

MATANUSKA-SUSITNA BOROUGH WATER & WASTEWATER ADVISORY BOARD

Bob Walden, P.E. Chair
Terry Gorlick
Dan Tucker

Danny Noland, Vice Chair
Gina Jorgensen

Amanda Fleming
Matthew Midgett

AGENDA

REGULAR MEETING

May 6, 2026

MSB Assembly Chambers
350 E. Dahlia Ave
Palmer, AK 99645

2:30 p.m.

-
- I. CALL TO ORDER
 - II. ROLL CALL AND DETERMINATION OF A QUORUM
 - III. APPROVAL OF AGENDA
 - IV. PLEDGE OF ALLEGIANCE
 - V. APPROVAL OF MINUTES OF PRECEDING MEETING
 - A. March 4, 2026 (regular meeting)
 - VI. AGENCY AND STAFF REPORTS
 - VII. AUDIENCE PARTICIPATION (*Three minutes per person*)
 - VIII. UNFINISHED BUSINESS
 - A. Discussion and possible adoption of: A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH WATER AND WASTEWATER ADVISORY BOARD MAKING RECOMMENDATIONS TO THE ASSEMBLY REGARDING ORDINANCE 26-030 REPEALING MSB 8.25 WATER POLLUTION CONTROL AND MSB 17.55.020(E), IN THEIR ENTIRETY.
 - IX. RECONSIDERATION
 - A. A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH WATER AND WASTEWATER ADVISORY BOARD REQUESTING ASSEMBLY'S GUIDANCE IN DEFINING THE BOARD'S GOALS AND STRATEGIC PLAN.
 - X. COMMENTS FROM THE BOARD
 - XI. NEXT MEETING
 - A. June 17, 2026, 2:30 p.m., MSB Assembly Chambers
 - XII. ADJOURNMENT

MATANUSKA-SUSITNA BOROUGH WATER & WASTEWATER ADVISORY BOARD

Bob Walden, P.E. Chair
Terry Gorlick
Dan Tucker

Danny Noland, Vice Chair
Gina Jorgensen

Amanda Fleming
Matthew Midgett

MINUTES

REGULAR MEETING

March 4, 2026

MSB Assembly Chambers
350 E. Dahlia Ave
Palmer, AK 99645

2:30 p.m.

I. CALL TO ORDER

This regular meeting of the Matanuska-Susitna Borough (MSB) Water and Wastewater Advisory Board was held on Wednesday, March 4, 2026, at the DSJ Building at 350 East Dahlia Avenue in Palmer, Alaska. The meeting was called to order at 2:35 p.m. by Mr. Bob Walden, P.E.

II. ROLL CALL AND DETERMINATION OF A QUORUM

Water and Wastewater Advisory Board members present and establishing a quorum were:

Mr. Bob Walden, P.E. - present

Mr. Danny Noland - present

Ms. Amanda Fleming – present through Teams

Mr. Terry Gorlick - present

Ms. Gina Jorgensen - present

Mr. Matthew Midgett - present

Mr. Dan Tucker – present at 2:41 p.m.

III. APPROVAL OF AGENDA

Mr. Robert Walden moved to approve the agenda.

Mr. Terry Gorlick moved an amendment to add: Review of: A Resolution of the Matanuska-Susitna Water and Wastewater Advisory Board making recommendations to the Assembly regarding Assembly Ordinance Serial No. 26-030 as an additional new business.

VOTE: The agenda passed as amended without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Robert Walden.

VI. APPROVAL OF MINUTES OF PRECEDING MEETING

A. December 17, 2025 (regular meeting)

Minutes for December 17, 2025, regular meeting were reviewed by the Board.

Motion to approve the minutes as presented by Mr. Terry Gorlick.

VOTE: The minutes were approved without objection.

VII. AGENCY AND STAFF REPORTS

A. City of Wasilla – Mr. Bob Walden, P.E., Public Works Deputy Director

The City of Wasilla continues to work on the water system interconnect project to link the Wasilla and Palmer systems. HDL is progressing with the design work and is expected to provide a presentation at the next regular meeting. There are no new updates from ADEC regarding the wetlands discharge permit.

B. City of Palmer – Mr. Matthew Midgett

The City of Palmer had nothing to report.

C. Matanuska-Susitna Borough – Ms. Amanda Fleming

Ms. Amanda Fleming commented on the inspection that they had by ADEC in November which included a couple action in need of correction. One of them being the Quality Assurance Project Plan which is in the process of being updated. The Compliance Order by Consent has been terminated as of February.

VIII. PRESENTATION

Mr. Kody Worley, Engineering and Support Services Sales Manager at ASRC Energy Services provided a presentation on Waste to Energy. Please see attached presentation slides for additional information.

IX. AUDIENCE PARTICIPATION (*Three minutes per person*)

None.

X. UNFINISHED BUSINESS

None.

XI. NEW BUSINESS

Mr. Robert Walden moved to switch New Business items A and B in order to utilize the Matanuska-Susitna's Planning Director's time better.

VOTE: The motion passed without objection.

- A. Review of: A Resolution of the Matanuska-Susitna Water and Wastewater Advisory Board making recommendations to the Assembly regarding Assembly Ordinance Serial No. 26-030

Mr. Robert Walden moved to direct MSB staff to develop a draft resolution in support of Assembly Ordinance Serial No. 26-030.

Discussion ensued and Mr. Terry Gorlick moved an amendment to direct MSB staff to develop two draft resolutions. One draft resolution in support of Assembly Ordinance Serial No. 26-030 and one opposed to Assembly Ordinance Serial No. 26-030.

