


SUBJECT: A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY SUPPORTING THE UPDATE OF THE LAKE MANAGEMENT PLAN PROCESS AND IMPLEMENTATION OF THE PLANS

AGENDA OF: November 19, 2019

Assembly Action:

*Defeated with Assemblymembers
Boeve + Beck in support 11-19-19* 

MANAGER RECOMMENDATION: Present to the Assembly for consideration.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

George De Haas

Route To:	Department/Individual	Initials	Remarks
	Originator: E. Probasco	EP	
	Planning and Land Use Director	EP	
	Finance Director	CF	
	Borough Attorney	NS	
	Borough Clerk	BA for LKM	

ATTACHMENT(S): Fiscal Note: YES _____ NO X
List of adopted Lake Management Plans (1 pg)
Portions of MSB 17.59 LMP Implementation (4 pp)
Resolution Serial No. 19-091 (3 pp)

SUMMARY STATEMENT:

The borough lake management plan process began in 1995 with the adoption of the first plan into Title 15, Planning. In 1999 the assembly adopted an ordinance creating MSB 15.24.031 Initiating and Amending Lake Management Plans, to provide consistency to the lake management process which is driven by the community. Also in 1999 the assembly adopted another ordinance creating MSB 17.59 Lake Management Plan Implementation, to provide enforcement authority to the borough of enforceable regulations from those plans.

There are currently 41 lake management plans that have been adopted into Title 15, Planning, along with the associated regulations being adopted into Title 17, Zoning.

Initiating and amending lake management plans can be a lengthy and time consuming task for staff and residents, and occasionally results in extensive controversy and divisiveness.

During the annual budgetary processes staff is encouraged to propose changes to code and to review and evaluate tasks and projects which are conducted within the departments that could be streamlined or eliminated and thus improve efficiencies. The planning department prepared a draft ordinance to eliminate the process for amending and initiating new lake management plans and noticed community councils of the draft ordinance. Initial comments from community councils and property owners around lakes with existing lake management plans indicated that the plans and enforceable regulations were a popular option and that they did not favor their removal in the absence of a replacement option. The planning commission held a public hearing on June 3, 2019 and failed to adopt a resolution supporting the code change.

Staff is proposing a compromise to the situation, in which new individual lake management plans would no longer be started nor existing plans amended, but that one borough wide lake management plan would be crafted and still allow for the implementation of enforceable regulations that lake property owners seem to desire.

RECOMMENDATION: Adoption of a Resolution supporting an update to the lake management plan process and implementation of enforceable regulations from those plans, and the creation of one new borough-wide lake management plan that would facilitate the ability for property owners around lakes to have an avenue to request enforceable regulations.

EXISTING ADOPTED LAKE MANAGEMENT PLANS:

- (1) Knik Lake, Lake Management Plan, adopted 1995.
- (2) Crooked Lake, Lake Management Plan, adopted 1995.
- (3) Honeybee Lake, Lake Management Plan, adopted 1995.
- (4) Rainbow Lake, Lake Management Plan, adopted 1995.
- (5) Island and Doubloon Lake, Lake Management Plan, adopted 1995.
- (6) West Papoose Lake, Lake Management Plan, adopted 1995.
- (7) John Lake, Lake Management Plan, adopted 1995.
- (8) Crystal Lake, Lake Management Plan, adopted 1995.
- (9) Bonnie Lake Area, Lake Management Plan, adopted 1996.
- (10) Wolf Lake, Lake Management Plan, adopted 1997.
- (11) Twin Island Lake, Lake Management Plan, adopted 1997.
- (12) Fish Lake, Lake Management Plan, adopted 1997.
- (13) Blodgett Lake, Lake Management Plan, adopted 1997.
- (14) Big Lake, Lake Management Plan, adopted August 1998.
- (15) Memory Lake, Lake Management Plan, adopted September 1998.
- (16) Toad Lake, Lake Management Plan, adopted September 1998.
- (17) Walby Lake, Lake Management Plan, adopted September 1998.
- (18) Question, Little Question, Lake Five and Unnamed Lakes, Lake Management Plan, adopted 1998.
- (19) Marilee Lake, Lake Management Plan, adopted 1998.
- (20) Diamond Lake, Lake Management Plan, adopted 1999.
- (21) Christiansen Lake, Lake Management Plan, adopted 1999.
- (22) Neklasen and Lower Neklasen Lakes, Lake Management Plan, adopted 2000.
- (23) Marion Lake, Lake Management Plan, adopted 2000.
- (24) Long Lake (Houston), Lake Management Plan, adopted 2001.
- (25) Three Mile Lake, Lake Management Plan, adopted 2002.
- (26) Wolverine Lake, Lake Management Plan, adopted 2004.
- (27) Whiskey Lake, Lake Management Plan, adopted 2004.
- (28) Little Lonely Lake, Lake Management Plan, adopted 2005.
- (29) Jean Lake, Lake Management Plan, adopted 2006.
- (30) Liten Lake, Lake Management Plan, adopted 2006.
- (31) Shirley Lake, Lake Management Plan, adopted 2006.
- (32) Florence Lake, Lake Management Plan, adopted 2006.
- (33) Carpenter Lake, Lake Management Plan, adopted 2006.
- (34) Stevens and Oriana Lake, Lake Management Plan, adopted 2007.
- (35) Paradise Lake, Lake Management Plan, adopted 2007.
- (36) Morvro Lake, Lake Management Plan, adopted 2007.
- (37) Jacobsen Lake, Lake Management Plan, adopted 2008.
- (38) Sunbeam and Suncrest Lakes, Lake Management Plan, adopted 2008.
- (39) Little Beaver Lake, Lake Management Plan, adopted 2008.
- (40) Lake of the Woods, Lake Management Plan, adopted 2010.
- (41) Caswell Lake, Lake Management Plan, adopted 2014.

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RS 19-091*

PORTIONS OF CHAPTER 17.59: LAKE MANAGEMENT PLAN IMPLEMENTATION

17.59.060 LIMITATION OF USES.

(A) The limitations noted herein shall apply only to lakes specified.

(B) *Quiet hours.* Motorized uses producing continuous or repetitive noise are regulated for the hours and lakes specified below. Examples of regulated uses include high-speed joyriding, practicing aircraft "touch and goes," engine testing, and racing. This restriction does not prohibit the operation of aircraft, boats, or other vehicles traveling directly to their destination.

- (1) The hours of 11 p.m. to 8 a.m., Sunday through Saturday, are designated as quiet hours for the following lakes:
 - (a) Big Lake.
 - (b) West Papoose Lake.
 - (c) Whiskey Lake.
 - (d) Morvro Lake.
- (2) The hours of 10 p.m. to 8 a.m., Sunday through Saturday, are designated as quiet hours for the following lakes:
 - (a) Crystal Lake.
 - (b) John Lake.
 - (c) Lake Five.
 - (d) Little Question Lake.
 - (e) Memory Lake.
 - (f) Question Lake.
 - (g) Rainbow Lake.
 - (h) Unnamed lake located within T25NR4W Section 31, SM, AK between Question Lake & the TKA Spur Road.
 - (i) Unnamed lake located within T25NR4W Section 31, SM, AK between Question Lake & the TKA Spur Road.
 - (j) Walby Lake.
 - (k) Diamond Lake.
 - (l) Christiansen Lake.
 - (m) Neklasen and Lower Neklasen Lakes.
 - (n) Marion Lake.
 - (o) Long Lake (Houston).
 - (p) Three Mile Lake.
 - (q) Wolverine Lake.
 - (r) Little Lonely Lake.
 - (s) Jean Lake.
 - (t) Liten Lake.
 - (u) Shirley Lake.
 - (v) Florence Lake.
 - (w) Carpenter Lake.
 - (x) Stevens Lake.
 - (y) Sunbeam and Suncrest Lakes.
 - (z) Little Beaver Lake.
 - (aa) Caswell Lake.
- (3) The hours of 7 p.m. to 9 a.m., Sunday through Saturday, are designated as quiet hours for the following lakes:
 - (a) Honeybee Lake.
 - (b) Lake of the Woods.
- (4) The hours of 10 p.m. to 8 a.m., Sunday through Thursday, and 11 p.m. to 8 a.m., Friday and Saturday, are designated as quiet hours for the following lakes:
 - (a) Blodgett Lake.
 - (b) Knik Lake.
 - (c) Twin Island Lake.
- (5) The hours of 9 p.m. to 9 a.m., Sunday through Saturday, are designated as quiet hours for the following lakes:
 - (a) Paradise Lake.

