

**CBJ DOCKS & HARBORS BOARD**  
**FINANCE & OPERATIONS JOINT MEETING AGENDA**  
**For Tuesday, December 14, 2010**

- I. Call to Order** (5:00 p.m. to 7:00 p.m.) in the Assembly Chambers
- II. Roll Call** (Greg Busch, Tom Donek, Don Etheridge, Kevin Jardell, Cheryl Jebe, Eric Kueffner, Jim Preston, Mike Williams and Bob Wostmann).
- III. Approval of Agenda.**

**MOTION: TO APPROVE THE AGENDA AS PRESENTED OR AMENDED.**

- IV. Approval of Meeting Minutes.**

Operation Meeting Minutes for November 16, 2010  
Finance Meeting Minutes for September 28, 2010

- V. Public Participation on Non-Agenda Items** (not to exceed five minutes per person, or twenty minutes total).
- VI. Items for Action.**

- 1. Waterfront Sales Permit Regulation

Presentation by the Port Director

Public Comment

Committee Discussion/Action

**MOTION: TO RECOMMEND THE BOARD PROPOSE CHANGES TO THE WATERFRONT SALES PERMIT REGULATIONS AT THE NEXT MEETING OF THE BOARD.**

- 2. Auke Bay Loading Facility Conditional Use Permit Amendment

Presentation by Port Director

Public Comment

Committee Discussion/Action

**MOTION: TO RECOMMEND THE BOARD AUTHORIZE THE PORT DIRECTOR TO APPLY FOR AN AMENDMENT TO THE CONDITIONAL USE PERMIT FOR THE SALE OF MOTOR FUELS FROM TANK TRUCKS AT THE DRIVE-DOWN FLOAT.**

**CBJ DOCKS & HARBORS BOARD**  
**FINANCE & OPERATIONS JOINT MEETING AGENDA**  
**For Tuesday, December 14, 2010**

**VI. Items for Action(continued)**

3. Alaska Clean Harbor Certification

Presentation by Port Director

Public Comment

Committee Discussion/Action

**MOTION: TO RECOMMEND THE BOARD AUTHORIZE THE PORT DIRECTOR TO APPLY FOR CERTIFICATION UNDER THE ALASKA CLEAN HARBOR PROGRAM.**

4. Aurora Harbormaster Office Outside Wall Mural Repair

Presentation by Port Director

Public Comment

Committee Discussion/Action

**MOTION: TO AUTHORIZE THE PORT DIRECTOR TO CONTRACT WITH COMMERCIAL SIGNS AND PRINTING FOR THE REPAIR OF THE OUTSIDE WALL MURAL IN THE AMOUNT OF \$5037.77.**

**VII. Items for Information/Discussion.**

1. Harbormasters Operations Report

**VIII. Staff & Member Reports.**

**IX. Committee Administrative Matters.**

1. Next Operation Committee Meeting – January 18, 2011 at the Aurora Office.
2. Next Finance Committee Meeting – January 25, 2011 in CBJ Room 224.

**X. Adjournment.**

***CBJ DOCKS & HARBORS BOARD***  
**OPERATIONS COMMITTEE MEETING MINUTES**  
***For November 16, 2010***

I. Call to Order.

Committee Chair Mrs. Cheryl Jebe called the meeting to order at 5:00 p.m.

II. Roll.

The following members were present: Don Etheridge, Cheryl Jebe, Jim Preston, Craig Busch, and Mike Williams.

The following member were absent: Bob Wostmann

Also in attendance were: John Stone – Port Director and Phil Benner – Harbor Master  
Ruth Danner-City & Borough Assembly Liaison Member.

III. Approval of Agenda.

Ruth Danner would like to add under Items for Information & Discussion the Subject Diligence as one of the topics.

**MOTION by Don Etheridge: TO APPROVE THE AGENDA AS AMENDED AND ASKED FOR UNANIMOUS CONSENT.**

**Motion passed without objection.**

IV. Public Participation on Non-Agenda Items.

***James Jensen***  
***F/V Predator***  
***P.O. 330231***  
***Juneau Alaska***

Mr. Jensen said he has owned boats for 17 years as a commercial fisherman. This last summer he had crew member Mr. George, who says he bought the boat, but did not buy his vessel Predator. Mr. George went to Alaska DMV and registered the Predator as his boat without Mr. Jensen's permission. Then Mr. George showed the Harbor Office the new registration and had the ownership transferred to his own name.

Mr. Jensen disagrees that CBJ Harbor Department has impounded his vessel because of the outstanding accounts that are currently at the collection agencies. Mr. Jensen said the outstanding charges are five to ten years old and he should not be responsible to pay these bills. Mr. Jensen feels the \$3000.00 dollars balance for all of his accounts should be forgiven since the statues of limitations has expired. Prior to The CBJ Harbors impounding the Predator, the Alaska Department of Fish and Game came and seized the vessel. Mr. Jensen is saying he is willing to pay

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\$325.00 he owed at the one point. Mr. Jensen is asking for the board members to consider approving him to come back into the CBJ Harbors in the future.

V. Approval of Previous Meeting Minutes.

**MOTION by Don Etheridge: ASKED TO APPROVE THE OPERATIONS COMMITTEE MINUTES OF OCTOBER 19, 2010 AS PRESENTED AND ASKED FOR UNANIMOUS CONSENT.**

**The motion passed without objection.**

VI. Items for Action.

1. Waterfront Sales Permit

**Public Comment:**

*Jeff Fanning  
Liquid Alaska Tours  
634 6<sup>th</sup> Street  
Juneau, Alaska 99801  
(Via- Teleconference)*

Mr. Fanning recommended getting someone to enforce the rules with the sales people on the dock. Having an officer down there to control the yelling and screaming and verifying permit owners and employees are writing sales receipts for the company that occupies that particular booth. Mr. Fanning believes that the fines should start at \$250.00 dollars and go up for permit holders. Requesting that CBJ City Sales Tax office verifies documents that each company gives for applying for a sales permit would be one way of checking for Alaska Residency.

