

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION AGENDA**

Vern Halter, Mayor

PLANNING COMMISSION

Mary Anderson, District 1
 Thomas Healy, District 2
 John Klapperich, Chair, District 3
 Colleen Vague, District 4
 William Kendig, District 5
 Tomas Adams, District 6
 Vern Rauchenstein, District 7



John Moosey, Borough Manager

**PLANNING & LAND USE
DEPARTMENT**

Eileen Probasco, Director of Planning &
 Land Use
 Lauren Driscoll, Planning Services Chief
 Alex Strawn, Development Services
 Manager
 Fred Wagner, Platting Officer
 Mary Brodigan, Planning Clerk

*Assembly Chambers of the
 Dorothy Swanda Jones Building
 350 E. Dahlia Avenue, Palmer*

**May 2, 2016
 REGULAR MEETING
 6:00 p.m.**

- I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM
- II. APPROVAL OF AGENDA
- III. PLEDGE OF ALLEGIANCE
- IV. CONSENT AGENDA

Items on the consent agenda are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

 - A. MINUTES
 - 1. August 17, 2015, regular meeting minutes
 - 2. April 18, 2016, regular meeting minutes
 - B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS
 - C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS
 - 1. **Resolution 16-21**, recommending Assembly approval of an Interim Materials District (IMD) at the MSB Central Landfill in accordance with MSB 17.28 – Interim Materials District, for the extraction of 3,120,000 cubic yards of earth material from 45 acres within a 120-acre area, located within Township 17 North, Range 1 East, Section 1, Tax Parcel D5 (17N01E01D005). Public Hearing: May 16, 2016. (*Applicant: MSB Land Management, Staff: Mark Whisenhunt*)

2. **Resolution 16-19**, recommending Assembly adoption of an Ordinance establishing Riparian Buffer Standards on High Priority Salmon Streams. Referred by the Assembly to the PC on April 20, 2016, for 90 days. Public Hearing: May 16, 2016. (*Staff: Frankie Barker*)
3. **Resolution 16-22**, recommending amendments to Assembly Ordinance 16-003, an Ordinance Amending MSB 17.60 to Include Permit Requirements and Standards for Marijuana Related Facilities. Referred by the Assembly to the PC on April 5, 2016, for 90 days. Public Hearing: May 16, 2016. (*Staff: Alex Strawn*)

V. COMMITTEE REPORTS

VI. AGENCY/STAFF REPORTS

- A. A Presentation on the Regulation of Marijuana Related Facilities within the Borough. (*Staff: Alex Strawn*)

VII. LAND USE CLASSIFICATIONS

VIII. AUDIENCE PARTICIPATION (*three minutes per person, for items not scheduled for public hearing*)

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS (*Public Hearings shall not begin before 6:15 p.m.*)

Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.

The Planning Commission members may submit questions to the Planning Commission Clerk concerning the following matters or request for more information from the applicant at the time of the introduction. All questions and requests submitted by the Commission shall be in writing and copies will be provided to the applicant and made available to all interested parties and the public upon request. Answers to questions and additional material requests will be addressed in the staff report for the public hearing.

X. PUBLIC HEARING: LEGISLATIVE MATTERS

XI. CORRESPONDENCE & INFORMATION

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. COMMISSION BUSINESS

- A. Upcoming Planning Commission Agenda Items (*Staff: Alex Strawn*)

XV. DIRECTOR AND COMMISSIONER COMMENTS**XVI. ADJOURNMENT (Mandatory Midnight)**

In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an interested party. See MSB 15.39.010 for definition of "Interested Party." The procedures governing appeals to the Board of Adjustment & Appeals are contained in MSB 15.39.010-250, which is available on the Borough Internet home page, <http://www.matsugov.us>, in the Borough Clerk's office, or at various libraries within the Borough.

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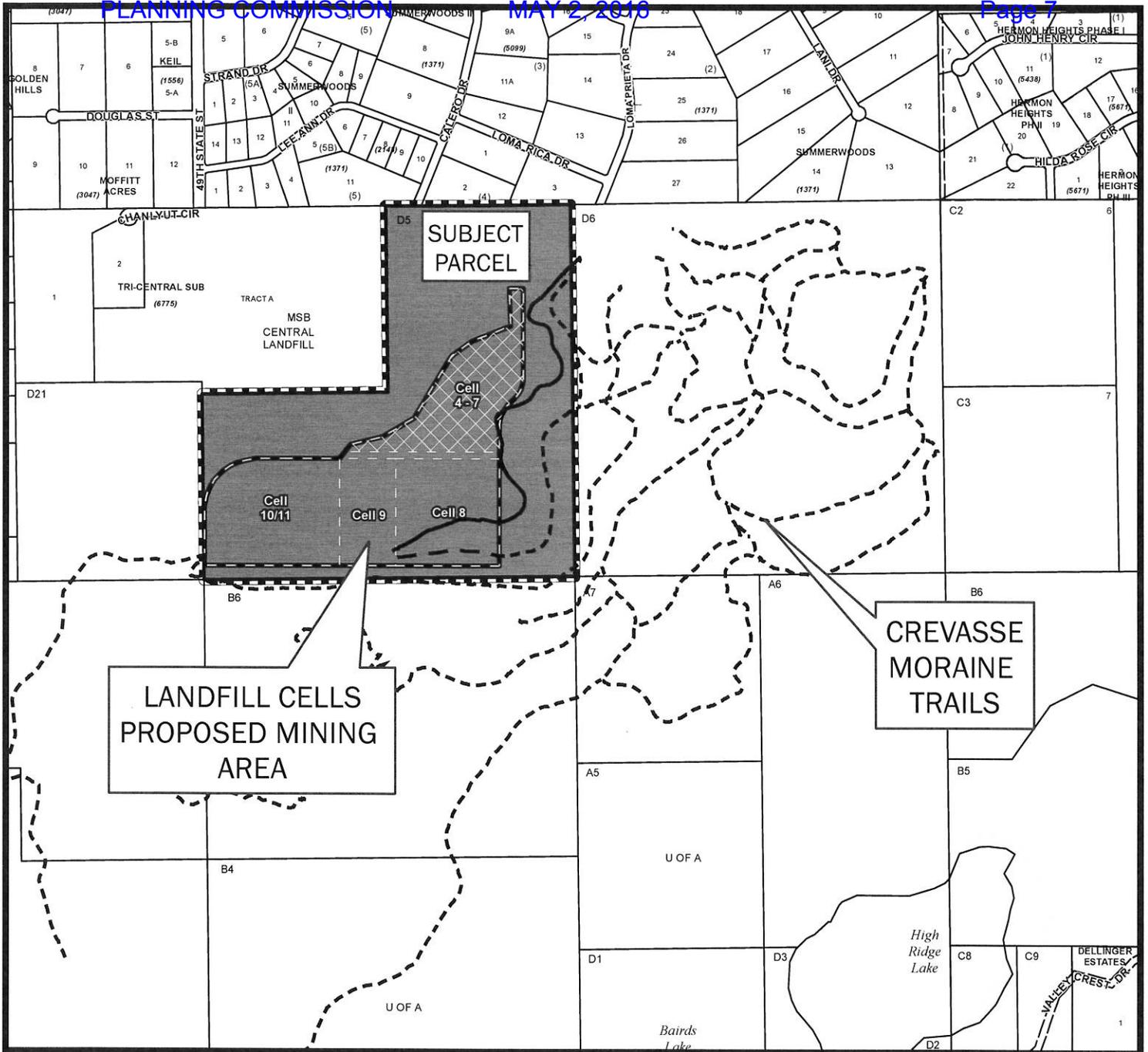
**INTRODUCTION FOR PUBLIC HEARING
LEGISLATIVE**

Resolution No. 16-21

MSB Central Landfill
IMD

(Page 5 - 58)

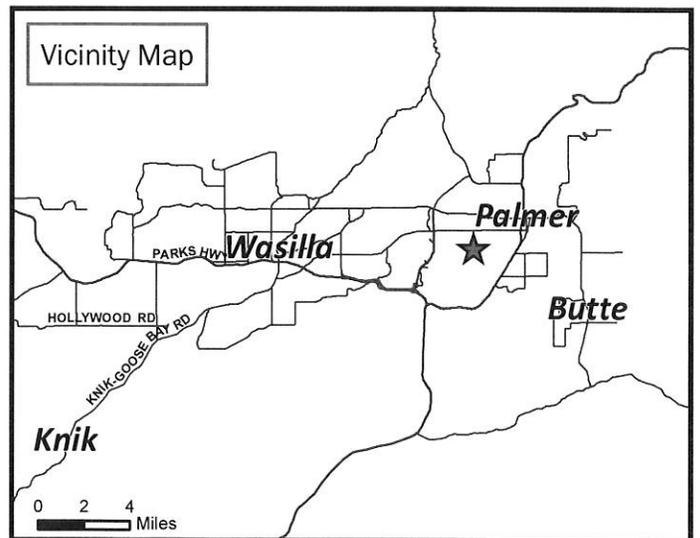
INTRODUCTION FOR PUBLIC HEARING



17N01E01D005



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MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Matanuska - Susitna Borough Development Services

350 East Dahlia, Palmer, Alaska 99645
(907)861-7822 * fax (907)861-7876
PermitCenter@matsugov.us

APR 06 2016

APPLICATION
Earth Materials Extraction

Received

Carefully read instructions and applicable borough code. Fill out forms completely. Attach information as needed. Incomplete applications will not be processed.

THIS APPLICATION IS FOR MATERIALS EXTRACTION THAT DOES NOT OCCUR WITHIN FOUR FEET OF THE SEASONAL HIGH WATER TABLE. IF YOUR PLAN INCLUDES EXTRACTION WITHIN FOUR FEET OF THE SEASONAL HIGH WATER TABLE YOU MUST COMPLETE THE APPLICATION SPECIFIC TO THAT PURPOSE.

Application fee must be attached, check one:

- \$100 for Administrative Permit
\$500 for Conditional Use Permit
[X] \$1,000 for Interim Materials District - earth materials extraction on sites greater than 20 acres

Prior to public hearing, the applicant must also pay for costs of advertising and mailing of public notices.

Subject property Township: 17 North, Range: 01 East, Section: 01, Meridian

MSB Tax Account # 17N01E01D005

SUBDIVISION: BLOCK(S): LOT(S):

STREET ADDRESS:

(US Survey, Aliquot Part, Lat. /Long. etc)

** A legal description must be provided for partial-lot Interim Materials Districts**

Ownership If the applicant is different from the owner, then a Letter of Authorization must be included.

Is authorization attached? Yes No N/A

Name of Property Owner

Name of Agent/ Contact for application

Land & Resource Management Division

Ryan Johnston

Address: 350 E. Dahlia Ave.

Address: 350 E. Dahlia Ave.

Palmer, AK 99645

Palmer, AK 99645

Phone: Hm Fax

Phone: Hm Fax

Wk 907-861-7606 Cell 907-354-2841

Wk 907-861-8572 Cell 907-355-9607

E-mail macey.shapiro@matsugov.us

E-mail ryan.johnston@matsugov.us

Description What type(s) of material is being extracted? sand and gravel

Total acreage area of all parcels on which the activity will occur: 120 acres

Total acreage area of earth material extraction activity: 45 acres (Cells 4 to 11 footprint)

Total cubic yards extraction per year: Approximately 100,000 CY per year

Total projected cubic yards to be extracted: 3,120,000

What is the estimated final year extraction will occur? Approximately 2060

Required information

1. Attach a plan of sufficient detail to demonstrate compliance with the requirements of MSB 17.28.050 and MSB 17.28.060.

Plan of Operation	Attached
Provide seasonal start and end dates	Mining Plan
Provide days of the week operations will take place.	"
Provide hours of operation.	"
Estimated end date of extraction	"
Estimated end date of reclamation	"
Describe all other uses occurring on the site	"
Describe methods used to prevent problems on adjacent properties, such as lateral support (steep slopes), water quality, drainage, flooding, dust control and maintenance of roads	"
Provide quantity estimates and topographical information such as cross section drawings depicting depth of excavation, slopes and estimated final grade	Appendix A

2. Submit a site plan. Drawings must be detailed and **drawn to scale**. Drawings under seal of an engineer or surveyor are recommended but not required.

SITE PLAN REQUIREMENTS	Attached
Identify location of permanent and semi-permanent structures on the site for verification of setback requirements. Include wells and septic systems.	Appendix A
Depict buffer areas, driveways, dedicated public access easements, and noise buffers (such as fences, berms or retained vegetated areas), and drainage control such as ditches, settling ponds etc.	"
Identify wetlands and waterbodies on site and within one mile	"
Identify existing surrounding land uses within one mile	"
Identify surrounding property ownership (i.e. public vs. private) within one mile of exterior boundaries	"
Show entire area intended for gravel/material extraction activity and the boundary of the lot(s) containing the operation. Identify areas used for past and future phases of the activity. Identify phases of proposed mining activities including a map showing the area to be mined, a description of the topography and vegetation, approximate time sequence for mining at particular locations, and general anticipated location of semi-permanent equipment such as conveyor belts, crushers, dredges, batch plants, etc.	"
Road and access plan that includes anticipated routes and traffic volumes. If the level of activity exceeds the minimum levels specified in MSB 17.61.090, traffic standards, a traffic control plan consistent with state regulations may be required	"
Visual screening measures that include a detailed description of the type of visual screening to be utilized. Visual screening may include, but is not limited to, berms, natural vegetation, solid fences, walls, evergreen hedges or other means as approved by the commission	Mining Plan
Noise mitigation measures that include a description of measures to be taken by the applicant to mitigate or lessen noise impacts to surrounding properties. Measures shall include, but not be limited to, hours of operation of noise-producing equipment,	"

erecting noise barriers (i.e., berms a minimum of 10 feet in height) between noise-producing equipment and adjacent uses, location of noise-producing equipment (i.e., below grade in excavated pit areas), and measures to utilize equipment with noise reduction features	
Proposed lighting plan	Mining Plan
Other (as required by MSB Planning Department)	

3. Submit a reclamation plan including the following:

Reclamation Plan	Attached
Provided timeline for reclamation at particular locations	Mining Plan
Provide copy of reclamation financial assurance filed with the State of Alaska (If exempt, provide qualifying documents for exemption)	"

4. Submit documentation of compliance with borough, state and federal laws:

COMPLIANCE WITH BOROUGH, STATE AND FEDERAL LAWS	Applied for (list file #)	Attached (list file #) or N/A
Mining license as required by the Alaska State Department of Revenue, pursuant to A.S.42.65		N/A
Mining permit as required by the Alaska State Department of Natural Resources (ADNR) if extraction activities are to take place on state land		"
Reclamation plan as required by ADNR, pursuant to A.S. 27.19		"
Notice of intent (NOI) for construction general permit or multi-sector general permit and storm water pollution prevention plan, and other associated permits or plans required by the Environmental Protection Agency (EPA) pursuant to the National Pollutant Discharge Elimination System (NPDES) requirements		"
United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1344, if material extraction activity is to take place within wetlands, lakes and streams.		"
Others (list as appropriate)		

5. **OWNER'S STATEMENT:** I am owner of the following property:

MSB Tax parcel(s) ID #(s) 17N01E01D005

and,

I hereby apply for approval of material extraction activity on that property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17.28, MSB 17.30 and with all other applicable borough, state or federal laws, including but not limited to, air quality, water quality, and use and storage of hazardous materials, waste and explosives, per MSB 17.28.040.

I understand that other rules such as local, state and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other permits or authorization may be required. I understand that the borough may also impose conditions and safeguards designed to protect the public's health, safety and welfare and ensure the compatibility of the use with other adjacent uses.

I understand that it is my responsibility to identify and comply with all applicable rules and conditions, covenants, plat notes, and deed restrictions, including changes that may occur in such requirements.

I understand that this permit and zoning status may transfer to subsequent owners of this land and that it is my responsibility to disclose the requirements of this status to operators on this property, and to the buyer when I sell the land.

I understand that changes from the approved operational plan may require further authorization by the borough planning commission or Assembly. I understand that failure to provide applicable documentation of compliance with approved requirements, or violation of such requirements will nullify legal status, and may result in penalties.

I understand it is my responsibility to provide the borough code compliance division with up to date reports, notification of proposed changes, and contact information for approved person(s) to whom I sell this property and to whom I assign responsibility for daily operations on the site.

I grant permission for borough staff members to enter onto the property as needed to process this application and monitor compliance with permit requirements. Such access will at a minimum, be allowed when the activity is occurring and, with prior notice, at other times necessary to monitor compliance.

The information submitted in this application is accurate and complete to the best of my knowledge.


Signature: Property Owner Printed Name: Eric Phillips Date: 4/5/16


Signature: Agent Printed Name: Ryan Johnston Date: 4/5/16



MSB USE ONLY: MSB file # _____
Date complete application received: _____, **Approved**, Yes ___ No ___
Additional conditions: Yes ___ (see attached) No ___ Comments: _____
Planning Commission Action (date): _____ Resolution No.: _____
Assembly Action (date): _____ Ordinance No.: _____
Date permit (circle one) issued or denied: _____

EARTH MATERIAL EXTRACTION APPLICATION
MATANUSKA-SUSITNA BOROUGH
CENTRAL LANDFILL

MATANUSKA-SUSITNA BOROUGH
LAND AND RESOURCE MANAGEMENT DIVISION
CELLS, 4, 5, 6, 7, 8, 9, 10 & 11
PROPOSED GRAVEL MINING PLAN OF OPERATIONS
AND SITE PLAN REQUIREMENTS

The following information is an attachment to the Matanuska-Susitna Borough (MSB) application for Earth Materials Extractions activities that do not occur within four feet of the water table under MSB 17.28, Interim Materials District (IMD).

1. Plan of Operation

The Matanuska-Susitna Borough Central Landfill is located approximately 0.5 mile south on N 49th State Street from the intersection with the E Palmer Wasilla Highway. This Proposed Gravel Mining Plan (Plan) details the activities and dates of operation for gravel mining of future landfill Cells 4 through 11.

The general location, adjacent landowners, buffers, wetlands and waterbodies, site access, site plans, and cross sections of the proposed gravel pit are included in Appendix A. The location of the landfill and monitoring wells is shown in Appendix A-1. Appendix A-2 depicts the gravel mining truck haul route, material processing and stockpile area, and outer limit of gravel mining excavation (Cells 4 through 7). Appendix A-3 through Appendix A-6 show the site plans for the mining for Cells 4 through 7 and depicts the proposed operation areas, depth of excavation, slopes, cross section, and estimated final grade. Similar site plans for Cells 8 through 11 will be provided at a later date. Appendix A-7 presents the table of volumes for each cell and operational dates. The landowners within one-mile, wetlands, waterbodies, and other features are shown in Appendix A-8.

The current Plan includes future borrow sources located within the current landfill property boundary. The maximum area proposed for gravel extraction within the larger 120-acre landfill parcel is approximately 45 acres (total acreage of Cells 4 through 11); the remaining acreage contains landfill facilities (landfill gas area, open and closed landfill cells and access roads), undeveloped land designated for future use as landfill cells, and undeveloped land utilized for the Crevasse Moraine Trail System. Property surrounding the landfill is residential to the north and west. The land south and east of the landfill is undeveloped land containing lakes and wetland areas.

The goal of the gravel extraction activities are to extract up to approximately 3,120,000 cubic yards of material for beneficial use onsite as cover material and/or sale. The property is currently owned by the Matanuska-Susitna Borough (MSB). Modifications to the Plan will be submitted to the Land and Resource Management Division (MSB-LRMD), as needed, by the Contractor authorized to develop the site prior to the commencement of any mining activities. Full development of the borrow source is anticipated to be complete by 2060. No reclamation of the mined area is required prior to use as landfill cells. Final reclamation will be concurrent with closure for each landfill cell. Cell closure dates are described in the Development Plan (CH2M HILL, October 2014).

Extraction operations will be at the Contractor's discretion and are not seasonally dependent. Hours of operation are expected to be Monday through Friday from 8 a.m. to 6 p.m., and Saturday from 9 a.m. to 5 p.m. Existing access roads will be used for earth extraction, shown in Appendix A-2. Cell 4 will be mined first, followed by Cells 5 through 11.

A development plan will be prepared by the Contractor, based on project needs and request for access and/or use made to the MSB-LRMD. If a modification of the site plan, development plan, or location of

structures is unavoidable, a modified plan will be submitted to MSB-LRMD to determine if an amendment to the IMD will be required. No structures will be moved outside of the IMD designated operations area prior to a written determination. All contract specifications or use agreements for authorized use of this site shall require the following to be submitted to the MSB-LRMD by the Contractor for review and approval prior to site development and/or material extraction.

The schedule for phase and individual cell excavation and reclamation are proposed on the attached site plans, will be more thoroughly defined by the Contractor developing the site, and will be required in all contractor bid packages. It is anticipated that material extraction will begin in 2016, but is dependent on contracting and the need and schedule of the Contractor. No reclamation will be required. The mined cells will be covered with engineered liners for expansion of the Central Landfill.

2. Site Plan Requirements

The location of permanent and semi-permanent structures on the site for verification of setback requirements, are shown in Appendix A-2 through Appendix A-6.

Sand and Gravel Extraction

A mining schedule is included in Table A-7. Mining dates for each cell are included on the mining plans (Appendix A-3 through Appendix A-6).

Conventional bulldozers, track-mounted backhoes, rubber-tired loaders, and 10-12 cubic yard (CY) capacity dump trucks, and 18-30 CY capacity side or belly dump trucks will be used in the operation of the mine. Additional equipment, including a screener, crusher, office trailer, and portable toilets are likely to be used on site, but equipment and structures will be considered on a project specific basis.

No blasting is anticipated to occur on site. The working depth will typically be 20-75 feet below original ground, as long as the depth of excavation remains a minimum of four feet above the ground water level. Ground water monitoring wells exist throughout the site (see Appendix A-1) and mining activities will not encroach within four feet of the seasonal high ground water level. Based on highest groundwater elevations measured on June 22, 2005, and March 11, 2014 (Shannon & Wilson, Inc., 2005; 2014), groundwater generally slopes from north to south, with approximate elevations ranging from 230 feet above mean sea level (amsl) at the north to 125 feet amsl at the south.

Most of the material extracted will be leaving the site via haul truck. Truck haul routes are shown in Appendix A-2. A water truck and/or sweeper may be used for dust control as needed.

The primary processing, staging, stockpiling, and operations area will be approximately 6 acres, to accommodate for maneuvering of trucks, placement of structures, and stockpiles (if necessary).

