

PLANNING COMMISSION
NOTICE OF RECOMMENDATION

Date: June 27, 2012

File No.: CSP2011 0010

City and Borough of Juneau
CBJ Assembly Members
155 S Seward Street
Juneau, AK 99801

Application For:	Planning Commission Recommendation to the City and Borough Assembly regarding a City Consistency Review for construction of two offshore berths and moorage float located at the existing downtown cruise ship docks.
Legal Description or ROW name:	ATS 3 [Cruise Ship Berths D&E]
Property Address:	South Franklin Street
Parcel Code No.:	1-C07-0-K83-009-0
Hearing Date:	June 26, 2012

The Planning Commission, at a regular public meeting, adopted the analysis and findings listed in the attached memorandums dated January 6, 2012 and June 21, 2012 and recommended that the City Manager direct CBJ staff to design and build the project in accordance with the revised project description and project drawings identified as option 16B reconfiguration option B, submitted with the application and supplemental narrative, and in conformance with the approved Conditional Use Permit USE2011 0030.

Furthermore, in light of new information provided by the Fisherman's Memorial, specifically the cost of repairs to the existing memorial, and the revised design to the cruise ship docking berths and moorage float, the Planning Commission requests the Assembly revisit their decision to leave the Fisherman's Memorial in its current location.

Attachments: June 21, 2012 and January 10, 2012 memorandums from Beth McKibben, Community Development, to the CBJ Planning Commission regarding CSP2011 0010.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ §01.50.020(b).

Project Planner: Beth McKibben
Beth McKibben, Planner
Community Development Department

Michael Satre
Michael Satre, Chair
Planning Commission

Jamie J. Smith
Filed With City Clerk

6/29/12
Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ - adopted regulations. The CBJ and project designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

MEMORANDUM

CITY & BOROUGH OF JUNEAU

155 South Seward Street, Juneau, Alaska 99801

DATE: June 21, 2012

TO: Planning Commission

FROM: Beth McKibben, Planner *BMc*
Community Development Department

FILE NO.: USE20110030
CSP20110010

PROPOSAL: A Conditional Use Permit and City Project Review for construction of two offshore berths and moorage float located at the existing downtown cruise ship docks.

GENERAL INFORMATION

Applicant: Gary Gillette, CBJ Docks & Harbors

Property Owner: City and Borough of Juneau

Property Address: South Franklin Street

Legal Description: ATS 3 [Cruise Ship Berths D & E]

Parcel Code Number: 1-C07-0-K83-009-0

Site Size: 0

Zoning: Waterfront Commercial (WC)

Utilities: CBJ water and sewer

Access: Marine Way (North Berth) and South Franklin (South Berth)

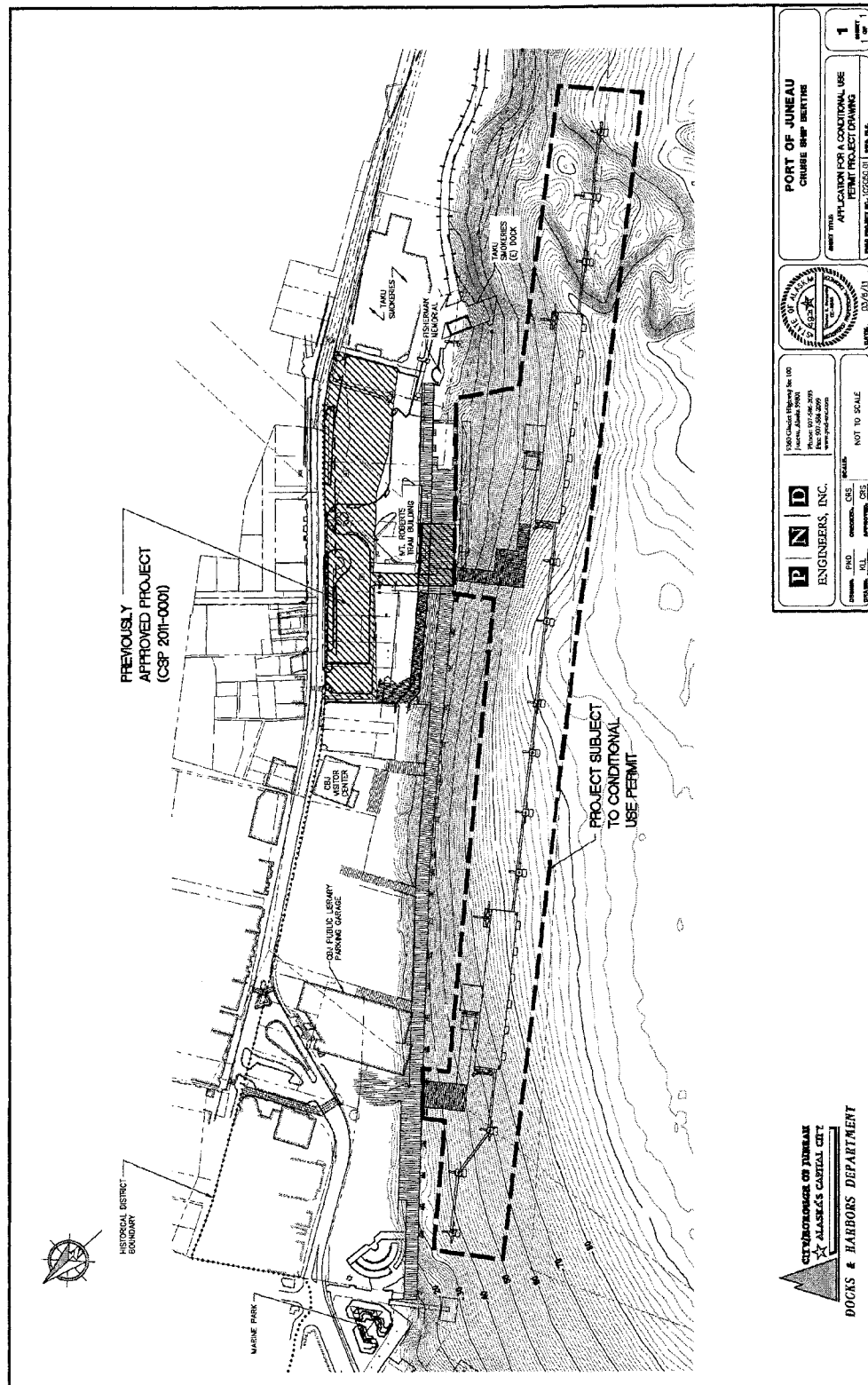
Existing Land Use: Cruise Ship Docks

Surrounding Land Use: North – Waterfront Commercial; Peoples' Wharf (retail & residential); Downtown Library/Parking Garage S. Franklin Street
South – Waterfront Commercial; Taku Smokeries/Twisted Fish (fish processing & restaurant); S. Franklin Street
East – Mixed Use; Alaskan T-Shirt Co. (retail); S. Franklin St. Red Dog Saloon, Marine View mixed use building
West – Gastineau Channel



CITY & BOROUGH OF JUNEAU
★ ALASKA'S CAPITAL CITY

Vicinity Map



ATTACHMENTS

Attachment A – January 10, 2012 Planning Commission minutes
Attachment B – January 6, 2012 Staff report and attachments USE2011 0030 & CSP2011 0010
Attachment C – June 15, 2012 Supplemental Project Narrative
Attachment D – January 26, 2012 Docks & Harbors Board minutes
Attachment E – Original Project Site Plan
Attachment F – Reconfiguration – Option B – revised project site plan
Attachment G – Aerial Photo showing both original and revised site plans
Attachment H – Track 1 of fishing vessel Good Partner
Attachment I – Track 2 of fishing vessel Good Partner
Attachment J – Letter from Alaska Marine Exchange
Attachment K – Letter to Alaska Commercial Fisherman’s Memorial
Attachment L – Letter from Alaska Commercial Fisherman’s Memorial
Attachment M – Letter from Icy Strait Seafoods Inc.
Attachment N – Email from Gary Gillette, Docks and Harbors Engineer
Attachment O – Page 56 Long Range Waterfront Plan

BACKGROUND

This staff report is supplemental to the January 6, 2012 staff report regarding USE2011 0030 and CSP2011 0010: A Conditional Use Permit and City Project Review for construction of two offshore berths and moorage float located at the existing downtown cruise ship docks. The January 6th staff report is found as attachment B.

The Planning Commission considered this project at the January 10, 2012 regular meeting and subsequently continued the item with a request for additional information. Minutes are included in attachment A. The Commission requested information about the number of fish being delivered and the number of fishing boats using the Taku Fisheries Dock, about how fishing boats will access the Taku Fisheries Dock, and the impacts to the Alaska Fisherman’s Memorial and the Blessing of the Fleet.

Gary Gillette, Port Engineer, provides the requested additional information in the Supplemental Project Narrative found as attachment C.

DISCUSSION

As requested by the Planning Commission, page 2 of the supplemental narrative provides information about the amount of fish being delivered to the Taku Fisheries Dock and the use of the dock by the fishing fleet. In 2011 about 7.8 million pounds of product was delivered to this dock. Salmon made up the majority of product, with July and August being the peak season. The narrative states that most salmon are delivered to tenders, which are then scheduled for delivery at the dock,

thus avoiding congestion at the dock.

Docks and Harbors staff worked with a number of entities to ensure that the proposed cruise ship docking berths would provide adequate and safe access to the Taku Fisheries Dock. Design modifications were made. Buoys were placed delineating the proposed modifications. A 58-foot fishing vessel made a number of maneuvers approaching the Taku dock. The captain reported it “felt tight.” Taku Fisheries representatives were concerned that larger vessels and those with less sophisticated steering systems would not be able to successfully navigate within this proposed configuration.

As a result, additional modifications were made to the design. This modification is shown in attachment F. This is the project design which Docks and Harbors is asking the Planning Commission to review. The modifications to the original design include:

- Rotating the berth alignment, resulting in the south berth being moved seaward 50 feet.
- Switching berth locations, moving the 400 foot long float to the north and the 300 foot float to the south.
- Moving the float connection structure from the sides of the floats to the ends.
- Replacing the shallow-angled batter piles with steep angled batter piles for the south berth mooring dolphins.
- Altering the Taku Fisheries Dock to provide a wider fairway and re-orienting the dock face.

Buoys were placed to simulate this new design and an 84-foot vessel completed maneuvers approaching Taku Fisheries Dock. These maneuvers were video recorded and plotted on the project plans (attachments H & I). The simulation showed that this larger vessel was able to safely maneuver and approach Taku Dock.

The supplemental narrative addresses concerns that were raised by Taku Fisheries. Attachment M is a letter from representatives of Taku Fisheries. In general they have found Option B acceptable, and believe that it could proceed without major adverse impacts to Taku’s operations. However, this letter also identifies a number of items which Taku Fisheries would like included in the Planning Commission approval of the requested permits. These items, as understood by staff, are:

- Incorporation/retention of the mooring camel.
- Thruster attenuator to be retrofitted if needed.
- Note the specific modifications to the Taku Fisheries Dock in the use permit; 1. Realigning the dock face to be more closely parallel to the shore and the docking structure; 2. Significantly extend the dock face to 100 feet.
- Taku Fisheries Dock modifications costs to be borne by the City.
- Vessels waiting to access Taku Fisheries Dock may tie up to the mooring camel, upon instruction by Taku Fisheries, provided they do not obstruct other traffic and nobody may

exit the vessel on to any part of the dock other than the camel, and then only to tie or untie their vessel. No rafting permitted.

- Yellow marked 75 foot loading zone at the base of the ramp will be strictly enforced.
- The drive down boarding platoon will be made available to fishing industry vessels for loading and off loading when not in use for cruise ship mooring.
- Lightering activities to be relocated to another site so as to not impact fishing vessel navigation.
- Taku Fisheries Dock realignment to take place before, or in conjunction with, the installation of the cruise ship docking berths.

The concerns raised by Taku Fisheries are addressed by Docks and Harbor's staff on pages 3 and 4 of the Supplemental Project Narrative, attachment C.

The Long Range Waterfront Plan (attachment O, page 56) speaks to the reconstruction of the Cruise Ship Terminal Dock and the preservation of "important artifacts" such as the Fisherman's Memorial. It also identifies Taku Fisheries as an important tenant along Juneau's Downtown waterfront area. Further, the plan suggests consideration of the expansion of the interactive and educational nature of Taku Fisheries as a way of communicating the importance of commercial fishing in Southeast Alaska.

Planning staff does not feel qualified to recommend for or against the requests made by Taku Fisheries. The Planning Commission may accept the requests of Taku Fisheries, modify them, or reject them.

The Docks and Harbors Board heard additional testimony from members of the public about the impact of this proposed project on the Fisherman's Memorial and the Blessing of the Fleet (attachment D). The Supplemental Narrative addresses the questions raised by the Planning Commission at the January 10, 2012 meeting about the Fisherman's Memorial. Docks and Harbors have shared the proposed modifications to the cruise ship docking berths with the Fisherman's Memorial Board (attachment K). Attachment L is the response of the Fisherman's Memorial Board. Their response was not received by Docks and Harbors staff in time to be addressed in their supplemental project narrative. Mr. Gillette's response is found in attachment N. Mr. Gillette reiterates that the Assembly approved the project and decided not to relocate the Fisherman's Memorial. The Fisherman's Memorial Board indicates they see two options: 1) Not to construct the south half of the project; or, 2) Relocate the Fisherman's Memorial.

The analysis and findings of the January 6, 2012 staff report to the Planning Commission, as supplemented by staff report, remain the recommendation of staff. However, finding 3 is expanded to include the dates of the second round of public notices.

3. Will the proposed development comply with the other requirements of this chapter?

Yes. The proposed development complies with the other requirements of this chapter. Public notice

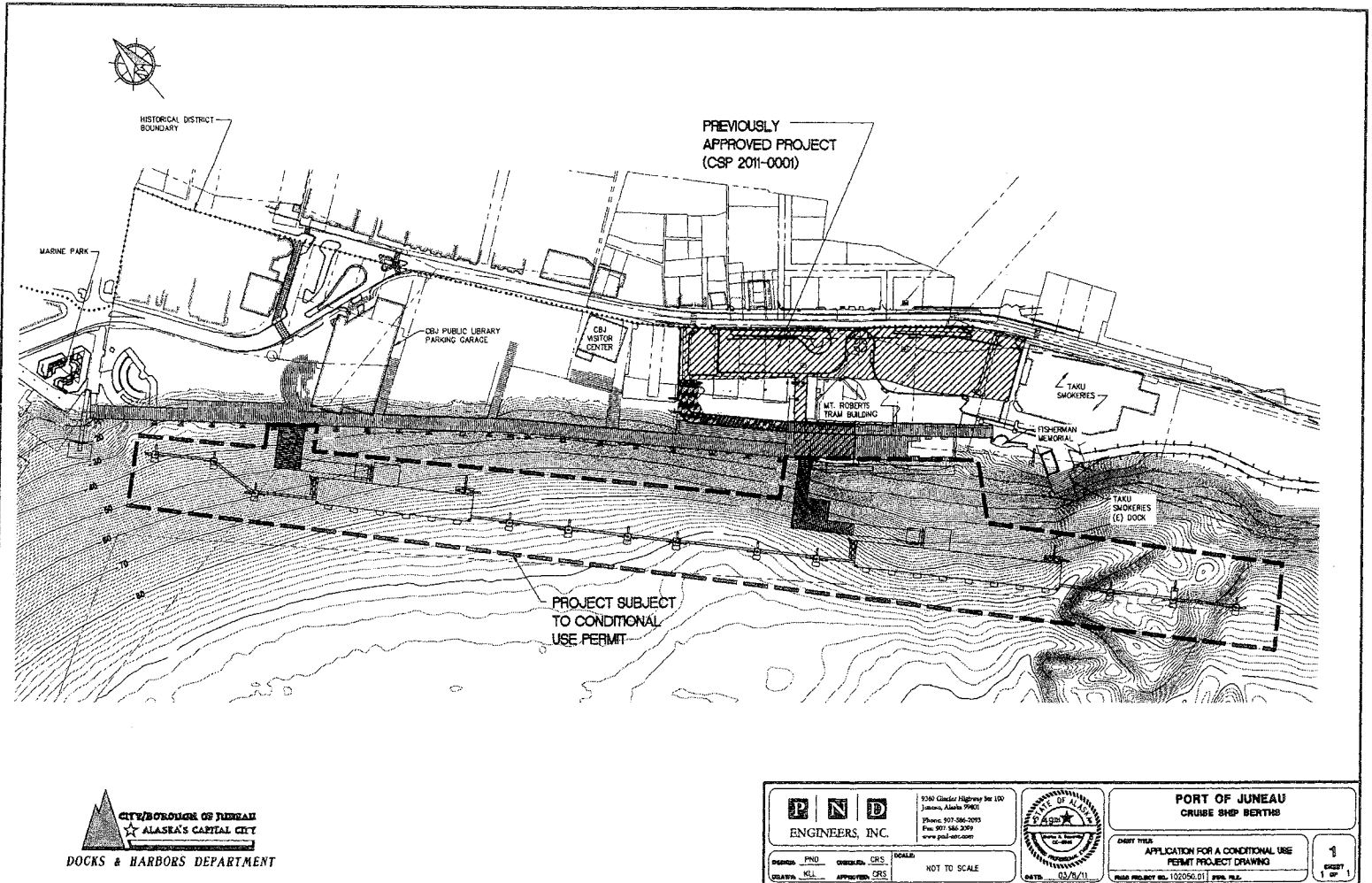
of this project was provided in the December 30, 2011, January 9, 2012, June 15, 2012, and June 25, 2012 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of two offshore berths and moorage floats located at the existing downtown cruise ship docks. The approval is subject to the following conditions:

1. All exterior lighting fixtures shall be of a "full cutoff" design.
2. Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department.

