CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, July 15th, 2015

I. Call to Order

Mr. Simpson called the meeting to order at 5:00 p.m. in the Assembly Chambers.

II. Roll Call

The following members were in attendance: Robert Janes, David Logan (via phone) and Budd Simpson.

Also in attendance were: Carl Uchytil – Port Director, Gary Gillette – Port Engineer, Dave Borg – Harbormaster, and Tom Donek – Board Member.

Absent: John Bush and David Summers

III. Approval of Agenda

MOTION By MR. JANES: TO APPROVE THE AGENDA AS PRESENTED.

The motion passed with no objection.

IV. Public Participation on Non-Agenda Items – NONE.

V. Approval of June 17th, 2015 Operations/Planning Meeting Minutes

VI. MOTION By MR. JANES: TO APPROVE THE June 17th, 2015 Operations/Planning Meeting Minutes AND ASK UNANIMOUS CONSENT.

Hearing no objection the June 17th, 2015 Operations/Planning Meeting Minutes were approved as presented.

VII. Unfinished Business

1. Launch Ramp Fee Increase

Committee Questions - None

Public Discussion

John Cooper of Juneau, AK
Mr. Cooper said I have a couple of points about the launch ramps fees. If my points are satisfied I will not object, but otherwise I will object. The ordinance provides that there are no fees for kayaks to use Amalga Harbor. This is discriminatory. I would like the Harbor Board and the Assembly to remove that from the ordinance. I would like to see a fee for non-trailered vessels that launched from the launch ramps. There are inflatable vessels and small hard vessels that get launched from trucks and small

cars. There should be a sticker and a fee for them. I will support the concept of each trailer needing to have a launch permit. However, I can go to the harbor and buy daily launch permits without having to specify a license plate number and they are good for the entire season. People can buy 5 daily permits and use them whenever and for whatever trailer.

Dave Hannah of Juneau, AK
Mr. Hannah said I do not think it is fair for users with multiple trailers to pay several hundred dollars for launch permits when they won't use their boats combined more times than someone with one boat.

Mr. Janes said sometimes launch permits are used for trailers that are not owned by the person who bought the launch permit in addition to the purchaser of the launch permit using it for their trailers. What do you think about the idea of buying one permit and then additional permits could be bought at a discount?

Mr. Hannah said that sounds like an administrative headache. Right now in order to get an additional launch permit you have to bring in a valid title with license plates that shows you own it. That could go right on the permit, that license plate number could go right on the permit and that would be easier to check.

Jay Johnson of Juneau, AK
Mr. Johnson said I have 3 trailers. I can only tow one at a time. You are required to have your current registration to get your launch permits. In the past it was simpler; you would get your permit and put it in the dash of your window. It didn't matter what boat you had. I can only tow one boat at a time. I am not putting more strain on the parking. I do not understand why I would have to pay an additional $200 per year for the same amount of weekends that I'm using my boats that another person uses for their one boat. Why should I take that grunt? 90% of the time I launch at Echo Cove and the launch ramp is poorly maintained. I stopped using Statter Harbor after the last remodel because I could not find parking. Hopefully there will be parking for locals at Statter Harbor soon. I went to Amalga. To spend $300 for launch fees sounds outrageous. I priced around Sitka, Ketchikan, Petersburg, and Wrangell. Most of those facilities have water for washing down boats after they are hauled. We are not provided any of that yet we're asked to pay $300 per year to launch our boats.

Kirk Miller of Juneau, AK
Mr. Miller said I own three boats. I only use one boat at a time. This subject came up about 10 years ago and I came to the Harbor Board then. The problem at that time was that people were using a placard and giving their launch permit to their friends and family members to use on multiple trailers. At that time you changed the regulation to require people to provide a Department of Motor Vehicle (DMV) registration in their name. When you get your permit the trailer number is written on the permit. What problem are you solving here? I don't think too many folks are out there registering multiple trailers at the DMV in their name for their entire