*Carol Pitts  
Orca Enterprises  
8500 Evergreen Park Rd  
Juneau, Alaska 99801*

Ms. Pitts said the permit holders need to know who to report certain incidences too. Joe Nava who works for the City Docks and Harbors did do a great job trying to apply discipline with certain situations. Ms. Pitts suggest we come up with tickets for violators that have fines attached. If a company refuses to comply with the suspension enforcement then CBJ Docks & Harbors should refuse to sell them a permit.

The regulations for the parking pass for busses need to be reviewed and amended. The regulation states the bus permits are allowed to be purchased if they are sold on board the ship or have been purchased at a Waterfront Dock Sales Booth, or have a contract with a broker. This allows

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operators who offer pre-sold tours to purchase bus access to the docks for the season not just intermittently. This will need to be established by the lawyers and enforcement.

*Public Comment (Continued)*

Mr. Preston asked Ms Pitts how is this request different from the taxi cab request to park down there. She said if you have a pre-booked tour, then they can pull into the dock area and pick someone up. Mr. Preston asked what type of permit this would be. Ms. Pitts said this would sell under an A or B parking permit.

***Larry Dupler  
Adventures Unlimited  
8500 Evergreen Park Rd  
Juneau, Alaska 99801***

Mr. Dupler said there are a couple companies interested in two or more booths. He thinks only Juneau residences should be allowed to have access to these booths. Mr. Dupler said Mr. Hartle the City Lawyer should know how to enforce a rule to have only Juneau residents may purchase a Sales Permit.

***Frank Rich  
MGT Tours***

Mr. Rich said one way to regulate is by going through the Alaska Department of Labor for proof of residency. Making a restriction for purchasing these permits like making them show proof they are a Juneau resident. It would eliminate this issue if there were documents and tax papers they would have to show when applying for a permit. Then if they don't show proof then they do not get a sales permit issued.

***Donna Rich  
P.O. Box 33775  
Juneau, Alaska 99801***

Mrs. Rich said there was more regulations enforcement on the docks for the booth permit holders when the permits only cost \$50.00 dollars. Now these permits can cost from \$50.00 dollars up to \$50,000 there is not much support for the permit holders.

Mrs. Rich said the attitude from the groups who are working these booths seems to be "They can do what ever they want today because there is a new group coming tomorrow and no one will can do anything about it anyway" It would be nice to see the people running these booths start working together and not against each other.



**Dwight Tajon**  
**CBJ Docks & Harbors**  
**Auke Bay Operations Manager**

Mr. Nava was the Seasonal Port Supervisor this last season but is unavailable to speak at this meeting. Mr. Tajon will speak for him. Mr. Tajon said the enforcement rules we use are from the CBJ 2005 Rules and they use regulations in conjunction with Title 85 for enforcement.

Mr. Tajon does not know about enforcing the no smoking policy at the booths. He said in the past we had each booth give us a list of their employees. We would do spot checks to be sure the staffs are who they say they are and work for that particular company.

The staff is keeping a log of all the incidences and this is how they track for repeat offenders. Mrs. Jebe said we need to post a public notice to let people know about any regulation changes. The Department of Law should have the answers on how to get these changes processed.

Mr. Stone will discuss changes to the waterfront sales permit regulations with the CBJ Department of Law. We will need to post a pending notification of these changes to the companies. We will discuss the new information at the December 7, 2010 Operations meeting. Then we can present the changes at the January Harbor Board Meeting.

## **2. Auke Bay Loading Facility CU Permit Compliance**

Mr. Stone said Dale Pernula who is with Community Development was going to review with Mr. Stone and Mr. Watson on the compliance issues at the ABLF so we can get them resolved. Mr. Pernula has not finished reviewing them and will contact Mr. Stone when he is finished. Mr. Watson would like for Community Development to help with finding a resolution to these issues. Mrs. Jebe said we can review this at the next Board Meeting on December 7, 2010.

### **Public Comment:**

**Dennis Watson**  
**333 Northland St.**  
**Juneau, AK 99801**

Mr. Watson said this is a very controversial issue with the planning commission. Mr. Watson said there were a few items within the Conditional Use Permit need to be reviewed for compliance issues. Once they have been we will know what changes need to be amended.

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## **3. White Fisheries Terminal Crane**

Mr. Stone checked with the University and their lease does not make them responsible for any repairs. It will be us paying for any repairs to be done. This crane is used when crane 1 & 2 are busy or broke down. Mr. Preston asked if we spend \$4000.00 to repair it how long will it work. Mr. Benner said if we just repair the crane we will get several years of use from it. Ms. Danner asked if the cranes at Auke Bay Loading Facility could be moved to fill in when other cranes break down. Mr. Benner said some of the grant money that was used for ABLF was for purchasing those cranes for that location. So we really shouldn't use those cranes for other facilities.

Mr. Etheridge said \$4000.00 dollars is not a lot for the repairs. To put the additional usage onto the other two cranes would not be a good idea. The commercial fisherman are using these cranes more then the other harbor patrons.

**MOTION BY: Mr. Williams: ASKED TO PAY FOR THE REPAIRS ON THE WHITE FISHERIES TERMINAL CRANE AS PRESENTED AND ASKED UNANIMOUS CONSENT.**

**Motion passed without objection**

#### **4. Diligence**

Ms. Danner said the agenda packets are not getting to the board members in a timely manner. She mentioned that she did not receive any notice of this packet being delivered. There were 54 pages to review for this meeting and if we do not get them in time it becomes difficult to know what is going on before the meetings.

Mr. Preston said he received his Agenda draft from Mr. Stone a week ago. He did not receive the actual e-mail with the actual agenda until today. Mr. Preston usually receives the packet for the board meeting a week in advance.

Mr. Stone said we have a new secretary up at the Port Office her name is Teena Scovill. We are still teaching her certain job duties like processing the agenda for the meetings and she has been processing the payroll and other duties.

Mr. Busch said he has been getting the Agenda's off of the CBJ website. Mr. Etheridge said he gets an e-mail from Teena and he is able to click onto the link she attaches and get the whole agenda. Mrs. Jebe said having the packets available to be picked up is a good idea.



