**MATANUSKA-SUSITNA BOROUGH**

**MSB Fish and Wildlife Commission AGENDA**

|  |  |
| --- | --- |
| Edna Devries, Mayor  Andy Couch – Chair  Peter Probasco – Vice Chair Gabriel Kitter  Howard Delo Larry Engel Tim Hale Bill Gamble  Kendra Zamzow  Jim Sykes – Ex officio member  Rebecca Skjothaug – Staff | Michael Brown, Borough Manager  PLANNING & LAND USE DEPARTMENT  Alex Strawn, Planning & Land Use Director Vacant, Planning Services Manager  Jason Ortiz, Development Services Manager  Fred Wagner, Platting Officer  *Assembly Chambers Dorothy Swanda Jones Building 350 E. Dahlia Avenue, Palmer* |

**December 12, 2024 REGULAR MEETING & Alaska Department of Fish and Game (ADF&G) Fishing Season Summary**

4:00 p.m.

Ways to participate in MSB Fish and Wildlife Commission meetings: IN-PERSON: Assembly Chambers, DSJ Building

REMOTE PARTICIPATION VIA MICROSOFT TEAMS:

Join on your computer:

[Click here to join the meeting](https://teams.microsoft.com/l/meetup-join/19%3ameeting_OTQwYTc1YjktODY5MC00MWIwLWEwMzMtYTc1ZTg1YmM1MzQw%40thread.v2/0?context=%7b%22Tid%22%3a%22870c68b8-580c-4b1b-a27e-a44623e37916%22%2c%22Oid%22%3a%2223480112-ff80-43d6-a811-cd16a8589b23%22%7d) Meeting ID: 294 386 240 582

Passcode: yMvGvF

Or call in (audio only):

1-907-290-7880

Phone Conference ID: 159 006 676#

1. CALL TO ORDER
2. ROLL CALL – DETERMINATION OF QUORUM
3. LAND ACKNOWLEDGEMENT & RECOGNITION

*"We acknowledge that we are meeting on traditional lands of the Dena’ina and Ahtna Dene people, and we are grateful for their continued stewardship of the land, fish, and wildlife throughout time immemorial."*

# PLEDGE OF ALLEGIANCE

1. APPROVAL OF AGENDA
2. INTRODUCTIONS
   1. FWC Opening Statements (*5 min)*
   2. ADF&G Opening Statements (*5 min)*
   3. Axiom Presentation on behalf of AIDEA - Canceled
3. AUDIENCE PARTICIPATION (*three minutes per person – 30 min, may vary*)

# PRESENTATIONS

* 1. Staff Report / Recognition
  2. ADF&G
     + Commercial Fishing Notable Highlights & Observations (*10 min)*
     + Sport Fishing Notable Highlights & Observations (*10 min)*
  3. NOAA
     + Federal In season Management Report

# ITEMS OF BUSINESS

# Dialogue on Upper Cook Inlet Fisheries & FWC Questions (*30 min)*

# MEMBER COMMENTS

1. NEXT MEETING DATE: Thursday, January 9, 2025 @ 4:00 pm Room 203

# ADJOURNMENT

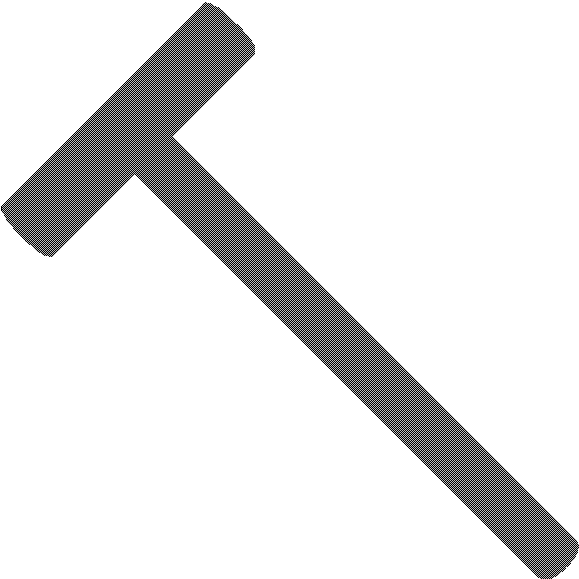
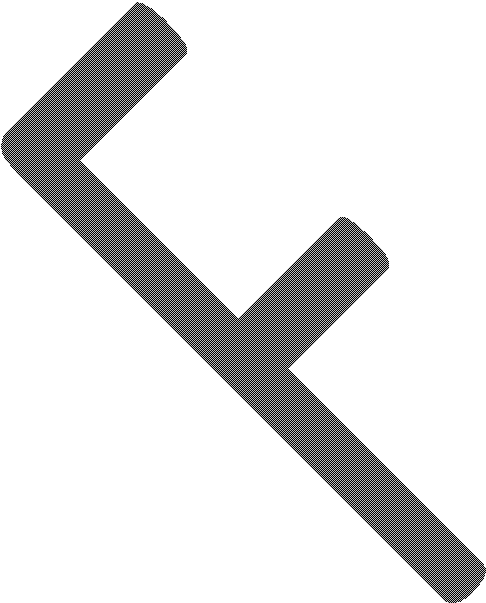
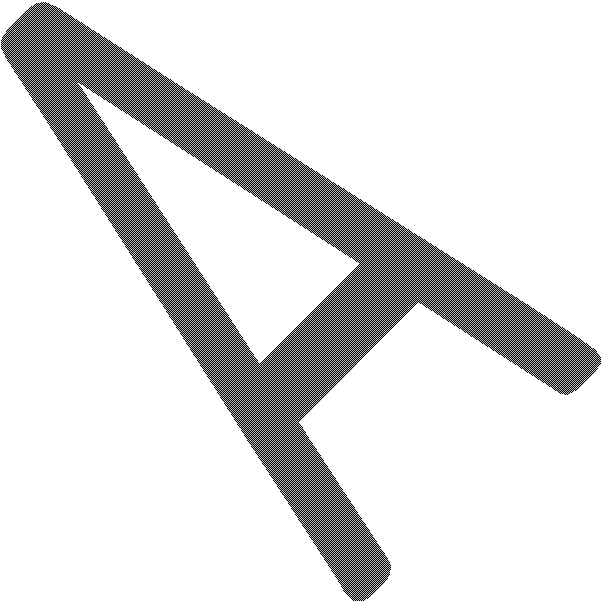
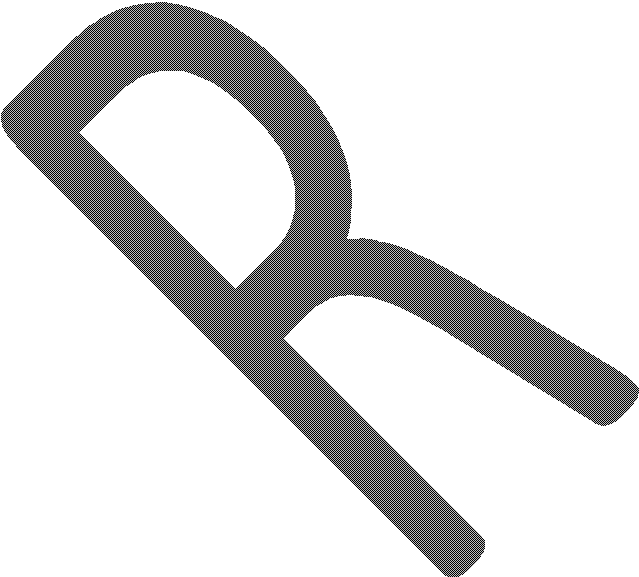
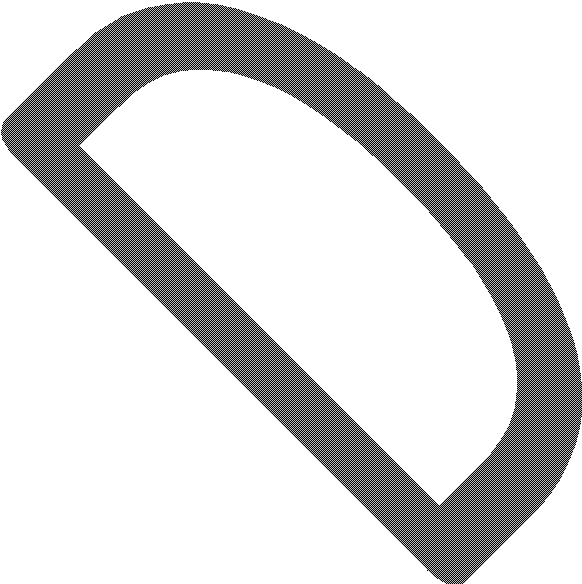
**Disabled persons needing reasonable accommodation in order to participate at a MSB Fish and Wildlife Commission Meeting should contact the borough ADA Coordinator at 861-8432 at least one week in advance of the meeting.**

**MATANUSKA-SUSITNA BOROUGH**

**MSB Fish and Wildlife Commission** Regular Meeting: November 14, 2024 DSJ Building, Assembly Chambers/TEAMS Minutes

# CALL TO ORDER

Chair Andy Couch called the meeting to order at 4:01 PM



# ROLL CALL – DETERMINATION OF QUORUM

Present:

Andy Couch Peter Probasco Gabe Kitter Howard Delo Larry Engel Kendra Zamzow Jim Sykes

Absent:

Tim Hale Bill Gamble

# LAND ACKNOWLEDGEMENT

AC read the land acknowledgement:

*"We acknowledge that we are meeting on traditional lands of the Dena’ina and Ahtna Dene people, and we are grateful for their continued stewardship of the land, fish, and wildlife throughout time immemorial."*

# PLEDGE OF ALLEGIANCE APPROVAL OF AGENDA

**HD moved to approve the agenda; seconded by JS.**

**No objection, motion passed unanimously.**

# APPROVAL OF MINUTES

**HD moved to approve the August 29th minutes; seconded by JS. No objection, motion passed unanimously.**

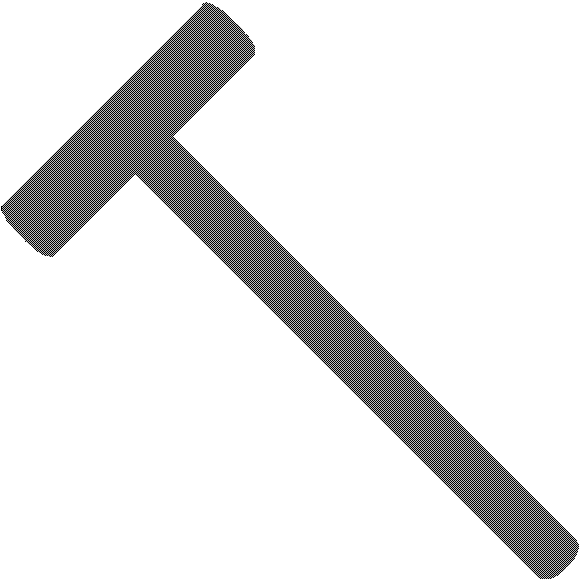
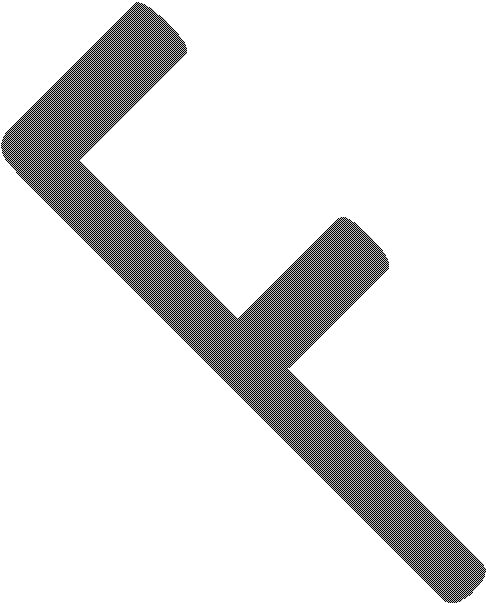
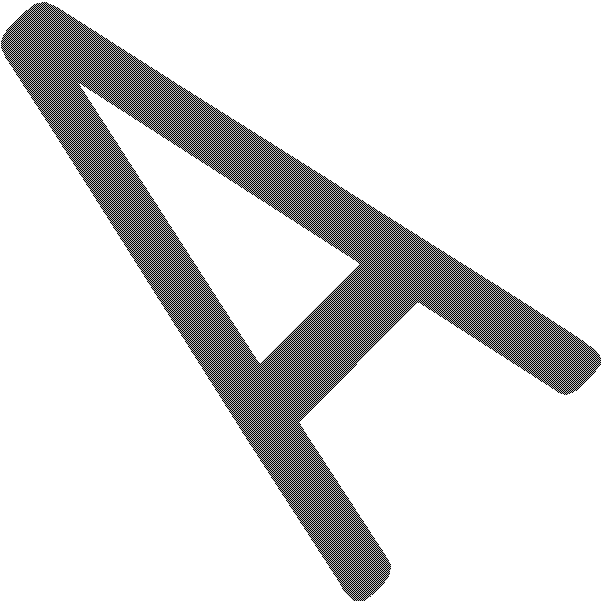
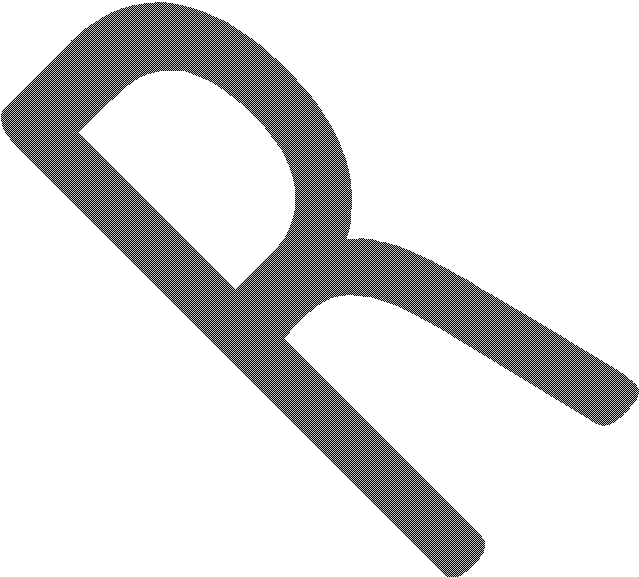
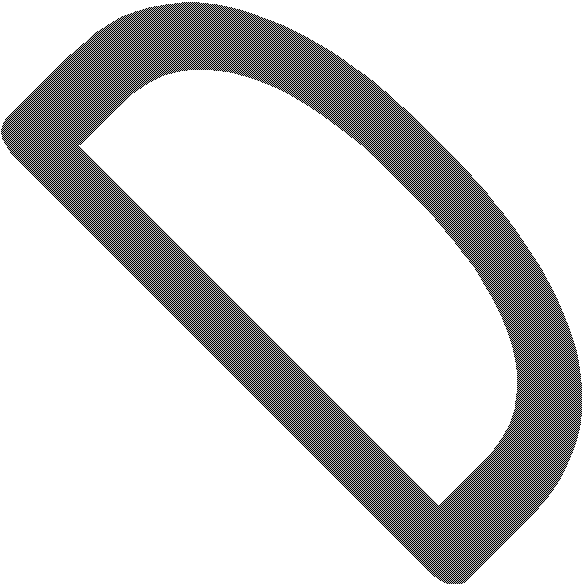
**PP moved to approve the September 26th minutes; seconded by HD. No objection, motion passed unanimously.**

**HD moved to approve the October 24th minutes; seconded by GK. No objection, motion passed unanimously.**

# AUDIENCE PARTICIPATION

Stephen Braund – Northern District Setnetters Association Sue Mauger – Cook Inletkeeper

Chennery Fife – Trout Unlimited Neil DeWitt – member of the public



Gary Swan – Wasilla Resident - NDSNA Stafford Glashan – applied for FWC

Bill Stoltz – working on legislative support Becca Skjothaug – MSB Staff

# STAFF/AGENCY REPORTS & PRESENTATIONS

* 1. Staff Report – Maija DiSalvo
  2. Chair’s Report – Andy Couch
  3. Deshka Land Classification *–* presentation by Sue Mauger, Cook Inletkeeper

# UNFINISHED BUSINESS

* 1. ADF&G Fishing Season Summary Meeting

**PP moved to approve agenda as presented; seconded by HD. No objection, motion passed unanimously.**

|  |  |  |
| --- | --- | --- |
|  | | **HD moved to submit all questions to NOAA in packet on red page 27; and blue page 11, seconded by PP.**  **No objection, motion passed unanimously.** |
|  | B. Board of Game – Update by Gabe Kitter & Howard Delo | |
|  | | Work group (HD, GK, AC) will further evaluate proposals and develop comments for Dec 12th meeting, based on priority proposals submitted by FWC. |

