

MINUTES
PARKS & RECREATION ADVISORY COMMITTEE
Tuesday, February 5, 2013
CBJ Assembly Chambers, 6 p.m.

Call to order: 6:10

I. ROLL CALL

- Members attending: Jeff Wilson, Kate Walters, Gerry Landry, Eric Morrison, Chris Mertl, Jim King, Tom Rutecki, Odin Brudie, Dixie Hood,
- Assembly Liaison: Jerry Nankervis
- Staff attending: Brent Fischer, P&R Director; Fran Compton, P&R Admin Assistant; George Schaaf, Parks Maintenance Supervisor, Myia Whistler, P&R Supervisor
- Guest: Debra Ylijoki, AK Office of Boating Safety

II. PUBLIC TESTIMONY OF NON-AGENDA ITEMS - none

III. APPROVAL OF AGENDA – Chair requesting a change to switch information item with action item and do information item first. Motion to approve by Ms. Hood, approved as amended.

IV. APPROVAL OF MEETING MINUTES – January 8, 2013 – Motion to approve by Mr. Brudie approved.

V. REPORT FROM ASSEMBLY LIAISON, Jerry Nankervis – PRAC will be the last Board to have vacancies filled. At last Assembly meeting there were 15 board vacancies assigned.

VI. CHAIR REPORT – Information item is PRAC vacancies, Auke Lake Management Plan draft, staff will brief background of process, and committee members go through the Management Plan together starting on page 13 “Goals”, ask questions of staff and address goals, implementation and recommendations. If we want to make any changes, hold motions until we have discussed. Let’s find a unanimous recommendation to the Assembly and Committee as a Whole first.

VII. DIRECTOR'S REPORT - Information item is to inform you of a vacancy on committee. I agree to tonight's agenda and will address the committee.

VIII. INFORMATION ITEMS

- Ms. Hood requested to add an information item to the agenda, Chair declined further agenda items.
- Mr. Wilson: The PRAC has vacancies: 3 public seats for full terms-currently. Mr. King, Ms. Walters, and Mr. Landry are expiring. Any member of the public can apply, applications are online. HR Committee reviews applications and make appointment to the Board.

- Mr. Fischer: PRAC applications are due to the clerk's office by February 27, and will be reviewed March 4th and assignments made by the Assembly.
- Mr. Wilson: needs PRAC Annual report work with Mr. Fischer for March 4 for the HR Committee meeting.

IX. ACTION ITEM - Auke Lake Management

- Mr. Fischer's comments, copies of his statement were made available to the committee:

I would like to give you a brief summary to refresh you of what has taken place in the process for the Auke Lake Management Plan. As presented last week to you, the Parks & Recreation Department was directed to review recreational use of Auke Lake last fall. The scope of this review was to evaluate the effectiveness of existing regulations, and to determine whether we are meeting the management objectives developed during an extensive public process in 2007. These 2007 objectives focused on issues of water quality, neighborhood harmony, and habitat protection.

Again, this review was NOT intended to replicate the 2007 process. That process remains the foundation for management of Auke Lake.

In the review, research and development of the plan, meetings were held with other agencies and land managers, including the Alaska Department of Natural Resources, the Alaska Department of Fish & Game, the University of Alaska Southeast, the Juneau Police Department, the Alaska State Troopers, and the U.S. Coast Guard. We also looked at how similar lakes are managed by other Alaska municipalities, and review information from state and federal agencies through the country.

In November, we hosted a series of community meetings to solicit public comments about recreational use of Auke Lake. During this public process the concern for safety was also brought forth which was not a focus in the 2007 process.

Since November, CBJ staff and the PRAC have hosted five public meetings listened to 66 public testimonies and received 35 written comments.

To help us understand and begin the process for creating a management plan, we used the *Water and Land Recreation Opportunity Spectrum* (WALROS). We used the study's principal author, Dr. Glenn Haas, to review our assessment of Auke Lake. He agreed not only with our classification of the lake, but also with our management plan recommendations.

The draft plan before you is the result of public input before the introduction of the plan, the WALROS analysis, and the acknowledgement that we have limited resources available to manage the lake. Our goal is to manage the lake to achieve the safest maximum recreational opportunities for the most people.

After the introduction of the plan, most public comments made indicated the need for enforcement and education. These options were not put forth in the plan due to the current level of funding.

Tonight, I am asking for your support of this draft plan.

Mr. Wilson: PRAC please turn to the Management Plan Page 7 and review of issues of ordinance:

- Hours of operation 9am to 10pm;
- Prohibited area of operation (shore of Lake and buoy line);
- Wake no wake between short and Buoys line (Map:
- Refueling prohibited;
- Motorized Vessel Size – 16 feet or less.
- The 2008 expanded restricted areas.
- No citations have ever been issued (page 12) for violations at Auke Lake; JPD does not have a boat or persons trained; no P&R boat, no authorization to issue citations. JPD authority limited to state laws not ordinances. USCG does not have authority on state waters.

Mr. Wilson: could signage be better?

Mr. Schaaf: they probably could.

Mr. Wilson: under issues and concerns: "Failure of motorized users to comply with current regulations." We have had a terrible accident on the Lake, and we've been asked to review current ordinances for public safety. Testimony indicates more use at the Lake; it is the only road accessible fresh water Lake in Juneau and being loved to death. We are trying to find space for all users on the Lake and we are trying to make it safe for everyone.

