of the final action or determination to the
124 applicant and other parties, if any.
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Section 8. Section 21.93.080 shall be amended to read as follows:

- a. A notice of appeal from an action or determination of the City Planner or the Planning Commission shall be filed with the City Clerk.
- b. A notice of appeal shall be in writing, be signed by the appellant, and shall contain, but is not limited to, the following information:
 - 1. The name and address of the appellant.
 - 2. A description of the action or determination from which the appeal is sought and the date upon which the action or determination became final.
 - 3. The street address and legal description of the property that is the subject of the action or determination being appealed, and the name and address of the owner(s) of that property.
 - 4. Detailed and specific allegations of error, including reference to applicable provisions of the zoning code or other law.
 - 5. A statement of whether the action or determination should be reversed, modified, or remanded for further proceedings, or any other desired relief.
 - 6. Proof showing that the appellant is an aggrieved person with standing to appeal under HCC 21.93.050 or 21.93.060. whichever is applicable.
 - 7. **The appellant's choice of decision maker, which may be either the Board of Adjustment or a hearing officer appointed by the City Manager.**
- c. The City Clerk shall reject any notice of appeal that does not comply with HCC 21.93.070 and this section and notify the appellant of the reasons for the rejection. If a notice of appeal is rejected for reasons other than timeliness, a corrected notice of appeal that complies with this section will be accepted as timely if filed within seven days of the date on which the City Clerk mails the notice of rejection.
- d. The City Clerk shall mail copies of the notice of appeal to all parties of record in the proceeding appealed from within seven days of the date on

168 which the City Clerk determines the notice of appeal complies with HCC
169 21.93.070 and this section.

170
171 e. Any person with standing under HCC 21.93.050 or 21.93.060, whichever is
172 applicable, may, within seven days after ~~date~~ of the **date the** City
173 Clerk's ~~mailing~~ **mailed** copies of an accepted notice of appeal, file notice of
174 cross appeal. Any notice of cross appeal shall, to the extent practical,
175 comply with subsection (b) of this section.

176
177 f. The City Clerk shall promptly give notice of the cross appeal to the
178 appellant and all other parties who have filed a notice of appearance.

179
180 Section 9. Section 21.93.100 shall be amended to read as follows:

181
182 a. All appeals must be heard within 60 days after the appeal record has been
183 prepared. The body **or officer** hearing the appeal may for good cause shown
184 extend the time for hearing. The decision on appeal must be rendered within
185 60 days after the appeal hearing.

186
187 b. The appellant, the applicant for the action or determination that is the
188 subject of the appeal, the owner of the property that is the subject of the
189 action or determination, and all parties who have entered an appearance shall
190 be provided not less than 15 days' written notice of the time and place of the
191 appeal hearing. Neighboring property owners shall be notified as set forth in
192 HCC 21.94.030.

193
194 **c. When an appellant chooses to appeal to a hearing officer, the City Clerk**
195 **shall identify the hearing officer in the notice of hearing. All parties shall**
196 **have ten days from the date of the notice to object to the hearing officer**
197 **based upon conflicts of interest, personal bias or ex parte contacts.**
198 **Failure to file an objection to the hearing officer within the ten days shall**
199 **waive any objection to the hearing officer.**

200
201 d. An electronic recording shall be kept of the entire proceeding. Written
202 minutes shall be prepared. The electronic recording shall be preserved for one
203 year unless required for further appeals. No recording or minutes shall be kept
204 of deliberations that are not open to the public.

205
206 Section 10. Section 21.93.110 shall be amended to read as follows:

207
208 a. All final decisions on appeals shall be in writing, and shall state the **names**
209 **and** number of members of the body who participated in the appeal, **the**

210 **names and** number voting in favor of the decision, and the **names and**
211 number voting in opposition to the decision. **All final decisions issued by a**
212 **hearing officer must state the name of the officer.**

213
214 b. A decision shall include an official written statement of findings and reasons
215 supporting the decision. This statement shall refer to specific evidence in the
216 record and to the controlling sections of the zoning code. Upon express vote,
217 the body **or hearing officer** may adopt, as **their**s statement of findings and
218 reasons, those findings and reasons officially adopted by the body **or officer**
219 **below** from which the appeal was taken.

220
221 c. Copies of the written decision shall be promptly mailed to the appellant, the
222 applicant for the action or determination that is the subject of the appeal, the
223 owner of the property that is the subject of the action or determination, and all
224 parties who entered a written notice of appearance in the appeal proceeding.
225

226 Section 11. Section 21.93.500 shall be amended to read as follows:

227
228 21.93.500 Parties eligible to appeal Planning Commission decision to the
229 Board of Adjustment **or a hearing officer** – Notice of appearance.

230
231 a. Only persons who actively and substantively participated in the matter
232 before the Commission and who would be qualified to appeal under HCC
233 21.93.060 may participate as parties in an appeal from the Commission to the
234 Board of Adjustment **or a hearing officer.**

235
236 b. Any person so qualified who desires to participate in the appeal as a party,
237 other than the appellant, the City Planner or the City Planner's designee, the
238 applicant for the action or determination that is the subject of the appeal and
239 the owner of the property that is the subject of the action or determination,
240 must, not less than 14 days before the date set for the appeal hearing, file with
241 the City Clerk a written and signed notice of appearance containing that
242 party's name and address, and proof that the person would be qualified under
243 HCC 21.93.060 to have filed an appeal.

244
245 Section 12. Section 21.93.510 shall be amended to read as follows:

246
247 a. Except as provided in subsections (b) and (c) of this section, the Board of
248 Adjustment **or hearing officer** shall not consider allegations of new evidence
249 or changed circumstances and shall make **its**their decision based solely on the
250 record. If new evidence or changed circumstances are alleged, the Board of
251 Adjustment **or hearing officer** may, in **its** **their** discretion, either hear the

252 appeal without considering the allegations or may remand the matter to the
253 appropriate lower administrative body or official to rehear the matter, if
254 necessary.

255
256 b. When the standing of a person is in issue, the Board of Adjustment **or**
257 **hearing officer** may take additional evidence for the limited purpose of
258 making findings on the question of the person's standing. No evidence
259 received under this subsection shall be considered for purposes other than
260 determining standing.

261
262 Section 13. Section 21.93.520 shall be amended to read as follows:

263
264 a. The appeal record shall be completed within 30 days after receipt of a timely
265 and complete notice of appeal to the Board of Adjustment **or hearing officer,**
266 **and** shall consist of the items, and shall be prepared in the manner, described
267 in this subsection.

268
269 1. The Clerk will assemble and paginate all relevant documents
270 involved in the original decision, including any staff reports, minutes, exhibits,
271 notices, and other documents considered in making the original decision.

272
273 2. A party may elect to include a verbatim transcript of the testimony
274 before the Planning Commission in the appeal record by making a written
275 request to the City Clerk for a recording of the testimony within 14 days after
276 the Clerk mails copies of the notice of appeal to the parties pursuant to HCC
277 21.93.080(d). The requesting party shall arrange and pay for the preparation of
278 the transcript. Only a transcript prepared and certified as accurate by a
279 qualified court reporter shall be accepted. The original transcript must be filed
280 with the City Clerk to be provided to the hearing officer with the record on
281 appeal.

282
283 b. The appellant, the applicant for the action or determination that is the
284 subject of the appeal, the owner of the property that is the subject of the
285 action or determination, and other parties who have entered an appearance
286 shall be notified by mail when the record and transcript, if ordered, are
287 complete. Any person may obtain a copy upon payment of the costs of
288 reproduction and any applicable mailing costs.

289
290 Section 14. Section 21.93.540 shall be amended to read as follows:

291
292 a. The meeting at which the Board of Adjustment hears an appeal shall be
293 open to the public. **An appeal before the hearing officer shall also be open**

294 **to the public.** The City Attorney or another attorney acting as legal counsel to
295 the Board shall be present **at appeals before the Board of Adjustment.**

296
297 b. Each party (each appellant, cross-appellant, and respondent) may present
298 oral argument at the appeal hearing, subject to the order of presentation and
299 time limitations that the Board of Adjustment **or hearing officer** adopts at the
300 commencement of the hearing. The taking of testimony or other evidence is
301 limited by HCC 21.93.510.

302
303 c. The Board of Adjustment **or hearing officer** may undertake deliberations
304 immediately upon the conclusion of the hearing on appeal or may take the
305 matter under advisement and meet at such other time as is convenient for
306 deliberations until a decision is rendered. Deliberations need not be public.

307
308 d. The Board of Adjustment **or hearing officer** may exercise his or her
309 independent judgment on legal issues raised by the parties. “Legal issues” as
310 used in this section are those matters that relate to the interpretation or
311 construction of the zoning code, ordinances or other provisions of law.

312
313 e. The Board of Adjustment **or hearing officer** shall defer to the findings of the
314 lower administrative body regarding disputed issues of fact. Findings of fact
315 adopted expressly or by necessary implication by the lower body shall be
316 considered as true if they are supported by substantial evidence. But findings
317 of fact adopted by less than a majority of the lower administrative body shall
318 not be given deference, and when reviewing such findings of fact the Board of
319 Adjustment **or hearing officer** shall exercise independent judgment and may
320 make ~~its~~**their** own findings of fact. If the lower administrative body fails to
321 make a necessary finding of fact and substantial evidence exists in the record
322 to enable the Board of Adjustment **or hearing officer** to make the finding of
323 fact, ~~it~~**they** may do so in the exercise of ~~its~~ **their** independent judgment, or, in
324 the alternative, the Board of Adjustment **or hearing officer** may remand the
325 matter for further proceedings. “Substantial evidence,” as used in this section,
326 means such relevant evidence as a reasonable mind might accept as adequate
327 to support a conclusion.

328
329 **Section 15.** Section 21.93.550 shall be amended to read as follows:

330
331 21.93.550 Board of Adjustment **or Hearing Officer** Decision

332
333 The Board of Adjustment **or hearing officer** may affirm or reverse the decision
334 of the lower administrative body in whole or in part. A decision affirming,
335 reversing, or modifying the decision appealed from shall be in a form that

336 finally disposes of the case on appeal, except where the case is remanded for
337 further proceedings.
338

339 Section 16. Section 21.93.560 shall be amended to read as follows:
340

341 a. The Board of Adjustment **or hearing officer** may remand the appeal to the
342 lower administrative body when the Board **or hearing officer** determines that:
343

344 1. There is insufficient evidence in the record on an issue material to the
345 decision of the case;
346

347 2. There has been a substantial procedural error that requires further
348 consideration by the lower administrative body; or
349

350 3. There is other cause requiring further proceedings by the lower
351 administrative body.
352

353 b. A decision remanding a case shall describe any issue upon which further
354 evidence should be taken, and shall set forth any further directions the Board
355 **or hearing officer** deems appropriate for the guidance of the lower
356 administrative body.
357

358 c. The lower administrative body shall promptly act on the case upon remand
359 in accordance with the decision of the Board of Adjustment **or hearing officer**.
360 A case on remand has priority on the agenda of the lower administrative body,
361 except cases remanded under HCC 21.93.510(a) are not entitled to priority. The
362 applicant or owner of the property in question may waive the priority given by
363 this subsection.
364

365 Section 17. Section 21.93.570 shall be amended to read as follows:
366

367 If no specific procedure is prescribed by the code, the Board of Adjustment **or**
368 **hearing officer** may proceed in an administrative appeal in any lawful manner
369 not inconsistent with this title, statutes, and the Constitution.
370

371 Section 18. Section 21.93.700 shall be amended to read as follows:
372

373 a. A member of the Planning Commission, ~~or~~ Board of Adjustment **or a hearing**
374 **officer** appointed to hear an appeal from a Planning Commission decision may
375 not participate in the deliberation or voting process of an appeal if, following
376 the procedures set forth in this chapter, the Commission, or Board member **or**
377 **hearing officer** is determined to have a substantial financial interest in the

378 official action, as defined in Chapter 1.18 HCC. In the absence thereof, all
379 Commission; or Board members **or a hearing officer** shall participate in the
380 deliberation and voting process unless excused pursuant to other provisions of
381 this chapter.

382
383 b. When a financial interest of a member of the Planning Commission or Board of
384 Adjustment is disclosed on the record, the remainder of the Commission or
385 Board, respectively, shall determine whether the member should participate in
386 the matter. If it is determined the member should participate, any action taken
387 thereafter by the body shall be valid notwithstanding a later determination by
388 a court, an appellate tribunal, **or a hearing officer** that the member should
389 have been disqualified from participation because of a substantial financial
390 interest in the matter; except the action shall be invalidated when the
391 disqualified member's vote was necessary to establish the required majority to
392 approve the decision of the body. When a Commission or Board decision is
393 invalidated because such vote was necessary to establish the required
394 majority, the body shall commence new consideration of the matter beginning
395 at the point where the Commission or Board, respectively, determines it is
396 necessary to do so to eliminate the effect of the member's improper
397 participation.

398
399 c. **A hearing officer shall disclose any substantial financial interest, personal**
400 **bias or ex parte contact immediately upon being appointed by the City**
401 **Manager and shall refrain from accepting the appointment if a substantial**
402 **financial interest, personal bias or ex parte contact exists. If the**
403 **substantial financial interest, personal bias or ex parte contact arises after**
404 **the hearing officer's appointment, he or she shall disclose his or her**
405 **interest and shall be disqualified from serving as the hearing officer unless**
406 **all parties waive any objection to the hearing officer.**

407
408 d. For purposes of hearing an appeal, a quorum of the Commission is four
409 members **and a quorum of the Board is four members**. If it is not possible to
410 obtain a quorum of the Planning Commission **or Board of Adjustment** to hear
411 an appeal without the participation of members disqualified by reason of a
412 substantial financial interest, then all members who would be so disqualified
413 shall nevertheless participate in the appeal, including deliberations and voting,
414 and the decision rendered in such a case shall be valid notwithstanding the
415 participation of such members. This subsection shall not apply if the matter
416 can be postponed to a later date (not later than 75 days after the appeal record
417 is prepared) when the body can obtain a quorum of members who are not
418 disqualified by a substantial financial interest.

419

420 Section 19. Section 21.93.710 shall be amended to read as follows:

421
422 a. No member of the Commission or Board of Adjustment **or any hearing**
423 **officer appointed by the City Manager to review a decision issued by the**
424 **Commission** shall have ex parte communication with any person. “Ex parte
425 communication” means to communicate, directly or indirectly, with the
426 appellant, other parties or persons affected by the appeal, or members of the
427 public concerning an appeal or issues specifically presented in the notice of
428 appeal, either before the appeal hearing or during any period of time the
429 matter is under consideration or subject to reconsideration, without notice
430 and opportunity for all parties to participate in the communication.

431
432 b. This section does not prohibit:
433
434 1. Members from discussing matters relating to the appeal among
435 themselves.

436
437 2. Communications between municipal staff and Commission or Board
438 members **or the hearing officer** where:

439
440 a. Such staff members are not themselves parties to the appeal;
441 and
442 b. Such communications do not furnish, augment, diminish, or
443 modify the evidence in the record on appeal.

444
445 3. Communications between the Commission or Board and its legal
446 counsel.

447
448 c. If, before an appeal commences, a member of the Commission or Board
449 receives an ex parte communication of a type that could not properly be
450 received while an appeal is pending, the member shall disclose the
451 communication in the manner prescribed in subsection (d) of this section at
452 the first meeting of the Commission or Board at which the appeal is addressed.

453
454 d. A member of the Commission or Board who receives an ex parte
455 communication at any time shall, at the first opportunity after the
456 communication, place on the record of the pending matter all written
457 communications received, all written responses to the communications, and a
458 memorandum stating the substance of all oral communications received, all
459 responses made, and the identity of each person from whom the member
460 received an ex parte communication. Any party to the appeal desiring to rebut

461 the ex parte communication must be granted a reasonable opportunity to do
462 so if a request is promptly made.

463
464 e. If the Commission or Board determines in its discretion it is necessary to
465 eliminate the harmful effect of an ex parte communication received in
466 violation of this section, the Commission or Board may disqualify the member
467 who received the communication from participation in the appeal. In addition,
468 the Commission may impose appropriate sanctions, including default, against
469 a party to the appeal for any violation of this section.

470
471 f. It is a violation, subject to penalties and other enforcement remedies under
472 this title:

473
474 1. For any person to knowingly have or attempt to have ex parte
475 communication with a Commission or Board **or hearing officer** in
476 violation of subsection (a) of this section.

477
478 2. For any Commission or Board member **or hearing officer** to
479 knowingly receive an ex parte communication in violation of subsection
480 (a) of this section.

481
482 3. For any Commission or Board member to knowingly fail to place on
483 the record any matter when and as required under subsections (c) and
484 (d) of this section.

485
486 Section 20. This ordinance shall take effect upon its adoption by the Homer City
487 Council.

488
489 Section 21. This ordinance is of a permanent and general character and shall be
490 included in the City Code.

491
492 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
493 _____, 2017.

494
495 CITY OF HOMER

496
497
498
499 _____
BRYAN ZAK, MAYOR

500
501
502

503 ATTEST:

504

505

506

507 _____
JO JOHNSON, MMC, CITY CLERK

508

509

510 YES:

511 NO:

512 ABSTAIN:

513 ABSENT:

514

515

516

517 First Reading:

518 Public Hearing:

519 Second Reading:

520 Effective Date:

521

522 Reviewed and approved as to form.

523

524

525 _____
Mary K. Koester, City Manager

526

527 Date: _____

528

529

530 Fiscal Note: NA

Holly C. Wells, City Attorney

Date: _____



Memorandum 17-064

TO: MAYOR ZAK AND FELLOW COUNCIL MEMBERS
FROM: COUNCIL MEMBER ADERHOLD
DATE: APRIL 18, 2017
SUBJECT: ORDINANCE 17-07(S-2)

I received comments from Homer residents regarding Ordinance 17-07(S-2) and tried to work them into a substitute ordinance, but my attempt at revisions turned into concerns and questions probably best answered by further review by the Advisory Planning Commission with input from the city attorney than through city council amendments. I've summarized the comments and questions below and will recommend at our April 24, 2017 regular meeting that we postpone vote on Ordinance 17-07(S-2) and send the ordinance to the Advisory Planning Commission for their review and recommendation. The City of Homer's means for adjudicating appeals is an extremely important issue and I feel it's important to get right rather than passing or failing a particular ordinance because it's what is in front of us.

Summary of comments:

- Overall: Ordinance 17-07(S-2) allows the appellant to decide between a Board of Adjustment and a Hearing Officer. This choice raises several questions:
 - What about other parties in the appeal? Do they have any say in the choice between a Board of Adjustment and a Hearing Officer?
 - During discussion at the April 10, 2017 City Council meeting, City Council members discussed "simple" appeals going to the Board of Adjustment and "complex" appeals going to a Hearing Officer. But that's not what's presented in the ordinance. Is it understood that appellants will know the difference between "simple" and "complex" appeals and decide accordingly? What test would be used to determine whether an appeal is "simple" or "complex?"
 - What happens if the appellant or another party associated with the appeal disagrees with the decision made by the Board of Adjustment or Hearing Officer? For example, an appellant selects the Board of Adjustment and an individual with standing in the appeal objects to that selection because of the perception of bias.

The Board of Adjustment decides in favor of the appellant. What is the recourse for the individual with standing?