## **1. Harbor Harbormaster Report**

Mr. Benner said the staff has gotten a tremendous amount of work done. We kept the seasonal staff on to help out with other projects. Mr. Benner said he won't go through the Juneau Harbor Summer/Fall Accomplishments. Please refer to memo attachment.

Mr. Benner said there was a tremendous amount of maintenance done this summer and fall. Mr. Stone said there was more done this season than in the past few years. The bull rails were a time consuming project, putting them onto the floats and since the floats are older it became very difficult but we got most of them installed. All the wood for the bull rails are in good shape

Mr. Benner said Mr. Jensen in 2007 had lost his slip assignment because he did not pay on time and was sent to collections for \$2453.00 dollars and he never paid this bill and we can not collect on now. He has three more accounts in collection that we could still collect on and this doesn't include his current account. One boat had to be disposed of in the past at the cost of Dock and Harbors. The minimum cost of disposal of a vessel is \$2000.00 dollars. He has owned three or more boats during different years and failed to pay the moorage on those accounts. The State Troopers seized his boat because he dumped crab into the bottom of Harris Harbor. Mr. Benner wanted the board to be aware that the Docks & Harbors has already lost \$2453.00 dollars plus the recent \$3362.30 dollars. There is a total of \$5815.30 that Mr. Jensen owes the Harbor Department.

Mr. Jensen and Mr. George had came into the downtown office and registered the vessel to Mr. George with a bill of sale. We served a notice for intent to impound then before this could occur the State Troopers took the boat. The Troopers had arrested Mr. Jensen for the 1000 pounds of dead crab he had dumped in Harris Harbor and this is why they took the boat. He says he doesn't have the money to pay his collections accounts or his current account. Mr. Benner said the crab remains were cleaned up.

Mr. Benner said he put together a list of all the accounts that are 60 days past due. There are some land lease accounts and those businesses pay monthly. Then we have other accounts already at collections which we probably will never get the money they owe.

Mr. Benner said the crew took off the fingers on K and L floats. We are trying to get these floats ready for side tying boats. This will give us more room in Aurora Harbor for more boats in the summer. The Douglas break water is still in Aurora Harbor It won't be installed until next spring.

Mr. Benner said the USS Abraham Lincoln will be in Southeast Alaska next June. He is working with the Department of Navy to have it stop in Juneau. He spoke with Drew Green regarding a docking location if our docks have cruise ships. Drew didn't see a problem and said the AJ dock may be an alternative.

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## **VIII. Staff & Member Reports.**

Mr. Benner said the viewing of the auctioned boats is tomorrow at 1-3 p.m.



Then the auction is Friday 11/19/10 at 12:00 p.m.

IX. Committee Administrative Matters.

The next Operations Meeting is scheduled for December 7, 2010 at 5:00 p.m. at the Juneau Harbor Office.

X. **MOTION by Mr. Etheridge: ASKED UNANIMOUS CONSENT TO ADJOURN THE HARBOR OPERATIONS MEETING.**

**Motion passed without objection.**

Meeting adjourned at 7:26.p.m.

CBJ DOCKS & HARBORS  
**FINANCE COMMITTEE MEETING MINUTES**  
For Tuesday, September 28, 2010

I. Call to Order.

Vice-Chairman Kevin Jardell called the Finance Committee Meeting to order at 5:00 p.m. in room 224 of the Assembly Building.

II. Roll Call.

The following members were present: Don Etheridge, Tom Donek, Kevin Jardell, Jim Preston and Greg Busch.

The following members were absent: Cheryl Jebe and Eric Kueffner.

Also in attendance were the following: John Stone-Port Director, Gary Gillette-Port Engineer and Ruth Danner-Assembly Member.

III. Approval of Agenda.

**MOTION by Mr. Preston: TO ASK UNANIMOUS CONSENT TO APPROVE THE AGENDA AS PRESENTED.**

**The motion passed without objection.**

IV. Public Participation on Non-Agenda Items.

Joe Geldoff – 2 Marine Way, Ste. 207, Juneau AK 99801

Mr. Geldoff spoke in favor of keeping the USS Juneau Memorial as part of the Juneau Waterfront. He said the USS Juneau reunion committee is very interested in keeping this location for the memorial.

Gary Brown – 8154 Valley Blvd. Apt. B, Juneau AK 99801

Mr. Brown said he brought his 20ft. boat from Hoonah to Juneau in May and moored it at Statter Harbor. While the boat was in Statter Harbor, it was vandalized and after that it was not operational. He has since sold the boat and is asking for some consideration from the Docks & Harbor's Board to help reduce what he now owes for three months of daily charges at Statter Harbor.

The Board recommended Mr. Brown meet with the Port Director and he can look at his bill for account # 06081.

V. Approval of Previous Meeting Minutes.

**Hearing no objection, the minutes of the August 24, 2010 Finance Committee Meeting were approved as presented.**

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### **VI. Items for action.**

#### **1. Boat Shelter Sale – Aurora F-18.**

Mr. Stone said he received an email from Mary Marks that she intends to sell her boat shelter at Aurora F-018. She would also like to allow the Harbor Board to exercise it's first right of refusal because she has received an acceptable offer of \$28,000 for the boat shelter.

**MOTION by Mr. Etheridge: TO RECOMMEND THE BOARD EXERCISE ITS FIRST RIGHT OF REFUSAL ON THE PURCHASE OF A BOAT SHELTER AT AURORA F-18 AND ASK UNANIMOUS CONSENT.**

**The motion passed without objection.**

#### **2. URS Request to provide Value Engineering Services on Dock Improvements.**

Mr. Stone said he received a letter from URS Alaska, LLC who is interested in providing a value engineering proposal for the Proposed Cruise Ship Berths. He did not think value engineering was necessary but he did want to present it to the Board.

Ms. Danner asked if there could be a cost savings if the value engineering was done.

Mr. Stone said he has since heard from URS and they originally thought we were at the beginning stages of design and they did not think we needed the value engineering at this time.

There was no further action required for this item.

