### **PC Reso 23-22**

From: LINDA OXLEY < Imoxley@mtaonline.net>

**Sent:** Friday, May 26, 2023 8:12 PM

To: Taunnie Boothby

Cc: Steven Gieryic; Alex Strawn; Jason Ortiz; Corinne Lindfors; Karol Riese

Subject: Re: Interest in Waterbody Setback Changes

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Thank you both...

Linda

From: "taunnie boothby" <Taunnie.Boothby@matsugov.us>

To: "Steven Gieryic" < gieryic@gmail.com>

Cc: "LINDA OXLEY" < Imoxley@mtaonline.net>, "Alex Strawn" < Alex.Strawn@matsugov.us>, "Jason Ortiz" < Jason.Ortiz@matsugov.us>, "Corinne Lindfors" < Corinne.Lindfors@matsugov.us>, "Karol

riese" <Karol.Riese@matsugov.us>
Sent: Friday, May 26, 2023 3:25:57 PM

Subject: Interest in Waterbody Setback Changes

Hi Steve,

Thank you for talking with me regarding your interest in the waterbody setback legislation. As I mentioned there is a way to listen to the **Planning Commission** meeting online and to provide your public testimony.

#### June 5, 2023 REGULAR MEETING 6:00 p.m.

Ways to participate in the meeting:

IN PERSON: You will have 3 minutes to state your oral comment.

IN WRITING: You can submit written comments to the Planning Commission Clerk at

msb.planning.commission@matsugov.us. Written comments are due at noon on the Friday prior to the meeting.

#### **TELEPHONIC TESTIMONY:**

- Dial 1-855-290-3803; you will hear "joining conference" when you are admitted to the meeting.
- You will be automatically muted and able to listen to the meeting.
- When the Chair announces audience participation or a public hearing you would like to speak to, press \*3; you will hear, "Your hand has been raised."
- When it is your turn to testify, you will hear, "Your line has been unmuted."
- State your name for the record, spell your last name, and provide your testimony.

**OBSERVE:** observe the meeting via the live stream video at:

- https://www.facebook.com/MatSuBorough
- Matanuska-Susitna Borough YouTube

Planning Commission web page - https://matsugov.us/boards/planningcommission

June 5<sup>th</sup> Planning Commission meeting packet - <u>June-5-PACKET.pdf (matsugov.us)</u>
Resolution # 23-22 amending MSB 17.55 – Water body Setbacks; packet pages are 733 – 776

I hope this is helpful. Please let me know if you have any questions. Thank you,

Taunnie L. Boothby, CFM, Planner II, Floodplain Administrator

Matanuska-Susitna Borough
Planning Department – Northern Office/Willow Library
(907) 861-8526
taunnie.boothby@matsugov.us

From: Steven Gieryic <gieryic@gmail.com> Sent: Friday, May 26, 2023 2:36 PM

To: Taunnie Boothby <Taunnie.Boothby@matsugov.us>
Subject: Fwd: Matsu Borough Meeting May 16 Update

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Taunnie - do you have any additional details on what the 75 ft set back modification conversation is around? Are they discussing removing, reducing, increasing the set back?

----- Forwarded message -----

From: LINDA OXLEY < lmoxley@mtaonline.net>

Date: Thu, May 25, 2023 at 8:54 PM

Subject: Re: Matsu Borough Meeting May 16 Update

To: Steven Gieryic < gieryic@gmail.com >

Cc: taunnie boothby < taunnie.boothby@matsugov.us >

#### Hi Steven.

I apologize for the delay in responding, I needed to line up a resource for both of us. I receive the emails on behalf of WACO and then try to connect the correct people to improve communication. I don't know any of the details about the 75 ft set back conversation. But I have included Taunnie Boothby's email above. One of her duties is helping people with borough permitting and she is a great resource about this issue. Her office is in the Willow library but you can email her as above. Glad you are interested in this issue.

Linda Oxley

Past Chair, WACO

From: "Steven Gieryic" < gieryic@gmail.com>

To: "WACO" <admin@waco-ak.org>

Sent: Wednesday, May 17, 2023 4:58:36 PM

Subject: Re: Matsu Borough Meeting May 16 Update

What is the meeting on the 75 ft body of water / building set back intended to discuss? Do you know if they plan / wish to reduce or increase that setback?

On Wed, May 17, 2023 at 12:54 PM WACO <admin@waco-ak.org > wrote:

View this email in your browser

The Borough Meeting went on until the mayor forced it closed at 12am because no meeting was scheduled for 5/17/23, made hearing public testimony difficult. We are making this separate announcement because WACO will not meet before the next Borough Meeting on June 6th.

Willow Logging - Motion to rescind was postponed to June 6th meeting by Rep Yundt. They want to bring in more experts according to Rep Bernier despite WACO writing two separate letters in unanimous opposition.

Gravel Ordinance - 2000 cubic yards to 10000 cubic yards with no permit. After 6 hours of discussion postponed to June 6th

75 ft body of water/building setback set to public hearing June 6th

Finally - The MSB is hosting an Opioid Remediation Needs Assessment

# meeting on Thursday, May 18, at 6:00 pm at the Willow Community Center.



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You were subscribed to the newsletter from the WACO-AK.ORG website.

#### Our mailing address is:

WACO PO Box 1027 Willow, AK 99688

### Add us to your address book

Want to change how you receive these emails?
You can <u>update your preferences</u> or <u>unsubscribe from this list</u>.



From:

Rosemary Ludvick < ludvickrts@yahoo.com>

Sent:

Wednesday, May 31, 2023 2:59 PM

To:

MSB Planning Commission

Subject:

resolution 23-22 75 ft setback

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.] I am against this !!!

Rosemary Ludvick 1980 N Finger Cove Drive Palmer AK 99645

From:

Rosemary Ludvick < ludvickrts@yahoo.com>

Sent:

Wednesday, May 31, 2023 3:02 PM

To:

MSB Planning Commission

Subject:

Resolution 23-22

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.] I am against this resolution!! Leave well enough alone!!

Rosemary Ludvick 1980 N Finger Cove Drive Palmer AK 99645

From:

Eric Booton < Eric.Booton@tu.org>

Sent:

Thursday, June 1, 2023 6:42 PM

To:

MSB Planning Commission

Subject:

Resolution 23-22

Attachments:

20230602 Planning Commission Set Back Ordinance - Trout Unlimited.pdf

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Please accept the attached comment on Resolution 23-22 on behalf of Trout Unlimited.

Thank you,

Eric Booton

Angler Engagement Manager & Eklutna Project Manager Trout Unlimited | Eric.Booton@tu.org

Dena'inaq elnen'aq' gheshtnu ch'q'u yeshdu

I live and work on the land of the Dena'ina.





June 5, 2023

Matanuska-Susitna Borough Planning Commission 350 E. Dahlia Ave. Palmer, AK 99645

RE: Resolution 23-22

Dear members of the Matanuska-Susitna Planning Commission,

I am contacting you today on behalf of Trout Unlimited, our members and supporters who live, work and recreate in the Matanuska and Susitna River basins, in support of maintaining Mat-Su Borough's existing waterbody setback ordinance. Significant changes to the current ordinance would be in contradiction to maintaining the basic function of the lakes, streams and riparian areas and safeguarding the significant investments of the Mat-Su Borough to reconnect and restore fish habitat. It would also compromise the health of our fish habitat, impacting fisheries, recreation and the local tourism economy that depends heavily on thriving fisheries.

