

CLERK'S OFFICE
AMENDED AND APPROVED

Date: 7-8-14

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Dept. of Law
For Reading: June 24, 2014

ANCHORAGE, ALASKA
AO No. 2013-132(S)

1 **AN ORDINANCE ADOPTING THE ANCHORAGE WETLANDS MANAGEMENT**
2 **PLAN REVISION AS AN ELEMENT OF THE COMPREHENSIVE PLAN;**
3 **AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS 21.05.030D.,**
4 **21.05.115, AND 21.05.130 ACCORDINGLY; AND AMENDING EXHIBIT A TO**
5 **AO 2013-124(S) AS AMENDED, AT THE NEW TITLE 21 SECTION 21.01.080.**
6

7
8 **THE ANCHORAGE ASSEMBLY ORDAINS:**
9

10 **Section 1.** *The Anchorage Wetlands Management Plan Public Hearing Draft,*
11 *March 2012, with Track-changes version, dated June 3, 2013 (Exhibit A) is*
12 *adopted as an element of the Comprehensive Plan, as recommended with*
13 *amendments by the Planning and Zoning Commission in Resolution No. 2013-017*
14 *(Exhibit B) and by Assembly Members Birch and Johnston (Exhibit C).*
15

16 Exhibit A is further amended as follows:
17

- 18 1. (Reference Assembly proposal #1) Page 52, Site 26A and 26B:
19

20 "C" sites: **General Permit applicable.** GP Site Restrictions and Design
21 Criteria: Construction timing window; Wetland Delineation; identify surface
22 water features; BMPs for local flooding, dewatering of adjacent wetlands
23 and stormwater controls required. Maintain a minimum 65-foot setback from
24 all waterbodies. Maintain a minimum 25-foot buffer from fill authorized by
25 the GP and "A" wetlands, a minimum 15-foot buffer [15 FEET] from "B"
26 wetlands.
27

28 "A" and "B" sites: Projects that address airport safety issues and
29 neighborhood-airport conflicts (e.g., noise impacts, clear-zone
30 requirements), including minor road, trail, utility lines, should be permitted.
31 The main Turnagain Bog core contains patterned ground wetlands and
32 shall [SHOULD] be maintained and buffered to the maximum extent
33 possible permitted with uses per the AIA Master Plan. The wetland provides
34 high value f[F]unctions for groundwater recharge, water quality, stormwater
35 attenuation, aesthetic and noise buffering, and habitat values.
36

- 37 2. (Reference Assembly Proposal #2) Page 49, Site 18D:
38

39 WEST OF UAA DRIVE, SOUTH OF MALLARD ST., EAST OF CHESTER
40 (1.63 acres; Public Ownership) (Scores: Hydrology= 76; Habitat= 50;
41 Species Occurrence= 48; Social Function= 41) General Permit applicable.
42 GP Site Restrictions and Design Criteria: Construction timing window;
43 identify surface water features; BMPs for local flooding and stormwater

controls required. Maintain both surface and subsurface cross drainage, and prevent drainage of adjacent wetlands. A 25-foot transitional buffer shall be maintained between fill authorized under the GPs and adjacent "A" wetlands to the west.

3. (Reference Assembly Proposal #5) Page 48, Site 18:

SOUTH SIDE OF NORTHERN LIGHTS/BRAGAW, EAST OF GOOSE LAKE (33.24 acres; Public Ownership) (Scores: Hydrology = 76; Habitat = 75; Species Occurrence = 17; Social Function = 74) Maintain all drainageways and flow patterns in wetlands. **General Permit applicable.** GP Site Restrictions and Design Criteria: Construction timing window; Wetland Delineation; identify surface water features; BMPs for local flooding and stormwater controls required. 65-foot setback required from channel outlet of Goose Lake, 25-foot setback from drainageways. A 15-foot transitional buffer shall be maintained between fill authorized under the GPs and adjacent "B" wetlands; and a 25-foot buffer from "C" authorized fills and adjacent "A" wetlands to the west. No development shall be authorized by the GPs east of the trail where the interface between areas designated B and C is closest to the trail. No fill shall be allowed to be placed under the GPs from April through June within 200-feet of the A-designated wetlands and within 50 feet of B-designated wetlands due to concern for nesting. Some of this wetland unit may drain towards Mosquito Lake. Any development activities here shall identify and should avoid drainage ways that flow towards Mosquito Lake.

4. (Reference Assembly Proposal #6) Page 48, Site 18B:

NORTH SIDE OF PROVIDENCE, ALONG BRAGAW RIGHT-OF-WAY (MOSQUITO LAKE DRAINAGE BASIN) (36.18 acres; Public Ownership) (Scores: Hydrology = 58; Habitat= 73; Species Occurrence = 12; Social Function = 64) Includes upper Mosquito Lake drainage. Area is important hydrologically for Mosquito Lake. Site filters runoff from easterly sections to Mosquito Lake complex. Runoff drainage ways into flooded Mosquito Lake complex shall be maintained. [FRINGES COULD BE DEVELOPED BUT KEY DRAINAGEWAYS SHALL BE AVOIDED.] Fill in "B" wetlands requires a 25-foot buffer from adjacent "A" wetlands; 25-foot setback for drainageways. Although identified and justified as developable in Goose Lake Plan; this site provides waterbird habitat in flooded westerly areas, which shall be maintained [TO THE MAXIMUM EXTENT POSSIBLE].

5. (Reference Assembly Proposal #7) Page 48, Site 18A:

MOSQUITO LAKE (14.34 acres; Public Ownership) (Scores: Hydrology = 85; Habitat = 88; Species Occurrence = 67; Social Function = 76) The lake itself ~~and the "A" wetlands~~ shall be preserved **without disturbance; the "A" wetlands shall be preserved** to the maximum extent possible. A 65-foot waterbody setback shall be maintained as a minimum around

Mosquito Lake. Forested isolated lobes south of Mosquito Lake and bike trail are classed as "C" wetlands and could be filled for recreation or road expansions. **General Permit applicable.** GP Site Restrictions and Design Criteria: Construction timing window; required BMPs for local flooding, prevent the dewatering of adjacent wetlands, stormwater controls and visual screening requirements. No fill shall be allowed from April through July in this unit under the GPs to protect nesting near Mosquito Lake. A 25-foot transitional buffer shall be maintained between fill authorized under these GPs and adjacent "A" wetlands.

