
MEMORANDUM TO TCCI

TO: TALKEETNA COMMUNITY COUNCIL BOARD MEMBERS
THRU: PAUL BUTTON AND KARL SWANSON
FROM: JOHN STRASENBURGH
DATE: 030319
RE: **COMMENT TO EILEEN PROBASCO, MSB PLANNING AND LAND USE DIRECTOR REGARDING PROPOSAL TO REPEAL BOROUGH CODE FOR INITIATING LAKE MANAGEMENT PLANS AND AMENDING LAKE MANAGEMENT PLANS (LMP)**

DESCRIBE ISSUE: THE ATTACHED MEMO FROM EILEEN PROBASCO, DIRECTOR OF PLANNING AND LAND USE AT THE BOROUGH IS IN THE CORRESPONDENCE PACKAGE INFORMS THE COMMUNITIES THROUGHOUT THE BOROUGH OF PROPOSED LEGISLATION THAT WOULD REPEAL CODE FOR THE CREATION OF NEW LAKE MANAGEMENT PLANS AND THE AMENDMENT OF EXISTING PLANS.

BACKGROUND: SEE EILEEN PROBASCO MEMO ATTACHED

IMPACTS: LAKE MANAGEMENT PLANS ARE VERY IMPORTANT TO PROVIDING LAKE SHORE RESIDENTS AND NEARBY RESIDENTS WITH SOME CONTROL (FOR EXAMPLE, QUIET HOURS, RESIDENTIAL QUALITY, PUBLIC SAFETY) OVER THEIR DAY TO DAY LIVES. LAKE MANAGEMENT PLANS ALSO PROVIDE PROTECTION OF FISH AND WILDLIFE HABITAT AND HELP MAINTAIN WATER QUALITY, WHICH EVERYBODY IS CONCERNED ABOUT. IT IS A USEFUL IN HELPING PROVIDE FOR THE ORDERLY DEVELOPMENT OF THE BOROUGH.

COMMUNITY SUPPORT: LAKE MANAGEMENT LEGISLATION IS IN MSB CODE BECAUSE PEOPLE WANT IT. THERE ARE 41 LAKE MANAGEMENT PLANS IN THE BOROUGH. APPARENTLY THERE IS A CONSIDERABLE BACKLOG OF RESIDENTS WANTING LAKE MANAGEMENT PLAN. IT IS NOT THE CITIZENS' FAULT THAT THE BOROUGH CURRENTLY LACKS CAPACITY TO FOLLOW ITS CODE.

ACTION AND OUTCOME: IF BOROUGH THE STAFF FINDS IT TOO TIME CONSUMING OR EXPENSIVE (ESPECIALLY CONSIDERING THE GOVERNOR'S PROPOSED BUDGET) TO INITIATE AND AMEND LMPS, THE REMEDY IS NOT TO ABOLISH THE CODE OUTRIGHT; RATHER **THE REMEDY IS TO EXTEND THE CURRENT MORATORIUM ON THE INITIATION AND AMENDMENT OF LAKE MANAGEMENT PLANS.** IT COULD BE EXTENDED WITH A SUNSET CLAUSE SO THAT CIRCUMSTANCES COULD BE PERIODICALLY EVALUATED AND THE MORATORIUM COULD BE RE-EXTENDED IF APPROPRIATE.

REPEALING THE ENTIRE SECTION OF CODE PRECLUDES FUTURE LAKE MANAGEMENT PLANS. WHEN THE BOROUGH AGAIN (AND IT WILL EVENTUALLY) REGAINS ITS FINANCIAL FOOTING AND WHEN GROWTH MAKES LAKE MANAGEMENT PLANS EVEN MORE IMPORTANT TO ORDERLY DEVELOPMENT OF THE BOROUGH, THIS LAKE MANAGEMENT PLAN MECHANISM SHOULD BE READILY AVAILABLE.

PROPOSED RESOLUTION: MOVE THAT: THE TCCI WRITE A LETTER TO EILEEN PROBASCO, DIRECTOR OF PLANNING AND LAND USE, EXPRESSING ITS RECOMMENDATION THAT THE PROPOSED LEGISLATION TO REPEAL MSB 15.24.031 NOT BE BROUGHT FORWARD TO THE ASSEMBLY.

IT WOULD BE GOOD TO CC MAYOR VERN HALTER AND ASSEMBLY MEMBER TAM BOEVE ON THE LETTER.

THE TCCI LETTER COULD DRAW ON INFORMATION CONTAINED IN THIS MEMO TO COUNCIL TO SUPPORT ITS POSITION.

TIMING/DEADLINES: EILEEN PROBASCO HAS REQUESTED THAT COMMENTS FROM THE COMMUNITY COUNCILS BE RECEIVED BY HER DEPARTMENT NO LATER THAN FRIDAY MARCH 29, 2019 AT 5:00 PM. EXCERPT FROM HER MEMO BELOW:

Attached for your review and comment is a copy of the draft ordinance. Please submit your comments no later than Friday, March 29 at 5 pm to the MSB Planning Department attention Pam Graham, Planner I at 350 E. Dahlia Ave., Palmer Alaska 99645; or by email to pam.graham@matsugov.us.