(b) Jacobsen Lake.

(C) *No-wake zone.* No-wake zones along shorelines are established as noted below. The no-wake zone shall extend from the shoreline of the lake, the designated horizontal distance into the water as noted below:

(1) 150 feet from the shoreline.

(a) Big Lake.

(b) Whiskey Lake.

(2) 100 feet from the shoreline.

(a) West Papoose Lake.

(b) Diamond Lake.

(c) Marion Lake.

(d) Long Lake (Houston).

(e) Shirley Lake.

(f) Florence Lake.

(g) Carpenter Lake.

(h) Stevens Lake.

(i) Morvro Lake.

(j) Jacobsen Lake.

(k) Suncrest Lake.

(l) Caswell Lake.

(3) 50 feet from the shoreline at the public boat dock.

(a) Crooked Lake.

(4) 100 feet from the shoreline except when a waterskier is leaving dock or shore.

(a) Neklasen Lake.

(5) No wake speed zone on lake.

(a) Little Lonely Lake.

(b) Liten Lake.

(D) *Motorized watercraft use.* Motorized watercraft uses are restricted as noted on the following lakes and waterways.

(1) Motorized watercraft uses are prohibited on:

(a) Lake Five.

(b) Little Question Lake.

(c) Meadow Creek.

(d) Unnamed lake located within T25NR4W Section 31, SM, AK between Question Lake & the TKA Spur Road.

(e) Unnamed lake located within T25NR4W Section 31, SM, AK between Question Lake & the TKA Spur Road.

(f) Lower Neklasen Lake.

(g) portions of the inlet creek and outlet creek on Whiskey Lake.

(h) Liten Lake.

(i) Oriana Lake.

(j) Little Beaver Lake.

(2) Personal watercraft are prohibited on:

(a) Blodgett Lake.

(b) Bonnie Lake.

(c) Doubloon Lake.

(d) Island Lake.

(e) Ravine Lake.

(f) Upper Bonnie Lake.

(g) West Papoose Lake.

(h) Diamond Lake.

(i) Christiansen Lake.

(j) Marion Lake.

(k) Long Lake (Houston).

(l) Three Mile Lake.

- (m) Wolverine Lake.
 - (n) Whiskey Lake.
 - (o) Little Lonely Lake.
 - (p) Jean Lake.
 - (q) Liten Lake.
 - (r) Shirley Lake.
 - (s) Florence Lake.
 - (t) Carpenter Lake.
 - (u) Stevens Lake.
 - (v) Paradise Lake.
 - (w) Jacobsen Lake.
 - (x) Sunbeam and Suncrest Lakes.
 - (y) Lake of the Woods.
 - (z) Caswell Lake.
- (3) Motorized watercraft uses are restricted to electric motors only on:
- (a) Honeybee Lake.
 - (b) Upper Bonnie Lake.
 - (c) Toad Lake.
 - (d) Wolverine Lake.
 - (e) Jean Lake.
 - (f) Paradise Lake.
 - (g) Sunbeam Lake.
 - (h) Lake of the Woods.
- (4) Motorized watercraft uses are restricted to a maximum of five horsepower motor limit on:
- (a) Fish Lake.
 - (b) Knik Lake.
 - (c) Marilee Lake.
 - (d) Question Lake.
- (5) Motorized watercraft uses are restricted to a maximum of six horsepower motor limit on:
- (a) Wolf Lake.
- (6) Motorized watercraft uses are restricted to a maximum of 10 horsepower motor limit on:
- (a) Blodgett Lake.
 - (b) John Lake.
 - (c) Memory Lake.
 - (d) Rainbow Lake.
 - (e) Ravine Lake.
 - (f) Twin Island Lake.
 - (g) Walby Lake.
 - (h) Diamond Lake.
 - (i) Long Lake (Houston).
 - (j) Three Mile Lake.
 - (k) Little Lonely Lake.
 - (l) Florence Lake.
 - (m) Jacobsen Lake.
 - (n) Suncrest Lake.
- (7) Motorized watercraft uses are restricted to a maximum of 15 horsepower motor limit on:
- (a) Christiansen Lake.
- (8) A lake wide no wake zone, except for Thursdays, Fridays, the first and third Saturdays of the month, the second and fourth Sundays of the month, national holidays and three-day weekends resulting from national holidays:
- (a) Neklasen Lake.