NOTICE OF PUBLIC HEARING



PROPOSAL: A City project & Conditional Use permit to construct two offshore berths and moorage float located at the existing downtown cruise ship docks.

FILE NO.:	CSP20110010 USE20110030	APPLICANT:	Gary Gillette CBJ Docks & Harbors
TO:	All Adjacent Property Owners	PROPERTY OWNERS:	City & Borough of Juneau
HEARING DATE:	June 26, 2012	PROPERTY ADDRESS:	Cruise Ship Berths D & E
HEARING TIME:	7:00 PM	ACCESS:	S. Franklin Street
PLACE:	ASSEMBLY CHAMBERS Municipal Building 155 South Seward Street Juneau, Alaska 99801	PARCEL NO.:	1-C07-0-K83-009-0
		ZONE:	Waterfront Commercial

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department no later than 8:30 A.M. on the Wednesday preceding the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a few days before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

If you have questions, please contact Beth McKibben at 586-0465, or e-mail: beth_mckibben@ci.juneau.ak.us

MINUTES

PLANNING COMMISSION CITY AND BOROUGH OF JUNEAU Chair Satre, Chair

REGULAR MEETING January 10, 2012

I. CALLED TO ORDER

Acting Chair Satre called the regular meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 7:00 p.m.

Swear in new PC member: Karen Lawfer

Chair Satre performed the swearing in ceremony for Ms. Lawfer, and stated that the PC appreciates her volunteering for public service; Ms. Lawfer thanked her fellow Commissioners.

Commissioners present: Karen Lawfer, Jerry Medina, Benjamin Haight, Nathan Bishop, Marsha Bennett, Nicole Grewe, Dan Miller, Dennis Watson, Michael Satre

A quorum was present.

Staff present: Dale Pernula, CBJ Community Development Department (CDD) Director; Greg Chaney, Beth McKibben, CDD Planners

Election of Officers:

Chair Satre announced that traditionally the Election of Officers of the PC are assigned based on seniority, and if they approve doing so tonight the positions would be assigned as follows:

Chair – Michael Satre

Vice Chair – Dennis Watson (Acting Chair)

Clerk – Dan Miller

Vice Clerk – Marsha Bennett or Nicole Grewe who begin serving at the same time (Acting Clerk)

MOTION: *By Mr. Miller, that the PC approves the Election of Officers of the Commission to be assigned based on seniority as stated by Chair Satre.*

Mr. Miller said this provides that the Commissioners with the most experience will help lead the newest members, which has worked well in the past. He recommends continuing that tradition. It was decided between Ms. Grewe and Ms. Bennett that Ms. Grewe would serve in the position of Vice Clerk.

Chair Satre confirmed that per Mr. Miller's motion, the following officers are:

Chair – Michael Satre

Vice Chair – Dennis Watson (Acting Chair)

Clerk – Dan Miller

Vice Clerk – Nicole Grewe (Acting Clerk)

There being no objection, it was so ordered.

II. APPROVAL OF MINUTES

November 22, 2011 – Regular Meeting

MOTION: *By Mr. Miller, to approve the November 22, 2011 regular PC minutes, with corrections.*

There being no objection, it was so ordered.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

IV. PLANNING COMMISSION LIAISON REPORT - None

V. RECONSIDERATION OF THE FOLLOWING ITEMS - None

VI. CONSENT AGENDA - None

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None

VIII. UNFINISHED BUSINESS - None

IX. REGULAR AGENDA

CSP20110010

A City Project Review (CSP) for construction of two offshore berths and moorage float located at the existing downtown cruise ship docks.

Applicant: Gary Gillette, CBJ Docks & Harbors (D&H)

Location: S. Franklin Street

And;

USE20110030

A Conditional Use permit (CUP) to construct two offshore berths and moorage float located at the existing downtown cruise ship docks.

Applicant: Gary Gillette, CBJ D&H

Location: S. Franklin Street

Chair Satre announced that staff will provide one staff report on these two related cases.

Staff report

Ms. McKibben stated that several Blue Folder items were presented in relation to these two related cases. She received a telephone call earlier this evening from Donna McCormick who requested to be on the record that she is against the cruise ship dock berths because it would obstruct the marine view of the Fishermen's Memorial (Memorial).

She provided a slide of the site (attachment A), stating that the proposed floating berths are to be located seaward of the existing Alaska Steamship Dock and the Cruise Ship Terminal in an area zoned Waterfront Commercial. City water and sewer are available. She provided aerial photographs of the site showing cruise ships in different locations. She displayed photographs provided in the application materials taken from the waterside of the project site. The project will include removal of the existing lightering float at Marine Park and replaced with a new float adjacent to the existing dock at the South Berth. The new lightering float will accommodate uses similar to the current floats at Marine Park and the Intermediate Vessel Float (IVF). The IVF will remain but will no longer be used for lightering (attachment D). The US Coast Guard (USGS) will not allow two ships at anchor so currently the docks can only handle three ships of 1,000' and one at 800', including no size limit for ships anchoring in the channel. With the installation of the new docks, the harbor will be able to handle five ships at 1000', one of which may be larger if anchored. The proposed facilities will include floating moorage berths, drive down transfer bridges, dolphins, and other infrastructure needed to accommodate cruise ships. The project will allow for the removal of the existing security fencing when ships are in port, which makes it difficult for pedestrians to walk along the Seawalk. This includes eliminating the associated need for forklifts, stairs, and gangways currently used on the dock, which will provide for a much cleaner and safer flow of pedestrian traffic.

The first phase is for the installation of the South Berth, consisting of a 50' by 300' concrete floating structure and a small vessel moorage float. The second phase will include the installation of the North Berth of the same size. Both berths will have pedestrian and emergency/service vehicle transfer bridges, mooring and breasting dolphins, pile supported decks and access docks, gangways, and catwalks.

Improvements were made to the staging area between Marine Park and the library in 2003, and it should adequately continue to meet the needs of the larger ships. Improvements to the bus staging area at the Cruise Ship Terminal (South Berth) were approved (USE2009-0034) and work will begin in October 2012, which will be finished in time to accommodate ships.

The project is consistent with the 2008 CBJ Comprehensive Plan (Comp Plan) and the 2004 CBJ Long Range Waterfront Plan (LRWP), which was adopted as part of the Comp Plan. The proposed project is located primarily in Area D of the LRWP, which envisions expansion of the dock facilities to accommodate larger ships, and is listed as a near-term project in an appendix. Staff recommends approval, subject to the outlined conditions.

Mr. Watson asked if accommodating for the USCG Cutter Storis is part of this application. Ms. McKibben said that material was included for informational purposes.

Ms. Grewe said the staff report states that the proposed project could theoretically increase cruise ship passengers by a daily average of 10%, and she asked if this is when five Panamax ships are in port. Ms. McKibben explained that the numbers were calculated based on the potential of all five ships being at a maximum capacity with passengers at about 9%, with four Panamax and one smaller ship in port. Ms. Grewe said with the theoretical maximum of increased cruise passengers of 10% is going to cause an increase on public services by this community. Therefore, the public economic benefit to the community is that they will gain access back to the docks without security barricades, and she asked if there are other benefits for the average person who resides downtown that staff can list as well. Ms. McKibben said the staff report mentions that the ships are currently docked very close to shore, and the benefit is that the ships will be

further away so potentially there might be some reduction in noise for those who live upland from the facility. Mr. Pernula explained that when the LRWP was being developed they considered alternative locations for a larger cruise ship dock in the proposed area, or locating it by the Subport and Gold Creek. However, they conducted a follow-up survey, and many people were opposed the latter location and favored this proposed project location instead. That was mainly due to congestion reasons, but he also believes many existing business people in the Downtown Juneau Historic District wanted to retain the project in the proposed location.

Ms. Grewe asked what are the plans for the current lightering facility. Ms. McKibben said there are two lightering facilities. The existing lightering float at Marine Park will be removed and replaced with a new float adjacent to the dock at the South Berth. The existing IVF will remain but will no longer be used for lightering. Ms. Grewe asked how the project is being funded, i.e., strictly with borough funds, or through Cruise Ship Passenger Fees; Ms. McKibben deferred to the applicant.

Ms. Lawfer stated that since lightering is proposed to be moved so it is closer to Taku Smokeries, she asked if doing might impact how fishermen dock their boats to unload their catch; Ms. McKibben deferred to the applicant.

Chair Satre said the Assembly/Committee of the Whole (COW) met on August 29, 2011 and one of the items was to discuss the Memorial, and the excerpt of those minutes are in the packet. He requested Ms. McKibben to expound on that Assembly/COW meeting. Ms. McKibben deferred to the applicant, adding that D&H underwent a public process to gather input as to whether the Memorial should remain in its current location or be moved as a result of the proposed project. She understands that the D&H Board was unable to come to a decision, which resulted in the Assembly/COW making the decision via motion to approve retaining the Memorial in its current location. Mr. Miller said he recalls a previous request by the PC for D&H to work closely with the Memorial folks to try to come to a compromise. He asked whether staff has any evidence if that took place, or whether a workable solution ended up being reached, or if it turned out that the Memorial folks were simply told by the City that this is what is going to take place; Ms. McKibben deferred to the applicant, adding that it is her understanding that D&H conducted quite a bit of outreach, and many discussions were held, but she does not know if any compromise positions were proposed through that process.

Public testimony

Gary Gillette, Port Engineer representing the applicant CBJ D&H, said they designed provisions in the project in the event that the USS Storis was determined to be located within the project, which they accommodated for. However, given the uncertainty about the USS Storis at this point in time, it is no longer part of the project.

The funding of the project is primarily from state Passenger Cruise Ship Fees and Port Development funds, both of which are collected as a result of ships coming to Juneau.

In terms of the Memorial, the Assembly requested D&H to work with the Memorial Board to investigate alternative sites, including whether it might be necessary to move the Memorial. D&H held an extensive public process, which began last May in 2011. D&H held a public meeting at Centennial Hall, which was well attended when D&H laid out the project, including its various options. D&H offered four different sites, and the Memorial Board rejected two of them, and added Marine Park as another option. In the end, the areas D&H and the Memorial

Board concentrated on were Marine Park, to leave it where it is, or at Norway Point. The Memorial Board tended to favor Marine Park because it is not under the management of D&H. D&H held another special public meeting with the Parks and Recreation Advisory Committee (PRAC), and their conclusion was to recommended that the Memorial not be located at Marine Park until they had time to complete their planning efforts for the Seawalk and Marine Park expansion, which has been ongoing. After that, the D&H Board received more public testimony and lengthy discussions, but at their last meeting they did not have a quorum to support a final recommendation when this item was already introduced to the Assembly/COW. The Assembly/COW decided to take the matter up, and they ended up approving to retain the Memorial in its current location.

Ms. Bennett asked how they intend to accommodate the commercial fishing fleet arriving at the Taku Smokeries dock to unload their catch. Mr. Gillette referred to attachment F showing where there would be 150' between the new float and the Taku Smokeries dock. He explained that D&H worked with Taku Smokeries who viewed the drawings of the proposed project. Taku Smokeries stated that they believe the fishing boats would be able to unload and have sufficient room to turn around, and they support the project. He noted that the triangular section at the end of the Taku Smokeries dock shown on attachment F denotes a planned expansion. Chair Satre asked if the navigation study completed by the Marine Exchange of Alaska includes the fishing fleet movements into the Taku Smokeries dock, or just for maneuvering cruise ships. Mr. Gillette said that study was just for the larger ships in the greater harbor of the channel. Ms. Bennett asked if there is an estimate of how many fishing boats arrive at the Taku Smokeries dock in a given fishing season; Mr. Gillette said he does not have that information.

Mr. Watson stated that if locating the USS Storis within the project area does not come to fruition, it might allow for additional space for public use at a later date. Mr. Gillette said they planned for a section of the transfer bridge over the South Berth to be designed so it can be removed in the event that the USS Storis is successfully brought to Juneau. However, during a meeting with the CDD staff, they had other thoughts for potentially taller and larger ships other than the USS Storis, which they can accommodate for as well. In addition, a small research ship or other vessel could pay the fee to lift the transfer bridge to remain in port during the wintertime. They might also elect to tie up in the North Berth area, as those two new floats will be used in the summer, but will offer other opportunities during the wintertime. The plan right now is that during the off-season the two floats would be open to the public, except when a ship might be tied up to the North Berth area when they have to secure it.

Ms. Lawfer asked if the utilities are transferred through buried pipes. Mr. Gillette said there are two separate levels. The first is that the lighting along the bridges are typically transferred via electric conduits. The second electrical element is that the Assembly requested that the design take into account that at some point AEL&P is going to provide excess power to the ships (like they currently do at Franklin Dock), so they should be ready to accommodate them when this takes place in the future. The uplands project will begin in October 2012 to install conduit across the road and through the site, which AEL&P might not provide power through for five to 10 years. If the USS Storis comes in at a later date or it is determined that removing the section of the transfer bridge is useful, they would install that conduit under the water and back up the other side. However, if they find that after five years or so that AEL&P has no use for that, it would be more cost-effective to just run the conduit underneath the deck of the transfer bridge. The sewage is tapped out on one end of the site and the piping will run along the gangways that connect to the dock, which will be integrated as part of the structure of the facility.

Ms. Grewe asked Mr. Gillette to describe security in the project area. Mr. Gillette said right now the security line runs through half of the dock. Once they install the floats they will only have to secure the point where passengers embark/disembark, so those two areas will be by the Marine Park and the Cruise Ship Terminal. Ms. Grewe asked if documentation was provided in writing by Homeland Security suggesting that they might extend security in the area later on. Mr. Gillette said they consulted with the Marine Exchange of Alaska who drafts the security plans for the D&H Board to review, which has to be approved by the USCG and those have already been met. Those entities do not believe that they are required to install security gates, but the two security areas he mentioned will have to be staffed to control access when ships are in port. He explained that they will likely have gates in those locations because at times they may have to close those areas off for other reasons, i.e., people do not respect the float areas, or if a research ship is tied up for the winter when they might not want open public access, etc.

Mr. Miller asked if Mr. Gillette is familiar with the Blessing of the Fleet and the route that the fishing boats maneuver. Mr. Gillette said the fishing boats typically enter the South Berth area and travel past the Taku Smokeries dock where they are able to come within 70' to 80' of the Memorial. However, once the new facilities are installed some of the fishing boats would be able to make a "U" turn to exit the area, but it is going to be very tight depending on the types and sizes of boats. Therefore, D&H informed the Memorial Board that there is an existing ramp that could hold 1,000 people where they could stage the Blessing of the Fleet ceremony, and then the fishing boats could travel directly by that ramp. He realizes this is not the preferred method, but it is an alternate way that the Blessing of the Fleet could occur. Mr. Miller asked if consideration was provided to spreading the Memorial area out to allow the fishing boats to travel underneath the transfer bridge to provide for a more of traditional route. If this was considered, he asked if it was shared with the commercial fishing community. Mr. Gillette said they did look at doing so, and it is complicated in that they have electric conduits that run between the other permanent bridge located between the two new floats, so it would be very difficult and expensive to redesign that structure so they could do so on an annual basis. The utility connections are quite large in that area, i.e., 24, 6" diameter conduits that run to the dock and 12 to the other side. The removable transfer bridge closest to the dock will be able to be lifted with a 100-ton crane, but they are not going to do so very often because it costs money. They looked at installing a drawbridge, but that would have cost millions of dollars, which was considered to be too expensive.

Mr. Bishop asked why the old lightering berth is being removed because he sees it being used a lot during the summer by individuals. Mr. Gillette said attachment F does not show it, but CBJ Engineering is working on a Seawalk section where they are going to expand Marine Park and extend the ramp down to the floatplane area, which would just be accessed by the public. In the long scheme of things, public access will be improved. At this time, CBJ Engineering is on schedule with D&H to have all these aspects completed by 2015. Mr. Bishop asked when they plan to remove the old lightering dock. Mr. Gillett said it depends, and if the PC wants that lightering dock left there D&H could probably do so, as they actually planned to re-use that ramp as part of the project because it is a \$250,000 to \$300,000 ramp, which is fairly new.

Ms. Grewe said she is confused when Mr. Gillette mentioned that the Blessing of the Fleet could be done from the ramp. Mr. Gillette clarified that the area under both the transfer bridge and the other bridge between the two new floats will be open, and they could perform the Blessing of the Fleet ceremony from the new "float," not a "ramp" as he misstated earlier. He realizes that the

fishermen feel it separates them from the ceremony that they have traditionally performed from the Memorial site, but they offered to work with them in trying to develop a scenario where they could take advantage of the float so the boats are able to get closer to the people as a part of their ceremony. The other option is for the fishing boats to enter and make a tight turn to exit the area in front of the Taku Smokeries dock, but there was concern by some of the boat owners as to whether their vessels could make such a tight turn.

Ms. Lawfer asked if cruise ships would be anchored further offshore than they are now. Mr. Gillette said they are generally anchored in same location, as the USCG informs them where that area is. Those anchored ships lighter to two separate points now, and when the new facility is complete they will all lighter to one area, including that they will never have more than one ship at anchor at a time.

