Chapter 7 - Implementation

Facility and trail recommendations included in Chapter 7 of this plan are not implemented automatically when the plan is adopted. The process for a plan recommendation to become a project that is eventually developed involves multiple internal agency steps and may include a legislative process. There is also opportunity for public input on particular projects. Typical steps from plan recommendation to final development are:

1. Facility and trail recommendations included in the plan are prioritized (based on the needs of the park unit) for possible inclusion as a Capital Improvement Project (CIP).
2. The highest priority CIP projects from a unit or area compete with other DPOR projects to be included as a Division CIP.
3. Division CIP requests are identified in the DPOR budget to the Legislature.
4. If a CIP project is funded, internal DPOR processes are initiated.
5. Preliminary design work begins, as well as field and site work, to determine where the facility or trail should be constructed.
6. Cultural historical reviews are constructed, and any limitations of the site are identified.
7. Design changes are made and plans are finalized prior to construction.

Land Acquisition

In 1989 the Cottonwood/Eastland parcels on the north shore of Kachemak Bay were added to Kachemak Bay State Park. A small purchase of 153 acres in 1995 brought the total unit size to about 2,500 acres with an estimated 4.9 miles of shoreline. Mathison/Hopkins parcels were added to the park in 2016.

In 1998, the Exxon Valdez Trustee Council funded the State acquisition of two parcels on the north side of Kachemak Bay with significant natural habitat values. These parcels included:
1) Overlook Park State Recreation Site – 254 acres; and
2) Diamond Creek State Recreation Site – 324 acres.
These parcels are under the authority of Alaska DNR as State Park units but not as part of legislatively-designated Kachemak Bay State Park. The Overlook Park State Recreation Site is managed by Kachemak Bay Conservation Society through an MOU with the DPOR.

Additionally, the State received a donation of 79 acres above McNeil Canyon in 2002 in what has become known as Eveline State Recreation Site. These parcels have individual Management Plans and a different level of protection than Kachemak Bay State Park.

Plan Review and Modification

Periodic Review

The management plan may undergo periodic review from time to time to meet the needs of the recreating public and the managing agency. It is intended that this plan be reviewed on a biennial basis to determine the appropriateness of management and facility recommendations; however, a decision to review this plan may occur at any time at the discretion of the area Director. A plan review may also be triggered by other factors including:

- Scheduled review period;
- Written public or agency requests for review;
- Policy changes within the Division;
- Availability of new data;
- Availability of new technology; or
- Changing social or economic conditions that place different demands on the park or affect the division's capabilities.

The plan review will include meetings, as determined appropriate, with the citizen-advisory board, interested groups, the general public, affected agencies, the Area Superintendent and other Division of Parks and Outdoor Recreation personnel. The periodic review will lead to one of the following actions:

- No modification of the plan;
- Modification of the plan;
- Granting of a special exception; or
- Amending the plan.
Modification of the Plan

The following text identifies two general types of modifications to a plan: revision and minor change.

Revision

There are three types of revisions that can be made – plan revision, amendment, and special exception.

Plan Revision

A “plan revision” provides the opportunity to address management and facility recommendations, management orientation, and allowed or prohibited uses on a comprehensive basis for the entire planning area. For example, the management recommendation for a large portion of the recreation area and site may be changed to accommodate new uses or types of recreation that were previously prohibited, or, conversely, to prohibit uses and activities that were previously allowed. Because amendments and special exceptions provide flexibility for the agency to address short-term and day-to-day management concerns, it is anticipated that a full plan revision will only occur after the 20-year “life” of the plan has passed. However, a plan revision can occur at any time if determined necessary by the Commissioner of DNR. This type of modification will require public notice and a public process deemed appropriate by the DPOR and the planner.

Amendment

An “amendment” permanently changes the plan by adding to or modifying the basic management orientation, direction, recommendation, or intent for one or more of the plan’s units. For example, an amendment might allow a use that was determined incompatible in the plan, make a new determination regarding permitting of uses and structures, or propose a facility in an area where it wasn’t previously determined appropriate. These types of changes are anticipated to be very infrequent as they may involve a significant deviation from the plan’s intent, guidelines, or recommendations. While infrequent, the ability to amend the plan will maintain flexibility in management necessary for short-term management of the KBSP and KBSWP. The Director of DPOR has the authority to amend the plan.

Special Exception

A “special exception” does not permanently change the provisions of the plan and cannot be used as the basis for classifying land into another land-use zone or determining the compatibility of a use. Instead, it allows a one-time, limited-purpose variance of the plan’s provisions, without changing the plan. The exception should only occur when compliance with the plan is excessively difficult or impractical, and an alternative procedure can be implemented which adheres to the purposes and spirit of the plan. A special exception might be made if certain unforeseen circumstances exist; the use or activity is necessary to protect
public welfare and safety; or the use or activity is necessary for the protection of natural
resources. In all cases the impacts of the user activity must be minimized to the greatest
extent practicable. While infrequent, the ability to make special exceptions to the plan will
maintain flexibility in management necessary for day-to-day operation of KBSP and
KBSWP. Kenai Peninsula Parks Superintendent has the authority to request special
exceptions.

