

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING AGENDA
For Wednesday, February 18th, 2015

I. Call to Order (5:00 pm in CBJ Room 224)

II. Roll Call (Budd Simpson, Bob Janes, John Bush, David Summers, David Logan)

III. Approval of Agenda

MOTION: TO APPROVE THE AGENDA AS PRESENTED OR AMENDED

IV. Public Participation on Non-Agenda Items.

(Not to exceed five minutes per person or twenty minutes total time)

V. Approval of January 21st, 2015 Operations/Planning Meetings Minutes

VI. Consent Agenda – NONE

A. Public Request for Consent Agenda Changes

B. Board Members Requests for Consent Agenda Changes

C. Items for Action

1. Appropriation Ordinance and Funds Transfer for Douglas Harbor
Presentation by the Port Engineer

RECOMMENDATION: That the Assembly approve an ordinance appropriating \$67,145.08 of interest revenue to CIP account H51-084 and transferring \$46,391.84 from H51-084 to H51-085 for the Old Douglas Harbor Rebuild project.

MOTION: TO APPROVE THE CONSENT AGENDA AS PRESENTED.

VII. Unfinished Business

1. Harbor Code of Conduct
Presentation by Harbormaster

Board Questions

Public Comment

Board Discussion/Action

**MOTION: ACCEPT THE PROPOSED HARBOR CODE OF CONDUCT AND
RECOMMEND APPROVAL BY THE BOARD.**

VIII. New Business -NONE

IX. Items for Information

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1. ABLF Boatyard – Next Steps
Presentation by Port Engineer
2. Strategic Retreat Planning
Presentation by Port Director
3. Thane Ore House – Update
Presentation by Port Director
4. Electric Boat Charging Station
Presentation by Port Director
5. Douglas Harbor letter to DNR
Presentation by Port Director
6. Juneau Fisheries Terminal
Presentation by Port Director

X. Staff, Committee and Member Reports

XII. Committee Administrative Matters - Next Meeting: Wednesday, March 18th, 2015

XIII. Adjournment.

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I. Call to Order

Mr. Simpson called the meeting to order at 5:00 p.m. in room 224.

II. Roll Call

The following members were in attendance: Budd Simpson, Bob Janes, and David Logan-via telephone.

Absent – John Bush and David Summers

Also in attendance were: Carl Uchtyl – Port Director, Doug Unruh – Operations Maintenance Supervisor, Gary Gillette – Port Engineer, and Tom Donek- Board Member.

III. Approval of Agenda

Mr. Simpson said we do not have a quorum for the Passenger-For-Hire Fees, which is the only item on the Consent Agenda, because Mr. Janes recused himself from voting on the Passenger For Hire Fees. We will refer the following recommendation regarding the Passenger-For-Hire Fees to the Finance Committee and to the Full Board:

1. Harbor Fee Review – Passenger For Hire Fees

RECOMMENDATION: TO RECOMMEND TO THE DOCKS & HARBORS BOARD THAT THE FOLLOWING FEES ARE ADOPTED:

INSPECTED VESSELS:

2015 \$300 PERMIT FEE AND \$1.25 PASSENGER FEE;

2016 \$400 PERMIT FEE AND \$1.50 PASSENGER FEE; AND,

2017 \$500 PERMIT FEE AND \$1.50 PASSENGER FEE; AND EVERY YEAR THEREAFTER BOTH FEES WOULD INCREASE ACCORDING TO THE ANCHORAGE CPI.

UNINSPECTED VESSELS:

2015 \$50 PERMIT FEE AND \$1.00 PASSENGER FEE;

2016 \$100 PERMIT FEE AND \$1.25 PASSENGER FEE; AND

2017 \$150 PERMIT FEE AND \$1.50 PASSENGER FEE; AND EVERY YEAR THEREAFTER BOTH FEES WOULD INCREASE ACCORDING TO THE ANCHORAGE CPI.

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MOTION By Mr. Janes TO APPROVE THE AGENDA AS AMENDED AND ASK UNANIMOUS CONSENT.

The motion passed with unanimous consent.

IV. Public Participation on Non-Agenda Items

Howard Lockwood of Juneau, AK, said I am here as a Manager of the Juneau Port Development, LLC. I wanted to update you on the Harbor Plan & Design. We started with 118 slips, but the snow dump site has altered that plan. We now have a plan for 54 slips. PND Engineers, Inc. is working on the plan. We are designing a harbor that would accommodate mega-yachts. We will have that plan ready in a month, and I hope to present it to this body for review and discussion at the next Operations Committee Meeting.

V. Approval of September 18th, 2014 and November 13th, 2014 Operations-Planning Meeting Minutes

Mr. Simpson said I suggest when an item in the consent agenda is referenced that item should be restated in the minutes so the person reading the minutes in the future can understand what is happening.

MOTION By Mr. Janes TO APPROVE THE September 18th, 2014 and November 13th, 2014 Operations-Planning Meeting Minutes AND ASK UNANIMOUS CONSENT.

The motion passed with unanimous consent.

VI. Unfinished Business

1. Code of Conduct

Mr. Uchtyl said I changed the word “patron” to “customer” per Board suggestion. There was a reference to recreational marijuana use, and that was removed. This will be presented to the Full Board next week. The last sentence states, failure to meet these requirements may likely result in the animal being banned from the harbor. I was asked to change “may likely”, but I’m not sure what to change it to.

Mr. Janes said I like “could result in”.

Mr. Simpson said “may” is discretionary and “will” is mandatory. I like “will”, but “may” is fine.

Committee Questions - None

Public Discussion - None

Committee Discussion/Action

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MOTION By Mr. Janes TO APPROVE THE HARBOR CUSTOMER CODE OF CONDUCT WITH THE MINOR CHANGE OF “MAY LIKELY” TO “MAY” IN THE LAST SENTENCE.

The motion passed with unanimous consent.

VII. New Business

1. Docks Fee Review – Waterfront Vendor Booth Regulation Change

Mr. Uchytel said I recommend increasing the minimum outcry bid to \$30,000 and add language regarding ownership to the booths policy that does not restrict the number of booths available. By reserving the right of adding more booths we have a mechanism to prevent the risk of a monopoly.

Committee Questions

Mr. Simpson asked has this been to the Fee Review Committee.

Mr. Uchytel replied yes, this has been to the Fee Review Committee. Also, the Chair of the Fee Review Committee, Greg Busch, said the memo stating the increase of the minimum outcry bid to \$30,000 accurately reflects what the Fee Review Committee wants. The outcry auction is tentatively scheduled for the 1st week in April 2015, and most likely before April 10th, 2015.

Mr. Janes asked have there been any enforcement hearings or penalties with regards to the vendor booths.

Mr. Uchytel said no, not to my knowledge. We can write tickets for violations and the Port Director has the authority to suspend permits after a hearing.

Public Discussion - None

Committee Discussion/Action

MOTION By Mr. Janes TO APPROVE THE WATERFRONT VENDOR BOOTH REGULATION CHANGE AS PRESENTED AND ASK UNANIMOUS CONSENT.

The motion passed with unanimous consent.

2. This item was removed from the agenda:

Cultural Preservation Lease Review

3. Thane Ore House

Mr. Uchytel said the Thane Ore House property is managed by Docks and Harbors. The previous lessee defaulted on the lease payments and the lease was terminated.

