MINUTES
WETLANDS REVIEW BOARD
REGULAR MEETING
September 24, 2015, 5:15 p.m. Marine View 4th floor Large Conference Room

Meeting Summary

Roll Call

Board Members Present:	Amy Sumner, Brenda Wright, Andrew Campbell, Lisa Hoferkamp; Hal Geiger
Board Members Absent:	Dan Miller, Ben Haight, Jerry Medina, Nina Horne

A quorum was present.

Staff Members Present:	Teri Camery, Chrissy McNally, CBJ Planners
Public Present:	Gretchen Pikul, DEC; Koren Bosworth, Bosworth Botanical Consulting, with a consulting team of Paul Adamus, Francis Naglich, Richard Carstensen, and Cathy Pohl

Meeting called to order at 5:18 p.m.

II. August 20, 2015 Regular Meeting minutes approved.

III. Agenda approved

IV. Public Participation on Non-Agenda Items**.**
None

V. Board Comments.
None

VI. Agenda Items

1) Review of Preliminary Draft Juneau Wetlands Management Plan

Ms. Camery provided an overview of the project. She said she would not describe the complete history, since the Board has been updated on the project many times over the last three years. She explained that CDD determined the priority areas for the wetland assessments based on large vacant parcels along the road system, below the 500-foot contour line, in areas that were likely to be developed in the next 20 years. She explained that the project was about identifying upland areas as well as to gather information on high and low value wetlands, to identify appropriate areas for development. Because of this emphasis, the footprint of the new plan looks very

different from the old and existing plan, which for example includes small parcels throughout the valley.

She said that the plan is built on the progress reports that CDD required from the consultant every two weeks during the field season, as well as the 2014 Field Season Report, with added chapters addressing implementation and management. She said that Bosworth Botanical Consulting (BBC) completed most of the on-site assessments in one field season instead of two. Again referring to the priority area emphasis on large vacant parcels on the road system, Ms. Camery said that the plan was mostly city property. She said that CDD had identified approximately 20 private properties that matched priority area criteria, and CDD contacted these owners through email, phone calls, and a mailing to seek permission for BBC to conduct on-site assessments. Five property owners granted permission, while for most of the remaining properties, BBC was then directed to conduct off-site wetland assessments using the 2013 LiDAR and imagery and extrapolation from adjacent properties. Ms. Camery said the total number of on-site assessments in the plan is 345, with approximately 325 of these on city land. The plan also includes 48 off-site assessments.

Ms. Camery said that BBC gave a presentation to the Habitat Mapping Working Group (comprised of state and federal resources agencies and the CBJ Lands Division, as technical support for the project), on the preliminary draft earlier that day, September 24, 2015. She said the BBC will give a presentation to the Assembly Lands Committee on September 28 and to the Planning Commission on October 13. She said that she is requesting comments from the Wetlands Review Board as well as other entities by October 30, and encouraged the Board to focus review on Volume I, particularly the Implementation chapter.

Dr. Paul Adamus began a presentation of the preliminary draft JWMP on behalf of BBC. A copy of the presentation is attached to these minutes. These minutes capture the discussion with the Board and do not repeat the information listed on the presentation slides.

Dr. Adamus provided an overview of wetland management planning using a watershed approach, and listed the primary components of the JWMP Update. He described how the plan utilized the LiDAR and imagery, obtained during a different phase of the federal grant, to help identify wetlands in advance for further ground-truthing and also to identify the boundaries of tidal wetlands. He said the plan was not just a hunt for wetlands, but a hunt for uplands suitable for development.

Dr. Hoferkamp asked what percentage of wetlands were correctly identified in advance from the imagery and LiDAR. Mr. Carstensen and Ms. Pohl said that the LiDAR accurately predicted what was wetland, but there was much more wetland than they thought. Ms. Bosworth said that the team got progressively better at predicting wetlands from the LiDAR as the field season progressed, and that forested wetlands were always the most difficult.

Dr. Adamus explained that the mapped boundaries are artificially constricted by the priority area boundaries and by land ownership, since many city-owned wetlands crossed onto private properties where BBC did not have permission.

Dr. Adamus said that each wetland was divided into multiple Assessment Areas (AAs) for accuracy and usefulness. The total number of assessments is 345, from 94 wetland areas. Wetlands were divided based on wetland type and subshed boundary.

