



## **Municipality of Anchorage**

### **Watershed & Natural Resources Advisory Commission**

#### **A G E N D A**

**Wednesday, August 28, 2024**

**12:00 Noon – 1:00 p.m.**

### **Special Meeting**

**Via Microsoft Teams**

[Join the meeting](#)

Meeting ID: 231 516 316 411, Passcode: UR9pXc

Or call in (audio only): +1 907-519-0237

Phone conference ID: 523 893 373#

- I. CALL TO ORDER**
  - A. Establishment of Quorum
  - B. Disclosures
- II. RESOLUTION APPROVAL**
  - A. Resolution No. 2024-01, Municipal Wetland Permit Policy
- III. PERSONS TO BE HEARD (3-minute limit)**
- VII. ADJOURNMENT**

**Next Regular Meeting: Wednesday, October 23, 2024**

**MUNICIPALITY OF ANCHORAGE**  
**WATERSHED & NATURAL RESOURCES ADVISORY COMMISSION**  
**RESOLUTION NO. 2024-01**

**A RESOLUTION SUPPORTING THE UPDATED MUNICIPAL WETLAND PERMIT POLICY TO BE IMPLEMENTED BY THE PLANNING DEPARTMENT.**

WHEREAS, the *Anchorage Wetlands Management Plan* was first adopted in 1982 via AO 82-33(S) by the Anchorage Assembly and further updated on July 8, 2014, via AO 2013-132(S) establishing the Municipality's authority to regulate disturbance activity within identified wetland units throughout the Municipality of Anchorage; and

WHEREAS, regulatory authority was delegated between the Municipality and the U.S. Army Corps of Engineers based upon specified wetland class through the issuance of a general permit from the U.S. Army Corps of Engineers to the Municipality; and

WHEREAS, the Municipality's general permit expired on April 30, 2021, and was not renewed by the U.S. Army Corps of Engineers; and

WHEREAS, the Municipality of Anchorage is legally obligated by the *Anchorage Wetlands Management Plan* and Anchorage Municipal Code (AMC) Title 21 to regulate disturbance activity within defined setbacks from the delineated edge of identified wetland units; and

WHEREAS, no formal policy guidance currently exists on how disturbance activity within wetland setbacks or within wetland units is to be permitted by the Municipality; and

WHEREAS, this policy will establish evaluation criteria to be considered and the review process in which a wetland permit will be evaluated. This will improve consistency between reviews and regulatory expectations of the Municipality of Anchorage.

NOW, THEREFORE, BE IT RESOLVED by the Anchorage Watershed & Natural Resources Advisory Commission that:

- A. The Commission makes the following findings of fact:
  1. The Watershed & Natural Resources Advisory Commission serves as a technical liaison between municipal departments, the community and state and federal agencies having water quality, watershed and natural resources management responsibilities, programs to restore and improve fish and wildlife habitat and other activities to increase community stewardship of aquatic and other natural resources within the Municipality of Anchorage per AMC 4.90.010, and should be consulted on matters that may have adverse impacts on the function and health of our finite wetland resources.
  2. Wetlands provide habitat for numerous species of aquatic and terrestrial plants as well as a wide range of wildlife and migratory birds. Wetlands also provide groundwater recharge, flood attenuation, improve water quality, and reduce

shoreline and bank erosion thereby reducing the need for expensive man-made infrastructure to serve a similar mitigating function. Wetlands also play a role in carbon sequestration which benefits climate resilience. Many communities and peoples such as the local Dena'ina have significant cultural connections to wetlands and the waterbodies they are connected to. Wetlands provide intrinsic value that translates to economic and recreational benefits for the greater community through ecotourism, wildlife viewing and environmental education. Maintaining and protecting wetlands preserves their environmental, economic, and cultural importance.

3. Recent legal decisions made by the U.S. Supreme Court, such as *Sackett v. EPA* and *Rapanos v. U.S.*, have altered the definition of Waters of the United States (WOTUS) and reduced the scope of federal jurisdiction over wetlands.
  4. With the revised definition of WOTUS and expiration of the Municipality's general permit in 2021, the updated municipal wetland permit policy will fill the need for a regulatory process to conserve and protect our wetlands. Sites with wetland disturbance of less than one acre will be reviewed for approval administratively to maintain an expedited evaluation, and sites with wetland disturbance of one acre or greater will be considered for approval following review and recommendation by the Watershed & Natural Resources Advisory Commission.
- B. The Commission supports the updated municipal wetland permit policy and corresponding *Application for Wetland Permit or Amendment to Anchorage Wetland Management Plan*. In considering any disturbance to wetlands identified within the *Anchorage Wetlands Management Plan*, the Municipality uses the below criteria to guide its decision. In addition to these criteria, the Director shall consult the Watershed & Natural Resources Advisory Commission for a recommendation on a permit application disturbing one acre or greater prior to issuing a decision.
1. The applicant has proposed best management practices to minimize individual and cumulative impacts to the wetland unit; and
  2. The area of disturbance is necessary to allow for the development of the proposed use and avoids excessive disturbance as much as possible; and
  3. The wetland unit is subject to specific protections, such as special use limitations, easements, or has been designated for future public use for recreation, wildlife viewing, ecological function, and/or flood mitigation; and
  4. Adverse impacts to adjacent or downstream wetlands, streams, aquatic resources, and drainage facilities will be minimized to the extent possible; and

5. The disturbance activity and/or development is consistent with the purpose and goals of the *Anchorage Wetlands Management Plan*, as well as the goals, objectives, and policies of the comprehensive plan.

PASSED AND APPROVED by the Anchorage Watershed & Natural Resources Advisory Commission on the 28<sup>th</sup> day of August 2024.

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Craig H. Lyon  
Secretary

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Emily Creely  
Chair

DRAFT

# Application for Wetland Permit or Amendment to AWMP

Municipality of Anchorage  
Planning Department  
PO Box 196650  
Anchorage, AK 99519-6650

PETITIONER*			PETITIONER REPRESENTATIVE (if any)		
Name (last, first)			Name (last, first)		
Mailing Address			Mailing Address		
City	State	Zip	City	State	Zip
Contact Phone – Day		Evening	Contact Phone – Day		Evening
E-mail			E-mail		

\*Report additional petitioners or disclose other co-owners on supplemental form. Failure to divulge other beneficial interest owners may delay processing of this application.

PROPERTY INFORMATION			
Property Tax # (000-000-00-000):			
Site Street Address:			
Current Legal Description: (use additional sheet if necessary)			
Zoning:	Acreage:	Grid #:	Underlying Plat #:

WETLAND PERMITTING AND SITE INFORMATION		
<input type="checkbox"/> New Permit	<input type="checkbox"/> Amendment to a Wetland Permit - Original Case #	<input type="checkbox"/> Amendment to Anchorage Wetlands Management Plan
Type of Disturbance and/or Amendment Requested:		
Wetland Classification: <input type="checkbox"/> "A" <input type="checkbox"/> "B" <input type="checkbox"/> "C" <input type="checkbox"/> "D - Undesignated" <input type="checkbox"/> "P - Potential" <input type="checkbox"/> "U - Not Classified"		
Wetland Site # _____ or <input type="checkbox"/> Site is not identified within the Anchorage Wetlands Management Plan		

I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I petition for a wetland permit review in conformance with Title 21 of the Anchorage Municipal Code of Ordinances. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the permit.

Signature  Owner  Representative Date  
(Representatives must provide written proof of authorization)

Print Name

Accepted by:	Fee:	Case Number:	Decision Date
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**SUBMITTAL REQUIREMENTS** (Only one copy of applicable items is required for initial submittal)

- 1 copy required:
- Signed application (original)
  - Watershed sign off form, completed
  - Jurisdictional Determination from the U.S. Army Corps of Engineers
  - Wetland Delineation approved by the U.S. Army Corps of Engineers (if applicable)
  - Anchorage Wetlands Assessment Methodology Form (if applicable)
  - Project narrative explaining:
    - Justification for the disturbance
    - Amount and type of material taken from and/or placed on site
    - Project Timeline
    - Revegetation Plan
  - Site plan to scale depicting, with dimensions:
    - area of disturbance
    - delineated wetland boundary
  - Photographs of the project area
  - Final drainage plan
- (Additional information may be required.)

**MUNICIPAL WETLAND POLICY**

In considering any disturbance to wetlands identified within the *Anchorage Wetlands Management Plan*, the Municipality uses the following criteria to guide its decision. The Director shall consult the Watershed & Natural Resources Advisory Commission for a recommendation on a permit application disturbing 1 (one) acre or greater prior to issuing a decision.

1. The applicant has demonstrated minimized individual and cumulative impacts to the wetland unit through the implementation of best management practices; and
2. The area of disturbance is necessary to allow for the development of the proposed use and avoids excessive disturbance as much as possible; and
3. The wetland unit is subject to specific protections such as special limitations, easements, or has been designated for future public use for recreation, wildlife viewing, ecological function, and/or flood mitigation; and
4. Adverse impacts to adjacent or downstream wetlands, streams, aquatic resources, and drainage facilities will be mitigated to the best extent possible; and
5. The disturbance activity and/or development is consistent with the purpose and goals of the *Anchorage Wetlands Management Plan*, as well as the goals, objectives, and policies of the comprehensive plan.