

Presented by: The Manager
Introduced: 06/04/2007
Drafted by: J.W. Hartle

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2409

A Resolution Setting Forth CBJ's Intent to Enter into a Conservation Easement With the Southeast Alaska Land Trust for the Protection of Selected Tidelands Within Auke Nu Cove to Facilitate the Construction of the Auke Bay Loading Facility.

WHEREAS, the Fisheries Development Committee and the Docks and Harbors Board have identified a loading facility north of the Mendenhall Bar as the highest priority need for commercial fishers in the City and Borough of Juneau; and

WHEREAS, in October of 2002, the voters of the City and Borough of Juneau approved the sale of \$3.2 million of general obligation bonds for the construction of a loading facility in Auke Bay; and

WHEREAS, during 2003 and 2004, the Docks and Harbors Board studied various locations for a commercial loading facility and selected a site next to the new Alaska Glacier Seafoods Plant as the preferred location for the loading facility; and

WHEREAS, the Assembly authorized the purchase of private tidelands adjacent to the Alaska Glacier Seafoods plant in 2005, to enable construction of the loading facility at the preferred location; and

WHEREAS, the loading facility will be located next to Auke Nu Cove, an area with extensive eelgrass beds housing a productive marine ecosystem; and

WHEREAS, the Docks and Harbors Board, the U.S. Army Corps of Engineers, and the National Marine Fisheries Service have undertaken considerable efforts to minimize impacts from the loading facility on the environment of Auke Nu Cove; and

WHEREAS, the Docks and Harbors Board has agreed to establish a conservation easement for selected tidelands within Auke Nu Cove as part of the mitigation for the loading facility in order for permits to be issued and to prevent additional development and environment degradation of the inner cove; and

WHEREAS, the Alaska Department of Natural Resources, pursuant to its authority under Alaska Statute, is in the process of conveying tidelands for the loading facility and the conservation easement; and

WHEREAS, the Docks and Harbors Board has agreed to establish a conservation easement with the Southeast Alaska Land Trust, a third-party non-profit corporation authorized to hold, manage, and enforce conservation easements under state law; and

WHEREAS, the process to receive the conveyances of tidelands from the state, and establish and record a conservation easement pursuant to state law is expected to take several years; and

WHEREAS, the Docks and Harbors Board wishes to obtain permits for construction of the facility before the conservation easement is officially recorded; and

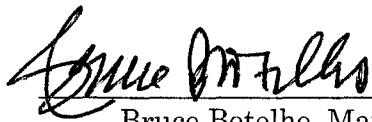
WHEREAS, the permitting agencies are willing to issue permits before a conservation easement is officially recorded provided that CBJ commits to establishing a conservation easement to meet mitigation requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

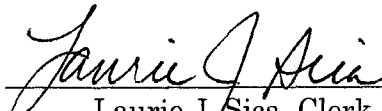
Section 1. The Assembly of City and Borough of Juneau expresses CBJ's intent to establish a conservation easement on selected tidelands within Auke Nu Cove, and to contract with the Southeast Alaska Land Trust to hold, manage, and enforce the easement.

Section 2. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 4th day of June, 2007.


Bruce Botelho, Mayor

Attest:


Laurie J. Sica, Clerk