Vote: The amendment passed with Ms. Gina Jorgensen and Mr. Danny Noland opposed.

The main motion passed as amended without objection.

- B. Drafting Resolution requesting Assembly guidance in defining Board goals and strategic direction

Ms. Amanda Fleming moved to accept Board Resolution 26-01 requesting Assembly's guidance in defining the Board's goals and strategic plan.

Discussion ensued.

The motion passed without objection.

XII. INFORMATIONAL HANDOUTS AND COMMUNICATIONS

XIII. COMMENTS FROM THE BOARD

Mr. Bob Walden, P.E.:

None.

Mr. Danny Noland:

None.

Ms. Amanda Fleming:

The Board Resolution is intended to address concerns previously discussed by the Board and to provide clearer direction moving forward.

Mr. Terry Gorlick:

Mr. Terry Gorlick expressed his understanding that the term 'septage' was removed from the Board's title because the Assembly preferred the Board to focus on broader water-related issues rather than wastewater treatment plant construction.

Ms. Gina Jorgensen:

None.

Mr. Matthew Midgett:

None.

Mr. Dan Tucker:

Mr. Dan Tucker expressed dissatisfaction with the outcome of Board RS 26-01, stating that the Board has the vision to identify the issues and should advise the Assembly, rather than be directed by it.

As recalled, the Board's discussion regarding "septage versus wastewater" ultimately led to a shared understanding that wastewater includes septage; however, septage does not encompass other forms of wastewater. This distinction resulted in the removal of the term "septage" and the addition of the term "water" to the Board's title.

Ms. Christina Sands:

Ms. Christina Sands asked the Board to establish a date for the special meeting to discuss Assembly Ordinance Serial No. 26-030 and the outcome of Board Resolution 26-01. The Board selected May 6, 2026, at 2:30 p.m. for the meeting.

XIV. NEXT MEETING

A. May 6, 2026, 2:30 p.m., MSB Assembly Chambers, Special Meeting

B. June 17, 2026, 2:30 p.m., MSB Assembly Chambers, Regular Meeting

XV. ADJOURNMENT

Motion to adjourn the meeting by Mr. Bob Walden.

The meeting was adjourned at 4:22 p.m.

Mr. Bob Walden, P.E. Chair

ATTESTED:

Christina Sands, Board Administrative Support



WASTE-TO-ENERGY

Design and Permitting of a New Waste-to-Energy Project in Anchorage

Anchorage Energy Resilience Plan Recommendation



Objective 10. Capture potential energy in collected refuse.

No.	Actions	Co-benefits	Primary Municipal Liaison	Potential Partners	Timeline
10A	Develop leachate evaporator with excess landfill methane to reduce leachate hauling		SWS	Doyon Utilities, Anchorage Water and Wastewater Utility (AWWU), Joint Base Elmendorf-Richardson (JBER)	Mid-term
10B	Identify and implement additional means of energy collection from solid waste (e.g. organics digestion, mass burn).		SWS	Alaska Waste, Alaska Energy Authority, AWWU, Central Environmental Inc., Anchorage electric utilities, local compost makers, entrepreneurs	Mid-term

Anchorage Solid Waste Services Master Plan Recommendation



Goal of the Solid Waste Services Strategic Plan

**DEPARTMENT OF SOLID WASTE SERVICES
STRATEGIC PLAN**

2021-2026

PLAN AT-A-GLANCE

GOAL AREA ONE
Community Sustainability

All Solid Waste Services efforts contribute to the sustainability of the Anchorage community.

FLEET
Prioritize the development of a successful electric/hybrid fleet of vehicles.

RECYCLING
Develop and implement results-based tactics that make recycling more accessible to the community.

LANDFILL
Take action to extend the life of the Anchorage Regional Landfill.

CLIMATE ACTION PLAN
Coordinate with the Municipality of Anchorage on implementation of the climate Action plan.

GOAL AREA TWO
Operational Excellence

Solid Waste Services is an inspired and empowered team committed to high standards throughout all operations.

SAFETY
Continue our commitment to the safety of our employees, customers, and community.

COMPLIANCE
Improve regulatory compliance through enhanced permit management practices.