1. Board of Fisheries

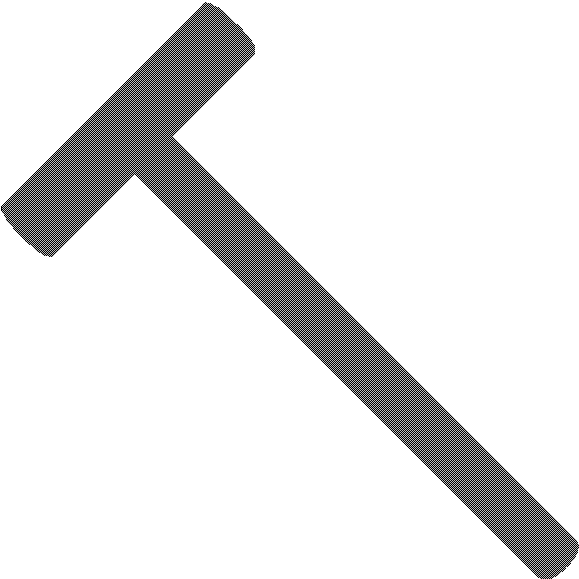
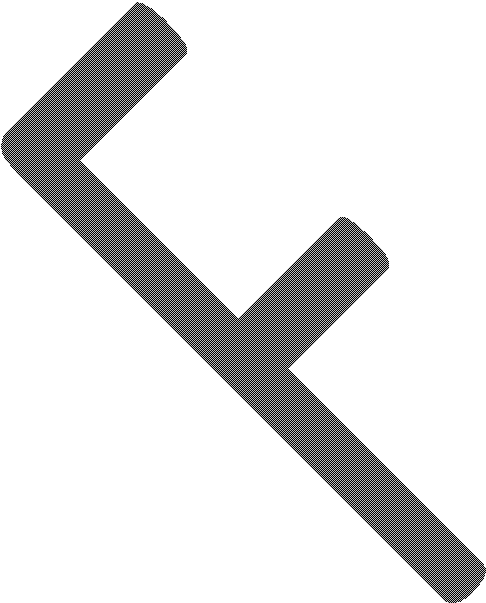
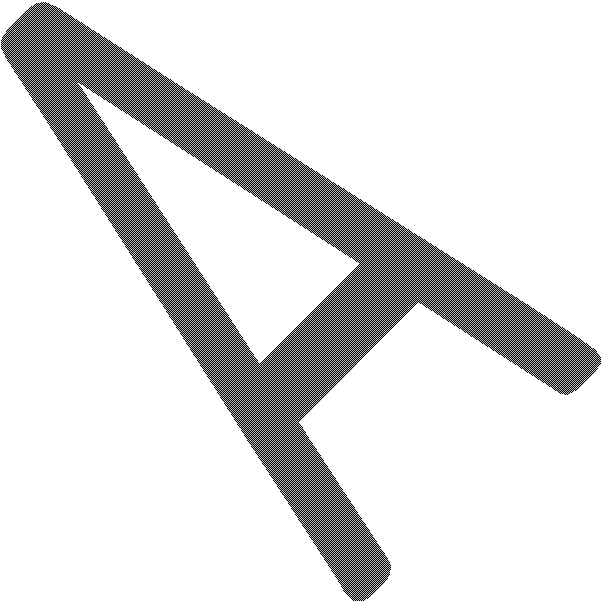
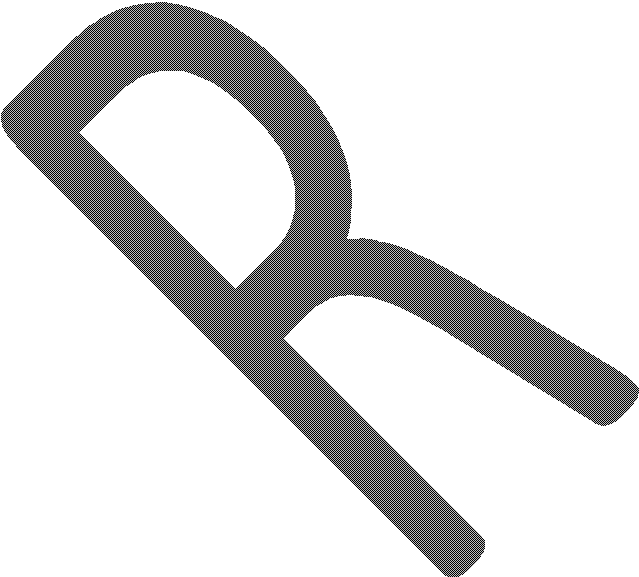
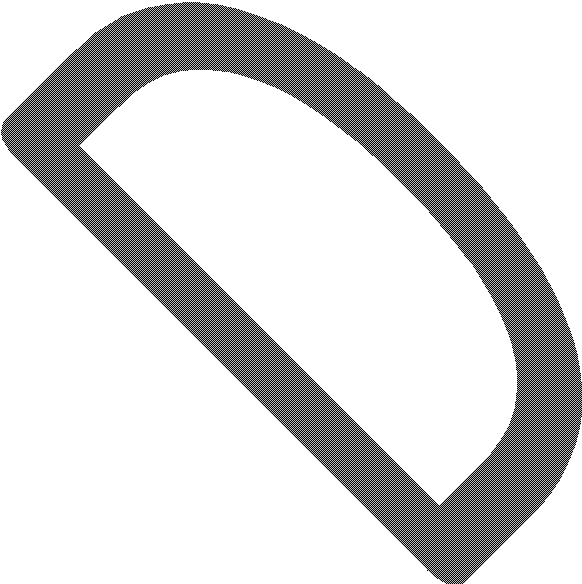
Work Session Report – Pete Probasco & Andy Couch

1. Upcoming Legislative Meetings
   1. December 19 – PP will attend
2. CAPSIS Projects

# NEW BUSINESS

* 1. Waterbody Setback Advisory Board – Kendra Zamzow & Alex Strawn
     1. Review Draft Ordinance

**JS moved to extend meeting to 6:15; seconded by GK. No objection, motion passed unanimously.**



**PP moved to allow KZ to represent the MSB FWC when discussing waterbody setbacks at Mat-Su Salmon Symposium, seconded by HD. No objection, motion passed unanimously.**

**KZ moved to extend meeting to 6:25; seconded by GK. No objection, motion passed unanimously.**

* 1. 2025 Meeting Schedule

**PP moved to approve meeting dates as presented; seconded by KZ. No objection, motion passed unanimously.**

# MEMBER COMMENTS

No comments.

# NEXT MEETING DATE:

* 1. Special Meeting: ADF&G Fishing Season Summary – December 5, 2024 – 5:00 PM, Assembly Chambers
  2. Regular Meeting: December 12, 2024 – 4:00 PM, Assembly Chambers

# ADJOURNMENT

**PP moved to adjourn; seconded by GK.**

**No objection, motion passed unanimously.**

*Meeting adjourned at 6:26 PM.*

**Revised – October 29, 2024**

Action:

**MATANUSKA-SUSITNA BOROUGH WATERBODY SETBACK ADVISORY BOARD RESOLUTION SERIAL NO. 24-01**

# A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH WATERBODY SETBACK ADVISORY BOARD RECOMMENDING CHANGES TO MSB 17.55 – SETBACK AND SCREENING EASEMENTS, MSB 17.02 – MANDATORY LAND USE PERMIT, MSB

17.80 NONCONFORMING STRUCTURES, AND MSB 17.65 - VARIANCES.

WHEREAS, the Matanuska-Susitna Borough Assembly established the Waterbody Setback Advisory Board through IM No. 23-175 and Ordinance No. 23-175 on 8/15/2023 to review and recommend any changes to the Borough code relating to waterbody setbacks and related issues. These related issues should include variances/non- conformities, how to deal with structures built in violation of the 1973 and 1987 ordinances, possible remedies for structures in violation, and any other issues the Board believes are pertinent. To the extent possible, the Advisory Board is required to identify possible solutions, identify ways to enforce and implement those solutions and identify resources needed to implement and enforce those solutions; and

WHEREAS, the preservation and protection of our natural water bodies are recognized as essential for the sustainability of ecological balance, ensuring public safety, enhancing the beauty of our community, the conservation of viewsheds, enriching the quality of life, safeguarding community characteristics, and

upholding property values. These water bodies serve as critical habitats for diverse flora and fauna, contribute to local biodiversity, support recreational activities, and play a crucial role in the broader ecosystem services that benefit both residents and wildlife alike; and

WHEREAS, the activities conducted adjacent to waterbodies, such as construction, grading, clearing, filling, or contouring, are known to have a profound impact on water quality, the preservation of natural habitats, and the overall health and sustainability of aquatic ecosystems. These activities can lead to sedimentation, alteration of hydrological patterns, habitat fragmentation, and the introduction of pollutants, all of which threaten the ecological balance and biodiversity crucial to the well-being of these environments; and

WHEREAS, there has been a recognition of the necessity for increased regulation and oversight to prevent adverse effects on waterbodies resulting from unregulated or improperly managed land- use activities.

NOW, THEREFORE, BE IT RESOLVED, that the Waterbody Setback Advisory Board hereby makes the following recommendations to the Assembly:

1. Path to Compliance for Homeowners: The Assembly is advised to establish a path to compliance for existing homes built within

the 75-foot setback area of lakes in violation of MSB 17.55. This

compliance pathway should require the design and construction of mitigation measures to be developed and overseen by a qualified professional registered in the State of Alaska, and should maintain a minimum setback of 45 feet.

1. Setback Maintenance and Expansion: The Waterbody Setback Advisory Board recommends retaining the current 75-foot setback requirement for buildings adjacent to flowing water, extending this requirement to all future developments along any waterbody, and should be expanded to include commercial and industrial projects.
2. Land Use Permit Requirement: It is recommended that MSB

17.02 be amended to mandate a land use permit for any grading, clearing, filling, contouring, or construction activities within

75 feet of waterbodies. This measure seeks to ensure thorough review and management of all such activities to minimize adverse impacts on waterbody ecosystems.

1. Shoreline standards: Adopt standards for clearing and grading within 75 feet of waterbodies to include provisions for managing runoff associated with the development, and maintaining a vegetative buffer along the shoreline.
2. Animal Waste Management: Adopt a setback requirement of

100 feet from the ordinary high-water mark of waterbodies for

outdoor kennels, stables, animal yards, and animal waste facilities to enhance environmental protection.

1. Prevention of Liquid Petroleum Fuel Contamination: Adopt measures to mitigate the risk of liquid fuel contamination near waterbodies by requiring secondary containment or drip collection for all fuel installations within 75 feet of waterbodies, including both existing and new installations.
2. Enhanced Enforcement: Recognizing the importance of enforcing setback regulations effectively, it is recommended that additional staff be hired to patrol waterbodies during the summer months. Their presence will deter violations, ensure adherence to established laws, and offer an immediate response to any observed infractions.
3. Limitation of Variances: It is recommended that MSB 17.65 be amended to eliminate the ability to obtain a variance within 45 feet of a waterbody.
4. New habitat protection tax incentive: The Assembly is encouraged to consider the establishment of a habitat protection tax incentive, similar to the program in the Kenai Peninsula Borough, and advocate for state legislation that extends coverage to all types of waterbodies, not limited to rivers.