At Trout Unlimited (TU) our staff in Alaska are dedicated to ensuring Alaska's wild trout and salmon populations continue to thrive and the rivers and clean water they depend on remain healthy for the benefit of all Alaskans. TU has a strong presence in the Mat-Su with many active volunteers and business members. Additionally, we have more than 20,000 members and supporters across Alaska. We have an established history of supporting bipartisan efforts to protect and conserve fishery resources and are active participants in fish habitat restoration projects across the state by working with diversity of partners.

On behalf of our members and business members who live and frequently fish within the Mat-Su Borough, we respectfully request that members of Planning Commission vote against Resolution 23-22 and support hosting a work session to further discuss the waterbody setback. We recognize that there are challenges to implementing and enforcing this ordinance that must be addressed, but we feel the Fish & Wildlife Commission provided strong recommendations for addressing these challenges that should be further considered.

Riparian areas are the zone of vegetation where land and water meet along rivers and lakes and they benefit residents, economies, and the state. Removing, altering, or disturbing vegetation along water bodies is known to impact spawning and rearing habitat for salmon and are important to ensuring the future of this valuable resource. Not only does streambank vegetation supply shade cooler water temperatures, it creates protection for juvenile fish, combats erosion, reduces damage from flooding, naturally filters urban pollutants in run off and more. When riparian areas are degraded by human activity, water bodies are prone to increasing temperatures and decreased water quality, fish lose habitat, communities are more vulnerable to floods, and we must pay considerable sums to repair the

damage done. All of which demonstrate the clear need to maintain the Borough's setback ordinance and the most cost-effective approach is to prevent excessive alteration of riparian areas. Minimally impacted banks shorelines and streambanks 75-foot setback is far from wasted real estate, rather it is an investment in maintaining ecosystem functions that make our communities less vulnerable to flooding and help purify water amongst a host of other services.

Maintaining functioning riparian habitat is an organizational and conservation goal included in the Matanuska-Susitna Basin Salmon Habitat Partnership's Strategic Action Plan as it is of significant importance to the future resiliency of cold-water fish, including Pacific wild salmon. The Partnership is comprised of more than 60 agencies and organizations, with acclaimed technical expertise, working together to ensure thriving salmon populations in the Mat-Su and, collectively they agree, that maintaining habitat adjacent to shorelines and stream banks, is critical to maintaining the health of Mat-Su fisheries. ADFG's Landowner's Guide to Fish Habitat Conservation & Restoration Practices also corroborates that maintaining riparian buffers zones is a best practice for stewarding land adjacent to waterbodies.

Over the past six months, opposition to repealing the waterbody setback ordinance has been broad and consistent. The stated reason for repealing the existing ordinance was to allow homeowners who are in violation of the ordinance to become compliant. This need was clearly heard and addressed by the Mat-Su Fish & Wildlife Commission who provided an agreeable and achievable avenue for becoming compliant through mitigation. Trout Unlimited was pleased when the original revised waterbody setback ordinance was pulled with intent to introduce a new draft that incorporates the recommendations of the Fish & Wildlife Commission. While there are improvements in the new draft, new inclusions such as allowing new construction within 75 feet of a waterbody are a concerning deviation from the stated intent to provide a way for homeowners in violation of the ordinance to become compliant.

The waterbody setback ordinance was important when it was established and, with a rapidly growing community and a changing climate, its importance continues to increase. Sensible ordinances, such as the Mat-Su Borough's long-standing waterbody setback rules, are integral to sustaining the Mat-Su's remarkable and irreplaceable fisheries alongside a growing and thriving community. With sensible ordinances in place that protect fish habitat the MatSu Borough can continue to be a leader when it comes to caring for fish habitat and set a strong example of how to responsibly live within salmon habitat. On behalf of Trout Unlimited members and supporters, I encourage you to oppose Resolution 23-22, maintain the strong safeguards for fish habitat in the current ordinance and if needed, host a work session to that will allow for further discussion on how to solve current violation challenges while not compromising important riparian habitat.

Sincerely,

**Eric Booton** 

Angler Engagement Manager

Eric Booton

**Trout Unlimited** 

From: Jo

Jon Korta <jon@talkeetnacouncil.org>

Sent: To: Friday, June 2, 2023 8:57 AM MSB Planning Commission

Cc:

TCCI - Contact

**Subject:** 

Letter of Opposition to PC Resolution 23-22

**Attachments:** 

Letter of Opposition to PC Res 23-22 Regarding Waterbody Setback (1).pdf

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Hello, please include this letter of opposition from TCCI regarding resolution 23-22 in the planning commission packet for the June 5th meeting. Thank you,

Jon

Jonathan Korta Chairman - Talkeetna Community Council PO Box 608 Talkeetna, AK 99676 (907) 203-2532 cell June 2, 2023

Dear Chair Koan and members of the MSB Planning Commission,

The Talkeetna Community Council voted unanimously at our April 3rd meeting to write a letter of opposition to the proposed changes to the waterbody setback requirement with Resolution 23-22.

Part of the intent of waterbody setbacks is to help maintain clean water and quality fish and wildlife habitat. The protection of water quality and shoreline habitat is critical to the long term sustainability of our precious natural resources that are enjoyed by so many of our borough residents, as well as our many visitors. As our borough continues to grow, impacts to this valuable natural resource will only increase, and reductions to our current waterbody setback of 75 feet is counterproductive. If anything, our waterbody setback requirements should be strengthened, not weakened.

Though we understand the problem that exists with hundreds of homes that are currently constructed in violation of the current 75 ft setback, a blanket reduction to 25 ft., even with mitigation measures, seems like a reactive solution, and would not serve the best long-term interests of our residents. We have time to address this issue more closely and it's important that we get it right.

We support the recommendations made by the MSB Fish and Wildlife Commission that a working group be assembled to further study this important issue and report back with more in-depth solutions to this complicated issue. We encourage you to oppose resolution 23-22

Thank you for consideration,

Jonathan Korta

Chair - Talkeetna Community Council, Inc.

jon@talkeetnacouncil.org

(907) 203-2532

Talkeetna Community Council, Inc. P.O. Box 608, Talkeetna AK 99676

From: Jessica Speed <Jessica.Speed@tu.org>

**Sent:** Friday, June 2, 2023 11:30 AM **To:** MSB Planning Commission

Cc: Maija DiSalvo

**Subject:** Public Comment Submission for June 5th Mat-Su Borough Planning Commission

Meeting

Attachments: Mat-Su Salmon Partnership\_Comment Submission\_MSB Riparian Setbacks\_FINAL.pdf

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.] Good morning,

Please find a public comment submission provided by the Mat-Su Basin Salmon Habitat Partnership related to riparian setbacks.

Thank you for the opportunity, Jessica

### Jessica Speed (She/her)

Mat-Su Basin Project Manager, Trout Unlimited Coordinator, Mat-Su Basin Salmon Habitat Partnership (907)575-7818

### jessica.speed@tu.org

I live and work on the traditional lands of the Dena'ina and Ahtna people.

