

CBJ DOCKS AND HARBORS BOARD
REGULAR BOARD MEETING MINUTES
For Thursday, April 25th, 2019

I. Call to Order

Mr. Etheridge called the Regular Board Meeting to order at 5:00 pm in the CBJ Assembly Chambers.

II. Roll Call

The following members were present: Weston Eiler (arrived at 5:01), David McCasland, James Becker, Mark Ridgway, Christopher Dimond, and Don Etheridge.

Absent: Bob Janes, Bob Wostmann, and Budd Simpson.

Also present were the following: Carl Uchytel – Port Director, Dave Borg – Harbormaster, Matt Creswell – Deputy Harbormaster, Scott Hinton – Port Operations Supervisor, Teena Larson-Administrative Officer, Mary Becker – Assembly Liaison.

III. Approval of Agenda

MOTION By MR. RIDGWAY: TO APPROVE THE AGENDA AS PRESENTED AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

IV. Approval of March 28th, 2019 Regular Board Minutes

Hearing no objection, the March 28th, 2019 Regular Board Minutes were approved as presented.

V. Public Participation on Non-Agenda Items –

John Cooper, Juneau, AK

Mr. Cooper said he is here to ask the Board to ask the Assembly to make some ordinance changes. He said he has been involved with the problems at Amalga Harbor and has observed seine boats that have no identification parking for two or three days. He said when he talked to the Harbormaster about it he said that they can fine the boat \$25.00 but with no identification staff does not know who is being fined and with the fine only \$25.00 the City Attorney won't pursue it. He is asking the Board to ask the Assembly for an ordinance for any boat that docks at a CBJ dock has to be identified by AK numbers and this will tell who is abusing facilities and dock space so the Harbor staff can pursue them. The ordinance could have some provisions in case of an emergency. If someone does not obey the ordinance, it is a \$250.00 fine per day which will most likely attract the attention of the CBJ Attorney.

Mr. Etheridge said staff is working on a regulation for this issue currently.

VI. Consent Agenda –

A. Public Requests for Consent Agenda Changes - None

B. Board Members Requests for Consent Agenda Changes - None

C. Items for Action

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1. Transfer \$35K to H51-110 Visitor Information Kiosk Replacement Project

RECOMMENDATION: TO TRANSFER \$35,000 FROM THE DOCKS FUND BALANCE TO H51-110 VISITOR INFORMATION KIOSK REPLACEMENT PROJECT.

MOTION By MR. EILER: TO APPROVE THE CONSENT AGENDA AS PRESENTED AND ASK UNANIMOUS CONSENT.

Consent agenda was approved with no objection.

VII. Unfinished Business - None

VIII. New Business – None

IX. Items for Information/Discussion-

1. Amalga Harbor Resolution

Doug Larsen, Juneau, AK.

Mr. Larsen said he is the current president of the Territorial Sportsmen Incorporated (TSI). He said his intent this evening is to offer a follow up on the April 17th OPS meeting where TSI's Amalga Harbors resolution was included on the Agenda. The TSI Board sent a letter on April 18th stating we regret the resolution created some angst among some staff and some Board members. He said like in the letter, he wanted to reiterate that it was never TSI's intent to criticize, or cast aspersions on Docks & Harbors staff or Board. TSI appreciates the relationship with Docks & Harbors staff and Board and are extremely grateful for the assistance provided with our annual Golden North Salmon Derby and all the other services provided for the community included improvements. Mr. Larsen said as some or not all know that he is not only the TSI president but also an Amalga Harbor property owner. He said he attended Docks & Harbors Board meeting in December which was when he first learned about the Amalga Harbor proposed project. At that time and not until recently the Amalga Harbor project was not on TSI's radar and did not occur to put it on our radar. One of our Board members heard about the project when emails were sent informing the public about the April 2nd public meeting with PND, he said he appreciated the noticing that was done to get the word out about that meeting, and that Board member asked if TSI considered weighing in on the project. Ultimately, the Board concurred. He said because of his property ownership at Amalga Harbor, he abstained from voting on the TSI resolution and similarly he abstained from voting on whether or not he supports submitting comments on the project through the Amalga Huffman Association to PND. He said he submitted comments on his own behalf as an Amalga Harbor launch ramp user. He said, given his association with Amalga Harbor property owners and on the TSI Board the Board agreed that he should step back and let their Vice-President Ryan Beason be the point person on TSI's involvement in the Amalga Harbor project process and that is why correspondence has come from Ryan and not me. At the April 17th Committee meeting, there were questions asked about accuracies in the statements in the TSI's resolution. He said TSI went back and confirmed looking at the documents TSI had available they could find nothing inconsistent with what was in the resolution. He said if there are inconsistencies in the resolution, the TSI Board would be happy to address those. Additionally, following the April 17th meeting, he called and talked to ADF&G Dan Teske about statistics Fish & Game offered to TSI. He learned that about 45% of the sample ground fish out of the Juneau area come through Amalga Harbor. However, he further noted that about the same 45% ground fish caught in the Juneau area is believed to come from Amalga Harbor. He said in other