- (9) Motorized watercraft used are restricted to a lake wide no wake speed zone except on Thursday, Friday, Saturday, and all three-day weekends mandated by federal holiday (Memorial day, Fourth of July, and Labor Day):
- (a) Marion Lake.
- (10) Motorized amphibious vehicles, which are a type of motorized watercraft, are prohibited on the following lakes:
- (a) Three Mile Lake.
- (11) Motorized watercraft uses are restricted to a maximum of 10 horsepower motor limit, on a time share basis, on:
- (a) Carpenter Lake.
 - (b) Stevens Lake.
- (12) Motorized watercraft uses are restricted to a maximum of 25 horsepower motor limit on:
- (a) Morvro Lake.
- (E) *Special Permit.* A special permit may be issued by the planning director waiving boat motor limits for the transport of building materials on the following lakes and waterways:
- (1) Lake Five.
 - (2) Little Question Lake.
 - (3) Question Lake.
 - (4) Unnamed lake located within T25NR4W Section 31, SM, AK between Question Lake & the TKA Spur Road.
 - (5) Unnamed lake located within T25NR4W Section 31, SM, AK between Question Lake & the TKA Spur Road.
 - (6) Christiansen Lake.
- (F) *Winter motor vehicle control.* Motor vehicles are prohibited from the surface of the following lakes when ice covered.
- (1) Lake Five.
 - (2) Little Question Lake.
 - (3) Question Lake.
 - (4) Unnamed lake located within T25NR4W Section 31, SM, AK between Question Lake & the TKA Spur Road.
 - (5) Unnamed lake located within T25NR4W Section 31, SM, AK between Question Lake & the TKA Spur Road.
 - (6) Walby Lake.
 - (7) Wolf Lake.
 - (8) Carpenter Lake.
- (G) *Ice houses.*
- (1) *Registration.* Prior to locating an ice house on the frozen water of the lakes designated below, the ice house must be registered with the borough; pertinent registration information must be prominently displayed on the exterior of the ice house structure:
 - (a) Big Lake;
 - (b) Lake Five;
 - (c) Little Question Lake;
 - (d) Question Lake;
 - (e) Unnamed lake located within T25NR4W Section 31, SM, AK between Question Lake & the TKA Spur Road.
 - (f) Unnamed lake located within T25NR4W Section 31, SM, AK between Question Lake & the TKA Spur Road.
 - (g) Diamond Lake;
 - (h) Little Lonely Lake.
 - (2) *Separations.*
 - (a) Registered ice houses shall not be located closer than 75 feet from the high water mark of the lake;
 - (b) Registered ice houses shall not be located closer than 30 feet in any direction from another ice house.
 - (3) *Sanitation.* During any time period a registered ice house is being used and public toilets are not available, the ice house shall be equipped with a portable toilet or other device to capture human waste. Human waste shall be removed from the ice house and deposited in a private or public sewage system or composting toilet.
 - (4) *Removal of ice house.* The owner of the registered ice house shall remove the ice house, together with its contents and debris, before the ice loses its ability to support equipment to move the ice house out of water