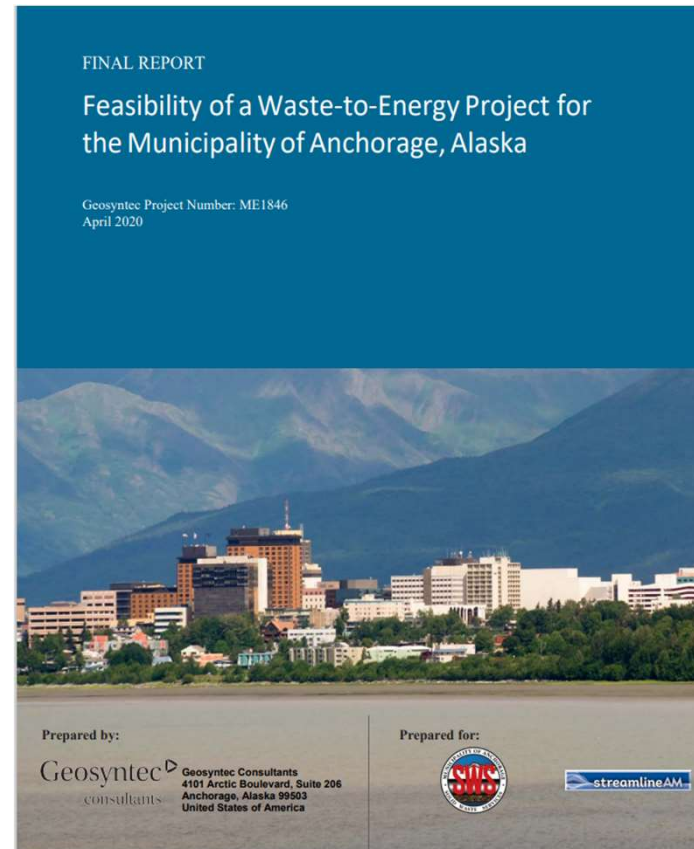
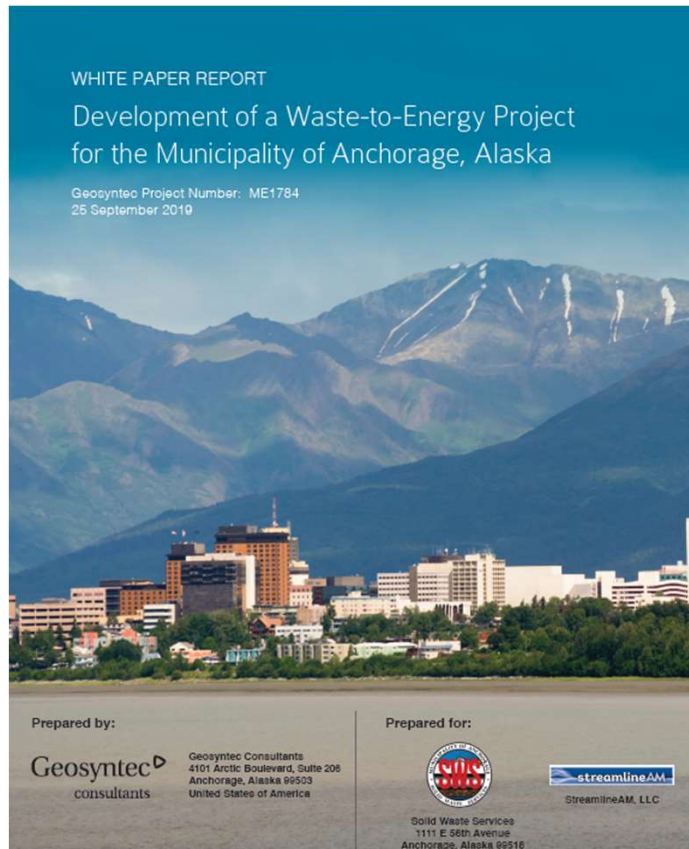
NEW FACILITIES
Prioritize the opening and integration of new facilities to improve operational excellence.

WORKFORCE
Adapt and meet the needs of our workforce by allowing and understanding the value of flexible work practices to include remote teleworking when feasible.

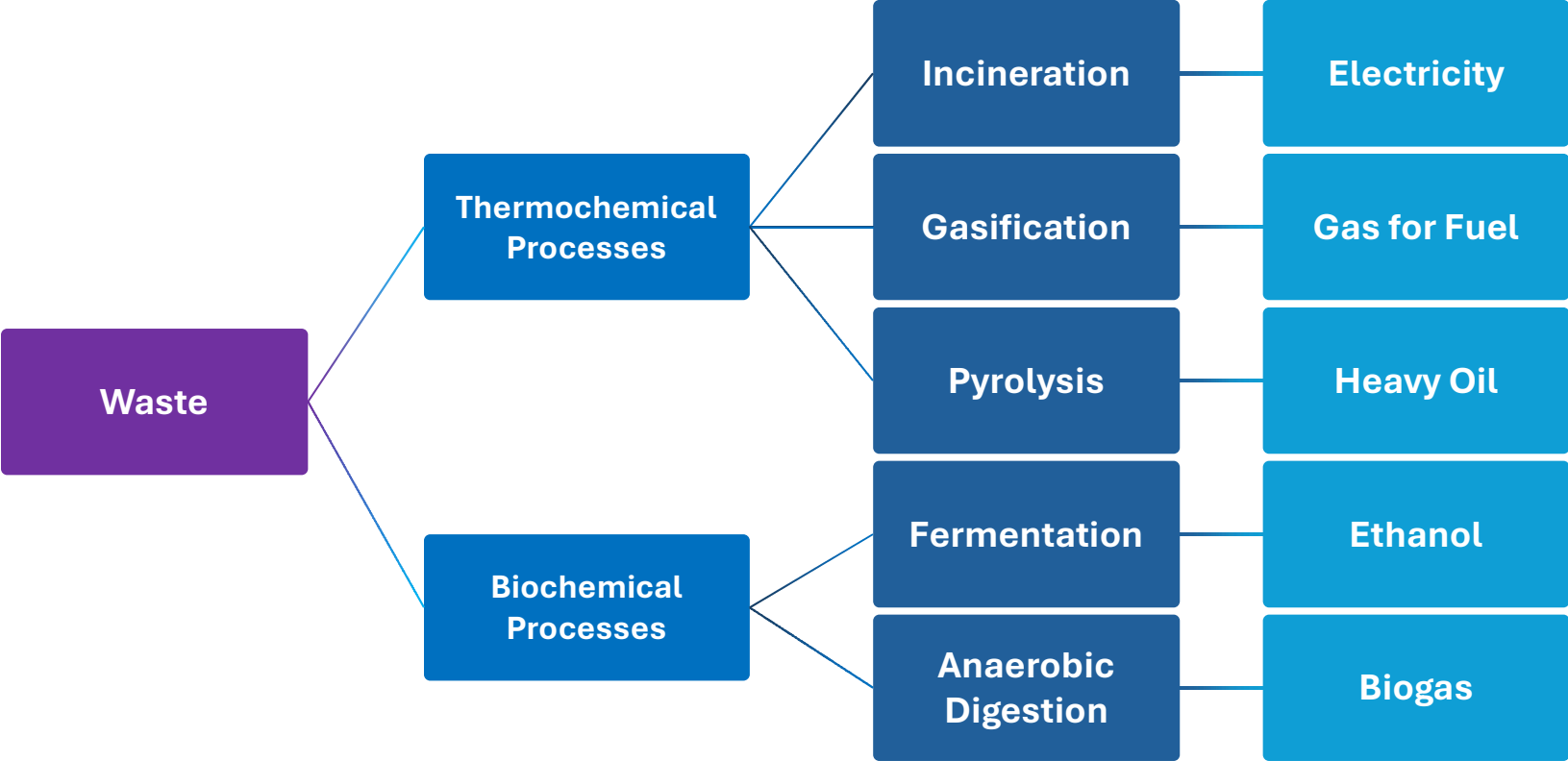
SHARED SERVICES
Reinforce and leverage the value of our shared services with the Anchorage Water & Wastewater Utility (AWWU).