- Overall: Ordinance 17-07(S-2) dropped sections of code that were revised under Ordinance 17-07(S) that passed and was then reconsidered. Should those sections of code be included in this or another ordinance regarding who will hear appeals?
- Lines 14-20: The whereas clauses for Ordinance 17-07(S-2) are unchanged from the original ordinance and state that it is in the City of Homer's best interest to use a Hearing Officer for most types of appeals rather than the Board of Adjustment. If City Council moves to a vote on Ordinance 17-07(S-2), these whereas clauses should be amended.
- Lines 333-337: The language in this paragraph is substantively changed from the current language in Homer City Code Section 21.93.550. Should some or all of the existing language in city code be retained?
- Lines 408-418: If the Board of Adjustment does not have a quorum without including members who have been disqualified, would it not be in the best interest of the city to automatically refer the appeal to a Hearing Officer?
- Lines 464-469: This paragraph refers to ex parte communication by members of the Board of Adjustment. Should the ordinance contain similar language for the replacement of a Hearing Officer in the event of ex parte communication?

The comments I received included numerous suggested revisions to the code presented in Ordinance 17-07(S-2) that do not directly pertain to the hearing of appeals by the Board of Adjustment or a Hearing Officer. I believe these were good suggestions that may be appropriate for a separate ordinance in the future.

Recommendation: Postpone Ordinance 17-07(S-2) and refer the ordinance to the Homer Advisory Planning Commission for their review and recommendation.

From: Jo Johnson
Sent: Tuesday, April 11, 2017 12:29 PM
To: Melissa Jacobsen
Subject: FW: Proposed Ordinance 17-07(S-2)

Melissa,
Please add this as backup for the next meeting.

Jo

From: Frank Griswold [<mailto:fsgriz@alaska.net>]
Sent: Tuesday, April 11, 2017 10:31 AM
To: Jo Johnson <JJohnson@ci.homer.ak.us>
Cc: Katie Koester <kkoester@ci.homer.ak.us>; Department Planning <Planning@ci.homer.ak.us>
Subject: Proposed Ordinance 17-07(S-2)

Mayor and City Council:

The true purpose of allowing an appellant the option of having a zoning appeal decided by the Board of Adjustment (vs. a Hearing Officer) is to tilt the wheels of justice in favor of an applicant who is denied a zoning permit by the Homer Advisory Planning Commission. Where an impartial, knowledgeable, out-of-town Hearing Officer might be inclined to uphold the Commission's denial of a zoning permit, the pro-development members of the Board and other members who are friends, friends of friends, neighbors, business associates and/or social associates of the applicant would be inclined to overturn an adverse ruling by the Commission. The fact that myriad *unanimous* decisions of the Homer Board of Adjustment have been reversed by the courts proves that the Board of Adjustment has not traditionally been a fair or impartial tribunal and suggests that utilizing it (vs. a Hearing Officer) will not result in any net monetary savings to the City of Homer. This poorly crafted and now specious ordinance has undergone substantial changes and should be sent back to the Planning Commission for its consideration and recommendations prior to consideration by the City Council. The following whereas clauses would be appropriate:

Whereas, It is in the City's best interest to promote rampant development; and

Whereas, It is therefore also in the City's best interest to overturn any decision by the Homer Advisory Planning Commission that is in any manner adverse to an applicant for a zoning permit; and

Whereas, An impartial, knowledgeable, out-of-town Hearing Officer might be inclined to uphold a Commission decision that is in some manner adverse to an applicant for a zoning permit; and

Whereas, An applicant for a zoning permit may have friends, neighbors, and/or business associates sitting on the pro-development Board of Adjustment who would be more likely to render a decision favorable to the applicant than would an impartial, unsympathetic Hearing Officer,

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

The Board of Adjustment or a Hearing Officer appointed by the City Manager or her designee shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Planning Commission.

From: Jo Johnson
Sent: Thursday, April 13, 2017 8:16 AM
To: Melissa Jacobsen
Subject: FW: Proposed Ordinance 17-07(S-2)

Melissa,
Here's another comment to include April 24 packet.

Jo

From: Frank Griswold [<mailto:fsgriz@alaska.net>]
Sent: Tuesday, April 11, 2017 4:59 PM
To: Jo Johnson <JJohnson@ci.homer.ak.us>
Cc: Department Planning <Planning@ci.homer.ak.us>
Subject: Proposed Ordinance 17-07(S-2)

To Mayor and City Council:

HCC 21.93.550 Board of Adjustment decision (current code):

a. The Board of Adjustment may affirm or reverse the decision of the lower administrative body in whole or in part. A majority vote of the fully constituted Board is required to reverse or modify the action or determination appealed from. For the purpose of this section the fully constituted Board shall not include those members who do not participate in the proceedings due to a conflict of interest or disqualifying ex parte contacts, disqualifying partiality, or other disqualification for cause. A decision affirming, reversing, or modifying the decision appealed from shall be in a form that finally disposes of the case on appeal, except where the case is remanded for further proceedings.

b. The Board may seek the assistance of legal counsel, City staff, or parties in the preparation of a decision or proposed findings of fact. [Ord. 08-29, 2008].

Amended version per proposed Ordinance 17-07(S-2):

The Board of Adjustment or hearing officer may affirm or reverse the decision of the lower administrative body in whole or in part. A decision affirming, reversing, or modifying the decision appealed from shall be in a form that finally disposes of the case on appeal, except where the case is remanded for further proceedings.

Portion of current code that would be deleted via proposed Ordinance 17-07(S-2)::

A majority vote of the fully constituted Board is required to reverse or modify the action or determination appealed from. For the purpose of this section the fully constituted Board

shall not include those members who do not participate in the proceedings due to a conflict of interest or disqualifying ex parte contacts, disqualifying partiality, or other disqualification for cause. . . . The Board may seek the assistance of legal counsel, City staff, or parties in the preparation of a decision or proposed findings of fact.

Is it the Council's intention to no longer define a fully constituted Board? Would a fully constituted Board now *include* those members disqualified due to conflict of interest/bias etc? When three voting Board members have disqualifying conflicts of interest/bias, would the remaining three voting Board members plus the Mayor constitute a quorum and if so, why wouldn't just those three voting members i.e., without the then non-voting Mayor also constitute a quorum? Why is three members the minimum quorum for the Ethics Board (which has identical personnel and voting rights) but not for the Board of Adjustment (now presumably set at four)? Would the Board be required to prepare its own decision and findings of fact without the assistance of legal counsel, City staff, or parties? Under what scenario could a party legally assist the Board in the preparation of its decision and/or findings of fact and why wouldn't this constitute prohibited ex parte communication?

(Amended) HCC 21.93.700(b) states: "When a financial interest of a member of the Planning Commission or Board of Adjustment is disclosed on the record, the remainder of the Commission or Board, respectively, shall determine whether the member should participate in the matter. If it is determined that the member should participate, any action taken thereafter by the body shall be valid notwithstanding a later determination by a court, -an appellate tribunal, or a hearing officer that the member should have been disqualified from participation because of a substantial financial interest in the matter; except that the action shall be invalidated when the disqualified member's vote was necessary to establish the required majority to approve the decision of the body. When a commission or Board decision is invalidated because such vote was necessary to establish the required majority, the body shall commence new consideration of the matter beginning at the point where the Commission or Board, respectively, determines it is necessary to do so to eliminate the effect of the member's improper participation.

1. A conflicted member's illegal participation that results in invalidation of the action means that the entire action is invalidated, not just portions of it. So how can an invalidated action be considered de novo at any point except from the very beginning i.e., following a new application?

2. The City does not have the authority to decree that "any action taken by the body thereafter shall be valid notwithstanding a later determination by a court,-an appellate tribunal, or a hearing officer that the member should have been disqualified from participation because of a substantial financial interest in the matter." This conflicts with the following rulings by the Alaska Supreme Court:

In *Griswold v. City of Homer*, 925 P.2d 1015 (Alaska 1996), a property owner sued the City challenging an amendment to the City's Zoning and Planning Code to allow motor vehicle sales and services in a Homer central business district. The property owner complained that a City Council member who owned property in the new district should not have voted for the rezoning due to a conflict of interest. The court agreed. In reviewing the Homer City Code, the court held

that the council member had a substantial financial interest because the zoning reclassification would increase the permissible uses of his property. The court stated: "In determining whether the vote of a conflicted member demands invalidation of an ordinance, courts should keep in mind the two basic public policy interests served by impartial decision-making: accuracy of decisions, and the avoidance of the appearance of impropriety." *Id.*, at 1028-1029 (citation omitted).

In *Walter E. Stuart v. The Municipality of Anchorage*, 3AN-07-04155 C1, the Superior Court was faced with a decision pertaining to an alleged conflict of interest whereby an assembly member had voted on a rezoning proposal involving nearby property in which he had a financial interest. In reviewing the matter the court found that a financial interest of over a million dollars was substantial and that as a consequence the conflicted assembly member was precluded from voting even though the assembly allowed the vote after a review of the issue. The court struck down the ordinance as invalid since it was tainted by the vote of an assembly member with a substantial financial interest.

In *Carney v. State Bd. of Fisheries*, 785 P.2d 544 (Alaska 1990), the court was called upon to determine whether Board of Fisheries regulations were invalid when a majority of the Board members had a conflict of interest under the common law since the Board members were actively fishing in the affected district or were employed by those who were actively fishing at the time the regulations were adopted. The court found that a conflict of interest existed even though not expressly evident in state statute. The court noted that, "[o]n the other hand the focus of the common law appears to be on the relationship between the public officials' financial interest and the possible result of the officials' action, regardless of the officials' intent." *Id.*, at 548. The court observed that the State statute did not abrogate the common law which remains applicable to conflict of interest analysis. The Carney court also found that AS 39.50.090, even though it does not abrogate the common law, contains an element of intent of the public official and whether the public official's primary purpose is to obtain personal financial gain. In contrast, the common law, as set forth in the foregoing quote, dispenses with an analysis of the official's intent. The Carney court continued its analysis by determining that board members must disqualify themselves from participating in decisions that affect their own interests in a manner different from the interest of the members of the industry. The court concluded: "In this case, the individual interests of the four board members were significantly different with regard to this particular fishing district from the interests of the fishing industry as a whole. The effect of this regulation was to benefit drift netters in the limited area of the Nushagak district at the expense of set netters in the same district. The board members here were actively fishing in the Nushagak district with drift nets, or employed by those who were, at the time the regulation was adopted. Thus, while the Board members could have participated in generalized decisions dealing with gear conflicts, they should have abstained from decision-making concerning discrete areas such as the Nushagak district in which their operations made them narrowly and specifically interested. Because a majority of the votes cast to pass the regulation are invalid, so is the regulation." (citations omitted).

Melissa Jacobsen

From: Jo Johnson
Sent: Thursday, April 13, 2017 11:33 AM
To: Melissa Jacobsen
Subject: FW: Proposed Ordinance 17-07-(S-2) Quorum Quandary

For the packet.

Jo

From: Frank Griswold [mailto:fsgriz@alaska.net]
Sent: Thursday, April 13, 2017 10:47 AM
To: Jo Johnson <JJohnson@ci.homer.ak.us>
Cc: Department Planning <Planning@ci.homer.ak.us>; Katie Koester <kkoester@ci.homer.ak.us>
Subject: Proposed Ordinance 17-07-(S-2) Quorum Quandary

Mayor and Council:

HCC 2.80.010(a) provides that the Ethics Board "shall be comprised of all members of the City Council and the Mayor" i.e., seven members. HCC 2.80.010(b) states: "A quorum of the [Ethics] Board shall be a majority of all members who are not excused for cause, such as being the complainant, the respondent, a witness, having a conflict of interest, or other cause for recusal. However, in no event may a quorum be less than three." Thus, three members do not always constitute a minimum quorum for the Ethics Board; in some cases a minimum of four members would be required to establish a quorum. The Planning Commission usually has seven members as does the Board of Adjustment which is comprised of the same individuals serving on the Ethics Board. HCC 21.93.700(c) (misplaced under conflict of interest issues) currently states: "For purposes of hearing an appeal, a quorum of the Commission is four members and a quorum of the Board is four members, one of whom may be the Mayor." Confusingly, under a different section of appeals procedures captioned "Board of Adjustment decision," HCC 21.93.550 currently states in relevant part as follows: "For the purpose of this section the fully constituted Board shall not include those members who do not participate in the proceedings due to a conflict of interest or disqualifying ex parte contacts, disqualifying partiality, or other disqualification for cause." This text is deleted in proposed Ordinance 17-07(S-2). Proposed Ordinance 17-07(S-2) amends HCC 21.93.700(c) (now under section (d)) in relevant part as follows: "For purposes of hearing an appeal, a quorum of the Commission is four members and a quorum of the Board is four members" deleting "one of whom may be the Mayor." HCC 21.91.100 mandates that when sitting on the Board of Adjustment the Mayor only votes in case of a tie so conceivably three voting members of the Board of Adjustment could conduct business and render a decision. (To avoid confusion at appeal hearings the Mayor's voting rights and limitations should be stated under HCC 21.93).

The Council may want to address the following:

1. If three voting members of the Board of Adjustment plus a non-voting Mayor constitutes a quorum, why wouldn't just three voting members i.e., without the Mayor, also constitute a quorum?
2. Why delete the stipulation that one of the four Board of Adjustment members comprising a quorum may be the Mayor; is it the Council's intention that this no longer be the case?

3. Why delete the stipulation that the fully constituted Board of Adjustment shall not include those members who do not participate in the proceedings due to a conflict of interest or disqualifying ex parte contacts, disqualifying partiality, or other disqualification for cause; is it the Council's intention that this no longer be the case?
4. Why should the minimum quorum for a seven-member Ethics Board be three members while quorums for a seven-member Planning Commission Appeal Board and a seven-member Board of Adjustment be four members?
5. Whereas clause #1 of Ordinance 17-07-(S-2) states: "It is in the City's best interest to provide individuals appealing decisions issued by the Homer Advisory Planning Commission the ability to use a hearing officer rather than the Board of Adjustment." Whereas clause #2 states: "The use of experienced hearing officers that do not otherwise advise the City on legislative land use matters promotes public confidence in the City of Homer's administrative appeals process." So why would the Council want to provide appellants the option of using the Board of Adjustment? Is it now the Council's intention to put private interests ahead of City interests and (further) diminish public confidence in the City's administrative appeals process?
6. Why would it not be in the City's best interest to have an experienced hearing officer also decide ethics complaints, appeals to the Homer Advisory Planning Commission, and appeals of City Manager denials of public records requests which are currently heard by the Council as prescribed by HCC 2.84.070? Note that HCC 2.84.070 is deficient as to what constitutes a quorum of the Council when acting as a quasi-judicial body (vs. its usual role acting a legislative body).

Frank Griswold

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 City Clerk/
4 Advisory Planning Commission

5 **RESOLUTION 17-038**

6
7 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING THE HOMER ACCELERATED ROADS AND TRAILS
9 PROGRAM (HART) POLICY MANUAL ADDING SECTIONS FOR
10 PROJECT ELIGIBILITY AND FUNDING FOR SIDEWALKS,
11 ELIMINATING THE PROVISION FOR DEBT SERVICE RATIO, AND
12 EDITING FOR READABILITY AND CONSISTENCY.

13
14 WHEREAS, City Council tasked the Advisory Planning Commission to review the Homer
15 Accelerated Roads and Trails Program (HART) Policy Manual; and

16
17 WHEREAS, The Advisory Planning Commission considered the tasks assigned as
18 outlined in Memorandum 17-028; and

19
20 WHEREAS, City Council reviewed the HART Policy Manual revisions at their February 13,
21 2017 Worksession.

22
23 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, amends the
24 Homer Accelerated Roads and Trails Program Policy Manual adding sections for project
25 eligibility and funding for sidewalks, eliminating the provision for debt service ratio, and
26 editing for readability and consistency.

27
28 BE IT FURTHER RESOLVED that the City Council of Homer, Alaska, hereby adopts the
29 HART Policy Manual as amended and attached as exhibit A.

30
31 PASSED AND ADOPTED by the Homer City Council this 10th day of April, 2017.

32
33
34 CITY OF HOMER

35
36
37 _____
38 BRYAN ZAK, MAYOR

39 ATTEST:

40
41 _____
42 JOHNSON, MMC, CITY CLERK

43
44 Fiscal note: NA

H.A.R.T. POLICY MANUAL

(HOMER ACCELERATED ROADS AND TRAILS PROGRAM)

TABLE OF CONTENTS

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I. PURPOSE

The purpose of the HART program is to pay for reconstructing substandard city roads, upgrading existing roads, and constructing new streets and non-motorized trails. The intent of the program is to reduce maintenance costs, improve access, increase property values and improve the quality of life. State maintained roads are not part of this program. The program is funded by a voter approved dedicated sales tax, and assessments levied on adjacent benefited properties

II. DEFINITIONS

- A. Sidewalk- the term “sidewalk” means a pedestrian facility associated with a road and generally within a street right of way
- B. Trail – a pedestrian facility detached from a road, or not within a street right of way
- C. Fund Balance - is the unreserved fund balance that is not allocated to pay the city portion of a project
- D. HAPC – Homer Advisory Planning Commission
- E. Homer Non-Motorized Transportation and Trail Plan (HNMTTP) – a document that is an adopted part of the City of Homer Comprehensive Plan
- F. 2005 Homer Area Transportation Plan (Transportation Plan) – a document that is an adopted part of the City of Homer Comprehensive Plan

III. ROAD QUALIFYING AND PROJECT CRITERIA

To be eligible for HART funds, roads and projects must meet the qualifying criteria below.

- A. Qualifying Criteria for Existing Roads. HART fund may be used on existing roads that meet one or more of the following criteria:
 1. Road has been accepted for city maintenance.

2. Right of way was dedicated prior to March 14, 1987 (Ord. 87-6(s)).
 3. Right of way was dedicated prior to being annexed into the City.
- B. Qualifying Criteria for New Roads. HART funds may be used for new roads when one or both of the following criteria are met:
1. The City owns the property wherein the road is to be constructed.
 2. The construction project benefits the entire City.
- C. Project Criteria. The following criteria may be considered for using HART funds:
1. Project is listed in the 2005 Homer Transportation Plan or furthers a stated goal of that plan.
 2. HART funds may be used in accordance with Title 11.04.05, to pay to the developer the cost difference between the required street and the proposed street.
 3. Improves life, safety and traffic flow
 4. Corrects deficiencies of existing systems
 5. Completes traffic circulation pattern
 6. Encourages economic development
 7. Corrects drainage problems
 8. Reduces maintenance costs
 9. Other factors deemed appropriate by the City Council
- D. Use of HART funding for major repairs. HART funds may be used for major eligible road and drainage repairs that are beyond the scope of routine maintenance. The use of the SAD process and property owner participation is preferred. However there may be situations in which a section of road may be repaired to a reasonable level of service without the expense of a complete rebuild.
- E. Sidewalks. To use HART funds, projects must be mapped as either sidewalks, paved shoulders or separated pathways, or directly serve the special populations discussed in sections 3.1 and 3.2 of the HNMTTP. Effort will be made to find grants or non-city funding sources to match city construction funds, whenever possible.