The procedure for granting a special exception will be as follows:

1. The person or agency requesting the special exception shall prepare a written finding
which specifies:
   - The nature of the special exception being requested;
   - The extenuating circumstances which require the special exception;
   - If the special exception is necessary to protect public welfare and safety;
   - If the special exception is necessary for protection of natural resources;
   - The alternative course of action to be followed by the applicant;
   - How negative impacts to the state resources will be avoided or minimized to the
greatest extent practicable; and
   - How the intent of the plan will be met by the alternative.

2. The Director of DPOR will review the finding and issue a determination. If
warranted by the degree of controversy or the potential impact, the Director may hold
public meetings prior to reaching a decision.

3. The decision of the Director will be posted on the DNR Public Notices and Proposed
Regulations website.

4. The decision of the Director may be appealed to the Commissioner of DNR.

Minor Change

A minor change to a management plan is not considered a revision. A “minor change” is a
change that does not modify or add to the plan’s basic intent, and that serves only to clarify
the plan, make it consistent, facilitate its implementation, or make technical corrections.

Project Phasing

Implementation of the management recommendations should begin immediately upon
adoption of the final plan. Some of the larger projects will undoubtedly have to be developed
in phases as staffing and funding allow. Because of the uncertainly of the CIP process or
other funding processes, it would be impractical to establish a time line for project
development and phasing of specific projects in this document. The phasing of specific
projects is best handled through the site and design processes.

While this document will not address phasing of specific projects, it will address phasing
generally by identifying those facility and trail recommendations that should be developed
first to address existing facility and trail needs and to enhance or expand recreation
opportunities. The following facility and trail recommendation would greatly enhance
recreational opportunities and address congestion and crowding at existing facilities:

- Repurpose the old ranger station in Halibut Lagoon Cove to a group camp facility.
- Develop public use cabins or tent platforms at every trailhead.
- Develop Upper Humpy Creek Bridge, Halibut Creek Bridge, Woz River Bridge, Sea
to Sea Trail Bridge and Tutka Lake Trail Bridge.
- Supply drinking water (well or catchment system) in areas with poor or no water –
  Sea Star Cabin, South Grace, Kayak Beach, Quarry Beach, South and North Eldred,
  Haystack Rock Yurt and Humpy Creek Yurt.
- Develop ADA access to Tutka Bay Hatchery and ADA accessible fishing platforms
  in the lagoon.
- Develop Park Operations Facility on Homer Side to include: a maintenance shop able
to house a boat, offices, tools, dry heat storage, and dry cold storage; and a yard able
to accommodate multiple vehicles, boats, ATVs, lumber storage and a large fuel
storage locker.

Proposed Regulations

Regulations will need to be promulgated to make certain plan recommendations are
enforceable by DPOR. It is intended that regulations necessary to implement this plan be
developed as soon as practicable after this plan is completed. A list of regulations necessary
to implement this plan is provided below. While this list is intended to be comprehensive
some regulations may have been inadvertently omitted. Other regulations that are
determined necessary in the future will be developed from time to time as determined
necessary by DPOR.

- Allowance of bicycles on designated trails.
- Allowance of off road motorized vehicles in Petrof View Subdivision.
- Allowance of fixed wing aircraft landings on Woz and Upper Hazel lakes and to
  provide access for individuals with mobility impairments.
Recommended Staffing

Adequate staffing of park units is important to provide positive public/staff interactions that foster appreciation and support for state park units; to provide public safety and emergency response to the recreating public; to protect the natural and cultural resources; to maintain facilities so they are safe and clean; and to supervise seasonal workers, contract workers, and volunteers that are critical to day-to-day functions of park units. These additional staff are recommended to properly fulfill current operations, without the addition of any of the facilities proposed in this plan:

- **Upgrade existing technician position to a full-time position to provide expertise in trail construction and maintain trails on a year-round basis.** As existing trails keep deteriorating and are being redeveloped and new trails are constructed, it will be increasingly important to ensure these trails are properly maintained to minimize impacts on natural and cultural resources and to provide safe recreational opportunities. This position will be involved in the planning, layout, and constructions of trails and it will supervise volunteer and contract construction and maintenance crews.

- **Permanent part-time Park Interpreter Position.** This position would have a unique opportunity to provide interpretative and educational opportunities. These services would provide a positive interaction with the public and would foster support for parks and park programs. If a contact station/educational center is developed, this position should be stationed there and serve as the front-line contact for DPOR.

- **Create two natural resource technician positions (7 months each).** These two positions would each oversee a four-person trail crew funded for four months. The park currently has one park specialist that juggles grant funds to work on trail projects. These positions would oversee the proposed trail crew listed below and also provide maintenance on public use cabins and other park facilities.

- **Create two four-person Alaska Conservation Corps (ACC) trail crews (4 months each).** Currently, the park relies on Recreation Trails Program grant funding to oversee trail maintenance projects. This funding is not guaranteed and is limited to working on specific projects. Dedicated trail crews will help to ensure the maintenance of park trails and greatly improve the condition of the trails by maintaining the them to high standards.

- **Create volunteer coordinator (6 months).** Currently, DPOR hires a 3-month ACC position to coordinate volunteers for the park. In the two years this has been implemented it has proven to be an excellent way to leverage the volunteer effort in the park.

If additional facilities in the plan are implemented, DPOR should also add the following positions to the park:
• Create another natural resource technician (8 months) to oversee public use cabin maintenance and supervise the cabin maintenance crew.

• Create a three-person ACC cabin maintenance crew that is dedicated to cabin maintenance.