Strategic Plan / 2021-2026 3

Feasibility Studies Completed



Waste to Energy Technologies Evaluated in Pre-Feasibility Analysis



Benefits of Waste to Energy for Anchorage

**WTE is Renewable Energy, Will Offset Natural Gas Usage
~20-30MW**

Reduces Greenhouse Missions, Carbon Capture

**Significantly Extends Life of Landfill
>100-yrs**

Can Treat PFAS/PFOA, WW Biosolids, Waste Heat Recovery

Capacity Factor of 90%

Allows Space for Hazardous Waste Landfill Cell

Waste to Energy in the U.S. and Opportunities in Anchorage, AK



- ~75 Waste to Energy Plants in 25 States
- ~14% Solid Waste Managed
- 3 Facilities in the West
 - Spokane
 - Vancouver
 - Honolulu (burns wastewater sludge)
- Municipality of Anchorage Landfill Gas to Energy Plant at Anchorage Regional Landfill Could Double Capacity
 - Existing gas production is 7MW

Technology

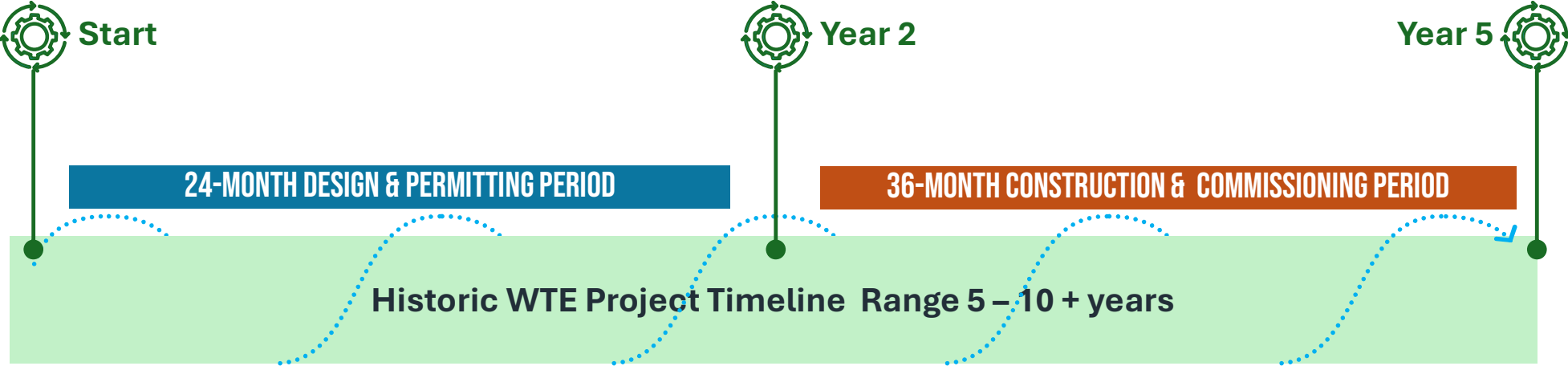


Anchorage is Working Toward a Waste to Energy Facility



- Pre-Feasibility Analysis **COMPLETE**
- Initial Investment of Funds \$8 Million **COMPLETE**
- Hire Program Manager **COMPLETE**
- RFPs Issued **COMPLETE**
 - Wasteshed Analysis
 - Waste Characterization Study
 - Baseline Air Monitoring
 - Public Relations & Communications
- Project Schedule **COMPLETE**
- Concept Design **IN PROGRESS**
- Cost Estimate **IN PROGRESS**
- Business Plan **IN PROGRESS**
- Siting Study **IN PROGRESS**
- Initial Community Polling & Public Engagement **IN PROGRESS**

Target Timeline





Next Steps

- Identify Site (ARL is leading candidate)
- Identify power plant operator for planning, design, construction, and operations
- Identify financial plan (capital and cash flow)
 - Capital
 - Cash flow
 - Power purchase
 - Identify other customers throughout AK
- Continue to release RFPs for expertise as needed

Haulage Planning

Input to WTE

- **Solid Municipal Waste:** ARL tipping & separation
- **Asplund Biosolids:** 8 end-dumps per day
- **Local Wood / Brush:** 68 side dumps, chipped
- **C&D:** 10 side dumps per day
- **Mat-Su Burnables:** Unknown volume
- **MEA Utility Power:** 2 MW
- **Enstar NG:** 112 CCF/day
- **AWWU Feed Water:** 22,500 gal/day
- **Consumable Chemicals:** 6010 tons/year

