



Waterbody Setbacks in the Matanuska-Susitna Borough

November 14, 2023

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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.**

A photograph of a snowy winter landscape. In the foreground, there are snow-covered bushes and several birch trees with white bark. In the middle ground, a frozen lake or river is visible, with a small house or building in the distance. The sky is clear and blue.

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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