Ms. Hood: Because of boat safety and enforcement, I would like to request the information on free boat safety training available. I would like to see boat safety education be a requirement. I would also like an opportunity for ask attending police officer about their enforcement concerns.

Mr. Wilson: Let's review the Plan's statement of issues. Tonight our main issue is safety for the users. Reviewing #4 (quoted Goals section of Plan); public safety, educates users, and enforce. Actively manage the issues at Auke Lake. How do we manage the Lake that will be the question?

Ms. Hood: I move that we invite Ms. Debra Ylijoki to present a brief on the training for boat safety; she provides boat safety to schools and provides support to the community overall.

Ms. Debra Ylijoki, AK Office of Boating Safety. 400 Willoughby: she does not have an answer whether the Office of Boating Safety has ability to establish a boating safety curriculum for Auke Lake specifically, but they do offer free to the public boating safety classes in the schools and to public. It is an 8 hour nationally recognized boating course. Once completing the course, the student is also qualified for boating insurance discounts. The course covers navigational rules, boating safety equipment, survival techniques, and legal requirements. It is a “demand based” class arrangement and they work alongside the state troopers. They have the means to present the class to the public.

Mr. Mertl: what kind of classes?

Ms. Ylijoki: The course name is *Alaska Waterwise*, 8 hours, and typically done on Saturday with a completion certificate. Alaska does not require certification. The completion of this course is recognized in other states that require this certification.

Ms. Hood: what are the details for breakdown of subjects?

Ms. Ylijoki: The course of comprised of handbook with 7 chapters and an exam, with information about boat operations, navigational rules, emergency preparedness, and cold water safety. I have handbooks, and will leave samples/supplements if someone is interested. I could provide handbooks at Auke Lake; they can be made available to you.

Ms. Hood: do you teach the course?

Ms. Ylijoki: I teach this course with state troopers and certified presenters.

Ms. Walters: does the course cover towing safety?

Ms. Ylijoki: it highlights pontoon safety. This is an introductory course, not in-depth, however, I might be able to find someone who would offer that topic if requested.

Ms. Hood: can you offer safety for jet skis?

M Ylijoki: Yes, I can find the resources for the right person to teach.

Mr. Wilson: Is certificate wallet sized?

Ms. Ylijoki: yes, I have mine with me if you'd like to see.

Mr. Wilson: Before the meeting started I introduced Ms. Ylijoki to Mr. Fischer and Mr. Schaaf and they asked her questions. She indicated there would have to be a specific request to Jeff Johnson at the Boating Safety Office to include jet ski safety. It would be up to her supervisor to find components. Thank you Ms. Ylijoki.

Mr. Wilson: Back to Page 13 – staff is recommended active management – past practice has been passive management, with no citation, self-policed. We have heard for 20 years that worked but with this tragic accident we need to look at active management. The concern we have and Staff presented is they are trying to actively management the Lake without additional funding. They have been tasked to come up with a management plan at no cost to the city or taxpayer. They came back with their goals. Active management, public safety, education and enforcement without additional funding and enforcement are very difficult or practically impossible to accomplish with existing staff and budget. That is why they propose to limit to 10hp.

Ms. Hood: I disagree that it has done well, because of testimony. It is pure luck that there haven't been more serious accidents. I would like to take advantage of the presence of the police officer to ask questions regarding CBJ Police's ability to enforce.

Mr. Wilson: I will take your request under advisement.

Mr. Mertl: Are we at the point where we can make modifications? I have goal to add: #4.6: to provide safe recreation opportunities. We have talked about Auke Lake is a recreation opportunity we should say we provide safe recreation opportunities.

Mr. Wilson: I would like the P&R staff to work out enforcement issues with JPD. I don't want to direct the Assembly or P&R how to enforce.

Ms. Hood: I want to know what the options are, if there is a problem when people call JPD to inform there is a violation of the rules. I want to know what happens here.

Mr. Fischer: if we are going to ask - we ask for information from JPD Chief – that was looked at and their information was offered. P&R did check with them and yes, they can enforce. We looked at their abilities and one on P&R staff.

Ms. Hood: the reason that is important – it would only take a couple of citations to get the word around the lake and those violations would stop.

Mr. Rutecki: 6.5 indicates provides enforcement, and I agree it is up to the staff. I don't want to direct what that would be; it appears to be more of a funding problem. Somewhere in our recommendation we need to say that this needs funding. It has outgrown what is in place, and they need to provide funding.

Mr. Wilson: we go through the Plan, when we get to 10hp I want to ask do we limit that. Do we approve P&R's Plan with the following changes, with/without funding?

Mr. Wilson: how much effort are we putting into management of Auke Lake at this time, with public safety, education? I like the idea of 4.6. Active management equates to dollars, how much effort are we putting into Lake management.

Mr. Schaaf: In the Spring P&R staff install buoys and remove them in the Fall – if we hear they are missing we go out to replace, subject to boat availability. There is a portable restroom, trash containers, and signage. When I or the P&R Ranger observes something going on the Lake we try to talk with people, if I can contact anyone.

Mr. Wilson: do you open and close the gate?

Mr. Schaaf: The gate is open in the beginning of the season and closed at the end of the season – we were directed to put that up because full size vehicles were pulling out onto the frozen lake during the winter and that was put in to prevent that.

Mr. Wilson – We heard testimony sometimes P&R is late and the gate is closed until the buoys are out.

Mr. Schaaf: Residents on the lake can be out before the buoys are out. Ordinance requires buoys, the installation timing depends on seasonality of staff and if we get a boat from Public Works. Staff used their personal motor this past year to install and we have rented skiffs which is expensive. We work with Docks & Harbors, because they have had a small boat at Auke Lake but it hasn't been available lately.

Mr. Rutecki: I have heard that the Fire Dept. has boats that would be available.

Mr. Schaaf: they have two boats and received a grant to buy two new boats.

Ms. Hood: under "remove all CJB regulations" I spoke to a DRN employee in Anchorage who stated the State Troopers enforced regulations within that city limits and knew the troopers here and said they could be called on. They do it all the time in Anchorage.

Mr. Schaaf: The state troopers are great to work with in town. They work with the JPD. They are wildlife troopers. Because the Lake is within CBJ the troopers don't enforce within the CBJ city limits. They have offered to get out on the Lake during the summer to review equipment enforcement, and state statutes regarding boat safety, but they couldn't enforce municipal ordinance. They helped with the accident this summer.

Ms. Hood: I was told by Trooper McCullough that they could enforce municipal ordinances. They thought we could consider them as a resource and could collaborate to enforce city ordinances.

Mr. Schaaf: that may be possible in Anchorage, we had a meeting with their agency and the information I have was what was relayed to you.

Mr. Wilson: Page 15 Recommendations (section quoted). Question to the PRAC, what are the regulations – are we going to adopt the Plan recommendations.

Ms. Walters: what is the classification of high horsepower?

Mr. Schaaf: no definition -- 10-20 is not, 90 is – in trying to set a specific number we took what is common with other lakes.

Mr. Mertl: recommendations to add: for 5.1 – “and provide safe recreation”

Mr. Wilson – Page 16: Quoted “alternates”, ask staff explain their findings from WALROS and observations, why we are not going to limit the number of high horsepower vessels.

Mr. Schaaf: that addresses one of the comments that we heard during the testimony to use a lottery system. Acknowledging the carry capacity we used under WALROS as guidance – understanding appropriate number of vessels. On certain days, limit the number of boats to 2-3-4 at a time. It is a resources issue, how much money you want to use. It is possible to have an online lottery, state has one for cabins, or the McNeil wild life Question is: What do we have 3 people with permits and 3 additional people, how do we enforce that? It comes down to having a presence on the Lake. How to hold people accountable. Short of someone at the boat ramp, we couldn't come up with that. Users will self-regulate but we have to have an answer for those who aren't playing by the rules and who are going to enforce them.

Mr. Rutecki: There are many different ways to measure boating density, (quotes) 40 acres a boat, 30 acres a boat, the smallest one is 20. His high school enforces 9 acres per boat. In a perfect world and you had what you needed I looks like we could allow some motorized use, but it is back to the funding thing. I don't want to send something to the Assembly that is going to be dead on arrival. Can staff say: if we had these resources we can do this, as opposed to say we don't have resources and have to use the plan in front of us, is it possible?

Mr. Wilson: if the Assembly was to give you the resources to actively manage this Lake would it allow a high horsepower use?

Mr. Fischer: The Plan snapshot for just use within the funding. If funding was available, yes, to what degree that is the question of the funding and how the funding allows what to implement. There were great ideas – almost every idea put forth was looked at. Could it be adopted – yes. That is a question of the funding. The answer is yes. You talk about carrying capacity, plan addresses that – we still have to have presence.

Mr. Schaaf: We did go with WALROS most thorough and most widely used tool and provides a spectrum of 20-50 acres per boat. Looked at 77 acres – came up with 50 acres boat size – those are all things that skewed the determination of 50 acres. Tomorrow if we have, all those enforcement and compliance happening, things would slide that back to 20 acres boat. We can agree how many is too many – we used WALROS to come up with a defensible number. If we had all those resources and all that education, compliance - would 3 boats be appropriate? Yes. Do we want to spend that money and resources to do that?

Mr. Wilson: have you looked at the uses at only allowing wakeboarding and waterskiing and not jet skiing or so many jet skis? We are looking at different combinations of users.

Mr. Schaaf: The WALROS doesn't discriminate what type of craft, we did consider it and when you look at other municipalities who manage areas, PWC are prohibited in a lot of areas. It is an option.

Mr. Wilson: how would you justify that restrict jet ski and allow water skiing and wakeboard -- is that something we could do and how?

Mr. Schaaf: I am not sure I can tell you that right now.

Mr. Wilson: The thing with water skis is they require trajectory – jet skis are more chaotic.

Mr. Schaaf: Don't have data.

Mr. Mertl: Is it possible to make two recommendations – One is no funding option and one with enforcement? Is it something that could provide two totally different ranges? If there is no money for enforcement here is what you get. If you do get money, I have options. Can we bring that option to the Assembly?

Mr. Wilson: I think we can say without funding we can approve recommend the staff's plan, but with funding we would recommend changes to the Plan. Let the Assembly look at that.

Mr. Rutecki: Yes because of user groups, very strong groups. They could petition the Assembly to choose the alternatives that allows multiple uses and put their feet to the fire to come up with the funding. It has really changed since 2007.

Mr. Fischer: You are an advisory to the Assembly, and you are advisory to the Director of P&R. My direction was to come up with a plan within the current budget. This is what we did. My recommendations to you – this is the Plan we have come up, what you want to do or put forth to the Assembly – Am I happy with the Plan - No, I wish I could get more use, I wish I could do education and enforcement, I don't have that funding.

Mr. Rutecki: could the Assembly come up with the funds?

Mr. Fischer: My direction was to come up with the Plan.

Mr. Wilson: our role is to make a recommendation to the Assembly.

Mr. Morrison: If there is no funding what is the enforcement to keep the high powered boats off the Lake. What are penalties?

Mr. Schaaf: \$250 under existing ordinances and most citations (civil infractions) are limited to \$300 for penalties. There was a discussion of confiscation of property. It would have to be a criminal charge, still looking in to that.

Mr. Morrison: how would you enforce prohibition?

Mr. Schaaf: Basically, there would be a different level of enforcement required to do two different options. If we limit to 10hp, one of the reasons that is used is because it is easily identified and you can tell the differences of hp. It can be potentially done from shore from PD or ranger, but if you are looking at certification card, making sure people are following traffic patterns, having permits, there is no way to do with being out with the users.

Mr. Mertl: if this is funded, my recommendation is that it does not come out of the P&R budget; we are already strapped – if we worked with City Manager and everyone to find funding or grants, it would be a huge disadvantage if P&R is saddled with \$40K bill for enforcement.

Mr. Rutecki: can the FY 15 Budget, can't the finance give the P&R give the money to P&R to enforce? You wouldn't object to them getting additional money?

Mr. Wilson: Let me ask Mr. Fischer: my understanding \$840,000 cut in budget, 2 year budget, public and PRAC know that is a huge amount that was cut out of the budget.

Mr. Fischer: Yes, we are not fully staffed because of fiscal constraints.

Mr. Wilson: What are we going to give up? Are we going to fund this out of P&R what are we going to give up: softball, or field and track or flowers? There is only so much we can do with our dollars. These members want to make a recommendation with additional funding.

Ms. Walters; I think if we send this plan to the Assembly with all the support for motorized use it will land back in our hands. It would be proactive to come up with a plan if additional funding is available.

Mr. Brudie: The next section is changes for education?

Mr. Wilson: Yes. Now, page 16 recommendations (quoted). Mr. Schaaf, what is the difference between towed devices and waterski or wakeboard?

Mr. Schaaf: physically connected to a tow vessel, rider has no way to control, the direction, speed or release. If you have ever been on to a tube you hold on tighter, typically. Towed devices targeted don't provide the rider with any control over speed.

Mr. Wilson: What is water skiing and wake boarding called? Is there a different name?

Mr. Schaaf: A device that is not connected to tow vessel is not a towed device.

Mr. Wilson: In my mind a towed device is inner-tubes.

Mr. Wilson: if we are going to allow high hp motor craft, we need to address length because every time they go out to waterski and wakeboard they are breaking the law. Right now it is 16 ft. Need to adjust the length, page 17 recommendations (quoted). Add a second paragraph: with funding we would recommend the following changes and ask Mr. Mertl to give his suggestions.

Mr. Mertl: leave existing recommendations without enforcement, my new recommendation is with enforcement with these recommendations:

- Greater than 20 feet w/out hp restriction prohibited
- Operators must be certified in the BS program.
- The only towed devices, wakeboard and waterski and only towed by a boat;
- Jet skis are not allowed to tow any device, inner-tubes or anything.

Ms. Hood I would like the recommendations to be totally separately from approval of this plan, not inserted into it; with funding available these are our recommendations.

Mr. Wilson: the point is if we keep going through recommendations – we come back to 10hp, management, markers, require lake users to complete, boater education, improve signage, we all support page 18. When we go to enforcement on page 19 and 20 “create a seasonal park ranger position” is critical and if we are going to allow motorized use, we need to talk about additional funding. On the Bottom see that recommendation (quoted). We could make a recommendation there that we would recommended additional resources and funding for enforcement of regulations either by JPD or P&R, recommend to

let the Assembly figure out who does it, we recommend they do it. That would be an important area to make a change to the staff plan. Page 22 implementation, (quotes): if the Assembly adopts without additional funding, if we do have additional funding then 6.1 is impacted. The length needs to be addressed. We could manage WS and WB because we require spotters – are we going to try to separate out, and make more sense or stay with 10hp limit and eliminate all high speed craft? Allow towed devices except waterski or wakeboard? We shouldn't allow inner-tubes, etc. 6.3 We agree. 6.4 We agree with that. 6.5 there is enforcement again, on page 23. 6.6 We can support, and conclusion. Do we address each paragraph, make our recommendations in a broad paint brush and ask staff to revise. We need to get this into the Assembly right away.

Mr. Rutecki: Are we recommending one document or two?

Mr. Wilson: one document and state without funding 10 hp maximum this is what we support, but with funding we support we recommend. We need to get this into COW.

Mr. Rutecki: I recommend leave the HP WB or WS to the P&R staff, there are a lot of ways people have done that you can have a broad statement.

Mr. Wilson: we are going to make a broad statement. they will direct the CM

Mr. Mertl: just to save staff in rewriting the whole document, recommendations without enforcement and recommendations without enforcement.

Ms. Hood: all our recommendations “with funding” as a PS or amendment, this is the plan without funding, and as a separate motion a recommendation with funding this is what we would like to include.

Mr. Landry: somehow tying “with funding” let staff do with the Plan of what they can do with funding. Let staff use their resources with funding.

Mr. Wilson: without funding we support this Plan, and then “with funding” we make these recommendations. We need to let Assembly know If you want to come up with funding we support, education, enforcement, signage, buoys and maybe higher hp, and we would support jet skiing, in addition to waterski and wakeboard. The PRAC needs to move to the city, with all our comments, what do you think is safe for the Lake.

Mr. Mertl: I think it is up to us to give P&R direction, we have been tasked to deal with this is a document in flux, living breathing document, as changes come to the Lake and community, and this plan will change with time and use. We establish an Auke Lake task force and report back to us about what is, isn't working. We can make reasonable recommendations for this season, but we need a task force of user groups – because we aren't going to get it right the first time but we should make recommendations for this Plan.

Mr. Brudie: Moving ahead to page 19, I wouldn't feel comfortable to pass this recommendation without a boat safety education requirement. Top of page 19 (quotes), we talked about problem of funding for enforcement. This section statement doesn't apply because we should make a recommendation. It should go on to say boater safety education for every user. I agree there is an enforcement issue, but I believe that a recommendation for a license should be placed in here – education, training, certificate appropriate to craft and to activity.

Mr. Wilson: On page 11, the ordinance -- any changes, including this Plan has to have an ordinance passed by the Assembly. They need to have votes to make changes, they could be split and nothing would happen. We need to make broad strokes. I agree that education would require an ordinance and would it be specific to Auke Lake or everywhere?

Mr. Brudie: Since there are no other water bodies – does not know if there is a salt water requirement.

Mr. Wilson: Staff, what is this education and what do you perceive and how would we implement.

Mr. Fischer: We looked at the online boating safety course, they can do it from home \$40-50, fairly easy, self-directed, pay for it online, and it spits out a certificate. 45 states require a certificate. Operator must possess the card. We would only look at Auke Lake.

Mr. Wilson: would you design a course that would mirror our needs for Auke Lake? Could we add additional requirements?

Mr. Fischer: If we are requesting education we could design an education course for our needs.

Mr. Rutecki: you could do that – the age – many people have commented there needs to be a minimum age.

Ms. Hood: Page 18 in the boater education paragraph just the coast guard is mentioned. Ms. Ylijoki specifically stated she could design a course. I would like to have DNR included as resource for boater education. Modified, I think any motorized vessel operated by someone who has passed the boat safety course. Ask staff, several people talked about having done waterskiing on channel – whose jurisdiction?

Mr. Schaaf: State of AK could require BS or age limits but now does not.

Mr. Landry: if you are giving education, is it part of the Plan?

Mr. Fischer: if you aren't going to make it a requirement to take a BS certification and they would have to know what the dangers are.

Mr. Wilson: add an education component...page 22, prohibits quoted. Add an education component in there.

Mr. Mertl: for clarity: would we adopt this with enforcement without or limited? Or alternative management plan with full enforcement. This still calls for boat, and salary. If we go down this route we need to clarify.

Mr. Fischer: When I presented this Plan the enforcement is with existing funding – ranger with limited enforcement with existing funding.

Mr. Wilson: page 23, regarding enforcement (quoted). We want to direct staff to enforce with additional funding.

Mr. Landry: there is a good lobbying effort, I am at a loss how we send this on to the Assembly with a recommendation for funding and this lobby can get the funding and the staff can write the with funding plan.

Mr. Mertl: follow up on ranger/boat – it is ambiguous,

Ms. Hood: I thought with 10hp boat, one of you said it would be possible from the shore to enforce.

Mr. Wilson: can you discuss what enforcement is with 10hp regulation?

Mr. Fischer: signage in place, if we get a call if we get a call that there was a larger craft, call JPD and give authority to our staff and educate them, if repeated will cite. Very limited “on call” with understanding it will impact our other workload.

7:50 recess.

7:57 recall

Mr. Wilson: Now that we have had our points of discussion, now we need to define our conclusion and make recommendation. I want to hear what each of us thinks, maybe move a motion that we can agree to.

Mr. Rutecki: My main point, I want to send something to the Assembly that they will accept and it will make a safer recreation activities at Auke Lake with many of the things we talked about – first and foremost is enforcement and before that there needs to be some extra money put at it. Maybe Jerry can address – USGC boating safety in Spokane newspaper getting sued for \$5M, why would the city balk spending \$40 vs. \$5M in the longer run – has that been considered? We don't have the money but this lake provides a lot of recreation?

Mr. Nankervis: We haven't discussed it as an Assembly, and when you start throwing money for anything that you can be sued for – where does it end? I don't know. Is it worth more money to do enforcement on AL, maybe so – why the City Budget doesn't increase but where that money goes is the budget – I

give you \$80 and you \$120, the city has the option to move the money around and perhaps not doing what they have done before, that is a current mind set – not make the city government cost any more, where are we putting our money that we have coming in?

Mr. Rutecki: The Assembly could move money if they desire. I would like to see that happen. We need to address education and the age you can use boat or jet ski, which I think should be 16. There is an idea of sending (the Assembly) one document if there is no money you get this and with funding we recommend this this and this. Users can contact their Assembly members and supporting their Plan.

Mr. Brudie: I mentioned the education part: to follow up – set out to look at the Management Plan and strengthen and tighten it. For education, the public was taking exception to requiring boating safety was not feasible. My feelings about requiring it still stand – may require an ordinance to do that – but I think if this is a ground floor document it should recommend some sort of safety training, even if it is 10hp or high hp motorized boats on the lake there should be a positive recommendation on that. I don't know if we are going into details on a task force recommendation, we recommend what specifically they will do, safety, carrying capacity, personal watercraft allowed, equitable balance, float plane and snow machine on the Lake, sideboards for that the Task Force would look at.

Mr. Wilson: we need to hear if you support more hp activity and wake boarding, waterskiing and not jet skiing.

Mr. Brudie: I see no towing behind personal watercraft or jet ski a more obvious thing to restrict, I believe personal watercraft are not allowed on Sand Lake (WA) on municipal in Anchorage, with 50hp limit on Sand Lake, a lot of people wakeboard and quite a few waterski and it is a much bigger lake. They use 50 hp to govern Sand Lake it seems to work, so I don't have any hard and fast, but I recognize the imminent danger of towing being motor craft. And when you buy a jet ski it says: do not tow.

Mr. King: I didn't get in on some of the earlier meetings, it is getting complicated. I can only think of two people who got killed there since I have been in Juneau. It would be nice if we could do all these things, but there are a lot of things people in Juneau want to do, especially kids, I think we have to simplify it.

Ms. Hood: support the plan and 10hp limit and I would require boating safety education, make use of DNR and all ages can benefit and since there are programs in the schools is a big plus. Ask Mr. Nankervis: someone on the Assembly has brought up the possibility of the mil rate, in the interest of hanging on to funding have you have thoughts about that and what the Assembly thought about that.

Mr. Nankervis: Mayor made that comment and talked about that and that's about it.

Ms. Hood: Boating safety education as a requirement when using motorized vehicles on Auke Lake (and promote that for the salt water but that is not our issue).

Mr. Mertl: Does not support the plan because it doesn't have enforcement. The Assembly has to make enforcement provisions. I support all boats any horsepower, jet skis, water skiing, and water boarding only behind boats designed for towing; and everything else [in the recommendations i.e.] prohibit flushing, etc; I support enforcement. Anyone on the lake has to go through the 8 hour certification class. We have to set up a task force. If we have to go this route – we have to go without funding. We support this but we still add a task force.

Mr. Wilson: do you support a limit of number of boats on the Lake: what happens with 20 boats on the lake?

Mr. Mertl: Since this is comprised of users it is the decision of the task force to make that decision. We don't have the personal experience to make that decision.

Mr. Wilson: WALROS 20-50 acres per boat – maybe 4 boats – so on those rate sunny days how many boats and it would make it unsafe, would you consider limit the number of boats since you would allow?

Mr. Mertl: does not have knowledge.

Mr. Morrison: I agree with Mr. Mertl, I didn't see this hysteria that people talk about. I can't think of a time when there is a mass cluster of boats that makes it so dangerous. I have waterskied and had boats. I can't agree with WALROS recommendation. Thinking about all the Lakes I've been on, I can't see that number is a reality – I think it would be a big disservice a sizeable portion if we take away motorized use on the Lake, and I have salt water experience. I think that pushing the jet skis into salt water is going to be vary hazardous. If they are pushed out, into waterways, or are not experienced or do not have the right equipment, putting inexperienced people out there is not a good thing to do. I don't think it is smart for anyone to just jump on a jet ski, I think education is important. I think we need considerable enforcement, I've seen people do things on the lake they weren't allowed to do – people will try to get on the Lake. If we are going to ban all horse power on the lake because of the environmental impact of motorized use, it would be a disservice to a sizable amount of people. PRAC advocates safe and appropriate use. We should find if there is a way not to prohibit motorized, for example: Sun.- Mon.-Tues, for one type, then Wed.- Thur.- Fri. for another I recommend we look at all users groups and let them use the lake, not to prohibit all motorized and try to enforce that. Who will monitor what is 10hp?

Mr. Landry: I think staff's hands are tied. They have given us what they can do without funding. It is an Assembly choice, they hold the purse. It might come back to us – we have got to move this and we should pass along to Assembly.

Ms. Walters: The task was given to P&R with no additional funding, and I would support it. I have a question - with no additional funding how to enforce? I think if we forward this plan we will end up discussing it again because there is such strong support for motorized on the lake. I believe giving this Plan to the Assembly, with recommendations for using it with and without funding is the best way to go. We've completed the task as given and I don't see the Assembly supporting this. Life jackets should be added, they are not in the Plan for boaters.

Mr. Wilson: When we first started this in 2006-2007 – it was unanimous to make it non-motorized. Many of the same people testified for public safety on that lake. I have to hand it to the staff to allow 10hp, as a safe amount of motorized activity for the use, but I realize there are a lot of responsible families that use the Lake with jet skis, and teaching their kids to be responsible, as with ATV and snow mobile. There are the 10% that ruin it for everyone else – they make a problem that all other uses have to deal with. I worked hard for ATV and snow mobile clubs. I empathized for motorized craft, but we have a 70 acre Lake and I wonder how we can get high speed motor craft with enforcement. Is it our responsibility that there is not another death on that Lake? Where do we draw the line for safety? I guess it is the access. My recommendation is to approve the staff Plan, tweak, and move it to the Assembly. We can have an addendum stating if additional funding is found we would support the following: education and increased enforcement. We need to tell the Assembly we support increased watercraft use, and support more than 10hp. I can support wakeboard and water ski. It is still public safety we are looking at. We have to find the line. All of us could support as presented without additional funding. There are some tweaks. Odin addressed certification, safety classes, and life jackets. Mr. Mertil requested with funding he would like to see increase use of motor craft. I am not sure if the PRAC would do it as an amendment; I recommend an amendment with funding.

Ms. Hood: I like addendum rather than amendment.

Mr. Brudie: if the Assembly is to approve plan, is it up to them to set an effective date.

Mr. Fisher: yes, there would be an ordinance, adopted by the assembly and put in effect. If there are additions to the existing Plan I need to be clear what those are.

Mr. Wilson: PRAC needs to decide with a motion to accept the Plan, or you can make changes. If requiring life jackets for all users, or enforcement using existing ranger, what would that mean.

Ms. Hood: Do they have ability to issue citations or fine?

Mr. Schaaf: P&R does not have anyone that is authorized to issue citations. That is up to the City Manager, they cite for things like littering or parking.

Mr. Wilson: Mr. Mertl do you have a motion.

Mr. Mertl: I make a motion to add to the currently presented ALMP

- #6 page 16 under Goals: “and provide recreation opportunities”;
- Page 15: 5.1 after public safety “and provide recreation opportunities”;
- Add 6.7 with other opportunities;
- Add lifejackets for all uses of boats;
- Include a task force of users and residents that revisits this and keeps this as a live document, appointed by the CM.

Mr. Brudie: Strike “boater safety not recommended” from statement on Page 19, strike the word “not” for boater education. Use “recommending” rather than requiring “boater education course”, and strike third line and last sentence. Use “is recommended because education resources are available in Juneau”.

Mr. Wilson: Is there any input from the Staff?

Mr. Schaaf: We aren’t anti-education, from a practical standpoint we don’t have staff that can provide boating safety education. The first person under me is a field employee, who does cleaning and maintenance – it would be difficult to add that. Ms. Ylijoki having training in town is good. My question is how do we enforce it? We were trying to avoid regulations we can’t enforce.

Discussion: Require operators under age 13 to wear approved USCG PFD, all other operators strongly recommend. Plan wording to match existing state requirements.

Discussion of Page 20 and Page 23 regarding Park Ranger and enforcement with existing budget.

Discussion: Add 6.7 PRAC, using professionals, staff, users and residents to review the management Plan on annual basis as a task force or subcommittee, and submit findings to Assembly. This action will close the loop on the WALROS recommendation and the public comment regarding self-enforcement.

Mr. Mertl: Begin with clear paragraph in PRAC’s submission with an executive summary stating “P&R were tasked to construct this as unfunded, limited enforcement. Continue with “although PRAC supports this document, their preference is a funded enforcement and certification program to allow safer enjoyable recreation for all Auke Lake users.” With Discussion: Change 1.1 Purpose: Within existing funding resources this Lake Management Plan presents goals and objectives based on current existing funding resources.

Mr. Mertl: We should state something regarding public input – everyone wanted education and enforcement.

Mr. Wilson: Conclusion quoted. Discussion: if additional funding is secured we would recommend the following changes to the Plan. Based on public testimony with repeated comments for increased funding we support education and enforcement, with the following amendments.

Mr. Schaaf: Intent of Management Plan is to present a general document. Funding changes over time. This Plan provides an Overview of the lake, overview of the process, and recommendations to included public comments and resources. Don't be afraid to make recommendations.

Mr. Wilson: We have one motion to approve the document. Another motion stating with additional funding we want to make “these” recommendations.

Mr. Mertl: We need to shake out anything that states “under public comments” because this does not respond to majority of public. This document infers this was public consensus. However, P&R was limited to existing funding and cannot respond to public comment we heard. Discussion

Mr. Schaaf: In Section 5 we looked at alternatives. Enforcement would be impossible, because it links back to lack of funding. Anything is possible if you put enough money towards it. Limiting number of boats and education – those were supported by public comment. We didn't include because of resource problem. We did not ignore public comment.

Ms. Walters: If I read this I would not know that the majority public comment we got requested us to keep motorized vessels on the Lake.

Discussion regarding funding.

Mr. Mertl: Most of these recommendations are based on safety and limited funding. Can we state after numerous opinions and desires were expressed by the public, P&R was limited in making recommendations due to available funding.

Mr. Fischer: since the plan was written before some public comment, it is reasonable to put that up front about public comment.

Mr. Wilson: First we took public comment so staff could make the Management Plan. Most of the public comment came after they read the Management Plan. We agree on enforcement, education, buoys and signage, if we make change to this plan we can either endorse it or make recommendations with additional funding to keep current users on the lake. Our goal is to advocate for all users and recommend education and enforcement.

Discussion regarding number of craft, water activity and horsepower.

Mr. Schaaf: There are supply and demand issues; response in most areas is to put limits on types and numbers. It is going to take a lot of resources. Knowing our limited resources the assumption is we aren't going to be able to do a complicated management of the Lake. Rather than being given a number, and if you gave us what you would like to be done then we could come up with a number.

Mr. Fischer: There is no number of boats per acre, with small lakes there is just a limit to horsepower.

Mr. Mertl: PRAC was given an impossible task and our friends will come to the Assembly and the Assembly will turn it down. We need a backup Plan because it doesn't meet the general public consensus. We've been tasked to take care of this.

Mr. Wilson: Can we move this forward with a single motion that states we recommend the plan without the funding, then another motion to recommend Assembly fund education, enforcement and motor craft.

Review from Ms. Compton:

- Page 19 rewording boating safety education course;
- Recommend life jackets using USCG requirements;
- 6.5 "enforcing";
- 6.7 task force with professionals, staff to review and submit findings to City and PRAC.

Ms. Walters motion, Mr. Rutecki second: Move the presented Plan with additional word changes.

Discussion:

Mr. Wilson: I want to confirm no change in hp.

Mr. Brudie: Let's insert an executive summary and make it clear this is limited funding on preamble. We are listening to public comment.

Line vote on motion: 7 to 2

Motion carried to approve the ALMP with recommendations for Plan language change and moved on to the Committee of a Whole and Assembly.

Mr. Mertl: I make a motion: An amendment to ALMP based on additional funding for education and enforcement. Keeping the bulk of the plan as previously approved with additional changes:

- Under public safety – vessel limit of 20 ft with no hp restrict, operators must have passed boaters certification. Only water skis and wake board with boats designed for towing, no towing by jet skis.

- 5.5: protection of water fowl and water: eliminate 10hp limit, maximum of 20 feet no restriction to hp.
- 6.1: same as previous 20 foot vessels no hp limit, operators must have certification.
- 6.2: Water skis and wakeboards allowed only by boats designed for towing - other devices such as tubes are not allowed and no jet ski towing.
- 6.7: certification; requirements for 8 hour State course for all operators;
- 6.8: add the Auke Lake Management advisory committee of the PRAC committee.

Mr. Morrison: second

Mr. Rutecki: At 5.2 allowing limit of 4 high hp vessels – using carrying capacity of one per 20 acres and based on studies on optimum boat densities using other than WALROS.

Discussion of details for motion; carrying capacity.

Mr. Mertl: I will not accept this amendment. We do not have the authority to allow or not allow 4 – we don't have that information to make that number.

Mr. Wilson: We have a motion and Mr. Mertl has declined amendments.

Further discussion of enforcement.

Motion denied 7-2.

Mr. Wilson: PRAC wants more limits.

Mr. Landry: I would go with Mr. Mertl's suggestions, with proper enforcement jet skis could be an option, but I will agree without jet skis. Would like to have a vote.

Mr. Rutecki: Motion to keep what Mr. Mertl's former motion was but allow a limit of four (20 foot boat) high hp vessels – using carrying capacity of 1 per 20 acres based on studies on optimum boat capacities using other than WALROS.

Second Mr. Landry.

Discussion: clarification of riders/operators under 16 has a certified adult accompany during use, number of vessels.

Mr. Wilson: There is a friendly amendment that the PRAC will review and may adjust carrying capacity in one year.

Discussion regarding allowing jet skis.

Mr. Fischer: May I clarify that “vessels” means boats and personal water craft.

Discussion what is included in the motion. Ms. Compton reviewed:

- allow limit four (20 foot boat) high hp vessels – using carrying capacity of 1 per 20 acres based on studies on optimum boat capacities using other than WALROS
- Under public safety – operators must have passed boaters certification. Only water skis and wake board with boats designed for towing, no towed device by jet skis, and no inner-tubes.
- 5.5 under protection of water fowl and water quality: eliminate 10hp limit, maximum of 20 feet no restriction to hp.
- 6.1: same as previous 20 foot vessels no hp limit, operators must have certification;
- 6.2: Water skiing and wakeboarding allowed only by boats designed for water skis and wake boards, other devices such as tubes are not allowed and no towing by jet skis.
- 6.7 certification; requirements for 8 hour State course all operators;
- 6.7 Establish PRAC subcommittee which includes professionals, staff, users and residents to review the management Plan on annual basis and evaluate the Plan including carrying capacity using all available. And make recommend changes to Assembly. This action will close the loop on the WALROS recommendation.

Mr. Brudie: Can we include a dedicate ranger or city staff for enforcement?

Mr. Rutecki: agrees.

Roll call Vote: Unanimously agreed.

Mr. Mertl: I would like a cover page with addendum

Mr. Wilson: could staff do this?

Mr. Fischer: PRAC should write the letter.

Mr. Wilson: I will work with Mr. Fischer.

Mr. Nankervis: In the presentation to the Assembly, P&R presents their ideas, and PRAC presents their ideas. As for enforcement, everyone has said it is important – enforcement is not a do-all end-all. As for funding, unlimited funding doesn't guarantee no accidents.

X. CORRESPONDENCE - none

Ms. Walters: AG Pool 40th Birthday, climbing wall and inflatables, Sat Feb 23 – one free lap and 2 free open swim.

XI. NEXT MEETING – March 5, 2013, CBJ Chambers, 6 p.m.

XII. ADJOURNMENT – **Mr.** Morrison motion to adjourn 10:07