Ms. Sumner asked whether the assessment split happened before or after the assessments were completed. Dr. Adamus said that the subshed maps were not perfect and needed to be redone in some areas, so some splits happened before and some after.

Dr. Adamus explained that the WESPAK-SE methodology evaluates wetlands based on 18 functions and 24 values. A function is what a wetland does, while the value is the "so what" question, its benefit to society based on surrounding infrastructure and other factors. He said that a wetland could have a low function but a high value depending on what lies downstream, or high function but low value. He said that wetlands with both high value and high function are the wetlands you most want to protect.

Dr. Adamus provided an overview of a WESPAK-SE score chart as an example. The charts show functions and values bundled into groups. The groups are categorized as High-Medium-Low, however there is not "overall score." He said that BBC was specifically instructed by CDD not to categorize wetlands because CDD understood that the categorization process is a political, public decision. He also explained that the wetland scores are relative, based on other wetlands in Juneau. This is why for some functions a mid-range score may be ranked as High, because that score may be the highest among other wetlands.

Ms. Camery clarified that the score is relative to the 94 wetland areas and 345 assessments in the plan, not for all of Juneau. She said it's possible that these areas are not representative of wetlands throughout the borough, because they were selected for evaluation based on CDD's criteria of large vacant parcels that might be suitable for development. Dr. Adamus agreed.

Dr. Adamus showed a series of slides that depicted the functions evaluated for the Hill 560-Pederson Hill area, and showed the High-Medium-Low rankings for the grouped functions. He said that maps like these can be useful for planners and developers to decide where impacts will be lowest. Ms. Camery asked if CDD could develop maps like this from the data for individual areas. Dr. Adamus said yes, and said that Mr. Carstensen would be one to show CDD how to do it. He said that no single wetland is good for everything.

Dr. Adamus provided an overview of on-site v. off-site wetland assessments, which were conducted using LiDAR and imagery and extrapolation from adjacent properties. He said that the off-site assessments are reasonably accurate though they are missing some information.

Dr. Adamus provided a brief introduction regarding options for categorizing AAs, noting that the Implementation Chapter of the plan provides much more detail. He briefly described the Southeast Alaska Land Trust's categorization method and noted that CDD could choose to follow SEALTrust's approach if it is approved by the Corps of Engineers. He said he did not know when that approval would be final, but it could be this fall.

Dr. Geiger asked Dr. Adamus about the importance of outliers, and asked how values were determined. Dr. Adamus explained that any decision to weight certain functions or values over others would have to come from the public process. He explained that values listed in WESPAK-SE are not his values, but values generally accepted by society. He said that values typically tied into things that affect infrastructure, for example water storage that would protect downstream public structures and roads. Mr. Carstensen noted that wetlands that are good for salmon are typically bad for amphibians, and vice versa. CBJ could choose to value salmon over amphibians in its criteria for categorization.

Ms. Sumner asked if the histograms included off-site assessments. Dr. Adamus said no, because the off-site assessments are very different.

Mr. Naglich provided an overview of federal regulations and mitigation requirements as the background for consideration of different JWMP implementation options. He listed the four implementation goals: 1) use the science for land use policy and decisions; 2) comply with the Federal Rule on Compensatory Mitigation requiring a regional/watershed approach; 3) provide certainty to regulators, applicants, and mitigation providers; and 4) protect the public interest. He then listed three options for plan implementation: 1) planning/information tool only; 2) Corps of Engineers General Permit; and 3) Local Code.

Mr. Naglich explained that under Option 1, only the Corps would manage and issue wetland permits, while the Wetlands Review Board would continue in its advisory role. Under this option, the wetland mapping and assessments would be used to inform the permit process. Mr. Naglich asked for clarification on the Board's current role. Ms. Camery and Mr. Campbell explained the variety of applications and plans that the Board reviews in its advisory role to the Community Development Department and Planning Commission.

In response to questions from board members, Ms. Camery explained that the Board's role is not yet explicitly laid out in the preliminary draft JWMP because it depends on the direction from the Planning Commission and Assembly regarding which implementation option to take. She said this would be clarified in future versions of the plan.

Mr. Naglich described Option 2, which would involve obtaining General Permit authority from the Corps. Mr. Naglich, staff, and board members discussed the board's former permitting role when the city had general permit authority from the Corps to issue permits on lower value, Category C and D wetlands. Mr. Naglich said that he understood from talking with others that the Wetlands Review Board was perceived as being more consistent in its review of wetland permits than the Corps of Engineers, and that permits were processed in a timelier fashion. He said that General Permits are best used as a development plan when a large landowner such as the city identifies a large area that will be developed over many years.