Once the staging and processing area is developed, material extraction will continue within the remaining cells. Topsoil and organic material will be stripped conservatively to reduce the open and erodible face to the maximum extent practicable, in order to minimize implementation and maintenance of BMPs around the site. The Contractor will be required to submit a development plan identifying specific locations, quantities, and practices for working in the borrow site.

Organic overburden from Cells 4 through 11 will be stockpiled for use as cover material or sold. Future use is intended to be for household waste cells. Mined areas will be excavated as specified in Appendix A-3 through Appendix A-6 for Cells 4 through 7. Site Plans for Cells 8 through 11 will be provided by MSB-LRMD prior to development of these cells. All of what is mentioned in this Plan, Section 2, I through XII, applies to all future landfill Cells 4 through 11.

I. Structures

A 25-foot setback is required from all property lines for structures, permanent or portable facilities, and equipment or material storage per MSB code (17.28.070(A)). Structures planned on the site include a rock screener and crusher, office trailer, and portable toilet to be placed in the designated staging and operations area (see Appendix A-3 through Appendix A-6). The relocation of structures within the operations area may be necessary depending on the project and will be determined by the Contractor.

II. Buffer areas and Driveways

Buffers, driveways and public access easements are shown in Appendix A. Buffers for the landfill consist of a 100-foot and 300-foot buffer, and a 50-foot section line easement and are presented in Appendix A-1.

As shown in Appendix A-2, all traffic will ingress and egress the site via one or both of two proposed access points. These access roads will be directly onto N 49th State Street, which is a paved residential road.

III. Wetlands and Waterbodies

No wetland areas are located in the area proposed for mining, and shown in Appendix A-8.

IV. Existing and Surrounding Land Uses

Property surrounding the landfill is residential to the north and west. The land south and east of the landfill is undeveloped land containing lakes and wetland areas. It is expected that MSB lands are used by the public for recreational purposes including the Crevasse Moraine Trail system. Surrounding properties are identified in Appendix A-8.

V. Road and Access Plan

All traffic will ingress and egress the site via an existing driveway off of Chanylut Circle then directly onto N 49th State Street, which is a paved residential road.

Construction-related traffic may be expected to generate up to 20 trips maximum per hour, during the peak construction season. This will change the current level of service on the roadway, but level of service will still stay well above a C level of service (see MSB 17.61.090) during hours of construction.

VI. Visual Screen Measures

Residential areas and recreational trails are located in the vicinity of the proposed area of development. Existing landfill cells and forested areas around the landfill will provide a sufficient visual screening to these receptors.

VII. Noise Mitigation

Residential areas and recreational trails are located in the vicinity of the proposed area of development. Existing landfill cells and forested areas around the landfill will provide noise buffer to these receptors. It is anticipated gravel extraction will take place within below grade excavated pit cells; which will become deeper as material extraction progresses. These below-grade excavated cells will also help attenuate work area noise to acceptable levels consistent with the stipulations of MSB 17.28.060(A)(5).

VIII. Lighting Plan

Most of the work will be conducted primarily occur during daylight hours without the need for artificial lighting. The contractor will be required to obtain approval from MSB for any artificial lighting. Lighting may be used to illuminate activities in the work area, if needed. All lighting will be focused away from nearby residential areas and will be directed only onto the work at hand. Exterior lighting must be located and shielded to direct light towards the ground, in order to minimize light spillage onto adjacent properties and upward in to the night sky. Illumination or other fixtures mounted higher than 20 feet or 150 watts or more must have downward directional shielding, in accordance with MSB 17.28.060(A)(6).

IX. Dust Plan

Road dust control is a concern of high priority. The Contractor involved in development of this mine site shall contain a specific bid item to provide watering for dust control.

Borough staff or their agent will monitor conditions throughout construction and direct the construction contractor to water the roadway and haul routes as needed to prevent dust from becoming a problem. Is it also anticipated that measures to reduce any by-product dirt transport from the borrow site by vehicle tires will be implemented within the borrow pit.

X. Stormwater Pollution Prevention Plan (SWPPP)

This project is subject to the Alaska Pollution Discharge Elimination System (APDES) for construction projects disturbing greater than one acre of soil, therefore the project shall be subject to the Alaska Department of Environmental Conservation Construction General Permit (AK-CGP). The Contractor authorized to perform the extraction will be required to acquire an AK-CGP and produce a SWPPP meeting all requirements of the AK-CGP and submit it to the Borough for review and approval. The contractor will be responsible for submitting all notifications, maintaining all records, and documenting compliance with the AK-GCP. The Contractor will be responsible for installing, maintaining, updating, and removing all Best Management Practices (BMPs) in accordance with detailed bid specifications (Department of Transportation Standard Bid Specifications Section 641; Appendix C-4) to be incorporated into every contract.

XI. Remediation Plan

No additional maintenance or requirements are anticipated to be necessary in the time between the completion of mining and start of landfill cell usage for municipal waste.

XII. Long-Term Plan

This plan is specifically for the extraction of materials to make way for future landfill cells 4 through 11. An Administrative Permit application for activities associated with this project has also been applied for, in conjunction with this IMD application. The Administrative Permit will serve to authorize the activities over the next two years associated with the excavation of cells 4 through 7. This IMD will then cover activities, within Borough-owned parcel 17N01E01D005, after the Administrative Permit has expired until the year 2060. Once this IMD expires, or there is a need for landfill cells beyond the bounds of this parcel, it is expected that the MSB-LRMD will apply for an IMD to cover the parcel needed for further landfill expansion.

References

CH2M HILL. October 2014. *Final Matanuska-Susitna Borough Central Landfill Development Plan*. Prepared for Matanuska-Susitna Borough Solid Waste Division.

Shannon & Wilson, Inc. 2014. March 11, 2014 Groundwater Map.

Shannon & Wilson, Inc. 2005. June 22, 2005 Groundwater Map.

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APPENDIX A

FIGURES AND SITE PLANS

- Appendix A-1: Existing Site Plan
- Appendix A-2: Gravel Mining Haul Route and Stockpile Plan
- Appendix A-3: Landfill Cell 4 Mining Plan
- Appendix A-4: Landfill Cell 5 Mining Plan
- Appendix A-5: Landfill Cell 6 Mining Plan
- Appendix A-6: Landfill Cell 7 Mining Plan
- Appendix A-7: Estimated Soil Quantities and Dates of Excavation
- Appendix A-8: Landfill Cell Sequencing Plan

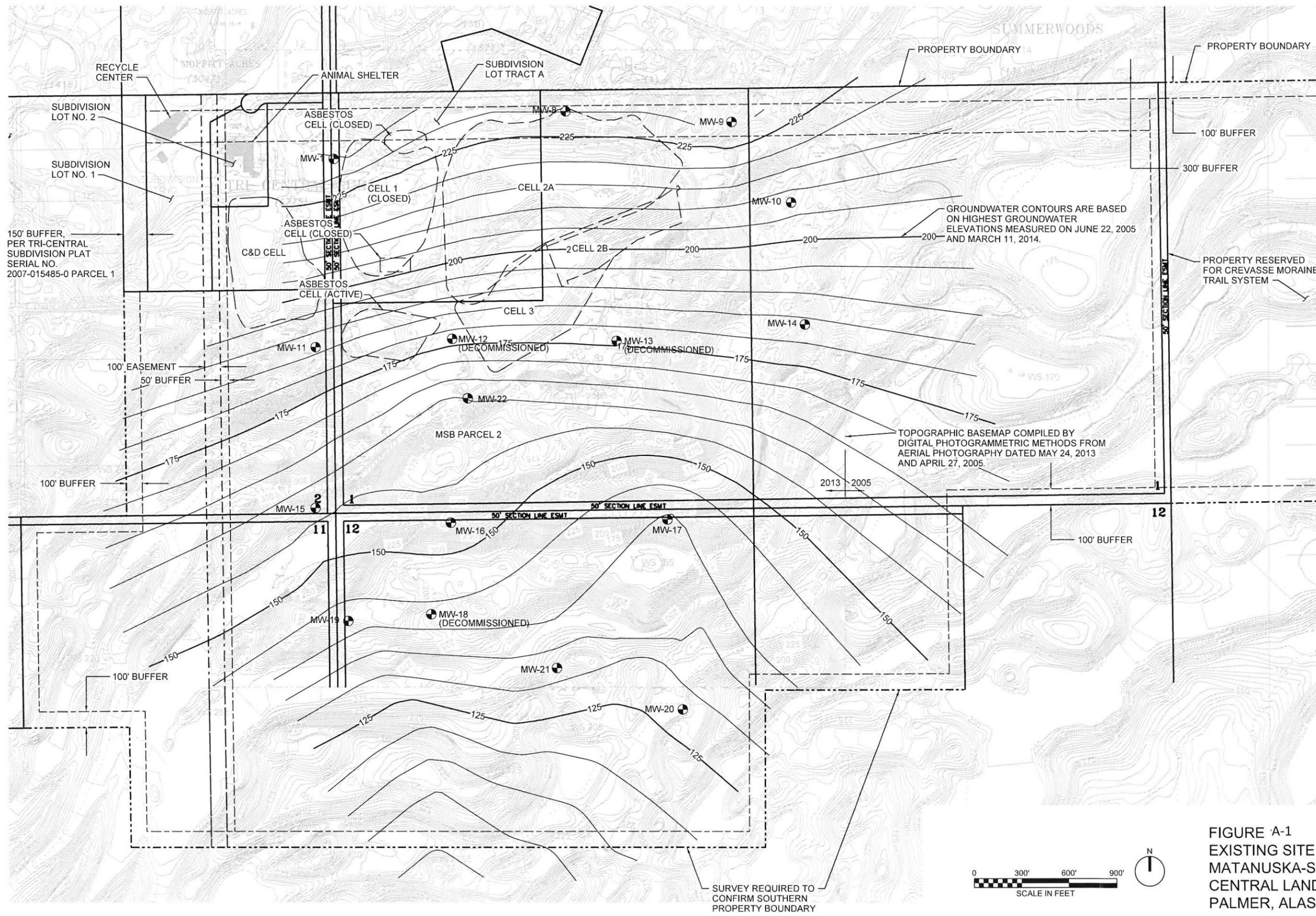


FIGURE A-1
 EXISTING SITE PLAN
 MATANUSKA-SUSITNA BOROUGH
 CENTRAL LANDFILL
 PALMER, ALASKA

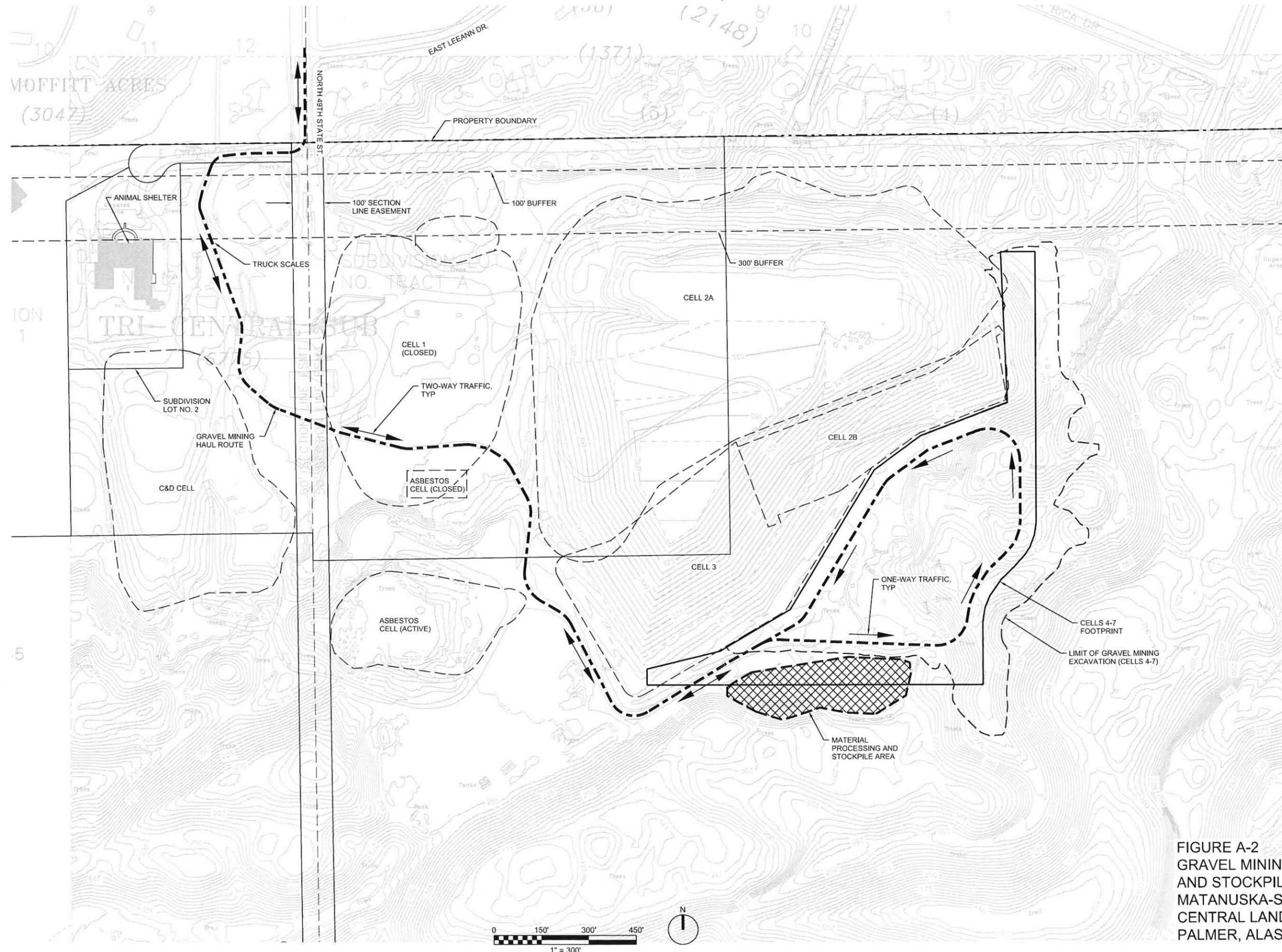


FIGURE A-2
 GRAVEL MINING HAUL ROUTE
 AND STOCKPILE PLAN
 MATANUSKA-SUSITNA BOROUGH
 CENTRAL LANDFILL GRAVEL MINING PLAN
 PALMER, ALASKA



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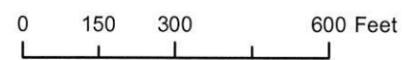
All gravel will be hauled out N 49th State Street.

Active till year 2060

This section of trail is estimated to be impacted in the year 2035

Legend

- Closed Trail
- Open Trails
- Gravel Haul Route
- Planned Cells
- Other Landfill Sites
- France Road Parcels
- Central Landfill Parcels
- Cell 4-7
- Administrative Permit

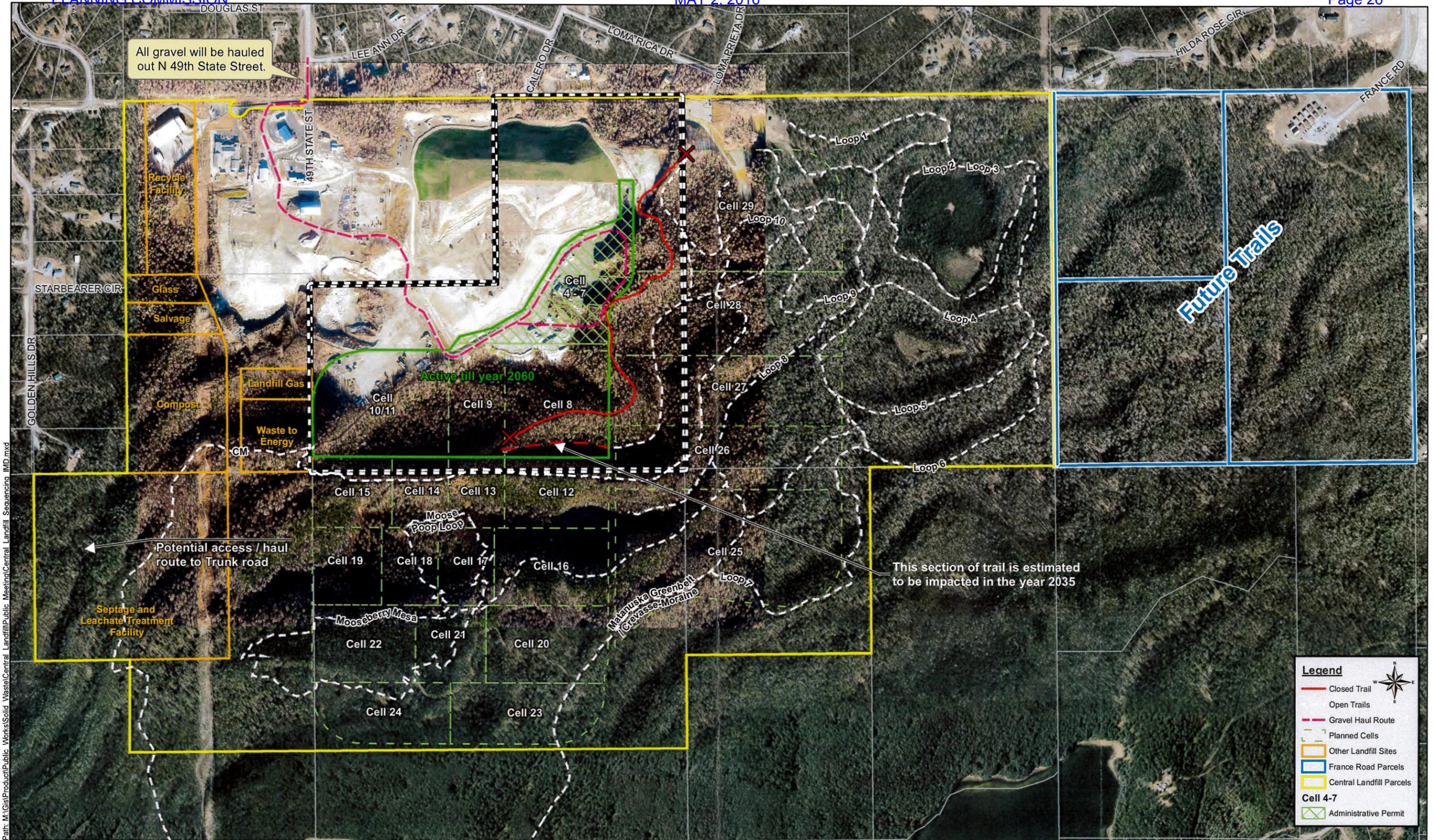


Central Landfill Sequencing Plan & Trails

2015 and 2011 Aerial Imagery

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Date: 4/13/2016



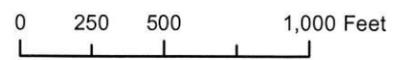
All gravel will be hauled out N 49th State Street.

Active till year 2060

This section of trail is estimated to be impacted in the year 2035

Future Trails

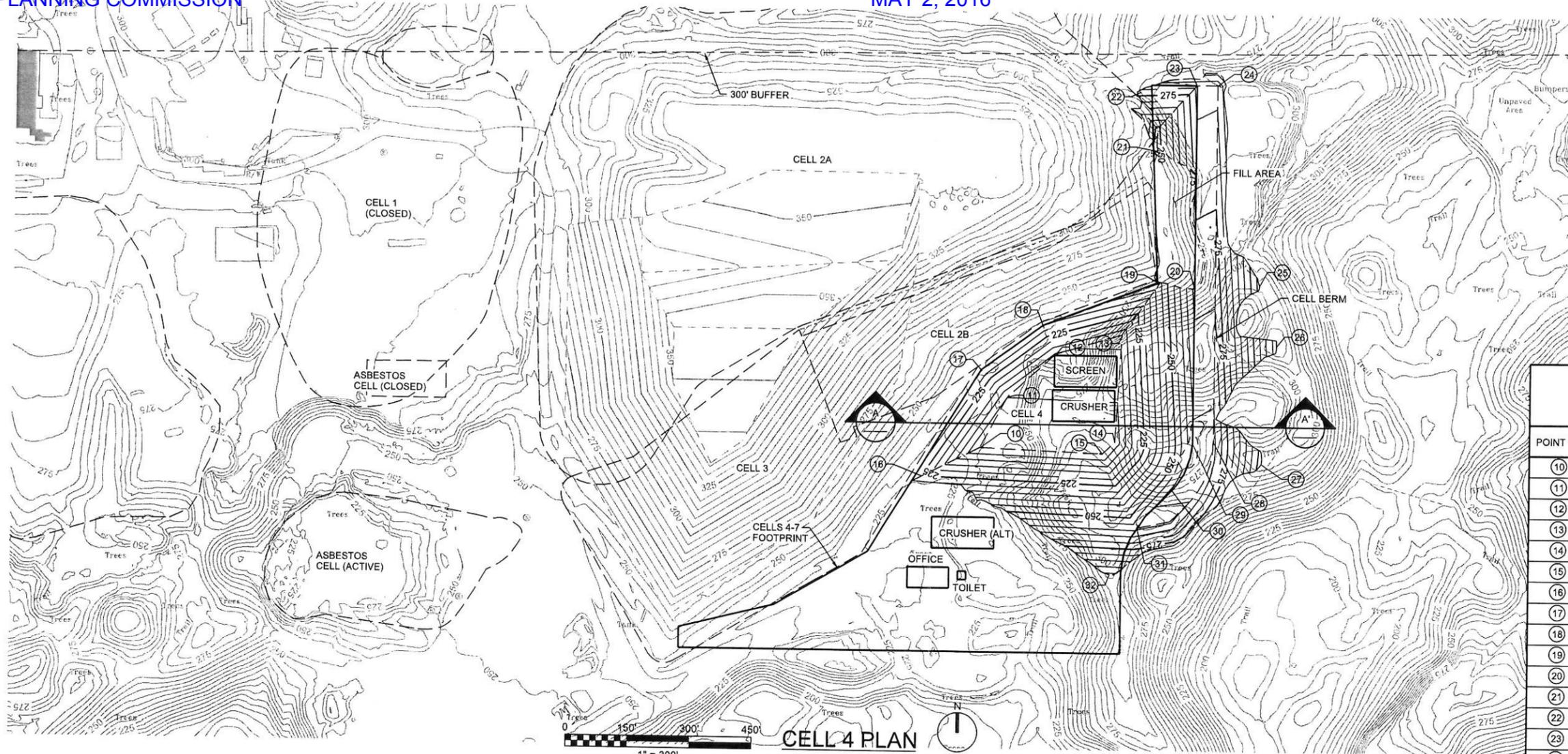
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Central Landfill Sequencing Plan & Trails

2015 and 2011 Aerial Imagery

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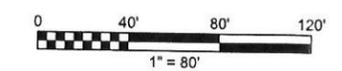
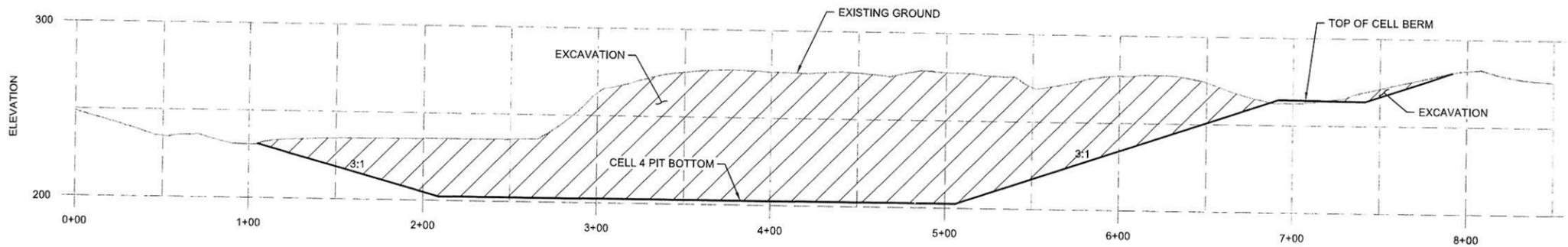


EXCAVATION SUMMARY		
	VOLUME (CY)	YEARS
CELL 4	499,000	2016-2017

- NOTES:
1. QUANTITIES PROVIDED ARE FOR ESTIMATING PURPOSES ONLY.
 2. CONTOURS SHOWN ARE TOP OF FLEXIBLE MEMBRANE LINER.
 3. EXCAVATION VOLUME IS IN-PLACE VOLUME AND DOES NOT ACCOUNT FOR SOIL SHRINK OR SWELL.
 4. YEARS IN TABLE REPRESENT AN ACCEPTABLE RANGE FOR BEGINNING AND ENDING CELL EXCAVATION.
 5. EXCAVATION VOLUME ACCOUNTS FOR MINOR FILL AREAS SHOWN.