neighborhood. There might be a few parents who have their son's or daughter's trailer in their name at the DMV, but I think that is few and far between. However, people can borrow trailers and use them without the owner present. What are these increased fees doing? You have $150,000 in revenue from launch permits or at least 15,000 permits and not all of them have multiple permits. Let's say 10% have more than one permit. So you would increase your revenue by $15,000 at the most. If you want to increase revenue somewhere add $1.00 per foot to the mega yachts at Auke Bay. Or add more fees to the tourists on the whale watching boats. It won't do much to ask a local to pay more for launch permits. Do you have a reason for raising rates, deferred maintenance perhaps? This increase only affects the locals and it frustrates us. In summary, the launch permit revenues are only a tiny fraction of the department's revenues. I don't think you spend a lot of resources building or maintaining them. All of the original launch ramps were built by the Department of Transportation and PF. Amalga Harbor and Douglas Harbor are the only new launch ramps and I believe those were funded with Alaska Department of Fish and Game sport fish funds. I think we need to worry about the local residents. Our opportunities in Auke Bay have greatly diminished over the years. It used to be a transient harbor and now well over half is designated moorage. I can't find a spot there anymore unless I raft to someone. The local residents and commercial fishermen are the most effected by the increase in tourism in this town. The increase in fees on the local residents just compounds our frustrations. I do not mind paying $100 per year. As long as I have 3 trailer registration in my name, and my kid isn't using my trailer, I don't think you have a problem with people getting multiple trailers in their name that aren't theirs.

Committee Discussion/Action

Mr. Borg said I do not have a problem with the $90 fee for launch ramp permits. My issue is people are bringing in multiple registrations with multiple names. I have had registrations with 5 names on them. They are friends and want to pay for one permit and get 5. The permits need to be on the trailers so we can verify the permit fee has been paid. It does cost a lot of money to maintain the launch ramps, especially during the winter months. We have staff out early in the mornings to plow the launch ramps, and that is overtime pay. I think $90 is a reasonable fee to use the launch ramps. Anyone that does launch a kayak, canoe, or any vessel that is out of a pickup, which is launch using Docks and Harbors launch ramps are required to have a launch permit. I would like the Board to firm up the language in the regulations. I suggest the regulation states patrons need registrations showing the same address. There should also be a $5.00 administrative fee for the additional permits. Staff does spend a lot of time driving out to Amalga and Echo Cove to clean up the launch ramp and the dumpsters. We are working on a project to clear Echo Cove's launch ramp. It is difficult to keep the sand off of the ramp. When it was built they actually dug down, and that is the problem. To get heavy equipment out there and clean it up every spring, which is what we do, costs about $7,000. We cannot do that monthly, but we do try to get out there as often as possible.

Mr. Uchytil said requiring every kayak to have a launch permit would be a public nightmare to enforce. A board member had inquired as to if this was an illegal tax or not. According the CBJ Law Department, this is not an illegal tax. It is a user fee. Also, the argument saying that you have 3 trailers and only uses 1 at a time doesn't work. I could same the same thing about my cars, I have 3 cars, but I only drive one at a time so I should only pay for one registration for having 3 cars. To move from the status quo is going to be a public relations nightmare to enforce for small vessels like kayaks and row boats. I think asking patrons to pay for each kayak is asking too much.

Mr. Simpson said the kayak only ramps that we do have were funded and designated for that purpose and we are not allowed to charge for kayak use on those ramps.

Mr. Donek said that is correct for Amalga Harbor. The sport fish restoration funds are not allowed to be used for kayaks. The way we were able to get the boat launch ramp funded was to get the kayaks off the boat launch ramp. It was specifically stated in the contract with CBJ that we cannot charge for the kayak launch ramp at Amalga Harbor in order to encourage kayakers to use the kayak only launch ramp. It is a State and Federal agreement with Docks and Harbors, and Docks and Harbors is prohibited from charging for the Kayak launch ramp at Amalga Harbor.

Mr. Simpson said if kayakers or other small craft users chose to use the main launch ramps, then they are required to pay for a launch ramp permit because they are taking up space. I do not see us changing the policy for kayaks because the policy we have is sufficient.

Mr. Donek said I want to clarify that we are not discussing trailer usage. We are talking about the use of the ramp. If you use the ramp, you have to pay for a launch permit. I suggest we have people bring in their boat registrations instead of their trailer registrations. It's just a convenience factor that the sticker goes on the trailer. That's the only connection the trailer has with the process.

Mr. Simpson said having the permit on the trailer allows staff to see the permit after the boat has been launched too. Also, do we have a wash down area at any of our launch ramps?

Mr. Uchytil said we will at the new Statter Harbor launch ramp.

Mr. Simpson asked how difficult would that be to get at the other launch ramps.