IV. TRAILS QUALIFYING AND PROJECT SELECTION CRITERIA

To be eligible for funding, trails must be located within trail easements or within the boundaries of municipal lands that will be held in perpetuity for public use. The goal is to avoid building trails across lands that could become privatized and result in the loss of public access. An exception to this is the use of trail funds to construct short term trails within platted rights of way. Trails within rights of way should benefit the community circulation system and be low cost, since trails will likely become part of the road when the right of way is developed.

- A. New local non-motorized trails shall be prioritized according to the following:
 1. Project is listed in the HNMTTP or furthers a stated goal of that plan
 2. Solves a safety concern
 3. Creates connectivity to existing trail(s), completes pattern or provides access to a point of interest
 4. Protects an established trail
 5. Creates or improves a trailhead
 6. Has significant scenic or aesthetic value
 7. Existence or potential for contributing funds or volunteer efforts
 8. Property owner participation

- B. Trail Project Selection Criteria. The Homer Advisory Planning Commission and Parks Art, Recreation and Culture Advisory Commission will review the trail priority list during the bi-annual review of the HART. The list will be presented in a memorandum from staff, and will contain a mix of large and small projects. Generally it will include up to five trail projects that staff has reviewed and found ready for preliminary work. Trails on this list are planned for construction in the near term (one to three year timeframe). Staff will actively work to prepare those projects for construction.

- C. Volunteer Projects. Citizens may work with the City Administration to use HART funds to construct public trails.

- D. Developer Cost Sharing. When a developer builds a trail as part of a new subdivision, HART funds may be used to reimburse up to 25% of trail construction costs.

V. FINANCING and ASSESSMENTS

This program is funded by a dedicated sales tax of up to three quarters of one percent ($\frac{3}{4}\%$), and the collection of assessment payments due from completed projects. The tax will be collected for up to twenty years expiring December 31, 2027, as approved by voters. Roads are allocated 90% of the annual revenue, and trails are allocated 10%. Expenditures under the HART program are subject to the availability of funds.

1. Sidewalks shall be paid for out of road funds, and trails shall be paid for out of trail funds.
2. HART funds may be used to leverage outside funds for New Local Roads and Trails.
3. New local trails may be constructed using 100% program funds.
4. When additional right-of-way is required, acquisition costs will be paid by this program, at no additional cost to abutting property owners.
5. Interest, if any, generated from the program will remain with the program funds.
6. This program includes paving driveway aprons on contracts funded by HART.
7. Abutting property owners will share the cost of upgrading a street by paying the cost sharing specified in the fee schedule as adopted in the year the project or special assessment district was initiated.
8. Lots having a frontage on two parallel streets, or flag lots having a frontage on two perpendicular streets, are exempt from a double front footage assessment unless actually accessing the lot from both streets either prior to or after reconstruction and/or paving Deferred Assessment Agreement Required pursuant to HCC 17.04.180.
9. The City will pay all costs for any additional improvements required when deemed necessary by the City.
10. Other improvements requested by the benefited property owners will be paid by those same property owners.
11. City share can apply to related utilities, sidewalks, street lighting, drainage, paving and/or reconstruction of roads identified on the road maintenance map.

VI. UTILITIES

1. Prior to street reconstruction, necessary related non-existing water and sewer improvements shall be encouraged whenever possible.
2. Water and Sewer utility extensions necessary to extend the utilities short distances beyond a construction area will be paid for by the program.
3. Water and sewer utility relocations directly caused by reconstruction will be paid for by HART funds.
4. Water and sewer utility upgrades necessary for future capacity that are done concurrently with reconstruction and/or paving will be paid for by the utility fund.
5. The City shall recover from the property owner the cost of construction of City-provided sewer and water service connections by including the cost of construction of such connections in the service connection fee established under HCC Chapter 14.13. Costs will be recouped from benefiting property owners through deferred assessments. The Finance Department will maintain a listing of these deferred sewer and/or water service connection fees.
7. Whenever practical streetlights shall be included in the construction of new local roads and shall be paid by HART funds. Property owners participating in a road reconstruction and/or paving Special Assessment District may request streetlights. If the project is deemed feasible, the property owners shall be

assessed for the installation of the streetlights on an equal share per parcel methodology. Property owner approval of the street light assessment shall follow the process in HCC 17.04. Once constructed, the City will absorb the utility billing for the street light(s).

VII. SPECIAL PROVISIONS

1. The Homer Advisory Planning Commission shall review the criteria for the H.A.R.T. program bi-annually, with recommendations reported to the Homer City Council.
2. The City Council shall review the HART fund on an annual basis during the third quarter.
3. Pedestrian amenities shall be included in all new road projects unless exempted by the City Council.
4. Funds may be used to finance projects where property owners pay 100% of the costs. Subject to City Council approval.
5. The City Council may exempt lands from assessment if the land will not be developed due to a conservation easement, or if the land is owned by a conservation organization that holds the land for public purpose or for habitat protection.

VIII. HISTORY

Ordinance 85-14 07/01/85, Ordinance 94-16(A), Ordinance 02-08(A), 04/08/03,
Ordinance 02-23(A), 06/10/02, Ordinance 06-42(S), Ordinance 12-15

Resolution 87-61(S), Resolution 88-47, Resolution 88-77(A), Resolution 91-48, Resolution 91-68,
Resolution 94-50, Resolution 95-97, Resolution 96-73, Resolution 03-116, 08/25/03),
Resolution 04-41(A), Resolution 05-50(A), Resolution 05-70, 06/13/05,
Resolution 07-82, Resolution 16-041(S-2)(A), May 9, 2016



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Memorandum 17-028

TO: Mayor Zak and the Homer City Council
THROUGH: Katie Koester, City Manager
FROM: Julie Engebretsen, Deputy City Planner
MEETING: February 13, 2017
SUBJECT: HART Policy Revisions

HART Policy Manual Review Tasks

The City Council requested the Planning Commission review the Homer Accelerated Roads and Trails (HART) policy manual. The assigned tasks from Council were:

1. Update and improve the organization and readability of the HART Policy Manual
2. Make HART policies as consistent as possible with HAWSP policies
3. Review project eligibility
4. Provide for funding of SAD's for sidewalks w HART funds
5. Develop a matching grant program for trails.

Additionally, the City Manager requested that the calculation for the 1.25 debt ratio be described.

Work Completed

Task 1: Readability

Staff has removed duplicate information and things that are spelled out in code. This document was first written circa 1987, and there have been a lot of code amendments since then! Any items that are spelled out in code or other adopted city documents have been removed.

Task 2: Consistency between manuals. Staff has formatted the manuals and revised the wording so they are more consistent.

Task 3: Review Project Eligibility. (See new section, Page 2 Section D)

There appears to be a need for funding major patch jobs that are outside the scope of the operating budget, but are lesser than a total road rebuild that requires a Special Assessment District. To be clear, HART funds cannot be used for routine maintenance, like ditch cleaning or grading. In 2015, the City Council authorized \$30,000, with an additional \$7,000 in matching funds to do patch repairs to annexed roads on the hill – Fireweed Ave and Cottonwood Lane (Ordinance 15-10 (S)). There was not enough land owner support for a full road SAD. The HAPC struggled with this use of HART funds and feels that City funding for road maintenance in general is inadequate. However, the Fireweed-Cottonwood reconstruction project is outside the scope of the operating budget and the HART SAD process has traditionally filled the need for major road reconstruction projects. Staff recommends

revising the manual to include more detail on eligible projects. With increased pressure on HART for major road reconstruction and repair, Council may want to consider requesting more definitive language from the voters.

Task 4: Provide for funding of SAD's for sidewalks with HART funds.

Staff researched other community sidewalk policies and found that some have a required property owner match, but it's capped at \$2,000. City costs are capped at \$15,000 per lot. Our Homer costs are significantly higher. Additionally, a community may have a sidewalk plan, or a prioritization of sidewalk improvements. This focuses where new sidewalks should be constructed. The Homer Non-motorized Transportation and Trails Plan does a nice job of mapping where our community improvements are desired, and also states that special populations are of importance to our community. The HAPC supports using the HNMTTP as a guide for when HART funds will be used on sidewalks. THE HAPC did not support capping the property owner assessment for sidewalk construction.

New Section: *"E. Sidewalks. To use HART funds, projects must be mapped as either sidewalks, paved shoulders or separated pathways, or directly serve the special populations discussed in sections 3.1 and 3.2 of the HNMTTP. Effort will be made to find grants or non-city funding sources to match city construction funds, whenever possible."*

Task 5: Develop a matching grant program for trails.

Currently, there is about \$600,000 of trail money available. The city has had some success in building trails (Reber Trail), but generally, we don't have the staff to plan and construct trails, despite the community desire for them. The fund has grown by \$100,000 a year as taxes are collected but we're not building trails. Homer citizens have responded by suggesting a small grant program. Citizens apply for funds to build trails – think neighborhood groups, youth groups, scouts etc. These would be projects that don't require heavy equipment and would not require a lot of engineering. The Calhoun Trail is a good example. Trail builders would leverage volunteer labor, fundraising, and city funds to build new trails.

Julie Engebretsen worked with the Parks, Recreation Arts and Culture Advisory Commission (PARCAC) and the local ad-hoc trails group on a grant process. Within the HART Manual, things have been kept very simple. On page 3 of the Manual, it states "C. Citizens may work with the City Administration to use HART funds to construct public trails." Also, the availability of volunteer efforts or matching funds can be considered when the City is selecting trail projects. The details of this program will be worked out administratively, with the City Council approving funds for projects via ordinance. A sample grant application, and scoring sheet are attached.

Task 6: 1.25 Debt Service Ratio. Staff recommends and the HAPC agreed that this provision should be removed. First, the City pays cash for HART projects because there is a fund balance. Second, this program is only authorized through 2027. The city will not be able to collect sales tax to pay any debt payment after this date (unless voters extend the program).

Further comments from HAPC:

- Recommend codifying conservation easement exemptions and project payment mechanism
- Request legal review of 17.04.180(a) – is it still valid and current regulation? (Pertains to lots with double frontage).

Staff Recommendations:

1. Adopt a resolution adopting the revised HART Policy Manual.
2. Request staff draft an ordinance codifying conservation easement exemptions and project payment mechanism
3. Request legal review of 17.04.180(a) – is it still valid and current regulation? (Pertains to lots with double frontage).



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Planning

491 East Pioneer Avenue
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(p) 907-235-3106

(f) 907-235-3118

To: Parks, Art, Recreation and Culture Advisory Commission
From: Julie Engebretsen, Deputy City Planner
Date: June 22, 2016
Subject: Draft HART Trails grant program

Requested Action: Review draft trail grant program and provide feedback. Overall, this process should be easy to understand, and uncomplicated.

The following information was compiled from conversations with Adele Person and Kenton Bloom. A copy has been provided to them, so that the conversation can continue over the summer. The Planning Commission will also receive a copy. I expect the PARC Commission will have this item on the August or September agenda for fine-tuning.

Goal: Create a grant process that would use trail HART funds to empower community groups to complete long-standing trail and walk/bike projects. The current HART trails process has no mechanism to get community involved except to ask the City to do something. We want to legitimize trail work done by community groups, and unlock matching funds and efforts. A great example is the State of AK Recreational Trail Program, which leveraged state/federal funds with local dollars and in kind matches.

This would not be a new HART *policy*, but a new *process* to facilitate HART goals.

The goals of such a proposal are:

- to build greenway trails in a cost-effective and value-added way
- to strengthen the overall trail and transportation system
- to leverage community matching in cash, expertise, equipment, volunteers, and labor
- to engage and empower community groups to take active responsibility for a larger system
- to remove small projects from Public Works' stretched resources

How HART works:

People pay ¾% of sales tax. Of this amount, 10% is dedicated to trails, and 90% to roads. Roads and trails each have their own account number and are accounted for separately by the Finance Department.

Current Hart Review

The City Council referred the full HART manual to the Homer Advisory Planning Commission. Council requested the PARC Commission review and make recommendations on the subject of revising the manual to develop a matching grant program for small scale greenway trails.

What is a small-scale greenway trail? Well, the intent is compacted gravel trails, probably a level 3 trail in the Trails Design Criteria Manual. These are urban connectors, about the same size and usage as the Library Trail, Poopdeck or Calhoun Trails. They are ADA accessible (or very close to it). These are NOT footpaths or primitive trails used primarily for recreation; the trails we are talking about are used to walk and get around the community (some biking too). They provide a needed transportation component. Paved trails like the Spit Trail and East End Road pathway are beyond the scope of our work here; those trails are not something a volunteer group is going to plan, design or build.

Grant Program Outline

Use either 15% of the trails fund balance, or up to \$50,000 for trail projects on an annual basis. Council may amend the amount with a budget ordinance.

Project Requirements:

1. Trail meets the qualifying criteria in the HART Manual:

B. Trails

New local non-motorized trails shall be prioritized according to the following:

- a. Project is listed in the HNMTTP or furthers a stated goal of that plan;
 - b. Solves a safety concern;
 - c. Creates connectivity to existing trail(s), completes pattern or provides access to a point of interest;
 - d. Protects an established trail;
 - e. Creates or improves a trailhead;
 - f. Has significant scenic or aesthetic value;
 - g. Existence or potential for contributing funds **or volunteer efforts**;
 - h. Property owner participation. (Resolution 07-82)
2. A public trail or City of Homer trail easement is in place or will be prior to construction
 3. There is a clear project budget
 4. Trails will be built to city specs - City Trail Design Criteria Manual, level 3 or 4, hardened surface trails.
 5. Work in city rights of way with heavy equipment will be done by approved city contractors
 6. Volunteers will sign a liability release form provided by the city
 7. Groups awarded a trail grant will have an appointed spokesperson/project manager to work with city staff.
 8. Applicants will demonstrate (how?) they have the ability to complete the project.
 9. In kind match of 20-50% of project value is required. Volunteer labor may be calculated at \$15/hour for participants over the age of 18. Another amount may be agreed upon based on specialized services such as skilled labor, heavy equipment operators/equipment use, or professional contributions such as engineering and surveying.

Grant funds will be administered on a reimbursement basis. **City Responsibilities**

1. City will have appointed person to work with the trail group representative.
2. City will work with the applicant to acquire necessary permits.
3. City or city designated organization will provide cost reimbursement

4. City will create a grant selection committee to include staff members, two members of the PARCAC, and two members of the public.

Timeline

Grant applications are available in January and due March 1.

A selection committee will select grant recipients.

Council will amend the budget by ordinance, to allocate the funds, by the first meeting in April. Any required permits will be applied for in April or early May, prior to construction.

Projects will generally be completed by November 1. Multiyear projects can be phased.

Sample grant application

*Sheets the applicant will include:

Grant application

Budget sheet

Narrative sheet

Drawings: A basic map showing trail routing in relation to existing streets, trails and land ownership

Trail project name _____

Applicant _____

Organization _____

Project location _____

When would you like to construct _____

Proposed completion date _____

Is this a new or existing trail?

Briefly explain why is this new trail needed, or why this existing trail needed to be upgraded?

Does the trail complete a link shown in the Homer Non-Motorized Transportation and Trail Plan?

Are trail easements already recorded? Y/N

If no, how will you acquire them, or do you need city assistance?

What permits are needed (City, ACOE, etc)?

Are there mapped wetlands or drainages?

What level of trail do you plan to construct, 3 or 4?

How will you build the trail – attach separate sheet with 1 page or shorter narrative describing construction materials, volunteer efforts and community match for the project.

Length of trail/project (linear feet) _____

Total estimated cost: (attach a separate budget sheet) _____

City funds requested \$ _____

I/my group will raise or provide a Cash match of \$ _____

List the In kind/ volunteer labor/materials you will provide. In kind volunteer labor will generally be valued at \$15/hr. _____

Primary grant contact _____

Primary construction contact (works with Public Works on details, permits etc) _____

SAMPLE HART Trails grant scoring sheet.

Scoring criteria

100 pts possible

Pick only 1 of 1A or 1B

1A. Project is in the Homer Non-Motorized Transportation and Trail Plan _____ Y=25 pts no= 0

1B. Project is not in HNMTTP but does one or more of the following: _____ up to 10 pts

- Solves a safety concern;
- Creates connectivity to existing trail(s), completes pattern or provides access to a point of interest;
- Protects an established trail;
- Creates or improves a trailhead;
- Has significant scenic or aesthetic value;
- Property owner participation (cash or in kind).

2. Are the easements already in place and recorded? _____ Y = 10, some = 5, No = 0

3. Applicant knows what permits are needed and has a designated project manager _____ Y= 10, some = 5, No = 0

4. Total project cash cost is: \$ _____

City cash contribution requested \$ _____

Volunteer/in kind match value \$ _____

Project Match \$ _____, _____% _____ 20-50% = 15 points

Project Match: A 20% match is worth 15 points

A 50% or greater match is worth 30 pts _____ 50% or greater= 30 pts

5. Confidence the applicant can meet the budget, project management and construction timeframe in application _____ 20 points High = 20, moderate = 10, Low = 0

6. Reviewer preference, 5 points awarded only to the top project _____ 5 Points

ORDINANCE(S)

CITY MANAGER'S REPORT



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum

TO: Mayor Zak and Homer City Council
 FROM: Katie Koester, City Manager
 DATE: April 10, 2017
 SUBJECT: April 24 City Manager's Report

Sales Tax Data

I am pleased to report sales tax returns in 2016 were up 4% or \$249,848 from 2016 budget. As you recall, the 2017 budgeted for a 5.5% sales tax increase from 2016 budget. If 2017 continues on the trend of up 1.5% from 2016, we will hit that mark.

	GF Sales Tax Revenue (excludes HAWSP)	% increase from 2016 budget
2016 Budget	\$6,144,316	
2016 Actual (unaudited)	\$6,394,164	4%
2017 Budget	\$6,481,188	5.5%

Comparing 1st Quarters

1 st Quarter 2016	\$1,081,421	% increase
1 st Quarter 2017	\$1,098,377	1.5%

Firewood for Sale in City Campgrounds

The PARAC and City Parks Division would like firewood to be available in our campgrounds. Having bundled firewood for sale at Mariner Beach, the Fishing Hole, and the Hornaday Park campgrounds would reduce the impact of campers scavenging the beach and wooded areas for firewood. The City Manager's office struggled with how to solicit participation for this opportunity and researched how other communities managed firewood sales. However, we did not want to get too far ahead of ourselves and create a process for an interest that does not exist. Thus far, we have not had anyone come forward interested in providing this service. If you know of anyone who would be interested in selling firewood, please have them contact the City Manager's Office to get the ball rolling.

Ice and Bait Machines

The City has entered into a short-term agreement with Alaska Ice, LLC to install an ice and bait machine at the harbor. Several locations were considered, however the top of Ramp 4 was chosen because it is the greatest distance from other "brick and mortar" businesses that sell bagged ice and bait. The City will

license these two machines, in one location, for 6-months. If the machines prove to be sufficiently profitable, we will consider a Request for Proposal for a long-term arrangement.

Total IFQ Landings & Pounds by Port report from NOAA.gov

Attached is a yearend report from NOAA on landings by port. Looking at the report and comparing Homer to the other bigger harbors in terms of landings and pounds, Kodiak beat us out by about 100,000 pounds but it took about an additional 120 landings to do it. What could that mean? The bigger loads came to Homer because it made sense to the vessels in terms of run time and fuel. Where we are falling short is in the black cod landings. This is likely due to the lack of processing and run time verses profit for the vessels. The Port and Harbor is hopeful that with transfer of ownership of Fish Factory to an international company this spring we could see an upswing in black cod landings in Homer.

