

Introduced by: Anderson
Date: Jan. 20, 1981
Vote: Unanimous
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 81-14

URGING THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO AMEND ITS REGULATIONS REGARDING WATER QUALITY STANDARDS AND WASTEWATER REGULATIONS AND TO PROVIDE FOR ADDITIONAL PUBLIC PARTICIPATION IN ITS DECISION MAKING PROCESS.

WHEREAS, the Alaska Department of Environmental Conservation, (DEC) which is responsible for monitoring water quality standards and wastewater disposal, has proposed amendments to its administrative regulations which will make these regulations more understandable, practical and usable while providing adequate protection for the public health and environment; and

WHEREAS, the Department of Environmental Conservation has invited the participation and recommendations of concerned citizens, organizations and local governments in revising and simplifying its regulations; and

WHEREAS, the Borough, through its subdivision platting and approval process, is vitally concerned with the water quality standards and wastewater disposal regulations adopted by the Department of Environmental Conservation; and

WHEREAS, the Kenai Peninsula Chapter of the Alaska Society of Professional Land Surveyors has endorsed the proposed revision of the existing environmental regulations and has proposed further simplifications and improvements in the wastewater regulations; and

WHEREAS, the Assembly, after inquiry into the issue, urges the Department of Environmental Conservation to adopt its proposed revisions to wastewater disposal regulations and to provide for further simplification and improvement of these regulations;

NOW THEREFORE BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That the Assembly urges the State of Alaska Department of Environmental Conservation to adopt its proposed simplification of the wastewater disposal regulations contained in Title Eighteen of the Alaska Administrative Code and to adopt further regulations providing for the

following improvements to the administrative process:

A. Formulation of regulations which may be executed by a registered professional land surveyor, in the case of subdivision design, and by a registered professional engineer, in the case of wastewater system design, and formulation of practical guidelines which surveyors and engineers could utilize.

B. Elimination of the redundancy in DEC's process for the approval of proposed subdivisions and wastewater disposal systems by eliminating current procedures which require both approval of the proposed subdivision design and subsequent approval of onsite wastewater disposal systems for individual lots within the subdivision by allowing the subdivider to choose between obtaining initial approval of the entire subdivision or later approval of wastewater disposal systems for individual lots.

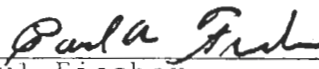
C. Creation of a data bank of approved wastewater disposal systems for various soil conditions.

D. Revision of Title 18 of Alaska Administrative Code, Section 72.065, entitled Subdivision Plan Review, to provide for a streamlined system of subdivision approval in accordance with the procedures set out in Attachment A of this resolution.

Section 2. That the Clerk shall serve a copy of this resolution upon the Honorable Ernst W. Mueller, Commissioner of the State of Alaska Department of Environmental Conservation and upon Mr. Alex Viteri, Jr., of the Alaska Department of Environmental Conservation.

Section 3. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
ON THIS 20 DAY OF January, 1981.



Paul Fischer
Assembly President

ATTEST:


Borough Clerk

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+ Attachment A

TABLE I: RECOMMENDED SUBDIVISION REVIEW

NOTE: ALL CATEGORIES AT SUBDIVIDER'S OPTION

CATEGORY	SUBMITTALS TO A.D.E.C.	RESPONSE FROM A.D.E.C.	OTHER REQUIREMENTS	FURTHER A.D.E.C. APPROVAL
I	Definitive soils investigation report	Definitive approval	None	None
II	Data at subdivider's option: May include record soils, data, new data, topography, etc.	Recommendations to subdivider (no definitive approval)	Disclosure statement on plat that A.D.E.C. approval has not been gained, and that approval of individual wastewater systems is required.	Approval of individual wastewater disposal systems*
III	No submittal	None	Disclosure statement on plat that A.D.E.C. approval has not been gained, and that approval of individual wastewater systems is required.	Approval of individual wastewater disposal systems*

*We recommend that approval may be certified by a Registered Professional Engineer in compliance with A.D.E.C. regulations and guidelines.