Mr. Gillette said it would not be difficult to get a wash down area for the launch ramps in Douglas Harbor, Harris Harbor, or Statter Harbor.

Mr. Simpson said I would like to talk more about creating a wash down area for the launch ramps at a future Operations/Planning Committee Meeting.

Mr. Donek said I am also on a Board for Territorial Sportsmen and last night we had our Board Meeting. After the meeting they cornered me on this very subject. No one had a problem with raising the fee to $100. It would be reasonable to issue up to 3 permits per household as long as the permits have the same name and address on them.

Mr. Simpson said we have received numerous written comments from email and it is on the record.

Mr. Janes said we never intended to bring revenue in by charging an extra fee for additional permits. This review is about managing the launch ramp usage and permits.

MOTION By MR. JANES: TO APPROVE THE LAUNCH PERMIT FEE INCREASE TO $100.00 FOR THE FIRST PERMIT. PATRONS CAN GET UP TO TWO ADDITIONAL LAUNCH PERMITS FOR AN ADMINISTRATIVE FEE OF $5.00 PER ADDITIONAL PERMIT AND ARE REQUIRED TO PRESENT ALL REGISTRATIONS AT TIME OF PURCHASE. REGISTRATIONS MUST BE CURRENT, IN THE SAME NAME, AND HAVE THE SAME MAILING ADDRESS. THIS PROCESS STARTS OVER AGAIN WITH THE FOURTH LAUNCH PERMIT. REFER TO THE FINANCE COMMITTEE AND FULL BOARD FOR REVIEW AND ASK UNANIMOUS CONSENT.

The motion passed with no objection.

Mr. Logan asked does that mean only one name can be on the registration.

Mr. Simpson said many people own a boat jointly with someone else. If the same two people own three boats together and they list them under the same name at the same address, that would qualify.

Mr. Logan asked is that multiple owners at the same address.

Mr. Simpson said yes. The registrations go to a single address.

Mr. Logan said I'm not sure that's correct. I think you can have multiple addresses listed on the registration.

Mr. Uchytil said I did not bring the list showing how many launch permits were sold to people with multiple trailers. There are about 400 to 500 people who get multiple permits. There are people who have 6 permits. The permits are each attached to any vehicle associated with launching a boat.

2. Fritz Cove Area

Mr. Gillette said I contacted the Zoning Department and they said this area is zoned D-1 Residential. Launch Ramps are not allowed in areas zoned D-1 Residential. However, pedestrian beach access is allowed. We can offer a parking lot, but no buildings or services are allowed. My recommendation is to install jersey barriers. We can do this immediately and it will cost less than other options. We can secure the adjacent parking area with surplus pilling that we have and staff can install signs.

Public Discussion

Dave Hannah of Juneau, AK

Mr. Hannah said I did testify on this subject at the last meeting we had. This may not be permitted if it was a designated launch ramp area under the current zoning, but it predates the City and Borough of Juneau, AK. The use of this ramp has been going on long before the borough existed out at the Fritz Cove area. As such it is technically grandfathered in. I am familiar with this because I use properties for uses that would not be permitted in today's zoning. Since those uses began prior to the formation of the borough they are permitted to continue. It is debatable that launching is not permitted there. I would also like to point out that this has been going on for more than 50 years and no one has complained until now. We have one person who complains but there is no foul here; no one is trespassing on this person's property or denying them access to their property. There is no harm being done to this complainant. Before you take an action that might be unnecessary I think it deserves a lot more consideration. If you do decide to block it off I would like to sell you the jersey barriers. I'm the guy who makes them. I don't think it is the right answer. I think a gate would make more sense though.

Loren Domke of Juneau, AK

Mr. Domke said I am the most recent complainant, but there have been other people. I think the reason the Harbor Board has received resistance is that it is convenient for Spoon Island contractors who are building out there to use this area. So you have a small section of the population who want to use that area. There have been well over a dozen people using that launch area this week and most of them have been different people. I think that denies the Docks and Harbors launch permit fees. My observation has been that it is getting worse. As far as grandfathering, I have lived within 150 feet of the Fritz Cove area, and at first there was just a trail. No one took a trailer up and down because it was impassable to trailers after Spoon Island was developed. It is a recent development and it has been getting worse every year.

