

Correspondence Handout

Government Peak Recreation Area Plan Update: Key Dates & Details for Your Awareness

From Walters, Malia <Malia.Walters@mbakerintl.com>

Date Mon 11/10/2025 3:13 PM

To MSB Planning Commission <msb.planning.commission@matsugov.us>

Cc McGillivray, Karin S <KMCGillivray@mbakerintl.com>; Christian Munar <christian.munar@matsugov.us>; Joseph Metzger <Joseph.Metzger@matsugov.us>

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

Dear Matanuska-Susitna Borough Planning Commission,

The Matanuska-Susitna Borough is working to update the Government Peak Recreation Area (GPRA) Plan, and we want to keep you involved in the process.

BACKGROUND

Located in the southern-sub unit of the Government Peak Unit of the State of Alaska's Hatcher Pass Planning Area, GPRA opened in 2012 and is a community treasure to many in the Matanuska-Susitna Borough. The area offers a variety of opportunities for year-round recreation, including miles of biking, skiing, walking, and horseback riding trails. There is also a Chalet facility that is used for community functions as well as private events such as weddings.

In 2017, the Matanuska-Susitna Borough drafted a [two-page development plan](#) for the GPRA. This document served as a launching pad for the first decade of the recreation area's development.

Now that GPRA's popularity has grown exponentially since it opened, it's time to update the area's plan.

PLANNING PROCESS

The borough contracted with the company I work for, Michael Baker International, to help draft the plan update. Our team is made up of Alaskans who deeply care about the area.

Our goal is to create a community-informed plan. We released a [survey](#) to gather information on how the community is currently using the area and what they envision the future of the area to look like. I encourage you to take this survey or forward it along to anyone you think might be interested. This survey will be open until mid-December.

We will also be conducting focus group discussions with local user groups who frequent the area such as the Mat-Su Ski Club, the Valley Mountain Bikers and Hikers, and the Backcountry Horsemen. We recognize their position as key groups with extensive knowledge of the area and look forward to incorporating their feedback into the plan.

To further engage with the community, we will be hosting an in-person open house, informational pop-ups at community events, and a virtual open house. You can find more details about those events on our website: [MSB - 2025/2026 Government Peak Recreation Area Plan Update](#)

SCHEDULE

- **Fall 2025:** Planning process started.
- **Now through December 2025:** Take our [survey](#) and have your input be included in the plan update!
- **November-December 2025:** The team will be meeting with highly impacted users to conduct focus groups to learn how they use the area.
- **Wednesday, December 10, 2025:** In-person public open house from 4 p.m. to 7 p.m. at the GPRA Chalet.
- **Mid-December:** Virtual open house.
- **January 2026:** Draft plan available for public review.
- **February 2026:** 30-day public comment period on draft plan.
- **March 2026:** Final GPRA Plan update is released!

STAY IN TOUCH

We are reaching out to you because you are a leader in our community. We value your input and also want to keep you updated about where we are in the process. Local community members can count on us to listen to their feedback to create a plan that is based on community input.

If you have any questions, please feel free to contact me at the contact information listed below.

Sincerely,

Malia Walters, Consultant Public Involvement/Planner

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Michael Baker
INTERNATIONAL

We Make a Difference

Resolution 25-24

Handout

To: Alex Strauss, Mat-Su Planning

Cc: Linn McCabe, District 5. Assembly

From: Kathleen Weeks 907-440-6178

Resolution # 25–24 comes to you in an effort to clarify definitions, and that may be needed in light of the unexpected BOAA decision to exclude “personal watercraft” from the normal definition of “motorized watercraft.” But in trying to be clearer this Amendment fails to clarify the definition of “prohibited” and it runs the risk of confusing the very clarity it tries to create.

In the underlying BOAA Case (#220-22) decided on June 30, 2022, the Lake Management Plan for Morvro Lake did NOT include a prohibition against personal watercraft—which up until then many lakes had prohibited. The Morvro Lake plan merely prohibited “motorized watercraft in excess of 25 hp.” So when the jet skis began to run around the lake unrestricted, the rider/owners claimed that they were not using “motorized watercraft”. The BOAA supported that concept.