Public testimony

Linnea Osborne, 6430 N. Douglas Highway, said she is representing her family and their 58' F/V Mongoose business operations. She is a founding member of the Alaska Commercial Fishermen's Memorial. The Osborne family has resided and conducted business in Juneau since 1928, not just their family but also her husband's parents and their parents before them. Currently, they own and operate the F/V Mongoose. They are a long-liner and crab fishing owner-operated business. Her husband delivers most of his catch to Taku Smokeries. They have participated from their boat for the annual Blessing of the Fleet even before the Wall of the Memorial was installed, or from the land when their boat was not available during the fishing season. She has also participated on and off for years in the LRWP process, since the Memorial started in the late 1980s and early 1990s, and as a former D&H Board member effective in 1994 for a year or two, and then again more recently. Her family is concerned both as property owners and how this project will impact their business. She requests the PC to take these consideration in mind and vote against this CUP for the following reasons:

1. It competes with two privately owned docks, and it is not the business of the CBJ to compete or hinder private businesses.
2. The project does not decrease congestion, as the buses and traffic would continue to travel through downtown.
3. The project creates a marine safety hazard for small vessels that also use the harbor to conduct business.

In her husband's opinion, and he has 46 years experience using that waterfront since delivering to the Juneau Cold Storage when it existed, and currently to Taku Smokeries. There is a strong current, in her husband's opinion, which runs across that waterfront area. There have been no impact studies provided as to the safety for small vessels. He is concerned that with the proposed project design (attachment F) that it would intensify the current that runs across that area, which will create safety issues.

There is no way that they can participate in the Blessing of the Fleet on the inside of the new float area. They question the use of the dock in the off-season, as it will sit 8' above the surface of the water, so the only method in which they could access it is from the upper deck of their boat. They harbor their boat at the docks downtown, and are on every mailing list so they have been following this project and most of the focus has been on large cruise ships, but there has been no mention of small vessels owned by local residents who use this waterfront. They feel there will be negative impacts to local residents and constituents who enjoy the waterfront.

As property owners and residents, they are disturbed that CBJ resources have been allocated to this project that was not proposed by the industry. This project will only be used about five months out of the year, but it will require maintenance and care year round. They question whether the cruise ship receipts should be directed toward other projects that could better enhance visits by cruise ship passengers, while decreasing the negative impact that an additional million people will bring to a town of 30,000 residents. For example, they could use those funds to purchase a new incinerator because the garbage situation in this town is greatly impacted. They feel that they are apart of the cruise ship industry and they support it, and she is on record of doing so when she sat on the D&H Board. Their seafood product is served on many cruise ships, including where the passengers tour so they want to continue to have a positive impact on their customers. Her family does not believe this project site is going to do this, and it is not in the best interest of this community.

This project is going to destroy the annual Blessing of the Fleet as it is currently held, which is a unique event designed by Juneau residents for fishermen who have lost loved ones at sea, which later evolved for other residents of the State of Alaska. They changed the name years ago from the Juneau Commercial Fishermen's Memorial to the Alaska Commercial Fishermen's Memorial because of the statewide interest. Juneau is the State Capital, and they have had several distinguished speakers attend and speak at the annual Blessing of the Fleet. This voluntary group researched at no cost to others all the various ceremonies in harbors on the east coast, not just in the State of Alaska, so it was with dismay about 1.5 years ago when a City paid consultant shared with them what was done all around the country. She apologized for being upset, but they have family members listed on the Wall of the Memorial. Her husband would not attend this meeting because he feels there has been a detachment, and their voices might not be important. They recognize and hope for growth in this community, but they want reasonable development with positive impacts for Juneau businesses and families alike. They believe other options have not been fully explored, i.e., refurbishing the existing dock, looking at a single floating berth, and so on. At the Assembly/COW meeting just before the motion was made a member stated, "No one is going to remember this in 20 years anyway." They believe that member of the Assembly is wrong, as all the fishermen will remember because this Memorial has a lot of history behind it with people listed on the Wall that represent families and faces that lived in this community, and their loved ones enjoy walking down the waterfront to place flowers at the Memorial in remembrance of them. There are other members of the Memorial who are not present at these meetings because it was too painful for them to attend. She encourages the PC to vote against this CUP so the D&H Board and the Assembly can continue to meet with the members of the Memorial to work out their differences. There are many differing opinions regarding the Memorial, and they recognize that this development is needed. However, when she served on the D&H Board, they took into consideration and assurances were made by that body and the Assembly to support the Memorial. During that time, the D&H Board provided a considerable amount of careful thought and processes in selecting the existing location for the Memorial, but once the proposed project is complete the people will not be able to view the fishing fleet from the Memorial site. The Blessing of the Fleet ceremony used to include the land being the Wall of the memorial with the fishing fleet traveling past directly in front of it in the sea.

Mr. Bishop stated that if Ms. Osborne had her druthers for an alternative Memorial site, he asked which location might she choose. Ms. Osborne said the fishermen do not want to move the Memorial, but the ground at the existing site is sinking so something has to be done. When the Memorial was first installed, there were many volunteers and donations to do so. They used

community business resources as well for driving the pilings at the site, which later held up that waterfront area at one point when the Mt. Roberts Tram was being installed because they ran into some issues with that project. Her first choice is to shore up that area, as the Memorial has already been damaged due to previous movement. If they have to move the Memorial her second choice is to the marine waterfront where Engineers are working on a design so the ships could still maneuver past there, but some members consider that as being similar to moving a cemetery. She feels somewhat different although she understands the passion of others because it is not her Wall, it is the people of Juneau's Wall. She said they could possibly re-examine refurbishing the existing dock near the USCG, including installing a berth that would benefit that entity and lessen the congestion downtown. They shared some of these opinions at earlier meetings with D&H and the Assembly/COW, but were told that those were not options. The other options were to possibly move the Memorial under the Juneau-Douglas Bridge or by the Yacht Club, but the fishermen said there were too many marine issues regarding currents and tides for the fishing fleet to access those locations.

Dixie Hood, 9350 View Drive, said it is problematic that the whole project has been called the Dock Project 16b, which is sort of under the public radar in terms of anyone being able to understand what is actually going on. She participated in the development of the LRWP, and the idea was that development of the waterfront should have low-level buildings and be as usable as possible for residents of Juneau and its visitors. After the LRWP was developed, Maria Gladziszewski conducted a Voter's Survey, and 60% responded stating that they did not want further downtown congestion or new docks. The only type of development they found to be acceptable was an extension of the existing CBJ Dock, but the Assembly found fault with that. Because of the makeup of the Assembly, including the influence of the Downtown Business Association and Chamber of Commerce, they decided to conduct a scientific survey. Ms. Gladziszewski stated that to have the size of response that they did with the Voter's Survey she conducted was like having a town hall meeting of 7,000 people, which was significant. However, the Assembly contracted the McDowell Group to conduct a scientific survey, and the outcome was exactly the same for no increased downtown congestion or new docks. She attended a special meeting when Nancy Waterman was serving on the PC, and Ms. Waterman's idea was to have an outside consultant prepare an architectural design for the waterfront, which is when many designs were prepared. Greg Chaney handed designs that were prepared for the floating docks. She asked how that had gone so far ahead in terms of creating a design plan, and Mr. Chaney said it was a surprise to the CDD as well because staff just received it that day. One of the problems is that D&H is an enterprise Board who has independent funding sources so many projects tend to get underway without public or Assembly involvement. Early on the Northwest Cruise Ship Association objected to the floating docks because they said it would interfere with navigation in the channel. In an effort to mitigate any such damage, there was insurance that was going to be available to cover any harm done to the ships because of the tightness of the docks. There are three major projects and public interests that are being interfered with, which will have negative impacts to them in terms of the project. The first would be the USS Storis as a maritime museum with the efforts for that to be an accessible attraction off of the waterfront. The second is Skip Wallen's whale sculpture that was initially proposed for Marine Park, which people would come from all over to see. The third is the Memorial, and her son in law Mark Livingston's name is on it so she has attended the Blessing of the Fleet for many years. At the Assembly/COW meeting Mayor Botelho commented that this project was going to cost \$85 million and would tie up Cruise Ship Passenger Fees for about 35 years, but as an enterprise D&H Board they can access funds for both upland and waterfront development. It is an extraordinarily expensive project that will have many negative impacts on

this community, especially downtown. She thinks the project is accommodating commercial interests to the detriment of the public. If this project moves ahead, people in Juneau are going to be dumbfounded at the size of the ships and the number of passengers, and they won't be able to view Douglas Island all summer long. When she visits the library the ships already interfere with the view, but the public tends to be used to that in their face, although the entire waterfront would be blocked with larger Panamax and Post Panamax ships. She hopes that the PC opposes this project.

Mr. Bishop said Ms. Hood spoke to the desire to see the USS Storis in Juneau, and asked where such a location might be. Ms. Hood said she spoke with Joe Geldhof and he said the waterfront is where the USS Storis should be harbored. There were proposals by D&H to put it up on land and that sort of thing, but because of future maintenance needs and so forth that was not acceptable. Mr. Bishop said the proposed project provides a slot for the USS Storis that would otherwise be unavailable. Ms. Hood said it is a creative proposal, but she doesn't know if that is an acceptable spot.

Teresa Becker, 2201 Raven Road, Douglas, said she is representing her family, the Memorial, and their commercial fishing business. She and her husband utilize Taku Smokeries dock to unload their fish from their 56' F/V Carlin. They have several family members and friends on the Wall of the Memorial. People come from all over the state to participate in the Blessing of the Fleet from Dutch Harbor to Ketchikan. Access to the Wall of the Memorial and the Blessing of the Fleet will be blocked by the proposed project, which was not well researched. Some examples of impacts include the small boat topic that was brought up, waste, weather, and currents. When Mr. Gillette was speaking about the wind, she believes he did not address that it usually blows from the southeast. The Memorial Board tried to work with D&H Board and the Assembly/COW, but there has been a serious lack of transparency in this process. She agrees with Ms. Osborne that they need to probably move the Memorial to an honored location because it is not being honored where it currently is. The metaphor of people feeling that moving the Memorial would be similar to relocating a cemetery is because a star next to a fisherman's name means they were lost at sea, so they do not have a grave. Therefore, the time for their family to provide remembrance of them is to visit the Memorial site, and every year all the fishermen's names are read during the Blessing of the Fleet. She suggests that the PC vote against the CUP and request a transparent process for members of the Memorial to further work with the D&H Board and the Assembly.

Ms. Lawfer said Ms. Becker agrees with Ms. Osborne to move the Memorial, and asked where her preferred location might be. Ms. Becker said to the Marine Park area, which is an honored location that would be utilized by the public in a respectful way. She does not feel that the method in which they are doing so in the current location is respectful, and she does not agree with the option of having the Blessing of the Fleet moved to the dock, which is disrespectful and hurtful that such an option is even being suggested.

Grace Elliott, 9369 Northland Street, said she hopes the PC strongly considers the points made the public tonight. The granting of this permit is not an emergency. This PC is charged with careful consideration of the plans for Juneau's future. She has been a citizen of Juneau for over three decades, and is an active volunteer in this community because she loves this town, culture, and its diversity, but Juneau has gradually been pushing away the commercial fishermen. She watched for years as the harbors have become less and less hospitable, so fishing families have moved from Juneau to other communities such as Sitka, Hoonah, or elsewhere. She requested a

show of hands of the PC for those that have attended the Blessing of the Fleet, to which there were many. She said those Commissioners know that this is a large communal celebration by the people when the fishing boats circle in front of the Memorial and they are all together from the land to the sea. It might seem logical to split this ceremony up by visiting the wall, and then having people go down to the new float for the Blessing of the Fleet, but the whole idea is that the land and sea remain connected to each other. She believes the Blessing of the Fleet is not just by whatever clergy person is there providing a prayer, rather it is for all the people because when the fishing boats circle in front of them they all hold their hands up onshore saying that they are with and connected to the fishermen, which is part of the character of Juneau. Many cruise ships already come to Juneau, and she is not thrilled about having another gargantuan dock running the length of downtown. She is here with her friend Laurie whose husband's name is on the Wall of the Memorial, but understandably she does not feel inclined to speak because it is too difficult for her. She urges the PC to not dismiss what has been said by the testifiers tonight simply because it creates emotion when they talk about people they love that were lost. A very valid concern is about proper planning for Juneau while respecting the local culture that others come here to see. The Memorial is for the people connecting with the fishermen, friends, and family who leave for months at a time during the fishing season that are part of Juneau.

Mr. Watson said Ms. Elliott mentioned the lack of effort by D&H towards the fishing industry, but they have spent a lot of time, money and effort to rebuild the fishing infrastructure in Juneau over the past several years. Many folks are not always aware of this unless they attend those meetings. He realizes some of the fishermen and their families have left Juneau to a degree, but D&H has been working hard to bring them back; Ms. Elliott said that's heartening to hear.

Mr. Gillette said there is a sense that this project came out of nowhere without a process that brought it to this point. However, maps are provided in the packet of three different concepts that were considered and investigated, and attachment F is the current proposed project that they have been discussing tonight. Another concept was for a pier that would extend into the channel allowing ships to dock on either side, which was proposed by forming a joint venture between Goldbelt and Merchants Wharf. The third concept was down by Gold Creek, but that area was not supported by the LRWP, including that the public did not want to see this industry move to that area due to upland facilities. When the navigation studies were conducted based on where the cruise ships go now, the Marine Exchange of Alaska operates what is called Automatic Information System to track the vessels (attachment B). The drawings show exactly where those ships tracked, and they determined that the pier concept probably would have the most impact on navigability in the harbor because the proposal was to build a pier and use the City staging area to support it. With such a pier, the City Dock would not be usable for cruise ships at all because they could not navigate that area. The problem with the Gold Creek site was because of the southeast winds blowing up the channel, and the Marine Exchange of Alaska determined that during a 25-knot sustained wind the ships would be unable to pull away from the dock without tug assistance. He explained that they already experience such problems at the AJ Dock. They also attending a cruise ship simulation in Seattle and invited captains of the cruise ship industry who have set the perimeters of Gastineau Channel in comparison to the sizes of their ships they maneuver, and it was determined that attachment F was the best configuration for this harbor and the types of winds it experiences. The Princess Corporation has a policy if that there are 20 knot sustained winds they won't let the ships pull away from the dock, as they pose safety issues. Therefore, the historic approach the ships have been making to the Franklin Dock is safe, and extensive studies have been done in making that determination.

There was testimony provided stating that D&H has independent funding and can complete projects without Assembly approval. D&H does not have independent funding, and the Assembly approves every project costing \$100,000 or more, and for perspective the CBJ Engineering threshold is for projects costing \$1 million or more before Assembly approval is required.

He explained that the private enterprise that has no funding is overseeing the USS Storis who asked D&H if they would consider a location for it when they started developing the proposed project, which D&H has done. However, Congress has not approved the USS Storis for transfer, and the existing bill presented for consideration has no funding attached to it. Therefore, the private entity that wants to bring that ship to Juneau has to come up with funding. A little over two years ago the D&H Board said that private entity needed to develop a sustainable financial plan for operating the USS Storis beforehand, which has not yet been provided. He has since talked with the private entity that are reconsidering the location D&H proposed because a floating ship would be too costly, as they would be required to place in dry dock to have it repainted every five to 10 years. Therefore, the private entity is considering possibly placing the USS Storis on land somewhere, e.g., under the Juneau-Douglas Bridge, or along the waterfront near the Taku Oil facility.

The proposal was to place the whale sculpture in an area of Marine Park commonly referred to as the wedding cake. However, he has found out that plan calls for a larger area, as it will have a reflecting pond where people would be able stand far enough away to effectively capture photographs. He heard Parks and Rec are considering numerous locations, but they have not yet narrowed one down.

It was mentioned that this project has not undergone a transparent process in addressing the Memorial. The Assembly in approving this project placed a caveat on it that the D&H Board work with the Memorial Board to solve some of the issues. Following that directive, he immediately met with Memorial Board representatives and showed them how other communities perform ceremonies in hopes that this project configuration could work, but they did not like that idea. D&H moved onto the next step by holding a public meeting to take comment. The Memorial Board considered those public comments, and provided a first recommendation that the project not be built, and the second was to place it at Marine Park if they could obtain guaranteed access to the sea, but D&H does not own that property so that would have had to be negotiated with a private landowner. D&H does not manage the Marine Park area either, so D&H went to Parks & Rec to inform them that what was being proposed by the Memorial Board. Parks & Rec held a special meeting and took public testimony, and made their recommendation. Following this, D&H held another public meeting on this issue and took public testimony, but failed to come to an agreement on a recommendation. The Assembly took all this information under consideration after taking public testimony, and then voted to leave the Memorial in its current location, so D&H feels they have complied with the direction of the Assembly. All these City agencies met numerous times with two representatives of the Memorial who are Bruce Weyhrauch and Bob Mallard. In addition, they also met at other times with CBJ Engineering staff during public meetings when they were planning their project to extend the Seawalk in front of the Merchants Wharf area, and therefore he believes nothing whatsoever was hidden in this public process.

There was discussion about future access to Taku Smokeries dock by fishing boats, and D&H recognizes that tidal currents run through that area. Taku Smokeries intends to extend the dock

(attachment F) after they worked with D&H designers to align it so the dock is more parallel with the current to make it easier for fishermen to dock. The City owns that dock, which they lease to Taku Smokeries. The City spent money on the conceptual design to extend that dock within this project, but Taku Smokeries for economical reasons decided to hold off doing so at this time.

A comment was provided that obtaining this permit is not an emergency, and maybe it is not but it fits within the timeline for D&H because it is for a very large project. They split the project up to install the first float so access continues to be provided to the smaller boats, and then the following year they will install the second float. All the materials for the project will have to be manufactured ahead of time and shipped to Juneau by October 1, 2014 so when the cruise ships leave the contractor can start construction. Since the area has to be open during the summer season, the contractor will begin construction October 1 and end May 1, with a provision that no pile driving takes place between March and June. The intent is to bid this project in August 2013.