Airport public comment

The Department of Transportation and Public Facilities is soliciting public comment on improvements to the airport facilities. See attached map and public notice.

Navy Ship to Visit Homer

The City of Homer will be welcoming the USS Hopper, a navy destroyer, to the Port April 28-1. The Chamber is arranging to have transportation and tour opportunities available for crew who will be spending some time on shore leave getting to know our beautiful City while they are here. Navy volunteers will also be helping in the community during their short stay. Please welcome these men and women to our community and take an opportunity to thank them for their service.

Enc:

Alaskan Command Press Release

Total IFQ Landings & Pounds by Port report from NOAA.gov

DOT Request for public comment on improvements at the airport

Alaskan Command
PRESS RELEASE

Alaskan Command Office of Public Affairs
9480 Pease Ave, Ste 304, Joint Base Elmendorf-Richardson, AK 99506-2150
Cmcl (907) 552-2341 DSN (317) 552-2341

Apr 4, 2017

U.S. Navy ships scheduled to visit Alaska for Exercise Northern Edge 2017

JOINT BASE ELMENDORF-RICHARDSON, Alaska – Arleigh Burke-class guided-missile destroyers USS Hopper (DDG 70) and USS O’Kane (DDG 77) and fleet replenishment oiler USNS Guadalupe (T-AO 200) are scheduled to participate in Exercise Northern Edge 2017 in the Joint Pacific Alaska Range Complex, May 1-12.

Hopper is scheduled to conduct a port visit to Homer, April 28-30, while O’Kane is expected to make a port visit to Juneau, May 12-14. While in port, hundreds of Sailors will have opportunities to participate in community service projects, experience local cuisine, sporting events and excursions, as well as explore Alaska’s culture and beauty on trips coordinated by morale, welfare and recreation. During Exercise Northern Edge 2015, approximately \$13 million was brought into the State of Alaska due to the additional military personnel, support contracts and port visit.

Northern Edge is a biennial training exercise conducted in the Joint Pacific Alaska Range Complex, which includes the area within the Gulf of Alaska, as well as land and airspace within the state.

Northern Edge includes participation from several commands, including Alaskan Command, U.S. Pacific Fleet, U.S. 3rd Fleet, Marine Corps Forces Pacific, U.S. Army Pacific, and others. The exercise is planned to involve approximately 200 aircraft at Joint Base Elmendorf-Richardson and Eielson Air Force Base, along with Hopper, O’Kane and Guadalupe.

Hopper and O’Kane are multi-mission surface combatants, capable of anti-air, anti-submarine, and anti-surface warfare missions. They operate independently or in support of carrier and expeditionary strike groups. They are homeported in Pearl Harbor, Hawaii.

Guadalupe is a Navy Military Sealift Command ship that supplies Navy surface combatant ships at sea, providing fuel, food, and other critical supplies that enable the fleet to remain at sea, on station and combat-ready for extended periods of time.

For more information, please contact Alaskan Command Public Affairs at 907-552-2341.

Total IFQ Landings & Pounds by Port

Port	Halibut		Sablefish	
	Vessel Landings	Pounds Landed	Vessel Landings	Pounds Landed
WASHINGTON				
BELLINGHAM	27	547,433	11	37,960
SEATTLE	***	***	***	***
ALASKA				
ADAK	***	***	***	***
AKUTAN	***	***	***	***
ATKA	***	***	***	***
CORDOVA	87	373,397	***	***
CRAIG	55	88,368	***	***
DUTCH HBR/UNALASKA	***	***	96	944,673
ELFIN COVE	***	***	***	***
FALSE PASS	***	***	***	***
HAINES	13	27,850	***	***
HOMER	347	2,571,717	89	498,209
HOONAH	***	***	***	***
HYDER	***	***	***	***
JUNEAU	210	1,002,969	***	***
KENAI	***	***	***	***
KETCHIKAN	60	152,379	***	***
KING COVE	***	***	***	***
KODIAK	483	2,657,962	217	2,875,644
PETERSBURG	357	1,368,213	***	***
PORT ALEXANDER	***	***	***	***
PORT PROTECTION	***	***	***	***
SAND POINT	***	***	***	***
SEWARD	353	1,914,724	355	4,441,899
SITKA	467	1,258,792	***	***
ST GEORGE	***	***	***	***
ST PAUL	***	***	***	***
TENAKEE SPRINGS	***	***	***	***
UNKNOWN	***	***	***	***
VALDEZ	***	***	***	***
WHITTIER	***	***	***	***
WRANGELL	***	***	***	***
YAKUTAT	230	663,740	***	***
ZA OTHER	***	***	15	754,082
Totals	3,431	383 16,754,134	1,606	17,891,062

Notes:

1. This report summarizes fixed gear IFQ landings reported by Registered Buyers. At sea discards are not included.
2. Halibut weights are reported in net (headed and gutted) pounds. Sablefish weights are reported in round pounds.
3. "Vessel Landings" include the number of landings by participating vessels ignoring IFQ harvest area. Each such landing may include harvests from more than one IFQ Permit Holder.
4. Landings at different harbors in the same general location (e.g. "Juneau, Douglas, and Auke Bay") have been combined to report landings to the main port (e.g., "Juneau").
5. "Vessel Offload" is the removal of fish from a harvesting vessel to (or by) a specific Registered Buyer on a particular date/time.
6. Due to over- or underharvest of TAC and/or rounding, percentages may not total to 100%.
7. Data are derived from initial data entry procedures and are preliminary. Future review and editing may result in minor changes.
8. Asterisks denote confidential data.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Transportation
and Public Facilities

DESIGN & ENGINEERING SERVICES
PRELIMINARY DESIGN & ENVIRONMENTAL

PO Box 196900
Anchorage, Alaska 99519-6900
Main: 907.269.0542
Toll Free: 800.770.5263
TDD: 907.269.0473

March 30, 2017

In Reply Refer To:
Homer Airport Safety Improvements
Project No.: CFAPT00144
No Historic Properties Affected

ATTENTION: This finding contains no (0) DOE(s)

Mayor Bryan Zak
2525 Sterling Hwy.
Homer, Alaska 99603

Dear Mayor Zak:

The Alaska Department of Transportation and Public Facilities (DOT&PF), in cooperation with the Alaska Division of the Federal Aviation Administration (FAA), is proposing a project to enhance safety at the Homer Airport. The proposed project is located within Sections 21 and 22, Township 6 South, Range 13 West, on USGS Quad Map Seldovia C-4, Seward Meridian, at Latitude 59.64126, Longitude -151.48856, in Homer, Alaska (see Figure 1).

DOT&PF, on behalf of FAA, finds that no historic properties would be affected by the proposed project pursuant to 36 CFR 800.4(d)(1), implementing regulations of Section 106 of the National Historic Preservation Act. This submission provides documentation in support of this finding, as required at 36 CFR 800.11(d).

Project Description

FAA inspections of the Homer Airport in 2015 and 2016 revealed that several operational components (Taxiway B and E safety areas; primary and secondary wind cones/segmented circles; Runway 4 blast pad; perimeter fence; and Taxiway C configuration) do not conform to Federal Aviation Regulation Part 139 and the FAA Airport Certification Manual. The proposed project would enhance safety by addressing these components to conform to federal regulations.

The proposed project would include the following (see Figure 2 and Figure 3):

- Reconstruct safety areas on Taxiway B North and Taxiway E
- Replace and relocate the primary wind cone, segmented circle, and supplemental wind cone
- Replace perimeter fence
- Obliterate and regrade the Runway 4 blast pad to runway safety area (RSA) standards
- Revise Taxiway C configuration between Runway 4 and Taxiway D

- Clear and grub vegetation
- Geotechnical drilling

Material site selection will be left up to the Contractor. Accordingly, it will be the Contractor's responsibility to acquire all necessary permits and clearances for their chosen site(s). Disposal sites will also be the responsibility of the contractor. Material from a borrow site that has not received the appropriate permits and clearances will not be accepted for project construction.

Area of Potential Effect (APE)

The APE for the proposed Homer Airport Safety Improvements project includes the anticipated construction boundaries, all located within the airport property (Figure 4). Because the scope of the work is consistent with the existing airport features, indirect impacts are not considered for the proposed project. Any indirect visual or auditory impacts would be minimal and temporary in nature, or limited to the construction period. Potential ground disturbing activities include clearing and grubbing, fence installation, wind cone and segmented circle relocation, and geotechnical drilling. All construction activities would be confined to the Homer Airport boundary.

The final decision of material sites and staging areas determination would be left entirely to the Contractor. As such, the potential material sites are not included in the APE. Materials and equipment would be transported using existing roadways and haul routes. No new haul roads would be constructed, and no additional ground disturbing activities like road expansion or compaction would take place for this project.

If the Contractor elected to use an undeveloped material site, contract language will require the Contractor to comply with FAA Environmental Orders which may include an environmental assessment, acquire all necessary permits and clearances for the site(s) and provide copies to DOT&PF and the Project Engineer prior to development. Material from a borrow site that has not received the appropriate permits and clearances will not be accepted for project construction.

Identification Efforts

DOT&PF staff conducted a search of the Alaska Heritage Resource Survey (AHRS) database on November 16, 2016, to identify properties of historical, archaeological, and cultural significance within the study area. None were listed in the AHRS database.

Two previous Environmental Assessments (EA) for similar projects determined that the likelihood of encountering resources of historic or cultural significance is low. The 2005 EA for the Homer Airport Improvements project (#54744), which was completed for the Airport Master Plan, indicated that the State Historic Preservation Officer (SHPO) concurred with the finding of no historic properties affected on October 11, 2004. Additionally, an earlier EA for Homer Airport Improvements (#59444) and Homer Joint Use Terminal (#59786) also determined that there were no known sites or structures within the APE. The SHPO concurrence letter stated, "The State Historic Preservation Officer reviewed the proposed action and found it clear of cultural resource concerns." (Bittner, November 15, 1991).

Finding of Effect

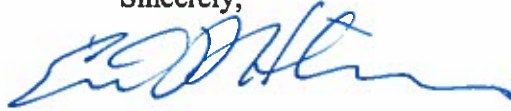
DOT&PF finds that no historic properties would be affected by the proposed undertaking, owing to the fact that 1) the majority of construction would occur on previously disturbed ground within the airport boundary and 2) the likelihood of encountering resources of historic or cultural significance is deemed to be low.

Consultation Efforts

Consulting parties that are being contacted with this finding are SHPO; Kenai Peninsula Borough; City of Homer; Cook Inlet Region, Inc.; Ninilchik Natives Association, Inc.; Ninilchik Traditional Council; the Seldovia Native Association; and the Seldovia Village Tribe.

Your timely response will greatly assist us in incorporating your concerns into project development. For that purpose, we respectfully request that you respond within thirty days of your receipt of this correspondence by mail, telephone at 907-269-0534 or by e-mail at erik.hilsinger@alaska.gov.

Sincerely,



Erik D. Hilsinger
Cultural Resources Specialist

Enclosures:

- Figure 1: Location and Vicinity Map
- Figure 2: Homer Airport Improvements Plan View
- Figure 3: Proposed Test Hole Map
- Figure 4: Area of Potential Effect Map (APE)

Electronic cc w/ enclosures:

- Brian Elliott, DOT&PF (Central Region), Regional Environmental Manager
- Keith Gordon, FAA, Environmental Protection Specialist
- Leslie Grey, FAA, Anchorage Lead Environmental Manager
- Aaron Hughes P.E., DOT&PF (Central Region), Project Manager
- Kathy Price, DOT&PF Statewide, Cultural Resources Specialist
- Ryan Riddle, DOT&PF (Central Region), Environmental Team Lead

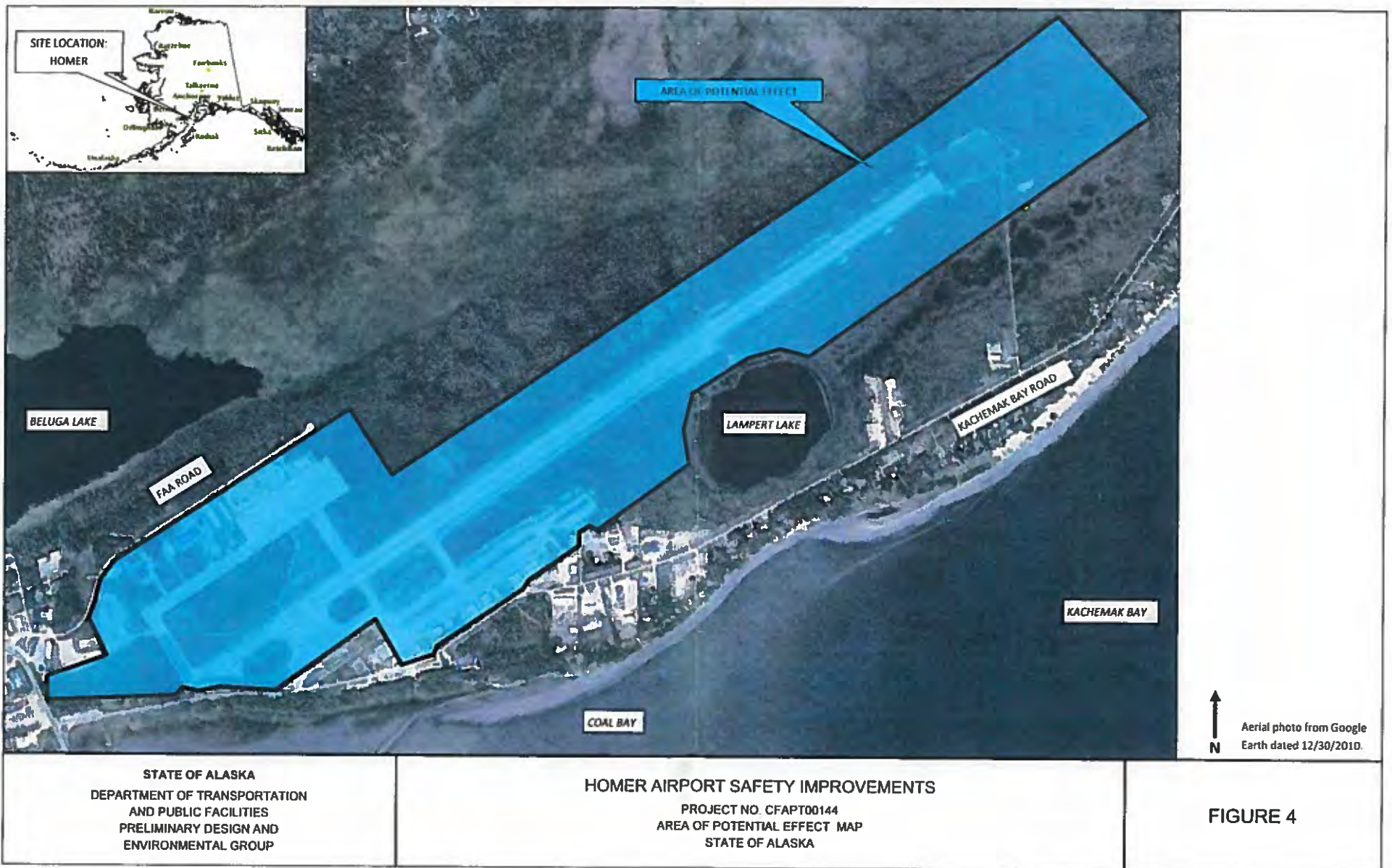


↑
 N
 Aerial photo from Google
 Earth dated 12/30/2010.

STATE OF ALASKA
 DEPARTMENT OF TRANSPORTATION
 AND PUBLIC FACILITIES
 PRELIMINARY DESIGN AND
 ENVIRONMENTAL GROUP

HOMER AIRPORT SAFETY IMPROVEMENTS
 PROJECT NO CFAPT00144
 PROJECT AREA MAP
 STATE OF ALASKA

FIGURE 2







City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum

TO: MAYOR ZAK AND CITY COUNCIL
FROM: RENEE KRAUSE, CMC, DEPUTY CITY CLERK
DATE: APRIL 17, 2017
SUBJECT: BID REPORT

INVITATION TO BID OF PUBLIC WORKS PUBLIC WORKS GRAVEL SUPPLY 2017, 2018, 2019

Sealed bids for the **CITY OF HOMER PUBLIC WORKS GRAVEL SUPPLY 2017, 2018 2019** will be received at the Office of the City Clerk, City Hall, City of Homer, 491 East Pioneer Avenue, Homer, Alaska 99603 until **2:00 p.m., Thursday, April 27, 2017**, at which time they will be publicly opened and read. The time of receipt will be determined by the City Clerk's time stamp. Bids received after the time fixed for the receipt of the bids shall not be considered. **All bidders must submit a City of Homer Plan Holders Registration form to be on the Plan Holders List and to be considered responsive.** Plan holder registration forms, and Plans and Specifications are available on line at <http://www.cityofhomer-ak.gov/rfps>

INVITATION TO BID HICKERSON MEMORIAL CEMETERY EXPANSION - 2017

Sealed bids for the construction of the Hickerson Memorial Cemetery Expansion project will be received at the Office of the City Clerk, City Hall, City of Homer, 491 East Pioneer Avenue, Homer, Alaska, until **2:00 p.m. on Thursday, May 4, 2017**, at which time they will be publicly opened and read. The time of receipt will be determined by the City Clerk's time stamp. Bids received after the time fixed for the receipt of the bids shall not be considered. **All bidders must submit a City of Homer Plan Holders Registration form to be on the Plan Holders List and to be considered responsive.** Plan holder registration forms and Plans and Specifications are available online at <http://www.cityofhomer-ak.gov/rfps>



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum

TO: MAYOR ZAK AND HOMER CITY COUNCIL
FROM: RENEE KRAUSE, CMC, DEPUTY CITY CLERK
DATE: APRIL 17, 2017
SUBJECT: INACTIVE RECORDS REPORT

In accordance with HCC 2.08.010(g), the City Clerk's office has completed its annual inactive records destruction process.

On March 8, 2017, Department Heads were notified of the inactive records that were eligible for destruction, and as a result, 91 boxes of records were approved, pulled, and staged in the Council Chambers. Shred Alaska performed on-site shredding of 1,924 pounds of inactive records on April 12, 2017. Shred Alaska travels from Anchorage to the Peninsula once a month to provide their on-site service and they deliver the shredded material to the landfill for recycle. This is the City Clerk's fourth year working with Shred Alaska for our inactive records destruction, and we have been very pleased with the efficiency of their service.

Copies of the Inactive Records Storage Forms and memorandums approving destruction are available in the City Clerk's office for review.

To date, the City Clerk's office has received 44 boxes of inactive records from various city departments, and those boxes have been logged in and stored in the storage areas located within City Hall. That number will likely increase by 20 to 30 boxes as we approach years end.