Output from WTE

- **Ash:** 250 tons/day to ARL
- **Electrical Power:** 24 MW
- **Thermal Energy:** TBD
- **ARL Leachate:** 23 trucks/day currently to Asplund

Input to SRS

- **PFAS Soils:** 6 side dumps per day, highly seasonal
 - Dumps may come from a wide range of locations, highest rate would likely be from railroad cars
- **MEA Utility or WTE Power:** 2.1 MW
- **AWWU Feed Water:** 4400 gal/day

Output from SRS

- **Clean Gravel:** 50 tons/day, will need removed and/or used as ARL cover
- **Thermal Energy:** TBD

OR 26-030

- Assembly Legislation
- Briefing packet from Terry Gorlick
- Draft Resolutions (in favor/rejection)

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REPEALING MSB 8.25 WATER POLLUTION CONTROL AND MSB 17.55.020 (E), IN THEIR ENTIRETY.

AGENDA OF: March 3, 2026

ASSEMBLY ACTION:

AGENDA ACTION REQUESTED: Refer to Water and Wastewater Advisory Board and Planning Commission for 90 days.

Route To	Signatures
Originator	<div style="text-align: right;">2 / 12 / 2026</div> <p>X A l e x S t r a w n</p> <hr/> <p>Signed by: Alex</p>
Department Director	<div style="text-align: right;">2 / 12 / 2026</div> <p>X A l e x S t r a w n</p> <hr/> <p>Signed by: Alex</p>
Community Development Director	<div style="text-align: right;">2 / 16 / 2026</div> <p> Expired certificate</p> <p>X J i l l i a n M o r r i s s e y</p> <hr/> <p>Signed by: Jillian Morrissey</p>
Public Works Director	<div style="text-align: right;">2 / 16 / 2026</div> <p>X T o m A d a m s , P E</p> <hr/> <p>Signed by: Tom Adams</p>
Finance Director	<div style="text-align: right;">2 / 16 / 2026</div> <p> Recoverable Signature</p> <p>X C h e y e n n e H e i n d e l</p> <hr/> <p>Signed by: Cheyenne Heindel</p>
Borough Attorney	<div style="text-align: right;">2 / 17 / 2026</div> <p>X N i c h o l a s S p i r o p o u l o s</p> <hr/> <p>Signed by: Nicholas Spiropoulos</p>
Borough Manager	<div style="text-align: right;">2 / 17 / 2026</div> <p>X M i c h a e l B r o w n</p> <hr/> <p>Signed by: Mike Brown</p>
Borough Clerk	<div style="text-align: right;">2 / 23 / 2026</div> <p>X L o n n i e M c K e c h n i e</p> <hr/> <p>Signed by: Lonnie McKechnie</p>

ATTACHMENT (S): Ordinance Serial No. 26-030 (1 p)
 MSB 8.25 (3 pp)
 MSB 17.55 (5 pp)
 Planning Commission Reso 26-__ (pp)
 WWAB Reso 26-__ (pp)

SUMMARY STATEMENT: This ordinance is at the request of Assemblymember Sumner.

The proposed ordinance repeals MSB 8.25 and MSB 17.55.020(E), in their entirety. The State of Alaska has always retained primacy over the regulation and enforcement of septic systems and water pollution control. Enforcement authority in this area rests with the state, and the Borough ordinance has never had an operative enforcement role. As a result, these standards serve no practical regulatory purpose. Repealing the ordinances would eliminate any potential confusion regarding jurisdictional authority.

RECOMMENDATION OF ADMINISTRATION: Refer to Water and Wastewater Advisory Board and Planning Commission for 90 days.

CODE ORDINANCE

Sponsored by: Sumner
Introduced:
Public Hearing:
Action:

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 26-030**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REPEALING MSB 8.25 WATER POLLUTION CONTROL AND MSB 17.55.020(E), IN THEIR ENTIRETY.

BE IT ENACTED:

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

Section 2. Repeal of chapter. MSB 8.25 is hereby repealed in its entirety.

Section 3. Repeal of subsection. MSB 17.55.020(E) is hereby repealed in its entirety.

Section 4. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2026.

EDNA DeVRIES, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

CHAPTER 8.25: WATER POLLUTION CONTROL

Section

[8.25.005 Definitions](#)

[8.25.010 Purpose](#)

[8.25.020 Definitions \[Recodified as MSB 8.25.005\]](#)

[8.25.030 Sewage disposal](#)

[8.25.040 Use and location of facilities](#)

[8.25.050 Pollution prohibited](#)

[8.25.060 Enforcement \[Repealed\]](#)

[8.25.070 Penalty for violation \[Repealed\]](#)

[8.25.080 Violations, enforcement, and penalties](#)

Statutory reference

For statutory provisions authorizing second-class boroughs to provide for water pollution control in the area outside cities, see A.S. 29.35.210

8.25.005 DEFINITIONS.

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

- (1) "Cesspool" means a lined and covered excavation in the ground which receives the discharge of domestic sewage or other organic wastes from a building, designed to retain the organic matter and solids, but permitting the liquids to seep through the bottom and the sides.
- (2) "Pollution" means the contamination or altering of water or its contents to create a nuisance or make water unclear, or noxious, or impure, or unfit so that the water is actually or potentially harmful, detrimental or injurious to public health, safety or welfare, to domestic, commercial, industrial or recreational use, or to livestock, wild animals, birds, fish or other aquatic life.
- (3) "Septic tank" means a watertight receptacle which receives the discharge of a building sanitary drainage system or part of the discharge, and is designed and constructed to separate solids from the

liquid, digest organic matter through a period of detention, and allow the liquids to discharge into the soil outside of the tank through a system of open-joint or perforated piping, or a seepage pit.

