

1 **Chapter 7 - Implementation**

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

8 Typical steps from plan recommendation to final development are:

- 9  
10 1. Facility and trail recommendations included in the plan are prioritized (based on  
11 the needs of the park unit) for possible inclusion as a Capital Improvement Project  
12 (CIP).  
13 2. The highest priority CIP projects from a unit or area compete with other DPOR  
14 projects to be included as a Division CIP.  
15 3. Division CIP requests are identified in the DPOR budget to the Legislature.  
16 4. If a CIP project is funded, internal DPOR processes are initiated.  
17 5. Preliminary design work begins, as well as field and site work, to determine  
18 where the facility or trail should be constructed.  
19 6. Cultural historical reviews are constructed, and any limitations of the site are  
20 identified.  
21 7. Design changes are made and plans are finalized prior to construction.  
22 8. Construction begins.  
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25 **Land Acquisition**

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

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32 In 1998, the Exxon Valdez Trustee Council funded the State acquisition of two parcels on the  
33 north side of Kachemak Bay with significant natural habitat values. These parcels included:

- 34 1) Overlook Park State Recreation Site – 254 acres; and  
35 2) Diamond Creek State Recreation Site – 324 acres.  
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1 These parcels are under the authority of Alaska DNR as State Park units but not as part of  
2 legislatively-designated Kachemak Bay State Park. The Overlook Park State Recreation Site  
3 is managed by Kachemak Bay Conservation Society through an MOU with the DPOR.  
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5 Additionally, the State received a donation of 79 acres above McNeil Canyon in 2002 in  
6 what has become known as Eveline State Recreation Site. These parcels have individual  
7 Management Plans and a different level of protection than Kachemak Bay State Park.  
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## 10 **Plan Review and Modification**

### 11 **Periodic Review**

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

- 20
- 21 • Scheduled review period;
- 22 • Written public or agency requests for review;
- 23 • Policy changes within the Division;
- 24 • Availability of new data;
- 25 • Availability of new technology; or
- 26 • Changing social or economic conditions that place different demands on the park or  
27 affect the division's capabilities.  
28

29 The plan review will include meetings, as determined appropriate, with the citizen-advisory  
30 board, interested groups, the general public, affected agencies, the Area Superintendent and  
31 other Division of Parks and Outdoor Recreation personnel. The periodic review will lead to  
32 one of the following actions:  
33

- 34 • No modification of the plan;
- 35 • Modification of the plan;
- 36 • Granting of a special exception; or
- 37 • Amending the plan.  
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## 1 **Modification of the Plan**

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

### 5 6 **Revision**

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

#### 10 11 Plan Revision

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

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

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39 A “special exception” does not permanently change the provisions of the plan and cannot be  
40 used as the basis for classifying land into another land-use zone or determining the  
41 compatibility of a use. Instead, it allows a one-time, limited-purpose variance of the plan’s  
42 provisions, without changing the plan. The exception should only occur when compliance  
43 with the plan is excessively difficult or impractical, and an alternative procedure can be  
44 implemented which adheres to the purposes and spirit of the plan. A special exception might  
45 be made if certain unforeseen circumstances exist; the use or activity is necessary to protect

1 public welfare and safety; or the use or activity is necessary for the protection of natural  
2 resources. In all cases the impacts of the user activity must be minimized to the greatest  
3 extent practicable. While infrequent, the ability to make special exceptions to the plan will  
4 maintain flexibility in management necessary for day-to-day operation of KBSP and  
5 KBSWP. Kenai Peninsula Parks Superintendent has the authority to request special  
6 exceptions.

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8 The procedure for granting a special exception will be as follows:  
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- 10 1. The person or agency requesting the special exception shall prepare a written finding  
11 which specifies:
  - 12 • The nature of the special exception being requested;
  - 13 • The extenuating circumstances which require the special exception;
  - 14 • If the special exception is necessary to protect public welfare and safety;
  - 15 • If the special exception is necessary for protection of natural resources;
  - 16 • The alternative course of action to be followed by the applicant;
  - 17 • How negative impacts to the state resources will be avoided or minimized to the  
18 greatest extent practicable; and
  - 19 • How the intent of the plan will be met by the alternative.
- 20 2. The Director of DPOR will review the finding and issue a determination. If  
21 warranted by the degree of controversy or the potential impact, the Director may hold  
22 public meetings prior to reaching a decision.
- 23 3. The decision of the Director will be posted on the DNR Public Notices and Proposed  
24 Regulations website.
- 25 4. The decision of the Director may be appealed to the Commissioner of DNR.  
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## 27 **Minor Change**