CONTROL POINTS				
POINT NO.	NORTHING	EASTING	ELEVATION	DESCRIPTION
10	2773506.22	1780045.00	201.00	12" ABOVE LINER GRADE
11	2773629.83	1780111.44	206.12	12" ABOVE LINER GRADE
12	2773733.00	1780226.57	210.40	12" ABOVE LINER GRADE
13	2773781.22	1780385.59	212.37	12" ABOVE LINER GRADE
14	2773522.90	1780371.12	202.16	12" ABOVE LINER GRADE
15	2773495.02	1780341.90	201.00	12" ABOVE LINER GRADE
16	2773436.65	1779906.36	225.92	12" ABOVE LINER GRADE
17	2773690.54	1780048.12	235.00	12" ABOVE LINER GRADE
18	2773795.91	1780196.53	233.24	12" ABOVE LINER GRADE
19	2773905.93	1780475.48	244.90	12" ABOVE LINER GRADE
20	2773892.43	1780559.10	272.51	12" ABOVE LINER GRADE
21	2774224.00	1780463.83	247.75	12" ABOVE LINER GRADE
22	2774365.17	1780423.07	279.14	12" ABOVE LINER GRADE
23	2774381.55	1780559.10	282.71	12" ABOVE LINER GRADE
24	2774382.31	1780609.10	281.21	AT EXCAVATION GRADE
25	2773902.31	1780716.84	307.07	AT EXCAVATION GRADE
26	2773757.31	1780759.61	318.29	AT EXCAVATION GRADE
27	2773474.77	1780725.91	303.00	AT EXCAVATION GRADE
28	2773527.31	1780609.03	263.30	AT EXCAVATION GRADE
29	2773521.55	1780558.88	264.78	12" ABOVE LINER GRADE
30	2773409.24	1780510.37	262.18	12" ABOVE LINER GRADE
31	2773317.62	1780425.69	259.57	12" ABOVE LINER GRADE
32	2773205.40	1780360.98	246.62	AT EXCAVATION GRADE

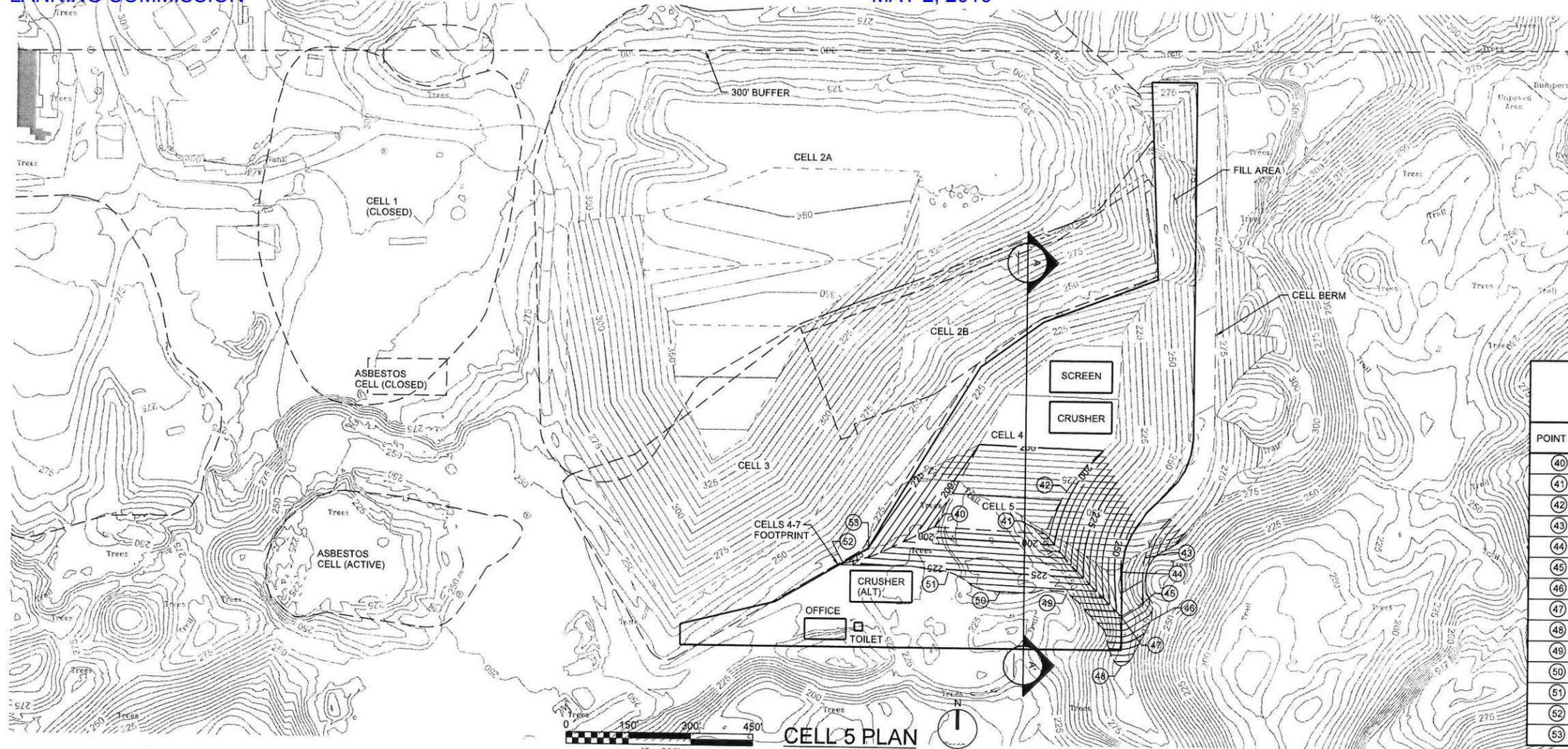
- NOTES:
1. WHERE NOTED IN CONTROL POINT TABLE DESCRIPTION, EXCAVATION ELEVATIONS ARE 12" ABOVE LINER GRADES SHOWN.
- BASIS OF BASEMAP:
- TOPOGRAPHIC BASEMAP COMPILED BY DIGITAL PHOTOGRAMMETRIC METHODS FROM AERIAL PHOTOGRAPHY DATED MAY 24, 2013, 2013 TOPOGRAPHIC BASEMAP PREPARED BY AEROMETRIC: 2014 MERRILL FIELD DRIVE, ANCHORAGE, AK 99501 (PH: 907-272-4495).
- COORDINATES SHOWN HEREON ARE BASED ON NAD83 ALASKA STATE PLANE ZONE 4. VERTICAL ELEVATIONS ARE REFERENCED TO MEAN LOWER LOW WATER.



CELL 4 SECTION A-A'

FIGURE A-3
 LANDFILL CELL 4 MINING PLAN
 MATANUSKA-SUSITNA BOROUGH
 CENTRAL LANDFILL GRAVEL MINING PLAN
 PALMER, ALASKA





EXCAVATION SUMMARY		
	VOLUME (CY)	YEARS
CELL 5	193,000	2017-2018

- NOTES:
1. QUANTITIES PROVIDED ARE FOR ESTIMATING PURPOSES ONLY.
 2. CONTOURS SHOWN ARE TOP OF FLEXIBLE MEMBRANE LINER.
 3. EXCAVATION VOLUME IS IN-PLACE VOLUME AND DOES NOT ACCOUNT FOR SOIL SHRINK OR SWELL.
 4. YEARS IN TABLE REPRESENT AN ACCEPTABLE RANGE FOR BEGINNING AND ENDING CELL EXCAVATION.
 5. EXCAVATION VOLUME ACCOUNTS FOR MINOR FILL AREAS SHOWN.

CONTROL POINTS				
POINT NO.	NORTHING	EASTING	ELEVATION	DESCRIPTION
40	2773307.03	1779938.49	192.60	12" ABOVE LINER GRADE
41	2773293.40	1780204.81	192.60	12" ABOVE LINER GRADE
42	2773396.34	1780254.87	196.90	12" ABOVE LINER GRADE
43	2773239.97	1780445.15	256.18	AT EXCAVATION GRADE
44	2773204.75	1780389.32	257.07	12" ABOVE LINER GRADE
45	2773128.25	1780439.10	253.82	AT EXCAVATION GRADE
46	2773089.88	1780463.05	261.00	AT EXCAVATION GRADE
47	2773097.04	1780389.10	254.82	12" ABOVE LINER GRADE
48	2772978.18	1780389.67	251.66	AT EXCAVATION GRADE
49	2773151.70	1780257.63	211.14	AT EXCAVATION GRADE
50	2773152.42	1780095.79	210.67	AT EXCAVATION GRADE
51	2773199.45	1779973.04	196.77	AT EXCAVATION GRADE
52	2773215.42	1779719.10	226.83	12" ABOVE LINER GRADE
53	2773250.54	1779779.97	225.35	12" ABOVE LINER GRADE

- NOTES:
1. WHERE NOTED IN CONTROL POINT TABLE DESCRIPTION, EXCAVATION ELEVATIONS ARE 12" ABOVE LINER GRADES SHOWN.
- BASIS OF BASEMAP:
- TOPOGRAPHIC BASEMAP COMPILED BY DIGITAL PHOTOGRAMMETRIC METHODS FROM AERIAL PHOTOGRAPHY DATED MAY 24, 2013. 2013 TOPOGRAPHIC BASEMAP PREPARED BY AEROMETRIC: 2014 MERRILL FIELD DRIVE, ANCHORAGE, AK 99501 (PH: 907-272-4495).
- COORDINATES SHOWN HEREON ARE BASED ON NAD83 ALASKA STATE PLANE ZONE 4. VERTICAL ELEVATIONS ARE REFERENCED TO MEAN LOWER LOW WATER.

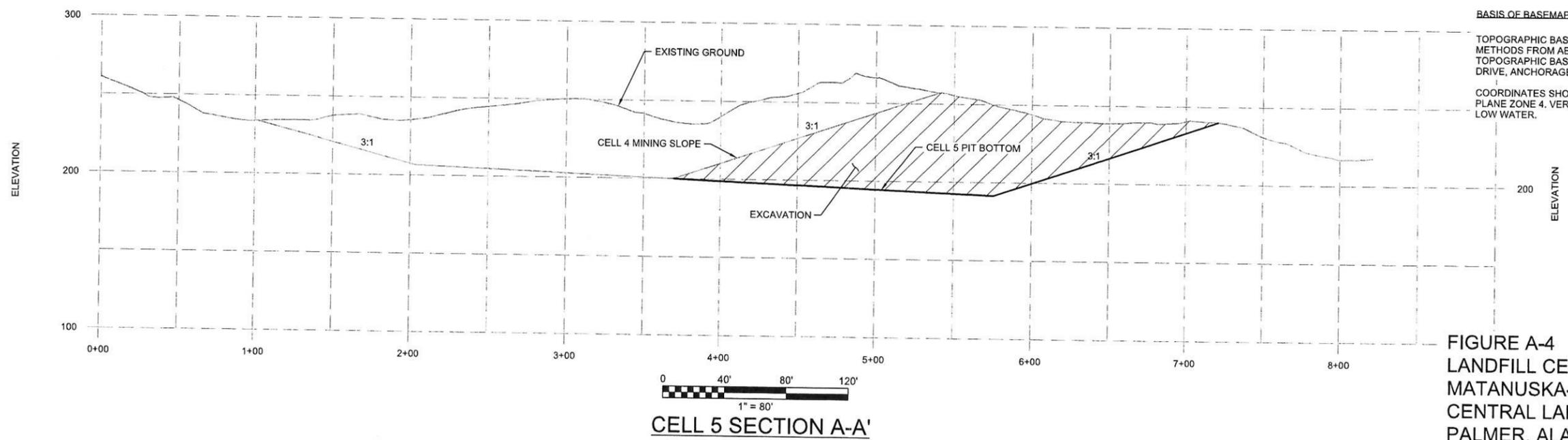
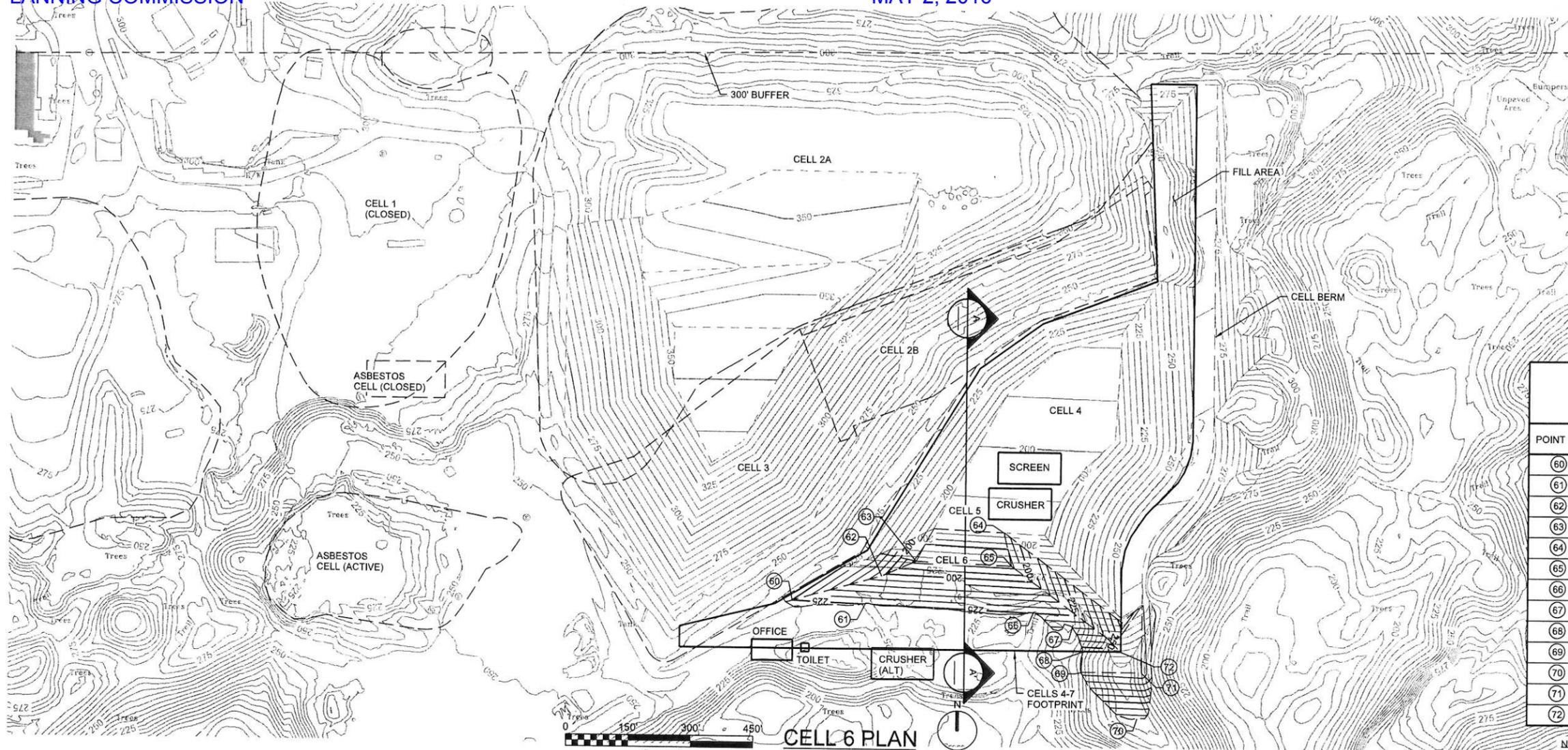


FIGURE A-4
 LANDFILL CELL 5 MINING PLAN
 MATANUSKA-SUSITNA BOROUGH
 CENTRAL LANDFILL GRAVEL MINING PLAN
 PALMER, ALASKA





EXCAVATION SUMMARY		
	VOLUME (CY)	YEARS
CELL 6	74,000	2018-2019

- NOTES:**
1. QUANTITIES PROVIDED ARE FOR ESTIMATING PURPOSES ONLY.
 2. CONTOURS SHOWN ARE TOP OF FLEXIBLE MEMBRANE LINER.
 3. EXCAVATION VOLUME IS IN-PLACE VOLUME AND DOES NOT ACCOUNT FOR SOIL SHRINK OR SWELL.
 4. YEARS IN TABLE REPRESENT AN ACCEPTABLE RANGE FOR BEGINNING AND ENDING CELL EXCAVATION.
 5. EXCAVATION VOLUME ACCOUNTS FOR MINOR FILL AREAS SHOWN.

CONTROL POINTS				
POINT NO.	NORTHING	EASTING	ELEVATION	DESCRIPTION
60	2773130.97	1779596.06	226.03	12" ABOVE LINER GRADE
61	2773127.87	1779775.57	224.46	12" ABOVE LINER GRADE
62	2773191.64	1779814.06	202.67	12" ABOVE LINER GRADE
63	2773228.25	1779896.32	189.28	12" ABOVE LINER GRADE
64	2773298.38	1780107.43	192.58	12" ABOVE LINER GRADE
65	2773218.38	1780125.48	189.27	12" ABOVE LINER GRADE
66	2773108.52	1780178.74	225.11	12" ABOVE LINER GRADE
67	2773079.61	1780273.60	233.40	12" ABOVE LINER GRADE
68	2773015.43	1780298.57	254.42	12" ABOVE LINER GRADE
69	2772965.43	1780293.65	252.73	AT EXCAVATION GRADE
70	2772855.73	1780429.10	287.55	AT EXCAVATION GRADE
71	2772965.43	1780439.10	250.86	AT EXCAVATION GRADE
72	2773015.43	1780389.10	253.12	12" ABOVE LINER GRADE

- NOTES:**
1. WHERE NOTED IN CONTROL POINT TABLE DESCRIPTION, EXCAVATION ELEVATIONS ARE 12" ABOVE LINER GRADES SHOWN.
- BASIS OF BASEMAP:**
- TOPOGRAPHIC BASEMAP COMPILED BY DIGITAL PHOTOGRAMMETRIC METHODS FROM AERIAL PHOTOGRAPHY DATED MAY 24, 2013, 2013 TOPOGRAPHIC BASEMAP PREPARED BY AEROMETRIC: 2014 MERRILL FIELD DRIVE, ANCHORAGE, AK 99501 (PH: 907-272-4495).
- COORDINATES SHOWN HEREON ARE BASED ON NAD83 ALASKA STATE PLANE ZONE 4. VERTICAL ELEVATIONS ARE REFERENCED TO MEAN LOWER LOW WATER.