Trout Unlimited: <a href="https://www.facebook.com/TUAlaska/">www.tu.org/tu-programs/alaska</a> <a href="https://www.facebook.com/TUAlaska/">https://www.facebook.com/TUAlaska/</a>

Mat-Su Basin Salmon Habitat Partnership: <a href="www.matsusalmon.org">www.facebook.com/MatSuSalmon</a>





To: Matanuska-Susitna Borough Planning Commission

RE: Resolution 23-22 Amending MSB 17.55 (Setbacks)

June 2, 2023

Dear Mat-Su Borough Planning Commission members,

The Matanuska-Susitna Basin Salmon Habitat Partnership (Partnership) has been working to conserve salmon habitat in the Mat-Su Basin since 2005. We are a voluntary and non-regulatory coalition that has grown from a handful of founding organizations to over 65 diverse entities. The Mat-Su Borough is one of those founding organizations and held a seat on the Partnership Steering Committee for over a decade. Partners share a common vision for thriving salmon, healthy habitat and vibrant communities in the Mat-Su.

In the fastest growing region of Alaska, the Mat-Su Salmon Partnership appreciates the crucial and challenging role the Mat-Su Borough Planning Commission plays in balancing community needs and values. We appreciate the planning commission's thoughtfulness and care in reviewing OR23-002 in March, and again for Resolution 23-22. We also appreciate the work of the Mat-Su Borough Fish and Wildlife Commission – including their latest resolution RS FWC 23-03 that calls for creation of a working group to provide greater time and attention to address riparian setback effectiveness and compliance. If the Partnership can offer support or resources in this potential effort please call upon us. Following, we offer information about the Mat-Su Salmon Habitat Partnership and highlight several resources in service of the Planning Commissions efforts to inform your decision regarding Resolution 23-22, that would support OR 23-049, amending MSB 17.55 to allow structures to be constructed within 75 feet of a waterbody, so long as certain engineering standards to protect water quality are applied.

The future of Mat-Su salmon depends upon what happens to them during each life stage, from their incubation and rearing in freshwater, to their maturation in saltwater, and their return back to freshwater to spawn. While research continues to determine the reasons for decline of some salmon stocks across Alaska and in the Mat-Su Basin, it is well-known that freshwater habitat loss and fragmentation have been some of the primary

drivers in the decline of anadromous fish in the U.S. and the world. Based on lessons learned elsewhere, we know that maintaining these functioning habitats is far more cost effective than trying to restore them once they are degraded. Therefore, the goal of the Mat-Su Salmon Habitat Partnership is to ensure that Mat-Su salmon have healthy habitat, from upper Cook Inlet throughout the Mat-Su Basin. Our top priority is to protect and maintain healthy habitat wherever possible.

Guided by a strategic action plan, over the past 17 years, the Mat-Su Basin Salmon Habitat Partnership has funded over 100 salmon habitat related projects in the Mat-Su through the National Fish Habitat Partnership totaling over \$4 million in direct funds with nearly \$15.5 million in other project contributions. Some of those funds have gone toward conserving and restoring riparian areas, which are the vegetated zone where land and water meet along streambanks and lake shores.

One of the primary effects of housing and urban development on salmon and their habitat is the alteration of riparian habitat. Other primary effects include loss of wetlands, degradation of water quality, creation of impervious surfaces, and changes to natural drainage patterns. This occurs from the actual clearing of land, construction of buildings, and the various activities on those cleared lands that have direct and indirect impacts on waterbodies.

Riparian areas around streams and lakes are often altered or cleared to improve views or facilitate construction. This can have numerous negative consequences for healthy salmon populations including increasing water temperatures, loss of woody debris and more - that ultimately reduce the capacity of the waterbody in question to produce salmon. The Partnership's overall riparian goal is to prevent alteration of riparian areas that provide valuable salmon habitat. There are additional goals to address filling of wetlands and to address impervious surfaces and storm water pollution.

Riparian areas serve key functions in supporting healthy freshwater salmon habitat. They also provide other broader community benefits - including greater flood resiliency and improving water quality. The attached documents include two science summaries developed by the Partnership for community leaders in 2020 that synthesize information on the importance of riparian areas and wetlands and include a section on best practices – for both private and public landownership on the final document pages. Some best practices from the riparian summary include:

• Riparian buffers or setback corridors exist adjacent to streams, rivers and lakes where limited use or development occurs in order to protect and benefit both

wildlife and landowners. Vegetated buffers prevent erosion and protect property during flooding.

• The Mat-Su Borough currently requires a riparian setback for structures to be a minimum of 75 feet from the ordinary high-water line. Recommended buffer widths can vary based on riparian functions including for erosion control, fish habitat, and wildlife habitat. Generally however, the larger the setback, the greater the benefits will be.

A third document produced by The Nature Conservancy and Salmon Safe in 2018, highlights salmon safe development practices specific to the Matanuska-Susitna Borough. You may find these documents informative in your current analysis.

### Some highlights about riparian areas:

- Benefit Mat-Su communities by delivering economic, cultural and
  ecological services. They are vital for the overall health and function of streams,
  and important community assets. They provide crucial habitat for rearing and
  spawning salmon and help to maintain healthy water quality. The native
  vegetation in these areas additionally benefits people by providing natural erosion
  control and mitigating flood damage.
- Help to reduce the effects of flooding. Riparian vegetation provides rough surfaces
  that slow water velocity and the potential damage to property and buildings within
  the floodplain. This mitigates flood damage to personal property and enhances
  property value.
- Prevent erosion. When riparian vegetation is removed, stream banks are open to
  erosion from normal water activity like rainfall, snowmelt, and boat and aircraft
  wakes. These water activities can negatively impact property owners by causing
  streambank erosion, destruction of property, and existing infrastructure if a buffer
  does not exist.
- If vegetated with native plants, filters pollutants (such as fertilizers, heavy metals, pesticides and soil) from surface run-off.
- Help maintain cooler water temperatures by providing shade. Alaska fish species prefer cooler water temperature ranges for spawning, incubation, and rearing. Water temperatures above these ranges affect their health and productivity even cause death. The significant fish die-offs during the summer of 2019 were

attributed to warm temperatures with lower levels of dissolved oxygen. Riparian cover will be increasingly important in a projected warming climate to help maintain cool water temperatures and contribute to cold water refugia - places where aquatic species can retreat from warm waters.

In fast growing Mat-Su, the greatest risk to salmon and their habitat is the cumulative impact of development and land use actions that compound over time to degrade riparian habitat, block salmon passage, and impact water quality, quantity, and flow. In addition to, and compounded by urbanization, salmon and their habitat are vulnerable to impacts associated with climate change, changing ocean conditions, fishing practices, and invasive species. With a general trend of declines in salmon returns, maintaining healthy habitat is more important than ever.

Salmon are a critical part of the Mat-Su economy, ecology and way of life. Thank you for the Mat-Su Borough's longterm – and award winning, efforts to conserve salmon resources – and the communities that depend on them. The Mat-Su Basin Salmon Habitat Partnership welcomes any questions or requests for information.

