

Waterbody Setbacks in the Matanuska-Susitna Borough

November 14, 2023

Matthew LaCroix Wetlands & Oceans Section



Waterbody Setback Advisory Board

- 9-member Board created by Ordinance 23-079 August 15, 2023.
- Report by September 17, 2024, on recommended changes to MSB code.



Waterbody Setback Advisory Board

- Representatives from:
 - MSB Planning Commission
 - MSB Fish & Wildlife Commission
 - MatSu Salmon Habitat Partnership
 - Stormwater engineers
 - Home builder/lending/realty
 - At-large
 - AK Department of Environmental Conservation
- Currently has one vacancy.



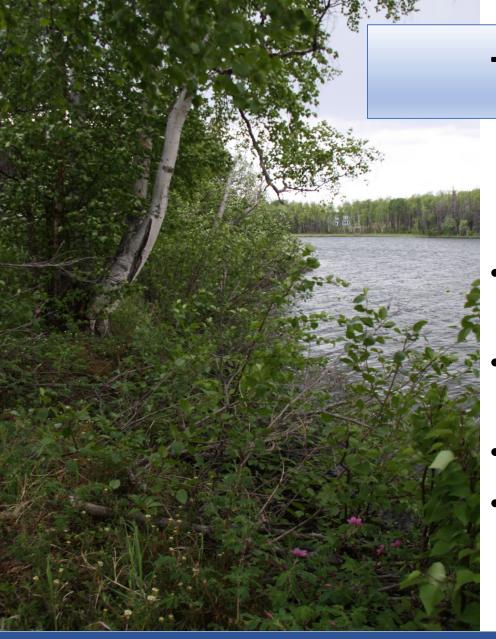
Waterbody Setback Advisory Board

- Has a webpage:
 https://matsugov.us/boards/waterbody-setback-advisory-board where you can submit comments.
- Monthly public meetings on second Tuesday.
 - Can attend virtually.
- Next meeting is December 14, 2023, at 6 PM.



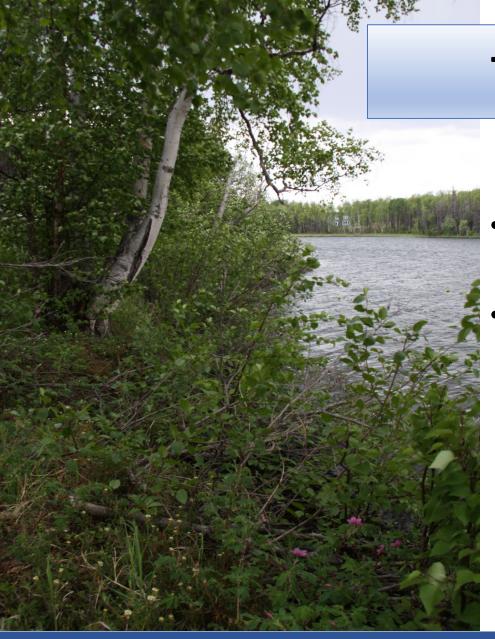
What's the issue?

- Property owners continue to construct homes in violation of the 75' waterbody setback requirement in MSB 17.55.
- MSB code on setbacks, variances, & nonconforming structures is confusing.
- No effective mechanism to bring homes into compliance.



The Borough requires setbacks?

- Structural setbacks have been required since July 1973 (50 years).
- Single setback distance for streams and lakes.
 - 75', was 45' from Nov. 1986 to May 1987.
- Applies only to homes and garages (since 1987).
- May not apply if no knowing violation.



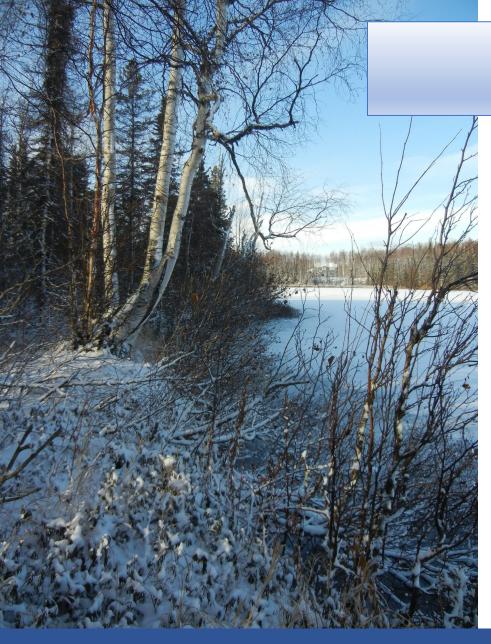
The Borough requires setbacks?