A comment was made that funds for this project could instead be spent on an incinerator, which is not true because the Cruise Ship Passenger Fees paying for this project are taxes collected from passengers who enter the port of Juneau. Further, federal law states that those fees have to be spent on facilities directly related to the safety and experience of passengers.

Mr. Bishop requested Mr. Gillette to speak to the needs of the project. Mr. Gillette said technical people in the industry worked with D&H throughout the process to ensure the project accommodates their ships. The need is because the cruise ships have become larger and are eventually coming to Juneau, so this City has to be ready for them or they have to turn them away. The Assembly decided that Juneau has to do so because the cruise ship industry is good for this community. A benefit is that the project will open up the waterfront as a Seawalk when they remove the yellow security fences.

They would probably lose the Taku Smokeries dock and IVF if they tried to extend the project along the existing dock, which would have a much greater impact to the harbor area, including that the cruise ships would be in the face of the Memorial site. One of the options was to renovate the existing dock, but it did not seem prudent to spend \$30 million to do so because it could not accommodate larger cruise ships that are eminent. The area has new Visitor Center and Port Custom buildings that could be used for other events at times, so over time more activities will start to happen, and last winter a couple of shops in this area remained open. It has cost over \$4 million to renovate and consolidate the parking area, which has assisted to address congestion and pedestrian safety because the crosswalk on South Franklin Street experiences the most traffic in the entire downtown area. Mr. Bishop asked if Mr. Gillette could state that without this project they would lose one Panamax per day during season, or he asked what the potential losses might be without an extra 1,000' berth. Mr. Gillette said the USCG said they would never be able to have more than one ship at anchor at a time because the channel is too small. Mr. Bishop asked if this is a new development that has not been true in the past. Mr. Gillette said in the past there might have been two ships at anchor at the same time, but not over the past five or so years. He explained that there has been a downturn in the industry over the past couple of years, but it is recovering to the point that the Assembly sees the need for five berths. Panamax is limited to 780' and Post Panamax is 965'. Therefore, there will be a 1,000' berth; two 1,000' concrete floats to handle two Post Panamax ships; the existing dock will handle one ship; and another at anchor. Mr. Bishop asked if an analysis was conducted regarding the

long-term viability of the industry for this community. Mr. Gillette said one additional ship will be coming to Juneau in 2012, and the projection for 2013 is that they will be back to the last high-ship count of 2008.

Mr. Haight said the application mentions that the existing dock undersides are overloaded and failing, and asked what their expected lifespan might be. Mr. Gillette clarified that the comment was actually in relation to the load on the dolphins, which are showing stress as larger ships are tied to them, as they were not designed to accommodate them. He explained that a study was conducted of the underside of the docks where they found that some protection has dislodged, so they will have to perform an upgrade to that system, but the docks are not to the point of being in dangerous or eminent failure.

Mr. Haight asked if additional pedestrian safety would be provided for on South Franklin Street by routing foot traffic along the dockside. Mr. Gillette said the latest Seawalk extension was designed to do just that, especially in the area of Taku Smokers to the seaward side. CBJ Engineering anticipates extending another portion of the Seawalk from Marine Park along the front of Merchants Wharf as well.

Mr. Haight said there is need to shore up the Memorial site, and asked if any effort is being made to do so with this proposed project. Mr. Gillette said the actual Memorial was installed on piles at the site, which are secure, but the area on the backside is where the site is experiencing movement. During the last Seawalk extension project, CBJ Engineering extended some decking to those pilings underneath that area so it is now fairly stable. The idea is that if that same area continues to sink it will be easier to pull up and re-grade, so some consideration was provided to that site.

Ms. Bennett asked if there is a method to respectfully relocate the Memorial because it is being considered by some to be the same as moving a cemetery. Mr. Gillette said the Memorial has a concrete base and the granite Wall was placed on top of it. They believe the Wall can be safely pulled up, but doing so will break up the foundation, which would have to be replaced. Relocating the Memorial to Marine Park would involve Parks & Rec who manages it. When D&H spoke to the PRAC, they said the park has areas where people hide and conduct unacceptable activities so they are in the process of opening it up to provide for visual penetration by removing the wedding cake portion. However, they would have the same impacts if they were to move the Memorial to Marine Park because people could hide behind the Wall. A number of people have stated that they see this as being akin to moving a cemetery so they do not want it moved, but there may be alternatives to the Blessing of the Fleet that might be acceptable, although the Assembly's directive is to retain the Memorial in its current location and D&H has to abide by that.

Mr. Miller asked what the cost estimate is to relocate the Memorial within this project. Mr. Gillette said it would be about \$2 to \$2.5 million, but doing so is not included in the proposed project any longer because the Assembly's directive is to retain it in its current location. Mr. Miller said if the Memorial were to be moved, Mr. Gillette said they could perform the Blessing of the Fleet at Marine Park. However, some of the proponents of the fishing fleet want to move it to that area, and if so, he asked if fishermen could effectively maneuver their boats in front of the Marine Park area. Mr. Gillette said an alternative they showed the members of the Memorial included a path for the fishing boats to maneuver when no ships are docked behind the first float, including while effectively making an arch for the boats to exit. Mr. Miller stated that 150' does

not appear to be sufficient area for fishing boats to maneuver, especially on busy delivery days no matter what the weather conditions are. Therefore, he asked if consideration was provided during the design process to swing the cement float further seaward to provide additional space between it and the Taku Smokeries dock. Mr. Gillette explained that the navigation study shows the tracking diagram of how the ships have approached that area, so the first float was placed as seaward as possible where they felt comfortable that it would provide sufficient clearance for Post Panamax ships to approach. Ms. Grewe said they are not necessarily proposing an arch in area where a 58' fishing boat would have to maneuver to unload their catch at the Taku Smokeries dock, rather it's a tight "U" turn almost turning back upon itself. Therefore, when the current is running in that tight space, it might pose limitations on the size of fishing boats that are theoretically able to do so. Mr. Gillette said they used a 58' vessel that effectively maneuvered that area, but when they presented this information at the public meeting there were comments from the fishing industry that it might be a tight maneuver for older wooden boats with different rudder systems. It is not ideal because many types of wind or current conditions could impact fishermen from docking their boats, so it is probably not feasible for fishing boats to enter and make tight turns in that area for the Blessing of the Fleet either. Ms. Grewe stressed that it probably will not be feasible for the majority of fishing boats to maneuver. She does not think that she would want to maneuver her 28' cabin cruiser in that area because she would be hoping her reverse works on that particular day, including praying that she does not hit borough property. She asked how many Panamax and Post Panamax ships they are able to currently accommodate. Mr. Gillette said one 965' Post Panamax, and one 780' Panamax.

Ms. Bennett commented that the PC has been reviewing the Willoughby District Land Use Plan (WDLUP). This area also includes upcoming development of the museum property, including in the plaza between the museum and Centennial Hall, which are in a location where some of the problems associated with Marine Park might be mitigated for later on. By that time, the configuration downtown might have changed enough when Marine Park might become more respectful of an area for the Memorial to be relocated in the future, so deferring the decision to relocate it now might be a smart decision.

Mr. Watson asked if the Assembly made their decision to retain the Memorial in its current location after they reviewed Dock Project 16b; Mr. Gillette said yes. Mr. Watson said most of the owners of fishing boats in Juneau prefer to dock at Auke Bay unless they are able to secure a slip at a downtown harbor, but he does see any slips for commercial fishing boats to tie up to, except maybe at the IVF. Mr. Gillette said the IVF dock is not necessarily for fishing boats, rather it is for larger vessels such as the NOAA ship when the NOAA dock is full, other research ships, etc.

BREAK: 8:57 to 9:09 p.m.

Public testimony was closed.

Commission discussion - None

Staff recommendation: That the PC adopt the Director's analysis and findings and grant the requested CUP. The permit would allow the development of two offshore berths and moorage float located at the existing downtown cruise ship docks. The approval is subject to the following conditions:

1. All exterior lighting fixtures shall be of a "full cutoff" design.

2. Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare. Approval of the plan shall be at the discretion of the CDD, according to the requirements at CBJ §49.40.230(d).

Commission action

Mr. Miller cited criterion 4, on page 8, stating that he believes staff's analysis might not be thorough enough because it does not address the Blessing of the Fleet, the control of traffic, or for fishermen docking commercial boats to unload their catch during the summer season. It is never just one 58' fishing boat delivering their catch because when fisheries closures happen many fishing boats arrive at the same time to unload their catch during all types of weather conditions. It appears as though they have pinched off the traffic area that fishing boats access, and he does not see that there has been an analysis conducted to cover the eventualities of that happening. He also finds fault with criterion 6, on page 8, which states that the project is consistent with the Comp Plan, but staff quotes Policy 5.4, which states, "...while protecting Juneau's natural cultural and economic attractions for local residents and visitors alike, and to participate in the accommodation of the future growth of tourism in a manner that addresses both community and industrial concerns." The Alaska Fishermen's Memorial is not just for Juneau, and Juneau is the Capital of the State of Alaska. The Memorial has huge emotional ties to Alaska communities, and to not have this issue addressed in the project is a disservice to the fishermen and their loved ones, regardless of what the Assembly stated at their last COW meeting because this issue remains unresolved. Therefore, all the necessary City agencies should spend more time working with the Memorial Board to find a solution, and if so, then it is possible that criterion 6 could be met.

Mr. Bishop said Mr. Miller vocalized his same concerns, including his reluctance to move forward with this case. He thinks for the most part this is a good project, but in relation to criterion 5, on page 8, the proposed project would be out of harmony with the Memorial and the Blessing of the Fleet. This issue needs to be resolved, and the PC would be remiss to move forward with the project until they come to reconciliation on these issues for the community.

Ms. Grewe said the irony is that the visitor industry brings people to this community to view the culture of its people, but this is happening less and less because of the way this district has been built in recent decades. Public officials have allowed this to happen with their decision-making. She agrees with Mr. Miller regarding criteria 4 and 6. She believes it is easy to look at the Land Use Code as it applies to this permit and state that it generally meets these criteria, but at the same time she questions if it meets the intent of the Comp Plan to support the industry while also protecting Juneau's cultural and community amenities. Until these significant elements of the Juneau community are accommodated, she believes more effort has to be provided even if one cruise season is missed. Therefore, she asked what the dollar value would be if they were to do so, rather than alienating the commercial fishing fleet and those that aren't satisfied with the way that area looks today. She believes they are doing a lot of work to bring the public back to that space, but they are only having to do so because they pushed them away from that area through past actions. Such actions have also taken place by the private sector that the PC is unable to control very well, so there is a history and correcting it is going to be difficult.

Mr. Watson said he respectfully disagrees with his fellow Commissioners. He referred to criterion 4, stating that moving the mooring further seaward allows better flow of cruise ship

passengers, which will provide a vast improvement in terms of pedestrian safety. In the past, he ran a business when he only allowed experienced truck drivers to maneuver through downtown because of traffic congestion. However, now when the passengers disembark from ships, they will view the Seawalk first, not walk past it. He referred to criterion 6, which he believes is in general conformity with the Land Use Plan, and Thoroughfare Plan, which nobody has mentioned. The cruise ship industry will increase by about 9%, so that means another 90,000 passengers will be visiting this community over the five-month summer season. If they do not start working towards a safer method in which to handle those cruise ship passengers, something sad is going to happen, which would send out a very bad message to the industry.

Mr. Medina said there are very high emotions that he certainly appreciates, so he commends the public for having the courage to testify at this PC meeting. That said, he concurs with Mr. Watson, and as Commissioners of the PC they have to make the best decision, which is not always the most popular. The City has competent and professional staff, and he finds no fault with their findings and concurs with their recommendations.

Chair Satre stated that as a matter of process a couple Commissioners requested additional information, others believe the project is very close but not ready to move forward, and the remaining appear to want to move forward with the project now. If they were to force the motion for an up or down vote, and if it were to fail this project would be denied minus reconsideration. However, should the majority of the Commissioners feel that they could move this project forward with more information, then a motion to continue might be appropriate.

MOTION TO CONTINUE: *By Mr. Bishop, that the PC continues USE20110030 and CSP20110010 until further information is provided on the resolution of the Alaska Fishermen's Memorial and the Blessing of the Fleet to resolve issues between this project and the need for relocation.*

FRIENDLY AMENDMENT: *By Mr. Miller, that the PC be provided input from Alaska commercial fishing boat captains about access between the Taku Smokeries dock and new cement float in the South Berth area per the proposed project in terms of safety.*

Mr. Miller said he does not know how difficult it will be for captains of fishing boats to access the Taku Smokeries dock, so he would like expert testimony provided to the PC based on what those captains believe will truly happen should this project move forward as is.

Mr. Bishop accepted Mr. Miller's friendly amendment.

Mr. Pernula said he would like clarification on the resolution of the Memorial and the Blessing of the Fleet activities. He explained that the Assembly already looked at this in detail and made a decision to keep the Memorial where it is, so he questions what the PC is asking the applicant or staff to do. Chair Satre said the PC will get back to addressing this, as he would like hear Ms. Bennett's comment beforehand.

Ms. Bennett requested staff to compile statistics on how many fishermen actually use the Taku Smokeries facility so the PC can make a decision based upon accurate fishing industry data, not just cruise ship industry information. Chair Satre commented that if the PC were to approve the motion to continue, staff will obtain fish landings and the vessel counts.

He said he would like to entertain a discussion by the PC on Mr. Pernula's point. He asked specifically what might the PC be seeking per Mr. Bishop's motion to continue, which is outside of the discussion by the Assembly on this matter. Mr. Bishop said that is difficult to answer, and he requested to keep this topic open for general discussion to allow him more time to think about that.

Ms. Lawfer said she has been following this Memorial topic for quite a while before she was sworn in as a Commissioner tonight, and this is the first time she heard about the land around it being unstable. While she heard discussions by the Assembly, she does not recall this being brought up by that body either. At the time the Assembly voted in favor to retain the Memorial in its existing location, there was no mention of having to perform major maintenance to it. Therefore, she requests staff to determine the useful life of the Memorial site, including what it will take to maintain it over the long term. The questions are whether this is going to have to be dealt with in the next couple of years, if it will have to be shored up, relocated, or whatever else.

Mr. Watson said it is his understanding that the Memorial Board controls the Memorial and are financing it through the City, so he asked if it is the responsibility of the Memorial Board or the City to maintain the Memorial and its site. He believes it is the responsibility Memorial Board, and if the City does not own it he wonders how the PC is able to do anything at all about the Memorial. Further, he does not know if the Memorial Board leases the land from the City, so there are unanswered questions in this regard that have to be resolved. In terms of the fishing boat count using the Taku Smokeries facility, he understands that the fishermen contact the facility to make an appointment before delivering their catch, which is the protocol also used at the Glacier Seafoods facility out the road. Therefore, he knows that those facilities maintain records of boats making deliveries, and he has witnessed boats in the harbor countless times waiting for their turn to deliver, although the Memorial is only utilized one day out of the year. He grants that there are emotional issues involved with the Memorial, but in the long term what is used more consistently on a day-to-day basis is the Taku Smokeries dock so additional information should be based upon that. He explained that the fishing fleets use of the Taku Smokeries dock is far more of a safety issue because the boats arrive at all times during high and low tides, 25 knot winds, or when the water is flat calm.

Mr. Bishop said he would like to see how the fishing fleet is going to circulate in the area while accessing the Taku Smokeries dock in a safe manner. He explained that he is not able to require that the differences between the Assembly and Memorial Board be reconciled, although he requests staff to look into this in terms of determining whether anything further can be done.

Mr. Miller said the PC appears to have come to a consensus in regards to the Taku Smokeries facility access issue, and have requested staff to obtain further information in that regard. On the Memorial and the Blessing of the Fleet issue, he recalls when the Memorial folks appeared before this body several years ago when the PC strongly encouraged D&H to work with the Memorial folks, and this was a directive of the Assembly as well. He believes D&H has done so, although this issue has not yet been resolved. Therefore, D&H should probably continue to try to resolve this issue with the Memorial folks, as it is a key component to this proposal that detracts from how good of a project it can be. He explained that some of the Commissioners mentioned several positive aspects of this project, which includes safety for pedestrians that will be improved along waterfront areas, and the sustainability of new floats for larger cruise ships because that's the direction the industry is going. He believes these are all really good points, so it would be unfortunate to miss out on making this project as good as it can be.

Ms. Grewe said the Assembly/COW approved Dock Project 16b (attachment F), then decided to retain the Memorial in its existing location, including voting over and over again to support the visitor industry. At the same time she is perplexed because the Assembly/COW had a 6:3 vote as she read the minutes of that meeting, but no discussion was provided that over half of the fishing fleet would be unable to use the Memorial as its existing location. Therefore, she questions what the Assembly might want to do about that, and the Assembly Liaison to the PC is not present at this PC meeting to inform the Commission the intent of the Assembly/COW beyond those minutes. This would be so the PC could look at the fishermen and cruise ship industry sectors of this community to decide which options are best for the economy, including conformance with the code and other City approved plans.

Mr. Medina said he appreciates the comments provided by his fellow Commissioners, but as far as he is concerned the Assembly/COW made the decision to retain the Memorial in its current location so it is a moot point.

Mr. Watson said he attended that Assembly/COW meeting and witnessed a tremendous amount of discussion about the concerns and issues over the Memorial, and ultimately they made the best decision they could for this community. The Assembly Liaison to the PC was not elected at the time that when that discussion took place, so he would probably have no further knowledge to provide to the PC on that topic.