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words, the sampling was commensurate with where the fish are coming from. He said Mr. Teske estimates about 5,000 ground fish come from Amalga Harbor each season which doesn't include salmon, rock fish, or crabs. TSI's point with that statement is that a lot of ground fish come through Amalga Harbor which results in a lot of carcasses which is the bottom line TSI was trying to impress with that statement. On April 9th, Mr. Uchytel requested to see TSI's April 8th Board meeting minutes which will be provided after they are adopted at their next meeting which is scheduled for May 14th. TSI's Board welcomes Docks & Harbors staff and Board members at any of their Board meetings which are normally held the second Tuesday of each month in the DIPAC Conference room. He said as stated in the letter from Mr. Beason, TSI requests any insight there may be into the process/timeline for the Amalga Harbor project and how the issues and ideas brought forward will be vetted and addressed. He thanked the Board for letting TSI be on the Agenda and said TSI does not want extra favors because of their status as an organization so the request is really just to clarify points from the April 2nd meeting.

Board Discussion/Public Comment –

Mr. Becker asked if he noticed a lot of people fishing chums from the beach?

Mr. Larsen said yes, but not so much in the Harbor. From his experience it is in the Saltchuk where snagging is allowed which they use for bait.

Mr. Becker asked if these fish that people are snagging is a big portion of the fish found on the beach?

Mr. Larsen said not from his experience. He said the carcass issues are halibut. He said DIPAC does a great job of cleaning up the chums.

Mr. Ridgway asked if Mr. Teske relayed any other information on Amalga Harbor?

Mr. Larsen said the only other thing he spoke with Mr. Teske about is the fish cleaning whether it would be allowed outside the Harbor and they said they would not allow that and the only fish cleaning needs to be done in the Harbor.

Mr. Uchytel asked if TSI stands by the resolution as written with quoting Mr. Moesers draft report that was never part of the final report and with the implication that Alaska Harbor Association has guidelines for fish cleaning stations when it does not? He asked Mr. Larsen if he believed those are fair statements in the resolution? As well as the reference to the coastal zone management reauthorization when Alaska doesn't have one.

Mr. Larsen said he has documents that TSI would make available and if they are misstated or misunderstood TSI would stand to be corrected if that is the case. To their knowledge and looking at the material they have, there are no mistakes. He said Mr. Moesers statement continues to raise questions. The reason is that draft report came out in May of 2015 with Mr. Moeser's name as a professional engineer. In that report he said the dock extension is not feasible based on measurements and observation at low tide. In December of 2015, a new report came out which did not have Mr. Moeser's name on it so TSI's conclusion was that issue was no longer in the report. The question is, did Mr. Moeser change his mind, and if so, where did the document go that shows it no longer an issue or was it that your funding source said you could not place your cleaning stations

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outside the Harbor therefore it became feasible to put it in the Harbor. There is a disconnect and would like that clarified.

Mr. Uchytel said Mr. Moeser, going through the process of analysis, elected to strike that paragraph. That is Mr. Moeser's report and there was no pressure put on him to change his report. He said one of the things TSI was recommending was a remote uplands fish cleaning station and asked if TSI was willing to provide financial support for that.