Mr. Campbell said that he was unsure of the benefit of a General Permit for low-value wetlands because the Board received few applications. Ms. Camery said that for the first several years after the JWMP was first authorized in 1992, before her time at CBJ, the city had many permits for low-value wetlands. She said in this sense, the JWMP worked as intended by focusing development on low-value areas. However she agreed that in later years there were almost no C

and D permits issued because these areas had all been developed; this is the primary reason that the Corps did not review the General Permit in 2010, though it was also because the General Permit language no longer met the requirements of the 2008 Federal Mitigation Rule.

Mr. Campbell agreed that the General Permit would be a good tool for land managers to use for areas that involve low-value wetlands. Ms. Pohl noted that few of the wetlands they found in the field work looked like the low-value C and D wetlands noted in the old current plan. Ms. Camery said that this is probably due to the priority areas selected, because the priority areas were based on large vacant properties, which makes it more likely that they would have large, intact, contiguous wetlands instead of the small fragmented C and D wetlands scattered around the valley in the old current plan.

Mr. Naglich described Option 3, where CBJ would regulate wetlands borough-wide. Under this option, CBJ would enact policies/regulations for protecting/managing all or some wetlands in its jurisdiction, regardless of Corps of Engineers; applicants would be required to obtain both CBJ Wetland Review Board permits and Corps permits; and wetland categories, derived from inventory, would be used for determining permit requirements, mitigation, and functional replacement.

Ms. Camery said that this is probably due to the priority areas selected, because the priority areas were based on large vacant properties, which makes it more likely that they would have large, intact, contiguous wetlands instead of the small fragmented C and D wetlands scattered around the valley in the old current plan.

Mr. Campbell directed the Board back to the task of developing comments and evaluating the range of options. Ms. Camery encouraged the Board to review the Implementation Chapter in more detail, especially the option of developing an "overall" score, which establishes a scientifically-supported, politically neutral process of ranking wetlands. She emphasized that while all comments are appreciated, some comments and requested revisions could fall outside of the scope of the BBC contract and might not be able to be carried forward.

Ms. Wright asked about the priority areas that were eliminated, as described in the text on page 18. Ms. Pohl clarified that the private properties were eliminated because they could not be done on-site without property owner permission.

The Board decided to hold a special meeting on Thursday October 8 at 5:15 pm. to develop comments on the plan. Ms. Camery said she would confirm the meeting location soon over email. Ms. Camery said that she would send the Board more information regarding SEALTrust's proposal, and she would obtain the dataset from Dr. Adamus for Mr. Geiger so he could determine how the 18 functions correlate with each other, shown in a graph. Mr. Geiger noted that this is a different way of doing the Principle Components Analysis described earlier in the meeting.

VII. Pending Permits and Updates

1) Stream Mapping

Ms. McNally explained that CDD has been coordinating with ADF&G to correct discrepancies in CBJ's stream layer and ADF&G's Anadromous Waters Catalogue. She confirmed the Anchorage ADF&G office had reviewed the LiDAR and CBJ stream layer against the AWC and were able to correct approximately a quarter of the discrepancies. CDD is now coordinating with the ADF&G Juneau office to conduct a similar review. Should there be any remaining discrepancies a minimal amount of field work may be conducted by ADF&G and CDD. A copy of the draft stream maps should be available for board review at the regularly scheduled October meeting.

2) Lemon Creek Gravel Extraction

Ms. Camery said that SECON has obtained a Corps of Engineers Permit and a Fish Habitat Permit from ADF&G for gravel extraction in upper Hidden Valley. She expects to receive a Conditional Use Permit application soon, and noted that this project will come to the WRB for advisory review. She said that this extraction operation is in addition to, rather than a replacement of, the current gravel extraction operation near Rivers Edge Condominiums that has been so controversial. She said that this area will likely have fewer environmental concerns and well as having a much lower impact on surrounding neighborhoods.

VIII. Planning Commission Liaison Update.

There were no Planning Commissioners in attendance.

IX. Next meeting: Thursday October 8, 5:15 p.m., in the Marine View 4th floor conference room.

The meeting was adjourned at approximately 7:30 p.m.