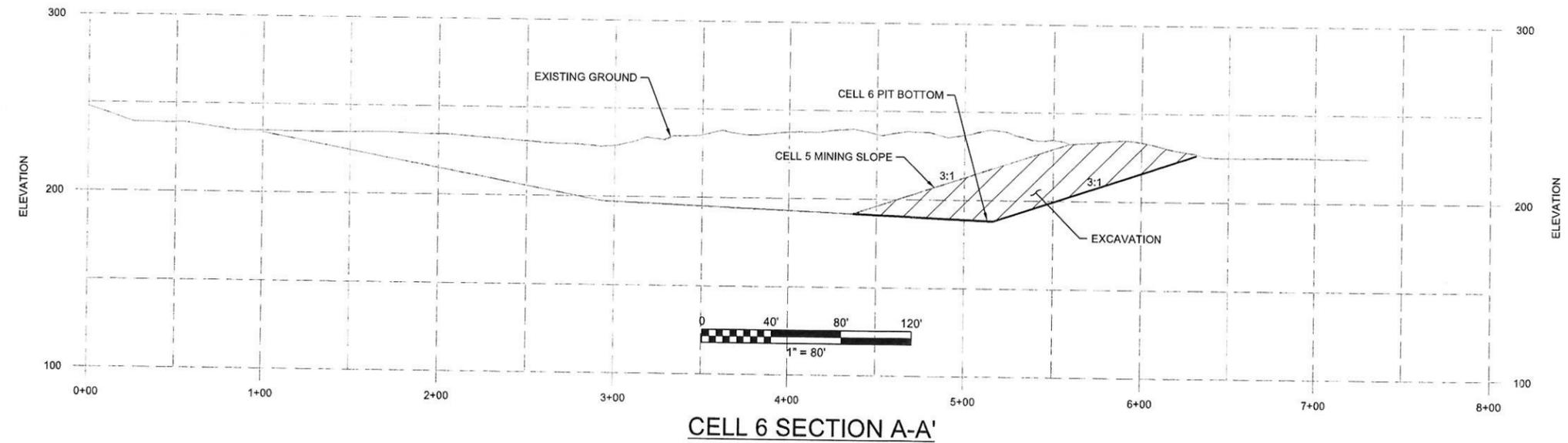
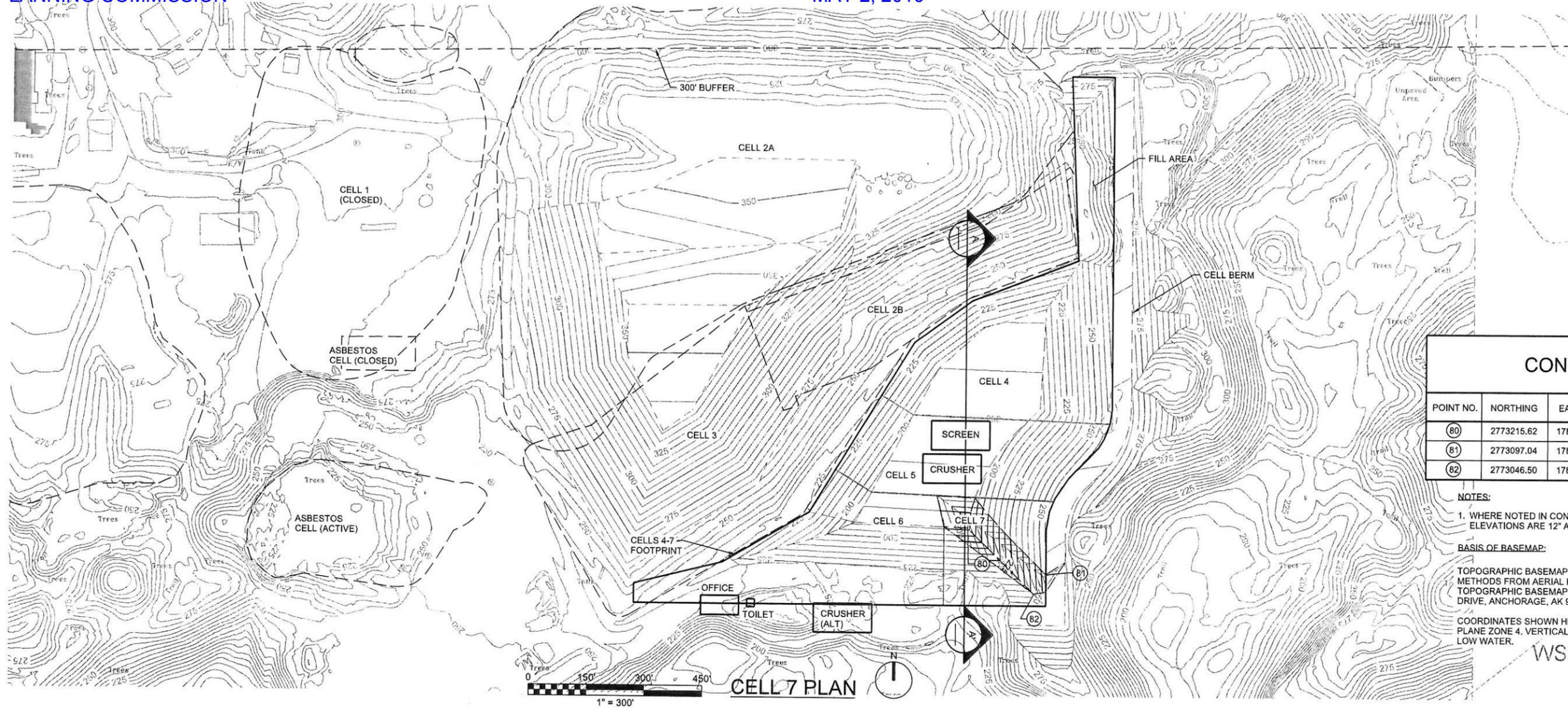


FIGURE A-5
LANDFILL CELL 6 MINING PLAN
MATANUSKA-SUSITNA BOROUGH
CENTRAL LANDFILL GRAVEL MINING PLAN
PALMER, ALASKA





EXCAVATION SUMMARY		
	VOLUME (CY)	YEARS
CELL 7	4,000	2019-2020

- NOTES:
1. QUANTITIES PROVIDED ARE FOR ESTIMATING PURPOSES ONLY.
 2. CONTOURS SHOWN ARE TOP OF FLEXIBLE MEMBRANE LINER.
 3. EXCAVATION VOLUME IS IN-PLACE VOLUME AND DOES NOT ACCOUNT FOR SOIL SHRINK OR SWELL.
 4. YEARS IN TABLE REPRESENT AN ACCEPTABLE RANGE FOR BEGINNING AND ENDING CELL EXCAVATION.
 5. EXCAVATION VOLUME ACCOUNTS FOR MINOR FILL AREAS SHOWN.

CONTROL POINTS				
POINT NO.	NORTHING	EASTING	ELEVATION	DESCRIPTION
80	2773215.62	1780186.27	189.32	12" ABOVE LINER GRADE
81	2773097.04	1780389.10	254.82	12" ABOVE LINER GRADE
82	2773046.50	1780357.45	243.22	12" ABOVE LINER GRADE

- NOTES:
1. WHERE NOTED IN CONTROL POINT TABLE DESCRIPTION, EXCAVATION ELEVATIONS ARE 12" ABOVE LINER GRADES SHOWN.
- BASIS OF BASEMAP:
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- COORDINATES SHOWN HEREON ARE BASED ON NAD83 ALASKA STATE PLANE ZONE 4. VERTICAL ELEVATIONS ARE REFERENCED TO MEAN LOWER LOW WATER.

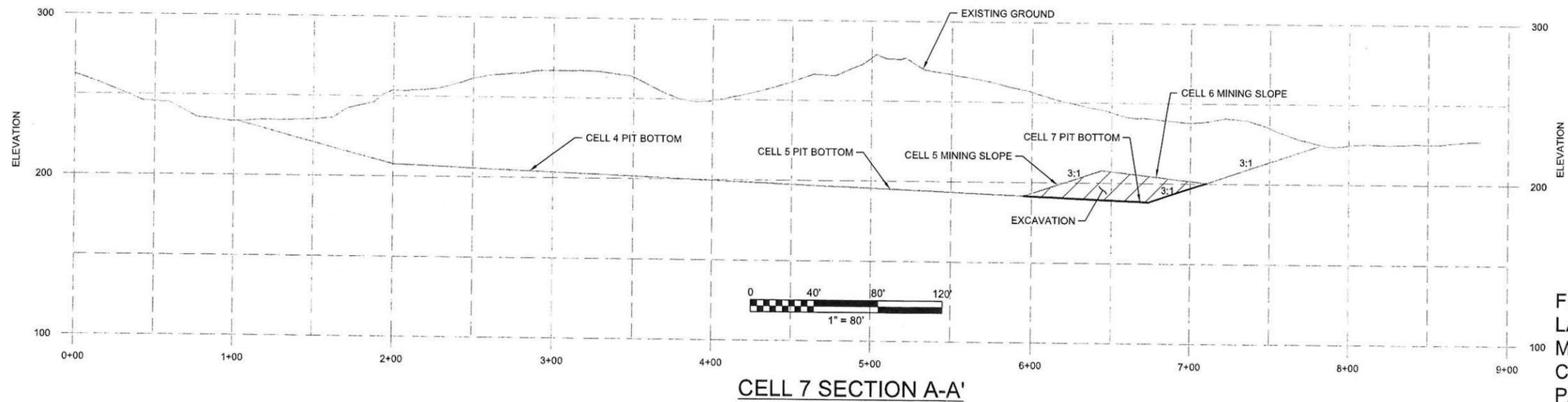


FIGURE A-6
 LANDFILL CELL 7 MINING PLAN
 MATANUSKA-SUSITNA BOROUGH
 CENTRAL LANDFILL GRAVEL MINING PLAN
 PALMER, ALASKA



Matanuska-Susitna Central Landfill Table A-7 Estimated Soil Quantities - Cell 4 through 11		
Cell	Total Volume of Material (cy)	Years to Complete
4	499,131	2016-2017
5	193,240	2017-2018
6	73,829	2018-2019
7	4,106	2019-2020
8	922,221	2020-2041
9	434,691	2041-2047
10	436,167	2047-2052
11	555,400	2052-2056
Total	3,118,785	
cy = cubic yards		

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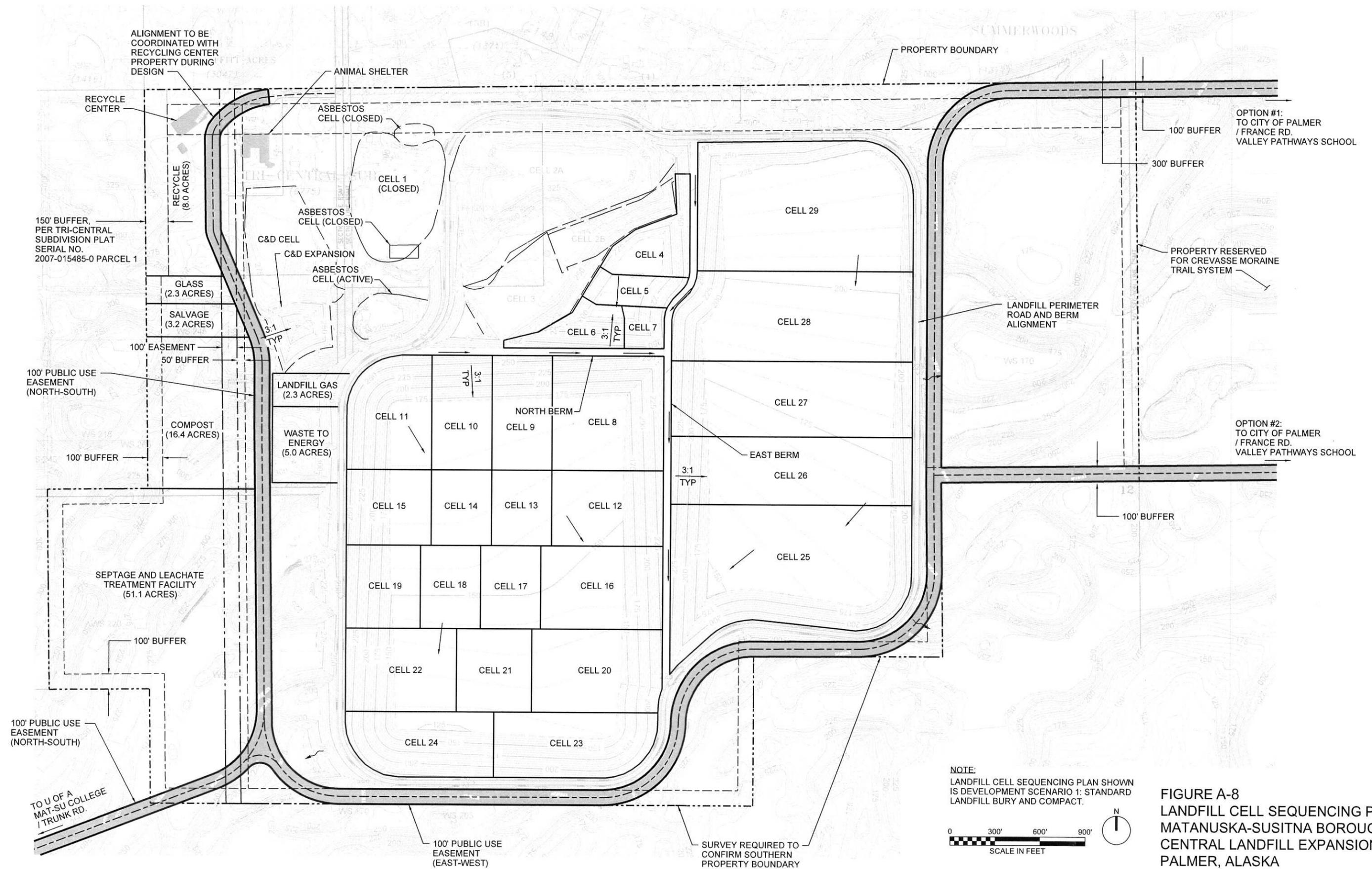
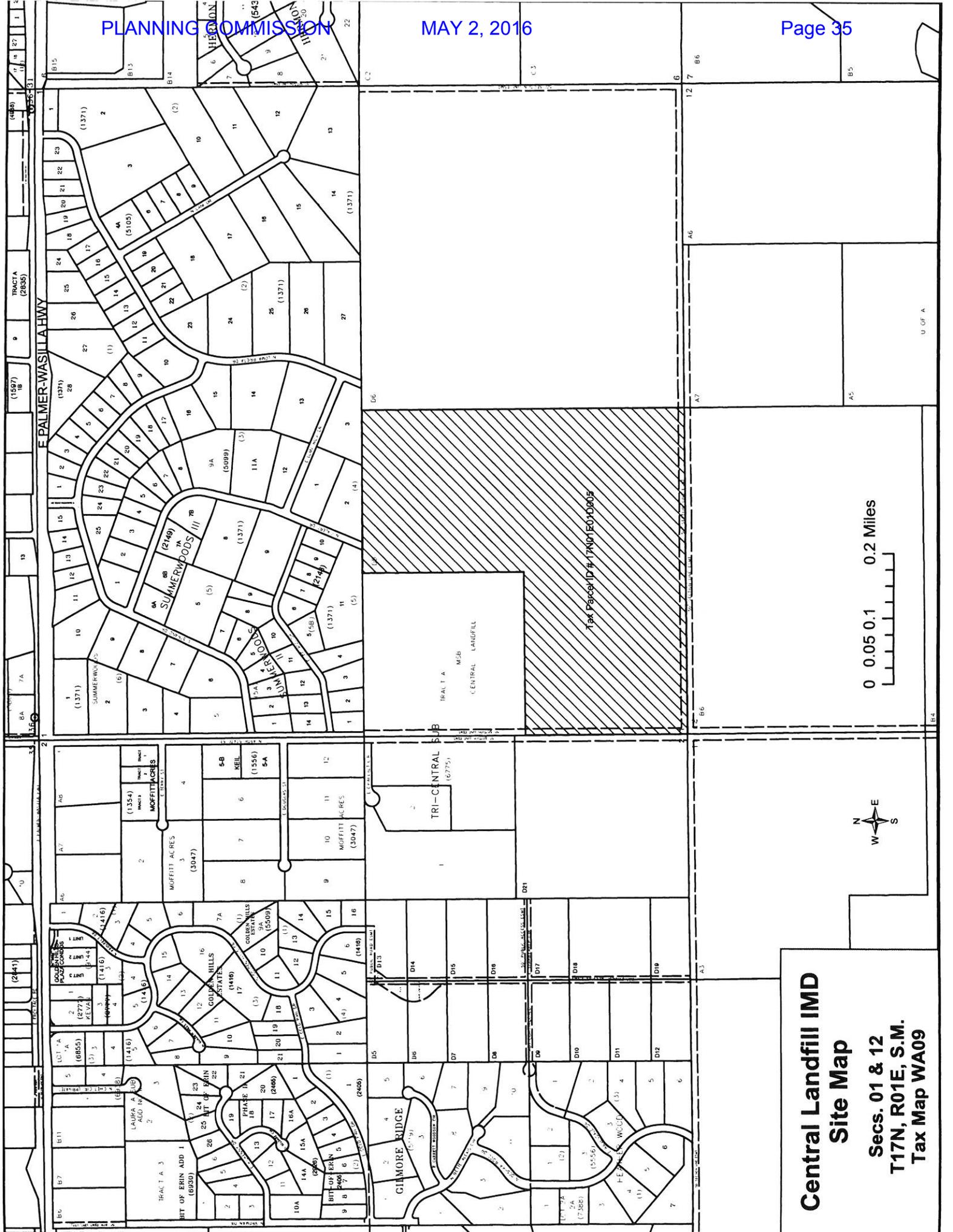


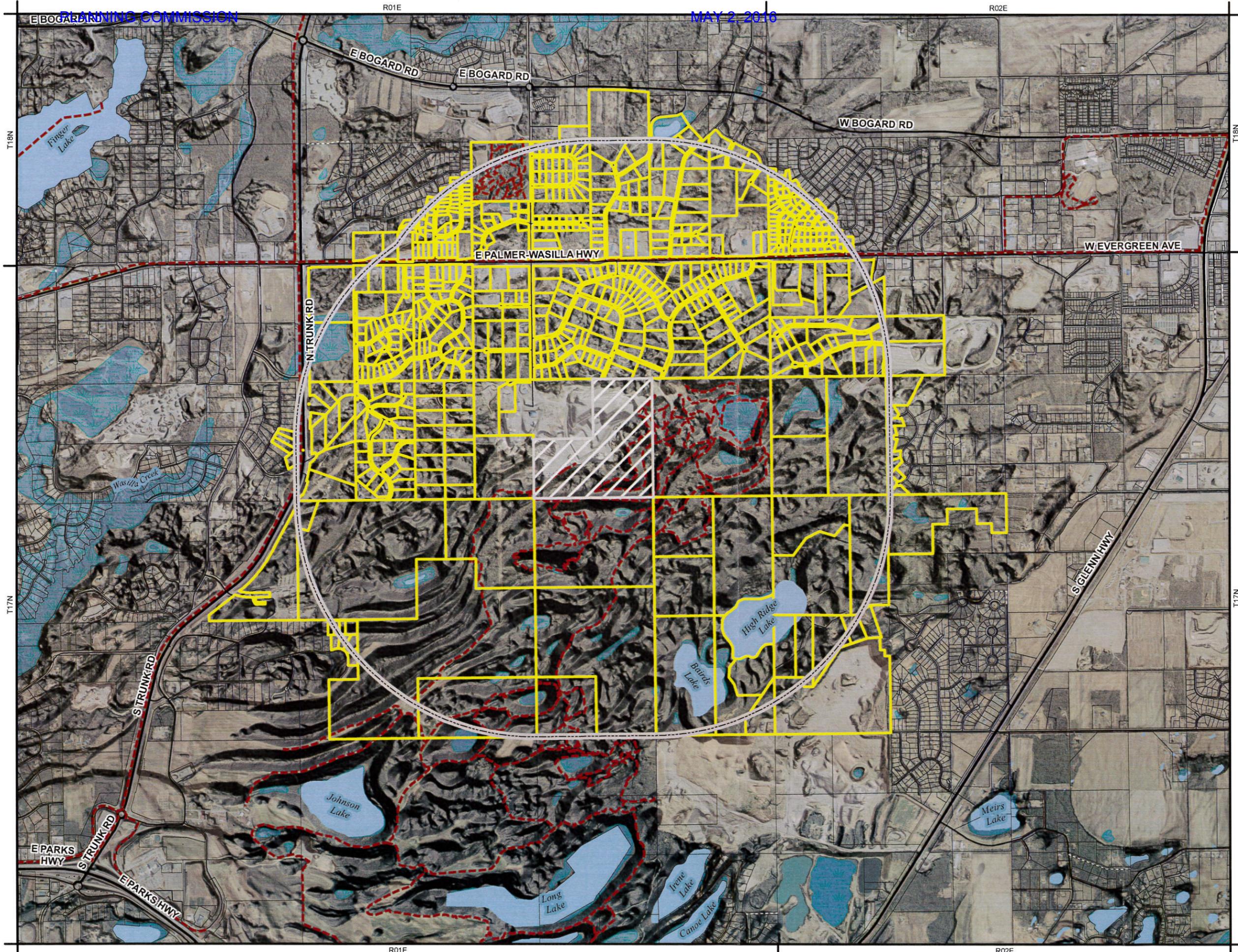
FIGURE A-8
LANDFILL CELL SEQUENCING PLAN
MATANUSKA-SUSITNA BOROUGH
CENTRAL LANDFILL EXPANSION
PALMER, ALASKA

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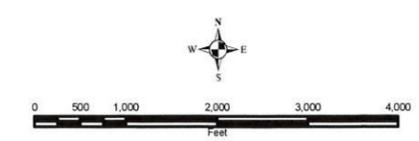
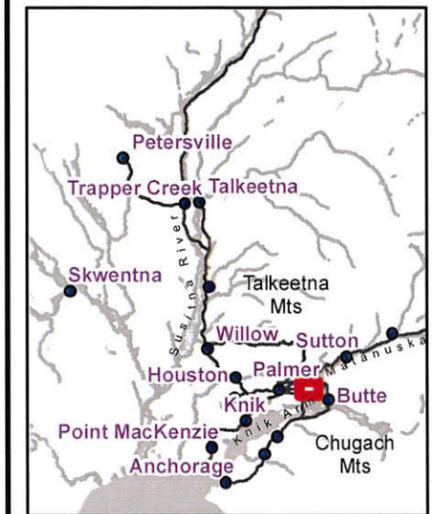
**Central Landfill IMD
Site Map**
 Secs. 01 & 12
 T17N, R01E, S.M.
 Tax Map WA09

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Matanuska-Susitna Borough
 Central Landfill IMD
 Wetland and Properties Map
 MSB #007049

- 1 MILE RADIUS
- CENTRAL LANDFILL PARCEL
- PARCELS WITHIN 1 MILE
- MSB TRAILS
- WETLANDS



Date: April, 2016
 Sources: MSB GIS, MSB LRMD, AK DOT
 Projection: NAD 83 AK ST PLN Z4
 Location: MSB
 Author: MSB LRMD

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MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Cultural Resources Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 745-9859 • Fax (907) 745-9876

MEMORANDUM

DATE: 16 November 2015
TO: Ryan Johnston, Land Management Specialists
FROM: Sandra Cook, Architectural Historian
SUBJECT: Central Landfill Expansion
LEGAL: Section 1 and 12, T17N, R1E, SM
TAX MAP: WA09

RECEIVED
 NOV 17 2015
 PERMIT CENTER

NO OBJECTION

Cultural Resources Division staff has reviewed the above application and finds there is are no known *recorded* sites on said property. This conclusion was derived through research of the documented sites on file in the Cultural Resources Division of the Matanuska-Susitna Borough and sites documented in Alaska Heritage Resource files at the State Office of History and Archaeology.

While we have no objection to the proposed Platting action on the said property, and our records are not complete, we recommend caution during construction or related activities in the event cultural remains may come to light or be recovered. If cultural resources are found as a result of the above mentioned activity we would appreciate the chance to document them to augment our knowledge of local history. Cultural remains may include features such as cache pits, house pits, garbage pits, depressions and/or other non removable indications of human activity, as well as, artifacts, buildings, machinery, etc.