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The state issued the lease in 1995 and there was some language stating the lessee would be compensated for the value the lessee added to the property above \$10,000. The appraisal from Horan & Co. stated the land was valued at \$86,000 and the building to be fully depreciated with no present value. Therefore, we do not owe the previous lessee any compensation. Now we can start the process of finding a new lessee. The Law Department said we need to establish criteria to evaluate lessees and make our selection based on the evaluations. Also, I recommend we charge 10% of the value annually, which is \$8,600. The property is zoned waterfront industrial. (Community Development Department confirmed the Thane Ore House property is zoned waterfront industrial.)

Committee Questions

Mr. Janes asked does waterfront industrial allow one residential dwelling per lot or facility.

Mr. Gillette said yes, the zoning allows for one resident caretaker per lot.

Mr. Simpson asked if a restaurant is still permitted.

Mr. Gillette said a restaurant would be permitted with an additional use permit.

Mr. Simpson said for general port development we discussed marine related benefit and economic benefit. Is there a weight to be given to those for this property? \$8,600 would take the economic benefit to the department out of the equation. It would then become a subjective consideration. If someone put dry storage or marine repair there that would benefit the Harbor Department.

Mr. Uchytel said that is correct. There is an easement, but no deep water access.

Mr. Janes asked can we change the zoning. Perhaps commercial zoning would be more beneficial in that area.

Public Discussion

Dennis Watson of Juneau, AK said waterfront industrial zoning requires the land to be used by an industry that is water dependent. It is possible to get an additional use permit to allow for other uses. Putting a residential home on the land would require a variance.

Jeff Fanning of Juneau, AK asked will the new lease be a 30 year lease or a continuation from the previous lease.

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Mr. Uchytel said it will be a new lease and per regulation 35 years is the longest lease we can offer. Typically a 35 year lease is offered to lessees that have capital invested in the leased land. If the lessees are not investing major capital, then the leases are usually for a shorter time frame.

Committee Discussion./Action

Mr. Simpson said the lease would be reviewed every few years for rent adjustment and it would be up to the lessee to get a variance or an additional use permit. Also, it seems counterproductive to set the lease rate at \$8,600 and then accept proposals around that number. If someone comes forward with a great idea that has the potential of making a lot of revenue, perhaps we should have an escalating rate in place. Is \$8,600 what the Law Department said we have to charge?

Mr. Uchytel said the property does not have sewer or water. It will require a lot of infrastructure for some business ideas. We need to make the property available at fair market value to people who will develop it.

Mr. Simpson said we can evaluate based on what revenues will be collected and specific intangibles.

Mr. Donek said the bid amount could be part of the criteria. Bidders could be required to submit information on what they plan to do with the land, and how much money they are willing to put down for the bid. Perhaps the bidders will be willing to remove the current building or do renovations. It looks like it will cost \$50,000 to remove the building.

Mr. Uchytel said the port development requirements were due to the land being tied to tidelands, and it makes sense to have marine related benefits as one of those requirements. I would not recommend having marine related benefits as a requirement for the Thane Ore House property because it does not have marine access. A lessee could request easement access through the state.

Mr. Simpson said we should come up with 10 criteria to base the lessee requirements on before we open bids. This land is an opportunity for business.

Mr. Janes said I would like to have someone from the Law Department answer our questions about criteria, minimum bids, and what our limitations are. Also, I think we can get more for the lease.

Mr. Simpson said we would like more flexibility, in regards to who we lease to, than what has been implied. No motions need to be made at this time.

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4. Construction Administration & Inspection for Statter Harbor Launch Ramp Facility

Mr. Gillette said this is a request to extend the current contract for the Statter Harbor updates with PND Engineers to include construction and maintenance for the Statter Harbor Launch Ramp. We have reviewed the time table estimate, that includes taking soil samples, and the estimated total cost of \$790,150 and found these estimates to be reasonable.

Committee Questions

Mr. Donek asked what percent of the entire project is the Statter Harbor Launch Ramp.

Mr. Gillette responded 7%, but we don't estimate the cost based on the percent of the project. Some things take more time, resources, or money.

Public Discussion - None

Committee Discussion/Action

MOTION By Mr. Janes TO APPROVE THE STATTER HARBOR IMPROVEMENTS RATE SCHEDULE AS PRESENTED, RECOMMEND TO THE FULL BOARD, AND ASK UNANIMOUS CONSENT.

The motion passed with unanimous consent.

5. Downtown Waterfront Facilities Corrosion Control Repairs

Mr. Gillette said the Downtown Waterfront Facilities Corrosion Control Repairs project is centered around the Steamship Wharf and Marine Park. This is for the sheet pile bulkhead. We have been designing the project for 3 years with the Engineering Department. The Engineering Department had some work they wanted to do under the Juneau Public Library, but the scope of the work was too big for them to fund so they cut back. We will continue to go forward with our project. The Engineer's estimated the Docks and Harbors portion of the project at \$415,000. We opened bids on January 15th, 2015 and the lowest bid was \$1,077,700, and the next lowest bid was \$1,083,932. Those two bids are close, which is usually a good sign, but they are significantly more than what we estimated. There might be some confusion on either side. I recommend we cancel the bid as there is no immediate need to complete the project. We were trying to complete the downtown waterfront facilities corrosion control repairs before the 16B Project started. We can try to find more money. This was a Passenger Fee funded project with funds totaling \$500,000. We will investigate

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to find where the confusion is coming from. It is a difficult area and requires hand excavation, which is labor intensive. We can see if it can be included in the 16B Project or wait until after the 16B Project is complete to move forward with the downtown waterfront facilities corrosion control repairs.

Committee Questions

Mr. Donek asked can we add it to the Aurora Harbor Project.

Mr. Gillette said we can look into that as well.

Public Discussion - None

Committee Discussion/Action

Mr. Janes said I would like to cancel the bid process. Also, I would like Manson and the Aurora Harbor contractor contacted. They are here and mobilized, and we might be able to integrate the Downtown Waterfront Facilities Corrosion Control Repairs with one of the current projects.

Mr. Gillette said the Aurora Harbor contractor does not have this type of work in their contract, so that would be difficult to add. There is a provision in our contract with Manson that allows for this type work. We might be able to save money by going this route, but I don't think we'll save half, so we'll still be looking for more funding.

**MOTION By Mr. Janes TO CANCEL THE BID PROCESS AND
INVESTIGATE MORE OPTIONS FOR THE DOWNTOWN WATERFRONT
FACILITIES CORROSION CONTROL REPAIRS.**

The motion passed with unanimous consent.

VIII. Items for Information

1. Douglas Harbor Update

Mr. Uchytel said this is an update on the Douglas Harbor dredging project. The State said Harbors have \$2 million in state harbor matching money and if Harbors does not use the money by the 2nd of March, 2015 we risk losing the money. The Corp of Engineers will most likely dredge Douglas Harbor and will confirm the dredging by the 2nd of February, 2015.

Mr. Simpson asked has the Department of Transportation responded to the letter you sent them.

Mr. Uchytel replied Michael Lukshin said he is okay with the phasing of the project. There is a demolition phase which Mr. Gillette has begun preparing for the bidding

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process. The demolition is tentatively scheduled in September 2015. The Corp of Engineers has to award their dredging project by the end of their fiscal year, and if Juneau Docks and Harbors receives the award, then Douglas Harbor will be dredge in the fall of 2015.