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

Jessica Speed

Mat-Su Basin Salmon Habitat Partnership Coordinator

Jessica.speed@tu.org

907-595-7818

#### Attachments:

- 1) Value of Riparian Areas. Mat-Su Basin Salmon Habitat Partnership, 2020 <a href="http://matsusalmon.org/wp-content/uploads/2020/12/Riparian\_Summary\_1-14-21.pdf">http://matsusalmon.org/wp-content/uploads/2020/12/Riparian\_Summary\_1-14-21.pdf</a>
- 2) Importance of Wetlands. Mat-Su Basin Salmon Habitat Partnership, 2020 <a href="http://matsusalmon.org/wp-content/uploads/2020/08/Wetlands\_Summary\_7-31-20.pdf">http://matsusalmon.org/wp-content/uploads/2020/08/Wetlands\_Summary\_7-31-20.pdf</a>
- 3) Building a Fish Friendly Mat-Su Basin: Guidelines for Salmon Friendly Development. The Nature Conservancy and Salmon Safe, 2018 <a href="http://matsusalmon.org/wp-content/uploads/2018/07/Building-a-Fish-Friendly-Mat-Su-Basin-June-2018-060118-6MB.pdf">http://matsusalmon.org/wp-content/uploads/2018/07/Building-a-Fish-Friendly-Mat-Su-Basin-June-2018-060118-6MB.pdf</a> (e-version only, included)

## Healthy Streambanks Support Healthy Salmon

Chinook (king)
Oncorhynchus tshawystcha

### Healthy streambanks and salmon benefit everyone



Individuals rely on salmon for recreation and as a food source and cultural connection to the land. Healthy streambanks mitigate flood damage to personal property and enhance property value.



Local economies and businesses, such as sportfish guides and lodges, rely on sustainable fisheries and tourism, and benefit from streambank functions such as flood resilience.



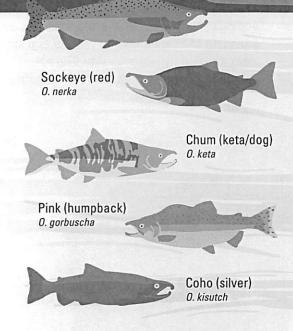
The **State of Alaska** invests money and resources in fisheries management. Ensuring healthy streambanks and salmon runs will protect this investment into the future.

### What are riparian areas?

Riparian areas are the vegetated zone where land and water meet along streambanks or pond shores. These areas provide important habitat for rearing and spawning salmon populations. Removing or changing natural vegetation along waterways can impact both juvenile and adult salmon.

Conserving and maintaining continuous, healthy riparian corridors and habitat along streams and lakes will help salmon and other fish populations thrive, ensuring the longevity of this natural resource that Alaskans rely on for commercial, subsistence and sportfishing.

Riparian



### Salmon species in the Mat-Su

All five species of Pacific salmon found in the Mat-Su Basin spend varying amounts of their life cycle in freshwater, from a few months up to five years!

# Thriving salmon and healthy habitats make vibrant communities in the Mat-Su

The Mat-Su is a special place where vibrant communities and resilient wild salmon are closely linked. Generally, salmon numbers remain strong here; however, human use and development may be impacting habitat quality and causing localized declines in salmon numbers.

We have a unique opportunity to develop our economy while living side by side with wild salmon, an important natural resource that supports our communities and economies.



The Matanuska-Susitna Basin Salmon Habitat Partnership believes that thriving fish, healthy habitats, and vibrant communities can co-exist in the Mat-Su Basin. Because wild salmon are central to life in Alaska, the partnership works to ensure quality salmon habitat is safeguarded and restored. This approach relies on collaboration and cooperation of diverse stakeholders to get results.

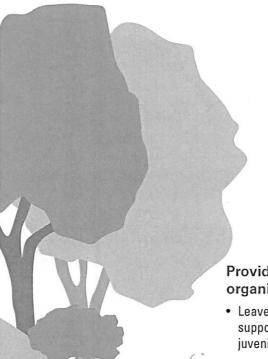
www.matsusalmon.org MatSuSalmon@tu.org

## What Services Do Riparian Areas Provide?

Riparian areas benefit our community by delivering economic, cultural and ecological services. They are vital for the overall health and function of streams, providing critical habitat for rearing and spawning salmon and helping to maintain healthy water quality. The native vegetation in these areas benefits people by providing natural erosion control and mitigating flood damage.

### Water quality matters

Salmon are sensitive to the quality of the water in which they live, including temperature and the levels and type of sediment and nutrients in the water. Fisheries may be negatively affected by human activities that alter water temperature, change sediment levels, and pollute water, resulting in impaired water quality.<sup>5</sup>



### Supply shade and cool temperatures

- Shade from vegetation helps maintain adequate water oxygen levels for aquatic life
  - » Warmer waters cannot carry as much oxygen, and Alaska stream species need high levels of dissolved oxygen
- Alaska fish species prefer cooler water temperature ranges for spawning, incubation, and rearing
  - » Water temperatures above these ranges affect their health and productivity

### Maintain biodiversity

 Riparian corridors provide important habitat and migration routes for fish, mammals, and birds

### Provide nutrients and organic matter

 Leaves and vegetation support insects and other juvenile salmon food sources

### Provide protection for juvenile salmon

 Overhanging vegetation, emergent aquatic plants, and woody debris provide cover and protection from predators, as well as areas of refuge during high velocity floodwaters

#### Stabilize streambanks

 Riparian tree and shrub roots hold streambank soils together, helping to prevent erosion during flood events

### Reduce flooding and resulting flood damage

 Riparian vegetation provides a rough surface that reduces the water velocity of flood waters and reduces the potential damage to floodplain surfaces and structures

### Provide recreation opportunities

 Walking trails, ATV trails and boating activities allow people to enjoy these areas along with the wildlife

#### Retention of sediment

- Native riparian vegetation traps sediment which helps maintain water quality and support fish habitat
  - » Clear water keeps fish gills healthy and provides accessible, sediment-free gravel for spawning and healthy egg development

### Filter urban pollutants

- Native riparian vegetation filters pollutants (such as fertilizers, heavy metals, pesticides, and soil) from surface runoff
- » Some plants immobilize pollutants in the soil where they can be broken down by microbes over time, while others bioaccumulate them into the plant tissue

## Human Activities and Resulting Impacts to Riparian Services

Human activities have the potential to negatively impact riparian areas, threaten salmon habitat and degrade water quality. Alterations and activities that affect salmon include removing, disturbing or changing the composition of native shoreline vegetation, development of impervious surfaces, and recreational activities.

