From: Alaska Galore Tours
To: City Clerk; Alexandra Pierce; Borough Assembly; Alexandra Pierce
Subject: VITF Public Comments
Date: Monday, October 26, 2026 8:03:14 AM

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Dear Members of the Visitor Industry Task Force and Assembly,

I am writing to urge you not to move forward with a whale-watching permit system, limited-entry program, or fleet reduction. These proposals are unnecessary, raise serious questions of fairness and legal authority, and appear to target an industry whose growth has already flattened under the existing cruise passenger cap.

Fifteen months ago, we met with Alix Pierce and Mayor Weldon to discuss potential restrictions on whale watching. We specifically asked to be included in any future conversations. We were told that this type of control was not being considered because it was illegal, and that if it ever was considered we would have a seat at the table—including on the VITF. That commitment was not kept. Whale watching is one of the primary activities under discussion for unprecedented regulation, yet the industry had no direct representation on the task force while other sectors did. We are now forced to respond to a process we asked to be part of more than a year ago.

A permit or limited-entry system will not affect all operators equally. How will CBJ enforce restrictions on private docks? Goldbelt could establish its own fleet outside Statter Harbor rules. Allen Marine and other operators with private facilities would have the same advantage. Fishing charters, lodges, and water taxis could continue expanding whale-watching activity while established operators using the public harbor are locked in place. That is not industry management—it is selecting winners and losers.

More fundamentally, I question CBJ's legal authority to impose these restrictions on commercial activity occurring on state waters. The city's own tourism manager has previously stated in public that CBJ has limited jurisdictional authority over whale watching on the water, noting that while the city owns harbors, there are private marinas and that government tools are blunt once vessels leave those facilities. CBJ Docks & Harbors powers under Title 85 are tied to the operation of municipally owned facilities and are explicitly subject to state law. Alaska's Limited Entry system (AS 16.43) was created by the Legislature specifically for commercial fisheries and is administered by the Commercial Fisheries Entry Commission. There is no comparable statutory framework authorizing a municipality to create limited entry for tourism or wildlife-viewing operators on state navigable waters. Any system that reaches beyond harbor facilities and attempts to control who may operate once vessels are on state waters risks exceeding CBJ's delegated authority and inviting legal challenge. NOAA staff have also clarified publicly that their jurisdiction is over the marine mammal resource itself, not over how many commercial

operators may run businesses or how many boats may use state waters—further underscoring that any city-created permit or fleet-cap system would rest on municipal authority that has not been clearly established.

The industry has already been making substantial operational changes beginning in 2025, and these practices will continue indefinitely. They include:
- Maximum ten-minute occupancy at the public loading zone, with no more than one vessel per company at a time
- Prioritizing cross-loading and passenger-for-hire floats
- Keeping one of the four fueling positions at Petro Marine available to local boaters
- Treating Coghlan Cut as a no-wake zone
- Extending the no-wake boundary approximately 500 yards farther from Auke Bay
- Giving smaller recreational boats more space and yielding whenever safe and practical

These changes are producing a noticeable difference for locals, but they require time. We respectfully ask for the opportunity to continue working for these changes before imposing additional restrictions.

The scientific justification for limited entry has also not been established. Juneau's humpback population has shown positive trends, and prior cortisol research in the area has not demonstrated elevated stress hormones associated with whale-watching traffic. Operators already follow federal regulations and participate in Whale SENSE, SEWAA, and TBMP. What is particularly troubling is that CBJ is exploring restrictions while simultaneously funding research on impacts—before those results have been published. This sequence creates the appearance that the city is seeking scientific cover for a decision already made rather than allowing the research to guide policy. Science should drive decisions, not the reverse. The cruise passenger cap is already working; ticket sales and fleet growth have leveled off. What additional problem would limited entry solve?

Finally, the city already collects substantial fees from operators at multiple points for the same guests. We pay for an A & B Loading Zone Permit downtown to pick up and drop off passengers. We then pay for a Statter Harbor drop-off permit and related fees to move those same guests to the harbor. And then we pay the passenger-for-hire fee again to load those same guests onto our boats. On top of that, every commercial stop we make to enhance the guest experience—Brotherhood Bridge, the Whale Statue (Mayor Bill Overstreet Park), Auke Lake, Homestead Park, and similar sites—carries a $5 per-passenger fee that will increase $0.50 per year until it reaches $6.50. Most of the community has no idea these layered fees already exist. The recent proposal to increase the Statter Harbor per-passenger fee from $2.05 to $7.50 represents a 266% jump on top of all of this. Docks & Harbors has collected more than $3.3 million in passenger-for-hire fees since 2005 from whale-watching and fishing charter operators using Statter Harbor. I request that the Assembly and the public receive a clear accounting of total revenue

collected from all of these fees—downtown loading zone permits, Statter Harbor drop-off/bus permits, passenger-for-hire fees, and the per-passenger fees at commercial stop locations—where those funds have been spent, and whether the current and proposed rates are justified by actual costs. Is CBJ asking any other local industry to operate and attempt to thrive under this combination of layered fees plus the threat of limited-entry restrictions on its core business activity? Restaurants, retail, hotels, and other tour operators do not face this dual burden. If the justification for new restrictions includes harbor impacts or infrastructure needs, the public deserves transparency about what operators are already paying and whether this level of regulation is being applied evenly.

We live here, use these waters, and have every reason to protect the whales that support our families, businesses, and this community. We are asking the Assembly to allow the industry's operational changes to continue, to respect the investments local businesses have made, and to reject a legally questionable limited-entry system that lacks both a clear demonstrated need and clear statutory authority.

Thank you for your consideration.

Sincerely,
Jamie Letterman
Alaska Galore Tours;
Juneau Lighthouse Tours;
Harv and Marv's
Juneau

Additional Considerations for VITF and CBJ Assembly:

If CBJ restricts the number of whale-watching vessels that can use Statter Harbor (or makes it significantly more expensive/restrictive), operators have clear incentives to:

- Shift operations to private docks/marinas that are not under the same rules
- Partner with, lease from, or co-locate with companies that already control private facilities
- Move passenger loading/unloading to locations outside CBJ's direct control

In that scenario CBJ would:

- Fail to actually reduce the total number of boats on the water
- Lose the passenger-for-hire fees, bus/drop-off fees, and related harbor revenue it currently collects
- Create an uneven playing field that rewards operators with private access while penalizing those who have invested in using the public harbor

This undercuts the stated goals of fleet management and reducing impacts, while also

reducing the revenue stream the city relies on for harbor maintenance and staffing. It is a classic example of a regulation that is easy to evade and produces the opposite of the intended fiscal result.

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