Chair Satre said he does not want in any way to discount the very emotional discussions that people in the room brought forth in regards to the Memorial. His vote on this motion to continue is about the concern for safety of ongoing commercial fishing vessels approaching the Taku Smokeries facility. This is a vital part of Juneau's economy, and fishing is an important and growing part of what people do here in Juneau. He ultimately believes that the decisions about the Memorial, its future location, and maintenance will be out of the hands of the PC to some extent because that will probably end up being an Assembly decision.

Roll call vote

Ayes: Lawfer, Bishop, Grewe, Bennett, Miller, Watson
Nays: Medina, Haight, Satre

Motion passes: 6:3; and the USE20110030 and CSP20110010 were continued by the PC.

Mr. Pernula stated that of the six Commissioners who voted in favor of the motion, there seemed to be quite a variety of opinions as to the type of information they would like with regards to the Memorial. Those comments ranged from Mr. Bishop who would like to take a look at how a safe approach to the Memorial might be, including other Commissioners who want to resolve the Memorial issue. He does not believe they are going to be able to resolve the Memorial issue to the satisfaction of anyone when it is the Assembly who has that authority, and staff believes the Assembly already solved that issue. Therefore, staff might not be able to provide the PC all the information they are seeking unless D&H and the Memorial folks can work something out in the meantime.

Mr. Watson asked when the PC might review this case again, as time is of the essence. Mr. Pernula said it will depend on how available the information is, particularly on the fishing boats accessing the Taku Smokeries facility. On the Memorial issue, he does not know if staff would

be able to satisfy those Commissioners who voted in favor of that motion, but he doubts if staff is able to do so within two weeks, as the next two PC meetings have full agendas.

Chair Satre stated that regardless of the votes on the motion, he believes every Commissioner wants to see this case moved along as quickly as possible. This is given the long lead time that would be required to order the materials for the project if it were to be ultimately approved. Therefore, he wants to get this done at the third PC meeting from now, and he offered to work with Mr. Pernula to do so. Mr. Pernula said they could schedule a special meeting of the PC, if need be. Chair Satre said doing so is not out of the question, and quite frankly it might allow the PC to invite members of the Assembly to that future meeting to provide public testimony.

X. BOARD OF ADJUSTMENT - None

XI. OTHER BUSINESS

PC Committee Assignments

Chair Satre said a list of the basic committees was provided in the packet, including the top picks by the Commissioners, with the exception of Mr. Haight. Mr. Haight said he provided his top picks to staff, although they are not reflected on the list. Chair Satre said he has not had a chance to work through the list. He explained that the Subdivision Review Committee (SRC) met earlier this evening and it is their desire to retain continuity of membership until the end of January 2012. This allows the SRC to finalize items they are currently working on with the same members. He will work through the top pick requests, as there are a couple of duplicates listed, so he will attempt to provide a final list of PC committee assignments at the next PC meeting, which will be effective February 2012. Ms. Lawfer said she offered to fill a vacancy on the Wetland Review Board (WRB) and wondered if she should attend that meeting if it is held before the next PC meeting; Mr. Miller said the January 2012 WRB meeting was canceled. Chair Satre said if there are any changes to the list, he requests that those Commissioners contact Mr. Pernula who in turn will contact him. If he has any questions, he will work with Mr. Pernula to avoid violating the Open Meetings Act.

XII. DIRECTOR'S REPORT

Upcoming meetings

Mr. Pernula stated that a PC training session will be scheduled fairly soon with the City Attorney in relation to legal matters, i.e., Open Meetings Act, ex parte communications, conflicts of interest, etc. Chair Satre said he would like that meeting scheduled as soon as possible, and he informed the Commissioners, especially the new ones to avoid ex parte communication. He explained that if someone approaches or telephones them about a permit or project that will potentially end up being heard by the PC, they are to state that they are unable to talk about those issues because it would be considered ex parte contact, as they never want to have an appearance of a tainted process. In regards to the Open Meetings Act, he requested that the Commissioners not hit the "Reply All" button when responding to emails, rather they are to send all replies through Mr. Pernula. Three or more is considered a quorum of the PC, so he requested that the Commissioners keep this in mind while attending various community events. In regards to declaring potential conflicts of interest, if any Commissioners ever think that they might have a conflict in terms of reviewing a case, they are to contact Attorney Hartle at #321-ATTY for him to make such a determination.

Mr. Pernula stated that on January 10, 2012 the PC Agenda will include the State, Library, Archive, and Museum building project, improvements to Statter Harbor, and an eagle nest ordinance. Mr. Watson said he thought the Assembly approved the eagle nest ordinance last night. Mr. Pernula said that was only an introduction of the ordinance to the Assembly, and the PC will hold a hearing on it in two weeks, then the PC will make a recommendation on it to the Assembly who will hear it after that.

On January 31, 2012, the PC will meet as a COW at 5:00 p.m. in the Assembly Chambers to discuss Title 52 revisions, and the Land Management Plan. Heather Marlow and Cynthia Johnson of the CBJ Lands & Resources Department will be in attendance to discuss those issues with the Commissioners. Chair Satre asked if the Lands Committee is going to be present at that COW meeting, Mr. Pernula said they will not.

On February 14, 2012, the PC will review the cell tower project on the Mendenhall Back Loop Road that was continued a couple meetings ago, including the WDLUP.

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES

Mr. Watson said the SRC met earlier tonight and are nearly finished with their review of the Subdivision Ordinance. Chair Satre added a lot of work has been conducted by the SRC during this review process, which should minimize time spent by the PC to review that ordinance in the near future.

Ms. Grewe said the Title 49 Committee met a couple times to review the WDLUP, and the committee will recommend a few changes to the PC on that plan, but they are not overly substantive.

[The November 21, 2011 Public Works & Facilities Committee (PWFC) minutes were provided by staff to the PC for their perusal.]

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Bishop asked for a status update on the PC list of goals and priorities. Mr. Pernula said he has been working on other projects, and he does not yet have the minutes of the last COW meeting yet, but when he does he will get back to the PC possibly at the next meeting.

Mr. Watson stated that CBJ Engineering will be working downtown on the next phase of a project on Main Street, and it is his understanding that they have not held any discussions with the state. This was told to him by a reasonably reliable source about a month ago. Mr. Pernula said that case will be presented to the PC during the January 24, 2012 meeting, and staff intends to contact other agencies. He explained that this is the first he has heard that the state has not been involved regarding that project, although he knows that a turning lane will be added onto 4th Street in the location of the Capitol Building. Chair Satre commented that some of the options for that project were presented to the PWFC in either October or November 2011.

He said he and his fellow Commissioners welcome Ms. Lawfer to the PC; Ms. Lawfer thanked them.

XV. ADJOURNMENT

MOTION: *By Mr. Watson, to adjourn the PC meeting.*

There being no objection, it was so ordered and the PC meeting adjourned at 10:15 p.m.

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

DATE: January 6, 2012

TO: Planning Commission

FROM: Beth McKibben, Planner
Community Development Department

FILE NO.: USE20110030
CSP20110010

PROPOSAL: A Conditional Use Permit and City Project Review for construction of two offshore berths and moorage float located at the existing downtown cruise ship docks.

*Greg Chaney for
Beth McKibben*

GENERAL INFORMATION

Applicant: Gary Gillette, CBJ Docks & Harbors

Property Owner: City and Borough of Juneau

Property Address: South Franklin Street

Legal Description: ATS 3 [Cruise Ship Berths D & E]

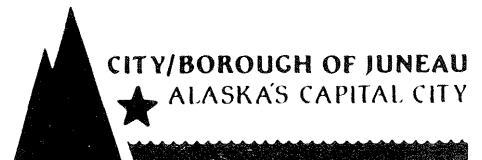
Parcel Code Number: 1-C07-0-K83-009-0

Zoning: Waterfront Commercial (WC)

Utilities: CBJ Water and sewer

Access: Marine Way (North Berth) and South Franklin (South Berth)

Existing Land Use: Cruise Ship Docks



Surrounding Land Use:

North	- Waterfront Commercial; Peoples' Wharf (retail & residential); Downtown Library/Parking Garage S. Franklin Street
South	- Waterfront Commercial; Taku Smokeries/ Twisted Fish (fish processing & restaurant); S. Franklin Street
East	- Mixed Use; Alaskan T-Shirt Co. (retail); S. Franklin St. Red Dog Saloon, Marine View mixed use building
West	- Gastineau Channel

ATTACHMENTS

Attachment A – Project Site Plan
Attachment B – Draft minutes Assembly Committee of the Whole, August 29, 2011
Attachment C – Email from Rod Swope, CBJ Manager to Gary Gillette regarding COW action on Fisherman's Memorial
Attachment D- Site Plan with lightering floats identified & email from Gary Gillette about lightering floats
Attachment E – Email from Gary Gillette about harbor capacity and estimated number of passengers with increased capacity
Attachment F – Site Plan with service and emergency vehicle routes shown

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit for the construction of two new off shore floating moorage berths. The proposed floating berths are to be located seaward of the existing Alaska Steamship Dock and the Cruise Ship Terminal (see attachment A). The Alaska Steamship Dock is located next to the downtown library and parking garage. The Cruise Ship Terminal is located in the area of the Visitor's Center and the Tram Building. The proposed project will be connected to, and have access to, the existing dock structure with two wood decked approaches.

BACKGROUND

This area was developed as docklands in the early 1900s. In the 1930s the Pacific Steamship Co. operated from this location. The Alaska Marine Highway docked in this area until 1986 when operations moved out to Auke Bay. The existing Alaska Steamship Dock can accommodate one ship at 800 feet and one at 1,000 feet. Both the Franklin Dock and AJ Dock (which was approved with conditional use permit USE2009-00034) can handle 1000 feet ships. The Coast Guard will not allow two ships at anchor so currently the docks can only handle 3 ships of 1,000 feet and one at 800 feet. There is no size limit for ships anchoring in the channel. With the new docks the harbor will be able to handle five ships at 1,000 feet, one of which may be larger if anchored.

According to the 2004 Long Range Waterfront Plan maritime uses along Juneau's downtown waterfront benefit from the generally sheltered conditions created by the configuration of the harbor and the deep water access to Gastineau Channel. The plan also states that cruise related docks are primary marine facilities featured along the waterfront. It further indicates that the average length of cruise ships increases as older ships are retired and that within the next five years (from the publication of the plan in 2004) ships with a length of 800 to 1000 feet will be the operational norm.

The Long Range Waterfront Plan states that it is reasonable to envision cruise demand will exist in Juneau to the degree facilities are available. The development of additional fixed cruise ship berths or anchorage facilities is presented as an opportunity to meet this demand. The plan states that Docks and Harbors was considering additional facilities at the time of publication.

The Fisherman's Memorial is adjacent to the new facilities. The Assembly Committee of the Whole voted to leave the Fisherman's Memorial in its current location (attachments B & C).

ANALYSIS

Project Site - The proposed floating berths are to be located seaward of the existing Alaska Steamship Dock and the Cruise Ship Terminal (see attachment A). The proposed project will be connected to, and have access to, the existing dock structure with two wood decked approaches.

Project Design - The proposed project is the installation of two floating berths connected by two wood decked approaches to the existing Alaska Steamship Dock and the Cruise Ship Terminal. The off-shore floating moorage berths will accommodate cruise ships of the "Post Panamax" type in the range of 1,000 feet in length. The proposed facilities will include floating moorage berths, drive down transfer bridges, dolphins, and other infrastructure needed to accommodate the cruise ships. The proposed floating facility will allow for the removal of the existing security fencing when ships are in port, and eliminate the associated need for forklifts, stairs, and gangways that are currently used on the dock. During the "off season" the floating berths could be used for other vessels such as fishing, research, and military boats/ships.

The proposed facility is divided into a North Berth and a South Berth. Construction is anticipated to be completed in two years. The first phase will include installation of the South Berth, consisting of a 50ft X 400ft concrete floating structure, a pedestrian and emergency/service vehicle transfer bridge, mooring and breasting dolphins, pile supported decks and access docks, gangways, catwalks and a small vessel moorage float. The second phase will include the installation of the North Berth, consisting of a 50 ft. X 300 ft. concrete floating structure, a pedestrian and emergency/service vehicle transfer bridge, mooring and breasting dolphins, pile supported decks and access docks, gangways and catwalks.

The project will include the removal of the existing lightering float at Marine Park and replace it with a new float adjacent to the existing dock at the South Berth. The new lightering float will accommodate lightering uses similar to the current floats at Marine Park or the Intermediate Vessel Float. The Intermediate Vessel float will remain but will no longer be used for lightering (attachment D).

Traffic - According to information provided by Gary Gillette (attachment E), current dock capacity includes four Panamax ships (limited to 965 feet) and one smaller ship (limited to 780 feet). The current maximum number of passengers that might disembark on a given day is estimated to be 11,860. With the new berths in place the estimated potential maximum number of passengers (based on vessel size currently visiting Juneau) on a given day is 13,000. This is an increase of 1,140 passengers or 9%.

There may be some increase in traffic by tour buses and taxis serving the cruise ship passengers. Improvements were made to the staging area between Marine Park and the library in 2003. This bus staging area should continue to adequately meet the need of the larger ships. Access by service and emergency vehicles for both berths is shown in attachment F. Service vehicles are needed typically twice a week. The routes shown in red are not intended for passenger loading. Vehicle access through Marine Park will operate as it currently does. The only change is that small vehicles will be able to access the new floating berth.

Improvements to the bus staging area at the Cruise Ship Terminal (South Berth) have been approved and work will begin in October 2012 (USE2009-0034). The reconfiguration was designed to improve pedestrian safety and increase staging capacity in anticipation of serving these larger ships.

Parking and Circulation – As mentioned above in “traffic”, improvements to the bus staging area between Marine Park and the Library were completed in 2003. A reconfiguration of the bus staging area at the Cruise Ship Dock Terminal is approved and work will begin in the fall of 2012. The reconfiguration was designed to improve pedestrian safety, vehicle staging, and accommodate the increased number of passengers that will be arriving on these larger ships.

CBJ Engineering is working on a Seawalk and Marine Park Project that will move the float plane docks that are currently located in front of Merchant's Wharf. The anticipated schedule for this project will have the float plane docks moved by the scheduled completion of the North Berth. If for some reason the schedule should change or the float plane facilities were not relocated, the applicant has indicated that the planes can safely operate, but not in their preferred clearance.

Marine access to the Fisherman's Memorial will change with the installation of the two new floating berths. The “Blessing of the Fleet” ceremony may not be able to be conducted as it has been traditionally. As was mentioned above, the Assembly voted to leave the Fisherman's Memorial in its current location (attachment B & C).

Noise - Once the new facilities are in place noise can be expected to be similar to what is experienced with the current docking configuration. On-shore noise may be slightly less than it is currently because the ships will be farther away, but it is not expected to be of concern, however during construction heavy equipment will be used. CBJ§42.20.095(b) restricts the operation of heavy construction equipment before 7 a.m. and after 10 p.m., Monday through Friday, and before 9 a.m. and after 10 p.m., Saturday and Sunday unless a permit is obtained from the building official.

Lighting - 04 CBJAC 050.020 establishes performance standards for commercial and industrial uses. Section (b) requires that industrial and exterior lighting not create glare on public highways or neighboring property. According to the application, lighting will be provided on the floats, transfer bridges, and approach decks for safety and security purposes. Specific fixtures have not been selected.

Waterfront Design Guidelines were developed, but not adopted, for the Waterfront Area in 2008. Chapter 4 establishes guidelines for the Public Streetscape, Seawalk, Public Art and Plazas, and addresses lighting. Some of the lighting guidelines applicable to this proposed project include:

- Strobe lighting is inappropriate.
- Indirect lighting source should be no more than 12 feet above the sidewalk or seawalk level.
- Use exterior light sources with a low level of luminescence.
- Use white lights that cast a similar color to daylight.
- Use shielded and focused light sources that direct light downward.
- Do not use high intensity light sources or cast light directly upward.
- Security and service lighting should be discriminately used to illuminate the area for surveillance as required, yet should be prevented from creating a hot spot of light calling attention to it from the surrounding areas.

Staff recommends the following conditions:

All exterior lighting fixtures shall be of a “full cutoff” design.

Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department, according to the requirements at CBJ§49.40.230(d)

Landscaping – CBJ§49.50.300 requires that in the Waterfront Commercial district 10% of the lot be in vegetative cover. The proposed project is located over the water with no lot. It is not feasible to require or provide vegetative cover over the water. The upland facilities that will service the new facilities meet the required vegetative cover requirements.

Public Health or Safety - This area is already developed with docking facilities. The proposed off-shore facility will allow for the removal of the security fencing that is put in place when ships are in port, and eliminate the need for forklifts, stairs, and gangways that are currently used on the dock to service the cruise ships. This will improve the safety for workers and visitors of the area. During the “off season” the floating berths could be used for other vessels such as fishing, research and military boats/ships, which can be considered to be an enhancement to public health and safety. The Department of Homeland Security requires a specific security plan which must be approved prior to the opening of the facility.

Habitat - The project site is located in the mapped 'Special Waterfront Area' that runs along the downtown tidelands. The project is a permissible use in this area (CBJ§49.70.960(b)). A Special Waterfront Area is an area that is designated for development and considered to have low habitat value. CBJ Docks and Harbors will obtain all necessary permits from agencies outside of the CBJ.