### Human Activities and Resulting Impacts



Alter or remove native vegetation



Develop impervious surfaces



Recreational activities

### Increased water temperatures

- Water temperatures increase without proper shade
- Warm water can stress and delay timing of spawning salmon
- Prolonged exposure to warm water can damage or kill salmon eggs

### Reduced nutrient availability

- Reduced or altered plant organic matter change the nutrients available in streams
- Altered riparian vegetation composition changes the species of insect foraging those leaves, affecting the diet of juvenile fish

### Altered or damaged habitat

- Trampling vegetation, walking off of designated pathways to streams, or using unauthorized ATV crossings can lead to loss of vegetation and damage to habitat
  - » Human traffic can destroy salmon eggs and fry if people or vehicles cross over spawning sites, reducing salmon populations

### Increased water velocity

- Without riparian vegetation, there are fewer rough surfaces to slow water velocity
  - » Increased water velocity results in eroded streambanks, loss of property, and fewer protected slow-water areas for salmon

### Destabilized streambanks

- Turf grass's shallow root systems alone cannot adequately hold together streambanks
  - » Fewer roots to hold soil together results in destabilized streambanks and an increase in erosion
  - » Erosion could lead to streambank collapse

### Increased flooding and flood damage

- Without riparian vegetation, there are fewer rough surfaces to slow water velocity
  - » Increased water velocity results in eroded streambanks and loss of property

### Increased sedimentation

- Less riparian vegetation increases the sedimentation of water, which results in destroyed or reduced fish spawning grounds and decreases the quality of gravel beds where fish eggs develop
  - » Salmon fry waiting to emerge from nests could be buried
  - » Sediment irritates fish gills, reducing their oxygen intake
- Buildings and paved surfaces reduce the soil's ability to absorb water, which increases water volume, causing more sediment to enter streams
  - » Surface runoff carries sediment into water
- Recreational activities (such as using trails or boating) can add sediment to waterways

### Increased water pollution

- Less riparian vegetation allows pollutants from surface runoff to enter waterways and degrade water quality and fish habitat
- Increased impervious surfaces (paved areas) lead to increased runoff pollution and flood potential without native vegetation to slow the runoff water and filter pollutants

### **Best Practices**

### The most cost-effective approach is prevention!

Prevent alteration of riparian areas and minimize impacts to our creeks, streams, rivers and lakes that provide valuable salmon habitat.

In many places in the Mat-Su Basin, salmon and their habitats are healthy so protective measures, like reservations of water, sustainable land management, voluntary land protection and individual behaviors can prevent degradation. In other places, restoration is necessary to re-establish healthy streambanks and productive habitat.

### **GOAL:** Conserve riparian areas

### Individual landowner actions

### Keep a continuous buffer of native trees, shrubs, and grasses near streams; do not modify or remove existing native vegetation.

- · Leave woody debris in water.
- Minimize bank and vegetation trampling by using single access points to waters and utilizing elevated and lightpenetrating walkways and ramps to access shoreline fishing and boat docks.
- Store snow from driveways on grassy areas away from the stream so pollutants can be filtered from the melted water.
- Securely store and properly dispose of oil, grease, chemicals and pesticides.

### Public and private land recommendations

- Riparian buffers or setbacks are corridors adjacent to streams, rivers and lakes where limited use or development occurs in order to protect and benefit both wildlife and landowners.
  - » Buffers prevent erosion and protect property during flooding.
- The Mat-Su Borough requires a riparian setback for structures to be a minimum of 75 feet from the ordinary high-water line. The larger the setback, the greater the benefits will be. Recommended buffer widths based on riparian functions include:<sup>2</sup>
  - » Erosion control: buffer of 30-98 feet
  - » Fish habitat: buffer of 30-230 feet to control stream temperature
  - » Wildlife habitat: buffer of 33-164 feet
- Allow unobstructed fish passage in streams and creeks.
  - » Utilize methods such as properly installed culverts to allow passage.

- Minimize bank and vegetation trampling by using single access points to waters and utilizing elevated and light-penetrating walkways and ramps to access shoreline fishing and boat docks.
- ATV stream crossing recommendations include:3
  - » Only cross salmon streams at authorized crossings.
  - » Cross at existing crossings, or at a low banked area with a rocky bed and drive slowly.
  - » Check for adult fish and gravel nests before crossing and avoid spawning areas.
  - » Cross at a right angle to the flow.
  - » Do not drive up and down streams.
  - » Ride at least 10 feet from the edge of a stream to protect streambank vegetation.

### GOAL: Restore riparian areas

Restoring riparian areas improves water quality, reduces erosion and excessive flooding, and provides critical fish habitat

- Replant native vegetation or allow natural vegetation to return to streambanks.
- Stabilize banks utilizing bioengineering techniques as described in ADF&G's Streambank Revegetation and Protection<sup>4</sup> guide, as opposed to rip rap or sheet pile.
- Remove invasive plant species and/or detrimental structures from riparian areas.

### What is the best way to protect my property from erosion?

The best erosion prevention strategy is to keep native stream vegetation. Plant roots naturally hold soil together, slow runoff, and disperse rainfall, all while maintaining benefits for fish and wildlife. Rock rip rap may provide some local protection from erosion, but it often transfers the erosion problem to another location. Rip rap allows sediment and pollutants to flow into the stream without being filtered by native vegetation, does not provide nutrients for fish, increases water velocity, and could ultimately contribute to declining fish populations.

### Salmon swim in glacial streams, so why is sediment a problem?

Although Alaska salmon populations have evolved to thrive in glacier river systems with a degree of natural sediment levels, they are still vulnerable to sudden increases in sedimentation. This is particularly true in clear water streams and tributaries when large influxes of sediment enter into spawning and rearing habitats. This large input of material can clog gills, reduce or degrade available spawning habitat, suffocate or smother eggs, or reduce juvenile feeding success.<sup>5</sup>

#### References:

- Living Next to a Salmon Stream. http://greatlandtrustorg/wp-content/uploads/2014/10/2012-11-28-GLT-DRAFT-Living-Next-to-a-Salmon-Stream\_v5\_lores.pdf
- Riparian Buffer Zones: Functions and Recommended Widths. http://www.eightmileriver.org/resources/digital\_library/appendicies/09c3\_Riparian%20Buffer%20Science\_YALE.pdf
- Off Road Vehicle Crossings at Salmon Streams. https://www.adfg.alaska.gov/static/license/uselicense/ pdfs/OffRoadVehicleCrossingsatSalmonStreams.pdf
- Streambank Revegetation and Protection: A Guide for Alaska. https://www.adfg.alaska.gov/index. cfm?adfg=streambankprotection.main
- Kjelland, M.E., Woodley, C.M., Swannack, T.M. et al. A review of the potential effects of suspended sediment on fishes: potential dredging-related physiological, behavioral, and transgenerational implications. Environ Syst Decis 35, 334–350 (2015). https://doi.org/10.1007/s10669-015-9557-2

#### Additional information:

- Building a Fish friendly Mat-Su Basin: Salmon-Safe Guidelines for Development in the Matanuska-Susitna Borough. http://matsusalmon.org/wp-content/uploads/2018/07/Build-ing-a-Fish-Friendly-Mat-Su-Basin-June-2018-060118-6MB.pdf
- Conserving Salmon Habitat in the Mat-Su Basin: The Strategic Action Plan of the Mat-Su Basin Salmon Habitat Partnership. 2013. http://matsusalmon.org/wp-content/up-loads/2012/10/2013-Strategic-Action-Plan.pdf
- The Role of Riparian Areas. https://www.adfg.alaska.gov/static/fishing/pdfs/sport/byarea/interior/publications/ripariandisplay.pdf
- Sharing the Edge: Copper River Landowner's Guide for Site Development and Fish Habitat Protection. https://copperriver.org/wp-content/uploads/2016/03/Landowners-Guide.pdf

# Wetlands Help Salmon & Communities Thrive

### Healthy, functioning wetlands benefit everyone



Individuals rely on wetlands for fishing and recreation opportunities, and wetlands provide natural erosion and flood control that benefits landowners