#### **3. Statter Harbor Rebuild and DeHart's Marina Replacement Professional Services Contract Approval.**

Mr. Stone said we have received a proposal from PND for the Statter Harbor moorage improvements preliminary engineering services. This will include field assessment, basic minimum repairs needed to Statter Harbor and estimates for new moorage expansion extending from the existing headwalk float and float A. The estimated contract amount is not to exceed \$50,000.

**MOTION by Mr. Etheridge: TO FORWARD TO THE BOARD A CONTRACT WITH PND, INC. FOR PROFESSIONAL SERVICES RELATED TO THE REBUILD OF STATTER HARBOR AND THE REPLACEMENT OF DEHART'S MARINA IN AN AMOUNT NOT TO EXCEED \$50,000 AND ASK UNANIMOUS CONSENT.**

**The motion passed without objection.**



## **FINANCE COMMITTEE MEETING MINUTES**

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### **VI. Items for action (Continued).**

#### **4. Auke Bay Loading Facility Phase 1 Close-out.**

Mr. Gillette said the Auke Bay Loading Facility-Phase I is complete and final paperwork is ready for close out. Funds will need to be transferred from the retained earnings account in order to close out this phase of the project. Phase II of this project will be funded by the Tiger Grant.

Ms. Danner asked if change order no. 1 from the contract for additional fill was excessive.

Mr. Gillette said he did not feel the cost for additional fill was excessive for this scope of project.

**MOTION by Mr. Etheridge: TO RECOMMEND THE BOARD APPROVE THE CLOSE-OUT PLAN FOR THE AUKE BAY LOADING FACILITY PHASE I PROJECT AS PRESENTED BY THE PORT ENGINEER AND ASK UNANIMOUS CONSENT.**

**The motion passed without objection.**

#### **5. Archipelago Property Purchase and Appraisal Review.**

Mr. Gillette said we would like to negotiate a purchase with Archipelago Property LLC. for a portion of the vacant property south of the parking garage. With the purchase of a portion of this property we would like to expand the sidewalk and have a permanent home for the USS Juneau Memorial. This purchase has been approved by the Lands Committee. The CBJ Assessor feels the property is significantly undervalued and there have not been many similar property sales recently to compare it to.

Ms. Danner said she would like some time to review the appraisal for this property and provide comments.

#### **Public Comment**

**Chip Thoma**- P.O. Box 2218, Juneau AK 99801

Mr. Thoma said he would like to see the plaques for the U.S.S Juneau Memorial raised up to eye level where they are easier to see.

**MOTION by Mr. Busch: TO RECOMMEND THE BOARD AUTHORIZE STAFF TO NEGOTIATE THE PURCHASE OF PROPERTY FROM ARCHIPELAGO PROPERTIES AS DEPICTED IN THE APPRAISAL FOR PUBLIC ACCESS ALONG THE DOWNTOWN WATERFRONT AND ASK UNANIMOUS CONSENT.**

**The motion passed without objection.**

## FINANCE COMMITTEE MEETING MINUTES

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### VI. Items for action (Continued).

#### 6. Cruise Terminal Staging Area Design Contract Award.

Mr. Gillette said we have received a proposal from PND Engineers, Inc. for the design of the Cruise Terminal Staging Area.

Committee Members reviewed and discussed the changes to the preferred concept for the Cruise Terminal Staging Area.

Ms. Jebe mentioned there appeared to be less bus parking in the revised concept.

Mr. Gillette said overall, we will actually gain spaces for A-Zone parking vehicles.

**MOTION by Mr. Etheridge: TO RECOMMEND THE BOARD APPROVE A CONTRACT WITH PND, INC. FOR DESIGN OF THE CRUISESHIP TERMINAL STAGING AREA IN THE AMOUNT OF \$235,505.00 AND TO REQUEST THE ASSEMBLY APPROVE THE CONTRACT AND ASK UNANIMOUS CONSENT.**

**The motion passed without objection.**

### VII. Items for Information/Discussion.

There were none.

### VIII. Staff & Member Reports.

There were none.

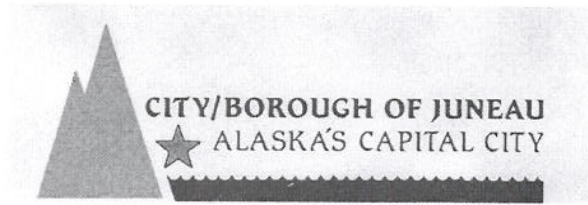
### IX. Committee Administrative Matters.

The Finance Committee Meeting scheduled for October 26, 2010 was cancelled.  
The following Finance Committee Meeting is scheduled for November, 30, 2010.

### X. Adjournment.

**MOTION by Mr. Busch: TO ADJOURN THE FINANCE COMMITTEE MEETING AND ASK UNANIMOUS CONSENT.**

**The meeting adjourned at 5:56 p.m.**



City & Borough of Juneau • Docks & Harbors  
155 S. Seward Street • Juneau, AK 99801  
(907) 586-0292 Phone • (907) 586-0295 Fax

## Port of Juneau

**To:** Docks and Harbors Operations Committee  
**CC:**  
**From:** John M. Stone, P.E. Port Director  
**Date:** December 10, 2010  
**Re:** Draft Waterfront Sales Permit Regulations

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At your November 16, 2010 meeting, the Committee solicited oral and written comments from current waterfront sales permits holders. The Committee directed staff to look at amendments to the waterfront permit regulations and procedures to address the comments. This memo provides a draft approach for responding to the comments.

### Juneau Residency Requirement

Several commentators asked the committee to consider restricting permit ownership to Juneau residents only. The committee asked me to check with the City Attorney to see if such a restriction would be allowable. The City Attorney is currently looking into this. I hope to have their analysis by the meeting.

### Ownership in More than One Permit

I am attaching a set of draft changes to the waterfront regulations that should drastically improve our ability to determine if one permit holder has a financial interest in more than one permit. I believe this incorporates many of the suggestions made by the current permit holders.

### Enforcement

One of the recommended regulation changes addresses issues raised concerning abusive behavior and booth interference. Beyond this, the Harbormaster and Port Supervisor plan to amend the sales permit to incorporate a procedure for responding to complaints and following through with enforcement when warranted.