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

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36 Implementation of the management recommendations should begin immediately upon  
37 adoption of the final plan. Some of the larger projects will undoubtedly have to be developed  
38 in phases as staffing and funding allow. Because of the uncertainty of the CIP process or  
39 other funding processes, it would be impractical to establish a time line for project

1 development and phasing of specific projects in this document. The phasing of specific  
2 projects is best handled through the site and design processes.  
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4 While this document will not address phasing of specific projects, it will address phasing  
5 generally by identifying those facility and trail recommendations that should be developed  
6 first to address existing facility and trail needs and to enhance or expand recreation  
7 opportunities. The following facility and trail recommendation would greatly enhance  
8 recreational opportunities and address congestion and crowding at existing facilities:  
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- 10 • Repurpose the old ranger station in Halibut Lagoon Cove to a group camp facility.
- 11 • Develop public use cabins or tent platforms at every trailhead.
- 12 • Develop Upper Humpy Creek Bridge, Halibut Creek Bridge, Woz River Bridge, Sea  
13 to Sea Trail Bridge and Tutka Lake Trail Bridge.
- 14 • Supply drinking water (well or catchment system) in areas with poor or no water –  
15 Sea Star Cabin, South Grace, Kayak Beach, Quarry Beach, South and North Eldred,  
16 Haystack Rock Yurt and Humpy Creek Yurt.
- 17 • Develop ADA access to Tutka Bay Hatchery and ADA accessible fishing platforms  
18 in the lagoon.
- 19 • Develop Park Operations Facility on Homer Side to include: a maintenance shop able  
20 to house a boat, offices, tools, dry heat storage, and dry cold storage; and a yard able  
21 to accommodate multiple vehicles, boats, ATVs, lumber storage and a large fuel  
22 storage locker.  
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## 25 **Proposed Regulations**

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27 Regulations will need to be promulgated to make certain plan recommendations are  
28 enforceable by DPOR. It is intended that regulations necessary to implement this plan be  
29 developed as soon as practicable after this plan is completed. A list of regulations necessary  
30 to implement this plan is provided below. While this list is intended to be comprehensive  
31 some regulations may have been inadvertently omitted. Other regulations that are  
32 determined necessary in the future will be developed from time to time as determined  
33 necessary by DPOR.  
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- 35 • Allowance of bicycles on designated trails.
- 36 • Allowance of off road motorized vehicles in Petrof View Subdivision.
- 37 • Allowance of fixed wing aircraft landings on Woz and Upper Hazel lakes and to  
38 provide access for individuals with mobility impairments.  
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## 1 **Recommended Staffing**

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

- 10  
11 • Upgrade existing technician position to a full-time position to provide expertise in  
12 trail construction and maintain trails on a year-round basis. As existing trails keep  
13 deteriorating and are being redeveloped and new trails are constructed, it will be  
14 increasingly important to ensure these trails are properly maintained to minimize  
15 impacts on natural and cultural resources and to provide safe recreational  
16 opportunities. This position will be involved in the planning, layout, and  
17 constructions of trails and it will supervise volunteer and contract construction and  
18 maintenance crews.
- 19 • Permanent part-time Park Interpreter Position. This position would have a unique  
20 opportunity to provide interpretative and educational opportunities. These services  
21 would provide a positive interaction with the public and would foster support for  
22 parks and park programs. If a contact station/educational center is developed, this  
23 position should be stationed there and serve as the front-line contact for DPOR.
- 24 • Create two natural resource technician positions (7 months each). These two  
25 positions would each oversee a four-person trail crew funded for four months. The  
26 park currently has one park specialist that juggles grant funds to work on trail  
27 projects. These positions would oversee the proposed trail crew listed below and also  
28 provide maintenance on public use cabins and other park facilities.
- 29 • Create two four-person Alaska Conservation Corps (ACC) trail crews (4 months  
30 each). Currently, the park relies on Recreation Trails Program grant funding to  
31 oversee trail maintenance projects. This funding is not guaranteed and is limited to  
32 working on specific projects. Dedicated trail crews will help to ensure the  
33 maintenance of park trails and greatly improve the condition of the trails by  
34 maintaining the them to high standards.
- 35 • Create volunteer coordinator (6 months). Currently, DPOR hires a 3-month ACC  
36 position to coordinate volunteers for the park. In the two years this has been  
37 implemented it has proven to be an excellent way to leverage the volunteer effort in  
38 the park.

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40 If additional facilities in the plan are implemented, DPOR should also add the following  
41 positions to the park:  
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- 1      • Create another natural resource technician (8 months) to oversee public use cabin
- 2      maintenance and supervise the cabin maintenance crew.
- 3      • Create a three-person ACC cabin maintenance crew that is dedicated to cabin
- 4      maintenance.
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