Businesses and local economies benefit from flood control and rely on fisheries, hunting, tourism, and outdoor recreation opportunities that wetlands provide



The Matanuska-Susitna Borough benefits and saves money from wetlands that provide natural stormwater management, flood control, and filtration of pollutants to our watersheds and water supply

### What are wetlands?

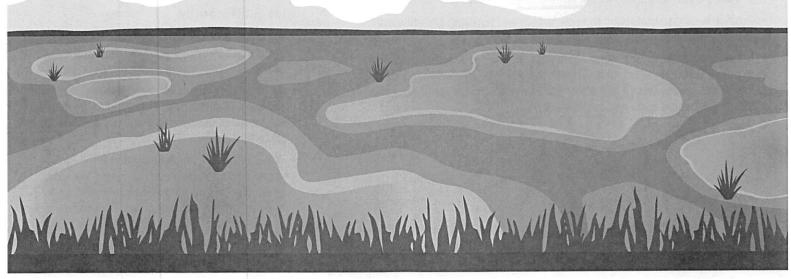
Wetlands are areas of land that are covered by or saturated with water, such as marshes or bogs. Surface water may be present seasonally or permanently. Wetlands are an important part of a watershed, connecting surface and subsurface waters of rivers, streams, lakes, and oceans.

Approximately 25% of the Matanuska-Susitna Borough's 25,258 square mile land mass is wetlands. This vast amount of wetlands is one reason why the Mat-Su has such abundant salmon resources, as wetlands provide habitat for juvenile salmon rearing.

# Thriving salmon and healthy habitats make vibrant communities in the Mat-Su

The Mat-Su is a special place where vibrant communities and resilient wild salmon are closely linked. Generally, salmon numbers remain strong here; however, human use and development may be impacting habitat quality and causing localized declines in salmon numbers.

Other parts of the world have already seen the decline or extinction of salmon populations. We have a unique opportunity in the Mat-Su to safely develop our economy while ensuring the survival of wild salmon, an important natural and cultural resource that supports our communities and economies.

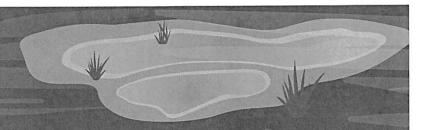




The Matanuska-Susitna Basin Salmon Habitat Partnership believes that thriving fish, healthy habitats, and vibrant communities can co-exist in the Mat-Su Basin. Because wild salmon are central to life in Alaska, the partnership works to ensure quality salmon habitat is safeguarded and restored. This approach relies on collaboration and cooperation of diverse stakeholders to get results.

www.matsusalmon.org MatSuSalmon@tu.org

# What Services Do Wetlands Provide?



Wetlands provide important economic, ecological and cultural services to the Mat-Su. Key services wetlands provide include:

#### Fish and wildlife habitat

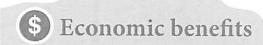
- Provide important feeding and sheltered rearing habitat for salmon and other fish species
- · Provide safe and healthy waterways important to spawning salmon
- Provide an ideal environment for the development of organisms that attract and feed many species, including salmon
- Support salmon-bearing waters by storing and releasing cooler water that helps regulate water temperature, stream flows and lake levels
- Support biodiversity by providing food, water and shelter for mammals and birds

#### Erosion and flood control

- Stabilize shorelines and reduce erosion by distributing the flow of stream or river currents and holding soil together with plant roots
- Reduce flood water levels and flood-related damages to homes and businesses by acting like giant sponges
  - » Wetlands absorb, store and slowly release surface water, rain, snowmelt, and flood waters over time
  - » Vegetation slows the movement of water over floodplains, helping reduce erosion on adjacent lands

### Water quality improvement and management

- Protect and improve water quality by acting as giant environmental filters
  - » Wetlands slowly filter fertilizer, sediments, heavy metals, and pollutants before water seeps into rivers, streams, and underground aquifers
- Provide wellhead protection by replenishing and purifying groundwater/ drinking water
- Manage stormwater and increased amounts of surface water runoff due to paved surfaces, which helps reduce the impacts of runoff, such as increased sedimentation and water pollution that disrupt water flow and affect fish habitat and egg development



All of these services provide economic benefits. For example, when wetlands purify groundwater and manage stormwater, our communities avoid the costs associated with the construction and continuous management of water and stormwater treatment facilities, saving millions of dollars.<sup>2</sup>

For example, in Minnesota, "the cost of replacing the natural flood control function of 5,000 acres of drained wetlands was found to be \$1.5 million annually."

## National and local protections for wetlands

"The lack of state regulations combined with the broad scope of federal regulations make the need for local conservation and protection efforts all the more important."

-Matanuska-Susitna Borough Wetlands Management Plan

#### Clean Water Act Section 404

Federal law requires a permit be obtained from the U.S. Army Corps of Engineers (USACE) before a wetland can be developed, filled or dredged. The USACE only has jurisdiction over wetlands if they are connected to navigable waters.

- Other agencies involved in or overseeing the permit review process: the Environmental Protection Agency (EPA), the National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service (USFWS), Alaska Department of Environmental Conservation (ADEC), Alaska Department of Fish & Game's Division of Habitat, and the Matanuska-Susitna Borough (MSB)
- USACE has decreased required mitigation plans for developments in recent years, reducing protections for wetlands

### State of Alaska:\*

No regulations that apply to the Mat-Su

#### Mat-Su Borough:

- An ordinance regulating development along waterbodies and in floodplains requires a 75-foot setback for built structures from shorelines
- An ordinance regulating floodplain development requires all structures to conform to the minimum standards of development and obtain Flood Hazard Insurance
- The Su-Knik Wetlands Mitigation Bank is comprised of undeveloped, borough-owned wetlands. Landowners and developers can mitigate development of private wetlands by paying to protect banked wetlands.
- MSB Wetlands Management Plan provides guidance for developers and landowners<sup>1</sup>

### Local governments:\*

- No direct control over wetlands through regulation, mitigation, or enforcement
- \* = gap in regulation

# What Challenges Do Wetlands Face?

"As development continues, the demands for groundwater and surface water will increase. Undisturbed wetlands are critical to maintaining water supplies, balances, and quality."

-Matanuska-Susitna Borough Wetlands Management Plan

Human activities and climate change cause the majority of challenges that wetlands face. Predominant stressors to wetlands include biological, chemical, and physical alterations to habitat. In the Mat-Su Basin, loss of wetlands is most often caused by urban development, jeopardizing these natural assets that support the Mat-Su way of life. In particular, the loss and filling of wetlands can have a range of detrimental impacts on salmon populations.