The BOAA held that personal watercraft were in fact “motorized watercraft” and so the horsepower limits did not apply to jetskis.

The decision is attached hereto as Exhibit “A”.

The proposed amendment now redefined “motorized watercraft” to include personal watercraft like jet-skis, waverunners, etc. Unfortunately, in lakes like Carpenter Lake, where personal watercraft are ***expressly prohibited*** the statute does not include any explanation that personal watercraft can be prohibited, and what it means.

Many lakes like Carpenter Lake allow motorboat users to enjoy a higher speed engine on weekends and holiday weekends. This was called “time share”. But “time share” was never intended to apply to PROHIBITED

USES like jet, skis, and personal watercraft. Those were to be prohibited at all times.

Here is where the interpretation problem begins:

In MatSu Ordinance 17.59.060 (D) that entire section begins with the statement: “motorized watercraft uses are **restricted** as follows:.....”

Then when the reader is trying to figure out what “time share” means, the definition at 17.59.005 (A)(7) states:

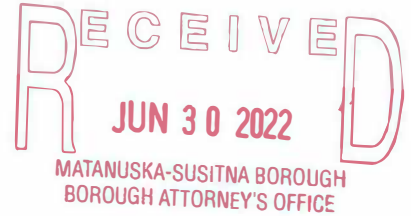
“Time share” means **restrictions** do not apply on n Thursdays, Fridays, Saturdays, and all three day weekends, which are federal holidays.”

Nothing in the proposed ordinance makes any statement about whether the **prohibitions** against personal watercraft like jet, skis, and wave runners are still in place during the “time share days.” They should be! But by changing the definition of personal watercraft without clarifying that in any ordinance **prohibiting** personal watercraft, they are not permitted to be used -- even during a “time share” weekend, the Amendment fails in its purpose.

If the borough plan is to avoid further inconsistencies. I would ask the Board to clarify that when a motorized vehicle use of **ANY KIND** is “**prohibited**”, it is prohibited ALWAYS --even during time share days.

MATANUSKA-SUSITNA BOROUGH

BOARD OF ADJUSTMENT AND APPEALS



Appeal of the Planning and Land Use)
Director's Decision Regarding the use)
of Personal Watercraft on Morvro Lake)

R. Wayne Oliver,
Appellant

) BOAA Case No. 22-02
)
)

NOTICE OF RIGHT TO APPEAL AND FINAL DECISION

NOTICE IS HEREBY GIVEN that the Matanuska-Susitna Borough Board of Adjustment and Appeals (BOAA), on June 30, 2022, rendered the following final decision regarding the appeal filed in the above captioned matter. This final decision may be appealed within 30 days of the date of this decision, pursuant to MSB 15.39.250, Judicial Review and the Alaska Rules of Appellate Procedure, Part 600.

FINDINGS

1. This appeal was filed in a timely manner.
2. In 2021, the Borough received a complaint related to the use of personal watercraft on Morvro Lake. Morvro Lake is located in Houston, Alaska and in the Matanuska-Susitna Borough.
3. The complaint did not result in a citation and that complaint is not the subject of this appeal.

4. After the investigation related to the complaint concluded, a member of the community requested that the Planning and Land Use Director (Director) issue an official determination related to the use of personal watercraft on Morvro Lake.
5. The Director found that the Assembly adopted Ordinance Serial No. 08-006 on January 15, 2008, which formally adopted the Morvro Lake Management Plan.
6. On April 28, 2022, the Director issued the requested determination that is the subject of this appeal; a copy of that determination was provided to all residents who live within 600-feet of Morvro Lake.
7. Assembly Ordinance Serial No. 99-103, adopted guidelines for lake management plans, which includes the Morvro Lake Management Plan.
8. During the development of the Morvro Lake Management Plan, most of the property owners and residents in attendance at development meetings expressed a preference to have a no wake zone 100-feet from the shoreline, quiet hours of 11 p.m. to 8 a.m., and to restrict motorized watercraft to those with 25 horse power.
9. The Morvro Lake Management Plan states that these restrictions will protect the quiet enjoyment of the

properties and allow continued use of the lake by residents and visitors in keeping with traditional practices. The plan will also help future lake users to boat or recreate in a manner that protects neighborhood values.