Mr. Larsen said when he and Mr. Beason attended the April 2nd meeting; one of the ideas from a member of the public was to have a fish cleaning station at Statter Harbor. Their thoughts were that the fish cleaning stations at Amalga were exhausted, but Statter Harbor has space, staff, power and water. They thought that was a good idea but not that Docks & Harbors has to go do this. They are questioning if this can be done at Statter Harbor in lieu of at Amalga Harbor and if people want cleaning is this a viable option. He said there is not funding to deal with carcasses at Amalga Harbor and he doesn't know if there is money to do this at Statter Harbor, but some of the challenges were space, staff, water, and power. The question is whether this is an option?

Mr. Uchytel asked if other resolutions to remove the other fish cleaning stations at other Harbor locations is TSI's position?

Mr. Larsen said TSI's intent is not to make life miserable for people. If situations warrant not having a cleaning station than that should be looked at.

Mr. Uchytel asked how long TSI has been aware of the problem with fish carcasses in Amalga Harbor?

Mr. Larsen said this is all a new issue for all of us with the expansion. Members of TSI that go out there see carcasses but he doesn't know to what extent they see it as a problem. This has been one of those things as out of sight out of mind and has not been focused on. This expansion draws attention and TSI tried to draw out the implication in this resolution.

Mr. Uchytel asked if TSI was going to take a position in a resolution on the Amalga Cabin that Parks & Recreation is planning to build in that vicinity.

Mr. Larsen said he has no knowledge that TSI would.

Dennis Watson, Juneau, AK

Mr. Watson said TSI is running on a slippery slope. Tee Harbor came up and he said the reason they don't have a cleaning station anymore is because he understands DEC said TSI didn't provide a safe way to process the fish at that location. He said if it is the intent of Territorial Sportsmen to proceed down this path they should make it very clear that this is their doing and not Docks & Harbors. He said he believes TSI was disrespectful to this Board. He has been coming regularly to the Committee and Board meetings since 2005 and he does not recall any TSI members coming to the meetings to express concerns. He said if you want the fish cleaning station and extension shut down at Amalga Harbor just make sure the public knows that it is you that is responsible for shutting it down so the Docks & Harbors Board doesn't take the brunt of what's coming.

John Cooper, Juneau, AK

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Mr. Cooper said he is a user of Amalga Harbor and launches his boat at that location most of the time. He said he is aware there are problems with carcasses. He is also aware of tie up space problems so people can go get vehicles to retrieve their boats, especially on a nice weekend around 5 pm on a Sunday afternoon. He said there is a need for a dock extension for tie up space for general boating safety. Whether there is a fish cleaning station or not, we still need the dock extension. There are two issues here. He does not see them as being linked. If the extension was completed without the fish cleaning station there would still be people cleaning fish on their boats and dumping the carcasses overboard. It happens out there right now because the fish cleaning station is too small to meet the demand. Those carcasses are dumped closer to shore than the fish cleaning station. There are other issues that come into play but if we can't provide the dock space there is going to be a boating accident and hopefully no one gets seriously hurt or killed. He suggested to look at the dock extension first and the fish cleaning station as a separate issue.

2. Harris/Aurora Harbors Historic Determination –

Mr. Uchytel said at the last meeting Mr. Gillette presenting a letter from the Corps of Engineers on the NEPA requirements. This is just an information item. It's letting the Board know that the Corps is looking to do maintenance dredging and they need to go through this NEPA process and have to make a determination whether it's eligible for being registered with the National Historic Preservation Act. No action is required from this Board. Mr. Gillette may challenge the ruling in his role as the Gastineau Channel Historical Society that the breakwater at Aurora Harbor is such that it may be eligible. This determination does not affect our ability to recapitalize our floats or do any type of uplands improvements.

Board Discussion/Public Comment –

Mr. Etheridge commented that his understanding is that there is no benefit or benefit to do this.

Mr. Uchytel said there is no benefit for the Board to direct me to write a letter to the State Historical Preservation Office (SHPO) and say we think the Corps has erred in their determination that this is not historically significant.

3. Coast Guard Safety Zone – Gastineau Channel

Mr. Uchytel said this topic is on page 35 in the packet. The Coast Guard is looking at changing the safety zone in Juneau Harbor. Within the proposed safety zone, anchorage is only for large passenger vessels including cruise ships and ferries that can anchor without the expressed consent of the Captain of the Port. If you look on page 37, it shows the existing safety zone. The proposal from the Coast Guard is to increase the safety zone area by rotating the line to increase the area. This has to do with the cruise ships getting larger and there are concerns about safe anchorage. He did speak with Mr. Drew Green with CLAA and he said it might impact the yachts that anchor in the west side of the channel.