2. Strategic Planning Retreat

Mr. Uchtyl said we originally set the date for February 21st, but that date will no longer work for many of us. What do we want to get out of the retreat? I would like us to prioritize the projects. What is the next project we want to spend money on? How much of Douglas Harbor do we want to finish? We also have projects to consider at Aurora and Statter Harbors.

Mr. Simpson said those are all projects that are within the routine purview of this committee. We consider projects like those regularly and accomplish as much as we can with the money and public input we receive. I am not convinced we need a special session for this.

Mr. Donek said I think it is a good idea to bring the rest of the Board in to decide on the next project.

Mr. Simpson said lets set a date for the retreat.

Mr. Janes said it does not need to be an all-day event. We should schedule it for less than 4 hours, and I think we will get a lot accomplished.

Mr. Donek said Mr. Uchtyl can pick a date and the Board Members who can attend will. No one date will work for all the Board Members.

Mr. Simpson said Mr. Uchtyl can prepare a survey to see which day will work for most of the Board Members.

Mr. Uchtyl asked what the expectations of operating a launch ramp in the winter in Alaska is. I will create a master plan of topics to cover during the retreat. For example, I propose we discuss the Aurora Harbor basin holistically, from the Direct Fisheries Sales Study to the Yacht Club. I would like to discuss what the rest of Aurora Harbor will look like when we get the money to rebuild it. We can also discuss the design for Douglas Harbor.

3. Statter Harbor Parking Mitigation

Mr. Uchtyl said the Horton Lot is out of commission. That means we have lost the use of 50 trailer parking spaces and many vehicle parking spaces. I sent letters to 3 property owners, the University of Alaska Southeast (UAS), and First Student Inc. requesting use of their parking facilities during the summer months. I received a response from UAS and First Student Inc. I will meet with First Student Inc. tomorrow. Are there any boundaries or suggestions you would like to give me for negotiations?

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Mr. Simpson said have a discussion with them first to see how willing they are to let Docks and Harbors patrons use their parking lots. The school district has let people use their parking lots in the past.

Mr. Uchytel said people have parked there in the past, but the school district has never sanctioned it. I would like a formal agreement for the parking lot use.

Mr. Simpson said there will need to be signs and Harbors will need to notify people of the alternative parking. Mr. Uchytel, this needs to be brought back to the Full Board as an information item next week.

4. Electric Vessel Plan – Statter Harbor

Mr. Uchytel said this is Bob Varness' plan to run an electric boat this season. We have found a place in the Horseshoe at Statter Harbor for electric boats. Electric boats will be permitted to utilize the space from 7:00 p.m. to 8:00 a.m., which is the time other boat users are permitted to use the Horseshoe area. We can put up signs stating the area is reserved during those times for electric boat charging. How do we charge him? Do we charge him \$0.54 per linear foot, or do we charge him at the reserved moorage rate of \$1.50 per linear foot?

Mr. Janes asked will the Horseshoe area remain open moorage until the electric boat arrives. The boat might not arrive until the end of the season. Also, is there a separate electric meter for the proposed electric boat moorage space?

Mr. Uchytel said if there is no boat there then it won't be reserved.

Mr. Unruh said there are meters there that will work and one pedestal will work for all three of Mr. Varness' electric cords. The daily rate for power would cost \$55.20 for two 50 amp and one 30 amp electric cords.

Mrs. Mejia asked would he qualify for the monthly power rate. Monthly power would cost Mr. Varness a total of \$270.00 for two 50 amp and one 30 amp electric cords.

Mr. Janes said we don't know how much power he will use and we don't know how much our expenses will be. Perhaps he should have his own meter through Alaska Electric Light and Power (AEL&P).

Mr. Donek said all the other transient moorage patrons pay the daily rates for moorage and electricity. We can't put an electric boat on a meter and charge a different rate unless he gets his own power meter and pays AEL&P directly; in which case I would consider him to be in a reserved slip.

Mr. Simpson said we do not have enough information to make a decision at this time. Also, we would be giving him a reserved space because the space is just for electric boats and no one else.

Mr. Unruh said the Horseshoe has never been full at night. Probably because people don't want to wake up and move their boats before 8:00 a.m.

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Mr. Uchytel said this committee has already told Mr. Varness we will accommodate his vessel.

Mr. Janes said we have not told him how we would charge for power.

Mr. Simpson said I want to know what our expense will be so we can charge proportionately. We can bring the boat in with empty batteries and charge it then we can read the meter to see how many kilowatt hours go into that.

Mr. Donek said the electric boat might not need the same charge every time. So, we can't charge for a full charge every day because that would be overcharging. I think it needs to be metered and we can charge a fee for our meter reading to cover our costs.

Mr. Janes said we need to get this right because there are going to be more electric boats needing to charge in the future.

Mr. Unruh said it's the same concept as a yacht reserving a space on the breakwater; it's a reserved space and we should charge the reserved rate.

Mr. Donek said it could be by reservation only, and anyone who moors there will be charged the reservation rate.

Mr. Uchytel said the Harbors Department is not permitted to meter and charge for power.

Mr. Unruh said Mr. Varness could put a meter in his name with AEL&P and lock the meter so no one else can use it when he is not there. Each pedestal is capable of taking two 30 amp and two 50 amp, so he would only need one pedestal.

5. R/V Park (Savikko Park)

Mr. Gillette said the Montessori School would like us to move the R/V parking spaces that are in the Montessori School's parking lot. They would like to configure the parking lot to allow for a drive through flow. They would like to convert their other parking area to a playground. There are currently 4 R/V parking spaces in that parking lot, and Docks and Harbors manages those spaces. Over the last 3 seasons they were rented out for 100 days. We do not offer sewage or water for the R/Vs.

Mr. Simpson asked do the R/V users go to the Aurora Harbor Office and pay a fee.

Mr. Gillette responded yes. It is advertised on our website and there are signs on site. Can we retain some R/V spaces and do we want to manage R/V spaces?

Mr. Simpson said R/V parking spaces are not part of Docks and Harbors core mission. I do not think we need to keep R/V parking spaces. We could find space for R/V parking elsewhere, like near the Yacht Club.

6. FY2016 Moorage Rates

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Mr. Uchtyl provided a rate sheet and said the FY2016 Moorage Rates are based on the Anchorage Consumer Price Index (CPI). If no action is taken, either with the fee review or the Board, these are the values that will be charge starting July 1, 2016. The parking rates are not affected by the CPI. However, with the loss of the Horton Lot, and knowing parking will be at a premium, I recommend we do away with the monthly parking fee that is discounted to \$75.00. This is a regulation and requires Board action to change it. How many monthly permits are there?

Mr. Unruh said that is difficult to answer but I think between 30 and 40 are sold each month. We used to limit the monthly permits to 20 per month, but that stopped happening when we started using the APARC machine to sell parking permits.

The Statter Harbor Monthly Parking Reports for 2014 were generated after the January 21st, 2015 Operations/Planning Committee Meeting and the results are below.

Quantity of Statter Harbor Monthly Parking Passes sold in 2014 by month:

May: 49, June: 46, July: 33, August: 26, and September: 20.