6. (Reference Assembly Proposal #8) page 48, Site 18:

SOUTH SIDE OF NORTHERN LIGHTS/BRAGAW, EAST OF GOOSE LAKE (33.24 acres; Public Ownership) (Scores: Hydrology = 76; Habitat = 75; Species Occurrence = 17; Social Function = 74) Maintain all drainageways and flow patterns in wetlands. **General Permit applicable.** GP Site Restrictions and Design Criteria: Construction timing window; Wetland Delineation; identify surface water features; BMPs for local flooding and stormwater controls required. 65-foot setback shall be maintained as a minimum along all [REQUIRED FROM CHANNEL OUTLET OF GOOSE LAKE, 25-FOOT SETBACK FROM] drainageways. A 15-foot transitional buffer shall be maintained between fill authorized under the GPs and adjacent "B" wetlands; and a 25-foot transitional buffer [FROM "C" AUTHORIZED FILLS] shall be maintained between fill authorized under these GPs and adjacent "A" wetlands to the west. No development shall be authorized by the GPs east of the trail where the interface between areas designated B and C is closest to the trail. No fill shall be allowed to be placed under the GPs from April through June within 200-feet of the A-designated wetlands and within 50 feet of B-designated wetlands due to concern for nesting.

Section 2. Anchorage Municipal Code subsection 21.05.030D.2. is amended to read as follows *(the remainder of the section is not affected and therefore not set forth)*:

21.05.030 Elements.

The comprehensive plan consists of the following elements, which are incorporated in this chapter by reference. While they may be valid planning tools, plans or other elements that are not listed below or incorporated into the comprehensive plan elsewhere in this Code are not official elements of the comprehensive plan. If elements of the comprehensive plan conflict, the element most recently adopted shall govern.

*** *** ***

D. *Environmental Quality*

*** *** ***

2. Anchorage Wetlands Management Plan, as adopted (insert effective date, 2013) [APRIL 1995] (AO No. 82-33(S); AO No. 84-16(SA); AO No. 84-130(S); AO No. 84-163; AO No. 95-129, § 2, 3-12-96; AO No. 2006-94, § 2, 7-25-06; AO No. 2013- , § 2, (insert effective date)).

*** **

(AO No. 18-75; AO No. 82-49; AO No. 85-165; AO No. 2000-119(S), § 4, 2-20-01; AO No. 2001-124(S), § 2, 2-20-01; AO No. 2002-68, § 1, 4-23-02; AO No. 2002-119, § 1, 9-10-02; AO No. 2003-74, § 1, 5-20-03; AO No. 2003-129, § 2, 10-21-03; AO No. 2005-115, § 3, 10-25-05; AO No. 2006-93(S-1), § 2, 12-12-06; AO No. 2007-107, § 2, 8-28-07; AO No. 2008-74, § 2, 6-24-08; AO No. 2009-69, § 2, 6-23-09; AO No. 2009-104, § 3, 9-15-09; AO No. 2009-126, § 2, 12-1-09; AO No. 2010-22, § 2, 4-13-10)

Section 3. Exhibit A of AO 2012-124(S) adopting the new Title 21, inclusive of Anchorage Municipal Code subsection 21.01.080B.1., Table 21.01-1 Comprehensive Plan Elements, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set forth*):

21.01.080 Comprehensive Plan

*** **

B. Elements

1. Adopted Elements

*** **

TABLE 21.01-1: COMPREHENSIVE PLAN ELEMENTS

Area/Topic	Plan	Adoption Date [1]	Amendments
*** **			
Environmental Quality	Anchorage Wetlands Management Plan	<u>AO 1995-129; 3-12-1996</u> [AO 1982-33(S); 4-20-1982]	[AO 1984-16(SA); 2-28-1984] [AO 1984-130(S); 8-14-1984] [AO 1984-163; 7-31-1984] [AO 1995-129; 3-12-1996] <u>AO No. 2006-94; 7-25-06</u> <u>AO 2013- ; (insert effective date of this ordinance)</u>
*** **			

*** *** ***

Section 4. Anchorage Municipal Code section 21.05.115 is amended to read as follows *(the remainder of the section is not affected and therefore not set forth)*:

21.05.115 Implementation—Anchorage Wetlands Management Plan.

*** *** ***

B. Municipal zoning and platting actions.

1. Municipal zoning and platting actions taken under this title shall be consistent with the Anchorage Wetlands Management Plan. It is the intent of the municipality that wetlands designated "A" in Table 4.1 [2] will be protected as indicated in that table and in Chapter 4 of the Anchorage Wetlands Management Plan.

2. The provisions of AMC 21.80.100--110 may be applied to plats showing development of wetlands designated "A" under the plan where fee simple acquisition is required by the plan. If at the end of the 15-month period for acquisition provided by AMC 21.80.110, the "A" wetlands have not been acquired, by mutual agreement of the property owner and the municipality, the reserve tract designation may be extended, in consideration of which agreement the municipality shall pay an amount equal to the taxes accumulated on the property for the period of reservation. If the municipality and the property owner do not agree on an extension of the reserve tract designation, the property owner must obtain a Section 404 permit required by the Federal Clean Water Act of 1972, as amended, before submitting a plat for that property. In conducting the Section 404 review, the "A" Wetlands-Management Guidelines and Implications found in Chapter 4, Section II.B. of the Wetlands Management Plan shall be applied.

*** *** ***

5. Whenever practicable, the platting authority or the planning and zoning commission shall include the recommended construction mitigation techniques and conditions and enforceable policies in Table 4.1 [2] when approving plats or conditional use permits in wetlands designated "C" under the plan.

C. Application of plan to approved projects.

1. Conditional uses and preliminary plats approved prior to (Month) 2013 [APRIL 1995], the date of adoption of the revised Anchorage Wetlands Management Plan, shall not have additional conditions imposed upon them as a result of requirements of the plan except as follows:

*** *** ***

(AO No. 82-33(S); AO No. 85-165; AO No. 95-129, § 3, 3-12-96; AO No. 2006-94, § 2, 7-25-06)

Section 5. Anchorage Municipal Code section 21.05.130 is amended to read as follows *(the remainder of the section is not affected and therefore not set forth)*:

21.05.130 Implementation--Coastal Management Plan.

*** *** ***

(AO No. 85-165; AO No. 95-129, § 4, 3-12-96; AO No. 2006-94, § 2, 7-25-06; AO No. 2007-107, § 3, 8-28-07; **AO 2013-132(S), 7-8-14**)

Section 6. This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 8th day of July, 2014.


Chair

ATTEST:


Municipal Clerk

AMENDMENT #1.

Anchorage Wetland Management Plan Update Proposed Amendment To AO 2013-132¹

Submitted by: Assemblymembers Tim Steele and Ernie Hall on behalf of Turnagain Community Council.

PROPOSED AMENDMENT: Turnagain Bog Proper Site 26A and 26 B:

Page and Line to be Amended **Page 52: Site 26A and 26 B**

Purpose/Summary of amendment: Inserting minimum buffer language is consistent with language Turnagain Community Council submitted for other sections, which was accepted by the Planning Department and included in the June 3, 2013, Track-changes version.

TEXT OF AMENDMENT – New language underlined

Turnagain Bog Proper

Amend “C” sites text, last sentence as follows:

“Maintain a minimum 25 foot buffer from fill authorized by the GP and “A” wetlands, a minimum 15-foot ~~Foot~~ buffer from “B” wetlands.”

Amend “A” and “B” sites text, 2nd and 3rd sentences as follows:

“The main Turnagain Bog core contains patterned ground wetlands and shall ~~SHOULD~~ be maintained and buffered to the maximum extent possible permitted with uses per the AIA Master Plan. The wetland provides high value functions for groundwater recharge, water quality, stormwater attenuation, aesthetic and noise buffering and habitat values.

Will there be any public or private economic effect to the proposed amendment?

☐ Yes ☒ No (check one) **If yes, please detail below.**

¹ An ordinance adopting the **Anchorage Wetlands Management Plan revision as an element of the Comprehensive Plan**; amending Anchorage Municipal Code Sections 21.05.030d., 21.05.115, and 21.05.130 accordingly; and amending Exhibit A to AO 2013-124(S) As Amended, at the New Title 21 Section 21.01.080, Community Development Department/Planning Division. (Continued To Assembly Meeting on 6-24-14.

Please submit amendments to the Municipal Clerk’s Office by COB Friday, June 13, 2014.

AMENDMENT #2.

Anchorage Wetland Management Plan Update Proposed Amendment To AO 2013-132¹

Submitted by: Assemblymember Petersen

PROPOSED AMENDMENT

Page and Line to be Amended: Page 49, line 18D, Map #33

Purpose/Summary of amendment: 18D WEST OF UAA DRIVE, SOUTH OF MALLARD ST., EAST OF CHESTER – This amendment will require the maintaining of existing cross-drainage, and prohibit the draining of the adjacent wetlands. This amendment was requested by the University Area Community Council, which is the community council for this area.

TEXT OF AMENDMENT – New language underlined

WEST OF UAA DRIVE, SOUTH OF MALLARD ST., EAST OF CHESTER (1.63 acres; Public Ownership) (Scores: Hydrology = 76; Habitat = 50; Species Occurrence = 48; Social Function = 41) General Permit applicable. GP Site Restrictions and Design Criteria: *Construction timing window; identify surface water features*; BMPs for local flooding and stormwater controls required. Maintain both surface and subsurface cross drainage, and prevent drainage of adjacent wetlands. *A 25-foot transitional buffer shall be maintained between fill authorized under the GPs and adjacent "A" wetlands to the west.*

Will there be any public or private economic effect to the proposed amendment?

☐ YES ☒ NO (check one) **If yes, please detail below.**

¹ An ordinance adopting the **Anchorage Wetlands Management Plan revision as an element of the Comprehensive Plan**; amending Anchorage Municipal Code Sections 21.05.030d., 21.05.115, and 21.05.130 accordingly; and amending Exhibit A to AO 2013-124(S) As Amended, at the New Title 21 Section 21.01.080, Community Development Department/Planning Division. (Continued To Assembly Meeting on 6-24-14.)

AMENDMENT #3.

Anchorage Wetland Management Plan Update Proposed Amendment To AO 2013-132¹

Submitted by: Assemblymember Petersen

PROPOSED AMENDMENT

Page and Line to be Amended: Page 49, line 18E, Map #33

Purpose/Summary of amendment: **18E SOUTH OF CHESTER CREEK CORRIDOR NW OF EAST 40TH AVENUE AND DALE ST** – This amendment clarifies that the required 25-foot buffer from the greenbelt applies to the adjacent class “A” as well. This amendment was requested by the University Area Community Council, which is the community council for this area.

TEXT OF AMENDMENT – New language underlined

SOUTH OF CHESTER CREEK CORRIDOR NW OF EAST 40TH AVENUE AND DALE ST. (1.13 acres; Public Ownership) (Scores: Hydrology = 95; Habitat = 79; Species Occurrence = 48; Social Function = 41) *Minimum 25-foot buffer shall be required from greenbelt and adjacent “A” wetlands. Maintain drainageway connectivity to the Chester Creek corridor and adjacent Class A wetlands.* Values for flood and stormwater attenuation, water quality and recreation.

Will there be any public or private economic effect to the proposed amendment?

☐ YES ☒ NO (check one) **If yes, please detail below.**

¹ An ordinance adopting the **Anchorage Wetlands Management Plan revision as an element of the Comprehensive Plan**; amending Anchorage Municipal Code Sections 21.05.030d., 21.05.115, and 21.05.130 accordingly; and amending Exhibit A to AO 2013-124(S) As Amended, at the New Title 21 Section 21.01.080, Community Development Department/Planning Division. (Continued To Assembly Meeting on 6-24-14.)

AMENDMENT #4.

Anchorage Wetland Management Plan Update Proposed Amendment To AO 2013-132¹

Submitted by: Assemblymember Petersen

PROPOSED AMENDMENT

Page and Line to be Amended: Page 47 line 14A, Map #24

Purpose/Summary of amendment: 14A Chester Creek – This amendment provides further protection for Chester Creek and adjacent wetlands within the College Gate subdivision by establishing a 65 setback requirement along all drainage into Chester Creek. This amendment was requested by the University Area Community Council, which is the community council for this area.

TEXT OF AMENDMENT – New Language underlined

COLLEGE GATE SUBDIVISION #4, TRACT D (5.95 acres; Public Ownership) (Scores: Hydrology = 71; Habitat = 41; Species Occurrence = 18; Social Function = 74) Values for flood and stormwater attenuation, water quality. A 65-foot setback shall apply along all drainage ways to Chester Creek. Maintain 100-foot setback from Chester Creek due to its anadromous fish resources. Setback (100 feet) precludes a lower designation; provides buffer to stream. Eastern boundary of mapped wetland requires a COE Jurisdictional Determination.

Will there be any public or private economic effect to the proposed amendment?

☐ YES ☒ NO (check one) **If yes, please detail below.**

¹ An ordinance adopting the **Anchorage Wetlands Management Plan revision as an element of the Comprehensive Plan**; amending Anchorage Municipal Code Sections 21.05.030d., 21.05.115, and 21.05.130 accordingly; and amending Exhibit A to AO 2013-124(S) As Amended, at the New Title 21 Section 21.01.080, Community Development Department/Planning Division. (Continued To Assembly Meeting on 6-24-14.)

AMENDMENT #5

Anchorage Wetland Management Plan Update Proposed Amendment To AO 2013-132¹

Submitted by: Assembly Members Gray-Jackson and Traini

PROPOSED AMENDMENT

Page and Line to be Amended: Page 46, Site # 18 Goose Lake

Purpose/Summary of amendment: Maintain necessary lake setback and drainage protections. This will help reduce water flow into Chester Creek.

TEXT OF AMENDMENT – New language underlined

GOOSE LAKE (38 acres; Public Ownership) (Scores: Hydrology = 88; Habitat = 120; Species Occurrences = 122; Social Function = 97) Documented high values for habitat, water quality, and recreation. Includes upper Mosquito Lake drainage. Important as feeder area for Mosquito Lake. Minor park amenities could be permitted but shall be concentrated at North end of lake only but key drainage sections shall be avoided. A 65-foot setback shall be maintained as a minimum along all drainage ways. COE wetland delineation required.

Will there be any public or private economic effect to the proposed amendment?

☐ YES ☒ NO (check one) **If yes, please detail below.**

¹ An ordinance adopting the **Anchorage Wetlands Management Plan revision as an element of the Comprehensive Plan**; amending Anchorage Municipal Code Sections 21.05.030d., 21.05.115, and 21.05.130 accordingly; and amending Exhibit A to AO 2013-124(S) As Amended, at the New Title 21 Section 21.01.080, Community Development Department/Planning Division. (Continued To Assembly Meeting on 6-24-14.)

AMENDMENT #6

Anchorage Wetland Management Plan Update Proposed Amendment To AO 2013-132¹

Submitted by: Assembly Members Gray-Jackson and Traini

PROPOSED AMENDMENT

Page and Line to be Amended: Page 46, 18B North Side Providence, Along Bragaw Right-Of-Way (Mosquito Lake Drainage Basin)

Purpose/Summary of amendment: The proposed revision of the AWMP 2012 wording, to preserve some of our wetlands "to the maximum extent possible" is subject to individual interpretation. Whereas, the AWMP 1996 language of "preserved without disturbance" is indisputable. Maintain necessary lake setback and drainage protections. This will help reduce water flow into Chester Creek.

TEXT OF AMENDMENT – New language underlined

NORTH SIDE OF PROVIDENCE, ALONG BRAGAW RIGHT-OF-WAY (MOSQUITO LAKE DRAINAGE BASIN) (36.18 acres; Public Ownership) (Scores: Hydrology = 58; Habitat = 73; Species Occurrence = 12; Social Function = 64) Includes upper Mosquito Lake drainage. Area is important hydrologically for Mosquito Lake. Site filters runoff from easterly sections to Mosquito Lake complex. Runoff drainage ways into flooded Mosquito Lake complex shall be maintained. Fill in "B" wetlands requires a 25-foot transitional buffer from adjacent "A" wetlands; 65-foot 25-foot setback for drainage ways. Although identified and justified as developable in Goose Lake Plan, this site provides water bird habitat in flooded westerly areas which shall be maintained, to the maximum extent possible.

Will there be any public or private economic effect to the proposed amendment?

☐ YES ☒ NO (check one) If yes, please detail below.

¹ An ordinance adopting the **Anchorage Wetlands Management Plan revision as an element of the Comprehensive Plan**; amending Anchorage Municipal Code Sections 21.05.030d., 21.05.115, and 21.05.130 accordingly; and amending Exhibit A to AO 2013-124(S) As Amended, at the New Title 21 Section 21.01.080, Community Development Department/Planning Division. (Continued To Assembly Meeting on 6-24-14.)

AMENDMENT #7.

Anchorage Wetland Management Plan Update Proposed Amendment To AO 2013-132¹

Submitted by: Assembly Members Gray-Jackson and Traini

PROPOSED AMENDMENT

Page and Line to be Amended: Page 46, Site 18A Mosquito Lake

Purpose/Summary of amendment: The proposed revision of the AWMP 2012 wording to preserve some of our wetlands "to the maximum extent possible" is subject to individual interpretation. Whereas, the AWMP 1996 language of "preserved without disturbance" is indisputable. Maintain necessary lake setback and drainage protections. This will help reduce water flow into Chester Creek.

TEXT OF AMENDMENT

MOSQUITO LAKE (14.34 acres; Public Ownership) (Scores: Hydrology = 85; Habitat = 88; Species Occurrence = 67; Social Function = 76) *The lake itself and the "A" wetlands shall be preserved to the maximum extent possible without disturbance. A 65-foot waterbody setback shall be maintained as a minimum around Mosquito Lake. Isolated lobes south of Mosquito Lake and bike trail are less valuable and could be filled for recreation or road expansions. GP site restrictions and design criteria: Construction timing window; required BMPs for local flooding, prevent the dewatering of adjacent wetlands, storm water controls and visual screening requirements. No fill shall be allowed from April through July in this unit under the GPs to protect nesting near Mosquito Lake. A 25-foot transitional buffer shall be maintained between fill authorized under these GPs and adjacent "A" wetlands.*

Will there be any public or private economic effect to the proposed amendment?

☐ YES ☒ NO (check one) **If yes, please detail below.**

¹ An ordinance adopting the **Anchorage Wetlands Management Plan revision as an element of the Comprehensive Plan**; amending Anchorage Municipal Code Sections 21.05.030d., 21.05.115, and 21.05.130 accordingly; and amending Exhibit A to AO 2013-124(S) As Amended, at the New Title 21 Section 21.01.080, Community Development Department/Planning Division. (Continued To Assembly Meeting on 6-24-14.)

AMENDMENT #8

Anchorage Wetland Management Plan Update Proposed Amendment To AO 2013-132¹

Submitted by: Assembly Members Gray-Jackson and Traini

PROPOSED AMENDMENT

Page and Line to be Amended: Page 46, Site # 18 South Side of Northern Lights/Bragaw, East of Goose Lake

Purpose/Summary of amendment: Maintain necessary lake setback and drainage protections. This will help reduce water flow into Chester Creek.

TEXT OF AMENDMENT

SOUTH SIDE OF NORTHERN LIGHTS/BRAGAW, EAST OF GOOSE LAKE (33.24 acres; Public Ownership) (Scores: Hydrology = 76; Habitat = 75; Species Occurrence = 17; Social Function = 74)

*Maintain all drainageways and flow patterns in wetlands. **General Permit applicable.** GP Site Restrictions and Design Criteria: Construction timing window; Wetland Delineation; identify surface water features; BMPs for local flooding and stormwater controls required A 65-foot setback required ~~from channel outlet of Goose lake; 25-foot setback from~~ shall be maintained as a minimum along all drainage ways. A 15-foot transitional buffer shall be maintained between fill authorized under GPs and adjacent "B" wetland; and a 25-foot transitional buffer from "C" authorized fills shall be maintained between fill authorized under these GPs and adjacent "A" wetlands to the west. No development shall be authorized by the GPs east of the trail where the interface between areas designated B and C is closest to the trail. No fill shall be allowed to be placed under the GPs from April through June within 200- feet of the A-designated wetlands and within 50 feet of B-designated wetlands due to concern for nesting.*

Will there be any public or private economic effect to the proposed amendment?

☐ YES ☒ NO (check one) If yes, please detail below.

¹ An ordinance adopting the **Anchorage Wetlands Management Plan revision as an element of the Comprehensive Plan**; amending Anchorage Municipal Code Sections 21.05.030d., 21.05.115, and 21.05.130 accordingly; and amending Exhibit A to AO 2013-124(S) As Amended, at the New Title 21 Section 21.01.080, Community Development Department/Planning Division. (Continued To Assembly Meeting on 6-24-14.)

Exhibit A

Anchorage Wetlands Management Plan Public Hearing Draft March 2012

Track-changes version

June 3, 2013

Deleted text is indicated with a ~~double-strikethrough~~ line.

Red text indicates new text changes.

Prepared by

Physical Planning Division
Community Development Department
Municipality of Anchorage

See full document on-line:

<http://www.muni.org/Departments/OCPD/Planning/Physical/EnvPlanning/Documents/AWMP2012-Public%20Hearing%20Draft-6May2012-PZC%20TRACK%20CHANGES-FINAL.pdf>

Exhibit B

MUNICIPALITY OF ANCHORAGE

PLANNING AND ZONING COMMISSION RESOLUTION NO. 2013-017

A RESOLUTION SUPPORTING THE APPROVAL AND ADOPTION OF THE ANCHORAGE WETLANDS MANAGEMENT PLAN.

(Case 2012-029)

WHEREAS, the Anchorage Assembly adopted the *Anchorage Wetland Management Plan* (AWMP) in 1982 as one of the nation's first local wetlands plans specifically to provide a balance to conflicting land use needs for extensive wetland acreage across the Municipality; and

WHEREAS, the AWMP provided wetland area maps and management strategies to guide planning, development, and land management of the Municipality's wetlands; and

WHEREAS, in 1983, the Corps of Engineers issued the Municipality a suite of General Permits, which authorized the Planning Department to administer permits for fill in lower value wetlands; and

WHEREAS, the original adopting ordinance of the 1982 AWMP required that the Plan be reviewed and revised after ten years; and

WHEREAS, the Community Development Department undertook a complete review of the 1996 version of the Plan and produced a technical review draft and a public hearing draft of a revised Plan; and

WHEREAS, the Community Development Department provided a notification of public hearing to all landowners of record across the Municipality whose parcels included wetlands or were immediately adjacent to wetlands, which generated dozens of calls and requests for clarification from the public to the Department; and

WHEREAS, the Planning and Zoning Commission held public hearings on the Draft AWMP on December 3, 2012, and April 1, 2013; and

WHEREAS, staff included a suite of additional recommendations as Plan amendments in response to public comments and Commission requests.

NOW, THEREFORE, BE IT RESOLVED by the Anchorage Planning and Zoning Commission that:

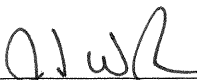
A. The Commission makes the following findings of fact:

1. The *Anchorage Wetland Management Plan* as a "functional plan" recommended for approval by the Anchorage Planning and Zoning Commission will serve as the basis for continuing and future municipal administration of General Permits as authorized from the Corps of Engineers.


2. The March 2012 Public Hearing Draft *Anchorage Wetlands Management Plan*, with Commission recommendations and staff amendments highlighted in the December 3, 2012 and April 1, 2013 Staff Packets, meets the standards for functional plans as an element of the Comprehensive Plan.
 3. The *Anchorage Wetland Management Plan* maps, individual site management strategies, and the General Permits administered by the Community Development Department facilitate development and are important to the community in general.
 4. The Planning and Zoning Commission requests that Planning Division staff provide quarterly updates to the Commission outlining designation changes and wetland boundary changes as done by the Corps of Engineers and municipal staff.
- B. The Planning and Zoning Commission forwards a recommendation of approval of the March 2012 Public Hearing Draft *Anchorage Wetlands Management Plan* to the Anchorage Assembly with the amendments listed in Attachment A.

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission on the 8th day of April 2013.

ADOPTED by the Anchorage Planning and Zoning Commission on this 3rd day of June 2013.



Jerry T. Weaver, Jr.
Secretary



for Connie Yoshimura
Chair

Attachment: A. Planning and Zoning Commission Amendments Table

(Case No. 2012-029)

Attachment A

Planning and Zoning Commission Resolution No. 2013-017

Anchorage Wetlands Management Plan March 2012 Public Hearing Draft

Planning and Zoning Commission Amendments

June 3, 2013

- Table summarizes all Planning and Zoning Commission amendments approved on April 8, 2013.
- Page numbers refer to location of subject/issue or new text recommendations in the Public Hearing Draft (PHD).
- TCV numbers refer to pages in the Track-Changes Version of the PHD.
- Items are presented in the order as listed in their respective staff packets.
- Underlined text is new.

Item # Page # (in PHD)	Anchorage Wetlands Management Plan Subject/Issue	Recommendation or Amendment (New wording underlined)	PZC Action
From: December 3, 2012 Staff Packet			
#1 Pages 105-112 (TCV 109-123)	Figures 2 through 9, Wetland Maps MOA-Watershed Management Add disclaimer.	Add a disclaimer regarding mapped streams per MOA-Watershed Management Section: <i>MOA-WMS data is shown for informational purposes only.</i> The text above was modified and included on the revised maps as shown below: <u>Stream data is approximate and shown as informational only.</u> Add language per Chapter 5, Implementation, stating a role of MOA-WMS is to map watercourses per APDES and Clean Water Act: <i>Any potential discrepancies in watercourse mapping can be appealed to MOA-WMS to be re-investigated.</i>	Accept

Item # Page # (in PHD)	Anchorage Wetlands Management Plan Subject/Issue	Recommendation or Amendment (New wording underlined)	PZC Action
		<p>The suggested text was modified and included on the revised maps as shown below:</p> <p><u>Inquiries regarding stream locations should be made to MOA-Watershed Management Section at (907) 343-8135.</u></p>	
<p>#2</p> <p>Page 103 (TCV 105)</p>	<p>Site #213—ALYESKA SUBDIVISION</p> <p>Recommend changing the management strategy.</p>	<p>Change the management strategy to include:</p> <p><u>The area within Tract B-1 requires a wetland delineation to determine the wetland boundary and a COE Jurisdictional Determination. This area of Alyeska Basin was identified in the Girdwood Area Plan as in need of a neighborhood park. Given the relative deficiency of available land for a neighborhood park, Tract B-1 is designated as “B” to reflect this public need. Portions of the wetland adjacent to the stream channel and headwater ponds shall be retained, but the wetland fringes and mapped uplands could potentially provide an area for neighborhood park uses. Lots located within Alpine View Estates Phases 1 and 2 were previously permitted by the Corps of Engineers; those lots remain fully developable under the terms of that permit (POA-2002-1031). Updated mapping of the stream channel may be required to verify the channel location and subsequent setbacks relative to any proposed development.</u></p>	Accept

Item # Page # (in PHD)	Anchorage Wetlands Management Plan Subject/Issue	Recommendation or Amendment (New wording underlined)	PZC Action
#3 Page 47 (TCV 49)	Site #19—NORTHWEST CORNER OF NORTHERN LIGHTS/BRAGAW, EAST OF NICHOLS ST. Remove the Mental Health Trust property.	Remove Lot 3, Block 1; Tract 3A; and Lot 1, Block 2; Community Park Subdivision; Anchorage, Mental Health Trust property located NW of Northern Lights Boulevard and Bragaw Street due to an approved Jurisdictional Determination from COE resulting in a non-wetland delineation. Add text below: <u>Note: Lot 3, Block 1, Tract 3A, and Lot 1, Block 2 Community Park Subdivision (NW of Northern Lights Boulevard and Bragaw Street) is no longer considered jurisdictional per Corps determination.</u>	Accept
#4 Page 26 (TCV 28)	Turnagain Community Council Suggested language to be included at end of first full paragraph, last line.	Replace “ <i>For permits requiring mitigation within Anchorage International Airport properties, the priority for compensation is off-site, in order to comply with federal guidelines for aircraft safety</i> ” with text below: For permits requiring mitigation within Anchorage International Airport properties, <u>when not in conflict with FAA regulations/guidelines and applicable airport safety standards, and where feasible, a buffer shall be provided in wetlands permitted for development when abutting residential areas. The remaining undeveloped wetlands shall be shielded from permitted development to maintain social, habitat, and hydrology/water quality function values.</u>	Accept

Item # Page # (in PHD)	Anchorage Wetlands Management Plan Subject/Issue	Recommendation or Amendment (New wording underlined)	PZC Action
#5 Page 41 (TCV 43) Page 81 (TCV 83) Page 97 (TCV 99)	Turnagain Community Council Table 4.1; Table 4.2; Table 4.3 Wetland Designations, Enforceable and Administrative Policies and Management Strategies Tables Suggested new language.	Under the fourth paragraph under "Management Strategies, Enforceable and Administrative Policies," add the following to clarify when wetland assessment scores were derived: <u>AWAM assessment scores are listed from the previous wetland plan of 1996. The scores for former "U", undesignated sites now classified as "C", were generated most recently.</u>	Accept
#6 Page 49 (TCV 52)	Turnagain Community Council Sites #26A & B—TURNAGAIN BOG PROPER Substitute first paragraph in management strategy with language relevant to AO 2000- 151(S-2).	Replace first paragraph with: <u>Fill permit actions shall be consistent with the land use designations and the alternatives analysis contained in the Anchorage International Airport (ANC) Master Plan, The West Anchorage District Plan (July, 2012) and the directive in AO 2000- 151(S-2) that any future development of the natural portions designated as 'lands not permitted' shall occur only after a master plan for that area is prepared jointly by ANC and the MOA and approved by the Anchorage Assembly after a public hearing. Link to AO 2000-151(S-2): http://www.muni.org/ Departments/Assembly/legislation/2000%20Ordinan ces/AO2000-151_(S_2).pdf. Priority shall be given to airport location-dependent enterprises. Development planning and permitting shall fully consider other municipal planning documents such as trails, roads, and drainage plans for the airport area. Cumulative impacts shall be considered for future fill actions, as the bog has lost approximately 200 acres since 1996.</u>	Accept

Item # Page # (in PHD)	Anchorage Wetlands Management Plan Subject/Issue	Recommendation or Amendment (New wording underlined)	PZC Action
#7 Page 49 (TCV 52)	Turnagain Community Council Sites #26A & B—TURNAGAIN BOG PROPER Suggested adding “minimum.”	Use term <u>minimum</u> before listing setback distances: <i>Maintain a <u>minimum</u> 65-foot setback from all waterbodies. Maintain a <u>minimum</u> 25-foot buffer from fill authorized by the GP and “A” wetlands, 15 feet from “B” wetlands.</i>	Accept
#8 Page 49 (TCV 52)	Turnagain Community Council Sites #26A & B—TURNAGAIN BOG PROPER Retain specific language from the 1996 AWMP regarding a requirement for an impervious barrier when developing wetlands.	Include language regarding an impervious barrier requirement because such language would require an amendment to the GP, instead, this requirement can still be accomplished through the permit process with customized conditions, whether a GP or other permit type is used.	Accept
#9 Page 49 (TCV 52)	Turnagain Community Council Sites #26A & B—TURNAGAIN BOG PROPER Suggested adding word “values.”	For "A" and "B" sites, include the following language with “values” at the end: Projects that address airport safety issues and neighborhood conflicts (e.g. noise impacts, clear-zone requirements), including minor road, trail, utility lines, should be permitted. The main Turnagain Bog core contains patterned ground wetlands and shall be maintained and buffered to the maximum extent possible. The wetland provides high value functions for groundwater recharge, water quality, stormwater attenuation, aesthetic and noise buffering, and habitat <u>values</u> .	Accept

Item # Page # (in PHD)	Anchorage Wetlands Management Plan Subject/Issue	Recommendation or Amendment (New wording underlined)	PZC Action
#10 Page 50 (TCV 53)	Turnagain Community Council Site #26D—POSTMARK DRIVE WEST Suggested adding new language.	Add the following after the first sentence of this section: <u>Cumulative impacts shall be considered for future fill actions, as the bog has lost approximately 27 acres (1/3 of its size) since 1996. The wetland provides high value functions for groundwater recharge, water quality, stormwater attenuation, aesthetic and noise buffering, and habitat values.</u>	Accept
#11 Page 50 (TCV 53)	Turnagain Community Council Site #26E—LAKE SPENARD Assessing sites and including Anchorage Wetlands Assessment Methodology (AWAM) scores.	Note that Lake Spenard wetlands were not previously assessed for the 1996 AWMP. Consider assessing previously unassessed sites to justify designations. Include AWAM scores (assessed in fall 2012) under Scores: <u>(Scores: Hydrology = 67, Habitat = 52, Species Occurrence = 21, Social Function = 61)</u>	Accept
#12 Page 90 (TCV 92)	Site #128—LOWER FIRE LAKE Change map and text for Lower Fire Lake, Eagle River	Figure 6, Eagle River to Eklutna map, site #128, Lower Fire Lake: remove open water area from mapped wetlands. Change text for Lower Fire Lake: define wetlands location relative to the lake's OHWM (Ordinary High Water Mark) as variable along the shoreline. Where <u>The wetlands fringe is</u> varies <u>on the lake edge, so setbacks shall be a minimum of 65 feet, extending from OHW inland to the extent . . .</u>	Accept

Item # Page # (in PHD)	Anchorage Wetlands Management Plan Subject/Issue	Recommendation or Amendment (New wording underlined)	PZC Action
From: April 1, 2013 Staff Packet			
#13 Page 41 (TCV 43) and throughout document	Table 4.1—ANCHORAGE BOWL Delete “D” and “P” wetland designations and references from text and maps.	<p>To address concerns that have been raised by the Planning and Zoning Commission regarding the sites originally recommended and mapped in the Draft AWMP as “D” and “P”, the final Plan shall have all of these areas and related details <u>stricken</u> from both maps and text. Instead, the final plan shall include the following summary paragraph to generally address potentially new, or modifications to known, wetland areas. This text shall be placed as a new note at the beginning of Table 4.1 on page 41 of the document:</p> <p><u>Given continued field work and advancement of new information, especially soils mapping and high quality aerial imagery, new wetlands and/or modified boundaries of existing mapped wetlands will continue to be found especially on the hillsides and remote areas of the Municipality. Landowners and developers of hillsides and more remote areas of the Municipality should consult with Planning staff and or the Corps of Engineers during development plans for evaluation of potential wetlands on site. It is the Planning Department’s intent to continue working with the Corps of Engineers to systematically identify, map, and then assign formal designations for these area over the course of this current Plan’s life, and to have these new areas delineated and designated by the time the Municipality undertakes a review and revision of this Plan in the future.</u></p>	Accept

Item # Page # (in PHD)	Anchorage Wetlands Management Plan Subject/Issue	Recommendation or Amendment (New wording underlined)	PZC Action
		All the final plan maps will include these changes.	
#14 Page 103 (TCV 105)	Site #213—ALYESKA SUBDIVISION Map correction.	The configuration of designations in the Alyeska Basin Subdivision in Girdwood for that portion of wetland unit #213 at Timberline Drive and Chateau Circle shall be changed as shown on the attached map. This change corrects an older mapping error of what was originally adopted in the 1982 and 1996 plans. These designations change what was shown in the draft plan as “D” areas to “A” and “C”.	Accept
#15 Page 103 (TCV 105)	Site #213—ALYESKA SUBDIVISION Delete text.	The text regarding “D” wetlands in Table 4.1 for wetland unit #213 for this area in Girdwood shall be deleted.	Accept
#16 Page 76 (TCV 79)	Site #83—BEAR VALLEY: EAST OF LITTLE RABBIT CREEK (T11N R3W SEC 1) Add new text.	Add the following text: <u>The “C” wetlands in lower Bear Valley may require further field delineation and mapping adjustments but should only be pursued with permission of landowners.</u>	Accept





Attachment: Correction to Wetland Map Designations in a portion of Girdwood at Alyeska Basin, Site 213, Item #14



Legend

— STREAMS

Wetlands_edited DESIGNATION

-  A
-  B
-  C
-  Undesignated

Portion of Site 213

PZC Resolution No. 2013-017



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Exhibit C

Anchorage Wetlands Management Plan (PZC Case No. 2012-029)

Map Amendment for Units 81 and 83 in Bear Valley

Exhibit C

ADDITIONAL AMENDMENTS TO THE ANCHORAGE WETLANDS MANAGEMENT PLAN

From Assembly Members Birch and Johnston

(new language underlined)

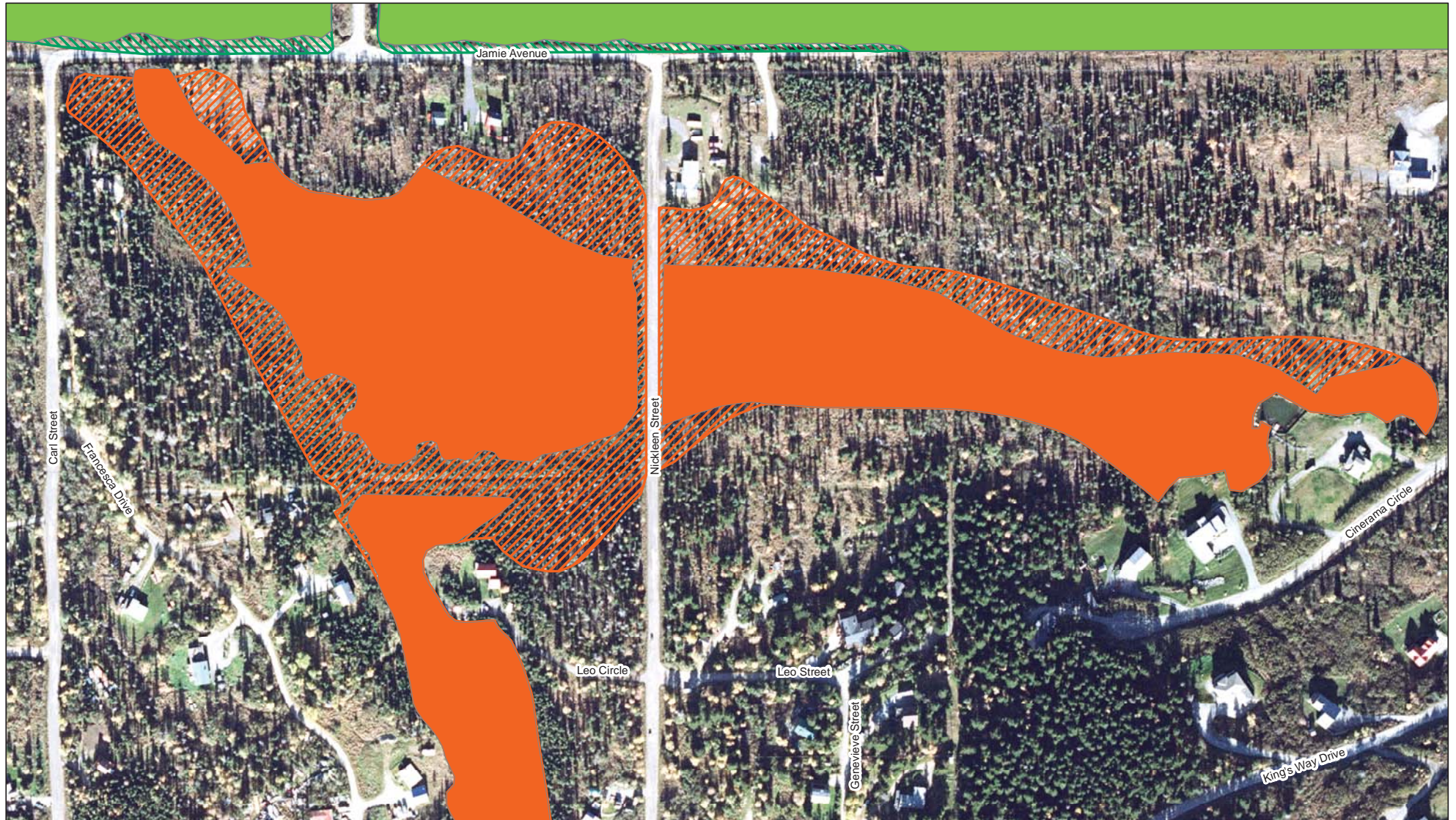
1. Chapter 4, Table 4.1 (page 79 in the June 3, 2013 Track-Changes Version of the Plan) – Amend the management strategy for wetland unit #83, Bear Valley: East of Little Rabbit Creek, by adding the underlined language below. This new language replaces language that the Planning and Zoning Commission adopted.

Because of past development including ditches, roads, driveway and house fills, utility lines, etc., the local hydrology in Bear Valley, especially between Jamie Street, Diane Drive, and Nickleen Street, may have changed to the point that sites previously mapped as wetlands may no longer be wet. The “C” wetlands in lower Bear Valley may require further field delineation and mapping adjustments, which should only be pursued with permission of landowners.



2. The wetland boundaries in and around wetland unit #s 81 and 83 in lower Bear Valley shall be adjusted as shown in the accompanying **map**. These adjustments reflect changes identified in summer 2013 field reconnaissance.

Exhibit C



Proposed Wetlands Modifications



Draft 2012 AWMP

-  Class C wetland; unit 83
-  Class A wetland; unit 81

Proposed Wetland Map Modifications
are a result of; field checks, soils mapping,
and coordination with property owner:

-  Class C wetland; unit 83
-  Class A wetland; unit 81

August 29, 2013



**Note: For clarity, map displays modified wetlands only.*