Committee Discussion/Action

Mr. Donek said my concern is that it is now a trail down to the water. I would like to see something that is openable without having to get a crane out there. I see the use of

the Fritz Cove area increasing if we do not control it. I am in favor of blocking it off. I would like to see a way of opening the area up in case of an emergency. Can we install a gate? I don't think it would be too expensive.

Mr. Simpson said it does not seem like a very big problem in the scheme of things. I don't know how much money we should spend on this, which is why I like the Jersey barrier option.

Mr. Donek said it is not a big problem now, but I don't want it to become a bigger problem.

Mr. Gillette said the problem with gates is that you don't have access for the pedestrian unless you go around it. That might turn into more excavation and that would lead to increasing the footprint of what is already there. If you want something removable we can go with bollards.

Mr. Simpson said I have not been able to go to the area to see what it looks like. I do not want to have staff go in a particular direction without knowing what it is like over there.

Mr. Logan said I am fine with Jersey barriers. I do not see a need to have emergency access. Emergency crews can go to Statter Harbor or another launch ramp for easy access to the water. It is just for utility crews and if they are out there working they can bring out their equipment and remove the Jersey barriers.

Mr. Janes said we have had historical use of the area that we now find is not permitted in the current zoning. We should study this for a few more months. I don't think we need to decide right now. Mr. Domke can keep us informed as to the use out there and will let us know if it gets out of control. There are people on Spoon Island who purchased there knowing they could use the Fritz Cove area to load necessities in their skiffs. They could use the Auke Bay Loading Facility. I would like to walk the area and think about it so we can make an educated decision.

VIII. New Business

1. Zone Change Little Rock Dump Area from Waterfront Commercial Industrial to Industrial

Mr. Uchytil said the Community Development Committee explained what a zoning change would do from Waterfront Commercial Industrial to Industrial. That is what the city engineer would like to do. He has applied for that zoning change and the Planning Commission has denied it. It was then appealed to the Assembly and they tabled it. This past week the Committee of the Whole took up discussion on this and the direction from the Board was to bring the issue to the Operations and Planning Committee for further discussion. Do we need to take a proactive response to this?

The difference between Waterfront Commercial Industrial to Industrial is that marine commercial facilities, including fisheries support and passenger traffic, would not be allowed in Industrial zoning. The reason the engineers are requesting the area be rezoned is so they can expand the snow storage dump. A major issue that the Assembly has had is where to build the $26 million incinerator plant needed to deal with the left over sludge. I assumed that was what was going to be built there, but instead they want to use the area for vehicle storage. I don't think that is the best and highest use. If we wanted to develop something in the future this zone change would be a problem. Mr. Watt is the engineer who has proposed the zoning change. He has been encouraged to speak with the Docks and Harbors Board about his proposed plan before going back to the Planning Commission Board.

Mr. Uchytil gave a PowerPoint presentation showing the area of the proposed zone change.

Committee Questions

Mr. Simpson asked are you looking for direction from us.

Mr. Uchytil said I think this is working itself out.

Public Discussion

Howard Lockwood of Juneau, AK
Mr. Lockwood said I am the manager of Juneau Port Development, LLC. I am also the owner of AMEX Mining. I would like to make a comment about how a zone change would affect the Docks and Harbors for the next 35 or 45 years. First, the property involved is filled tide and submerged lands. The right to that land was assigned to the State of Alaska at Statehood, and sub assigned to the City and Borough of Juneau for management under State and Federal law. It is in the code that Docks and Harbors have the end management say on all waterfront property. That area is still tide and submerged land. In following the proper protocol for this zone change, this would have to be brought to the Docks and Harbors Board. All the property owners involved will have a say. This city Engineer is required to go through the normal city process before any changes on waterfront zoning are made.

Mr. Janes said I hope you can renew your lease and meet your obligations to renew your lease.

Mr. Howard said that lease is not me, that lease is simply a vehicle to be able to use that waterfront at the direction of this Committee. The Harbor Board controls my actions on that waterfront.

Dennis Watson of Juneau, AK
Mr. Watson said there was no reason given at the Planning Commission meeting for the rezoning. Public Works is in the process of going out to purchase a $600,000.00 building to store sand. That might be where they want to put it. They could use that land without getting it rezoned by just getting a Conditional Use Permit. There is a Long-range Waterfront Plan that is out there, it is old but it is out there. If this type of "taking" is allowed to happen then this can go on anywhere. This is very disappointing. The City Departments need to communicate better. I don't want to see any of this waterfront property given away unless there is a very important need.