Mr. Uchtyl said the regulations do not mention a limit to how many monthly parking passes can be sold. It just says the monthly parking permit is \$75.00. People are less concerned about moving their cars when they have prepaid a discounted rate of \$75.00 for a month. If they were paying \$5.00 per day, maybe they would not buy the parking pass for 30 days, and would instead move their cars so it is not as expensive.

Mr. Unruh said people were storing their vehicles in the Statter Parking Lot last year because it is so inexpensive.

Mr. Donek asked if some of the people parking their cars live on Colt Island or Shelter Island.

Mr. Uchtyl said maybe.

Mr. Janes asked if the \$75.00 was too low.

Mr. Uchtyl said I think the issue is that people prepay for a month then want to use the parking lot for the entire month.

Mr. Janes said I have multiple employees that I buy monthly passes for every season. It would be an administrative issue for me to have to buy each employee daily parking passes every day. Also, I think \$75.00 is not enough to charge for a month of parking.

Mrs. Mejia said the APARC parking machine has an option for users to add days to one parking ticket so they can have one parking pass for multiple days.

Mr. Donek asked does buying a \$75.00 monthly pass reserve a parking space for the month.

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Mr. Unruh said no. We are discussing limiting car parking to 3 or 5 days maximum and trailer parking for 3 days maximum.

Mr. Simpson said the elimination of the discounted \$75.00 monthly parking fee needs to go on the agenda for next week's Regular Board Meeting. The Harbor Fee Committee will take up the rest of these fees.

Mr. Uchytel said I do not think we will have time to go over the FY2016 moorage rates before they automatically take effect on July 1, 2016. However, the parking needs to be addressed soon. Also, we will need to discuss how we want to charge for the new Statter Harbor Launch Ramp and Parking facility.

Mr. Donek said we had agreed in the past to vote on the CPI moorage rate increases so the rate increases were transparent for the public. Maybe now, with all the rates linked to CPI, we won't need to vote every year on any of the rate increases.

Mr. Janes said we made a commitment to look at all of the rates. We might not get to all of them this year, but I think we should stick to our commitment and look at all of the rates.

IX. Staff, Committee and Member Reports

Mr. Uchytel said the next Coffee and Doughnuts with the Harbormaster and Port Director is scheduled from 7:00 – 9:00 a.m. on January 30th, 2015 at the Yacht Club.

X. Committee Administrative Matters

The next Operations/Planning Committee meeting is scheduled for Wednesday, February 18th, 2015

XI. Adjournment

The Operations/Planning Committee meeting adjourned at 6:56 p.m.



Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

MEMORANDUM

To: Docks and Harbors – Ops/Planning Committee
From: Gary Gillette, Port Engineer
Date: February 12, 2015
Re: Appropriation Ordinance and Transfer

This memo explains a request to appropriate funds to CIP account H51-084 and the distribution of the funds in order to close out this account as the project is complete. The Douglas Harbor Phase III project (H51-084) provided a new section of mooring floats (north section), electrical, and water system, and CBJ's portion of funding for construction of an Army Corps of Engineers (ACOE) breakwater project. CBJ funding was provided by general obligations bonds (\$3.5M) and an ADOT grant (\$.8M). The project is complete and there is a cost overrun of \$10,649.74 due to unbudgeted bond service charges. There is, however, \$67,145.08 of accrued bond interest that may be appropriated to the account.

The ACOE recently completed the project close out which indicates that the CBJ owes ACOE an amount of \$10,103.50 for its match requirement for the feasibility study completed in 2003. An explanation of the funding and matching requirements is included in the letter from ACOE dated February 5, 2015.

Once the interest is appropriated, the account balanced for the cost overrun, and the ACOE paid the CBJ match amount there will be \$46,391.84 remaining in the account. Docks and Harbors requests that the remaining funds be transferred to the Harbors Deferred Maintenance account (H51-085) for use in the upcoming Old Douglas Harbor Rebuild project.

To summarize:

Amount	Description
\$67,145.08	Interest to be appropriated by ordinance to account H51-084
\$10,649.74	Amount retained in account to cover overrun due to bonding administrative charges
\$10,103.50	Amount paid to ACOE for CBJ's matching requirement for feasibility study
\$46,391.84	Amount requested for transfer to H51-085 for Old Douglas Harbor Rebuild project



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, ALASKA
P.O. BOX 898
ANCHORAGE, ALASKA 99506-0898

February 05, 2015

Civil Project Management Branch

Mr. Carl Uchytel
Port Director
City and Borough of Juneau
155 South Seward Street
Juneau, AK 99801-1397

Dear Mr. Uchytel:

The purpose of this letter is to request funds from the City and Borough of Juneau to close out the cost share requirements for the Navigation Improvements feasibility Study, Douglas, Alaska. Cost Share record #299.

We are requesting the funds in accordance with the Navigation improvements feasibility Study, Douglas, Alaska, Feasibility Cost Sharing Agreement Dated September 15, 1999.

The estimated cost of the feasibility study was \$413,000; however, the actual cost amounted to \$485,837.46. Of this amount \$48,848 was the estimated value of in-kind services to be performed by the sponsor. The study was completed in March 2003. At a 50/50 cost share according to the Feasibility Cost Sharing Agreement the City and Borough of Juneau's portion would be \$242,918.73.

To date the cash funds the City and Borough of Juneau has provided the COE is \$167,024 on 24 January 2000 and \$16,943.23 which was transferred to this account which was a remaining balance after closing out the construction phase of the project. The amount that was received from the City and Borough of Juneau for construction was \$1,100,000 on 3 March of 2008.

The total cash from the City and Borough of Juneau that has been applied to the feasibility study is \$183,967.23 (\$167,024 + \$16,943.23). In addition \$48,848 was credited as in-kind services bringing the total provided by the City and Borough of Juneau to \$232,815.23 making an additional \$10,103.50 required to balance and close out this project.

Please provide a check payable to "FAO, USAED, Alaska" in the amount of \$10,103.50 to pay in full the amount required per the agreement and close out this project. If you have any questions, call me at (907) 753-2668

Sincerely,

David Martinson
Project Manager



Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-5255 Phone • (907) 586-2507 Fax

March xx, 2015

SUBJ: HARBOR CODE OF CONDUCT

Background:

The Docks & Harbor vision is TO BE THE SOUTHEAST ALASKA MARINE CENTER OF EXCELLENCE PROVIDING A SAFE, SECURE, MODERN, VIBRANT FACILITIES MEETING THE NEEDS OF THE USERS WE SERVE. In pursuit of our goals, Docks & Harbors is obliged to act in the best interests of all customers. Our employees work collaboratively with other CBJ employees, stakeholders and customers to deliver quality services to the Juneau public. The following Harbor Customer Code of Conduct is designed to allow Docks & Harbors to preserve its tradition of providing safe and secure facilities. This Code applies to all harbor clients who frequent CBJ owned property, including but not limited, to vessel owners and their guests, live-aboard residents, charter and commercial operators, launch ramp users and pedestrians along Docks & Harbors managed properties.

Recently, several issues have surfaced regarding the conduct of some harbor customers which merit the development of guidelines to safeguard all user groups. The establishment of a Harbor Customer Code of Conduct provides the expectations following a “reasonable person” standard. The intent to codify rules to ensure customers are made aware that illegal or prohibited behavior, affecting other customers or Docks & Harbors employees will not be tolerated.