(4) "Sewage" means any or all of the following:

- (a) human excreta;
- (b) food wastes disposed of through sewers;
- (c) wash water;
- (d) liquid wastes from residences, institutions, business buildings and industrial establishments;
- (e) diluting water in the waste disposal system;
- (f) water-carried waste products or discharge from human beings; and
- (g) other wastes from residences, public or private buildings.

(Ord. 94-001AM, § 8 (part), 1994; Ord. 73-11, § 5, 1973)

8.25.010 PURPOSE.

The purpose of this chapter is to prevent the pollution of the waters of the state within the borough. All human excreta, sewage and other wastes shall be disposed of in a properly designed, constructed and maintained sanitary sewer system, septic tank or pit privy as prescribed in this chapter.

(Ord. 94-001AM, § 8 (part), 1994; Ord. 73-11, § 1, 1973)

8.25.020 Definitions. [Recodified as MSB 8.25.005]

8.25.030 SEWAGE DISPOSAL.

(A) A person may not discharge or dispose, from facilities under the person's control, sewage or other wastes so sewage or other wastes shall gain access to any surface or subsurface waters of the state within the borough unless the sewage or wastes are first treated through a collective or individual sewage disposal system adequate to prevent water pollution.

(B) Cesspools shall not be permitted.

(C) Septic tanks shall have minimum tank capacities as follows:

- (1) one to four bedrooms: 1,000 gallons;
- (2) for each additional bedroom: 250 gallons shall be added to the minimum tank capacity.

(D) A person shall not conduct a commercial or industrial operation which results in the disposal of solid or liquid waste material into the waters of the state within the borough without procuring a permit from the state department of environmental conservation.

(Ord. 94-001AM, § 8 (part), 1994; Ord. 73-11, § 2, 1973)

8.25.040 USE AND LOCATION OF FACILITIES.

An abandoned well or deep well may not be used for the disposal of sewage or used as a receptacle for household wastes. A septic tank, privy, seepage pit or subsurface disposal field may not be located within 100 feet of a well or within 100 feet of a lakeshore, stream, or any other body of water.

(Ord. 94-001AM, § 8 (part), 1994; Ord. 73-11, § 3, 1973)

8.25.050 POLLUTION PROHIBITED.

A person may not pollute or add to the pollution of any lake, stream or other body of water.

(Ord. 94-001AM, § 8 (part), 1994; Ord. 73-11, § 4, 1973)

8.25.060 Enforcement. [Repealed by Ord. 95-088(SUB)(am), § 5 (part), 1995. See MSB [8.25.080](#) for current provisions]

8.25.070 Penalty for violation. [Repealed by Ord. 95-088(SUB)(am), § 6 (part), 1995. See MSB [8.25.080](#) for current provisions]

8.25.080 VIOLATIONS, ENFORCEMENT, AND PENALTIES.

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

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

(Ord. 95-088(SUB)(am), § 17 (part), 1995)

CHAPTER 17.55: SETBACKS AND SCREENING EASEMENTS

Section

[17.55.004 Definitions](#)

[17.55.005 General](#)

[17.55.010 Setbacks](#)

[17.55.015 Shorelands; definition \[Repealed\]](#)

[17.55.020 Setbacks for shorelands](#)

[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.
- “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.
- “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.
- “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.
- “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.

(Ord. 22-063, § 3, 2022; Ord. 21-019, § 2, 2021; Ord. 17-088(SUB), § 2, 2017; Ord. 13-164, §§ 2, 3, 2013; Ord. 93-042, § 2 (part), 1993; Ord. 89-072, § 2 (part), 1989; Ord. 88-221, § 2 (part), 1988)

17.55.005 GENERAL.

This chapter establishes minimum structural setbacks from lot lines, water courses and water bodies, 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.

(Ord. 03-053, § 2, 2003; Ord. 88-190, § 3 (part), 1988)

17.55.010 SETBACKS.

(A) 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 furthest 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

(2) comprises a nonconforming structure erected prior to July 3, 1973. This setback shall be known as the structure or building line setback.

(B) Except where specifically provided otherwise by ordinance, no furthest protruding portion of any structure or building line shall be located nearer than ten feet from any side or rear lot line.

(C) Except as otherwise specified by code, eaves may project a maximum of three feet into required setback areas.

(D) The setback requirements of this section do not apply to property within the cities of Palmer and Wasilla.

(E) 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.

(F) For purposes of this chapter, commercial or industrial buildings on separate but adjacent 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.

(G) No furthestmost 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.

(Ord. 11-159, § 2, 2011; Ord. 11-019, § 2, 2011; Ord. 93-042, § 2 (part), 1993; Ord. 88-190, § 3 (part), 1988)

17.55.015 Shorelands; definition. [Repealed by Ord. 17-088(SUB), § 3, 2017]

17.55.020 SETBACKS FOR SHORELANDS.

(A) 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, eaves may project three feet into the required setback area.

(B) Docks, piers, marinas, aircraft hangars, and boathouses may be located closer than 75 feet and over the water, 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.