### Human Activities and

Resulting Impacts

### affect Benefits of Wetlands

### Placing fill in wetlands

- Road crossings, airstrips, house pads, parking areas
- Draining wetlands

### Trapping and removing beavers

- Many small wetland areas are created by beavers.
   Trapping and removing them from the system results in a loss of wetlands over time
- Discharging harmful chemicals or pollutants
- Altering water flows
  - e.g. with undersized or damaged culverts
- Building dams or levees
- Altering or removing native vegetation

### Loss of wetland area and fish and wildlife habitat

- Elimination and degradation of critical salmon habitat
- Increased water pollution due to less wetland area acting as an environmental filter
- Reduced drinking water quantity due to less wetland area acting as water storage

### Water pollution and impaired water quality

- Untreated stormwater runoff increases sediment and deteriorates water quality
- Decreased water quality negatively impacts fish spawning and rearing

### Increased erosion and flood damage

- Reduced or altered vegetation destabilizes shorelines
- Increased paved surface area and decreased vegetation results in faster moving water during flood events
- Fisheries decline

### Food

- Fish such as salmon and berries
- Clean drinking water supply
- Recreation opportunities
  - Fishing, hunting, birdwatching, snow machining, boating, hiking, photography, and more

### (1) Economic activities

- Fishing, hunting, tourism, and outdoor recreation activities provide significant economic benefits to Mat-Su residents and businesses
- Protection from flood damage and erosion

### (\$)

### Economic benefits of healthy salmon populations in the Mat-Su

Commercial and sportfishing support thousands of jobs and millions of dollars in earned wages in the Mat-Su. Commercial: \$0.6-\$2.1 million annual earnings between 2004-2012 for Mat-Su resident permit holders only (does not include supporting industries)<sup>4</sup> Sportfish: \$31-\$64 million annual earnings for Mat-Su residents (includes supporting industries)<sup>4</sup> Residents also benefit economically from fishing by saving money at the grocery store.

### **Best Practices**

## The best approach is conservation!

"Avoiding negative impacts to wetlands through careful planning and management is vital to maintaining their functions and values," and "maintaining current wetland functions will be less expensive than fixing a degraded system."

- Matanuska-Susitna Borough Wetlands Management Plan

In many places in the Mat-Su Basin, salmon and their habitats are healthy so protective measures, like reservations of water, sustainable land management, voluntary land protection, and individual behaviors can prevent degradation. In other places, restoration is necessary to re-establish functioning wetlands and productive habitat.

"Today, the survival of Pacific salmon depends upon our ability to manage harvests and protect, maintain, and improve salmon ecosystems in harmony with human development."

- ADF&G Alaska's Wild Salmon

### **GOAL:** Conserve wetlands

### Public and private land recommendations

- Develop/follow protection mechanisms
  - » Tax incentives to protect wetland habitat
  - » Development setbacks or buffers
  - » Land swaps
  - » Set minimum flow rates and stream and lake levels to maintain viable aquatic systems
  - » Floodplain development
- Encourage voluntary conservation easements and/or purchase wetlands from sellers

- · Enhance degraded wetlands
- · Mitigation options
  - » On-site mitigation
  - » Mitigation banks: These banks "restore, enhance, or otherwise permanently preserve wetlands in perpetuity and generate credits which may be used to offset unavoidable wetland impacts"<sup>5</sup> in another location
  - » In-lieu fee programs: compensatory mitigation for impacts or unavoidable losses to wetlands due to development or other projects
- Due to potential declines in water quality from already-filled wetlands, consider limited to no additional filling of wetlands, or provide compensatory mitigation, in the following heavily impacted watersheds:<sup>6</sup>
  - » Wasilla Creek Watershed
  - » Cottonwood Creek Watershed
  - » Lucile Creek Watershed
  - » Meadow Creek Watershed
- Avoid discharging warmed roadside ditch water directly into a stream; re-infiltrate ditch water on the downhill side of a road running parallel to a stream to reduce the risk of elevating stream temperatures<sup>7</sup>

### Are all wetland types created equal?

A variety of wetland types exist, and they all have different characteristics and functions depending on their location in the landscape. Individual wetlands contribute to the overall functioning of an entire watershed. Wetland development should be evaluated on both an individual basis and considering the collective health of a watershed.

### How much filling of wetlands is too much?

"Substantial declines in water quality may be expected after more than five percent of wetlands in a boreal watershed have been filled," though additional research is needed to confirm this. In some Mat-Su watersheds, around 10% of wetlands have already been filled. Many of these waterbodies have been designated as having "impaired" water quality.

## Are some wetlands more critical for salmon populations than others?

Some wetlands directly support salmon populations while others do not; however, some wetlands may indirectly support salmon by contributing to the overall health of a watershed. In Alaska, individual wetlands and their ecological roles regarding salmon need to be continually identified and assessed.

#### References:

- 1. Wetlands Management Plan. Matanuska-Susitna Borough. 2012. https://www.matsugov.us/environment/wetlands
- 2. matsu2050.org
- 3. Wetland Functions and Values. U.S. Environmental Protection Agency. http://www.epa.gov/watertrain
- The Economic Geography Of Salmon. Cultural Research North. http://www.matsusalmon.org/dev/wp-content/ uploads/2015/12/David\_Holen-Mat-Su-Salmon-Symposium-2015.pdf
- A Comprehensive Inventory of Impaired Anadromous Fish Habitats in the Matanuska-Susitna Basin, with Recommendations for Restoration, 2013. Alaska Department of Fish & Game. http://www.adfg.alaska.gov/static/ regulations/regprocess/fisheriesboard/pdfs/2013-2014/uci/anadromous\_fish.pdf
- Gracz, Mike. Wetland Loss Assessment by Wetland Type and Watershed in an Expanded Core Area of the Matanuska-Susitna Borough. http://matsusalmon.org/wp-content/uploads/2018/08/MatSuWetlandLoss2018-7.pdf
- Haserodt, Megan. Effects of Roads on Groundwater Flow Patterns in Peatlands and Implications for Nearby Salmon Streams on the Kenai Peninsula, AK.

#### Additional information:

- · http://greatlandtrust.org/priorities/habitat-conservation/
- Appendix 5.3 Wetland Habitats: Featured Species-associated Wetland Habitats: Freshwater Grass Wetland, Freshwater Sedge Wetland, Bog, and Salt Marsh (Estuarine). https://www.adfg.alaska.gov/static/species/wildlife\_action\_plan/ appendix5\_wetland\_habitats.pdf
- Conserving Salmon Habitat in the Mat-Su Basin: The Strategic Action Plan of the Mat-Su Basin Salmon Habitat Partnership. 2013. http://matsusalmon.org/ wp-content/uploads/2012/10/2013-Strategic-Action-Plan.pdf
- wp-content/uploads/2012/10/2013-Strategic-Action-Plan.pdf
   https://www.fisheries.noaa.gov/national/habitat-conservation/coastal-wetlands-
- Alaska's Wild Salmon. Alaska Department of Fish & Game. https://www.adfg.alaska.gov/static/home/library/pdfs/ak\_wild\_salmon.pdf

July 2020

From: Bee Long <woodyfiber17@gmail.com>

Sent:Friday, June 2, 2023 10:54 AMTo:MSB Planning CommissionSubject:Riparian Setback PC Resolution

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

I oppose MSBA Ord 23-04 that would eliminate the 75 foot riparian building setback for lakes in the borough.

I do support MSB Fish and Wildlife Commission Resolution 23-03 regarding this issue.

That is a working should be formed to deal with this important issue. A way must be created to solve the current violations. This means riparian mitigation.

This working group should have reps from staff, Fish and Wildlife Commission, Planning Cimmission, Assembly

**Becky Long** 

From:

Margaret Stern <margaret@susitnarivercoalition.org>

Sent: To: Friday, June 2, 2023 11:42 AM MSB Planning Commission

Cc:

Melissa Heuer

**Subject:** 

**Public Comment Setback Ordinance** 

**Attachments:** 

RS23-22comment.pdf

**[EXTERNAL EMAIL - CAUTION:** Do not open unexpected attachments or links.] Members of the Planning Commission

See the attached PDF containing the Susitna River Coalition's comments regarding RS 23-22 and the setback ordinance. Please let me know if you require any additional information.

Thank you for your time and consideration of this important issue

Margaret Stern
Communications & Outreach Manager, Susitna River Coalition
margaret@susitnarivercoalition.org
www.susitnarivercoalition.org



Supporting Salmon, Wildlife, and Community

June 2, 2023

Public Comment: Planning Commission RE: Resolution 23-22 Amending MSB 17.55

I am writing on behalf of the Susitna River Coalition, a watershed organization based in the Susitna Valley. The Susitna River Coalition (SRC) comments on behalf of our more than 14,000 individuals, groups, and businesses who support our work. We support the communities and ecosystems that are sustained by the resources of the Susitna River Watershed from the headwaters to the mouth.

We applaud the Assembly and Planning Commission for continuing to work on this ordinance and the following Resolution 23-22 after hearing such strong opposition to the amendments made in December. However, the updated version is still not ready for a vote as it does little to address the issues that instigated revision in the first place. The ordinance, as written, does little to protect landowners, habitat, or future issues from arising.

The Susitna River Coalition (SRC) recommends the Mat Su Borough NOT approve this Resolution. The SRC believes the ordinance should be rewritten to strengthen protections to valuable riparian habitat. The ordinance should include a mandatory vegetated habitat buffer. In addition, the Borough should assist existing landowners bring properties into compliance and enforce the 75 foot buffer requirement moving forward. Additionally, we urge the Borough to take into account the RS FWC 23-03 that calls for the creation of a working group to support setback ordinance effectiveness and compliance.

Thank you for your time and consideration of this important issue.

Margaret Stern

Margaret Stern
Communications and Outreach Manager
Susitna River Coalition
margaret@susitnarivercoalition.org

**PC Reso 23-33** 

From: Dale Bruns <dalebrunsak@gmail.com>
Sent: Monday, May 29, 2023 10:19 AM

To: Legislative Comments; MSB Planning Commission; robyundtmsb@gmail.com; Edna

DeVries; psfisher@gci.net; TimHaleDistrict1@gmail.com; StephanieNowersDistrict2 @gmail.com; Dolores McKee; mokietew@gmail.com; Dmitri Fonov; Ron Bernier;

president@mlccak.org; vp@mlccak.org

Subject: Resolution 23-33 changes to MSB 17.30

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

The vote was postponed again so I am re-sending this to keep my opposition current. How much valuable time has been wasted trying to sneak a resolution into law that the public does not want? At least two members of the assembly should recuse themselves since they or their families could profit if the proposal becomes law.

My name is Dale Bruns, I was born in the territory of Alaska in 1956. I live at the west edge of District 4, Meadow Lakes. I would like to go on record opposing Resolution 23-33 changes to MSB 17.30. From your Matanuska-Susitna Planning Commissioner Guide, Citizen Participation: "Democracy can be realized when citizens are able to come together across neighborhood and economic lines to assist in making the community decisions that will shape all of their lives." This proposal removes that citizen participation and gravel pits, even small ones, that can renew for 5 years ½ mile apart should definitely be a community decision with public input.

For the record, I have bought gravel and aggregate from various local pits over the last 30 years for locations in the Mat-Su Borough including last year. I support gravel extraction and use in the valley and appreciate the availability of useable gravel. A small decrease in cost will increase my profit, not lower my selling price for the project or of the end product. My price is determined by market factors. I oppose removing citizens' rights to have a say in the commercial activities in their area.

The public has shown up at planning and assembly meetings opposing increasing <u>non-permitted</u> gravel extraction for years now. Here we are again. Some in our Mat-Su Borough government are not listening to the people. You are our first line of control of land use regulations serving the public interest. I assume you are in the position so you can have a voice in community decisions. Please don't take ours away. Please reject this proposal.

In my opinion, any commercial gravel pit operation should require a permit. Not for profit extraction is already covered by 17.30.020 D. This proposal eliminates giving citizens a voice before new mid-size gravel pits are started in their neighborhood. Why would we allow that? It reduces government oversight and the revocation process if permit violations occur. Let anyone who wants a gravel pit for profit go through the public process and get a permit. If a registration is sufficient, why have permit requirements for any pit?

I attended both the earlier planning meeting and the Assembly meeting. At the assembly meeting I observed an approximate 10 to 1 public rejection of moving forward with the proposed change in MSB 17.30. It appeared to me that a lot of the dissent was around the removal of citizen participation. This revised proposal does address several complaints but does not allow public input from the people who will be most affected.

We have no zoning laws so the permitting process with public input is one of the few options we homeowners have to participate in what commercial enterprise is being built in our local area. Permitting, as you know, is the primary way our local government has of monitoring and having legal recourse for actions that violate stipulations in the permit.

The proposed Ordinance is not consistent with the public interest, and is not in the best interest of the Mat-Su borough. Please reject this, stop any changes at this time to MSB 17.30, and allow other beneficial legislation to move forward without wasting any more of your or my time on this. Listening to the commercial minority and ignoring the public interest of the majority is not good governance.

Please don't ignore your own guidelines. Don't allow this proposal to gag the citizens you represent. Please stop the proposal and do not change MSB 17.30.

Thank you for your consideration.

Dale

**Sent:** Wednesday, May 31, 2023 11:49 PM

To: Legislative Comments; Edna DeVries; MSB Planning Commission

Subject: Gravel Pits - OR 23-033

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.] Mayor/Borough Assembly,

I have great concern with the proposal by Tew for expanding the amount of material from 2000 yards to 10,000 yards to sell or move from a lot without needing a permit. You can currently move up to 2000 yards, but may not sell it which is adequate for most non-commercial situations.

There is a permitting process in place that has worked well and provides oversight prior to allowing more than 2000 yards moved or to be sold from a lot. There is no need for this new legislation. It only serves to benefit businesses that work with material at a cost to the local residents as well as put roads and other infrastructure at risk with the extra excavation and transportation. As noted, with proper rules set in place on the removal, most permits are approved and the impact is minimal. The public is able to voice concerns prior to permit approval.

There is a second issue with this legislation. Tew, Yundt, and Fonov will all directly or indirectly (via family or related businesses) stand to profit from this. They are all involved in construction, land development, or the like. As such, the three must be excluded from voting on this due to their clear conflict of interest.

Further, a motion should be put forth to not allow this proposal or a similar proposal for a set period. Perhaps five years would be appropriate. The continued push of this legislation against the public's overwhelming opposition must be heard. This motion could be expanded to all proposals pushed by an agenda such as this situation or by a political party. It's a bullying tactic by continuing to try and force legislation. In situations where the public is clearly against it or where the public is closely divided this pause on change could be beneficial. If the public overwhelmingly is for it, then let it through. Government is here for the majority and to serve the people. Public support or lack thereof can be seen in testimony and comments such as this.

Sincerely, Hugh Towe II Wasilla Resident and Owner Borough Resident and Owner