

**ADDITIONAL MATERIALS FOR THE
PLANNING COMMISSION MEETING**

Assembly Chambers

7:00 PM

MEETING DATE: May 8, 2012

1. Public Comment regarding past case USE2008-00026 & 27

- a. Email from George Danner

2. CSP2012 0010

- a. Email from Michele Elfers, CBJ Engineering, in response to the Sandberg's letter (attached)
- b. Letter (and attachments) from Dave & Barb Sandberg
- c. Email from Daniel Garner, DOT, regarding Sandberg's letter

3. CSP2012 0010 and VAR2012 0007

- a. Letter from John Cooper, NOAA National Marine Fisheries, Auke Bay Laboratories Facilities Manager
- b. Email from Michele Elfers, CBJ Engineering, in response to John Cooper's letter
- c. Email from David Gann, DOT, with attachments

Jen Thorsteinson

From: George Danner [gd3is@gci.net]
Sent: Thursday, May 03, 2012 7:10 AM
To: PC_Comments
Subject: USE2008-00026 & 27, Sheridan Shaffer Appraiser Licensing issue

To all Commission members,

In 2009, Sheridan Schaffers appraisal weighed heavily in and was used by staff for USE2008-00026 & 27 (2 WIMAX towers) Directors report to justify their findings that the towers would not have a significant impact on neighborhood harmony and property values. The message below shows that the accuracy concerns of the Sheridan appraisal raised by the Appellants Newman, Strand and Danner in their appeal were well founded.

George Danner

From: ruthdannerofjuneau@gmail.com [mailto:ruthdannerofjuneau@gmail.com]
Sent: Thursday, May 03, 2012 6:00 AM
To: Mandel, Margo P (CED)
Cc: Representative Beth Kerttula; Representative Cathy Munoz; Senator Dennis Egan; Mayor; Kim Kiefer; Greg Chaney; Assembly; Jonathan Anderson; Bob Doll
Subject: Re: Sheridan Shaffer Appraiser Licensing issue

Dear Ms Mandel,

Please share my thanks with the board for looking at this issue. While it is too late now to pursue action on the Schafer appraisals that raised the concern, I am happy to know that a gap in Alaska's practices has been discovered and that the board will be working toward a solution that will protect Alaska from professional carpetbaggers in the future.

I am copying my Juneau legislative delegation and selected members of CBJ leadership, because I know they will be interested to hear that the appraiser's work was sufficiently flawed to raise the need for this action.

Sent from my iPad

On May 2, 2012, at 12:39 PM, "Mandel, Margo P (CED)" <margo.mandel@alaska.gov> wrote:

Hi Ruth,

I'm writing to update you on the appraiser courtesy license issue that arose as a result of the complaint that you had previously filed against Washington appraiser Sheridan Shaffer. The Division, on behalf of the Alaska Board of Certified Real Estate Appraisers, has consulted with both the Appraisal Foundation and the Attorney General's Office in this matter.

5/8/2012

The Appraisal Foundation advised that Alaska would need to institute disciplinary action against Ms. Shaffer's courtesy license in order for Washington to establish sanctions against her Washington appraiser license. After an Alaska board member reviewed the questioned appraisal and found numerous errors, the Attorney General's Office was consulted to determine what, if any, jurisdiction Alaska has in regards to imposing discipline against a courtesy license.

The Attorney General's Office advised that a license must be renewable in order for the state to have jurisdiction and the ability to take disciplinary action against the license. Courtesy licenses are not renewable; per 12 AAC 70.920, a courtesy license is issued for one appraisal assignment only and may not exceed a period of 180 days (although it may be extended one time for 30 days if necessary, a courtesy license is not renewable).

The Appraisal Foundation establishes qualification criteria and standards for state licensing and one of those requirements stipulates that states must provide some sort of temporary permit for appraisers licensed in one state to temporarily perform work in another jurisdiction. Alaska's statutes and regulations pertaining to the appraiser courtesy license meet that criteria; the Board is now researching whether adding a renewal component to Alaska's appraiser courtesy licensing would be a compliance issue with the Appraisal Foundation criteria.

Thank you again for bringing this matter to our attention.

Margo Mandel
Investigator

Teri Camery

From: Michele Elfers
Sent: Monday, May 07, 2012 12:08 PM
To: Teri Camery
Subject: Response to Auke Lake comments

Teri,

Here is a response to the letter you received dated May 2nd concerning the Auke Lake Wayside concept plan.

1. Parking for private landowner in Auke Lake Wayside Right of Way:
The concept plan shows the ADOT Right of Way line, the boat launch ramp is in the Right of Way and the CBJ has an easement with ADOT for the use of this land. As part of this project planning and future planning for the multi-use path, the ADOT has decided to close off the eastern entrance to the wayside. With the new boat launch ramp location, the turn was too tight off the highway and it was not a safe vehicle entrance. Also, boat trailer parking would be limited if this entrance remained open. ADOT has read this comment letter and tried to find an agreement with the landowner to allow parking for their home use in the wayside, they have not been able to find any documented agreement.
2. Bathroom location:
The bathroom is located outside of the 50' setback from Auke Lake and adjacent to the boat launch ramp. Boat users will have easy access up the ramp to the bathroom without having to cross the parking lot. The existing port-a-potty location will be a surface stormwater treatment pond which is located in a bench area at the low end of the parking lot, where storm water is currently directed. Relocating the pond to accommodate the bathroom would cause much more fill, grading and potentially retentions structures to move the water in a different direction. The bathroom structure is approximately 12' tall x 10' long by 6.5' wide and none of the tall spruce tree vegetation around the edges of the lake will be removed. Any views from the road or across the road to the bathroom are obstructed more by the trees than the bathroom structure.
3. Lighting:
The bathroom will have two small lights fixed to the exterior wall operated by a photocell. The CBJ has had vandalism occur to bathrooms frequently and the light is a measure to prevent vandalism. There will be lighting on the pedestrian path, but this lighting will be at human scale, just overhead of pedestrians or at waist level. It will be focused down to the path. There are no plans for overhead lighting of the parking lot or lighting at the water's edge.
4. Parking Spaces:
There are currently 26 parking spaces in the plan, this includes 2 handicap accessible spaces. The CBJ and UAS have a written agreement to allow for overflow parking at the university for the very busy summer days at the wayside.

Please let me know if you need any more information.

Thanks,
Michele

10965 Glacier Highway
Juneau, Alaska 99801
2 May 2012

MS Teri Camery
Division of Lands and Resources
City and Borough of Juneau
155 South Seward Street
Juneau, AK 99801

Dear MS Camery,

We live across Glacier Highway from the Auke Lake Wayside and have some concerns with the proposed "improvements." Prior to DOT's road widening project in the late 1970s our house had safe, off road parking on our side of Glacier Highway. Because that was eliminated, DOT created parking spaces for our cars and/or boat behind the guardrail directly across from our house. (This now sits between the guardrail and the launch ramp. Please consider this in your new plan.) We are also concerned about winter parking. At this time we pay to have 5 spaces plowed on the east side to accommodate our three vehicles and guests. With the entrance further away, this will not only greatly increase our walk along icy snow berms, carrying parcels and with pets, but double our plowing costs. (Our experience has been that unless the vehicles are parked right across from the house, vandalism and theft increase.)

Another personal concern is the placement of the bathroom. It will sit right in line with our view and block the spectacular view for motorists driving by on Glacier Highway. Please consider putting it near where the outhouses are currently placed.

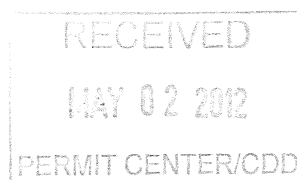
Many Juneau residents come to the Auke Lake Wayside to view northern lights. Please respect this when planning trail, picnic area, and bathroom lighting. Possibly you could use the same system UAS currently has on their bridge and trail to the wayside.

The current plan shows nineteen parking spots. In past drafts several of those were handicap restricted. On a nice summer day there are often 25 – 40, or more, vehicles parked there to accommodate trail usage. Unless there will be increased parking at the trailhead, please consider increasing the number of parking spaces.

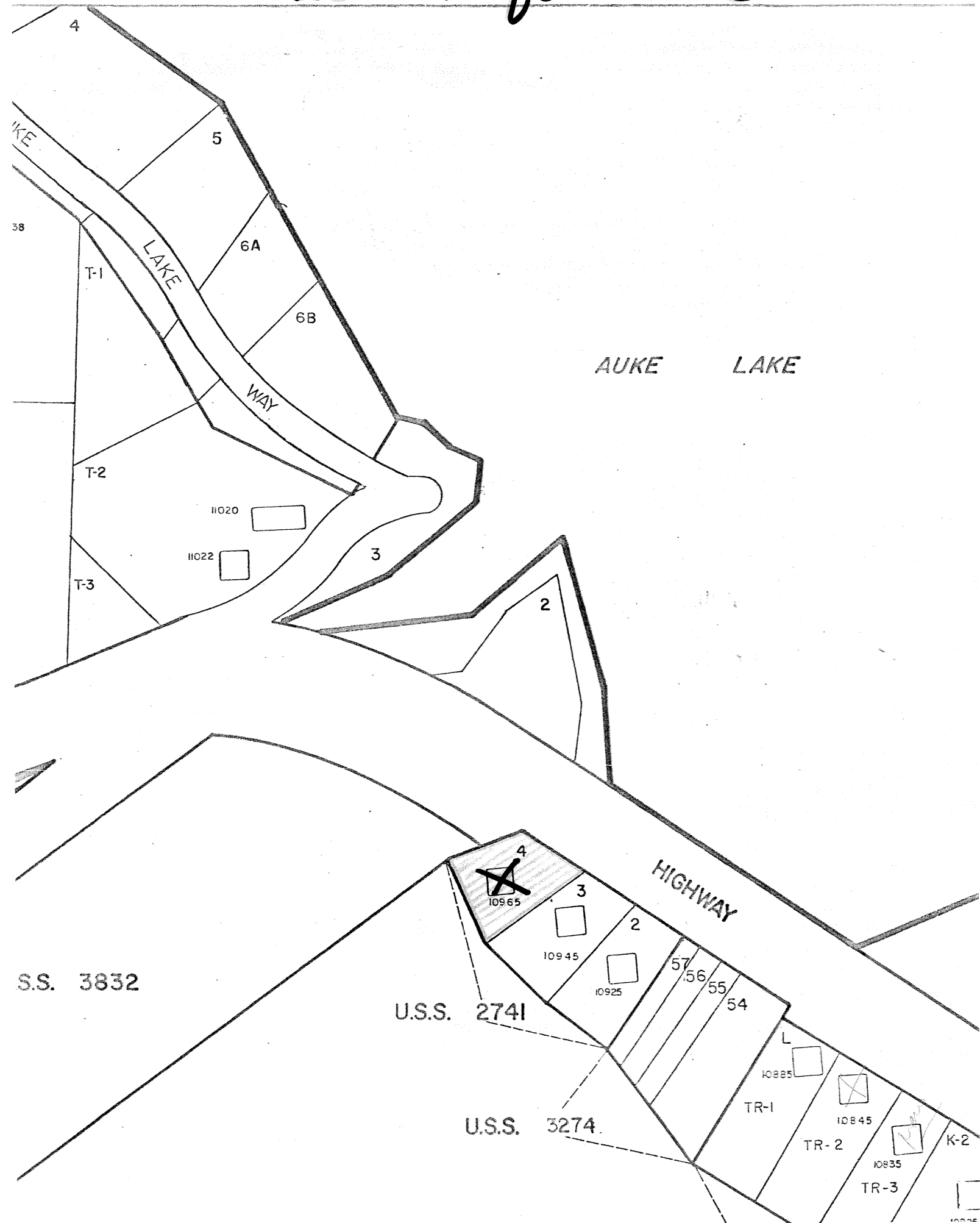
Sincerely,

Barbara Sandberg
Dave Sandberg
Dave and Barb Sandberg

Contact at 789-9230
aukenessie@gmail.com
n561gs@yahoo.com

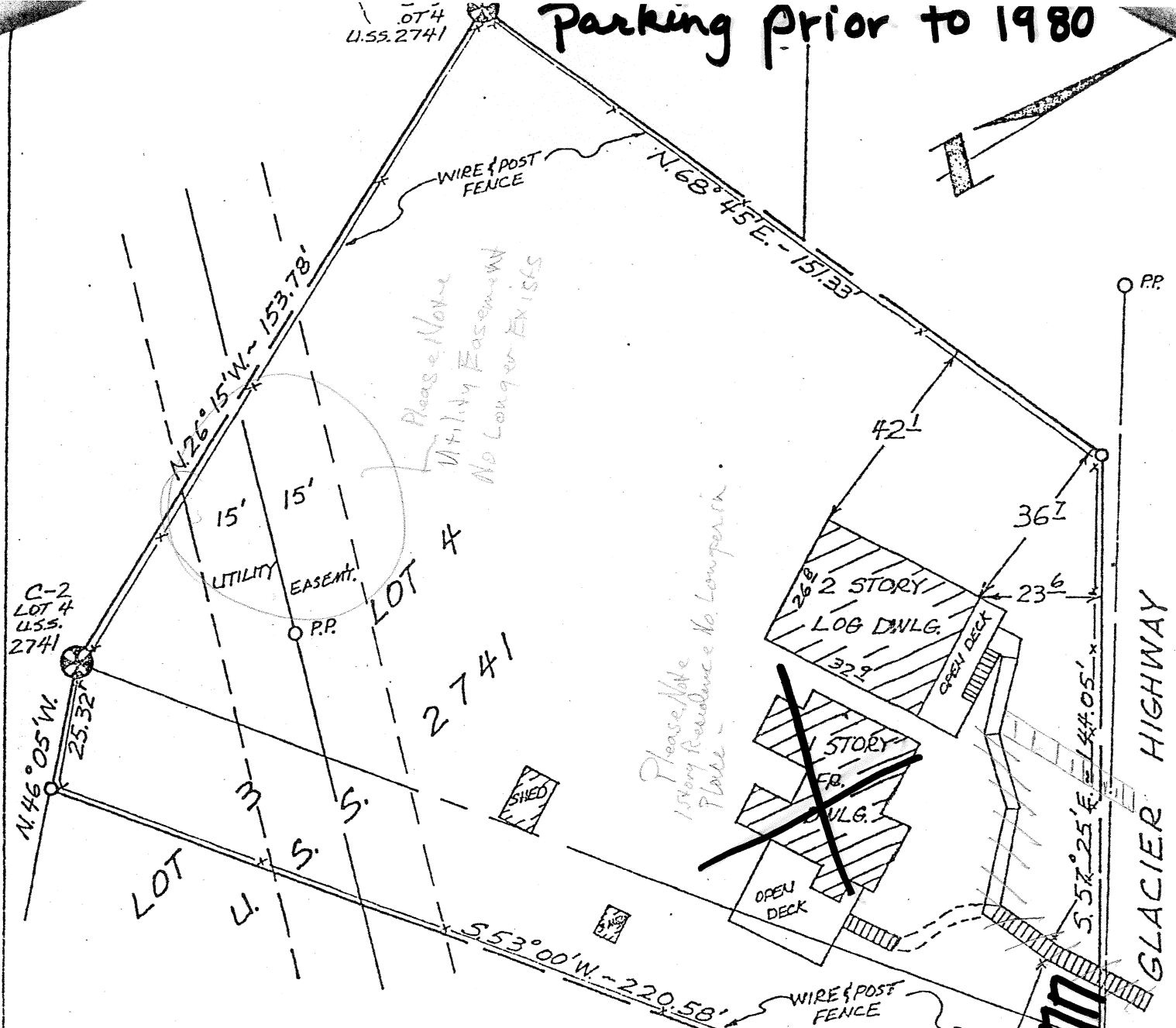


Location of our home



LOT 4
U.S.S. 2741

Parking prior to 1980



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY LICENSED AND REGISTERED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS IS A TRUE AND CORRECT DRAWING, THAT ALL WALKS, ROADS, EASEMENTS AND IMPROVEMENTS ON THE LAND ARE AS SHOWN AND THAT THERE ARE NO ENCROACHMENTS OR OVERLAPS, EXCEPT AS SHOWN, TO THE BEST OF MY KNOWLEDGE.

DATE 2/17/82



ATEH
ALASKA TECHNICAL SERVICES
LAND SURVEYORS
BOX 3080
JUNEAU 99803
789-0565

A PLANIMETRIC PLAT OF IMPROVEMENTS ON A FRACTION OF LOT 3 & LOT 4 U.S.S. 2741
CITY & BOROUGH OF JUNEAU, ALASKA

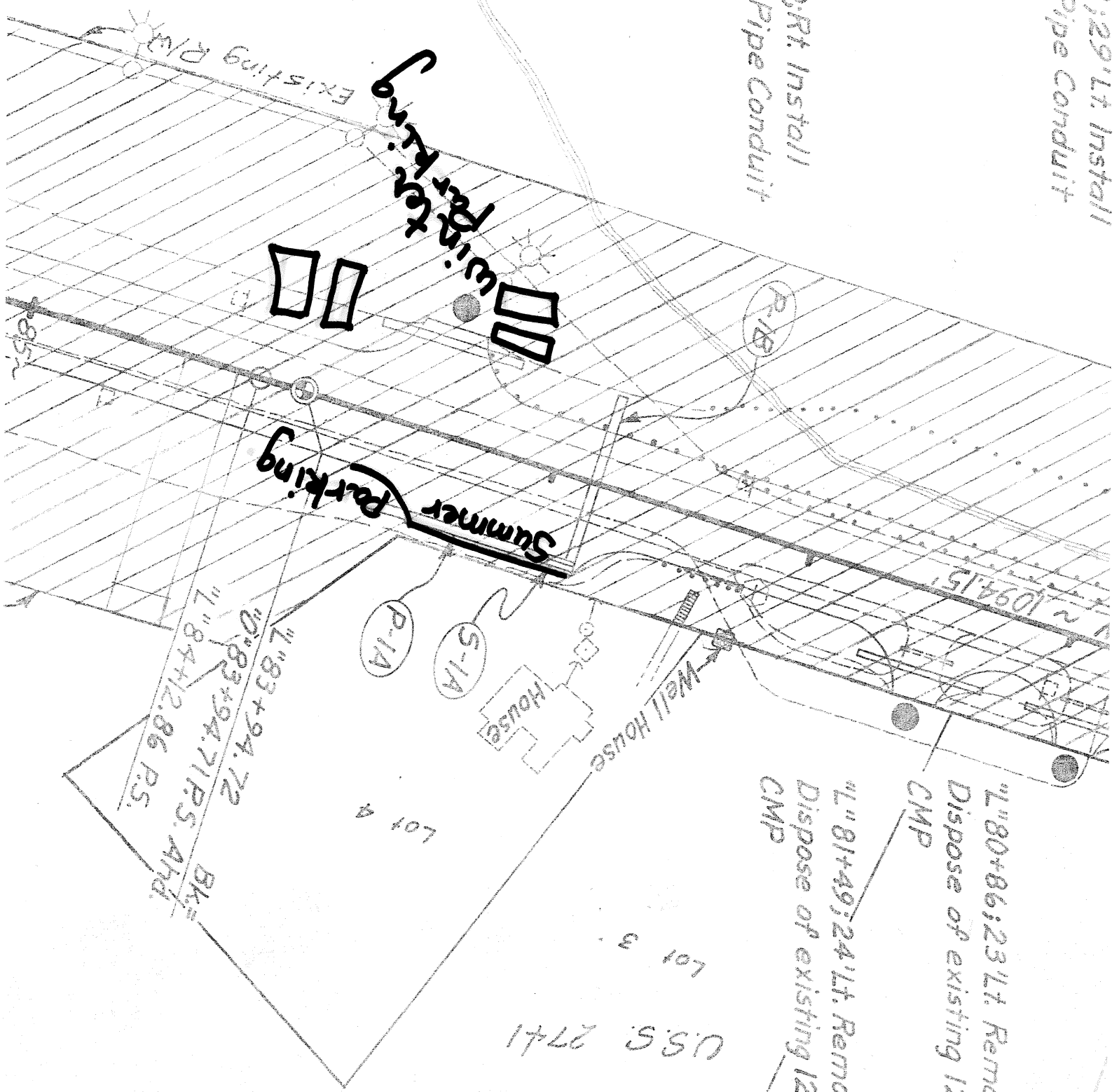
DATE	DRAWN	SCALE	PROJECT
2/17/82	JML	1" = 30'	1210-01

Parking prior to 1980

Parking after 1980.

"L" 81+49; 29' Lt. Install
18" x 48' Pipe Conduit

"L" 83+50; Rt. Install
18" x 54' Pipe Conduit



"L" 80+86; 23' Lt. Remove &
Dispose of existing 12" x 19'
CMP

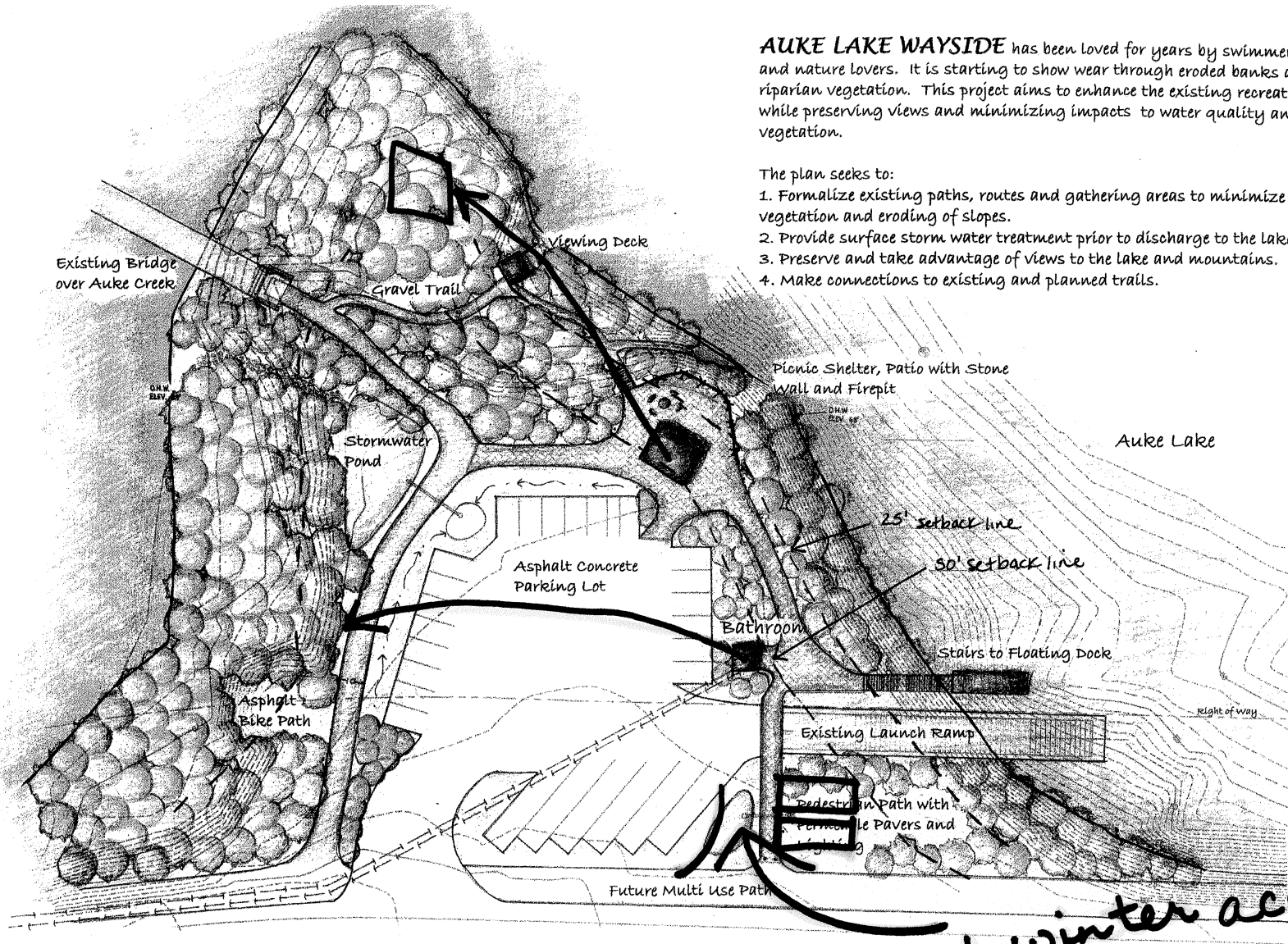
"L" 81+49; 24' Lt. Remove &
Dispose of existing 12" x 20'
CMP



AUKE LAKE WAYSIDE has been loved for years by swimmers, boaters, hikers, and nature lovers. It is starting to show wear through eroded banks and damaged riparian vegetation. This project aims to enhance the existing recreational opportunities while preserving views and minimizing impacts to water quality and riparian vegetation.

The plan seeks to:

1. Formalize existing paths, routes and gathering areas to minimize disturbance of vegetation and eroding of slopes.
2. Provide surface storm water treatment prior to discharge to the lake.
3. Preserve and take advantage of views to the lake and mountains.
4. Make connections to existing and planned trails.



AUKE LAKE WAYSIDE

CONCEPT PLAN AND DETAILS, April 2012

Alaska Department of Transportation and Public Facilities and City and Borough of Juneau

gated winter access



our seasonal changes

RECEIVED
APR 15 2012
PERMIT CENTER

Teri Camery

From: Garner, Daniel J (DOT) [dan.garner@alaska.gov]
Sent: Tuesday, May 08, 2012 2:16 PM
To: Michele Elfers
Cc: Teri Camery
Subject: May 2nd letter from the Sanbergs regarding DOT sanctioned parking in the Auke Lake Wayside
Importance: High
Attachments: DOC050212 (2).pdf

Michele – I have had our ROW staff and construction staff review the possibility that at some time in the past AKDOT&PF granted the Sanberg's some sort of written agreement or permit to allow them to park vehicles in the State Right of Way (ROW) at the Auke Lake Wayside. We can find no evidence of such an instrument ever being executed and would encourage the Sanberg's to provide us and CBJ a copy. In the case of the Wayside Project, if such an agreement or permit would exist, we would likely revoke it since the area is needed for the project. All permits or agreements for private use of the highway Right of Way are revocable in the event that the Right of Way is needed for public improvements.



Dan Garner, P.E.
Alaska Department of Transportation and Public Facilities
Southeast Reconnaissance Engineer
907-465-1851
dan.garner@alaska.gov



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service
Alaska Fisheries Science Center
Auke Bay Laboratories
Ted Stevens Marine Research Institute
17109 Point Lena Loop Road
Juneau, Alaska 99801-8344
Fax (907) 789-6094

May 4, 2012

City and Borough of Juneau
Planning Commission
155 S. Seward Street
Juneau, Alaska 99801

Re: Auke Lake Wayside Recreational Improvements

Ladies and Gentlemen:

The City and Borough of Juneau has applied for a variance to the 50-foot lakeside setback from Auke Lake for Auke Lake Wayside recreational improvements (File Number CSP2012 0010, VAR2012 0007). The NOAA National Marine Fisheries, Auke Bay Laboratories, operates a research hatchery less than 1000 feet from the proposed construction area. Previously, NOAA raised objections to the installation of a boat ramp at this site, which lies at the head of Auke Creek.

The major concern that the Auke Bay Laboratories has is for the quality of the water which is siphoned from the lake to our hatchery and labs. Our concern here is first for the spawning habitat immediately downstream from the construction area, which could be impacted by silt fines from disturbances in the construction of the foot bridge (now complete), any restoration work done to the former launch site where the foot bridge is, and any hydrocarbons from spills or black top that gets into the lagoon area immediately about the spawning habitat.

Our second concern is for the lake habitat itself where the launch site is present and where pre-spawning fish hold. The city was asked not to put the ramp in its current location, or if so, to incise the ramp into the parking lot so that less fill would be required to be dumped into the lake. Both suggestions were dismissed or ignored. Auke Bay Laboratories just finished stocking 50,000 sockeye fry into the lake as part of our long-term genetics work with UAF, funded by Pacific Salmon Commission Northern Fund. This project will impact the remaining lake habitat near the creek head waters. Our concern here is for silt fines or hydrocarbons from spills entering the either during construction or during use. This would degrade the habitat, particularly for the holding




City and Borough of Juneau
May 4, 2012
Page 2

pre-spawn adults and for juveniles rearing in the lake during the developmental period prior to out-migration.

Our final concern is for the lake bank immediately below the highway, which was proposed for work to connect the walkways around the lake. Such a walkway would improve safety for people walking along side of the road, but could also reduce and potentially degrade pre-spawn habitat. Our concern is for silt fines and disturbance in the area during construction, and possibly for the long-term habitat there. Any construction needs to guarantee the integrity of the intake structure and water line. Construction in the parking lot will need to have in-place structures to prevent runoff of silt and hydrocarbons, and routine monitoring during construction.

Should you have questions, please contact me at 789-6632 or john.cooper@noaa.gov.

Sincerely,



John Cooper
Facilities Manager

Teri Camery

From: Michele Elfers
Sent: Tuesday, May 08, 2012 11:20 AM
To: Teri Camery
Subject: Response to NMFS letter
Attachments: boat launch ramp revisions.pdf; FW: Auke Lake Wayside agency scoping for NEPA

Teri,
Thanks for sending this along, here is our response to the letter:

Please note staff's response to the letter dated May 4, 2012 from John Cooper, National Marine Fisheries Service, to Teri Camery regarding the Auke Lake Wayside project proposal.

1. The first concern stated in the letter regards the restoration work done at the site of the old boat launch ramp, and any hydrocarbons or leaching of asphalt paving that reaches the creek.
 - a. The restoration of the old boat launch ramp site was completed last year. Any additional restoration work will be to add additional native plantings or grass seed by hand. This will be done only if monitoring of this area this summer determines that additional stabilization work is needed. The silt fence that was placed during the initial restoration efforts is still in place and will remain in place until this area is permanently stabilized. Additionally, the stormwater from the gravel parking lot currently drains to the area of the old boat launch ramp and there are no measures in place to treat this water. The proposed plan includes paving the parking lot and creating two vegetated stormwater collection ponds, one at the head of the old boat launch ramp above Auke Creek and one close to the new boat launch ramp. Some of the water from the re-graded parking lot will be redirected away from the area of the old boat launch ramp to the secondary stormwater pond. All stormwater from the parking lot will be directed into the vegetated ponds for filtration and infiltration prior to being discharged into the lake or the creek. Additionally, the parking lot area will be reduced in size and permeable pavers will be used on the pedestrian pathways around the lakes edge to stabilize the soils and allow for infiltration and treatment of stormwater.
2. The second concern is for lake habitat and comments on the CBJ's previous plan for locating and constructing the boat launch ramp.
 - a. During the planning and permitting process for the boat launch ramp, agencies requested that the fill footprint in Auke Lake for the new boat launch ramp be minimized. The strategy suggested was to cut into the existing wayside parking lot, push the ramp into the wayside and maximize the slope of the ramp. Please see the attached plans for the boat launch ramp. The plan marked Concept #1 shows the boat launch ramp in the existing location but sticking out into the lake, the plan marked Concept #2 shows the revisions with the ramp cut into the hillside and the ramp slope at 16%, the maximum allowable slope. Concept #2 was constructed. The concerns about hydrocarbons and stormwater reaching the lake are addressed in the design as detailed in the response to concern #1 above.
3. The last concern regards the planned multi-use path along Glacier Highway.
 - a. The planned multi-use path along Glacier Highway is an Alaska Department of Transportation (ADOT) project located in the Right of Way for the highway. This project is being planned, permitted, designed and constructed separately. It is

outside of the scope of this permit application.

4. Throughout the letter, Mr. Cooper expresses concern for impacts to water quality during construction.
 - a. During construction, various Best Management Practices will be followed to prevent turbid, silty water or hydrocarbons from entering the lake or the creek. The proposed plan includes two stormwater ponds, these ponds will be used during construction as settling ponds for any runoff from the work areas. Other BMP's that could be implemented include but are not limited to, rock check dams, silt fences, soil stabilization through mats or seeding, wattles, and coir logs. Additionally, fuel spill kits will be kept on site. The project will be monitored on a daily basis to ensure the upkeep of stormwater facilities and structures.

5. ADOT is currently evaluating environmental impacts through the FHWA required NEPA process for this project. The CBJ and ADOT invited agencies to a meeting last month to review the details of the project as part of this process. The meeting concluded with a visit to the site. Chiska Derr, with the National Marines Fisheries Service, attended the review and onsite meeting. She sent a comment to ADOT after the meeting stating, "NMFS has no EFH concerns with the project as proposed." (EFH stands for Essential Fish Habitat). Her email is attached.

Thank you for the opportunity to respond to this letter.

Sincerely,
 Michele Elfers
 Engineering Department
 City and Borough of Juneau

From: Teri Camery
Sent: Tuesday, May 08, 2012 8:35 AM
To: Michele Elfers
Cc: Greg Chaney
Subject: FW: Auke Lake Hearing

This just in. I haven't looked at it yet, will get back to you shortly.

Teri Camery, Senior Planner
 City and Borough of Juneau
 Community Development Department
 155 S. Seward
 Juneau, AK 99801
 (907) 586-0755 phone; (907) 586-3365 fax



Please consider the environment before printing this email.

From: John Cooper [mailto:john.cooper@noaa.gov]
Sent: Monday, May 07, 2012 1:36 PM
To: Teri Camery
Subject: Auke Lake Hearing

Teri,

I apologize for this being after your deadline. It was not brought to my attention until Tuesday of last

5/8/2012

week.

Attached is the NOAA National Marine Fisheries, Auke Bay Lab concerns about the Auke Creek construction project. I have forwarded them to the NOAA Alaska Region personnel as well, so you may have gotten a similar response from them. I just wanted to close the loop and make sure that this would get into the package that the planning commission gets tomorrow.

Thank you,

--

John Cooper
Facilities Manager
Auke Bay Laboratories
Alaska Fisheries Science Center
NOAA Fisheries

Work: 907-789-6632
Cell: 907-723-4506

Teri Camery

From: Gann, David J (DOT) [david.gann@alaska.gov]
Sent: Tuesday, May 08, 2012 9:40 AM
To: Garner, Daniel J (DOT)
Cc: Michele Elfers
Subject: FW: Auke Lake Wayside agency scoping for NEPA
Attachments: 69602_agency_scoping_033012.pdf

NMFS comments on the wayside project

.....
 David Gann
 Environmental Impact Analyst
 DOT&PF SE Region
 907.465.6567

From: Chiska Derr [mailto:chiska.derr@noaa.gov]
Sent: Monday, April 23, 2012 12:38 PM
To: Gann, David J (DOT)
Subject: Fwd: Auke Lake Wayside agency scoping for NEPA

Hi Dave,

NMFS has no EFH concerns with the project as proposed.

Chiska

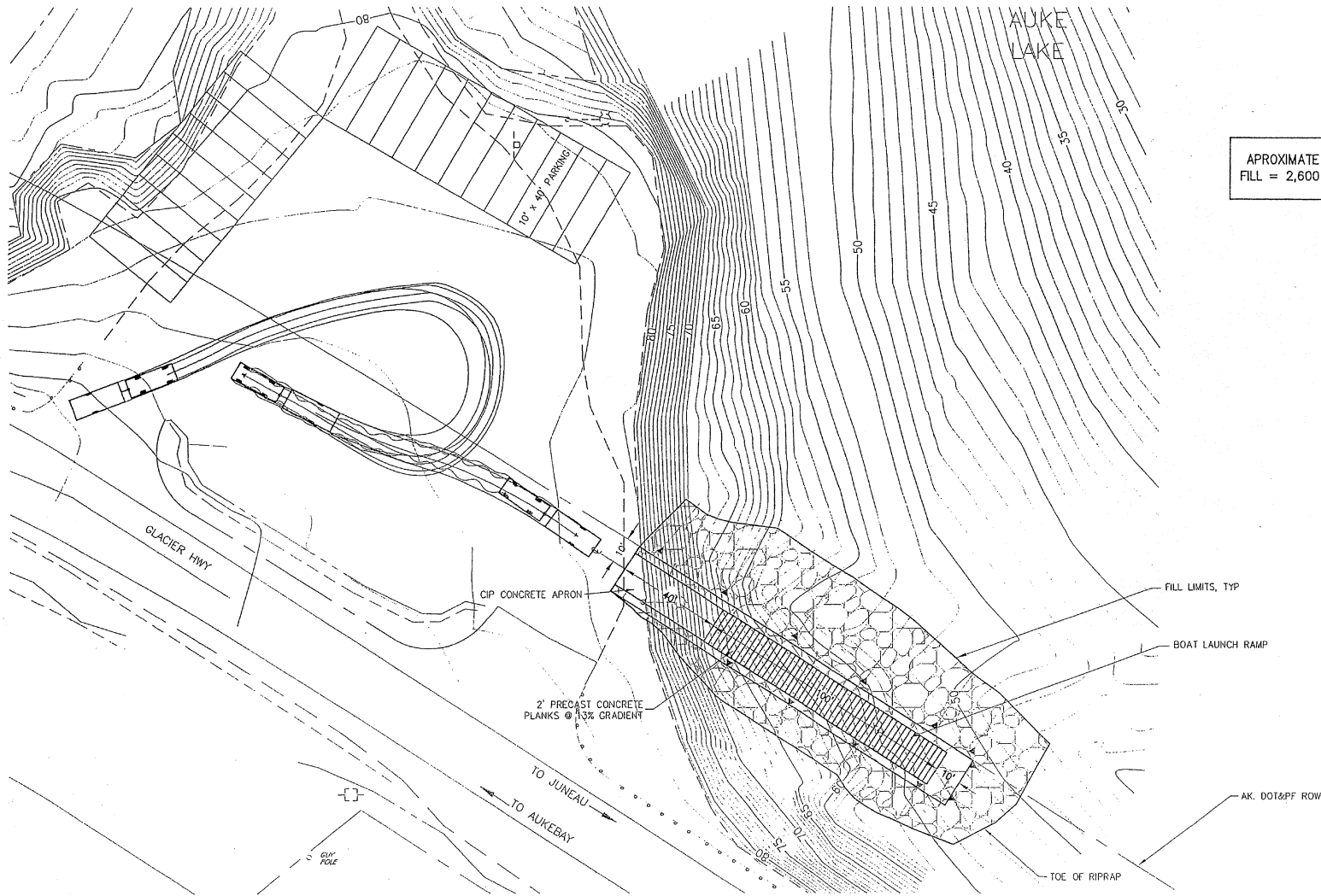
From: **Gann, David J (DOT)** <david.gann@alaska.gov>
Date: Fri, Mar 30, 2012 at 2:19 PM
Subject: Auke Lake Wayside agency scoping for NEPA
To: teri_camery@ci.juneau.ak.us, "Firstencel, Heidi POA"
 <Heidi.x.Firstencel@usace.army.mil>, George.Schaaf@ci.juneau.ak.us, James.Ray@fws.gov,
steve_b_lewis@fws.gov, LaCroix.Matthew@epamail.epa.gov, Mary.Goode@noaa.gov, "Kelley,
 David L (DNR)" <david.kelley@alaska.gov>, "Ashton, William S (DEC)"
 <william.ashton@alaska.gov>, laura_boyce@ci.juneau.ak.us, "Timothy, Jackie L (DFG)"
 <jackie.timothy@alaska.gov>, "Bittner, Judith E (DNR)" <judy.bittner@alaska.gov>
Cc: "Garner, Daniel J (DOT)" <dan.garner@alaska.gov>, "Gendron, Jane D (DOT)"
 <jane.gendron@alaska.gov>, "Schempf, Janet E (DOT)" <janet.schempf@alaska.gov>, Michele
 Elfers <Michele_Elfers@ci.juneau.ak.us>, "Morehouse, Carolyn H (DOT)"
 <carolyn.morehouse@alaska.gov>

Dear Colleagues:

Please see the attached agency scoping letter for the proposed ADOT&PF Auke Lake wayside project. Additionally, you are invited to an agency scoping meeting where we will be discussing project design, potential project impacts to environmental resources, and measures to minimize adverse impacts.

Please let me know if you will be able to join us. We can set up a conference line for those phoning in.

5/8/2012



APPROXIMATE RAMP
FILL = 2,600 CU YD



Concept # 1
PRELIMINARY

REVISIONS					
REV.	DATE	DESCRIPTION	DWN.	CKD.	APP.

P N D
ENGINEERS, INC.
9360 Glacier Hwy, Ste 100
Juneau, Alaska 99801
Phone: 907-586-2093
Fax: 907-586-2099
www.pnd-ene.com

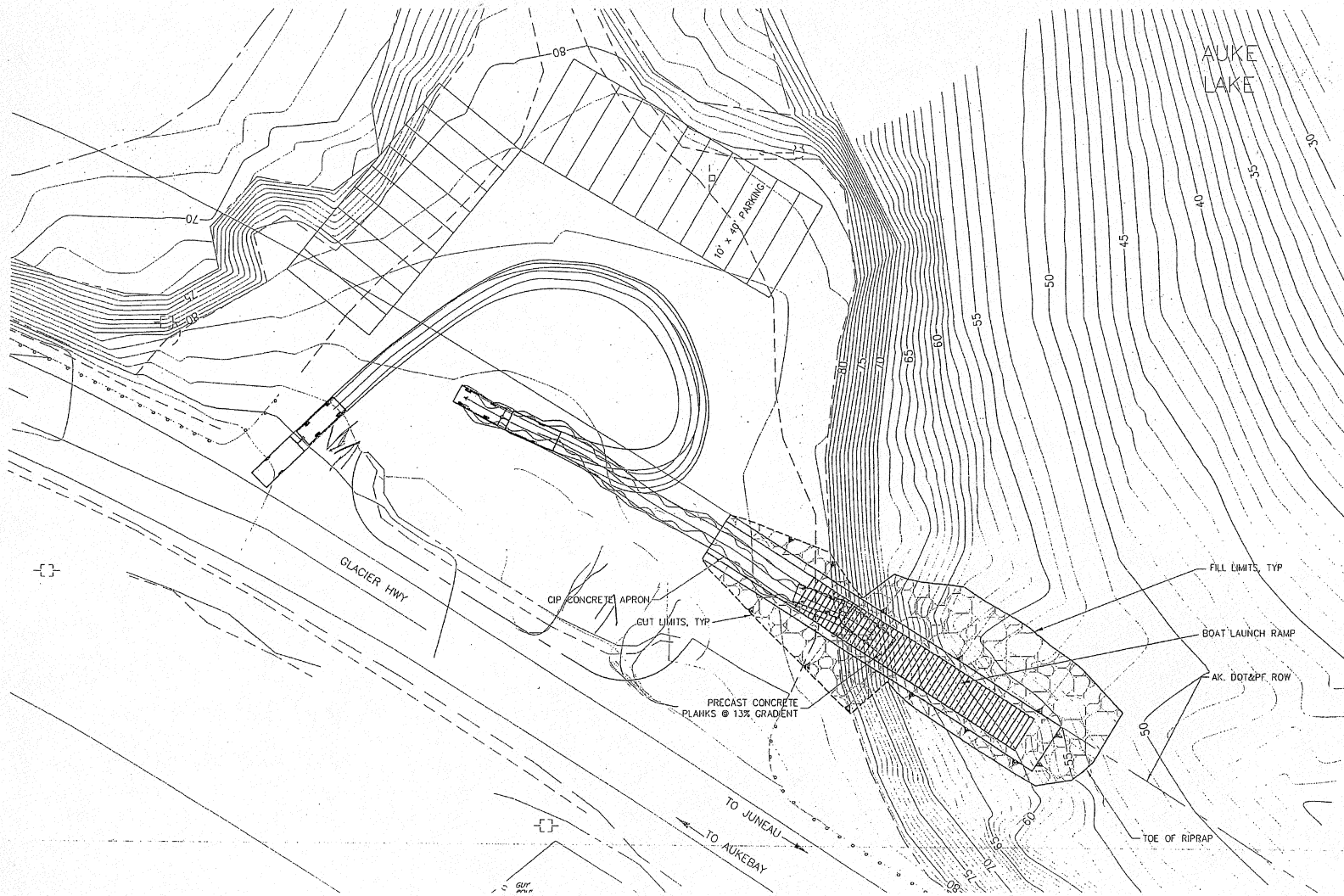


CITY AND BOURGHOUS OF JUNEAU
AUKE LAKE WAYSIDE

DESIGN: CMB CHECKED: CRS
DRAWN: CMB APPROVED: CRS
SCALE: SCALE IN FEET
0 20 40 FT.

SHEET TITLE: CONCEPT NO. 1
BOAT RAMP
SCHEMATIC DESIGN
PND PROJECT NO.: 062087 DWG. FILE: 62078_BASE.DWG

2
SHEET
2 OF 4



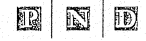
APPROXIMATE RAMP
 CUT = 250 CU YD
 FILL = 730 CU YD



PRELIMINARY
 Concept #2

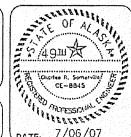
NOTE
 RAMP DIMENSIONS ARE THE SAME AS FOR CONCEPT NO. 1

REVISIONS					
REV.	DATE	DESCRIPTION	DWN.	CKD.	APP.


ENGINEERS, INC.
 9360 Glacier Hwy. Ste 100
 Juneau, Alaska 99801
 Phone: 907-586-2093
 Fax: 907-586-2099
 www.pcd-enc.com

DESIGN: CMB CHECKED: CRS
 DRAWN: CMB APPROVED: CRS

SCALE: SCALE IN FEET
 0 20 40 FT.



CITY AND BOURGHOUS OF JUNEAU
 AUKE LAKE WAYSIDE

SHEET TITLE: **CONCEPT NO. 2
 BOAT RAMP
 SCHEMATIC DESIGN**

PHAD PROJECT NO. 062087 DWG. FILE: 62078_BASE.DWG

3
 SHEET
 3 OF 4