Personal conduct:

As a reminder, using CBJ Harbors is a privilege. Any continuing or repeated breach of Docks & Harbors policies, rules and regulations duly established by the Docks and Harbors Board, Port Director or Harbormaster may result in forfeiture of the privilege to use some or all facilities.

The owner of a vessel will be responsible for the conduct of those on board the vessel. Behavior of the owner, operator or occupants of a vessel which disturbs or creates a nuisance for others in the boat harbors is prohibited. Examples of prohibited conduct include but are not limited to:

(1) Violating any federal, state, or CBJ criminal law, including but not limited to:

- (a) The distribution and production of drugs;
- (b) Assault;
- (c) Harassment;
- (d) Disorderly conduct; and
- (e) Criminal mischief of private or CBJ property.

- (2) Consistent with CBJ 42.20.095, to make or continue, or cause or permit to be made or continued, any unreasonable noise. Making, causing or allowing unreasonable noise so as to cause public inconvenience, annoyance or harm. Unreasonable noise means any excessive or unusually loud sound that disturbs the peace, comfort, or repose of a reasonable person of normal sensitivity.
- (3) Damaging any Docks & Harbors property through reckless behavior that could be reasonably avoided.
- (4) Causing, provoking or engaging in any fight, or to commit an act in a violent or reckless manner whereby the safety, life, limb or health of another is placed in fear of immediate jeopardy;
- (5) Being found under the influence of alcoholic beverages, or other drugs including prescription drugs, in such a condition as to be unable to exercise care for their own safety or the safety of others, except aboard a vessel;
- (6) Engaging in the use of or being instrumental in the exchange or production of illegal drugs or other illegal substances.
- (7) All commercial, for profit enterprises conducting business aboard a vessel in a Docks & Harbor facility must have a commercial use permit. This does not apply to commercial fishing vessel.
- (8) Behavior, language or mannerisms by harbor users toward any harbor employee during the performance of their duties by using threats or actions that place staff in reasonable fear of immediate jeopardy.

Pet Owners:

Live-aboard customers, both owners and guests, that have a dog or cat residing onboard for a period longer than fourteen (14) days shall be required to complete a registration form indicating the type, breed, name and gender of the animal and pay the registration fee. Failure to meet the below requirements may result in infractions or penalties as provided in CBJ's Animal Control Code.

Animal owners will also be required to ensure the following:

- (1) During registration, dog owners shall provide proof the animal is licensed in accordance with current CBJ regulations. Unlicensed dogs shall not reside within the D&H system at any time.
- (2) Provide proof of current rabies vaccinations.
- (3) Be leashed at all times when on Docks and Harbors property, floats, fingers and moorings.
- (4) Clean up after your animal on docks, parking areas, and all adjacent D&H properties. Use of waste bags or other waste removal product(s) are mandatory on all D&H properties.
- (5) Ensure animals are properly confined on the vessel.



Grateful Dogs of Juneau

P.O. Box 20887
Juneau, AK 99802
gd-info@gratefuldogsofjuneau.org

February 16, 2015

TO: Carl Uchytel
CBJ Port Director

SUBJECT: Harbor Code of Conduct

Thank you for the opportunity to comment on the February 12, 2015 version of the proposed "Harbor Code of Conduct".

Grateful Dogs of Juneau recognizes the significant, beneficial role that a code of conduct can play in establishing best practices/standards of behavior that promote a respectful and harmonious social environment in the community. Grateful Dogs would endorse an aspirational code of conduct for harbor patrons that establishes guidelines for conduct above and beyond the social minimums established by state and municipal criminal statutes and regulations.

The latest "code of conduct" document is unfocused as to what it is trying to achieve. Primarily the document sets out offenses for which a person may be banished or barred from municipal docks and harbors. It also sets out an additional requirement that pets living aboard boats in the harbors be registered. Lastly, the document contains some standards of behavior for harbor patrons that might be considered as part of a code of conduct.

Also, the document is unclear as to whether it is intended as a policy statement or as a proposed regulation.

PET OWNERS CODE OF CODUCT

ONE: The pet registration requirement described in the first sentence under "**Pet Owners:**" is not appropriate for a "code of conduct." The pet registration requirement is a regulatory mandate that should be included in a regulatory

document. The requirement imposes a duty on pet owners living in the harbor. It does not establish a guideline for behavior of harbor patrons.

TWO: The second sentence of the section relating to pet owners implies that elements of the “pet owner code of conduct” would be enforceable and subject to penalties set out in the CBJ Animal Control Code. **CBJ Ord. 08.** This assertion is a misstatement of the role that CBJ Animal Control Code would have in enforcing the proposed pet owners code of conduct set out in paragraphs (1) – (5). CBJ Animal Control, which is the agency responsible for enforcing the CBJ Animal Control Code, will not and cannot enforce most of provisions of the pet owners code of conduct contained in paragraphs (1) – (5), because it lacks the legal authority to enforce those provisions.

PARAGRAPH (1): Animal Control enforces the CBJ Ordinance that requires most (not all) dogs in the municipality to have a CBJ dog license.

Animal Control does not have authority to enforce a requirement that dog owners provide Docks & Harbors with proof that the dog is licensed.

PARAGRAPH (2): As stated above in regard to providing proof of licensure, Animal Control has no authority to compel a pet owner to provide Docks & Harbors with proof of rabies vaccination.

PARAGRAPH (3): Animal Control has the authority to enforce an on-leash requirement for dogs on “All City and Borough floats, docks, and municipal wharfs.” **CBJ Ordinance 08.40.020(b).**

If “fingers and moorings” are different from “floats, docks, and municipal wharfs,” Animal Control will not be able to enforce an on-leash requirement in those areas. Likewise, any on-leash requirement on “Docks and Harbors property” other than “floats, docks, and municipal wharfs” is not enforceable by Animal Control.

PARAGRAPH (4): The CBJ ordinance requiring dog owners to pick up after their dogs applies only to areas within the borough where dogs are required to be on-leash by municipal ordinance. **See, CBJ Ordinance**

08.40.040. Thus Animal Control may only enforce a poop pick up requirement on the “floats, docks, and municipal wharfs” referenced under PARAGRAPH (3). Animal Control has no authority to enforce a poop pick up requirement on “parking areas, and all adjacent CBJ Docks & Harbors properties.”

Similarly, Animal Control can only enforce the use “of waste bags or other waste removal products” in those areas where dogs are required to be on-leash by CBJ ordinance. In areas where dogs are not required to be on-leash, such as those areas outside of “City and Borough floats, docks, and municipal wharfs,” Animal Control does not have the authority to require that a person carry waste bags.

PARAGRAPH (5): This paragraph is ambiguous and vague to be enforceable. What is meant by “properly confined?” It not clear whether this paragraph refers to preventing animal cruelty, to preventing dogs from running at-large in dock and harbor areas, or to ensuring that dogs are properly housed and fed.