Recording of cultural resources or other remains does not change ownership status of materials found, they belong to the property owner, nor does it prohibit your activity request. If cultural remains are located please contact this office at (907) 861-8655 as soon as possible. This would enable us to photograph and record any cultural materials that may be observed. Thank you for your cooperation. We appreciate you helping us learn more about our past.

Sincerely

Sandra Cook
 Architectural Historian

NOTE §A.S.11.46.482 (a) of the Alaska Statutes states that

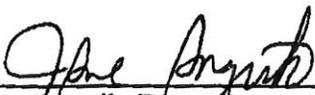
A person commits the crime of criminal mischief in the third degree if, having not right to do so or any reasonable grounds to believe the person have such a right...

(3) If a person knowingly

(A) defaces, damages or desecrates a cemetery or the contents of a cemetery or a tomb, grave, or memorial regardless of whether the tomb, grave, or memorial is in a cemetery or whether the cemetery, tomb, grave, or memorial appears to be abandoned, lost, or neglected; (B) removes human remains or associated burial artifacts from a cemetery, tomb, grave, or memorial regardless of whether the cemetery, tomb, grave, or memorial appears to be abandoned, lost or neglected.

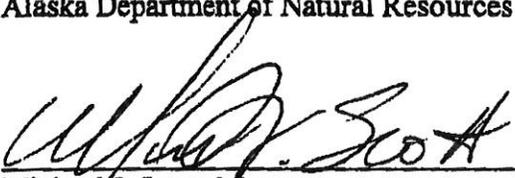
COOPERATIVE MANAGEMENT AGREEMENT BETWEEN
 ALASKA DEPARTMENT OF NATURAL RESOURCES AND
 MATANUSKA-SUSITNA BOROUGH FOR
 MINING RECLAMATION ON BOROUGH-OWNED LAND

Under the authority of Alaska State Constitution Article X Section 13, AS 27.19.060, AS 29.35 and 11AAC 97.700, the Department of Natural Resources and the Matanuska-Susitna Borough hereby enter into a cooperative management agreement by which the Matanuska-Susitna Borough will implement state mining reclamation requirements (AS 27.19 and 11 AAC 97) for material sites owned by the Matanuska-Susitna Borough. The Department of Natural Resources and the Matanuska-Susitna Borough find that this agreement will promote uniform compliance with state reclamation requirements and those set by municipal ordinances, providing for more consistent and effective reclamation of borough-owned land and reducing government paperwork costs. The Department of Natural Resources further finds that this agreement is in the state's best interests.



 Jane Angvik, Director
 Division of Land
 Alaska Department of Natural Resources

4/30/99
 Date

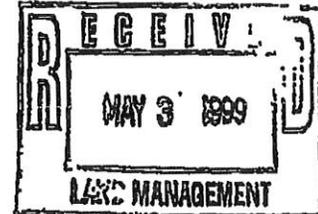


 Michael J. Scott, Manager
 Matanuska-Susitna Borough

4/23/99
 Date

**MATANUSKA-SUSITNA BOROUGH****Borough Manager****350 E. Dahlia Avenue, Palmer, Alaska 99645-6488
Phone (907) 745-9689 FAX (907) 745-9669**

April 26, 1999

**Jane Angvik, Director
Division of Land
3601 C Street, Suite 1122
Anchorage, AK 99503-5947****RE: Reclamation MOU**

Alaska Statute (27.19) requires DNR to administer mining reclamation on all state, federal, municipal and private land subject to mining operations which includes sand, gravel and other material.

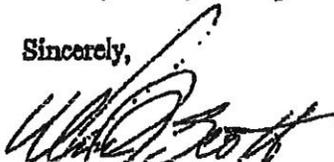
The Borough has similar provisions to AS 27.19 in our ordinances. We feel it would much easier and efficient to administer these reclamation requirements on our own land. This would relieve some potential work load requirements from DNR and ensure that the Borough is in compliance with both state and Borough reclamation requirements.

Working with your staff, we have drafted the enclosed MOU dealing with the reclamation issue for material sites on Borough owned land.

There are two originals. After your review and signature please return one original to Ron Swanson, Community Development Director at the above address.

Thank you for your help and consideration on this issue.

Sincerely,



Michael J. Scott
Borough Manager

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MINING LICENSE – A mining license is not required for the Central Landfill Pit.

On May 24, 2012, Governor Parnell signed legislation (HB 298) into Law. This legislation, with a retroactive effective date of January 1, 2012, exempts quarry rock, sand and gravel, and marketable earth mining operations from the mining license tax. Anyone who mines quarry rock, sand and gravel, and/or marketable earth exclusively is no longer required to obtain a mining license or file a mining license tax return for activities conducted on or after the effective date.

MINING PERMIT – A mining permit is not required for the Central Landfill Pit. A mining permit is required if extraction activities are to take place on State-owned lands. The Central Landfill Pit is located on Matanuska-Susitna Borough-owned lands.



DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 6898
JBER, ALASKA 99506-0898

JUL 17 2015

Regulatory Division
POA-2015-303

Matanuska-Susitna Borough
Attention: Mr. Ryan Johnston
350 East Dahlia Avenue
Palmer, Alaska 99645

Dear Mr. Johnston:

This letter is in response to your May 1, 2015, request for a Department of the Army (DA) jurisdictional determination for a parcel of land identified as Central Landfill Easements. The property is located within Sections 1 & 12, T. 17 N., R. 01 E., Seward Meridian, USGS map Anchorage C-6; at Latitude 61.5897° N., Longitude 149.1973° W.; Lots D5, D6, B6 and A7; Matanuska-Susitna Borough, near Palmer, Alaska. Your project has been assigned number POA-2015-303, High Ridge Lake, which should be referred to in all correspondence with us.

Based on our review of the information you provided and available to our office, we have preliminarily determined the subject property contains waters of the U.S., and/or wetlands, under the Corps' regulatory jurisdiction. See the attached Preliminary Jurisdictional Determination (PJD) Form. Please sign and return the form to our office. A PJD is not appealable. At any time you have the right to request and obtain an Approved Jurisdictional Determination, which can be appealed. If it is your intent to request an Approved JD, do not begin work until one is obtained.

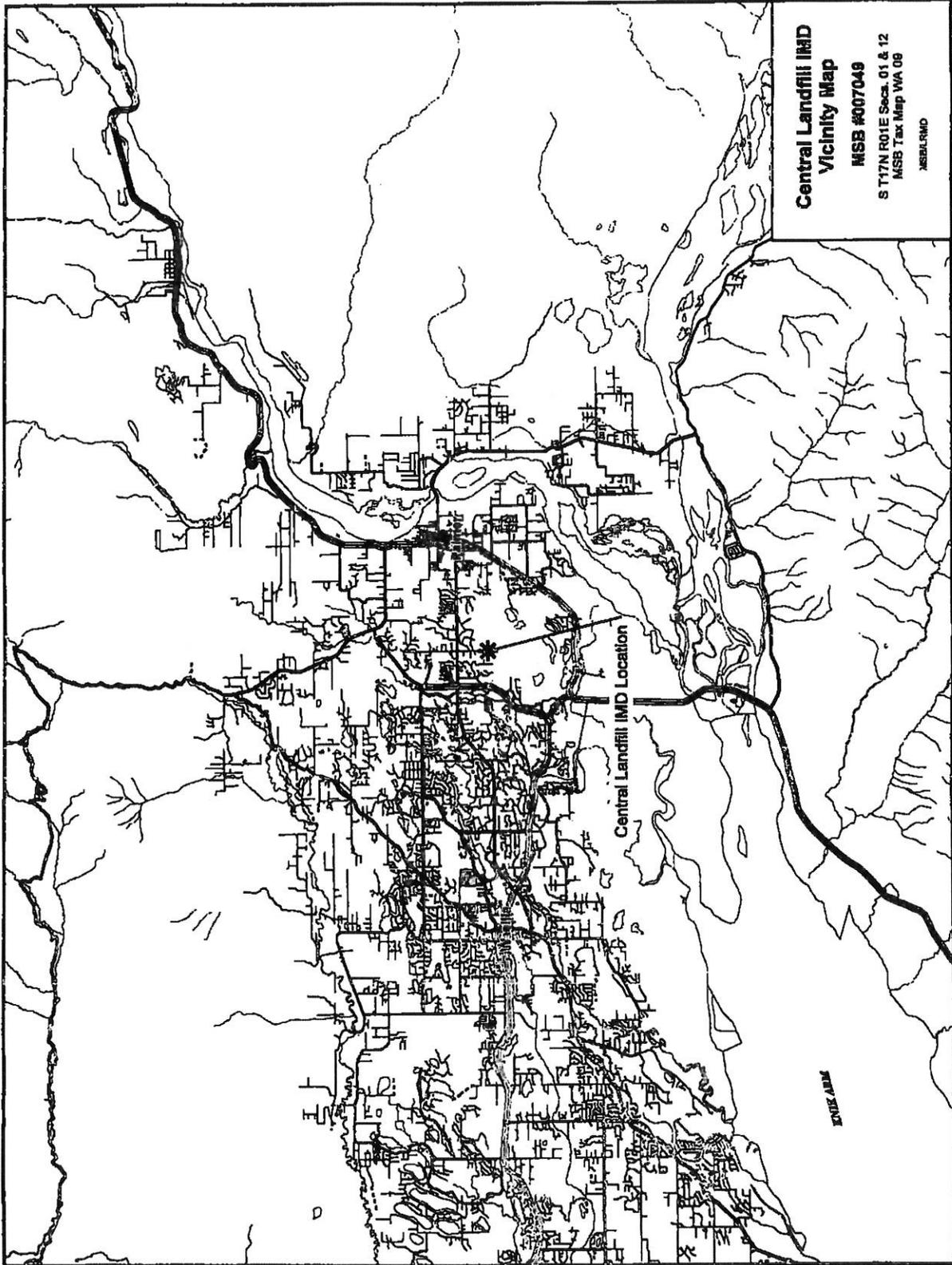
DA authorization is required if you propose to place dredged and/or fill material into waters of the U.S., including wetlands.

Section 404 of the Clean Water Act requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including jurisdictional wetlands (33 U.S.C. 1344). The Corps defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

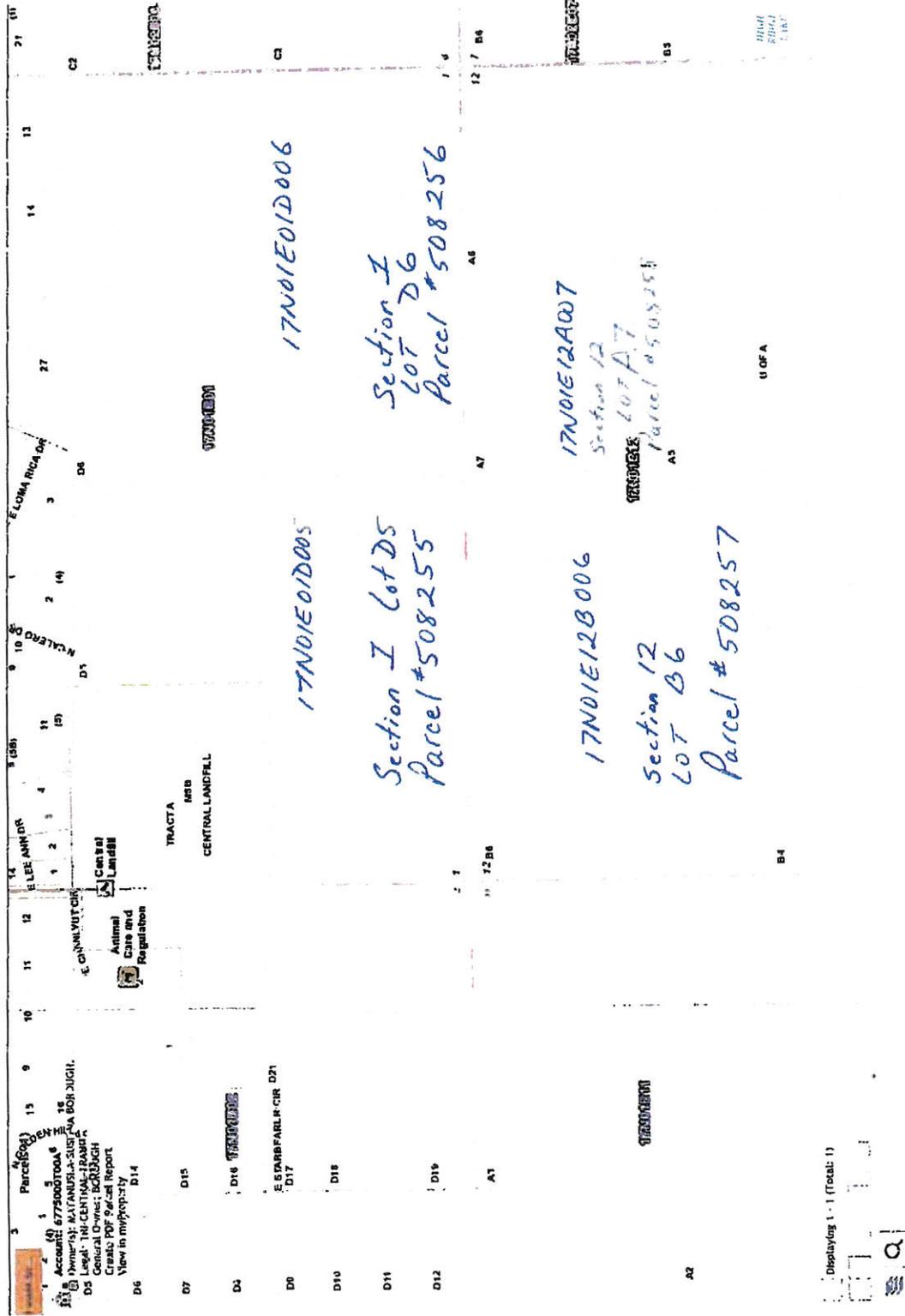
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Matanuska-Susitna Borough
High Rigde Lake
July 8, 2015

POA-2015-303
Preliminary Jurisdictional Determination
1 of 3



Geocortex Viewer for HTML5



Request for a Jurisdictional Determination from the Regulatory Division of the U.S. Army Corps of Engineers

Instructions: Provide the information on this sheet along with a map of the property and send it to one of the Corps offices listed on the back of this form.

Matanuska-Susitna Borough - LMD

907-355-9607

NAME

PHONE - HOME

350 East Dahlia Avenue

907-861-8572

MAILING ADDRESS 1

PHONE - WORK

907-861-8635

MAILING ADDRESS 2

FAX

Palmer Alaska 99645

CITY STATE ZIP

Property Location:

Section 01 & 12 Township 17N Range 01E Meridian S Nearest City Palmer

Lot: _____ Block: _____ Tract: _____ Subdivision Name: _____

Parcel Number: 17N01E01D006, 17N01E12B008, 17N01E12A007 Borough: Matanuska-Susitna

Physical Address (if any): 1201 N. 49th State Street, Palmer, AK 99645

Directions to the property: From the Glenn Highway take the Palmer-Wasilla Highway approximately 2.8 miles to N. 49th State Street. Take a left on N. 49th State Street and follow to the end, approximately 0.6 miles.

Continue straight through to the Matanuska-Susitna Borough Central Landfill. Authorization will be required to enter the site.

How are the boundaries of the property identified? See map from POA-2015-303 "High Ridge Lake"

Do you own the land? Yes or No

If "Yes", do we have your permission to visit the property? Yes or No

If you do not own the property and in the event a site visit is necessary, provide a written statement from the landowner allowing the Corps of Engineers to enter the site.

To expedite our response to you, you may request a preliminary jurisdictional determination (PJD). If you need to obtain a permit for your project, it may be possible to evaluate your permit application using a PJD, depending on the specific project. Note that a PJD is not definitive and therefore not appealable. More information regarding JDs can be found at <http://www.usace.army.mil/CECW/Documents/cecwo/reg/rqls/rql08-02.pdf>.

Please indicate if you desire a preliminary jurisdictional determination (PJD) YES or NO

Signature: 

Date: 7/28/15

Submit this form and map to the Corps office responsible for the geographic area that encompasses the Property Location. (See back)

-2-

Section 10 of the Rivers and Harbors Act of 1899 requires that a DA permit be obtained for structures or work in or affecting navigable waters of the U.S. (33 U.S.C. 403). Section 10 waters are those waters subject to the ebb and flow of the tide shoreward to the mean high water mark, and/or other waters identified by the Alaska District.

Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.

Please contact me via email at Matthew.L.Beattie@usace.army.mil, by mail at the address above, by phone at (907) 753-2791, or toll free from within Alaska at (800) 478-2712. If you have questions, For more information about the Regulatory Program, please visit our website at www.poa.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,



Matthew L. Beattie
Regulatory Specialist

Enclosures

Standard Modification

Replace Section 641 with the following:

SECTION 641

EROSION SEDIMENT AND POLLUTION CONTROL

641-1.01 DESCRIPTION. As approved by the Engineer, provide project administration and construction activities to control erosion, sedimentation, and pollution from the Project, according to this section and applicable local, state and federal requirements, including the Construction General Permit.

Utilities will be relocated by others concurrently with construction of this project. The Contractor will be responsible for controlling sediment and erosion and stabilizing areas disturbed during underground and aboveground utility relocation.

The Borough will develop a Storm Water Pollution Prevention Plan (SWPPP) necessary to cover certain utility relocation work that may precede issuance of a Notice to Proceed. The Contractor will incorporate the provisions of that SWPPP document into any documents prepared by the Contractor under this Section.

641-1.02 DEFINITIONS.

Alaska Certified Erosion and Sediment Control Lead (AK-CESCL). Certification documenting the person has completed training, testing and other requirements recognized by the Borough to satisfy the APDES Construction General Permit for "qualified personnel". AK-CESCL certificates issued in conformance with, and under authority of the AK-CESCL Memorandum of Understanding are recognized by the Borough as meeting this standard. An AK-CESCL certification must be recertified every three years. CPESC, Certified Professional in Erosion and Sediment Control; CISEC, Certified Inspector in Sediment and Erosion Control; and CESCL, Washington Department of Ecology Certified Erosion and Sediment Control Lead are the only other recognized substitution for the AK-CESCL certification.

Alaska Department of Conservation (ADEC). The State Department that has been authorized to administer the Clean Water Act's National Pollutant Discharge Elimination System in a phased process.

Alaska Pollutant Discharge Elimination System (APDES). The Alaska Pollutant Discharge Elimination System, administered by ADEC.

Area of Land Disturbance. The area of land (soil) that will be disturbed by Construction Activity. Area of Land Disturbance does not include pavement removal or pavement milling if the activity does not remove aggregate underlying the pavement.

Best Management Practices (BMPs). Temporary or permanent structure and non structural devices, schedules of activities, prohibition of practices, maintenance procedures and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include but are not limited to, treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal.

Clean Water Act (CWA). United States Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.)

Construction Activity. Physical activity by the Contractor or any Subcontractor or Utility Company that may result in land disturbance, erosion, sedimentation, or a discharge of pollutants in storm water. Construction activity includes, but is not limited to, grubbing, excavation, constructing embankment, grading, stockpiling erodible material, processing material and installation or maintenance of BMP's.

Construction General Permit (CGP). The Alaska Pollutant Discharge Elimination System General Permit for Discharges from Large and Small Construction Activities.

Electronic Notice of Intent (eNOI). The Electronic Notice of Intent submitted to ADEC, to begin Construction Activities under the CGP.

Electronic Notice of Termination (eNOT). The Electronic Notice of Termination submitted to ADEC, to end coverage under the CGP.

Erosion and Sediment Control Plan (ESCP). A project-specific document that illustrates measures to control erosion and sediment problems on a project. The ESCP normally consists of a general narrative and a map or site plan. It is developed by the Borough and may be included in the project plans and specifications. It serves as a resource for bid estimation and a frame work from which the Contractor develops the project SWPPP.

Final Stabilization. Soil disturbing activities at the site have been completed and one of the following methods, as identified in the contract, has been completed:

- Establish a uniform and evenly distributed perennial vegetative cover with a density of 70 percent of the native background vegetative cover, or
- Construct non-erodible permanent stabilization measures (such as riprap, gabions, geotextiles, pavement, or crushed aggregate base course) where vegetative cover is not required or practical.

Hazardous Material Control Plan (HMCP). The Contractor's detailed project-specific plan for the prevention of pollution from storage, use, transfer, containment, cleanup, and disposal of hazardous material, including but not limited to, petroleum products related to construction activities and equipment. The HMCP is included as an appendix to the SWPPP.

Operator(s). The party or co-parties associated with a regulated activity that has responsibility to obtain storm water permit coverage. "Operator" for the purpose of CGP and in context of stormwater associated with construction activity, means any party associated with a construction project that meets either of the following two criteria:

1. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or
2. The party has day to day operational control of those activities at a project which are necessary to ensure compliance with a SWPPP for the site or other permit conditions (e.g. they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with permit conditions).

Pollutant. Any substance or item meeting the definition of pollutant contained in 40 CFR 122.2

Project Area. The physical limits of the construction site, Borough furnished project staging and equipment areas, Borough furnished haul routes where deposition of sediments or erodible materials may result from material hauling activities and Borough furnished material and disposal sites directly related to the Contract. The project area also includes all areas of utility relocation and installation, including adjacent utility easements and tie-ins that may extend beyond the defined project limits. Contractor or Commercial Operator furnished material sites material processing sites, disposal sites, haul routes, staging areas and equipment storage are not included in the Project Area.

Spill Prevention, Control, and Countermeasure Plan (SPCC). The Contractor's detailed plan for petroleum spill prevention and control measures that meet the requirements of 40 CFR 112.

Storm Water Pollution Prevention Plan (SWPPP). The Contractor's detailed project -specific plan to minimize erosion and contain sediment within the Project site and to prevent discharge of pollutants that exceed applicable water quality standards. The SWPPP includes, but may not be limited to, amendments, records of activities, inspection schedules and reports, qualifications of key personnel and all other documentation required by the CGP and this specification.

Temporary Stabilization. The protection of exposed soils (disturbed land) from wind, and water erosion during construction process, until final stabilization is established.

Utility Company. A Utility Company or their contractor performing work concurrently with the construction of this project.

641-1.03 SUBMITTALS. Submit three signed copies of the SWPPP and HMCP to the Engineer. Submit two signed copies of the SPCC Plan (if required under subsection 641-2.03) to the Engineer at or before the pre-construction meeting.