Permit Auction Delay

We typically auction the permits in the middle of January. I have placed the auction on hold pending the outcome of this process.

As a final note, I would like to make sure the Committee is aware that recent increases in permit auction revenues has allowed the Board to move revenues from port property leases to the harbors enterprise. A reduction in permit auction revenues would require the Board to address a revenue deficit in the docks enterprise.

Call me at 586-0294 if you have questions.

Attachments

# **A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

## **Adoption of Title 05, Chapter 10 Waterfront Sales Permits**

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE DOCKS AND HARBORS BOARD IS PROPOSING TO ADOPT THE FOLLOWING AMENDMENT TO REGULATIONS:

**Section 1. Authority.** These regulations are proposed for adoption pursuant to CBJ 01.60 and CBJ 85.02.060, 85.02.100, and 85.20.010.

**Section 2. Amendment of Regulations.** The City and Borough of Juneau Administrative Code is amended by the repeal and replacement of subsection 05 CBJAC 10.030(f)(3); and the amendment of subsections 05 CBJAC 10.040(c)(2), (3), and (5); reading as follows:

### **City and Borough of Juneau Administrative Code Title 05: Docks and Harbors Chapter 10: Waterfront Sales Permits**

**05 CBJAC 10.030 Permit duration, reissuance options, transferability, refunds, actively sell requirement, eligibility, number of permits available.**

Repeal 05 CBJAC 10.030(f)(3) in its entirety and readopt as follows:

- (3) No person shall have an ownership interest in more than one tour sales or tour broker permit, meaning the person shall not pay for the operation of another permit holder's sales booths, direct the activities of another permit holder's sales booths, or in any way financially contribute to the purchase of more than one permit. A permit holder that operates tours may have its tours sold by another permit holder, provided the permit holder operating the tour does not direct the activities of the other permit holder's sales booths or obtain any financial benefit the other permit holder's sales booth other than that provided by the sale of the tour.

**05 CBJAC 10.040 Tour sales permits.**

Repeal 05 CBJAC 10.040(c)(2), (3), and (5) and readopt as follows:

- (c) *Tour sales rules*

- (2) A permit holder shall not have more than one representative selling

tours at any of its booths. A permit holder shall maintain a presence at its booths during all hours when cruise ship passengers are likely to purchase tours in a sales area. The permit holder shall provide the port director with a list of all individuals that will sell tours at its booths and, if requested, staff identification documentation, booth staffing schedules, and other documentation necessary to demonstrate the permit holder complies with this requirement.

- (3) The permit holder shall provide the port director with a list of all tours sold by the permit holder, including the name of the company providing the tour.
- (5) The permit holder shall not engage in hawking or disruptive behavior nor shall the permit holder interfere with the operations of other sales booths.

**Section 3. Notice of Proposed Adoption of a Regulation.** The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on December , 2010, which is not less than 21 days before the date of adoption of these regulations as set forth below.

### **Adoption by Agency**

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: \_\_\_\_\_

\_\_\_\_\_  
John M. Stone, P.E.  
Port Director

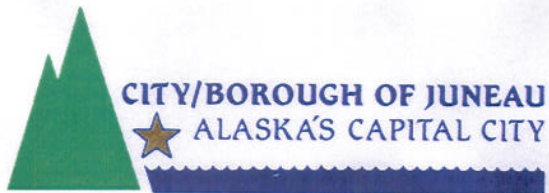
### **Legal Review**

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

(1) Its consistency with federal and state law and with the charter, code, and other municipal regulations;

(2) The existence of code authority and the correctness of the required citation of code authority following each section; and





## Port of Juneau

**To:** Docks and Harbors Operations/Finance Committee  
**CC:**  
**From:** John M. Stone, P.E. Port Director  
**Date:** December 9, 2010  
**Re:** Auke Bay Loading Facility CU Permit Issues

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Mr. Dennis Watson addressed the Board on two occasions this past fall concerning operations at the Auke Bay Loading Facility in light of requirements set out in the conditional use permit for the facility. I asked Dale Pernula, Director of the Community Development Department, to assist us in determining if the compliance issues raised by Mr. Watson needed to be addressed. Mr. Pernula completed his review this past week. Based on his review, he recommended that we apply for an amendment to the conditional use permit if we plan to load fuel on vessels at the drive-down float. He did not find that the other issues presented compliance problems at the facility.

I recommend that we apply for the amendment to load fuel at the drive-down float. This provides substantial benefit to the maritime and local business community, indirect benefit to Statter harbor users by freeing up the loading zone, and benefit to CBJ harbors by increasing harbor revenues.

Fueling operations at the float are conducted in accordance with strict U.S. Coast Guard, State of Alaska, and CBJ oil pollution requirements by professional operators. Additionally, the facility is better suited and safer than the Statter Harbor loading zone.

Hopefully, this closes the issues brought before the Board.

Call me at 586-0294 if you have questions.

Attachment

**John Stone**

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**From:** chloie watson [cwatson@alaska.net]  
**Sent:** Wednesday, October 27, 2010 10:57 PM  
**To:** John Stone  
**Cc:** Ruth Danner  
**Subject:** Auk Nu Commercial dock

Good morning John, I hope you had a good meeting in Petersburg if anything it is always nice to get away. At the last harbor board meeting I spoke about the 40 foot refrigeration container stored on the waters edge to say the least it is quite unattractive. Mr. Gillett indicated it was for snow removal equipment which would indicate year round storage to me. My take on this is at May 8, 2007 Planning Commission you did commit to no long term storage of containers and the board must respect your commitment to maintaining a quality facility and remove it from the site.

I attached two pages from the planning commission committee meeting minutes dated May 8, 2007. On page 11 third paragraph you stated there would be no long term storage when asked specifically about 20 and 40 foot containers.

I would like to draw your attention to the attached page 13 of 16 of the above minutes specifically to the below line items.

**Item** Page 13/16 of the attachment addresses "high-pressure lights are not to be used". The current sign on the dock states turn off unnecessary lights. The signing is inadequate to address this condition.