Property Value or Neighborhood Harmony - This area is already developed with docking facilities and has been used for this purpose since Juneau was founded. The surrounding land uses are primarily commercial and industrial in nature. The area has developed with many tourism related facilities and uses. The new floating dock will be an enhancement to the Seawalk. No evidence has been presented that the proposed facilities will have a negative effect on property value or neighborhood harmony.

Conformity with Adopted Plans - This project is consistent with the following adopted plans: 2008 CBJ Comprehensive Plan and the 2004 CBJ Long Range Waterfront Plan (which is adopted as part of the Comprehensive Plan).

Chapter 5 of the 2009 Comprehensive Plan, Economic Development, addresses tourism and cruise ship passengers (pg 49). Policy 5.4 (pg 51) states:

"It is the policy of the CBJ to encourage tourism, convention and other visitor-related activities through the development of appropriate facilities and services, while protecting Juneau's natural cultural and economic attractions for local residents and visitors alike, and to participate in the accommodation of the future growth of tourism in a manner that addresses both community and industrial concerns."

The Long Range Waterfront Plan for the City and Borough of Juneau, 2004 describes itself as a guide book to manage and focus waterfront change along four overarching goals: enhance community quality of life; strengthen tourism product offerings as well as downtown retail, entertainment, residential and service activities; improve Juneau's image and attractiveness for investment; and recognize all current waterfront uses.

The proposed project is located primarily in Area D of the Waterfront Plan. The concept plan for Area D envisions expansion of the dock facilities to accommodate larger ships. On page 42 of the plan Figure 28 illustrates the 2025 concept plan and identifies "Cruise Ship Terminal Expansion". The application materials for the floating berths indicate that this project was derived from the recommendations of this plan. Table 8 of the plan (pg 67) illustrates near, mid and long term development initiatives. Near Term (NT) 10, Cruise Ship Terminal Dock Expansion, is identified as a high priority, with a range of implementation of mid year 2008 thru end of the year 2011. This project implements the plan on nearly the schedule envisioned.

It should be noted that the Waterfront Plan is a concept plan that establishes the vision for the development of the waterfront area. It is not intended to be used as a specific development plan. As such it outlines the general types and locations of development but does not create the exact plan. The project evaluated in this staff report is similar, but different than the one shown in figure D, but it is consistent with the recommendations and vision of the plan.

FINDINGS

CBJ §49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

1. Whether the application is complete;
2. Whether the proposed use is appropriate according to the Table of Permissible Uses;
and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ §49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area;
or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ §49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested conditional use permit complete?

Yes. We find the application contains the information necessary to conduct full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

2. Is the proposed use appropriate according to the Table of Permissible Uses?

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 10.600 for the Waterfront Commercial zoning district.

3. Will the proposed development comply with the other requirements of this chapter?

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the December 30, 2011 and January 9, 2012 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

4. Will the proposed development materially endanger the public health or safety?

No. Based on the above analysis the proposed development will not materially endanger public health or safety. Proposed changes will enhance public safety.

5. Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?

No. As discussed above the proposed project will not substantially decrease the value or be out of harmony with the property in the neighboring area. The area has been used for docking ships since Juneau was founded, and is in harmony with surrounding development.

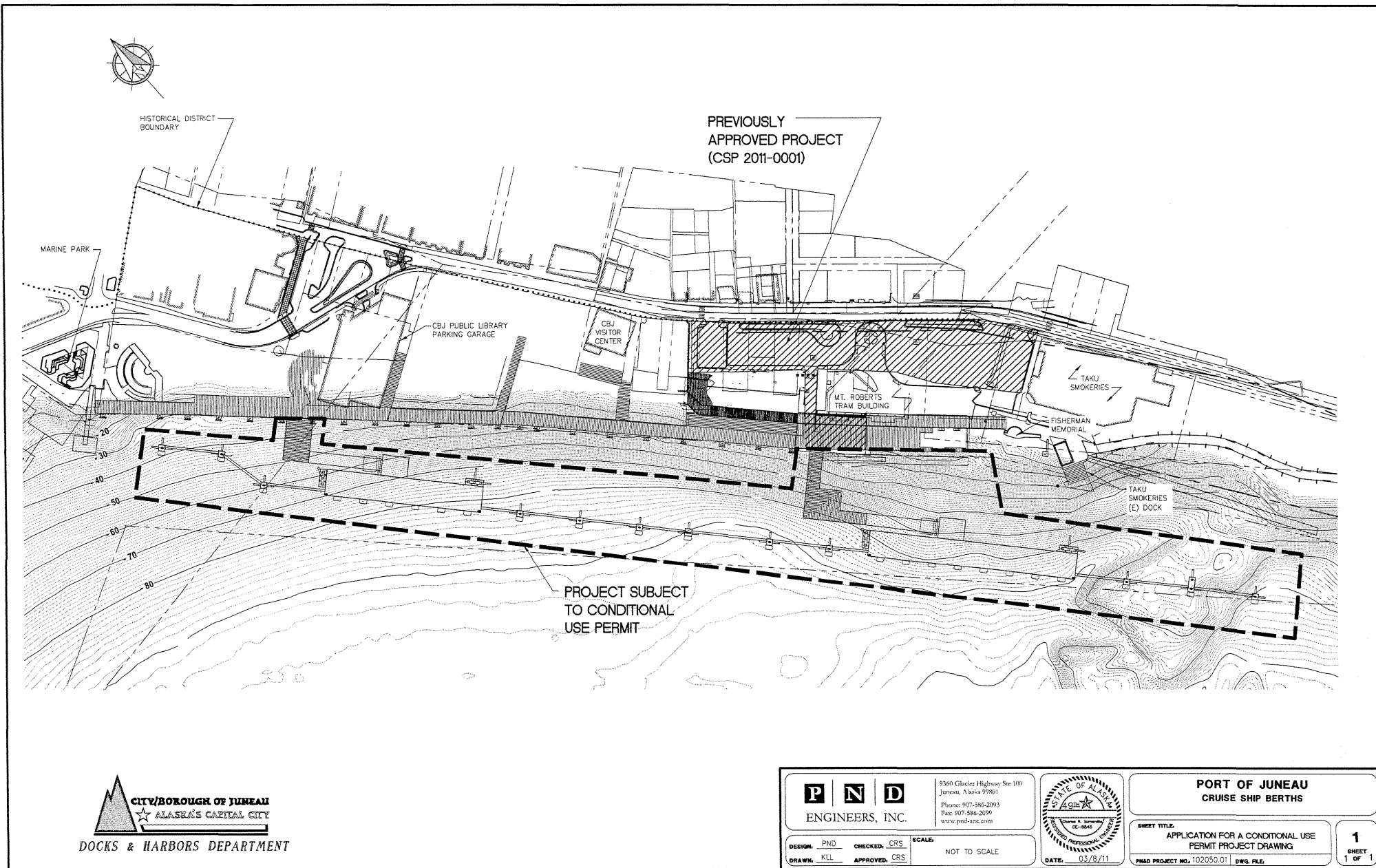
6. Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

Yes. The proposed development is consistent with the 2008 Comprehensive Plan and the 2004 Long Range Waterfront Plan. The project bringing to fruition the vision for cruise ship dock expansion envisioned in the 2008 Long Range Waterfront Plan.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of two offshore berths and moorage float located at the existing downtown cruise ship docks. The approval is subject to the following conditions:

1. All exterior lighting fixtures shall be of a "full cutoff" design.
2. Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department, according to the requirements at CBJ§49.40.230(d).



ATTACHMENT A

DRAFT

The total costs per year to CBJ would be \$143,015 or \$60 per child. Ms. Morris said the current expense for every school age child in Juneau is \$6000 annually.

Mr. Dybdahl asked if this program would increase capacity. Ms. Lyon said it would encourage those who currently operate or may consider operating a child care businesses to be a licensed facility operating at a higher level of health and safety and become certified child care providers.

Mayor Botelho asked if AEYC is prepared to administer the funds if appropriated by CBJ. Ms. Lyon said yes, and they would want to meet to go over the details of the program and the specifics of how the waivers and reimbursements would be documented and approved. The currently administer a small fund of \$500 for education reimbursements, so the infrastructure for this is in place. She suggested this would be similar to other incentive programs currently offered to businesses by CBJ.

Mayor Botelho asked if this initiative is targeting child care providers to become licensed, and Ms. Lyon said there are many people providing child care that do not have any oversight as far as health and safety standards and this program would provide incentives for those providers to become licensed.

Ms. Danner asked if this would be a one year program or longer. Ms. Lyon suggested a two year investment in order to be able to provide good measurements. Ms. Danner said if the program was successful it seems there would be a higher commitment over time. Ms. Lyon said that AEYC would provide reporting and the Assembly could either discontinue it, cap it at a certain level or increase the investment and expand the program

Ms. Danner asked Mr. Swope funds for the program could be found within the existing budget. Mr. Swope the Finance Committee could review use of the reserve account, internal savings or consider it as part of budget programming for FY13. He said perhaps the legislature could provide start up funds. Mr. Swope spoke favorably of the program, was supportive and appreciated the measures developed to be able to determine if the program is working.

Hearing no objection, the matter was referred to the Finance Committee.

IV. FISHERMEN'S MEMORIAL

Gary Gillette spoke to a power point presentation about the existing conditions of the Fishermen's Memorial, the proposed dock concept 16b, the process to date of the dock development, the options for the Memorial location and the Assembly's Resolution 2542 which approved construction of 16b with the contingency that "the Docks and Harbors Board would work closely with the Alaska Commercial Fishermen's Memorial and the commercial fishing community to make a recommendation to the Assembly regarding the location, if necessary, of the memorial, along the waterfront, to a mutually acceptable location..."

Mr. Gillette said the Memorial Board listed three preferences:

1. That the Memorial stay in place and the floating berths not be constructed in front of the Memorial,
2. To relocate the Memorial to a location at Marine Park, or

DRAFT

3. to relocate the Memorial to a location on the Seawalk between the IVF and Franklin Dock only with a guarantee no future dock construction at the location would interfere with open access between the Memorial and Gastineau Channel.

Mr. Gillette said the Parks and Recreation Advisory Committee (PRAC) heard testimony and discussed the issue and made the following motion, "The PRAC does not recommend moving the Fishermen's Memorial to Marine Park at this time until a plan is in place for Marine Park."

Mr. Gillette said the Docks and Harbors Board met on August 25, 2011 and after considerable testimony and discussion, failed to pass a motion on the issue and tabled the matter to a future meeting.

The Assembly asked questions of Mr. Gillette and also of Rorie Watt, City Engineer about the current location and the proposed locations at Marine Park and on the Seawalk, regarding property ownership, navigation, view sheds and the planning and construction schedules.

Mr. Sanford thanked the Docks and Harbors board and Mr. Gillette for his work on this directive from the Assembly.

MOTION, by Botelho, to keep the Fishermen's Memorial in its present location.

Mayor Botelho said he understood the merits of the arguments on all sides; however, it was important to have a clear direction for planning. The projected cost of \$2 million to move the Memorial is a considerable sum. There will be ways of celebrating the Blessing of the Fleet even with the new configuration, and the problems foreseen now can be solved.

Mr. Sanford spoke against the motion, saying he made a commitment to the Memorial Board to take into consideration their thoughts and concerns about the best location. The Board's preference is to move the Memorial to Marine Park if Dock Project 16b is constructed

Mr. Dybdahl spoke in favor of the motion. He said over time the Blessing of the Fleet and the Memorial were tied together, however he has been at blessings in other communities and the service could happen in a variety of ways. The memorial is the important tie to the community and community members have indicated that they view this as a gravesite.

Ms. Danner spoke against the motion. She said the decision to support Dock Project 16b was done with a commitment to provide for the Memorial. She would prefer to amend the motion to have an option to move the Memorial in the future.

Mr. Freer said he would like to see the Memorial left in the current location if it works for all the parties but he does not see that being the case. It will be instructive to see how it works with the new dock and he would like to see a possible move option if necessary.

Ms. Crane said there is not an option that will satisfy everyone. The Marine Park location would put the Memorial in the middle of a recreational area that already has traffic and use problems and she supported leaving the memorial where it is and working with the Memorial Board to satisfy their concerns.

DRAFT

Ms. Becker supported the motion and would like to see an option to move it in the future if it is determined necessary. She was concerned about the comments that the Memorial is a sacred place and it may not possible to maintain that sense in a busy park.

Mr. Dybdahl said that Assembly action now did not bind the future action or decision of a future Assembly. Until the dock is constructed, the Memorial should stay in place.

Roll call:

Aye: Becker, Crane, Dybdahl, Menzies, Stone, Botelho

Nay: Danner, Freer, Sanford

Motion passed, 6 ayes, 3 nays.

V. AJ MINE TOPICS

Mr. Stone and Mr. Menzies stepped away from the meeting due to conflicts of interest.

Mr. Watt reviewed a timeline he developed which he called a "A Very Rough Sequence of Major Events" and said that the key feature is the point in time that control of the mine planning and development process transitions from the City to a mine operator. CBJ was at the very beginning of a long process.

Mr. Watt provided a copy of the "AJ Mining Lease" signed by CBJ and the Barrick Resources Corporation in 1984. He provided this to show that the philosophical intent of the lease then is very different from the scenario envisioned by the AJ Mine Advisory Committee (AJMAC). The 1984 lease contained few operating restrictions, does not reflect the content and intent of the AJMAC recommendations, and is inadequate for current consideration.

Mr. Watt also provided a copy of CBJ Code 49.65.110-195, Exploration and Mining. A key decision of the Assembly would be to determine where and how to balance the placement of desired restrictions. This ordinance was written after the 1984 lease was signed. It was written by people who did not know what concepts would be proposed for the development of the AJ.

Mr. Watt said if CBJ pursues development of the AJ, it would presumably do so with a number of restrictions. Some of the restrictions would be best located within a lease, some reserved for consideration during the permitting process. There would need to be a way to satisfy local needs and still make the project attractive to a mining company. A solution that involves modifications to both the lease and the ordinance prior to issuing the lease seems like a favorable approach.

Mayor Botelho asked if there have been any recent discussions with the mining unit partner. Mr. Watt said the mining unit renews itself each year if there is no action. He has spoken briefly with Mr. Corbus. Mr. Sanford suggested this conversation should be made a priority.

Mr. Dybdahl recalled the process of developing the large mine ordinance and how it seemed unwieldy and put CBJ in the position of double checking the work of every review agency. He was concerned about key decision making points and obtaining the water study results was important. He urged a decision making time line to be established to help the community understand the project.

Beth McKibben

From: Rod Swope
Sent: Tuesday, November 08, 2011 7:57 AM
To: Gary Gillette
Cc: Carl Uchytel; Dale Pernula
Subject: RE: Fisherman's Memorial

Gary,

The Assembly definitely took action in support of 16B. They also took action in support of keeping the Fisherman's Memorial at it's current location.

Rod

From: Gary Gillette
Sent: Monday, November 07, 2011 11:49 AM
To: Rod Swope
Cc: Carl Uchytel
Subject: Fisherman's Memorial

Hi Rod

We are preparing to submit to CDD an application for a Conditional Use Permit for the cruise dock improvements (16B).

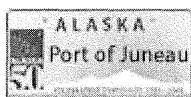
I was discussing this with Dale Pernula and he was under the impression the Assembly made a final decision on the Fisherman's Memorial.

I am not quite sure if that decision was binding as it was only at the Committee of the Whole. Is there need for more action on the Assembly's behalf?

Dale is concerned that if this issue has not been officially decided by the Assembly that the Planning Commission might get hung-up on this issue which could delay action on the dock project. He was hoping this would be resolved prior to going to the Commission so it would be clear and not need to be addressed by them.

I would appreciate your thoughts on this and if further Assembly action is anticipated.

Thanks



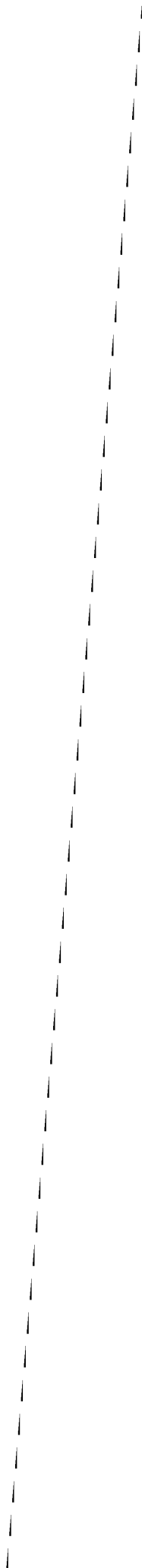
Gary H. Gillette, Architect
Port Engineer

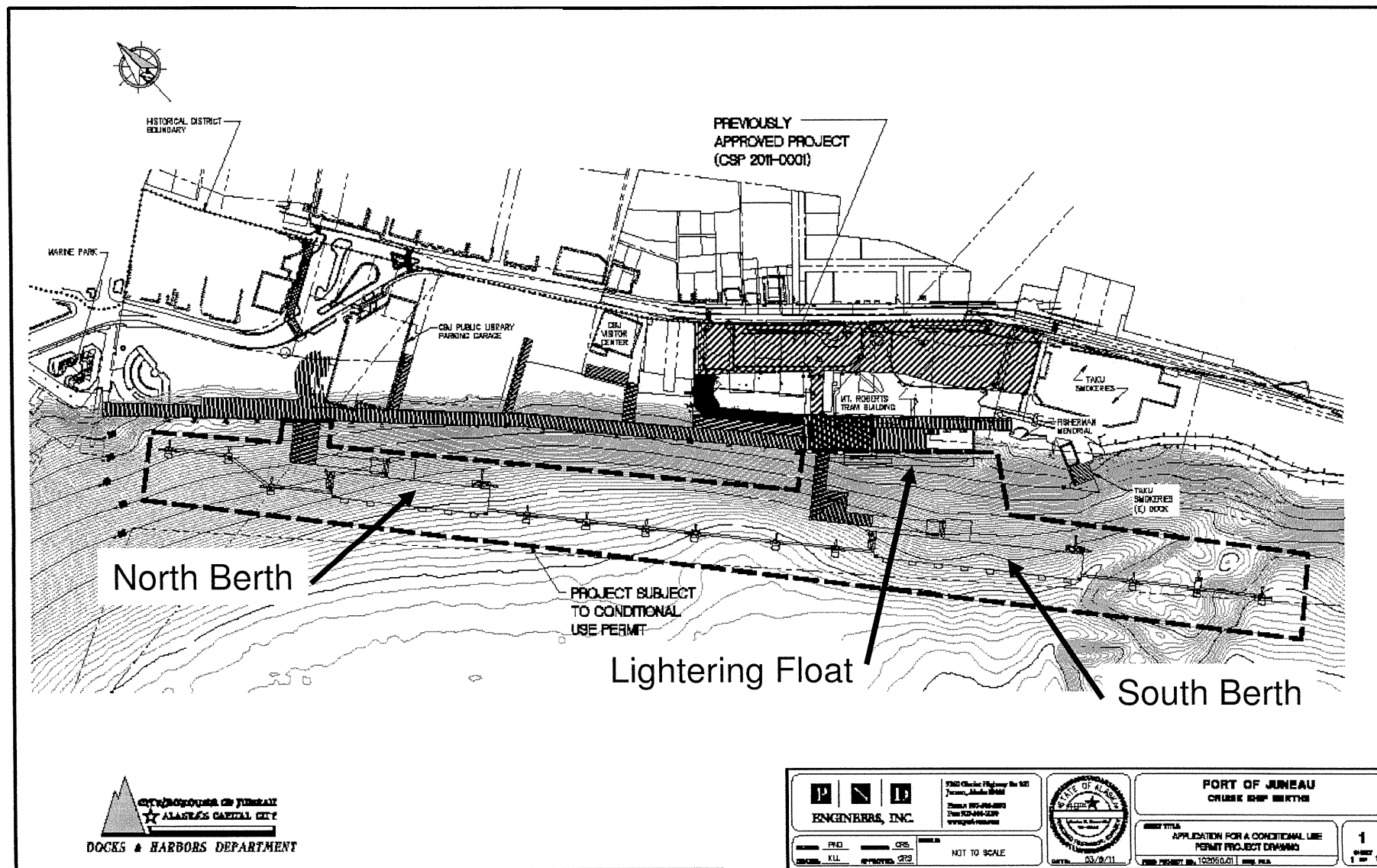
City and Borough of Juneau
 155 South Seward Street
 Juneau, Alaska 99801

Phone: 907-586-0398
 Cell Phone: 907-321-1118
 Fax: 907-586-0295
 E-Mail: gary_gillette@ci.juneau.ak.us

2

2





Beth McKibben

From: Gary Gillette
Sent: Wednesday, January 04, 2012 10:03 AM
To: Beth McKibben
Subject: RE: intermediate vessel float?

Attachments: Cruise Docks-Berthing Plan.pdf

The intermediate vessel float will remain but it will no longer be used for lightering from ships at anchor. The existing float and ramp at Marine Park will be removed thus no longer be used for lightering for ships at anchor. In the new configuration all ships at anchor will lighter to the new lightering float that is located inside the main south berth (see attached).

From: Beth McKibben
Sent: Tuesday, January 03, 2012 4:02 PM
To: Gary Gillette
Subject: intermediate vessel float?

Gary
this one is not going away? where is it located? How is it different from the one at Marine Park? Thanks

Beth McKibben, AICP
Senior Planner, CDD
City & Borough of Juneau
(907)586-0465 phone
(907)5863365 FAX



Please consider the environment before printing this email.

Beth McKibben

From: Gary Gillette
Sent: Thursday, December 22, 2011 2:48 PM
To: Beth McKibben
Subject: RE: cruise ship berths?

The following discussion regards your question about the harbor capacity now and with the construction of the new berths.

Currently the harbor capacity is 4 Panamax ships (limited to 965 feet) and one smaller ship (limited to 780 feet). This would be 3 Panamax at the docks (Cruise Terminal, Franklin Dock, and AJ Dock); one Panamax anchored in the harbor, and one 780 foot or less at Alaska Steamship Dock (Marine Park).

When the new berths are completed the harbor capacity will be 5 Panamax ships – 4 at docks and 1 anchored.

In terms of passenger counts it is difficult to say for sure what the various cruise companies will schedule for Juneau. Just because we will have the capacity to handle 5 Panamax ships at once doesn't mean that the companies with smaller ships will send larger ships. Different companies cater to different clientele and the market varies on a number of criteria. During the 2011 season there were only seven days that there were 4 Panamax ships in town at one time.

Ships using the current Panamax docks range in length from 815 feet long to 965 feet and have capacities ranging from 1,808 to 2,600. The smaller ships we see at the Alaska Steamship Dock range from 720 feet to 780 feet and have capacities ranging from 1,266 to 1,460.

So on a full capacity day we could, in theory, see 4 Panamax ships with capacities ranging from 7,232 to 10,400 and one smaller ship ranging from 1,266 to 1,460 for a total capacity ranging from 8,498 to 11,860. With the new berths in place we could, in theory, see 5 Panamax ships at port with capacities ranging from 9,040 to 13,000. This is an increase ranging from 542 to 1,140 or 6% to 9%.

From: Beth McKibben
Sent: Tuesday, December 20, 2011 4:28 PM
To: Gary Gillette
Subject: cruise ship berths?

Hi Gary

I've started working my way thru this project. In the application materials there is no discussion about traffic and possible/potential impacts. Any thoughts? Will the berths be accommodating more/other ships or will the ships that currently lighter now be docked? Thanks

Beth McKibben, AICP
 Senior Planner, CDD
 City & Borough of Juneau
 (907)586-0465 phone
 (907)5863365 FAX



Please consider the environment before printing this email.



PROPOSED DOCK PROJECT



PND ENGINEERS, INC.		9360 Glacier Highway Ste 100 Juneau, Alaska 99801 Phone: 907-586-2093 Fax: 907-586-2099 www.pnd-anc.com		CITY & BOROUGH OF JUNEAU, ALASKA DOWNTOWN CRUISE SHIP DOCK RECONFIGURATION	
DESIGN: PND DRAWN: PJD	CHECKED: PND APPROVED: CRS	SCALE: SCALE IN FEET 0 100 200 FT.		SHEET TITLE: SITE PLAN WITH BATHYMETRY PN&D PROJECT NO.: 102050.02 DWG. FILE:	1 SHEET 1 OF 1

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: <u>11/15/11</u>
Project Name (City Staff to Assign Name)		

INFORMATION	Project Description Downtown Cruise Ship Dock Reconfiguration. The project includes the constructio of two offshor berths and moorage float located at the existing Downtown Cruise Ship Docks. See attached narrative.		
	PROPERTY LOCATION		
	Street Address	City/Zip Juneau 99801	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) ATS 3		
	Assessor's Parcel Number(s) 1C070K830090		
	LANDOWNER/ LESSEE		
	Property Owner's Name City and Borough of Juneau - Docks and Harbors	Contact Person: Carl Uchtyl	Work Phone: 586-0294
	Mailing Address 155 S Seward Street Juneau Ak 99801	Home Phone:	Fax Number: 586-0295
	E-mail Address carl_uchtyl@ci.juneau.ak.us	Other Contact Phone Number(s):	
	PROJECT / APPLICANT	LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****	
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:			
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.			
B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X			<u>11/9/2011</u> Date
X		Landowner/Lessee Signature	Date
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name CBJ Docks and Harbors Department		Contact Person: Gary Gillette	Work Phone: 586-0398
Mailing Address 155 S Seward Street Juneau AK 99801		Home Phone:	Fax Number: 586-0295
E-mail Address gary_gillette@ci.juneau.ak.us	Other Contact Phone Number(s):		
X		<u>11/9/2011</u> Date of Application	
	Applicant's Signature		

OFFICE USE ONLY BELOW THIS LINE					
STAFF APPROVALS	<input checked="" type="checkbox"/>	Permit Type	***SIGN	Date Received	Application Number(s)
		Building/Grading Permit			
	<input checked="" type="checkbox"/>	City/State Project Review and City Land Action		<u>11/10/11</u>	<u>CP20110010</u>
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
		Mining Case (Small, Large, Rural, Extraction, Exploration)			
		Sign Approval (If more than one, fill in all applicable permit #'s)			
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
		Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)			
		Variance Case (De Minimis and all other Variance case types)			
		Wetlands Permits			
		Zone Change Application			
		Other (Describe)			
	***Public Notice Sign Form filled out and in the file.				
	Comments:				Permit Intake Initials

CITY/STATE PROJECT AND LAND ACTION REVIEW APPLICATION

Project Number	Project Name (15 characters)	Case Number CSP20110010	Date Received 11/15/11
----------------	------------------------------	----------------------------	---------------------------

TYPE OF PROJECT REVIEW:



City Project Review



City Land Acquisition /Disposal



State Project Review

DESCRIPTION OF PROJECT

SEE CONDITIONAL USE APPLICATION

Please attach a cover letter to fully explain the project if there is not adequate space on this form.

CURRENT USE OF LAND OR BUILDING(S):

VACANT

PROPOSED USE OF LAND OR BUILDING(S):

NEW CRUISE SHIP BERTHS

PROJECT NUMBERS ASSOCIATED WITH PROPOSAL:

Is this project associated with any other Land Use Permits?



No



Yes

Case No.: USE2011

Capital Improvement Program # (CIP)

Local Improvement District # (LID)

State Project #

ESTIMATED PROJECT COST: \$ 62 M

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.

If you need any assistance filling out this form, please contact the Permit Center at 586-0770.

CITY/STATE PROJECT FEES

	Fees
Application Fees	\$ 1,600
Total Fee	\$ 1,600

Check No.

Receipt

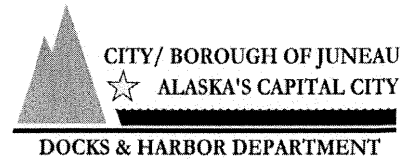
Date

PAC Dept transfer 11/15/11

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

&

EVEN IF THE PROPOSED PROJECT IS ASSOCIATE WITH OTHER LAND USE PERMITS, THIS APPLICATION MUST BE FILLED OUT



Application for a Conditional Use Permit

PROJECT NARRATIVE
City and Borough of Juneau Docks and Harbors Department
Downtown Cruise Ship Dock Reconfiguration

Submitted by:
Gary Gillette, Port Engineer
On Behalf of the Applicant
CBJ Docks and Harbors Department
155 South Seward Street
Juneau, Alaska 99801
Phone: 907-586-0398
Fax: 907-586-0295
gary_gillette@ci.juneau.ak.us

November 9, 2011

APPLICANT

The applicant is the City and Borough of Juneau, Docks and Harbors Department. Primary contact for the project is Gary Gillette, Port Engineer.

PROJECT LOCATION

The proposed project is located on a site seaward of the existing Alaska Steamship Dock and the Cruise Ship Terminal in downtown Juneau, Alaska (see Attachment A). The project would be entirely constructed over waters of Gastineau Channel with two connecting wood decked approaches providing access to the existing dock structure.

PROJECT PURPOSE AND NEED

From the late 1880s Juneau's economy was based on the mining industry until 1944 when the last major mine within the city limits was shut down. Decline of Juneau's waterfront docks soon followed. A new industry, tourism, brought life back to the downtown waterfront as more and more cruise ships made way to Juneau. The old timber dock structures designed to support small freighter and passenger ferries were replaced over the years with catwalks, mooring and breasting dolphins, and larger wharfs. The current structures were designed to meet the needs of passenger ships with an overall length around 800 feet. Now however, as ships have increased in size, the need to provide berths which will support Post Panamax ships of 1,000 feet and longer is a strategic response to support and provide for the industry's progression.

The City and Borough of Juneau owns and operates two cruise ship docks. They are commonly referred to as the Alaska Steamship Dock (north berth), located next to the downtown library and parking garage building, and the Cruise Ship Terminal (south berth), located in the area of the Visitor's Center and Tram Building.

The fundamental reasons why the CBJ is proposing improvements to the existing moorage system are:

- ◆ It is undersized for the size of the ships using it.
- ◆ It has been damaged by being overloaded.
- ◆ It has substantial underwater corrosion.
- ◆ It does not meet full Department of Homeland Security provisions.

The project has several design goals.

- ◆ Increase the safety and security of the vessels docked in Juneau including reducing the need for lightering from off-shore anchored vessels.
- ◆ Support the Post Panamax class cruise ships (1,000+/- ft length). This is the vessel size that the industry is using and the facilities must support the vessels at the risk of losing Juneau as a stop. The south berth will allow for ships up to 1,100' in length to support future ship size projections by the industry.
- ◆ Provide a safe and rewarding experience for the passengers into the community of Juneau.
- ◆ Consolidate security so that yellow barrier fencing may be removed from existing dock thereby increasing pedestrian access to the waterfront.

PROJECT TIMELINE

2001-2002 – The CBJ Docks and Harbors Board undertook a strategic analysis, developed an improvement plan for municipally owned port facilities, and identified the capacity of the CBJ cruise ship docks as a limitation affecting the ability of the CBJ to serve the cruise ship industry in the future.

2002 – 2009 – The Docks and Harbors Board evaluated a variety of alternatives to accommodate the cruise ship docking now and in the future, and to align the port capacity with Ketchikan and Skagway, Juneau's sister ports of call.

2003-2004 – The Docks and Harbors Board assisted the Assembly in the development of a comprehensive waterfront development plan for downtown Juneau which called for changes to the CBJ cruise ship docks to accommodate larger ships.

2006 – The Docks and Harbors Board conducted a thorough evaluation of the condition of the CBJ cruise ship docks and determined that the mooring system was in poor condition, structurally compromised, and undersized for the current and future fleet of cruise ships visiting Juneau.

2007- 2008 – The Docks and Harbors Board presented to the CBJ Assembly alternatives for replacing the CBJ cruise ship docks to accommodate Juneau's cruise ship fleet which caused the Assembly to establish an Ad-Hoc Committee to evaluate port-wide dock alternatives.

2008 – 2009 – The Ad-Hoc Committee commissioned a comprehensive navigation study and docking simulation to analyze various public and private proposals for accommodating the cruise ship fleet.

2008-2009 – The Docks and Harbors Board commissioned an uplands operations and transportation study of proposed cruise ship dock improvements and is implementing recommendations to mitigate vehicular and pedestrian congestion attributed to current and future cruise ship operations.

2010 – The State of Alaska granted funds for improvements to the cruise ship docks and amended cruise ship passenger excise tax laws to provide Juneau with additional funds for such purpose beginning in 2011.

2010 – The CBJ Assembly approved an offshore floating berth concept known as 16B so that the Docks and Harbors Board can begin the design process to install the new floating berths.

2011 - The State of Alaska granted the CBJ additional funds for improvements to the cruise ship docks.

2013 - Begin construction of the South Berth on October 1 with completion on May 1, 2014.

2014 - Begin construction of the North Berth on October 1 with completion on May 1, 2015.

PROJECT DESCRIPTION

The CBJ plans to construct two new offshore floating moorage berths to accommodate cruise ships of the Post Panamax type in the range of 1,000+/- foot length. The proposed offshore facilities would include floating moorage berths, drive down transfer bridges, dolphins, and other necessary infrastructure to accommodate cruise ships. The offshore facility would allow for the removal of the existing security fencing and eliminate the need for forklifts, stairs, and gangways that are currently used on the dock. This will enhance the local and visitor experience along the downtown docks as part of the waterfront seawalk concept. During the off season the floats could be used for a variety of vessels including fishing, research, military, etc.

The proposed new offshore facility is divided geographically into a North Berth and South Berth spanning approximately 2,200 linear feet and will be implemented through a two year construction schedule. The first phase would include the installation of the south berth consisting of a 50 ft. x 400 ft concrete floating structure, a pedestrian and emergency/service vehicle transfer bridge, mooring and breasting dolphins, pile

supported decks and access docks, gangways, catwalks, and a small vessel moorage float. The second phase would include the installation of the north berth consisting of a 50 ft. x 300 ft concrete floating structure, a pedestrian and emergency/service vehicle transfer bridge, mooring and breasting dolphins, pile supported decks and access docks, gangways, and catwalks.

The project would remove the existing lightering float at Marine Park and replace it with a new float adjacent to the existing dock at the south berth. This float would serve lightering uses similar to the current floats at Marine Park and the Intermediate Vessel Float. Once the new berths are constructed no lightering would occur at Marine Park or the Intermediate Vessel Float.

UPLAND FACILITIES

The proposed project will be supported by existing and new uplands facilities consisting of the staging area adjacent to Marine Park, the Cruise Ship Staging Area adjacent to the Tram, the new Visitor's Center, and the new Port/Customs Building.

In 2003 the city completed a project that resulted in the current bus staging area between Marine Park and the parking garage. This project significantly improved the safety and capacity for vehicle staging to serve the cruise ships docking at the Alaska Steamship Dock (ASD) and those anchoring in the harbor while lightering passengers to the float at Marine Park. During the 2011 cruise season the largest ship to call at ASD had a capacity of 1,460 passengers. On days that a ship lightered to Marine Park the additional passenger count was as high as 2,033 for a total of 3,493. When the new facility is complete only one ship with capacity up to approximately 2,400 passengers will be served. Based on this information it appears that the Marine Park facility should be adequate to serve the north berth.

The current staging area at the Cruise Ship Terminal (CST) will be reconfigured beginning in October 2012 with completion by May 1, 2013. The reconfiguration was designed to improve pedestrian safety and increase staging capacity in this area to accommodate the larger ship traffic to this facility. The reconfiguration project was approved by the Planning Commission under a city project review (CSP2011-0001) on April 12, 2011. In 2011 the largest ship to dock at CST accommodated 2,124 passengers. On days when lightering took place at the Intermediate Vessel Float the total count was as high as 3,798 passengers. In 2011 there were only 10 days that a ship lightered to Marine Park or the Intermediate Vessel Float. The reconfigured uplands was designed to improve safety for pedestrian movement and increase capacity for vehicle staging reflective of the larger ships being accommodated at the south berth.

CONSTRUCTION

The proposed project consists of a combination of fixed and floating docks, both of which require steel piles to support or anchor these structures. The floating docks will be manufactured offsite, towed to the site and field installed. The overall in-water work is significantly shortened by this streamlined process. The primary type of pile that will be used at the site will be hollow steel pipe piles. The means of installation will vary with specific locations and will include rock anchors, pin piles, or rock sockets as necessary. The piles will be vibrated and driven to bedrock or as deep into existing soils as necessary to resist the design loads.

SCHEDULE

The South Berth is presently scheduled to begin construction on October 1, 2013 and be completed by May 1, 2014. The North Berth would begin construction on October 1, 2014 and be completed by May 1, 2015. Due to the limited time that is available for construction it is anticipated that it will be necessary to work beyond the normal work day in order to complete this project in time for the arrival of ships in the following season. Construction methods will be employed to keep noise and disruption impacts to a minimum.

ZONING AND PERMISSIBLE USE

The project is located in a Waterfront Commercial zoning district and is allowed with a Conditional Use Permit as listed in the Table of Permissible Uses at section 9.600 Marine commercial facilities including fisheries support, commercial freight, and passenger traffic.

COMPREHENSIVE PLAN

The CBJ Comprehensive Plan (2008) promotes tourism for its economic development opportunities for the Juneau community. Support for development of adequate facilities such as the proposed cruise berths is contained in Policy 5.4 as stated below.

POLICY 5.4. IT IS THE POLICY OF THE CBJ TO ENCOURAGE TOURISM, CONVENTION AND OTHER VISITOR-RELATED ACTIVITIES THROUGH THE DEVELOPMENT OF APPROPRIATE FACILITIES AND SERVICES, WHILE PROTECTING JUNEAU'S NATURAL, CULTURAL AND ECONOMIC ATTRACTIONS FOR LOCAL RESIDENTS AND VISITORS ALIKE, AND TO PARTICIPATE IN THE ACCOMMODATION OF THE FUTURE GROWTH OF TOURISM IN A MANNER THAT ADDRESSES BOTH COMMUNITY AND INDUSTRY CONCERNS.

LONG RANGE WATERFRONT PLAN

In 2004 the Assembly adopted Ordinance 2004-40 which established the Long Range Waterfront Plan for the City and Borough of Juneau. The plan divided the waterfront into areas each of which have specific character, land use, or similar activities. The proposed project is primarily within Area D of the plan. The concept plan for Area D envisioned expansion of the dock facilities to accommodate two 1,000+/- foot cruise ships. The proposed project was derived from that concept and is consistent with the Waterfront Plan.

SPECIAL WATERFRONT AREA

The Juneau Coastal Management Program (JCMP) designates Special Waterfront Areas that are acknowledged as suitable for commercial and industrial development and considered to have low habitat value. The JCMP establishes a line of Seaward Limit of Permanent Development in Special Waterfront Areas beyond which development is not allowed unless it can meet certain criteria. In the Downtown Special Waterfront Area the line is essentially at the face of the existing dock. Therefore, the proposed project is seaward of the limit of permanent development.

The criteria established by the JCMP to allow development seaward of the line is a) there is no feasible and prudent alternative to meet the public need for the use; and b) the nature of the use requires a specific location and no other location will suffice. The proposed project is an upgrade of the existing dock system and is dependent upon the existing upland support facilities. There is no feasible and prudent alternative that would allow the development of two cruise ship berths and the associated upland facilities within the downtown harbor area and be within the limits of the line of seaward development. The nature of the use, a two berth cruise ship facility, is dependent upon immediate access to tourist related services which are provided by the existing uplands facilities and the adjacent downtown commercial area.

NAVIGATION

The Marine Exchange of Alaska conducted a navigation study on behalf of the CBJ Docks and Harbors Department in 2009 to determine and analyze navigation issues within the Juneau Harbor. The report reviewed a number of various cruise ship dock and pier alternatives including the proposed project. A letter report from the Marine Exchange of Alaska dated September 2010 (see Attachment B) provides an executive summary of the navigational issues regarding cruise ship operations and proposed cruise ship docks

reconfigurations by the CBJ. The result was that the proposed project would have minimal impacts to current harbor operations.

UTILITIES

The new floating berths will be provided with water for use by ships in replenishing their fresh water supply and for fire protection. At the Assembly's request the proposed berths will be outfitted to provide sewer off loading capabilities and the option to provide shore power hook up in the future.

The project will include sanitary sewer connections to allow ships to off load treated wastewater. Carson Dorn, Inc. performed a study of the capacity of the existing Juneau Douglas Treatment Plant to accept certain pre-processed waste water as is currently done at the Franklin Dock. The plant is able to through-put the additional anticipated volume from the two ships without modifications to the plant. Thus, the provision to off load this waste stream will be accommodated in the project.

In discussions with AEL&P it was determined that they are not able to provide interruptible power to the new facility at this time but may in the future with the completion of the Lake Dorothy project. To prepare for that future possibility, electrical conduit will be run from the uphill side of South Franklin Street to the existing Cruise Ship Terminal dock structure. When power is available the lines would be run from the floating berths to a sub station site on AEL&P property.

LIGHTING

Lighting will be provided on the floats, transfer bridges, and approach decks for safety and security purposes. Luminaires would be mounted on light standards at a height to allow adequate light distribution but will be focused downward so not to cause glare beyond the areas to be illuminated. Specific fixtures have not been selected at this point in the design process.

VEGETATIVE COVER

The proposed project is located over water thus vegetative cover is not feasible at this site.

SECURITY

There are two elements of security that will be addressed for the project: Department of Homeland Security and general security. Homeland Security provisions are required when a high capacity passenger vessel is docked at the facility. A specific security plan is required by the US Coast Guard to protect the facility from acts of terrorism and must be approved prior to operating the facility. Alaska Marine Exchange is working with Docks and Harbors Department to develop the security plan. There are two primary aspects that must be addressed. This includes provisions to deter unauthorized vehicles to access the transfer bridge and floating berths. This is typically handled with removable bollards to allow authorized access for emergency and support services. The other element is controlling access for passengers and others to and from the docking facility. This is typically handled with security personnel at the embarkation/disembarkation points. There will be two such points where the transfer bridge meets the existing dock. These controlled points will allow the elimination of the continuous yellow barriers down the middle of the existing dock thereby expanding the continuous walkway as part of the pedestrian network.

General security would be provided when needed to protect public safety and property. This will be handled with gates at the point where the access to the floating berths meet the existing docks. Generally when a cruise ship is not at the floating berths they would be open to public access. However, during the off season local or visiting vessels may tie up to the facility and security might be desired to protect the vessel or equipment destined for the vessel. Also, if vandalism or other undesirable activities occur on the floats they

may need to be secured.

HISTORIC RESOURCES

There are no historic properties identified within the project site. There are four historic resources identified in the Alaska Heritage Resources Survey (AHRS) that are in the uplands adjacent to the project site. They include Alaska Steamship Company Dock Site (JUN-314); Juneau Cold Storage Company (JUN-212); Waterfront Building/Scandinavian Grocery (JUN-376); and Warner Building (JUN-374). The JUN-314 complex historically featured warehouses, wharfs, and dock structures that have been removed over time such that nothing of the original remains. Newer wooden dock structures have been installed over time in this location along with steel piling breasting dolphins on the dock edge to accommodate the current cruise industry. The proposed project does not change these existing dock features. All other identified historic resources have been lost to fire (JUN-212) or demolished for new development (JUN-374 & JUN-376).

The project runs parallel to and approximately 400 feet seaward of the Downtown Historic District. The south end of the district (from the Red Dog south) has seen substantial new and redevelopment such that most of the historic character has been lost through non-historic renovations and demolition/replacement projects. The Northway Building (JUN-257) is the only remaining building on the uphill side of South Franklin Street that is a contributing property to the historic district and retains some of its original character. The proposed project has no direct or indirect impact on the setting of this building as it does not block views of the building nor is the project seen from the building.

FISHERMAN'S MEMORIAL

During the pre-application conference for this project Community Development Department staff asked about the status of the Fisherman's Memorial as it relates to the development of the floating berth project.

The CBJ Assembly approved construction of the new cruise berths project with adoption of Resolution 2642 on September 20, 2010. On August 29, 2011 the Assembly Committee of the Whole took action to not move the Memorial from its current location. The proposed project does not anticipate relocating the Fisherman's Memorial.

FORMER ALASKA STATE FERRY TERMINAL

During the pre-application conference for this project Community Development Department staff asked what the city's obligation was to provide access for Alaska Marine Highway System (AMHS) ferry vessels and if they could be accommodated if they decided to return service to downtown.

In 1963 the City and Borough of Juneau leased an area in the general location of the Cruise Terminal uplands facility to the state of Alaska for the purposes of establishing a ferry terminal. The city built the facilities to accommodate the AMHS including dock, staging area, and a terminal building referred to as the premises. The terms of the lease was for 20 years which included a payment intended to recover costs to the city for development of the facilities. The lease also contained an option to extend for the life of the premises with payment of \$1 per year. In 1983 the state extended the lease and began making payments of \$1 per year. The last payment was received by the city in 2001. In the meantime the original premises have been modified, removed, or have exceeded their useful life thus the city has no further obligation to AMHS by terms of the lease.

Recently Port Director Carl Uchtyl sent an e-mail to Michael A. Neussl, Deputy Commissioner for Marine Operations offering use of the new berths to AMHS. Mr. Nuessl responded that AMHS did not foresee returning service to downtown Juneau in the near future (see Attachment C). It should be noted, however,

that the new south berth float, approach dock, and bridge will be built to a loading classification of HS 20 which would allow use by AMHS, with some outfitting modifications, if so desired in the longer term.

THE STORIS

During the pre-application conference for this project Community Development Department staff asked if there would be accommodation for the USCG Cutter *Storis*.

The non-profit organization *Storis* Museum is seeking to bring the USCG Cutter *Storis*, which was decommissioned in 2007, to Juneau. The organization has requested it be transferred to them to develop as a museum but no legislative action has occurred to date. The potential for future accommodation of the *Storis* is featured in the design of the cruise berth project. A section of the transfer bridge that accesses the south berth is being designed to be removed in the event that the *Storis* Museum is successful in bringing the ship to Juneau. This would allow access to the inside of the floating berths where a moorage float and other improvements could be constructed for the ship. Currently there is no funding in the project for the future moorage float and other improvements to accommodate the ship. It is anticipated these funds would be provided by the *Storis* Museum organization as part of their financial plan for the ship.

PHOTOGRAPHS

Photos below from ShoreZone.

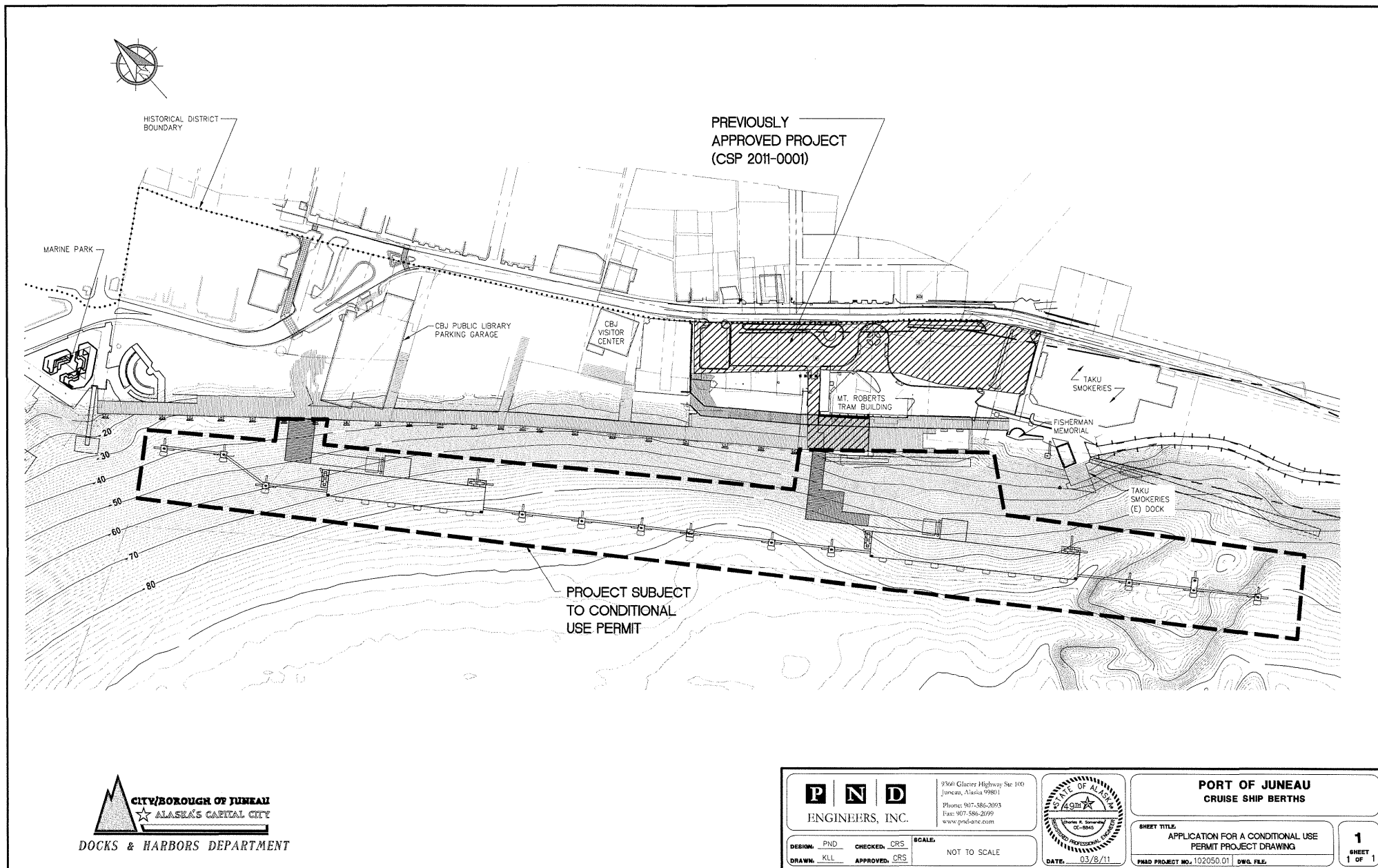


*City and Borough of Juneau
Downtown Cruise Ship Dock Reconfiguration*

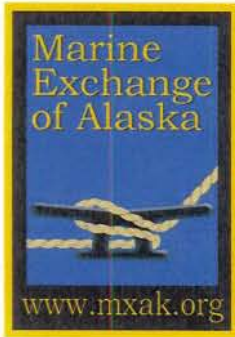


ATTACHMENTS

- A. Map of Project Site and Vicinity**
- B. Letter from Alaska Marine Exchange Regarding Navigation**
- C. E-Mail Regarding Alaska Marine Highway**



ATTACHMENT "A"



*Safe, Secure, Efficient and Environmentally Responsible
Maritime Operations*

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September 7, 2010

Mr. John Stone
Port Director
Juneau, AK 99801

Dear Mr. Stone,

In follow up to Marine Exchange of Alaska's previous analysis of the various cruise ship moorage options being explored for the Port of Juneau the Marine Exchange of Alaska staff reviewed cruise ship operations in the summer of 2010 and determined the recommendations regarding preferred mooring options in last year's report continue to be valid.

Graphics attached to this summary are provided to better present the physical layout of the facilities and vessels' maneuvers. Enclosure 1 shows the positioning of the various mooring options under consideration and the historical tracks of vessels calling on the existing docks.

My professional opinion on the navigational issues relevant to the cruise ship mooring options is based on my 30 years experience in the Coast Guard during which I evaluated navigational impacts of docks and harbors in my capacity as Chief of Marine Safety for the 17th Coast Guard District as well as during my assignments as Captain of the Port for Los Angeles-Long Beach and Chief of Marine Safety for the Pacific Area. Additionally, my opinions are based on the following:

- Direct observation of cruise ship arrivals and departures in Ketchikan, Juneau and Skagway.
- Review of Automatic Identification System (AIS) tracking data of cruise ship maneuvers in Juneau for three years.
- Surveys and interviews with port and maritime stakeholder, including marine pilots who navigate the vessels in and out of port, and the Coast Guard.
- Ship simulator evaluation of potential moorage options with pilots and cruise ship representatives participation at the Pacific Maritime Institute vessel simulator in Seattle.
- Review of weather statistics for the Port of Juneau over the course of three years

The following is an Executive Summary of the salient "navigational issues" regarding cruise ship operations and expanded moorage alternatives in the Port of Juneau. :