BE IT FURTHER RESOLVED, the Waterbody Setback Advisory Board has attached a draft ordinance reflecting its recommendations for

the Assembly to consider.

ADOPTED by the Matanuska-Susitna Borough Waterbody Setback Advisory Board this day of , .

Bill Kendig, Board Chair

ATTEST:

Lacie Olivieri, Board Clerk

# CODE ORDINANCE

Sponsored by: Introduced:

Draft: 11/5/2024 Public Hearing: Action:

**Bold Underline**

= Language being added

[CAPS AND BRACKETS] = Language being deleted

**MATANUSKA-SUSITNA BOROUGH**

**ORDINANCE SERIAL NO.** Choose an item.

# AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.02 MANDATORY LAND USE PERMIT, MSB 17.55 – SETBACK AND SCREENING EASEMENTS, MSB 17.65 VARIANCES, MSB 17.80 NONCONFORMING STRUCTURES AND MSB 17.125 DEFINITIONS.

BE IT ENACTED:

WHEREAS, the intent and rationale of this ordinance are found in the accompanying Information Memorandum No. 25-XX.

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 chapter. MSB 17.55 is hereby amended to read as follows:

# CHAPTER 17.55: SETBACKS [AND SCREENING EASEMENTS]

Section

# DEFINITIONS

* + 1. [GENERAL] **PURPOSE AND INTENT**

17.55.010 SETBACKS **FROM RIGHTS-OF-WAY AND LOT LINES**

* + 1. SHORELANDS; DEFINITION [REPEALED]
    2. **WATERBODY SETBACKS FOR POLLUTION SOURCES**

17.55.020 **WATERBODY** SETBACKS FOR [SHORELANDS] **STRUCTURES**

# 17.55.040 VIOLATIONS, ENFORCEMENT, AND PENALTIES

17.55.004 DEFINITIONS.

(A) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

* “Aircraft hangar” means a roofed structure which is used to completely or partially enclose and store aircraft and aircraft accessories.
* **​ “Animal waste facility” means any area or**

**structure used to store, compost, or dispose of animal**

**manure, animal byproducts, an animal carcass, or fish waste. The term does not include a dumpster or other**

**closed container provided by a waste service provider.**

* “Boathouse” means a roofed structure which is used to completely or partially enclose and store boats and boating accessories.
* “Building” means any structure intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind or nature.
* “Building line” means the line of that part of the building nearest the property line.
* “Dedication” means the reservation of land to a public use by the owner manifesting the intention that it shall be accepted and used presently or in the future for such public purpose. A dedication by the owner under

the terms of this section is a conveyance of an interest in property which shall be deemed to include the warranties of title listed in A.S. 34.15.030. The dedication of streets, alleys, sidewalks, or public open space shall convey a fee interest in the area dedicated. The dedication of all other public rights-of-way shall be deemed to create an easement in gross to perform the indicated function in the area depicted.

* “Engineer” means a registered professional civil engineer authorized to practice engineering in the state of Alaska.

**“Hazardous substance” means (A) an element or**

**compound that, when it enters into or on the surface or subsurface land or water of the state, presents an**

**imminent and substantial danger to the public health or welfare, or to fish, animals, vegetation, or any part of**

**the natural habitat in which fish, animals, or wildlife**

**may be found; or (B) a substance defined as a hazardous substance under 42 U.S.C. §§ 9601 — 9657 (Comprehensive**

**Environmental Response, Compensation, and Liability Act of 1980). “Hazardous substance” does not include**

**uncontaminated crude oil or uncontaminated refined oil in an amount of 10 gallons or less.**

* **​ “Impervious surface” means the area of the**

**subject site covered by impenetrable materials. This**

**surface has been compacted or covered with a layer of material so that it is highly resistant to infiltration**

**by water.**

* “Incidental” means subordinate and minor in significance and bearing a reasonable relationship to the primary use.
* “Lot” means the least fractional part of subdivided lands having limited fixed boundaries and having an assigned number, or other name through which it may be identified.
* “Lot depth” means the average distance between front and rear lot lines.
* “Lot frontage” means all property abutting the right-of-way of a dedicated street or road easement, measured along the right-of-way between side lot lines of a lot.
* “Lot width” means the average distance between side lot lines.
* “Ordinary high water mark” means the mark made by the action of water under natural conditions on the shore or bank of a body of water which action has been so common and usual that it has created a difference between the character of the vegetation or soil on one side of

the mark and character of the vegetation and soil on the other side of the mark.

* “Parcel” means an unsubdivided plot of land.
* **“Private pond” means a natural or constructed waterbody less than five acres in size that lacks a**

**surface connection to other waterbodies and is located entirely on property with a single owner.**

* “Right-of-way” means a strip of land reserved, used, or to be used for a street, alley, walkway, airport, or other public or private purpose.
* **​ “Secondary containment” means an impermeable diked area or portable impermeable container capable of**

**providing storage capacity for materials which may leak due to the failure, overfilling or improper draining of**

**the primary storage container. Double-walled tanks do not qualify as secondary containment.**

* “Structure” means anything that is constructed or created and located on or above the ground, or attached to something fixed to the ground. For purposes of minimum setbacks and building separation requirements, the following are not considered structures unless specifically addressed by code: signs; fences; retaining walls; parking areas; roads, driveways, or walkways; window awnings; a temporary building when used for 30

days or less; utility boxes and other incidental structures related to utility services; utility poles and lines; guy wires; clotheslines; flagpoles; planters; incidental yard furnishings; water wells; monitoring wells; and/or tubes, patios, decks, or steps less than

18 inches above average grade.

* “Subdivision” means the division of a tract or parcel of land into two or more lots, sites, or other divisions, or the combining of two or more lots, tracts, or parcels into one lot, tract, or parcel for the purpose, whether immediate or future, of sale or lease for more than ten years, including any resubdivision and when appropriate to the context, the process of subdividing or the land actually subdivided.
* “Surveyor” means a professional land surveyor who is registered in the state of Alaska.
* “Utility box” means electric transformers, switch boxes, telephone pedestals and telephone boxes, cable television boxes, traffic control boxes, and similar devices.
* “Utility services” means the generation, transmission, or distribution of electricity, gas, communications, and municipal water and sewer systems.
* **​ “Water-dependent accessory structure” means a**

**structure necessary to support access to or use of the**

**water (e.g., a shed used to store boating accessories) or waterfront (e.g., a gazebo).**

17.55.005 [GENERAL] **PURPOSE AND INTENT.**

1. [THIS] **The purpose of this** chapter **is to**

establish[ES] minimum structural setbacks from lot lines, [WATER COURSES AND] water bodies, **and** rights-of-

way [, 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.

* 1. **Setbacks provide for light and air, fire**

**protection, traffic safety, preservation of privacy, stormwater management, space for utility lines, and**

**uphold neighborhood aesthetics; and**

* 1. **​ Setbacks along flowing waters minimize**

**risks to structures from lateral channel migration and**

**flooding.**

1. **The primary purpose of 17.55.016 to 17.55.020**

**is to protect human health, aquatic and riparian habitat, the ecologic function of waterbodies, the local**

**economy and property values, recreation, viewshed, and quality of life.**

* 1. **​ These sections establish requirements**

**related to the development and management of lands**

**adjoining waterbodies.**

* 1. **Standards will reduce and minimize the**

**discharge of pollutants to waterbodies via surface runoff and subsurface leaching.**

17.55.010 SETBACKS **FROM RIGHTS-OF-WAY AND LOT LINES.**

1. No structure or building line shall be placed within 25 feet from the right-of-way line of any public right-of-way, except no furthermost protruding portion of any structure shall be placed within ten feet from the right-of-way line of any public right-of-way when the pre-existing lot:
   1. measures 60 feet or less in frontage on a public right-of-way, and is not located on a cul-de-sac

bulb; or

* 1. comprises a nonconforming structure

erected prior to July 3, 1973. This setback shall be known as the structure or building line setback.

1. Except where specifically provided other-wise by ordinance, no furthermost protruding portion of any structure or building line shall be located nearer than ten feet from any side or rear lot line.
2. Except as otherwise specified by code, eaves may project a maximum of three feet into required setback

areas.

1. The setback requirements of this section do not apply to property within the cities of Palmer and Wasilla.
2. If a condemnation by a governmental agency reduces the building line setback of a structure below

25 feet, but there remains at least ten feet setback, and the setback reduced by the condemnation met the requirements of this section prior to the condemnation, the resulting setback shall be the setback requirements for the lot.

1. For purposes of this chapter, commercial or industrial buildings on separate but [ADJACENT] **adjoining** parcels, which otherwise meet the setback

requirements, may have connecting pedestrian walkways, enclosed or not. Pedestrian walkways:

* 1. shall not contribute to the building area or the number of stories or height of connected buildings; and
  2. must comply with the current adopted edition of the International Building Code, except that the outside width of the walkway shall not exceed 30 feet in width, exclusive of eaves.

1. No furthermost protruding portion of any

structure or building line shall be located nearer than ten feet from railroad rights-of-way, except that utilities and rail dependent structures may extend up to railroad rights-of-way.

**17.55.016 WATERBODY SETBACKS FOR POLLUTION SOURCES**

1. **No part of a subsurface sewage disposal system shall be closer than 100 feet from the ordinary high**

**water mark of any body of water.**

1. **​ Kennels, stables, animal yards and animal waste facilities shall not be located closer than 100**

**feet from the ordinary high water mark of any water body. Drainage from kennels, stables, animal yards and animal**

**waste facilities shall not be concentrated and directed (e.g., such as by a ditch) towards a water body. This**

**requirement does not apply to private ponds.**

1. **Paved vehicle parking areas for commercial and**

**industrial facilities shall not be located closer than**

**25 feet from the ordinary high water mark of any water body.**

1. **paved parking areas within 75 feet of a waterbody shall demonstrate that the development**

**standards identified in MSB 17.02.035(B) regarding stormwater runoff are met.**

1. **​ Except as provided in subparagraph (1), all**

**liquid hazardous substances, including petroleum fuels,**

**oils, and lubricants, located or stored closer than 75 feet from the ordinary high water mark of any water body**

**shall include secondary containment of at least 110 percent of the storage volume to minimize the risk of**

**spills. All piping and valves carrying liquid hazardous substances shall have secondary containment.**

* 1. **Pump-activated fuel-delivery systems**

**with leak detection may a have drip collection system instead of secondary containment.**

* 1. **​ The owners of pre-existing fixed storage facilities for petroleum fuels and other liquid**

**hazardous substances (e.g., home heating oil tanks) shall be allowed five years from the effective date of**

**this section to fully comply with the secondary containment requirement.**

1. **The following activities are prohibited within**

**25 feet of the ordinary high water mark of any water body:**

1. **Removing riparian buffer from more than 50 percent of the surface area.**
   1. **the riparian buffer area shall be left undisturbed except that dead, diseased, or fallen**

**trees may be removed, and pruning for vegetation health**

**is allowed.**

1. **Ground disturbing activities of more than 50 percent of the surface area.**
2. **Storing or discharging solid or liquid waste, including debris, and animal and yard wastes.**
3. **Stockpiling imported snow from an offsite**

**location.**

1. **The application of fertilizers or**

**herbicides.**

17.55.020 **WATERBODY** SETBACKS FOR [SHORELANDS]

**STRUCTURES.**

1. Except as provided in subsection (B) of this section, no structure or footing shall be located closer than 75 feet from the ordinary high water mark of a body of water. [EXCEPT AS PROVIDED OTHERWISE, E]**E**aves may project three feet into the required setback area.
   1. **Compliance with setbacks for structures**

**adjoining waterbodies shall be based upon the location of the structure in relation to the ordinary high water**

**mark at the time it was constructed. Subsequent movement of the ordinary high water mark that reduces the setback**

**distance does not create a violation under this chapter.**

1. Docks, piers, marinas, aircraft hangars, boathouses **and water-dependent accessory structures** may

be located closer than 75 feet **of a waterbody** and over

the water**body**, provided they [ARE NOT USED FOR HABITATION AND DO NOT CONTAIN SANITARY OR PETROLEUM FUEL STORAGE FACILITIES. STRUCTURES PERMITTED OVER WATER UNDER THIS SUBSECTION SHALL CONFORM TO ALL APPLICABLE STATE AND FEDERAL STATUTES AND REGULATIONS] **meet all**

**state, federal, and borough regulatory standards and**

**receive a land use permit prior to construction in**

**accordance with MSB 17.02**.

* 1. **A permit in accordance with MSB 17.02 is**

**required prior to construction or placement of any building or structure, or any ground-disturbing activity**

**within 75 feet of the ordinary high water mark of any waterbody.**

([1]**2**) Boathouses or aircraft hangars which are exempt from a minimum shoreline setback for structures shall:

* + 1. be built over, in, or [IMMEDIATELY ADJACENT TO] **adjoining** a waterbody and used solely for

storing boats and boating accessories;

* + 1. be designed, constructed and oriented for primary access by boats or aircraft directly to a waterbody;
    2. not have more than incidental

accessory access to a street or driveway; and

* + 1. not be usable as a garage or habitable structure without significant alteration.

[(C) IN THE CITY OF WASILLA, THIS SECTION DOES NOT APPLY TO STRUCTURES WHERE CONSTRUCTION WAS COMPLETED PRIOR TO NOVEMBER 16, 1982. ELSEWHERE IN THE BOROUGH, THIS SECTION DOES NOT APPLY TO STRUCTURES WHERE CONSTRUCTION WAS COMPLETED PRIOR TO JANUARY 1, 1987, IF THE PRESENT OWNER OR OWNERS OF THE PROPERTY HAD NO PERSONAL KNOWLEDGE OF ANY VIOLATION OF THE REQUIREMENTS OF THIS SECTION PRIOR TO SUBSTANTIAL COMPLETION OF THE STRUCTURES. THE DIRECTOR OF THE PLANNING DEPARTMENT SHALL, UPON APPLICATION BY A PROPERTY OWNER, DETERMINE WHETHER A PROPERTY QUALIFIES FOR AN EXCEPTION UNDER THIS SUBSECTION.

(1) AN APPLICATION FOR A SHORELINE SETBACK EXCEPTION SHALL INCLUDE A FILING FEE AS ESTABLISHED BY RESOLUTION OF THE ASSEMBLY.

1. IN THIS SECTION, A “STRUCTURE” IS ANY DWELLING OR HABITABLE BUILDING OR GARAGE.
2. NO PART OF A SUBSURFACE SEWAGE DISPOSAL SYSTEM SHALL BE CLOSER THAN 100 FEET FROM THE ORDINARY HIGH WATER MARK OF ANY BODY OF WATER. THE PLANNING COMMISSION SHALL REQUIRE THIS DISTANCE BE INCREASED WHERE NECESSARY

TO PROTECT WATERS WITHIN THE BOROUGH.]

**17.55.040 VIOLATIONS, ENFORCEMENT, AND PENALTIES.**

1. Except as otherwise specified in this chapter violations of this chapter are infractions.
2. Remedies, enforcement actions, and penalties shall be consistent with the terms and provisions of MSB 1.45.

Section 3. Amendment of Paragraph. MSB 17.02.020(A)(6) is

hereby amended as follows:

1. construction or placement of any building**, or**

**structure** within 75 feet of [ANY WATERCOURSE OR WATER BODY] **the ordinary high water mark of any water body;**

[.]

Section 4. Amendment of Paragraph. MSB 17.02.020(A)(7) is

hereby adopted as follows:

1. **ground-disturbing activities within 75 feet of**

**the ordinary high water mark of any water body.**

Section 5. Amendment of Subparagraph. MSB 17.02.030(B)(2)(a) is hereby amended as follows:

* 1. site plans are not required to be certified but shall clearly identify the following:
     1. north arrow;
     2. boundaries of parcel;
     3. size, location, and setback dimensions

of proposed structures;

* + 1. names and location of [ADJACENT]

**adjoining** roadways;

* + 1. location of rights-of-way and public easements within and [ADJACENT TO] **adjoining** the

parcel;

* + 1. location and name of [ADJACENT] **adjoining**

water bodies;

* + 1. location of subsurface sewage disposal systems; [AND]
    2. intended use of proposed structures**;**[.]
    3. **existing cleared areas, structures, and**

**impervious surfaces; and**

* + 1. **any areas of proposed ground disturbing**

**activities.**

Section 6. Adoption of Subsection. MSB 17.02.035 Standards

for development within 75 feet of a waterbody is adopted as follows:

**17.02.035 STANDARDS FOR DEVELOPMENT WITHIN 75 FEET OF A**

**WATERBODY**

1. **​ The director may issue a land use permit**

**pursuant to MSB 17.02.020 only upon finding that the development meets the following standards:**

* 1. **the site plan demonstrates compliance with**

**the provisions of MSB 17.55.016;**

* + 1. **Notwithstanding the requirements of MSB 17.55.016(E)(1), a land use permit may be issued**

**where no riparian buffer exists or where the property owner proposes to remove the riparian buffer if the**

**requirements of MSB 17.02.035(B) are met.**

* 1. **any proposed buildings or structures will**

**comply with MSB 17.55.020(B)(2), as applicable; and**

* 1. **​ the total area of impervious surfaces within 75 feet of a waterbody will not exceed 20% of the**

**area within 75 of the waterbody.**

* + 1. **Impervious surface may exceed 20% if**

**the requirements of MSB 17.02.035(B) are met.**

1. **For existing structures seeking nonconforming**

**status in accordance with MSB 17.80.020(B)(4), those seeking a variance from the waterbody setback in**

**accordance with MSB 17.65, or a land use permit**

**application in accordance with MSB 17.02.035(A)(1)(a) or 17.02.035(A)(3)(a), the following additional**

**requirements apply:**

* 1. **site plan requirements identified in MSB**

**17.02.030, and**

* 1. **The application shall include the**

**following information:**

* + 1. **​ existing and proposed drainage**

**patterns to and from the parcel, known drainage problems such as flooding or erosion, and potential pollutant**

**sources from current or proposed land use that may add pollutants to stormwater runoff;**

* + 1. **plans and specifications for proposed runoff pollution mitigation measures, including for**