**Item 3** States a refuse container must be placed on the site. Currently there does not appear to be one there.

**Item 4** States no oil or fuels will be available for commercial use on the site. I have seen on more than one occasion unmanned fuel trucks in the parking/loading area. I must assume fuel is being sold at this site. In the April 29 2010 Mr. Hobbs owner of the Yankee Cove Transport facility asked; "why the Auk Bay loading facility did not have to comply with the regulations his facility did when fueling vessels. It appears that anyone can drive down and fuel at the Auk Bay facility without those requirements". If fueling is to be allowed why are there no signs indicating the location of fuel containment equipment/supplies. Is harbor staff on site to monitor fuel transfer? Where are the sign stating no unauthorized fueling at this site?

**Item 5** states a hydro carbon spill response kit must be kept on the float. I have not been able to locate one, is it in the little building on the dock if so how does one access it in an emergency.

In the complete minutes of the above noted meeting Auk Nu Cove is recognized as a very important ecological site. It would be travesty if something inadvertently occurred

12/9/2010

because of an oversight that could have been avoided. The board is already indicated that it has become a difficult dock to maintain oversight on.

I know you cannot be everywhere at once so perhaps you have not had an opportunity to view these concerns. I would like this letter be introduced into the minutes of the October 28 2010 harbor board meeting for response and recommended action by the board.

Sincerely,

Dennis Watson

12/9/2010





## Alaska Clean Harbor Pledge

Alaska Clean Harbors promotes and celebrates voluntary adoption of measures to reduce pollution from harbor and boating activities. Certified "clean harbors" will be publicized as environmentally-responsible facilities.

As the first step toward achieving Alaska Clean Harbor status and on behalf of

---

*(name of harbor facility)*

We pledge to do our part to maintain the quality of Alaska's marine waters, encourage voluntary participation, and promote individual responsibility through public education.

We will identify opportunities and implement practices to control pollution associated with:

- Solid wastes
- Liquid chemical & hazardous wastes
- Petroleum products
- Boat cleaning & hull maintenance
- Sewage and gray-water
- Vessel operations
- Harbor management
- Stormwater runoff

We commit to actively pursue certification as an Alaska Clean Harbor. Within one year of the date below we will implement appropriate pollution prevention practices, and will apply to the Alaska Clean Harbors program for certification as an Alaska Clean Harbor.

---

---

*Date*

*Date*

Please sign and return to: Alaska Clean Harbors, 3734 Ben Walters Ln. Suite 201, Homer, AK 99603



## ALASKA CLEAN HARBORS Certification Checklist

*Facility Name:*

*Harbormaster:*

*Address:*

*Phone:*

*Email:*

*Facility Types Present (Check all that apply):*

- ☐ Harbor
- ☐ Fueling Station(s)
- ☐ Sewage Pumpout(s)
- ☐ Tidal Grid(s)
- ☐ Wash-down Pad
- ☐ Upland Boat Storage/Maintenance
- ☐ Other \_\_\_\_\_

---

### DIRECTIONS:

Use this form to conduct a self-assessment of your facility and to guide you through the process of becoming certified as an Alaska Clean Harbor. This checklist should be used in conjunction with the Alaska Clean Harbors Guidebook. Corresponding page numbers in the Guidebook are listed next to each best management practice in this checklist. The Guidebook and checklist, as well as many more resources, are available from the Alaska Clean Harbors Program and found on the project website at <http://www.alaskacleanharbors.org> or email the [ACH Coordinator](#).

Place a checkmark in the appropriate box (yes, no, not applicable [N/A], or future) next to each question and tally your score on the last page. Check N/A if a particular BMP is not applicable to your facility, i.e. your community does not have recycling, making BMP #4 not feasible. If you check no or N/A, please explain why in the space provided at the end of each section. In addition, if you check the future box, please explain what you need to do to implement the item.

To become certified as an Alaska Clean Harbor, you must answer, "yes" to 100% of the regulatory federal and state legal requirements (indicated in **bold print** and with a ♦) and either "yes" or "future" to 80% of the remaining goals **that apply to your facility** (BMPs that are checked N/A do not count in the scoring).

In the 'Future' column, place a checkmark if this is a new practice you put into place in order to receive Alaska Clean Harbor certification or as a result of learning about the practice from the Alaska Clean Harbors program. This will help us determine the impact the program is having on the usage of best management practices.

## SECTION 1: Solid Waste Management

**GOAL:** Properly dispose of solid wastes produced by the operation, cleaning, maintenance, and repair of boats to limit entry of solid wastes to surface waters.

SECTION 1: Solid Waste Management						
DOES YOUR FACILITY:		Guidebook Page #	YES	NO	N/A	FUTURE?
1.	Encourage proper storage of items on-board and/or provide boaters with trash bags?	33				
2.	Train employees to pick up stray trash and pet waste as a daily practice?	33				
3.♦	<b>Provide trash cans, bins, dumpsters, etc that are covered, well-marked, and in convenient locations away from the water?</b>	34				
4.	Have clearly marked, conveniently located recycling containers for customers and staff to use?	34				
5.	Educate employees and customers about separation requirements and your recycling program?	34				
6.	Encourage fishing line and net collection recycling or disposal?	35				
7.♦	<b>Have a fish waste management plan that controls the disposal of fish wastes to areas/methods which will not impair water quality?</b>	35				
8.	Post signs displaying the rules for fish waste storage and disposal?	35				
9.	Require customers to clean up after their pets, and/or provide bags to scoop up waste?	36				
10.	Prohibit the feeding of wild animals?	36				
<b>NOTES</b> (explain "no" answers as well as future implementations):						





## SECTION 2: Liquid Chemical & Hazardous Waste Management

**GOAL:** Provide and maintain appropriate storage, transfer, containment, and disposal facilities for non-petroleum liquid materials, including hazardous chemicals such as solvents, antifreeze and paints, and encourage recycling of these materials.