City of Homer

www.cityofhomer-ak.gov

Office of the Mayor

491 East Pioneer Avenue
Homer, Alaska 99603

mayor@ci.homer.ak.us

(p) 907-235-3130

(f) 907-235-3143

April 25, 2017

Borough Mayor Navarre
Kenai Peninsula Borough Assembly
Kenai Peninsula Borough
144 N. Binkley Street
Soldotna, AK 99669

Dear Mayor Navarre and Kenai Peninsula Borough Assembly,

I am writing to encourage the Kenai Peninsula Borough to introduce a Borough-wide ordinance prohibiting the use of Sky Lanterns.

The Homer City Council approved Ordinance 17-16 prohibiting the sale and use of "Sky Lanterns" during their April 10, 2017 meeting. In discussions about the ordinance, Council expressed a concern that by prohibiting the sale and use of these devices locally, we could be encouraging the use of them elsewhere on the Kenai Peninsula. As their use anywhere within the Borough could potentially lead to catastrophic fire, disruptions to air traffic and other nuisances only a borough-wide prohibition would adequately curtail potential harm to the public and the environment.

In researching sky lanterns, Homer Volunteer Fire Department Chief Painter contacted the State Fire Marshal's Office in Anchorage for a determination of their legality. According to their office, sky lanterns are classified as an open flame device and their use must be permitted by the "authority having jurisdiction" within a municipality. Asking local fire departments to regulate the use of these devices exposes each jurisdiction to much risk. Regardless of the intent, sky lanterns, can, and have, historically posed risk of fire, and distractions to pilots and drivers within the state.

According to information, the use of Sky Lanterns, or similar devices, is banned or controlled in 30 states already. <http://wildfiretoday.com/2015/12/31/update-on-the-legality-of-sky-lanterns-banned-in-28-states/> Short of a state-wide law prohibiting the sale and use of sky lanterns, each area of the state is responsible for self-regulation on the matter. One just needs to search the internet for the hazards associated with their use to determine that the risk far outweighs any justification for their use.

Respectfully submitted,

Mayor Bryan Zak

CITY ATTORNEY REPORT

COMMITTEE REPORTS

PENDING BUSINESS

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

Lewis

3
4 **ORDINANCE 17-04**
5

6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AMENDING HOMER CITY CODE 21.30.020 TO ADD “AUTO
8 EQUIPMENT SALES, RENTALS, SERVICE, REPAIR AND STORAGE”
9 TO THE LIST OF PERMITTED USES IN THE MARINE INDUSTRIAL
10 DISTRICT.
11

12 WHEREAS, The Homer City Code does not permit auto equipment sales, rentals, service,
13 repair, or storage in the Marine Industrial Complex; and
14

15 WHEREAS, It is in the interest of the City of Homer and its residents and visitors to permit
16 these types of use in the Marine Industrial Complex.
17

18 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
19

20 Section 1. Section 21.30.020, Permitted uses and structures, is amended to read as
21 follows:
22

23 The following uses are permitted outright in the Marine Industrial District, except when
24 such use requires a conditional use permit by reason of size, traffic volumes, or other
25 reasons set forth in this chapter:
26

- 27 a. Port and harbor facilities;
- 28
- 29 b. Manufacturing, processing and packing of sea products;
- 30
- 31 c. Cold storage;
- 32
- 33 d. Dry docks;
- 34
- 35 e. Wharves and docks, marine loading facilities, ferry terminals, marine railways;
- 36
- 37 f. Marine **and auto** equipment sales, rentals, service, repair and storage;
- 38
- 39 g. Boat launching or moorage facilities, marinas, boat charter services;
- 40

- 41 h. Warehouse and marshaling yards for storing goods awaiting transfer to marine
42 vessels or off-loaded from a marine vessel and awaiting immediate pickup by
43 land-based transportation;
- 44
- 45 i. Mobile food services;
- 46
- 47 j. Itinerant merchants;
- 48
- 49 k. Recreational vehicle parks, provided they shall conform to the standards in
50 Chapter 21.54 HCC;
- 51
- 52 l. Caretaker, business owner or employee housing as an accessory use to a
53 primary use, and limited to no more than 50 percent of the floor area of a
54 building and for use by an occupant for more than 30 consecutive days;
- 55
- 56 m. More than one building containing a permitted principal use on a lot;
- 57
- 58 n. Restaurant as an accessory use;
- 59
- 60 o. Parks;
- 61
- 62 p. As an accessory use, one small wind energy system per lot.;
- 63

64

65 Section 2. This ordinance shall take effect upon its adoption by the Homer City Council.

66

67 Section 3. This ordinance is of a permanent and general character and shall be included
68 in the City Code.

69

70 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
71 _____, 2017.

72

73 CITY OF HOMER

74

75

76 _____

77 BRYAN ZAK, MAYOR

83 ATTEST:

84

85

86 _____

87 JO JOHNSON, MMC, CITY CLERK

88

89

90 YES:

91 NO:

92 ABSTAIN:

93 ABSENT:

94

95 First Reading:

96 Public Hearing:

97 Second Reading:

98 Effective Date:

99

100 Reviewed and approved as to form.

101

102 _____

103 Mary K. Koester, City Manager

104

105 Date: _____

106

107

108 Fiscal Note: NA

Holly C. Wells, City Attorney

Date: _____

- 43
44 d. Dry docks;
45
46 e. Wharves and docks, marine loading facilities, ferry terminals, marine railways;
47
48 f. Marine equipment sales, rentals, service, repair and storage;
49
50 g. Boat launching or moorage facilities, marinas, boat charter services;
51
52 h. Warehouse and marshaling yards for storing goods awaiting transfer to marine
53 vessels or off-loaded from a marine vessel and awaiting immediate pickup by
54 land-based transportation;
55
56 i. Mobile food services;
57
58 j. Itinerant merchants;
59
60 k. Recreational vehicle parks, provided they shall conform to the standards in
61 Chapter 21.54 HCC;
62
63 l. Caretaker, business owner or employee housing as an accessory use to a
64 primary use, and limited to no more than 50 percent of the floor area of a
65 building and for use by an occupant for more than 30 consecutive days;
66
67 m. More than one building containing a permitted principal use on a lot;
68
69 n. Restaurant as an accessory use;
70
71 o. Parks;
72
73 p. As an accessory use, one small wind energy system per lot.;

74
75 **q. Temporary auto sales**

76
77 Section 3. This ordinance shall take effect upon its adoption by the Homer City Council.

78
79 Section 4. This ordinance is of a permanent and general character and shall be included
80 in the City Code.

81
82 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
83 _____, 2017.

84

[**Underlined added.** Deleted language stricken through.]

CITY OF HOMER

BRYAN ZAK, MAYOR

85
86
87
88
89
90
91
92
93
94
95 ATTEST:

96
97
98 _____
99 JO JOHNSON, MMC, CITY CLERK

100
101
102 YES:

103 NO:

104 ABSTAIN:

105 ABSENT:

106
107 First Reading:

108 Public Hearing:

109 Second Reading:

110 Effective Date:

111
112 Reviewed and approved as to form.

113
114 _____
115 Mary K. Koester, City Manager

Holly C. Wells, City Attorney

116
117 Date: _____

Date: _____

118
119
120 Fiscal Note: NA

Jo Johnson

From: Frank Griswold <fsgriz@alaska.net>
Sent: Thursday, January 12, 2017 1:54 PM
To: Jo Johnson
Cc: Department Planning
Subject: Ordinance 17-xx/Temporary Auto Sales/Spot Zoning

Re: Ordinance 17-xx, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 21 to Allow Temporary Auto Sales in the Marine Commercial District for Up to 90 Days. Lewis.
Recommended dates: Introduction January 23, 2017, Refer to Planning Commission.

In *Griswold vs. City of Homer*, 925 P.2d 1015, 1020, at footnote 6, the Alaska Supreme Court defined spot zoning as follows: “[S]pot zoning is simply the legal term of art for a zoning decision which affects a small parcel of land and which is found to be an arbitrary exercise of legislative power. *Cf. Concerned citizens of S. Kenai Peninsula*, 527 P.2d at 452 [“T]he constitutional guarantee of a substantive due process assures only that a legislative’s decision is not arbitrary but instead based upon some rational policy.”). “The common [spot zoning] situation is one in which an amendment is initiated at the request of an owner or owners who seek to establish a use prohibited by the existing regulations.” Robert M. Anderson *American Law of Zoning* 3d Sect. 5.12, at 358 (1986). See also, *Ballenger v. Door County*, 131 Wis. 2d 422, 388 N.W. 2d 624, 627 (App. 1986) (applying spot zoning analysis in a case where the zoning district remained the same but the permitted uses within the district were expanded.).

Spot zoning is illegal in Alaska. Before considering Ordinance 17-xx, it would be prudent for the City Council and Planning Commission to request a formal legal opinion addressing whether allowing auto sales, temporary or otherwise, in the Marine Commercial District (or in the Marine Industrial District or in any other zoning district where they are not currently allowed) would constitute spot zoning. The following questions need to be addressed: 1. What rational *public* policy constitutes the basis for the proposed ordinance? 2. How does the proposed ordinance comport with the Homer Comprehensive Plan? 3. Does the small size of the area proposed for rezone require a finding of spot zoning? 4. If the proposed ordinance is enacted, on what grounds could anybody be denied the right to sell vehicles in any other zoning district?

Frank Griswold



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

MEMORANDUM 17-063

TO: MAYOR ZAK AND HOMER CITY COUNCIL
THROUGH: KATIE KOESTER, CITY MANAGER
FROM: RICK ABBOUD, CITY PLANNER
DATE: April 17, 2017
SUBJECT: DRAFT ORDINANCE 17-04(S), AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.03.040 TO ADD A DEFINITION OF "TEMPORARY AUTO SALES" AND 21.30.020 TO ADD "TEMPORARY AUTO SALES" TO THE LIST OF PERMITTED USES IN THE MARINE INDUSTRIAL DISTRICT.

The Homer Advisory Planning Commission reviewed the proposed ordinance at their meetings of February 15, 2017 and again on March 1, 2017. At the March 1st meeting, the commission entertained a motion to add temporary auto sale as a permitted use in the Marine Industrial District. The motion failed to 0-5. A motion to reconsider was submitted and subsequently approved at the meeting of March 15, 2017. The motion to reconsider allowed the Commission to hold a public hearing prior to making a recommendation. At this meeting, the Commission moved to approve a substitute ordinance, which provided language that addressed the intention of the Council, limiting the proposed amendment to only include consideration of temporary auto sales in the Marine Industrial District.

A public hearing was held at the meeting of April 5, 2017. As with other meetings, the Commission listened testimony of those who support the hockey association. A motion made in support of the substitute ordinance failed 1-5. The concerns expressed by the Commission included the fact that no one outside of those supporting fund raising activities for the Hockey Association testified (save the letter submitted by Mr. Griswold) and the use was not appropriate for the entire district.

Recommendation:

Staff recommends that the Council moves the substitute ordinance for discussion and possible public hearing. The Planning Commission does not recommend adoption.

Att.

Staff reports PL 17-32, 17-30, 17-22, 17-13

Ordinance 17-04(S), 17-04

Memo PL 17-02

Planning Commission minutes and written comment

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Presentations

Reports

- A. Staff Report PL 17-31, City Planner's Report

City Planner Abboud reviewed the staff report.

Commissioner Bos noted the misinformation printed in the Homer News about the Commission's recommendation regarding Greatland Street. He understands it was corrected on line but expressed his concern about the public's perception of the Commission after reading the incorrect information.

Public Hearings

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

- A. Staff Report PL 17-32, Auto Sales in the Marine Industrial District

City Planner Abboud reviewed the staff report.

David Lewis, city resident, commented in support of auto sales in the Marine Industrial district. He supports the hockey rink being able to use their lot for the auto sale fundraiser. He noted the concern about other land in the district being able to do auto sales and explained most of the land is owned by the City and would be required to go through the lease policy, so it would only be open to those privately owned. He added that it's not a blight because the parking areas on the spit are usually full anyway.

Ken Satre, non-resident, commented he has been involved with Homer Hockey Association for a long time and supports auto sales at the rink. He said it was a good fundraiser and every penny generated for the rink is helpful.

BOS/VENUTI MOVED THAT THE PLANNING COMMISSION RECOMMENDS APPROVAL OF ORDINANCE 17-04(S) ADDING A DEFINITION OF TEMPORARY AUTO SALES AS A PERMITTED USE IN THE MARINE INDUSTRIAL DISTRICT.

Commissioner Bos commented there has been discussion whether or not we could allow it. This looks like an option where it could happen if the City Council approves it.

Commissioner Highland commented one of their concerns was about opening the whole marine industrial to allow this. She questioned that since most of the property is owned by the City and since it's temporary, does it put them in a better place to allow this without negatively affecting the zoning?

City Planner Abboud responded ownership of the land is different than something that is appropriate for the entire district. It's a way to control the expansion of the use, but if it's not appropriate in the district it shouldn't be allowed, regardless of ownership. It should be a viable use for the entire Marine Industrial district.

Chair Stead commented previously the Commission agreed not to support this because it's not appropriate to blanketly place this over the Marine Industrial district. He agrees the Hockey Association needs funds, but that isn't the issue for the Commission. The issue is whether to add temporary auto sales to the Marine Industrial district. He does not support the ordinance.

Commissioner Abrahamson asked if it could be accomplished with a CUP. City Planner Abboud explained it would have to be included in code to be allowed.

Commissioner Bradley said based on the input they've received this seems to have a limited scope of interest. She agrees this isn't the best use for the entire district and does not support this.

VOTE: YES: VENUTI

NO: BOS, STEAD, HIGHLAND, ABRAHAMSON, BRADLEY

Motion failed.

B. Staff Report PL 17-33, Vacation of portion of Greatland Street Right-of-way near Ohlson Lane

City Planner Abboud reviewed the staff report.

Kenton Bloom, city resident, project surveyor and applicants representative, explained they worked with the different City departments to get the right fit because of the constraints of thing like blanket easements and poorly planned use of the land by utilities impacting development of the piece of land. The vacation will mostly be a greenbelt. The utilities are already in place and the main thing this does is reduce the setback from the property line. The access for the project will be on the south side. It fits the City's needs and the property owner is interested in working with the city in terms of the pedestrian accessibility.

Chair Stead opened the public hearing. There were no comments and the public hearing was closed.

There were no rebuttal comments and Chair Stead opened the floor to questions of the staff and applicant.

Chair Stead asked for clarification on the staff finding 1 regarding block lengths and staff finding 2 regarding vehicular access. City Planner Abboud explained that if the vacation is approved, block lengths won't apply. He further explained that access will be from Ohlson Lane and with the proper permits, the right of way can be used for driveways.

VENUTI/HIGHLAND MOVED TO APPROVE STAFF REPORT PL 17-33 AND THE VACATION OF A PORTION OF GREATLAND STREET SOUTH OF THE STERLING HIGHWAY WITH STAFF RECOMMENDATIONS AND FINDINGS.

PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Advisory Planning Commission on Wednesday, April 05, 2017 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska, on the following matters:

Ordinance 17-04(s) of the City Council of Homer, Alaska, Amending Homer City Code 21.03.040 to add a definition of “Temporary Auto Sales” and 21.30.020 to Add “Temporary Auto Sales” to the list of Permitted Uses in the Marine Industrial District.

A proposal to vacate a 33’ roadway easement, reserved by patent, along the western property line on Lot 12-A-1 of DeGarmo Subdivision No. 2, SEC 23 T 6S R 13 W S.M.

A proposal to vacate 0.113 acres/178 linear feet of Greatland Street south of the Sterling Highway near the intersection of Ohlson Lane, Chamberlain and Watson Subdivision, SEC 19 T 6S R 13W Seward Meridian.

Anyone wishing to present testimony concerning these matters may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting.

The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Rick Abboud at the Planning and Zoning Office, 235-3106.

PLEASE PUBLISH ONCE

ACCOUNT 100.0130.5



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-32

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: April 5, 2017
SUBJECT: Ordinance 17-04(S),
AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING
HOMER CITY CODE 21.03.040 TO ADD A DEFINITION OF “TEMPORARY
AUTO SALES” AND 21.30.020 TO add “TEMPORARY AUTO SALES” to the
list of permitted uses in the marine industrial district.

Introduction: After the Planning Commission voted against the ordinance, a reconsideration was made to bring the ordinance to a public hearing before making a recommendation to Council.

Analysis: After hearing testimony that was limited to those supporting its use as a funder for the hockey rink, the Planning Commission found that auto sales are not appropriate throughout the Marine Industrial District. This is further reinforced when it was thought that it should not be allowed in areas adjacent to the harbor, which is zoned Marine Industrial.

While the Commission is sympathetic to the concept of allowing this use to benefit the Hockey Association, it has found that it does not further a compelling public interest. No one else has come forward in support of selling autos on any other Marine Industrial property. In fact, there are no current auto lots in Homer, although the provision of auto sales is available in several commercial districts.

With the interest limited to the hockey rink parking lot, the use is not appropriate for the entire district. The Marine Industrial District is unique in the fact that it holds little possibility of expansion and provides crucial support to marine industries, which are vital to the economy of Homer. The Comprehensive Plan and the purpose of the Marine Industrial District both elude to the priority of marine related activities. Allowing auto sales in entire district may diminish opportunities for marine industrial activities, while not taking advantage of current opportunities for auto sales found in other districts not currently utilized.

Staff Recommendation: Conduct a public hearing, consider testimony, and make a recommendation to the City Council regarding the allowance of temporary auto sales in the Marine Industrial District.

Attachments

Ordinance 17-04(s)

Memo Pl 17-01

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**CITY OF HOMER
HOMER, ALASKA**

Lewis

ORDINANCE 17-04 (S)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.03.040 TO ADD A DEFINITION OF “TEMPORARY AUTO SALES” AND 21.30.020 TO ADD “TEMPORARY AUTO SALES” TO THE LIST OF PERMITTED USES IN THE MARINE INDUSTRIAL DISTRICT.

WHEREAS, The Homer City Code does not permit temporary auto sale in the Marine Industrial District; and

WHEREAS, It is in the interest of the City of Homer and its residents and visitors to permit these types of use in the Marine Industrial District.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Section 21.03.040, Definitions used in zoning code, is amended to read as follows:

As used in this title, the words and phrases defined in this section shall have the meaning stated, except where (a) the context clearly indicates a different meaning or (b) a special definition is given for particular chapters or sections of the zoning code.

“Temporary auto sales” means selling passenger cars, trucks, motorcycles, recreational vehicles and ATV’s for a period of not more than 30 days per calendar year per lot.

Section 2. Section 21.30.020, Permitted uses and structures, is amended to read as follows:

The following uses are permitted outright in the Marine Industrial District, except when such use requires a conditional use permit by reason of size, traffic volumes, or other reasons set forth in this chapter:

- a. Port and harbor facilities;
- b. Manufacturing, processing and packing of sea products;
- c. Cold storage;

- 43
- 44 d. Dry docks;
- 45
- 46 e. Wharves and docks, marine loading facilities, ferry terminals, marine railways;
- 47
- 48 f. Marine equipment sales, rentals, service, repair and storage;
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- 50 g. Boat launching or moorage facilities, marinas, boat charter services;
- 51
- 52 h. Warehouse and marshaling yards for storing goods awaiting transfer to marine
- 53 vessels or off-loaded from a marine vessel and awaiting immediate pickup by
- 54 land-based transportation;
- 55
- 56 i. Mobile food services;
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- 58 j. Itinerant merchants;
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- 60 k. Recreational vehicle parks, provided they shall conform to the standards in
- 61 Chapter 21.54 HCC;
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- 63 l. Caretaker, business owner or employee housing as an accessory use to a
- 64 primary use, and limited to no more than 50 percent of the floor area of a
- 65 building and for use by an occupant for more than 30 consecutive days;
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- 67 m. More than one building containing a permitted principal use on a lot;
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- 69 n. Restaurant as an accessory use;
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- 71 o. Parks;
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- 73 p. As an accessory use, one small wind energy system per lot.;
- 74

75 **q. Temporary auto sales**

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77 Section 3. This ordinance shall take effect upon its adoption by the Homer City Council.