THREE: Paragraph (1) of the pet owner’s “code of conduct” states that “Unlicensed dogs shall not reside within the CBJ Docks & Harbors system at any time.” Not all dogs present in the municipality are required to be licensed. Dogs less than 6 months of age are not required to be licensed. Dogs belonging to nonresidents of Juneau are exempt from licensure in the municipality if the dogs are present in the municipality for less than 30 days. Furthermore, dogs owned by a non-resident are exempt from licensure for 130 days if the dogs are licensed in another municipality. **CBJ Ord. 08.15.010(a) and 08.15.020.** Since CBJ specifically allows certain dogs to be present within the municipality without being licensed, those dogs cannot be required to be licensed as a condition for residing in the harbors.

FOUR: In order to obtain a dog license in Juneau, a dog owner must present proof of rabies vaccination to Animal Control. It is unnecessary for Docks & Harbors staff to require proof of rabies vaccination if the dog owner is already

required to show that the dog is licensed in Juneau. Once a dog owner has shown proof that the dog is licensed in Juneau, the owner has already shown that the dog is vaccinated against rabies. **CBJ Ord. 08.15.010(b).**

FIVE: The enforcement of canine licensing and rabies vaccination requirements is outside the scope of the powers and duties of the Docks & Harbors Department. Docks & Harbors should not interject itself into those matters which are outside of its traditional responsibilities, unless otherwise required by CBJ ordinance. Docks & Harbors has a legitimate interest in identifying those dogs that are living within the harbors. A canine license number can be a useful means of identifying a dog. A dog owner could provide a canine license number as one way of identifying a dog for purposes of registration with Docks & Harbors, but it is outside of the scope of authority of Docks & Harbors to require that a dog be licensed in order to reside in the harbor.

SIX: Grateful Dogs of Juneau proposes that Docks & Harbors adopt an aspirational code of conduct for pet owners containing provisions such as the following:

DOCKS AND HARBORS CODE OF CONDUCT FOR PET OWNERS

- (1) All users of CBJ docks and harbors properties, including floats, docks, and municipal wharfs, fingers, moorings, boat launches, parking lots and the adjacent upland docks and harbors properties, will clean up after their pets when present on CBJ docks and harbor properties and on property adjoining CBJ docks and harbor properties;*
- (2) All users of CBJ docks and harbor properties will keep their dogs on-leash when on CBJ floats, docks, municipal wharfs, fingers, and moorings;*
- (3) All users of CBJ docks and harbor properties who are accompanied by pets will be respectful of other users who may be afraid of or uncomfortable with pets;*
- (4) Persons living with pets aboard boats in the harbor will not let their pets infringe on the rights of other users of CBJ docks and harbor properties;*

- (5) Persons living with pets aboard boats in the harbor will inform the harbor master of the number, species, gender, and other identifying characteristics of the pets on board the boat so that harbor personnel are aware that pets are onboard the vessel in the event of an emergency or in the event that a pet is at-large on docks and harbor properties;*
- (6) Persons living with pets aboard boats in the harbor are responsible for their pets' safety, health, and quality of life.*

WHO WE ARE AND WHY WE CARE. Grateful Dogs of Juneau, Inc. is a Juneau nonprofit member organization whose goal is to promote maximum access to public lands and facilities in Juneau by dog owners and the dogs that accompany them. As just one of the many user groups of Juneau public facilities, we recognize that we must share them with other users and be good neighbors. For our part, being a good neighbor entails, at a minimum, keeping our dogs under control and cleaning up after our dogs.

In attempting to maximize access to public facilities, dog owners encounter resistance because dog owners are perceived by a portion of the local population as being inconsiderate of the non-dog owning members of the community. Though this view of dog owners is due in part to the behavior of untrained dogs and unskilled dog owners, the most important and most wide spread cause of dissatisfaction with dog owners arises from the fact that some dog owners through carelessness, ignorance, or blatant disregard for others do not pick up after their dogs. It takes only a few inconsiderate dog owners to nullify the good behavior of the vast majority of dog owners who are truly responsible dog owners. To overcome this unfavorable impression caused by inconsiderate dog owners, the Grateful Dogs of Juneau seeks to educate dog owners about the importance of cleaning up after their dogs and to provide examples of responsible dog ownership through organized poop scoops and our personal behavior when we are out in public with our dogs.

Grateful Dogs of Juneau has cooperated on dog-related issues in the community with CBJ Parks and Recreation, Juneau International Airport, Juneau School District, Juneau Municipal Assembly, Juneau Office of the Alaska Department of Fish and Game, and the staff of the USFS Mendenhall Glacier Recreation Area.

Grateful Dogs of Juneau appreciates the opportunity to comment on a code of conduct for pet owners in Juneau harbor areas. We look forward to continuing to participate in this process and in other canine related matters affecting the Juneau harbors.

Sincerely,

/s/

George Utermohle
President
Grateful Dogs of Juneau, Inc.



Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

From: Carl Uchytel, Port Director
To: Docks & Harbors Board
Via: Operations-Planning Committee
Finance Committee
Date: February 17th, 2015
Re: THANE ORE HOUSE – NEXT STEPS

Background: Previously, I provided situation reports regarding the status of the plan to lease the property formerly encumbered by the Thane Ore House. In summary, it was presented that the former lessee has no legal basis for future compensation for the leased property. The property was also appraised and determined the building was fully depreciated and the fee simple value of the 1.12 acre property was \$86,000.

Regulations & Ordinance: In consultation with CBJ Law, the process, defined under ordinance and regulations, provides wide discretion, to the Port Director and Board, when selecting a lessee. Under Title 85, the Board and Port Director assumes the role of Assembly and Manager, respectively for management of properties entrusted under our stewardship. Although, the Assembly would adjudicate appeal processes. Some of the applicable guidance includes:

- (1) 53.20.060 - Rights prior to leasing. *The filing of an application for a lease shall give the applicant no right to a lease or to the use of the land applied for. Any use not authorized by lease shall constitute a trespass against the City and Borough.*
- (2) 53.20.120 - Bids; manager's rejection. *Prior to the signing of the formal lease by the City and Borough, the manager may, without cause, reject any and all bids for leases when the best interest of the City and Borough clearly justifies such action.*

Now, with that said, CBJ 53.20.130 states: *An aggrieved bidder may appeal the manager's determination of the apparent high bidder or the preference privilege bidder to the assembly within five days, excluding Saturday and Sunday following such determination. Such appeals must be in writing and contain a short statement of the grounds for the appeal and be verified under oath. The assembly shall within 30 days of receipt of a timely appeal review the asserted grounds for appeal and rule thereon. The assembly's decision shall be final, but without prejudice to any other rights the aggrieved bidder may have. Failure of the assembly to rule within 30 days shall constitute a rejection of both the claim under the appeal and the contested bid.*

In addition to the above provisions noted, we have leasing requirements within the harbor regulations:

05 CBJAC 50.020 - Relationship to CBJ leasing code.

Leases under the administration of the docks and harbors department are governed by CBJ Chapter 53.20, Leases, and CBJ 85.02.060. The regulations in this chapter implement and make specific the requirements of those code sections as they apply to leases under the jurisdiction of the Docks and Harbors Board.

Philosophy: Lacking a prescriptive legal procedure, Docks & Harbors can move forward with somewhat subjective discretion in selecting an appropriate lessee. This could include a bidding and business plan (RFP) evaluation, if so desired. As noted above, there is an appeal process for an aggrieved non-selected applicant but the standard to overturn a selection would be “my proposal is better”. This most likely would be difficult for the Assembly to overrule - assuming a transparent selection process is followed with an independent seated panel.