Board Discussion/Public Comment-

Mr. Ridgway asked if this is going to impact anyone else besides the large yachts?

Mr. Uchytel said he does not believe so.

X. Committee and Member Reports

1. Operations/Planning Committee Meeting-Wednesday, April 7th, 2019–

Mr. Eiler reported many items discussed tonight were on the agenda:

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- Heard from Territorial Sportsman Inc.
- In-depth discussion on rubble and wood regarding Aurora & Harris Harbors.
- Update on where the working group is on the downtown waterfront lease policy.

2. Member Reports – None

3. Assembly Lands Committee Liaison Report-

Mr. Eiler said the CBJ Lands Committee met on April 8th but he did not attend. The agenda items were;

- A cell phone tower lease.
- Senior housing living proposal.
- Land trade with property owners at Aurora Arms (which could provide access to upland property for CBJ).

4. Auke Bay Steering Committee Liaison Report- None

XI. Port Engineer's Report – Mr. Gillette is on vacation

Mr. Uchytel reported:

- Staff is conducting the 95% review for the Archipelago lot which is posted on our website. For scheduling purposes, staff anticipates advertising on or about May 24th with bid opening on June 25th. Assuming we have favorable bids, staff will bring to the full Board on June 27th and to the Assembly COW on July 1st. The estimate for the public portion is \$13.2M
- The permits for Statter Harbor Phase III (A) were received and we anticipate bidding in early July and mobilize October 1st. This will be the dredging, blasting, and soft soil modification project with the construction estimate to be \$3.4M.
- The Visitors Kiosk substantial completion is on or about May 8th.
- Infrastructure week May 13th – 20th, projects to be recognized are the Visitors Kiosk, cathodic protection/coating on the retaining wall at Marine Park, and Douglas Harbor sewage float.

XII. Harbormaster's Report –

Mr. Borg reported:

- Preseason cook out at noon tomorrow with the staff at the Port Field Office.
- The Coast Guard is interested in doing a boating safety week event May 18th to May 24th to do some vessel safety inspections downtown and at Statter. A drive through boat inspection.
- The Ocean Radar sitting north of North Douglas Boat launch has a standing impound with us and that is why it left the Harbor. This boat will sink so staff will need to pull it out of the water if we do take ownership of it. The only way to get it out of the water is to sling it; logistically this will be very difficult. The State and Coast Guard is aware of this vessel.
- We had successful preseason meetings with the vendors, loading zone, and Statter Harbor users. We are seeing improvements every year.
- There is a leaning pile in North Aurora. Staff is working on a plan to have that removed.
- There was a grid incident on Saturday where a 50' vessel fell over when it was up. There is a lot of damage to the vessel. No one was injured.
- Echo Cove launch ramp is cleaned off now.

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Mr. Creswell reported with the high winds on Monday afternoon, waves were six to eight feet and there were times when the breakwater was completely under water. Allen Marine is very vulnerable at their location so they brought several of their catamarans to the inside of the breakwater thinking this would be a better location but it was not and their vessels were in a bit of trouble. After the storm they met with Allen Marine. There was fairly substantial damage to the breakwater caused by their boats being tied up. Allen Marine is going to provide labor to fix the cleats and other repairs. He said he will have divers out next week to make sure the chains and anchors are all secure still. Statter bus lots are ready for the first cruise ship on Sunday.

Mr. Hinton, Port Operations Supervisor, reported there is several new staff this year so the first couple weeks there has been a lot of training. We have been getting the Port area cleaned up and ready for the season. Banners hung up, and all the little things to get the Port up and running. The cruise ship will be on the Franklin Dock on Sunday. Maritime Festival is May 4th which is the 10th annual. Docks & Harbors is looking to win back the tug-of-war trophy.

XIII. Port Director's Report

Mr. Uchytel reported:

- The preseason meeting with the vendor permit holders, downtown transportation and Statter Harbor users focus on TBMP practices. They went very well. One of the challenges is the local residence affected by the wake in Auke Bay. There are some TBMP practices asked of the boaters and we are trying to get the word out to try and cut down on the wakes.
- At the last meeting, an item talked about was the use of launch ramps by the seiners. He said there are no regulations that address the length of time at a launch ramp. He sent a message out to other Southeast Harbors asking if they had regulations prohibiting tying up or overnighting at the launch ramps and no one has those types of regulations.