**necessary maintenance, with sufficient detail to support**

**an engineering review;**

* + 1. **plans and specifications for**

**infiltrative methods shall identify soil type and depth to the seasonal high water table, with a minimum of 2**

**feet from the bottom of any basin or swale to the seasonal high water table; and**

* + 1. **site-specific analyses conducted by a qualified professional identifying the proposed runoff**

**pollution mitigation measures.**

1. **a land use permit may only be issued upon a finding that the applicant’s proposed runoff pollution**

**mitigation measures will meet the following criteria:**

* 1. **Treat the initial 0.25 inch of post-**

**development runoff for each storm event;**

* 1. **Provide (a minimum of) 12 hours of**

**detention for the post-development runoff in excess of**

**pre-development runoff volumes for the 1-year, 24-hour**

**storm;**

* 1. **Maintain the post-development runoff**

**peak flow from the 10-year, 24-hour storm to less than**

**1.10 times the pre-development runoff peak flow at all**

**project discharge points;**

* 1. **Storm water conveyance and drainage**

**ditches shall be sized to pass the 10-year, 24-hour storm**

**event. Control flows in conveyance channels so that transport of particles will not occur for the post-**

**development 10-year, 24-hour storm; and**

* 1. **In areas where wetlands are**

**disturbed, drainage must be designed to preserve the pre-development function of the remaining wetlands.**

1. **runoff pollution mitigation measures shall be designed and installed under the oversight of a**

**qualified professional.**

1. **upon completion of the project, an as- built survey shall be submitted showing the location of**

**all pertinent structures and features associated with the development.**

1. **a revised stormwater runoff analysis will be required if future development could reasonably**

**result in increased stormwater runoff.**

1. **landowners are responsible for maintenance**

**of approved runoff pollution mitigation measures specified in their permit while the structure permitted**

**under this subsection remains within 75 feet of a lake, pond, or ponded or emergent wetland.**

Section 7. Adoption of Subsection. MSB 17.65.020(B) is hereby adopted as follows:

1. **​ For variances from the waterbody setback**

**requirement in MSB 17.55.020(A) the Planning Commission must find each of the following requirements has been**

**met:**

* 1. **the site plan required by MSB**

**17.65.050(C)(4) demonstrates that the development standards identified in MSB 17.02.035(A) will be met.**

* 1. **​ the variance application demonstrates compliance with the requirements identified in**

**17.02.035(B) regarding stormwater runoff.**

* 1. **The Planning Commission shall not authorize a variance if the location of the structure**

**is:**

* + 1. **closer than 45 feet from the ordinary**

**high water mark of a water body.**

* + 1. **in an area of known erosion hazard**

**adjacent to a river, stream, or other flowing waters.**

Section 8. Amendment of Section. MSB 17.80.020 is hereby

amended as follows:

# 17.80.020 LEGAL NONCONFORMING STRUCTURES

1. The following structures qualify as legal nonconforming structures without an administrative determination, however, an administrative determination may be issued if requested by the property owner:
   1. structures built lawfully and made nonconforming by adoption of subsequent ordinances;
      1. **all structures within 75 feet of a**

**water body that were constructed prior to adoption of the setback requirement on July 3, 1973, and have not**

**subsequently been enlarged or altered are legal nonconforming structures.**

* + 1. **Non-habitable** structures within 75 feet of a water body **that were constructed between**

**September 16, 1988 and the effective date of this section**

**are legal nonconforming structures.**

* 1. structures built in violation of the ordinance existing at the time of construction, then made legal by adoption of subsequent ordinance, and later made nonconforming by adoption of subsequent ordinances;
     1. **habitable buildings and garages that**

**were completed between July 3, 1973, and January 1, 1987,**

**and have not subsequently been enlarged or altered, that are located between 45 and 75 feet from the ordinary**

**high water mark of a water body are legal nonconforming structures.**

* 1. permanent structures which were constructed lawfully after the date of adoption of the Acknowledgement of Existing Regulations, Chapter 17.01, but which were made unlawful after the date of start of construction due to adoption of subsequent regulations.

1. The following structures require an administrative determination in order to be granted legal nonconforming status;
   1. structures granted a variance in accordance with Chapter 17.65;

# [(2) STRUCTURES BUILT IN VIOLATION OF SHORELINE SETBACK ORDINANCES EXISTING AT THE TIME OF CONSTRUCTION, AND SUBSEQUENTLY GRANTED AN EXEMPTION FROM SHORELINE SETBACKS IN ACCORDANCE WITH MSB 17.55.020(C);]

1. permanent structures built in violation of ordinances existing at the time of construction, and subsequently granted legal nonconforming status in accordance with MSB 17.80.070.
2. **Habitable buildings and garages that were**

**constructed between 45 and 75 feet of the ordinary high**

**water mark of a lake, pond, or emergent wetland between January 1, 1987, and the effective date of this section**

**may be granted legal nonconforming status upon issuance of a mandatory land use permit in accordance with MSB**

**17.02.020(B).**

Section 9. Amendment of Section. MSB 17.125.010 is hereby amended as follows:

* **​ “Cleared area” means an area where existing vegetative cover and surficial soil layers, including**

**organic matter or duff, is removed or altered by ground- disturbing activities.**

* **“Ground disturbing activity” means an activity that includes the use of heavy equipment, such as a**

**backhoe or bulldozer, that disturbs the soil layers, uproots woody vegetation, or alters preexisting land**

**contours. Examples of such uses include mechanized land**

**clearing, grading, contouring, or placing of fill. Ground disturbing activity does not include the cutting**

**or removal of vegetation above the ground (i.e. use of hydro-axe, mowing, rotary cutting, and chain sawing)**

**without disturbing the soil or root systems.**

* **​ “Kennel, stable, and animal yards” means any**

**premises used for breeding, buying, selling, keeping, or**

**boarding five or more dogs over the age of six months,**

**whether for profit or not; any facility housing or holding more than three pigs, goats, or animals of**

**similar size; and all facilities housing or holding large animals (e.g., horses, cattle, llamas).**

* **“Lake” means a standing body of open water that occurs in a natural depression fed by one or more streams**

**from which a stream may flow, that occurs due to the**

**widening or natural blockage or cutoff of a river or stream, or that occurs in an isolated natural depression**

**that is not a part of a surface river or stream. The term also includes artificial waterbodies created by**

**excavation, as well as artificial blocking or restriction of the flow of a river, stream, or tidal**

**area (e.g. by a dam).**

* “Qualified professional” means a professional [HYDROLOGIST, GEOLOGIST, OR REGISTERED ENGINEER THAT HAS SPECIFIC EDUCATION AND EXPERIENCE WITH GROUNDWATER

HYDROLOGY] **civil engineer or other professional**

**registered with the State of Alaska under Alaska Statute**

**08.48 qualified to practice the type of work required by**

**this title**.

* **“Riparian buffer” means an area of undisturbed**

**native vegetation.**

* **“Runoff pollution mitigation measure” means any**

**combination of bioswales, rain gardens, riparian buffers, filter strips, or other features designed and**

**intended to treat and retain stormwater runoff associated with a development.**

* **​ “Stormwater runoff” means any surface flow consisting entirely of water from precipitation**

**including from the melting of ice and snow. Runoff occurs**

**when the water volume or surface gradient overcome the infiltrative capacity of the surface.**

* **“Treat and retain” means to manage stormwater on the parcel through any combination of detention,**

**retention, infiltration, evapotranspiration, or other treatment methods to mitigate a discharge of stormwater**

**runoff to a water body or adjoining parcel.**

Section 10. Effective date. This ordinance shall take effect

upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2025.

EDNA DeVRIES, Borough Mayor

# ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk (SEAL)

MSB Fish & Wildlife Commission Meeting Packet 28 of 31

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Proposal Number** | **GMU** | **Priority Level 1=High 5-Low** | **Subject** | **Short Discription** | **Support/Oppo se** | **Additional Comments/Reasoning** | **Additional Comments/Reasoning** |
| 1 | Multiple | **5** | Brown bear | Tag Fee Exemption | Yes | additional management options for ADF&G | Seems like a housekeeping Item for the department |
| 2 | 9,11,13,14B,14C,16,17 | **3** | Bear Bait | Season Extention | Yes | addl. mgmt. options/ more hunting opportunity | Increased opportunity and increased harvest of bears |
| 3 | 9,11,13,14B,16,17 | **2** | Bear Bait | Cell Camera Use | Undecided | no wireless messaging/ check in person | Increase the efficiency of hunting with no negative benefit to the resource |
| 4 | 9,11,13,14A,14B | **3** | Sheep | Create Archery Season | Undecided | safety/ minimal harvest increases/ hunter opportunity | With the decrease in sheep numbers an increase in opportunity is not warranted. |
| 39 | 13B | **3** | Moose | Reduce Harvest | Yes | conservation and better mgmt. of moose resource | This would allow management of the moose in the area to Proactive rather than reactive and seems appropriate |
| 40 | 13C | **4** | Moose | Increase Pop. Objective | Yes | allows better mgmt. of population | Same |
| 41 | 13C | **4** | Moose | Reduce Harvest Objective | Yes | additional mgmt. tool for ADF&G | Same |
| 42 | 13E | **4** | Moose | Reduce Harvest Objective | Yes | better mgmt. tool for ADF&G | Same |
| 43 | 13A | **3** | Moose | Create Antlerless Hunt | Yes | additional mgmt. tool/ increased hunter opportunity | so long as survey data is collected annually and supports a continuation of the hunt |
| 44 | 13C | **3** | Moose | Create Antlerless Hunt | Yes | see comments #44 | Same as 43 |
| 45 | 13 | **3** | Moose | Create Archery Season | Yes | additional mgmt. tool/minimal harvest/ hunter opportunity | This would help to align regulations and opportunity with Other GMU’s in close proximity |
| 46 | 13 | **2** | Moose | Change Community Harvest | Undecided | emphasize non-motorized hunting | Would be interested to hear others' thoughts |
| 47 | 13E,13B | **3** | Moose | Create Archery Season | Yes | ANY bull hunt could result in overharvest | If the department feels the population could support the allocated number of tags. |
| 48 | 13 | **2** | Caibou | Add Caribou as trigger to Intensive Management | Yes | develop trigger points to control hunting effort | Provide the department another tool to manage with |
| 49 | 11,12,13,14B,20E | **2** | Caribou | Eliminate Nelchina Harvest | No | ADF&G already can close hunting/ regulation hard to undo | The department has the authority to close the hunt when needed and has shown to use it recently |
| 50 | 13D | **4** | Sheep | Change DS135 to General Season | Undecided | defer to ADF&G recommendations | The department has a finer tuned management tool with draw tags currently |
| 51 | 11 | **4** | Sheep | Create Resident Only Hunt | N/A | defer to ADF&G recommendations | Defer to department |
| 52 | 11 | **4** | Sheep | Create Resident Only Hunt | N/A | defer to ADF&G recommendations | Defer to Department |
| 53 | 13D | **4** | Sheep | Create Orchery Hunt | Undecided | Sheep numbers already in decline | If the department feels that this is a sustainable opportunity |
| 54 | 13D | **4** | Sheep | Create Archery Hunt | Yes | tighten harvest requirements | This would align the regulations with surrounding areas |
| 55 | 13D | **4** | Goat | Segregate Draw area into 3 | N/A | defer to ADF&G recommendations | Defer to the department |
| 56 | 13D,11 | **4** | Goat | Create Archery Only Hunt | N/A | defer to ADF&G recommendations | Defer to the department |
| 57 | 13 | **2** | Brown Bear | Increase Bag Limit from 1 to 2 | Yes | need to reduce bear numbers/ better predator-prey ratios | If the Department feels this is sustainable. This could be reduced back to one again if needed. |
| 58 | 13 | **2** | Wolf | Decrease Minimum Wolf Pop. | Yes | need to reduce predator numbers for better ratios | If the department supports the proposers data |
| 59 | 11 | **4** | Wolf Trapping | Legthen Trapping Season | N/A | defer to ADF&G recommendations | Defer to the department |
| 60 | 11 | **4** | Coyote Trapping | Legthen Trapping Season | N/A | defer to ADF&G recommendations | Defer to the department |
| 61 | 13B | **3** | Ptarmigan | Later Start to the season | N/A | defer to ADF&G recommendations | Defer to the department |
| 62 | 13A, 13C, 13D | **3** | Ptarmigan | Exend Season in the Spring | N/A | defer to ADF&G recommendations | Defer to the department |
| 63 | 13B, 13E | **3** | Ptarmigan | Require Registration Permit | Yes | conservation mgmt./ improved data collection | This would be a great opportunity fro the department to Better collect data over and above the “wing program” |
| 64 | 14A, 14B | **1** | Moose | Reautherize Antlerless Hunt | Yes | mgmt. tool/ data collection | This would only reissue the department the authority |
| 65 | 14A | **2** | Moose | Reduce Max Tag allocation | No | decreases mgmt. options and data collection | This decision should be left to the department. |
| 66 | 14A, 14B | **2** | Moose | Create late season archery | Undecided | if adopted, eliminate early season | Would push a hunting opportunity deeper into the rut |
| 67 | 16A | **2** | Moose | Create late season archery | Undecided | accessibility issues would keep potential harvest down | Same Reason |
| 68 | 16B | **3** | Moose | Change Tier 2 Regulations | Undecided | potential for overharvest on ANY bull change | It would simplify the regs and better align with the substance type hunt the tier hunts are. |
| 69 | 16B | **3** | Moose | Shorten Tier 2 Season | Yes | winter stress of population probable | This would reduce the season of a hunt that is extremely long as it is and help to reduce pressure on late season,  stressed moose populations |
| 70 | 14A, 14B | **2** | Brown Bear | Extend Hunting Season | Yes | reduce bear numbers/ harvest opportunity | would support prop 71 over 70 for 14B |
| 71 | 14B | **2** | Brown Bear | Extend Hunting Season | Yes | see comments proposal #70 | This would provide opportunity to match the bear bait regs |
| 72 | 16 | **2** | Black Bear | Eliminate Harvet Ticket Requirement | Yes | more opportunity to reduce bear numbers | This would reduce the resourse of the department that could be used more effectively elsewhere |
| 73 | 14A | **2** | Sheep | Change draw to General Season | Yes | help reduce sub-legal harvest/ conservation effort | Curious to see what the department has to say |
| 74 | 14A | **2** | Sheep | Create Res Only Archery | Undecided | more pressure on already declining population | If the department supports |
| 75 | 16 | **1** | Wolf/Bear | Allow Dept. to reduce Population | Undecided | more predator control options for mgmt. | This would be an additional expense to the department that Is currently struggling. I support the idea but not  now. The current aerial program is more cost-effective. |
| 76 | 16 | **3** | Brown Bear | Allow havest same day airborne | Yes | more mgmt. options to control bear numbers | This would align with current black bear regulations |
| 77 | 14B | **2** | Brown Bear | Extend Season | Yes | encourage more bear harvest | Increase bear harvest |
| 78 | 16 | **3** | Wolves | Allow harvest same day airborne | Yes | encourage more predator control/ require registration permit | Increase predator control opportunities |
| 79 | 14A | **3** | Wolves | Extend Trapping Season | Yes | defer to ADF&G recommendations | Increase predator control opportunities |
| 80 | 16 | **4** | Beaver | Impliment Sealing Requirments | Yes | data collection for better mgmt./ three-year time frame | This would provide the department with better data |
| 81 | 14A | **2** | Trap Regs | Add additional requiements/Within 2 mile cooridor of roads | Undecided | enforceability issues | 36 hours is too short of time. I agree with the issue at hand I feel there's a better way to deal with it. This would also be nearly  impossible to enforce. |
| 82 | 14 | **`2** | Trap Regs | Establish 50 yrd Setback for traps near listed trails | Yes | helps minimize user conflicts | I don’t know a lot about the listed trails. Seems like a good idea with good intent |
| 83 | 16 | **3** | Ptarmigan | Extend Season by 1 month | N/A | defer to ADF&G recommendations | Defer to the department |
| 84 | 14A, 14B | **2** | Ptarmigan | Extend Season by 1 month | N/A | defer to ADF&G recommendations | Defer to the department |
|  |  | | | | | | |

Regular Meeting 11.14.2024 28 of 31

Matanuska Fish and Wildlife Commission (FWC) – Peter Probasco

Subject: Comments to the State of Alaska Board of Game Proposals 2024-2025 November 22, 2024

Gabe and Howard deserve a big thankyou for summarizing the hunting and trapping regulations pertaining to the Central and Southwest Region (Game Management Units 9, 10, 11, 13, 14A, 4B, 16 & 17) and Statewide Regulatory Provisions under 5 AAC Chapters 92 and 98. I found their spread sheet very helpful in developing a better understanding of the proposals and understanding their views on what is important for the FWC to focus on.

In general, the FWC is somewhat at a disadvantage in addressing many of these proposals due to the fact the available data we have to determine how best to respond as the Commission is much more limited than what we have had over the years as compared to addressing fishery issues.

This is something the FWC should work towards in developing a better understanding of the issues.

Proposals I would recommend the FWC to comment on…

**Proposals 39-44**

These proposals focus on the management of moose populations in the subunits of Unit 13. These proposals (39,41,42), developed by the Alaska Department of Fish and Game (Department) propose changes in the management objectives for the subunit populations and proposals (43-44) recommend reauthorizing the antlerless moose hunts. Proposal 40, submitted by the Copper Basin Fish & Game Advisory Committee also recommends changes to the management objectives for subunit 13C.

The Department provides a long series of historical data to support their recommendation for reducing the population and harvest objectives for these subunits. I would recommend that the FWC support these proposals primarily due to the fact that these changes are based on the best available data and support the need maintain a more sustainable population.

The proposal submitted by the Copper Basin Fish & Game Advisory Committee also addresses subunit 13C, recommending an increase in the harvest objective. However, no data is provided to support this recommendation and is not supported by the historical data presented by the Department. I would recommend we oppose this proposal for this reason.

The reauthorization of the antlerless moose seasons as addressed in proposals 43-44 are a necessary step the department is required to follow. As stated in State regulations that in order to conduct antlerless moose seasons, must be annually reauthorized by the local advisory committees and by the BOG. The FWC should support these proposals for the reasons stated by the Department, e.g. *Unit 13 has an active intensive management program to benefit moose populations for human consumptive use. Managing a moose population for high levels of human consumptive use requires harvest of cow moose to utilize additional surplus moose on the landscape and prevent moose populations from exceeding the carrying capacity of the land. To maintain moose populations within their appropriate population and sex ratio objectives while*

*also providing adequate opportunity to meet harvest objectives, antlerless moose hunts are an essential management tool to adjust the population trajectory through additional sustainable harvest opportunities.*

**Proposal 49**

This proposal submitted by the Ahtna Intertribal Resource Commission (AITRC) recommends the closure of the Nelchina Caribou Herd (NCH) season for six years or until the herd reaches the midpoint of the management objective of 37,500. The management objective for this herd is 35,000 to 40,000 animals. Preliminary 2024 surveys conducted by the Department estimates the herd to be approximately 12,000 animals well below the management objective. The Department has stated, *“That with the Nelchina caribou herd’s current low abundance, combined with low recruitment in recent years, there may be a long recovery period as the herd builds back up toward objectives. The NCH last experienced a long recovery period in the 1970s and 80s, and a similar recovery period of up to 15 years could be ahead of us. During this recovery it will be important to protect cows from harvest, as they represent the reproductive potential of the herd. This recovery period will allow forage on the range to recover if it has been negatively impacted by caribou use.”* I would recommend that the FWC not support this proposal as it seems unnecessary for the reason the season is currently closed, the herd is well below the management objective and if the herd does obtain the lower end of the management objective (necessary to manage a healthy herd) it is not justifiable to curtail the harvest until the mid-point of the management objective.

**Proposal 63**

This proposal submitted by the Department recommends that you must have a registration permit to hunt ptarmigan in Units 13B and 13E. The purpose of this proposal is to improve the collection of harvest data which is necessary to better manage this resource. This area is a very popular area and one which experiences high hunting pressure. The current process of obtaining harvest data relies on voluntary reported harvest information which historically results in very limited data. Meaningful data is necessary to manage wildlife populations which are located in very accessible areas and experience high hunting pressure. For this reason, the FWC should support this proposal.

**Proposal 64**

The reauthorization of the antlerless moose seasons as addressed in proposal 64 are a necessary step the department is required to follow. As stated in State regulations that in order to conduct antlerless moose seasons, must be annually reauthorized by the local advisory committees and by the BOG. The FWC should support this proposal.

**Proposal 75**

This proposal submitted by the Department recommends adding the removal of wolves, brown bears, and black bears to Unit 16 Intensive Management Plan by allowing department employees to conduct aerial, land and shoot, or ground-based lethal removal of wolves and black bears and brown bears using state-owned, privately-owned, or chartered equipment, including helicopters. When the Intensive Management Plan was developed to include the Predation Control Area (Unit 16), regulations did not allow for the department to do the removal. Adding the ability for

the department to conduct control efforts of wolves and bears ensures the department has the ability to actively manage predators in the area to aid in achieving the population and harvest objectives set by the BOG. As stated in the proposal, the department has no plans to activate bear control at this time. The wolf management objective for this area is 35-50 wolves, the current population is minimally estimated at 120 wolves. Current harvest as allowed by existing regulations are proving not to be sufficient to keep the number of wolves within the management objective. In addition, poor pelt quality (lice) and other harvest opportunities outside of Unit 16 have also played a role in affecting the overall harvest. The FWC should support this proposal for the reasons stated.

**Proposal 82**

This proposal submitted by the Alaska Wildlife Alliance to establish 50-yard trapping setbacks along specific trails in Unit 14. I would recommend that the FWC support this proposal for the following reasons. The Matanuska Susitna Borough (MSB) is the fastest growing area in the State of Alaska. The MSB population in 2010 was estimated at 89,731 in 2022 the population has grown to 113,325 an increase of 26.3%. The continued growth of the MSB has resulted in substantial uses of the many multi-use trails. In 2017, the MSB assembly passed regulations restricting trapping on six borough-managed trails and on school grounds, but did not issue regulations for state-managed trails in deference to the regulatory powers of the Board of Game. The purpose of this proposal is to reduce potential conflicts between trapping and loose dogs, along highly developed trails in the Matsu Borough.

**BOARD AND COMMISSION VACANCY REPORT Dec, 03 2024**

**N = New Application R = Reappointment**

|  |  |  |
| --- | --- | --- |
|  | **Applications Received** | **Mayor’s Appointments for Assembly**  **Confirmation** |
| **Agriculture Advisory Board**  *12 members – 1 vacancy*  Knowledge Experience in Production of Wool, etc |  |  |
| **Animal Care & Regulation Board**  *5 members – 1 vacancy*  Licensed Vet |  |  |
| **Board of Adjustment and Appeals**  *5 members/1 alt – 1 vacancy* Member 3…………………………………………………………. Alternate 3 | ………………………………………….. | **Tina Crawford—R Term begins 1/1/25** |
| **Board of Equalization**  *15 members – 9 vacancies -* ***(3) 3 year terms***  Member 4  Member 6  Member 7  Member 9  Member 10  Member 11  Member 13  Member 14  Member 15 |  |  |
| **Borough Area Schools Site Selection Committee** *7 members*  SBA Community At-Large………………………………….. | ………………………………………….. | **Kristina Adamczak—R Term begins 1/1/25** |
| **Enhanced 911 Advisory Board**  *5 members/5 alt*  Houston Alt………………………………………………………. | ………………………………………….. | **Jared Eison—R Term begins 1/1/25** |
| **Joint Assembly/School Board Committee On School Issues** *7 members* Assembly Member 2………………………………………….. | ………………………………………….. | **Maxwell Sumner—N** |

**BOARD AND COMMISSION VACANCY REPORT Dec, 03 2024**

**N = New Application R = Reappointment**

|  |  |  |
| --- | --- | --- |
|  | **Applications Received** | **Mayor’s Appointments for Assembly**  **Confirmation** |
| **Labor Relations Board** *5 members—2 vacancies*  Member 2  Member 3  Member 5…………………………………………………………. | ………………………………………….. | **Daniel Bowen—R Term begins 1/1/25** |
| **Local Emergency Planning Committee**  *33 members – 1 vacancy*  Fire Service  News Media, News Relations. PIO, Public Relations | ………………………………………….. | **Michael Chmielewski—R Term begins 1/1/25** |
| **MSB Fish and Wildlife Commission**  *9 members*  Member 3…………………………………………………………. At-Large, Member 4……………………………………………  ……………………………………………  …………………………………………… | **Lee McKnight—N Term begins 1/1/25**  **Scott Lindbloom—N— Term begins 1/1/25 Crosby Morrow—N Term begins 1/1/25**  **Stafford Glashan—N Term begins 1/1/25** |  |
| **Office of Administrative Hearings**  *5 members – 4 vacancies*  Seat B Seat C  Seat D Seat E |  |  |
| **Parks, Recreation, and Trails Advisory Board** *11 members – 1 vacancy* At-Large 2…………………………………………………………  District 7…………………………………………………………… | **Scott Lindbloom—N**  ………………………………………….. | **Ruth Wood—R Term begins 1/1/25** |
| **Platting Board** *7 members/ 2 Alt*  District 1…………………………………………………………… | ………………………………………….. | **Christian Chiavetta—N Term begins 1/1/25** |

**BOARD AND COMMISSION VACANCY REPORT Dec, 03 2024**

**N = New Application R = Reappointment**

|  |  |  |
| --- | --- | --- |
|  | **Applications Received** | **Mayor’s Appointments for Assembly**  **Confirmation** |
| **Caswell FSA #135** *3 members – 1 vacancy*  Member 2 |  |  |
| **Sutton FSA #4** *3 members – 3 vacancies*  Member 1  Member 2  Member 3 |  |  |
| **West Lakes FSA #136** *5 members – 1 vacancy*  Member 2 |  |  |
| **Alpine RSA #31** *3 members – 1 vacancy*  Member 1 |  |  |
| **Big Lake RSA #21** *5 members*  Member 3…………………………………………………………. | ………………………………………….. | **Nate Suing—N Term begins 1/1/25** |
| **Bogard RSA #25** *3 members*  Member 1…………………………………………………………. | ………………………………………….. | **Jennifer Noffke—R Term begins 1/1/25** |
| **Fairview RSA #14** *3 members—1 vacancy*  Member 2 |  |  |
| **Greater Butte #26** *3 members*  Member 2…………………………………………………………. | ………………………………………….. | **Lucy Klebesadel—R Term begins 1/1/25** |
| **Knik RSA #17** *5 members – 5 vacancies*  Member 1  Member 2  Member 3  Member 4  Member 5 |  |  |
| **Midway RSA #9** *3 members—1 vacancy*  Member 3 |  |  |
| **Trapper Creek RSA #30** *3 members*  Member 2…………………………………………………………. | ………………………………………….. | **Becky Badillo—N Term begins 1/1/25** |
| **Chase Trail Service Area #134**  *3 members—2 vacancies*  Member 1  Member 3 |  |  |

**BOARD AND COMMISSION VACANCY REPORT Dec, 03 2024**

**N = New Application R = Reappointment**

|  |  |  |
| --- | --- | --- |
|  | **Applications Received** | **Mayor’s Appointments for Assembly**  **Confirmation** |
| **Circle View & Stampede Estates Flood & Water Erosion # 131** *5 members – 5 vacancies*  Member 1  Member 2  Member 3  Member 4  Member 5 |  |  |
| **Talkeetna Flood Control Service Area # 7**  *3 members – 3 vacancies*  Member 1  Member 2  Member 3 |  |  |
| **Talkeetna Sewer & Water Service Area #36**  *5 members—1 vacancy*  Member 4 CC |  |  |