Recommendation: I recommend Docks & Harbors advertise in a manner similar to inviting professional services through a Request For Proposal (RFP). In the RFP, the applicant would provide a propriety business plan, business history and financial support to operate a business on the facility. The RFP would also request the applicant to provide an annual bid for the opportunity to lease the property. The solicitation would also inform the potential applicants that the lease includes the use or removal of the existing structures and Docks & Harbors will not be razing any buildings. The minimum annual lease rent would be \$8600 (10% of the appraised value). The seated selection panel would evaluate the RFP and bid and choose the applicant meeting the criteria set forth by Docks & Harbors. For example, the criteria could include a preference for marine related business, best opportunity for employment or an evaluation of the “best & highest” use of the property. It would also be clear the high bid will not automatically be the winning bid for the selection of the most appropriate lessee.

#



Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

From: Carl Uchytel, Port Director
To: Docks & Harbors Board
Via: Operations-Planning Committee
Finance Committee
Date: February 17th, 2015
Re: STATTER HARBOR - ELECTRIC BOAT CHARGING STATION

Background: At the October 30th regular Board meeting and again at the November 13th, 2014 Operations-Planning Committee meeting, Bob Varness (Tongass Rain Electric Cruise - TREC) has requested consideration from the Docks & Harbors Board to operate a 50 foot, fully electric charter vessel at Statter Harbor under the general management principals imposed within regulations.

05 CBJAC 25.010 - Designated moorage areas. *At any time during the year, the harbormaster, in his discretion, may designate moorage areas within the harbor for specific uses, such as the loading and unloading of passengers, crew, or cargo, fish cleaning, boat repair, commercial, recreational, and other types of moorage.*

05 CBJAC 25.020 - Administration of designated moorage areas. *When designating an area, the harbormaster shall establish written procedures for administering moorage in the designated area. There shall be no moorage fee for use of a loading zone designated under this regulation. No person may moor a vessel in a designated moorage area unless actively engaged in the use specified for the designated area, except in an emergency or in the interests of effective space management, the harbormaster may allow a vessel that is not actively engaged in the use specified for the designated area to temporarily moor in the designated area.*

05 CBJAC 25.030 - Visiting vessel arrival zone. *The harbormaster may establish a zone for visiting vessels to moor upon their arrival from out-of-town and establish written procedures for administering this moorage. The purpose of the zone is to provide temporary moorage for visiting vessels while the harbormaster finds appropriate moorage within the facility. No person shall moor a vessel in this zone without the approval of the harbormaster. The harbormaster shall charge daily moorage fees for use of this zone. The time allotted under the daily fee is transferable to other moorage areas within the facility.*

05 CBJAC 25.040 - Reservations zone. *The harbormaster may accept reservations for daily moorage on both sides of the breakwater and establish written procedures for administering this moorage. No person shall moor in an area marked for reservation without the approval of the*

harbormaster. The harbormaster shall assess daily moorage fees under this section the same manner as the regulations set out in 05 CBJAC 15.030.

05 CBJAC 25.050 - Docks and harbors board approval. *Prior to administering moorage as set out in sections 010 through 040 of this regulation, the harbormaster shall obtain the approval of the docks and harbors board.*

Specifically, Mr. Varness has requested a location within the harbor in which he can have reasonable access to 50 amp and 30 amp electrical power. The Board has given direction to Staff to find an acceptable solution to this unique request.

Issue: On November 19th, 2014 staff met with Mr. Varness and Bill Shattenberg at Statter Harbor to discuss power requirements and appropriate location to best deconflict competing interest in this heavily used facility. At the January 29th Board meeting, Staff recommended designating 60 feet in the Horseshoe area for electric vessel charging only from 7 pm to 8 am on a daily basis (see enclosure). This area has been previously and will in the future, be declared “overnight moorage” thus alleviating criticism that Mr. Varness has de facto reserved moorage. In the event, another fully electric vessel wishes moor overnight – then this will be a first come, first serve moorage. Mr. Varness, Mr Shattenberg and Docks & Harbors Staff identified power pedestal in the selected area which will allow the electric vessel to charge over the evening period.

Assuming the vessel will charge for eight hours, the anticipated electrical charges will be:

208 volts x 50 amps = 10,400 Watt

10.4kWatt x 8 hours x \$0.12/(kWatt-hour) = ~\$10 per 8 hour charge

Times two outlets = ~\$20 per 8 hour charge

120 volts x 30 amps = 3600 Watt

3.6kWatt x 8 hours x \$0.12/(kWatt-hour) = ~\$3.50 per 8 hour charge

Estimated electrical consumption: \$23.50/day or \$705/month

Regarding compensation, there are several options which could be used to levy appropriate fees to Mr. Varness:

Transient 50 ft x \$0.54/ft per day = \$27/day (\$810/month) or,

Monthly 50 ft x \$7.05/ft per month = \$352.50; or

Reserved 50 ft x \$1.50/ft per day = \$75/day (\$2250/month)

Electrical:

Daily: 30 amps => \$7.20/day + 50 amp (twice) => \$48/day = \$55.20/day or \$1656/month; or

Monthly (summer/liveaboard): \$90 (30 amp) + \$180 (50 amp) + \$180 (50 amp) = \$450/month; or

A third option would be to allow Mr. Varness to meter the pedestal through AELP.

Recommendation: I recommend the appropriate monthly fee to be the monthly rate (\$352.50/mo) + the daily electrical rate (\$1656) for an estimated monthly moorage fee of \$2008.50, based on FY2015 rates.

#

Encl: Map showing designated electric vessel moorage



ENGINEERS, INC



CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

DOCKS & HARBOR DEPARTMENT



DESIGN: BMI
DRAWN: PND

CHECKED: CRS
APPROVED: CRS

SCALE:
SCALE IN FEET
0 60 120 FT



**CITY & BOROUGH OF JUNEAU
STATTER HARBOR IMPROVEMENTS**

SHEET TITLE:
**PROPOSED MASTER PLAN PROJECT FOR
CONDITIONAL USE PERMIT**

PND PROJECT NO.: 082015 DWS FILE

1
SHEET
1 OF 1



Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

February 10th, 2015

Rob Edwardson
Natural Resource Manager
MLW-LAND JUNEAU
400 Willoughby Ave #400
Juneau, AK 99811-1020

Dear Rob,

The City & Borough of Juneau - Docks & Harbors has been actively engaged in rebuilding the 1962 Old Douglas Harbor over the past decade. Since 2006 CBJ, and more recently with our US Army Corps of Engineers – Alaska Division - Construction Branch partners, over one million dollars have been expended in pursuit of securing necessary permits and authorities. On June 30th, 2014 the Corps of Engineers – Regulatory Division issued the 404(b) permit for CBJ to move forward with the dredging and rebuilding of the harbor. Unfortunately, the requirements imposed under that permit financially limited CBJ to execute the project.