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79 Section 4. This ordinance is of a permanent and general character and shall be included

80 in the City Code.

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82 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of

83 _____, 2017.

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CITY OF HOMER

BRYAN ZAK, MAYOR

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95 ATTEST:

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98 _____
99 JO JOHNSON, MMC, CITY CLERK

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102 YES:

103 NO:

104 ABSTAIN:

105 ABSENT:

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107 First Reading:

108 Public Hearing:

109 Second Reading:

110 Effective Date:

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112 Reviewed and approved as to form.

113
114 _____
115 Mary K. Koester, City Manager

Holly C. Wells, City Attorney

116
117 Date: _____

Date: _____

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120 Fiscal Note: NA



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Memorandum PL17-02

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: April 5, 2017
SUBJECT: Planning Staff review of Temporary Auto Sales in the Marine Commercial District

Planning Staff review per 21.95.040

21.95.040 Planning Department review of code amendment. The Planning Department shall evaluate each amendment to this title that is initiated in accordance with HCC 21.95.010 and qualified under HCC 21.95.030, and may recommend approval of the amendment only if it finds that the amendment:

A. Is consistent with the comprehensive plan and will further specific goals and objectives of the plan.

Staff response: The Spit Comprehensive Plan is rather silent on this particular subject. The closest the plan comes to the subject is in Goal 1.1, maintain the variety of land uses that establish the unique “Spit” character and mix of land uses. This includes the objective of, revise zoning to protect character and enhance commercial, industrial, and public facilities development. It goes on to recommend clustering together similar land uses. Nothing more in the implementation table goes into the support of such an activity in the Marine Industrial District.

The Plan does talk about Industrial Development starting on page 23. It identifies the potential for future fishing, marine, and shipping industries. Further identifying key issues including the need to: “Better utilize the limited land available for industrial and economic development; Reserve sufficient land by the Deep Water Dock for future industrial development; and Encourage development related to the fishing, fish processing, and boating industries.” It goes on to mention aesthetic and safety concerns. Perhaps the most telling paragraph, “Finally, creep of commercial land uses into an industrial area should be avoided because it reduces future options for marine industrial uses and harbor facilities. Marine industrial and transportation are strategically important long term-uses, and commercial activity should be located so that future opportunities are preserved.”

B. Will be reasonable to implement and enforce.

Staff response: Given the suggested language in 17-04S, the ordinance is would be reasonable to enforce.

C. Will promote the present and future public health, safety and welfare.

Staff response: This amendment does not necessarily promote health, safety and welfare, but certainly does not detract from it. The suggested ordinance is neutral in relation to public health, safety and welfare.

d. Is consistent with the intent and wording of the other provisions of this title.

HCC 21.30.010 Purpose. “The purpose of the Marine Industrial District is primarily to provide adequate space for those water-dependent industrial uses that require direct marine access for their operation, such as fishing, fish processing, marine transportation, off-shore oil development and tourism, giving priority to those water-dependent uses over other industrial, commercial and recreational uses.”

Staff response: It is questionable that the proposed use is consistent with the purpose of the Marine Industrial District given that the use is not supportive to a water dependent use.

STAFF COMMENTS/RECOMMENDATIONS:

Planning staff has reviewed the ordinance per 21.95.040 and recommends that the Planning Commission conduct a public hearing, consider any testimony, and make a recommendation to the City Council.

Session 17-06, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Don Stead at 6:32 p.m. on March 15, 2017 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS HIGHLAND, BRADLEY, ABRAHAMSON, BOS, STEAD, AND VENUTI

ABSENT: COMMISSIONER ARNOLD

STAFF: CITY PLANNER ABBOD
DEPUTY CITY CLERK KRAUSE

The Advisory Planning Commission met for a worksession at 5:00 p.m. prior to the regular meeting. A presentation from Kachemak Bay Research Reserve on Coastal Erosion data was on the agenda.

APPROVAL OF AGENDA

Chair Stead called for a motion to approve the agenda.

HIGHLAND/BRADLEY - SO MOVED.

There was no discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENT

The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

RECONSIDERATION

A. Staff Report PL 17-30, Temporary Auto Sales in the Marine Industrial District

City Planner Abboud requested reconsideration of the Ordinance 17-04 forwarded by City Council to correct the process of the commission. The Commission is required to hold a public hearing on this ordinance. He noted the following:

- The commission failed a motion to add Temporary Auto Sales as a permitted use and define temporary auto sales in the Marine Industrial District
- The commission is required to hold public hearings on proposed amendments to Title 21

To correct this City Planner Abboud proposed that the Commission

1. Reconsider the item
2. Pass a motion to amend the proposed ordinance using specific language provided
3. Move the ordinance for public hearing at the next regular meeting of the commission
4. After the public hearing the commission will be able to vote to forward a recommendation to Council

HIGHLAND/BRADLEY MOVED TO RECONSIDER STAFF REPORT PL 17-30 TEMPORARY AUTO SALES IN THE MARINE INDUSTRIAL DISTRICT AND ORDINANCE 17-04 AND MOVE TO PENDING BUSINESS, ITEM A.

There was a brief discussion on process.

VOTE. YES. HIGHLAND, BRADLEY, ABRAHAMSON, BOS, STEAD, VENUTI

Motion carried.

B. Staff Report PL17-26, Chamberlain and Watson Subdivision 2017 Replat Preliminary Plat

Chair Stead read the title into the record. City Planner Abboud stated that the applicant has withdrawn their application. There was no further discussion on this item.

C. Staff Report PL 17-27, Homer Spit Amended Homer Boathouse Replat Preliminary Plat

Chair Stead read the title into the record. City Planner Abboud summarized the following referencing a large map:

- Preliminary Plat approval for the vacation of a common lot line, creating one larger lot from two smaller lots.
- This subdivision is in the Marine Commercial District, and vacates a common lot line between two parcels.
 - Homer City Code 22.10.051 Easements and rights of way
 - o The Plat meets requirements, a utility easement has been dedicated along Homer Spit Road
 - Preliminary Approval, per KPB 20.25.070 Form and contents required
 - o Status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, rights of way or an indication that the adjacent land is not subdivided

The plat does not meet these requirements Staff recommends including this information on the submittal to the Kenai Peninsula Borough.

Public Works Comments

- o The utilities have been addressed and there is no installation agreement required for this plat.
- o PW has no additional comments.

Fire Department Comments

- o No Comments

Staff Recommendations:

Planning Commission recommend approval of the preliminary plat with the following comments:

1. Provide status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, in the plat submittal to the Kenai Peninsula Borough

The Applicant was not present.

BOS/HIGHLAND - MOVED TO ADOPT STAFF REPORT PL 17-27 HOMER SPUT AMENDED HOMER BOATHOUSE REPLAT PRELIMINARY PLAT WITH STAFF RECOMMENDATIONS.

There was a brief discussion on whether this was a done deal for the city and design details since there was a perception that the property would be more valuable as parking, the design has changed since initially proposed and has pushed it to encroach into the other parcel.

VOTE. YES. NON-OBEJCTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

A. Staff Report PL 17-30, Temporary Auto Sales in the Marine Industrial District

Chair Stead read the title into the record and invited City Planner Abboud to provide additional information on the intent.



City Planner Abboud provided background summary and requested the commission to amend the ordinance to include Temporary Auto Sales as a permitted use in the Marine Industrial District and a definition and then move it to Pubic hearing at the next commission meeting in April. That will follow the procedure as required and the commission can then forward their recommendation on the Ordinance to Council.

A discussion ensued on the proper process for amending the ordinance. Chair Stead requested a motion.

ABRAHAMSON/BOS MOVED TO AMEND PROPOSED ORDINANCE 17-04, TO STRIKE ITEM F AMENDMENT "AND AUTO", AMEND HOMER CITY CODE 21.30.020 TO ADD ITEM Q. TEMPORARY AUTO SALES AND TO FURTHER AMEND HOMER CITY CODE 21.03.040 TO ADD THE DEFINITION FOR TEMPORARY AUTO SALES MEANS SELLING PASSENGER CARS, TRUCKS, MOTORCYCLES, RECREATIONAL VEHICLES AND ATV'S FOR A PERIOD OF NOT MORE THAN 30 DAYS PER CALENDAR YEAR PER LOT.

Discussion ensued on the previous actions and discussion taken by the commission at the last meeting regarding auto sales on the spit and previous testimony regarding sales on the spit, including but not limited to auto sales in the district and at churches located in commercial districts. The importance of having a public discussion on the ordinance

ABRAHAMSON/BOS MOVED TO AMEND THE MOTION BY INCUDING MOVE TO PUBLIC HEAING AT THE NEXT MEETING.

There was no discussion.

VOTE. (Amendment) YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

A. Staff Report PL 17-28, 2017 Land Allocation Plan

Chair Stead read the title into the record. City Planner Abboud summarized the annual process regarding the Land Allocation Plan that depicts the status of all city owned property and current uses. He then noted previous recommendations forwarded by this commission.

Chair Stead requested recommendations from the commissioners.

Discussion ensued on selling city owned parcels, enhancements to those parcels to make them more attractive to buyers, recommendation to give these parcels to adjoining property owners

BOS/HIGHLAND MOVED TO RECOMMEND CITY COUNCIL OFFER THE PARCELS #177154-02 & 17715403 ON PAGE C-4 OF THE PLAN TO THE ADJOINING PROPERTY OWNERS.

A brief discussion ensued on the cost of replatting exceeding the stated value of the parcels involved and the process to dispose of these two parcels. Questions were posed regarding the parcels on page C-6 since they are similar in status and if the Lease amounts could be included so they could better determine the recommended use of city owned property.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-30

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: March 15, 2017
SUBJECT: Reconsideration - Auto sales in the Marine Industrial District

Introduction: I asked for a reconsideration of this item in order to correct our process. The Commission needs to hold a public hearing on this item.

Analysis: The Commission failed a motion to add temporary auto sales to the list of permitted uses in the Marine Industrial District and to define temporary auto sales. Unfortunately, we have not held a public hearing on the item, as we are to do with proposed amendments to Title 21. To correct this defect, I propose (1) to reconsider the item, (2) pass a motion to amend the proposed ordinance using the specific language provided (or other language that succinctly amends the code per the intent of the proposed ordinance), and (3) move to public hearing at the next Planning Commission meeting. After the public hearing, the commission will have the opportunity to vote on the recommendation to council.

Staff Recommendation: Make a motion to amend the proposed ordinance and hold a public hearing at the next meeting. Suggested language for the motion is below.

Amend HCC 21.30.020 to add item q, Temporary Auto Sales

Amend HCC 21.03.040 to add "temporary auto sales means selling passenger cars, trucks, motorcycles, recreational vehicles and ATV's for a period of not more than 30 days per calendar year per lot."

Attachments

1. Ord. 17-04

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

Lewis

3
4 **ORDINANCE 17-04**

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6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AMENDING HOMER CITY CODE 21.30.020 TO ADD “AUTO
8 EQUIPMENT SALES, RENTALS, SERVICE, REPAIR AND STORAGE”
9 TO THE LIST OF PERMITTED USES IN THE MARINE INDUSTRIAL
10 DISTRICT.

11
12 WHEREAS, The Homer City Code does not permit auto equipment sales, rentals, service,
13 repair, or storage in the Marine Industrial Complex; and

14
15 WHEREAS, It is in the interest of the City of Homer and its residents and visitors to permit
16 these types of use in the Marine Industrial Complex.

17
18 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

19
20 Section 1. Section 21.30.020, Permitted uses and structures, is amended to read as
21 follows:

22
23 The following uses are permitted outright in the Marine Industrial District, except when
24 such use requires a conditional use permit by reason of size, traffic volumes, or other
25 reasons set forth in this chapter:

- 26
27 a. Port and harbor facilities;
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29 b. Manufacturing, processing and packing of sea products;
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31 c. Cold storage;
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33 d. Dry docks;
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35 e. Wharves and docks, marine loading facilities, ferry terminals, marine railways;
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37 f. Marine **and auto** equipment sales, rentals, service, repair and storage;
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39 g. Boat launching or moorage facilities, marinas, boat charter services;
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- 41 h. Warehouse and marshaling yards for storing goods awaiting transfer to marine
42 vessels or off-loaded from a marine vessel and awaiting immediate pickup by
43 land-based transportation;
- 44
- 45 i. Mobile food services;
- 46
- 47 j. Itinerant merchants;
- 48
- 49 k. Recreational vehicle parks, provided they shall conform to the standards in
50 Chapter 21.54 HCC;
- 51
- 52 l. Caretaker, business owner or employee housing as an accessory use to a
53 primary use, and limited to no more than 50 percent of the floor area of a
54 building and for use by an occupant for more than 30 consecutive days;
- 55
- 56 m. More than one building containing a permitted principal use on a lot;
- 57
- 58 n. Restaurant as an accessory use;
- 59
- 60 o. Parks;
- 61
- 62 p. As an accessory use, one small wind energy system per lot;
- 63

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65 Section 2. This ordinance shall take effect upon its adoption by the Homer City Council.

66

67 Section 3. This ordinance is of a permanent and general character and shall be included
68 in the City Code.

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70 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
71 _____, 2017.

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73 CITY OF HOMER

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77 BRYAN ZAK, MAYOR

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83 ATTEST:

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87 _____
JO JOHNSON, MMC, CITY CLERK

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90 YES:

91 NO:

92 ABSTAIN:

93 ABSENT:

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95 First Reading:

96 Public Hearing:

97 Second Reading:

98 Effective Date:

99

100 Reviewed and approved as to form.

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103 _____
Mary K. Koester, City Manager

104

105 Date: _____

106

107

108 Fiscal Note: NA

Holly C. Wells, City Attorney

Date: _____

There was no further discussion on the main motion as amended.

VOTE: (main motion as amended) NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

B. Staff Report PL 17-22, Temporary Auto Sales in the Marine Commercial District

City Planner Abboud reviewed the staff report.

The Commission discussed that allowing temporary auto sales in the marine industrial zoning district is not appropriate. They understand the needs of the hockey association but pointed out it's important not to set a precedent to do this.

VENUTI/BOS MOVED TO ADD AUTO SALE, TEMPORARY TO THE LIST OF PERMITTED OR CONDITIONAL PERMITTED USES IN THE MARINE INDUSTRIAL DISTRICT.

City Planner Abboud asked about a definition of temporary.

The suggestion was temporary is less than 30 days, one time per year.

VOTE: NO: BOS, STEAD, ABRAHAMSON, VENUTI, BRADLEY

Motion failed.

C. Staff Report PL 17-23, Temporary Cold Weather Shelter for the Homeless

City Planner Abboud reviewed the staff report.

Discussion points included:

- Teen homelessness and family resiliency
- Challenges and the differences of homelessness and homeless inebriates and drug addicts
- Difficulty with transition programs in that a lot of the available jobs in our community don't pay enough to support self sufficiency
- Churches aren't actively pursuing this and there aren't any numbers of how many people out need this service
- It's good a hostel would comply but what's to keep someone from creating a shelter and calling it a hostel
- Shelter for the homeless should remain as a CUP so neighboring property owners can weigh in and the Commission can consider if it's a practical and safe idea
- Funds to subsidy programs are being reduced
- Two stages of planning commission involvement in this issue could include first, a pathway to having buildings designated as hostels as an immediate solution to freezing temperatures; and second, a longer term solution in a CUP process and a way to create a more involved homeless shelter or transitional services housed in one location



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-22

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: March 1, 2017
SUBJECT: Auto sales in the Marine Industrial District

Introduction: The City Council introduced this item at their meeting of January 23, 2017 and moved for the Planning Commission to make a recommendation. The ordinance at the meeting added “Marine **and auto** equipment sales, rental, service, repair and storage” to the list of permitted uses in the MI District. It became apparent that the council intended to have temporary auto sales (exclusive) for consideration in the district, **not** equipment sales, rental, service, repair, and storage.

I believe it is in order to amend the proposed ordinance so that the Commission is guided in discussion with the true intent. I recommend a motion to strike the proposed ordinance as written and replace it with new language. Add “**Auto sales, temporary**” to the list of permitted or conditionally permitted uses in the Marine Industrial District. Add a definition of “auto sales temporary”. Temporary could be something like 30 days per calendar year per lot.

Analysis: I was asked by the Commission to consider CUPs or more event based solutions. So far, I have not had City Attorney input on a proposed ordinance. I do not see how we might have an event permit for a use that is not recognized in a district. Since “auto sales” is a listed use in other districts, it is considered a prohibited use in districts where it is not listed. In order to allow some sort of event, we need to amend the code for its allowance in the district. A CUP is also an option.

Event scenario: First, we need to suggest a code amendment for allowance of the use. I have made a suggestion for discussion above. We would need to define what temporary means. Is it a temporary use of a lot or just a temporary use by a particular business?

CUP scenario: A CUP adds expense and time for the applicant. It would be good to have a discussion about just what a CUP might add to the process. What issues would the Commission be reviewing that are not addressed by existing code? What benefit to the public is gained by a CUP process?

I really want to hear some compelling evidence that this use is appropriate for the district. The conversation has continually revolved around the need that the hockey association has, rather than the community need for this use in the Marine Industrial District.

Currently, no one is operating an auto sales lot in Homer. There was some auto sales in the GC1 District, but it was not found to be profitable and thus discontinued. I have attached code language which describes the current provision for auto sales in Homer. Perhaps temporary auto sales is a viable option to support Homer's consumers. It seems the crucial elements are larger parking lots and direct access to an arterial road. What is the compelling public interest to this activity in the MI district? Why not CBD, or Gateway Business District? Would those districts be a better choice for the community?

Staff Recommendation: Discuss the merits of adding temporary auto sales as a use in the Marine Industrial District and move an amended ordinance to be sent to Port and Harbor Commission for comment.

Amend HCC 21.30.020 to add item q, Temporary Auto Sales

Amend HCC 21.03.040 to add "temporary auto sales means selling passenger cars, trucks, motorcycles, recreational vehicles and ATV's for a period of not more than 30 days per calendar year per lot."

Attachments

1. Code citations

“Auto and trailer sales or rental area” means an automobile related use that may consist of any combination of the following:

1. An open, outdoor display area for automobiles, light trucks or trailers for rent, lease or sale;
2. Buildings for the indoor display and sale or leasing of automobiles, light trucks or trailers, and sale of parts and accessories customarily incidental to the sale of such vehicles; and
3. Buildings at the location of a motor vehicle dealership used for auto repairs customarily incidental to the operation of a dealership.