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

- (a) be built over, in, or immediately adjacent to a waterbody and used solely for storing boats and boating accessories;
- (b) be designed, constructed and oriented for primary access by boats or aircraft directly to a waterbody;
- (c) not have more than incidental accessory access to a street or driveway; and
- (d) 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.

(D) In this section, a “structure” is any dwelling or habitable building or garage.

(E) 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.

(Ord. 17-088(SUB), § 4, 2017; IM 96-019, page 1, presented 3-19-96; Ord. 93-095, § 2, 1993; Ord. 93-042, § 2 (part), 1993; Ord. 90-052, § 3, 1990; Ord. 88-190, § 3 (part), 1988; initiative election of 5-5-87)

17.55.040 VIOLATIONS, ENFORCEMENT, AND PENALTIES.

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

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

(Ord. 95-088(SUB)(am), § 26 (part), 1995)

Water & Wastewater Advisory Board Briefing Packet

Ordinance Serial No. 26-030 (IM 26-044)
Repeal of MSB 8.25 and MSB 17.55.020(E)

Prepared: March 04, 2026

1. Executive Summary

Ordinance Serial No. 26-030 would repeal (1) MSB 8.25 (Water Pollution Control) and (2) MSB 17.55.020(E) (shoreland setback for subsurface sewage disposal systems). IM 26-044 states the State of Alaska retains primacy over septic systems and water pollution control; and that the Borough provisions have not had an operative enforcement role, creating potential confusion.

2. What Ordinance 26-030 Does

- Repeals MSB 8.25 in its entirety.
- Repeals MSB 17.55.020(E) in its entirety.
- Administration recommendation: refer to WWAB and Planning Commission for 90 days.

3. Borough Provisions Proposed for Repeal (Plain-English Summary)

MSB 8.25 includes prohibitions and siting basics (e.g., no cesspools; setbacks from wells and waters; prohibition on polluting water bodies).

MSB 17.55.020(E) currently provides a 100-foot shoreland setback for subsurface sewage disposal systems and directs the Planning Commission to require greater distances when needed to protect waters.

4. State Regulatory Framework (What State Rules Already Cover)

ADEC 18 AAC 72 (Wastewater Disposal) establishes statewide standards for wastewater systems, including plan approval/permit requirements and separation distance concepts. ADEC 18 AAC 70 (Water Quality Standards) establishes statewide water quality standards and an antidegradation policy, and prohibits operations that cause or contribute to violations of water quality standards.

5. Position A – Support Repeal (Redundant / Clarify Jurisdiction)

- State primacy and enforcement: ADEC regulates septic systems and water pollution control statewide.
- Borough provisions described as non-operative for enforcement; repeal avoids confusion about jurisdiction.
- Streamlines code and relies on a single statewide technical standard and permitting process.

6. Position B – Oppose Repeal (Not Redundant / Borough Requirement Adds Protection)

- Borough code provides clear local land-use requirements and public-facing expectations.
- MSB 17.55.020(E) is a direct shoreland protection tool and allows increased setbacks when necessary.

- Retaining local standards can support platting/land-use decisions and long-term risk management even if state resources or rules shift.

7. WWAB Recommendation Options

The Board may recommend support, opposition, or a middle option: repeal older language but replace with a concise modern cross-reference to state rules plus explicit shoreland setback protection.

WWAB Resolution 26-__ (Support)

A RESOLUTION RECOMMENDING SUPPORT OF ORDINANCE SERIAL NO. 26-030 (REPEAL OF MSB 8.25 AND MSB 17.55.020(E)).

WHEREAS, the State of Alaska regulates septic systems and water pollution control statewide; and

WHEREAS, IM 26-044 states the Borough provisions have not had an operative enforcement role and may create confusion;

NOW, THEREFORE, BE IT RESOLVED the WWAB recommends adoption of Ordinance 26-030 to clarify jurisdiction and reduce duplicative code.

BE IT FURTHER RESOLVED the WWAB encourages adoption of a brief code clarification referencing compliance with applicable state regulations (18 AAC 72 and 18 AAC 70) to maintain public clarity.

ADOPTED this __ day of _____, 2026.

WWAB Resolution 26-__ (Oppose)

A RESOLUTION RECOMMENDING OPPOSITION TO ORDINANCE SERIAL NO. 26-030 (RETAIN BOROUGH WATER PROTECTION AND SHORELAND SEWAGE SETBACK REQUIREMENTS).

WHEREAS, MSB 17.55.020(E) provides a clear 100-foot shoreland setback for subsurface sewage disposal systems and directs increased setbacks where necessary; and

WHEREAS, MSB 8.25 provides local standards and public clarity on prohibited discharges and basic septic siting protections;

NOW, THEREFORE, BE IT RESOLVED the WWAB recommends the Assembly not adopt Ordinance 26-030 and instead retain local protections or adopt a repeal-and-replace approach that preserves explicit shoreland protections.

ADOPTED this __ day of _____, 2026.

Action:

**MATANUSKA-SUSITNA BOROUGH
WATER AND WASTEWATER ADVISORY BOARD
RESOLUTION NO. 26-02**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH WATER AND WASTEWATER ADVISORY BOARD RECOMMENDING THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY FAIL ORDINANCE 26-030 AND RETAIN MSB 8.25 WATER POLLUTION CONTROL AND MSB 17.55.020 (E) .