In the FY 2015 CROMNIBUS appropriations bill, the federal government fully funded a program known as Operations and Maintenance of Small, Remote, and Subsistence Harbors and Channels. Under this authorization, Army Corps of Engineers has committed to \$6 million for dredging and capping 40,000 cubic yards of material in support of Old Douglas Harbor. The Army Corps of Engineers is federally responsible to maintain authorized depths and widths of this harbor facility, including where contaminated sediments are present. The City & Borough of Juneau remains committed to investing over \$4 million in new floats and associated infrastructure, if dredging can be accomplished at the federal level. In addition, the Alaska Department of Transportation & Public Facilities Harbor Grant program has dedicated \$2,044,230 as matching money to this necessary regional infrastructure project.

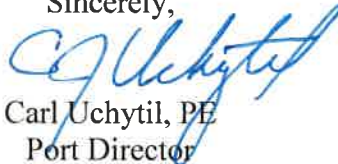
Given that Juneau is the largest Alaskan city, which is not on the terrestrial road system, our ports, harbors and waterways are vital to Juneau's economy and quality of life. As a maritime community, our citizens are dependent on the safe and secure flow of waterborne transportation. However, many of our Juneau harbor facilities are reaching the end of their useful life and several require maintenance dredging because of siltation or isostatic rebound. Old Douglas Harbor is over a half-century old and well past its useful life. As an aging facility, delaying recapitalization assumes additional risk associated with electrical system degradation or significant environmental damaged caused by a vessel grounding in a harbor with insufficient depth.

In the lengthy and exhaustive permitting process, numerous alternatives were considered and analyzed. The Least Environmental Damaging Practicable Alternative was determined to be deposition of the dredged materials with a sand cap in Gastineau Channel just outside of Douglas Harbor. This disposal site has been selected in previous maintenance dredging projects; the most recent was conducted in 2002 under the Department of Army Permit #2-2000-0495. The topography of the City & Borough of Juneau, coupled with limited uplands, along with its geographic isolation renders terrestrial disposal - financially unfeasible. The use of State of Alaska submerged lands in Gastineau Channel to facilitate an aqueous disposal has been employed previously for Douglas Harbor and for other deepening projects within Juneau, and is the only cost effective engineering solution.

The Old Douglas Harbor rebuild is a vital and necessary infrastructure investment which serves not only the Juneau community and the region, but also the State of Alaska. The project, when realized, will provide greater economic opportunity for commercial fisherman and marine services (boat repair & salvage operations), as well as support of tourism through charter operations. These economic drivers help diversify the local economy which is currently so dependent on government. This project will also enhance the private boat owner's experience for marine recreational enjoyment in Juneau and regionally. Finally, the State of Alaska's grant commitment would suggest that there is a clear nexus to the benefit to the State.

I respectfully request your support in obtaining the appropriate Department of Natural Resources authorities to conduct the proposed project and as approved by the US Army Corps of Engineers under POA-2000-495-M3 on submerged lands in Gastineau Channel.

Sincerely,



Carl Uchytel, PE
Port Director

City & Borough of Juneau



EXHIBIT NOTE:
THIS EXHIBIT DENOTES APPROXIMATE BOUNDARY POSITIONS ONLY
R & M ENGINEERING, INC. ASSUMES NO RESPONSIBILITY FOR
CONCLUSIONS ARRIVED AT FROM REVIEW OF THIS EXHIBIT.

APPROXIMATE SCALE
0' 30' 60' 120' 240'
PHOTOGRAPHY BY R & M ENGINEERING, INC. 2001

EXHIBIT 1
A PHOTOGRAPHIC OVERLAY
DIAGRAM
APPROXIMATE LEASED PREMISES
WITHIN
LOT NO.2, BLOCK 51
A.T.S. NO.3
WITHIN
CITY & BOROUGH OF JUNEAU, ALASKA

CLIENT:
C.B.I. - HARBORS DEPT.
125 E. EDWARD ST.
JUNEAU, ALASKA 99801
DATE: MAR. 2006

SURVEYOR:
R. & M. ENGINEERING, INC.
1000 W. 10TH AVE. S.W.
JUNEAU, ALASKA 99801
DATE: MAR. 2006

CBJ Docks and Harbors CIP Project Schedules																																																											
ID	Task Name	Start	Finish													2014												2015												2016												2017							
				Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun											
1	Port of Juneau Cruise Berths	Mon 2/17/14	Mon 5/8/17																																																								
2	Materials Procurement - Phase I	Mon 2/17/14	Fri 1/1/16																																																								
3	Construction - Phase I	Mon 9/21/15	Fri 4/29/16																																																								
4	Shut Down for Tour Season	Wed 5/4/16	Mon 9/26/16																																																								
5	Materials Procurement - Phase II	Fri 9/25/15	Fri 1/6/17																																																								
6	Construction - Phase II	Mon 9/26/16	Mon 5/8/17																																																								
7	Statter Harbor Launch Ramp	Mon 9/29/14	Fri 7/1/16																																																								
8	Award Contract	Mon 9/29/14	Fri 10/10/14																																																								
9	Submittals and Fabrications	Mon 10/13/14	Mon 8/10/15																																																								
10	Sand Layer & Wick Drains	Mon 10/13/14	Fri 11/28/14																																																								
11	Soft Ground Surcharge Period	Mon 12/1/14	Thu 5/14/15																																																								
12	Construction	Fri 5/15/15	Fri 7/1/16																																																								
13	Substantial Completion	Wed 6/1/16	Wed 6/1/16																																																								
14	Final Completion	Thu 6/2/16	Thu 6/30/16																																																								
15	Old Douglas Harbor Re-Build	Thu 2/12/15	Fri 8/12/16																																																								
16	Phase I - Demolition	Fri 2/20/15	Fri 10/9/15																																																								
17	Final Bid Documents Due	Fri 2/20/15	Fri 2/20/15																																																								
18	Advertise for Bid	Tue 2/24/15	Tue 2/24/15																																																								
19	Pre-Bid Conference	Tue 3/10/15	Tue 3/10/15																																																								
20	Bid Opening	Thu 3/19/15	Thu 3/19/15																																																								
21	Board Approval	Thu 3/26/15	Thu 3/26/15																																																								
22	Assembly Approval	Mon 4/6/15	Mon 4/6/15																																																								
23	Notice to Proceed	Mon 4/20/15	Mon 4/20/15																																																								
24	Demolition Period	Mon 8/17/15	Fri 10/9/15																																																								
25	Phase II - Dredging by ACOE	Mon 10/12/15	Mon 4/11/16																																																								
26	Dredging Period	Mon 10/12/15	Mon 4/11/16																																																								
27	Phase III - New Facilities Installation	Thu 2/12/15	Fri 8/12/16																																																								
28	Design Development	Thu 2/12/15	Thu 2/12/15																																																								
29	Public Review and Comment	Thu 2/12/15	Thu 2/12/15																																																								
30	Final Design and Bid Documents	Thu 2/12/15	Thu 2/12/15																																																								
31	Bidding Process	Thu 2/12/15	Thu 2/12/15																																																								
32	Bid Award	Thu 2/12/15	Thu 2/12/15																																																								
33	Materials Procurement	Thu 2/12/15	Thu 2/12/15																																																								
34	Construction Period	Tue 4/12/16	Fri 8/12/16																																																								
35	Aurora Harbor Re-Build - Phase I	Mon 9/1/14	Thu 4/30/15																																																								
36	Construction	Mon 9/1/14	Thu 4/30/15																																																								
37	Amalga Harbor Fish Cleaning Station	Mon 2/16/15	Mon 2/16/15																																																								