SECTION 2: Liquid Chemical & Hazardous Waste Management						
DOES YOUR FACILITY:		Guidebook Page #	YES	NO	N/A	FUTURE?
11.♦	Conduct hazardous waste determinations on all chemicals prior to disposal?	41				
12.♦	Have established procedures for the storage, disposal, and recycling of all hazardous waste, in accordance with federal and state regulations?	42/48-50				
13.	Provide customers with information on the proper storage and disposal of wastes not accepted on-site?	42/48-50				
14.	Label the contents of hazardous waste container(s), including accumulation start dates?	42				
15.	Store hazardous waste on an impervious surface with containment able to retain 110% of the volume of the largest container?	42				
16.	Ensure that local response officials, particularly the fire department, are familiar with the location and character of hazardous materials stored on site?	42				
17.	Ensure the proper storage and disposal of used batteries?	43				
18.	Ensure the proper storage and disposal of used antifreeze?	44				
19.	Ensure the proper storage and disposal of paint products?	45				
20.	Ensure the proper storage and disposal of zincs?	46				
21.♦	Keep copies of MSDS for all hazardous substances used at your facility for vessel or engine maintenance?	42				
22.	Train employees in hazardous materials management practices and safety requirements?	42				
23.	Avoid toxic cleaning products?	45-46				
24.	Encourage the proper handling of older refrigeration systems that may have CFCs as refrigerants?	47				
NOTES (explain "no" answers as well as future implementations):						



### SECTION 3: Petroleum Product Management

**GOAL:** Reduce the amount of fuel and oil from boat bilges and fuel tank air vents entering marina and surface waters.

SECTION 3: Petroleum Product Management						
DOES YOUR FACILITY:		Guidebook Page #	YES	NO	N/A	FUTURE?
25.	Routinely inspect and repair fuel transfer equipment, such as hoses and pipes, and other dock equipment (i.e. forklifts and cranes)?	53				
26.	Clearly label all fuel storage and waste oil tanks?	53				
27.	Store used oil in a manner that does not allow releases to the environment?	54				
28.	Provide used oil and oily rag collection and disposal?	54				
29.	Post adequate signage on proper disposal of used oil, oil absorbent materials and rags, and oil filters?	54				
30.	Send used oil to an approved recycling facility or reuse on site?	54				
31.	Direct boaters to the local used oil collection facility if none is available on-site?	54				
32.	Encourage clean oil changes and fueling?	54				
33.	Provide an oil/water separation service to filter bilge water?	55-56				
34.	Train employees and contractors, and educate customers, on bilge cleaning best management practices?	55-56				
35.♦	Report all spills to ADEC and U.S. National Response Center (NRC)?	56				
36.♦	Have a Spill Prevention, Control and Countermeasure (SPCC) or other oil spill contingency plan in place?	56				
37.	Have spill response equipment readily available and labeled for employee and customer use in the event of a spill?	56-57				
38.	Have spill response and cleanup procedures, and train employees on these procedures?	57				

NOTES (explain "no" answers as well as future implementations):





**SECTION 4: Boat Cleaning & Hull Maintenance**

**GOAL:** Promote boat cleaning and hull maintenance practices that minimize the amount of cleaners, solvents, paint, and debris that enter the marine environment.

<b>SECTION 4: Boat Cleaning &amp; Hull Maintenance</b>						
<b>DOES YOUR FACILITY:</b>		<b>Guidebook Page #</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>	<b>FUTURE?</b>
39.	Have "yard rules" for customers performing debris-producing boat maintenance written into harbor policy and available for harbor users?	60				
40.	Have tidal grid use policies for all users outlining policies that reduce wastewater and debris from grid activities?	60				
41.	Have signs for tidal grid users that clearly state grid use policies?	60				
42.	Put tarps or drop cloths under boats to catch chips and drips while scraping, sanding, and painting boats on the upland?	60				
43.	Prohibit abrasive blasting and/or contain and appropriately manage debris from blasting activities?	60				
44.	Limit in-water painting to interior surfaces and brightwork, where paint materials and spills can be contained and prevented from entering the water?	61				
45.	Prohibit paint spraying on the water without protective sheeting?	61				
46.	Use spray equipment with high transfer efficiency such as HVLP or HELP spray guns?	61				
47.	Encourage careful application of paints, including mixing paint within a covered area and using secondary containment?	61				
48.	Encourage the use of long-lasting, low-toxicity antifouling paints that are appropriate for your location?	62				
49.	Encourage careful application and proper storage and handling of toxic solvents?	61				
50.	Encourage the use of non-toxic teak refinishing products?	62				
51.	Encourage careful application and proper storage of varnishes?	62				
52.	Educate customers to minimize environmental impacts from boat washing?	63				
53.	Have established upland boat washing stations with drainage collection and filtration in place?	63				







## SECTION 5: Sewage & Pumpout Facility Operation

**GOAL:** Ensure that sewage pumpout facilities are maintained in operational condition and encourage their use.

SECTION 5: Sewage & Pumpout Facility Operation						
DOES YOUR FACILITY:		Guidebook Page #	YES	NO	N/A	FUTURE?
55.	Provide designated sewage pumpout stations that are well signed and compatible with the needs of harbor users?	66				
56.	Educate harbor users about sound sewage management practices and impacts of effluent on our waterways?	66				
57.	Educate boaters about reducing gray-water discharges from shower, dishwashing, and laundry uses?	66-67				
58.♦	<b>Prohibit discharge of treated or untreated human and pet waste within the harbor basin and grounds?</b>	66				
59.	Have clean, functional, and ample restrooms available 24 hours a day?	66				
60.	Discourage discharge from Type I and Type II MSDs at the slip or mooring?	66				
NOTES (explain "no" answers as well as future implementations):						



## SECTION 6: Vessel Operation Management

**GOAL:** Promote boating management practices that reduce non-indigenous species transport, remove and dispose of derelict vessels, and encourage environmentally friendly boat winterization and engine cleaning.