Committee Discussion/Action

Mr. Simpson said if any Department works towards changing waterfront zoning that Docks and Harbors controls we are concerned about that and want to be involved.

2. AEL&P Contract for Statter Harbor Power Pole Relocation

Mr. Gillette said we need to relocate the power pole across from Statter Harbor. The power pole is located at the corner near Squire's Rest. There is a major power pole where the new driveway to the new Statter Harbor Parking Lot will be. AEL&P has been contracted for the design of the power pole. They gave us a number of options. The first thought was to put it across the street at the corner of Squire's Rest on the right-away. The problem with this option is that they need to drill a 4 foot casing. There are other utilities and issues down there that made that location a bad spot. AEL&P then decided to move the pole south and in front of the University of Alaska Southeast's property. The process works like this: AEL&P comes up with a design, and then they give us an estimate. If it costs a bit more than the estimate, then they normally don't charge us the difference, but if it is a lot more then we have to pay the additional amount. The primary reason this is coming before you is because the quote is over $100,000.00. We originally thought it was going to be $80,000.00 or $90,000.00. We don't have a lot of options.

Mr. Gillette proceeded to show where the new power pole will be placed using Google Earth.

Committee Questions – None

Public Discussion-None

Committee Discussion/Action

MOTION By MR. JANES: TO APPROVE THE $133,488.37 FOR THE POWER POLE AT STATTER HARBOR AND DIRECT TO FINANCE COMMITTEE AND ASK UNANIMOUS CONSENT.

Hearing no objection the motion passed.

IX. Items for Information/Discussion

1. Douglas Harbor Rebuild update

Mr. Gillette said there will be a public meeting at the Douglas Library Conference Room on Friday, July 17th, 2015 from 11:30 am – 1:30 pm. This meeting is to get public input on the Douglas Harbor Rebuild float design. Phase 1 will be the demolition. That will begin September 1st, 2015. In October 2015 the Corp of Engineers will begin dredging. Dredging will be completed March 1st, 2016. At that time we will have our design and bid and can start construction. The Douglas Harbor Rebuild will be done November 2016.

Mr. Uchytil said we are still working with the Department of Natural Resources to get a special use permit for the disposal of the dredged spoils.

2. Auke Bay Boatyard – Relocation Update

Mr. Uchytil said have been in contact with the Jeff Duvernay of Juneau Marine Services (JMS) this past week. We are working on getting JMS moved to the Auke Bay Loading Facility (ABLF) by September 1st, 2015. Jeff told me he is losing money due to our activities, and I told him that was never our intentions. We have intended to provide niche services that were needed. I spoke with the Law Department and their staff is diligently working on a lease amendment. It would keep the same terms in place that JMS has now, but the location will be at the ABLF. The lease expires in April 2018. What we want to happen is have these services provided for the ABLF boatyard. We want it to be aesthetically pleasing and not have a lot of junk there. We are working with JMS to find a cost effective way of having decent looking facilities there. We have a public meeting at the Full Board Meeting dealing with the ABLF management topics. One of the topics is the $10.00 per linear foot haul-out fee. I will request the portion stating $10.00 per linear foot for a haul-out fee be deleted as it would just confuse things.

Mr. Janes asked would the lift at the ABLF be included in the lease.

Mr. Uchytil said in order to keep the terms of the contract the same we will have to include the boat lift because JMS has a travel lift at the Statter boatyard. JMS will be required to provide 40 hours of staff training on the machine and they will maintain maintenance to the manufacturer's specifications.

3. Oceans Interpretive Center

Mr. Janes said I have been working with a group of people to bring an Oceans Interpretive Center to Juneau. We see Juneau as being a focal point for science, visitation and interpretation. This will attract visitors from all over. People could have conferences and stay longer. This would be a nonprofit run under the University of Alaska. The Whale Statue could go with this project. It will take $2.5 million in fill to prepare the tideland site. This is a $12 million project that is privately funded. It could connect to the Sea Walk. It does allow for bus parking and public parking.

Mr. Janes provided a packet with information regarding the design and location of the Oceans Interpretive Center structure.

X. Staff, Committee and Member Reports – None

XI. Committee Administrative Matters – Next Meeting:

Next Operations/Planning Committee Meeting is scheduled for Wednesday, August 12th, 2015.

XII. Adjournment

The Operations/Planning Committee adjourned at 7:01 pm.