The Borough will review the SWPPP and HMCP submittals within fourteen (14) calendar days. Submittals will be returned to the Contractor as either requiring modification, or as approved by the Borough. The 14 day review period will restart when the Contractor submits to the Borough the revised SWPPP and or HMCP. The approved SWPPP must contain certification, and be signed according to the Standard Permit Conditions of the APDES Construction General Permit.

Upon acceptance of the SWPPP by the Borough submit an eNOI for the Project to ADEC with the required fee. Submit a copy of the eNOI to the Project Manager when the eNOI is submitted to ADEC. The Borough will submit the Borough's eNOI to the ADEC and provide a copy to the Contractor for inclusion in the SWPPP.

No construction activities will take place on the Project until the eNOI has been posted on the ADEC website for seven (7) calendar days.

The active status NOI's, SWPPP, HMCP and SPCC Plan (when required) become the basis of the work required for the project's erosion, sediment, and pollution control.

Within fifteen (15) calendar days after the Engineer has determined you may end SWPPP activities for the Project, submit your eNOT for the Project to ADEC and send a copy of the eNOT to the Engineer. Within fifteen (15) calendar days of the Project Manager's determination the Borough will submit the Borough's eNOT to the ADEC and send a copy to the Contractor.

When CGP, Part 10, F requires ADEC SWPPP review: transmit a copy of the SWPPP with the required fee to ADEC using delivery receipt confirmation. Transmit a copy of the delivery receipt confirmation to the Engineer within seven (7) calendar days of receiving the confirmation. Transmit a copy of the ADEC SWPPP review letter to the Project Engineer within seven (7) calendar days of receipt from ADEC. Amend the SWPPP as necessary to address ADEC comments and transmit a copy of the SWPPP amendments to the Engineer within seven (7) calendar days of receipt of ADEC review comments. Include a copy of the ADEC SWPPP review letter in the SWPPP.

641-1.04 PERSONNEL QUALIFICATIONS. The Superintendent and any designated Relief Superintendent must meet the following qualifications:

- Current certification as AK-CESCL
- Duly authorized representative, as defined in Appendix F of the CGP.

641-1.05 SIGNATURE/CERTIFICATION REQUIREMENTS AND DELEGATIONS.

eNOI and eNOT. The eNOI and eNOT must be signed and certified by a responsible corporate officer, in accordance with the CGP Appendix F. Signature and certification authority, for eNOI and eNOT, cannot be delegated.

Delegation of Signature Authority for Other SWPPP Documents and Reports. Delegate signature and certification authority to the Superintendent, in accordance with CGP Appendix F, for the SWPPP inspections, and other reports required by the CGP. Include a copy of the written delegation in the

SWPPP. Delegation is not required if the Superintendent is a responsible corporate officer for the Contractor, as defined in CGP Appendix F.

Subcontractor Certification. Subcontractors must certify that they have read and will abide by the CGP and the conditions of the project SWPPP.

641-2.01 STORM WATER POLLUTION PREVENTION PLAN. Prepare a Storm Water Pollution Prevention Plan. When provided in the plan set use the Borough's ESCP to develop a SWPPP based on scheduling, equipment, and use of alternative BMPs. The SWPPP preparer must visit the project site before preparing the SWPPP. The plan must include both erosion control and sediment control measures. The plan must first address preventing erosion, then minimizing erosion and finally trapping sediment before it leaves the project site.

The SWPPP must follow the format presented in Appendix A, of Developing Your Storm Water Pollution Prevention Plan (EPA 833-R-060-04 May 2007). An electronic copy of the SWPPP template is available on EPA's web site at <http://www.epa.gov/npdes/swpppguide>

The plan must address the site specific controls and management plan for the construction site as well as for material sites, waste disposal sites, haul roads and other affected areas, public or private. The plan must also include copies of and incorporate the requirements of the project permits.

The contractor is responsible for identifying, in their SWPPP, other work that is on-going or will be undertaken within or adjacent to the project during the contract period and to coordinate erosion and sediment control measures with the other operators.

641-2.02 HAZARDOUS MATERIAL CONTROL PLAN (HMCP) REQUIREMENTS.

Prepare a HMCP for handling, storage, cleanup and disposal of petroleum products and other hazardous substances. (See 40 CFR 117 and 302 for listing of hazardous materials).

Compile Material Safety Data Sheets in one location and reference in the HMCP. List and give location of hazardous materials, including office materials, to be used and/or stored on site, and estimated quantities. Detail a plan for storing these materials as well as disposing of waste petroleum products and other hazardous materials generated by the project.

Identify the locations where storage, fueling and maintenance activities will take place, describe the maintenance activities and list controls to prevent the accidental spillage of oil, petroleum products, and other hazardous materials.

Detail procedures for containment and cleanup of hazardous substances, including a list of types and quantities of equipment and materials available on site to be used.

Detail a plan for the prevention, containment, cleanup and disposal of soil and water contaminated by accidental spills. Detail a plan for dealing with unexpected contaminated soil and water encountered during construction.

Detail methods of disposing of waste petroleum products and other hazardous materials generated by the project. Identify haul methods and final disposal areas. Assure final disposal areas are permitted for hazardous material disposal.

Specify the line of authority and designate a field representative for spill response and one representative for each subcontractor. Include their names and contact information in the SWPPP.

641-2.03 SPILL PREVENTION, CONTROL AND COUNTERMEASURE (SPCC) PLAN REQUIREMENTS.

Control

Prepare and implement a SPCC Plan when required by 40 CFR 112, including:

1. When oil spills may reach navigable waters; and
2. Total above ground oil storage capacity is greater than 1,320 gallons.

Prevention and Countermeasures

Comply with 40 CFR 112 and address the following issues in the SPCC Plan:

1. Operating procedures that prevent oil spills;
2. Control measures installed to prevent a spill from reaching navigable waters; and
3. Countermeasures to contain, cleanup and mitigate the effects of an oil spill.

Self-certify the SPCC Plan if the total above ground oil storage capacity is 10,000 gallons or less, and the requirements for self certification in 40 CFR 112 are met. Otherwise the SPCC Plan must be certified, stamped with the seal of, date by, and signed by a Professional Engineer registered in the State of Alaska.

641-2.04 RESPONSIBILITIES AND AUTHORITY OF THE SUPERINTENDENT.

The Superintendent is responsible for the overall operations of the Project and all Contractor-furnished sites and facilities directly related to the Project. The Superintendent shall sign and certify the SWPPP, SWPPP inspections, and other reports required by the CGP, except the NOI and NOT. The Superintendent may not delegate the task or responsibility of signing and certifying the SWPPP, SWPPP inspections, and other reports required by the CGP. If the Superintendent is unavailable, a relief Superintendent may sign and certify reports required by the CGP. If the relief Superintendent is used, document the personnel change, including a photo copy of their AK-CESCL certification, and include their beginning and ending dates in the SWPPP.

641-2.05 MATERIALS. Comply with the material requirements described in the Plans and Specifications.

Use materials suitable to withstand hydraulic, wind, and soil forces, and to control erosion and trap sediments in accordance with the requirements of the CGP.

Straw that is certified as free of noxious weed by the United States Department of Agriculture, Natural Resources Conservation Service, Local Soil and Water Conservation District, Alaska Weed Free Forage Certification Program must be used when available. Hay may not be substituted for straw.

Silt fences	Subsection 729-2.04,
Sediment Control	
Temporary Seed	Section 724
Erosion, Sediment, and Pollution Control-Material	Section 744

641-3.01 CONSTRUCTION REQUIREMENTS. Comply with the SWPPP and the requirements of the CGP.

Ensure all subcontractors and utility companies understand and comply with the SWPPP and the CGP. Provide SWPPP information to the utility companies. Notify the Project Manager immediately if actions of any utility company or subcontractor do not comply with the SWPPP and the CGP. Provide training to subcontractors & utility companies on control measures at the site and applicable storm water pollution prevention procedures and document the dates and attendees to these trainings in Appendix J of the SWPPP.

Post notices on the outside wall of the Contractor’s project office, and at publicly accessible locations near the beginning and end of the Project. Protect postings from the weather and locate so the public can read them without obstructing construction activities (for example, at an existing pullout). Include the following information in each of the posted notices:

- Copy of all eNOIs related to this project
- Name and phone number of Project Superintendent
- Location of the SWPPP available for public viewing.

Comply with requirements of the HMCP, the submitted SPCC Plan, and the State and Federal regulations that pertain to handling, storage, cleanup and disposal of petroleum products or other hazardous substances. Contain, cleanup and dispose of discharges of petroleum products and other materials hazardous to the land, air, water and organic life forms. Perform fueling operations in a safe and environmentally responsible manner. Comply with requirements of 18 AAC 75 and AS 46, Oil and Hazardous Substance Pollution Control. Report oil spills as required by Federal, State and local Law and, as described in the SPCC Plan.

Comply with requirements of the APDES Construction General Permit, implement temporary and permanent erosion and sediment control measures identified in the SWPPP, and ensure that the SWPPP remains current. Maintain temporary and permanent erosion and sediment control measures in effective operating condition.

Coordinate BMPs with Utility Companies doing work in the project area.

641-3.02 INSPECTIONS

Perform inspections and prepare inspection reports to comply with the project SWPPP and the APDES Construction General Permit.

1. Joint Inspections. Before start of construction, conduct a joint on-site inspection with the Engineer, the SWPPP Preparer, and the Contractor's Superintendent for the project to discuss the implementation of the SWPPP.
 - a. Before each winter shutdown, to ensure that the site has been adequately stabilized and devices are functional.
 - b. At project completion, to ensure final stabilization of the project.
2. During Construction. In addition, the Contractor will perform inspections meeting the requirements of the APDES Construction General Permit. The project Superintendent shall review the Project Site, Materials Sites, Waste Sites and the SWPPP for conformance with the APDES Construction General permit at least once per month and after every major change in earth disturbing activities for compliance with the Construction General Permit.
3. Inspection Reports. Prepare and submit, within three (3) working days of each inspection, a Inspection Report. At a minimum the report will contain the following:
 - a. A summary of the scope of the inspection
 - b. Name(s) and titles of personnel making the inspection
 - c. The date of the inspection
 - d. Observations relating to the implementation of the SWPPP
 - e. Any actions taken as the result of the inspection
 - f. Incidents of non-compliance

Where a report does not identify and incidents of noncompliance, certify that the facility is in compliance with the SWPPP and the APDES Construction General Permit.

The Contractor's Superintendent will sign the report according to the Standard Permit Conditions of the APDES Construction General Permit. Include reports as an appendix to the SWPPP.

Record Retention

Keep the SWPPP up to date at all times. The SWPPP shall denote location, date of installation, date maintenance was performed and the date of removal of BMPs. It shall also contain copies of inspection reports and amendments.

Maintain the following records as part of the SWPPP:

1. Dates when major grading activities occur;
2. Dates when construction activities temporary or permanently cease on a portion of the site; and
3. Dates when stabilization measures are initiated.

Provide the Engineer with copies of SWPPP revisions, updates, records and inspection reports at least weekly.

Retain copies of the SWPPP and other records required by the APDES Construction General Permit for at least three years from the date of final stabilization.

If unanticipated or emergency conditions threaten water quality, take immediate suitable action to preclude erosion and pollution.

Amendments

Submit amendments to the SWPPP to correct problems identified as a result of:

1. Storm or other circumstance that threatens water quality, and
2. Inspection that identifies existing or potential problems.

Submit SWPPP amendments to the Engineer within seven (7) calendar days following the storm or inspection. Detail additional emergency measures required and taken, to include additional or modified measures. If modifications to existing measures are necessary, complete the implementation before the next storm event whenever practicable.

Stabilize area disturbed before the seeding deadline or within seven (7) calendar days of the temporary or permanent cessation of ground-disturbing activities.

Notice of Termination

For projects that require an eNOI, submit the signed eNOT to the ADEC with a copy to the Project Manager when the Project Manager notifies that:

1. The project site (including material sources, and disposal sites) has been finally stabilized and that storm water discharges from construction activities authorized by the permit have ceased, or
2. The construction activity operator (as defined in the APDES Construction General Permit) has changed.

641-4.01 METHOD OF MEASUREMENT.

Items 641(2) and (4) will be measured as specified in the Contract or Owner's Action authorizing the work.

641-5.01 BASIS OF PAYMENT.

1. Item 641(1) Erosion and Pollution Control Administration. At the Contract lump sum price for administration of work under this Section. Includes, but is not limited to, plan preparation, plan amendments and updates, inspections, monitoring, reporting and record-keeping.

2. Item 641(2) Temporary Erosion and Pollution Control. At the prices specified in the Contract or as provided in the Owner's action authorizing the work to install and maintain temporary erosion, sedimentation and pollution control measures.
3. Item 641(3) Temporary Erosion and Pollution Control. At the Contract lump sum price to install and maintain temporary erosion, sedimentation and pollution control measures required to complete the project according to the Plan and with the current approved SWPPP and HMCP.
4. Item 641 (4) Temporary Erosion and Pollution Control Amendments. At the price specified in the Owner's action for extra, additional or unanticipated work to install and maintain temporary erosion, sedimentation and pollution control measures. Work paid under this item will be shown as amendments to the original SWPPP or HMCP.

Temporary erosion and pollution control measures that are required at Contractor -furnished sites are subsidiary to Pay Item 641(3).

Work that is paid for directly or indirectly under other pay items will not be measured and paid under this Section, including but not limited to dewatering, shoring, bailing, installation and removal of temporary work pads, temporary accesses, temporary drainage pipes and structures and diversion channels.

Perform temporary erosion and pollution control measures that are required due to negligence, carelessness, or failure to install permanent controls as a part of the work scheduled or ordered by the Project Manager, or for the Contractor's convenience, at the Contractor's expense.

Permanent erosion and pollution control measures will be measured and paid for under other Contract items, when shown on the bid schedule.

Failure

If the Contractor fails to coordinate temporary or permanent stabilization measures with the earthwork operations in a manner to effectively control erosion and prevent water pollution, the Project Manager may suspend the earthwork operations and withhold monies due on current estimates for such earthwork items until aspects of the work are coordinated in a satisfactory manner.

If there is failure to:

1. Pursue the work required by the SWPPP,
2. Respond to inspection recommendations and/or deficiencies in the SWPPP, or
3. Implement erosion and sedimentation controls identified by the Project Manager.

The Project Manager may suspend construction activities and withhold monies due on current estimates until the SWPPP is in compliance with the APDES Construction General Permit.

The Contractor shall be due no additional monies or Contract time extension as result of delays resulting from suspension of earthwork for failure to perform required erosion, sedimentation, or pollution duties as outlined in this Section 641.

If listed in the bid schedule payment will be made under:

<u>Pay Item No.</u>	<u>Pay Item</u>	<u>Pay Unit</u>
641(1)	Erosion and Pollution Control Administration	Lump Sum
641(2)	Temporary Erosion and Pollution Control	Contingent Sum
641(3)	Temporary Erosion and Pollution Control	Lump Sum
641(4)	Temporary Erosion Pollution Control Amendments	Contingent Sum

**INTRODUCTION FOR PUBLIC HEARING
LEGISLATIVE**

Resolution No. 16-19
Riparian Buffer Standards

(Page 59 - 88)

INTRODUCTION FOR PUBLIC HEARING

DOCUMENT TRACKING REPORT

DOCUMENT: An Ordinance Amending MSB 17.55.005, Setbacks And Screening Easements; Adopting MSB 17.55.030 Riparian Buffer Standards To Protect Anadromous Fish, Wildlife Habitat And Water Quality In Designated Streams; Amending MSB 17.55.040 Violations, Enforcement, And Penalties; And Amending MSB 17.125.010, Definitions.

DATE	STATUS
4-19-16	Referred to the Planning Commission for 90 days
	Due back to the Assembly 7-18-16
	cc: Mary Brodigan

Commission

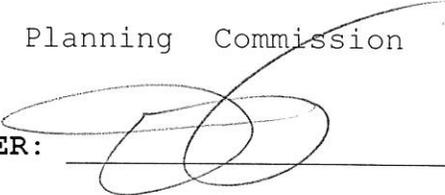
MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 16-057

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY; AMENDING 17.55.005 GENERAL; ADOPTING MSB 17.55.030 RIPARIAN BUFFER STANDARDS TO PROTECT ANADROMOUS FISH, WILDLIFE HABITAT AND WATER QUALITY IN DESIGNATED STREAMS; AMENDING 17.55.040 VIOLATIONS, ENFORCEMENT AND PENALTIES AND AMENDING MSB 17.125.010 DEFINITIONS.

AGENDA OF: April 19, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Refer to Planning Commission for review.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER: 

Route To:	Department/Individual	Initials	Remarks
	Originator	AB	
1	Planning and Land Use Director	EPJ	
2	Finance Director	JW	4/5/16
3	Borough Attorney	NS	Review Pending
4	Borough Clerk	JRM	4/11/16 

ATTACHMENT(S): Fiscal Note: YES _____ NO x
 Ordinance Serial No. 16- 051 (7pp)
 Letters (7pp)
 Fact Sheet (2pp)

SUMMARY STATEMENT:

The Matanuska-Susitna Borough (MSB) has taken significant actions over the years to protect fisheries and fish habitat in the region. In 2007, the Assembly created the Mayor's Blue Ribbon Sportsman's Committee which was later renamed the MSB Fish and Wildlife Commission. This commission has successfully advocated for increased resources for the Mat-Su to improve fishery management in Upper Cook Inlet over the past several years.

The Mat-Su Basin Salmon Habitat Partnership was organized in 2005 and recognized by the National Fish Habitat Partnership as one of 19 fish habitat partnerships in the country. MSB was a founding member of the Partnership and continues to have a representative on the Steering Committee. Since 2006, the Partnership has awarded nearly \$2 million for more than 70 science, conservation and restoration projects to improve fish habitat in the Mat-Su.

MSB has worked with a variety of partners to improve fish passage by replacing culverts under borough roads that block fish. As of 2013, over 80 culverts have been replaced with funds totaling \$6 million from federal, state and local sources. In 2013, the Assembly unanimously approved an ordinance (OR 13-083) to require all new culverts installed along anadromous streams to be designed and constructed to allow for fish passage.

In 2013, MSB requested capital funding from the State of Alaska and was awarded a \$2.5 million grant for fisheries protection. This grant funding is being used to replace culverts that are barriers to fish and to conduct fisheries research to improve fishery management in Upper Cook Inlet.

Salmon are a highly valued resource in the Mat-Su and throughout the state. In order for salmon to thrive, they need cool, clean water and healthy freshwater habitats. This ordinance is proposed to address concerns about habitat degradation caused by removal of vegetation in and around stream banks, otherwise known as riparian areas.

Removal of vegetation along stream banks can negatively affect salmon and other aquatic life by increasing pollution entering streams, increasing sedimentation, removing shade and vegetation cover that provides habitat for juvenile fish and increasing water temperatures. Several streams in the rapidly developing areas of the borough have been listed as having impaired or threatened water quality by the Department of Environmental Conservation.

Riparian buffers, in addition to protecting fish habitat, can prevent bank erosion, reduce flooding impacts, decrease stormwater runoff and protect private property from damage caused by high water events.

Alaska Department of Fish and Game, U.S. Fish and Wildlife Service, MSB and other partners have completed numerous stream bank restoration projects to replace vegetation that has been damaged or removed along salmon streams in locations such as

damaged or removed along salmon streams in locations such as Willow Creek, Cottonwood Creek, and Sunshine Creek and Big Lake. ADF&G and USFWS have an ongoing restoration cost-share program to assist private property owners with restoration of vegetation on their stream banks and lake shores. In recent assessments of riparian habitat by the Palmer Soil and Water Conservation District, they found 1821 sites and 123,000 feet of riparian habitat that is impacted in the Mat-Su. ADF&G and USFWS have been able to restore approximately 10 sites (1,000 feet) per year through their cost-share program.

The Kenai Peninsula Borough (KPB) in 1996 designated portions of the Kenai River for riparian buffer protection to protect salmon spawning and rearing habitat. Since then, KPB has increased the number of water bodies protected and now has almost all anadromous rivers, streams and lakes in the borough included in their stream protection ordinance (KPB 21.18.025).

Through the Alaska Forest Resources and Practices Act (AS 411.7), the State of Alaska requires riparian buffers "to protect riparian areas from the adverse effects of timber harvest activities on fish habitat and water quality" (FRPA Pg11). The State requires riparian buffers of 100-325 feet depending on the size and characteristics of the water body, anadromous designation and the slope of adjacent land. MSB Community Development Department follows the FRPA requirements when permitting timber harvest on borough land.

Salmon runs have been declining in the Mat-Su in the past decade. Commercial fishing organizations have claimed that the primary cause of Mat-Su's declining salmon runs is that the Mat-Su Borough has not sufficiently protected fish habitat. Although many other groups would dispute their claims, including the MSB Fish and Wildlife Commission, taking this step to establish riparian buffer standards demonstrates the Borough's continued commitment to fish habitat protection.

The specific streams and rivers designated in this ordinance were selected by an interagency team of local, state and federal land managers and scientists in 2013 as high priority water bodies. This designation was based on their importance for salmon spawning, rearing and overwintering habitat. This list of water bodies has been subsequently used to identify high priority land and water areas for conservation.

MSB can continue to grow, build and develop communities and maintain healthy fisheries. This ordinance adds to the many positive steps that the Borough has taken to protect fish and fish habitat.

RECOMMENDATION OF ADMINISTRATION: Staff respectfully recommends referring Ordinance 16-057 AMENDING 17.55.005 GENERAL; ADOPTING MSB 17.55.030 RIPARIAN BUFFER STANDARDS TO PROTECT ANADROMOUS FISH, WILDLIFE HABITAT AND WATER QUALITY IN DESIGNATED STREAMS; AMENDING 17.55.040 VIOLATIONS, ENFORCEMENT AND PENALTIES AND AMENDING MSB 17.125.010 DEFINITIONS to the Planning Commission for 60 days for review.



18 March, 2016

Mayor Vern Halter and Assembly Members
Matanuska-Susitna Borough
350 E. Dahlia Avenue
Palmer, Alaska 99645

Re: Establishment of Riparian Buffer Standards for Anadromous Streams - IM 16-057

Dear Mayor Halter and Assembly members,

I am writing on behalf of the Mat-Su Basin Salmon Habitat Partnership in support of the establishment of riparian buffer standards for anadromous streams (IM 16-057). The Mat-Su Salmon Partnership formed in 2005 to address increasing human use and development related impacts to salmon and their habitat in the Mat-Su Basin. Over 60 tribal, local, state and federal governments, businesses, private land-owners, fishing interests and non-profits are now partners. The Mat-Su Borough is a founding member and has a permanent seat on the Steering Committee.