SECTION 6: Vessel Operation Management						
DOES YOUR FACILITY:		Guidebook Page #	YES	NO	N/A	FUTURE?
61.	Promote hull sterilization and/or bilge cleaning and flushing to remove all non-indigenous species?	70-71				
62.	Educate boaters and employees about detecting aquatic nuisance species and methods to prevent their spread?	70-71				
63.	Provide educational materials on preventing the spread of rats to harbor users?	70-71				
64.	Implement derelict vessel management ordinances?	71				
65.	Monitor and remove, if possible, derelict vessels?	71-72				
66.	Promote clean engine maintenance and repair practices?	72				
67.	Have parts washing policies and procedures to minimize pollution?	73				
68.	Minimize pollution from engine test tanks?	73				
69.	Establish boat hauling and storage procedures to minimize environmental impacts?	74				
70.	Minimize environmental impacts from winterization work?	74				

NOTES (explain "no" answers as well as future implementations):





## SECTION 7: Harbor Management

**GOAL:** Promote harbor management practices that foster compliance with pollution-reduction BMPs amongst harbor staff and harbor users.

SECTION 7: Harbor Management					
DOES YOUR FACILITY:		YES	NO	N/A	FUTURE?
71.	Train employees to watch for inappropriate discharges?				
72.	Have a predetermined procedure for approaching polluters?				
73.	Incorporate best management practices into all contracts?				
74.	Post signs detailing best management practices in highly visible areas?				
75.	Encourage and recognize boaters who try to prevent pollution?				
76.	Publicize your facility-specific environmentally responsible actions?				
77.	Post your Alaska Clean Harbors goal(s) or pollution prevention policy statement?				
78.	Educate employees (including seasonal employees) and customers about pollution prevention in our routine meetings, training sessions, and/or newsletters?				
79.	Keep disposal and recycling records and compare the amount of waste generated and shipped with past years to monitor progress?				
80.	Distribute Alaska Clean Harbors Program information?				
81.	Regularly review emergency response procedures with staff?				
82.	Maintain staff training records?				
83.	Host workshops or other events to highlight and demonstrate best management practices?				

NOTES (explain "no" answers as well as future implementations):



## SECTION 8: Stormwater Management

**GOAL:** Implement effective runoff control strategies which include the use of pollution prevention activities.

SECTION 8: Stormwater Management						
DOES YOUR FACILITY:		Guidebook Page #	YES	NO	N/A	FUTURE?
84.	Control sediment runoff by installing and/or preserving vegetative buffers?	19				
85.	Minimize impervious areas?	19				
86.	Stencil storm drains to alert customers and visitors that storm drains lead directly to waterbodies without treatment?	19				
87.♦	Have an APDES (formerly a NPDES) Stormwater permit and Stormwater Pollution Prevention Plan?	18				
88.	Prevent polluting discharges from floor drains and sumps?	21				

NOTES (explain "no" answers as well as future implementations):



**SECTION 9: Extra Credit**

List any additional operating practices that your facility uses that have reduced waste or otherwise reduced pollution. (Note: Each practice is worth the same as one question.)

**SECTION 10: Calculate Your Score**

If your score is equal to or greater than the minimum requirements, please contact the Alaska Clean Harbors Program at tel. #. **Applicable items are just yes or no, not NA.**

CALCULATE YOUR SCORE		
Legal & Regulatory Areas ♦	# of Yes responses _____ / # of applicable items _____ X 100 =	%
Alaska Clean Harbors Program	# of Yes responses _____ / # of applicable items _____ X 100 =	%
Your Scores		Minimum Required Scores
Legal & Regulatory Areas ♦	_____ %	100%
Alaska Clean Harbors Program	_____ %	80% (or more)

If you answered "yes" to all the legal requirements (**bold** marked with a ♦) that apply to your facility and received a score of 80% or higher out of the remaining goals, then you are eligible to be certified as an Alaska Clean Harbor.

Verified by Alaska Clean Harbors Program Representatives:

\_\_\_\_\_  
Name and Affiliation Date

\_\_\_\_\_  
Name and Affiliation Date

\_\_\_\_\_  
Name and Affiliation Date







## Estimate #4520

12/02/2010

### Prepared For:

CBJ-PORT ENGINEER  
Gary Gillette

### Prepared By:

Gary Brummitt  
Commercial Signs and Printing  
PO Box 21708  
Juneau, AK 99802

Phone: 586-0398 Fax: 586-0295  
Alt. Phone:  
E-Mail: gary\_gillette@ci.juneau.ak.us

Phone: 907-586-2115 Fax: 907-586-2558  
Alt. Phone:  
E-Mail: csproffice@ak.net

### Description:

Price estimate for Refurbish of Wall Mural at Aurora Harbor Office.  
Job consists of Composition to Recreate background for print and Hole Patterns, Removal, Cleaning and Re-install of Castings,  
and Recreation of 1 additional King Crab/Carve and Paint.  
Retrieval and Installation of Sign provided by client.

Estimated time for production: 21 working days

Quantity	Description	Each	Total	Taxable
4	NEW SIGN PANELS: 72.00 in x 48.00 in Dibond - 4'x8' 6mm (White). Solara ionX UV Inkjet.	724.3138	\$2,897.26	
2.75	Composition/Design Time. (Hours)	75.00	\$206.25	
8	Removal and Cleaning of Castings, Transfer Hole Patterns and Re-attach castings to new substrate.	75.00	\$600.00	
1	HAND CARVED REPLACEMENT 'CRAB': 18.00 in x 13.00 in HDU - 2". Matthews Primer 6001SP. Painted with One-Shot Lettering Enamels.	1334.2648	\$1,334.26	
		Subtotal	\$5,037.77	
		Total	\$5,037.77	

### Terms:

Payment terms not yet discussed

By my signature, I authorize work to begin and agree to pay the above amount in full according to the terms on this agreement.

Signed by	Date	Amt. Paid Today
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## MEMORANDUM

10 December 2010

To: Operations Committee

From: Harbormaster

1. Snow removal and sanding of areas.
2. Painting of the whole Statter Harbor office including the entranceway floor.
3. Tracking down electrical issues in harbors
4. Repairing faulty heat trace in Aurora Harbor
5. Boat Auction
6. Equipment maintenance and repairs
7. Lighting repairs in all harbors.
8. Float billets being added to A finger floats 4 and 7 in Aurora Harbor
9. New launch ramp stickers and excel filing system put in place.
10. Hot ash burn of filters and buckets.

This has been a very productive month for the Docks and Harbors Staff. We are ready for winter. Thank you for your support.

Phil Benner