Mr. Creswell said the Board for the Seiner's Association is actively working on a plan for this summer for the Amalga Harbor launch ramp use.

Mr. Etheridge said he would like to continue with the regulation process addressing the tying up or overnighting issue.

Mr. Ridgway asked when Mr. Uchytel asked other Southeast Harbors about the tying up or overnighting issue did he ask about the issue with vessels lacking identification?

Mr. Uchytel said he did not ask about that issue.

Mr. Uchytel continued

- May 3rd is the date in the RFI for the Lumberman information.
- PND is ready to present their findings to the Board on the Amalga Harbor Fish Cleaning project. Does the Board want to hear this at the next Board meeting, the Ops Committee, or wait until after the season and self-evaluate the situation. We are committed to another public meeting. PND was collecting comments after the April 2nd meeting up until a couple of weeks ago.

Mr. Eiler asked what the deliverable will be from PND?

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Mr. Uchytel said he could request PND to bring a recommendation or just the presentation provided on April 2nd along with the comments they received and allow questions.

Mr. Eiler recommended bringing it back to the OPS meeting for more discussion. He said he is leery about having PND come to the Board with a recommendation while the Board is still trying to figure out where we are after hearing from stakeholders.

Mr. Ridgway said it depends on what the criteria or problem statement is that PND is addressing. He asked to confirm that PND's proposal likely would not have anything to do with whether or not we can or cannot fund a fish cleaning station in the existing boundary.

Mr. Uchytel said staff gave PND instruction that we wanted to improve safety and efficiency at Amalga Harbor. That is their task to look at options and alternatives. We have not talked about the budget. We have just talked about a solution to improve safety and efficiency at Amalga Harbor.

Mr. Ridgway wanted to verify that their recommendation would have nothing to do with the funding source.

Mr. Uchytel said correct.

Mr. Becker said he knows the Juneau Community needs good haul out facilities and not have the problem with the fish carcasses.

Mr. Etheridge said with staff counting boats and use when they are out there would give the Board a lot of information to work with along with PND's recommendation. The Board members can also go out and see what's going on at Amalga harbor and we will all have a better idea of what is going on. He would like PND's recommendation and their report of what they see so we have an idea of what we are looking for.

Mr. Ridgway said he would like PND's report to be narrowly focused on what is feasible from an Engineering standpoint.

Mr. Etheridge said to schedule the presentation when PND is available with plenty of advertisement. We can then review their report and monitor the activity out there and move forward in the fall.

Mr. Uchytel asked if the preference was to go to the Board or OPS meeting?

Mr. Etheridge recommended the Board meeting.

Mr. Eiler asked to revisit at a future meeting the electrification of the cruise ship berths, and also if DOT is looking to a ferry terminal at Cascade Point he would be interested to know if there are City tidelands out there or what implication a ferry terminal will have.

Mr. Uchytel said AEL&P doesn't want to do anything that will raise rates to the residents and that is why they are hesitant about encouraging Docks & Harbors to move forward with a plan that would make a firm provider at the AS dock. He said the City Manager has proposed MPF money to develop further a marketing study for electrification. He said if the Assembly approved that it could be worked on in the next fiscal year. All the land at Cascade Point is Goldbelt land.

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XIV. Assembly Liaison Report –

Ms. Becker reported;

- The Assembly passed an ordinance prohibiting mini bikes and scooters on the Seawalk which has a moratorium until the public and the City can come up with regulations and then there will be decisions when it will be permissible again.
- The Port Director has been authorized to work on a lease agreement with Mr. Heumann for the outdoor food service which will increase the area by 305SF.
- The pedicab rules have changed from the 12 month certificate to a 6 month certificate which ends up being half the price. The money that has already been spent from a pedicab owner will be refunded.
- The blessing of the fleet is May 4th just before the Maritime Festival.

XV. Board Administrative Matters

- a. Ops/Planning Committee Meeting – Wednesday May 22nd at 5:00pm
- b. Board Meeting – Thursday, May 30th, 2019 at 5:00pm

XVII. Adjournment – The regular Board Meeting adjourned at 6:19pm.