- MSB 17.55 does not require vegetation or regulate land use within the setback.
- MSB Coastal Management Plan required:
 - vegetative buffers for commercial and industrial uses.
 - activities in the setback to protect features and uses for 24 individual lakes.
 - Coastal Program sunset in 2011.



Why is this a problem?

- Ordinance intended to preserve or enhance:
 - water quality,
 - fish and aquatic life (fisheries resources),
 - shore cover,
 - natural beauty.
- As codified, it fails to achieve these objectives.



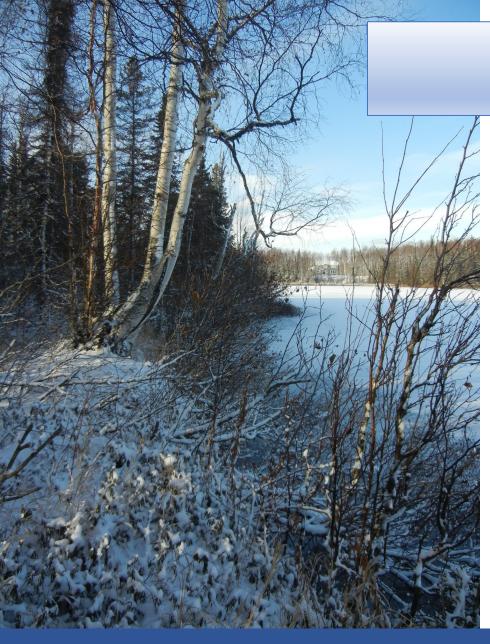
Why is this a problem?

- Stormwater runoff is a main source of surface water impairment.
- For info, see https://stormwater.matsugov.us/
- Stormwater runoff more likely to reach waterbodies when impervious surfaces are closer than 75'.
 - Vegetative buffer width is less.
 - Riparian area more likely to be cleared, graded & compacted.
- On-site septic less likely to meet 100' setback.



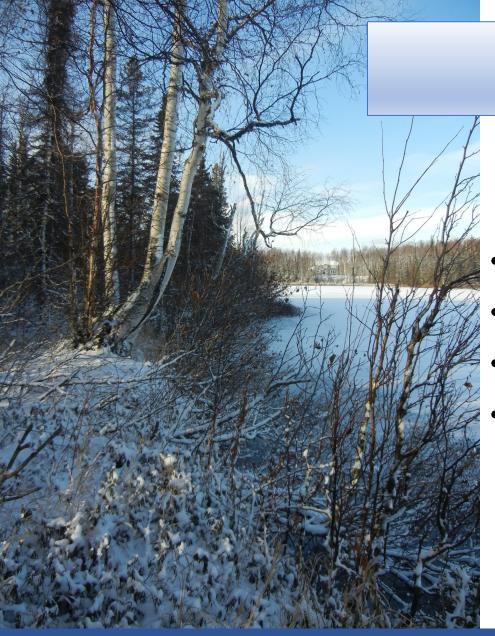
Why is this a problem?

- Structures closer than 75' can lead to:
 - decreased water quality
 - (nutrients, hydrocarbons),
 - reduced recreation opportunities
 - (thick vegetation, fecal coliform, fish kills),
 - reduced property values.