10. During the development of the Morvro Lake Management Plan, residents identified concerns that included: protection of nesting waterfowl and wildlife habitat (loons, grebes, and otters); protection of the quiet recreational and residential nature of the lake; protection of water quality; reduction of conflicts between motorized and nonmotorized uses (safety); narrow configuration of the lake; not conducive to accommodating multiple uses; public access being limited, with no parking provided; and city of Houston parcel - how will it be developed and/or used?
11. A majority of those attending the meetings said that the quiet, residential character of the lake should be protected. The present state of the lake is characterized as residential and having a quiet quality. The historical use of Morvro Lake has not include high-powered or personal watercraft use.
12. Concerns were also expressed about winter snow machine usage and the associated noise and trespass issue. While snow machines are a generally allowed use on all state

land, including frozen waterbodies, the plan can make recommendations about winter trails leading to the lake, posting public information, and enforcement of quiet hours.

13. Concerns were also expressed regarding the impact to the lake and to wildlife with the possibility of future development.
14. Assembly Informational Memorandum 08-008, page 2 of 3, 4th paragraph, 3rd sentence states, "The historical use of Morvro Lake has not included high powered motorized watercraft or extensive use of personal watercraft."
15. The Morvro Lake Management Plan identifies goals related to the protection of water quality, wildlife/waterfowl, preservation of the quiet recreational and residential character, safety, and more and makes recommendations to achieve those goals.
16. Lake management plans are implemented through a combination of regulations, public information, and best management practices. MSB 17.59, Lake Management Plan implementation, implements adopted lake management plans using the Borough's citation authority.
17. Specific recommendations of the lake management plans are quiet hours, no wake zones, motorized and personal

watercraft use, special permits, winter motor vehicles, and ice house registrations

18. The Morvro Lake Management Plan provides for quiet hours of 11 p.m. to 8 a.m., Sunday through Saturday; it also provides for no wake zones of 100-feet from the shoreline.
19. The appellant's claims that the Planning and Land Use Director is amending the Morvro Lake Management Plan by issuing his decision are unfounded, as that plan was adopted by the Assembly in 2008. Only the Assembly can amend Borough code.
20. The appellant's claims that it is disturbing that all other lakes governed by lake management plans were not included in the Director's determination, is unfounded. Other lake management plans are not germane to Morvro Lake. Not all lakes in the Borough are the same in size, location, and public use and therefore require differently styled lake management plans.
21. The appellant's claims that the Morvro Lake Management Plan required 50 percent of the owner signatures in order to be amended is invalid. The Planning and Land Use Director's decision did not amend the Lake Management Plan, as it was previously adopted in 2008 by the Borough's legislative body, which is the Assembly.

22. In the appellant's written arguments, there is communication regarding a complaint made against him in 2021, by another resident on the lake. That complaint is not germane to the appeal in the captioned case and the BOAA will not address it further as there is no applicable jurisdiction.
23. Ordinance Serial No. 99-103, established guidelines for lake management plans. Options for the size lake of Morvro Lake included: a) No wake zone, 100-feet from shoreline; b) quiet hours of 10 p.m. to 8 a.m.; c) personal watercraft restriction; d) 10 horsepower limit; and e) no wake speed zone on lake. The Morvro Lake Management Plan could have included an option to completely prohibit personal watercraft.
24. A majority of the BOAA finds that The Morvro Lake Management Plan recommended a no wake zone 100-feet from the shoreline, quiet hours of 11 p.m. to 8 a.m. Sunday through Saturday, and a 25 horsepower limit. The plan did not adopt guidelines restricting the use of personal watercraft nor did it recommend a no wake speed zone on the entire lake.