WHEREAS, Assembly Ordinance 26-030 repeals MSB 8.25 and MSB 17.55.020 (E), in their entirety; and

WHEREAS, while the State of Alaska has always retained primacy over the regulation and enforcement of septic systems and water pollution control, it currently has no employees assigned to the Matanuska-Susitna Borough area; and

WHEREAS, the State of Alaska has historically been unable to enforce its regulation due to staffing levels; and

WHEREAS, retaining these standards provides the tools necessary for the Borough to regulate water pollution should the need arise.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Water and Wastewater Advisory Board hereby recommends failing Assembly Ordinance 26-030 and retaining MSB 8.25 Water Pollution Control and MSB 17.55.020 (E) .

ADOPTED by the Matanuska-Susitna Borough Water and Wastewater
Advisory Board this - day of -, 2026.

ROBERT WALDEN, Chair

ATTEST:

CHRISTINA SANDS, Staff Support

(SEAL)

YES:

NO:

Action:

**MATANUSKA-SUSITNA BOROUGH
WATER AND WASTEWATER ADVISORY BOARD
RESOLUTION NO. 26-03**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH WATER AND WASTEWATER ADVISORY BOARD RECOMMENDING APPROVAL OF ASSEMBLY ORDINANCE 26-030 REPEALING MSB 8.25 WATER POLLUTION CONTROL AND MSB 17.55.020 (E), IN THEIR ENTIRETY.

WHEREAS, Assembly Ordinance 26-030 repeals MSB 8.25 and MSB 17.55.020 (E), in their entirety; and

WHEREAS, The State of Alaska has always retained primacy over the regulation and enforcement of septic systems and water pollution control; and

WHEREAS, Enforcement authority in this area rests with the state, and the Borough ordinance has never had an operative enforcement role; and

WHEREAS, these standards serve no practical regulatory purpose; and

WHEREAS, Repealing the ordinances would eliminate any potential confusion regarding jurisdictional authority.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Water and Wastewater Advisory Board hereby recommends approval of Assembly Ordinance 26-030.

ADOPTED by the Matanuska-Susitna Borough Water and Wastewater
Advisory Board this - day of -, 2026.

ROBERT WALDEN, Chair

ATTEST:

CHRISTINA SANDS, Staff Support

(SEAL)

YES:

NO:

RS 26-01

Action:

**MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 26-01**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH WATER AND WASTEWATER ADVISORY BOARD REQUESTING ASSEMBLY'S GUIDANCE IN DEFINING THE BOARD'S GOALS AND STRATEGIC PLAN.

WHEREAS, in 2011 the Matanuska-Susitna Borough Assembly adopted ordinance 11-087 establishing the Wastewater and Septage Advisory Board (WSAB) for the purpose of advising the Assembly on issues relating to wastewater and septage issues within the Borough; and

WHEREAS, on May 25, 2022 the WSAB passed Resolution 22-01 in support of advancing a preliminary engineering report for the Septage Treatment Facility Project; and

WHEREAS, on August 17, 2022 the MSB Assembly adopted Resolution Serial Number 22-071, directing staff to discontinue efforts toward a septage treatment facility project; and

WHEREAS, that same Resolution resolved that the Board is to be disbanded upon adoption of this resolution; and

WHEREAS, on September 27, 2022, Ordinance Serial Number 22-099, was presented to repeal MSB 4.70, Wastewater and Septage Advisory Board (Board's name at that time), which would have dissolved the Board. However, the ordinance failed. MSB 4.70 remained in effect with no changes to its content; and

WHEREAS, on September 13, 2023 the Board established through Board Resolution 23-01 new goals such as 1) On a continuing basis, assess the current wastewater and septage handling situation and conditions and identify and propose potential alternatives, should the current options be compromised or terminated; 2) review and maintain past alternative options; 3) investigate new and evolving methods, means and opportunities for wastewater and septage treatment, and; 4) continue to inform and educate the Assembly regarding wastewater and septage issues that could affect Borough residents.

WHEREAS, on November 30, 2023 Borough Manager Mike Brown came to the Board's special meeting informing the Board of the Borough's collaboration with the cities of Palmer and Wasilla regarding future water and wastewater system improvements, including a possible interconnect between the two cities' water systems. The Borough Manager stated he would like the Board to be involved with these efforts in the future. The Manager emphasized that water and wastewater infrastructure needs must be addressed prior to addressing septage; and

WHEREAS, on May 7, 2024, the Assembly adopted the Ordinance Serial No. 24-045 which changed the Board's name from Wastewater and Septage Advisory Board to Water and Wastewater Advisory Board; and

WHEREAS, during the remainder of 2024 through present time and in accordance with direction from the Assembly and Manager Brown, the Board has focused on water and wastewater issues including presentations and updates from the City of Wasilla regarding the study of the interconnect between the two cities' water systems; and

WHEREAS, the Board has also received updates from the City of Palmer regarding their new facilities and a new pump station supplying water to the Colony schools; and

WHEREAS, the Board feels as though they are sufficiently informed on water infrastructure related topics; and

WHEREAS, the Board receives an increasing number of concerns both inside and outside the cities' boundaries regarding failure of private septic systems installed in the 1970s and 80s and the Board would like to investigate/study this issue and generate data that can be used to determine solutions; and

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Water and Wastewater Advisory Board requests Assembly guidance in defining future goals and requests strategic direction from the Assembly.

ADOPTED by the Matanuska-Susitna Borough Water and Wastewater Advisory Board this 4th day of March, 2026.

Bob Walden

MR. BOB WALDEN, PE, Chair

ATTEST:

Christina Sands

CHRISTINA SANDS, Board Administrative Support

(SEAL)

*Passed unanimously: Walden, Gortick, Noland, Fleming,
Midgett, Jorgensen, Tucker*

YES:

NO: