

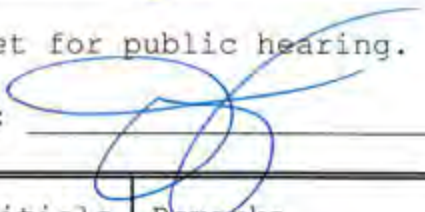
SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 24.05.010, DEFINITIONS; AMENDING MSB 24.05.020(A), JURISDICTION; ADOPTING MSB 24.05.105; AMENDING MSB 24.40.050, FINES FOR INFRACTIONS; ADOPTING MSB 24.05.055, FORFEITURE OF TRAPS; AMENDING MSB 2.85.020(D), CLOSURES AND RESTRICTIONS; ADOPTING MSB 2.85.020(E); ADOPTING MSB 2.85.030, DEFINITIONS; AMENDING CHAPTER TITLE 19.12; ADOPTING MSB 19.12.015, TRAPPING PROHIBITED; ADOPTING OF MSB 19.12.030, DEFINITIONS; AMENDING MSB 1.45.100(C), FINES FOR INFRACTIONS; AND ADOPTING MSB 1.45.105, FORFEITURE OF TRAPS IN ORDER TO PROHIBIT TRAPPING ON BOROUGH OWNED PUBLIC SCHOOL PROPERTY AND TO RESTRICT TRAPPING ON THE BOROUGH OWNED PORTION OF CREVASSE MORAINES TRAIL SYSTEM.

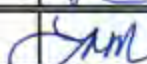
AGENDA OF: February 21, 2017

ASSEMBLY ACTION:

OK 17-021 Reconsidered, amended,
adopted as amended w/o
objection @ 3/21/17 RM 

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER: 

Route To:	Department/Individual	Initials	Remarks
	Originator	SB 	For Assemblymember Mayfield
	Community Development Director		
	Finance Director		
	Borough Attorney		
	Borough Clerk		2/13/17 

ATTACHMENT (S): Fiscal Note: NO

Ordinance Serial No. 17-021 (14 pp)
Parks & Rec Resolution #17-01 (2 pp)

• Petition (1 pp.)
• memo fr. Animal Care & Regulation Board (1 pp.)
• map (1 pp.)

SUMMARY STATEMENT:

Assemblymember Mayfield was presented with a petition from Borough residents which requested the Borough Assembly pass an ordinance that would prohibit the placing of traps at the

Crevasse Moraine trail system, the developed Government Peak recreation trail area, and at the Borough's Core area schools. The petition also requested that exceptions be made for wildlife biologists with the State's Department of Fish and Game. The first page of the petition is in the packet materials; a total of 3568 people signed it.

An ordinance was drafted utilizing the Matanuska Susitna Borough's powers pursuant to AS 29.35.010(8), to regulate its own property, as well as its power to regulate and protect animals pursuant to AS 29.35.210(a)(3). The ordinance restricted trapping in a more discrete area relating to trails than proposed by the petition; more specifically, the ordinance limits trapping on only Borough owned portions of Crevasse Moraine trail system rather than all the trails.

However, instead of only applying to Borough core area school property, the ordinance was drafted to restrict trapping on all Borough public school property - rather than just those in the core area. Additionally, the intent of the language "public school property owned by the Borough" in the ordinance is meant to be construed broadly. More specifically, there are some school sites that have Borough owned parcels next to them - parcels which the public schools use for related school functions (like skiing), that are likewise open to the public as well. Sometimes the schools have a formal agreement to manage the adjacent property, other times they manage or utilize them without a formal agreement. Examples of such include an area around the Talkeetna Elementary School, as well as 80 acres adjacent to Houston Jr Senior School's 40 acre school site. There are other elementary schools which also use adjacent Borough property for science and studies which may or may not be on cleared trails. Under the ordinance these adjacent parcels would be public school property owned by the Borough on which trapping is restricted.

At the same time, there are currently only a few charter schools that would fall under the ordinance as written as "Borough owned school property." Those are the Fronteras, Academy Charter, and Twindly Bridge charter schools. The Borough could acquire or allow charter schools to utilize Borough property in the future (like Midnight Sun Family Learning Center). While the other privately owned parcels that are leased to charter schools could close trapping on their property if they choose to, this ordinance will not affect them.

The draft ordinance was then provided to the Animal Care and Regulation Board, the Parks, Recreation and Trails Advisory Board, and the MSB Fish and Wildlife Commission. It was also forwarded to the Matanuska-Susitna Borough School District. All

entities were asked to review and comment.

The Animal Care and Regulation Board considered the proposed legislation at their regular board meeting on November 28, 2016. The Board took no action and provided no comments. The memorandum provided by the Assistant Clerk is provided herewith.

The draft ordinance was introduced at the Parks, Recreation and Trails Advisory Board on October 24, 2016, and was discussed at length at the November 30, 2016, meeting.

On December 2, 2016, Luke Fulp, the Assistant Superintendent of Business and Operations with the Matanuska-Susitna Borough School District, conveyed that the District did not have any official comments regarding the draft legislation beyond the fact that it aligns with what they are trying to do to maintain safe/healthy environments for students.

The draft ordinance was then modified by Assembly member Mayfield after the Parks, Recreation and Trails Advisory Board meetings in light of some of the dialogue. More specifically, the following changes were made to the draft ordinance:

- Parts of the ordinance title was changed;
- "Prohibit" language was added in the "whereas" statements;
- Language was added to clarify that "trapping" does not mean the simple possession or transportation of traps;
- Language was added to create an exception to the trapping buffer in Crevasse Moraine, and the exclusion to Borough owned school properties so that certain trapping educational demonstrations can take place;
- Language was added to the Title 24 and Title 2.85 portions to further clarify that they only apply to Borough owned property and is not meant to apply to land owned by other entities;
- A typographical error was corrected where yards was referenced instead of 100 feet.

The Board then held a special meeting on December 29th, 2016, to review the legislation and propose any edits. On January 23, 2017, the Board passed Resolution 17-01 suggesting some modifications to it. Some of those modifications have been incorporated into the draft now before the Assembly.

The MSB Fish and Wildlife Commission was provided an opportunity to comment on the proposed ordinance. They briefly discussed the draft trapping ordinance with a member of the Parks, Recreation and Trails Advisory Board on December 15, 2016, and intended to take it up at their January 5, 2017 meeting. Other items on the agenda prevented them from allocating enough time to it to provide comments.

The Matanuska Susitna Borough is the fastest growing area in the State of Alaska. The Department of Labor estimates its population was 102,598 people in 2016. The core area (where Crevasse Moraine trail system), and the Borough public school property are impacted by population growth and more heavily utilized.

As a result of the increasing population in the Borough, conflicts are increasingly rising between those trapping and other users. There is a legitimate concern that additional individuals, children and/or their pets could come into contact with set traps on Borough owned land intended to be utilized for educating children, walking, running, hiking and other non-motorized activities. The restrictions proposed in this ordinance are an effort to mitigate those user group conflicts and allow various user groups to enjoy their experiences on Borough owned property without the fear of injury.

The restrictions in the proposed ordinance - the exclusion of traps on the maintained trail and within a 100 foot of a Borough owned Crevasse Moraine trail and the exclusion of traps on Borough owned public school property - will not interfere with the State of Alaska's ability to regulate wildlife. There are approximately fifteen (15) miles of trails in the Crevasse Moraine trail system on Borough owned lands; the area buffered from traps is only approximately three hundred twenty two (322) acres¹ of the vast amount of land in the Matanuska Susitna Borough. The map illustrating the Crevasse Moraine trail system buffered area is included in your materials. Additionally, the restrictions contained in the ordinance will have only an incidental impact on trapping.

In summary, this ordinance restricts the use of certain Borough owned real property for trapping. All other federal, state and private lands within the Matanuska Susitna Borough are not affected by this ordinance.

¹ This calculation of the acres within the Crevasse Moraine Trail System affected by the ordinance used a width of 12' for trails coded as dirt roads or wide track and buffered them by 100'. For trails coded as single track, the calculation used a buffer of 100' from the centerline. A similar analysis was not undertaken for the acres of school property.

RECOMMENDATION OF ADMINISTRATION:

Adoption of legislation.

Jess Kilborn

From: Lonnie McKechnie
Sent: Wednesday, March 08, 2017 10:26 AM
To: Barbara Doty; Dan Mayfield; George McKee; Jim Sykes; Matthew Beck; RANDALL KOWALKE; stevecolligan@mtaonline.net; Vern Halter
Cc: Nicholas Spiropoulos; John Moosey; Eric Phillips; Jess Kilborn; Brenda Henry
Subject: FW: Request to reconsider MSB 17-021

Importance: High

Mayor and Assembly;

Please see the below request from Assemblymember Kowalke to reconsider Ordinance 17-021 (trapping). This will be placed on the 3/21 agenda under reconsideration.

Thank you,
Lonnie

From: RANDALL KOWALKE [mailto:randallk_2@msn.com]
Sent: Wednesday, March 08, 2017 7:30 AM
To: Lonnie McKechnie <Lonnie.McKechnie@matsugov.us>
Subject: Request to reconsider MSB 17-021
Importance: High

Lonnie,

I am requesting that we reconsider MSB 17-021. It is my hope that we can actually have a map to see what area are being effected with this ordinance, clear wording as to what the ordinance actually says AND the possibly to add some other locations.

Thank you!

Randall Kowalke
District 7

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Assemblymember Doty:

LEGISLATIVE STATEMENT:

These amendments will change the proposed ordinance to prohibit trapping on the Borough owned Matanuska River Park trails, the Alcantra Recreation Area Trails, and the Borough owned portion of the West Bodenburg Butte Trail in addition to the Borough owned Crevasse Moraine and public school property. The reason this amendment is being proposed is that the Borough also owns property that makes up the Matanuska River Park trails, the Alcantra Recreation Area Trails, and the West Bodenburg Butte Trail. The West Bodenburg Butte Trail is included within the Trails Plan. Like the Crevasse Moraine Trail system and the Borough owned public school property, there are no express trapping restrictions on these other Borough owned trails and allowing traps to be placed on them is also incompatible with the recreational uses for those areas. Recreational trail users, including dogs and children, may not be able to timely identify the location of traps on these Borough-owned trails and may not be able to successfully avoid them accordingly.

ADDING LEGISLATIVE STATEMENTS TO IM:

Along with these amendments, I move to amend the Informational Memorandum by adding this printed copy of the amendments to the IM so the legislative history is clear.

AMENDMENTS TO ORDINANCE ADDING MATANUSKA RIVER PARKS TRAILS, ALCANTRA RECREATION AREA TRAILS, and WEST BODENBURG BUTTE TRAIL

Before the words "Crevasse"

I move to amend Ordinance Serial Number 17-021 by adding the terms "~~Matanuska River Park trails, the Alcantra Recreation Area trails, and West Bodenburg Butte trail~~" after the words "~~Crevasse Moraine~~" throughout the ~~entire~~ proposed ordinance.

- by inserting the words "on Borough owned recreation lands including" before the words "Crevasse Moraine" throughout the code section of the ordinance; and
- by inserting the following after "Crevasse Moraine" throughout the code section of the ordinance:
 - Matanuska Lakes
 - Lazy Mountain Recreation Area
 - Matanuska River Park
 - Alcantra Athletic Complex
 - West Bodenburg Butte
 - Reflections Lake

IF DOTY'S PASSES – AMENDMENT TO APPLY THE TRAPPING PROHIBITION TO THE ENTIRE PARK/RECREATIONAL AREA INSTEAD OF JUST TRAILS

LEGISLATIVE STATEMENT:

These amendments will change the proposed ordinance to prohibit trapping on the *entire* Borough owned portion of Matanuska River Park Campground and Recreation Area, the entire Alcantra Recreation Area, and the Borough owned portion of the West Bodenbug Butte Trail in addition to the entire Borough owned Crevasse Moraine and Borough owned public school property. The reason this amendment is being proposed is that the Borough owns more property than just the trails systems on these properties. There are no express trapping restrictions on these Borough owned properties. The concern is that recreational users of the Borough owned property, including dogs and children, may not be able to timely identify the location of traps on these Borough-owned properties and may not be able to successfully avoid them accordingly. Also, individuals that are recreating on these Borough owned properties may not stay on Borough maintained trails. Therefore, trapping is incompatible not only with the recreational use of *trails* on these properties but trapping is incompatible with the recreational use of all portions of the property. Also, prohibiting trapping on all portions of these Borough owned properties makes enforcement of no trapping areas less cumbersome for the Borough.

ADDING LEGISLATIVE STATEMENTS TO IM: Along with these amendments, I move to amend the Informational Memorandum by adding this printed copy of the amendments to the IM so the legislative history is clear.

AMENDMENT TO CHANGE FROM TRAILS TO ENTIRE PARK/RECREATIONAL AREA PARCEL:

~~I move to amend Ordinance Serial Number 17-021 to substitute the terms "Crevasse Moraine trail system" with "Crevasse Moraine," the terms "Matanuska River Park trails" with "Matanuska River Park Campground and Recreation Area," and the terms "Alcantra Recreation Area trails" with "Alcantra Recreation Area" in Section 4 addressing MSB 24.05.105(A)(1), Section 6 addressing MSB 24.40.055, Section 7 addressing MSB 2.85.020(D) and (D)(1) and (D)(3) and Section 13 addressing MSB 1.45.105.~~

AMENDMENTS TO CHANGE THE PROHIBITED TRAPPING FROM BUFFER TO THE ENTIRE PARCEL

I move to amend Ordinance Serial Number 17-021 proposed Section 4 as follows:

Delete the terms "within the Borough maintained trails or within 100' of the Borough maintained trails" from proposed 24.05.105(A)(1).

I move to amend Ordinance Serial Number 17-021 proposed Section 6 as follows:

Delete the terms "any Borough maintained trail that is part of" and delete the terms "or within 100 feet of such" from proposed 24.40.055.

I move to amend Ordinance Serial Number 17-021 proposed Section 7 as follows:

Delete "on Borough maintained trails within the Crevasse Moraine trail system and within 100 feet of any such trail" from proposed 2.85.020(D).

I move to amend Ordinance Serial Number 17-021 proposed Section 13 as follows:

Delete "on a Borough maintained trail or within 100 feet of such."

Delete the word "trails" throughout the code section of the ordinance

PETITION TO MATANUSKA-SUSITNA BOROUGH ASSEMBLY

We, residents of the Borough, ask that the Borough Assembly pass a narrowly-focused ordinance that would do the following:

1. Prohibit the placing of traps and snares at the Crevasse Moraine trail system, the developed Government Peak recreation trail area, and at the Borough's Core area schools.
2. Make exceptions for wildlife biologists with the State's Department of Fish and Game.

PRINTED NAME	SIGNATURE	RESIDENCE ADDRESS	PHONE #
Cindy Fox	<i>Cindy Fox</i>	Majestic View	745-8817
SEAN TONAN	<i>Sean T</i>	2600 N Garret Ln	376-5250
Billie Longfellow	<i>Billie N</i>	15816 N. Glenn Hwy #102 Houston AK 99674	746-4205
EVA BURTON	<i>Eva Burton</i>	Hat-su Valley	746-1630
Andrea Frehardt	<i>Andrea Frehardt</i>	3520 W White Knight Dr Houston AK 99694	892-0155
Jessica Chenaut	<i>Jessica Chenaut</i>	801 Wosoy Way Houston AK 99664	841-1016
LINDA L. WALLACE	<i>Linda L Wallace</i>	11275 W. Hazeltine, Wasilla, AK 99683	715-5613
Tom Pine	<i>Tom Pine</i>	12231 Kalwies Rd Palmer	232-2894
<i>James</i>	<i>James</i>	3720 Jankin St Wasilla AK 99654	232-2251
ESSE T. ORTIZ III	<i>Esse T Ortiz III</i>	1775 THURMAN ST. Apt A7 Palmer AK 99645	414-0258
Samuel Richardson	<i>Samuel Richardson</i>	775 N Cascade Ct Palmer AK 99645	232-7111
Daniel J. Parks	<i>Daniel J Parks</i>	830 N. Hilltop Dr. 99645	746-3718
Tuesday Twombly	<i>Tuesday Twombly</i>	7873 N. Highlander lp. 99645	746-3152
KARLA KALLAM	<i>Karla Kallam</i>	3200 Sparrow Court 99645	354-7319

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MATANUSKA-SUSITNA BOROUGH

Office of the Borough Clerk

350 E. Dahlia Avenue • Palmer, Alaska 99645-6488

Phone (907) 861-8684 • Fax (907) 861-9845

MEMORANDUM

DATE: November 29, 2016

TO: Assemblymember Dan Mayfield
Shannon Bodolay, Assistant Borough Attorney

THROUGH: Brenda J. Henry, CMC, Assistant Clerk 

FROM: Animal Care and Regulation Board

RE: Proposed Trapping Legislation

On November 28, 2016, the Animal Care and Regulation Board took up review of the proposed trapping legislation, at their regular board meeting.

Prior to review of the legislation the Board heard from Hugh Leslie, MSB Recreation and Library Services Manager, who offered to answer questions of the Board and from four members of the public.

The public testimony was all from members of the trapping community, Mr. Richard Person, Mr. Kenny Barber, Ms. Jonathan Zeppa, and Mr. Kyle Waite, who expressed concerns that the real problem of pets getting caught in traps is caused by off leash pets. Opinions were expressed that the legislation was poorly written because it was not clear in its intent.

After public testimony, the Board reviewed each section and expressed no comments or concerns but did ask a couple of minor questions regarding intent. The Board requested that Ms. Henry draft a memorandum on their behalf stating that they had no comments.

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MATANUSKA-SUSITNA BOROUGH
PARKS, RECREATION AND TRAILS ADVISORY BOARD
RESOLUTION NO. 17-01

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PARKS, RECREATION, AND TRAILS ADVISORY BOARD SUPPORTING ORDINANCE 16-XX WHICH COVERS TRAPPING PROHIBITION ON MATANUSKA-SUSITNA BOROUGH OWNED DEVELOPED SCHOOL PROPERTIES AND TRAPPING RESTRICTIONS WITHIN THE MATANUSKA-SUSITNA BOROUGH OWNED PROPERTY WITHIN THE CREVASSE MORAINES TRAIL SYSTEM AND AMENDS MSB 1.45, MSB 2.85, MSB 19.12, MSB 24.05, and MSB 24.40AS AMENDED INCLUDING RECOMMENDATIONS FOR MODIFICATION TO IMPROVE READABILITY AND CONSISTENCY OF APPLICATION AS INTRODUCED AT THE DECEMBER 29, 2016, PARKS, RECREATION, AND TRAILS ADVISORY BOARD MEETING.

WHEREAS, population within the Mat-Su Borough continues to increase and safety risk management issues surface for consideration reasonable mitigation and accommodation of issues should be pursued; and

WHEREAS, the Matanuska Borough Assembly has requested the Parks, Recreation, and Trails Advisory Board to review proposed Ordinance 16-xx, this Board has conducted an in-depth review of the proposed Ordinance, and supports and submits an amended version of the proposed ordinance as a recommendation for action by the Matanuska-Susitna Borough Assembly; and

WHEREAS, the Parks, Recreation, and Trails Advisory Board had concern as to the structure, language, and impacts associated with the original proposal, amended language has been drafted to address the safety based concerns voiced by the originators while imposing minimal impacts on residents of the State of Alaska, the residents of the Matanuska-Susitna Borough, and the diverse Crevasse Moraine trail user groups.

NOW, THEREFORE, BE IT RESOLVED, that the Parks, Recreation, and Trails Advisory Board Recommends adoption of the amended draft ordinance covering trapping prohibition on Matanuska-Susitna owned developed school property and trapping restrictions imposed on Matanuska-Susitna Borough maintained trails within the Borough owned portion of the Crevasse Moraine trail system.

Adopted by the Matanuska-Susitna Parks, Recreation, and Trails Advisory Board this 23rd day of January, 2017.



DAVID R. PALAZZI Chairperson

ATTEST:



Jill Irsik, Admin. Secretary



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CODE ORDINANCE

Sponsored by:
Introduced:
Public Hearing:
Action:

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-___**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY **AMENDING MSB 24.05.010, DEFINITIONS**; AMENDING MSB 24.05.020(A), JURISDICTION; ADOPTING MSB 24.05.105; AMENDING MSB 24.40.050, FINES FOR INFRACTIONS; ADOPTING MSB 24.05.055, FORFEITURE OF TRAPS; AMENDING MSB 2.85.020(D), CLOSURES AND RESTRICTIONS; ADOPTING MSB 2.85.020(E); ADOPTING MSB 2.85.030, DEFINITIONS; AMENDING CHAPTER TITLE 19.12; ADOPTING MSB 19.12.015, TRAPPING PROHIBITED; ADOPTING OF MSB 19.12.030, DEFINITIONS; AMENDING MSB 1.45.100(C), FINES FOR INFRACTIONS; AND ADOPTING MSB 1.45.105, FORFEITURE OF TRAPS IN ORDER TO **PROHIBIT TRAPPING ON BOROUGH OWNED PUBLIC SCHOOL PROPERTY AND TO RESTRICT TRAPPING ON THE BOROUGH OWNED PORTION OF CREVASSE MORAINES TRAIL SYSTEM.**

WHEREAS, the Matanuska-Susitna Borough owns property that has been developed for public school sites; and

WHEREAS, the Matanuska-Susitna Borough school sites are heavily utilized by children, teachers, school administrators, and members of the public; and

WHEREAS, the Borough also owns property that makes up various trail systems; and

WHEREAS, the Borough owns property within the core area that serves as part of the Crevasse Moraine Trail system;

WHEREAS, the Borough maintains certain trails on its property in the Crevasse Moraine Trail system; and

WHEREAS, people recreate beyond the boundaries of the Borough maintained trails in the Crevasse Moraine Trail system,

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as there are no requirements or restrictions that recreational use is limited to a particular area or trail; and

WHEREAS, there are other "social trails" on the Borough property in the Crevasse Moraine Trail system that are not Borough maintained; and

WHEREAS, the Matanuska-Susitna Borough Recreational Trails Plan (Trails Plan) evaluated the needs and desires of Borough residents and landowners with regard to recreational trail development; and

WHEREAS, one of the goals of the Recreational Trails Plan is to preserve the existing popular recreational trails; and

WHEREAS, one of the Trails Plan management recommendation goals is to minimize conflicts between different types of trail users and avoid trail degradation due to improper use; and

WHEREAS, the Trails Plan recognizes that trail conflicts between separate user groups are likely to increase as trail use increases; and

WHEREAS, the Trails Plan likewise recognizes that it is important for the Borough to take some proactive steps to insure these conflicts are minimized; and

WHEREAS, the Trails Plan further recognizes that trails should be managed so as to provide the greatest recreational

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benefit to those types of recreational trail uses for which the trail is uniquely situated; and

WHEREAS, the Trails Plan also recognizes that it may be necessary to limit some uses in certain situations; and

WHEREAS, in a survey reported in the Trails Plan, 51 percent of the respondents stated that walking or dog walking was the most common trail recreation activity; and

WHEREAS, the Crevasse Moraine trail system is included within the Trails Plan; and

WHEREAS, the Crevasse Moraine Trail System is described as a regionally significant trail in the Trails Plan; and

WHEREAS, in a separate plan called the Crevasse Moraine Master Plan, the area is described as a "high demand attraction serving diverse non-motorized users, including walkers (often with dogs), runners, equestrians, and mountain bikers;" and

WHEREAS, the Crevasse Moraine Master Plan explains that investment in the site is focused on providing healthy, enjoyable recreation opportunities for a compatible mix of nonmotorized uses, including family stroll and dog walking among others; and

WHEREAS, in the "Desired Future Conditions" of the Crevasse Moraine Master Plan, it states Crevasse Moraine consists of 360 acres reserved for a permanent, formalized, soft tread trail

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network for which investment is focused on providing healthy, enjoyable recreation opportunities for a compatible mixture of non-motorized users including: family stroll/non strenuous walking; dog walking; strenuous walking/hiking; running/cross country training; equestrian; mountain biking; Nordic skiing; snowshoeing; skjoring; geocaching; bird/wildlife watching; orienteering; and informal neighborhood picnic and play areas; and

WHEREAS, in the "Desired Future Conditions" section of the Crevasse Moraine Master Plan also notes that Valley Pathways School shares some common infrastructure with Crevasse Moraine, and that the school seeks to instill respect for the Crevasse Moraine area by working with the Borough to create opportunities for student trail use related to their education; community service learning trail maintenance projects, forestry and trail building vocational training; and summer facility use for recreational programing; and

WHEREAS, demand for Borough trails increases every year, and is expected to continue as visitors and residents continue to get outside and enjoy the Borough's natural beauty in increasing numbers; and

WHEREAS, the Borough has an interest in managing its property to facilitate the intended use of the property, and

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protect members of the public, their children and their pets;
and

WHEREAS, there are currently no prohibitions **or**
restrictions against trapping in these areas; and

WHEREAS, according to the "Trap Safety for Pet Owners"
guide that is published by the Alaska State Department of Fish
and Game, Division of Wildlife Conservation's and the Alaska
Trappers Association, trapping is a popular pastime and a
livelihood for some and occurs throughout Alaska, even on some
popular recreation trails; and

WHEREAS, MSB 23.05.050(A) already prohibits a person from
placing personal property upon or making unauthorized use of
Borough owned real property without written permission from the
Manager; and

WHEREAS, there are no express trapping restrictions on
Borough owned public school sites, or within the Borough owned
Crevasse Moraine trails; and

WHEREAS, allowing traps to be placed on Borough owned
public school sites or within the Borough owned Crevasse Moraine
trails or nearby is incompatible with the intended educational
and or recreational uses for those areas; and

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WHEREAS, school site users, including children, may not be able to timely identify the location of traps on public school property and may not be able to successfully avoid them; and

WHEREAS, recreational trail users, including children, may not be able to timely identify the location of traps of on Borough owned Crevasse Moraine Trail and may not be able to successfully avoid them accordingly; and

WHEREAS, allowing traps to be placed in these areas could inadvertently, but seriously injure those using these areas including children and/or the pets individuals they recreate with; and

WHEREAS, at least dogs have been inadvertently caught in traps in the Borough over the year/s and treated by the Animal Care and Regulation shelter; and

WHEREAS, dogs in the Borough have suffered significant injuries as a result of being caught in traps; and

WHEREAS, AS 29.35.010(8) provides the Borough the power to manage and control real property; and

WHEREAS, the Borough has an interest in managing its property to protect the property users; and

WHEREAS, the Borough has an interest in managing its trail property to ensure the primary intended uses such as walking,

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hiking, running, biking etcetera, with or without pets, is safe from conflicts relating to traps; and

WHEREAS, the Borough has an interest in protecting domestic animals and the power to do so pursuant to A.S. 29.35.210(a)(3).

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of section. MSB 24.05.010 is hereby amended as follows:

"Trapping" means the placing or setting of a trap. ~~It does not include the possession or transportation of traps.~~

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Section 3. Amendment of section. MSB 24.05.020(A) is hereby amended as follows:

(A) The borough generally has jurisdiction only over domestic and domesticated animals. Except for purposes of enforcing MSB 2.85.020, MSB 19.12.015, and MSB 24.05.105, the borough does not have jurisdiction over the following animals:

(1) wild animals; and

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(2) game animals, the taking or possession of which is regulated by the state or federal government.

Section 4. Adoption of section. MSB 24.05.105 is hereby adopted as follows:

(A) Except as provided in MSB 24.05.110, no person may engage in trapping, attempting to trap, or aiding and abetting any person in trapping any wild or domesticated animal:

(1) ~~Within any Borough maintained trail, or within 100 feet of such, on Borough owned property which is part of the Crevasse Moraine trail system~~ Within the Crevasse Moraine trail system there shall be no trapping with 100' of the Borough maintained trails, unless they are performing an educational demonstration, pursuant to a Borough issued permit, and the traps are removed at the end of the day the presentation began.

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(2) On any part of public school property owned by the Borough, unless they are performing an educational demonstration pursuant to written permission from the School Administration, and

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the traps are removed at the end of the day the presentation began.

(B) The Borough will prepare and keep current a map within the Crevasse Moraine trail system showing areas where trapping is not allowed pursuant to this section. A copy of the map shall be provided to any person upon request.

(C) The Alaska Department of Fish and Game, Alaska Department of Public Safety, United States Fish and Wildlife Service, or their authorized agents or designees, may trap animals within the area in which trapping is expressly prohibited by the chapter.

(D) This section shall not apply to property owned by other entities within the Crevasse Moraine trail system. This section shall not apply to the trapping or capturing of rats, mice, shrews, or similar vermin. This section shall not apply to the possession or transportation of traps

(E) Violation of this section shall be punishable as set forth in MSB 24.40.

Section 5. Amendment of section. MSB 24.40.050 is hereby amended as follows:

24.05.105 Trapping Prohibited

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1st Offense \$150

2nd Offense \$300

3rd and Subsequent \$500

Section 6. Adoption of section. MSB 24.40.055, is hereby adopted as follows:

24.40.055 FORFEITURE OF TRAPS

Ownership rights of any ~~set~~ trap found on public school property owned by the Borough, or within any Borough maintained trail that is part of the Crevasse Moraine Trail system or within 100 feet of such, are forfeited upon conviction of MSB 24.05.105.

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Section 7. Amendment of section. MSB 2.85.020(D) is amended as follows:

(D) [THE MANAGER MAY CLOSE OR RESTRICT TRAILS BECAUSE OF ENVIRONMENTAL, SEASONAL, SAFETY CONCERNS, or OTHER VALID REASONS AND MAY RESTRICT CERTAIN USES TO AVOID TRAIL CONFLICTS OR SAFETY CONCERNS.] Except as provided in MSB 24.05.110, Borough owned property which is part of the Crevasse Moraine trail system is closed to trapping, attempting to trap, or aiding and abetting in trapping any wild or domesticated animal on Borough maintained trails within the Crevasse Moraine trail system and within 100 feet of any such

Im17-034
OR17-021

trail to prevent trail conflicts and ensure safety.
Trapping in this area is allowed if the individual is
performing an educational demonstration, pursuant to a
Borough issued permit, and the traps are removed at
the end of the day the presentation began.

(1) The Borough will prepare and keep
current a map of the Crevasse Moraine trail system
showing the Borough owned property areas where
trapping is not allowed pursuant to this section. A
copy of the map shall be provided to any person upon
request.

(2) The Alaska Department of Fish and Game,
Alaska Department of Public Safety, United States Fish
and Wildlife Service, or their authorized agents or
designees, may trap animals within the area.

(3) This section shall not apply to
property owned by other entities within the Crevasse
Moraine trail system. This section shall not apply to
the trapping or capturing of rats, mice, shrews, or
similar vermin. This section shall not apply to the
possession or transportation of traps

(4) Violation of this section shall be
punishable as set forth in MSB 1.45.

IM17-034
OR17-021

(E) The Manager may close or restrict additional trails because of environmental, seasonal, safety concerns, or other valid reasons and may restrict certain uses to avoid trail conflicts or safety concerns.

Section 8. Adoption of Section. MSB 2.85.030 is adopted as follows:

2.85.030 DEFINITIONS

"Trap" means any device designed or used to capture or hold an animal and that operates without direct human control. This includes any device for catching and holding wild or domesticated animals including, but not limited to, snares, nets, pitfalls, or clamp-like devices that spring shut suddenly.

"Trapping" means the placing or setting of a trap. ~~It does not include the possession or transportation of traps.~~

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Section 9. Amendment of Chapter Title. The title is amended as follows:

[OPERATION OF MOTOR VEHICLES] SCHOOL PROPERTY

Section 10. Adoption of Section. MSB 19.12.020 is hereby adopted as follows:

19.12.020 TRAPPING PROHIBITED

Im17-034
OR17-021

(A) Except as provided in MSB 24.05.110, no person may engage in trapping, attempting to trap, or aiding and abetting any person in trapping any wild or domesticated animals on any part of public school property owned by the Borough unless they are performing an educational demonstration pursuant to written permission from the School Administration, and the traps are removed at the end of the day the presentation began.

(B) The Borough will prepare and keep current a map showing areas where trapping is not allowed pursuant to this section. A copy of the map shall be provided to any person upon request.

(C) The School District, Alaska Department of Fish and Game, Alaska Department of Public Safety, United States Fish and Wildlife Service, or their authorized agents or designees, may trap animals within the area.

(D) Violation of this section shall be punishable as set forth in MSB 1.45.

Section 11. Adoption of Section. MSB 19.12.030 is hereby adopted as follows:

19.12.030 DEFINITIONS

Im17-034
OR17-021

"Trap" means any device designed or used to capture or hold an animal and that operates without direct human control. This includes any device for catching and holding wild or domesticated animals including, but not limited to, snares, nets, pitfalls, or clamp-like devices that spring shut suddenly.

"Trapping" means the placing or setting of a trap. ~~It does not include the possession or transportation of traps.~~

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Section 12. Amendment of Section. MSB 1.45.100(C) is hereby amended as follows:

19.12.020 Trapping on School Property

1stOffense \$150

2nd Offense \$300

3rd and Subsequent \$500

23.05.105 Trapping Prohibited

1stOffense \$150

2nd Offense \$300

3rdand Subsequent \$500

Section 13. Adoption of section. MSB 1.45.105 is hereby adopted as follows:

1.45.105 FORFEITURE OF TRAPS

Im17-034
OR17-021

Ownership rights of any ~~set~~ trap found on public school property owned by the Borough, or any trap found on a Borough maintained trail or within 100 feet of such on Borough owned property which is part of the Crevasse Moraine trail system, forfeited upon conviction of MSB 2.85.020(D) or MSB 19.12.020.

Section 14. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

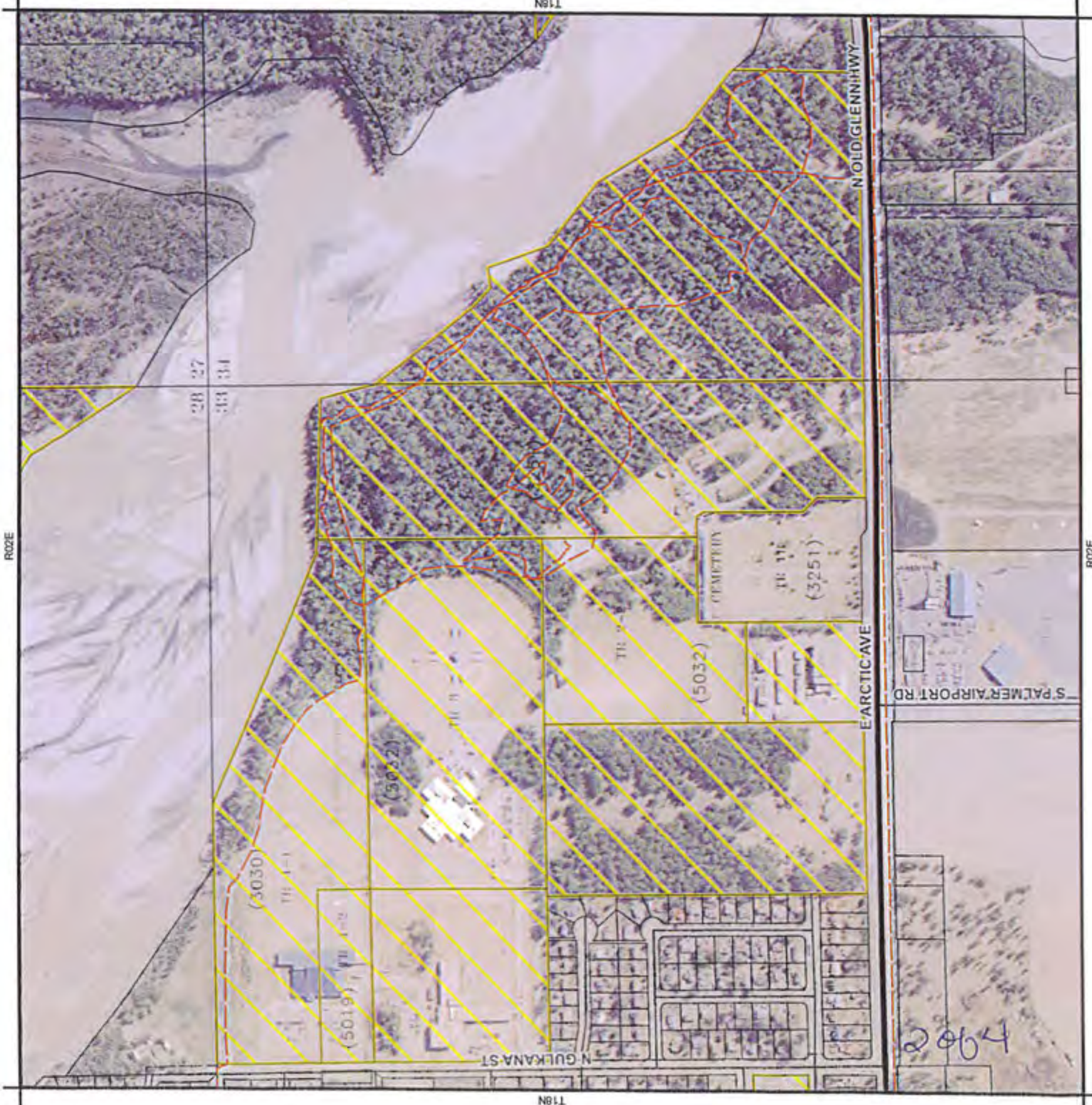
VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Im17-034
OR17-021

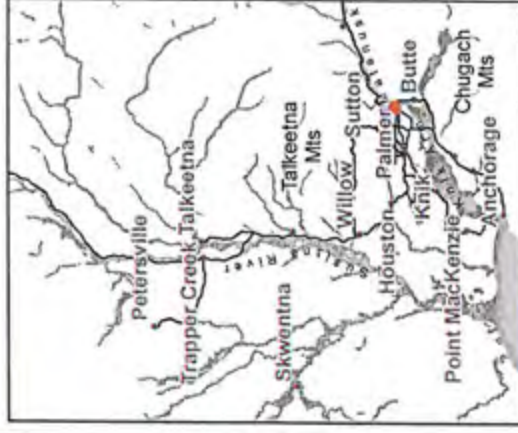


Matanuska - Susitna Borough
Land and Resource
Management Division



Matanuska River Park
Campground and Rec Area

- Trails
- Borough Land



Date: February, 2017
Sources: MSB GIS, MSB LRMD, AK DOT
Projection: NAD 83 AK ST PLN 24
Location: MSB
Author: MSB LRMD

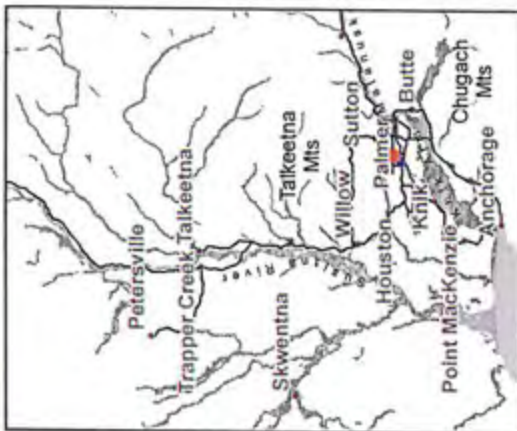
2064

Matanuska - Susitna Borough
Land and Resource
Management Division

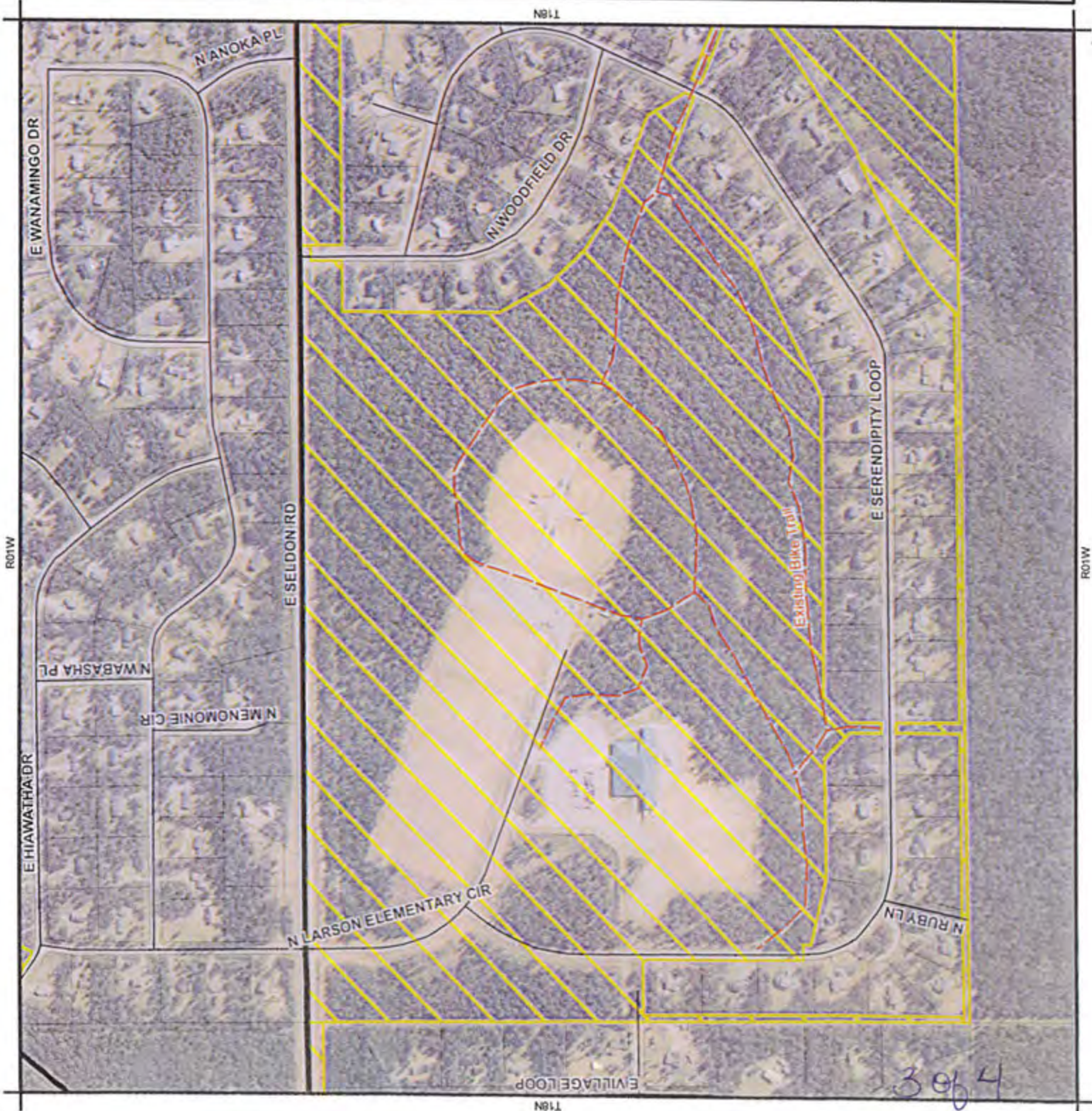


Alcantra
Recreation Area

-  Trails
-  Borough Land



Date: February, 2017
Source: MSB GIS, MSB LRMD, AK DOT
Projection: NAD 83 AK ST PLN 24
Location: MSB
Author: MSB LRMD

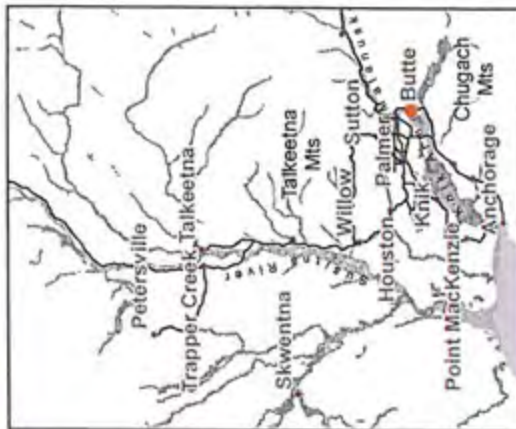


3 of 4

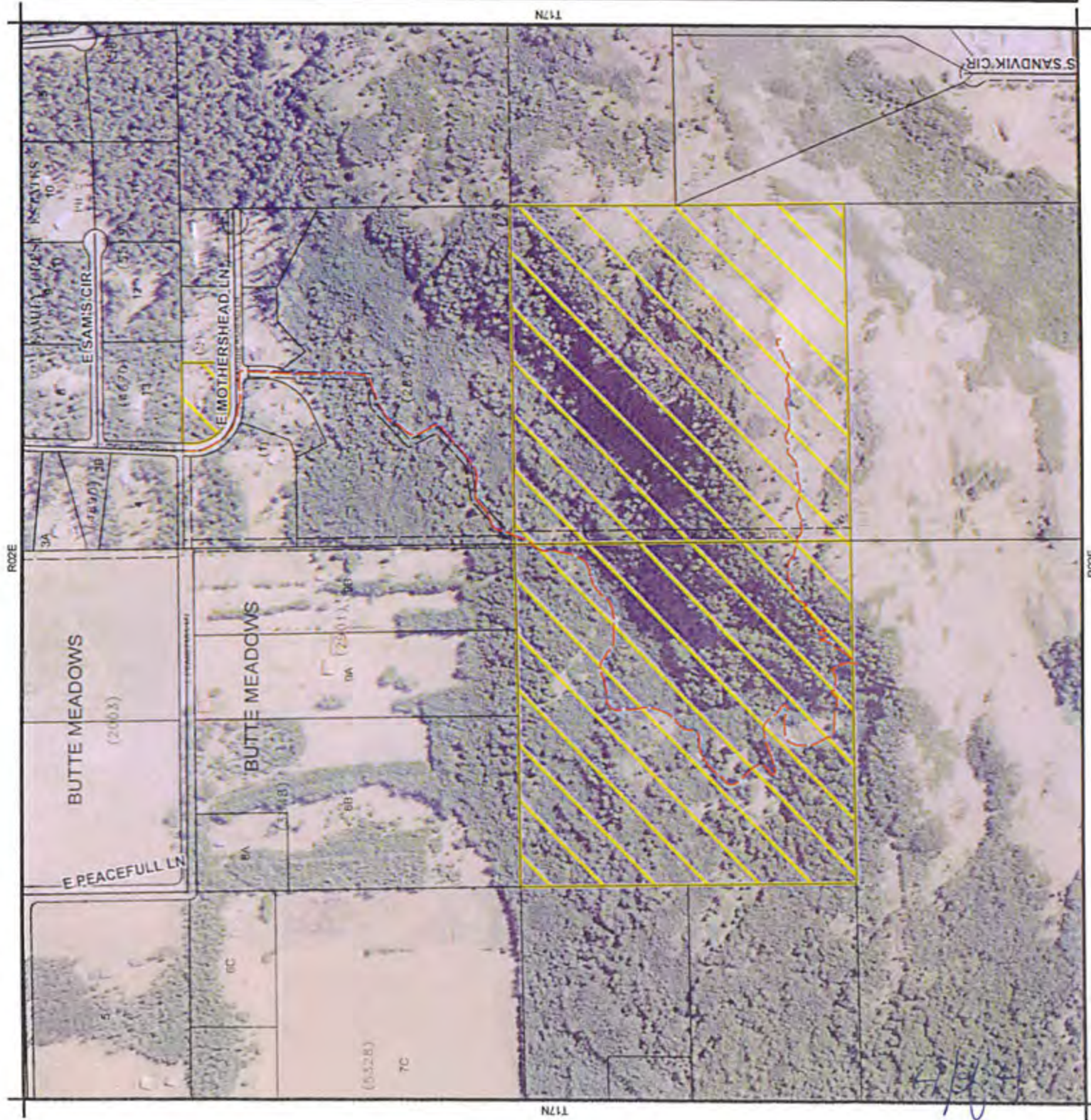
Matanuska - Susitna Borough
Land and Resource
Management Division



Bodenburg Butte
West Butte Trail



Date: February, 2017
Source: MSL, MSB, MWD, AK DOT
Projection: NAD 83 AK ST PLN 24
Location: MSB
Author: MSB LRMDO



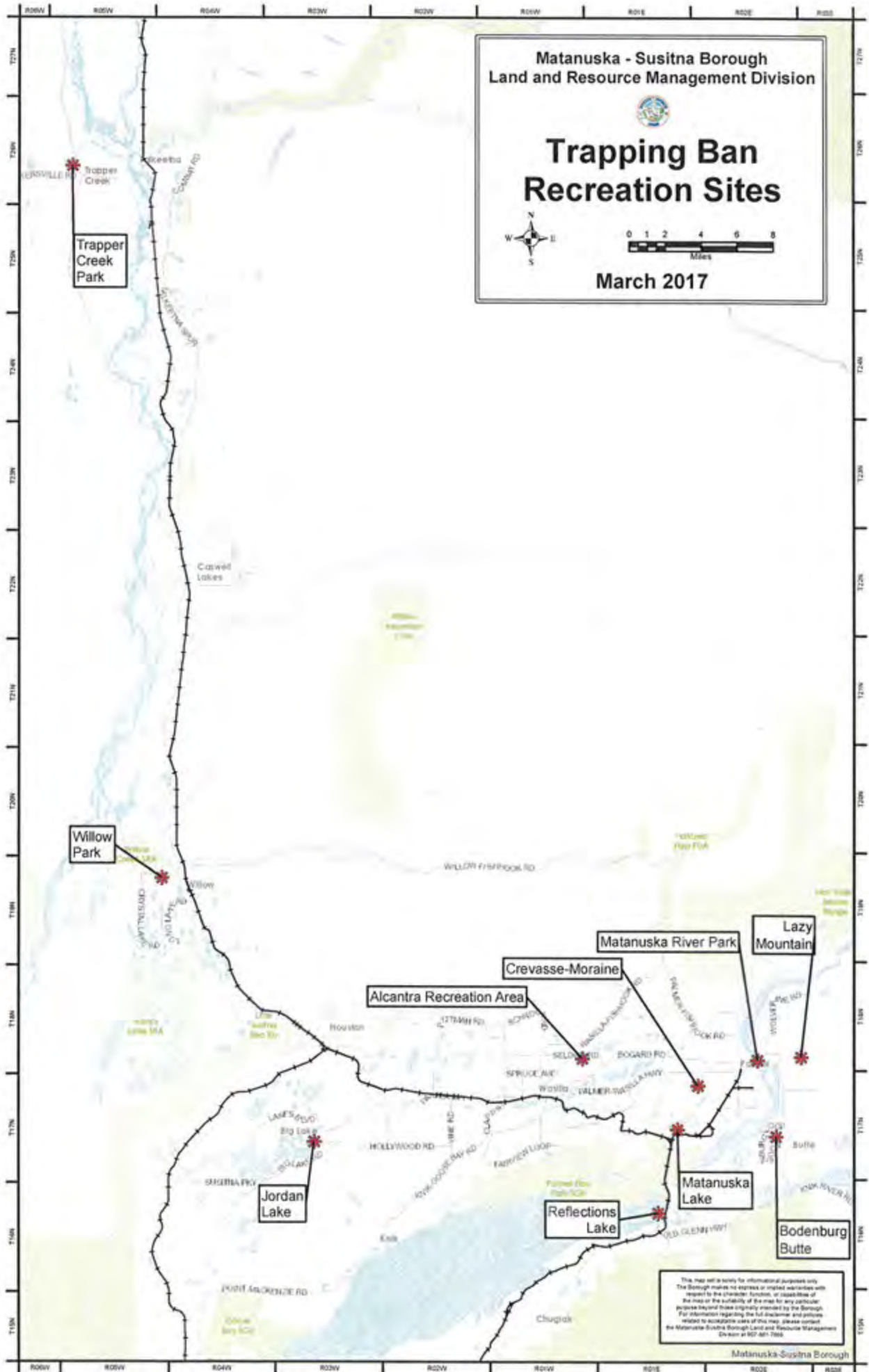
Matanuska - Susitna Borough
Land and Resource Management Division

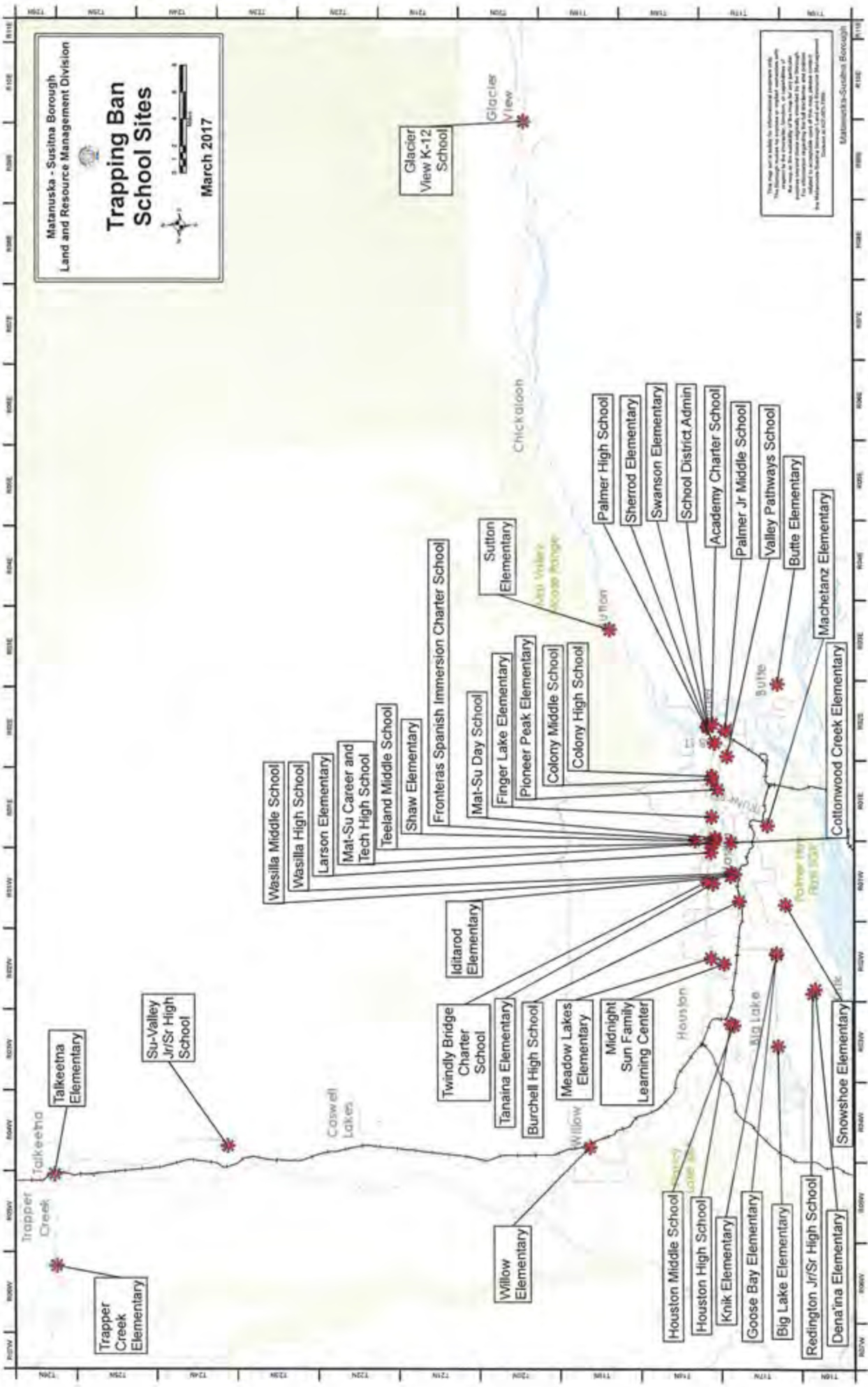


Trapping Ban Recreation Sites



March 2017







Big Lake Elementary School Property Ownership Map

Sec. 28, T17N, R03W, S.M.
Tax Map HO13
March 10, 2017

Legend

— Roads	Parcels
OWNERSHIP	BOROUGH
CITY	COOPERATIVE
FEDERAL	MENTAL HEALTH
NA	NATIVE CORP
NO DATA	OWNERSHIP MISSING
PRIVATE	PUBLIC UNIVERSITY
PUBLIC USE	STATE





Burchell High School Property Ownership Map

Sec. 08, T17N, R01W, S.M.
Tax Map WA12
March 10, 2017

NICOLA



Legend	
—	Roads
—	Parcels
OWNERSHIP	
■	BOROUGH
■	CITY
■	COOPERATIVE
■	FEDERAL
■	MENTAL HEALTH
■	NA
■	NATIVE CORP
■	NO DATA
■	OWNERSHIP MISSING
■	PRIVATE
■	PUBLIC UNIVERSITY
■	PUBLIC USE
■	STATE

Burchell
High School

(5203B03L012B)

17N01W

17N01W08

DESKAS

RUPEE

PARKS

1,000 Feet

500

250

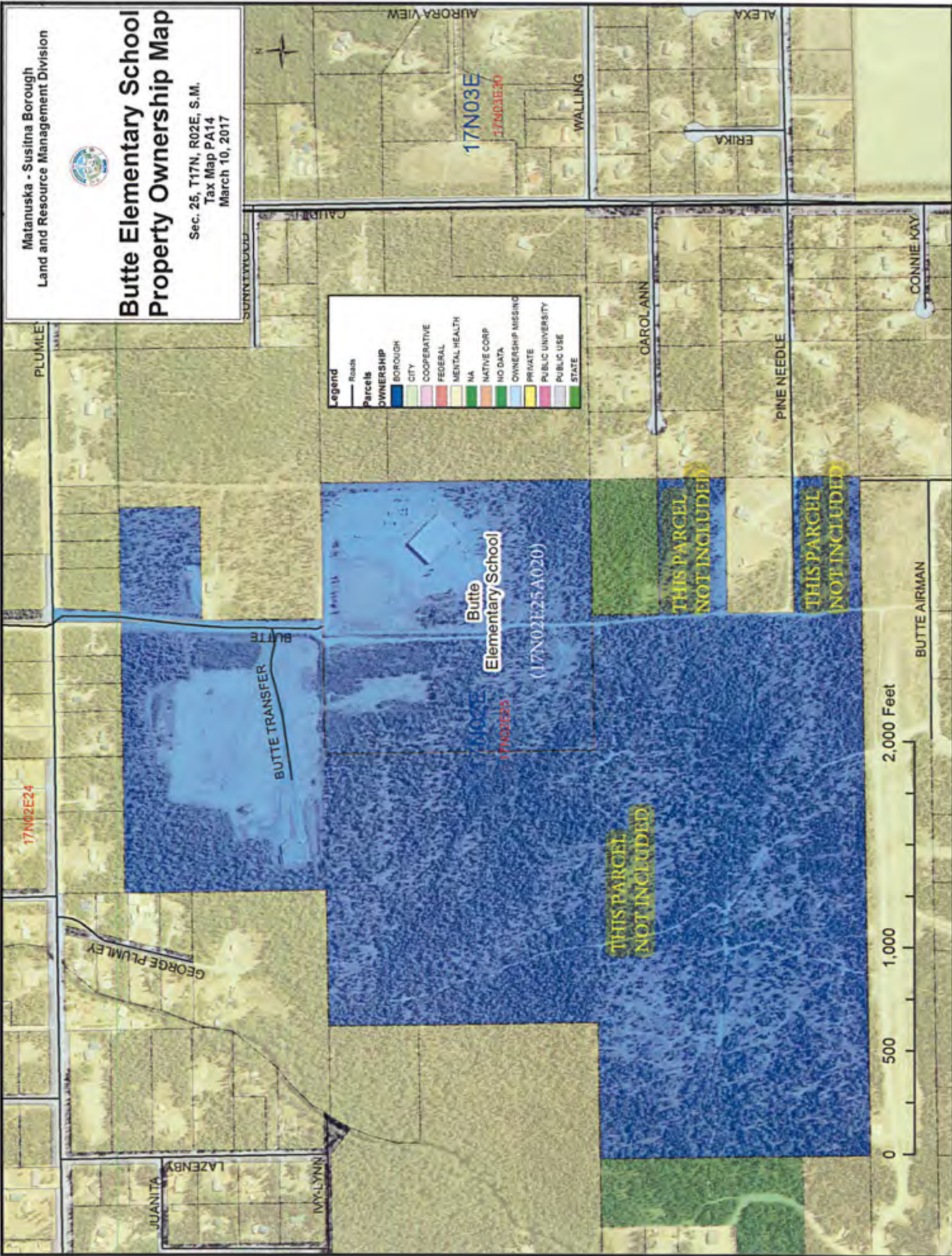
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FOGGY



Butte Elementary School Property Ownership Map

Sec. 25, T17N, R02E, S.M.
Tax Map PA14
March 10, 2017





Colony High School & Colony Middle School Property Ownership Map

Sec. 35, T18N, R01E, S.M.
Tax Map WA08
March 10, 2017



FOREST GROVE

NORTHSTAR

18N01E36

ORTNER

0 250 500 1,000 Feet

49TH STATE

LIAHONA

SILVER CREEK

COHO

BOGARD

Colony Middle School

Colony High School

(18N01E35A007)

18N01E

18N01E35

49TH STATE

Colony High Trail System

THIS PARCEL
INCLUDED IN
TRAPPING BAN
(18N01E35D003)

HORSEPLAY

WALL

BROADWAY

BROOKLYN

PARKROW

QUEENSBORO

TIMES SQUARE

LENGTON

WESTSIDE

MIDTOWN

NOSOUTH

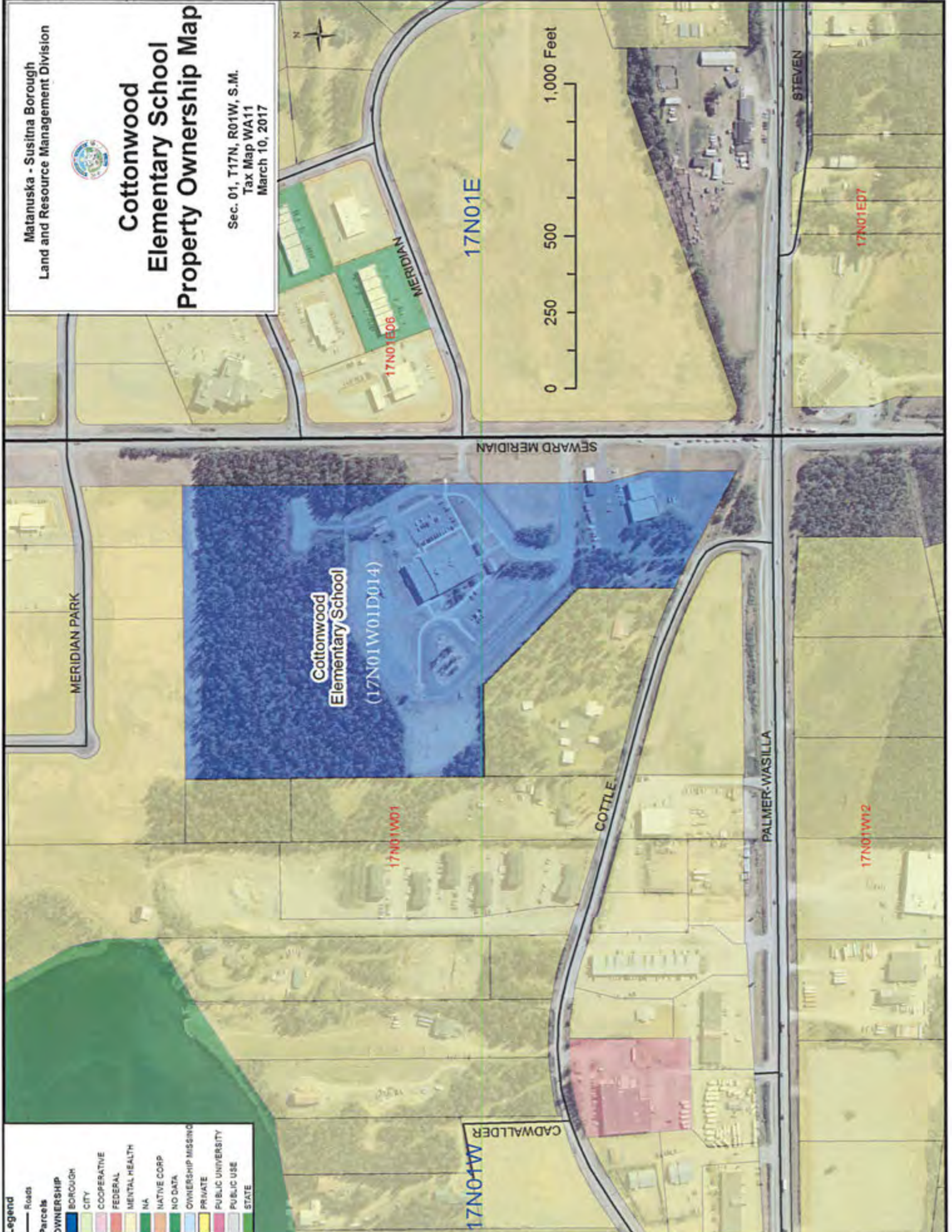
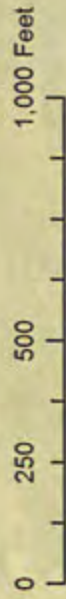
KVA

Legend
Roads
MSB Trails
Parcels
OWNERSHIP
BOROUGH
CITY
COOPERATIVE
FEDERAL
MENTAL HEALTH
NA
NATIVE CORP
NO DATA
OWNERSHIP MISSING
PRIVATE
PUBLIC UNIVERSITY
PUBLIC USE
STATE



Cottonwood Elementary School Property Ownership Map

Sec. 01, T17N, R01W, S.M.
Tax Map WA11
March 10, 2017

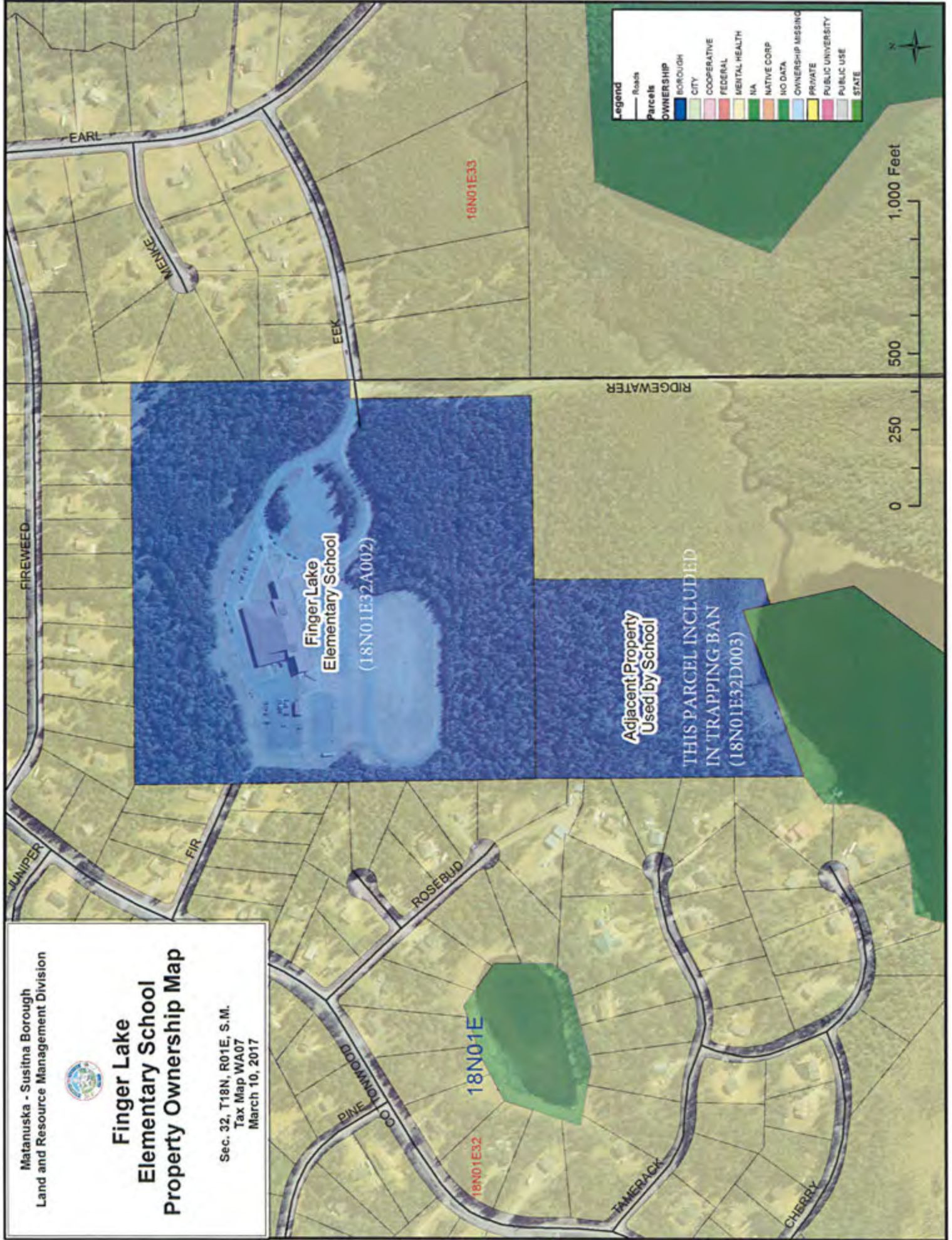


Legend	
	Roads
	Parcels
OWNERSHIP	
	BOROUGH
	CITY
	COOPERATIVE
	FEDERAL
	MENTAL HEALTH
	NA
	NATIVE CORP
	NO DATA
	OWNERSHIP MISSING
	PRIVATE
	PUBLIC UNIVERSITY
	PUBLIC USE
	STATE



Finger Lake Elementary School Property Ownership Map

Sec. 32, T18N, R01E, S.M.
Tax Map WA07
March 10, 2017





Matanuska - Susitna Borough
Land and Resource Management Division



Glacier View K-12 School Property Ownership Map

Sec. 30, T20N, R10E, S.M.
Tax Map MG07
March 10, 2017



Houston High School & Houston Middle School Property Ownership Map

Sec. 02, T17N, R03W, S.M.
Tax Map HO11
March 10, 2017

THIS PARCEL
NOT
INCLUDED 17N03W03

Legend	
—	Roads
—	Parcels
OWNERSHIP	
■	BOROUGH
■	CITY
■	COOPERATIVE
■	FEDERAL
■	MENTAL HEALTH
■	NA
■	NATIVE CORP
■	NO DATA
■	OWNERSHIP MISSING
■	PRIVATE
■	PUBLIC UNIVERSITY
■	PUBLIC USE
■	STATE

THIS PARCEL
NOT
INCLUDED

17N03W10

THIS PARCEL
NOT
INCLUDED

17N03W11

(17N03W02B004)

Houston
High School

17N03W02

Houston
Middle School

(17N03W02B004)

17N03W

0 500 1,000 2,000 Feet

PEPPER

LITTLE MILLERS

PARKS

DERRICK

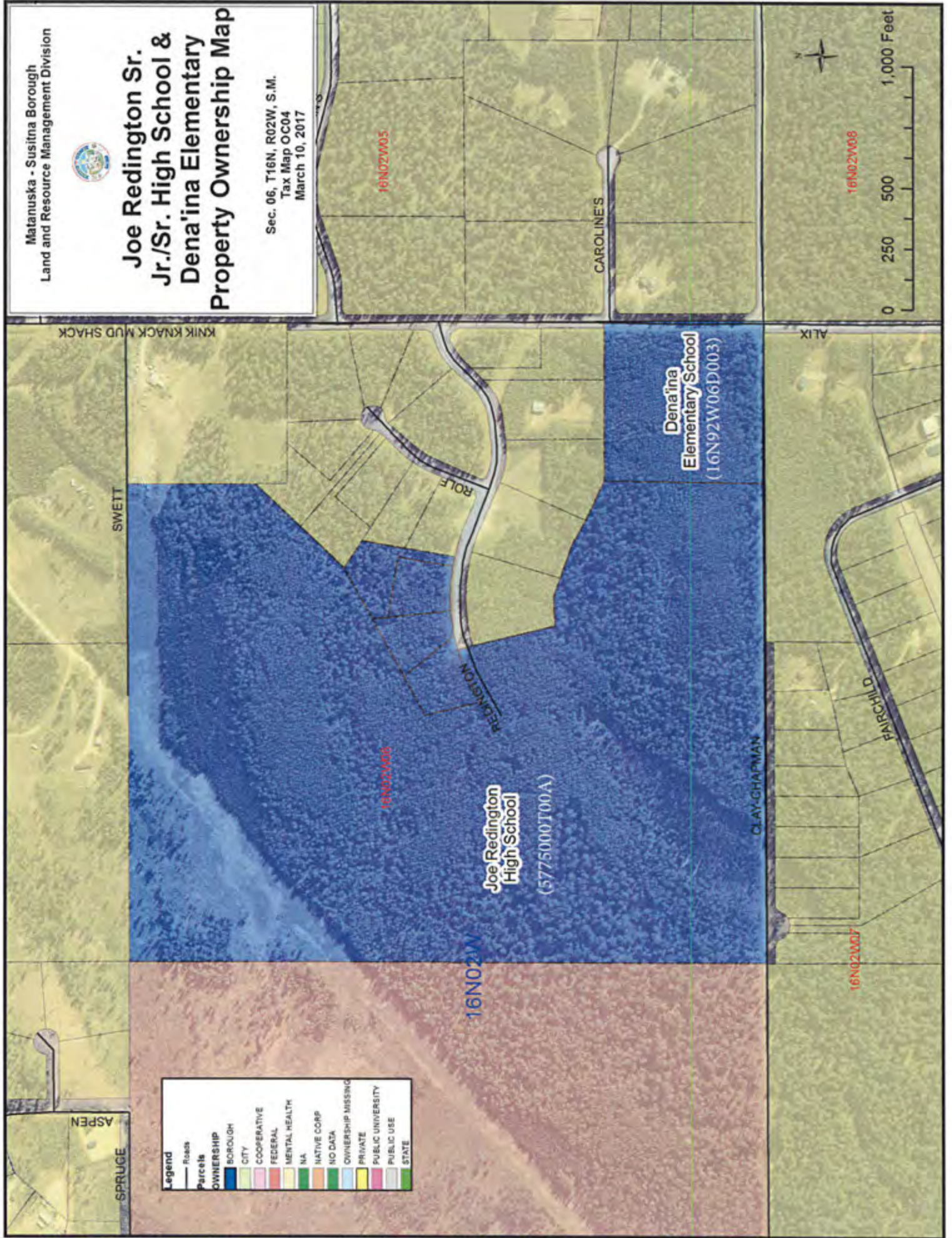
HAWK

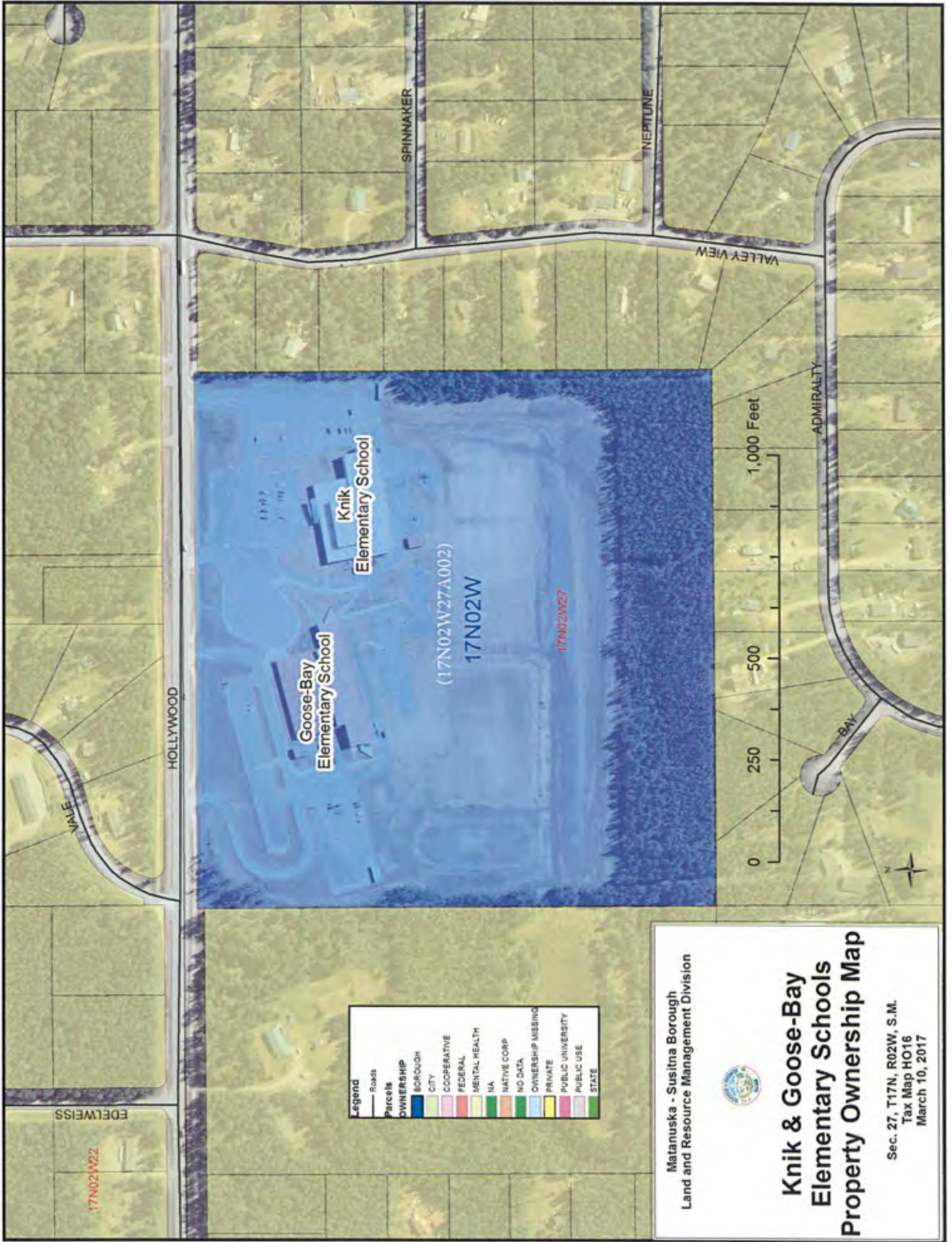




Joe Redington Sr. Jr./Sr. High School & Dena'ina Elementary Property Ownership Map

Sec. 06, T16N, R02W, S.M.
Tax Map OC04
March 10, 2017





Legend	
—	Roads
Parcels	
OWNERSHIP	
	BOROUGH
	CITY
	COOPERATIVE
	FEDERAL
	MENTAL HEALTH
	NA
	NATIVE CORP
	NO DATA
	OWNERSHIP MISSING
	PRIVATE
	PUBLIC UNIVERSITY
	PUBLIC USE
	STATE

Matanuska - Susitna Borough
Land and Resource Management Division



Knik & Goose-Bay Elementary Schools Property Ownership Map

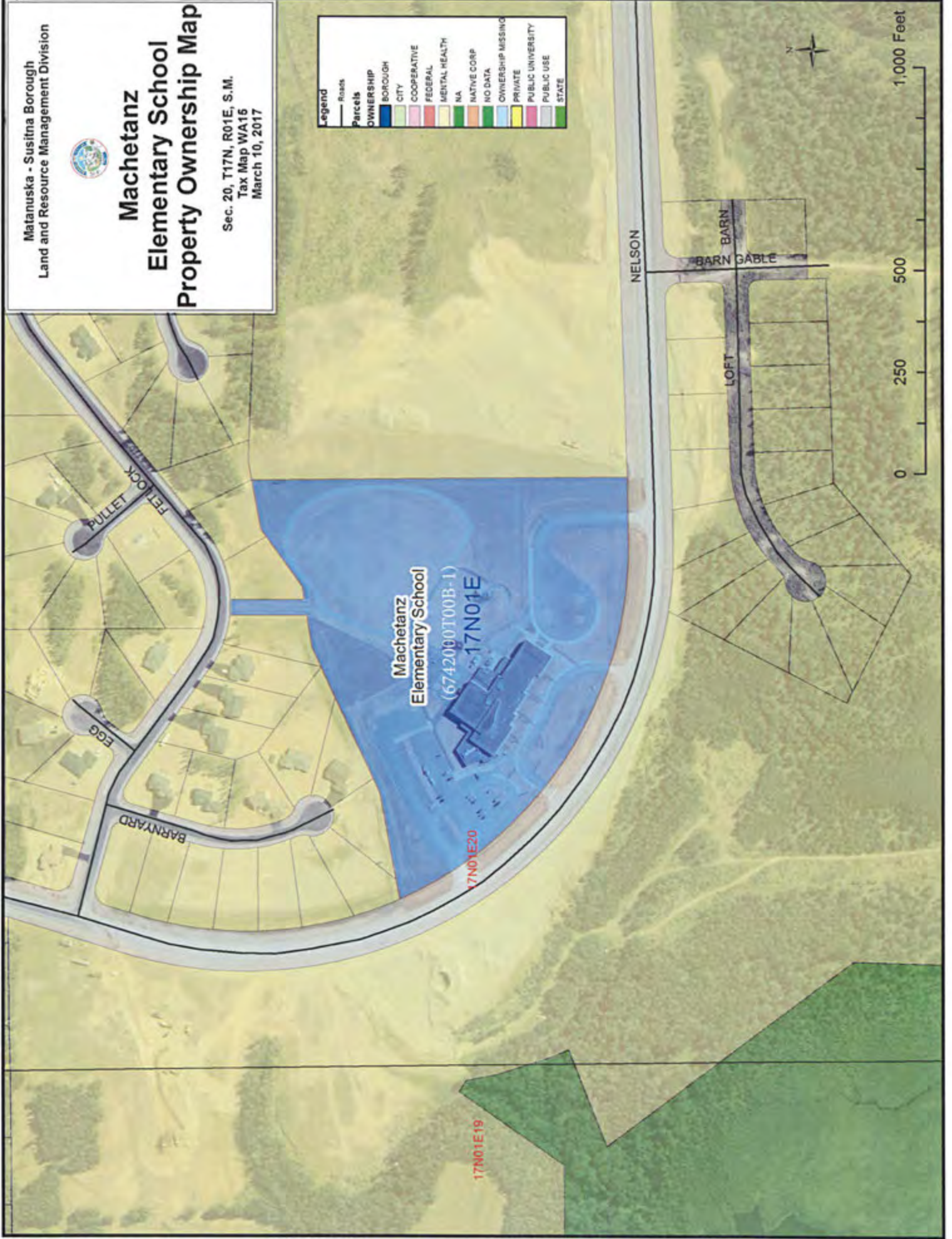
Sec. 27, T17N, R02W, S.M.
Tax Map HO16
March 10, 2017



Machetan Elementary School Property Ownership Map

Sec. 20, T17N, R01E, S.M.
Tax Map WA15
March 10, 2017

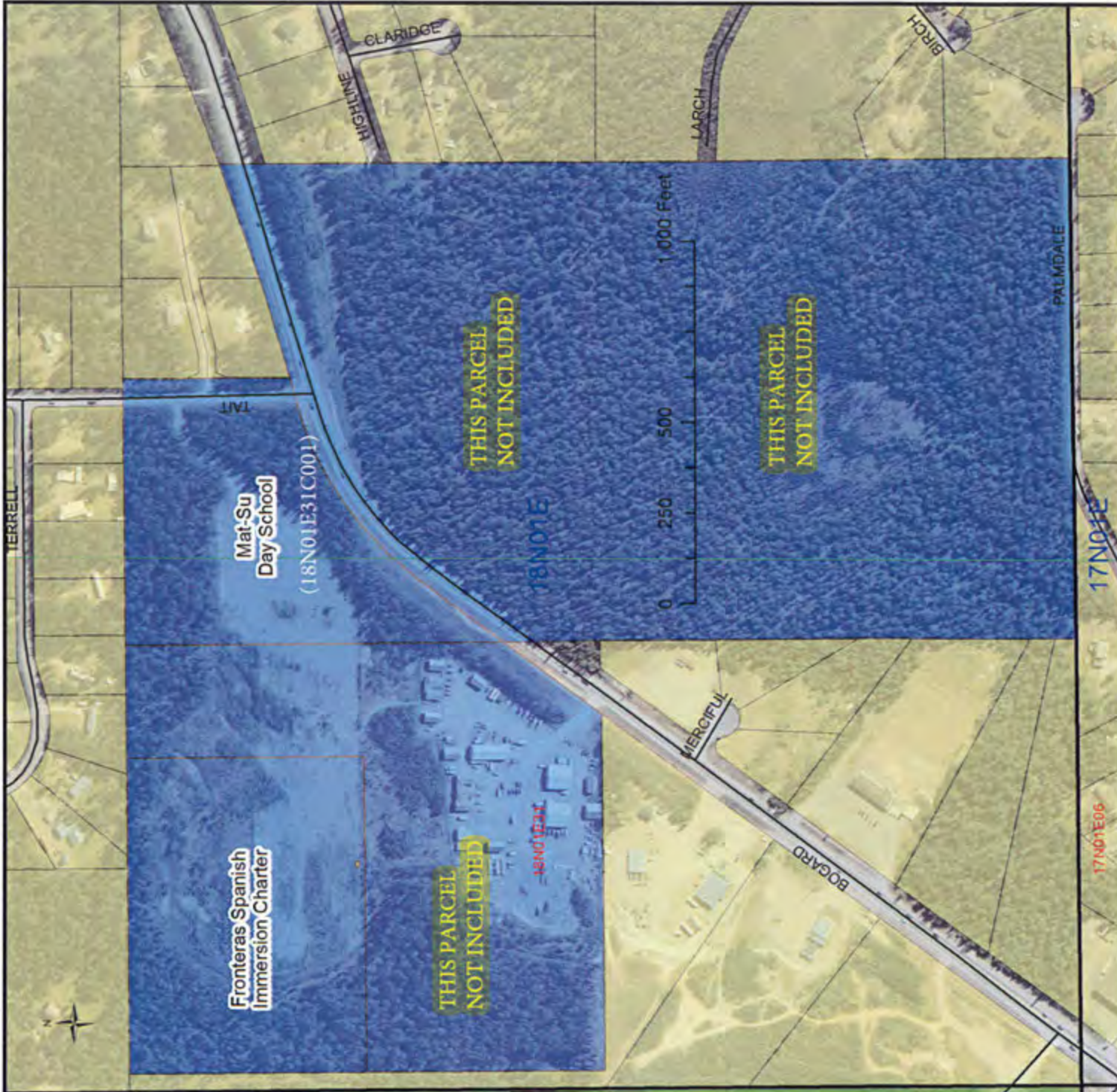
Legend	
—	Roads
—	Parcels
OWNERSHIP	
Blue	BOROUGH
Green	CITY
Yellow	COOPERATIVE
Red	FEDERAL
Orange	MENTAL HEALTH
Light Green	NA
Dark Green	NATIVE CORP
Light Blue	NO DATA
Dark Blue	OWNERSHIP MISSING
Light Yellow	PRIVATE
Light Green	PUBLIC UNIVERSITY
Light Blue	PUBLIC USE
Dark Green	STATE





Mat-Su Day School & Fronteras Spanish Immersion Charter Property Ownership Map

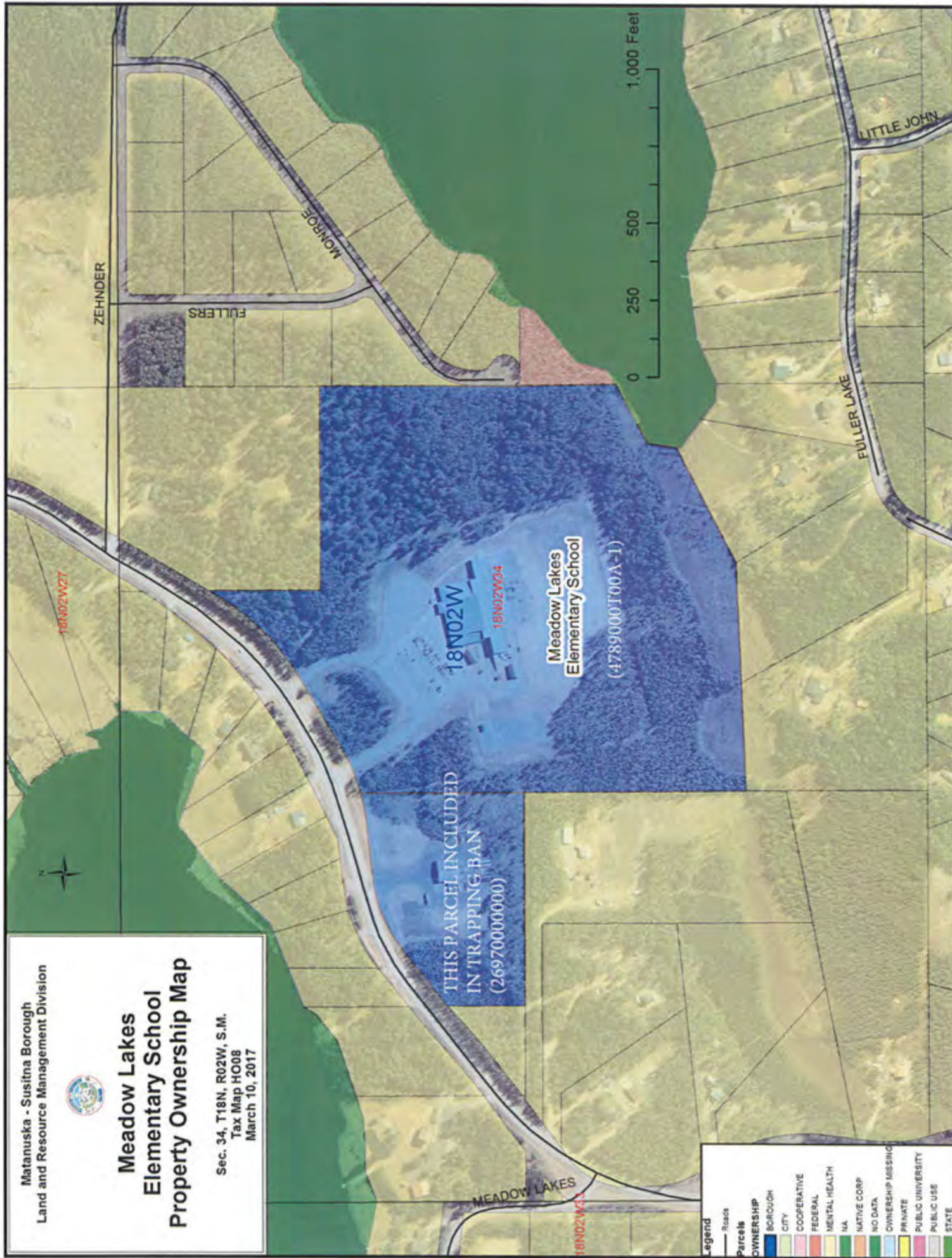
Sec. 31, T18N, R01W, S.M.
Tax Map WA07
March 10, 2017





Meadow Lakes Elementary School Property Ownership Map

Sec. 34, T18N, R02W, S.M.
Tax Map H008
March 10, 2017



Legend	
—	Roads
Parcels	
OWNERSHIP	
Blue	BOROUGH
Green	CITY
Yellow	COOPERATIVE
Red	FEDERAL
Orange	MENTAL HEALTH
Pink	NA
Light Blue	NATIVE CORP
Dark Blue	NO DATA
Light Green	OWNERSHIP MISSING
Light Yellow	PRIVATE
Light Purple	PUBLIC UNIVERSITY
Light Blue	PUBLIC USE
Dark Green	STATE



Midnight Sun Family Learning Center Property Ownership Map

Sec. 04, T17N, R02W, S.M.
Tax Map HO10
March 10, 2017

0 250 500 1,000 Feet

18N02W

KAREN

18N02W04

Adjacent Property
Used by School
(Borough-owned)
(7326000T00A)

MidnightSun
Family Learning
Center
(leased property)

17N02W04

17N02W

PITTMAN

MIDNIGHT SUN

SUN SCHOOL

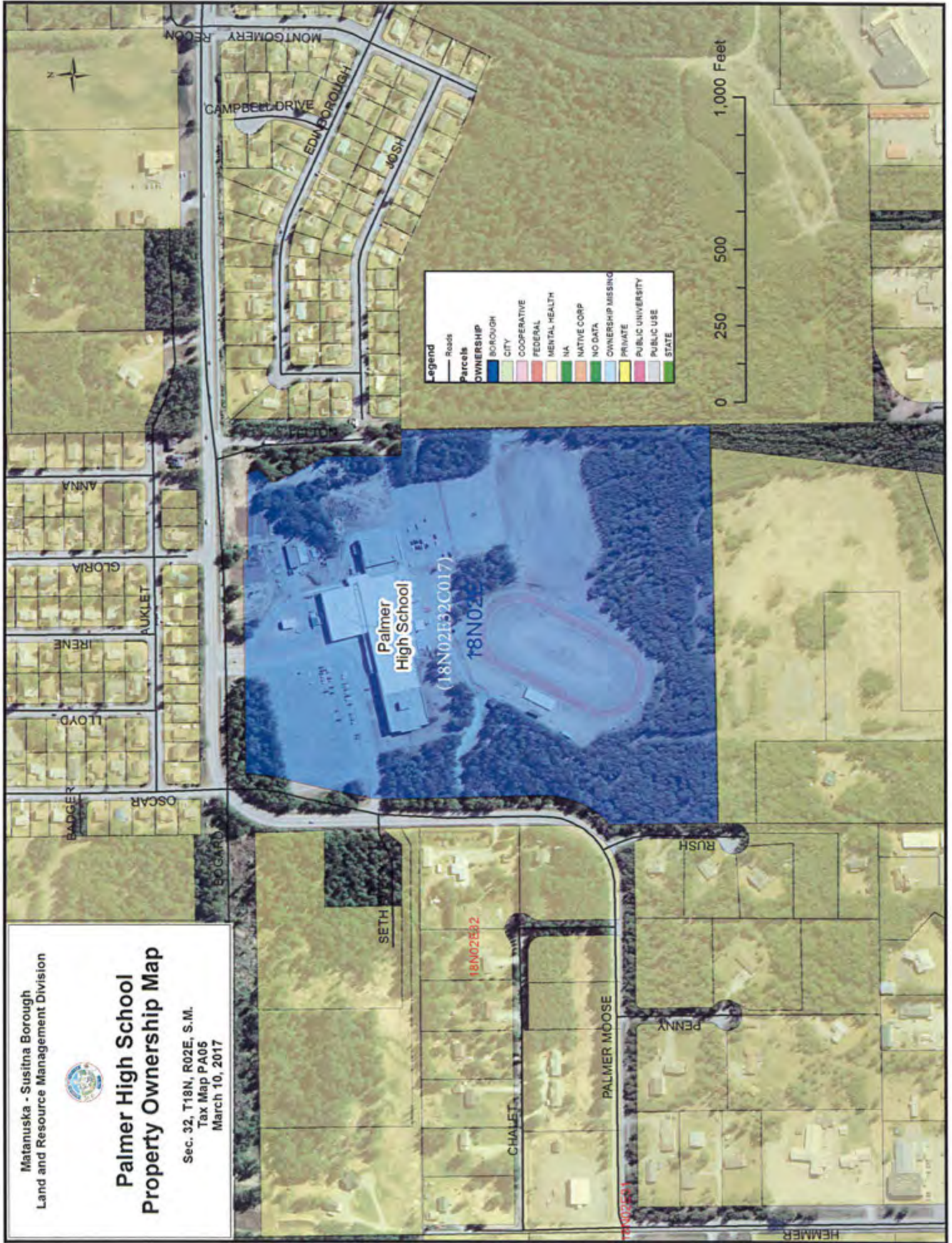
LEIGHTON

Legend	
	Roads
	Parcels
OWNERSHIP	
	BOROUGH
	CITY
	COOPERATIVE
	FEDERAL
	MENTAL HEALTH
	NATIVE CORP
	NO DATA
	OWNERSHIP MISSING
	PRIVATE
	PUBLIC UNIVERSITY
	PUBLIC USE
	STATE



Palmer High School Property Ownership Map

Sec. 32, T18N, R02E, S.M.
Tax Map PA05
March 10, 2017





Palmer Jr. Middle School Property Ownership Map

Sec. 04, T17N, R02E, S.M.
Tax Map PA12
March 10, 2017

Legend

—	Roads
—	Parcels
OWNERSHIP	
BOROUGH	
CITY	
COOPERATIVE	
FEDERAL	
MENTAL HEALTH	
NA	
NATIVE CORP	
NO DATA	
OWNERSHIP MISSING	
PRIVATE	
PUBLIC UNIVERSITY	
PUBLIC USE	
STATE	



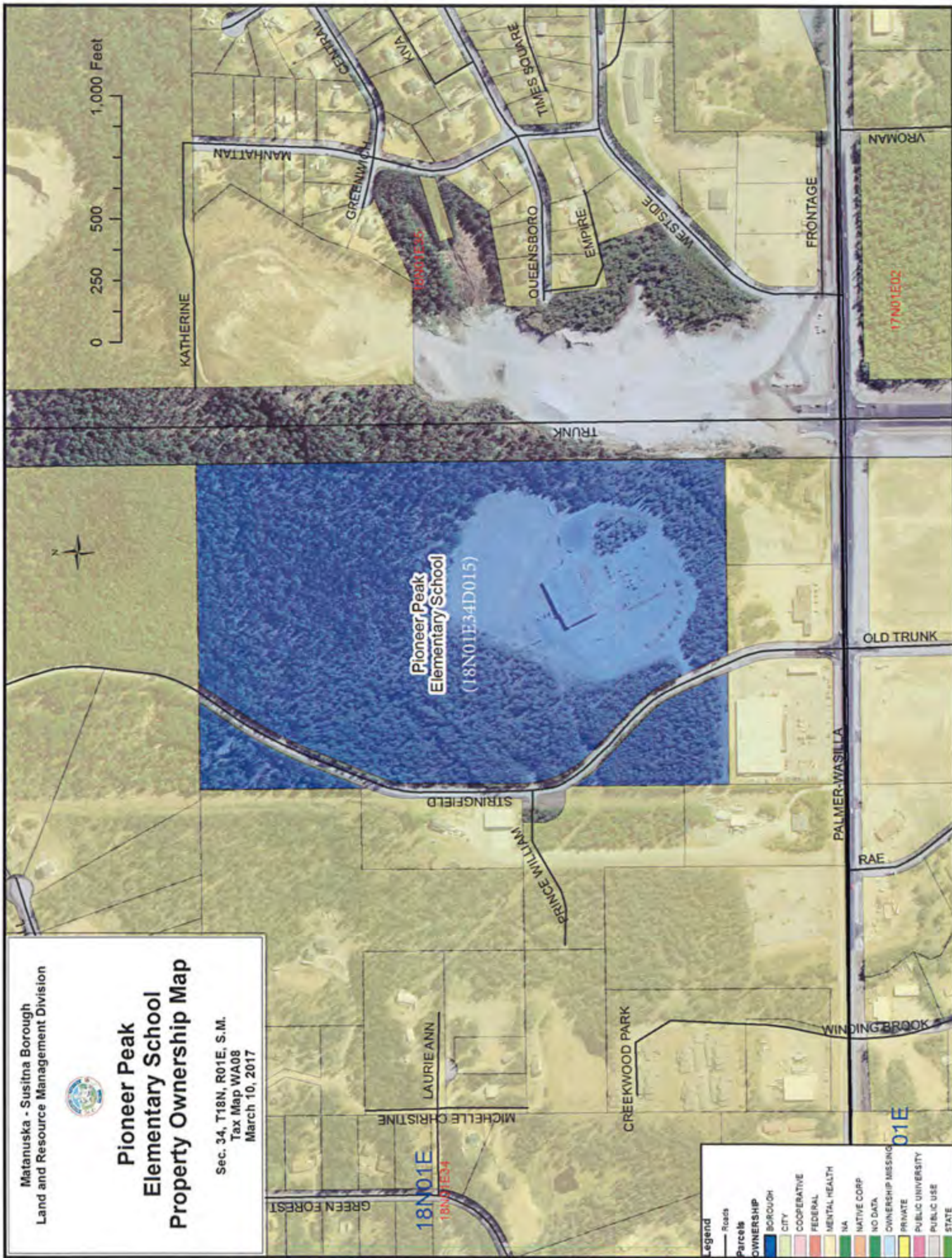
0 250 500 1,000 Feet





Pioneer Peak Elementary School Property Ownership Map

Sec. 34, T18N, R01E, S.M.
Tax Map WA08
March 10, 2017

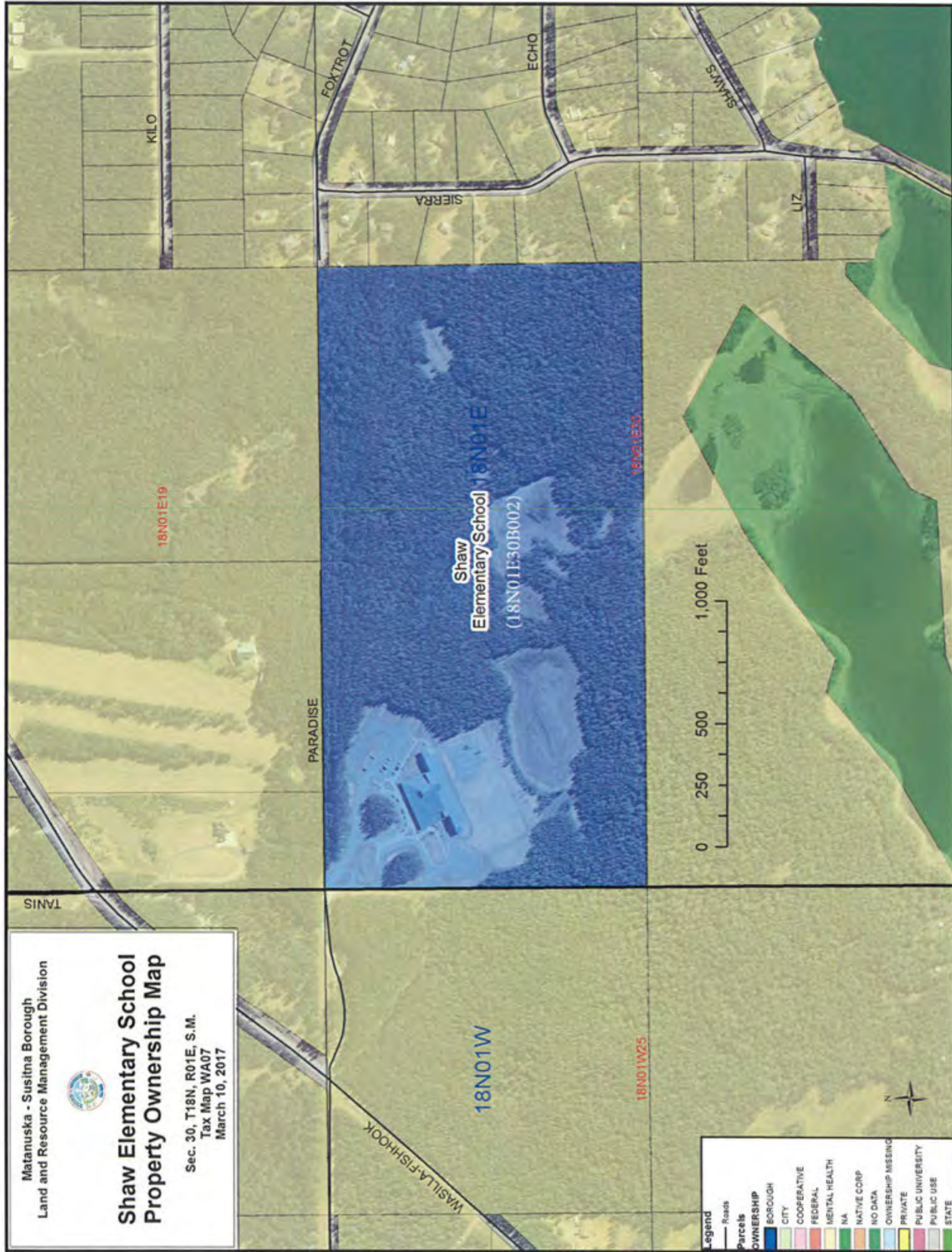


Legend	
—	Roads
Parcels	
■	BOROUGH OWNERSHIP
■	CITY
■	COOPERATIVE
■	FEDERAL
■	MENTAL HEALTH
■	NA
■	NATIVE CORP
■	NO DATA
■	OWNERSHIP MISSING
■	PRIVATE
■	PUBLIC UNIVERSITY
■	PUBLIC USE
■	STATE



Shaw Elementary School Property Ownership Map

Sec. 30, T18N, R01E, S.M.
Tax Map WA07
March 10, 2017



Legend	
	Roads
	Parcels
OWNERSHIP	
	BOROUGH
	CITY
	COOPERATIVE
	FEDERAL
	MENTAL HEALTH
	NA
	NATIVE CORP
	NO DATA
	OWNERSHIP MISSING
	PRIVATE
	PUBLIC UNIVERSITY
	PUBLIC USE
	STATE



Snowshoe Elementary School Property Ownership Map

Sec. 29, T17N, R01W, S.M.
Tax Map WA13
March 10, 2017

0 250 500 1,000 Feet



Legend	
	Right of Way
	Parcel
	OWNERSHIP
	BOROUGH
	CITY
	COOPERATIVE
	FEDERAL
	MENTAL HEALTH
	NA
	NATIVE CORP
	NO DATA
	OWNERSHIP MISSING
	PRIVATE
	PUBLIC UNIVERSITY
	PUBLIC USE
	STATE

(17N01W29C005)

Snowshoe
Elementary
School

17N01W29

17N01W

THIS PARCEL
NOT INCLUDED

DANIELLE

17N01W32

SNOWSHOE

17N01W31

JAMIE MARIE

FAIRVIEW

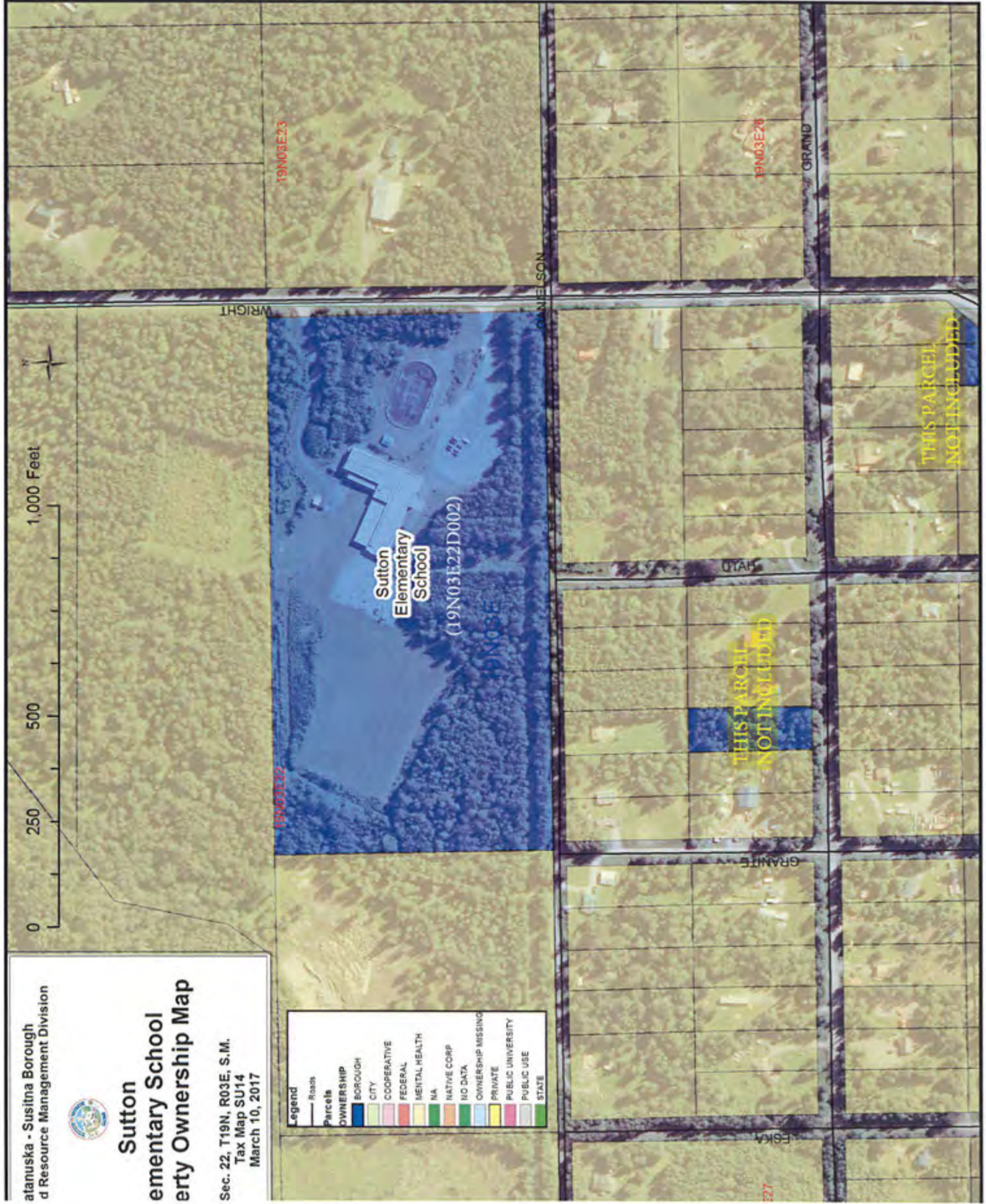
CLYDEDALE



Sutton ementary School erty Ownership Map

Sec. 22, T19N, R03E, S.M.
Tax Map SU14
March 10, 2017

Legend	
	Roads
	Parcels
OWNERSHIP	
	BOROUGH
	CITY
	COOPERATIVE
	FEDERAL
	MENTAL HEALTH
	NA
	NATIVE CORP
	NO DATA
	OWNERSHIP MISSING
	PRIVATE
	PUBLIC UNIVERSITY
	PUBLIC USE
	STATE

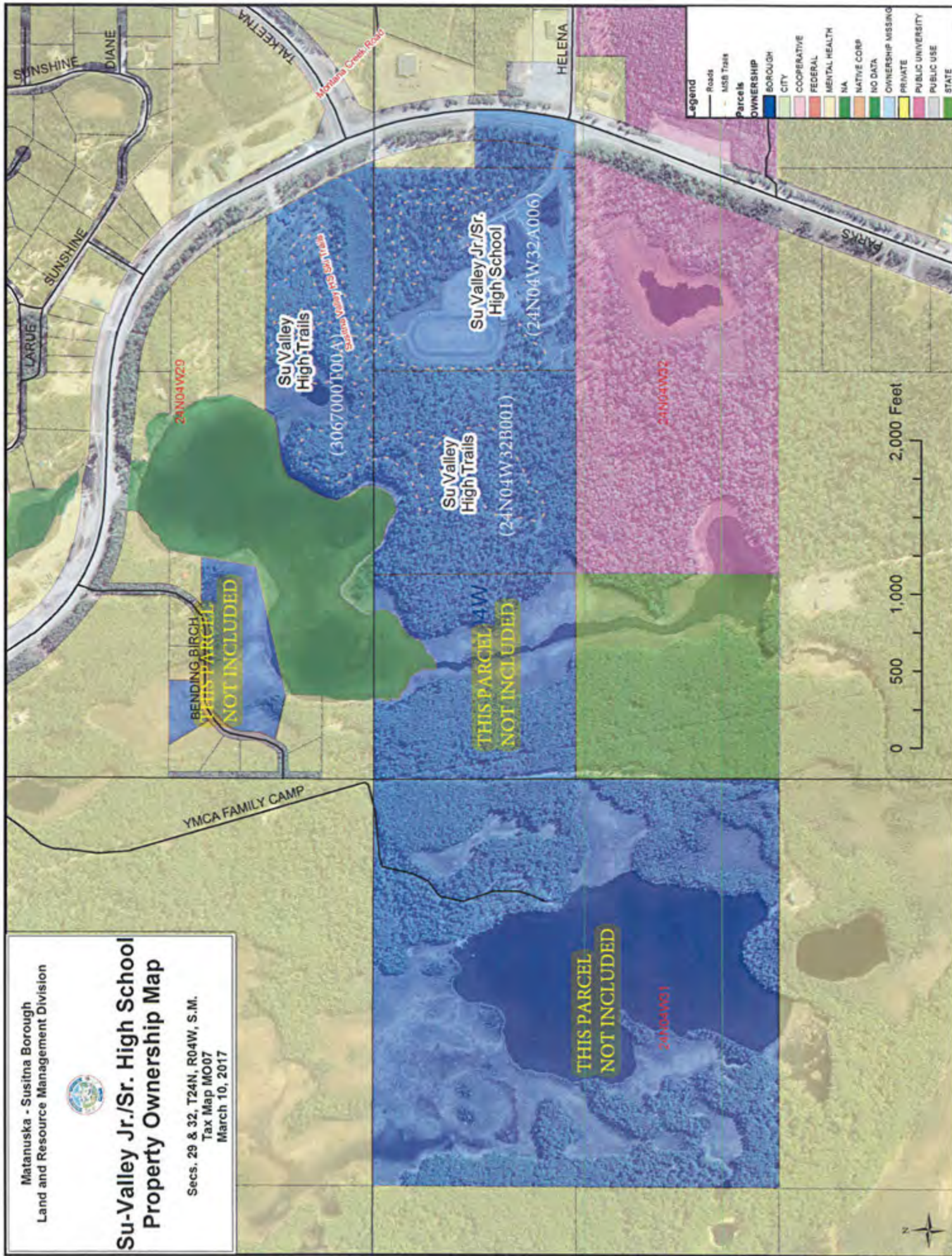


Matanuska - Susitna Borough
Land and Resource Management Division



Su-Valley Jr./Sr. High School Property Ownership Map

Secs. 29 & 32, T24N, R04W, S.M.
Tax Map MO07
March 10, 2017



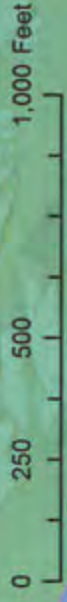


Sherrod Elementary Swanson Elementary MSBSD Admin Bldg & Academy Charter School Property Ownership Map

Sec. 33, T18N, R02E, S.M.
Tax Map PA05
March 10, 2017

Legend

—	Roads
—	Parcels
OWNERSHIP	
BOROUGH	
CITY	
COOPERATIVE	
FEDERAL	
MENTAL HEALTH	
HA	
NATIVE CORP	
NO DATA	
OWNERSHIP MISSING	
PRIVATE	
PUBLIC UNIVERSITY	
PUBLIC USE	
STATE	



18N02E28

18N02E33

EKLUTNA

BEAVER

HATCHER

INDEPENDENCE

AUKLEI

ARCTIC

OLD GLENN

Sherrod Elementary School
(5019000T004-2)

Swanson Elementary School
(18N02E33A014)

MSBSD Administration Building
(5032000T003)

THIS PARCEL INCLUDED IN TRAPPING BAN
(5032000T001A)

THIS PARCEL INCLUDED IN TRAPPING BAN
(5032000T002-2)

THIS PARCEL INCLUDED IN TRAPPING BAN
(18N02E33A015)

THIS PARCEL INCLUDED IN TRAPPING BAN
(18N02E34B004)

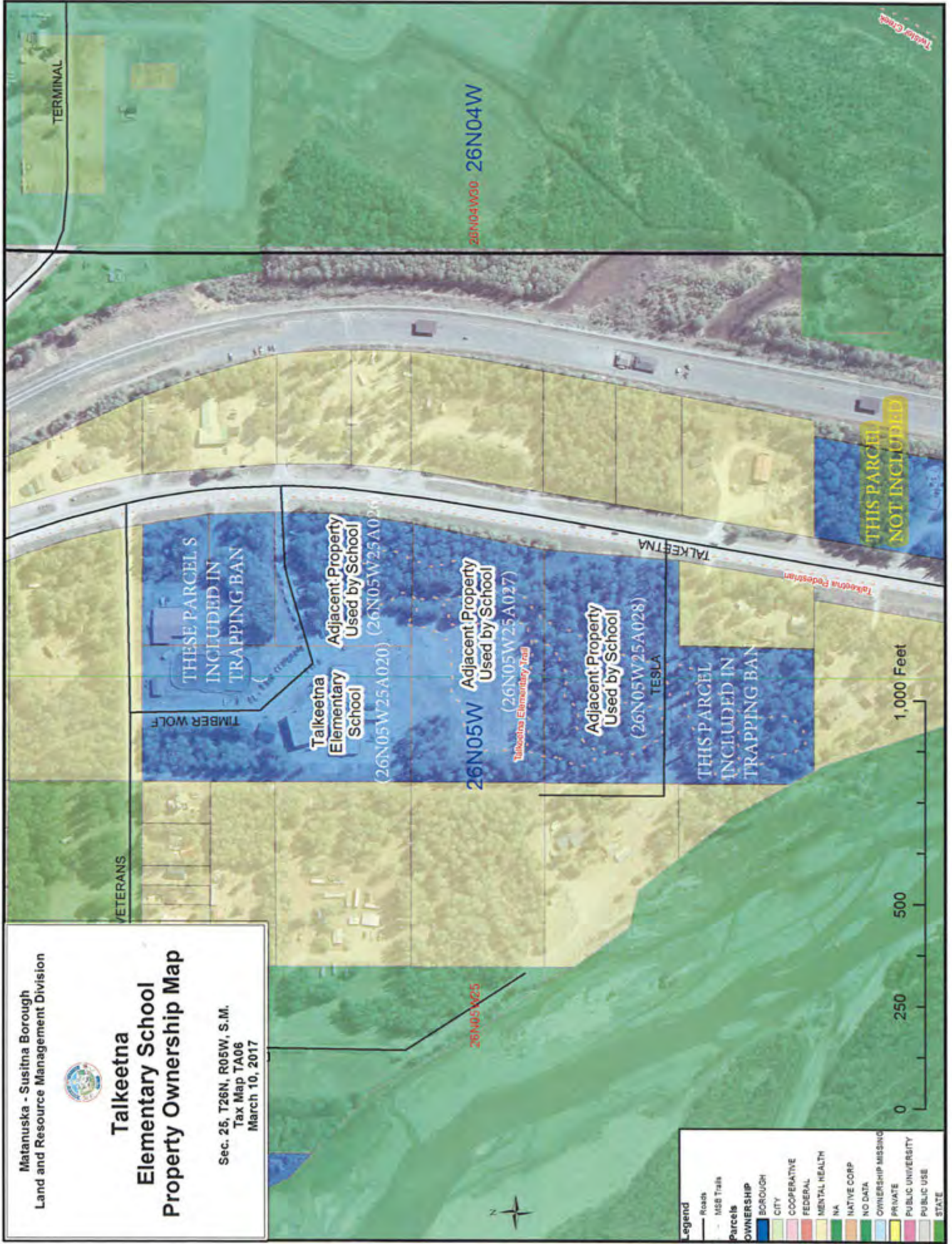
18N02E34

Academy Charter School
(5032000T002-1)



Talkeetna Elementary School Property Ownership Map

Sec. 25, T26N, R05W, S.M.
Tax Map TA06
March 10, 2017



Legend
Roads
MSB Trails
Parcels
OWNERSHIP
BOROUGH
CITY
COOPERATIVE
FEDERAL
MENTAL HEALTH
NA
NATIVE CORP
NO DATA
OWNERSHIP MISSING
PRIVATE
PUBLIC UNIVERSITY
PUBLIC USE
STATE



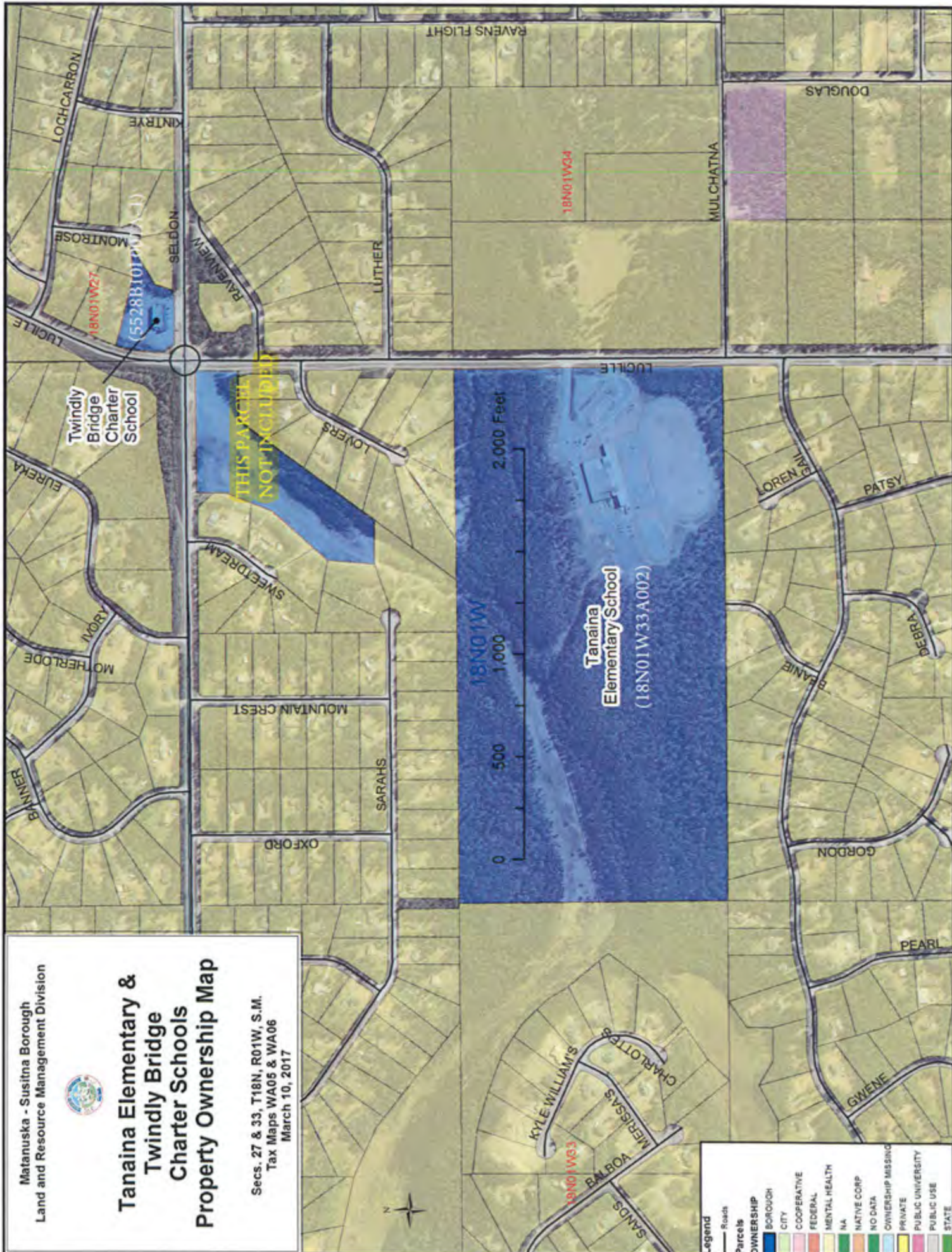
Tanaina Elementary & Twindly Bridge Charter Schools Property Ownership Map

Secs. 27 & 33, T18N, R01W, S.M.
Tax Maps WA05 & WA06
March 10, 2017



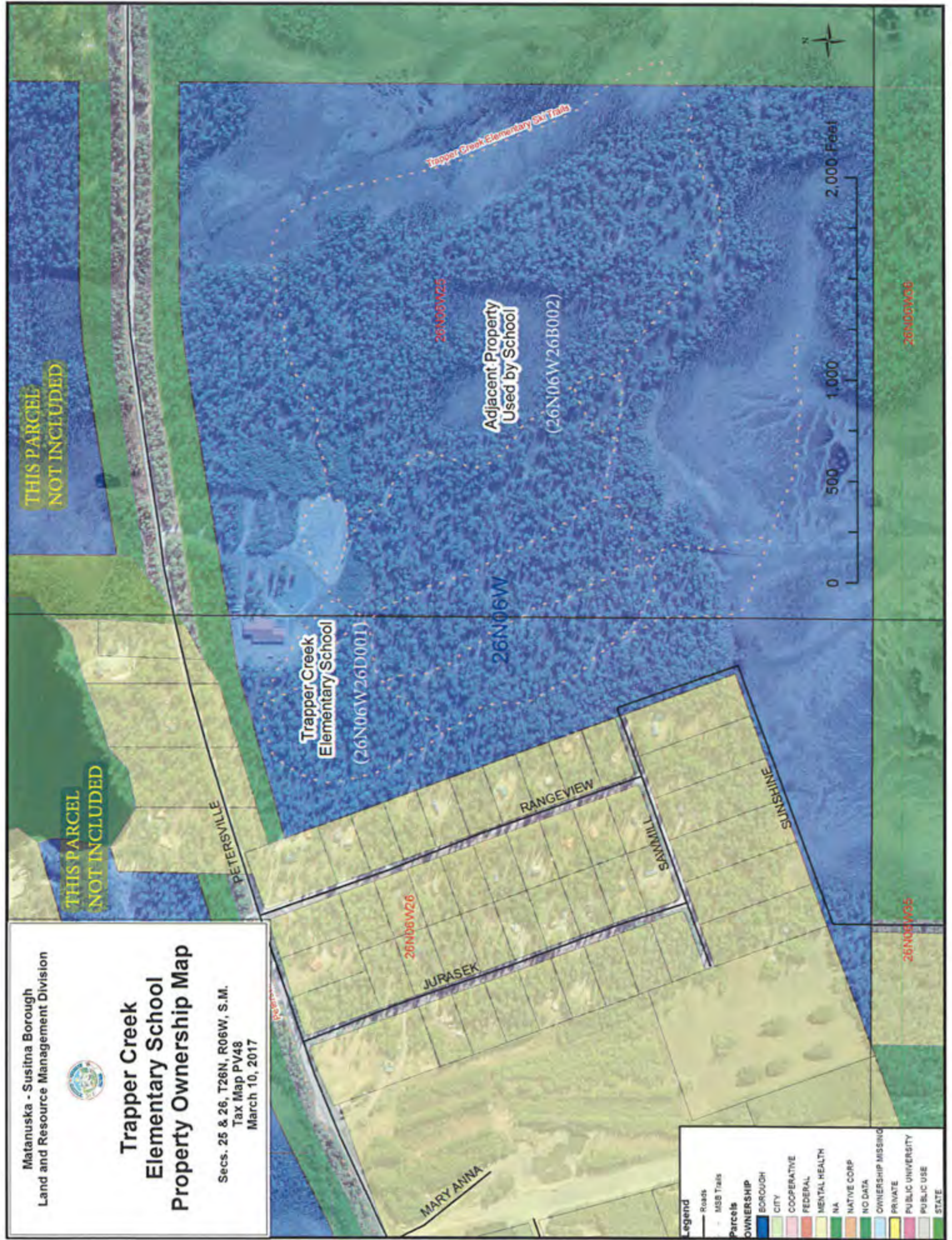
Legend

	Roads
	Parcels
	OWNERSHIP
	BOROUGH
	CITY
	COOPERATIVE
	FEDERAL
	MENTAL HEALTH
	NA
	NATIVE CORP
	NO DATA
	OWNERSHIP MISSING
	PRIVATE
	PUBLIC UNIVERSITY
	PUBLIC USE
	STATE



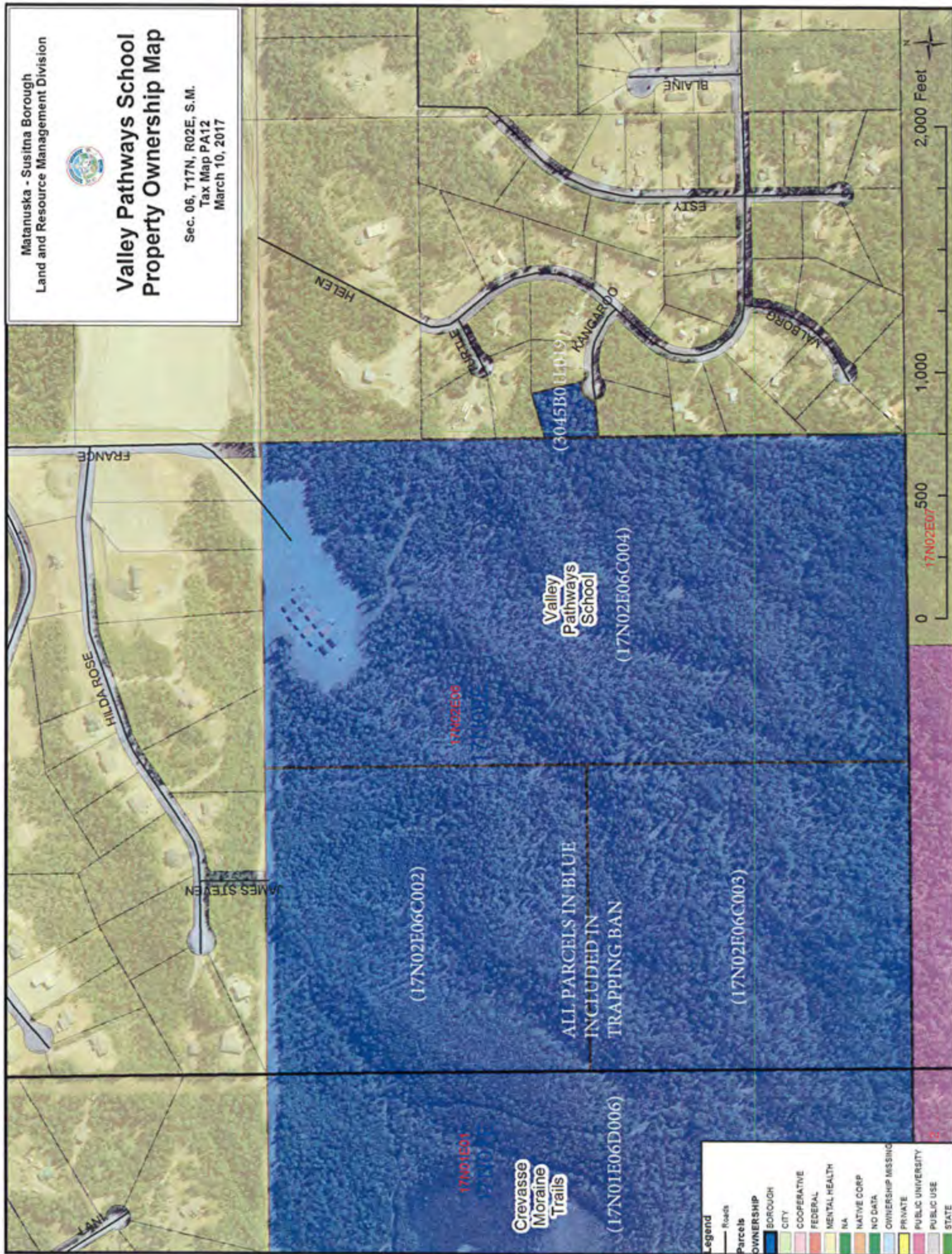


Secs. 25 & 26, T26N, R06W, S.M.
Tax Map PV48
March 10, 2017



Valley Pathways School
Property Ownership Map

Sec. 06, T17N, R02E, S.M.
Tax Map PA12
March 10, 2017

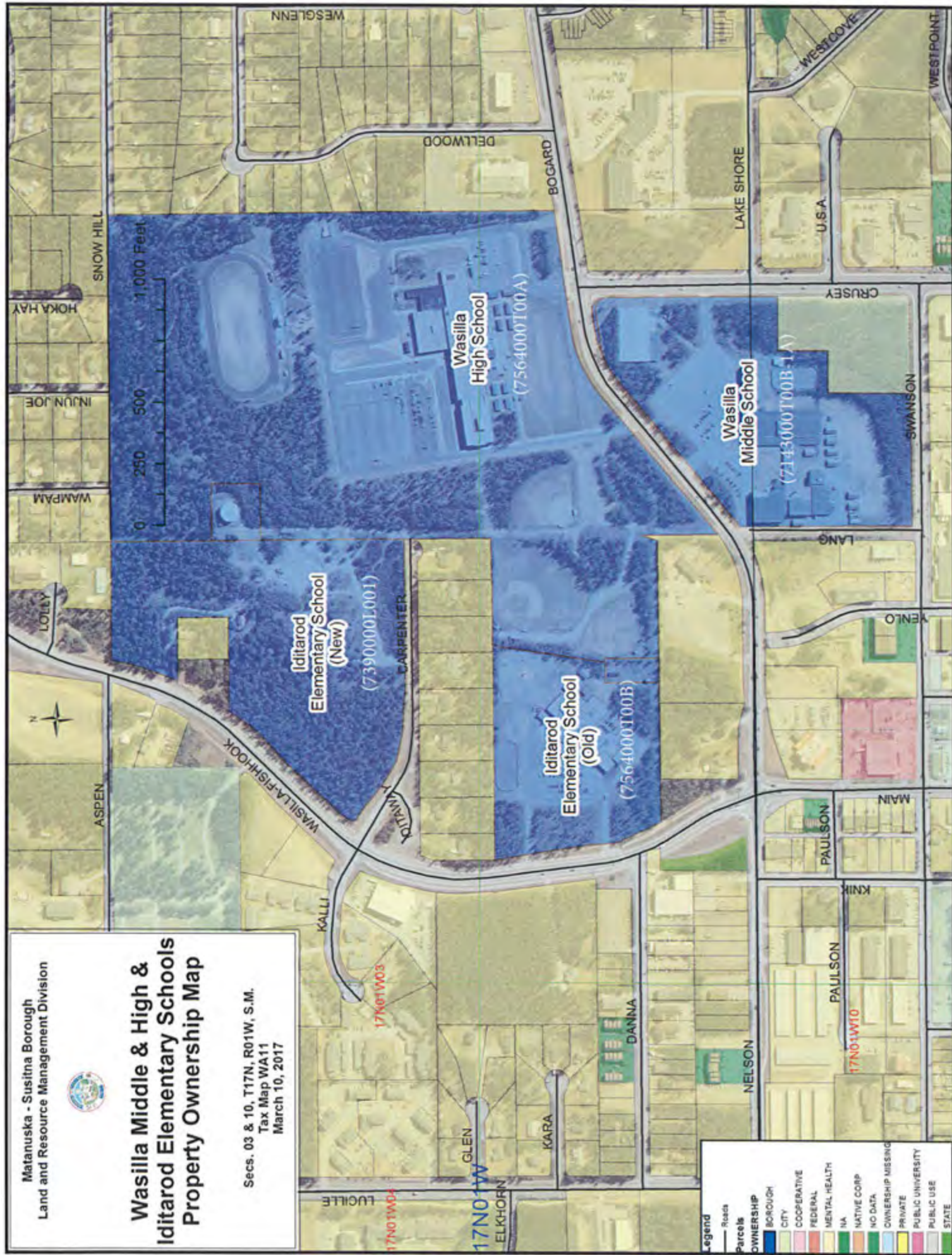


Matanuska - Susitna Borough
Land and Resource Management Division



Wasilla Middle & High & Iditarod Elementary Schools Property Ownership Map

Secs. 03 & 10, T17N, R01W, S.M.
Tax Map WA11
March 10, 2017





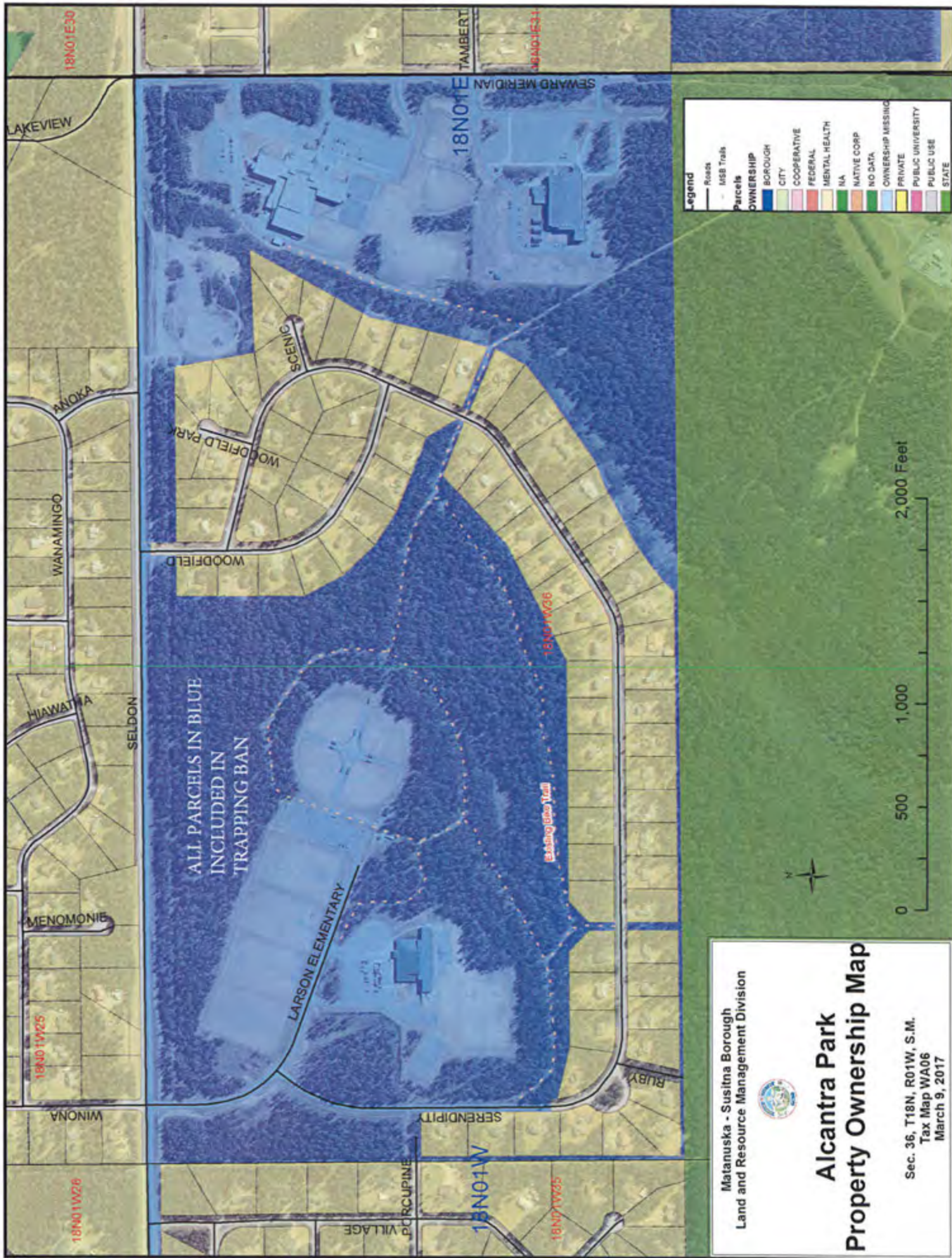
Willow Elementary School Property Ownership Map

Sec. 17, T19N, R04W, S.M.
Tax Map W110
March 10, 2017

Legend

—	Roads
■	Parcels
■	OWNERSHIP
■	BOROUGH
■	CITY
■	COOPERATIVE
■	FEDERAL
■	MENTAL HEALTH
■	NA
■	NATIVE CORP
■	NO DATA
■	OWNERSHIP MISSING
■	PRIVATE
■	PUBLIC UNIVERSITY
■	PUBLIC USE
■	STATE

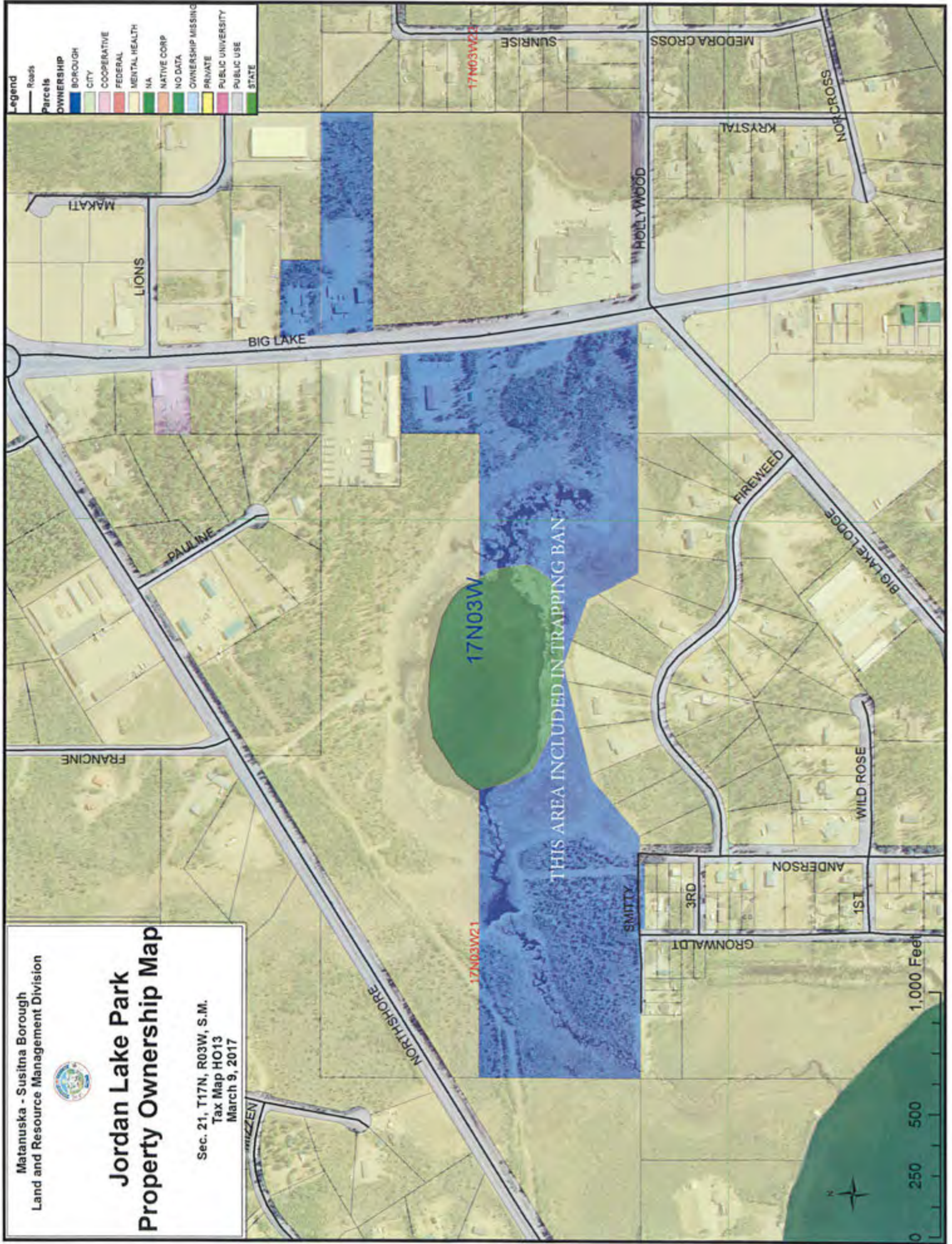






Jordan Lake Park Property Ownership Map

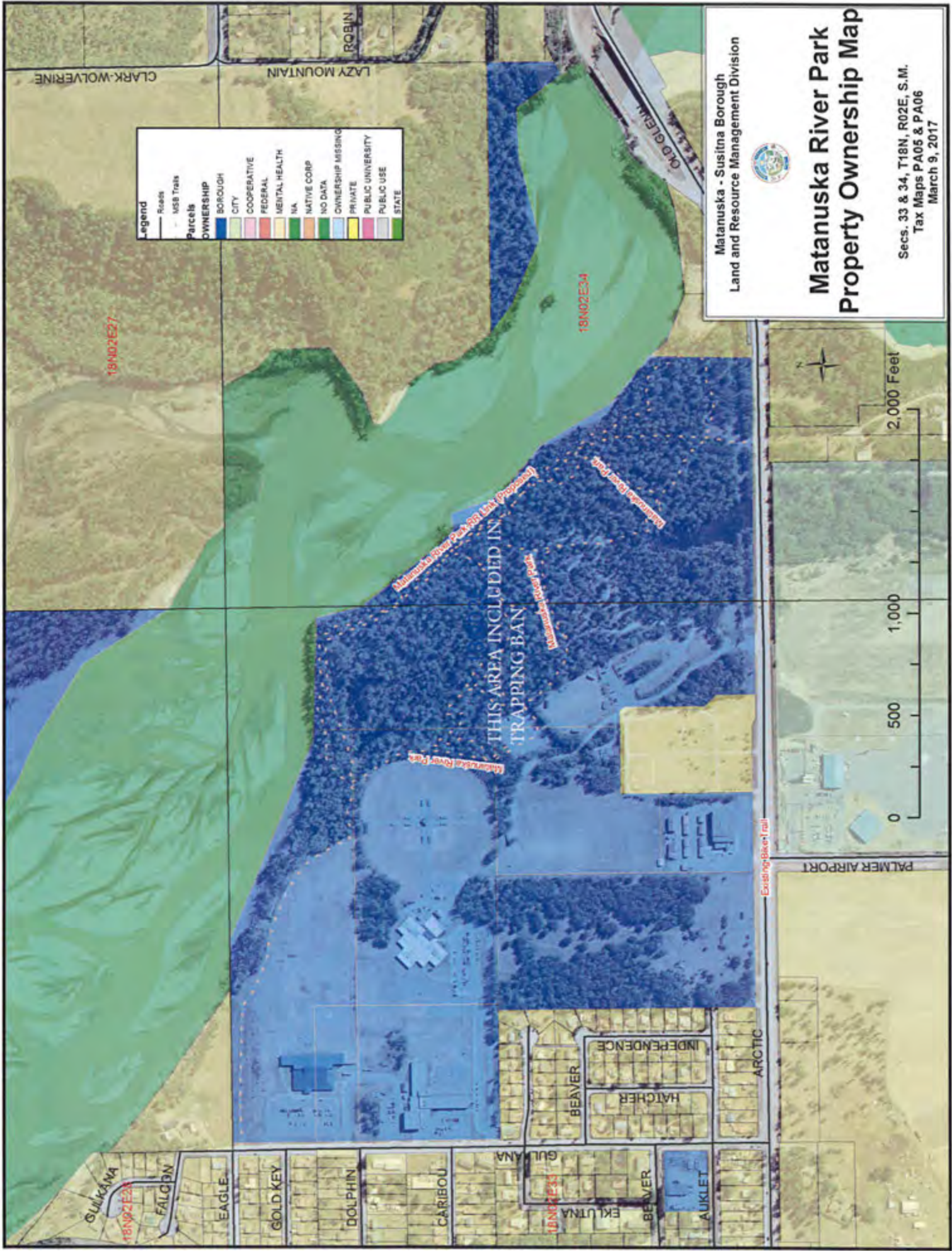
Sec. 21, T17N, R03W, S.M.
Tax Map HO13
March 9, 2017





Sec. 36, T18N, R02E, S.M.
Tax Map PA06
March 9, 2017





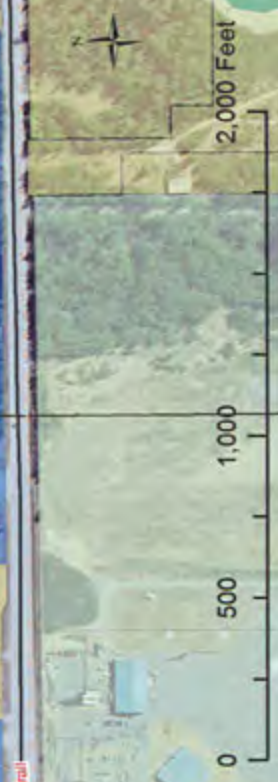
Legend	
—	Roads
—	USB Trails
—	Parcels
OWNERSHIP	
Blue	BOROUGH
Light Green	CITY
Light Blue	COOPERATIVE
Light Yellow	FEDERAL
Light Green	MENTAL HEALTH
Light Green	VA
Light Green	NATIVE CORP
Light Green	NO DATA
Light Green	OWNERSHIP MISSING
Light Green	PRIVATE
Light Green	PUBLIC UNIVERSITY
Light Green	PUBLIC USE
Light Green	STATE

Matanuska - Susitna Borough
Land and Resource Management Division



Matanuska River Park Property Ownership Map

Secs. 33 & 34, T18N, R02E, S.1M.
Tax Maps PA05 & PA06
March 9, 2017



THIS AREA INCLUDED IN
'TRAPPING BAN'

Matanuska River Park 500' Buffer Proposed

Matanuska River Park

500' Buffer Proposed

GULIKANA
18N02E23

FALCON

EAGLE

GOLD KEY

DOLPHIN

CARIBOU

GULIKANA
18N02E33

EKLITNA

BEAVER

AUKLET

BEAVER

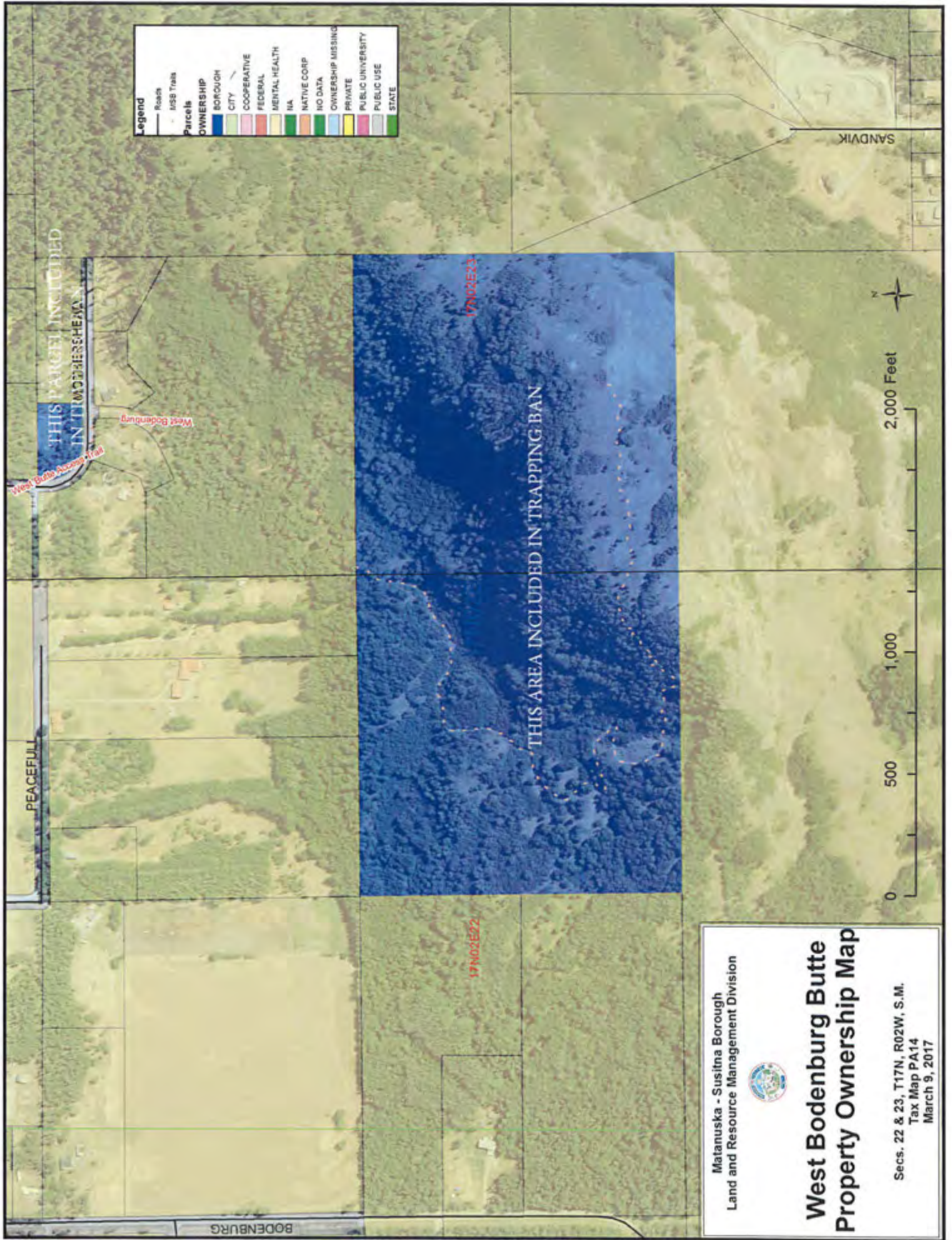
INDEPENDENCE

HATCHER

ARCTIC

PALMER AIRPORT

Existing Bike Trail



CODE ORDINANCE

Sponsored by: Assemblymember Mayfield
Introduced: 02/21/17
Public Hearing: 03/07/17
Amended: 03/07/17
Adopted: 03/07/17
Reconsider Filed: 03/08/17
Reconsidered Passed: 03/21/17
Amended: 03/21/17
Adopted: 03/21/17

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 17-021**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 24.05.010, DEFINITIONS; AMENDING MSB 24.05.020(A), JURISDICTION; ADOPTING MSB 24.05.105, TRAPPING PROHIBITIONS AND RESTRICTIONS; AMENDING MSB 24.40.050, FINES FOR INFRACTIONS; ADOPTING MSB 24.05.055, FORFEITURE OF TRAPS; AMENDING MSB 2.85.020(D) and ADOPTING MSB 2.85.020(E); CLOSURES AND RESTRICTIONS; ADOPTING MSB 2.85.030, DEFINITIONS; AMENDING CHAPTER TITLE 19.12 FROM OPERATION OF MOTORIZED VEHICLES TO SCHOOL PROPERTY; ADOPTING MSB 19.12.015, TRAPPING PROHIBITED; ADOPTING MSB 19.12.030, DEFINITIONS; AMENDING MSB 1.45.100(C), FINES FOR INFRACTIONS; AND ADOPTING MSB 1.45.105, FORFEITURE OF TRAPS IN ORDER TO PROHIBIT TRAPPING ON BOROUGH OWNED PUBLIC SCHOOL PROPERTY AND TO RESTRICT TRAPPING ON THE BOROUGH OWNED PORTION OF CREVASSE MORAINÉ TRAIL SYSTEM.

WHEREAS, the Matanuska-Susitna Borough owns property that has been developed for public school sites; and

WHEREAS, the Matanuska-Susitna Borough school sites are heavily utilized by children, teachers, school administrators, and members of the public; and

WHEREAS, the Borough also owns property that makes up various trail systems; and

WHEREAS, the Borough owns property within the core area that serves as part of the Crevasse Moraine Trail system; and

WHEREAS, the Borough maintains certain trails on its property in the Crevasse Moraine Trail system; and

WHEREAS, people recreate beyond the boundaries of the Borough-maintained trails in the Crevasse Moraine Trail system, as there are no requirements or restrictions that recreational use is limited to a particular area or trail; and

WHEREAS, there are other "social trails" on Borough property in the Crevasse Moraine Trail system that are not Borough-maintained; and

WHEREAS, the Matanuska-Susitna Borough Recreational Trails Plan (Trails Plan) evaluated the needs and desires of Borough residents and landowners with regard to recreational trail development; and

WHEREAS, one of the goals of the Trails Plan is to preserve the existing popular recreational trails; and

WHEREAS, one of the Trails Plan management recommendation goals is to minimize conflicts between different types of trail users and avoid trail-degradation due to improper use; and

WHEREAS, the Trails Plan recognizes that trail conflicts between separate user groups are likely to increase as trail use increases; and

WHEREAS, the Trails Plan likewise recognizes that it is important for the Borough to take some proactive steps to ensure these conflicts are minimized; and

WHEREAS, the Trails Plan further recognizes that trails should be managed so as to provide the greatest recreational benefit to those types of recreational trail uses for which the trail is uniquely situated; and

WHEREAS, the Trails Plan also recognizes that it may be necessary to limit some uses in certain situations; and

WHEREAS, in a survey reported in the Trails Plan, 51 percent of the respondents stated that walking or dog walking was the most common trail recreation activity; and

WHEREAS, the Crevasse Moraine trail system is included within the Trails Plan; and

WHEREAS, the Crevasse Moraine Trail System is described as a regionally significant trail in the Trails Plan; and

WHEREAS, in a separate plan called the Crevasse Moraine Master Plan, the area is described as a "high demand attraction serving diverse non-motorized users, including walkers (often with dogs), runners, equestrians, and mountain bikers;" and

WHEREAS, the Crevasse Moraine Master Plan explains that investment in the site is focused on providing healthy, enjoyable recreation opportunities for a compatible mix of non-motorized uses, including family strolls and dog walking among others; and

WHEREAS, in the "Desired Future Conditions" of the Crevasse Moraine Master Plan, it states Crevasse Moraine consists of 360 acres reserved for a permanent, formalized, soft tread trail

network for which investment is focused on providing healthy, enjoyable recreation opportunities for a compatible mixture of non-motorized users including: family stroll/non-strenuous walking; dog walking; strenuous walking/hiking; running/cross-country training; equestrian; mountain biking; Nordic skiing; snowshoeing; skijoring; geocaching; bird/wildlife watching; orienteering; and informal neighborhood picnic and play areas; and

WHEREAS, the "Desired Future Conditions" section of the Crevasse Moraine Master Plan also notes that Valley Pathways School shares some common infrastructure with Crevasse Moraine, and that the school seeks to instill respect for the Crevasse Moraine area by working with the Borough to create opportunities for student trails use related to their education; community service learning trail maintenance projects, forestry and trail building vocational training; and summer facility use for recreational programing; and

WHEREAS, demand for Borough trails increases every year, and is expected to continue as visitors and residents continue to get outside and enjoy the Borough's natural beauty in increasing numbers; and

WHEREAS, the Borough has an interest in managing its property to facilitate the intended use of the property, and protect members of the public, their children and their pets; and

WHEREAS, there are currently no prohibitions or restrictions against trapping in these areas; and

WHEREAS, according to the "Trap Safety for Pet Owners" guide that is published by the Alaska State Department of Fish and Game, Division of Wildlife Conservation, and the Alaska Trappers Association, trapping is a popular pastime and a livelihood for some and occurs throughout Alaska, even on some popular recreation trails; and

WHEREAS, MSB 23.05.050(A), already prohibits a person from placing personal property upon or making unauthorized use of Borough-owned real property without written permission from the Manager; and

WHEREAS, there are no express trapping restrictions on Borough-owned public school sites, or within the Borough-owned Crevasse Moraine trails; and

WHEREAS, allowing traps to be placed on Borough-owned public school sites or within the Borough-owned Crevasse Moraine trails or nearby is incompatible with the intended educational and/or recreational uses for those areas; and

WHEREAS, school site users, including children, may not be able to timely identify the location of traps on public school property and may not be able to successfully avoid them; and

WHEREAS, recreational trail users, including children, may not be able to timely identify the location of traps on Borough-owned Crevasse Moraine Trail and may not be able to successfully avoid them accordingly; and

WHEREAS, allowing traps to be placed in these areas could inadvertently, but seriously, injure those using these areas including children and/or the pets individuals recreate with; and

WHEREAS, at least 3 dogs have been inadvertently caught in traps in the Borough over the years and treated by the Animal Care and Regulation shelter; and

WHEREAS, dogs in the Borough have suffered significant injuries as a result of being caught in traps; and

WHEREAS, AS 29.35.010(8), provides the Borough the power to manage and control real property; and

WHEREAS, the Borough has an interest in managing its property to protect the property users; and

WHEREAS, the Borough has an interest in managing its trails property to ensure the primary intended uses such as walking, hiking, running, biking etc., with or without pets, is safe from conflicts relating to traps; and

WHEREAS, the Borough has an interest in protecting domestic animals and the power to do so pursuant to AS 29.35.210(a)(3).

WHEREAS, Matanuska-Susitna Borough owned lands support a diverse population of users with varied interest and activities, no Borough owned lands shall be added to this ordinance without referral to the Parks, Recreation, and Trails Advisory Board for review and public comment.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of section. MSB 24.05.010 is hereby amended as follows:

"Trapping" means the placing or setting of a trap. It does not include the possession or transportation of traps.

Section 3. Amendment of section. MSB 24.05.020(A) is hereby amended as follows:

(A) The borough generally has jurisdiction only over domestic and domesticated animals. Except for purposes of enforcing MSB 2.85.020, MSB 19.12.015, and MSB 24.05.105, the Borough does not have jurisdiction over the following animals:

- (1) wild animals; and
- (2) game animals, the taking or possession of which is regulated by the state or federal government.

Section 4. Adoption of section. MSB 24.05.105 is hereby adopted as follows:

MSB 24.05.105 TRAPPING PROHIBITIONS AND RESTRICTIONS

(A) Except as provided in MSB 24.05.110, no person may engage in trapping, attempting to trap, or aiding and abetting any person in trapping any wild or domesticated animal:

(1) On the following Borough-owned recreation lands including the Crevasse Moraine system, Lazy Mountain Recreation Area, Matanuska River Park, Alcantra Athletic Complex, West Bodenbug Butte, and Jordan Lake Park there shall be no trapping unless they are performing an educational demonstration, pursuant to a Borough issued permit, and the traps are removed at the end of the day the presentation began.

(2) On any part of public school property owned by the Borough, unless they are performing an educational demonstration pursuant to written permission from the School Administration, and the traps are removed at the end of the day the presentation began.

(B) The Borough will prepare and keep current a map showing areas where trapping is not allowed pursuant to this section. A copy of the map shall be provided to any person upon request.

(C) The Alaska Department of Fish and Game, Alaska Department of Public Safety, United States Fish and Wildlife Service, or their authorized agents or designees, may trap animals within the area in which trapping is expressly prohibited by the chapter.

(D) This section shall not apply to property owned by other entities. This section shall not apply to the trapping or capturing of rats, mice, shrews, or similar vermin. This section shall not apply to the possession or transportation of traps.

(E) Violation of this section shall be punishable as set forth in MSB 24.40.

Section 5. Amendment of section. MSB 24.40.050 is hereby amended as follows:

24.05.105 Trapping Prohibited

1st Offense \$150

2nd Offense \$300

3rd and Subsequent \$500

Section 6. Adoption of section. MSB 24.40.055, is hereby adopted as follows:

24.40.055 FORFEITURE OF TRAPS

Ownership rights of any trap found on public school property owned by the Borough, or within borough-owned recreation lands including the Crevasse Moraine system,

Lazy Mountain Recreation Area, Matanuska River Park, Alcantra Athletic Complex, West Bodenbug Butte, and Jordan Lake Park are forfeited upon conviction of MSB 24.05.105.

Section 7. Amendment of section. MSB 2.85.020(D) is amended as follows:

(D) [THE MANAGER MAY CLOSE OR RESTRICT TRAILS BECAUSE OF ENVIRONMENTAL, SEASONAL, SAFETY CONCERNS, or OTHER VALID REASONS AND MAY RESTRICT CERTAIN USES TO AVOID TRAIL CONFLICTS OR SAFETY CONCERNS.] Except as provided in MSB 24.05.110, Borough-owned property which is part of the Crevasse Moraine system, Lazy Mountain Recreation Area, Matanuska River Park, Alcantra Athletic Complex, West Bodenbug Butte, and Jordan Lake Park is closed to trapping, attempting to trap, or aiding and abetting in trapping any wild or domesticated animal to prevent conflicts and ensure safety. Trapping in this area is allowed if the individual is performing an educational demonstration, pursuant to a Borough issued permit, and the traps are removed at the end of the day the presentation began.

(1) The Borough will prepare and keep current a map of the borough-owned recreation lands including the the Crevasse Moraine system, Lazy Mountain

Recreation Area, Matanuska River Park, Alcantra Athletic Complex, West Bodenbug Butte, and Jordan Lake Park showing the Borough-owned property areas where trapping is not allowed pursuant to this section. A copy of the map shall be provided to any person upon request.

(2) The Alaska Department of Fish and Game, Alaska Department of Public Safety, United States Fish and Wildlife Service, or their authorized agents or designees, may trap animals within the area.

(3) This section shall not apply to property owned by other entities within the Crevasse Moraine system, Lazy Mountain Recreation Area, Matanuska River Park, Alcantra Athletic Complex, West Bodenbug Butte, and Jordan Lake Park. This section shall not apply to the trapping or capturing of rats, mice, shrews, or similar vermin. This section shall not apply to the possession or transportation of traps.

(4) Violation of this section shall be punishable as set forth in MSB 1.45.

(E) The Manager may close or restrict additional trails because of environmental, seasonal, safety concerns, or other valid reasons and may restrict certain uses to avoid trail conflicts or safety concerns.

Section 8. Adoption of Section. MSB 2.85.030 is adopted as follows:

2.85.030 DEFINITIONS

"Trap" means any device designed or used to capture or hold an animal and that operates without direct human control. This includes any device for catching and holding wild or domesticated animals including, but not limited to, snares, nets, pitfalls, or clamp-like devices that spring shut suddenly.

"Trapping" means the placing or setting of a trap. It does not include the possession or transportation of traps.

Section 9. Amendment of Chapter Title. The title of 19.12 is amended as follows:

19.12 [OPERATION OF MOTOR VEHICLES] SCHOOL PROPERTY

Section 10. Adoption of Section. MSB 19.12.015 is hereby adopted as follows:

19.12.015 TRAPPING PROHIBITED

(A) Except as provided in MSB 24.05.110, no person may engage in trapping, attempting to trap, or aiding and abetting any person in trapping any wild or domesticated animals on any part of public school property owned by the Borough unless they are performing an educational

demonstration pursuant to written permission from the School Administration, and the traps are removed at the end of the day the presentation began.

(B) The Borough will prepare and keep current a map showing areas where trapping is not allowed pursuant to this section. A copy of the map shall be provided to any person upon request.

(C) The School District, Alaska Department of Fish and Game, Alaska Department of Public Safety, United States Fish and Wildlife Service, or their authorized agents or designees, may trap animals within the area.

(D) Violation of this section shall be punishable as set forth in MSB 1.45.

Section 11. Adoption of Section. MSB 19.12.030 is hereby adopted as follows:

19.12.030 DEFINITIONS

"Trap" means any device designed or used to capture or hold an animal and that operates without direct human control. This includes any device for catching and holding wild or domesticated animals including, but not limited to, snares, nets, pitfalls, or clamp-like devices that spring shut suddenly.

"Trapping" means the placing or setting of a trap.
It does not include the possession or
transportation of traps.

Section 12. Amendment of Section. MSB 1.45.100(C) is hereby
amended as follows:

19.12.015 Trapping on School Property

1stOffense \$150

2nd Offense \$300

3rd and Subsequent \$500

24.05.105 Trapping Prohibited

1stOffense \$150

2nd Offense \$300

3rdand Subsequent \$500

Section 13. Adoption of section. MSB 1.45.105 is hereby
adopted as follows:

1.45.105 FORFEITURE OF TRAPS

Ownership rights of any trap found on public school
property owned by the Borough, or any trap found on
Borough-owned property which is part of the Crevasse
Moraine system, Lazy Mountain Recreation Area, Matanuska
River Park, Alcantra Athletic Complex, West Bodenbug
Butte, and Jordan Lake Park, forfeited upon conviction
of MSB 2.85.020 (D) or MSB 19.12.015.

Section 14. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this 21 day of March, 2017.


VERN HALTER, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk
(SEAL)

03/07/17 Vote:

YES: Sykes, Beck, McKee, Mayfield, Doty, and Kowalke

NO: Colligan

Reconsideration Vote:

PASSED UNANIMOUSLY: Sykes, Beck, McKee, Colligan, Mayfield, Doty, and Kowalke

03/21/17 VOTE:

PASSED UNANIMOUSLY: Sykes, Beck, McKee, Mayfield, Doty, and Kowalke

Note: Assemblymember Colligan was not present for the final vote.