CBD - permitted

dd. Auto repair and auto and trailer sales or rental areas, but only on Main Street from Pioneer Avenue to the Sterling Highway, excluding lots with frontage on Pioneer Avenue or the Sterling Highway, subject to the following additional requirements: Vehicles awaiting repair or service, inoperable vehicles, vehicles for parts, and vehicles awaiting customer pickup shall be parked indoors or inside a fenced enclosure so as to be concealed from view, on all sides. The fence shall be a minimum height of eight feet and constructed to prohibit visibility of anything inside of the enclosure. The portion of any vehicle exceeding eight feet in height may be visible outside of the fence. Vehicle parts (usable or unusable), vehicle service supplies, and any other debris created in the repair or servicing of vehicles shall also be stored indoors or inside the fenced enclosure out of view of the public;

GC1 – permitted

e. Auto and trailer sales or rental areas;

EEMU – permitted

a. Auto, trailer, truck, recreational vehicle and heavy equipment sales, rentals, service and repair;

GC2 – permitted

g. Auto, trailer, truck, recreational vehicle and heavy equipment sales, rentals, service and repair, excluding storage of vehicles or equipment that is inoperable or in need of repair;

Scenic Gateway Corridor Overlay District – prohibited

Chapter 8.08

ITINERANT OR TRANSIENT MERCHANT'S LICENSE¹

Sections:

- 8.08.010 Definitions.
- 8.08.020 Itinerant or transient merchant – License required – Exemptions.
- 8.08.030 Itinerant or transient merchant license – Application.
- 8.08.040 Referral – Fees.
- 8.08.050 License – Revocation.
- 8.08.060 License – Expiration.
- 8.08.070 License – Nontransferable.
- 8.08.080 Exhibition of license.
- 8.08.100 Use of streets and other public places.
- 8.08.110 Report of convictions for chapter violations.
- 8.08.120 Appeals from action of the Chief of Police.
- 8.08.140 State laws applicable.
- 8.08.145 Nonapplicability of chapter.
- 8.08.150 Repealed.
- 8.08.010 Definitions.

For the purposes of this chapter the following shall mean:

“Isolated or casual sales” means the transfer of personal or real property from one individual to another on an occasional basis, for an agreed-upon fee.

“Temporary business” is a business or enterprise that is to be carried on for a period of less than 60 days per calendar year duration within the City.

“Transient or itinerant merchant” means any person, firm or corporation, whether as owner, agent, consignee or employee, whether a resident of the municipality or not, who engages in a temporary business of selling and delivering goods, and/or services, wares and merchandise within the City, and who, in furtherance of such purpose, peddles from door to door or hires, leases, uses or occupies any building, structure, motor vehicle, tent, railroad car, boat, any room in a hotel, lodging house, apartment, shop, or any street, alley, or other place within the municipality, for the exhibition and sale of such goods, wares and merchandise, and/or the performance of services, either privately or publicly. The person, firm or corporation so engaged shall not be relieved from complying with the provisions of this chapter merely by reason of associating temporarily with any local dealer, trader, merchant or auctioneer, or by conducting such transient business in connection with, as a part of, or in the name of any local dealer, trader, merchant or auctioneer, provided the temporary business is conducted in conformance with HCC Title 21 as it pertains to the residential zones which prohibits selling from homes. [Ord. 89-9(A) § 1, 1989; Ord. 86-21 § 1, 1986; Ord. 84-36 §§ 1, 2, 1984; Ord. 83-2 § 1, 1983].

8.08.020 Itinerant or transient merchant – License required – Exemptions.

It is unlawful for a transient or itinerant merchant, as defined in HCC 8.08.010, to engage in business within the City without first obtaining a license therefor in compliance with the provisions of this chapter. The licensing requirements of this chapter do not extend to isolated or casual sales of personal goods, wares, vehicles, animals, etc., or to the sale of similar items at such functions as garage sales, flea markets, and bazaars, nor to activities conducted at conferences that cater to a specialized audience. A commercial fisherman who has a valid commercial fishing license issued by the State of Alaska and who has completed and filed with Alaska Department of Fish and Game the forms required to qualify as a “catcher-seller” shall be exempt from this chapter. [Ord. 89-9(A) § 1, 1989; Ord. 83-2 § 1, 1983].

8.08.030 Itinerant or transient merchant license – Application.

Applicants for an itinerant or transient merchant license, whether a person, firm, or corporation, shall file a written, sworn application signed by the applicant, if an individual, by all partners, if a partnership, and by the president, if a corporation, with the Homer Police Department, on a form to be furnished by the Homer Police Department, which shall give the following information:

- a. Name and description of the applicant (applicant must produce valid identification with photo affixed thereon);
- b. Address, both legal and local;
- c. A brief description of the nature of the business and the goods to be sold and, in the case of products of farm or orchard, whether produced or grown by the applicant;
- d. If employed, the name and address of the employer, together with credentials establishing the exact relationship;
- e. The length of time for which the right to do business is desired;
- f. If a vehicle is to be used, a description of the same, together with the license number or other means of identification;
- g. A photograph of the applicant, taken within 60 days immediately prior to the date of the filing of the application, showing the head and shoulders of the applicant in a clear and distinguishing manner;
- h. The names of at least two reliable property owners of the City, who will certify as to the applicant’s good character and business responsibility, or, in lieu of the names and references, any other available evidence as to the good character and business responsibility of the applicant as will enable an investigator to properly evaluate such character and business responsibility;
- i. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment or penalty

assessed therefor and a criminal history background check supplied by the State of Alaska within the preceding 30 days;

j. A copy of the applicant's business license and his certificate of registration for collection of Kenai Peninsula Borough sales tax, and when applicable a health certificate, letter of approval or other appropriate notification from State authorities for a food vending business;

k. At the time of filing the application, a fee of \$10.00 shall be paid to cover the cost of processing the application;

l. Waiver of objection to criminal history check. By the act of filing, applicant waives all claims he may have arising under any act or principle of common law protecting individual privacy, and consents to an investigation from any source or sources as to criminal history. [Ord. 01-20 § 1, 2001; Ord. 92-21, 1992; Ord. 89-9(A) § 1, 1989; Ord. 86-21 § 2, 1986; Ord. 83-2 § 1, 1983].

8.08.040 Referral – Fees.

a. Upon receipt of the application described in HCC 8.08.030, the original shall be referred to the Chief of Police or designee who shall cause an investigation of the applicant's business responsibility and moral character to be made. The application shall be approved or denied by the Chief of Police or his designee within 48 hours of its receipt.

b. The Chief of Police shall find that an application's background is unsatisfactory if:

1. The applicant has been convicted of a felony within the three-year period immediately preceding the date of his application;

2. The applicant has been convicted of a misdemeanor or violation of a municipal ordinance involving a monetary consideration within the same three-year period;

3. The applicant does not have proper business license, certificate of registration for collection of sales tax or health certificate when applicable.

c. If, as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the Chief of Police shall endorse on such application his disapproval and his reasons for the same and shall notify the applicant that his application is disapproved and that no permit and license will be issued.

d. If, as a result of such investigation, the character and business responsibility of the applicant are found to be satisfactory, the Chief of Police or designee shall endorse on the application his approval. The Homer Police Department shall, upon payment of the prescribed fee, deliver to the applicant his license. Such license shall contain the signature and seal of the Chief of Police or designee and shall show the name and photograph of the licensee, the class of license issued and the kinds of goods to be sold thereunder, the amount of fee paid, the operative, as well as the license number and other

identifying description of any vehicle used in the business. The Homer Police Department shall keep a permanent record of all licenses issued.

e. For each license issued hereunder, the fee shall be \$330.00 for a 60-day license. For each assistant or sublicense associated with the principal license the fee shall be \$10.00 each. [Ord. 10-51(A), 2011; Ord. 01-20 § 1, 2001; Ord. 92-21, 1992; Ord. 89-9(A) § 1, 1989; Ord. 86-21 § 3, 1986; Ord. 83-2 § 1, 1983].

8.08.050 License – Revocation.

Licenses issued under the provisions of this chapter may be revoked by the Chief of Police subject to appeal under HCC 8.08.120 for any of the following causes:

- a. Fraud, misrepresentation or false statement contained in the application for license;
- b. Fraud, misrepresentation or false statement made in the course of carrying on his business as a peddler;
- c. Any violation of this chapter;
- d. Conviction of any crime or misdemeanor involving moral turpitude;
- e. Conducting business hereunder in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public. [Ord. 89-9(A) § 1, 1989; Ord. 83-2 § 1, 1983].

8.08.060 License – Expiration.

All licenses issued under the provisions of this chapter shall expire 60 days following date of issue.

Land uses for which a temporary license is issued must cease upon expiration of the permit including the immediate removal of any temporary structure. [Ord. 89-9(A) § 1, 1989; Ord. 84-36 § 3, 1984; Ord. 83-2 § 1, 1983].

8.08.070 License – Nontransferable.

No license issued under the provision of this chapter shall be used at any time by any person other than the one to whom it was issued. [Ord. 83-2 § 1, 1983].

8.08.080 Exhibition of license.

Persons licensed under this chapter shall display their licenses as follows:

- a. All door to door vendors and person soliciting or conducting business other than at a fixed business location shall physically wear their permit in plain view attached to their lapel, external jacket, or shirt, at all times while engaged in any business-related public contact.

b. All other persons shall openly display their license at the front counter (or primary area of public contact) of their business.

c. All licensees shall produce their license for physical examination at the request of any citizen or peace officer authorized to enforce this chapter. [Ord. 01-20 § 1, 2001; Ord. 89-9(A) § 1, 1989; Ord. 88-4 § 1, 1988].

8.08.100 Use of streets and other public places.

No licensee shall have exclusive right to any location in the public streets, nor shall anyone be permitted to operate in any congested area, to include areas designated as public parking, campgrounds, parks or open spaces or where his operation might impede or inconvenience the public. For the purpose of this chapter, the judgment of the peace officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced. [Ord. 90-19(A) § 1, 1990; Ord. 89-9(A) § 1, 1989; Ord. 84-12 § 1, 1984; Ord. 83-2 § 1, 1983].

8.08.110 Report of convictions for chapter violations.

The Homer Police Department shall maintain a record of each license issued and record the reports of violations therein. [Ord. 92-21, 1992; Ord. 89-9(A) § 1, 1989; Ord. 83-2 § 1, 1983].

8.08.120 Appeals from action of the Chief of Police.

Any person aggrieved by the action of the Chief of Police in the denial of an application for a permit or license as provided in HCC 8.08.040, or in the decisions with reference to the revocation of license as provided in HCC 8.08.050, shall have the right of appeal to the City Council. Such appeal shall be taken by filing with the City Council, within 14 days after the action of the Chief of Police, a written statement setting forth fully the grounds for appeal. The City Council shall set a time and place for a hearing on such appeal, and notice of such hearing shall be mailed to the appellant postage prepaid at his last known address at least five days prior to the date set for the hearing. The decision and order of the City Council on such appeal shall be final and conclusive. [Ord. 01-20 § 1, 2001; Ord. 89-9(A) § 1, 1989; Ord. 83-2 § 1, 1983].

8.08.140 State laws applicable.

Notwithstanding any provisions of this chapter, any peddler operating under any license issued by the City pursuant to this chapter shall not be exempted from any and all licenses, permits, laws, or ordinances as required by the State of Alaska and the Kenai Peninsula Borough. [Ord. 89-9(A) § 1, 1989; Ord. 83-2 § 1, 1983].

8.08.145 Nonapplicability of chapter.

The provisions of this chapter shall not apply to a person who solicits funds for any purpose or disseminates information in connection with an authorized activity of a charitable, religious, political or civic organization of which that person is a member, adherent or representative; provided, that such activity is carried out in an orderly manner and in no way disturbs the peace or creates a public or private nuisance. [Ord. 89-9(A) § 1, 1989; Ord. 83-15 § 1, 1983].

8.08.150 Violation – Penalty.

Repealed by Ord. 17-03. [Ord. 89-9(A) § 1, 1989; Ord. 83-2 § 1, 1983].

1

**For statutory provisions authorizing cities to regulate the sale of goods, see AS 29.35.200(b).
Ordinance 85-11, adopted May 13, 1985, repealed HCC 8.08.090.**

4. An organized concerted effort for a place for the homeless to go, takes it from helping people who need a place for the night to it becoming a shelter.
5. Consider a hostel as a location for a temporary emergency location.
6. The councilmember may see the conditional use permit as a barrier to service and that it fits with many churches missions. However, there isn't a group that has expressed a willingness to plan a cold weather shelter.
7. Removing the barrier and allow churches or other organizations to do this, may result in the city defining parameters for a cold weather shelter for the homeless, and then the groups could come forward with a plan.
8. Many churches, while they abut a residential area, have large lots that provide some separation from the residential area.
9. A temporary cold weather shelter could be operated in many different ways, but issues remain regarding cost, staffing, and facilities to provide the services.
10. The homeless action committee is utilizing the community needs assessments that have been done through the hospital and MAPP in their assessment.
11. Weighing whether it is more productive to focus time and energy on a temporary service or putting the time and effort to work out logistics of something permanent.
12. The conditional use process allows neighbors to weigh in.

Recommendations included:

1. Do an assessment of resources available in the community and seeing if there are suitable buildings that would fall into the current definition of a rooming house or hostel, without making a new definition.
2. Identify organizations for cost sharing.
3. Provide information MAPP has compiled relating to emergency shelters.
4. Develop a permit process for a cold weather hostel.

B. Staff Report PL 17-13, Auto Sales in Marine Industrial District

City Planner Abboud reviewed the staff report.

The Commission discussed the idea of a temporary permit. An intermediate merchant permit and an event permit aren't options because auto sales aren't an allowed use in the district. A conditional use permit for a temporary use might be an option.

At the request of Commissioner Venuti, Mr. Stewart returned to the table and explained the auto sale that took place at the hockey rink last year. The company attempted to use other spaces like the middle school parking lot but were told no. They brought about 50 cars down, parked them in the parking lot at the rink. They sold cars for 10 days and then took two days to get the remaining cars out. They wanted to come back in the fall, but were told not until this issue gets worked out. The company paid the hockey rink \$100 for each car sold and made a donation at the end of the sale. They used sandwich boards for signage. Mr. Stewart said they aren't looking for any special treatment and if there is an easy way this can work, that would be great. As a city resident, he wouldn't want a permanent car lot on the spot, but he recognizes that there isn't a place for locals to buy a new car.

City Planner Abboud explained an accessory use is related to the primary use on the property. Fundraising was suggested and there was brief discussion about some type of event permit or a temporary conditional use permit.

City Planner Abboud acknowledged that the event permit as an interesting idea and might be worth looking at but it needs to be crafted in a way that limits locations and times this can occur. He reminded the commission this isn't about the opportunity to fundraise, it's about the use of land on Marine Industrial.

ABRAHAMSON/BRADLEY MOVED THAT PLANNER INVESTIGATE CUP'S OR MORE EVENT BASED PROCESSES TO ADDRESS THE COMMUNITY NEEDS THAT HAVE BEEN IDENTIFIED INSTEAD OF GOING FORWARD THIS ORDINANCE AS WRITTEN.

There was no further discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

C. Staff Report PL 17-18, Greatland Street Extension

City Planner Abboud reviewed the staff report.

Public Works Director Meyer reviewed the packet information for the proposed Greatland Street Extension and the options, explained Councilmember Erickson brought this forward for Council's consideration, and at the request of the City Manager, options A, B, and C were developed.

He explained the simplest way to extend is option A, going straight up Greatland Street to Pioneer Avenue and the route identified in the Transportation Master Plan that addresses providing interconnectivity within the community and in this case suggests an additional east west corridor from Bartlett across to Hazel. He explained that some recent improvements in the area such as the restrooms at Bartlett and development of Waddell Way, have been done with consideration of this plan for an east west corridor. His recommendation is based on the overall master planning of the community as not to ignore the planning that has been done. City Council has proposed option A, Option B follows the Master Plan, and staff developed option C that completes a portion of what the Master Plan says and leaves the rest for a future time.

He supports following through with the Master Plan. It's hard to imagine Homer in 30 years with a fully developed central business district (CBD), but the recommendations of the plan will be very valuable as the density in the CBD increases to its ultimate capacity. Extending Greatland to Pioneer will create two intersections, the other being Bartlett coming down from the south, that will complicate traffic movement on Pioneer Avenue when the CBD is developed to a higher density. He recognized the cost difference but option A ignores how you get from point A to B through the CBD. The Council introduced the ordinance with option A and thinks several councilmember did so knowing the Planning Commission would review it further.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-13

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: February 15, 2017
SUBJECT: Auto sales in the Marine Industrial District

Introduction: The City Council introduced this item at their meeting of January 23, 2017 and moved for the Planning Commission to make a recommendation. The ordinance at the meeting added “Marine **and auto** equipment sales, rental, service, repair and storage” to the list of permitted uses in the MI District. It became apparent that the council intended to have temporary auto sales (exclusive) for consideration in the district, **not** equipment sales, rental, service, repair, and storage.

In consideration of the intent of the proposed ordinance, it may be in order to make a motion to recommend deleting the proposed amendment and replace with adding “automobile sales” or “automobile sales, temporary” to the list of permitted uses in the Marine Industrial District.

At the meeting, representatives of the Homer Hockey Association testified that they would like to be able to use the hockey rink parking lots for temporary new car sales. They mentioned that they wanted to be able to have a 14-day event in July. A dealer would use the lot and provide the organization with donations related to the amount of vehicles that they sold on the lot. They also stated interest in hosting other similar events.

Analysis: In order to consider an addition of a use in code we must use the Comprehensive Plan and the Code itself to see if it is supported. The use must be appropriate for the entire district and not be confined to just the hockey rink, in order to avoid spot zoning.

The Spit Comprehensive Plan is rather silent on this particular subject. The closest the plan comes to the subject is in Goal 1.1, maintain the variety of land uses that establish the unique “Spit” character and mix of land uses. This includes the objective of, revise zoning to protect character and enhance commercial, industrial, and public facilities development. It goes on to recommend clustering together similar land uses. Nothing more in the implementation table goes into the support of such an activity in the Marine Industrial District.

The Plan does talk about Industrial Development starting on page 23. It identifies the potential for future fishing, marine, and shipping industries. Further identifying key issues including the

need to: “Better utilize the limited land available for industrial and economic development; Reserve sufficient land by the Deep Water Dock for future industrial development; and Encourage development related to the fishing, fish processing, and boating industries.” It goes on to mention aesthetic and safety concerns. Perhaps the most telling paragraph, “Finally, creep of commercial land uses into an industrial area should be avoided because it reduces future options for marine industrial uses and harbor facilities. Marine industrial and transportation are strategically important long term-uses, and commercial activity should be located so that future opportunities are preserved.”

We may also look at the zoning code for direction. HCC 21.30.010 Purpose. “The purpose of the Marine Industrial District is primarily to provide adequate space for those water-dependent industrial uses that require direct marine access for their operation, such as fishing, fish processing, marine transportation, off-shore oil development and tourism, giving priority to those water-dependent uses over other industrial, commercial and recreational uses.”

At this point, we want to review the district map. Besides the skating rink, it is tough to conclude that auto sales would not displace possible future industrial activities, even if only temporarily. The sale of automobiles is a commercial activity. I am unaware of the tourism potential for such a venture. A council member was concerned that we would not sell cars around the deep-water dock. I did reply that, in any case, we could control city owned property with administrative policy. This is telling because we should be able to support a proposed use throughout the entire district.

This is a tough item to gain my support. In order to best justify such a proposition, I would like to see an amended comprehensive plan and chapter purpose. If auto sales is found to be appropriate in an industrial zoning district, it bears to mind the thought of allowance in commercial districts that are better suited to support a commercial retail operation. Basically, how have we come to review a proposal for expansion of a commercial activity outside of the commercial business district. If additional allowances for auto sales were found to be in Homers best interests, we would first want to explore the commercial districts.

Staff Recommendation: Discuss the merits of adding temporary auto sales as a use in the Marine Industrial District and move to hold a public hearing.

Attachments

1. Ordinance 17-04
2. Letter
3. CC minutes excerpt of meeting on 1/23/17

- 41 h. Warehouse and marshaling yards for storing goods awaiting transfer to marine
42 vessels or off-loaded from a marine vessel and awaiting immediate pickup by
43 land-based transportation;
- 44
- 45 i. Mobile food services;
- 46
- 47 j. Itinerant merchants;
- 48
- 49 k. Recreational vehicle parks, provided they shall conform to the standards in
50 Chapter 21.54 HCC;
- 51
- 52 l. Caretaker, business owner or employee housing as an accessory use to a
53 primary use, and limited to no more than 50 percent of the floor area of a
54 building and for use by an occupant for more than 30 consecutive days;
- 55
- 56 m. More than one building containing a permitted principal use on a lot;
- 57
- 58 n. Restaurant as an accessory use;
- 59
- 60 o. Parks;
- 61
- 62 p. As an accessory use, one small wind energy system per lot;
- 63

64

65 Section 2. This ordinance shall take effect upon its adoption by the Homer City Council.

66

67 Section 3. This ordinance is of a permanent and general character and shall be included
68 in the City Code.

69

70 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
71 _____, 2017.

72

73 CITY OF HOMER

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76 _____

77 BRYAN ZAK, MAYOR

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83 ATTEST:

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85

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87 _____
JO JOHNSON, MMC, CITY CLERK

88

89

90 YES:

91 NO:

92 ABSTAIN:

93 ABSENT:

94

95 First Reading:

96 Public Hearing:

97 Second Reading:

98 Effective Date:

99

100 Reviewed and approved as to form.

101

102

103 _____
Mary K. Koester, City Manager

104

105 Date: _____

106

107

108 Fiscal Note: NA

Holly C. Wells, City Attorney

Date: _____

From: Frank Griswold
To: [Jo Johnson](#)
Cc: [Department Planning](#)
Subject: Ordinance 17-xx/Temporary Auto Sales/Spot Zoning
Date: Thursday, January 12, 2017 1:54:23 PM

Re: Ordinance 17-xx, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 21 to Allow Temporary Auto Sales in the Marine Commercial District for Up to 90 Days. Lewis. Recommended dates: Introduction January 23, 2017, Refer to Planning Commission.

In *Griswold vs. City of Homer*, 925 P.2d 1015, 1020, at footnote 6, the Alaska Supreme Court defined spot zoning as follows: “[S]pot zoning is simply the legal term of art for a zoning decision which affects a small parcel of land and which is found to be an arbitrary exercise of legislative power. Cf. *Concerned citizens of S. Kenai Peninsula*, 527 P.2d at 452 [“T]he constitutional guarantee of a substantive due process assures only that a legislative’s decision is not arbitrary but instead based upon some rational policy.”]. “The common [spot zoning] situation is one in which an amendment is initiated at the request of an owner or owners who seek to establish a use prohibited by the existing regulations.” Robert M. Anderson, *American Law of Zoning* 3d Sect. 5.12, at 358 (1986). See also, *Ballenger v. Door County*, 131 Wis. 2d 422, 388 N.W. 2d 624, 627 (App. 1986) (applying spot zoning analysis in a case where the zoning district remained the same but the permitted uses within the district were expanded.).

Spot zoning is illegal in Alaska. Before considering Ordinance 17-xx, it would be prudent for the City Council and Planning Commission to request a formal legal opinion addressing whether allowing auto sales, temporary or otherwise, in the Marine Commercial District (or in the Marine Industrial District or in any other zoning district where they are not currently allowed) would constitute spot zoning. The following questions need to be addressed: 1. What rational *public* policy constitutes the basis for the proposed ordinance? 2. How does the proposed ordinance comport with the Homer Comprehensive Plan? 3. Does the small size of the area proposed for rezone require a finding of spot zoning? 4. If the proposed ordinance is enacted, on what grounds could anybody be denied the right to sell vehicles in any other zoning district?

Frank Griswold

Use of a Hearing Officer to Order Impoundment of Dangerous Animals, Decide Disputes Regarding Itinerant Merchant Licenses, and Decide Disputes Regarding Qualifications of a Candidate for Office. Aderhold.

Mayor Zak called for a motion for the approval of the agenda as amended.

LEWIS/REYNOLDS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

A. Mayor's Proclamation – Congenital Heart Defect Awareness Week

Councilmember Reynolds read and presented the proclamation to Dottie Zopp, Chloe's grandmother.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Jan Rumble, Homer resident and Homer Hockey Association President, supports Ordinance 17-04. It will bring economic value to the City, could generate revenue for the ice rink, and provide local options to purchase cars.

Charlie Stewart, city resident, supports Ordinance 17-04. Selling of new cars is not being done anywhere in the city so it won't offend any established business. Last July the ice rink realized \$5,000 to \$6,000 in revenue from the sale of cars on their lot. They would like to be able to have cars sold at both the beginning and the end of the summer.

Salvation Army Captain Christin Fankhauser, city resident, supports Memorandum 17-017 and the drafting of an ordinance to allow zoning for cold weather shelters. She is willing to work with the City and the Planning Commission. It is a good step for something more permanent.

Peggy Kleinleder, city resident, expressed support for Memorandum 17-017 to address terms for long-term shelter and the continuation of care for people to move from homelessness.

Bob Bornt, city resident and SVT Behavioral Health Counselor, supports Memorandum 17-017. Homelessness contributes to mental health issues. He has purchased the old laundromat on Main Street with a goal to create low income housing to serve the population. He has an idea to put tiny houses in the area and create an opportunity village. He would like to see the

Memorandum 17-009 from City Planner as backup.

Mayor Zak opened the public hearing. In the absence of public testimony, Mayor Zak closed the public hearing.

Mayor Zak called for a motion for the adoption of Resolution 17-010 by reading of title only.

LEWIS/REYNOLDS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

- A. **Ordinance 17-04**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.30.020 to Add “Auto Equipment Sales, Rentals, Service, Repair and Storage” to the List of Permitted Uses in the Marine Industrial District. Lewis. Recommended dates: Introduction January 23, 2017, Refer to Planning Commission.

Mayor Zak called for a motion for the introduction of Ordinance 17-04 by reading of title only.

LEWIS/REYNOLDS - SO MOVED.

Opening up the auto uses in the entire Marine Industrial District will avoid spot zoning. Reference was made to Frank Griswold’s comments on spot zoning. In the 1992 court case, Griswold vs. City of Homer, the plaintiff prevailed because a council member did not recuse themselves from voting on a zoning change when he owned land there. Council supports helping the Homer Hockey Association, but wants to avoid spot zoning. The Planning Commission will review the ordinance and then it will go to the Port and Harbor Advisory Commission.

Council expressed consensus on not allowing auto repair work and keeping all other uses temporary. The ordinance also needs to be sensitive to auto rental businesses so it does not undermine the people that have built businesses over the years.

City Planner Abboud expressed appreciation to the Council for providing their input to pass on to the Planning Commission.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Ordinance 17-05**, An Ordinance of the City Council of Homer, Alaska, Amending the 2017 Operating Budget by Appropriating \$970,870 From the Homer Accelerated Roads/Trails Program (HART) for the Greatland Street Improvements (Option C) Project, and Authorizing the City Manager to Execute All Appropriate Documents. Erickson. Recommended dates: Introduction January 23, 2017, Refer to Planning Commission.

Memorandum 17-019 from Public Works Director as backup.

Mayor Zak called for a motion for the introduction of Ordinance 17-05 by reading of title only.

LEWIS/REYNOLDS - SO MOVED.

There are three different plans for the extension. Council heard from citizens who support Option A. When the Transportation Committee was active they recommended Option C.

LEWIS/STROOZAS - MOVED TO AMEND TO CHANGE OPTION C TO OPTION A AND JUST DO THE STRAIGHT LINE AND IN THE LONG RUN IT WOULD BE CHEAPER.

Councilmember Aderhold would like to see the Planning Commission evaluate each of the options and come back to us with a recommendation.

Public Works Director Meyer said at first glance Option A that uses the existing right-of-way seems to be the appropriate action. The Transportation Plan approved by Council in 2005 suggests Homer could use another east/west corridor. Part of that was constructed this last summer with the Waddell portion. Many of the intersections are not planned well; there are quite a few that are not at 90 degree angles. Option B is in conformance with the Transportation Plan and Option C is a compromise between the two. The Transportation Plan called for the connection to Bartlett Street. The extension of Greatland Street up to Pioneer Avenue creates a weird alignment on the intersection. Greatland Street on the other side of Pioneer Avenue has already been vacated. Option C is a compromise that will make a connection to Pioneer Avenue and will allow for future construction in compliance with the Transportation Plan.

ORDINANCE REFERENCE SHEET
2017 ORDINANCE
ORDINANCE 17-04

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.30.020 to Add “Auto Equipment Sales, Rentals, Service, Repair and Storage” to the List of Permitted Uses in the Marine Industrial District.

Sponsor: Lewis

1. Council Regular Meeting January 23, 2017 Introduction
 - a. Written public comments

- 41 h. Warehouse and marshaling yards for storing goods awaiting transfer to marine
42 vessels or off-loaded from a marine vessel and awaiting immediate pickup by
43 land-based transportation;
- 44
- 45 i. Mobile food services;
- 46
- 47 j. Itinerant merchants;
- 48
- 49 k. Recreational vehicle parks, provided they shall conform to the standards in
50 Chapter 21.54 HCC;
- 51
- 52 l. Caretaker, business owner or employee housing as an accessory use to a
53 primary use, and limited to no more than 50 percent of the floor area of a
54 building and for use by an occupant for more than 30 consecutive days;
- 55
- 56 m. More than one building containing a permitted principal use on a lot;
- 57
- 58 n. Restaurant as an accessory use;
- 59
- 60 o. Parks;
- 61
- 62 p. As an accessory use, one small wind energy system per lot;
- 63

64

65 Section 2. This ordinance shall take effect upon its adoption by the Homer City Council.

66

67 Section 3. This ordinance is of a permanent and general character and shall be included
68 in the City Code.

69

70 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
71 _____, 2017.

72

73 CITY OF HOMER

74

75

76 _____

77 BRYAN ZAK, MAYOR

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83 ATTEST:

84

85

86

87 _____
JO JOHNSON, MMC, CITY CLERK

88

89

90 YES:

91 NO:

92 ABSTAIN:

93 ABSENT:

94

95 First Reading:

96 Public Hearing:

97 Second Reading:

98 Effective Date:

99

100 Reviewed and approved as to form.

101

102

103 _____
Mary K. Koester, City Manager

104

105 Date: _____

106

107

108 Fiscal Note: NA

Holly C. Wells, City Attorney

Date: _____

From: Frank Griswold
To: [Jo Johnson](#)
Cc: [Department Planning](#)
Subject: Ordinance 17-xx/Temporary Auto Sales/Spot Zoning
Date: Thursday, January 12, 2017 1:54:23 PM

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Frank Griswold



City of Homer

www.cityofhomer-ak.gov

Office of the Mayor

491 East Pioneer Avenue
Homer, Alaska 99603

mayor@ci.homer.ak.us

(p) 907-235-3130

(f) 907-235-3143

Memorandum 17-055(A)

TO: HOMER CITY COUNCIL
FROM: BRYAN ZAK, MAYOR
DATE: APRIL 12, 2017
SUBJECT: RE-APPOINTMENT OF MIKE STOCKBURGER TO THE PORT AND HARBOR ADVISORY COMMISSION AND APPOINTMENTS OF GARRETTE GAROUTTE AND RALPH CRANE TO THE CANNABIS ADVISORY COMMISSION

Mike Stockburger is re-appointed to the Port and Harbor Advisory Commission for a term to expire February 1, 2020. *(Approved April 10, 2017)*

Garrette Garoutte is appointed to the Cannabis Advisory Commission to fill the seat vacated by Beth Carroll. His term will expire May 1, 2020

Ralph Crane is appointed to the Cannabis Advisory Commission to fill the seat vacated by Lindianne Sarno. His term will expire May 1, 2018

RECOMMENDATION:

Confirm the re-appointment of Mike Stockburger to the Port and Harbor Advisory Commission; and the appointments of Garrette Garoutte and Ralph Crane to the Cannabis Advisory Commission.

Fiscal Note: N/A



CITY OF HOMER
APPLICATION TO SERVE ON ADVISORY BODY
COMMISSION, BOARD, COMMITTEE, TASK FORCE

CITY CLERK'S OFFICE
CITY OF HOMER
491 E. PIONEER AVE
HOMER, AK 99603
PH. 907-235-3130
FAX 907-235-3143
clerk@cityofhomer-ak.gov

The information below provides some basic background for the Mayor and Council
This information is public and will be included in the Council Information packet

MAR 23 2017 PM 04:01 PK

Name: Garrette Garoutte Date: 3/23/2017

Physical Address: 394 Soundview Ave Homer AK 99603

Mailing Address: P.O. Box 1735

Phone #: 907 299 6552 Cell #: 907 299 8917 Work #: 907 299 6552

Email Address: garrettejgaroutte@live.com

The above information will be published in the City Directory and within the city web pages if you are appointed by the Mayor and your appointment is confirmed by the City Council

Please indicate the advisory body that you are interested in serving on by marking with an X.
You may select more than one.

ADVISORY PLANNING COMMISSION
1ST & 3RD WEDNESDAY OF THE MONTH AT 6:30 PM
WORKSESSION PRIOR TO EACH MEETING AT 5:30 PM

ECONOMIC DEVELOPMENT ADVISORY COMMISSION
2ND TUESDAY OF THE MONTH AT 6:00 PM

PARKS ART RECREATION & CULTURE ADVISORY COMMISSION
3RD THURSDAY OF THE MONTH AT 5:30 PM

CANNABIS ADVISORY COMMISSION
4TH THURSDAY OF THE MONTH AT 5:30 PM

PORT & HARBOR ADVISORY COMMISSION
3RD WEDNESDAY OF THE MONTH
OCT-APRIL AT 5:00 PM
MAY - SEPT AT 6:00 PM

LIBRARY ADVISORY BOARD
1ST TUESDAY OF THE MONTH AT 5:30 PM

PUBLIC ARTS COMMITTEE
2ND THURSDAY OF THE MONTH AT 5:00 P.M.
FEB, MAY, AUGUST & NOVEMBER
WORKSESSIONS PRIOR AT 4:00 PM

OTHER - PLEASE INDICATE

CITY COUNCIL
2ND & 4TH MONDAY OF THE MONTH
SPECIAL MEETINGS & WORKSESSIONS AT 4:00 PM
COMMITTEE OF THE WHOLE AT 5:00 PM
REGULAR MEETING AT 6:00 PM

I have been a resident of the city for 20 years. I have been a resident of the area for 23 years.

I am presently employed at Peninsula Trim LLC

Please list any special training, education or background you may have which is related to your choice of advisory body.

My brother and I run a marijuana trimming service that services cultivators across the state. I am the new Sgt at Arms down at the American Legion Post #16

Have you ever served on a similar advisory body? If so please list when, where and how long:

no

Why are you interested in serving on the selected advisory body?

~~As soon as possible~~ I work on the ground floor of

this newly emerging industry. I would like to assist in any way possible to create good regulations for the city of Homer

Please list any current memberships or organizations you belong to related to your selection(s):

none

Please answer the following only if you are applying for the Advisory Planning Commission:
Have you ever developed real property other than a personal residence, if so briefly explain:

Please answer if you are applying for the Port & Harbor Advisory Commission:
Do you use the Homer Port and/or Harbor on a regular basis?

Yes No What is your primary use? Commercial Recreational

Please include any additional information that may assist the Mayor in his/her decision making:

I grew up here in Homer AK, from Paul Banks to Homer High. I am a Veteran of the U.S. ARMY and I am more than willing to selflessly serve our community to ensure the safety and well being of our city.

When you have completed the application please review and return to the City Clerk's Office. You may also email this to clerk@cityofhomer-ak.gov or fax to 907-235-3143. Thank you for applying!



CITY OF HOMER
APPLICATION TO SERVE ON ADVISORY BODY
COMMISSION, BOARD, COMMITTEE, TASK FORCE

CITY CLERK'S OFFICE
CITY OF HOMER
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APR 10 2017 PM 11:55 *pc*

Name: Ralph Crane Date: 10 April 17

Physical Address: 986 Larkspur Ct. Homer 99603

Mailing Address: ↑ ↑ ↑ ↑

Phone #: 951-218-6362 Cell #: 951-218-6362 Work #: —

Email Address: kommok@earthlink.net

The above information will be published in the City Directory and within the city web pages if you are appointed by the Mayor and your appointment is confirmed by the City Council

Please indicate the advisory body that you are interested in serving on by marking with an X.
You may select more than one.

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WORKSESSION PRIOR TO EACH MEETING AT 5:30 PM

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2ND TUESDAY OF THE MONTH AT 6:00 PM

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WORKSESSIONS PRIOR AT 4:00 PM

OTHER - PLEASE INDICATE

CITY COUNCIL
2ND & 4TH MONDAY OF THE MONTH
SPECIAL MEETINGS & WORKSESSIONS AT 4:00 PM
COMMITTEE OF THE WHOLE AT 5:00 PM
REGULAR MEETING AT 6:00 PM

I have been a resident of the city for 15 years. I have been a resident of the area for 15 years.

I am presently employed at Retired Firefighter

Please list any special training, education or background you may have which is related to your choice of advisory body.

Over 35+ years in emergency response/management and
Fire/Life safety code/regulation promulgation/management

Have you ever served on a similar advisory body? If so please list when, where and how long:

Public Safety Building Advisory Committee

Why are you interested in serving on the selected advisory body?

To help provide balance to what can be an often
contentious issue/endeavor

Please list any current memberships or organizations you belong to related to your selection(s):

None really related to cannabis other than building/fire
code group that addresses fire/life safety concerns involving subject

Please answer the following only if you are applying for the Advisory Planning Commission:

Have you ever developed real property other than a personal residence, if so briefly explain:

Please answer if your are applying for the Port & Harbor Advisory Commission:

Do you use the Homer Port and/or Harbor on a regular basis?

Yes No What is your primary use? Commercial Recreational

Please include any additional information that may assist the Mayor in his/her decision making:

When you have completed the application please review and return to the City Clerk's Office. You may also email this to clerk@cityofhomer-ak.gov or fax **478**07-235-3143. Thank you for applying!

NEW BUSINESS

RESOLUTIONS

COMMENTS OF THE AUDIENCE
COMMENTS OF THE CITY ATTORNEY
COMMENTS OF THE CITY CLERK
COMMENTS OF THE CITY MANAGER
COMMENTS OF THE MAYOR
COMMENTS OF THE CITY COUNCIL
ADJOURNMENT