CONCLUSIONS

Based upon the above findings, the Board of Adjustment and Appeals makes the following conclusions:

1. The Board of Adjustment and Appeals has jurisdiction over this matter pursuant to MSB 15.39.030(A)(1).
2. MSB 17.59.005(A), Definitions, states, "For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning."
3. Pursuant to MSB 17.59.005(A)(3), Definitions, "motorized watercraft use" means the operation of watercraft powered or propelled by a force other than human muscular power, gravity, or wind.
4. Pursuant to MSB 17.59.005, Definitions, "personal watercraft" means vehicles known as jet skis, wave runners, and similar acrobatic or stunt equipment.
5. Based upon the above findings, a majority of the BOAA concludes that Personal watercraft are referred to as being separate and different than a motorized watercraft, pursuant to MSB 17.59.060(D).
6. Pursuant to MSB 17.59.010, Intent, this chapter is a measure to implement and to further the goals and

objectives of the lake management plans adopted by the Borough's comprehensive plan reference in MSB 15.24.030(C).

7. A majority of the BOAA concludes that the goals included in the Morvro Lake Management Plan as adopted by the Assembly does not expressly exclude the use of personal watercraft.
8. MSB 17.59.020, Applicability, states that, that this chapter shall apply only to lakes, waterways, water bodies, and water courses specified herein. Morvro Lake has a lake management plan and Borough code requires that it be enforced.
9. Pursuant to MSB 17.59.060(B)(1)(d), the quiet hours of 11 p.m. to 8 a.m., Sunday through Saturday are applicable because of the Morvro Lake Management Plan.
10. MSB 17.59.060(C)(2)(i) applies no wake zones of 100-feet from the shoreline to Morvro Lake because of the Morvro Lake Management Plan.
11. MSB 17.59.060(D)(12)(a), restricts and limits motorized watercraft uses on Morvro Lake to a maximum of 25 horsepower.
12. Based on the above findings a majority of the BOAA concludes that personal watercraft that exceed the motorized threshold outlined in code for Morvro Lake are not restricted from use on that lake, as personal

watercraft are not expressly prohibited in MSB 17.59.060(D)(2)

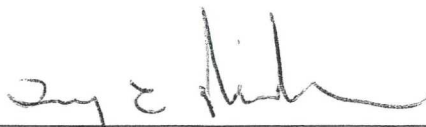
13. Pursuant to MSB 15.39.210(B), The BOAA shall defer to the judgment of the decision maker regarding findings of fact if they are supported in the record by substantial evidence.
14. Based on the above findings, a majority of the BOAA concludes that there is not substantial evidence in the record to support the decision of the Planning and Land Use Director.
15. The BOAA concludes that definitions included in MSB 17.59 are ambiguous and requires more appropriate statutory construction.

FINAL DECISION

Based upon the above Findings and Conclusions, a majority of the Matanuska-Susitna Borough Board of Adjustment and Appeals reverses the Planning and Land Use Director's decision dated April 28, 2022, that prohibits the appellant's use of personal watercraft over 25 horsepower on Morvro Lake.

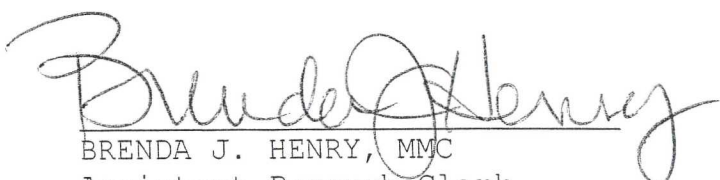
Dated this 30 day of June, 2022.

MATANUSKA-SUSITNA BOROUGH
BOARD OF ADJUSTMENT AND APPEALS



TERRY NICODEMUS, Chairperson

Attest:



BRENDA J. HENRY, MMC
Assistant Borough Clerk

YES: VanDiest, Crawford, and Rongitsch

NO: Nicodemus and Roberts