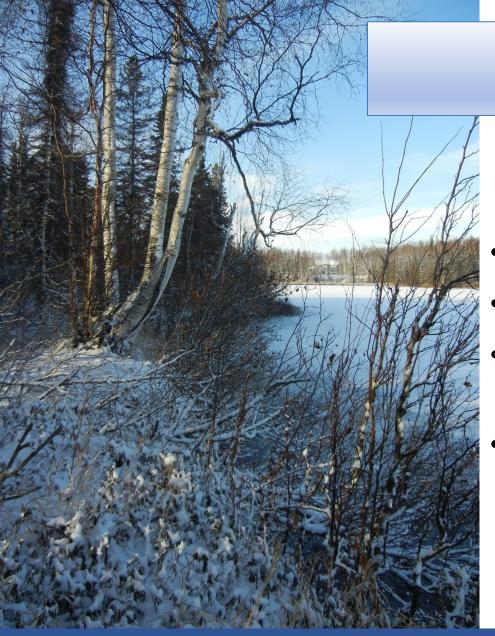
How bad can it be?

- Limited data on lake water quality.
 - Most lakes are not sampled.
 - Borough's volunteer lake monitoring program ended.
- Big Lake (east basin) and Lake Lucille are impaired.
- Portions of the L. Susitna River and Cottonwood Creek are impaired.
- Concerns about water quality in Jim Lake, Nancy Lake, and Wasilla Lake.



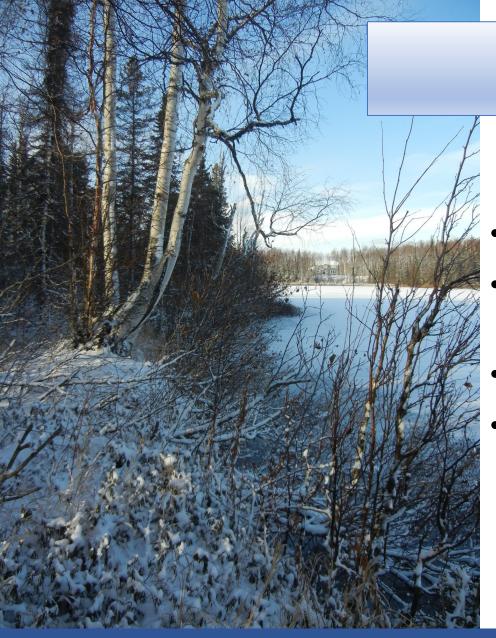
Show me some numbers

- 591 grandfathered structures built prior to 1973.
- 1,438 nonconforming structures built since 1973.
- 969 structures within 45' of OHWM.
- 530 structures within 75' on Big Lake.



Known unknowns

- What percentage of waterfront homes are within 75'?
- How many commercial structures are within 75'?
- What percentage of waterfront lots have been developed?
- How much waterfront land is available for future subdivision?



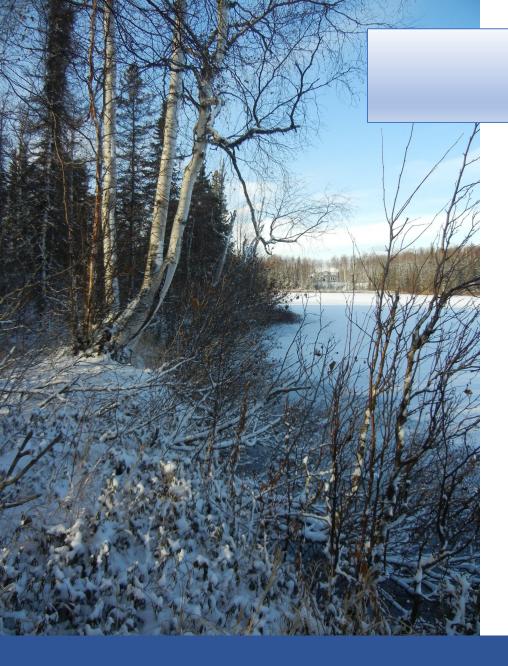
Known unknowns

- How much waterfront does the State or MSB own?
- What are the numbers for anadromous and stocked lakes?
- What percentage of lake shorelines have been cleared?
- Palmer Soil & Water Conservation District created a riparian restoration opportunity dataset in 2015.
 - 43 restoration sites on Blodgett Lake.



How can I help?

- The Waterbody Setback Advisory Board wants your ideas on how to improve the current situation.
- Familiarize yourself with MSB code and other information (e.g., stormwater impacts, riparian buffers, Partnership's Strategic Plan).
- Talk to your friends and neighbors about the issue.
- Provide comments/ suggestions on the website or at WSAB meetings.



Questions?

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