In 2008, the Partnership completed a comprehensive Strategic Action Plan, revised in 2013, that outlines goals for conserving and restoring salmon habitat in the Mat-Su Basin. **In 2015, the Partnership identified maintenance of intact riparian areas along lakes, streams and rivers as one of its top four conservation priorities.**

Alteration of riparian habitat can have numerous negative consequences for healthy salmon populations including loss of cover and potentially increasing stream temperatures - a concern for developing salmon fry. Decreases in large instream woody debris can also potentially increase vulnerability to predation, lower winter survival, decrease spawning gravel and reduce food availability. Impacts to riparian areas can ultimately reduce the capacity of waterbodies to produce salmon. It is also important to know that intact riparian areas benefit both salmon and people. They protect human infrastructure and reduce the impacts of floods. For these reasons, many partners have focused their efforts on both conserving intact areas and restoring degraded streambank and streamside habitats, as well as educating landowners about how to care for habitat.

Palmer Soil and Water Conservation District recently completed an assessment of riparian impacts on 35 priority waterbodies in the Mat-Su. Although some waterbodies like Big Lake, Blodgett Lake and Cottonwood Creek had 27%, 12% and 4% impacted shorelines respectively, the overall percentage of impacted shorelines remains relatively low. This underscores both the recognition there are areas of concern, and there is a great opportunity in the Mat-Su to conserve riparian salmon habitats before they are impacted and financial resources expended in their restoration.

Matanuska-Susitna Basin Salmon Habitat Partnership
Thriving fish. healthy habitats. & vital communities in the Mat-Su Basin

IM 16-057
OR 16-051

There are precedents for these important standards. Two examples include the Alaska Forest Resources and Practices Act (AS 411.7), where the State of Alaska requires riparian buffers to protect fish and water quality for timber harvest activities, and in the Kenai Peninsula Borough. In response to increased urbanization effects, the Kenai Peninsula Borough designated portions of the Kenai River for riparian buffer protection to safeguard salmon spawning and rearing habitat in 1996. Today nearly all anadromous rivers, streams and lakes in the borough are included in the ordinance (KPB 21.18.025).

Adopting standards for riparian buffers next to streams and rivers that are recognized as high priority habitat for salmon will address critical goals for salmon conservation identified in the Partnership's Strategic Action Plan. Specifically, this project will address the plan's Overall Riparian Goal: to prevent alteration of riparian areas that provide valuable salmon habitat in the Mat-Su. It also directly meets Strategic Action 2.2.2 to protect riparian habitat with local mechanisms that maintain a riparian buffer along all priority waterbodies in the Mat-Su Borough.

Proactive policies are key to keeping Mat-Su salmon and their habitat intact, and not in a damaged state like much of the lower 48 states. In the Mat-Su, we still have intact salmon habitat and the Mat-Su Borough has exhibited great commitment and leadership in supporting that healthy freshwater habitat essential to wild abundant salmon runs. We encourage you to establish riparian buffer standards for anadromous streams (IM 16-057) that will help maintain healthy salmon habitat on top priority salmon streams in the Mat-Su. Thank you.

On behalf of the Steering Committee of the Mat-Su Salmon Partnership,



Jessica Speed
Mat-Su Basin Salmon Habitat Partnership Coordinator
907-865-5713
matsusalmon@tnc.org
www.matsusalmon.org

Mat-Su Basin Salmon Habitat Partnership Steering Committee:

Roger Harding, Alaska Department of Fish and Game
Erika Ammann, National Oceanic and Atmospheric Administration
Lee Stephan, Native Village of Eklutna
Arni Thomson, Alaska Salmon Alliance
Jon Gerken, U.S. Fish and Wildlife Service
Corinne Smith, The Nature Conservancy
Frankie Barker, Mat-Su Borough
Christy Cincotta, Tyonek Tribal Conservation District
Jessica Winnestaffer, Chickaloon Village Traditional Council

IM16-057
OR16-051



MATANUSKA-SUSITNA BOROUGH
Fish and Wildlife Commission
350 East Dahlia Avenue • Palmer, AK 99645

March 21, 2016

Mayor Vern Halter and Assembly Members
Matanuska-Susitna Borough
350 E. Dahlia Avenue
Palmer, Alaska 99645

RE: Riparian Buffers for Salmon Streams

Dear Mayor Halter and Assembly members;

This letter is to express the Fish and Wildlife Commission's (FWC) support for establishing riparian buffer standards for salmon streams and rivers. An ordinance will be coming forward to the Assembly to adopt standards for riparian buffers next to streams and rivers that are recognized as high priority habitat for salmon. This action is a wise investment for our community since it will enhance salmon habitat, prevent stream bank erosion and create greater resistance to flood damage on properties adjacent to flowing water bodies.

MSB has made considerable investment in improving fish habitat over the years recognizing the importance of maintaining areas for juvenile salmon rearing and spawning. Through the fish passage program, MSB and partners have replaced 102 culverts at a cost of over \$12 million, restoring access to miles of fish habitat and protecting our road infrastructure from flood damage. As a founding member of the Mat-Su Salmon Habitat Partnership, MSB has participated in efforts to educate the public about salmon life cycles and to provide grants to local organizations conducting salmon habitat projects.

We greatly appreciate the Mayor and Assembly's support for fisheries issues and the work of the Fish and Wildlife Commission. With your support, the FWC asked and received \$2.5 million in state assistance to improve our fisheries and is now embarking on a multi-year fisheries research program. It is important that the MSB demonstrate through our own actions that we are adopting local measures to keep salmon habitat healthy in order to continue to receive support from the state and other partners.

Establishing standards for riparian buffers along high priority salmon streams is a well-tested, cost effective approach to maintain healthy salmon habitat. We hope you will support this effort for the benefit of our fisheries and community.

Sincerely,

Terry Nininger, Chair
MSB Fish and Wildlife Commission

cc: John Moosey, Borough Manager

IM16-057
OR 16-051

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GREAT LAND TRUST

SOUTH CENTRAL ALASKA

Conserving and stewarding the lands and waterways essential to the quality of life and economic health of Alaskans

RE: Letter of Support: Riparian Buffer Ordinance (16- 057)

Assembly Members and Planning Commission,

Great Land Trust (GLT) is a non-profit land trust serving Southcentral Alaska. Our mission is to conserve and steward lands and waters essential to the quality of life and economic health of all Alaskans. This letter is to express our support for establishing riparian buffers along high priority salmon streams in the Mat-Su through the passage of Ordinance 16-057.

Since its founding, GLT has partnered with organizations, government entities, private landowners, and funders to conserve over 47,000 acres of land including 16,000 acres of wetlands, over 65 miles of salmon streams, eight historic homesteads and seven new community parks. Many of these parcels are open to the public and provide access to other public lands such as Palmer Hay Flats State Game Refuge and Chugach State Park.

In 2009, our board made the strategic decision to expand our presence in the Mat-Su Valley by opening an office in Palmer. To make sure we were focusing our efforts in the Mat-Su on the lands that have the highest conservation value, in 2012, we completed a Geographic Information System (GIS) based parcel prioritization to identify lands that contain priority habitat for salmon.

For the prioritization, we hosted a series of information gathering meetings with representatives from the Alaska Department of Fish and Game, Palmer Office, U.S. Fish and Wildlife Service, U.S. Geological Survey, Mat-Su Borough, Mat-Su Salmon Habitat Partnership, The Nature Conservancy, Chickaloon Native Village, Environmental Protection Agency, local fishing guides and community members. We asked them to identify the most important waterbodies for salmon in the Mat-Su. The result was a catalog of 35 streams, lakes and rivers that contained the highest quality salmon habitat in the MSB. In our efforts to better understand community interest and concerns regarding salmon streams it became very clear that there was overwhelming support for maintaining and restoring the salmon populations that make the MSB such a vibrant place to live.

Once the waterbodies were identified we used a series of filters to score parcels along each waterbody. Water quality concerns, declining populations, development density, wetland function and sport fishing were considered when assessing parcels along each system. Once the parcels were scored we used the prioritization to help identify and conserve over 7,000 acres of land including 5,000 acres of wetlands and 44 miles of stream corridor important for salmon in the Mat-Su.

In 2014, we mailed information packets to all 2,500 private landowners identified in our prioritization to provide them with resources to help care for their important salmon habitat. We also launched our King Makers campaign to celebrate the voluntary action landowners were taking to restore and conserve habitat on their property and we started our Baby Salmon Live Here sign campaign to install signs along Mat-Su roadways aimed at highlighting that salmon live all around us all year long.

**GREAT LAND TRUST**
SOUTH CENTRAL ALASKA

Conserving and stewarding the lands and waterways essential to the quality of life and economic health of Alaskans

All three of our initiatives are focused on identifying and conserving the riparian corridor so that salmon have the habitat necessary to spawn and rear now and into the future. We continue to receive very strong support and feedback from these efforts to maintain salmon streams in the MSB. Having the MSB institute riparian buffer standards would further support salmon, their habitat and the continuation of healthy populations in the region.

Sincerely,

Kim Sollien
Mat-Su Program Director

Box 923
Talkeetna, AK 99676
arri@arrialaska.org
907.315.4631



March 16, 2016

Mayor Vern Halter and Assembly Members
Matanuska-Susitna Borough
350 E. Dahlia Avenue
Palmer, Alaska 99645

Dear Mayor Halter and Assembly members;

Re: Support for Mat-Su Borough Ordinance 16-057
Riparian buffers on anadromous streams

The protection of natural vegetation along streams, rivers, and lakes is the single most important thing we can do to protect water quality, fish habitat, and our fisheries. Naturally vegetated streambanks filter pollutants and slow down surface runoff. The vegetation strengthens streambanks reducing erosion rates during floods. Trees and shrubs along the shore and wood within streams also slows down and reduces the energy of flood waters. Shoreline vegetation provides shade and food for fish from leaf litter to insects. Wood in streams helps store leaves and other food sources and provides important habitat for aquatic insects. Wood in streams creates pools and provides cover for fish.

The importance and benefits of natural vegetation along streams and lakes is unquestionably supported by the scientific community. There are literally thousands of scientific articles that have investigated and support the benefits of protecting riparian vegetation. We have attended a number of conference presentations that link the impacts to water quality and fish habitat to the loss of riparian vegetation, and the extraordinary costs and effort put toward habitat restoration. Protecting riparian areas is one of the cornerstones of the Mat-Su Borough Stormwater Management Plan.

We support the ordinance approach of standardized riparian widths on designated streams. Having served on the committee that developed riparian standards for timber harvest in the Mat-Su, I can attest to the difficulty of determining variable protection zones for different stream types or stream sizes. By adopting standard riparian protection zones, you will avoid the need for borough staff to devote time to interpreting and enforcing an ordinance that varies among locations.

We are Aquatic Ecologists with the Aquatic Restoration and Research Institute (www.arrialaska.org), and property owners that would be affected by this ordinance. We support the Mat-Su Borough's efforts toward protecting water quality and fish habitat and maintaining our fisheries.

Sincerely,

Jeff and Gay Davis

Im 16-057
OR 16-051



Mayor Vern Halter and Assembly Members
Matanuska-Susitna Borough
350 E. Dahlia Avenue
Palmer, Alaska 99645

Re: Endorsement of riparian buffers for anadromous streams ordinance (IM-16-057)

Dear Mayor Halter and Assembly members,

SDG would like to express our support for the anadromous streams and rivers ordinance (IM-16-057) addressing riparian buffers. Riparian buffers offer a critical protection to salmon habitat and ecosystems by improving water quality in developed and/or impacted areas. Riparian buffers provide vegetation that filter stormwater runoff of toxins, sediment, and other contaminants before they enter our local water bodies.

Riparian buffers have been regulated and protected throughout the world with outstanding results in increasing water quality and hydrologic function. In addition to water quality, these buffers provide critical habitat for aquatic species and land mammals along with other wildlife who use these fringe habitats for food, cover and as movement corridors.

The buffer widths as proposed within this ordinance (50'/100') will have a large and dramatic impact on water quality and salmon population. Buffer widths, as proposed, are small relative to the full scope of riparian habitat impacts. Fragile salmon fry habitat can be protected by these types of buffers that also serve to keep waters at more consistent temperatures. Riparian buffers offer predator protection, constant water temperatures, and a healthy aquatic environment as part of the success in maintaining salmon populations.

Healthy waterways and environments are part of the quality of life that defines the MatSu Borough. Thriving salmon populations encourage opportunities to contribute to economic growth, recreation, and wholesome lifestyles. SDG appreciates the planning departments work to prepare this comprehensive approach to implementing riparian buffers. We fully support approval of this important Borough ordinance to regulate and require riparian buffers as a part of development standards.

Sincerely,

A handwritten signature in black ink that reads 'Luanne Urfer'.

Luanne Urfer PLA ASLA

Principal

CLARB Certified Landscape Architect

Sustainable Design Group

247 S. Alaska Street
Palmer, Alaska 99645
907 745 3500

pg. 1

Im16-057
OR16-051

RIPARIAN BUFFERS

Frequently Asked Questions

1) What are Riparian Buffers?

Riparian buffers are vegetated areas along the edges of water bodies such as streams, lakes and rivers that provide shade and protect the water from adjacent land uses. Riparian comes from the Latin word “ripa” meaning river bank.

2) What are the benefits of riparian buffers?

Depending on their size and effectiveness, riparian buffers can prevent bank erosion, provide protection from flooding, protect salmon habitat and improve water quality by preventing sediments and pollutants from entering water bodies.

3) How do riparian buffers improve salmon habitat?

Salmon need cool, clear streams to live in. Juvenile salmon rely on plant cover and roots to provide slow-moving pools to hide from predators. Vegetation along rivers, streams and lake edges prevents sediment from getting into the water which can clog fish gills. Plants along the water’s edge provide shade and help to keep waters cool during the summer months.

4) What kind of vegetation should be in the buffers?

Native plants that occur naturally in the area are the best plants for riparian buffers. They require less maintenance and are used to the local climate. Plant species might include willow, alder, native grasses and other common wetland plants.

4.5) What about lawns?

Lawns and gardens can help trap and filter pollution and sediment before it gets into the water. However, shrubs, grasses and trees are better at slowing runoff. Fertilizers and chemicals used on lawns can get into water bodies, so it’s best to locate lawns as far away from the edge of the water as possible.

5) How big do riparian buffers need to be?

Buffer size may vary according to the size, speed and volume of a water body and the nature of adjacent land uses. For instance, on a small lake a buffer of 50-75 feet might be sufficient to prevent erosion, provide

habitat for salmon and protect water quality. On a larger water body such as a river, a riparian buffer of 100-200 feet might be necessary to stabilize the banks and provide flood prevention.

6) Is there a riparian buffer requirement in the Mat-Su?

There is no overall requirement to maintain vegetated riparian buffers along waterbodies in the Mat-Su, except on Borough or State owned lands when they are used for natural resource extraction. There is a structural buffer that requires property owners to build habitable structures at least 75 feet from the edge of a water body. There is also a *Voluntary Best Practices for Development Around Water Bodies* policy that recommends 75 foot riparian buffers.

7) What can I do if vegetation along the water's edge has been removed or disturbed?

Shorelines can be restored through replanting of native plants, and in some cases, rebuilding the shorelines using biological restoration techniques. There are agencies that can assist with shoreline restoration including Alaska Department of Fish and Game.

8) Water quality in the Mat-Su is generally good? Why would we need riparian buffers?

To keep our clean, cool water for people, wildlife and fish. There are several "impaired" water bodies in the Mat-Su as identified by ADEC. As the Mat-Su population grows, more riparian areas are disturbed or converted to non-native plants. Alaska streams and fish are very sensitive to changes in levels of nutrients from sources such as fertilizers, septic systems, pet waste and street deicers that can cause excessive plant growth, plant decay and reductions in water quality.

Air and water temperatures are rising throughout the area, threatening the cool waters that are important to salmon. There have been declines in salmon runs over the past decade causing the ADF&G to declare 8 salmon stocks in the Mat-Su as "stocks of concern". Small modifications of riparian habitat by individual landowners can lead to large-scale water quality changes when multiplied throughout an area.

CODE ORDINANCE

By: Borough Manager
Introduced:
Public Hearing:
Action:

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-051**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY; AMENDING 17.55.005 GENERAL; ADOPTING MSB 17.55.030 RIPARIAN BUFFER STANDARDS TO PROTECT ANADROMOUS FISH, WILDLIFE HABITAT AND WATER QUALITY IN DESIGNATED STREAMS; AMENDING 17.55.040 VIOLATIONS, ENFORCEMENT AND PENALTIES; AND AMENDING MSB 17.125.010 DEFINITIONS.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of section. MSB 17.55.005 General is hereby amended to read:

This chapter establishes minimum structural setbacks from lot lines, water courses and water bodies, rights-of-way, riparian buffer standards, and specific screening easements for certain lands within subdivisions in the Matanuska-Susitna Borough except where otherwise specified in special land use district regulations within this title.

Section 3. Adoption of section. MSB 17.55.030 Riparian Buffer Standards is hereby adopted to read:

17.55.030 RIPARIAN BUFFERS FOR ANADROMOUS WATER BODIES

(A) The following anadromous streams, as identified in the

"Atlas and Catalogue of Waters Important for Spawning,

Rearing or Migration of Anadromous Fish" published by the Alaska Department of Fish and Game are subject to this chapter:

- 1) Cache Creek
- 2) Cottonwood Creek
- 3) Fish Creek
- 4) Goose Creek
- 5) Jim Creek
- 6) Lake Creek
- 7) Little Meadow Creek
- 8) Lucille Creek
- 9) McRoberts Creek
- 10) Meadow Creek
- 11) Montana Creek
- 12) Queer Creek
- 13) Rabideaux Creek
- 14) Sawyer (Buddy) Creek
- 15) Sheep Creek
- 16) Sunshine Creek
- 17) Swift Creek
- 18) Trapper Creek
- 19) Twister Creek
- 20) Wasilla Creek
- 21) Whiskers Creek
- 22) Wiggle Creek

- 23) Willow Creek
- 24) Little Susitna River
- 25) Matanuska River
- 26) Susitna River

(B) As of the effective date of this section, the natural vegetation within the following specified distances of the Ordinary High Water Mark (OHW) of the designated bodies of water or watercourses shall be retained as a riparian buffer. The width of the riparian buffer is based on the particular land use.

(1) The riparian buffer width on parcels developed for private residential or recreational use shall be fifty feet (50') from the OHW mark.

(2) The riparian buffer width on parcels developed for multi-family residential or public use shall be one hundred feet (100') from the OHW mark.

(3) The riparian buffer width on parcels developed for commercial or industrial use shall be one hundred feet (100') from the OHW mark.

(4) If riparian buffers required by other permits or regulations are larger than those specified above, the larger buffer widths shall stand.

(C) The area within riparian buffers may be 'minimally disturbed,' and developed in accordance with the relevant

provisions of MSB code, state, federal, or other authorities.

- (1) 'Minimal disturbance' allows for limited vegetation removal (e.g., to eliminate hazards or open a view), and a provision for water access.
 - (2) 'Minimal disturbance' does not allow the conversion of the buffer to another use.
 - (3) Where the vegetation within a riparian buffer is principally composed of species considered by the MSB to pose a 'Very High' or 'Extreme Fire Risk Hazard' Rating (i.e., black spruce), such vegetation may be thinned in accordance with MSB Community Wildfire Protection Plan recommendations to reduce fire risk.
- (D) Unless specifically authorized under other sections of this or other MSB Titles, the following activities are prohibited within the riparian buffer:
- (1) Complete removal of native vegetation from more than 10 percent (10%) of the surface area.
 - (2) Alteration of original land contours (grading and filling) of more than ten percent (10%) of the surface area.
 - (3) Storing or discharging solid or liquid waste, including debris, and animal and yard wastes.
 - (4) Stockpiling and storing snow.

- (E) Herbaceous vegetation and tree root masses shall not be disturbed when removing trees from the buffer; nor shall wetlands within riparian buffers be disturbed or filled except as specifically provided for within this Title (such as to establish the waterfront access allowed under 17.55.040).
- (F) Roads, utilities, and other linear developments (e.g., trails, railroad), shall cross watercourses and their associated riparian buffers at as close to a perpendicular angle as possible. Bridge deck height and abutment setback distances shall be sufficient to support natural bank vegetation.
- (G) Roads, utilities and other linear development shall not result in the modification of riparian buffers, natural stream banks and shorelines, or other provisions for vehicles to ford streams unless specifically authorized by local, state or federal permits.
- (H) Construction or other development within a riparian buffer may require a MSB Flood Hazard Development Permit.

Section 4. Amendment of section. MSB 17.55.040 Violations, Enforcement and Penalties is hereby amended to read:

- (A) Except as otherwise specified in this chapter, violations of this chapter are infractions.

(B) Violations of parts 17.55.030 of this chapter which occur solely as a result of natural actions beyond the land owner's control (e.g., the migration of river channels) shall not be subject to enforcement actions.

(C) Remedies, enforcement actions, and penalties shall be consistent with the terms and provisions of MSB 1.45.

Section 5. Amendment of section. MSB 17.125.010 Definitions is hereby amended to read:

"Anadromous" means pertaining to fish such as salmon that

"Minimal disturbance" means to retain the principal character and function of a land characteristics.

"Ordinary High Water Mark (OHW)" means (A) in the non-tidal portion of a river, lake, or stream: the portion of the bed and banks up to which the presence and action of the water is so common and usual, and so long continued in all ordinary years, as to leave a natural line or "mark" impressed on the bank or shore as indicated by erosion, shelving, changes in soil characteristics, destruction of terrestrial vegetation, or other distinctive physical characteristics; (B) in a braided river, lake, or stream: the area delimited by the natural line or "mark" as defined in part A above, impressed on the bank or shore of the outside margin on

the most distant channels; or (C) in the tidally influenced portion of a river, lake, or stream: the portion of the bed(s) and banks below the OHW as described in A or B above, or mean high water elevation; whichever is higher at the project site. (11 AAC 195.010).

"Public Use" means the use of land or building that includes as its principal activity the provision of goods or services to the general public or community at large on other than a for-profit basis including but not limited to parks, trails, open space, recreation areas, schools, churches, libraries, fire, law enforcement and the offices of governmental or non-profit agencies.

"Riparian" means pertaining to anything connected with or the area immediately adjacent to a body of water or watercourse.

Section 6. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

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By: Frankie Barker
Introduced: May 2, 2016
Public Hearing: May 16, 2016
Action:

**MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 16-19**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING THAT THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMEND 17.55.005 GENERAL; ADOPT MSB 17.55.030 RIPARIAN BUFFER STANDARDS TO PROTECT ANADROMOUS FISH, WILDLIFE HABITAT AND WATER QUALITY IN DESIGNATED STREAMS; AMEND 17.55.040 VIOLATIONS, ENFORCEMENT AND PENALTIES AND AMEND MSB 17.125.010 DEFINITIONS.

WHEREAS, the Matanuska-Susitna Borough (MSB) has taken significant actions over the years to protect fisheries and fish habitat in the region; and

WHEREAS, the Assembly created the Mayor's Blue Ribbon Sportsman's Committee which was later renamed the MSB Fish and Wildlife Commission; and

WHEREAS, the Fish and Wildlife Commission has successfully advocated for increased resources for the Mat-Su to improve fish habitat and management in Upper Cook Inlet over the past several years; and

WHEREAS, MSB is a founding member of the Mat-Su Basin Salmon Habitat Partnership and continues to have a representative on the Steering Committee; and

WHEREAS, since 2006, the Salmon Partnership has awarded nearly \$2 million for more than 70 science, conservation and restoration projects to improve fish habitat in the Mat-Su; and

WHEREAS, in 2013, the Planning Commission and the Assembly approved an ordinance (OR 13-083) to require all new culverts installed along anadromous streams to be designed and constructed to allow for fish passage; and

WHEREAS, salmon are a highly valued resource in the Mat-Su and throughout the state and need cool, clean water and healthy freshwater habitats in order to thrive; and

WHEREAS, removal of vegetation along stream banks can negatively affect salmon and other aquatic life by increasing pollution entering streams, increasing sedimentation, removing shade and vegetation cover that provides habitat for juvenile fish and increasing water temperatures; and

WHEREAS, riparian buffers, in addition to protecting fish habitat, can prevent bank erosion, reduce flooding impacts, decrease stormwater runoff and protect private property from damage caused by high water events; and

WHEREAS, the specific streams and rivers designated in this ordinance were selected by an interagency team of local, state and federal land managers and scientists in 2013 as high priority water bodies based on their importance for salmon spawning, rearing and overwintering habitat; and

WHEREAS, this action adds to the many positive steps that the Borough has taken to protect fish and fish habitat.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission recommends the Borough Assembly amend 17.55.005 General; adopt MSB 17.55.030 Riparian buffer standards to protect anadromous fish, wildlife habitat and water quality in designated streams; amend 17.55.040 Violations, Enforcement and Penalties and amend MSB 17.125.010 Definitions.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this ___ day of ___, 2016.

JOHN KLAPPERICH, Chair

ATTEST

MARY BRODIGAN, Planning Clerk

(SEAL)

YES:

NO:

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**INTRODUCTION FOR PUBLIC HEARING
LEGISLATIVE**

Resolution No. 16-22

Proposed Amendments
To MSB 17.60
For Permit Requirements and Standards
For Marijuana Related Facilities

(Page 89 - 96)

INTRODUCTION FOR PUBLIC HEARING

By: Alex Strawn
Introduced: May 2, 2016
Public Hearing: May 16, 2016
Action:

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 16-22**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING AMENDMENTS TO ASSEMBLY ORDINANCE 16-003, AN ORDINANCE AMENDING MSB 17.60 TO INCLUDE PERMIT REQUIREMENTS AND STANDARDS FOR MARIJUANA RELATED FACILITIES.

WHEREAS, the Planning Commission held a public hearing on Ordinance 16-003 on January 18, 2016; and

WHEREAS, the Planning Commission adopted resolution 16-01 recommending approval of Assembly Ordinance 16-003 with the following changes:

- A. remove language which regulates signage
- B. explicitly prohibit marijuana related facilities from residential areas
- C. eliminate the 5,000 square foot cap on marijuana cultivation facilities
- D. exempt cultivation facilities less than 500 square feet
- E. Add objective parking and traffic standards
- F. adopt definitions for recreation facilities, marijuana product manufacturing facilities, and marijuana products
- G. eliminate setback requirements from boat ramps

- H. modify the setbacks within MSB 17.60.150(B) to be consistent with state standards
- I. consider removing standards for traffic impacts; and
- J. require the applicant to provide written documentation of compliance with:
 - 1. all applicable licenses as required by 3 AAC 306.005.
 - 2. fire code, including but not limited, to AS 18.70 FIRE PROTECTION, and 13 AAC 50.025 FIRE CODE; and
 - 3. not limit security to education measures.

WHEREAS, staff prepared amendments to Assembly ordinance 16-003 to reflect the Planning Commission's recommendations; and

WHEREAS, the amendments prepared by staff satisfactorily implement the recommendations made by the Planning Commission; and

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby supports the amendments recommended by staff in the table attached hereto.

BE IT FURTHER RESOLVED, the Matanuska-Susitna Borough Planning Commission recommends adoption of a 100 foot setback for cultivation facilities as recommended in option one within the table attached hereto.

BE IT FURTHER RESOLVED, the Matanuska-Susitna Borough Planning Commission recommends the Assembly define "residential

area" and prohibiting retail facilities from locating within residential areas unless the lot is accessed by a frontage road or other major thoroughfare that is conducive to commercial use.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this ___ day of ___, 2016.

JOHN KLAPPERICH, Chair

ATTEST

MARY BRODIGAN, Planning Clerk

(SEAL)

YES:

NO:

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Adopt 16-003 with no changes

PLANNING COMMISSION
- Higher setback standards compared to state

- 500 feet from drug/alcohol rehab facilities, halfway houses, correctional facilities
- 1,000 feet from schools (state requires 500 feet)
- 1,000 feet from child care facilities
- 500 feet from public parks, playgrounds, boat ramps, similar recreational amenities

- Lacks critical definitions

- Marijuana products
- Marijuana product manufacturing facility

- Lacks specific standards for retail facilities

- Parking standards
- Exclusion from residential neighborhoods

- Does not require demonstration of compliance with Fire Marshall

1. Remove sign standards

- Amend MSB 17.60.150 (A) (1) :
(1) any potential negative effect upon other properties in the area due to such factors as noise, and odor, or obtrusive advertising;
- Amend MSB 17.60.150 (A) (3) (c)
(c) reduction or elimination of obtrusive or garish signage;

2. Exempt "limited" grow operations

- Amend MSB 17.60.030 (A) (5) (a)
(a) Cultivation facilities with less than 500 square feet under cultivation are exempt under this chapter.

3. Eliminate 5,000 sq. ft. cap on cultivation facilities

- Strike MSB 17.60.160 (E)
Marijuana cultivation facilities may not exceed 5,000 square feet on any given parcel. The 5,000 square foot limit only applies to areas of plant cultivation and does not include administrative space, processing space, bathrooms, or storage space.

4. Parking standards

- Amend MSB 17.125.010
"Net floor area" means the total of all floor areas of a building or lease area, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading
- Strike MSB 17.60.150 (A) (4)
(4) whether there are adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit;
- Amend MSB 17.60.170*
(B) The minimum number of parking spaces for retail facilities shall be one space per 350 square feet of net floor area. Each parking space shall be at least: 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet.
(C) One barrier-free parking stall shall be provided for every 25 required parking spaces. Each barrier-free parking stall shall be at least: 20 feet in length, ten feet wide with a five-foot adjacent access aisle, and have a vertical clearance of at least eight feet.

5. Remove standards for traffic impacts

- MAY 2, 2016
- Strike MSB 17.60.150 (A) (2)
(2) any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector, or street from which access to and from the establishment is obtained;
 - Strike MSB 17.60.150 (A) (3) (d)
(d) clustering with other commercial establishments and use of frontage roads to reduce the number of entries and exits onto highways, arterials and collectors; and
 - Amend MSB 17.60.150 (A)
(5) whether access to the premises will create an unreasonable traffic hazard;
(6) whether a reasonably expected increase in traffic will overtax existing road systems;

6. Reduce setback standards to match state

- Amend MSB 17.60.150 (B)
(1) within 500 feet of a school grounds, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility; within 50 feet of any residence located on an adjacent property, but excluding residential units that are located within the subject property;
(2) 500 feet of any drug or alcohol rehabilitation facilities;
(3) 500 feet of any half way house or correctional facility;
(4) 1,000 feet of any elementary school, middle school, high school, college, or university, whether public or private;
(5) 1,000 feet of any licensed child care facility; or
(6) 500 feet of any public park, playground, boat ramp, or other similar recreational amenity open to the public.

- Amend MSB 17.60.150 (C)
(C) Separation distances referenced in (B) of this section are measured [in a direct line between the closest point of the facility within which the marijuana facility is located, and the closest point on the lot or parcel of land upon which any of the above itemized uses are located] by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the school, recreation or youth center, or the main public entrance of the building in which religious services are regularly conducted, or the correctional facility.

- Amend MSB 17.125.010
"Recreational facility" means a place designed and equipped for the conduct of sports or recreational uses. Recreational Facility does not include the following: water bodies, bike or walking paths constructed within a public or private right-of-way.

"Marijuana product manufacturing facility" means an entity registered to purchase marijuana; manufacture, prepare, and package marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.

"Marijuana products" means concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures.

"recreation or youth center" means a building, structure, athletic playing field, or playground which is:

- (a) run or created by a local government or the state to provide athletic, recreational, or leisure activities for minors; or
- (b) operated by a public or private organization licensed to provide shelter, training, or guidance for persons under 21 years of age.

7. Prohibit cultivation facilities from residential areas

Option 1

- Adopt MSB 17.60.160 (F)
(F) Marijuana cultivation facilities shall be set back 100 feet from public rights-of-way, and 100 feet from side or rear lot lines.

Option 2

- Adopt MSB 17.60.160 (F)
(F) Marijuana cultivation facilities are prohibited from locating within:
(1) the core area as described in the official Core Area Comprehensive Plan and its amendments;
(2) Residential Land Use Districts established by MSB 17.52;
(3) Single-Family Residential Land Use Districts as defined by MSB 17.75;
(4) Large Lot Single-Family Residential Land Use Districts established by MSB 17.76;
(5) Residential Planned Unit Developments established by MSB 17.36.

Option 3

- Amend MSB 17.125.010
"Residential Area" means any subdivision of four or more lots where at least 50 percent of the lots are improved with single-family or multifamily structures, or a subdivision of four or more lots where at least 75 percent of the lots are restricted by private covenants or zoning to residential purposes.
- Adopt MSB 17.60.160 (F)
(F) Marijuana cultivation facilities shall not be located within residential areas.

8. Prohibit retail facilities from residential areas

- Adopt MSB 17.60.170 (A) *
(A) Marijuana retail facilities shall not be located within a residential area unless the lot is accessed by a frontage road or other major thoroughfare that is conducive to commercial use.
- Adopt definition of "Residential Area" from Option 3 above.

9. Require demonstration of compliance with state law

- Adopt MSB 17.60.150 (D)
(D) Prior to final approval of the permit the applicant shall provide written documentation:
1. all applicable licenses have been obtained as required by 3 AAC 306.005.
2. from the Fire Marshal having jurisdiction, that proposed conditional use is in full compliance with all applicable fire code, including but not limited, to AS 18.70.010-.160 FIRE PROTECTION, and 13 AAC 50.025-0.80 FIRE CODE.

10. Other changes recommended by staff

- *Adopt New Subsection MSB 17.60.170 STANDARDS FOR MARIJUANA RETAIL FACILITIES
- Amend MSB 17.60.150 (A)
(7) whether the use is incompatible compatible with the character of the surrounding area.
- Amend MSB 17.60.160 (D)
Security. The applicant shall provide a security plan. The plan shall include, but not be limited to, education for employees on security measures.
- Consider increasing buffer from school grounds to 1,000 feet to ensure compliance with federal law.

* MSB 17.60.170 is not currently within Ord. 16-003. The section of code would need to be added in order to implement any of the suggestions marked with an asterisk.

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COMMISSION BUSINESS
Upcoming PC Agenda Items

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COMMISSION BUSINESS

MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7833 • Fax (907) 861-7876

Email: planning@matsugov.us**MEMORANDUM**

DATE: April 22, 2016

TO: Planning Commissioners

FROM: Eileen Probasco, Director of Planning and Land Use

SUBJECT: Items tentatively scheduled for future PC Meetings or Administrative Actions and Updates on PC items sent to the Assembly

May 16, 2016 (*MSB Assembly Chambers*)

Introduction for Public Hearing Quasi-Judicial

- **Resolution 16-20**, A request for a Conditional Use Permit in accordance with MSB 17.70, Regulation of Alcoholic Beverages Uses, for the operation of a Liquor Package Store within a proposed convenience store, located on Lot 11, Hollywood Heights; 14468 W. Hollywood Road; within Township 17 North, Range 3 West, Section 24. Public Hearing: June 6, 2016. (*Applicant: Three Bears Alaska, Inc., Staff: Susan Lee*)

Introduction for Public Hearing Legislative

(None)

Agency/Staff Reports

- Update on the old Iditarod School Site. (*Staff: Nancy Cameron*)

Land Use Classifications

(None)

Public Hearing Quasi-Judicial

(None)

Public Hearing Legislative

- **Resolution 16-21**, recommending Assembly approval of an Interim Materials District (IMD) at the MSB Central Landfill in accordance with MSB 17.28 – Interim Materials District, for the extraction of 3,120,000 cubic yards of earth material from 45 acres within a 120-acre area, located within Township 17 North, Range 1 East, Section 1, Tax Parcel D5 (17N01E01D005). (*Applicant: MSB Land Management, Staff: Mark Whisenhunt*)

- **Resolution 16-19**, recommending Assembly adoption of an Ordinance establishing Riparian Buffer Standards on High Priority Salmon Streams. Referred by the Assembly to the PC on April 20, 2016, for 90 days. (*Staff: Frankie Barker*)
- **Resolution 16-22**, recommending amendments to Assembly Ordinance 16-003, an Ordinance Amending MSB 17.60 to Include Permit Requirements and Standards for Marijuana Related Facilities. Referred by the Assembly to the PC on April 5, 2016, for 90 days. (*Staff: Alex Strawn*)

Unfinished Business

(None)

New Business

(None)

Commission Business

(None)

June 6, 2016 (*MSB Assembly Chambers*)

Introduction for Public Hearing Quasi-Judicial

(None)

Introduction for Public Hearing Legislative

(None)

Agency/Staff Reports

(None)

Land Use Classifications

(None)

Public Hearing Quasi-Judicial

- **Resolution 16-20**, A request for a Conditional Use Permit in accordance with MSB 17.70, Regulation of Alcoholic Beverages Uses, for the operation of a Liquor Package Store within a proposed convenience store, located on Lot 11, Hollywood Heights; 14468 W. Hollywood Road; within Township 17 North, Range 3 West, Section 24. (*Applicant: Three Bears Alaska, Inc., Staff: Susan Lee*)

Public Hearing Legislative

(None)

Unfinished Business

(None)

New Business

(None)

Commission Business*(None)*

Upcoming PC ActionsQuasi-Judicial

- Victor Damyan junkyard CUP, 17N02W27B006. *(Staff: Susan Lee)*
- Rocky Lake Setback Variance. *(Applicant: Michael Solmonson, Staff: Mark Whisenhunt)*
- Earth Materials Extraction CUP, 18N02W27D009. *(Applicant: T&J Gravel, Staff: Susan Lee)*
- Tews Junkyard CUP, 17N03W09A019 and A007. *(Staff: Susan Lee)*
- Burnett Variance. *(Applicant: Stephen Spence, Staff: Susan Lee)*
- Knik Super Store Package Store Expansion CUP. *(Staff: Susan Lee)*
- MTA Tall Structure CUP, 18N04W11A001. *(Staff: TBD)*

Legislative

- Denali State Park SpUD. *(Staff: Eileen Probasco)*
- Noise and Sound Code Update (Throughout MSB Code): Amendments will make noise and sound requirements more consistent, enforceable, and reasonable. *(Staff: Mark Whisenhunt)*
- Denali Hwy, MP 99, IMD, T19N, R2W. Section 10 & 15, FM. *(Applicant: AKDOT, Staff: Susan Lee)*

Other Upcoming Administrative Actions (Not going to the PC)

- Nash/Chijuk Creek NRMU Timber Transportation Permit. *(Staff: Susan Lee)*
- MEA Lazelle Substation into Herning Substation Public Participation Plan. *(Staff: Susan Lee)*
- Davis Legal Nonconforming Status Determination for a structure. *(Staff: Susan Lee)*
- Trapper Creek Bluegrass Festival Special Events Permit. *(Staff: Susan Lee)*
- QAP/Sandstrom Earth Materials Extraction Administrative Permit, 19N04W02B004. *(Staff: Mark Whisenhunt)*
- Crystal Shores Nonconformity Determination. *(Staff: Mark Whisenhunt)*
- Plumley Nonconformity Determination. *(Staff: Mark Whisenhunt)*
- Minnick Earth Materials Extraction Administrative Permit. *(Staff: TBD)*
- Central Landfill Earth Materials Extraction Administrative Permit. *(Staff: Mark Whisenhunt)*

PC Decisions Currently Under Appeal

- **Resolution 15-01**, a resolution adopting findings of fact and conclusions of law to support the Planning Commissions failure to approve Resolution 14-33. (*CMS appeal of BOAA decision to Superior Court on March 31, 2015*)
- **Resolution 15-43**, a resolution adopting findings of fact and conclusions of law to support the Planning Commissions failure to approve Resolution 15-36, approving a set-back structure for a new building in Clester Extension. BOAA Appeal Hearing scheduled for April 25, 2016. (*Staff: Susan Lee, Applicant: Ivan and Lynne Schuening*)

Updates/Presentations/Work Sessions

- Planning Commission Powers (*Staff: Lauren Driscoll, Alex Strawn, and Assistant Borough Attorney*)

Updates on PC items going to the Assembly (Pending)

Planning Commission		Assembly	
Reso		ORD/Reso #	IM
Resolution 16-01 , A resolution recommending the Assembly approval of Ordinance Serial Number 16-003 Amending MSB 17.60 to include Permit Requirements and Standards for Marijuana Related Facilities, and Repealing Inapplicable Definitions. Referred to the Planning Commission on December 15, 2015, for 45 days. (<i>Staff: Alex Strawn</i>)		ORD # 16-003	IM # 16-029
Actions:	01/04/16 – PC Introduction 01/18/16 – PC Public Hearing – Amended/Approved 02/02/16 – Assembly New Business 03/01/16 – Assembly Public Hearing – Postponed until 03/15/16 03/15/16 – Assembly Public Hearing – Postponed until 04/05/16 04/05/16 – Unfinished Business – Referred back to MAC and PC For 90 days (07/04/16).		

Planning Commission		Assembly	
Reso		ORD/Reso #	IM
Resolution 16-05 , A resolution recommending Assembly adoption of the Seldon Road Extension Corridor Access Management Plan. (<i>Staff: Mike Campfield</i>)		ORD # 16-__	IM # 16-__
Actions:	01/08/16 – PC Introduction 02/01/16 – PC Public Hearing – Approved		

Planning Commission		Assembly	
Reso		ORD/Reso #	IM
<p>Resolution 16-07, A resolution recommending Assembly approval of an Interim Materials District (IMD), known as Alsop East; located on Tract A, Point MacKenzie Phase I Subdivision; within Township 15 North, Range 4 West, Section 27, Seward Meridian. (Staff: Susan Lee, Applicant: MSB Land Management)</p>		ORD # 16-037	IM # 16-056
Actions:	02/01/16 – PC Introduction 03/07/16 – PC Public Hearing – Amended/Approved 04/05/16 – Assembly Introduction 04/19/16 – Assembly Public Hearing – Postponed to 05/17/16		

Planning Commission		Assembly	
Reso		ORD/Reso #	IM
<p>Resolution 16-08, a resolution recommending Assembly approval of an Interim Materials District (IMD) in accordance with MSB 17.28 – Interim Materials District, for the extraction of 750,000 cubic yards of earth material from a 25-acre site within a 40-acre parcel, located within Township 17 North, Range 04 West, Section 25, Tax Parcel B19 (17N04W25B019) Seward Meridian. (Staff: Mark Whisenhunt, Applicant: Happy Heairet)</p>		ORD # 16-049 And 16-049 SUB	IM # 16-076
<p>Resolution 16-16, A resolution adopting findings of fact and conclusions to support denial of Resolution 16-08. <i>March 21, 2016, Failed</i></p>			
<p>Resolution 16-18, A resolution adopting findings of fact and conclusions to support denial of Resolution 16-08. <i>March 21, 2016, Approved.</i></p>			
Actions:	03/07/16 – PC Introduction 03/21/16 – PC Public Hearing - Failed 04/19/16 – Assembly Introduction 05/03/16 – Assembly Public Hearing		

Planning Commission		Assembly	
Reso		ORD/Reso #	IM
Resolution 16-13 , a resolution recommending the Assembly adopt MSB 8.41, Marijuana Related Facility License Referrals. Referred to the Planning Commission by the Assembly on February 16, 2016, and due back by May 16, 2016. (Staff: Alex Strawn)		ORD # 16-021	IM # 16-027
Actions:	03/07/16 – PC Introduction 03/21/16 – PC Public Hearing – Approved		

Planning Commission		Assembly	
Reso		ORD/Reso #	IM
Resolution 16-14 , a resolution recommending Assembly approval to amend Ordinance MSB 15.24.030, adopting the MSB Metropolitan Planning Organization (MPO/) Self-Assessment Study. (Staff: Jessica Smith)		ORD # 16-__	IM # 16-__
Actions:	03/21/16 – PC Introduction 04/04/16 – PC Public Hearing – Approved		

Planning Commission		Assembly	
Reso		ORD/Reso #	IM
Resolution 16-17 , a resolution recommending Assembly adoption of the Louise Susitna Tyone Lakes Comprehensive Plan Update previously known as the Lake Louise Comprehensive Plan. Public Hearing continued from April 4, 2016. (Staff: Sara Jansen)		ORD # 16-__	IM # 16-__
Actions:	03/21/16 – PC Introduction 04/18/16 – PC Public Hearing – Approved		

Updates on PC items going to the Assembly (Complete)

Planning Commission		Assembly	
Reso		ORD/Reso #	IM
Resolution 16-10 , a resolution recommending Assembly approval to classify lands and approve said lands for inclusion in the 2016 Competitive Sealed Bid Land Sale (MSB007129). (Staff: Nancy Cameron)		ORD # 16-036 Reso # 16-035	IM # 16-055
Actions:	03/07/16 – PC Land Classification – Approved 04/05/16 – Assembly Introduction 04/19/16 – Assembly Public Hearing – Adopted		